

FACTSHEET

TITLE: **SPECIAL PERMIT NO. 06065**, requested by Alltel Communications of Nebraska, for authority to construct a 118' tall monopole for personal wireless facilities, on property generally located northwest of the intersection of South 3rd Street and Garfield Street.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 12/06/06
Administrative Action: 12/06/06

STAFF RECOMMENDATION: Deferral

RECOMMENDATION: Conditional Approval (7-1: Cornelius, Sunderman, Larson, Taylor, Krieser, Carroll and Esseks voting 'yes'; Carlson voting 'no'; Strand absent).

FINDINGS OF FACT:

1. The applicant for Special Permit No. 06065 is seeking a site for a 118' tall monopole for wireless facilities to address inadequate coverage in the area.
The staff recommendation of "**deferral**" is based upon the "Analysis" as set forth on p.8-11. An analysis provided by Alltel shows that the existing 102' Sprint monopole two blocks from the proposed site at South 5th and A Streets cannot accommodate Alltel's facilities, even though the tower was originally designed to be extendable up to 115' and accommodate three carriers. Currently, it only has two. In addition, the proposed location is considered a Limited Preference Site per the Zoning Ordinance due to both proximity to a residence and the possibility of collocation. Applications for Limited Preference Sites are required to demonstrate why Preferred Sites are not feasible. Preferred Sites in the area would include collocation, any publically owned sites such as the City-owned public park (Sawyer Snell) located approximately 2 blocks to the south, and other industrially-zoned sites located an appropriate distance from a residential use. The application does not fully address the feasibility of these alternatives, so staff is recommending deferral to allow the applicant time to fully evaluate them.
3. The staff presentation at public hearing before Planning Commission is found on p.14. The staff confirmed that the residential property across the street is owner-occupied and that the owner has been notified.
4. Comments by the Parks & Recreation Department are found on p.63 in regard to the ordinance requirement to attempt to locate a new cell tower site on public property. The Parks & Recreation Department is willing to discuss a potential new location on park property within four blocks of this proposal, and would accept the antenna design that the applicant says is necessary to meet coverage objectives.
5. The applicant's testimony is found on p.14-16. The applicant takes the position that additional research of public park property would require environmental and soil testing, as well as a lengthy approval process through the Urban Design Committee and the Parks Advisory Board. The applicant also takes the position that the residential property is located on I-1 zoning and that it will be shielded by fencing and landscaping of the tower site. The applicant also pointed out that the residential property owner has not expressed any opposition.
6. There was no testimony in opposition.
7. On December 6, 2006, the majority of the Planning Commission disagreed with the staff recommendation and voted 7-1 to adopt Resolution No. PC-01029 (p.3-6), approving Special Permit No. 06065, with conditions (Carlson dissenting; Strand absent). See Minutes, p.18. The conditions of approval are found in the resolution and on p.12-13.
8. On December 12, 2006, a letter of appeal was filed by the Director of Planning (p.2), stating that the application should be deferred until the applicant has properly demonstrated why alternative "Preferred Sites" in the area are not feasible, including locating on any publicly owned site, such as Sawyer Snell Park located approximately two blocks to the south, and other industrial zoned sites located an appropriate distance from a residential use. The site approved by the Planning Commission is across the street from a residence.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: January 2, 2007

REVIEWED BY: _____

DATE: January 2, 2007

REFERENCE NUMBER: FS\CC\2007\SP.06065 Appeal



MAYOR COLEEN J. SENG

lincoln.ne.gov

Lincoln-Lancaster County
Planning Department
Marvin S. Krout, Director

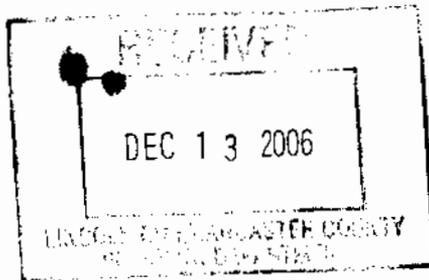
Jon Carlson, Chair
City-County Planning Commission

555 South 10th Street
Suite 213

Lincoln, Nebraska 68508

402-441-7491

fax: 402-441-6377



December 11, 2006

CITY CLERK'S OFFICE
2006 Dec 12 PM 2 29
CITY OF LINCOLN
NEBRASKA

Joan Ross, City Clerk
County-City Building
555 S. 10th Street
Lincoln, NE 68508

RE: Letter of Appeal
Resolution No. PC-01029
(Wireless Facility - 3rd & Garfield)

Dear Joan:

The Director of Planning does hereby appeal Resolution No. PC-01029 adopted by the Lincoln-Lancaster County Planning Commission on December 6, 2006, approving Special Permit No. 06065, requested by Alltel Communications of Nebraska, allowing a 118' tall monopole for personal wireless facilities on property generally located northwest of the intersection of South 3rd & Garfield Streets.

