

# PLANNING COMMISSION CITY OF LEXINGTON

## DETERMINATION FORM

On **March 4, 2009**, the Lexington, Nebraska Planning Commission, at its regular meeting, recommended **Approval** (Approval/Disapproval) of a **Rezoning** (Rezoning, Special Use, Subdivision, Variance, Zoning, Zone Appeal, Etc.) Request located at **Block 3, Parkview Addition** (Location) from **R-3 Multiple Residential District to RP-3 Planned Residential District** for **Greater Lexington Corp** (Name).

The Lexington Planning Commission made the following motion:

Motion by: **Mark Yung**

Seconded by: **Dora Vivas**

Motion: **Following discussion involving comprehensive plan compliance, rental guidelines, layout of the units and the streets, and traffic concerns, moved by Yung, seconded by Vivas, to recommend to the City Council approval of the rezoning application as presented.**

Roll Call. **Voting “aye” were Sutton, Smith, Evans, Vazquez, Heineman, Fagot, Vivas, Yung, Bennett. Motion carried.**

Pamela Berke  
Planning Secretary

# PLANNING COMMISSION CITY OF LEXINGTON

## DETERMINATION FORM

On **March 4, 2009**, the Lexington, Nebraska Planning Commission, at its regular meeting, recommended **Approval** (Approval/Disapproval) of a **Development Plan** (Rezoning, Special Use, Subdivision, Variance, Zoning, Zone Appeal, Etc.) Request located at **Block 3, Parkview Addition** (Location) for **Greater Lexington Corp/Legend Oaks Housing Project** (Name).

The Lexington Planning Commission made the following motion:

Motion by: **Steve Smith**

Seconded by: **Mark Yung**

Motion: **Weinhold added that the preliminary plat should be considered a development plan to correspond with the requested RP-3 zoning of the area. Following discussion on the plats, moved by Smith, seconded by Yung, to recommend to the City Council approval of the Replat of Block 3, Parkview Addition, providing that adequate turning radius on the east end of 19<sup>th</sup> Street Place is ensured.**

Roll Call. **Voting “aye” were Sutton, Evans, Vivas, Vazquez, Heineman, Fagot, Yung, Smith, Bennett. Motion carried.**

Pamela Berke  
Planning Secretary

Administrative Use Only

Date Submitted 2/12/09  
Filing Fee \$100.00  
Cert. Of Ownership \_\_\_\_\_  
Date Sign Posted \_\_\_\_\_

Case Number \_\_\_\_\_  
Accepted By \_\_\_\_\_  
Date Advertised \_\_\_\_\_  
Date of Public Hearing \_\_\_\_\_

**APPLICATION FOR REZONING**

**CITY OF LEXINGTON**

\*For an amendment to the zoning map, items 1 through 12 must be filled out completely before acceptance of this application for processing.

1. Property Owner's Name Greater Lexington Corporation / Community Redevelopment Authority of Lexington
2. Property Owner's Address 406 East 7th St., P.O. Box 70, Lexington
3. Telephone Number (Home) 308-324-2341 (Work) same
4. Developer's Name Mesner Development Co.
5. Developer's Address 2604 26th Avenue, P.O. Box 335, Central City, NE 68826
6. Telephone Number (Home) 308-946-3826 (Work) same
7. Present Use of Subject Property vacant
8. Proposed Use of Subject Property housing - elderly
9. Present Zoning R-3 Requested Zoning RP-3
10. Legal Description of Property Requested to be Rezoned Block 3, Parkview Addition to the City of Lexington, Dawson County, Nebraska  
Approximate Street Address and Location West 20th Street - south side
11. Area of Subject Property, Square Feet and/or Acres 260,631 sq. ft = ≈ 5.98 Acres
12. Characteristics of Adjacent Properties (including zoning and actual use)  
North: residential South: residential  
East: residential West: church

The following information must be submitted at the time of application:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Application Fee           | <input checked="" type="checkbox"/> Vicinity Map  |
| <input checked="" type="checkbox"/> Justification of Rezoning | <input checked="" type="checkbox"/> Written Statement of Authorization from all Property Owners |
| <input type="checkbox"/> Blueline copies of site plan         |   |
| <input checked="" type="checkbox"/> Reduced copy of site plan |   |

I/We, the undersigned, do hereby acknowledge that I/We do agree with the provisions and requirements for an application for rezoning as described above. I/We the undersigned do hereby agree to allow City of Lexington employees or agents working for the City of Lexington to enter the above referenced property as it pertains to this application.

