

**CITY OF LEXINGTON, NEBRASKA
PLANNING COMMISSION
July 14, 2016**

A Regular Meeting of the Lexington Planning Commission was held Thursday, July 14, 2016, in the Council Chambers at the Lexington City Hall, 406 East 7th Street, Lexington, Nebraska, at 5:30 p.m. Commissioners present were Doug Heineman, Seth McFarland, Derek Haines, Jeremy Kaiser, Steve Smith, Ellie Quintero, Sadie Worthing and Curt Bennett. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Brian Copley, Development Services Director Bill Brecks and Secretary Pamela Baruth. The press was represented by Clipper-Herald.

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 Heineman who informed the public that the Open Meetings Act is posted in the Meeting Room at the Lexington City Hall, located at 406 East 7th Street, Lexington, Nebraska.

Newly appointed member Sadie Worthing was welcomed to the Planning Commission by Chairman Heineman.

MINUTES–MEETING 5-4-16: Minutes of the Regular Meeting held Wednesday, May 4, 2016, were presented and discussed. Moved by Bennett, seconded by Kaiser, to approve Minutes as presented. Roll call. Voting “aye” were Haines, Smith, McFarland, Quintero, Worthing, Kaiser, Bennett, Heineman. Motion carried.

PUBLIC HEARING: Chair Heineman opened a public hearing to consider an application for a Conditional Use Permit by MMSC, LLC for property located at 107 West 6th Street for a multi-family dwelling use in a C-2 Core Commercial zoned area. Brecks reviewed the zoning code that allows multi-family dwelling as a conditional use permit and the building code requirements for parking. Copley offered and received into the public record the proposed Conditional Use Permit Agreement for Commission consideration. The public hearing was closed. Following discussion, moved by Haines, seconded by Bennett, to recommend to the City Council approval of the conditional use permit as presented. Roll call. Voting “aye” were Smith, McFarland, Quintero, Kaiser, Worthing, Bennett, Haines, Heineman. Motion carried.

PUBLIC HEARING: Chair Heineman opened a public hearing to consider an application for a Conditional Use Permit by Islamic Center of Lexington for property located at 121 East 4th Street for a church use in a C-2 Core Commercial zoned area. Copley offered and received into public record the proposed conditional use permit, a revised site plan, and the minutes from the November 4 Planning Commission meeting and the December 22 City Council meeting. He stated the site plan and the proposed conditional use permit agreement are the result of negotiations between the City of Lexington and the Islamic Center. He noted the site plan has been revised to an occupancy of 200 and a change in the front entrance. He continued that the Islamic Center will not oppose any liquor license applications for nearby businesses. Copley also stated the property in question is considered a place of worship only and the proposed conditional use permit only grants the Islamic Center the right to

worship, as opposed to any type of mixed use. He stated the city will grant an allotment of off-street parking spaces within the city parking lot to accommodate the requirements of a conditional use permit. Kristie Teply, Tep's Bar & Grill, was concerned about the Center opposing any liquor license application she may make in the future, and wanted a definition of assembly. Elizabeth Moore questioned the number of parking spaces in the public lot and the number of times of day for use. Rod Ziegler requested clarification of the change to the entrance and the time limit to complete any work. The public hearing was closed. Concerns of the board included setting a precedent of granting parking to assemblies and the provision regarding the liquor license applications. Smith commended Staff on their work on the CUP agreement. Following discussion, moved by McFarland, seconded by Kaiser, to recommend to the City Council approval of the conditional use permit application by Islamic Center of Lexington for the property located at 121 East 4th Street for church use in a C-2 Core Commercial zoned area. Roll call. Voting "aye" were Bennett, Haines, Smith, Quintero, McFarland, Kaiser, Heineman. Worthing abstained. Motion carried.

ROUNDTABLE: Peplitsch and Brecks gave an update on current projects.

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

Respectfully submitted,
Pamela Baruth
Planning Commission Secretary