

# AGENDA

## PUBLIC HEARING & REGULAR PLANNING COMMISSION MEETING October 9, 2018, 2018 - 7:00 P.M. 9180 Lexington Avenue, Lexington, MN

### 1. CALL TO ORDER PUBLIC HEARING

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

Public Hearing the purpose of the Public Hearing is to take public comments on the proposed amendments to Code of Ordinances – Zoning Section 11.34 Dimensional Requirements and adding an Ordinance authorizing and Regulating Planned Unit Developments

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### 2. ADJOURNMENT PUBLIC HEARING

#### 1. CALL TO ORDER

- B. Roll Call: Chairperson Vanderbloomer, Commissioners Bautch, Thorson, Koch and Murphy

#### 2. CITIZENS FORUM

#### 3. APPROVAL OF AGENDA WITH CHANGES AND CORRECTIONS

#### 4. LETTERS AND COMMUNICATION

5. Building Permits for September 2018

pg. 16-18

#### 6. APPROVAL OF PLANNING COMMISSION MINUTES

- A. September 11, 2018

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#### 7. DISCUSSION ITEM:

- A. Recommendation to approve Proposed Changes to Code of Ordinances – Zoning Section 11.34 Dimensional Requirements  
B. Recommendation to approve Planned Unit Development Ordinance

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pg. 6-15

#### 8. NOTE COUNCIL MINUTES:

- A. September 6, 2018  
B. September 20, 2018

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#### 9. PLANNING COMMISSION INPUT

#### 10. ADJOURNMENT

**PUBLIC NOTICE**  
**CITY OF LEXINGTON**  
**COUNTY OF ANOKA**  
**STATE OF MINNESOTA**

**TO WHOM IT MAY CONCERN:**

**Notice is hereby given**, the Lexington Planning & Zoning Commission will be conducting a Public Hearing on October 9, 2018, at 7:00 P.M. in the Lexington City Council Chambers, 9180 Lexington Avenue, Lexington, MN 55014. The purpose of the Public Hearing will be to take public comments on the proposed amendments to Code of Ordinance - Zoning Section 11.34 Dimensional Requirements and adding an ordinance authorizing and regulating Planned Unit Developments.

Anyone wishing to make a comment on the proposed amendments to Code of Ordinance - Zoning Section 11.34 Dimensional Requirements is invited to attend the Public Hearing. If you are unable to attend, written comments are welcome and will be accepted until 4:30 P.M on October 3, 2018.

A copy of the proposed Code of Ordinance - Zoning Section 11.34 Dimensional Requirements and Planned Unit Development Ordinance are on file at Lexington City Hall for anyone wishing to review the proposed regulations.

In accordance with the Americans With Disability Act, a hearing impaired individual, wishing to attend the Public Hearing, you may request a sign language translator by contacting City Hall (763) 784-2792 within one week prior to the hearing.

Bill Petracek  
City Administrator

**PUBLISHED IN THE QUAD COMMUNITY PRESS:**

**PROPOSED CHANGES FROM JUNE PLANNING ZONING MEETING**

**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	25	25	4 stories or 45'	Not allowed w/o PUD.	Not allowed w/o PUD.
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 Commercial 20 Residential	15 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



PROPOSED CHANGES FROM JUNE PLANNING ZONING MEETING

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## **PLANNED UNIT DEVELOPMENTS**

### **Chapter 11.8**

#### **§ 11.800 OBJECTIVES.**

To help encourage a more creative approach to the use of land, departures from the city zoning chapter may be granted by the City Council in the form of Planned Unit Development (PUD) Districts, to achieve:

- (A) A maximum choice of living environments by allowing a variety of housing building types and permitting an increased density per acre and a reduction in lot dimensions, yard, building setbacks and area requirements;
- (B) A more useful pattern of open space and recreation areas and, if permitted as part of the project, more convenience in the location of accessory commercial uses and services;
- (C) A development pattern which preserves and utilizes natural features, trees and other vegetation, and prevents the disruption of natural drainage patterns;
- (D) A more efficient use of land and a resulting substantial savings through shorter utilities and streets; and
- (E) A development pattern in harmony with land use density, transportation facilities and community facilities objectives of the comprehensive plan.

