



PLANNING COMMISSION MEETING AGENDA

City of New Prague

Wednesday, September 16, 2026 at 6:30 PM

City Hall Council Chambers - 118 Central Ave N

1. CALL TO ORDER

2. PUBLIC FORUM

(Public Forum is intended to afford the public an opportunity to address comments, questions and concerns with the Planning Commission. Speakers limited to five minutes)

3. APPROVAL OF REGULAR AGENDA

4. APPROVAL OF PREVIOUS MEETING MINUTES

[a.](#) August 26, 2026 Planning Meeting Minutes

5. NEW BUSINESS

- [a.](#) Public Hearing for Request for Conditional Use Permit #C4-2026 and Interim Use Permit #I1-2026 - Small Engine Repair with Outdoor Storage at 401 Main St. W
John M. Lemke Jr. - applicant
- [b.](#) Public Hearing for UDC Amendment - Wind Energy Systems

6. OLD BUSINESS

- [a.](#) Public Hearing for Request for Conditional Use Permit #C3-2026 - Relocate Garage from 901 1st Ave. NW to 903 1st Ave. NW
Paddy O'Properties - applicant

7. MISCELLANEOUS

- [a.](#) Monthly Business Updates

8. ADJOURNMENT

*Anyone speaking to the Planning Commission
shall state their name and address for the record.
Thank you.*

THE PURPOSE OF THE ZONING ORDINANCE IS TO PROMOTE THE HEALTH, SAFETY, ORDER, CONVENIENCE AND GENERAL WELFARE, BY REGULATING THE USE OF LAND, THE LOCATION AND USE OF BUILDINGS AND THE ARRANGEMENT OF BUILDINGS ON LOTS, AND THE DENSITY OF POPULATION IN THE CITY OF NEW PRAGUE.



PLANNING COMMISSION MINUTES

City of New Prague

Wednesday, August 26th, 2026

City Hall Council Chambers - 118 Central Ave N

1. CALL TO ORDER

The meeting was called to order at 6:30pm by Chair Dan Meyer.

The following members were present: Chair Dan Meyer, Vice Chair Brandon Pike, Jennifer Schultz, Shawn Ryan, and Michael Orvick.

The following City Staff were present: Community Development Director Ken Ondich and Planner Evan Gariepy.

2. INTRODUCTION OF NEW MEMBER – MICHAEL ORVICK

The Commission was introduced to the new member, Michael Orvick.

3. PUBLIC FORUM

A motion was made by Pike, seconded by Schultz, to open the public forum at 6:32pm.

Motion carried (5-0)

No comments were given.

A motion was made by Pike, seconded by Schultz, to close the public forum at 6:32pm.

Motion carried (5-0)

4. APPROVAL OF REGULAR AGENDA

a. August 26th, 2026 Regular Meeting

A motion was made by Pike, seconded by Schultz, to approve the August 26th, 2026 regular meeting agenda.

Motion carried (5-0)

5. APPROVAL OF PREVIOUS MEETING MINUTES

a. July 22nd, 2026 Regular Meeting

A motion was made by Pike, seconded by Orvick, to approve the July 22nd, 2026 regular meeting minutes.

Motion carried (5-0)

6. NEW BUSINESS

a. Public Hearing for Request for Conditional Use Permit #C3-2026 – Relocate Garage from 901 1st Ave NW to 903 1st Ave NW. Paddy O'Properties - Applicant

Gariepy presented the staff report for the Conditional Use Permit application.

Ryan asked when the garage would be moved. Patrick Sullivan, representing the applicant, stated that it would be moved this fall. Mr. Sullivan said that the existing house on 901 1st Ave NW may not be

demolished in a controlled burn due to lead paint, but that he still plans to demolish it. He stated that it would take approximately one hour to move the garage.

Ryan asked when the siding on the garage would be completed. Mr. Sullivan stated he didn't have a date, but he has all of the siding and a contractor lined up. He stated he wants to reside it after it is moved, in case moving it damages the new siding.

Pike asked what will happen to the site where the garage is removed from. Ondich stated that a demolition permit will be required and that the City holds an escrow until the site is safe and restored.

There was no public hearing held.

A motion was made by Ryan, seconded by Schultz, to recommend approval to City Council of Conditional Use Permit #C3-2026 to allow for the relocation of a garage from 901 1st Ave NW to 903 1st Ave NW, as proposed by Paddy O'Properties.

Motion carried (5-0)

7. OLD BUSINESS

a. Public Hearing for UDC 2nd Miscellaneous Amendments

Gariepy presented the proposed miscellaneous amendment to the UDC. He presented the alternative language options regarding accessory building design requirements, as requested by the Planning Commission at the July Planning Commission meeting.

Ryan asked about wind mills. Gariepy and Ondich stated that it is disallowed through omission in the Unified Development Code. Gariepy stated that language could be brought forward next month for consideration by the Commission.

There was general discussion regarding the different options for design requirements for accessory buildings.

A motion was made by Pike, seconded by Ryan, to open the public hearing at 7:11pm.

Motion carried (5-0)

No comments were given.

A motion was made by Schultz, seconded by Ryan, to close the public hearing at 7:12pm.

Motion carried (5-0)

A motion was made by Pike, seconded by Schultz, to forward the proposed 2nd Miscellaneous Amendments of the Unified Development Code to the City Council, with the proposed first option for accessory building design requirements and the removal of the phrase 'motor' vehicles, and to schedule a public hearing at the September 16th, 2026 Planning Commission meeting to discuss and gather input regarding standards for wind energy systems.

Motion carried (5-0)

8. MISCELLANEOUS

a. Harvest Fields Update

Ondich presented the update regarding the Harvest Fields development. He stated that they are currently conducting the traffic study and reviewing phasing of the development. He stated they are working on submissions for the October Planning Commission meeting.

Meyer asked if the development is planning to connect to Alton Ave, Ondich stated that it is not within the scope of this development. Ondich noted that the traffic study may show that additional roads are required to be built prior to lots being built on them due to access and congestion concerns.

b. Monthly Business Updates

Ondich presented the monthly business update as information.

9. ADJOURNMENT

A motion was made by Pike, seconded by Schultz, to adjourn the meeting at 7:22pm.

Motion carried (5-0)

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Evan C. Gariepy". The signature is fluid and cursive, with a long horizontal stroke at the end.

Evan C. Gariepy
Planner



118 Central Avenue North, New Prague, MN 56071
phone: 952-758-4401 fax: 952-758-1149

MEMORANDUM

TO: PLANNING COMMISSION

FROM: EVAN C. GARIEPY – PLANNER
KEN ONDICH – COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: REQUEST FOR CONDITIONAL USE PERMIT #C4-2026 TO ALLOW FOR A SMALL ENGINE REPAIR SHOP AND INTERIM USE PERMIT #I1-2026 TO ALLOW FOR EXTERIOR STORAGE IN ASSOCIATION WITH A SMALL ENGINE REPAIR SHOP AT 401 MAIN ST. W, AS PROPOSED BY JOHN LEMKE JR.

DATE: SEPTEMBER 9TH, 2026

Background / History

The applicant, John Lemke Jr., is applying for a Conditional Use Permit to allow for a small engine repair shop with exterior storage at 401 Main St W, at which snowmobile, lawnmower, ATV, and similar engines would be worked on. This property was formerly utilized as a used car lot under Conditional Use Permit #C3-2014, which operated from 2014 until June 2025. Since then, it has sat vacant. The parking lot pavement was completely removed in 2025 due to it being in poor condition and it has not yet been replaced.

While Small Engine Repair is not specifically listed as a permitted or conditional use, staff believes it is similar (and even less intensive) than minor automobile repair which is a conditional use within the West Downtown Overlay District (WDOD). Exterior storage is not a conditional nor permitted use in this district. Section 4.003 (J) (3) of the Unified Development Code clarifies that new uses that do not comply with the WDOD's zoning standards may be allowed through an interim use permit. The applicant is proposing that the exterior storage at the site will be behind fencing, and will be eventually discontinued when the building is expanded to instead provide interior storage.

The applicant stated that the business would have a maximum shift of two full-time employees, and it would not feature retail. Customers would drop off equipment to be repaired, meaning that it would be a low traffic generator and would provide a use to an otherwise vacant site.

Legal Description

Lot 1, Block 3, Modified Plat of that portion of Philipp's Addition to Praha lying West of the Minneapolis and St. Louis Railroad, Scott County, Minnesota.

Zoning – Small Engine Repair

The property is zoned West Downtown Overlay District. The purpose of this district is to shift development of properties in this overlay to be a mixed-use transition from downtown to nearby spaces that are compatible with the purposes of the B-1 Central Business Zoning District.

The proposed use of repairing small engines, such as those from lawnmowers and ATVs, is not specifically listed as a permitted or conditional use, however staff believes it is similar yet less intensive than what is classified as minor auto repair, which is a conditional use within the B-1 Zoning District and thus within the West Downtown Overlay District.

The UDC defines minor automobile repair as follows: The replacement of any part or repair of any part which does not require the removal of the engine head or pan, engine transmission or differential, and may include incidental body and fender work, minor painting, and upholstering service when said service above stated is applied to passenger automobiles and trucks not in excess of 12,000 pounds gross weight.

Section 3.002(E)(2) of the UDC allows for the City Council to consider a Conditional Use Permit for which a use is not specifically listed if, after careful review by the Planning Commission and City Council, it is found to otherwise meet the criteria for granting a conditional use within the affected district. It also allows the City Council to impose additional conditions to protect the best interests of the surrounding area or community as a whole.

Zoning – Exterior Storage & Screening

Exterior storage is also not a conditional nor permitted use within the West Downtown Overlay District. However, Section 4.003 (J) (3) of the UDC states the following regarding uses within this district:

Redevelopment of existing structures and uses. Redevelopment of properties within the West Downtown Overlay shall only be permitted if the property complies with the B-1 Zoning District land uses and performance standards unless an interim use permit shall be considered for a land use or variance for performance standards.

Thus, exterior storage may be evaluated as an interim use for this property as it is not as similar to an existing permitted or conditional use as small engine repair was to minor automotive repair.

