

MINUTES
REGULAR PLANNING COMMISSION MEETING
December 10, 2019 - 7:00 P.M.
9180 Lexington Avenue, Lexington, MN

1. CALL TO ORDER

- A. Roll Call: Chairperson VanderBloomer, Commissioners Bautch, Thorson, Koch and Murphy

Vice Chairperson Bautch called to order the Regular Planning Commission meeting on December 10, 2019 at 7:00 p.m. Commissioners Present: Michelle Koch, Gloria Murphy, and Ron Thorson. Excused Absence: Mark Vanderbloomer. Also present: John Hughes, City Councilmember; Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Mike Kaeding and Marie Dickover, Norhart Development; Bob Dedyne, Citizen.

2. CITIZENS FORUM

No citizens were present to discuss items not on the agenda.

3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

Koch made a motion to approve the agenda as typewritten. Murphy seconded the motion. Motion carried 4-0.

4. LETTERS AND COMMUNICATION

- A. Building Permits for November 2019

Some discussion about the mobile home removal and demolition in Parkview.

5. APPROVAL OF PLANNING COMMISSION MINUTES

- B. November 12, 2019

Koch made a motion to approve the November 12, 2019 minutes. Thorson seconded the motion. Motion carried 4-0.

6. DISCUSSION ITEM:

- A. Discuss the City Council's Recommendation to have Planning and Zoning Review Lexington Lofts Plans.

Petracek explained that the City Council had voted to send the Lexington Lofts plans back to the Planning Commission for further review.

Murphy asked Councilmember Hughes what his biggest concerns for the Lexington Lofts plans were. Councilmember Hughes stated that the height of the building and the setbacks are his concerns for the development. Hughes added that the 8'-13' setbacks is too close to the street when you are driving down Griggs Ave. Discussion ensued.

Mike Kaeding, President of Norhart, discussed redesigning the project with altered setbacks. He stated the setbacks could be changed from 8'-13' to 13'-18' depending on which building is involved. He stated that the setbacks could be changed to that level without changing the building structure and compromising the number of units.

Kaeding addressed the height of the building. He explained that to reduce the height of the building would reduce the unit count, which they would have to reduce their expenses as a result. Hughes stated that Landings of Lexington was able to do it with 4-stories without any issues. Discussion ensued.

Hughes stated that Ephesians asked for a 5-story building. He added that he objected to having 5 livable stories with Ephesians and explained that there are no 5-story buildings in the area; they are mostly 3-4 story buildings. Discussion ensued.

Koch asked if it is the look of the building, concerned citizens, or fire suppression that Hughes is concerned about. Hughes responded that all three of those items are his concern.

Bautch asked the Commission what they wanted to do with the Lexington Lofts plans. Murphy stated that by eliminating the 5th story would eliminate a lot of selling features for the development, such as the sky lounge. Discussion ensued.

Murphy made a motion to have Norhart Development propose a new set of Lexington Lofts plans with 13'-18' setbacks along with the option of only 4-story buildings for the project. Koch seconded the motion. Motion carried 4-0.

Petracek explained to Kaeding to have those plans ready for the January Planning Commission meeting.

- B. Discuss City Council's recommendation for Planning and Zoning to Review Ordinance 11.20 Subdiv. 4 – Zoning Amendments.

Attorney Glaser explained that the City Council has asked the Planning Commission to provide their thoughts and recommendation on Ordinance 11.20 Subdiv. 4 – Zoning Amendments. Glaser explained that the requests for zoning change needed a 4/5's majority and the planned unit development to be approved, which the Council vote did not reflect that. He added that the City of Lexington's ordinance reflects an old minimum State Law, which was pointed out by Norhart that our ordinance does not meet Minnesota State Standards. Discussion ensued.

Glaser provided an overview of the League of Minnesota Cities opinion on cities in Minnesota changing their ordinance if it doesn't comply with State Law. Glaser did some

research and couldn't find any city within the vicinity that still has the old voting threshold standards. He continued by saying that the City Council wants the Planning Commission's opinion on the idea of having a standard that is more restrictive than State Law and to consider changing these restrictions. Glaser stated that we would be reducing our litigation risk if we changed the ordinance to meet State Law. Discussion ensued.

Koch made a motion to recommend to the City Council to update the voting threshold to meet the current State Law for zoning amendments. Murphy seconded the motion. Motion carried 4-0.

Bob Dedayn asked if there is public input on this ordinance. Petracek stated that at the first readings of the ordinance with the City Council there would be public input.

C. Discuss Proposed Ordinance Changes – Outdoor Storage

Attorney Glaser asked for clarification on the proposed outdoor storage ordinance regarding comments made by Ron Wasmund, Building Official, that involves trailers.

The Commission discussed trailer storage and how many vehicles can be stored on the trailers – ATV's, personal watercraft, and snowmobiles.

Glaser proposed drafting language for the ordinance that allows trailers being stored outside the ability hold the amount of vehicles – ATV's, personal watercraft, and snowmobiles – to the level that the trailer is designed to transport.

Glaser will redraft the ordinance and bring it back to the Planning Commission for final review and recommendation to the City Council.

7. NOTE COUNCIL MINUTES:

- A. November 7, 2019
- B. November 21, 2019

Some discussion on the sewer usage ordinance that was adopted.

8. PLANNING COMMISSION INPUT

Bautch wished everyone happy holidays!

9. ADJOURNMENT

Murphy made a motion to adjourn at 8:05 p.m. Koch seconded the motion. Motion carried 4-0.