

**MINUTES
CITY OF LONSDALE
REGULAR PLANNING & ZONING COMMISSION MEETING
MARCH 21, 2022**

MEMBERS PRESENT:

Voting Members: Jim Freid, Lou Jirik, Joe Kodada, Mark Ward, and Lance Benninghoff
Council Representative: Kevin Kodada

MEMBERS ABSENT:

None

STAFF PRESENT:

City Planner Benjamin Baker and City Administrator Joel Erickson

1. CALL TO ORDER

Chair J. Kodada called the meeting to order at 6:45 pm in the Council Chambers at 415 Central Street West.

2. AGENDA

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

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

3. APPROVAL OF MINUTES

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

A motion was made by Jirik and seconded by Benninghoff to approve the Minutes from the February 28, 2022 Regular Meeting as presented. Vote for: Freid, Jirik, Kodada, Ward and Benninghoff; Against: None. Vote: 5-0. Motion carried.

4. PUBLIC COMMENT

None

5. PUBLIC HEARINGS

a. Review Ordinance 2022-311, an Ordinance Amending City Code Title XI, Business Regulations, by Adding Chapter 116, Mobile Food Units (Food Trucks)

J. Kodada opened the public hearing. Baker went through the Staff Report and highlighted the proposed ordinance language, including: purpose and intent, definitions, license requirements, and performance standards. Baker stated that Staff was directed to create an ordinance that would regulate food trucks. He said that the Planning Commission reviewed draft ordinance language at previous meetings. Baker said that additional insurance language was added and the ice cream truck exemption was taken out, based on comments from the City Attorney. Baker noted that the Alan Fitterer, President of the Lonsdale Lions, met with City Staff and said that the Lions were not in favor of charging a license fee and other aspects of the ordinance. Fitterer explained that a license requirements and fees could scare away food trucks from coming to town and essentially effect the Lion's fundraising efforts. Baker said that City Staff previously proposed a \$15/day or \$200/year license fee, which is consistent with area cities, to recoup costs associated with processing the license application. However, he explained that the City Council is responsible for setting fees and not the Planning Commission. The Commissioners and Staff discussed liability concerns and insurance. J. Kodada asked if anyone off the floor had comments on the proposed ordinance. No one responded to the invitation.

A motion was made by Fried and seconded by Ward to close the public hearing. Vote for: Freid, Jirik, Kodada, Ward and Benninghoff; Against: None. Vote: 5-0. Motion carried. The hearing closed at 6:53.

b. Review Lonsdale Business Park 3rd Addition Preliminary and Final Plat

J. Kodada opened the public hearing. Baker went through the Staff Report, including information on location, property size, owner/applicant, engineer, land use request, existing conditions, Lonsdale Business Park Development, and zoning. He also went through the attached maps, including the preliminary and final plat. Baker said that the applicant, Kiehm Construction Inc., is proposing to develop nearly 3 acres of the currently vacant business park property. He said that the first step in the development process is to create an official lot, since the subject property is currently an Outlot. Baker noted that up to 3 additional lots could still be developed on the south side of Commerce Drive SE. J. Kodada asked if anyone in the audience had comments on the proposed plat. There were no other comments.

A motion was made by Freid and seconded by Jirik to close the public hearing. Vote for: Freid, Jirik, Kodada, Ward and Benninghoff; Against: None. Vote: 5-0. Motion carried. The hearing closed at 7:04 pm.

6. GENERAL BUSINESS

- a. Consider Approval of Ordinance 2022-311, an Ordinance Amending City Code Title XI, Business Regulations, by Adding Chapter 116, Mobile Food Units (Food Trucks)

Baker stated that a public hearing was held earlier in the meeting, and he reviewed the proposed ordinance. K. Kodada asked if “hold harmless” language could be added to the ordinance or application form. Baker stated that Staff would check with the City Attorney. Baker said that City Staff, including the City Administrator and the Police Chief, helped create the proposed ordinance. He noted that enforcement details will be sorted out with the Police Department. The Commissioners agreed that the new ordinance looked good.

A motion was made by Jirik and seconded by Benninghoff to recommend approval of Ordinance 2022-311, an Ordinance Amending City Code Title XI, Business Regulations, by adding Chapter 116, Mobile Food Units (Food Trucks). Vote for: Freid, Jirik, Kodada, Ward and Benninghoff; Against: None. Vote: 5-0. Motion carried.