#### **§ 11.810 GENERAL REQUIREMENTS.**

A conditional or interim use permit shall be required of all planned unit developments. The city may approve the PUD only if it finds the development satisfies all the following standards:

- (A) The development shall be planned so that it is consistent with the city comprehensive plan;
- (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;
- (C) The planned unit development proposal appears to harmonize with both existing and proposed development in the area surrounding the project site;
- (D) The proposed total development is designed in a manner as to form a desirable and unified environment within its own boundaries;

- (E) Any exceptions to the standard requirements of the zoning and subdivision chapters are justified by the design of the development;
- (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;
- (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;
- (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;
- (I) The plans required under this section must be submitted in a form which will satisfy the requirements for preliminary and final plats;
- (J) Permission to develop specific parcels of land under the provisions which follow shall be binding on all construction. Any change in the development plan after approval by the City Council shall be resubmitted for consideration;
- (K) Subdivision review under the subdivision chapter shall be carried out simultaneously with the review of a PUD under this section; and
- (L) The Planning and Zoning Commission may apply additional criteria as may be necessary as due to the unique nature of a proposed site, neighborhood or type of development.

**§ 11.822 MINIMUM SIZE.**

- (A) A PUD may be used on any development of more than two (2) residential units. A PUD may be used for any commercial or industrial development or on developments that include a combination of uses. The Planning & Zoning Commission may require that any development be submitted as a PUD when in their opinion the proposed development could be best handled as a PUD.
- (B) The minimum lot size requirements of other sections of this chapter do not apply to a PUD except that the minimum lot size requirements of the underlying zone shall serve as a general guideline to determine the maximum dwelling unit density of the total development.

**§ 11.824 SETBACK AND SIDE YARD REQUIREMENTS.**



Notwithstanding other provisions of this subchapter, setback and side yard requirements of lots in a PUD shall be at least equivalent to the spacing requirements of buildings similarly developed under the terms of this chapter on separate parcels.

**§ 11.825 ACCESS TO PUBLIC RIGHT-OF-WAY.**

The site of a PUD shall abut, and the major internal street or streets serving the PUD shall be connected to, at least one primary arterial, or neighborhood collector street.

**§ 11.826 UTILITY REQUIREMENTS.**

Utilities, including telephone and electrical systems, installed within a PUD shall be placed underground. Utility appurtenances, which can be effectively screened, may be exempted from this requirement if the city finds that the exception will be consistent with the objectives of this subchapter and the character of the proposed PUD.

**§ 11.827 OPEN SPACE.**

A minimum of 20 percent of the gross land area for private or public open air recreational use protected by covenants running with the land or by conveyances or dedicated as the Planning and Zoning Commission may specify shall be an integral part of the plan. These open space areas shall not include land devoted to streets, parking and private yards. Whenever possible, common open space shall be linked to the open space areas of adjoining developments. Common open space shall be of a size, shape, character and locations as to be usable for its proposed purpose.

**§ 11.830 ARRANGEMENT OF COMMERCIAL USES.**

When a PUD includes commercial uses, commercial buildings shall be planned as groups having common parking areas and common ingress and egress points. Each commercial area shall be separated from abutting residential areas by appropriate screens or fences. The design of commercial areas shall provide for the integrated and harmonious design of buildings and for adequate and properly arranged facilities for internal traffic, circulation, landscaping and other features and facilities as may be necessary to make the areas attractive and efficient from the standpoint of adjacent noncommercial areas. Any area which is not to be immediately improved or developed shall be landscaped or otherwise maintained in a neat and orderly manner as specified by the city.

**§ 11.840 ARRANGEMENT OF INDUSTRIAL USES.**

In any PUD including industrial uses, the industrial uses shall be provided in park-like surroundings utilizing landscaping and existing woodlands as buffers to screen lighting, parking areas, loading areas and outdoor storage of raw materials or products. An industrial area in a PUD shall provide for the harmonious design of buildings and a compact grouping in order to economize in the provisions of required utility services. Streets in a planned industrial area shall be kept to a minimum in order to reduce traffic. All spaces between the right-of-way line and the industrial building line and all intervening spaces between buildings, drives, parking areas and improved areas shall be landscaped with trees and plantings and properly maintained.

#### **§ 11.850 PRE-APPLICATION MEETING; PROCEDURE.**

Before submitting a formal application for a PUD under this chapter, the developer shall meet with the Planning and Zoning Commission. The purpose of this meeting is to discuss early and informally the purpose and effect of this chapter and the criteria and standards contained in this chapter, and to familiarize the developer with the city's comprehensive plan, including the land use plan, the major thoroughfare plan, and the parks and open space plan, and with the subdivision regulations and the drainage, sewer and water systems of the city.

