

**CITY OF LEXINGTON, NEBRASKA
PLANNING COMMISSION
September 4, 2013**

A Regular Meeting of the Lexington Planning Commission was held Wednesday, September 4, 2013, in the Council Chambers at the Lexington City Hall, 406 East 7th Street, Lexington, Nebraska, at 5:30 p.m. Commissioners present were Seth McFarland, Doug Heineman, Cathy Fagot, Nancy Evans, Ellie Quintero, Curt Bennett, Keevin Hardiman, and Steve Smith. Member Rusty Sutton was absent. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, Development Services Director Bill Brecks, Building Inspector Mark Yung, and Secretary Pamela Baruth. The press was represented by the Kearney Hub. Derek McGrew, Cellusite, LLC, was also present.

NOTICE: Notice of the meeting was given in advance, thereof by posting in the following locations: Lexington City Hall, Dawson County Courthouse, Homestead Bank, Great Western Bank, Pinnacle Bank. 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 Vice-Chair Heineman. Heineman 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
8-7-13** Minutes of the Regular Meeting held Wednesday, August 7, 2013, were presented to the Commission for consideration and approval. Moved by Smith, seconded by Fagot, to approve Minutes as presented. Roll call. Voting “aye” were Bennett, Hardiman, Evans, Quintero, Fagot, Smith, Heineman. McFarland was absent from the vote. Motion carried.

PUBLIC HEARING: Heineman opened the public hearing to consider a special use permit application by Horvath Communications to construct a wireless telecommunications facility that includes a 150 foot monopole tower. The facility would be located in an M-2 Heavy Industrial zone on property located at 107 South Adams. Derek McGrew, agent, outlined the plans for the facility, noting that space on the

tower will be marketed to area licensed telecommunications carriers. Discussion included coverage area, FAA approval, and construction standards. Following the presentation, the public hearing was closed. Moved by McFarland, seconded by Evans, to recommend to the City Council approval of the special use permit application by Horvath Communications for a wireless communications facility as presented. Roll call. Voting “aye” were Bennett, Smith, Hardiman, Quintero, Fagot, Evans, McFarland, Heineman. Motion carried.

REDEVELOPMENT PLAN: Pepplichtsch reviewed the proposed Legend Oaks II Project redevelopment plan as it relates to the Comprehensive Development Plan. Following the review and discussion, Resolution No. 2013-01 was presented. Moved by Smith, seconded by Bennett, to approve Resolution No. 2013-01. Roll call. Voting “aye” were Fagot, Quintero, Hardiman, Evans, McFarland, Bennett, Smith, Heineman. Motion carried.

RESOLUTION NO. 2013-01

PLANNING COMMISSION OF
THE CITY OF LEXINGTON, NEBRASKA

A RESOLUTION RECOMMENDING APPROVAL OF A REDEVELOPMENT PLAN OF THE CITY OF LEXINGTON, NEBRASKA, INCLUDING A REDEVELOPMENT CONTRACT, APPROVING A REDEVELOPMENT PROJECT OF THE CITY OF LEXINGTON, NEBRASKA; AND APPROVAL OF RELATED ACTIONS

WHEREAS, the Mayor and Council of the City of Lexington, Nebraska (the “City”), upon the recommendation of the Planning Commission of the City of Lexington, Nebraska (the “Planning Commission”), and in compliance with all public notice requirements imposed by the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “Act”), duly declared the redevelopment area legally described on Exhibit A attached hereto (the “Redevelopment Area”) to be blighted and substandard and in need of redevelopment; and

WHEREAS, pursuant to and in furtherance of the Act, a Redevelopment Contract, including a Redevelopment Plan (collectively, the “Redevelopment Contract”), has been prepared and submitted to the Planning Commission by the Community Development Agency (the “Agency”) of the City of Lexington, Nebraska and Legend Oaks II, LLC (the “Redeveloper”), in the form attached hereto as Exhibit B, for the purpose of redeveloping the Redevelopment Area legally described on Exhibit A; and

WHEREAS, the City has previously 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.

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

Section 1. The Commission hereby recommends approval of the Redevelopment Contract with such changes and revisions as are deemed appropriate by the Agency.

Section 2. The Commission hereby recommends approval of the Redevelopment Plan included in the Redevelopment Contract.

Section 3. All prior resolutions of the Commission in conflict with the terms and provisions of this resolution are hereby expressly repealed to the extent of such conflicts.

Section 4. This resolution shall be in full force and effect from and after its passage as provided by law.

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DATED: September 4, 2013.

PLANNING COMMISSION OF THE CITY
OF LEXINGTON, NEBRASKA

By: Seth McFarland, Chairman

ATTEST: By: Pamela Baruth, Secretary

ROUNDTABLE:

Peplitsch noted that draft zoning regulation amendments will be discussed at the October meeting, and he hoped to have a copy available a week or two in advance of the meeting.

Burnside gave an update on the online component of the Comprehensive Plan.

ADJOURNMENT:

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

Respectfully submitted,
Pamela Baruth
Planning Commission Secretary