Staff believes that allowing exterior storage as an interim use would promote the redevelopment of this site. **Staff is proposing that a condition of the IUP requires that the exterior storage is removed within 3 years.** The building may be expanded to provide interior storage, which would be permitted under the proposed CUP allowing for small engine repair at this site. This building expansion will require a Variance due to the dimensions of the property and placement of the existing building in relation to setbacks. If the building is not expanded to provide interior storage within this time frame, the exterior storage must be removed by this time period, or an amendment to the IUP to extend the time period may be considered. Upon expansion of the building, the exterior storage must be discontinued.

In the UDC, there are no specific performance standards regarding exterior storage within this context of a commercial property. However, Staff believes that the exterior storage should be kept highly screened from Main St. and the residential property to the north. The applicant proposes having a 6' tall wooden privacy fence surrounding the exterior storage. Staff is in support of this, and recommends adding a condition requiring that this fence be 100% opaque and is well maintained. The area which is blocked by an existing wall may remain, as long as the exterior storage area is screened by a 6-foot tall opaque fence or wall at all times. Any exterior entrance/exit to this storage area must be locked at all times.

If there are garbage bins, dumpsters, or other refuse that is kept outside, it must be screened per Section 6.002 (B) of the Unified Development Code.

Neighborhood Conditions and Nearby Land Uses

North: One residential property that is zoned West Downtown Overlay District.

South: Main St., and then multiple businesses (Le Fete Royale, Skluzacek's Quality Meats, etc.) zoned West Downtown Overlay District.

East: The Union Pacific Railroad, then the Rusty Spoke zoned West Downtown Overlay District.

West: Undevelopable floodplains, Philipp's Park, Highway 21/4th Ave NW, then Kwik Trip zoned B3 Highway Commercial.

Parking and Parking Lot

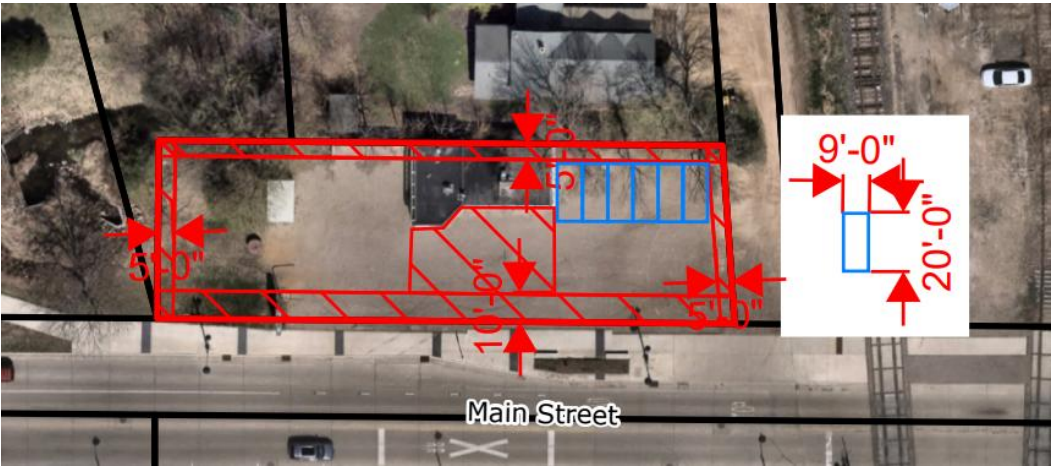
The business' parking lot is currently gravel, with no striped parking spaces. Gravel lots are prohibited. In Conditional Use Permit C3-2014 permitting The Car Lot business, the site was required to have three striped parking spaces and to be surfaced with concrete or bituminous. However, this surfacing was removed in 2025 due to being in poor quality, and has not been replaced.

Due to the time of year potentially prohibiting immediate surfacing of the site, Staff is proposing a condition that the parking lot to be surfaced prior to June 15, 2027. Prior to the final surfacing

of the parking lot and striping the parking spaces, only a temporary certificate of occupancy may be issued by the Building Official.

The entire portion of the plot that was previously paved does not all need to be resurfaced, as the applicant will not be utilizing all of it for parking. Any portion of the lot that is utilized for parking, or as a drive aisle for cars, must be paved. The remainder of the lot may either be seeded/sodded or utilized for other landscaping. The applicant proposed surfacing all of what was previously surfaced, with the exception of the area of land proposed to be utilized for exterior storage.

The UDC does not have a set parking requirement for automobile repair businesses, at which point Staff may make a determination off of similar uses. With a total of 1,015 square feet, the determination for warehouse use (1 per 1,000 square feet) would only require 1 spot, and an office determination (1 per 300 square feet) would require 3 parking spots. The diagram below shows where parking may not be located per the UDC. The blue parking spots are shown as an example.



Due to the lack of street parking directly in front of the site and the large size of the property, Staff proposes requiring a minimum 4 off-street parking spaces. The applicant stated that the maximum shift will be two employees, and Staff believes that the two additional spaces will be sufficient for customers dropping off or picking up small engines and equipment.

All parking spaces shall be striped to the east or west of the building, rather than in front of the building against the sidewalk. Section 6.002 (I) (2) (c) (4) states that parking may not be located between the building and the street in the B-1 Central Business District, which the Western Downtown Overlay District must follow the design requirements of.

All parking must meet the dimensional requirements that are established in Section 6.002 (I) (2) in the UDC. Per this section, the parking to the east of the building must be 5 feet from the north property line. Any handicap parking must meet the State Building Code.

Building Exterior

Any changes to the exterior of the building must follow the Commercial Building Designs for the B-1 District, as outlined in Section 6.002 (R) of the UDC, as well as the Central Business District Design and Sign Guidelines. Any building permits that are required must be obtained from the Building Department.

The applicant proposed repainting the building dark gray, with blue accents. This would be permitted under the UDC's guidelines. Any lighting added to the site must meet the UDC's guidelines for glare and exterior lighting.

Regarding improvements to the building and site's exterior, the applicant stated the following:

We also plan to clean up the property by removing existing weeds, overgrown shrubbery, and vegetation along the property lines [...] We plan to remove the existing abandoned light pole and upgrade the exterior lighting with modern, energy-efficient LED fixtures. We would also like to incorporate tasteful accent lighting beneath the building's roof canopy to improve the appearance, visibility, and overall aesthetics of the property during evening hours.

Staff would recommend that all exterior improvements, including painting and other maintenance, be completed prior to a temporary certificate of occupancy being issued.

Signage

The existing sign on the property may be utilized and replaced, but may not be expanded without a permit. Any other signage on the property must meet all requirements of the Unified Development Guide, and obtain a permit if applicable.

Traffic and MnDOT Comments

The applicant stated that the business will be a low traffic generator, with approximately 4-8 vehicle trips on a typical weekday, with an estimated peak of 12 trips during seasonal busy periods. There would be no high-turnover retail, and no customer waiting area. Customers would drop off equipment, to be repaired and picked up at a later date, resulting in an overall low traffic business.

Staff does not have concerns with the traffic impacts of this proposed business.

Because the property has direct access to Main Street/HW 13/19, comment from MnDOT was solicited on August 25th. The following comments were received via e-mail on September 3rd from MnDOT. In summary, MnDOT has no objection to the proposed use(s) and will not require any changes to the existing driveway but that the applicant must submit a Highway Access Permit Application.

From: Piltaver, Angela (She/Her/Hers) (DOT) <angela.piltaver@state.mn.us>

Sent: Thursday, September 3, 2026 5:23 PM

Subject: Re: Proposed Change of Use Along HW 13/19 New Prague

Evan/Ken,

Good afternoon. I looked through the past correspondence and project information about this site and see that the highway project back in 2020 removed the westerly access as previously discussed with the city and property owner. I agree that the new use for this property will be less intense than the previous uses - a car dealership and a gas station. I also see that there are no other access opportunities to this property beyond the existing/remaining access on Hwy 19. With that said, MnDOT has no objection to the proposed Interim Use Permit, and we will not require any changes to the existing driveway (especially since it serves a residential unit in addition to the business that also has no alternatives for access).

We only ask that the property owner complete the attached Highway Access Permit Application so we can formally recognize and track the change of use from used auto sales to small engine repair. Once completed, the applicant can email the form to Steve Schoeb, who handles permit applications for the east side of District 7 (copied above).

Finally, the property owner will want to make sure that there are no encroachments in state highway right-of-way, including encroachments by vehicles and repaired items awaiting pickup.

Please let me know if you have any questions about this decision. If there are questions about filling out the permit application form for the change of use, the business owner may reach out directly to Steve Schoeb of our office.

Thank you and have a great weekend!

Best regards,

Angela Piltaver, AICP, LEED AP (she/her/hers)

Principal Planner | District 7 - Planning

WAC/SAC Fees

The City calculates WAC and SAC fees according to the MET Council's manual. Vehicle service businesses are charged 1 credit for every 2,250 square feet. The structure is 1,015 square feet, meaning that 0.45 credits are required.

The site holds 3.37 credits of WAC/SAC due to its past use as West End Pit Stop. Because of this, no WAC/SAC fees would be due for this property.

Small Engine Repair - John Lemke Jr. – C4-2026 & I1-2026
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FEMA Floodplain Information

There is a Regulatory Floodway (teal striped with red), Zone AE Floodplain (teal), and Shaded Zone X Non-regulatory Floodplain (orange) in the western portion of this property, as shown in FEMA Map 27079C0087E effective 07/17/2024 and Attachment D. The Base Flood Elevation here is mapped at approximately 970.7'. The Regulatory Flood Protection Elevation is 1.5' above the 100-year floodplain, meaning that structures may not be constructed any lower than 972.2'.

Per Section 4.004 (D) (3) (b) & (e) of the Unified Development Code, no new structures may be constructed within the regulatory floodplain (teal striped with red). Fences that do not meet the definition of farm fence are also not permitted within the Regulatory Floodway or Zone AE Floodplain.

Notably, the northwestern corner of the proposed exterior storage is Shaded Zone X Non-regulatory Floodplain, which does not have an established base flood elevation and is classified as having a 0.2% annual flood risk. Per Section 4.004 (C) (1) of the UDC, the City's floodplain regulations do not impact this floodplain. However, the applicant should be cautious of building any structures within this area.

