

**AGENDA
PUBLIC HEARING
&
REGULAR PLANNING COMMISSION MEETING**

**June 12, 2018 - 7:00 P.M.
9180 Lexington Avenue, Lexington, MN**

1. CALL TO ORDER
 - A. Roll Call: Chairperson O'Neil, Commissioners Bautch, Thorson, Koch and Vanderbloomer
2. PUBLIC HEARING – Storm Water Pollution Prevention Program (SWPPP) **pg. 1**
3. ADJOURNMENT PUBLIC HEARING

REGULAR PLANNING COMMISSION MEETING

1. CITIZENS FORUM
2. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS
3. LETTERS AND COMMUNICATION
4. Building Permits for May 2018 **pg. 2-4**
5. APPROVAL OF PLANNING COMMISSION MINUTES
 - A. May 8, 2018 **pg. 5-6**
6. DISCUSSION ITEM:
 - A. Discuss Zoning Section 11.34 Dimensional Requirements **pg. 7-19**
7. NOTE COUNCIL MINUTES:
 - A. May 3, 2018 **pg. 20-22**
 - B. May 17, 2018 **pg. 23-26**
8. PLANNING COMMISSION INPUT
9. ADJOURNMENT

To: Planning and Zoning Commission

From: Bill Petracek, City Administrator 

Date: June 6, 2018

Subject: Public Hearing to Receive Public Opinion on the Storm Water Pollution Prevention Program (SWPPP) on June 12, 2018

The MS4 permit and SWPPP outlines the steps The City of Lexington will take during the current permit cycle of five years (2014-2019) to reduce storm water pollution and is commonly referred to as a Storm Water Pollution Prevention Plan (SWPPP) which is required by the State Clean Water Act. The Minnesota Pollution Control Agency (MPCA) is the statutory agency authorized to issue the permits, review the SWPPP and ensure compliance with the State mandates.

The purpose of this public hearing is to hold an annual meeting to receive public opinion on the adequacy and effectiveness of the SWPPP. A copy of the MS4 and SWPPP will be available upon request at the public hearing. The 2017 annual report will incorporate any comments received and all additional required documentation prepared before submittal to MPCA by June 30, 2018.

Staff recommends that the Planning Commission take the comments, if any, made at the public hearing, and pass them along to the City Council for additional input. The City Council may review that information and staff will include it in the City's Annual Report to be submitted to MPCA by June 30, 2018.

City of Lexington

Permits Issued & Fees Report - Detail by Address

Issued Date From: 5/1/2018 To: 5/31/2018

Permit Type: All Property Type: All Construction Type: All
 Include YTD: Yes Status: Not Voided

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Park Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
Permit Type: Building													
Permit Kind: Commercial Addition													
Permit Kind: Commercial Remodel													
Permit Kind: Commercial Sign - Permanent													
Permit Kind: Multi-Dwelling (2+ Units) New Construction													
Permit Kind: Residential Accessory Building													
Permit Kind: Residential Deck/Porch													
Permit Kind: Residential New Construction													
2018-00023	05/16/2018	8925 SYNDICATE AVE	0	0	12,500,000.00	64,841.49	42,146.97	1,875.00		89	221,165.00		341,428.46
Permit Kind: Residential Remodel													
2018-00027	05/23/2018	9233 HAMLINE AVE	0	0	52,600.00	872.77		26.30					899.07
2018-00025	05/21/2018	3888 LOVELL RD	0	0	10,000.00	238.04	154.73	5.00					397.77
Permit Kind: Residential Repair													
2018-00022	05/14/2018	3836 EDGEWOOD RD	0	0	4,200.00	146.14		2.10					148.24
Permit Kind: Residential Roofing													
2018-00020	05/10/2018	3854 LOVELL RD	0	0		145.00		1.00					146.00
2018-00028	05/23/2018	3901 LOVELL RD	0	0	9,000.00	145.00		1.00					146.00
2018-00021	05/11/2018	3972 LOVELL RD	0	0		145.00		1.00					146.00
2018-00017	05/04/2018	8815 NAPLES ST	0	0	3,000.00	145.00		1.00					146.00
Permit Type: Building - Totals													
Period			8	0	12,578,800.00	66,678.44	42,301.70	1,912.40		89	221,165.00		343,457.54
YTD			18	0	13,612,319.76	75,796.73	48,027.40	2,430.16		89	221,165.00		358,819.29

Permit Type: Mechanical

'ermit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Park Fees	SAC Fees	WAC Fees	Total Fees
'ermit Type: Mechanical												
Permit Kind: Commercial Remodel												
018-00030	05/29/2018	3801 RESTWOOD RD	0	0	35,000.00	700.00	455.00	17.50				1,172.50
Permit Kind: Residential Addition												
Permit Kind: Residential Remodel												
018-00026	05/23/2018	9116 JACKSON AVE	0	0		40.00		1.00				41.00
Permit Type: Mechanical - Totals												
			2	0	35,000.00	740.00	455.00	18.50				1,213.50
			YTD	5	35,000.00	860.00	455.00	21.50				1,336.50
'ermit Type: Plumbing												
Permit Kind: Commercial New Construction												
Permit Kind: Residential New Construction												
Permit Type: Plumbing - Totals												
			0	0								
			YTD	2	925,440.00	18,658.80	4,627.20	463.72				23,749.72
'ermit Type: Zoning												
Permit Kind: Residential Driveway												
018-00029	05/24/2018	9200 LAKE DR	0	0		60.00						60.00
018-00016	05/03/2018	4040 RESTWOOD RD	0	0		60.00						60.00
Permit Type: Zoning - Totals												
			2	0		120.00						120.00
			YTD	2		120.00						120.00
Report Total												
			12	0	\$12,613,800.00	67,538.44	42,756.70	1,930.90	89	221,165.00		344,791.04
			YTD	27	\$14,572,759.76	95,435.53	53,109.60	2,915.38	89	221,165.00		384,025.51