Greater Lexington Corporation  
Signature of Owner

Mesner Development Co - Developer  
Cristy R. Larson  
Signature of Applicant

By: J. Reppert

FEB 12 2009

**Justification of Re-zoning:**

The property will be the site of newly constructed duplexes to be managed by the Housing Authority of the City of Lexington. Block 3 is currently zoned R-3 which allows for duplexes. The parties are proposing to change the zoning to RP-3 in order allow a design of Block 3 for the construction of a total of 19 duplexes. These units will serve elderly persons 55 years of age and older. The first phase will include construction of 10 duplexes within the next year and the second phase is for 9 more proposed duplexes to be built at a later time. Redesigning Block 3 in this manner will offer a neighborhood feel to the area.

**Statement of Authorization from all Property Owners:**

The current property owner is The Greater Lexington Corporation. Great Lexington Corporation may sell the property to the Community Redevelopment Authority of Lexington before the re-platting and/or re-zoning are completed.

By signing this statement, the Owner and interested parties hereby authorize the re-zoning and re-platting of Block 3 to a Planned Unite Development zoned RP-3.

The Greater Lexington Corporation

Community Redevelopment Authority of  
Lexington

  
\_\_\_\_\_

  
\_\_\_\_\_

REZONING CHECKLIST

Case No.: \_\_\_\_\_  
Date Filed: \_\_\_\_\_  
Date Advertised: \_\_\_\_\_  
Date Notices Sent: \_\_\_\_\_  
Public Hearing Date: 3-4-09 P.C.;

APPLICANT:

Greater Lexington Corporation

LOCATION OF PROPERTY:

Block 3, PARKVIEW ADDITION  
Southwest of 20th & ADAMS ST. INTERSECTION

PRESENT ZONING: R-3 REQUESTED ZONING: RP-3

PRESENT USE OF PROPERTY:

vacant land

SURROUNDING LAND USE AND ZONING:

	<u>Land Use</u>	<u>Zoning</u>
North	<u>Residential</u>	<u>R-2</u>
South	<u>Residential</u>	<u>R-3</u>
East	<u>Residential</u>	<u>R-1</u>
West	<u>Residential</u>	<u>R-2</u>

CHARACTER OF NEIGHBORHOOD:

Residential along Adams Street Corridor

NEAREST EQUIVALENT ZONING: .

LOCATION: Adjacent  
CURRENT USE: Residential

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts? No, would fit residential uses.
2. Are there substantial reasons why the property cannot be used in accord with existing zoning? YES If yes, explain need to reduce minimum lot requirements to meet project needs

3. Are there adequate sites for the proposed use in areas already properly zoned?  
No If yes, explain \_\_\_\_\_

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with development policies? YES  
2. Consistent with future land use map? YES  
3. Are public facilities adequate? YES

TRAFFIC CONDITIONS:

1. Street(s) with access to property: 20<sup>th</sup> Street, future 18<sup>th</sup> St.  
2. Classification of street(s):  
Arterial \_\_\_\_\_ Collector \_\_\_\_\_ Local X Lanes  
3. Right-of-way width: 48-50'  
4. Will turning movements caused by the proposed use create an undue traffic hazard? No  
5. Comments on traffic: traffic created, local in nature

SHOULD PLATTING OR REPLATTING BE REQUIRED TO PROVIDE FOR:

1. Appropriately sized lots? YES, to accommodate project needs.  
2. Properly sized street right-of-way? NO, simply needs to be platted  
3. Drainage easements? "  
4. Utility easements:  
Electricity? "  
Gas? "  
Sewers? "  
Water? "  
5. Additional Comments: The replat of the parcel is needed prior to development; per prior agreements.

UNIQUE CHARACTERISTIC OF PROPERTY IN QUESTION:

NONE

ADDITIONAL COMMENTS:

Proposed project is a housing development for individuals 55+ years of age in mixed income levels.