#### **§ 11.851 APPLICATION.**

- (A) An application for approval of a preliminary development plan for a proposed PUD shall be made to the Planning and Zoning Commission, by at least one owner or lessee of property for which the PUD is proposed. The application shall be accompanied by a certified check or money order to cover the costs incurred in checking and processing the plans in an amount affixed by resolution of the City Council.
- (B) The application with accompanying outline development plan shall be submitted (16 copies) and shall include:
  - (1) A vicinity map at a scale of one inch equals 250 feet showing property lines, existing streets, existing zoning, and any other items as the Planning and Zoning Commission may require to show the relationship of the proposed PUD to the comprehensive plan of the city, to existing schools and other community facilities and services, and to the surrounding area;
  - (2) A preliminary plan of the PUD in schematic form showing the following:
    - (a) The existing topographic character of the land;
    - (b) A composite of all natural amenities of the site including steep slopes, drainageways plus marshes, ponds and lakes;
    - (c) The size of site and proposed uses of the land to be developed together with an identification of off-site land use;

- (d) The density of land use to be allocated to the several parts of the development;
  - (e) The approximate location of thoroughfares;
  - (f) The location of common open space including public schools, parks and playgrounds or private natural preserves; and
  - (g) The off-street parking system.
- (3) A written statement including the following:
- (a) A statement of the ownership of all land involved in the PUD together with a summary of previous work experience;
  - (b) An explanation of the general character of the planned development;
  - (c) A statement describing the ultimate ownership and maintenance of all parts of the development including streets, structures and open spaces;
  - (d) A statement describing how all necessary governmental services will be provided to the development; and
  - (e) The total anticipated population to occupy the PUD, with breakdowns indicating the number of school-age children, adults and families.
- (4) The proposed schedule for the development of the site; and
- (5) A statement setting forth the reasons why, in the opinion of the applicant, the PUD will be in the public interest and consistent with the objectives specified in this Chapter.

**§ 11.852 ACTIONS.**

(A) *By the Commission.* Within 60 days of the filing of the application, the Planning and Zoning Commission shall hold a public hearing on the proposed PUD following written and published notice as required for amendments of this chapter. Following the hearing and within 60 days of the filing of the application or at a later time agreed to by the applicant, the Planning and Zoning Commission shall recommend approval or disapproval of the preliminary proposal with any changes and conditions as it may suggest and shall transmit its recommendations to the City Council. In its recommendations the Commission shall determine whether the proposed PUD is consistent with the objectives for PUDs specified in section 11.810 and with the comprehensive land use plan of the city; and whether the benefits, combination of various

land uses, if proposed, and the interrelationship with the land uses in the surrounding area justify the deviation from standard district regulations allowed by this chapter for PUDs.

(B) *By City Council.* Upon receipt of the recommendations of the Planning and Zoning Commission, the Council shall consider the application and, after holding the public hearing as it deems desirable, shall approve or disapprove the application with the changes or conditions, if any, as it may deem appropriate. Refusal of any changes or conditions shall constitute denial of the plans by the City Council. Failure of the landowner to notify the City Council of his or her acceptance or refusal of the modification to the plan constitutes acceptance of these conditions. No building permits may be issued on land within the PUD until final plans for the development have been approved by the City Council under the procedures provided in the following sections.

#### **§ 11.853 PUD AGREEMENT.**

The Zoning Administrator shall instruct the City Attorney to review the PUD application and draft a PUD agreement (aka development agreement) which stipulates the specific terms and conditions approved by the City Council and accepted by the applicant. This agreement shall be signed by the Mayor of the city, Administrator and the applicant within 30 days of the City Council approval of the PUD application and final plat. Where the PUD application and/or final plat is to be resubmitted or denied approval, the City Council action shall be by written report setting forth the reasons for its actions.

#### **§ 11.854 FINAL REVIEW AND APPROVAL.**

An application for review and approval of the final development plan shall be filed by the applicant with the Planning and Zoning Commission within six months of the date on which approval of the preliminary plan was given by the Council. If application for final approval is not made within the time required, the proposal shall be considered abandoned unless an extension period is requested and granted by the City Council.

