

MINUTES
CITY OF LONSDALE
REGULAR PLANNING & ZONING COMMISSION MEETING
JUNE 18, 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 Attorney Matt Brokl

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 Freid and seconded by Sticha 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 Kodada and seconded by Dols to approve the Minutes from the April 16, 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. Codification of the Lonsdale City Code – S-7 & S-8 Supplements

Dols read the public hearing notice, and he officially opened the hearing. Baker explained that the S-7 and S-8 Supplements to the City Code were prepared by American Legal Publishing Corporation of Cincinnati, Ohio. He said that that the City has adopted 14 ordinances since late-2016. Baker stated that in order to officially update the City Code with the latest ordinances, the City must approve Ordinance 2018-288, which adopts the latest supplements and codifies Ordinances 2016-271 thru 2018-284.

Baker stated that the City Code, Ordinance Amendment Book, and Ordinances 2016-271 thru 2018-284 were on hand for reference. He also mentioned the website link to Lonsdale's City Code.

Dols asked if anyone off the floor wanted to speak on the proposed ordinance. No one responded to the request.

A motion was made by Dols and seconded by Sticha to close the public hearing. Vote for: Freid, Kodada, Dols, and Sticha; Against: None. Vote: 4-0. Motion carried. The hearing closed at 6:35 pm.

6. GENERAL BUSINESS

a. Consider Approval of the S-7 & S-8 Supplements to the City Code (Codification)

Baker stated that a public hearing was held earlier in the meeting. He mentioned that no written letters or verbal comments were relayed to City Staff on the matter. Baker recommended approving the latest supplements to the City Code.

A motion was made by Kodada and seconded by Sticha to approve the S-7 & S-8 Supplements to the City Code. Vote for: Freid, Kodada, Dols, and Sticha; Against: None. Vote: 4-0. Motion carried.

b. Review and Discuss an Informal Request by the Leadership Team from Triumphant Life Church Regarding the Potential Purchase of Parcels in the Rolling Ridge Market Place for Future Use as a "Church/Place of Worship"

Leaders from Triumphant Life Church, including Harold Kuchinka, Senior Pastor Ben Fenderson, and Associate Pastor Andrew Mixer asked the Planning Commission for their thoughts on allowing a church in the Rolling Ridge Market Place. Baker explained that Triumphant Life church is currently located on a small residential lot with limited room to expand. The leaders explained that they were looking to potentially purchase a parcel or two in the Rolling Ridge Market Place for future expansion of the church.

The Planning Commission reviewed a letter from the leaders of Triumphant Life Church, a memo from the City Attorney, a map of the Rolling Ridge Market Place, and the Rolling Ridge Market Place PUD Agreement. Baker and Brokl explained that although "churches" and "places of worship" are not listed in the PUD Agreement, churches do need to be permitted per the Religious Land Use Institutionalized Persons Act (RLUIPA) of 2000. Brokl explained that the City cannot use a land use regulation in a manner that treats religious assemblies less than equal with a nonreligious assembly or institution. The Commissioners reviewed a list of currently permitted and conditional uses allowed in the Rolling Ridge Market Place. Baker explained that church leaders should contact the Rolling Ridge Market Place Association since the surrounding land is currently owned and governed by the Association. Brokl said that a "church" would just be processed as a permitted or conditional use and go through the normal site plan review process as a commercial building. Overall, the Commissioners all agreed that a church would be a good use and location within the Rolling Ridge Market Place.

c. PUD Workshop - Discuss Current & Proposed Planned Unit Development (PUD) Processing and Standards – City Attorney Matt Brokl

The Board reviewed a detailed memo from City Attorney Matt Brokl, while they listened to Brokl explain why the City should consider processing PUDs as an ordinance instead of through an agreement. He said that PUDs/Agreements are not specifically identified by statutory authority. He said that many cities are moving away from the traditional PUD/Agreement concept in favor of separating the PUD rezoning from the development agreements. He said that the new PUD ordinance would act as a stand-alone rezoning which contains specific standards or deviations from the underlying zone. Brokl said that this new PUD method provides greater legal standing.