The staff report recommended that this application be deferred until the applicant has properly demonstrated why alternative "Preferred Sites" in the area are not feasible, including locating on any publicly owned sites such as Sawyer Snell Park, located approximately two blocks to the south, and other industrial zoned sites located an appropriate distance from a residential use. The site approved by the Planning Commission is across the street from a residence.

On December 6, 2006, the Planning Commission voted 7-1 to approve the application, with conditions (Carlson dissenting; Strand absent).

Sincerely,

Marvin S. Krout
Director of Planning

q:\pc\permits\sp\SP.06065 appeal

cc: Ralph Wyngarden, Faulk & Foster, 2680 Horizon Dr.,
Grand Rapids, MI 49546
Alltel Communications of Nebraska, 1620 M Street, 68501
Jacob Von Busch, 6401 S.W. 12th Street, 68523

**PLANNING COMMISSION FINAL ACTION
NOTIFICATION**

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning 

DATE : December 13, 2006

RE : **Special Permit No. 06065**
(Alltel wireless facility - Northwest of S. 3rd Street and Garfield Street)
Resolution No. PC-01029

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, December 6, 2006:

Motion made by Taylor, seconded by Carroll, to approve **Special Permit No. 06065**, with conditions, requested by Alltel Communications of Nebraska, for authority to construct a 118' tall monopole wireless facility capable of accommodating up to three carriers in the I-1 zoning district, on property generally located northwest of the intersection of S. 3rd Street and Garfield Street.

Motion for conditional approval carried 7-1 (Cornelius, Sunderman, Larson, Taylor, Krieser, Carroll, and Esseks voting 'yes'; Carlson voting 'no'; Strand absent).

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

Please Note: This special permit has been appealed to the City Council by the Director of Planning, with public hearing tentatively scheduled for Monday, January 22, 2007, 1:30 p.m.

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Ralph Wyngarden, Faulk & Foster, 2680 Horizon Drive SE, Suite E,
Grand Rapids, MI 49546
Windstream (Alltel Communications of Nebraska), 1620 M Street, 68501
Jacob Von Busch, 6401 S.W. 12th Street, 68523
Lynn Johnson, Director of Parks & Recreation
Danny Walker, South Salt Creek Community Org., 427 E Street, 68508
Gary Irvin, South Salt Creek Neighborhood, 645 D Street, 68522

RESOLUTION NO. PC- 01029

SPECIAL PERMIT NO. 06065

1 WHEREAS, Alltel Communications of Nebraska has submitted an application
2 designated as Special Permit No. 06065 for authority to construct a 118' tall monopole wireless
3 facility capable of accommodating up to three carriers in the I-1 zoning district on property
4 generally located northwest of the intersection of S. 3rd Street and Garfield Street, and
5 described as:

6 Lots 31-36, Block 3, Hull's South Addition, Lincoln, Lancaster
7 County, Nebraska;

8 WHEREAS, the Lincoln City-Lancaster County Planning Commission has held a
9 public hearing on said application; and

10 WHEREAS, the community as a whole, the surrounding neighborhood, and the
11 real property adjacent to the area included within the site plan for this wireless facility tower will
12 not be adversely affected by granting such a permit; and

13 WHEREAS, said site plan together with the terms and conditions hereinafter set
14 forth are consistent with the comprehensive plan of the City of Lincoln and with the intent and
15 purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and
16 general welfare.

17 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County
18 Planning Commission of Lincoln, Nebraska:

1 That the application of Alltel Communications of Nebraska, hereinafter referred
2 to as "Permittee", to construct a 118' tall monopole wireless facility capable of accommodating
3 the antennas of three carriers be and the same is hereby granted under the provisions of
4 Section 27.68.030 the Lincoln Municipal Code upon condition that construction of said tower be
5 in strict compliance with said application, the site plan, and the following additional express
6 terms, conditions, and requirements:

7 1. This approval permits a 118' tall monopole for wireless facilities capable
8 of accommodating the antennas of three carriers consistent with the site plan.