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Park Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
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MINUTES
REGULAR PLANNING COMMISSION MEETING
May 8, 2018 - 7:00 P.M.
9180 Lexington Avenue, Lexington, MN

1. CALL TO ORDER

- A. Roll Call: Chairperson O'Neil, Commissioners Bautch, Thorson, Koch and Vanderbloomer

Chairperson O'Neil called to order the Regular Planning Commission meeting on May 8, 2018 at 7:00 p.m. Commissioners Present: John Bautch, Michele Koch, Ron Thorson, and Mark Vanderbloomer. Also present: John Hughes, Councilmember; Bill Petracek, City Administrator; Kurt Glaser, City Attorney.

2. CITIZENS FORUM

No citizens were present to address the Planning Commission on items not on the agenda

3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

VanderBloomer made a motion to approve the agenda as presented. Bautch seconded the motion. Motion carried 5-0.

4. LETTERS AND COMMUNICATION

- A. Building Permits for April 2018

The Commission had some discussion on the proposed demolition of the house located at Lovell Road and Syndicate Ave. Petracek explained that the financing fell through on the building of a new house. He added that the owner's are intending to fix-up the existing house and sell it for a profit. Discussion ensued.

5. APPROVAL OF PLANNING COMMISSION MINUTES

- A. April 10, 2018

Koch made a motion to approve the April 10, 2018 minutes as typewritten. Thorson seconded the motion. Motion carried 5-0.

6. DISCUSSION ITEM:

- A. Discuss Zoning Section 11.34 Dimensional Requirements

Kurt Glaser, City Attorney, reintroduced discussion on the Zoning Section 11.34 Dimensional Requirements and provided an update from the discussion on this section

back in February of 2017. Glaser provided the draft version Section 11.34 created from the discussion at that February 2017 meeting. Discussion ensued.

Attorney Glaser clarified that he would bring back example structure and lots for this section of zoning to the June meeting.

Petracek stated he would set-up the GIS mapping of Lexington on the PowerPoint projector and screen for the June meeting.

7. NOTE COUNCIL MINUTES:

- A. April 5, 2018
- B. April 19, 2018

Some discussion on April 5th and April 19th City Council minutes.

8. PLANNING COMMISSION INPUT

Some discussion was had on the burned out building on Restwood Ave and Albert Ave. area, which is located in the City of Blaine.

Some discussion was had about the Don Sander's property on Hamline Ave. Petracek stated he would remind the P.D. about enforcement on their property.

Thorson pointed out the cars jacked up at the zero lot-line home on Hamline and Flowerfield Road.

Petracek explained that Dominion Acquisition LLC will be holding an open house on the Lovell property redevelopment project. He stated that no date has been set, but he will inform the P & Z members if they choose to attend. He said it would tentatively be in late May, but nothing is scheduled.

9. ADJOURNMENT

Bautch made a motion to adjourn at 8:45 p.m. Thorson seconded the motion. Motion carried 5-0.

FROM 3/14/17 MEETING - WIP

SECTION 11.34. DIMENSIONAL REQUIREMENTS.

SCHEDULE OF ZONING DISTRICT REGULATIONS FOR AREA, BULK, PLACEMENT AND LAND USE INTENSITY

	Minimum Lot Area in Square Feet	Minimum Lot Width	Minimum Lot Depth	Maximum Lot Coverage (All structures & paved surfaces)	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	Maximum Height Principal Structure	Minimum Rear Yard Detached Accessory Structure	Maximum Height Detached Accessory Structure
B-1	No Limit	No Limit	100	80%	35	30	15	2 stories	**30	1 story
B-2	15,000	50	100	80%	25	40	10	2 stories	40	1 story
B-3	No Limit	No Limit	300	80%	None	None	None	2 stories	None	1 story
B-4	15,000	50	100	80%	25	25	10	1 story	25	1 story
B-5	15,000	50	150	75%	25	25	20	3 stories	25	1 story
R-1	11,250	75	150	40%	35	20	5	3 stories or 40'	20	1 story
R-2	10,000 SFH 12,000 DU	75 SFH 80 DUP	130	45%	30	20	5	3 stories or 40'	10	1 story
R-3	3,500 DU or 12,000 (whichever is greater)	No Limit	80	60%	25	30	10	3 stories or 40'	30	1 story
R-4	3,000 DU or 12,000 (whichever is greater)	No Limit	No Limit	70%	25	*Look on GIS for existing	25	4 stories or 45'	????	1 story
R-5	3,500 DU	35	100	45%	25	10	15 Commercial 5 Residential	1 story	10	1 story
M-1	No Limit	No Limit	100	80%	35	30	5 Commercial 5 Residential	45'	30	1 story
M-2	3,500 DU or 12,000 (whichever is greater)	No Limit	No Limit	75%	25	25	15 Commercial 5 Residential	40'	10	1 story

