

CITY OF LEXINGTON  
COUNTY OF ANOKA  
STATE OF MINNESOTA

ORDINANCE #25-02

AN ORDINANCE OF THE CITY COUNCIL OF LEXINGTON, MINNESOTA, APPROVING  
A PLANNED UNIT DEVELOPMENT  
FOR THE PLAT  
LEXINGTON CENTER, THIRD ADDITION

WHEREAS, Menlo Capital Partners, (“Applicant”), owns the following parcels of real estate (the “Subject Parcels”), legally described as Lexington Center, Third Addition, Anoka County, Minnesota. Formerly described as Lexington Center, Third Addition, Anoka County, Minnesota.

WHEREAS, the Planning and Zoning Commission held a public hearing on an application presented by the Applicant. The purpose of these hearings would replat the existing shopping center to divide and develop the Subject Parcels by adding two retail business establishments in the existing parking lot of the shopping center. This application was brought in conjunction with a request for development through a Planned Unit Development.

WHEREAS, the Applicant requests to develop Lexington Center, Third Addition as a Planned Unit Development requesting variances to the following standards of the Lexington Code of Ordinances:

	<u>Code</u>	<u>Existing</u>	<u>Proposed</u>
Zoned	M1		M1 with PUD
Building Setback - Front <sup>1</sup>	35’-0”		19’-0”
Building Setback - Rear	30’-0”		30’-0” (no change)
Building Setback - Side	15’-0”		0’-0”

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<sup>1</sup> The proposed Lot 2 Block 1 (Proposed Chipotle) has a proposed front setback of 23.7 feet which is a 7.7 foot deviation from the minimum.

The proposed lot 1A Block 2 (Conceptual lot reserved for future use) has proposed front setbacks of 19.1 and 20.4. The other existing buildings as part of the PUD have existing legal non-conformities in terms of setbacks.

Lot Coverage	80% Lot Coverage		95% Lot Coverage
Landscaping	Required in Front & Side Yards		For existing, non-conforming areas. (Not for new development.)
Parking Spaces	484 spaces	391 spaces	315 spaces

WHEREAS, the Applicant obtained the RECOMMENDATION of the Planning and Zoning Commission to GRANT variances pursuant to a Planned Unit Development and set forth conditions in the form of a Conditional Use Permit governing the development of the parcel and the construction of improvements thereon.

WHEREAS, the Planning and Zoning Commission made the following FINDINGS with respect to the land use applications submitted by the Applicant. These findings are based on City criteria for granting a Planned Unit Development set forth under each heading:

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1. Application for approval of a Planned Unit Development.
  - a. The development shall be planned so that it is consistent with the city comprehensive plan.

This development is consistent with the 2030 Comprehensive Plan with the exception of the those parcels currently zoned for the Central Business (M-1) district. This project is consistent with zoning in a multiuse district as it allows for retail business development. This project is also consistent with the Plan as it is located within the City’s Commercial Redevelopment District. This project fulfills the Plan’s stated goals and policies:

- Maintain distinct land use districts that minimize the conflict between residential and commercial/ industrial areas.
- Concentrate commercial development and create “center(s)” of vibrant commercial activity.
- Create and maintain a cohesive commercial “identity” or “character” for the City’s commercial area(s).
- Identify and target specific areas of the community that are appropriate for new housing and commercial opportunities, including infill and redevelopment.
- Require landscaping along all public rights-of-ways for all commercial uses.
- Prioritize and assist development in the City’s commercial areas.
- Investigate public improvements to improve safe pedestrian access within and between neighborhoods and commercial areas.

- b. The PUD is an effective and unified treatment of the development possibilities on the project site and the development plan provides for the preservation of unique natural amenities such as streams, stream banks, wooded cover, rough terrain and similar areas.

The Subject Parcel has no other distinguishing natural features.

- c. The planned unit development proposal appears to harmonize with both existing and proposed development in the area surrounding the project site.

The planned development is an effective use of the site as it efficiently uses the existing space to add two retail establishments. The proposed design also harmonizes the design of the structures in the strip mall with the proposed buildings on the development site.

- d. The proposed total development is designed in a manner as to form a desirable and unified environment within its own boundaries.

