**unapproved**

**CITY OF LEXINGTON
PUBLIC HEARING**

**&**

**REGULAR PLANNING COMMISSION MEETING MINUTES**

**June 9, 2015 - 7:00 P.M.**

1. **Lexington Avenue, Lexington, MN**

**PUBLIC HEARING**

**1. Call to Order**

***Chairperson Olsson called to order the public hearing to consider comments by citizens regarding the proposed preliminary plat for Paster Properties on June 9, 2015 at 7:00 p.m. Commissioners Present: John Bautch, Caleb Johnson, and Mark Vanderbloomer. Also present: John Hughes, Councilmember; Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Steve Winter, City Engineer; Doug Borglund, MSA Planner; Ken Henk, Paster Properties; Eric Fosmo, Kimly-Horn/Paster Properties.***

***Citizens present for the public hearing:***

***Julie Trelstad – 9016 Dunlap Ave.***

***Stan Trelstad – 9016 Dunlap Ave.***

***Flo Skeate – 9004 Dunlap Ave.***

***Bernice Bautch – 8970 Albert Ave.***

***Steve Hamann – 8977 Dunlap Ave.***

***Lynn Ulve – 8893 Griggs Ave.***

***Janice Schaffhausen & Don Christensen – 4040 Restwood Rd.***

***Roseann Flor - 9052 Jackson Ave.***

**2. PUBLIC HEARING:** Preliminary Plat – Paster Properties

***Doug Borglund, MSA Planner, provided an overview of the Paster Properties preliminary plat and site plan.***

***Chairperson Olsson asked about Outlot A, Block 1 in regard to the R-3 Zoning regulations and if there has been a request to change it to an M-1 zone. Borglund explained that a zone change has not been requested but it is something the Commission will need to consider going forward with new development. Discussion ensued.***

***Steve Hamann – 8977 Dunlap Ave. – asked the Commission about potential uses for the property.***

***Ken Henk, Paster Properties, explained at this point Paster Properties, through the re-platting process, are trying to clean up the existing lot lines, easements, right-of-way on Griggs Ave., and remodel Northway Mall.***

***Commissioner Bautch asked Mr. Henk what is Paster Properties intent for the property being re-platted. Henk explained that at this point there are no plans to develop the vacant properties behind Northway Mall. He continued by saying that once it is re-platted, they may sell the individual outlots, but at this point their intention is to make the property easier to sell in the future; they are remodeling Northway Mall in anticipation of the Super Wal-Mart opening in September. Discussion ensued.***

***Flo Skeate – 9004 Dunlap Ave. – asked about the R-3 zoning and if would change with this process; she also asked about what would happened with the alley behind Tot Park. Petracek explained that the City’s intention through our Parks Master Plan is to refurbish all of our parks including Tot Park; there has been no discussion about selling Tot Park. Discussion ensued.***

***Commissioner Johnson asked Henk about the improvements being made to Northway Mall. Henk provided a provided an explanation to the Northway Mall improvements to the Commission. Discussion ensued.***

**3. Adjourn public hearing**

***A motion was made by Olsson to adjourn the public hearing on the proposed Paster Properties preliminary plat at 7:38 PM. The motion was seconded by Johnson. Motion carried unanimously 4-0.***

**REGULAR PLANNING COMMISSION MEETING**

1. **CALL TO ORDER**

***Chairperson Olsson called to order the Regular Planning Commission meeting on June 9, 2015 at 7:39 p.m. Commissioners Present: John Bautch, Caleb Johnson, and Mark Vanderbloomer. Also present: John Hughes, Councilmember; Bill Petracek, City Administrator; Kurt Glaser, City Attorney; Steve Winter, City Engineer; Doug Borglund, MSA Planner; Ken Henk, Paster Properties; Eric Fosmo, Kimly-Horn/Paster Properties.***