The northwesternmost corner of the proposed exterior storage, as mapped, encroaches upon the Zone AE Floodplain at this site. Construction of the proposed privacy fence is not permitted within the Regulatory Floodway or Zone AE Floodplain. The applicant must move the fence out of this flood zone, and should be cautious of constructing the fencing within the Zone X Non-regulatory Floodplain. The image below shows the site plan, overlaid with the satellite imagery and the FEMA Floodplain map. Though the structure does not align perfectly, the property lines of the site plan and the City's GIS information are lined up.



Staff Comments

The Public Works Department and Police Department were consulted, and neither had any concerns or comments.

Planning Staff believes that the proposed use at the site is reasonable, and would encourage redevelopment of the vacant site. With the IUP for the exterior storage being limited to 3 years, they will have limited time to establish the business and prepare for a permanent building addition in place of the temporary solution of the fenced in exterior storage area.

Applicant’s Statement

The applicant provided the following statement:

I believe that JLs Innovative Repair LLC is an excellent fit for 401 Main St W and that our proposed use represents a significant opportunity to improve a long-underutilized commercial property while providing a needed service to the New Prague community.

This property has a long history of commercial use, previously operating as a gas station and later as a used-car dealership. Today, the property shows the effects of years of limited use and deferred exterior maintenance. The paint is deteriorating and peeling, exterior lighting is minimal and outdated, vegetation and overgrowth need attention, and

several portions of the property no longer present the appearance that I believe a Main Street property in New Prague should have.

Our intention is to change that.

We are prepared to invest substantial time, labor, and money into improving this property. Our goal is not simply to make the building functional for our business; we want it to become a property that noticeably improves the appearance of the west end of Main Street. I want someone driving into New Prague to pass the property and think, “Wow, that looks great.” We plan to repaint and modernize the exterior, improve the lighting and signage, clean up the property lines and landscaping, make accessibility improvements, and continue maintaining the property to a high standard. We are proposing to take an existing commercial property in need of investment and give it a productive, professional, and attractive long-term use.

Interestingly, this was not a property that we initially sought out ourselves. As JLs began growing, multiple members of the New Prague community independently suggested this property to us and expressed that they believed it would be an ideal location for the business. These conversations are what initially led us to seriously consider 401 Main St W. When we approached the current property owner, who also owns and operates multiple businesses within New Prague, he shared the same belief that JLs would be a good fit for the property and ultimately agreed to sell it to us. To me, that reinforces that this location makes sense not only from our perspective, but also from the perspective of other people who live, work, own businesses, and invest in New Prague.

The location itself is particularly well suited for the type and scale of business we intend to operate. Our customers need an accessible location where small and compact repair items can be conveniently dropped off and picked up. The business is not intended to operate as a large-equipment or multi-technician repair facility, and our operations will be structured to prevent customer items, outdoor storage, or business activity from becoming an eyesore to the surrounding area.

Being directly on Main Street provides customers with convenient access and visibility while the property’s location towards the end of Main Street keeps the business outside of the more congested downtown area. It also allows customers to reach us without directing drop-off and pickup traffic into residential neighborhoods or requiring residents to travel outside of town for service.

There is also a demonstrated local demand for the services we provide. New Prague currently has limited options for this type of professional repair service within the city. One of the most common responses I have received from customers since starting JLs is how appreciative they are to have someone local who can service and repair their items.

Keeping these services in New Prague also keeps more economic activity within the community. Whenever practical, JLs purchases parts, materials, supplies, and

professional services from other New Prague businesses because I believe a successful local business should help create business for its neighbors as well.

Beyond the immediate economic benefit, one of my most important long-term goals for JLs is to provide opportunities for young people in New Prague who have an interest in mechanics and the skilled trades. As the business becomes established at this location, I would like to bring in a local student each year who has an interest in the mechanical field and give that student an opportunity to work alongside me, learn practical skills, understand the trade, and receive mentorship and guidance. The skilled trades gave me a career and eventually the opportunity to build this business, and I want JLs to provide that same exposure and opportunity to the next generation of young people in our community.

My family and I are New Prague residents. This is our community, and we have a personal interest in seeing both the business and the property succeed long term. I am not looking at 401 Main St W as simply a building to operate out of. I see an opportunity to take an aging and underutilized commercial property, make a substantial improvement to its appearance, provide a service New Prague residents are actively asking for, support other local businesses, create future employment and learning opportunities, and put the property back into productive use.

Our goal is for 401 Main St W to look better, be better maintained, and provide more value to the New Prague community because JLs is there.

Criteria for Granting Conditional Use Permits

Section 3.002 (E) of the Unified Development Code states that the purpose of a Conditional Use Permit is to provide the City with a reasonable degree of discretion in determining the suitability of certain designated uses upon the general welfare, public health, and safety. In making the determination of whether or not the conditional use is to be allowed, the City may consider the nature of the adjoining land or buildings, the effect upon traffic into and from the premises, or on any adjoining roads, and all other or further factors as the City shall deem a prerequisite of consideration in determining the effect of the use on the general welfare, public health, and safety.

The applicant is requesting a Conditional Use Permit to allow for a small engine repair shop to open at 401 Main St. W.

In granting a Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use on the Comprehensive Plan and upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the City Council shall evaluate the criteria noted below. Staff has attempted to evaluate the established criteria for this specific request. Staff's comments are highlighted below in yellow.

- A. The use will not create an excessive burden on existing parks, schools, streets, and other public facilities which serve or are proposed to serve the area.
 - i. The use will not create an excessive burden on existing parks, schools, streets, and other public facilities which serve or are proposed to serve the area because the use will have a minimal overall impact due to only having two full-time employees.
- B. The use will be sufficiently compatible or separated by distance or screened from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.
 - i. The use will be sufficiently compatible or separated by distance or screened from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land because the property is only adjacent to a singular residential property, which is heavily screened by existing vegetation and will be screened by a 6' tall privacy fence, and the property has been used for similar uses in the past without depreciation to the residential property.
- C. The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties.
 - i. The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties because the exterior of the property will be improved and retain largely the same appearance, whereas the current vacant building and property is slowly deteriorating.
- D. The use, in the opinion of the City Council, is reasonably related to the overall needs of the City and to the existing land use.
 - i. The use is reasonably related to the overall needs of the City and to the existing land use because minor automobile repair is a conditional use within the B-1 Central Business Zoning District and thus in the West Downtown Overlay District, and the proposed use is promoting redevelopment within the West Downtown Overlay District.
- E. The use is consistent with the purposes of the Unified Development Code and the purposes of the zoning district in which the applicant intends to locate the proposed use.
 - i. The use is consistent with the purposes of the Unified Development Code and the purposes of the zoning district in which the applicant intends to locate the proposed use because minor automobile repair is a conditional use within the B-1 Central Business Zoning District and thus in the West Downtown Overlay District, and the proposed use is promoting redevelopment within the West Downtown Overlay District.
- F. The use is not in conflict with the Comprehensive Plan of the City.
 - i. The use is not in conflict with the Comprehensive Plan of the City because the site is guided as Downtown Flex.

- G. The use will not cause traffic hazard or congestion.
- i. The use will not cause traffic hazard or congestion because the applicant stated the business will have a maximum of approximately 12 daily trips during seasonal peaks on weekdays at the business, which is a lower amount than this site has had in the past as a gas station or car dealership.
- H. Adequate utilities, access roads, drainage, and necessary facilities have been or will be provided.
- i. Adequate utilities, access roads, drainage, and necessary facilities have been or will be provided because all of the following have already been provided to the site and the proposed use will not require any additional facilities.
- I. Section 3.002 (E) (2) of the Unified Development Code states that conditions may be placed upon the approval as are considered necessary to protect the public health, safety, and welfare.
- a. This Conditional Use Permit shall be applicable for any expansions of the building within the area designated as exterior storage as a portion of the requirements of Interim Use Permit I1-2026, without the amendment of this Conditional Use Permit being required.
 - b. The applicant must surface the parking lot with concrete or bituminous prior to June 15th, 2027. Prior to the surfacing of the parking lot, only a temporary certificate of occupancy shall be issued by the City.
 - c. Access to this site, and final approval of this Conditional Use Permit, must be approved by MnDOT as the site has direct access to Highway 13/19.
 - d. All exterior improvements, including painting and other maintenance, must be completed prior to a temporary certificate of occupancy being issued.
 - e. Repair work shall only be conducted within the building.
 - f. The outdoor storage of items is only approved within the exterior storage area approved by IUP I1-2026.
 - g. The building must meet all requirements of the Minnesota State Building Code for the property use.
 - h. The applicant shall reimburse the City for all fees and costs it incurs from processing, reviewing, and acting on the application approved herein, including but not necessarily limited to any fees charged by the City's professional consultants in accordance with established rates.
 - i. The property shall be subject to all requirements of the New Prague City Code and shall otherwise comply with all applicable federal, state, and local laws, rules, and regulations.

Criteria for Granting Interim Use Permits

Section 3.002 (F) of the Unified Development Code states that the City Council may consider an Interim Use Permit for a use which is not specifically listed in this Ordinance as an interim use within the affected district and may grant a permit provided that such interim use, after review by the Planning Commission and the City Council, is found to otherwise meet the criteria for granting an Interim Use Permit within the affected district.

The applicant is requesting an Interim Use Permit to allow for exterior storage at 401 Main St. W.

In granting an Interim Use Permit, the City Council shall consider the advice and recommendations of the Planning. Among other things, the City Council shall evaluate the criteria noted below. Staff has attempted to evaluate the established criteria for this specific request. Staff's comments are highlighted below in yellow.