Deleted: (a)(d)

O-S											
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Table in lineal feet unless indicated. Dwelling Unit = DU. Single Family Home = SFH. Duplex = DUP. Text Indicates Inactive Zoning Designation

1. General Requirements
 - a. Setbacks are measured from the back of the public right of way or public easement.
 - b. Minimum Rear Yard shall be increased by 50% for commercial and industrial lots directly abutting any Residential District.
 - c. Minimum Side Yard shall be increased by 100% for commercial and industrial lots directly abutting any Residential District.
 - d. All lots shall abut for their full required minimum frontage on a publicly dedicated street. [Existing language]
 - i. [KG' Suggested Change: All lots shall have frontage abutting an [improved roadway or street] public right of way. The required minimum frontage shall abut that public right of way.]

** Change sentence in new accessory structure section 11.10, subd 4, C.

Minimum Lot Area in Square Feet	Minimum Lot Width	Minimum Lot Depth	Maximum Lot Coverage (All structures & paved surfaces)	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	Maximum Height Principal Structure	Minimum Rear Yard Detached Accessory Structure	Maximum Height Detached Accessory Structure
B-1 No Limit	No Limit	100	80%	35	30	15	2 stories	**30	1 story
B-2 15,000	50	100	80%	25	40	10	2 stories	40	1 story
B-3 No Limit	No Limit	300	80%	None	None	None	2 stories	None	1 story
B-4 15,000	50	100	80%	25	25	10	1 story	25	1 story
B-5 15,000	50	150	75%	25	25	20	3 stories	25	1 story
R-1 11,250	75	150	40%	35	20	5	3 stories or 40'	20	1 story
R-2 10,000 SFH 12,000 DU	75 SFH 80 DUP	130	45%	30	20	5	3 stories or 40'	10	1 story
R-3 3,500 DU or 12,000 (whichever is greater)	No Limit	80	60%	25	30	10	3 stories or 40'	30	1 story

Deleted: (a)(d)

R-4	3,000 DU or 12,000 (whichever is greater)	No Limit	No Limit	70%	25	*Look on GIS for existing	25	4 stories or 45'	1 story
R-5	3,500 DU	35	100	45%	25	10	15 Commercial 5 Residential	1 story	1 story

1. To Do List
2. Bring examples from other cities about dimensional standards, and driveway setback standards.
3. Consider change paragraph 11.60 subd. 17 to include driveways as a permitted encroachment.
4. Driveway standards – as a performance standard
 - i. 5 foot setback.
 - ii. Exceptions to 5 foot setback (requires an encroachment agreement adjacent property owners and/or the City.
 - a. Cannot cover a public utility?
 - b. Drainage must be managed and approved by Building Official.
 - c. Preexisting driveways? With permission of neighbors and an encroachment agreement required.
 - b. -if an exception is granted covering a public utility
 - c. -if an exception is granted in any drainage or utility easement.
 - d. -if an exception is granted to specify that encroached party can request removal, repair or replacement of driveway for reasonable necessity, and such a request will be honored and at the expense of driveway owner.
 - e. *Encroachment agreement to specify that encroached party can request removal, repair or replacement of driveway for reasonable necessity, and such a request will be honored and at the expense of driveway owner.
 1. if a driveway is constructed over a curb stop, it must be protected with appropriate devices and property owner is liable for replacement / repair for any reason.
 - ii. If these driveway standards are put in section 17, then remove the 'back yard 5 foot driveway setback' in the Yard Standards.
 1. Section 17, Permitted encroachments.

5. What about zero lot line structures?

(A) *Repair of leaks.* It is the responsibility of the consumer or owner to maintain the service pipe from and including the curb shut-off into the house or other building. In case of failure upon the part of any consumer or owner to repair any leak occurring in his or her service pipe within 24 hours after oral or written notice has been given the owner or occupant of the premises, the water may be shut off and will not be turned on until a reconnection charge has been paid and the water service has been repaired. When the waste of water is great or when damage is likely to result from the leak, the water will be turned off if the repair is not proceeded with immediately.

(1) The city shall be responsible to repair the curb shut-off where the service equals one-inch or less, except where the curb shut-off is not located in the public right-of-way, or where damage to the curb shut-off results from the direct action of the property owner or his agent. If the curb shut-off is located in the driveway and it becomes necessary to excavate for repairs, the city shall repair the portion of the driveway that is excavated. The city shall not be responsible for cosmetic imperfections, scratches, or the failure of the patch to match surrounding pavements. Staff is authorized to replace the damaged panel(s) to the nearest joint.

(2) Curb shut-off valves installed after September 1, 2011, shall not be located in a driveway except where the property owner executes an agreement accepting responsibility for all the costs of repair and replacement of the curb shut-off valve and all parts of the service line that are located under the driveway.

