

VILLAGE OF LEXINGTON
Public Hearing and Planning Commission Regular Meeting
Monday, May 7, 2018
7 p.m.

Public Hearing Called to Order: Chairperson Mike Ziegler

Purpose of the Public Hearing: The purpose of the hearing is take comments on comments on the proposed changes to the Village Zoning Ordinance, Sidewalk Cafés Section 1.4 and 5.29, Daycare Centers Section 4.4, Murals Sections 8.1, 8.4 and 8.6, Cottage Lots Sections 2.2 and 3.4 and Short Term Rentals Sections 2.2, 4.4 and 5.25

Public Comment

Patrick- 5533 Main Street – In disagreement with the proposed short term rentals. Opposed to fees and regulations. Could result in a loss of revenue and could open the Village up to litigation.

Carol Watson- 7084 Maplewood – Concerns about the \$200 fees and what is the money being used. Is the registration fee for owner or per rental unit.

Closed Public Hearing at 7:07 p.m.

Regular Planning Meeting Called to Order: 7:07 p.m.by Chairperson Mike Ziegler

Roll Call by Beth Grohman, Village Clerk

Present- Kaatz, Macksey, McCombs, Reinhard, Fulton Huepenbecker, Morris, Stencil, Ziegler

Absent –None

Others Present –Beth Grohman, Jerry Dawson, Holly Tatman and 14 citizens

Introduction of Village Manger Holly Tatman

Approval of Agenda: Motion by Macksey, seconded by Huepenbecker, to approve the agenda as presented.

Discussion – Two additions, Black Lotus Salon Site Plan and Budget Revisions Macksey amended his motion to approve the agenda with additions, amendment supported by Huepenbecker.

All Ayes

Motion carried

Approval of Minutes: April 2 and April 5, 2018

Motion by Reinhard, seconded by Stencil, to approve the minutes of April 2, 2018 as presented.

All Ayes

Motion carried

Motion by Macksey seconded Stencil, to approve the minutes of April 5, 2018 with corrections.

All Ayes

Motion carried

Public Comment – None

Old Business:

1. Sidewalk Café Ordinance - Motion by Macksey, seconded by Morris, to recommend approval to Council the amendments to the Sidewalk Café Ordinance Section 4.4 and 5.19 as presented.

All Ayes

Motion carried

2. Daycare Centers- Motion by Huepenbecker, seconded by McCombs to recommend approval to Council the amendments to C-1 and C-2 districts adding daycare centers as a conditional land use.

All Ayes

Motion carried

3. Murals – Motion by Huepenbecker, seconded by Reinhard, to recommend approval to Council the amendments to Murals, Section 8.1, 8.4 and 8.6 as presented.

Ayes – Kaatz, Macksey, McCombs, Reinhard, Fulton, Huepenbecker, Morris, Ziegler

Nays- None

Abstain - Stencil

Motion carried

4. Cottage Lots – Motion by Macksey, seconded by Morris, to recommend approval to Council the amendments to Cottage Lots, Section 2.2 and 3.4.1 as presented.

All Ayes

Motion carried

5. Short Term Rentals – Motion by Reinhard, seconded by Huepenbecker to recommend approval to Council Short Term Rental Ordinance Sections 2.2, 4.4, 5.25 as presented.

Discussion-

McCombs – Request to have an address in the kitchen, which is already addressed under the good neighbor guide. Replacement of # 2 with “placement of an exterior street number for emergency purposes.”

Macksey – Concerned about addressing long term as well as short term rentals.

Morris – Questions regarding average frontage of homes.

Reinhard – Trying to avoid cluster of short term rentals. Reminder to everyone that short term rentals are not allowed in the residential areas of the Village.

Ziegler – Lodging is a crucial need in the Village. Places have been rented in the Village for over a hundred years, without any problems. Singling out short term rentals and forcing them to abide by rules that are not required for long term rentals.

Huepenbecker – Feels the ordinance a reasonable compromise.

Reinhard amends the motion, supported by Huepenbecker

Roll Call

Ayes- Reinhard, Huepenbecker, Kaatz, Macksey, McCombs, Fulton, Morris
Nays – Ziegler

Abstain – Stencel

6. RFQ for Planner – Kaatz explained that the DNR has selected Edgewater for their planner and recommended the Village use the same planner to save on duplicating services and save on money. Questions regarding how many Master Plans they performed. Members requested information on the communities Edgewater has worked with. Kaatz stated Edgewater is experienced with the RRC. Huepenbecker requested written documentation on grant spending timeline. Members requested the RFQ be submitted, should not be single sourcing. Village Manager Tatman to start the process of RFQ submission.

7. R1-C Zoning District – Morris reported he spoke with the Director of the Health Department regarding septic systems, and there are no legal ramifications if there is no access to sewer systems. Motion by Macksey, seconded by Stencel, forward to the Village Planner, with Council approval, an amendment to the Village Zoning Ordinance to add district classification R1-C., low density, further to amend section 4.5, schedule of area, height and width setbacks to add the R1-C District and the applicable regulations for area, height and width setbacks, and further to amend the Village of Lexington's property parcel map, zoning map and zoning legend to add zoning R1-C and to classify all property parcels residing north of 152-025-100-140-00, west of Main Street (M25) south of the north Village corporate limits, east of the Village corporate limits, to R1-C.

Discussion on setbacks and requirement to tap in should sewers become available.

All Ayes, Motion carried

8. Demolition Ordinance – Water Suppression – It was recommended that the Village rely on the county suppression regulations and revert back to the bond required.

9. Budget Revision Request – Morris request to modify the budget and allow the commission to have access to the funds for the planner and attorney as needed. Motion by Morris, seconded by Fulton, that the Commission submit budget modifications to Council with clarification the commission have the authority to manage the budget for the Planner and Attorney, without Council approval.

All Ayes, Motion carried

New Business:

1. Black Lotus Salon- Site Plan Review – Discussion on site plan for new beauty salon. Plan submitted is for a three chair salon, which requires three parking spots per chair. Plan always includes gravel parking area in the back side of the property for employee parking. Greenbelt would be required in the employee parking area. Motion by Morris, seconded by Stencel to recommend approval with the conditions that recommend parking for employees on gravel that treeline on the east side of the property line and go to council for final approval.

Discussion

Owners can open with two chairs, only requiring six parking spaces, and won't require approval for the gravel parking until a third chair is added and a permanent solution.

No site plan review approval required for two chairs. Adding the third chair to be addressed at a later date. Dawson may approve permit without council approval at this time.

All Ayes, Motion carried

Public Comment –

Carol Watson – Questions regarding stay time limit, owners out of state, good neighbor guidelines, and payment of registration fees.

Greg Brown –Commented on planner and mtin site, thanked members for time on R1-C, bond payment for demolition, and time lapse over the winter months and parking.

Peter Muoio – Commented on the planning commission funds and short term rentals, no problems with short term rentals

Jerry Dawson –Commented on R1-C, roads and open ditches.

Steve Stencil – Requested that Planning by-laws be addressed, would like to see it on next agenda.

Adjournment - Motion by Kaatz, seconded by Reinhard, to adjourn at 8:50 p.m.

All Ayes

Motion Carried

Beth Grohman