#### **§ 11.855 DOCUMENTATION REQUIRED.**

The final application shall be accompanied by the following supporting documentation:

(A) A final plan of the PUD in schematic form including the following:

- (1) The street system, lot layout and off-street parking and loading plan;
- (2) The use, height, bulk and approximate location of buildings and other structures;

- (3) Land areas to be conveyed, dedicated or reserved for parks, parkways, playgrounds, school sites, public buildings and similar public and semi-public uses;
- (4) A site plan for each building site and common open area, showing approximate location of buildings, structures and improvements;
- (5) Generalized elevations and perspectives of all structures;
- (6) A site grading plan indicating the direction of flow of surface drainage and all easements necessary for both ponding and runoff;
- (7) Plans, profiles and specifications for the distribution of water, collection of sanitary waste and stormwater;
- (8) A landscape plan indicating the location, size and type of plant materials to be used;
- (9) Plans, profiles, typical sections and specifications for proposed street improvements; and
- (10) The density of land use to be allocated to the several parts of the site being developed.

(B) A written statement including:

- (1) The approximate date when construction will begin by stage of development and the area of open space to be provided at each stage;
- (2) Agreements, provisions or covenants which govern the use, maintenance and continued protection of the development and any of its common open areas; and
- (3) Other conditions specifically required by the Commission and the Council for the particular PUD.

**§ 11.856 ACTION ON FINAL APPLICATION.**

- (A) Procedure for action by the Planning and Zoning Commission and the Council on an application for review and approval of the final plan for a PUD shall be the same as prescribed by this subchapter for the action on the preliminary proposal. In giving approval, the Council may specify the length of time within which construction of the project must be begun or completed, and it may attach other conditions as seem necessary. The final development plan shall be in general conformance with the preliminary development plan as approved.

(B) (1) *Criteria for approval.* The findings necessary for approval of both the preliminary and final development plans shall be based on the criteria in section 11.810 and shall describe in what respect the plan would or would not be in the public interest.

(2) *Noncompliance.* In the event the plan as submitted for final approval is not in substantial compliance with the preliminary development plan, the Zoning Administrator shall attempt to notify the applicant within 45 days of the date of application, setting forth the ways in which the plan is not in substantial compliance.

(a) The applicant may treat the notification as denial of preliminary approval;

(b) The applicant may refile his or her plan so that it does substantially comply with the outline development plan; or

(c) The applicant may file a written request with the Planning and Zoning Commission that it hold a public hearing on his or her request for final approval.

(3) *Final approval.* The City Council shall review and approve the final development plan if it is in substantial compliance with preliminary development plan. Following this, the applicant shall record the final development plan in the manner provided for recording subdivision plats. If the final development plan is not in substantial compliance, the applicant shall be requested to repeat the procedures outlined for the preliminary development plan. Approval may be conditioned on the applicant executing a PUD agreement.

#### **§ 11.859 OPERATION OF COMPLETION.**

(A) If work on the PUD is not started within the time limits prescribed in the final development plan or PUD agreement, approval shall terminate unless an extension period is requested or granted by the City Council.

(B) Completion of the PUD shall be certified by the Planning and Zoning Commission on the final development plan or PUD agreement. Thereafter, the use of land and the construction, modification or alteration of any buildings shall be governed by the recorded CUP or IUP.

(C) Changes may be authorized only under the procedures provided below:

(1) Minor extensions, alterations or modifications of existing structures may be authorized by the Planning and Zoning Commission if they are consistent with the intent and purpose of the final development plan and do not increase the cube of any building or structure by more than 10%;

- (2) Minor changes in the location, siting, and height of buildings and structures may be authorized by the City Engineer if requested by engineering or other unforeseen circumstances.
- (3) Changes in the use of common open space or the replacement of any building substantially destroyed which exceeds the intent and purposes of the final development plan may be authorized only by amendment to the final development.
- (4) All other changes in use, rearrangement of lots, blocks and open space, must be authorized by the City Council.

#### **§ 11.860 SITE IMPROVEMENTS.**

At any time following the execution of a PUD agreement and receiving a notice to proceed from the City Administrator, the applicant may, pursuant to the applicable codes of the city, apply for and the Zoning Administrator may issue grading permits for the area within the PUD for which development stage plan approval has been given.

#### **§ 11.861 CONSTRUCTION.**

The construction and provisions of all the common open spaces and public and recreational facilities which are shown on the final development plan must proceed at the same phase as the construction of dwelling units. At least once every six months following the approval of the final development plan, the Zoning Administrator shall review all of the building permits issued for the planned development and examine the construction which has taken place on the site. If he or she shall find that the rate of construction of dwelling units is greater than the rate at which common open spaces and public and recreational facilities have been constructed and provided, he or she shall forward this information to the City Council, which may revoke the PUD Permit.