Kodada asked what the downside of the new method would be. Brokl said that the only downside would be getting used to the new change. Otherwise, Brokl stated that there really isn't a downside to the PUD ordinance method. Dols stated that it seems that the new method simplifies the process. Brokl explained why the PUD ordinance method is an advantage to homeowners, developers, and the City. The Commissioners all agreed that the City should pursue an ordinance amendment to allow for the new PUD ordinances.

d. Continue Discussion on Zoning/Ordinance Options for Current Twinhome Lots at 314, 320, 326, and 332 15th Avenue SE

The Commission reviewed a detailed Staff Report, which provided background information and processing options available for 314, 320, 326, and 332 15th Avenue SE to become villa homes. They also reviewed the attached maps, R-2A regulations, and the latest Villas PUD Agreement. Brokl suggested either creating a new zoning district, such as R-2B, or create a new PUD Ordinance for the four lots. Baker suggested not amending the R-2A zoning district because there are other places around town, such as along Ash Street NE, where the Planning Commission did not want a mix of villa homes and twin-homes intermingled. After discussing the issue, the Commission suggested that a R-2B Zoning District be created since there has been multiple requests for villa homes and five ft. side yard setbacks over the past few years. The Planning Commission directed City Staff to create a new zoning district similar to the R-2A Zoning District to allow for villa homes and reduced side yard setbacks.

e. Discuss and Provide Direction and Clarity on Recent Zoning Related Questions

Baker asked the Commissioners to review and provide comments, clarity, and direction on several zoning questions/topics that have been brought up to City Staff recently:

- *Residential Siding.* The Commissioners reviewed regulations and pictures related to metal and corrugated metal siding. After review and discussion, the Commissioners stated that sheet metal and corrugated metal siding should continue to be prohibited on homes.
- *Residential Roofs.* The Commissioners reviewed regulations and pictures related to residential roofs styles and pitches. Baker said that the Code is silent on hip roofs, and he stated that a local contractor is erecting a new house with a hip roof in the Harmony Meadows Planned Development. Due to the potential height difference and appearance with neighboring taller homes, Kodada suggested leaving the rule alone for now. After further review and discussion, the Commissioners stated that all new homes should be required to have at least two 7/12 façade gables. Baker stated that as more and more requests for hip roofs come in, that the Commission may be forced to reconsider allowing 6/12 or 7/12 hip roofs.
- *Residential Fences.* The Commissioners reviewed regulations and pictures related to full and partial corrugated metal fences. After review and discussion, the Commissioners stated that corrugated metal fencing should continue to be prohibited. Baker stated that he would try to keep the Commission posted on similar requests that come in to City Hall.
- *Residential Sheds.* The Commissioners reviewed regulations and pictures related to sheds and accessory buildings. Baker stated that more residents seem to be requesting metal roofs on sheds lately because of the appealing warranty and many available pre-built options located in the neighboring area. Jamie Christenson, 408 10th Ave NE, was invited up to the podium to provide information on the 8' x 12' metal roofed garden shed that he is proposing to bring on to his rear yard. He explained that Tuff Sheds was not willing to place shingles on the shed, but instead, leave the roof with exposed decking boards. Christenson said that he would lose a 30 year warranty if the shed is not roofed with metal. He asked why the Commission wouldn't consider nice looking metal roofs if they are considered an upgrade by the industry. The Commission explained the issue isn't with the durability of materials but with property and neighborhood aesthetics. Baker noted that 99% of the residential roofs in town have shingles, and he referenced the current rules for accessory building design standards. Freid said that he doesn't want to see a lot of metal roofs in town, and he suggested only allowing metal roofs that don't have a tin or galvanized look. Pelava talked about neighborhood convents and sheds. Kodada said that pole barn metal roofs aren't as attractive as wider standing seam. After further review and discussion, the Commissioners agreed that small sheds should be allowed to have metal roofs, preferably with wider standing seams, hidden fasteners, and low glare colors with similar appearance to that of the principle structure/home.

- *Residential Garage Size & Setbacks.* The Commissioners reviewed pictures and maps related to a potential variance request for the pending property for sale at 314 3rd Avenue NE. Baker explained that the home only has a single-stall garage that isn't wide enough for wheelchair access. He said that the City has a rule that requires a 10 ft. side yard setback and a rule that requires a 600 sq. ft. garage. Brokl said that the property may be a good candidate for a setback variance. After review and discussion, the Commissioners stated that the interested party needing more garage width should look to purchase a property with an attached 2-stall garage.

f. Discuss and Determine if Split-Entry Style Homes are Acceptable Within the Willow Creek Heights Villas PUD (16th Avenue SE & Pond View Drive SE)

The Commissioners reviewed pictures, maps, and comments from the City Engineer pertaining to the possibility of allowing split entry style homes on three Loomis that are part of the Willow Creek Heights PUD. After review and discussion, the Commissioners stated that the homes should follow the examples in the PUD Agreement and the approved grading plan as close as possible.

g. City Updates

Baker provided an update and recent pictures regarding the City Owned Properties Project, Model Home Ordinance, Adam Smisek Project, and Lonsdale Mini-Storage Project.

7. MISCELLANEOUS

- Due to a conflict in City Staff's schedule, the Commissioners decided to host their next Planning Commission meeting on Wednesday, July 25th.

8. ADJOURNMENT

A motion was made by Freid 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 7:55 pm.

Respectfully Submitted:

Benjamin Baker, City Planner