- A. The proposed interim use will utilize property where it is not reasonable to utilize it in a manner provided for the City's Comprehensive Plan and Unified Development Code.
 - i. The proposed interim use will utilize property where it is not reasonable to utilize it in a manner provided for the City's Comprehensive Plan and Unified Development Code because this property is zoned West Downtown Overlay District, and the Unified Development Code states that interim use permits may be considered for uses not explicitly permitted in this overlay district.
- B. The proposed interim use is presently acceptable but, given anticipated development, will not be acceptable in the future.
 - i. The proposed interim use is presently acceptable but, given anticipated development, will not be acceptable in the future because the proposed exterior storage will be screened as to obscure it from public view prior to the expansion of the building for interior storage.
- C. The proposed use will not hinder permanent development of the site.
 - i. The proposed use will not hinder permanent development of the site because it will allow the applicant to utilize it for storage for a small engine repair shop prior to the expansion of the building for interior storage.
- D. The proposed use will not adversely impact implementation of the Comprehensive Plan for the area.
 - i. The proposed use will not adversely impact implementation of the Comprehensive Plan for the area because the building being expanded will eliminate the interim use and make it wholly confirming with the Conditional Use Permit #C4-2026 granting the use at the site.
- E. The proposed use will not be injurious to the surrounding neighborhoods or otherwise harm the public health, safety, and welfare.
 - i. The proposed use will not be injurious to the surrounding neighborhoods or otherwise harm the public health, safety, and welfare because the exterior storage will be screened by a 6-foot tall opaque privacy fence and locked so as to prevent view or access of the storage to the public.
- F. The use will not create an excessive burden on existing parks, schools, streets, and other public facilities which serve or are proposed to serve the area.

- i. The use will not create an excessive burden on existing parks, schools, streets, and other public facilities which serve or are proposed to serve the area because the proposed exterior storage will not create an extra burden on any public facilities.
- G. Adequate utilities, access roads, drainage, and necessary facilities have been or will be provided.
 - i. Adequate utilities, access roads, drainage, and necessary facilities have been or will be provided because the exterior storage will not create an extra burden on any public facilities.
- H. The date or event that will terminate the use has been identified with certainty.
 - i. The date or event that will terminate the use has been identified with certainty because the exterior storage must be discontinued before 3 years after the passing of this Interim Use Permit, or at the time the building is expanded to provide interior storage.
- I. Permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future.
 - i. The proposed exterior storage will not impose additional costs on the public if it is necessary for the public to take the property in the future.

Section 3.002 (F) (2) of the Unified Development Code states that conditions shall be placed upon the approval as are considered necessary to protect the best interest of the surrounding area or the community as a whole:

- a. Except as otherwise authorized by this section, an interim use shall conform to this Ordinance as if it were established as a conditional use.
- b. The date or event that will terminate the interim use shall be identified with certainty. The City Council may require the applicant to deposit a cash amount with the City, or provide some other form of security, to ensure compliance.
- c. In the event of a public taking of property after the interim use is established, the property owner shall not be entitled to compensation for any increase in value attributable to the interim use.
- d. Other conditions as the City Council deem reasonable and necessary to protect the public interest and to ensure compliance with the standards of this Ordinance and policies of the Comprehensive Land Use Plan. This includes the following:
 - i. This Interim Use Permit shall be contingent on Conditional Use Permit #C4-2026 permitting a small engine repair shop at this property.
 - ii. There shall be a 6-foot tall opaque fence screening the exterior storage at all times it is under use. This fence shall be kept in reasonably good condition, as determined by the City. Any exterior access to this exterior storage shall be locked at all times.
 - iii. Items that are stored externally may not be repaired while outside of the building so as to create noise, exhaust, or other potential nuisance to the public and the adjacent residential property.
 - iv. This Interim Use Permit is specifically permitting exterior storage at the west side of the structure located at 401 Main Street West, that shall not

extend further south towards the street then the principal building sits and shall not extend further west then the existing shed at the property.

Staff Recommendation

Staff recommends **approval** of Conditional Use Permit #C4-2026 to allow for a small engine repair shop at 401 Main St W, as proposed by John Lemke Jr., for the following reasons:

- A. The use will not create an excessive burden on existing parks, schools, streets, and other public facilities which serve or are proposed to serve the area because the use will have a minimal overall impact due to only having two full-time employees.
- B. The use will be sufficiently compatible or separated by distance or screened from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land because the property is only adjacent to a singular residential property, which is heavily screened by existing vegetation and will be screened by a 6' tall privacy fence, and the property has been used for similar uses in the past without depreciation to the residential property.
- C. The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties because the exterior of the property will be improved and retain largely the same appearance, whereas the current vacant building and property is slowly deteriorating.
- D. The use is reasonably related to the overall needs of the City and to the existing land use because minor automobile repair is a conditional use within the B-1 Central Business Zoning District and thus in the West Downtown Overlay District, and the proposed use is promoting redevelopment within the West Downtown Overlay District.
- E. The use is consistent with the purposes of the Unified Development Code and the purposes of the zoning district in which the applicant intends to locate the proposed use because minor automobile repair is a conditional use within the B-1 Central Business Zoning District and thus in the West Downtown Overlay District, and the proposed use is promoting redevelopment within the West Downtown Overlay District.
- F. The use is not in conflict with the Comprehensive Plan of the City because the site is guided as Downtown Flex.
- G. The use will not cause traffic hazard or congestion because the applicant stated the business will have a maximum of approximately 12 daily trips during seasonal peaks on weekdays at the business, which is a lower amount than this site has had in the past as a gas station or car dealership.
- H. Adequate utilities, access roads, drainage, and necessary facilities have been or will be provided because all of the following have already been provided to the site and the proposed use will not require any additional facilities.

And with the following conditions:

- a. This Conditional Use Permit shall be applicable for any expansions of the building within the area designated as exterior storage as a portion of the requirements of Interim Use Permit I1-2026, without the amendment of this Conditional Use Permit being required.
- b. The applicant must surface the parking lot with concrete or bituminous prior to June 15th, 2027. Prior to the surfacing of the parking lot, only a Temporary Certificate of Occupancy shall be issued by the City.
- c. Access to the site, and final approval of this Conditional Use Permit, must be approved by MnDOT as the site has direct access to Highway 13/19.
- d. All exterior improvements, including painting and other maintenance, must be completed prior to a temporary certificate of occupancy being issued.
- e. Repair work shall only be conducted within the building.
- f. The outdoor storage of items is only approved within the exterior storage area approved by IUP I1-2026.
- g. The building must meet all requirements of the Minnesota State Building Code for the property use.
- h. The applicant shall reimburse the City for all fees and costs it incurs from processing, reviewing, and acting on the application approved herein, including but not necessarily limited to any fees charged by the City's professional consultants in accordance with established rates.
- i. The property shall be subject to all requirements of the New Prague City Code and shall otherwise comply with all applicable federal, state, and local laws, rules, and regulations.

Staff recommends **approval** of Interim Use Permit #I1-2026 to allow for exterior storage in association with a small engine repair shop at 401 Main St W, as proposed by John Lemke Jr., for the following reasons:

- A. The proposed interim use will utilize property where it is not reasonable to utilize it in a manner provided for the City's Comprehensive Plan and Unified Development Code because this property is zoned West Downtown Overlay District, and the Unified Development Code states that interim use permits may be considered for uses not explicitly permitted in this overlay district.
- B. The proposed interim use is presently acceptable but, given anticipated development, will not be acceptable in the future because the proposed exterior storage will be screened as to obscure it from public view prior to the expansion of the building for interior storage.

- C. The proposed use will not hinder permanent development of the site because it will allow the applicant to utilize it for storage for a small engine repair shop prior to the expansion of the building for interior storage.
- D. The proposed use will not adversely impact implementation of the Comprehensive Plan for the area because the building being expanded will eliminate the interim use and make it wholly confirming with the Conditional Use Permit #C4-2026 granting the use at the site.
- E. The proposed use will not be injurious to the surrounding neighborhoods or otherwise harm the public health, safety, and welfare because the exterior storage will be screened by a 6-foot tall opaque privacy fence and locked so as to prevent view or access of the storage to the public.
- F. The use will not create an excessive burden on existing parks, schools, streets, and other public facilities which serve or are proposed to serve the area because the proposed exterior storage will not create an extra burden on any public facilities.
- G. Adequate utilities, access roads, drainage, and necessary facilities have been or will be provided because the exterior storage will not create an extra burden on any public facilities.
- H. The date or event that will terminate the use has been identified with certainty because the exterior storage must be discontinued before 3 years after the passing of this Interim Use Permit, or at the time the building is expanded to provide interior storage.
- I. The proposed exterior storage will not impose additional costs on the public if it is necessary for the public to take the property in the future.

And with the following conditions:

- a. Except as otherwise authorized by this section, an interim use shall conform to this Ordinance as if it were established as a conditional use.
- b. The date or event that will terminate the interim use shall be identified with certainty. The City Council may require the applicant to deposit a cash amount with the City, or provide some other form of security, to ensure compliance.
- c. In the event of a public taking of property after the interim use is established, the property owner shall not be entitled to compensation for any increase in value attributable to the interim use.
- d. Other conditions as the City Council deem reasonable and necessary to protect the public interest and to ensure compliance with the standards of this Ordinance and policies of the Comprehensive Land Use Plan. This includes the following:
 - i. This Interim Use Permit shall be contingent on Conditional Use Permit #C4-2026 permitting a small engine repair shop at this property.

- ii. There shall be a 6-foot tall opaque fence screening the exterior storage at all times it is under use. This fence shall be kept in reasonably good condition, as determined by the City. Any exterior access to this exterior storage shall be locked at all times.
- iii. Items that are stored externally may not be repaired while outside of the building so as to create noise, exhaust, or other potential nuisance to the public and the adjacent residential property.
- iv. This Interim Use Permit is specifically permitting exterior storage at the west side of the structure located at 401 Main Street West, that shall not extend further south towards the street than the principal building sits and shall not extend further west than the existing shed at the property.

