

**CITY OF LEXINGTON, NEBRASKA**  
**PLANNING COMMISSION**  
**November 4, 2009**

A Regular Meeting of the Lexington Planning Commission was held Wednesday, November 4, 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, Doug Heineman, Dora Vivas, Rusty Sutton, Mark Yung, and Ellie Vazquez. Nancy Evans was absent. City Officials present were City Manager Joe Pepplitsch, Assistant City Manager Dennis Burnside, City Attorney Will Weinhold, Building Inspector Bill Brecks and Secretary Pamela Berke. The press was represented by the Kearney Hub. Dana Peterson, Don E. Price, Dave Smith, Theresa and Bruce Stuart, Irving Hiatt and son, Sharon Anderson, John and Pam Knapple, and Mick Weaver were also in attendance.

**NOTICE:**

Notice of the meeting was given in advance, thereof by publication in the Lexington Clipper-Herald, the designated method for giving notice, as shown by the Affidavit of Publication attached to these Minutes. 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  
10-7-09**

Minutes of the Regular Meeting held Wednesday, October 7, 2009, were presented to the Lexington Planning Commission for consideration and approval. Moved by Smith, seconded by Fagot, to approve Minutes of the Regular meeting on Wednesday, October 7, 2009, as presented. Roll call. Voting “aye” were Heineman, Vivas, Sutton, Yung, Fagot, Smith, Bennett. Absent from the vote was Vazquez. Motion carried.

**SUBDIVISION:**

Theresa Stuart presented the 1888 Subdivision, located at 43540 Road 756. She explained that this area would be used for residential purposes, separate from their farm holdings. As the area is less than 10 acres, a subdivision is required.

Moved by Smith, seconded by Yung, to recommend approval of the subdivision application with the addition of “Bruce Stuart” in the dedication. Roll call. Voting “aye” were Fagot, Heineman, Vivas, Vazquez, Sutton, Yung, Smith, Bennett. Motion carried.

Chairman Bennett opened a public hearing to consider an application to rezone 1888 Subdivision from A-1 Agricultural to R-1 Single Family Residential. Theresa and Bruce Stuart

explained that for ownership purposes, this area was being split from their farm ground in order to build a residence. Pepplitsch explained that R-1 Residential zoning would be necessary to accommodate the residential structure on the lot. There being no other discussion, the public hearing was closed.

Moved by Fagot, seconded by Sutton, to recommend approval of the rezoning application for 1888 Subdivision from A-1 to R-1. Roll call. Voting "aye" were Heineman, Vivas, Vazquez, Smith, Yung, Sutton, Fagot, Bennett. Motion carried.

**PUBLIC HEARING:**

Chairman Bennett opened a public hearing to discuss the rezoning application by Don E. Price to rezone Price's Third Addition from R-1 Residential to R-4 Mobile Home Dwelling District. Dana Peterson, Miller and Associates, outlined what improvements have been completed in adjoining properties as required by past agreements and future plans for this area. The intent is to develop the property into an expansion of the current mobile home park, thus a rezone would be necessary.

Pam Knapple and Sharon Anderson, both residents of Jamel Road, voiced their concerns regarding required recreation areas for families. Peterson replied that city code requires 300 square feet per lot in the court and the proposed green space/buffer area fulfills that requirement.

John Knapple, Jamel Road, cited proposed zoning areas in the City comprehensive plan as R-1 and R-2 and requested commission consideration of these recommendations. There being no more public comments, the public hearing was closed by Chairman Bennett.

Commission member Yung commented that this area is suited R-4 zoned area as it is contiguous with other R-4 zones. He also expressed his approval of the plans to include green space as a buffer between the addition and Lockhart Subdivision. There being no more discussion, moved by Yung, seconded by Vivas, to recommend approval to the City Council of the application for rezoning of Price's Third Addition as presented. Roll call. Voting "aye" were Fagot, Heineman, Vazquez, Smith, Sutton, Vivas, Yung, Bennett. Motion carried.

**PUBLIC HEARING:**

Chairman Bennett opened a public hearing to discuss the annexation of Price's Third Addition. Peterson and Pepplitsch gave a review of the plans for the mobile home park, including green space/recreational areas, paving improvements, and utility easements. Pepplitsch explained the procedures for annexing property into the corporate limits. Following discussion, the public hearing was closed. Moved by Fagot, seconded by Smith, to recommend approval of the annexation of Price's Third Addition into the corporate limits. Roll call. Voting "aye" were

Yung, Sutton, Vivas, Vazquez, Heineman, Smith, Fagot, Bennett. Motion carried.

**SPECIAL USE PERMIT:**

Irving Hiatt, owner of Westminster Woods LLC, requested Commission consideration of a special use permit application for Lots 3 and 4, Westminster Woods Subdivision. He explained that the former dining hall would be used as an auction house and parking. The remainder of the area would be used as storage upon the construction of several storage buildings. Following discussion, moved by Smith, seconded by Yung, to recommend approval to the City Council of the special use permit application by Westminster Woods, LLC. Roll call. Voting "aye" were Fagot, Heineman, Vazquez, Vivas, Sutton, Yung, Smith, Bennett. Motion carried.

**ROUNDTABLE:**

Burnside noted that a special use agreement would likely be an item on the December meeting agenda.

**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