

**MINUTES**  
**CITY OF LONSDALE**  
**REGULAR PLANNING & ZONING COMMISSION MEETING**  
**OCTOBER 15, 2009**

**MEMBERS PRESENT:**

Gary Skluzacek, Dave Dols, John Duban, and Joe Kodada

**MEMBERS ABSENT:**

Harold Vosejka, Joe Daleiden, and Jim Freid

**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 Kodada to approve the agenda as presented. Vote for: Skluzacek, Dols, Duban, and Kodada; Against: None. Vote: 4-0. Motion carried.

**3. APPROVAL OF MINUTES**

A motion was made by Duban and seconded by Kodada to approve the minutes from the July 16, 2009 regular meeting. Vote for: Skluzacek, Dols, Duban, and Kodada; Against: None. Vote: 4-0. Motion carried.

**4. PUBLIC COMMENT**

None

**5. PUBLIC HEARING**

Dols read the public hearing notice and opened the public hearing. Baker explained the public hearing process, and he presented a detailed staff report for Land Use Application V1.2009 (Variance Request). Attached to the staff report was a proposed survey, building elevations, and floor plan for 120 Florida Street SE. At the request of Commissioner Skluzacek, City staff provided a copy of the "Criteria for Granting a Variance" from City Code §153.025, M.S. §462.357 Subd. 6, a map of current industrial lots available, and a lot/setback dimensions sketch for Lot 2, Block 3, Lonsdale Industrial Park Addition. Baker

also provided the Commission with the verbal comments received regarding the proposed variance request.

A motion was made by Duban and seconded by Dols to accept the listed verbal comments as part of the public hearing. Vote for: Skluzacek, Dols, Duban, and Kodada; Against: None. Vote: 4-0. Motion carried.

Baker provided a detailed overview of the request. He informed the Commission on the current land use plan and zoning requirements. He described the proposed building design, road/utility layout, and pertinent site history. The staff report also provided answers and information in response to the seven criteria questions for granting a variance. Baker noted that the table on page 2 showed district regulations, code requirements, non-conforming status, and the applicable variances.

Dols asked for any further comments off the floor. No one responded to the invitation.

A motion was made by Duban and seconded by Dols to close the public hearing. Vote for: Skluzacek, Dols, Duban, and Kodada; Against: None. Vote: 4-0. Motion carried. The public hearing closed.

## **6. OLD BUSINESS**

- a. None

## **7. NEW BUSINESS**

- a. 2009 Building Permit Update (through October 2009)

Baker provided a building permit update, through October 2009. The report included a new home permit breakdown and associated map, a breakdown of the outstanding unfinished homes (Parish Marketing/Willow Creek Heights and Haze I/Legacy Meadows homes) and associated map, remaining lots for Mattamy Homes in Eagle Creek and Shadow Stone, total permits overall for 2009, and a comparison to 2008. Baker also mentioned that work on the five unfinished Signature Homes in Rolling Ride and Harvest Ponds has been resumed, and they are being finalized out.

- b. Official Zoning Map Update

Baker provided the Commission with a copy of the proposed new look zoning map. He said that he has been working on updating the zoning map along with Michelle Trager, GIS Coordinator, from Rice County. He asked the Commission for their thoughts on the map. The Commissioners said that the new colors, labeling, and key are clearer and easy to understand.

Dols asked the Commission if they thought that B-3 Zoning was an appropriate classification for the parcel directly west of the Villages of Lonsdale. The Commission

stated that they should discuss the pos and cons of rezoning 900 Ash Street NE at their next meeting.

c. Consider Approval of Land Use Permit V1.2009, a variance request by Dale & Cynthia Furrer to construct a 60 ft. x 88 ft. building at 120 Florida Street SE

Baker reviewed the City staff report during the public hearing portion of the meeting. Baker provided a staff recommendation and conditions of approval for the Commission to review. Dale Furrer informed the Commission that the proposed parking area and driveway was going to be paved with asphalt. He also stated that the building's side walls were going to be 16 ft. tall. Furrer mentioned that the proposed building would have poured concrete and heated floors.

Kodada asked why Furrer did not propose any trees on site. Dale Furrer stated that trees planted along the side of the proposed building could cause root problems. Skluzacek asked when the subject property was purchased, and he asked if the applicants looked at purchasing the open lot on Delaware Street. Skluzacek also asked why they proposed to build such a large building on the smallest lot available. He cautioned that too many variances were being requested and that the Commission should follow the City Code requirements as closely as possible. Skluzacek said that he believed that Variance Criteria # 5 did not satisfy in proving a hardship. He suggested that the proposed building would fit better on Lot 2, Block 3, Lonsdale Industrial Park Addition, located directly northwest of subject property. Duban stated that the proposed building and parking area (impervious surface) was in compliance with the requirements of the I-2 District. He stated that the proposed building is not too big considering that the I-2 District allows for 75% lot coverage and the proposed building only shows 62%. Skluzacek stated that he is fine with the proposed front yard setback, but he said that the 15 ft. side and rear yards could produce drainage problems. Furrer said that they planned on putting rain gutters on the building. He also mentioned that drainage will be directed properly to the Florida Street ditch. Skluzacek also asked how the property owners are going to accessing their rear garage door. Baker noted that the people accessing their lots by traveling over 120 Florida Street SE are currently trespassing.