#### **§ 11.862 MAINTENANCE OF COMMON OPEN SPACE.**

All land shown on the final development plan as common open space must be conveyed to a homeowners' association or similar organization for the maintenance of the planned development. The common open space must be conveyed to the homeowners' association or similar organization subject to covenants, to be approved by the City Council, which restrict the common open space to the uses specified on the final development plan, and which provide for the maintenance of the common open space in a manner which assures its continuing use for its intended purpose.

**§ 11.863 HOMEOWNERS' ASSOCIATION.**

If a homeowners' association or cooperative is created, the applicant shall submit plans at the time of final plan of development and documents which explain or set forth:

- (A) Ownership and membership requirements;
- (B) Articles of incorporation and bylaws;
- (C) Time at which the developer turns the association over to the homeowners;
- (D) Approximate monthly or yearly association fee for homeowners; and
- (E) Specific listing of items owned in common including items as roads, recreation facilities, parking, common open space ground and utilities.



**City of Lexington**  
**Permits Issued & Fees Report - Detail by Address**

Issued Date From: 9/1/2018 To: 9/30/2018  
 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
<b>Permit Type: Building</b>													
<b>Permit Kind: Commercial Addition</b>													
2018-00063	09/13/2018	9100 HAMLIN AVE	0		15,000.00	329.94	214.46	7.50					551.90
<b>Permit Kind: Commercial Remodel</b>													
2018-00058	09/06/2018	9201 S SERVICE DR	0		2,500.00	109.38	71.10	1.25					181.73
2018-00059	09/05/2018	9201 S SERVICE DR	0		26,000.00	527.01	342.56	13.00					882.57
<b>Permit Kind: Commercial Roofing</b>													
2018-00060	09/06/2018	3905 WOODLAND RD	0		21,000.00	440.22		10.50					450.72
<b>Permit Kind: Commercial Siding</b>													
<b>Permit Kind: Commercial Sign - Permanent</b>													
<b>Permit Kind: Multi-Dwelling (2+ Units) New Construction</b>													
<b>Permit Kind: Residential Accessory Building</b>													
<b>Permit Kind: Residential Deck/Porch</b>													
<b>Permit Kind: Residential New Construction</b>													
<b>Permit Kind: Residential Remodel</b>													
2018-00066	09/26/2018	8840 ARONA AVE	0		135,050.00	1,569.17	1,019.96	67.52					2,656.65
<b>Permit Kind: Residential Repair</b>													
<b>Permit Kind: Residential Roofing</b>													
2018-00062	09/13/2018	8815 ALBERT AVE	0		8,000.00	145.00		1.00					146.00
2018-00061	09/12/2018	8824 DUNLAP AVE	0		12,500.00	145.00		1.00					146.00
2018-00067	09/27/2018	9212 GRIGGS AVE	0		6,872.70	145.00		1.00					146.00
2018-00064	09/20/2018	9539 GRIGGS AVE	0		28,700.00	145.00		1.00					146.00
<b>Permit Kind: Residential Siding</b>													
<b>Permit Type: Building - Totals</b>													
			9	0	255,622.70	3,555.72	1,648.08	103.77					5,307.57

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
	YTD		46	0	14,277,872.46	85,133.26	52,535.49	2,726.79		92	228,620.00		380,415.54

Permit Type: Mechanical

- Permit Kind: Commercial New Construction
- Permit Kind: Commercial Remodel
- Permit Kind: Residential Addition
- Permit Kind: Residential Remodel

Permit Type: Mechanical - Totals

Period	0												
YTD	7	0	585,000.00	11,900.00	7,605.00	297.50							19,802.50

Permit Type: Plumbing

- Permit Kind: Commercial New Construction
- Permit Kind: Commercial Remodel
- Permit Kind: Residential New Construction
- Permit Kind: Residential Remodel

Permit Type: Plumbing - Totals

Period	1	0		150.00				1.00					151.00
YTD	5	0	948,440.00	19,308.80	4,926.20	477.22							24,712.22

Permit Type: Zoning

- Permit Kind: Residential Driveway
- Permit Kind: Residential Fence/Wall < 6 FT

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
<b>Permit Type: Zoning - Totals</b>													
			Period	0									
			YTD	6		360.00							360.00
<b>Report Total</b>													
			Period	10	0	3,705.72	1,648.08	104.77					5,458.57
			YTD	64	0	116,702.06	65,066.69	3,501.51		92	228,620.00		425,290.26

**MINUTES**  
**REGULAR PLANNING COMMISSION MEETING**  
**September 11, 2018 - 7:00 P.M.**  
**9180 Lexington Avenue, Lexington, MN**

