

MINUTES
CITY OF LONSDALE
REGULAR PLANNING & ZONING COMMISSION MEETING
APRIL 15, 2010

MEMBERS PRESENT:

Joe Kodada, Jim Freid, Dave Dols, John Duban, Ben Sticha, Harold Vosejpk, and Scott Pelava

MEMBERS ABSENT:

None

STAFF PRESENT:

City Planner Benjamin Baker

1. CALL TO ORDER

Dols called the meeting to order at 6:30 pm in the Council Chambers at 415 Central Street West.

2. AGENDA

Dols asked if anyone had any additions or deletions to the agenda.

A motion was made by Duban and seconded by Fried to approve the agenda as presented. Vote for: Freid, Kodada, Dols, Duban, and Sticha; Against: None. Vote: 5-0. Motion carried.

3. APPROVAL OF MINUTES

A motion was made by Kodada and seconded by Sticha to approve the minutes from the March 18, 2010 regular meeting. Vote for: Freid, Kodada, Dols, Duban, and Sticha; Against: None. Vote: 5-0. Motion carried.

4. PUBLIC COMMENT

None

5. PUBLIC HEARING

- a. Review a Conditional Use Permit Request by Trondhjem Lutheran Church to Erect a 40 ft. Tall Bell Tower at 7525 Garfield Avenue as per City Code §153.058.

Dols read the notice and opened the public hearing. Baker provided the Commission with a detailed staff report including a location map, an aerial photo of the subject property, a proposed site plan, a proposed elevation sketch of the bell tower, and written responses provided by the applicant, answering the 10 required Conditional Use Permit (CUP) questions stated on the CUP application form. Baker read through the report, and he stated that according to City Code §153.040 and §153.058, a conditional use permit is

required for bell towers over 20 feet in height. He mentioned that Trondhjem Lutheran Church was requesting a CUP to erect a 40 ft. tall bell tower at their location at 7525 Garfield Avenue. Baker said that the City received no verbal or written comments.

Pastor Howard White, representing Trondhjem Lutheran Church, stated that the bell tower was donated, and it will be erected in loving memory of Floyd and Carol Johnson. Kodada asked who would be constructing the tower. White mentioned that some of the Johnson's family members will be helping with the construction of the tower. He said that the tower supports will be painted to match the parking lot lights. Dols asked if the tower would be lit. White said yes. Duban asked about times that the bell would ring. White stated that the bell will probably ring on Sunday mornings, during funerals, and during weddings. He mentioned that the bell will actually be a refurbished bell that will be struck and not rung. Dols asked for any further comments off the floor. No one responded to the invitation.

A motion was made by Duban and seconded by Sticha to close the public hearing. Vote for: Freid, Kodada, Dols, Duban, and Sticha; Against: None. Vote: 5-0. Motion carried.

- b. Review a Proposed Ordinance Amendment to City Code §150.01, State Building Code Adopted, An Ordinance Updating the Self-Perpetuating Ordinance Language as Recommended by Building Code Representative Jack Herrley

Baker provided the Commission with a proposed ordinance amendment to §150.01 showing language to be added and deleted. Baker mentioned that the Planning Commission already reviewed the proposed ordinance amendment once at the meeting on January 21st.

Baker said that State Building Code Representative Jack Herrley met with Building Inspector Jim Filipek in 2009, and he recommended adopting the State's updated self-perpetuating building code ordinance. Based on that recommendation, City staff provided an amendment for the Planning Commission and public to review. Dols asked if any written or verbal comments were received. Baker said no. Dols asked for any further comments off the floor. No one responded to the invitation.

A motion was made by Duban and seconded by Freid to close the public hearing. Vote for: Freid, Kodada, Dols, Duban, and Sticha; Against: None. Vote: 5-0. Motion carried.

6. GENERAL BUSINESS

- a. Consider Approval of a Conditional Use Permit Request by Trondhjem Lutheran Church to Erect a 40 ft. Tall Bell Tower at 7525 Garfield Avenue as per City Code §153.058. Baker said that City staff recommends approval of a Conditional Use Permit by Trondhjem Lutheran Church for a 40 ft. tall bell tower. Duban and Kodada stated that they liked the bell tower project, and the rest of the Commission agreed.

A motion was made by Kodada and seconded by Duban to recommend approval of a Conditional Use Permit Request by Trondhjem Lutheran Church to Erect a 40 ft. Tall Bell Tower at 7525 Garfield Avenue with the following condition:

1. A building permit shall be issued and approved by the City Building Inspector before tower construction begins.

Vote for: Freid, Kodada, Dols, Duban, and Sticha; Against: None. Vote: 5-0. Motion carried.

- b. Consider Approval of an Ordinance Amendment to City Code §150.01, State Building Code Adopted, An Ordinance Updating the Self-Perpetuating Ordinance Language as Recommended by Building Code Representative Jack Herrley
Baker said that the Building Inspector and State Building Code Representative recommend approval of the proposed ordinance amendment.

A motion was made by Duban and seconded by Kodada to approve an ordinance amendment to City Code §150.01, State Building Code Adopted, an ordinance updating the self-perpetuating ordinance language. Vote for: Freid, Kodada, Dols, Duban, and Sticha; Against: None. Vote: 5-0. Motion carried.

Baker noted that the State's surcharge fee for flat fee permits will be rising from \$0.50 to \$5.00 starting in July.

- c. Discuss Residential Side Yard Parking Pad Setbacks
The Commission continued their discussion from the March 18th meeting regarding residential side yard parking pad setbacks. Baker provided the Commission with examples of parking pad regulations from other neighboring communities. Kodada stated that the City should probably require a 5 foot setback requirement. He also suggested keeping parking pads out of the drainage and utility easement area and requiring a hard-dust free surface for such pads. Vosejka stated that there is not enough room along the side yards of some of the newer developments to place a parking pad. Sticha said that citizens need more garage room than ever before to store their vehicles and recreational items. Kodada said that he liked Elko New Market's regulations for recreational vehicle storage. Freid said that parking pads shouldn't be allowed right up to the property line. The Commissioners discussed side yard retaining walls and drainage issues, including diverting water onto the neighboring property.

Dols asked if parking pads should get treated like fences and retaining walls in requiring and easement and encroachment agreement to be signed before a project can begin. Baker mentioned that the City Engineer would need to review any parking pad plans that would obstruct the drainage and utility easement. The Commission discussed if a permit should be required for residential parking pad projects. The Commission asked City staff to create an example residential parking pad easement/encroachment agreement form to review at their next meeting.

d. Review & Discuss Chapter 152, Subdivision Ordinance

Baker provided the Commissioners with City Code §152.24, Subdivision Design Standards, to review. He also provided a copy of Elko-New Market's design standards for subdivisions along with three copies of different final plats approved within the last 10 years to reference during review. Baker read through twelve subsections and highlighted the major points. The Commissioners provided comments as they went through the Code section. The Commission talked about subdivisions near the City's boundary line, reserve strips, cul-de-sacs, half streets, lot design, cluster development, drainage issues, trailways, and protecting natural areas.

MISCELLANEOUS

None

7. ADJOURNMENT

A motion was made by Freid and seconded by Sticha to adjourn the meeting. Vote for: Freid, Kodada, Dols, Duban, and Sticha; Against: None. Vote: 5-0. Motion carried. The meeting ended at 8:02 pm.

Respectfully Submitted:

Benjamin Baker, City Planner