

**MINUTES  
CITY OF LONSDALE  
REGULAR PLANNING & ZONING COMMISSION MEETING  
SEPTEMBER 21, 2017**

**MEMBERS PRESENT:**

Voting Members: Jim Freid, Joe Kodada, Dave Dols, Steve Cherney, and Ben Sticha  
Council Representative: Scott Pelava

**MEMBERS ABSENT:**

None

**STAFF PRESENT:**

City Planner Benjamin Baker, City Administrator Joel Erickson, and Building Inspector Jim Filipek

**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 Cherney and seconded by Kodada to approve the agenda as presented. Vote for: Freid, Kodada, Dols, Cherney, and Sticha; Against: None. Vote: 5-0. 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 Sticha to approve the Minutes from the August 17, 2017 Regular Meeting as presented. Vote for: Freid, Kodada, Dols, Cherney, and Sticha; Against: None. Vote: 5-0. Motion carried.

**4. PUBLIC COMMENT**

None

## 5. PUBLIC HEARINGS

- a. Review 1) Ordinance 2017-281, an Ordinance Allowing Urban Beekeeping as a City License and Accessory Use in the R-1, R-1A, and R-2A Zoning Districts; and 2) Review Ordinance 2017-282, an Ordinance Setting a Fee for Beekeeping Licenses

Chair Dols read the public hearing notice and opened the hearing. Baker provided an overview on the topic. He stated that local resident, Kathy Kahler, and hobby beekeeping expert, Kathy Smith, attended the July 20, 2017 Planning Commission meeting to provide detailed information and regulation recommendations for beekeeping. Kahler and Smith requested that the City switch the Conditional Use Permit (CUP) process to a \$25 one-time license fee. Baker stated that after discussing the subject further at their August 17, 2017 meeting, the majority of Planning Commissioners agreed that: 1) beekeeping should be handled as a less-extensive/expensive \$100.00 license instead of a \$1,050.00 conditional use permit; and 2) that the City should refer to a policy and best practices as a standard for regulating beekeeping within the City. Baker went through the proposed ordinance amendment changes along with the proposed beekeeping regulations policy. After Baker finished his report, Dols opened the floor to anyone wanting to speak on the matter.

Kathy Kahler, 315 2<sup>nd</sup> Avenue SW, reviewed the hive density language in the proposed ordinance, and she stated that she is fine with the proposed ordinance and \$100.00 license fee.

Dols invited anyone else to speak on the issue. No one else responded to his request.

A motion was made by Cherney and seconded by Freid to close the public hearing. Vote for: Freid, Kodada, Dols, Cherney, and Sticha; Against: None. Vote: 5-0. Motion carried. The hearing closed at 6:40 pm.

## 6. GENERAL BUSINESS

- a. Consider Approval of Ordinance 2017-281, an Ordinance Allowing Urban Beekeeping as a City License and Accessory Use in the R-1, R-1A, and R-2A Zoning Districts

Baker read through proposed Ordinance 2017-281. Kodada stated that he recently talked with some local beekeepers that had to kill off their hives because the colonies went rogue with aggressive behavior. He said that he has since switched his mind about allowing beekeeping in town. Dols reminded the Commissioners that beekeeping is currently allowed, and that the issue at hand was to consider: 1) the proposed regulations for beekeeping, 2) the City review process, and 3) the proposed permit/license fee. Cherney stated that the City should definitely adopt the proposed beekeeping regulations policy and best practices because there currently isn't anything mentioned in the City Code. Kahler said that she understands Kodada's concern, but she explained that hobby beekeepers tend to only have docile bees colonies. The Commissioners agreed that the proposed license process and regulations is better than what is currently in place.

A motion was made by Dols and seconded by Cherney to recommend approval of Ordinance 2017-281, an ordinance: 1) allowing hobby beekeeping as a City license, 2) allowing beekeeping as accessory use in the R-1, R-1A, and R-2A zoning districts, and 3) adopting the proposed beekeeping policy and best practices. Vote for: Freid, Kodada, Dols, Cherney, and Sticha; Against: None. Vote: 5-0. Motion carried.

b. Consider Approval of Ordinance 2017-282, an Ordinance Setting a Fee for Beekeeping Licenses

Baker reviewed the proposed fee schedule amendment which listed beekeeping as a \$100.00 fee. Freid stated that he is against all animals being allowed in town, and he stated that a higher fee would discourage people from applying for the license. Kodada stated that he is now in favor of a more expensive fee for beekeeping to reduce the chance that aggressive bee colonies would attack the hive owner or neighbors. Dols said that he was confused by Freid and Kodada's reasoning. Dols questioned the difference between a \$100 bee license and a nominal \$20 dog license. Freid said that dog issues need to be enforced more strictly by pet owners and the police department. He suggesting that the City should ban beekeeping, and he stated that animals and beekeeping belong in the country. Cherney suggested a compromise. He recommended a \$300 license fee to cover the cost of processing the permit, but without the steep \$750 escrow fee. Freid and Kodada stated that they were agreeable to that idea. Dols stated that beekeeping licenses should be similar to obtaining a dog license. He reminded the Commission that beekeeping is already an expensive hobby to start up.