Attachments

- A. Reference Map – Dated 08/25/2026
- B. Site Plans – Dated 08/10/2026
- C. Zoning Map – Dated 08/25/2026
- D. Flood Plain Map – Dated 08/25/2026
- E. Site Pictures – Dated 08/26/2026

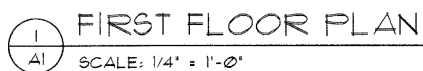


CUP4-2026
401 Main St. W

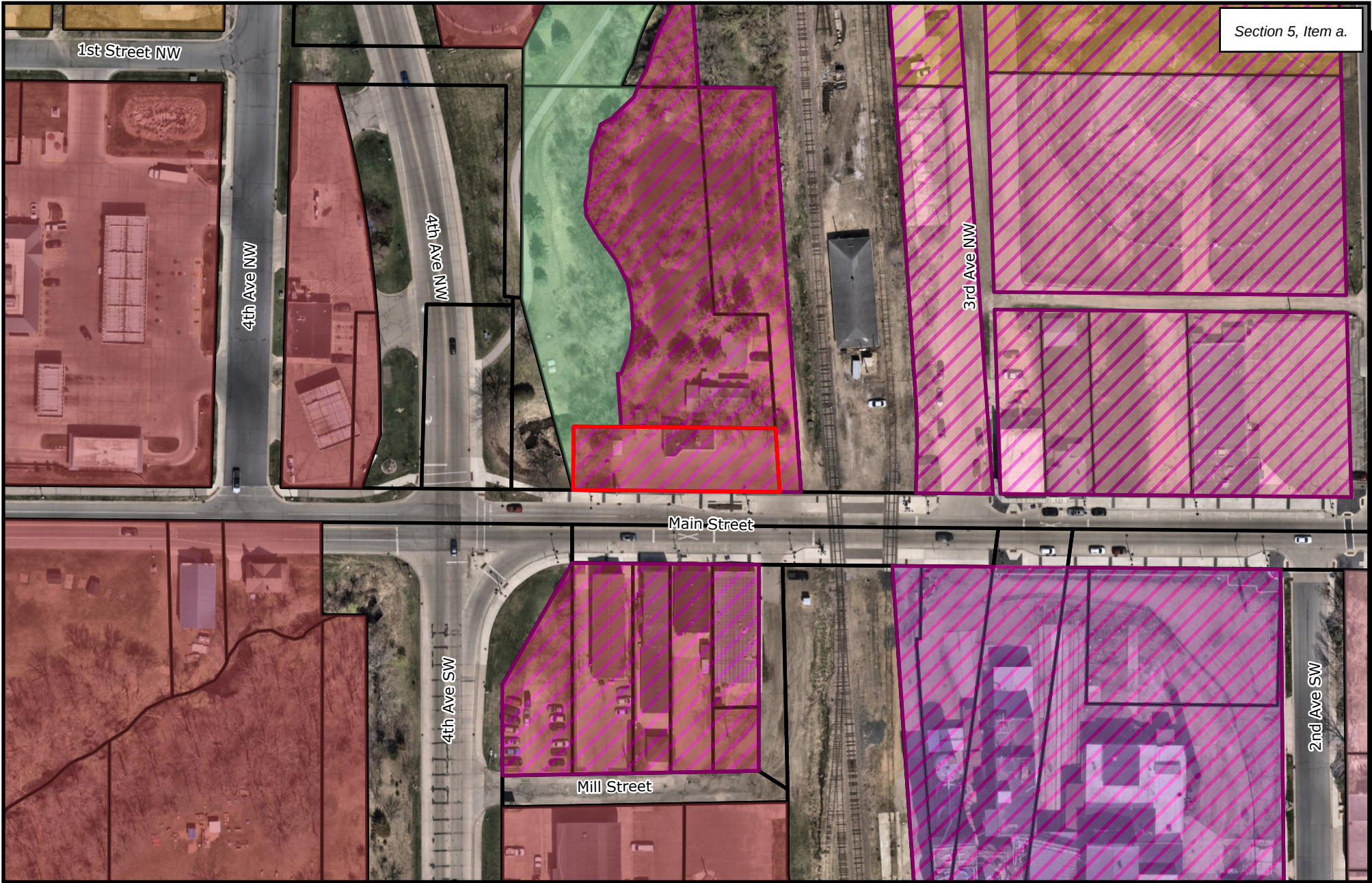
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August 25, 2026.
New Prague Planning Department.
The City is not responsible for any inaccuracies or
damages arising from the use of this map. Disclaimer
provided pursuant to Minnesota Statute 466.03 21.





A1



CUP4-2026
401 Main St. W

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August 25, 2026.
New Prague Planning Department.
The City is not responsible for any inaccuracies or
damages arising from the use of this map. Disclaimer
provided pursuant to Minnesota Statute 466.03 21.





Zone AE

Main Street

401 Main St. W

0 12.5 25
ft.

August 25, 2026.
New Prague Planning Department.
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Attachment E.
C4-11-2026



Looking north at the site



Portion of site where exterior storage is proposed to go



West of the site



South of the site



East of the site



118 Central Avenue North, New Prague, MN 56071
phone: 952-758-4401 fax: 952-758-1149

MEMORANDUM

TO: PLANNING COMMISSION
FROM: EVAN C. GARIEPY, PLANNER
SUBJECT: PUBLIC HEARING FOR PROPOSED UNIFIED DEVELOPMENT CODE
AMENDMENT PERTAINING TO WIND ENERGY SYSTEMS
DATE: SEPTEMBER 10TH, 2026

Background

At the August 26th Planning Commission meeting, the public hearing for multiple miscellaneous amendments to the Unified Development Code was held. At this meeting, Commissioners inquired about potential regulations pertaining to wind energy systems. They motioned for Staff to research options for the Ordinance pertaining to wind energy systems, and motioned for a public hearing to be held at the September 16th, 2026 meeting to discuss this. Notices of the public hearing were published in the New Prague Times and posted in City Hall.

Currently, due to not being explicitly permitted within the UDC, wind energy systems are prohibited within the City. This prohibits small, residential wind energy systems, as well as larger, industrial windmills.

As of the time of writing, Staff has not received any recent or notable inquiries about installing any wind energy systems. I spoke with Elko New Market's Planner, Brandon Malecha, and he stated that their city has only had one inquiry into wind energy in the past 15 years. However, acknowledging wind energy systems within the UDC does allow for the City to be proactive rather than reactive.

I did reach out to the Utilities General Director Bruce Reimers, who noted that New Prague doesn't generally get enough wind to make windmills a super feasible energy source here. He did note that it is better to have an Ordinance regarding them in place ahead of time.

Staff is proposing that wind energy systems are added as a Conditional use within all Zoning Districts. This allows the Planning Commission and City Council discretion regarding standards and conditions for wind energy systems rather than setting strict performance standards. Due to the vast range of type of wind energy systems – from small residential units to industrial wind turbines – the speed at which new technology develops, and the lack of apparent interest from residents within the City, this allows for all proposed wind energy systems to be evaluated on a case-by-case basis for the time being.

Other Cities

Orono, MN

There were multiple lawsuits in the City of Orono pertaining to residential wind energy systems. A resident put up a roof-mounted wind turbine, despite it being prohibited through omission. He refused to remove it, even after the City passed an ordinance prohibiting them, and there was a legal battle spanning from 2010 to 2024.

Most notable to the City of New Prague, in the second lawsuit of the resident vs the City of Orono, the court noted that Cities in Minnesota cannot completely ban small wind energy conversion systems.

Details regarding the cases with the City of Orono can be read here:

<https://law.justia.com/cases/federal/district-courts/minnesota/mndce/0:2023cv00509/206159/64/>

Elko New Market, MN and Jordan, MN

The Cities of Elko New Market and Jordan both have identical wind energy system ordinances, in which they are permitted as an accessory use in all zoning districts. They have performance standards regarding setbacks, noise, screening, and roof mounting. They also have additional aesthetic requirements that are left up to the discretion of the Zoning Administrator.

As noted previously, I spoke with Elko New Market’s Planner, Brandon Malecha, on August 31st. He stated that their City has received a single inquiry about windmills since the enactment of their ordinance pertaining to them in 2011. He stated that solar is far more popular, especially for residential uses, and that they don’t see a big demand for wind power.

Le Sueur, MN

Within the City of Le Sueur, wind energy systems are permitted as an interim use for parcels that are zoned Urban Reserve or Public-Institutional. New Prague does not have any directly equivalent zoning districts, but Urban Reserve is roughly equivalent to large undeveloped R1 Single Family Residential parcels. Le Sueur also allows them as an accessory use on parcels greater than one acre, with size limits of 35 feet from the ground in residential districts and 50 feet from the ground in commercial and industrial districts.

Proposed Amendment: Wind Energy Systems

The following amendment is proposed within the Unified Development Code. Additions are underlined, and deletions are ~~struck through~~.

Section 2 Glossary and Rules of Interpretation

2.001 Rules and Definitions

Wind Energy Conversion System (WECS) - An apparatus capable of converting wind energy into electricity. Synonymous with windmill.

Wind Energy Conversion System, Large - Any combination of WECS with a combined nameplate capacity of 5,000 kilowatts or more.

Wind Energy Conversion System, Small- Any combination of WECS with a combined nameplate capacity of less than 5,000 kilowatts.

Section 5 Allowed Uses and Performance Standards

5.001 Use Chart

Wind Energy Conversion Systems: Conditional use within the R-1, R-2, R-3, RM, RH, B-1, B-2, B-3, and I-1 Zoning Districts.

Recommendation

Staff recommends that the Planning Commission holds the required public hearing to gather public input. The Planning Commission may choose to table the issue for further discussion or research, or to forward a recommendation on the proposed amendment to the City Council for consideration at their October 5th, 2026 meeting.



118 Central Avenue North, New Prague, MN 56071
phone: 952-758-4401 fax: 952-758-1149

MEMORANDUM

TO: PLANNING COMMISSION
FROM: EVAN C. GARIEPY – PLANNER
SUBJECT: REQUEST FOR CONDITIONAL USE PERMIT #C3-2026 TO ALLOW FOR THE RELOCATING OF A GARAGE FROM 901 1ST AVE NW TO 903 1ST AVE NW, AS PROPOSED BY PADDY O’PROPERTIES
DATE: AUGUST 19TH, 2026

Background / History

The applicant, Paddy O’Properties, is applying for a Conditional Use Permit to allow for the relocating of an existing 940 square feet detached garage from 901 1st Ave NW to 903 1st Ave NW. The existing detached garage currently located at 901 1st Ave NW is adjacent to a residential house, which the applicant plans to demolish in a controlled burn with the Fire Department.

