

**CITY OF LEXINGTON, NEBRASKA  
PLANNING COMMISSION  
September 5, 2012**

A Regular Meeting of the Lexington Planning Commission was held Wednesday, September 5, 2012, at the Lexington Municipal Building, 406 E. 7th Street, Lexington, Nebraska, at 5:30 p.m. Commission members present were Seth McFarland, Ellie Vazquez, Rusty Sutton, Curt Bennett, Cathy Fagot, Dora Vivas, Nancy Evans, Steve Smith, and Doug Heineman. City Officials present were City Manager Joe Pepplitsch, Assistant City Manager Dennis Burnside, Building Inspectors Bill Brecks, and Secretary Pamela Berke. The media was represented by KRVN Radio and the Kearney Hub. There were also numerous interested citizens 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 Chair Seth McFarland. The Chair 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  
8-1-2012**

Minutes of the Regular Meeting held Wednesday, August 1, 2012, were presented to the Lexington Planning Commission for consideration. Moved by Vivas, seconded by Evans, to approve Minutes as presented. Roll call. Voting “aye” were Bennett, Sutton, Smith, Vazquez, Heineman, Evans, Vivas, McFarland. Fagot was absent from the vote. Motion carried.

**MINUTES-WORKSHOP  
6-27-2012**

Minutes of the Comprehensive Plan Workshop held Wednesday, June 27, 2012, were presented for Commission consideration. Moved by Bennett, seconded by Sutton, to approved Minutes as presented. Roll call. Voting “aye” were Smith, Evans, Vivas, Vazquez, Heineman, Sutton, Bennett, McFarland. Fagot was absent from the vote. Motion carried.

**MINUTES-WORKSHOP  
7-19-2012**

Minutes of the Comprehensive Plan Workshop held Thursday, July 19, 2012, were presented for Commission consideration. Moved by Vivas, seconded by Smith, to approve Minutes as presented. Voting “aye” were Bennett, Sutton, Evans, Vazquez, Heineman, Smith, Vivas, McFarland. Fagot was absent from the vote. Motion carried.

**PUBLIC HEARING:**

Chair McFarland opened the public hearing to consider a rezoning application by Kent Schroeder for property located at the corner of Cherokee Road and Polk Street from R-1 Single Family Residential to R-2 Two Family Residential. As Schroeder was unable to attend, Pepplitsch gave a brief overview of the application.

Those who spoke in opposition of the rezoning included Nancy Hundley, Pam Teten, Dave Hofferber, Matt Weaver, Sharon Jorgensen, Mike Maguire, Larry Steinberger, Paul Franssen, Don Young, Rick Seberger, Nelson Halker, Jay Beck and Rainy Hoffmaster. They cited traffic congestion, safety for neighborhood children, line of site issues, spot zoning, and neighborhood covenants regarding single family dwellings. Following comments, the public hearing was tabled until October 3, 2012 meeting to allow Mr. Schroeder to present his plans for the development of the property.

**REDEVELOPMENT  
PLAN:**

Pepplitsch reviewed a proposed redevelopment plan from Orthman Investments, LLC for property in Redevelopment Area #1. He indicated that the Planning Commission’s task is to determine if the proposed redevelopment plan conforms to the general development plan of the community.

Following discussion, Resolution No. 2012-01 was presented. Moved by Bennett, seconded by Smith, to approve Resolution No. 2012-01 as presented. Roll call. Voting “aye” were Sutton, Evans, Vivas, Vazquez, Heineman, Fagot, Smith, Bennett, McFarland. Motion carried.

**RESOLUTION NO. 2012-01**

**A RESOLUTION OF THE LEXINGTON PLANNING  
COMMISSION, MAKING RECOMMENDATIONS**

WITH RESPECT TO A REDEVELOPMENT PLAN FOR AN AREA IN THE CITY OF LEXINGTON PURSUANT TO THE NEBRASKA COMMUNITY DEVELOPMENT ACT.

WHEREAS, the Mayor and City Council of the City of Lexington, Nebraska, (the “City”) by its Ordinance, created the Community Development Agency of the City of Lexington, Nebraska (the “Agency”) pursuant to Sections 18-2101 through 18-2153, Reissue Revised Statutes of Nebraska, as amended (the “Act”);

WHEREAS, the City has 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;

WHEREAS, the City adopted a resolution declaring an area of the City of Lexington as blighted and substandard in accordance with Section 18-2103 of the Act, after notice and hearing, as required by law;

WHEREAS, the Agency has published notice inviting proposals for Redevelopment Contracts for consideration by the Agency pursuant to Section 18-2111 of the Act;

WHEREAS, Orthman Investments, LLC, has submitted a proposed Redevelopment Plan as contained in the Redevelopment Contract (a copy of which is identified as “Redevelopment Contract” attached hereto as Exhibit A) to this Planning Commission of the City of Lexington for recommendations with respect to the proposed Redevelopment Plan;

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

RESOLVED, that the Planning Commission hereby makes the following findings with respect to the Redevelopment Plan:

1. The planning commission has reviewed the Redevelopment Plan as to its conformity with the general plan for the development of the City as a whole; and

2. The Planning Commission confirms that the area described in the Redevelopment Plan and the Redevelopment Contract is blighted and substandard as defined in the Nebraska Community Development Law.

3. The Planning Commission finds that the Redevelopment Contract and Redevelopment Plan, if implemented will help eliminate blight and substandard conditions in the area affected by the Plan.

4. The Planning Commission recommends the adoption and approval of the Redevelopment Plan, as contained in the Redevelopment Contract attached hereto as Exhibit A, with such amendments, additions and deletions as are deemed necessary by the Agency.

PASSED AND APPROVED by the Lexington Planning Commission this 5<sup>th</sup> day of September, 2012.

LEXINGTON PLANNING COMMISSION

**ROUNDTABLE:**

As the first comprehensive plan update process moves along, Burnside requested commission member input on individuals to invite to the upcoming focus group meetings.

**ADJOURNMENT:**

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

Respectfully submitted,  
Pamela Berke  
Planning Commission Secretary