

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

**ORDINANCE # 18-17**

**A RESOLUTION OF THE CITY COUNCIL OF LEXINGTON, MINNESOTA,  
APPROVING LAND USE ACTIONS FOR THE LANDINGS AT LEXINGTON**

WHEREAS, the Planning and Zoning Commission held a public hearing on August 6, 2018, to consider various land use applications for redevelopment of these Subject Parcels:

- Parcel A:
  - Commonly known as the Lovell Building.
  - Zoned within a B-1 district.
  - Legally described as, Lexington Park, Block 1, Lots 9 through Lot 12, together with the South 218 feet of the North 1285 feet of the East 200 feet of the Southeast Quarter of Section 26, Township 31, Range 23, except roadway, and subject to easement of record.
- Parcel B
  - Commonly known as the Otte property.
  - Zoned within an R-1 district.
  - Legally described as, Lexington Park, Block 1, Lot 8.

WHEREAS, the following actions were before the Commission:

- A. Rezone Parcel A (B-1 district) and Parcel B (R-1 district) into the M-1 district, and amend the 2030 Comprehensive Plan to accommodate same.
- B. Combine Parcels A and Parcel B for inclusion into a preliminary Plat entitled “Landings at Lexington” described as, Lot 1, Block 1, Landings at Lexington, Anoka County, Minnesota, Torrens property.
- C. Approve the preliminary Plat for “Landings at Lexington.”
- D. Consider a Planned Unit Development for the “Landings at Lexington” to include a Conditional Use Permit.

WHEREAS, the Commission expressed the following findings:

- 1) Request to Rezone and Combine Parcel A and Parcel B

Expansion of the existing B-1 zone to include the adjoining R-1 zoned parcel was an appropriate use for that parcel. The expansion did not create high impacts to the adjoining residential parcels because the planned redevelopment calls for a parking lot and driveway separating and buffering them from the apartment building. Adding Parcel B to the existing B-1 zone also allowed for expansion of the footprint of the proposed apartment building such that it decreased the number of units per acer of the proposed development. The City's 2030 Comprehensive Plan only needs an amendment to guide Parcel B into the business use zone. After that amendment, Parcels A and B will be present in a zone guided for business use similar to either a B-1 or M-1 district.

Rezoning the combined B-1 parcels into an M-1 district will give the new business flexibility to rent the planned corner common space to an income-producing tenant other than residential rental property. The City's Comprehensive Plan guides this parcel similarly whether it is in a B-1 or M-1 district.

## 2) Request to Approve Preliminary Plat and Planned Unit Development.

Overall, the proposed redevelopment did not create a high impact on the surrounding residential properties to the north and west, and was consistent with the character of properties to the south and east.

The proposed redevelopment plans have designed elements intended to minimize specific impacts against the surrounding residential properties. Buffer impacts will be minimized by saving the existing mature forest and by the addition of property screening and landscaping. The use of underground parking exiting to the north will help minimize buffer impacts and traffic impacts by diverting traffic away from most of the nearby residential properties. The proposed parking and driveway design lowers traffic impacts on the adjoining residential streets by encouraging traffic toward Lexington Avenue and thereafter Lake Drive and Highway 35W.

Conditions existing on the Subject Parcels and structure create high redevelopment costs. These high costs are sufficient to relax performance standards in order to encourage redevelopment of the site. Moreover, the Builder's commitment to connect residents of its building with downtown businesses gives the City an incentive to relax performance standards to bring these potential customers closers to downtown business. A Conditional Use Permit should be used to control variances from the City's performance standards from expanding in the future.

3) Variance Requests As Part Of The Planned Unit Development (shown in *Italics*)

ELEMENT	M-1 DISTRICT STANDARD	PLANNED UNIT DEVELOPMENT VARIANCE
Units Per Acre	Allowed 20 Units/Acre	<i>35 Units/Acre</i>
Height	45 Feet	<i>60 Feet Max. - to roof centerline</i>
Front Setback (Street)	35 Feet	<i>25 Feet*</i>
Rear Setback	30 Feet	<i>25 Feet*</i>
Parking SB - Side	10' (20 from residential zone)	<i>10 Feet</i>
Parking SB - Rear	10' (20 from residential zone)	<i>10 Feet</i>
Auto Parking	2.0 spaces per dwelling	<i>1.5 spaces per dwelling unit</i>
Parking Dimensions	Surface Parking - 9' x 20'	<i>Surface Parking - 9' x 18'</i>
Parking Screening	Required facing residential lots	Required facing residential lots
<i>*This include variances allowing for patios, porches, canopies, decks and other similar spaces to project up to 10 feet into the required setbacks, as shown on building plans and as approved by the City Building Official.</i>		