City of Centerville

TABLE 1: DISTRICT REGULATIONS LOT AND YARD REQUIREMENTS

District Regulations							
Zoning District	Min. Area	Min. Width	Front Setback	Rear Setback	Side Setback	Min. Bldg. Size Ground Floor Sq. Ft.	Min. Garage Size
R-1 Rural Residential*	10 acres	300 ft.	35 ft.	25 ft.	10 ft.	1,050 ft.	N/A
R-2A Single-Family Residential*	11,500 ft.	80 ft.	30 ft.	25 ft.	10 ft.	900 ft.	440 ft.
R-2 Single-Family Residential*	15,000 ft.	100 ft.	35 ft.	25 ft.	10 ft.	1,050 ft.	440 ft.
R-3 Multi-Family Residential	See district. Requirements	100 ft.	30 ft.	25 ft.	10 ft.		220
R-4 Single-Family Manufactured Housing*	17,500 ft.	100 ft.	35 ft.	25 ft.	10 ft.	1,050 ft.	220 ft.
R-5 Single-Family Residential – Estate*	17,500 ft.	100 ft.	35 ft.	25 ft.	10 ft.	1,200 ft.	600 ft.
B-1 Commercial	20,000 ft.	150 ft.	30 ft.	30 ft.	20 ft.	1,000 ft.	N/A
I-1 Industrial	1 acre	200 ft.	50 ft.	30 ft.	20 ft.	5,000 ft.	N/A
P-1 Public/Semi-Public	20,000 ft.	150 ft.	35 ft.	30 ft.	20 ft.	1,000 ft.	N/A
M-1 & M02 Mixed Uses	Specifications to be determined as a Planned Unit Development, Setback are governed by the Building Code.						

NOTES:

* The minimum size of any residential building shall either be the ground floor square footage as stated in this Table, or a minimum of 1,650 finished square feet for the total structure, whichever is greater at the time of building permit issuance.

City of Spring Lake Park

(2) *Lot depth and width.*

Minimum Lot Depth and Width by Residence District (Feet)				
<i>Use</i>	<i>Dimension</i>	<i>R-1</i>	<i>R-2</i>	<i>R-3</i>
Dwelling, medium density	Depth	-	130	130
Dwelling, medium density	Width	-	130	130
Dwelling, multiple-family	Depth	-	130	130
Dwelling, multiple-family	Width	-	130	130
Dwelling, single-family	Depth	120	120	120
Dwelling, single-family	Width	75	75	75
Dwelling, two-family	Depth	120	120	120
Dwelling, two-family	Width	75	75	75

(3) *Maximum lot coverage.*

Maximum Percentage of Lot Coverage of All Structures in Residence Districts			
<i>Use</i>	<i>R-1</i>	<i>R-2</i>	<i>R-3</i>
Any	35%	35%	50%

(4) *Front yard.*

Minimum Front Yard in Residence Districts (Feet)			
<i>Use</i>	<i>R-1</i>	<i>R-2</i>	<i>R-3</i>
Dwelling	35	35	35
Other uses	50	50	50

(5) *Side and rear yards.*

Minimum Side and Rear Yards in Residence Districts (Feet)				
<i>Use</i>	<i>Dimension</i>	<i>R-1</i>	<i>R-2</i>	<i>R-3</i>
Accessory uses	Rear yard	5	15	15
Accessory uses	Side yard	5	5	10
Dwelling, medium density	Rear yard	-	30	30
Dwelling, medium density	Side yard	-	15	15
Dwelling, multiple-family	Rear yard	-	-	35
Dwelling, multiple-family	Side yard	-	-	20
Dwelling, single-family	Rear yard	40	40	30
Dwelling, single-family	Side yard	10	10	10

Dwelling, two-family	Rear yard	40	40	40
Dwelling, two-family	Side yard	10	10	10

(6) *Maximum building height.*

<i>Maximum Building Height in Residence Districts (Feet)</i>			
<i>Use</i>	<i>R-1</i>	<i>R-2</i>	<i>R-3</i>
Accessory structure	15	15	15
Principal structure	35 feet or three stories, whichever is greater		

(7) *Distance between structures on a lot.*

<i>Minimum Distance Between Buildings on Same Lot in a Residence District (Feet)</i>			
<i>Use</i>	<i>R-1</i>	<i>R-2</i>	<i>R-3</i>
Principal buildings	-	35	35

(B) *Minimum non-residence district dimensional requirements.*

<i>Dimension</i>	<i>District</i>			
	<i>C-1</i>	<i>C-2</i>	<i>C-3</i>	<i>I-1</i>
Building height; maximum	4 stories, or 45 feet	2 stories, or 35 feet	2 stories, or 35 feet	50 feet
Lot coverage by all buildings; maximum	35%	35%	35%	35%
Impervious surface coverage; maximum	75%	75%	75%	75%
Lot depth; minimum	200 feet	105 feet	150 feet	200 feet
Lot width; minimum	100 feet	100 feet	100 feet	150 feet
Setback, front yard; minimum	40 feet	40 feet	40 feet	40 feet
Setback, rear yard; minimum	30 feet	30 feet	30 feet	35 feet
Setback, rear yard, if adjacent to any residence district; minimum	30 feet	30 feet	30 feet	50 feet
Setback, side yard; minimum	15 feet	15 feet	15 feet	25 feet
Setback, side yard, if adjacent to any residence district; minimum	40 feet	40 feet	40 feet	50 feet

