

**MINUTES  
CITY OF LONSDALE  
REGULAR PLANNING & ZONING COMMISSION MEETING  
SEPTEMBER 17, 2015**

**MEMBERS PRESENT:**

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

**MEMBERS ABSENT:**

Dave Dols

**STAFF PRESENT:**

City Planner Benjamin Baker

**1. CALL TO ORDER**

Vice Chair 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 Freid 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 Duban and seconded by Sticha to approve the Minutes from the June 25, 2015 Regular Meeting and the August 20, 2015 Meeting as presented. Vote for: Freid, Kodada, Duban, and Sticha; Against: None. Vote: 4-0. Motion carried.

**4. PUBLIC COMMENT**

None

**5. PUBLIC HEARINGS**

None

## 6. GENERAL BUSINESS

- a. Presentation by Billie Sayer Entitled: “Amending Ordinance (City Code Chapter) 90.01 to allow Chickens within City Limits” (5 min)

Billie Sayer, 639 Elm Street NE, came to the podium to give a presentation entitled “Amending Ordinance 90.01 to allow Chickens with City Limits”. She asked Chair Kodada if her presentation time could be a discussion item instead of a presentation. Kodada told Sayer to keep her presentation to 5 minutes and the Commission would listen to what she had to say.

Sayer provided a printed online petition to the Planning Commission for review. The petition listed the names of people in support of an ordinance amendment to allow for the keeping of backyard chickens and those that indicated they were interested in raising chickens. She asked if the Planning Commissioners had reviewed the presentation materials presented to them beforehand. The Commissioners said yes. Sayer said that she was hopeful that both supporters and opponents of an ordinance amendment could reach a happy win-win compromise. Sayer read two letters of support for an ordinance amendment from those unable to attend the meeting, including a letter from Kathy Kahler. Sayer suggested that if an ordinance amendment was approved, that Kahler and/or herself could help the community by providing training and objective inspection services as part of a permitting process for residents wanting to keep chickens. Sayer said that if Minneapolis can embrace the keeping of backyard chickens on their small lot sizes, then it shouldn't be an issue for Lonsdale either, since Lonsdale has larger lots compared to Minneapolis. Sayer provided a few facts about chicken, and addressed concerns about noise, odors, and coop design.

Duban asked Sayer about her experience with teaching a class about chickens. Sayer said that she has a background in early childhood education and elementary education, and she said that Kahler has much more experience, since she has had chickens since 2011. Duban said that he was in the egg business for over 40 years, and he warned that you've got to catch them before they get sick or you're going to have problems. Duban questioned Sayer's limited self-taught experience. Freid asked Sayer how the City would possibly stop people from demanding that other farm animals be allowed in town, if chickens were permitted. He asked Sayer about residents that may be allergic to chickens. Sayer responded by saying what about people that are allergic to dogs. Kodada said that there already seems to be enough problems with the allowance of dogs in town, and he said that the City doesn't want to create any more tax burden for its residents by allowing chickens too. Kodada suggested that the City leave the current ordinance in place. The other Commissioners agreed.

b. Consider Providing Informal Feedback/Comments Regarding the a Chicken Presentation & Proposed Ordinance Amendment

The Planning Commission provided some feedback/comments regarding the proposed ordinance amendment and presentation concerning the keeping of urban chickens; please see the notes from Agenda Item 6(a), above.

Baker addressed the audience, including both citizens in support of the current ordinance and people in support of an ordinance amendment to allow for the keeping of chickens in town, explaining that the Planning Commission provided some feedback on the presentation and that they would not be discussing the issue any further. He welcomed anyone with questions, concerns, or comments on the subject to contact him at City Hall.

c. Consider Approval of a Boundary/Property Line Adjustment (Minor Subdivision) (Parcel Split & Combination) for 408 Pond View Drive SE (Lot 22, Block 4, Willow Creek Heights 3<sup>rd</sup> Addition) – Jason Zuther