The need for these variances generally fall along two lines, the desire to shift impacts away from existing residential properties and the need to increase the number of apartments in order to justify the high cost of redeveloping this site.

The building is shifted east on the parcel towards Lexington Avenue away from the neighboring residential properties. Constructing underground parking reduces surface parking and surface traffic outside the apartment building occurring within sight of the residential properties. While underground parking is also an amenity to the building residents, constructing underground parking increases building height to accommodate the extra floor of underground parking. The design of the underground parking and driveway system encourages traffic from using the nearby residential streets. The exit to the underground parking on the north side of the property is adjacent to Lexington Avenue. Finally, statics show how a building of this size will have far less that an average of two cars per unit.

WHEREAS, the Commission recommended the City Council approve all of the aforementioned actions. With respect to the Conditional Use Permit, the Commission recommended approval of all conditions identified thus far but leave final approval of the Conditional Use Permit open until the close of construction to in order to add conditions to the permit that may arise during the construction process.



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:

- A. Rezone Parcel A (B-1 district) and Parcel B (R-1 district) into the M-1 district, and amend the 2030 Comprehensive Plan to accommodate same. Staff is directed to revise the City's official zoning maps and Comprehensive Plan accordingly.
- B. Combine Parcels A and Parcel B for inclusion into a preliminary plat entitled "Landings at Lexington" and described as, Lot 1, Block 1, Landings at Lexington, Anoka County, Minnesota, Torrens property.
- C. Approve the preliminary plat for "Landings at Lexington."
- D. Approve a Planned Unit Development for the "Landings at Lexington" to include the following variances:

ELEMENT	PLANNED UNIT DEVELOPMENT VARIANCE
Units Per Acre	<i>35 Units/Acre</i>
Height	<i>60 Feet Max. - to roof centerline</i>
Front Setback (Street)	<i>25 Feet*</i>
Rear Setback	<i>25 Feet*</i>
Parking SB - Side	<i>10 Feet</i>
Parking SB - Rear	<i>10 Feet</i>
Auto Parking	<i>1.5 spaces per dwelling unit</i>
Parking Dimensions	<i>Surface Parking - 9' x 18'</i>
<i>*This include variances allowing for patios, porches, canopies, decks and other similar spaces to project up to 10 feet into the required setbacks, as shown on building plans and as approved by the City Building Official.</i>	

- E. Approve a Conditional Use Permit as part of the Planned Unit Development for the "Landings at Lexington," to include conditions adopting:
  - i. construction and landscape plans,
  - ii. screening between the development and residential parcels,
  - iii. construction of a sidewalk connecting the development with the corner of Lexington Avenue and Lake Drive, and;
  - iv. planned unit development variances stated in the table, above,

The Permit process shall remain open for inclusion of further conditions as may be discovered during the planning and construction process, and as approved by the City Council.

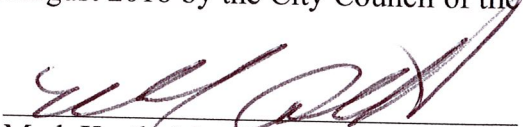
- F. Implementation of this Planned Unit Development and preliminary Plat are contingent on the following:
- i. Applicants shall enter into a Construction Development Agreement with the City for the purpose set forth above and as otherwise dictated by law.
  - ii. Applicants shall record a Conditional Use Permit authorized by the City against the finalized parcel, and this shall be a condition for issuance of a certificate of occupancy.
  - iii. 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 and publication.

PASSED AND DULY ADOPTED this 16th day of August 2018 by the City Council of the City of Lexington.

Attest:

  
\_\_\_\_\_  
Bill, Petracek, City Administrator

  
\_\_\_\_\_  
Mark Kurth, Mayor