- b. Consider Approval of the Lonsdale Business Park 3rd Addition Preliminary and Final Plat

Baker mentioned that a public hearing was held earlier in the meeting. He said that notice was sent out and advertised in the newspaper, but no comments were received. Baker highlighted the main points of the land use request, and he said that Staff recommends approval of the proposed plat. Jirik stated that there is still a nice chunk of land remaining for up to three more businesses. The Commissioners all agreed with the proposed development and plat.

A motion was made by Benninghoff and seconded by Freid to recommend approval of the Lonsdale Business Park 3rd Addition Preliminary and Final Plat. Vote for: Freid, Jirik, Kodada, Ward and Benninghoff; Against: None. Vote: 5-0. Motion carried.

c. Consider Approval of a Site Plan for a New 17,000 sq. ft. Building at 1711 Commerce Street SE

Baker reviewed the details of a proposed site plan for 1711 Commerce Drive SE in the Staff Report, including information on: location, property size, owner/applicant, engineer, land use request, existing conditions, Lonsdale Business Park Development, zoning, site/building details, landscaping, parking/loading, comprehensive plan, utilities, and grading. The report also included attached location maps, photos, a survey, site plan, grading and utility plan, landscaping plan, floor plans, and colored exterior building elevations. Baker explained that the proposed development would consist of a 17,050 sq. ft. manufacturing/office building and a potential addition of the same size in the future. He said that the new business will immediately create 5 new jobs in town and help to diversify the tax base.

Garry Tupy, property owner, stated that Pete Johnson, owner of Masterseal Filter Products, is moving his business from Minneapolis to Lonsdale. He said that the business and building are a perfect fit along the Commerce Drive curve and next to residential homes in Willow Creek Heights. Kodada asked about the need for a screened dumpster area. Tupy said that most everything will be stored inside the building. Erickson said that the Business Park was engineered to accommodate maximum lot coverage and that storm water runs to the development's retention pond on the south side Pond View Drive SE. The Commissioners all agreed with the proposed site plan.

A motion was made by Freid and seconded by Ward to a recommend approval of a Site Plan for a new 17,050 sq. ft. building at 1711 Commerce Street SE. Vote for: Freid, Jirik, Kodada, Ward and Benninghoff; Against: None. Vote: 5-0. Motion carried.

d. Review a Potential Amendment to the "Broadband Communication Installation" Section of City Code §153.074, Residential Single-Family Dwellings

Baker explained that the City Attorney and Building Official have had some issues and enforcement concerns with the final section of City Code §153.074, which addresses broadband communication installation. Baker explained that the Code section has put the City in a difficult situations with builders and new home owners, since the ordinance isn't enforceable. Baker recommended deleting the in-home wiring requirements, and Erickson recommended removing the entire section. The Commissioners agreed that if the ordinance cannot be enforced, that it should be removed. The Commissioners and Staff reviewed the premise for the ordinance language that was brought before the City Council by Lonsdale Telephone, due to their frustrations working with LGI Homes. Baker mentioned that the national-scale builder no longer had any lots remaining in town. The Commissioners agreed that the last section could be removed. Baker stated that City Staff will have to process an ordinance amendment to finalize the change.

7. MISCELLANEOUS

- The Commissioners reviewed a 48-slide presentation from the League of Minnesota Cities - Land Use Regs for Local Officials meeting. Baker stated that Benninghoff and himself attended the online webinar and provided brief insight.
- Benninghoff provided information on a recent Urban Land Institute meeting, that he attended, concerning development proformas, financing, and zoning tools.
- At the request of Commissioner Freid, the Commissioners reviewed associated documents for the 800 sq. ft. garage that was recently erected at 321 9th Avenue NE. Baker explained that the garage was legal, but visible because of its location along 8th Avenue NE. He said that there are many rear yard garages and large sheds in Lonsdale that are not as noticeable due to the hidden location. After reviewing the City's Accessory Structures regulations, the Commissioners agreed that the current size and location requirements for garages should stay the same for now.

8. ADJOURNMENT

A motion was made by Ward and seconded by Freid to adjourn the meeting. Vote for: Freid, Jirik, Kodada, Ward and Benninghoff; Against: None. Vote: 5-0. Motion carried. The meeting ended at 7:42 pm.

Respectfully Submitted:

Benjamin Baker, City Planner