Both of these properties were rezoned earlier this year, from R1 Single Family Residential to I1 Light Industrial and Business Park. The applicant also applied for a minor administrative subdivision on August 5th, 2026. This minor subdivision is still being processed administratively. If, for any reason, it is not approved, the applicant would be required to obtain a Variance in addition to this CUP due to the setbacks on 903 1st Ave NW. Attachment A shows both the current property lines and the proposed property lines following this subdivision.

The Unified Development Code Section 6.002 (G) states that no person shall move a building within or from without the City without obtaining a Conditional Use Permit.

Legal Description

Notably, these legal descriptions are not updated to include the proposed minor subdivision of these parcels, nor the vacation of the right of way that runs through Parcel A or the right of way north of Parcel B. If the legal descriptions are not obtained prior to City Council passing a

potential resolution approving the Conditional Use Permit, if it is approved, the resolution shall not be filed and in effect until the final legals are provided.

Parcel A, 901 1st Ave NW, PID 24.016.0092 – The lot which the garage is currently on.

Lot Nineteen (19) and the north half of Lot Twelve (12) of New Prague Outlots, situated in the Northwest Quarter (NW1/4) of Section Thirty-four (34), Township One Hundred Thirteen (113) North, Range Twenty-three (23) West, Scott County, Minnesota, according to the plat thereof on file and of record in the office of the Register of Deeds in and for said Scott County, Minnesota, EXCEPTING therefrom the following described parcel: That part of the North Half of Lot 12, NEW PRAGUE OUTLOTS, City of New Prague, Scott County, Minnesota, described as follows: Commencing at the Northwest Corner of said Lot 12; thence South 01 degrees 30 minutes 43 seconds East (bearings based on Scott County Coordinate System NAD83, 1996 Adjustment) on the west line of said Lot 12, a distance of 11.95 feet to the point of beginning; thence continuing South 01 degrees 30 minutes 43 seconds East on said west line of said Lot 12, a distance of 153.05 feet to the Southwest Corner of the North Half of said Lot 12; thence North 89 degrees 26 minutes 13 seconds East on the South line of said North Half of Lot 12, a distance of 145.05 feet; thence North 20 degrees 11 minutes 52 seconds West, a distance of 47.73 feet; thence North 29 degrees 49 minutes 43 seconds East, a distance of 70.50 feet; thence North 19 degrees 02 minutes 31 seconds East, a distance of 49.98 feet; thence South 89 degrees 28 minutes 12 seconds West, a distance of 184.02 feet to the point of beginning; And also EXCEPTING: Beginning at the northwest corner of Lot Nineteen (19) of New Prague Outlots Scott County, Minnesota, in Section 34, Township 113 North, Range 23 West, thence running South One hundred two (102) feet; thence running West One hundred feet (100) to the point of beginning AND All of that part of Lot Nineteen (10) of New Prague Outlots, situated in the Northwest Quarter (NW1/4) of Section Thirty-four (34), Township One hundred thirteen (113) North, Range Twenty-three (23) West, Scott County, Minnesota, according to the map or plat thereof on file and of record in the office of the Register of deeds in and for said Scott County, Minnesota, described as follows, to-wit: Beginning at a point on the west line of said Lot Nineteen (19) which point is one hundred two (102) feet south of the northwest corner of said Lot Nineteen (19), and running thence east a distance of one hundred (100) feet, running thence south a distance of one hundred (100) feet, running thence west a distance of one hundred (100) feet to the west line of said Lot Nineteen (19), and running thence north along the west line of said Lot Nineteen (19) a distance of one hundred (100) feet to the point of beginning.

Parcel B, 903 1st Ave NW 24.016.0130 – The lot that the garage is proposed to be moved to.

Beginning at the Northwest corner of Lot Nineteen (19) of New Prague Outlots Scott County, Minnesota, in Section 34, Township 113 North, Range 23 West, thence running South One hundred two (102) feet; thence running East One hundred (100) feet; thence running North One hundred two (102) feet; thence running West One hundred feet (100) to the point of beginning, Scott County, Minnesota.

And

All that part of the Lot Nineteen (19) of New Prague Outlots, situated in the Northwest Quarter (NW ¼) of Section Thirty-four (34), Township One hundred thirteen (113) North, Range Twenty-three (23) West, Scott County, Minnesota, according to the map or plat

thereof on file and of record in the Office of the Register of Deeds in and for said Scott County, Minnesota, described as follows, to-wit:
Beginning at a point on the west line of said Lot Nineteen (19) which point is one hundred two (102) feet south of the northwest corner of said Lot Nineteen (19), and running thence east a distance of one hundred (100) feet, running thence south a distance of one hundred (100) feet, running thence west a distance of one hundred (100) feet to the west line of said Lot Nineteen (19), and running thence north along the west line of said Lot Nineteen (19), a distance of one hundred (100) feet to the point of beginning, Scott County, Minnesota.

Zoning and UDC Requirements

Both the property from which the garage is being moved from and the property it is being moved to are zoned I1 Light Industrial and Business Park.

The shed that is currently located at 903 1st Ave NW is being utilized for storage for the applicant’s real estate business. After being moved, the applicant stated the garage would be used as an accessory building to the shed as additional storage for his business, which is a permitted accessory use.

The residential property which is currently located at 901 1st Ave NW is not a permitted use, and the applicant stated he plans to demolish it.

The proposed site of the detached garage must meet all dimensional standards set by the UDC.

- UDC Section 6.001 Dimensional Standards Chart
 - I-1 Light Industrial and Business Park
 - Minimum Front Yard Setback: 40 ft
 - Minimum Side Yard Setback: 15 ft
 - Minimum Rear Yard Setback: 25 ft
 - Maximum Height: 50 ft
 - Maximum Land Coverage by Structures: 40%

Additional dimensional standards for an accessory building are outlined in UDC Section 6.002 (E) (2) and (3). It states that accessory buildings may be located any place to the rear of the principal building. The proposed location is further east than the existing shed, meeting this requirement.

Contingent on the proposed minor subdivision, the proposed site would meet all of the required setbacks for this property. If, for whatever reason, the minor subdivision is not approved, the applicant would be required to obtain a Variance from the minimum rear yard setback requirement.

The Unified Development Code also lists specific standards that must be considered when evaluating a CUP for relocating a structure.

UDC Section 6.002 Character and Building Standards

(G) Relocating Structures

(1) Permit Required

No person shall move any principal building from within or without the City limits to a new location within the City without first obtaining a Conditional Use Permit in accordance with the provisions of Section 3.002 (E) of the United Development Code. An application for such Conditional Use Permit shall indicate the origin and destination of such building, and the route over which it is to be moved. The application shall also indicate the location of the lot on which the house is to be located, the dimensions of the lot, and the proposed location of the structure on the lot along with setback distances. No permit to move a building shall be issued unless and until the following conditions are fully complied with and approved by the City Council.

- (a) The building to be moved must comply in all respects with the State Building Code, other pertinent State rules and regulations, and the City Code.
- (b) The lot on which the building is to be located must meet all the minimum dimensional requirements of the zoning district in which it is located.
- (c) The building must be placed on the lot so as to meet all the front, side, and rear yard requirements as set forth in this Ordinance.
- (d) Payment of a deposit as set on the City fee schedule, to be refunded upon final occupancy, grading, and landscaping.
- (e) Factors that must be considered by the Planning Commission and City Council when reviewing the Conditional Use Permit application:
 - 1. Whether the structure is in disharmony with the established or expected pattern of development in the neighborhood that it would destroy the overall appearance of the neighborhood.
 - 2. The extent of disharmony, if any, of the proposed structure with the existing age, bulk, architectural style, and quality of construction surrounding it.
 - 3. The structure will not substantially diminish or impair property values within the neighborhood.

(2) Electrical Corrections Requirements.

- (a) In every case in which the removal or displacement of any overhead electrical or other wires is required, it shall be the duty of the person, association, or corporation owning, operating, or controlling said wires to remove or displace the same, so far as the same way may be necessary to effect the removal thereof, shall be authorized by such permit.
- (b) The person moving the structure must notify the person, association, or corporation owning, operating, or controlling said wires to remove or displace the same facilities the removal of said wires sufficiently to allow the passage of said building along the street over which said wires are suspended.

- (c) Any expenses incurred or to be incurred in the moving, removing, or displacing of such wire shall be paid for by the person moving the structure.

Additional requirements, as highlighted above, must also be addressed in consideration of this Conditional Use Permit. Overall, Planning Staff believes that the proposed relocation of the garage meets the requirements of the Unified Development Code that are specifically laid out for relocating structures, as elaborated upon below.

Section 6.002 Character and Building Standards (G)(1)(e)

1. Whether the structure is in disharmony with the established or expected pattern of development in the neighborhood that it would destroy the overall appearance of the neighborhood.

Staff believes that the garage would not be in disharmony with the established or expected pattern of development in the neighborhood so as to destroy the overall appearance of the neighborhood as it will only be moved one parcel north from where it currently sits and it is currently not at disharmony with the surrounding neighborhood.

2. The extent of disharmony, if any, of the proposed structure with the existing age, bulk, architectural style, and quality of construction surrounding it.

Staff believes that the garage will not be in disharmony with the existing age, bulk, architectural style, and quality of the construction surrounding it as the garage will be moved only one parcel north from where it was built, and because it is a standard garage which will be re-sited upon being moved.

3. The structure will not substantially diminish or impair property values within the neighborhood.

Staff believes that the structure will not diminish or impair property values within the neighborhood as it is a standard garage which is being relocated one parcel north from where it currently sits, and it will be resided upon being moved.

Neighborhood Conditions and Nearby Land Uses

The property the garage is being moved from (901 1st Ave NW) is directly south of the property the garage is being moved to (903 1st Ave NW).

North: Residential properties zoned R1 Single Family Residential.

West: Chart Industries.

South: The new site of the garage will be north of an empty parcel that the applicant states will be used industrially, and then a singular residential property zoned R1 Single Family Residential.

East: Undevelopable floodplains.

Staff Comments

City Engineer Chris Knutson with SEH stated he does not have any concerns with the proposed relocation.

Community Development Director Ken Ondich noted that structures that are moved but not immediately put on a foundation can be a safety issue. He stated that a condition should be imposed, requiring that the garage must be barricaded off if it is moved but not yet put on its permanent foundation.