Private, recreational facilities including tennis courts and outdoor jacuzzis or spas

x x x x

Wind energy conversion systems including windmills

x x x x x

Public buildings or facilities or public utility buildings except warehouse or storage yards necessary to the area; provided that the buildings conform to the architecture of the adjacent property, and are consistent with the provisions of this Chapter.

x x

Day care in homes and churches of 13 or more children, except as allowed by state law as permitted uses in multi-family districts

x x x x x

Hospitals (except hospitals which contain chemical dependency units, which shall not be allowed by conditional use permit otherwise.)

x x x x x

Structures other than buildings as regulated by Section 1315.11

x x x x x

1315.04 Table of Minimum Lot Sizes and Setbacks.

a. The Table of Minimum Lot Sizes and Setbacks for all residential districts should be read in close conjunction with the definitions of terms set forth in Section 1305.01 and the other interpretative provisions set forth in this section, and with the setback requirements of the Shoreland Overlay District. Refer to Section 1315.12 of this code for percentages of minimum rear yard setbacks.

Table of Minimum Lot Sizes and Setbacks.

District	Lot Area (Sq.Ft)	Lot Width (Feet)	Front Yard Setback (Feet)	Rear Yard Setback (Feet)	Side Yard Setback (Feet)	Corner Setback (Feet)

R-1	12,000/ Unit	80'	30'	See Sect 1315.12	10'	15'
R-2	12,000/ Unit	80'	30'	See Sect 1315.12	10'	15'
R-3	10,000/ Unit	80'	30'	See Sect 1315.12	10'	15'
R-A	1 Acre	140'	30'	30%	10'	15'
R-4 (a) Single & Two Family Dwelling	7,000/ Unit	60'	30'	See Sect 1315.12	10'	15'
R-4 (b) Multiple Family Dwelling	2,500/ Unit	60'	30'	See Sect 1315.12	10'	15'
R-4 (c) Pine Hollow Development	5,400		Refer to Res. 04-17	12% of Length Of side yard	5'	10'

(a.) Any institutional use or institutional building in any R District, other than a single family residence, shall not be located less than twenty-five (25) feet from any boundary line.

(b.) Any building other than a single-family residence shall not be located less than ten (10) feet from any boundary line of a lot used or intended for use as a residence.

Subd. 1 Permitted Encroachments. In residential districts and when attached to a dwelling, the following shall be permitted encroachments on the setback requirements that would otherwise apply:

- (a) An Unenclosed Porch or an Enclosed Porch may encroach ten feet into a required front setback and five feet into a required side setback.
- (b) For purposes of this subdivision, an "Unenclosed Porch" means a horizontal roofed platform attached to a dwelling that also meets the following criteria. An unenclosed porch has a wall system that consists of roof support members, may have railings, and must not have doors, screens or windows.

- (c) For purposes of this subdivision, an "Enclosed Porch" means a horizontal roofed platform attached to a dwelling that also meets the following criteria. Except for the side of the enclosed porch abutting the dwelling, the sides of an enclosed porch must be uninsulated and at least 50% of each of them must consist of screens, windows, doors, or some combination thereof.
- (d) In front yard steps, patio decks, terrace or similar features, provided they do not project more than ten (10) feet into the front yard and provided they do not extend above the height of the ground floor of the building.
- (e) Chimneys, flues, belt courses, sills, cornices, buttresses, ornamental features, eaves or structures similar to all the foregoing provided they do not project more than two (2) feet.
- (f) Wheelchair ramps are permitted encroachments in any yard as long as the ramp is located not less than one (1) foot from the front property line and not less than two (2) feet from the side and rear property line and is not located in an easement.
- (g) Open fire escapes provided they do not project more than three and one-half (3 1/2) feet.

1315.05 Minimum Flooring and Maximum Building Heights for Residential Districts (See Illustration No. 7).

Subd. 1 Minimum Square Feet. Every lot developed for residential purposes shall have the minimum square feet per dwelling unit indicated in the following table. In determining the number of dwelling units permissible on a tract of land, fractions shall be rounded to the nearest whole number.

District	First Floor (sq.ft.)	Total Fl. Area/Unit (sq.ft.)	Building Height (stories)
R-1			
(a) One and one-half story Dwelling	1000	1300	35'
(b) Split Entry Dwelling	No min.	1200	35'
(c) Split Level Dwelling	No min.	1300	35'

(d)	Other Dwellings	1200	1300	35'
R-A				
(a)	One and one-half story Dwelling	1000	1300	35'
(b)	Split Entry Dwelling	1000	1200	35'
(c)	Split Level Dwelling	No Min.	1300	35'
(d)	Other Dwellings	1200	1200	35'
R-2				
(a)	Two Story Dwelling	760	1300	35'
(b)	Split Entry Dwelling	1000	1200	35'
(c)	Split Level Dwelling	No Min.	1300	35'
(d)	Other Dwellings	1200	1200	35'
R-3				
(a)	Two Story Dwelling	720	1300	35'
(b)	Split Entry Dwelling	800	1000	35'
(c)	Split Level Dwelling	No Min.	1200	35'
(d)	Other Dwellings	1000	1000	35'
R-4				
(a)	Two Story Dwelling	720	1300	45'
(b)	Split Entry Dwelling	800	1000	45'
(c)	Split Level Dwelling	No Min.	1200	45'
(d)	Other Dwellings	1000	1000	45'
District		Minimum First Floor (sq.ft.)	Minimum Total Fl. Area/unit (sq.ft.)	Maximum Building Height (stories)
Two Family Dwellings	-----		450 sq.ft./ family	45'
Multiple Family Dwellings	-----		450 sq.ft./ family	45'