9 2. Before receiving building permits:

10 a. The Permittee shall complete the following instructions and submit
11 to the Planning Department for review and approval a revised site
12 plan including five copies showing the following revisions:

- 13 i. Include a landscape schedule that demonstrates
14 compliance with Design Standards.
- 15 ii. Show screening for the lease areas for the additional
16 carrier's facilities.
- 17 iii. State that the heights of the of the antennas on sheet
18 ANT-1 are approximate.
- 19 iv. Show the correct scale on the site plan.

20 b. The construction plans comply with the approved plans.

21 c. Submit a surety adequate to guarantee removal of the wireless
22 facility subject to approval by the City.

23 3. Before use of the facility all development and construction shall have
24 been completed in compliance with the approved plans.

25 4. All privately-owned improvements shall be permanently maintained by the
26 owner.
27
28

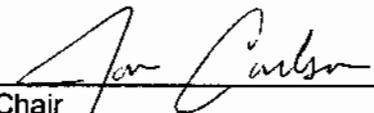
1 5. The site plan approved by this permit shall be the basis for all
2 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
3 elements, and similar matters.

4 6. This resolution's terms, conditions, and requirements bind and obligate
5 the Permittee, its successors and assigns.

6 7. The applicant shall sign and return the letter of acceptance to the City
7 Clerk within 60 days following the approval of the special permit, provided, however, said 60-
8 day period may be extended up to six months by administrative amendment. The clerk shall file
9 a copy of the resolution approving the special permit and the letter of acceptance with the
10 Register of Deeds, filling fees therefor to be paid in advance by the applicant.

11 The foregoing Resolution was approved by the Lincoln City-Lancaster County
12 Planning Commission on this 6th day of December, 2006.

ATTEST:


Chair

Approved as to Form & Legality:


Chief Assistant City Attorney

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for December 6, 2006 PLANNING COMMISSION MEETING

- P.A.S.:** Special Permit #06065
- PROPOSAL:** To allow a 118' tall monopole for personal wireless facilities.
- LOCATION:** Northwest of the intersection of South 3rd and Garfield Streets.
- LAND AREA:** Approximately 18,000 square feet or .41 of an acre.
- CONCLUSION:** An analysis provided by Alltel shows that the existing 102' Sprint monopole two blocks from the proposed site at South 5th and A Streets cannot accommodate Alltel's facilities, even though the tower was originally designed to be extendable up to 115' and accommodate three carriers. Currently it only has two. Additionally, the proposed location is considered a Limited Preference Site per the Zoning Ordinance due to both proximity to a residence and the possibility of collocation. Applications for Limited Preference Sites are required to demonstrate why Preferred Sites are not feasible. Preferred Sites in the area would include collocation, any publically owned sites such as the City-owned public park (Sawyer Snell) located approximately 2 blocks to the south, and other industrially-zoned sites located an appropriate distance from a residential use. The application does not fully address the feasibility of these alternatives, so staff is recommending deferral to allow the applicant time to fully evaluate them.

RECOMMENDATION:	Deferral
------------------------	----------

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 31-36, Block 3, Hull's South Addition.

EXISTING ZONING: I-1 Industrial **EXISTING LAND USE:** Industrial

SURROUNDING LAND USE AND ZONING:

North:	Industrial	I-1
South:	Residential	I-1
East:	Industrial	I-1
West:	Industrial	I-1

COMPREHENSIVE PLAN SPECIFICATIONS:

Page F25 - The 2025 Comprehensive Plan's Land Use Plan designates industrial land uses for this site.

Page F126 - Wireless Telecommunications - The placement and construction of such facilities need to occur in a way that is compatible with the natural and built environment. Taller, more intensive facilities should be located in commercial and industrial areas. Facilities in residential areas should be unobtrusive, of a scale consistent with the neighborhood setting, and sited in a way that does not detract from the enjoyment of the neighborhood by its residents.

TOPOGRAPHY: The land is relatively flat across both this site and throughout the whole area in which this industrial district and adjacent park are located.