Building Official Scott Sasse stated that the garage will be subject to foundation permits and inspections. If it is heated, the insulation will be required to follow current building and energy code requirements. The electrical system will need to be inspected by the State, and any code deficiencies updated. New gas utility lines would be subject to permitting and air testing.

Electric Operations Supervisor Ken Zweber noted that the electricity for the garage currently comes from the house, and that the owner will be responsible for disconnecting this. The applicant stated that he may obtain a new electric service hookup for the garage rather than connecting it to the existing building, but this is not currently required by the City.

Public Works Director Matt Rynda noted that properties further north on 1st Ave NW and emergency services must be notified prior to the building being relocated due to the potential of the road being blocked, as it is a dead end road.

Chief of Police Tim Applen noted that there are no alternative points of access for the properties further north on 1st Ave NW, and that the move could potentially fully block off this access, posing a danger if there is an emergency. He also noted that cars occasionally park on the west side of 1st Ave NW.

Following staff comments, the following conditions have been proposed:

- If the garage is to be moved and not immediately placed on its permanent foundation, the garage must be placed on its permanent foundation within 30 days of being moved, and must be barricaded off with temporary fencing during this time.
- All properties and property owners that are north of 901/903 1st Ave NW, including Chart Industries, shall be notified at least 10 days in advance of the period of time the structure will be relocated and access along 1st Ave NW may be limited or blocked.
- The police department, fire department, and emergency medical services shall all be notified at least 10 days in advance of the period of time the structure will be relocated and access along 1st Ave NW may be limited or blocked.
- 3 days prior to the relocating of the structure, temporary no parking signs shall be put in the western and eastern right of ways of 1st Ave NW for the portion of the road that will be utilized for relocating the structure. These shall be removed following the relocating of the structure.

Utilities Notes

There are no overhead powerlines along the portion of 1st Ave NW where this structure relocation would take place.

There is a streetlight and transformer along the east right of way of the road, just at the southwest corner of 903 1st Ave NW. The applicant must be particularly careful of this when relocating the structure to avoid any unwarranted damage.

The garage is currently connected to electric. Upon being relocated, the applicant stated he plans to have electric and gas hooked up, with water roughed in on the new slab but potentially not connected immediately. As noted by Building Official Scott Sasse, all applicable permits must be obtained by the applicant.

Additional comments are noted above under staff comments.

WAC/SAC Fees

No water and sewer access charges will be due until water/sewer connection is made to the structure.

Screening Requirements

Because the property north of 903 1st Ave NW is residential, all regulations regarding screening for industrial uses abutting residential districts must be followed as they are outlined in Section 6.002 (B)(1) of the Unified Development Code. Upon any redevelopment of 901 1st Ave NW to an industrial use, screening must be provided on the south side of the property to screen it from the residential property located at 803 1st Ave NW.

FEMA Floodplain Information

This property contains FEMA Floodplains with a regulatory floodway and 100 year floodplain (Zone AE – teal color, red hatched where the floodway is, as seen on Attachment B) as mapped at approximately 960.1 feet, as seen on FEMA Map 27079C0087E effective 07/17/2024.

It is noted that there is some “Zone X” floodplain (orange color) on these parcels, which does not have an established base flood elevation. The Regulatory Flood Protection Elevation (RFPE) requires that the low elevation of the structure must not be lower than 1.5’ above the 100 year floodplain official, which requires that the structure may not be any lower than 961.6’.

Applicant’s Statement

Pat Sullivan with Paddy O’Properties, regarding why he wants to move the garage rather than keep it in place or build a new one on the 903 property, stated the following on August 11th:

The garage is a nice size and well built. I don’t want the possibility of it being destroyed when the house is burned down or demolished. The garage by itself limits what I can do with 901 so my initial thought was to sell it. However, looking at the entire property including 903, the garage would fit well on the north side of the fenced in area. I constantly have interim storage needs in the real estate business, which is what it is presently being used for. I have siding for the outside and have contractors already lined up to do the move, concrete work, rough-in plumbing, and finishing so the garage is presentable.

Criteria for Granting Conditional Use Permits

Section 3.002 (E) of the Unified Development Code states that the purpose of a Conditional Use Permit is to provide the City with a reasonable degree of discretion in determining the suitability of certain designated uses upon the general welfare, public health, and safety. In making the determination of whether or not the conditional use is to be allowed, the City may consider the nature of the adjoining land or buildings, the effect upon traffic into and from the premises, or on any adjoining roads, and all other or further factors as the City shall deem a prerequisite of consideration in determining the effect of the use on the general welfare, public health, and safety.

The applicant is requesting a Conditional Use Permit to allow for the relocating of a garage from 901 1st Ave NW to 903 1st Ave NW.

In granting a Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use on the Comprehensive Plan and upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the City Council shall evaluate the criteria noted below. Staff has attempted to evaluate the established criteria for this specific request. Staff’s comments are highlighted below in yellow.

- A. The use will not create an excessive burden on existing parks, schools, streets, and other public facilities which serve or are proposed to serve the area.
 - i. The use will not create an excessive burden on existing parks, schools, streets, and other public facilities which serve or are proposed to serve the area because the existing garage will be moved north by one parcel and will be utilized for storage as it was before, except this time for industrial/commercial purposes.

- B. The use will be sufficiently compatible or separated by distance or screened from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.

- i. The use will be sufficiently compatible or separated by distance or screened from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land because the garage will be moved to a site where exterior storage previously was, which is zoned industrially, screened by trees and distance from a residential property to the north, and because the land east of the garage is undevelopable due to floodplains.
- C. The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties.
 - i. The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties because the garage will only be moved north by one parcel and the site must meet all industrial screening requirements set forth within the Unified Development Code.
- D. The use, in the opinion of the City Council, is reasonably related to the overall needs of the City and to the existing land use.
 - i. The use is reasonably related to the overall needs of the City and to the existing land use because the garage is being moved to change from a residential use to an industrial use on land that was rezoned from R1 Single Family Residential to I1 Light Industrial and Business Park.
- E. The use is consistent with the purposes of the Unified Development Code and the purposes of the zoning district in which the applicant intends to locate the proposed use.
 - i. The use is consistent with the purposes of the Unified Development Code and the purposes of the zoning district in which the applicant intends to locate the proposed use because a garage used for storage is a permitted accessory use within the I1 Light Industrial and Business Park district.
- F. The use is not in conflict with the Comprehensive Plan of the City.
 - i. The use is not in conflict with the Comprehensive Plan of the City because the land is guided as Industrial.
- G. The use will not cause traffic hazard or congestion.
 - i. The use will not cause traffic hazard or congestion because the garage is moving one parcel north and will not see an increase of traffic, and the congestion that will be caused by moving the property will be communicated to surrounding property owners in advance and will be momentary.
- H. Adequate utilities, access roads, drainage, and necessary facilities have been or will be provided.
 - i. Adequate utilities, access roads, drainage, and necessary facilities have been or will be provided because the structure will require minimal utilities, access, and facilities beyond what it already utilizes.

Additional factors must also be considered by the Planning Commission and City Council regarding relocating structures, as outlined in the Unified Development Code Section 6.002 (G)(1)(e).

1. Whether the structure is in disharmony with the established or expected pattern or development in the neighborhood that it would destroy the overall appearance of the neighborhood.
 - i. The structure would not be in disharmony with the established or expected pattern or development in the neighborhood so to destroy the overall appearance of the neighborhood because it will only be moved one parcel north from where it currently sits and it is currently not at disharmony with the surrounding neighborhood.
 2. The extent of disharmony, if any, of the proposed structure with the existing age, bulk, architectural style, and quality of construction surrounding it.
 - i. The structure would not be in disharmony with the existing age, bulk, architectural style, and quality of construction surrounding it as the garage will be moved only one parcel north from where it was built, and because it is a standard garage which will be re-sided upon being moved.
 3. The structure will not substantially diminish or impair property values within the neighborhood.
 - i. The structure would not substantially diminish or impair property values within the neighborhood as it is a standard garage which is being relocated one parcel north from where it currently sits, and it will be re-sided upon being moved.
- I. Section 3.002 (E) (2) of the Unified Development Code states that conditions may be placed upon the approval as are considered necessary to protect the public health, safety, and welfare.
- a. The applicant must follow all requirements of the Building Official, Utilities Department, Public Works Department, and Police Department for moving of the structure.
 - b. This Conditional Use Permit is contingent on the minor subdivision A3-2026 to move the property line of the two affected properties. If the minor subdivision is not granted, a Variance will be required to execute this Conditional Use Permit due to the site of the garage no longer meeting the required rear setback. If the minor subdivision or Variance is not obtained within one calendar year, this Conditional Use Permit shall be revoked.
 - c. If the garage is to be moved and not immediately placed on its permanent foundation, the garage must be placed on its permanent foundation within 30 days of being moved, and must be barricaded off with temporary fencing during this time.
 - d. All properties and property owners that are north of 901/903 1st Ave NW, including Chart Industries, shall be notified by the applicant at least 10 days in advance of the period of time the structure will be relocated and access along 1st Ave NW may be limited or blocked.

- e. The Police Department, Fire Department, and Emergency Medical Services shall all be notified at least 10 days in advance of the period of time the structure will be relocated and access along 1st Ave NW may be limited or blocked.
- f. Three (3) days prior to the relocating of the structure, temporary no parking signs shall be put in the western and eastern right of ways of 1st Ave NW for the portion of the road that will be utilized for relocating the structure. These shall be removed following the relocating of the structure.
- g. This Conditional Use Permit is only valid for moving the existing 940 square feet detached garage that is currently located at 901 1st Ave NW to 903 1st Ave NW.
- h. All requirements of the Unified Development Code must be met, including Section 6.002 (G).
- i. Prior to being occupied, the structure must have its siding replaced, must meet Minnesota State Building Code Requirements, and must be approved by the City's Building Official.
- j. Any damage to the street or public utilities from the moving of the structure will be the responsibility of the applicant.