Subd. 2 Height Exceptions.

a) Institutional buildings may be constructed to a height of seventy-five (75) feet if the front, rear and side yards are increased one (1) foot for each foot by which the building exceeds thirty-five (35) feet in height.

b) Church spires, finials, belfries, wireless towers, water towers or tanks, flag poles, chimneys, flues, elevator bulkheads, penthouses and scenery lofts may exceed the District limitations in R-4, C and MU Zones when the building is built upon approval of a conditional use permit, but may not exceed 75 feet.

1315.06 Parking Requirements, Residence Districts. Off-Street parking in residential districts shall be subject to regulations contained in Subsection 1320.17, except as hereinafter modified:

- a. Off-Street parking in residential districts shall be used only for the parking of vehicles, except as permitted in home occupations.
- b. The following parking spaces shall be required: Churches and Schools - one (1) parking space for each three (3) seats in a principle auditorium. When no auditorium is involved, one (1) parking space for every one (1) employee. Dwelling - two (2) parking spaces for each family or dwelling unit.
- c. Standards for residential driveways: The following shall apply to all driveways in residential areas.
 1. Construction, relocating or adding to a driveway requires a building permit
 2. Except as permitted in 1315.06 (c) 3, the maximum width of any driveway shall be no more than ten feet (10') wider than the garage but in no event shall it be wider than thirty six feet (36'). There is also a two foot (2') side yard setback required. In addition to the maximum width, at each side of the driveway where the driveway intersects the street, three feet (3') flares are permitted.
 3. Maximum length of a driveway shall be from street to the garage closest to the street.
 4. Driveways on the side yard of the garage are permitted as long as there is a two foot (2') setback from the side and a five foot rear yard set back from the property line. The length of the driveway on the side yard shall not extend past the rear of the garage and shall not be more that twelve feet (12') in width.
 5. Driveways must be made of an approved impervious surface as defined in Section 1110.01 Subd. 15 in the City Code.
 6. In cases where the specific situation is not covered by this section an administrative review shall be conducted. The City Administrator or his/her designee shall make a determination regarding the appropriateness of the proposed driveway. The administrator or his/her designee may refer any such determination to the Planning Commission or City Council. An applicant may appeal a determination by the City Administrator or his/her designee as indicated in Section 1310.03 of the Zoning Code.
 7. Any driveway which exists at the time of the adoption of this ordinance may be continued,

including through repair, maintenance or improvement, but not including expansion, unless:

- i. the nonconforming driveway is discontinued for a period of more than one year; or
- ii. the nonconforming driveway is destroyed by fire or other peril to the extent of greater than 50 percent of its market value, and no building permit has been applied for within 180 days of when the property is damaged. If a building permit is applied for within 180 days of when the property is damaged, the building inspector may impose reasonable conditions on the permit to mitigate any newly created impact on adjacent property.

1315.07 Accessory Buildings

Subd. 1 Minimum Requirements. The table of minimum requirements for all accessory buildings in residential districts should be read in close conjunction with the definitions of terms set forth in section 1305 and the other interpretative provisions set forth in this Chapter.

Table of Requirements for Accessory Buildings
(See illustration Nos. 3 and 4)

Use	Minimum Setbacks Side or Rear Lot Lines	Maximum Building Height	Maximum Building Size	Minimum Distance to Building
Detached Garage in R-1, R-2, R-3, R-4 and R-A District	5 Feet	17 Feet	No more than 15 percent of rear yard in R-1, R-2, R-3, R-4 or exceed 1000 square feet in area	5 feet
Storage Shed and Other Accessory Buildings, in R-1, R-2, R-3, R-4 and R-A Districts	5 feet	12 feet	No more than 10 percent of side yard or rear yard in R-1, R-2, R-3 & R-4 or exceed 150 square feet in area.	5 feet

Subd. 2 Other Requirements. In addition to the minimum requirements set forth in Section 1315.07, Subd. 1, all

**CITY OF LEXINGTON
REGULAR COUNCIL MEETING
MAY 3, 2018– 7:00 P.M.
9180 LEXINGTON AVENUE**

1. CALL TO ORDER: – Mayor Kurth

- A. Roll Call - Council Members: DeVries, Harris, Hughes and Murphy

Mayor Kurth called to order the Regular City Council meeting for the City of Lexington at 7:00 pm of May 3, 2018. Councilmember's present: Devries, Hughes, and Murphy. Excused Absence: Councilmember Harris. Also Present: Bill Petracek, City Administrator; Chris Galiov, Finance Director; Joe Molihan, Quad Community Press; Chad Payment and Carin Payment, Citizens; Angela Macalacek, Citizen; Centennial High School Students.

2. CITIZENS FORUM

Angie Michalicek, 9171 Jackson Ave., Lexington, MN., asked the Council why Jackson Ave. was not going to be resurfaced in 2018. She added that she had heard from a source that the road was going to be done in 2018. Petracek asked who her source of information was as there has not been any discussion on resurfacing Jackson Ave. in 2018. She stated she did not know who he was, but he showed her a list and said, "Yep, that is the next road Lexington will be doing in 2018!"

