

Meeting Minutes
New Prague Planning Commission
Wednesday, June 24, 2009

1. Call Meeting to Order

The meeting was called to order at 6:31 p.m. by Planning Commission Chair Grant Gengel with the following members present: Kay Wilcox, Pat Remfert, Ryan Peltier and Bob Gilman.

City Staff Present: Ken Ondich – Planning Director and Renee Christianson – City Planner.

2. Approval of May 27, 2009 Regular Meeting Minutes

It was moved by Wilcox, seconded by Remfert to approve the May 27, 2009 regular meeting minutes as submitted. Motion carried.

3. Introduction of New Member Ryan Peltier

Chairman Gengel introduced Commissioner Peltier, who gave the Planning Commission some background information about himself.

4. Old Business - None

5. New Business

1. Review of Draft Zoning Ordinance Revisions
City of New Prague - applicant

Planner Christianson explained that staff is currently in the process of reviewing and amending various city ordinances, and is now presenting some draft revisions to Sections 301 through 601 of the Zoning Ordinance. The basis of the revisions to the Zoning Ordinance is to move several uses that are currently listed as *conditional uses* within the business zoning districts to the *permitted use* category. This concept is being recommended by city staff, and had been reviewed by the Planning Commission at the November, 2008 meeting, at which time the Planning Commission recommended moving forward with the revisions. She also noted a recent Wisconsin Supreme Court ruling declaring a town in Wisconsin's Zoning Ordinance unconstitutional for not listing any uses as permitted uses. In addition to this primary change, staff will be reviewing the entire Zoning Ordinance and recommending various changes.

Planner Christianson reviewed various suggested revisions to the Definitions section of the Ordinance, noting the suggested additions, changes, and deletions. In addition, there were changes suggested to the application requirements for conditional use permits and variances, changes in the city's process to revoke a conditional use permit, and an addition establishing an interim zoning of property that is newly annexed to the city.

Commissioner Wilcox questioned the definition of Heavy Manufacturing, asking whether or not we really want to allow uses such as feedlots within the City. Planner Christianson noted, and Planner Ondich reiterated, that the City cannot specifically exclude certain uses from locating within the City. People need to have the ability to locate uses within the city, although the city can establish criteria for them. Staff noted that more research would be done in this area.

Commissioner Gilman asked about the submittal requirements for conditional use permits, and suggested that the submittal requirements be more detailed. Planner Christianson noted that staff does also have a checklist that describes the submittal requirements in more detail, but the items listed in the Zoning Ordinance are slightly more generic.

Commissioner Wilcox asked about the Board of Adjustment. Planner Ondich explained that the New Prague City Council is the Board of Adjustment for New Prague.

Commissioner Wilcox suggested amending the landscaping requirements for commercial areas.

2. Introduction to Subdivision Ordinance Re-Write City of New Prague - applicant

Planner Ondich introduced the topic, noting that the City's Subdivision Ordinance was originally written in 1986 with a revision in 1992. It is outdated and has areas that need to be changed. The Comprehensive Plan adopted in 2005 contained recommendations for changes that should be made to the Subdivision Ordinance. He reviewed the recommendations that are specifically listed in the Comprehensive Plan, which included the following items: consider requiring boulevard trees in new developments, consider additional tree preservation requirements, add a 'premature subdivision' clause, add requirements for Common Interest Communities, in accordance with State Statutes, review private street requirements, add temporary cul-de-sac requirements, review current requirements that allow private water and sanitary sewer systems, expand or clarify the data submittal requirements for plats, encourage development to support itself, review and amend application fees requirements, provide more protection for livestock operators and landowners located near livestock operators, add further design standards for each type of road classification including access control, traffic control, right-of-way widths, lanes and function, and amend the park dedication requirements to be consistent with state statutes.

Planner Ondich stated that the Subdivision Ordinance will be rewritten by city staff over the next several months, with the hope that it will be complete by the end of the year. It will require involvement with the Planning Commission and the City Attorney throughout the process.

6. Miscellaneous

The following miscellaneous items were reviewed:

- A. Planner Christianson reviewed the status of the TH 19 / 11th Avenue NW intersection improvement project, noting that the council had authorized bidding of the project.
- B. A brief update regarding the Schumacher building was reviewed, noting that Mr. Schumacher began the remodeling of his hotel and restaurant and is planning to re-open in August, 2009.

- C. Planner Ondich reviewed a conditional use permit issued for an outdoor patio at a drinking establishment and stated that the conditions of the permit have been consistently violated, specifically with patrons entering and exiting the facility through the outdoor patio. He stated that the violations have been consistently documented by the City's police department. The Planning Commission recommended that a public hearing to consider revocation of conditional use permit #C3-2008, issued to Miller's Tap / Dave Larson which allowed an outdoor patio area, should be held at the July Planning Commission meeting.

- D. Commissioner Wilcox noted that the City Council had instructed staff to enforce the temporary sign regulations. Planner Ondich noted that staff found 26 violations to the temporary sign ordinance and all but three have now been corrected.

7. Adjournment

The meeting was adjourned at 7:40 PM by order of Chair Gengel.

Respectfully submitted,

Renee L. Christianson
City Planner