

**CITY OF LEXINGTON, NEBRASKA
PLANNING COMMISSION
May 7, 2008**

A Regular Meeting of the Lexington Planning Commission was held Wednesday, May 7, 2008, at the Lexington Municipal Building, 406 E. 7th Street, Lexington, Nebraska, at 5:30 p.m. Commissioners present were Curt Bennett, Jim Hain, Toby Owens, Ellie Vazquez, Cathy Fagot, Dora Vivas, Mark Yung, and Steve Smith. Rusty Sutton was absent. City Officials present were Assistant City Manager Dennis Burnside, City Attorney Will Weinhold, City Manager Joe Pepplitsch, Chief Building Inspector Tom Nelson, and Secretary Pamela Berke. Chris Riha and Dave and Tammy Gordon 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
4-2-2008**

Minutes of the Regular Meeting held Wednesday, April 2, 2008, were presented to the Lexington Planning Commission for consideration and approval. Moved by Owens, seconded by Fagot, to approve Minutes of the Regular meeting on Wednesday, April 2, 2008, as presented. Roll call. Voting “aye” were Yung, Smith, Vivas, Vazquez, Fagot, Owens, Bennett. Hain was absent from the vote. Motion carried.

PUBLIC HEARING:

Chairman Bennett opened a Public Hearing to consider a special use permit application by Viaero Wireless to construct an 85 +/- foot tower for wireless telecommunication in an A-2 Urban Reserve Zone, located at 305 East 20th. Chris Riha, Site Acquisition Manager for Viaero Wireless, presented a PowerPoint show, outlining the company’s objectives and plans for the property. He

answered questions by the Commission regarding structure and footing requirements, lighting, air space limitations, survey questions, access to the property, and property maintenance. David Gordon, abutting property owner at 2002 Polk Street, voiced concerns that Viaero's use of the property for a tower would reduce his property value, create negative aesthetic appeal in the area, and damage the ability of further housing development in the area. Gordon stated that he disapproved of the plans for a tower at this site. Pepplitsch addressed Commission questions on generalized future land use in the area as indicated by the City's comprehensive plan, as well as area characteristics. Riha again explained Viaero's coverage plan and an additional site location near the city service building which would triangulate coverage in the city. Riha noted that it has not been proven that properties near tower sites devalue. The public hearing was closed. Following discussion by the commission members, moved by Yung, seconded by Owens, to recommend the City Council deny the special use permit application by Viaero Wireless, based upon aesthetic issues and residential future land use plans for the area. Roll call. Voting "aye" were Hain, Vazquez, Smith, Owens, Yung. Voting "no" were Fagot and Bennett. Vivas was absent from voting. Motion carries.

ROUNDTABLE:

Smith asked Staff if the platting issues with Price's Second Addition had been resolved. Nelson and Weinhold indicated that the issues were in the process of being resolved.

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