A motion was made by Cherney and seconded by Kodada to recommend approval of \$300.00 license fee for beekeeping. Vote for: Freid, Kodada, Cherney, and Sticha; Against: Dols. Vote: 4-1. Motion carried.

c. Review Current Size and Design Standards for Residential Single-Family Residential Dwellings (City Code §153.074)

Baker stated that the Planning Commission started a discussion on single-family home design standards at their last meeting in August. He said that local home builders and residents were invited to attend tonight's meeting to provide comments and insight. The Council Chambers was near capacity with a few builders and mostly concerned residents in attendance. Baker presented a 64-slide presentation to the Planning Commission and audience members, which included background information on lot/home prices, neighborhood developments/developers, impacts of the recession, Ordinance 2015-262, review sheets, defining what "fitting-in" looks like, house types, design features, PUD examples, and pictures and plans of questionable home size/designs. Baker explained why Ordinance 2015-262 was adopted at the time. He asked the Commissioners to consider the following options: 1) leave the current ordinance as-is, 2) require more extensive home size and design requirements, or 3) add a few more must-have specifics to the current ordinance to provide a clear list of what requirements are expected to new home builders.

The Commissioners reviewed potential design standard features suggested by City Staff based on existing features found in most homes in the newer developments. They also reviewed an inventory of home size and design features from the RayAnn Acres neighborhood. Dols opened the floor to anyone from the audience who wanted to speak on the matter.

Elaine Degroot, 321 3<sup>rd</sup> Avenue NE, stated her concern with smaller and lower-valued homes coming into Lonsdale's neighborhoods. She asked about Planned Unit Developments, establishing/enforcing covenants and neighborhood regulations.

Joe Krammer, 400 Singing Hills Drive SE, stated his concern with some of the homes that have been constructed in the Willow Creek Heights neighborhood and home plans proposed by LGI Homes. He said that the homes are ugly and a line must be drawn in the sand.

Erickson explained how development grading plans determine what type of home should be constructed on a vacant lot. He also explained how Planned Unit Developments work.

Josie Malecha, 938 Bluff Heights Drive SE, stated that the vacant Metro Land lots, located near her new home, might be sold to LGI Homes. She said that if LGI builds on those lots it would kill her property value. She said that something needs to be done to prevent LGI from building in Willow Creek.

Brian Pikal, 709 Golden Oak Street NE, explained that he bought a cheaply constructed Mattamy house located in Eagle Creek. Pikal said that Loomis Homes also builds similar cheap homes, and he stated that companies like Mattamy and Loomis will cut corners to hit a certain price point. He also questioned if owners of lower-valued homes will be able to keep up the appearance of their homes and yards. He encouraged people to look towards reputable and quality builders to keep up home and neighborhood values in town.

The Planning Commissioners read through two different letters from two concerned home owners in the Willow Creek Heights neighborhood.

Garry Tupy and Ted Kowalski, Partners with On-Site Marketing/JB Woodfitter, provided the Planning Commission and audience with a builder's perspective on the subject of home design and covenants. They talked about the history of development in Lonsdale and the different market conditions that have taken place over the last 20 years. Tupy explained that homes that were constructed in Willow Creek in the 2000s were built during an inflated market and to standards far above what the basic covenants required. He stated that Lonsdale needs to understand its place in the market, and Tupy cautioned residents and the Planning Commission that increasing design standards could have negative effects on the Lonsdale housing market. Tupy stated that Willow Creek Heights is a very nice neighborhood and kind of the odd man out. He suggested to the neighbors in attendance that they join together as a neighborhood group, throw in some money, and hire an attorney to help them fight LGI and potentially re-establish the neighborhood.

covenants. He said that the Willow Creek Heights residents could become their own advocate. Kowalski explained that Lonsdale lot prices are still far behind to the real price of nearly \$70,000/lot. He also said that parts of Ordinance 2015-262 may be a little arbitrary. Tupy stated that Lonsdale has a phenomenal City Council and Staff that has been great to work with over the years.

Residents of Willow Creek asked questions about establishing and enforcing neighborhood covenants. One resident from Overlook Drive SE stated that she was not happy about the twin homes located at 302/308 15<sup>th</sup> Avenue SE or the business park, and she said that she was not interested in spending her money to fight LGI or establish/enforce neighborhood covenants.

Chair Dols allowed audience members a few more minutes to ask questions and discuss the topic. Cherney stated that the newly updated Lonsdale 2040 Comprehensive Plan supports the City's and neighborhood resident's desire to enforce design standards. Pelava referenced the "similar architecture" and "fit-in" language from Ordinance 2015-262. He said that other cities like Edina have zoning districts, such as the Estate District, which promote higher size/design standards. Pelava talked about the pros and cons of a moratorium.

City Staff provided the Planning Commission with three options to consider: 1) do nothing and leave the ordinance language as-is, 2) require extensive home size and design requirements, or 3) add a few more specific requirements to further clarify the existing regulations. The Commissioners directed City Staff to pursue clarifying the current ordinance by specifying more design features and detailing exact home size requirements to match the existing housing stock in the neighborhoods.

## **7. MISCELLANEOUS**

## **8. ADJOURNMENT**

A motion was made by Sticha and seconded by Kodda to adjourn the meeting. Vote for: Freid, Kodada, Dols, Cherney, and Sticha; Against: None. Vote: 5-0. Motion carried. The meeting ended at 8:36 pm.

Respectfully Submitted:

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Benjamin Baker, City Planner