ANALYSIS:

OVERVIEW

The applicant is seeking to site a 118'-tall monopole for wireless facilities to address inadequate coverage in the area. The application was originally submitted on October 10, 2006, but was delayed at the applicant's request to allow time to evaluate other potentially more suitable sites in the area identified by staff.

Revised information was submitted on November 8, 2006 and met the application deadline to be placed on the Planning Commission's December 6, 2006 agenda. The applicant was informed on November 22, 2006 that the revised information did not fully address the requirements of Chapter 26.68 (Personal Wireless Facilities), and as a result staff was recommending deferral of the application to allow time for additional site evaluation.

STANDARDS FOR EVALUATION:

Conformity with Comprehensive Plan.

1. The Comprehensive Plan designates industrial land uses for this site. It also states "The placement and construction of such facilities need to occur in a way that is compatible with the natural and built environment." There is another monopole in the area that is required to be extendable to 115' for three carriers, and the proposed site is across the street from a single-family residence. It has not been demonstrated that it is either the best or only site for the facility in this area.

Preference of site location in accordance with Chapter 27.68.080.

2. There are three location preferences as follows:

A. Preferred Location Sites:

(1) Publicly owned sites on which personal wireless facilities can be unobtrusively located with due regard to visibility, aesthetic issues, traffic flow, public safety, health and welfare. Such sites may include locating on existing buildings, co-locating on existing towers, screened roof-top mounts, water towers, billboards, electric substations, or other camouflaged sites, but shall not include new towers.

(2) Privately owned sites with existing structures on which personal wireless facilities can be unobtrusively located with due regard to visibility, aesthetic issues, traffic flow, public safety, health and welfare. Such sites may include locating on existing buildings, co-locating on existing

towers, screened rooftop mounts, water towers, billboards, electric substations, or other camouflaged sites, but shall not include new towers.

(3) Publicly owned sites in which the facility is minimally obtrusive, has a minimal impact on the surrounding area, is an appropriate distance from residential land uses, has minimal impact on residential uses, with due regard being given to the scale of the facility and the surrounding area and the impact on the location.

(4) Sites in commercially or industrially zoned districts in which the facility is minimally obtrusive, has a minimal impact on the surrounding area, is an appropriate distance from residential land uses, has minimal impact on residential uses, with due regard being given to the scale of the facility and the surrounding area and the impact on the location.

B. Limited Preference Sites:

(1) Sites on other public property.

(2) Sites on other commercially or industrially zoned property.

C. Sensitive Location Sites. Sites located in areas with residential uses, environmentally sensitive areas, Capitol View Corridors, the Capitol Environs District, entryway corridors, downtown, landmarks or landmark districts, properties listed or eligible to be listed on the National Register of Historic Places, the Airport Environs, and other sensitive areas. The applications for personal wireless facilities which are located at sensitive sites will be required to demonstrate a technical need to locate a personal wireless facility at a sensitive site and that other reasonable alternatives do not exist for the facility at a location which is not a sensitive site.

Staff finds the site to be a Limited Preference Site because the facility is located across the street from a residence. The proximity to a residence as shown does not constitute an appropriate distance from a residence, and is not a Preferred Location Site as noted in the letter from the applicant. Given that, the applicant must demonstrate there are no feasible Preferred Location Sites.

Compatibility with abutting property and land uses.

3. This area generally bounded by South Folsom Street on the west, South 6th Street on the east, A Street on the north and South Street on the south is zoned industrial, and is developed with industrial uses. The six-block area in the vicinity of the proposed monopole is developed with industrial uses with few exceptions. One is the residence located across Garfield Street to the south. According to the County Assessor there is a Homestead Exemption for purposes of property taxes, and the house is being occupied as a residence. The monopole is compatible with the industrial uses in the area, and wireless facilities are appropriate in this area. It is noted that the land upon which the residence is located is zoned I-1 and the highest and best use is more intense than residential, however the goals of the Ordinance and the Comprehensive Plan are to respect existing uses and maintain an appropriate separation from residential uses when siting new facilities

Adverse impacts such as visual, environmental or noise impacts.

4. There are no environmental affects such as noise or light to note, and the frequency of the broadcast signals should not interfere with any electromagnetic devices in the area.

Availability of suitable existing structures for antenna mounting.

