

MINUTES
CITY OF LONSDALE
REGULAR PLANNING & ZONING COMMISSION MEETING
APRIL 16, 2009

MEMBERS PRESENT:

Gary Skluzacek, Jim Freid, Joe Kodada, Dave Dols, John Duban, Joe Daleiden, and Harold Vosejpka

MEMBERS ABSENT:

None

STAFF PRESENT:

City Planner Benjamin Baker

1. CALL TO ORDER

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

2. AGENDA

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

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

3. APPROVAL OF MINUTES

A motion was made by Kodada and seconded by Duban to approve the minutes from the March 19, 2009 regular meeting. Vote for: Skluzacek, Freid, Kodada, Dols, and Duban; Against: None. Vote: 5-0. Motion carried.

4. PUBLIC COMMENT

None

5. PUBLIC HEARING

- a. Review Ordinance 2009-229, an Ordinance Enacting and Adopting the Second & Third Supplements (S-2 & S-3) to the Code of Ordinances for Lonsdale, Minnesota and Declaring an Emergency for the Immediate Preservation of Peace, Health, Safety, and General Welfare of the Public of Lonsdale

Dols read through the public hearing notice and opened the hearing. Baker provided the Commission with a staff report, a copy of the proposed ordinance, and information on

American Legal's Folio Views and Internet Hosting services. He mentioned that American Legal codified Lonsdale's Code back in 2006. He said that American Legal recently codified the last three year's worth of ordinances adopted by the City Council into the 2nd and 3rd Supplement to the Lonsdale City Code. Baker provided each Commissioner with an updated copy of the City Code's Land Use Section. He explained how Folio Views works, and he mentioned that the entire Code will be available to all interested parties via the City's website, starting in May. Skluzacek asked if American Legal has any legal responsibility for the updates, and how much the updated Code cost to codify. Baker said that the Code update cost the City approximately \$2,000 - \$5,000. The Commission agreed that the updating price was reasonable. Dols asked if anyone else had any comments on the proposed ordinance. No comments were made.

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

6. OLD BUSINESS

- a. Update on Public Informational Meeting In the Matter of the Route Permit Application for 345kV Transmission Line from Brookings County, South Dakota to Hampton, Minnesota

Baker provided the Commission with a detailed map of the proposed and alternate routes along with information pertaining to the recent public informational meetings including the slide presentation notes, EIS handout, factsheet on the route permitting process, info on electromagnetic fields and public health, and a comment card. Baker encouraged all of the Commissioners that have not yet made comments to Minnesota Office of Energy Security, to fill out the comment form and send it in before April 30, 2009. Baker stated that a certificate of need for the 345-kV project was recently determined. He said that the route application was officially accepted by the Minnesota Public Utilities Commission in January 2009. He said that the issue has turned into a "not-in-my-backyard" and north (Scott County) vs. south (Rice County) argument. He mentioned that both Rice County and Scott County approved resolutions opposing the transmission routes through their respective counties.

Baker said Administrator Erickson has been attending the route taskforce meetings. He said the taskforce has been exploring other route options and listening to more public comments. Baker said that the public hearing meetings have been full of emotional and passionate statements from property owners and communities shown near the proposed routes. He mentioned that the route search areas are 1000 ft. wide, but the actual easements will only be 150 ft. He said the towers are proposed at 175 ft. tall. Baker said that project construction is slated for 2011-2013. He urged all the members again to send their comments into the state. Duban stated that he attended the New Prague public hearing and he provided another map for the Commission to review. He said that Scott

County's was using the argument that the northern route would affect more homes than the southern route. Baker questioned whether the need for electricity was coming from the Metro counties or southern counties.

b. Update on Council Action Regarding an Amendment to the Eagle Creek Development Agreement

Baker provided the Commission with a copy of Resolution 2009-11. He said that on March 26th, the City Council approved Resolution 2009-11, a resolution amending the Eagle Creek Development Agreement – Architectural Guidelines – Homes Size Requirements – requiring 1600 sq. ft. of finished living area above grade for two-story homes and two-story modified homes. He said the new home size requirement will allow Mattamy Homes to hit a “price-point” with their two-story homes.

c. Update on Council Action Regarding the Pole Sign Located near 104 Railway Street

Baker mentioned that at their meeting on March 26th, the Council declared the pole sign located at 104 Railway Street as a non-conforming sign and stated that said sign shall come into conformance with Ordinance 2008-220, Signs, or be removed from the site by June 1, 2009. He said that the Council added a timeline stipulation similar to the large movie screen that came down last year on the same property.

d. Consider an Amendment to the Zoning Ordinance to Create a “Park & Open Space District”, “Public Facilities & Government District”, and “Wetland & Stormwater District”

Baker provided the Commission with a revised proposed zoning map showing some areas previously zoned as “Park & Open Space” now designated as “Wetland & Stormwater”. He also reviewed the proposed district uses with the Commission. The Commission agreed that general language should be used to describe the permitted park uses. Kodada asked if signage should be listed as an accessory use. Fried asked if skate parks and skate boards would be a permitted use. Duban suggested that all final plats designating parkland be automatically rezoned as “Park & Open Space” along final approval. Baker asked the Commission to continue to review the proposed amendments and provide comments over the next month.

