

Meeting Minutes
New Prague Planning Commission
Wednesday, February 26th, 2025

1. Call Meeting to Order

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

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

2. Approval of Meeting Minutes

A. January 22nd, 2025 Regular Meeting

A motion was made by Ryan, seconded by Bentson, to approve the January 22nd, 2025 regular meeting minutes. Motion carried (3-0).

3. Public Invited to Be Heard on Matters Not on the Agenda

Joe Nadeau from 212 St W shared his concerns about potential noise at the mill property.

The Planning Commission indicated to Mr. Nadeau that they will discuss that shortly after the #I2-2025 presentation is given.

4. OLD BUSINESS

A. None

5. NEW BUSINESS

A. Request for Interim Use Permit I2-2025 – Allow a Rail Car Repair Business at 100 2nd Ave SW

Planner Chapman introduced the interim use permit #I2-2025 request to allow a rail car repair business at the old mill property (100 2nd Ave SW). New Prague Flouring Mill was established in 1896 and when the mill closed in 2019, New Prague Mill, LLC purchased the property. In fall 2024, #I2-2024 was approved to allow exterior storage of vehicles and recreational equipment under 28,000 sq ft canopy and 36' x 44' canopy for 3 years. Instead of parking recreational vehicles under the canopy, New Prague Mill, LLC is requesting to allow Cypress Rail Solutions to operate under the 28,000 sq ft canopy and up to the northern rail spur for 10 years. A 16' tall fence would be erected at the edge of the northern rail spur. The property is currently zoned I1-Light Industrial District where automobile repair businesses are a permitted use but that would only apply to uses inside the building and the “exterior” area. In the 2045

Comprehensive Plan, the property is guided as “Downtown Flex” which would allow similar commercial uses in the downtown and would likely prohibit industrial uses. Rezoning will occur once the Unified Development Code is adopted sometime in late 2025 or early 2026. Staff does not support the proposed request due to noise concerns and the use does not fit the Future Land Use Map. Since the business closed in 2019, many residents may have become accustomed to the lack of noise. The work may be noisy for the tenants inside the building, Main St businesses, and residential homes. Noises at the mill could exceed chapter 7030 on Noise Classification 2 for MPCA Noise Pollution Control. Furthermore, City Code 92.15 states that a public nuisance is considered something that unreasonably annoys or endangers safety, health, and morals. In other words, the code could still apply for noises not exceeding the MPCA thresholds.

Ryan inquired about the type of fence the 16-foot-tall fence would be.

Bill Gibson, co-owner of New Prague Mill, LLC, explained that the fence would be 16’ tall to be as tall as the rail cars. The fence would be chain link with slats.

Ryan asked how the rail cars would be delivered.

Gibson said the rail cars would arrive from the south.

Brian Trammell, co-founder of Cypress Rail Solutions, mentioned that there would be about 30 cars total on the property at one time but only 4-6 cars will be worked on at a time. The hours of operation will be from 7 am to 4:30 pm for one shift.

A motion was made by Pike, seconded by Bentson to open the public hearing (3-0). The public hearing opened at 6:46pm.

Trammell said that most customers will be agricultural producers (raw grains, soybean) from upper midwest. ADM will likely be their biggest customer. This is an ideal location since there are several amenities that New Prague has to offer, and it would reduce shipping costs. There will be 8-10 employees at the site. Rail car repair noises may include impact wrenches, hammer, forklift, skid steer, and potentially welding. Most of the time their work will be inspection fit up. No work will include fumes, painting or volatiles. All rail cars would be located on the subject property and would not encroach onto nearby properties. Their business currently operates out of Erskine, MN, Grand Forks, ND, and small hubs in Alexandria. There are plans to expand in western North Dakota. They have not heard of any complaints from these communities.

Ryan inquired about the location of these facilities and whether they were in city limits or far away from town.

Trammell mentioned that the Erskine location is located in the heart of the City and county road runs through it. The Grand Forks location is in an industrial park where there are already mills. Alexandria is a mobile hub. There will not be frequent noise at the site. It will likely be 40-60 bolts with an impact wrench. In most instances, it will be fit up and inspections.

Ryan inquired about the smell from the rail cars especially if the weather is warm or there is moisture.

Trammell said there is typically residual commodity, not a loaded compartment. The cars are designed to slope so that the product moves. If there is product in the car, only a pound or two will stay. If it's corn, it may cake up a bit and needs to be evacuated with air or a pressure differential mechanism. The air testing will not be done in New Prague. They would use a sweep clean. All waste would go in a dumpster.