5. The applicant provided a structural analysis by Global Signal of the existing Sprint monopole at 5th and A Street. The conclusion of that analysis is that “the (monopole’s) baseplate is overstressed.” Previously approved by Special Permit #1794, this monopole was approved up to 115' in height and is required to accommodate the antennas of up to three carriers. It is currently at 102' and supports the antennas of two carriers. The application does not discuss modifications needed to accommodate Alltel’s antennas, only that the baseplate is overstressed. The Planning Commission should require verification from Sprint (or current tower owner) that the tower cannot accommodate the antennas, with or without modification, in order to eliminate it from consideration.

Scale of facility in relation to surrounding land uses.

6. Wireless facilities such as the one proposed are generally compatible with uses allowed in the I-1 zoning district where tall, bulky uses can be found. There is another tower in the vicinity, power transmission lines to the south, and a grain elevator to the southwest. If necessary, a new wireless facility in this area would not be out of scale with existing development.

Impact on views/vistas and impact on landmark structures/districts, historically significant structures/districts, architecturally significant structures, landmark vistas or scenery and view corridors from visually obtrusive antennas and back-up equipment.

7. This tower is not within a capitol view corridor or other significant viewshed. However, this industrial area is very visible by traffic on A Street when crossing the new bridge, and from the top of the bridge all protrusions are clearly visible. There are several tall features in existence including power lines, an existing monopole, and a grain elevator and this monopole would not be out of place.

Color and finish.

8. The tower will have a galvanized finish consistent with LMC 27.68.110(c).

Ability to collocate.

9. The application states the tower will be 118' tall and able to accommodate the antennas of up to three carriers.

Screening potential of existing vegetation, structures and topographic features, and screening potential of proposed facilities, ground level equipment, buildings and tower base.

10. An elevation provided as part of the application shows the tower in relationship to existing trees in the area, and includes additional trees being planted for required screening. Design Standards require 70% screen from the ground to 8' in height, with 50% or more of the trees growing to a mature height of 35' or more. The site plan must be revised to include a landscape schedule that demonstrates at least one-half of the trees growing to a mature height of at least 35' in height.

Evidence of good faith efforts, and demonstration that a preferred or limited preference site was not technically, legally, or economically feasible.

11. The intent of this standard is to both encourage collocation and ensure that consideration is first given to siting wireless facilities on public, commercial, or industrial land, and that siting in or near residential or other sensitive areas is the last resort. Considering that wireless facilities typically serve the general public, the rationale is that residential uses should be least impacted by facilities that benefit the public. Other more land-use intensive sites should be used first when available, especially in the case a wireless carriers as there is typically some flexibility regarding siting wireless facilities.

As noted previously, the application leaves a question as to the feasibility of collocation with Sprint on the existing tower. New facilities are required to be collocatable to reduce the total number of towers required in the community. Sprint's tower is supposed to accommodate another, and if it can't the City may want to consider additional requirements to further ensure collocation is practically and technically feasible. Because the tower's owner is more familiar with the facility, the owner should be asked to evaluate whether it can accommodate Alltel's antennas rather than a third party. Depending upon the information provided, additional requirements may need to be applied to all new wireless facility special permits, including this one, to provide better assurance of collocation.

Staff notified the applicant of the concerns with the proposed site, and asked that the other Preferred Location Sites, including the Sprint tower, Sawyer Snell Park, and other industrial sites further separated from the residence be evaluated. The attached analysis from the applicant is not adequate. The rationale for not fully evaluating the park site is that: 1 - The proposed site is a Preferred Location Site, and there is not a requirement to evaluate other sites; 2 - Because stand-off antennas are not allowed in parks; 3 - Because the process to gain approval to locate in a park is too uncertain. Staff disagrees with the applicant's classification of this site as a Preferred Location Site. Also, the Park's Department has indicated that they have accepted the proposed design of the antenna array at other locations and would do so at Sawyer Snell Park.

Staff is recommending deferral to allow time for the applicant to demonstrate that all Preferred Location Sites in the area are not feasible. However, conditions of approval are included should the Planning Commission vote to approve the permit.

CONDITIONS:

Site Specific:

1. This approval permits a 118' personal wireless facility capable of accommodating antennas for at least three wireless service providers.