7. NEW BUSINESS

a. Consider Approval of a Conditional use Permit Request by Lonsdale Sky Warn for a Fifty Foot (50') Weather Tower to be located at 115 Alabama Street SW

Baker said that Lonsdale Sky Warn, represented by Mike Walters, was requesting a conditional use permit to erect a 50 ft. tall weather tower. He said the proposed tower would be located just northeast of the existing parking lot. Baker reviewed the current land use and applicable zoning regulations. He said that both a conditional use permit and variance would be needed. Baker said that a similar CUP request for a 45 ft. tall tower at 126 Main Street South was granted last Fall by the City of Lonsdale. Baker

mentioned that a public hearing on the Conditional Use Permit request will be held at the April 30, 2009 City Council meeting.

Mike Walters provided the Commission with more detail on the project. He said that the pole will be made of steel and have hinges at 25 ft. in case the tower collapses. He mentioned that the tower would fall towards the existing parking lot. He said that an 8 ft. deep sonic tube will be installed for the tower's footing. Dols asked about Sky Warn's funding. Walters said that Sky Warn does receive some funds from the City, but they are a volunteer organization outside of the City.

A motion was made by Kodada and seconded by Duban to recommend approval of a Conditional Use Permit and Variance request by Lonsdale Sky Warn for a fifty foot (50') weather tower to be located at 115 Alabama Street SW with the following conditions:

1. The tower shall be grounded.
2. A building permit shall be applied for, approved, and inspected by the Building Inspector.
3. The tower shall be designed to collapse toward the existing parking lot to the south.
4. Any additional antennas, equipment, or instruments shall be reviewed by the Building Inspector.
5. In case of abandonment, said accessory structure shall be completely taken down within 90 days from the final day of use.
6. The CUP shall expire if no building permit has been issued within one (1) year of the approval date, except if a time extension is requested before the end of the one (1) year mark.

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

- b. Consider Approval of Ordinance 2009-229, an Ordinance Enacting and Adopting the Second & Third Supplements (S-2 & S-3) to the Code of Ordinances for Lonsdale, Minnesota and Declaring an Emergency for the Immediate Preservation of Peace, Health, Safety, and General Welfare of the Public of Lonsdale

The Commission said that it is normal City procedure to update and codify the Code every few years. Dols asked if any written or verbal comments were received. Baker said that none were received.

A motion was made by Duban and seconded by Kodada to recommend approval Ordinance 2009-229, an ordinance enacting and adopting the Second & Third Supplements (S-2 & S-3) to the Code of Ordinances for Lonsdale, Minnesota and Declaring an Emergency for the Immediate Preservation of Peace, Health, Safety, and General Welfare of the Public of Lonsdale. Vote for: Skluzacek, Freid, Kodada, Dols, and Duban; Against: None. Vote: 5-0. Motion carried.

c. Review Current City Code Parking Regulations

Baker provided the Commission with all the City Code regulations related to parking along with the entire B-3, Central Business District, regulations to review. Dols asked Duban if he had any questions. Duban stated that he didn't want to proceed with any ordinance amendments related to hard surface parking at this time. He also stated that existing properties within the B-3 District should not be forced to pave their parking areas. Duban mentioned that the parking table shown in City Code §153.077 should also include "Motels". Baker said that the Commission may want to consider reviewing §153.077 in the future as was suggested in the Lonsdale Comprehensive Plan.

Baker explained Lonsdale's current regulations regarding residential parking pads and issues associated with them. He mentioned that the main issues related to parking pads include: the parking or storage of unsightly objects, location of parking pads, setbacks, and surfacing requirements. He asked the Commission if they wanted to pursue any amendments to the current regulations. The Commission suggested keeping the parking pads out of the drainage and utility easements, but they agreed that any further regulations may open a can of worms. They said that the Police Department could enforce parking pad blight or nuisance issues on a complaint basis. The Commission briefly discussed parking and storage issues associated with smaller lot sizes allowed along with Planned Unit Developments.

8. MISCELLANEOUS

Baker invited anyone that is interested to attend the Arbor Day and East Elementary Nature Center Grand Opening event at 1:00 pm on April 24th.

9. ADJOURNMENT

A motion was made by Kodada and seconded by Duban to adjourn the meeting. Vote for: Skluzacek, Freid, Kodada, Dols, and Duban; Against: None. Vote: 5-0. The meeting ended at 7:46 pm.

Respectfully Submitted:

Benjamin Baker, City Planner