

**MINUTES
CITY OF LONSDALE
REGULAR PLANNING & ZONING COMMISSION MEETING
JANUARY 15, 2015**

MEMBERS PRESENT:

Voting Members: Jim Freid, Joe Kodada, John Duban, and Ben Sticha
Council Representative Scott Pelava

MEMBERS ABSENT:

Chair Dave Dols

STAFF PRESENT:

City Planner Benjamin Baker

1. CALL TO ORDER

Vice Chair Joe Kodada called the meeting to order at 6:30 pm in the Council Chambers at 415 Central Street West.

2. AGENDA

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

A motion was made by Duban and seconded by Sticha to approve the agenda as presented.
Vote for: Freid, Kodada, Duban, and Sticha; Against: None. Vote: 4-0. Motion carried.

3. APPROVAL OF MINUTES

A motion was made by Freid and seconded by Duban to approve the Minutes from the November 20, 2014 Planning Commission Meeting. Vote for: Freid, Kodada, Duban, and Sticha; Against: None. Vote: 4-0. Motion carried.

4. PUBLIC COMMENT

None

5. PUBLIC HEARINGS

- a. Review a Proposed Ordinance Amendment/Update to Lonsdale City Code §153.074, Single-Family Dwellings

Vice Chairperson Kodada read through the public hearing notice and opened the public hearing. Baker read through the staff report and proposed ordinance amendment. Baker stated that over the past few years, the City of Lonsdale has received concerns from residents regarding the enforcement of neighborhood covenants. He said that the City has also received inquiries into whether or not manufactured or smaller homes could be constructed in Lonsdale. Baker noted that Lonsdale's newer residential neighborhoods are very susceptible to smaller and less attractive/lower valued homes with: 1) the onslaught of lower residential lot prices due to the recession of 2008-2012; 2) the lack of neighborhood covenants enforcement; and 3) deficient City regulations detailing design

standards for new single-family homes. He warned that property values for existing homes/neighborhoods will be negatively affected if smaller-dull designed homes are built amongst the current larger-more appealing homes.

Baker stated that the Planning Commission has been working for the past few months on a solution to prevent extremely smaller/unattractive homes into the Lonsdale's new developments. He explained that by setting some minimal standards within the City Code for single-family homes, including minimum home size, façade design, roof pitch, and finish materials; that Lonsdale should be able to avoid the threat of much lower-valued homes invading existing newer residential neighborhoods. Baker read through the proposed City Code §153.074 ordinance in its entirety.

Kodada asked if anyone off the floor wanted to speak on the matter.

The Planning Commission reviewed a letter from Shawn Ruthford, 502 Deerview Drive SE, who was not present at the meeting. He relayed his concern with two homes currently being built near his home in Willow Creek Heights. Ruthford stated that he expects that the same size and quality home to be built in his neighborhood as what already exists. He stated that smaller and less-attractive homes, such as the ones under construction, will ultimately lower his home value.

Garry Tupy, JB Woodfitter, 15815 Franklin Trail SE, Prior Lake, MN, provided a few comments. Tupy said that Lonsdale is not the only community that is dealing with issues concerning neighborhood covenants. He stated that it takes an active home owners association to enforce the covenants, and he noted that associates are not always the answer to neighborhood problems. He said that covenants are hard to enforce. Tupy stated that JB Woodfitter has higher standards than what the City is currently proposing, and he questioned if it is worth passing an ordinance that wasn't going to truly protect the values of existing \$250,000 - \$450,000 homes in town from new homes, valued at \$200,000 or under, being built next door. The Planning Commission reviewed a letter sent from Garry's business partner Ted Kowalski, which quoted their attorney Justin P. Weinberg on the issue. The Commissioners also reviewed a letter from the City Attorney on the issue and which addressed Weinberg's points/concerns.

Pelava shared his past experience in dealing with a neighborhood association while living in a Farmington neighborhood. He stated that the City recognizes that there is a need to establish at least some minimal design standards for new homes. The other Commissioners agreed.

A motion was made by Duban and seconded by Freid to close the public hearing. Vote for: Freid, Kodada, Duban, and Sticha; Against: None. Vote: 4-0. Motion carried. The public hearing closed at 7:10 pm.

6. GENERAL BUSINESS

a. Nominate and Appoint Planning Commission Officers for 2015

Duban and Sticha suggested that Commission Officer positions remain the same as in previous years.

A motion was made by Duban and seconded by Sticha to approve the 2015 Planning Commission Officers as follows:

- *David Dols, Chair*
- *Joe Kodada, Vice-Chair*
- *Benjamin Baker, Secretary
(City Planner)*
- *Scott Pelava, Ex-Officio
(City Council Member)*
- *Joel Erickson, Ex-Officio
(City Administrator)*

Vote for: Freid, Kodada, Duban, and Sticha; Against: None. Vote: 4-0. Motion carried.

Freid said that he was glad to be back on the Planning Commission for another 3 years, and he thanked everyone on the Commission for doing such a good job.

b. Update from Mayor Rud

Mayor Rud thanked the Planning Commission for their service to the community, and he congratulated Freid and Kodada for being recently being appointed to another 3-year term on the Commission. He provided an update on what the EDA and City Council's goals are for the new Lonsdale Business Park. He said that the City will be hiring a broker and/or marketing person/firm to help sell the lots to good businesses. He also provided an update on the 130 Delaware Street SE building, a ~\$500,000 building that has been offered as a donation to the City for free from Randy and Lori Stangler. He mentioned that it could be used as an incubator and/or to house City equipment or personnel. He encouraged everyone to get the word out about the opportunities for businesses in Lonsdale.

c. Consider Approval of an Ordinance Amendment to Lonsdale City Code §153.074, Single-Family Dwellings

Baker stated that a public hearing was held earlier in the meeting. He recommended approving the proposed ordinance amendment with the following conditions as suggested by the City Attorney:

1. Add language to address non-conforming and existing homes in town that may want to construct an addition or expand but shouldn't have to meet the new stricter design standards.
2. In an effort to promote high-quality neighborhoods and allow for creative and attractive neighborhood designs, the City should allow PUDs and/or specific zoning districts the option to use different design standards.

A motion was made by Duban and seconded by Sticha to recommend approval the proposed Ordinance Amendment to Lonsdale City Code §153.074, Single-Family Dwellings with the noted conditions, listed above. Vote for: Freid, Kodada, Duban, and Sticha; Against: None. Vote: 4-0. Motion carried.

d. Zoning Decisions Webinar – Part 2 – Overview of Authority – 20 minutes

The Commissioners listened to Part 2 of a “Zoning Decisions” educational webinar put on by the League of Minnesota. Part 2 focused on the City’s/Planning Commission’s authority, including legislative decisions, quasi-judicial decisions, and the hierarchy of discretion when creating plans and rules, applying land use applications, and administering permits/reviewing plans. The Commissioners also reviewed the Municipal Planning Act, zoning districts-maps/text, area standards, applying law, acting as a quasi-judge, and applying the facts. The Commission will listen to Part 3 at one of their next meetings.

7. MISCELLANEOUS

- The Commission discussed creating an Alternative Energy Ordinance sometime in the near future that would address wood burning stoves, oil burning heaters, solar power, wind power, and geothermal energy.

8. ADJOURNMENT

A motion was made by Duban and seconded by Sticha to adjourn the meeting. Vote for: Freid, Kodada, Duban, and Sticha. Against: None. Vote: 4-0. Motion carried. The meeting ended at 8:06 pm.

Respectfully Submitted:

Benjamin Baker, City Planner