

**CITY OF LEXINGTON**  
**REGULAR PLANNING COMMISSION MEETING MINUTES**  
**June 11, 2014 - 7:00 P.M.**  
**9180 Lexington Avenue, Lexington, MN**

**1. CALL TO ORDER**

A. Roll Call

*Vice chairperson Hoska called to order the Regular Planning Commission meeting of the City of Lexington on May 14, 2014 at 7:00 p.m.. Commissioners Present: John Bautch, Caleb Johnson, and Mark Vanderbloomer. Excused absence: Chairperson Chris Olsson. Also Present: John Hughes, Councilmember; Bill Petracek, City Administrator; Dawn Grote, Administrative Coordinator; Kurt Glaser, City Attorney.*

**2. PUBLIC HEARING CANCELLED - Conditional Use Permit Rescinded for Blue Collar BBQ, 4115 Woodland Road**

*No discussion*

**3. CITIZENS FORUM**

*No one was present to address the Planning Commission*

**4. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS**

*Johnson made a motion to approve the agenda as type written. Motion seconded by Bautch. Motion carried 4-0*

**4. LETTERS AND COMMUNICATION**

A. Building Permits for May 2014

*No discussion*

**5. APPROVAL OF PLANNING COMMISSION MINUTES**

A. May 14, 2014

*Hoska made a motion to approve the May 14, 2014 minutes with correction to Olsson being an excused absence. The motion was seconded Johnson. Motion carried 4-0.*

## 5. DISCUSSION ITEM:

### A. Letter from Tom Kranz rescinding Conditional Use Permit for Blue Collar BBQ, 4115 Woodland Road.

*Attorney Glaser approached Planning Commission and provided an explanation to Tom Kranz rescinding the Conditional Use Permit application, and the May 23, 2014 memo addressed to the Commission. Glaser focused on the summary of the memo in regard to the Tom Kranz property, and the options that he has to allow a viable business to operate in the building. Discussion ensued.*

*Glaser asked the Commission to consider changing the ordinance to allow for exceptions for parking so business owner's wouldn't need to obtain a variance for relief from the ordinance. He explained that the Minnesota State Supreme Court has made it very difficult for Minnesota cities to grant variances. Councilperson Hughes asked how the Commission would grant 'exceptions' and not variances. Glaser explained what an 'exception' to the ordinance would require. Discussion ensued.*

*Bautch asked how many business's in Lexington would benefit if 'exceptions' were granted in the City of Lexington. Discussion ensued. Hughes asked Glaser how an 'exception' is different than a 'variance.' Glaser stated that an 'exception' would be part of the City's standards. Discussion ensued.*

*Glaser handed out a memo with the proposed language that would be incorporated into the parking ordinance that provides exceptions to the parking requirements. Johnson stated that he was more comfortable with addressing the size of the dining area and modifying the ordinance for that purpose. Discussion ensued.*

*The consensus of the Commission was to place an item on the next P & Z meeting agenda that would address the June 4, 2014 memo from Attorney Glaser to the Commission. No action was taken.*

### B. Discuss B-5 Zoning Regulations

*Petracek explained that city hall staff and the city attorney have researched whether the B-5 and B-4 zone at the corner of Lexington Ave. and Lake Dr. have been combined into one zone at some point over the past years. He added that they have had no luck in finding this amendment to the zoning districts. Attorney Glaser stated that he has in his notes that he had recommended amending those zoning districts, but no action was taken. Petracek added that currently the businesses in the B-5 zone are non-conforming uses, and that an amendment should be made to that portion of the community to be a B-4 zone, which would make the businesses in that section conforming.*

*Johnson felt there needed to be a review of the entire zoning regulations. Vanderbloomer replied by saying that the Commission should just combine the B-5 and B-4 zone into a B-4 zone and go through the process to amend the districts. Discussion ensued.*

*The consensus was to develop an ordinance to combine the two zoning districts into a B-4 zone. No action taken*

C. Discuss Proposed Amendment 14-01 - An Ordinance Amending B-2 and B-4.

*Petracek began the discussion by explaining that Beer and Wine sales can be allowed as a permitted use without a liquor license in our zoning code. Attorney Glaser continued the discussion by providing an overview of the various levels of alcohol licensing that are governed by State Statute. He also stated that upon his review of the permitted uses in B-2 zone that Carbones liquor license was conforming use, and believed that it fell under the permitted use of a “bar” establishment. Discussion ensued about amending the B-2 and B-4 zone to allow liquor.*

*Glaser clarified with the Commission that they only wanted to allow beer and wine licenses in a B-4 zone. Discussion ensued.*

*Glaser recommended to the Commission to make a motion to notice the public hearing on the proposed ordinances.*

*A motion was made by Johnson to notice the public hearing on the proposed ordinances for the July meeting. The motion was seconded by Bautch. Motion carried 4-0.*

**7. NOTE COUNCIL MINUTES:**

- A. May1, 2014
- B. May 15, 2014

*The Commission discussed the May 1<sup>st</sup> and 15<sup>th</sup> City Council minutes. No action taken.*

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

**9. ADJOURNMENT**

*A motion to adjourn was made by Bautch at 8:37 pm. The motion was seconded by Johnson. Motion carried 4-0*