Staff Recommendation

Staff recommends **approval** of Conditional Use Permit #C3-2026 to allow for the relocation of a garage from 901 1st Ave NW to 903 1st Ave NW, as proposed by Paddy O'Properties, for the following reasons:

- A. The use will not create an excessive burden on existing parks, schools, streets, and other public facilities which serve or are proposed to serve the area because the existing garage will be moved north by one parcel and will be utilized for storage as it was before, except this time for industrial/commercial purposes.
- B. The use will be sufficiently compatible or separated by distance or screened from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land because the garage will be moved to a site where exterior storage previously was, which is zoned industrially, screened by trees and distance from a residential property to the north, and because the land east of the garage is undevelopable due to floodplains.
- C. The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties because the garage will only be moved by one parcel and the site must meet all industrial screening requirements set forth within the Unified Development Code.
- D. The use is reasonably related to the overall needs of the City and to the existing land use because the garage is being moved to change from a residential use to an industrial use on land that was rezoned from R1 Single Family Residential to I1 Light Industrial and Business Parks.

- E. The use is consistent with the purposes of the Unified Development code and the purposes of the zoning district in which the applicant intends to locate the proposed use because a garage used for storage is a permitted accessory use within the I1 Light Industrial Business Park district.
- F. The use is not in conflict with the Comprehensive Plan of the City because the land is guided as Industrial.
- G. The use will not cause traffic hazard or congestion because the garage is moving one parcel north and will not see an increase of traffic, and the congestion that will be caused by moving the property will be communicated to surrounding property owners in advance and will be momentary.
- H. Adequate utilities, access roads, drainage, and necessary facilities have been or will be provided because the structure will require minimal utilities, access, and facilities beyond what it already utilizes.
- I. The structure would not be in disharmony with the established or expected pattern or development in the neighborhood so to destroy the overall appearance of the neighborhood because it will only be moved one parcel north from where it currently sits and it is currently not at disharmony with the surrounding neighborhood.
- J. The structure would not be in disharmony with the existing age, bulk, architectural style, and quality of construction surrounding it as the garage will be moved only one parcel north from where it was built, and because it is a standard garage which will be re-sided upon being moved.
- K. The structure would not substantially diminish or impair property values within the neighborhood as it is a standard garage which is being relocated one parcel north from where it currently sits, and it will be re-sided upon being moved.

And with the following proposed conditions to protect the public health, safety, and welfare:

- a. The applicant must follow all requirements of the Building Official, Utilities Department, Public Works Department, and Police Department for moving of the structure.
- b. This Conditional Use Permit is contingent on the minor subdivision A3-2026 to move the property line of the two affected properties. If the minor subdivision is not granted, a Variance will be required to execute this Conditional Use Permit due to the site of the garage no longer meeting the required rear setback. If the minor subdivision or Variance is not obtained within one calendar year, this Conditional Use Permit shall be revoked.
- c. If the garage is to be moved and not immediately placed on its permanent foundation, the garage must be placed on its permanent foundation within 30 days of being moved, and must be barricaded off with temporary fencing during this time.

- d. All properties and property owners that are north of 901 1st Ave NW, including Chart Industries, shall be notified by the applicant at least 10 days in advance of the period of time the structure will be relocated and access along 1st Ave NW may be limited or blocked.
- e. The Police Department, Fire Department, and Emergency Medical Services shall all be notified at least 10 days in advance of the period of time the structure will be relocated and access along 1st Ave NW may be limited or blocked.
- f. Three (3) days prior to the relocating of the structure, temporary no parking signs shall be put in the western and eastern right of ways of 1st Ave NW for the portion of the road that will be utilized for relocating the structure. These shall be removed following the relocating of the structure.
- g. This Conditional Use Permit is only valid for moving the existing 940 square feet detached garage that is currently located at 901 1st Ave NW to 903 1st Ave Nw.
- h. All requirements of the Unified Development Code must be met, including Section 6.002 (G).
- i. Prior to being occupied, the structure must have its siding replaced, must meet Minnesota State Building Code Requirements, and must be approved by the City's Building Official.
- j. Any damage to the street or public utilities from the moving of the structure will be the responsibility of the applicant.

Attachments

- A. Site Map Aerial – Dated 08/14/2026
- B. Site Map Flood Plains – Dated 08/14/2026
- C. Site Map Zoning Districts – Dated 08/14/2026
- D. Pictures of the Site – Dated 08/14/2026



CUP 3-2026
901 and 903 1st Ave NW



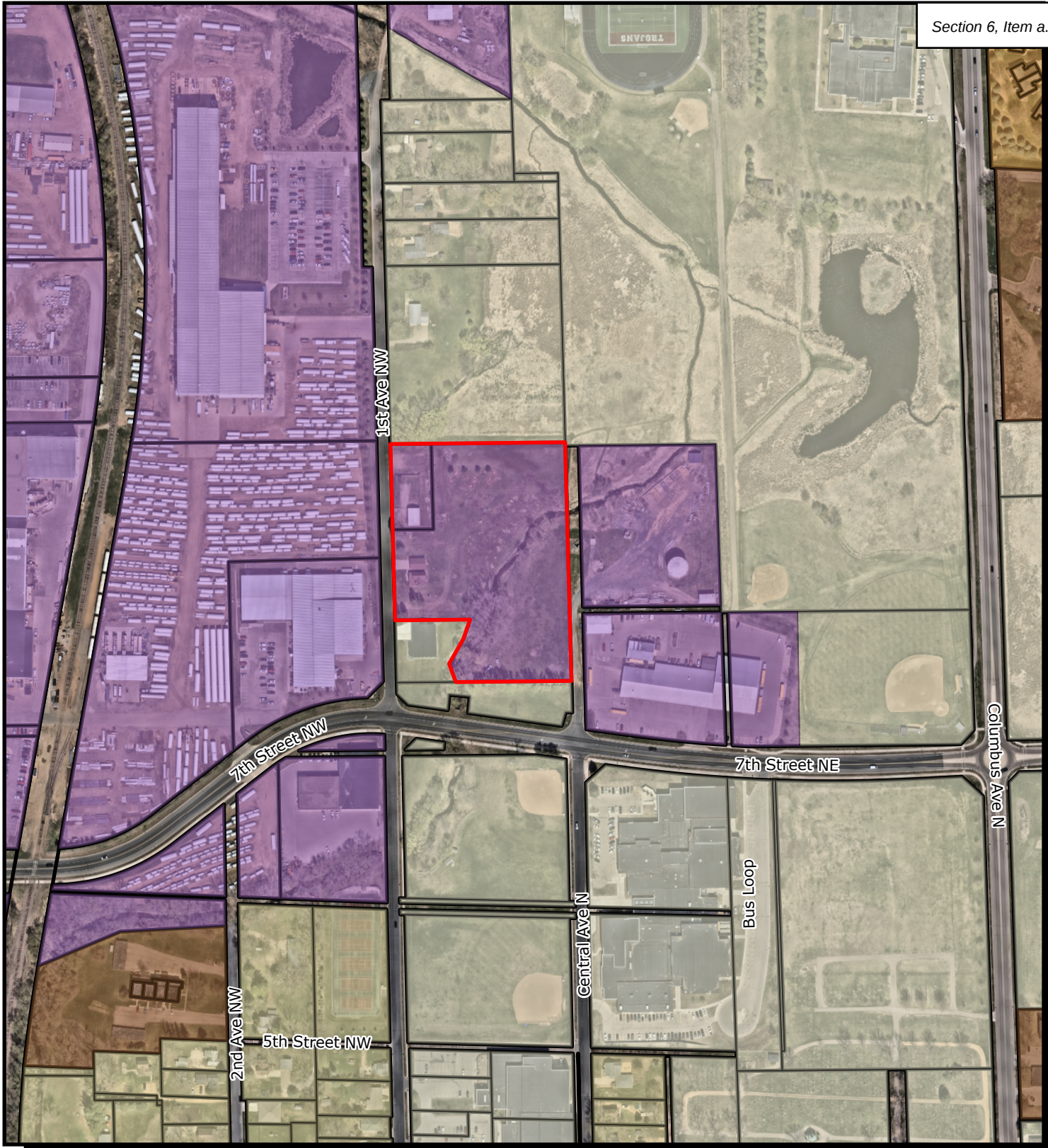
August 14, 2026.
New Prague Planning Department.
The City is not responsible for any inaccuracies or damages arising from the use of this map. Disclaimer provided pursuant to Minnesota Statute 466.01.



CUP 3-2026
901 and 903 1st Ave NW



0 60 120 ft.



CUP 3-2026
901 and 903 1st Ave NW



0 235 470
ft.



Garage where it currently is on 901 1st Ave NW.



Garage where it currently is on 901 1st Ave NW.



Garage currently located at 903 1st Ave NW



View of both 903 and 901 1st Ave NW. Garage will go approximately where blue trailer currently is.



Looking north along 1st Ave NW



Looking south along 1st Ave NW

September 2026 EDA Business Updates:

- **0 new home permits** were issued in August (The year-to-date totals are: 3 single family homes, 0 townhome units and 0 apartment units). One additional new home permit is available for pick up at this time.
- **Mayo Clinic Health System – Southwest Minnesota**, located at 301 2nd Street NE, has acquired the homes located at 201 and 203 2nd Street NE and has applied for a demolition permit to remove. With the acquisition of those homes, Mayo now owns the entire block. Formal plans for the use of the space have not been submitted at this time, but any expansion of the hospital does require a Conditional Use Permit to be reviewed.
- **Electromed**, located at 500 6th Ave. NW, applied for a commercial alteration permit to add office space within an existing building.
- **Bruzek Funeral Home**, located at 610 Main St. W., applied for a foundation repair permit.
- **Harvest Fields Update** – staff has continued to have discussions with JPB Land about the proposed Harvest Fields development. They are working on application materials for review of a Planned Unit Development at the October Planning Commission meeting.
- A conditional use permit application was received for the vacant property at 401 Main St. W. This property is the former location of “The Car Lot”. John Lemke is proposing to re-use the property and existing building for a small engine repair shop (**JL’s Innovative Repair**) with a small exterior storage area. This application will be reviewed at the September Planning Commission meeting.
- **B&D Cannabis**, located at 410 Main St. W., opened for business.