1. CALL TO ORDER

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

*Chairperson Vanderbloomer called to order the Regular Planning Commission meeting on September 11, 2018 at 7:00 p.m. Commissioners Present: John Bautch, Michelle Koch, Gloria Murphy, and Ron Thorson. Also present: John Hughes, Councilmember; Bill Petracek, City Administrator.*

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

*Bautch made a motion to approve the agenda as typewritten. Thorson seconded the motion. Motion carried 5-0.*

4. LETTERS AND COMMUNICATION

- A. Building Permits for August 2018

*Vanderbloomer asked about the \$200,000 remodel of the old thrift store. Petracek stated that Anoka County Social Services is doing the remodel and will be moving from the Lovell Building to this new location. Discussion ensued.*

5. APPROVAL OF PLANNING COMMISSION MINUTES

- A. August 6, 2018

*Murphy made a motion to approve the August 6, 2018 minutes. Bautch seconded the motion. Motion carried 4-0.*

6. DISCUSSION ITEM:

- A. Discuss future agenda items for Planning & Zoning

*Petracek explained that in his discussions with the city attorney, they both feel that all of the zoning ordinances have been gone through and amended; they both agree there won't be much further discussion on the zoning regulations once the proposed Section 11.34 - Dimensional Requirements has had its public hearing in October. He added that he is going to have difficulty finding items to place on the agenda for future meetings except for project specific items. Vanderbloomer stated that maybe the Commission could go through*

*the adopted 2040 Comprehensive Plan chapter by chapter, so that the Commission understands it better. Discussion ensued.*

*Petracek suggested cancelling meetings if there aren't items for the agenda. Discussion ensued.*

*The consensus of the Commission is to have Planning and Zoning meetings even if there aren't items for the agenda.*

7. NOTE COUNCIL MINUTES:

- A. August 2, 2018
- B. August 16, 2018

*Vanderbloomer discussed the City Council's approval of the "Landings of Lexington" land use and the individual that was present at the meeting to ask questions about the development. Discussion ensued.*

8. PLANNING COMMISSION INPUT

*Bautch asked about who he would contact about neighbors burning garbage in their fire pit. Vanderbloomer stated to call the fire department via the non-emergency number, but suggested calling 911 since it is difficult to get a hold of them through the non-emergency number. He added that if necessary, the police department would issue a ticket if the burning is an unresolved problem. Discussion ensued.*

*Bautch asked about the timeframe of the Lovell Building demolition. Petracek stated that if everything goes smoothly, the building could potentially be razed by mid-November, barring any issues with existing tenants not being out of the building by October 31st. Discussion ensued.*

9. ADJOURNMENT

*Koch made a motion to adjourn at 7:47 p.m. Bautch seconded the motion. Motion carried 5-0.*

**Unapproved minutes  
CITY OF LEXINGTON  
REGULAR COUNCIL MEETING  
SEPTEMBER 6, 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 September 6, 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; Dominion Representatives, Logan Schmidt; Centennial School District Representatives; Joe Ackerman, Citizen; Quad Press reporter. Other various citizens.*

**2. CITIZENS FORUM**

*Joe Ackerman, 3875 Lovell road, Lexington, addressed the City Council stating he had discussed the speeding traffic on Lovell Road about two months ago. He added that traffic had slowed for about 2- months while the speed trailer was parked on the street. He explained that now it is back to high speed traffic in spite of him calling the police. Ackerman asked if there is anything else the City can do to help with the speeding. Discussion ensued.*

*Attorney Glaser explained that it is a County Road, and that maybe he should contact Commissioner Rhonda Siverajah about putting traffic calming devices in place, which may help. Discussion ensued.*

*Ackerman also asked about the Lovell Building project as to what type of housing. Petracek explained that it is affordable housing or workforce housing development, not low income. 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 5-0.*

**4. CENTENNIAL SCHOOLS REPORT:**

**Superintendent Brian Dietz**

*Representatives from Centennial School District provided an overview of the District's 2018 Annual Report.*

*Representatives providing information on the report:*

**Dan Melde – Director of Human Resources**  
**Scott Johnson – Director of Teaching and Learning**  
**Kathy Kaiser – Principal, Centennial Elementary**  
**Nick Christensen – Director of Alternate Learning**  
**Bob Stevens – Principal at Centennial Middle School**

**Dan Melde provided an overview of the proposed levy increases, both operational and capital levies, that will be asked of the voters at the General Election this year. Discussion ensued.**