General:

2. Before receiving building permits:
 - 2.1 The permittee shall complete the following instructions and submit the documents and plans to the Planning Department for review and approval.
 - 2.1.1 A revised site plan including 5 copies showing the following revisions:
 - 2.1.1.1 Include a landscape schedule that demonstrates compliance with Design Standards.
 - 2.1.1.2 Show screening for the lease areas for the additional carrier's facilities.
 - 2.1.1.3 State that the heights of the antennas on sheet ANT-1 are approximate.
 - 2.1.1.4 Provide an accurate scale on reduced plans.
 - 2.2 The construction plans shall comply with the approved plans.

Standard:

3. The following conditions are applicable to all requests:
 - 3.1 Before use of the facility all development and construction shall have been completed in compliance with the approved plans.
 - 3.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 3.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 3.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

- 3.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 60 days following the approval of the special permit, provided, however, said 60-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by:

Brian Will, 441-6362, bwill@lincoln.ne.gov

Planner

November 22, 2006

CONTACT: Ralph Wyngarden
Faulk and Foster
2680 Horizon Drive
Grand Rapids, MI 49546
616.975.0923

APPLICANT Alltel Communications of Nebraska
1620 M Street
Lincoln, NE 68501
402.436.4278

OWNER: Jacob Von Busch
6401 SW 12th Street
Lincoln, NE 68523
402.475.5197

SPECIAL PERMIT NO. 06065

PUBLIC HEARING BEFORE PLANNING COMMISSION:

December 6, 2006

Members present: Larson, Krieser, Carroll, Esseks, Taylor, Sunderman, Cornelius and Carlson (Strand absent).

Ex Parte Communications: None.

Staff recommendation: Deferral until the applicant has fully evaluated all Preferred Sites in the area.

Staff presentation: **Brian Will of Planning staff** explained that this is a special permit for a 118' tall monopole for a wireless facility at 3rd & Garfield. Staff is recommending deferral of this application at this time because the staff does not believe there is a finding that this is the best location for the facility or that other possibilities have been eliminated for consideration. The burden is on the applicant to eliminate all other possibilities. There is a tower located near A Street. The surrounding neighborhood is zoned I-1 and is predominately industrial and commercial uses. There are two wireless carriers on the existing tower located near A Street, which was approved for three carriers. Because this is a "limited preference site" and across the street from a residence, the staff is taking the position that there are potentially other more appropriate sites and is asking the applicant to go through the process to eliminate those other sites.

Proponents

1. Ralph Wyngarden, Faulk & Foster, 2680 Horizon Drive, SE, Suite E, Grand Rapids, Michigan 49546, presented the application on behalf of the applicant. Faulk & Foster is doing the site acquisition, zoning and permitting for Alltel.

The design of this facility does comply with the Lincoln ordinance. If this site were standing alone without the other alternative alleged locations, he believes it would have a positive recommendation. The key issue is whether this location is a "preferred site" or a "limited preference site". Alltel does have a tremendous amount of time and resources invested in this site based on their confidence in it being a preferred location site. All of the regulatory approvals have been completed. To abandon this location leaves those resources on the table and results in a substantial delay.

With respect to qualification as a preferred location site, Wyngarden stated that it is important to notice that this site is in an area that is planned as an industrial area in the Comprehensive Plan. It is zoned industrial, and, for the most part, is built industrial. There are many tall structures such as the elevator, power lines and poles in existence. In fact, paragraph #6 in the staff report analysis notes that,

"There is another tower in the vicinity, power transmission line to the south, and a grain elevator to the southwest. If necessary, a new wireless facility in this area would not be out of scale with existing development."

In addition, Wyngarden pointed out that paragraph #7 in the staff report analysis notes that,

“This tower is not within a capitol view corridor or other significant viewshed. There are several tall features in existence including power lines, an existing monopole, and a grain elevator and this monopole would not be out of place.”

Wyngarden suggested that staff’s argument that this location should be treated as limited preference hinges on consideration of the existing global signal tower and the presence of a single residence in this industrial area. The structural report of the owner of that existing global signal tower indicates that the existing tower is over-stressed.

With respect to the existing residence, Wyngarden noted that the records show ownership in Ira Walker. The applicant did send plans and letters and tried to establish contact with the property owner more than once. The applicant does not believe it to be an owner-occupied residence. Wyngarden also submitted that the property is zoned I-1 and the zoning ordinance specifically prohibits a residence from being built or reconstructed in an I-1 district. Therefore, Wyngarden believes the residence is really a nonconforming use and should be phased out over time. The house is in poor condition and is not owner-occupied. The proposed fencing and landscaping of this tower site would shield the residence from the other types of intensive industrial uses that could be located on this site.