**Administrative Use Only**

Date Submitted 2/12/09 Case Number \_\_\_\_\_  
Filing Fee \$100.00 Accepted By \_\_\_\_\_  
Date Advertised \_\_\_\_\_ Date Property Posted \_\_\_\_\_

**SUBDIVISION PLAT APPLICATION**

**CITY OF LEXINGTON**

1. Applicant's Name Greater Lexington Corp / Mesner Development Co.
2. Applicant's Address 2604 26<sup>th</sup> Ave., Central City, NE 68826
3. Applicant's Telephone Number 308-946-3826
4. Within City Limits yes Within Zoning Jurisdiction R-3  
(change to RP-3)

February  
Date Paid \_\_\_\_\_

Cristy R. Larson  
Signature Of Applicant  
Mesner Development Co.

PRELIMINARY PLAT CHECKLIST

Subdivision No.: \_\_\_\_\_

Date Filed: \_\_\_\_\_

- 1. Name of Subdivision: Replat of Block 3, PARKVIEW ADDITION
- 2. Name of Owner: Greater Lexington Corporation
- 3. Name of Subdivider: Same
- 4. Name of Person who prepared the Plat: Miller & Associates
- 5. Date of Hearing: 3-4-09

Instructions:

The following checklist is to be completed by the Building Inspector and shall accompany the Preliminary Plat when it is submitted to the Planning Commission. If the answer to any of the questions is "No," a written explanation must accompany this checklist.

6. Does the Preliminary Plat show the following information?

	<u>Yes</u>	<u>No</u>
A. Name of the subdivision	<u>X</u>	_____
B. Location of boundary lines and reference to section or quarter-section lines.	<u>X</u>	_____
C. Legal description, complete with Section, Township, Range, Principal Meridian, City.	<u>X</u>	_____
D. Name and address of owner(s).	<u>X</u>	_____
E. Name and address of subdivider(s).	<u>X</u>	_____
F. Name of engineer and/or surveyor who prepared the Preliminary Plat.	<u>X</u>	_____
G. Scale of Plat, 1" = 100' or larger, and north arrow.	<u>X</u>	_____
H. Date of preparation and basis for north.	<u>X</u>	_____
I. Current zoning classification and proposed use of the area being platted.	_____	<u>X OTHER APPLICATION</u>
J. Location, width and name of platted streets or other public ways, railroad rights-of-way, utility easements, parks and other public open spaces and permanent buildings within or adjacent to the proposed subdivision.	<u>X</u>	_____
K. Location of existing sewers, water mains, gas mains, culverts or other underground installations within or adjacent to the proposed subdivision with pipe size, manholes, grades, and location.	_____	<u>X</u>
L. Names of adjacent subdivisions together with arrangement of streets and lots and owners of adjacent parcels of un subdivided land.	<u>X</u>	_____



	Yes	No
M. Topography at contour intervals of not more than five (5) feet referred to USGS datum and location of water courses, bridges, wooded areas, lakes, ravines and other significant physical features.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
N. Arrangement of lots and their approximate sizes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
O. Location and width of proposed streets, alleys, pedestrian ways and easements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P. General plan of sewage disposal, water supply and utilities, if public.	<input type="checkbox"/>	<input type="checkbox"/> - overall plan
Q. Notation of type of sewage disposal and water supply if non-public.	<input type="checkbox"/>	<input type="checkbox"/> N/A
R. Location and size of proposed parks, playgrounds, churches, school sites, or other special uses of land to be considered for reservation for public use.	<input type="checkbox"/>	<input type="checkbox"/> N/A
S. Relationship to adjacent unsubdivided land.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
T. Approximate gradient of streets.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
U. Gross acreage of the subdivision; acreage dedicated to streets and other public uses; total number of buildable lots; maximum, minimum and average lot sizes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Does the proposed subdivision design conform to the Comprehensive Plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed subdivision make the development of adjacent property more difficult?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Are lots sized appropriately for zoning district?	<input checked="" type="checkbox"/>	<input type="checkbox"/> RP-3
10. Are all lots free from flood plain encroachment?	<input type="checkbox"/>	<input type="checkbox"/>
11. Are drainageways and other drainage facilities sufficient to prevent flooding both on-site and off-site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Are all lots buildable with respect to topography, drainageways, bedrock, and soil conditions?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. Do proposed street grades and alignment meet all requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/> RP-3
14. Were twelve (12) copies of the preliminary plat submitted?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15. Was the preliminary plat fee of \$_____ paid?	<input checked="" type="checkbox"/>	<input type="checkbox"/>