

**CITY OF LEXINGTON
REGULAR PLANNING COMMISSION MEETING MINUTES
August 12, 2014 - 7:00 P.M.
9180 Lexington Avenue, Lexington, MN**

1. CALL TO ORDER

A. Roll Call

Chairperson Olsson called to order the Public Hearing of the City of Lexington on August 12, 2014 at 7:00 p.m. Commissioners Present: Mike Hoska, John Bautch, Caleb Johnson, and Mark Vanderbloomer. Also: John Hughes, Councilmember; Bill Petracek, City Administrator; Tina Northcutt, Finance Director; Bernice Bautch; Tim & Lori Glover, Bistro Leroux. .

2. PUBLIC HEARING – Proposed Ordinance Amendments

Chairperson Olsson provided an overview of the following ordinances for the public hearing.

1. Ordinance 14-01 - An Ordinance Amending Chapter 11 Zoning Section 11.33, Schedule of Uses by District in a B-4 Zone by Adding Restaurant With or Without Bar as a Uses Permitted

2. Ordinance 14-04 - An Ordinance Amending Chapter 11 Zoning Section 11.60, Subdivision 22, Performance Standards

3. Ordinance 14-05 - An Ordinance Amending Chapter 11 Zoning Section 11.31, Redesignating the M-2 Parcel Adjoining Lovell Road as B-4

Tim & Lori Glover from Bisto Leroux addressed the Planning Commission in support of Ordinance 14-01. They explained their need to have the ability to serve beer & wine to their customers primarily to enhance their food. Discussion ensued.

Bernice Bautch asked if the “exceptions” that are being provided for parking regulations in ordinance 14-04 are going to be the norm for all parking in Lexington. Discussion ensued.

No other citizens were present to address the Planning Commission about the proposed ordinances.

3. ADJOURNMENT PUBLIC HEARING

A motion was made by Olsson to adjourn the public hearing at 7:20 pm. The motion was seconded by Bautch. Motion carried 5-0.

REGULAR PLANNING COMMISSION MEETING

4. CALL TO ORDER

Chairperson Olsson called to order the Regular Planning Commission of the City of Lexington on August 12, 2014 at 7:21 p.m. Commissioners Present: Mike Hoska, John Bautch, Caleb Johnson, and Mark Vanderbloomer. Also: John Hughes, Councilmember; Bill Petracek, City Administrator; Tina Northcutt, Finance Director; Bernice Bautch; Tim & Lori Glover, Bistro Leroux. City Attorney Kurt Glaser arrived at 8:00 p.m.

5. CITIZENS FORUM

No one was present to address the Planning Commission.

6. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

Olsson made a motion to approve the agenda with an amendment under discussion items by swapping item 9-B with item 9-C. Motion seconded by Olsson. Motion carried 5-0.

7. LETTERS AND COMMUNICATION

A. Building Permits for July 2014

Some discussion, not action taken.

8. APPROVAL OF PLANNING COMMISSION MINUTES

A. July 9, 2014

Vanderbloomer made a motion to approve the July 9, 2014 minutes. The motion was seconded Bautch. Motion carried 5-0.

9. DISCUSSION ITEM:

A. Ordinance 14-01 - An Ordinance Amending Chapter 11 Zoning Section 11.33, Schedule of Uses by District in a B-4 Zone by Adding Restaurant With or Without Bar as a Uses Permitted

Vanderbloomer made a motion to recommend to the City Council to approve Ordinance 14-01 – an ordinance amending Chapter 11 Zoning Section 11.33, Schedule of Uses by District in a B-4 Zone by Adding Restaurant With or Without Bar as a Uses Permitted as written. The motion was seconded by Hoska. Motion carried 5-0.

- B. Ordinance 14-05 - An Ordinance Amending Chapter 11 Zoning Section 11.31, Redesignating the M-2 Parcel Ajoining Lovell Road as B-4

A motion was made by Johnson to recommend Ordinance 14-05 - An Ordinance Amending Chapter 11 Zoning Section 11.31, Redesignating the M-2 Parcel Adjoining Lovell Road as B-4 as written. The motion was seconded by Bautch. Motion carried 5-0.

Chairperson Olsson requested skipping items 9-B and 9-D and move ahead on the agenda to discuss item #10 - Note Council Minutes - until the City attorney arrives

10. NOTE COUNCIL MINUTES:

- A. July 2, 2014
- B. July 17, 2014

The Commission discussed the July 2nd and July 17th City Council minutes. Petracek provide and update on Lake Drive reconstruction process, the parks master plan agreement with MSA Engineering, the promotion of Tina Northcutt to Finance Director, and the Parkview Cooperative foreclosure process. No action was taken.

11. DISCUSSION ITEM: *The following discussion items were rearranged on the agenda*

- C. Ordinance 14-04 - An Ordinance Amending Chapter 11 Zoning Section 11.60, Subdivision 22, Performance Standards.

Olsson asked Attorney Glaser what the difference is between a “variance” and an “exception.” Glaser explained that a variance is governed by State Statute, and exception is not. Discussion ensued.

Glaser explained that if a property owner can present a rational reason and set of plans to the planning Commission for parking, you can grant an exception to an ordinance. Olsson asked if the exception can be tied to the property. Glaser stated that you probably don’t want to tie the ‘exception’ to the property. Discussion ensued.

Vanderbloomer asked if an exception can be revoked or does it expire. Glaser replied by saying that an exception would be revoked. He added that the exception would best be tied to the business license when it is issued. Discussion ensued.

Johnson asked if the exceptions to the parking regulations can be more restrictive. Glaser stated that the Planning Commission could apply more restrictive rules to parking regulation by an exception to the ordinance. Discussion ensued.

A motion was made by Olsson to recommend to the City Council to approve Ordinance 14-04 - an Ordinance Amending Chapter 11 Zoning Section 11.60, Subdivision 22, Performance Standards. The motion was seconded by Bautch. Motion carried 5-0.

D. Planning and Zoning meeting dates and time

Olsson wanted to discuss the meeting dates and times due to Attorney Glaser not being able to attend Planning & Zoning meetings on Wednesday evenings due to a conflict. Discussion ensued.

A motion was made by Bautch to move the Planning & Zoning meetings to the 2nd Tuesday of the month beginning in January of 2015. The motion was seconded by Olsson. Motion carried 5-0.

8. PLANNING COMMISSION INPUT – *Some discussion. No action was taken.*

9. ADJOURNMENT

A motion to adjourn was made by Hoska at 9:03 pm. The motion was seconded by Olsson. Motion carried 5-0.