**5. INFORMATIONAL REPORTS:**

- A. Airport (Councilmember Harris) – *No report*
- B. Cable Commission (Councilmember Murphy) – *Murphy explained that CenturyLink Cable/internet is fizzling out in member cities, and may not be able to maintain their franchise. Discussion ensued.*
- C. City Administrator (Bill Petracek) – *No report.*

**6. LETTERS AND COMMUNICATIONS:**

- A. Centennial Lakes Police Department Media Reports
  - 8-8-2018 – 8-14-18
  - 8-15-18 – 8-21-18
  - 8-22-18 – 8-27-18
- B. Anoka County Sheriff’s Office – Open House – September 13, 2018
- C. Council Workshop meeting minutes – August 16, 2018

***No discussion on Letters and Communications***

**7. CONSENT ITEMS:**

- A. Recommendation to Approve Council Minutes:  
Council Meeting – August 16, 2018
- B. Recommendation to Approve Claims and Bills:  
Check #'s 13584 through 13591  
Check #'s 43840 through 43903  
Check #'s 12152 through 12171  
Check #'s 12172 through 12183
- 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.***

## **8. ACTION ITEMS:**

- A. Recommendation to approve Resolution NO. 18-18 A Resolution Opposing the Concept of Allowing Strong Beer, Spirits & Wine To Be Sold, For Off Premise Consumption, At Any Outlet Other Than the Municipal Liquor Store

***Councilmember Hughes made a motion to approve Resolution No. 18-18 – A Resolution Opposing the Concept of Allowing Strong Beer, Spirits & Wine To Be Sold, For Off Premise Consumption, At Any Outlet Other Than the Municipal Liquor Store. Councilmember Devries seconded the motion. Motion carried 5-0.***

- B. Recommendation to approve Resolution NO. 18-19 A Resolution Approving Issuance and Sale of MultiFamily Housing Revenue Note (Landings of Lexington Project), Series 2018 Pursuant To Minnesota Statutes, Chapter 462C

***Councilmember Devries made a motion to approve Resolution NO. 18-19 A Resolution Approving Issuance and Sale of MultiFamily Housing Revenue Note (Landings of Lexington Project), Series 2018 Pursuant To Minnesota Statutes, Chapter 462C. Councilmember Harris seconded the motion. Motion carried 5-0.***

- C. Recommendation to approve Constitution Week Proclamation designating September 17 through 23, 2018 as Constitution Week

***Councilmember Harris made a motion to approve Constitution Week Proclamation designating September 17 through 23, 2018 as Constitution Week. Councilmember Murphy seconded the motion. Motion carried 5-0.***

- D. Recommendation to approve Special Event permit – Lexington Fall Festival September 21<sup>st</sup> through September 23<sup>rd</sup>, 2018

***Councilmember Harris made a motion to approve Special Event permit – Lexington Fall Festival September 21<sup>st</sup> through September 23<sup>rd</sup>, 2018. Councilmember Murphy seconded the motion. Motion carried 5-0.***

- E. Recommendation to approve request for Road Closure of South Highway Drive from Restwood Road to Griggs Avenue for Fall Festival.

***Councilmember Devries made a motion to approve request for Road Closure of South Highway Drive from Restwood Road to Griggs Avenue for Fall Festival. Councilmember Harris seconded the motion. Motion carried 5-0.***



- F. Recommendation to approve Fireworks Permit for RES Pyro for Lexington Fall Fest September 22, 2018 at Lexington Memorial Park

*Councilmember Harris made a motion to approve Fireworks Permit for RES Pyro for Lexington Fall Fest September 22, 2018 at Lexington Memorial Park. Councilmember Hughes seconded the motion. Motion carried 5-0.*

## **9. MAYOR AND COUNCIL INPUT**

*Attorney Glaser provided an explanation to a "Notice of Default" letter that was received from U.S. Solar regarding the agreement the City of Lexington had with them to provide solar energy subscription to Lexington's municipal buildings. He explained that the city administrator and he had tried to repair the relationship with U.S. Solar during a phone conference with their attorney, but they were not interested in listening to us. Discussion ensued.*

*Mayor Kurth invited everyone out for the fall festival September 21-23*

## **10. ADJOURNMENT**

*Councilmember Hughes made a motion to adjourn at 8:09 p.m. Councilmember Devries seconded the motion. Motion carried 5-0.*

**Unapproved minutes  
CITY OF LEXINGTON  
REGULAR COUNCIL MEETING  
SEPTEMBER 20, 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 September 20, 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; Travis Schmid, Public Works; Joe Ackerman, Citizen; Mark Smith, Citizen; Quad Press reporter.*

