

MINUTES
CITY OF LONSDALE
REGULAR PLANNING & ZONING COMMISSION MEETING
JULY 20, 2020

MEMBERS PRESENT:

Members: Jim Freid, Mark Ward, Joe Kodada, Kevin Kodada, Lou Jirik, and Dave Webb

MEMBERS ABSENT:

None

STAFF PRESENT:

City Planner Benjamin Baker

1. CALL TO ORDER

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

3. APPROVAL OF MINUTES

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

A motion was made by Webb and seconded by Jirik to approve the Minutes from the May 18, 2020 meeting. Vote for: Freid, Ward, Kodada, Jirik, and Webb; Against: None. Vote: 5-0. Motion carried.

4. PUBLIC COMMENT

None

5. PUBLIC HEARINGS

Review Variance No. 2020-01, a Variance from the Required Side Yard Setback to Allow for a New 990 s.f. Building to be Constructed at 114 Central Street East Submitted by Jason & Megan Kodada

Planning Commission Chair Joe Kodada opened the public hearing, and Baker noted the public hearing notice. Baker noted that the hearing notice was placed in the newspaper and mailed out to all property owners within 350 ft. of the subject property. Baker went through the detailed Staff Report, which included details on the owner/applicant, project location, land use request, existing conditions, zoning, off-street parking, utilities, drainage, building details, applicable regulations and variance application process. Baker stated that the applicants, Jason & Megan Kodada, are planning to tear down the existing 55 year old quonset building and construct a new metal building in the same location. He said that the building will be of similar construction and appearance to the three neighboring metal buildings. Baker explained that a variance is required because both the building and lot are non-conforming and the new building will encroach into the side yard setback. He noted that the applicants were granted a Conditional Use Permit in 2019 to host an Open Sales Lot for consignment equipment/vehicles. The Commissioners reviewed CUP No. 2019-02 and associated conditions. They also reviewed the attached maps, survey/site plan, building plans, and Variance No. 2020-01. Baker went through the conditions of the variance, including pavement replacement, property delineation/business separation, existing underground utilities, and an approved building permit. Chair Kodada asked if anyone in the audience wanted to speak on the matter.

Dwayne Tuma, owner of Dwayne's Body Shop, 116 Central Street East, stated that he doesn't have a problem with the proposed new building going up, but he stated that the applicant should follow the conditions of CUP 2019-02 and park vehicles/equipment at least 12 ft. from the TH 19 curblin. He also suggested that the applicant should erect a sign in the front of the property to help direct interested consignment customers to contact the correct business. Tuma explained that people are interrupting his business operation to ask about equipment/vehicles for sale on the neighboring property lot. Tuma said that he didn't think that a fence, landscaping bed, or plantings along the property line would help delineate and separate the two businesses. Tuma said that he has to have a dealer's license, have insurance, and pay sales tax to sell vehicles off his lot, and he wondered if Jason Kodada had to also do those things.

Jason Kodada said that his business is registered as Kodada Companies LLC, that he does pay applicable sales tax, and that he does have proper insurance coverage. Jason Kodada asked if Tuma would be willing to move his vehicles back away from the curb. Tuma said that his lot was grandfathered in. Baker noted that Tuma's vehicles parked along TH 19 are currently non-conforming and that MNDOT or a complaint could force the issue. Kodada said that he wasn't in favor of an east-west running fence or sign because of visibility issues and potential damage from snow plows. He said that he would be open to a north-south running property separation technique and/or a north-south running sign that would more clearly identify his business. Kodada said that he was also planning to pour new concrete in the front that would help differentiate between the two properties. He said that he understands Tuma's frustration, and Kodada said he didn't want to create any ripples.

Chair Kodada asked if there were any more comments or questions off the floor. No one else responded to the invitation.

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

6. GENERAL BUSINESS

a. Consider approval of Variance No. 2020-01, a Variance from the Required Side Yard Setback to Allow for a New 990 s.f. Building to be Constructed at 114 Central Street East Submitted by Jason & Megan Kodada

Baker said that a public hearing was just conducted earlier in the meeting, and he said that no written comments were submitted, but there were verbal comments made. He read through the Variance No. 2020-01 document. Jirik asked both neighboring business owners if some kind of physical division, such as a fence, would help customers identify the correct business. Jason Kodada said he was open to the idea, and Tuma said that only a sign in the front of the property would help. Baker said either a south facing low-profile sign or elevated east-west facing sign would help identify the correct business while keeping necessary visibility from TH 19. The Commissioners discussed the different ideas, and they agreed that the requirement for boundary line improvements, such as a fence or landscaping, be replaced with a sign in the front of 114 Central Street East. Baker said that a temporary sign could be used for a while to see if it helps alleviate the business identification problem.

A motion was made by Freid and seconded by Webb to recommend approval of Variance No. 2020-01, a Variance from the Required Side Yard Setback to Allow for a new 990 s.f. building to be constructed at 114 Central Street East. Vote for: Freid, Webb, Kodada, Jirik, and Webb; Against: None. Abstained: Kodada. Vote: 4-0-1. Motion carried.

Baker said that the Planning Commission's recommendation will go to the July 30th Board of Appeals and Adjustments (City Council) meeting for final review/approval.

b. City Updates

Rolling Ridge Market Place Parking Lot

Baker stated that Subway will be installing a touchscreen drive-thru over the next 2 weeks, and he said that the Rolling Ridge Market Place Owners Association businesses will be restriping the parking lot. The Commissioners reviewed a sketch of the proposed parking lot and drive-thru layout.

Smoke Restaurant

Baker stated that the new restaurant on Railway Street, Smoke, is waiting for the main smoker trailer to be completed. He said that City Staff helped Smoke owner, Andrew Rasmussen, navigate solutions between competing regulations of the Building Code, Zoning Ordinance, and State Health Department requirements.

Parks

Baker provided an update on the Veterans Memorial Expansion, the Lions Park Pavilion Project, and the Trcka Park Project.

2nd Avenue SW Street/Utility Reconstruction Project

The Commission reviewed updated pictures of the 2nd Avenue SW Project, while Baker provided an update on the project.

7. MISCELLANEOUS

Fried asked if Lonsdale had an exotic animal ordinance. Baker stated that the City does have regulations pertaining to prohibited animals.

8. ADJOURNMENT

A motion was made by Ward and seconded by Freid to adjourn the meeting. Vote for: Freid, Webb, Kodada, Jirik, and Webb; Against: None. Vote: 5-0. Motion carried. The meeting ended at 7:24 pm.

Respectfully Submitted:

Benjamin Baker, City Planner