

**CITY OF LEXINGTON, NEBRASKA
PLANNING COMMISSION
April 5, 2023**

A Regular Meeting of the Lexington Planning Commission was held Wednesday, April 5, 2023, in the Council Chambers at the Lexington City Hall, 406 East 7th Street, Lexington, Nebraska, at 5:30 p.m. Commissioners present were Sadie Worthing, Cameron Smith, Jeremy Kaiser, Jeff Tappan, Roque Gonzalez, Curtis Roemmich, and Kristi Moyer. Barb Margritz and Jared Jacob were absent. City Officials present were City Manager Joe Pepplitsch, Assistant City Manager Dennis Burnside, Community Development Director Bill Brecks, Building Inspector Jason Harris, Finance Director Barb Hodges, City Attorney Brian Copley, 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 Worthing 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.

MINUTES–MEETING 12-7-2022: Minutes of the Regular Meeting held Wednesday, December 7, 2022, were presented to the Commission for consideration and approval. Moved by Kaiser, seconded by Roemmich, to approve Minutes as presented. Roll call. Voting “aye” were Moyer, Tappan, Gonzalez, Smith, Roemmich, Kaiser, Worthing. Motion carried.

RECOGNIZATION OF APPOINTMENTS/REAPPOINTMENTS: The board recognized Cameron Smith and Barb Margritz who were reappointed to serve on the Planning Commission for another term, and welcomed Roque Gonzalez who replaced Ellie Quintero.

ELECTION OF OFFICERS: Moved by Moyer, seconded by Tappan, to re-elect Worthing as Chair, Smith as Vice-Chair and Board of Adjustment representative, and Baruth as Secretary for 2023. Roll call. Voting “aye” were Roemmich, Kaiser, Gonzalez, Smith, Tappan, Moyer, Worthing. Motion carried.

PUBLIC HEARING: Worthing opened a public hearing to consider an Application for a Conditional Use Permit for a meeting facility at 520 North Washington. Brecks explained that the applicant would like to use the second floor as a meeting room with access on the north side of the building. He stated that the state fire marshal has tentatively approved an occupancy of 50 people with some minor code upgrades. Brecks said the occupancy would correlate to 16 required parking spaces. There were no public comments received and the public hearing was closed. Following discussion and review of Section 6.08 Standards related to Conditional Use Permits, moved by Smith, seconded by Roemmich, to recommend approval of the CUP application as presented. Roll call. Voting “aye” were Moyer, Kaiser, Gonzalez, Tappan, Roemmich, Smith,

Worthing. Motion carried.

PUBLIC HEARING: Worthing opened a public hearing to consider an Application for a Conditional Use Permit for a meeting facility at 521 North Washington. Brecks explained that the applicant would like to use the first floor for a meeting room with a 200-person maximum occupancy. He stated this would correlate to 66 required parking spaces. He also presented the state fire marshal report outlining code violations that would need to be remedied. There were no public comments and the public hearing was closed. Following a review of Section 6.08 Standards, Smith stated his concern regarding 6.08.10 Traffic Hazards due to the number of parking spaces needed. Following discussion, moved by Smith, seconded by Kaiser, to make no recommendation to the city council regarding the application for CUP as presented. Roll call. Voting “aye” were Tappan, Gonzalez, Roemmich, Moyer, Kaiser, Smith, Worthing. Motion carried.

PUBLIC HEARING: Chair Worthing opened a public hearing to review a proposed redevelopment plan amendment for recommendation regarding conformance with the comprehensive development plan. Pepplitsch reviewed the plan which would entail construction of fast-food restaurant and associated improvements by Derock, Inc. dba Taco John’s. He explained the project will be located on Plum Creek Parkway in a highway commercial zone. There were no public comments and the public hearing was closed. Resolution No. 2023-01 was presented. Following discussion, moved by Smith, seconded by Moyer, to approve Resolution No. 2023-01 as presented. Roll call. Voting “aye” were Tappan, Gonzalez, Kaiser, Roemmich, Moyer, Smith, Worthing. Motion carried.

RESOLUTION NO. 2023-01

(Redevelopment Plan Amendment—Taco John’s Redevelopment Project)

A RESOLUTION OF THE LEXINGTON PLANNING COMMISSION, MAKING RECOMMENDATIONS WITH RESPECT TO AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR AN AREA IN THE CITY OF LEXINGTON PURSUANT TO THE COMMUNITY DEVELOPMENT LAW.

RECITALS

- A. The Mayor and City Council of the City of Lexington, Nebraska, (the “**City**”) by its Ordinance, created the Community Development Agency of Lexington, Nebraska (the “**Agency**”) pursuant to Chapter 18, Article 21, Section 18-210.01 of the Community Development Law, Reissue Revised Statutes of Nebraska, as amended (the “**Act**”).
- B. The Agency holds all the powers of a redevelopment authority as set forth in Sections 18-2101 through 18-2155 of the Act.
- C. 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.
- D. The City adopted the General Redevelopment Plan for Redevelopment Area #1 (the

“**Redevelopment Area**”) by resolution (the “**Redevelopment Plan**”).

E. The Agency has prepared a proposed Amendment to the Redevelopment Plan (the “**Redevelopment Plan Amendment**”), a copy of which is attached hereto as **Exhibit A**. Pursuant to Section 18-2112 of the Act, the Agency has submitted the Redevelopment Plan Amendment to the Planning Commission of the City of Lexington, Nebraska (the “**Planning Commission**”) for recommendations with respect to the proposed Redevelopment Plan Amendment.

F. On April 5, 2023, a meeting of the Planning Commission was held at the Lexington City Council Chambers, 406 E 7th Street in Lexington, Nebraska in order to conduct a public hearing on the question of whether Redevelopment Plan Amendment should be recommended to the City Council and ultimately adopted and approved by the City Council.

G. A notice of public hearing was published for at least two (2) consecutive weeks, the last of which was at least ten (10) days prior to the time and date of the public hearing, which notice of public hearing described the time, date, place and purpose of the hearing.

H. The Planning Commission has reviewed the Redevelopment Plan Amendment and has duly considered all statements made and material submitted related to the submitted question.

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 Amendment:

1. The Planning Commission has reviewed the Redevelopment Plan Amendment as to its conformity with the general plan for the development of the City as a whole and finds that the Redevelopment Plan Amendment is consistent with and conforms to the general plan for development of the City as a whole.

2. The Planning Commission confirms that the area described in the Redevelopment Plan Amendment is blighted and substandard as defined in the Act.

3. The Planning Commission finds that the Redevelopment Plan Amendment, if implemented will help eliminate blight and substandard conditions in the Redevelopment Area.

BE IT FURTHER RESOLVED, that the Planning Commission recommends the adoption and approval of the Redevelopment Plan Amendment, with such amendments, additions and deletions as are deemed necessary by the Agency.

PASSED AND APPROVED this 5th day of April, 2023

PUBLIC HEARING: Chair Worthing opened a public hearing to consider a proposed Replat of

Block 3, Wycoff Addition. Peplitsch explained this property would be platted into several lots for use in a housing development project. There were no public comments and the public hearing was closed. Following discussion, moved by Roemmich, seconded by Moyer, to recommend approval of the proposed Replat of Block 3, Wycoff Addition, as presented. Roll call. Voting “aye” were Smith, Tappan, Gonzalez, Kaiser, Moyer, Roemmich, Worthing. Motion carried.

ROUNDTABLE: Peplitsch reported on current and potential projects to come before the Commission.

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

Respectfully submitted,
Pamela Baruth
Planning Commission Secretary