

PLANNING COMMISSION

April 1, 1998

A Regular Meeting of the Lexington Planning Commission was held Wednesday, April 1, 1998 at 7:00 P.M. at the Lexington Municipal Building, 406 E. 7th Street. Commissioners present were Chairman William Grant, Vice Chairman Mark Yung, Steve Smith, Toby Owens, Bill Pepper, Rob Waterman. Coming in after the minutes were approved were Margaret Nielsen, and Charlene West. City Officials present were Assistant City Manager Joe Pepsplitsch, City Attorney Willard Weinhold who left during the meeting, and Administrative Assistant Shirley Lewis. Also present were Dan and Sharon Anderson, Garner and Doris Parks, Denzel Frerichs, Kay Garrelts, William Richardson, John Knapple, Gary and Lynn Knickelbein, Ken Olsen, Allen Easterday, Don and Linda Mins, Deana Schellhmer, Ruth Schellhamer, Bruce Smith, Don Price, Lisa Yoakum, Dan Yoakum, Donna Linn, Dean Linn, Don and Kathryn Lessig, Brad Bowker, Mike Shimmel.

CALL TO ORDER: The meeting was called to order by Chairman William Grant.

APPROVAL OF MINUTES 3-4-98: Minutes from the March 4, 1998 meeting were presented for the Planning Commission's approval. Motion by Pepper, seconded by Yung, to approve the minutes of the March 4, 1998 meeting. Roll call. Voting "aye" were Smith, Owens, Pepper, Waterman, Grant, Yung. Motion carried.

MEETING RECESS: Because of discrepancy in the time of the meeting, Chairman Grant calls for a ½ hour recess.

PUBLIC HEARING - DON PRICE REZONING REQUEST: Chairman Grant opened the public hearing for a rezoning request by Mr. Don Price. Present zoning is R-3, and requested zoning is R-4, for 11.76 acres. Mr. Bruce Smith, representing Don Price, addressed the Planning Commission, stating that Mr. Price has contracted for the purchase of the 11.76 acres, and his intentions are to get the land changed to the R-4 classification, and then to proceed with an application for a subdivision, so that he can make it into lots, which would then be available for sale to owners of any kinds of homes that are suitable for R-4.

Linda Mins, resident in that area, inquired as to whether the residents at Price's Trailer Court currently own their lots. Mr. Smith stated that they do not.

John Knapple stated that he is opposed to this zoning. He doesn't believe it is necessary at this time. There seems to be a lot of available housing at this time. He is also concerned about the traffic flow in that area.

Lisa Yoakum inquired about the extra children going to school. She is also concerned about where the children will play because of the possibility of the street being busier.

Sharon Anderson spoke on various subjects such as the layout of Spruce Street, the safety of the children, and the appearance of Price's Trailer Court.

Brad Bowker, principal of Morton Elementary addressed the Planning Commission stating his concern about the possible increased enrollment of the school.

Planning Commission Member Bill Pepper made a point of reference stating that that land is currently zoned R-3. R-3 is multiple dwelling, which means apartment houses or anything can be constructed on this property at the current time. R-4 would probably eliminate the possibility and have lesser density than an R-3 zone.

Allen Easterday expressed his concern about the traffic flow on Spruce Street. He further stated his concern about the increased enrollment of the schools, if and when the rural schools are forced to close.

Denzel Frerichs inquired about after the property is sold, would Mr. Price have any jurisdiction on what would happen to the property. Mr. Bruce Smith, stated that once the property is sold, it would be theirs to do with as they chose, so long as they stay within the requirements of the zoning laws and ordinances of the City of Lexington. Mr. Frerichs read a list of people who are opposed to the rezoning. He then inquired about who would take responsibility for the property. Don Price informed Mr. Frerichs that he would until the property is paid for.

Mike Shimmel, representing Lexington Public Schools addressed the Lexington Planning Commission stating his concern about the direction of growth in the school system. Morton Elementary is land locked on the lot that it is on, and it doesn't have the capacity to add other classrooms. It has already become very difficult to balance the class sizes in the school.

Dan Yoakum expressed his concern about the value of the homes should the zoning be changed to R-4.

Kay Garrelts addressed the Commission about the laws being enforced on the proposed property. Chairman Grant informed her that should this pass, the land would be annexed, and become a part of the City. She also expressed her opinion of the trash problems in the area.

Gary Knickelbein inquired about adjoining properties. He asked if they would become annexed if they adjoin the proposed property. Chairman Grant stated they only would be annexed if they request it.

Deana Schellhamer informed the Commission that the purpose of her purchasing her home was because of the traffic flow, and how she is concerned about the increase in the traffic flow should this be rezoned to R-4.

Garner Parks introduced himself as the person who maintains Jamel Road, and stated that if there is more traffic on the road, he won't be able to continue to maintain it. He also stated that he was opposed to the land becoming part of the City.

After the citizens expressed their opinions, Chairman Grant closed the public hearing.

Moved by Pepper to recommend the request for rezoning be taken to the City Council for approval. Motion dies for lack of a second.

Motion by Yung, seconded by Pepper, to deny the request for rezoning land from R-3 to R-4. Roll call. Voting "aye" were Smith, Owens, Yung. Voting "nay" were Pepper, Waterman, Nielsen, Grant, West.

Motion was defeated. Chairman Grant informed Don Price that this is only the recommendation of the Planning Commission, and Mr. Price may take this on to the City Council.

**ROUNDTABLE
DISCUSSION:**

Chairman Grant invited the public to the next scheduled Comprehensive Plan Study on April 16, 1998 at 7:00 p.m. The Planning Commission welcomes the public's input.

Mark Yung is concerned about having no legal counsel here. Mr. Yung feels he should be present and should allow at least 1 ½ hr. for the meeting. Chairman Grant states that the Planning Commission meets the first Wednesday of every month, and legal counsel should be here. Mr. Grant instructed Joe Peplitsch to relay to Mr. Weinhold that he expects him to be at the entire meeting the first Wednesday of every month.

Chairman Grant informed the Planning Commission members that about a week ago he delivered the plaque to Deloy Jahnke. The plaque honors Mr. Jahnke for his many years of dedicated service. Mr. Jahnke was very appreciative and thanked everyone. Chairman Grant then requested Mark Yung to contact the paper about presenting Mr. Jahnke with the plaque.

ADJOURNMENT:

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

Respectfully submitted,

Shirley Lewis
Administrative Assistant