The Planning Commission reviewed a certificate of survey for 408 & 414 Pond View Drive SE. Baker explained that a few years ago, Jason Zuther, 408 Pond View Drive SE, mistakenly planted a 130 ft. row of evergreens on the neighboring property to the south, 414 Pond View Drive SE. Baker said that Zuther was trying to line his southern property boundary with a planting row; however, Zuther ended up using the wrong right-of-way iron monument to align the property line between 408 & 414 Pond View Drive SE. Baker noted that the correct property corner was located approximately 42 ft. northward along the curve, near the utility boxes. Baker said that Zuther purchased the vacant lot at 414 Pond View Drive SE and applied for a boundary line adjustment in an effort to correct the issue. Baker also mentioned that Zuther may erect a shed once the property line is adjusted and drainage and utility easement is vacated and rerouted. Baker said that no utilities were located in the current side yard drainage and utility easement. After reviewing the information and associated surveys/maps, the Planning Commission agreed that Zuther was doing the right thing to correct the issue.

A motion was made by Duban and seconded by Freid to approve the proposed boundary line adjustment and partial drainage and utility easement vacation and realignment for 408 & 414 Pond View Drive SE. Vote for: Freid, Kodada, Duban, and Sticha; Against: None. Vote: 4-0. Motion carried.

d. Consider Approval of a Parcel Combination for 971 Alabama Street NW (Lot 1, Block 3, Grand View Park No. 5) – Scott Listberger

The Planning Commission reviewed a Certificate of Survey for 971 Alabama Street NW and Outlot A, Val Rose Gardens. Baker read through the detailed Staff Report and explained that the owner of 971 Alabama Street NW would like to combine two of his parcels and vacate/reroute a portion of the side yard drainage and utility easement. Scott Listberger, owner of 971 Alabama Street NW, said that he purchased Outlot A in 2005 from the Developer of Val Rose Gardens for the purpose of someday constructing an addition to the east side of his garage. He stated that he is now proposing to construct a 20' x 35' garage addition, and he would like to combine the Outlot A parcel to his parcel where his house and garage currently sit. The Planning Commissioners applauded Listberger for thinking far enough in advance by purchasing Outlot A for his proposed addition project. Baker noted that no utilities were located within the current side yard easement. Kodada said that he had no problems with recommending approval of the parcel combination request.

A motion was made by Freid and seconded by Sticha to recommend approval of the proposed parcel combination request and partial drainage and utility easement vacation and realignment for 971 Alabama Street NW. Vote for: Freid, Kodada, Duban, and Sticha; Against: None. Vote: 4-0. Motion carried.

e. LMC Zoning Decisions Webinar – Part 5 – Variances & Creating a Record (12 min)  
The Planning Commission decided to wait until their next meeting to listen to the League of Minnesota Cities Webinar on variances and creating a record.

## 7. MISCELLANEOUS

- As requested by the Planning Commission at the previous meeting, Baker provided the Commission with a copy of the current Sign Ordinance, and he explained the specific City Code language pertaining to digital/dynamic signage, reader board signs and billboards.
- As requested by the Planning Commission at the previous meeting, Baker provided the Commission with an informational brief on “low-powered vehicles”. The informational packet provided details on registration, licensing, insurance, operation rules, and safety equipment for golf carts, ATVs, mini-trucks, motor scooters/motorcycles, and motorized bicycles. The Planning Commission suggested that the City look into the creation of stricter ordinance regulations for operation of such vehicles by youth and teens. Jeff Beaumont, 633 Dogwood Street NE, stated that the Class II vehicles are street legal, require registration, mirrors, and turn signals. Beaumont suggested providing an exemption for Class II vehicles if the City does decide to pursue any future ordinance amendments.

**8. ADJOURNMENT**

A motion was made by Duban and seconded by Freid to adjourn the meeting. Vote for: Freid, Kodada, Duban, and Sticha. Against: None. Vote: 4-0. Motion carried. The meeting ended at 7:20 pm.

Respectfully Submitted:

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Benjamin Baker, City Planner