

**MINUTES  
CITY OF LONSDALE  
REGULAR PLANNING & ZONING COMMISSION MEETING  
MAY 24, 2021**

**MEMBERS PRESENT:**

Voting Members: Joe Kodada, Mark Ward, and Dave Webb  
Council Representative: Kevin Kodada

**MEMBERS ABSENT:**

Jim Freid & Lou Jirik

**STAFF PRESENT:**

City Planner Benjamin Baker, City Administrator Joel Erickson, and  
Public Works Director Russ Vlasak

**1. CALL TO ORDER**

Chair J. Kodada called the meeting to order at 6:30 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 Webb and seconded by Ward to approve the agenda as presented.  
Vote for: Kodada, Ward and Webb; Against: None. Vote: 3-0. Motion carried.

**3. APPROVAL OF MINUTES**

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

A motion was made by Ward and seconded by Webb to approve the Minutes from the April  
19, 2021 Regular Meeting as presented. Vote for: Kodada, Ward and Webb; Against:  
None. Vote: 3-0. Motion carried.

**4. PUBLIC COMMENT**

None

**5. PUBLIC HEARINGS**

None

## 6. GENERAL BUSINESS

### a. Consider Approval of a Resolution 2021-35, Approving a Site Plan Review & Parcel Combination at Smoke (restaurant), 115 Railway Street SW

Baker went through the detailed Staff Report, including information regarding site location, property size, owner/applicant, land use requests, zoning, building addition details, existing building details, access, parking, and screening. He said that the applicant, Andrew Rasmussen, requested approval of: 1) site plan review for a 7.5' x 25' building addition, and 2) parcel combination. He explained that the use and setback fit within the regulations of the B-2 District. Baker stated that the addition will be used as a new vestibule/entrance, waiting area, and restroom. He noted the restroom was a condition of CUP 2021-01, which was approved in April by the Planning Commission and City Council. Baker said that at least 11 off-street parking spaces will be maintained on-site. He said that the applicant is currently working with the neighbor at 306 Alabama Street SW to erect a privacy fence to become more compliant with the City Code. Baker mentioned that the applicant is also working with the neighbors to potentially vacate the adjacent alley in the near future. He stated that the applicant is working towards improving the parking lot in 2-5 years. Baker said that Co Rd 4 is scheduled to be reconstructed in 2022, and he directed the applicant to work with the Rice County Engineer on the alignment of the curb-cut. Likewise, Baker said that 3<sup>rd</sup> Avenue SW is scheduled to be reconstructed in 2022, and he directed the applicant to work with the City Engineer on placement of the curb-cut. Baker reviewed Resolution 2021-35 along with the associated conditions, maps, and plans. Baker stated that a combined parcel will allow permitted accessory uses/structures on the entire property. He explained that the parcel is part of the original plat to Lonsdale and resides on 2 underlying lots.

Kodada stated that Smoke restaurant and the proposed addition have been great for Lonsdale. Ward and Webb agreed with the proposed addition and parcel combination request.

A motion was made by Webb and seconded by Ward to approve Resolution 2021-35. Vote for: Kodada, Ward and Webb; Against: None. Vote: 3-0. Motion carried.

b. Sign Ordinance Update & Discussion

Baker stated that Lonsdale's sign ordinance was last updated in April of 2008. He said that a 2015 court case, *Reed v. Gilbert*, has changed the world of sign ordinances regarding sign content and First Amendment rights. He said that the City can essentially regulate size, number, and the height of signs, but not content. Baker said that the City Attorney has reviewed Lonsdale's Sign Ordinance and provided comments to consider. He said that if some minor tweaks are not made, it could mean a losing position for the City, if there ever was a challenge. The City Attorney also noted that the City may want to wait before making significant changes concerning on/off-premise sign regulations due to a court case from the 5<sup>th</sup> Circuit regarding the Austin, TX Sign Ordinance. Baker briefly highlighted the main points of the case. Baker said that the case may soon be considered by the Supreme Court, and more guidance could be available in the next 3-9 months.

Baker went through Lonsdale's Sign Ordinance with the Planning Commission members. He reviewed the City Attorney's and Staff's suggested changes and comments. The Commissioners reviewed pictures of political flags around Lonsdale. The group discussed the following sign ordinance items: directional signs/definition, maximum sign size, non-commercial/political speech signs, severability clause, flags, and temporary signs. The Commissioners agreed that confusing parts of the ordinance should be eliminated or modified.

Baker said that the EDA discussed the topic of off-premise signs recently at their April and May 2021 meetings. He said that the EDA decided to not continue pursuing the idea of allowing larger off-premise sign(s), but instead, the EDA is looking into a similar idea that was implemented in Downtown Northfield. The Commissioners reviewed an example picture of Northfield's small uniform street signs used to direct vehicle and pedestrian traffic to multiple business/community destinations. All the Commissioners agreed that those signs looked good, but Baker noted that the City may need permission from MNDOT and/or Rice County in the Downtown area to erect such signage.

**7. MISCELLANEOUS**

- The Commissioners reviewed the latest edition of Minnesota Cities, a publication of the League of Minnesota Cities regarding current land use and legal issues.
- Staff provided an update on potential developments around town.
- The Commission asked Staff for information on the recent accident at Co Rd 2 and TH 19 and for a status update on the pond fence at that same intersection. Staff said that Rice County had the fence on their work list to take down in May-June 2021.

**8. ADJOURNMENT**

A motion was made by Ward and seconded by Webb to adjourn the meeting. Vote for: Kodada, Ward and Webb; Against: None. Vote: 3-0. Motion carried. The meeting ended at 7:31 pm.

Respectfully Submitted:

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Benjamin Baker, City Planner