Dols posed the question: how far is the City willing to go in terms of setbacks for the remaining unbuildable lots in the Original Industrial Park. Skluzacek suggested that businesses should build according to the rules in place. Duban said that the applicants are proposing something similar, both in size and design, to what already exists in that area. Skluzacek questioned the number of variances that would need to be granted for the project to go through. He stated that allowing so many variances is not the lawful way to proceed. Duban disagreed, and he said that the variance process is the legal way for approval. Kodada said that the intent of the Lonsdale Industrial Park Addition subdivision was to make defined lots for future businesses, and he suggested filling the

vacant lots up with similar type buildings. Kodada suggested burying a drain tile to help alleviate any future drainage issues.

A motion was made by Kodada and seconded by Duban to approve V1.2009 (Variance Request) with the following conditions:

1. No construction on the proposed building shall take place until a building permit is reviewed and approved by the Building Inspector, City Planner, and City Engineer.
2. Said variance will become null and void in one year after approval if no substantial action is taken on the property by the owner.
3. Off-street parking shall be located at least five feet away from the public right-of-way.
4. Any indoor garage drain(s) shall be approved by the Public Works Director and hooked into the sanitary sewer line.
5. The proposed culvert relocation shall be completed according to City specifications and approved by the City Engineer and/or Public Works Director.
6. Water Access Connection (WAC) and Sewer Access Connection (SAC) fees according to the Ordinance 2009-228 shall be paid along with the building permit.

Vote for: Dols, Duban, and Kodada; Against: Skluzacek. Vote: 3-1. Motion carried.

Dols stated that the Planning Commission recommendation would be brought before the Board of Adjustments & Appeals on October 29, 2009.

d. Review and Discuss “Original Industrial Park” Zoning Regulations

In response to applications such as V1.2009 and other similar requests over the last couple of years, Baker asked the Commission to discuss issues related to the current zoning/regulations for the Original Industrial Park area. He provided the Commission with a staff report including a table showing the percentage of non-conforming regulations for the I-1 and I-2 District, information about building size, building type, lot characteristics, proposed new zoning regulations, and discussion questions. Also attached to the report were maps of the Original Industrial Park showing/labeling building sizes, uses, lot area dimensions, lot frontage dimensions, lot depth dimensions, and setbacks. Baker reviewed the report and findings with the Commission.

The Commission discussed the possibility of adding a new industrial district to the zoning ordinance, amending the current districts, and amending the zoning map. Dols suggested that the City could use a place for smaller businesses to start off. He also mentioned that those same businesses may grow and need to expand to a larger and more

appealing industrial park within the City. He suggested that a starter business industrial park should have smaller setbacks and lot sizes to lessen the initial costs for business startups. The Commission discussed the idea of a new starter business district without as many strict standards geared towards industrial businesses trying to get off the ground. Skluzacek stated that he was confused with the suggestions from the rest of the Planning Commissioners regarding the talk of lessened building type and design standards. He mentioned that some of the Commissioners have taken the stance in the past that nicer looking buildings should be required in the industrial areas, but now they are suggesting a different view point. Dols stated that Lonsdale's newer industrial parks should be held to higher design standards, unless a starter industrial park is proposed. Kodada said that any new buildings being proposed in the Original Industrial Park should be compatible with the surrounding area in terms of building design and building type. Skluzacek debated design standard requirements with the rest of the Commission. He also provided some history on one of the original businesses directly above the Original Industrial Park. The Commission continued to discuss the history of the Original Industrial Park and possible new zoning standards.

The Commission directed City staff to propose a new industrial district that would have smaller lot sizes and setbacks and closely match the lot sizes and setbacks that currently exist in the Original Industrial Park.

## **8. MISCELLANEOUS**

Kodada suggested that the City's Building Inspector not issue any new home certificate of occupancy permits until the all the perimeter silt fence is completely taken down and cleaned up.

Baker stated that the City Council recently approved a Joint Powers Agreement with the City of Elko-New Market for shared planning services. Baker mentioned that he would now be working a few hours per week for the City of Elko-New Market primarily as their Zoning Administrator and completing other projects as needed. He said that the agreement is a win-win for both cities, and he mentioned that it can be a good idea to share services during tough economic times.

## **9. ADJOURNMENT**

A motion was made by Kodada and seconded by Duban to adjourn the meeting. Vote for: Skluzacek, Dols, Duban, and Kodada; Against: None. Vote: 4-0. The meeting ended at 8:16 pm.

Respectfully Submitted:

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Benjamin Baker, City Planner