Petracek stated the road is on our radar, but no further discussion has been had as we have recently completed Flowerfield, Restwood, and Hamline Roads over the past 5-years.

Discussion ensued.

3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

Councilmember Hughes made a motion to approve the agenda as presented. Councilmember DeVries seconded the motion. Motion carried 4-0.

4. LETTERS AND COMMUNICATIONS:

- A. Centennial Lakes Police Department Media Report

- 4-12, 2018 through 4-18, 2018
- 4-19-2018 through 4-25-2018

- B. Council Workshop meeting minutes – April 19, 2018

No discussion on Letters and Communications

5. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – April 19, 2018
- B. Recommendation to Approve Claims and Bills:
Check #s 13573 through 13574
Check #s 43376 through 43424
Check #s 11918 through 11948

Councilmember Hughes made a motion to approve the consent agenda items. Councilmember Murphy seconded the motion. Motion carried 5-0.

6. ACTION ITEMS:

- A. Recommendation to approve Up to \$30.00 per month reimbursement for Fitness Center fees to Lexington Firefighters effective date; **To Be Determined**

The Council discussed an appropriate date for the fitness center reimbursement would begin. Mayor Kurth suggested the effective date coincide with the closing date of the Lovell Building, since that would be the time that the firefighters would no longer be able to use the fitness room in the building. Petracek stated that would be a good effective date, which is tentatively a date in and around September or October of 2018. Discussion ensued.

Chad Payment, 9795 Hamline Ave, Lexington, MN. approached the Council and suggested a compromise from his original thoughts that he provided at the April City Council workshop regarding offering reimbursement of fitness center passes for Lexington Fire Fighters. He suggested using the garage at city hall or some other building as an alternative by setting up the fitness room in that location. He reiterated that he believes reimbursing firefighters for fitness center passes is not a good use of taxpayer dollars. Mayor Kurth replied by saying that the city hall garage didn't have enough room due to the storage of gambling pull tabs. Discussion ensued.

Councilmember Murphy made a motion to approve up to \$30.00 per month reimbursement for Fitness Center fees to Lexington Firefighters effective on the date of the Lovell Building sale closing date. Councilmember Hughes seconded the motion. Motion Failed due to lack of quorum votes – Hughes and Murphy voted in favor. Kurth and Devries abstained from voting.

Devries suggested tabling the item until the next meeting so he had more time to research other fire departments. The consensus was to table the item until the May 17th City Council meeting.

Petracek stated he would place this item on the agenda next meeting for consideration.

7. MAYOR AND COUNCIL INPUT

Devries asked about the closing of Woodland Road for the Lake drive Construction project. Petracek stated he did not know those details, but offered that the Anoka County Highway department will be doing project updates on their website throughout the summer, and he is hoping to get those updates and post them to the city's website and facebook page as we receive them. Discussion ensued.

Mayor Kurth acknowledged Mary Vinzant's – Mary is an employee of the City - son being deployed overseas. He wanted to thank him for his service. Discussion ensued.

8. ADMINISTRATOR INPUT

Petracek Provided an update on:

- 1. New Ford F-350 has been delivered to the City.*
- 2. An explanation of the lift station accident on Paschal and Restwood Ave that happened on Sunday April 29th.*
- 3. Auditor's were at city hall all week, and the audit report will be presented in June.*
- 4. The apartment complex tenants located at 8915 Hamline Ave. will receive eviction notices from the building inspector due to the Landlord not cooperating with the City on safety and registration issues. Petracek wanted the Council aware of this in the event they receive a phone call on this item. He added that this issue is entirely the landlord's fault.*

9. ADJOURNMENT

Councilmember Devries made a motion to adjourn at 7:31 p.m. Councilmember Devries seconded the motion. Motion carried 5-0.

I hereby certify that the May 3, 2018, Regular City Council Minutes as presented, were approved by the Lexington City Council on May 17, 2018.

*Bill Petracek
City Administrator*

**Unapproved Minutes
CITY OF LEXINGTON
REGULAR COUNCIL MEETING
MAY 17, 2018 – 7:00 P.M.
9180 LEXINGTON AVENUE**

1. CALL TO ORDER: – Mayor Kurth

- A. Roll Call - Council Members: DeVries, Harris, Hughes and Murphy

Mayor Kurth called to order the Regular City Council meeting for May 17, 2018 at 7:00 p.m. Councilmember's present: Devries, Harris, Hughes, and Murphy. Also Present: Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Chris Galiov, Finance Director; Jack Borgen, Liquor Store Manager; Lexington Fire Department Members: Gary Grote, Mark VanderBloomer, Erik Edwards, Keith Harris, and Scott Parenteau; Chris Janson, MSA Consultants; Josie Matteson, MSA Consultants; Glen Rank and Tim Harmsen, Dinkytown Rentals; Keith Moeller, Fit Recovery; Joe Molohon, Quad Press.

2. CITIZENS FORUM

No citizens were present to address the Council on items not on the agenda.

3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

Councilmember Devries made a motion to approve the agenda as presented. Councilmember Murphy seconded the motion. Motion carried 5-0.