Planning / Community Development Director Ondich stated that since staff did not recommend approval for the interim use request, no conditions were developed by staff. However, if the Planning Commission were to recommend approval, conditions should be made. These conditions could address noises, smells, residual removal, and appearance.

Pike is not so concerned about the frequency and loudness of the noise. He was more concerned about the conflicting uses of the parcel itself. He wanted to know when that paradigm shift would happen for commercial uses only. He inquired for the reason of a 10-year interim request.

Gibson stated that Cypress Rail Solutions suggested a 5-year contract with potentially a 5-year extension. It seems like 5 years is short for the amount of money they will invest in the property, which is the reason for the 10 year request.

Trammell added that the longer period of time would prevent families from being uprooted.

Pike believed that 5 years seemed like an appropriate amount of time that could potentially be re-evaluated later. He is more concerned about the north side of the property. He would like the conditions to reflect the rendering the applicant submitted on what the northern portion of the property will look like. The conditions should include what the materials of the fence should be made of so that it does not follow apart and to help shield the sound for POPS and beautify of the north side of the property.

Trammell stated that the business would operate Monday through Thursday and the fifth would be a flex day.

Pike noticed in the letter the applicant mentioned if the interim use request is not approved, there is potential for a lease with Union Pacific could be made 100' away. He asked the applicant to elaborate.

Trammell explained that they lease the industry lines 100 feet away. They could mobilize the rail cars next to the railroads in the winter months. In the summer months, it would be similar to their Alexandria business.

Ryan inquired if they were allowed to do that, would they still need to maintain the MPCA standards.

Planning / Community Development Director Ondich had spoken with the City Attorney and from the City Attorney's perspective, if it's a standard railroad operation, it is exempt from a municipality's zoning or state requirements. If there were a lease with a non-Union Pacific entity such as Cypress Rail Solutions, the City's zoning would apply.

Gibson stated that if the interim use permit is not approved, he's unsure what to do with the property. There are silos and railroads that don't work with Business Flex. They can't think about other uses that would work. There were ideas originally to have an apartment but there isn't enough parking at the site. A common statement in New Prague is that they want to preserve the historical character. The proposed project is the best plan to try to protect the silos and railroad. There are talks about possibly the post office coming in. For the proposed use, there are too many parking stalls being required.

Planning / Community Development Director Ondich said there is no parking stall requirement specifically for rail car repairs. It's based off industrial uses.

Pike doesn't believe the rail car repair business will help the development of the west side of the site besides reinvestment funds.

Joe Nadeau from 212 2nd St SW says he lives about 100 feet or less from the mill. The ½ inch battery operated impact wrench on steel is loud. He was in industrial construction before. He shared his concerns about waste of the dumpster to prevent smell. Since the rail cars will be coming, there will be noise from switching, and train horns.

Ryan said that the horns go off at intersections so at Main Street, 2nd St NW, and 7th St NW. The city can't control when the trains come so theoretically it could go off during POPS performances.

Trammell stated they are not making a dedicated run to drop off the rail cars. Typically, there will be 110-130 cars and the train will drop off when they're passing by. Sometimes they run at odd hours and they do not have control over that but most times they will optimize their loads. They will service once a week with daytime crew.

A motion was made by Pike, seconded by Ryan to close the public hearing (3-0). The public hearing closed at 7:31pm.

A motion was made by Pike, seconded by Ryan to table the interim use request to be discussed at the next Planning Commission meeting and have staff draft a list of conditions such as no painting, hours of operation (8am-4:30pm weekdays), dumpster on site, fencing materials, maintenance of fence, completion of northern area, vegetation/landscaping plan, and 5-year timeframe.

Motion carried (3-0).

6. Miscellaneous

A. Annual Community Development Reports

Planning/Community Development Director Ondich stated that there are about 24 vacant residential lots left. These lots may not be necessarily for sale so there might only be 10-12 actually available. Ten new residential homes were built last year, and the 54-unit apartment building is underway in its construction. There haven't been a lot of townhomes/twin homes built. There's been a 15 year high on industrial, commercial, public permits.

B. Monthly Business Update

Planning/Community Development Director Ondich introduced the monthly business update. He mentioned that Fancy Bones Pet Salon & Boutique was approved for an interim use permit and Brickside 19 was approved for a patio with a pergola. Marquardt Jewelers changed ownership and Berg Direct Primary Care opened up at 314 Main St.

7. Adjournment

A motion was made by Pike, seconded by Ryan, to adjourn the meeting at 7:48 pm. Motion carried (3-0).

Respectfully submitted,



Kyra J. Chapman
Planner