

Meeting Minutes
New Prague Planning Commission
Wednesday, November 15, 2023

1. Call Meeting to Order

The meeting was called to order at 6:30 p.m. by Chair Dan Meyer with the following members present Brandon Pike, and Jason Bentson. Absent were Shawn Ryan (arrived at 6:31 pm) and Ann Gengel.

City Staff Present: Ken Ondich – Planning / Community Development Director, and Kyra Chapman – Planner

2. Approval of Meeting Minutes

A. November 1st, 2023 Special Meeting

A motion was made by Pike and seconded by Bentson to approve the November 1st special meeting minutes. Motion carried (3-0).

Ryan arrived at 6:31pm.

3. OLD BUSINESS

A. None.

4. NEW BUSINESS

**A. Request for Variance #V4-2023 and Conditional Use Permit #C5-2023 – Indoor Firing Range & Limited Retail Sales at 100 2nd Ave SW in the I-1 Light Industrial Zoning District
ATR LLC (Austin Reville) – applicant
(Public Hearing Required)**

Planning Director Ondich presented the report for the proposed firing range at the Mill (100 2nd Ave SW). The New Prague Flouring Mill was established in 1896 but Miller Milling closed the business in 2019. Today the new owner, New Prague Mill, LLC uses the warehouse for storage purposes. Current owner of 2 If By Sea Tactical, Austin Reville, is proposing to build a firing range in the south eastern portion of the Mill. The total area of the business would be 10,000 sq ft with 8 shooting lanes and a retail space. Of that area, 2,000 sq ft of space will be dedicated as retail space, classroom, office, and storage. The applicant has applied for a variance and a conditional use permit for the proposed firing range. Firing ranges in the I1-Light Industrial District require conditional use permits. A conditional use permit is also needed since retail sales in the industrial

district are limited to 30% of the building space or 5,000 sq ft. Under the current zoning ordinance, firing ranges cannot be located less than 1,000 lineal feet, from building to building of any church, school, or establishment licensed to dispense intoxicating or non-intoxicating beverages. Currently, the proposed site is less than 1,000 feet away but more than 500 feet away from multiple businesses that sell alcoholic beverages. The applicant is requesting a variance to allow the firing range to be no less than 500' from an establishment that sells liquor. The property is unique in that it is abutting several zoning districts and located in the old central part of town which was developed prior to zoning laws within the City. Notably, the outer wall of the firing range building would be 115' to the nearest home at 212 2nd Street SW. Under Minnesota statute, sound measured at the nearest residential property cannot exceed 63dB(A).

Meyer asked what would happen if another business came into the building or nearby sold alcoholic beverages. It would handicap or prevent further growth of the firing range, which would put an unfair burden on them.

Planning Director Ondich stated that there is nothing in the ordinance that says this at this time, however, an ordinance amendment could be made.

Meyer suggested that language could be written to prevent a non-conforming situation, instead of always requiring the business to apply for a variance.

Planning Director Ondich stated that if the Planning Commission wanted to maintain their review authority, they shouldn't change the ordinance.

Pike inquired if the conditional use permit and the variance were being granted for the whole building or the tenant space.

Planning Director Ondich clarified that it was for the specific tenant space, not the entire building.

Meyer asked what the noise was like at the Mill before it closed and how it would compare to the proposed firing range.

Planning Director Ondich mentioned that when the Mill was still operating, there was a constant drone. Some audible pops may be heard outside the building if the proposed firing range is built. If there are noise complaints of the firing range, the police would inform the community development department, who would then use a device to measure the decibels or noise.

A motion was made by Pike seconded by Ryan to open the public hearing at 7:10 pm. Motion carried (4-0).

Gary Whiteis at 1406 9th St SE explained that he has been a part time employee at 2 If By Sea Tactical and that the business follows very tight measures and regulations. The proposed firing range will be an asset to the community.

Pike asked the applicant to expand on what the retail sales will be.

Austin Reville, the applicant, replied that they currently work out of a store that is 770 sq ft large compared to the proposed 2,000 sq ft retail space. The store would continue to sell guns, ammunition, safety equipment, t-shirts, and rentals. The rentals won't leave the building, because federal regulations require them to stay in the store.

Pike referred to the City's ordinance that stated that guns cannot be stored on the premise unless in a vault.

Reville mentioned that their current store strings up their guns with security cables every night. Any handguns are stored inside a lockable cabinet. There will be a secure storage facility for the rental equipment. The store will meet the state regulations.

Pike inquired about sound buffering of the building.

Reville remarked that the entire shooting range will have 8-inch concrete fill cinderblock with a concrete lid and rubberized panels for sound dampening. There are doors between the firing range and main area, so people are unable to walk into the range. At the Modern Sportsman range in Burnsville, no noise can be heard outside.

Pike asked what the expected traffic will be at the site.