**2. CITIZENS FORUM**

*Joe Ackerman, 3875 Lovell Road, Lexington, MN. was present to explain that he had contacted Rhonda Sivarajah, Anoka County Commissioner, & Police Chief Coan. Ackerman stated that he is requesting that permanent speed control devices be installed on Lovell Road to control speeding traffic. Discussion ensued.*

*Mayor Kurth discussed petitioning Anoka County to install permanent speed control signs. Petracek recommended having the Council adopt a Resolution supporting speed control changes to Lovell Road. Discussion ensued.*

*Attorney Glaser drafted a Resolution and read it to the Council, which is to be approved by the Council and forwarded to Rhonda Sivarajah, Anoka County Commissioner.*

*Mark Smith, 3854 Lovell Road, Lexington, MN. Asked that a police officer sit on Lovell Road and issue tickets – people will eventually disregard speed signs. Discussion ensued.*

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

*Councilmember Devries made a motion to approve the agenda with the addition of Resolution 18-23 under action items. Councilmember Harris seconded the motion. Motion carried 5-0.*

**4. LETTERS AND COMMUNICATIONS:**

- A. Centennial Lakes Police Department Media Reports

- 8-29-2018 – 9-4-18

- 9-5-2018 – 9-11-2018

- B. Public Notice – Broadway Builders Open House
- C. Public Notice – Lexington Fall Fest – September 21-23, 2018
- D. Planning & Zoning meeting minutes – September 11, 2018
- E. North Metro TV August 2018 Update
- F. Circle Pines Lexington Lions -- Certificates of Appreciation
  - Lexington Liquors
  - Lexington Fire Department

***Mayor Kurth discussed Broadview Builders open house. He added that the Lions Club sent a Certificate of Appreciation to the fire department and the liquor store for their cooperation in their annual golf tournament. Discussion ensued.***

**5. CONSENT ITEMS:**

- A. Recommendation to Approve Council Minutes:  
Council Meeting – September 6, 2018
- B. Recommendation to Approve Claims and Bills:  
Check #'s 13592 through 13592  
Check #'s 43904 through 43959  
Check #'s 12184 through 12193  
Check #'s 12195 through 12206

VOID #XXXXXX

- C. Financial Reports
  - Cash Balances
  - Fund Summary – Budget to Actual

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

**6. ACTION ITEMS:**

- A. Recommendation to approve Resolution NO. 18-20 A Resolution Certifying Proposed tax Levy Requirements for 2019 To Anoka County for Collection

***Councilmember Devries made a motion to approve Resolution NO. 18-20 A Resolution Certifying Proposed Tax Levy Requirements for 2019 To Anoka County for Collection. Councilmember Harris seconded the motion. Motion carried 5-0.***

- B. Recommendation to approve Resolution NO. 18-21 A Resolution Canceling the Debt Service for 2019

***Councilmember Harris made a motion to approve Resolution NO. 18-21 A Resolution Canceling the Debt Service for 2019. Councilmember Murphy seconded the motion. Motion carried 5-0.***

- C. Recommendation to approve Resolution NO. 18-22 A Resolution Adopting Liquor License for Lexington Fall Festival

***Councilmember Harris made a motion to approve Resolution NO. 18-22 A Resolution Adopting Liquor License for Lexington Fall Festival and waiving fee for license. Councilmember Devries seconded the motion. Motion carried 5-0.***

- D. Recommendation to approve Park Board recommendation appointing Troy Fields to the Lexington Park Board

***Councilmember Devries made motion to approve Park Board recommendation appointing Troy Fields to the Lexington Park Board. Councilmember Harris seconded the motion. Motion carried 5-0.***

- E. Recommendation to approve Resolution 18-23 – A Resolution Requesting Assistance from Anoka County for Speeding on Lovell Road.

***Councilmember Harris made a motion to approve Resolution 18-23 – A Resolution Requesting Assistance from Anoka County for Speeding on Lovell Road. Councilmember Devries seconded the motion. Motion carried 5-0. Attorney Glaser read the approved Resolution to the audience.***

## **7. MAYOR AND COUNCIL INPUT**

***Councilmember Devries informed the council about the outdoor movie at the Tree of life Church for the Fall Festival. Discussion ensued.***

***Mayor Kurth informed the Council about the Fall Festival spaghetti dinner at the fire station that starts at 6:00 p.m. Friday, and Saturday Fire Department 5K and Open House. Discussion ensued.***

## **8. ADMINISTRATOR INPUT**

***No input from the administrator***

## **9. ADJOURNMENT**

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