

**MINUTES
CITY OF LONSDALE
REGULAR PLANNING & ZONING COMMISSION MEETING
SEPTEMBER 17, 2018**

MEMBERS PRESENT:

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

MEMBERS ABSENT:

None

STAFF PRESENT:

City Planner Benjamin Baker

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 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 Freid and seconded by Kodada to approve the Minutes from the August 20, 2018 Regular Meeting as presented. Vote for: Freid, Kodada, Dols, and Sticha; Against: None. Vote: 4-0. Motion carried.

Culotta arrives to the meeting.

4. PUBLIC COMMENT

None

5. PUBLIC HEARINGS

None

6. GENERAL BUSINESS

- a. Ordinance Request from Lonsdale Telephone & Video Ventures – Bonnie Simon
Bonnie Simon and Mathew Brennan, Lonsdale Telephone & Video Ventures (LTVV) – 126 Main Street South, provided the Planning Commission with background information concerning an issue with LGI Homes being unresponsive to their request to install CAT5 internet cable in their new homes that are currently under construction in Lonsdale. Simon stated that LTVV has had a good working relationship with local contractors and developers over the years, and she said that most of the builders install both coax cable and CAT5 cable into their new homes. Simon explained that LGI Homes only installs coax cable, which LTVV cannot use. Simon and Brennan explained the difficulties associated with running CAT5 cable once there is sheetrock on the walls and ceilings. They stated that ideally both coax and CAT5 should be wired through the house at the same time. Simon said that LTVV has invested a lot of capital into providing fiber to the Lonsdale area, and she said that fiber is a big deal for the community and that it is the technology of the future. Simon explained that LTVV's advanced fiber optic lines are as good as the technology gets and the backbone of their system, whereas Mediacom uses coax for their system. She further explained that from a fiber system, CAT5 cable is wired to strategic locations inside a new home to provide residents with dependable and fast video, audio, and data service to a conveniently located network jack. Simon and Brennan said that it typically costs LTVV \$150-\$250 to network CAT5 cable inside a home and around \$550 if an electrician runs the cable. They said that LTVV is open to and has offered LGI to cover the cost of cable installation in an attempt save their company and future home owners the hassle and cost of networking lines after a home is finished.

Simon and Brennan asked the Planning Commission to consider an ordinance to level the playing field and require that both coax and CAT5 cable be installed with new home construction. Baker provided the Commission with comments from the League of Minnesota Cities, Office of Broadband Development, and the City Attorney. He said that cities typically don't get involved in private matters like this, and Baker stated that any attempt at regulating such service lines would be breaking new ground. Baker explained that the City Council was looking for a recommendation from the Planning Commission on the topic. He noted that the Council directed Staff to pursue a dual path of: 1) researching a potential ordinance and 2) facilitating a meeting between the two private parties. Culotta asked if a private meeting could be set up between the two parties. He also asked if a letter from an elected official would be beneficial. Baker provided an email to the Commissioners which showed an attempt by the City Administrator reaching out to both LGI Homes and LTVV to facilitate a meeting. Simon stated that she has talked to Travis Manore, LGI Homes – Vice President of Construct MSP, but he has refused LTVV request to install CAT5 cable in LGI's new homes free of charge.

Overall, the Commissioners could not understand why LGI wouldn't want to provide a free upgraded and valuable technology into their new homes. They agreed that the City should look out for the best interest of the future home owner. Pelava explained that LGI has a hard time deviating from the plans, and he said that prospective buyers do not get a say in layout, wiring, flooring, cabinets, or wall colors. He said that LGI builds to the minimal requirement. Kodada and Fried said that it is too bad that LGI won't allow CAT5 cable in their homes, and they suggested that the City move forward with an ordinance requiring both coax and CAT5 be run throughout the house. They said that if nothing is done that future residents will be hurt. Dols said that the City needs to look out for the interest of the future homeowner and resident of Lonsdale, and he suggested requiring that CAT5 cable be installed in each new home. Baker stated that if an ordinance is pursued, that LTVV should provide specifications and proposed language. Simon and Brennan agreed that they could help in that respect.

The Commission directed LTVV to provide the City with proposed ordinance language and specifications for requiring CAT5 cable be installed in each new home over the next few weeks. They also directed City Staff to: 1) inform LGI of their intention of creating an ordinance, that would regulate new home cables, and 2) reach out to LGI one more time to see if they would reconsider their stance on allowing CAT5 cable in their homes.

The Commissioners thanked Simon and Brennan for attending the meeting.

b. Review Upcoming Items

- *Rolling Ridge Market Place Plat (Public Hearing)*
The Commissioners reviewed an aerial photo map highlighting the proposed boundaries of the Rolling Ridge Market Place 5th Addition. Baker said that a land use application has been submitted for preliminary/final plat review and a public hearing is scheduled for October 15th.
- *Twin Home Size Standards*
The Commissioners reviewed an aerial oblique photo map showing the 662/668 4th Circle Drive and the neighboring properties. Baker stated that the land owner is considering erecting a twin home on those lots in WELCO, but the City's current design/size standards for new homes do not specifically mention twin homes. He said that the property owners may attend one of the next Planning Commission meetings to discuss his plans for the property.
- *Planned Unit Development (PUD) Ordinance Amendment (Public Hearing)*
The Commissioners reviewed an aerial photo map highlighting four properties along 15th Avenue SE that may be reviewed and processed as a new PUD ordinance at the October and/or November meetings.

c. Review City & Project Updates

While the Commissioners reviewed associated pictures, made comments, and asked questions, Baker provided an update on current City projects, including: 1) the Area 5 (Downtown) Project; 2) the 8th Avenue NE Project; 3) the Lonsdale Mini Storage Project; 4) the Trcka Park Project; 5) the Chris Michael 2nd Avenue NE Project; 6) the 2018 Vets Memorial Project; 7) the 2018-2019 Lonsdale Elementary Expansion Project; 8) 2018 New Home Building Permits; and 9) the surveying and potential transfer of certain City Owned properties.

7. MISCELLANEOUS

None

8. ADJOURNMENT

A motion was made by Kodada and seconded by Freid to adjourn the meeting. Vote for: Freid, Kodada, Dols, Culotta and Sticha; Against: None. Vote: 5-0. Motion carried. The meeting ended at 7:36 pm.

Respectfully Submitted:

Benjamin Baker, City Planner