Reville replied that the shooting range will hopefully attract 2,000-3,000 people per year. Many of those customers will be repeats. There will be days and times that will be busier or lighter than others. For instance, weekdays and mornings will be less busy compared to weekends and evenings.

Gerry Brown from 1611 3rd St SE explains that the nearest shooting range is about 35 minutes away. Having a shooting range in New Prague will attract people to the City and bring commerce.

Pike inquired what process employees will take in dealing with intoxicated customers.

Reville stated that he doesn't intend to have his business open during Dozinky Festival due to the possibility that people may be intoxicated. It's federal statute that it's illegal to purchase and shoot firearms if the individual is under the influence of cannabis. Staff will visually inspect the customer. If the customer smells of cannabis, employees will refuse their business.

Pike asked if Reville was okay with staff's proposed reduced business hours.

Reville stated that the original proposed times were based on what was written in the ordinance. The proposed reduced times are fine.

A motion was made by Ryan seconded by Bentson to close the public hearing at 7:22 pm. Motion carried (4-0).

A motion was made by Ryan seconded by Bentson to forward a recommendation to city council to approve C5-2023 and V4-2023 to allow an indoor firing range and limited retail sales in the I1-

Light Industrial District with the findings and conditions listed in the staff report. Motion carried (4-0).

5. Miscellaneous

A. Complete Streets Policy Discussion

Planner Chapman introduced the Complete Streets Policy discussion. She explained that Complete Streets is a framework in which transportation is maintained, designed, and used to provide safe, and accessible travel for all individuals. The framework attempts to consider the needs of all modes of transportation such as pedestrians, motorists, bicyclists, emergency vehicles, transit users, and commercial vehicles. Some design features of a Complete Streets Policy may include sidewalks, bike lanes, special bus lanes, median islands, safe crossing, bump outs, etc. Several Minnesota communities have adopted a Complete Streets Policy such as Bloomington, Minneapolis, New Hope, Burnsville, and Osseo. One reason it would be beneficial to adopt a Complete Streets Policy is because the City would score higher on grant applications and are more likely to receive grant funding.

Planning Director Ondich mentioned that staff is currently writing a grant application for a transportation improvement and one of the grant questions asked if the City has a Complete Streets Policy in place.

Planner Chapman stated that many transportation grants ask if the applicant has a Complete Streets Policy in place. Staff are currently writing a grant application for MnDOT's LRIP grant, and one question asked if New Prague has a Complete Streets Policy in place. The grant also inquired how the proposed transportation project relates to Complete Streets even if the applicant hasn't adopted a Complete Streets Policy.

Ryan asked how limiting a Complete Streets Policy would be. In the past, many residents have argued that they rarely use the sidewalks.

Planning Director Ondich stated that a Complete Streets Policy will make the City consider transportation alternatives. The City already considers different transportation features, but it would be beneficial to refer back to a report or policy. Staff wanted to introduce the possibility of adopting a Complete Streets Policy before the Comprehensive Plan is complete.

Pike explained that transportation has moved up to the second goal in the Comprehensive Plan. At a minimum the City could adopt more transportation ordinances. Perhaps the City could call the report "Smart Streets", which recommends transportation improvements rather than making them a requirement. The City should plan or have a more proactive than reactive approach when it comes to transportation.

Meyer asked if there are police reports of roads or intersections of frequent concern. Perhaps the City could improve these specific areas of concern.

Planning Director Ondich stated that there have been police reports of specific areas. Several months ago, staff applied for the Active Transportation grant due to concerns of pedestrian visibility, vehicle parking, and congestion along 12th Ave SE when there are baseball games at Settlers Park. Another good reference is Minnesota Crash Mapping Analysis Tool (MnCMAT2), which is a software created by MnDOT that shows crash data from the past 10 years. The software provides a lot of information that a police report would show.

Planner Chapman elaborated that MnCMAT2 provides detailed information such as the lane location, road condition, severity of the collision, location of the damage, and the time of the crash.

B. Comprehensive Plan Update

Planning Director Ondich mentioned that the public open house for the Comprehensive Plan will occur on December 7th. The meeting will give residents an opportunity to provide feedback on the Land Use Chapter of the Comprehensive Plan. There will be at least two maps provided, showing building constraints and proposed trails. At this time, no set time has been selected and the event may occur either at City Hall or event space at the brewery.

Ryan noticed that the draft of the Land Use Chapter features the percentages or make up of existing land uses. He wondered if the report had percentages of land use comparisons to other cities.

Planning Director Ondich stated that that comparison was not included but staff could ask MSA to add that information.

C. Monthly Business Updates

The update was accepted and reviewed as written.

6. Adjournment

A motion was made by Ryan, seconded by Pike, to adjourn the meeting at 7:55 pm. Motion carried (4-0).

Respectfully submitted,



Kyra J. Chapman
Planner