

**MINUTES
CITY OF LONSDALE
REGULAR PLANNING & ZONING COMMISSION MEETING
OCTOBER 15, 2018**

MEMBERS PRESENT:

Members: Jim Freid, Joe Kodada, Dave Dols, and Ben Sticha
Council Representative: Scott Pelava

MEMBERS ABSENT:

Jason Culotta

STAFF PRESENT:

City Planner Benjamin Baker and City Administrator Joel Erickson

1. CALL TO ORDER

Chair 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 Kodada and seconded by Freid to approve the agenda as presented. Vote for: Freid, Kodada, Dols, and Sticha; Against: None. Vote: 4-0. Motion carried.

3. APPROVAL OF MINUTES

Dols asked if anyone had any comments or corrections to the Minutes.

A motion was made by Freid and seconded by Sticha to approve the Minutes from the September 17, 2018 Regular Meeting as presented. Vote for: Freid, Kodada, Dols, and Sticha; Against: None. Vote: 4-0. Motion carried.

4. PUBLIC COMMENT

None

5. PUBLIC HEARINGS

- a. Review the Rolling Ridge Market Place Fifth Addition Preliminary & Final Plat – Applicant Randy Stangler, of N G Properties, and I & S Group, Inc. (ISG)
Chair Dols read the public hearing notice, and he opened the hearing. Baker went through the detailed Staff Report, which included information on the subject property, current/proposed ownership, future plans, re-alignment of property lines, zoning, land use, and associated maps. Baker stated that N G Properties (NGP) is in the process of severing from the Rolling Ridge Market Place Owners Association (RRMPOA), and he noted that the latest RRMPOA Minutes were attached to the report. Baker said that NGP will take over ownership of both the vacant building pad parcels along with the surrounding vacant common area parcels, similar to the previous Rolling Ridge Market Place 4th Addition plat. He stated that Outlot A and Outlot B, will continue to be owned by the RRMPOA for use as a private road and future re-routed road alignment. Baker noted that at this time, there are no plans to construct either a church building or multi-tenant commercial buildings anytime soon on the western vacant portion of the Market Place. Baker stated that the new plat shows a 60 ft. wide Outlot/private road, which could accommodate a public road right-of-way in the future. However, he said that at this time, there are no plans to reconstruct/upgrade the private road section of Ash Street NE, running from Baldwin Street to 8th Avenue NE.

Randy Stangler, of N G Properties, addressed the Commissions from the front podium, and he stated that Baker did a good job of relaying the details of the request. Dols asked if there were any questions for the applicant or applicant's engineer. The Commissioners did not have any questions for Stangler or ISG. Dols asked if anyone off the floor wanted to speak on the matter. No one responded to the invitation.

A motion was made by Kodada and seconded by Freid to approve closing the public hearing. Vote for: Freid, Kodada, Dols, and Sticha; Against: None. Vote: 4-0. Motion carried. The hearing closed at 6:46 pm.

6. GENERAL BUSINESS

- a. Consider Approval of the Rolling Ridge Market Place Fifth Addition Preliminary & Final Plat - Applicant Randy Stangler, of N G Properties, and ISG
Baker stated that a public hearing was held earlier in the meeting. He said that City Staff is recommending approval of the Rolling Ridge Market Place Fifth Addition Preliminary & Final Plat contingent upon the following conditions and comments:
 1. Outlot A & Outlot B, RRMP 5th Addition, is being set up for future dedication to the City as a public road right-of-way. Before any privately owned streets are considered by the City of Lonsdale for potential ownership/maintenance transfer/takeover, the following items must take place:
 - a. A policy shall be created by the City Engineer and adopted by the City Council that details procedure and requirements for accepting existing private infrastructure/roads into the City's public street system.
 - b. A request/petition is received from the private infrastructure/road owners.

2. The original intent of the Rolling Ridge Market Place PUD was to only allow buildings/structures on the “building pad lots”. Conversely, the original intent of the “common areas” was for parking lots, roads, trails, and open space. Since the current zoning on the subject property, B-3 (base zoning) PUD-RRMP (overlay zoning), allows for zero-lot-line setbacks, and because the RRMP 5th Addition plat combines both the “building pad lots” with “common area lots”, there is nothing preventing commercial buildings from being constructed right up to perimeter boundary lines. Therefore, until proper zoning is set up, such as a new PUD Ordinance (as recommended by the City Attorney), no permanent buildings shall be permitted off of the original “building pad lots”, located on Lots 1-5, Block 1, Rolling Ridge Market Place and Lot 1, Block 2, Rolling Ridge Market Place.
3. A 25’ wide trail easement, as shown and described, on the attached map, shall be recorded at Rice County.
4. No buildings/structures shall be constructed on the subject property without the following City review procedure/approvals:
 - a. PUD Ordinance or Zoning Amendment by the Planning Commission & Council.
 - b. CUP/Site Plan Review approval by the Planning Commission & Council.
 - c. Building Permit approval by the City Engineer and Building Official.