1. **Citizens Forum**

***No citizens were present to address the planning commission***

1. **Approval of Agenda with Changes and Corrections**

***Olsson made a motion to approve the agenda with changes to Discussion items #10(B) and #10 (C) to be moved on the agenda to item #7. The motion was seconded by Johnson. Motion carried unanimously 4-0.***

1. **DISCUSSION ITEM:**
2. Recommendation to approve Paster Properties Preliminary Plat

***Borglund discussed in detail the recommendation to approve the preliminary plat. Discussion ensued about the staff recommendations on the plat and the memo received from Paster Properties that provided their insight on the staff recommendations.***

***Borglund explained the need to discuss the 33’ right-of-way on South Service Drive, which does not meet the City’s code of a 50’ right-of-way. He added that during a re-plat of property is the appropriate time to consider requesting the additional right-of-way from Paster Properties to ensure proper right-of way widths and to address any safety issues with the properties in question that could be changed through the re-platting process. Discussion ensued.***

***Olsson questioned item #6 of the staff recommendations in regard to the vacating of easements on the property. Borglund explained that under Minnesota State Statutes, the easements must be vacated as a separate process from the re-platting process. Discussion ensued.***

***The Commission discussed the recommendation from the City Engineer and his thoughts on the preliminary plat and site plan.***

***Eric Fosmo, Kimly-Horn Engineer representing Paster Properties, addressed the Commission by explaining that by the City asking for the additional right-of-way from Paster Properties would place an undue hardship on their properties by taking away parking spaces and flexibility for the future development of Northway Mall. Discussion ensued.***

***Petracek cautioned the Planning Commission on recommending to the City Council about requiring the additional right-of-way for South Service Drive. He added that this requirement through the re-platting process and taking away land and parking spaces in Northway Mall could force Paster Properties to pull-back their application to re-plat their properties. This could potentially make it difficult for them to market the land as they see it; we need to help Paster Properties develop this property, not create a hardship on them. Discussion ensued.***

***A motion was made by Chairperson Olsson to add and 8th condition to include a 50’ right-of-way on South Service Drive. The motion was seconded by Vanderbloomer. The motion failed 1-3***

***A motion was made by Chairperson Olsson to approve and recommend to the City Council the Paster Properties preliminary plat with the separate seven (7) conditions as contained within the MSA staff report with a revision to point #7 that revised plans shall be submitted as required by the staff. The motion was seconded by Bautch. Motion carried unanimously 3-1.***

1. Recommendation to approve Paster Properties Northway Mall Site Plan.

***Steve Winter, City Engineer, discussed his recommendation on the Northway Mall Site Plan. Discussion ensued.***

***A motion was made by Bautch to approve and recommend to the City Council the Northway Mall Site Plan with the six (6) staff recommendations. The motion was seconded by Olsson. Motion carried unanimously 4-0.***

1. **LETTERS AND COMMUNICATION**
2. Building Permits for May 2015

***Some discussion by the Commission on building permits***

1. **APPROVAL OF PLANNING COMMISSION MINUTES**
2. May 12, 2015

***Olsson made a motion to approve the May 12, 2015 Planning Commission minutes as typewritten. The motion was seconded by Johnson. Motion carried unanimously 4-0.***

1. **DISCUSSION ITEM:**

1. Discuss Accessory Building Ordinance
2. Discuss M 2 Schedule of Uses

***Olsson made a motion to table Discussion items 10 (C) & 10 (D) until the next Planning Commission meeting. The motion was seconded by Vanderbloomer. Motion carried unanimously 4-0.***

1. **NOTE COUNCIL MINUTES:**
2. May 7, 2015
3. May 21, 2015

***Some discussion on the May 7th and 21st City Council minutes was had.***

1. **PLANNING COMMISSION INPUT**

***No input from the Planning Commission***

1. **Adjournment**

***A motion to adjourn was made by Bautch at 9:16 pm. The motion was seconded by Johnson. Motion carried unanimously 4-0.***