All buildings and amenities within the development have a uniform and consistent architecture.

- e. Any exceptions to the standard requirements of the zoning and subdivision chapters are justified by the design of the development.

All of the variances requested for this project are justified given planned accommodations within the Project plans. The primary objective of development in an M-1 district is a mix of development alternatives using a planned unit development. Therefore, unlike other zoning districts, density, building height and structure setbacks in an M-1 district are expected to vary due to development using a planned unit development. The Code of Ordinances allow parking standards to be changed without a planned unit development. Details regarding these exceptions are set forth in the memorandum from MSA Professional Services, attached as Exhibit A.

- f. The tract of land shall be under unified control at the time of application and scheduled to be developed as one unit. In addition, the development plan must include provisions for the preservation of natural amenities.

The development will occur in a unified manner with appropriate construction in two phases. The site has few, if any, natural amenities remaining on the site, and will be preserved with this development.

- g. Each phase of the proposed development, as it is proposed to be completed, is of sufficient size, composition and arrangement that its construction, marketing and operation are feasible as a complete unit, and that provision and

construction of dwelling units and common open space are balanced and coordinated.

The second phase will occur as market conditions are deemed appropriate. Given this type of retail business development, phasing in this manner is normal and appropriate. Common open space will remain balanced and coordinated as the second phase redevelops the existing parking lot into a retail structure.

- h. The PUD will not create an excessive burden on parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the district.

The development will increase retail foot traffic and automobile traffic on and near the site. Planned pedestrian improvements will increase movement at the site. Existing streets and facilities can accommodate the planned increased automobile traffic on and near the site.

WHEREAS, after conducting a public hearing, the Planning and Zoning Commission RESOLVED as follows respect to the land use applications submitted by the Applicant:

1. The Commission RECOMMENDS the City Council approve the Planned Unit Development for Lexington Center Third Addition;

2. The Commission ADOPTED Staff memoranda, in part, as its RECOMMENDATIONS and FINDINGS OF FACT, as follows:

- a. Claire Stickler, MSA Professional Services, March 4, 2025, RE: CUP-PUD Application for Northway Shopping Center Expansion. (Exhibit A);
- b. Steve Winter, MSA Professional Services, March 5, 2025, RE: Lexington Center Third Addition Preliminary Plat Review (Exhibit B);
- c. Kurt Glaser, BBG Law, March 5, 2025, RE: Planned Unit Development (PUD) Process & Negotiation Considerations for Northway Shopping Center Expansion (Exhibit C).

3. The Commission RECOMMENDS the City Council condition its approval of the Planned Unit Development on a Conditional Use Permit that will be based on those conditions:

- a. the Commission found during the Public Hearing;
- b. that may arise in the near future during the Plat or Plan approval process;
- c. on terms as may be negotiated between the Applicant and the City; and
- d. that all comments and concerns from the City's Administrator, Engineer, Planner, Attorney, Building Inspector and Fire Marshal shall be met.

4. The Commission RECOMMENDS the City Council adopt the Preliminary Plat for Lexington Center Third Addition. The Planned Unit Development shall be on the condition the adoption of the Final Plat for Lexington Center Third Addition is adopted by the City. These conditions shall be governed by the Conditional Use Permit.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEXINGTON, MINNESOTA, that it adopts the aforementioned findings of fact related to the requested land use applications for the Subject Parcels and DOES ORDAIN the adoption of each recommendation of the Planning and Zoning Commission approving a Planned Unit Development for “Lexington Center Third Addition”. This approval by the City Council is subject to the additional conditions:

- a. Applicants shall be subject to a Conditional Use Permit to be approved at the time of final plat approval.
- b. Applicants shall enter into a Development Agreement with the City for the purpose set forth above and as otherwise dictated by law.
- c. Applicants shall pay all applicable building permit fees and other appropriate fees to the City.

Effective Date. This ordinance shall be effective immediately upon its passage.

PASSED AND DULY ADOPTED, after one Reading, this 3<sup>rd</sup> day of April 2025 by the City Council of the City of Lexington.

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Mike Murphy, Mayor

Attest:

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Bill, Petracek, City Clerk