A motion was made by Kodada and seconded by Sticha to approve the Rolling Ridge Market Place Fifth Addition Preliminary & Final Plat contingent upon the conditions and comments stated above. Vote for: Freid, Kodada, Dols, and Sticha; Against: None. Vote: 4-0. Motion carried.

b. Review & Provide Comments on Twin Home Design/Size Standards Specifically in the WELCO Subdivision – Randy Stangler, of N G Properties

Randy Stangler, of N G Properties, stated that he would like to construct a twinhome in the WELCO development at 662/668 4th Circle Drive SE that would meet the corner lot setbacks but only be ~1,750 sq. ft. per unit. He said that the unit size is large enough for the retired folks looking to downsize. Baker explained that the recently adopted single-family home design/size standards require 2,000 sq. ft. for a 2-story slab home. Baker said that twin homes were not necessarily considered when the ordinance was approved. Stangler asked the Commissioners if they would consider allowing such a home in WELCO. After reviewing a proposed home plan sketch along with associated maps, pictures, and regulations; the Commissioners agreed that the proposed twinhome plan looked good and would fit in nicely in WELCO. Dols said that he doesn’t have a problem with amending either the CUP or City Code to allow for smaller unit sizes for twinhome buildings. Kodada wondered if the City should accept similar requests on a case-by-case basis. Overall, the Planning Commission liked the proposed home plan.

No official action was taken on this agenda item.

c. Consider Approval of a Parcel Combination Request at 601 Parkview Ct SE submitted by Home Owner Todd Person

Baker read through a Staff Report which detailed a request by home owner Todd Person to combine his two parcels together so that he can erect a moveable shed and boundary fence on the western, rear parcel. Baker explained the City's past policy for combining vacant residential lots, and he said that in order to have any accessory structures on a lot, there must be a principal structure on the same parcel. Baker further explained that although it has been the City's past practice to not combine parcels together in an effort to: 1) avoid inconsistent neighborhood aesthetics (a detached garage in the middle of a stretch of homes), 2) loss of water/sewer revenue (WAC/SAC and utility bills), and 3) loss of property tax revenue; City Staff found that in this particular circumstance: 1) the neighborhood aesthetics and nearby pathways will benefit from a seemingly natural backyard area compared to a squeezed in home/garage structure, and 2) future revenues are not lost, due to the potential to easily reverse the parcel combination process. He stated that the City also would like to see a permanent boundary fence be erected instead of the current chicken wire fence used to keep the geese off of the nice rear yard area. Dols said that the situation is unique compared to past requests that came in during the down economy. The rest of the Commissioners agreed. Kodada noted that a stipulation should be put in that disallows any small parcel splits into a narrower buildable lot.

A motion was made by Kodada and seconded by Freid to approve a parcel combination for 601 Parkview Ct SE contingent upon the following conditions:

1. No construction on the proposed accessory structures (shed and fence) shall begin, until a building/zoning permit application/plans have been reviewed, approved, and issued by the City Building Inspector and/or City Planner.
2. Except for a permanent boundary fence, no other permanent accessory structures shall be allowed on Lot 1 Block 5, Willow Creek Heights 2nd Addition. Only portable accessory uses/structures, such as sheds (200 s.f. or less) and movable fire pits, may be permitted on Lot 1 Block 5, Willow Creek Heights 2nd Addition. Trees, gardens, and other similar items may also be allowed with City approval.
3. The proposed shed shall adhere to the regulations set forth in City Code §153.007, Accessory Buildings/Structures.
4. The proposed fence shall adhere to the regulations set forth in City Code §153.071, Fences.
5. The applicant shall be responsible for paying any property taxes due and notifying Rice County of the City approved parcel combination.
6. No further subdivision of Lot 1 into a smaller, narrower parcel shall take place.

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

7. MISCELLANEOUS

None

8. ADJOURNMENT

A motion was made by Kodada and seconded by Sticha to adjourn the meeting. Vote for: Freid, Kodada, Dols, and Sticha; Against: None. Vote: 4-0. Motion carried. The meeting ended at 7:07 pm.

Respectfully Submitted:

Benjamin Baker, City Planner