

**CITY OF LEXINGTON, NEBRASKA
PLANNING COMMISSION
April 1, 2009**

A Regular Meeting of the Lexington Planning Commission was held Wednesday, April 1, 2009, at the Lexington Municipal Building, 406 E. 7th Street, Lexington, Nebraska, at 5:30 p.m. Commissioners present were Curt Bennett, Cathy Fagot, Steve Smith, Mark Yung, Rusty Sutton, Doug Heineman, Dora Vivas, and Nancy Evans. Eli Vazquez arrived at 5:35 p.m. City Officials present were Assistant City Manager Dennis Burnside, City Attorney Will Weinhold, Building Inspector Tom Nelson, Bill Brecks and Secretary Pamela Berke. Also attending were Diane Adams, Housing Authority, and Dennis Fleming.

NOTICE:

Notice of the meeting was given in advance, thereof by posting in the following locations: Lexington Municipal Building, Dawson County Courthouse, Plum Creek Bank, TierOne Bank, Pinnacle Bank. Notice of the meeting was simultaneously given to the Chairman and all Members of the Planning Commission. The proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. All items presented and discussed on the Agenda were available for public inspection.

CALL TO ORDER:

The meeting was called to order by Chairman Curt Bennett. The Chairman informed the public that the Open Meetings Act is posted in the Meeting Room at the Lexington Municipal Building, located at 406 East 7th Street, Lexington, Nebraska.

**MINUTES – MEETING
3-4-09**

Minutes of the Regular Meeting held Wednesday, March 4, 2009 were presented to the Lexington Planning Commission for consideration and approval. Moved by Fagot, seconded by Smith, to approve Minutes of the Regular meeting on Wednesday, March 4, 2009, as presented. Roll call. Voting “aye” were Sutton, Evans, Vivas, Heineman, Yung, Smith, Fagot, Bennett. Vazquez was absent from the vote. Motion carried.

PUBLIC HEARING:

Chairperson Bennett opened the public hearing to consider a special use permit application by Dennis Fleming to move buildings on to an R-1 zoned residential lot located at 1504 North Taylor. Mr. Fleming outlined his plans for the buildings already moved on to his property. He explained that he had poured footings for a garage several years ago that was not completed and intends to use these footings for one of the moved buildings. He stated that he did not realize that he needed permits from the city to move these buildings and noted that no inspections have been completed through the city building inspection department. Following his presentation, the public hearing was closed. Following discussion, moved by Fagot, seconded by Yung, to recommend approval of the special use permit application to the city council contingent upon an

inspection by city building inspection officials to ensure that the buildings meet their intended use and can be brought to city code requirements. Roll call. Voting “aye” were Heineman, Vazquez, Vivas, Evans, Smith, Sutton, Yung, Fagot, Bennett. Motion carried.

REDEVELOPMENT PLAN: Pepplitsch reviewed a redevelopment plan for the Legend Oaks Housing Project in Redevelopment Area #2. Following his presentation, Resolution No. 09-01 was read. Moved by Smith, seconded by Yung, to approve Resolution No. 09-01 as presented. Roll call. Voting “aye” were Fagot, Heineman, Vazquez, Vivas, Evans, Sutton, Yung, Smith, Bennett. Motion carried.

RESOLUTION 09-01

PLANNING COMMISSION OF THE CITY OF LEXINGTON, NEBRASKA

A RESOLUTION RECOMMENDING APPROVAL OF A REDEVELOPMENT PLAN OF THE CITY OF LEXINGTON, NEBRASKA, INCLUDING A REDEVELOPMENT CONTRACT, APPROVING A REDEVELOPMENT PROJECT OF THE CITY OF LEXINGTON, NEBRASKA; AND APPROVAL OF RELATED ACTIONS

WHEREAS, the Mayor and Council of the City of Lexington, Nebraska (the “City”), upon the recommendation of the Planning Commission of the City of Lexington, Nebraska (the “Planning Commission”), and in compliance with all public notice requirements imposed by the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “Act”), duly declared the redevelopment area legally described on Exhibit A attached hereto (the “Redevelopment Area”) to be blighted and substandard and in need of redevelopment; and

WHEREAS, pursuant to and in furtherance of the Act, a Redevelopment Contract, including a Redevelopment Plan (collectively, the “Redevelopment Contract”), has been prepared and submitted to the Planning Commission by the Community Redevelopment Authority (the “Authority”) of the City of Lexington, Nebraska and the Housing Authority of the City of Lexington, (the “Redeveloper”), in the form attached hereto as Exhibit B, for the purpose of redeveloping the Redevelopment Area legally described on Exhibit A; and

WHEREAS, the City has previously adopted and has in place a Comprehensive Plan, which includes a general plan for development of the City within the meaning of Section 18-2110 of the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF LEXINGTON, NEBRASKA AS FOLLOWS:

Section 1. The Commission hereby recommends approval of the Redevelopment Contract with such changes and revisions as are deemed appropriate by the Authority.

Section 2. The Commission hereby recommends approval of the Redevelopment Plan included in the Redevelopment Contract.

Section 3. All prior resolutions of the Commission in conflict with the terms and provisions of this resolution are hereby expressly repealed to the extent of such conflicts.

Section 4. This resolution shall be in full force and effect from and after its passage as provided by law.

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DATED: April 1, 2009.

PLANNING COMMISSION OF THE CITY OF LEXINGTON,
NEBRASKA

ATTEST: By: Curt Bennett, Chair
By: Pamela Berke, Recording Secretary

REPLAT PLAN:

Pepplitsch outlined the Replat of Block 3, Parkview Addition, as it relates to the Legend Oaks Housing Project. Following discussion, moved by Smith, seconded by Fagot, to recommend approval of the Replat of Block 3, Parkview Addition, to the City Council. Roll call. Voting "aye" were Heineman, Vazquez, Vivas, Evans, Sutton, Yung, Fagot, Smith, Bennett. Motion carried.

ROUNDTABLE:

Burnside provided some educational handouts for all commission members.

Heineman noted that the moratorium on the sale of foreclosed properties financed through Fannie Mae has expired so more properties within the city may be sold now.

Fagot requested information on maintenance on the infrastructure within the city.

ADJOURNMENT:

There being no further business to come before the Lexington Planning Commission, Chairman Bennett declared the meeting adjourned.

Respectfully submitted,
Pamela Berke
Planning Commission Secretary