4. 2040 COMPREHENSIVE PLAN REVIEW PRESENTATION Chris Jansen MSA

Chris Janson and Josie Matteson, MSA Consultants, explained the 2040 Comprehensive Planning process that had begun with the Planning and Zoning Commission over the past year or so. Janson provided a PowerPoint presentation of the draft plan the Planning Commission had developed during the process. Discussion ensued.

Petracek asked what the next steps for the planning process would be. Janson explained that the document will be mailed out to surrounding jurisdictions for comments to be received back on the plan. He added that a public hearing will be held on the final draft of the document in October or November, whenever is best for the Council to hold the hearing. Discussion ensued.

5. LETTERS AND COMMUNICATIONS:

- A. Centennial Lakes Police Department Media Report

- 4-26-2018 through 5-2-2018

- 5-3-2018 through 5-10-2018
- B. North Metro TV April 2018 Update
- C. City Report – April 2018 newsletter
- D. Mediation Services for Anoka County

No discussion on Letters and Communications

6. CONSENT ITEMS:

- A. Recommendation to Approve Council Minutes:
Council Meeting – May 3, 2018
- B. Recommendation to Approve Claims and Bills:
Check #'s 13575 through 13575
Check #'s 43425 through 43484
Check #'s 11951 through 11972
- C. Financial Reports
 - Cash Balances
 - Fund Summary – Budget to Actual

Councilmember Murphy made a motion to approve the consent agenda items. Councilmember Harris seconded the motion. Motion carried 5-0.

7. ACTION ITEMS:

- A. Recommendation to approve Up to \$30.00 per month reimbursement for Fitness Center fees to Lexington Firefighters effective date; **Date of Lovell Building sale closing**

Mayor Kurth stated he did some research on what other fire departments in the metro area do to help their firefighter's stay physically fit and explained to the Council what these communities do for their firefighters. He added that it is a requirement of the NFPA for communities to establish a health & fitness program for their fire department. Discussion ensued.

Councilmember Devries made a motion to approve up to \$30.00 per month reimbursement for Fitness Center fees to Lexington Firefighters on the effective date of the Lovell Building sale closing. Councilmember Hughes seconded the motion. Motion carried 3-0. Mayor Kurth and Councilmember Harris abstained from the vote.

- B. Recommendation to approve Revised Development Agreement with 89 Lexington, LLC – Ephesians Apartment Complex - documents under separate cover

Attorney Glaser discussed the revised development agreement for the Ephesians Apartment complex. He stated that this document will replace the development agreement that was approved in December, and this would be the 2nd phase of the development process. He added that the 3rd phase of the development process would be approving the final plat for the project, which will be coming in the next few weeks. Glaser stated the revised development agreement includes Site Escrow values, so that if the project goes bankrupt or the project is not completed by the developer, the City would have the ability to complete the project through the use of the escrow accounts. Discussion ensued.

Glaser explained that he is asking the Council to conditionally approve the agreement and added that we may be back to either amend or supplement the agreement in the near future to consider the type of escrow financing – performance bond or letter of credit. Discussion ensued.

Councilmember Devries made a motion to approve the revised Development Agreement, with the condition that Staff update the blanks in Section 6 of the Agreement. Councilmember Harris seconded the motion. Motion carried 5-0.

- C. Recommendation to approve New Business License: Fit Recovery –A
DBA of Faith Fit Marketing.

Keith Moeller, Faith Fit Marketing, provided an explanation to the Council on Cryotherapy. Councilmember Hughes asked if Cryotherapy needs licensing. Moeller replied by saying that he, as well as his technicians, are certified by the company to use the Cryotherapy chambers, but no other licensing. Discussion ensued.

Councilmember Harris made a motion to approve a new business license for Fit Recovery – A DBA of Faith Fit Marketing. Councilmember Murphy seconded the motion. Motion carried 5-0.

- D. Recommendation to approve Minnesota Lawful Gambling Premises Permit
Application for Centennial Youth Hockey Association (Carbone's Pizzeria)

Mayor Kurth asked about potentially applying the same conditions to Centennial Youth Hockey Association, as the City Council did for St. Paul Fire Relief Association gambling permit at Station 57. Attorney Glaser explained that the conditions applied to St. Paul Fire Relief Association were due to the organization not being local, and Centennial Youth Hockey is a local organization. He added that there would be no liability involved with a local gambling organization. The consensus of the Council was to not apply similar conditions to the permit. Discussion ensued.

Councilmember Devries made a motion to approve Minnesota Lawful Gambling Premises Permit Application for Centennial Youth Hockey Association (Carbone's Pizzeria). Councilmember Harris seconded the motion. Motion carried 5-0.

8. MAYOR AND COUNCIL INPUT

Councilmember Devries asked about the auto sales lot on Lake Drive and discussed how the sales building is so close to the new road being constructed to connect South Highway drive. Petracek said that the building inspector had touched base with the owner, and the owner stated that the County was not going to make him move the building following the construction process. Discussion ensued.

Petracek stated he would follow up with Anoka County Engineer to find out more details on why the building does not need to be moved.

9. ADMINISTRATOR INPUT

No Input from the city administrator

10. ADJOURNMENT

Councilmember Hughes made a motion to adjourn at 7:54 p.m. Councilmember Devries seconded the motion. Motion carried 5-0.