Wyngarden contended that, based upon unavailability of collocation at the global signal tower, this proposed site should be classified as a preferred location site and not as a limited preference site. The applicant did provide an evaluation of the Sawyer Snell park location. The applicant knows that the proposed site is going to work and is environmentally clean. The park area has a lot of uncertainty, including whether the proposed location in the park would even qualify as a preferred location site. It is about a block away from the same residence. The site being proposed in this application is across the street from the residence and set back.

Other concerns with the park location include the whole approval process – Alltel has certain design requirements for the antenna and Parks has indicated they could accept that design, but it is up to the Urban Design Committee and the Parks Board to make that decision. That stands to be a lengthy process. The other concern is from an environmental standpoint. The proposed location in the park is near a well and they do not know the underground piping. It is also near the railroad tracks and a lot of times the railroad areas do have environmental contamination concerns. The environmental situation is uncertain and there are significant risks to that park location.

Wyngarden also pointed out that Alltel does have a good track record. They do try to work to locate on city park property wherever possible. They also collocate wherever possible. They are not trying to avoid the city’s preferences. But in this particular location, it was not feasible. From a policy standpoint, this is the type of area where the city has directed these facilities. It is isolated from the residential neighborhoods to the north and east.

Wyngarden requested that this location be considered a preferred location site, in light of the existence of a residence as a nonconforming use and the unavailability for collocation on the existing tower.

Carroll inquired whether the proposed tower will accommodate other carriers. Wyngarden stated that it is designed to accept two additional carriers. The global signal tower may accept other occupants with smaller antennae than that of Alltel. It just does not meet the needs of Alltel in this location.

Carroll inquired whether this location substantially increases Alltel's coverage area. Wyngarden stated that it is not so much the coverage but the quality – Alltel is not looking for new areas of coverage but to improve issues where there are overcapacity problems.

Esseks inquired as to what is at stake for the homeowner or resident with a tower like this across the street. Wyngarden suggested that the impact needs to be considered at the point of view from their windows. In this case, there is a power pole with overhead lines located right on the property and that is their view from the windows. You also have a situation where they will be looking at a chain link fence where now there are dump trucks, machinery and overgrown grass. Alltel is proposing a wooden board fence around the compound with landscaping, and would agree to upgrade the landscaping shown on the site plan. The frequencies would not interfere with any kind of household appliances or radios. In fact, it would bring more benefits to that area from a public safety standpoint. A resident in that house could be assured of better service.

Carroll wondered whether Alltel has considered or evaluated the tower which Verizon is putting in this same area. Wyngarden stated that they did look at a location with Verizon in Cooper Park, but that did not work from a radio frequency perspective. Because of the proximity of the Alltel sites in this area, they have very little flexibility. He does not believe that the Verizon site is within the immediate proximity of this particular area. Carroll believes it is within 5 blocks.

There was no testimony in opposition.

Staff Response: Will clarified that the other tower discussed in the report was on a light pole in Cooper Park and the applicant has addressed this site and determined that it is not feasible. The staff is talking about other possibilities in this general area – the Sprint tower which is approximately two blocks away or some other commercial industrial lot within this area not across the street from a residence. It is true that this residence is located in an industrial district, but the ordinance contemplated those uses and that is why the preferences talk about being an appropriate distance from residential land uses. By virtue that it is a special permit, it gives the Commission the opportunity to review on a case-by-case basis. Across the street is not appropriate, but perhaps Sawyer Snell Park would be an appropriate distance.

One of the frustrations is that we already have a tower in the area required to accommodate three carriers and now we're finding out that it cannot. One possibility is a show cause for that applicant to address that issue. The owner of that tower says it cannot accommodate this facility.

Esseks confirmed that staff did speak with the occupant of the residence. Will confirmed that to be true. The residence is owner-occupied. She was informed of this hearing. She did not express outright opposition, but expressed concern and was curious what effect it would have on her television and radio.

Carroll inquired whether the staff's request for deferral is asking the applicant to look in the park as opposed to this industrial land. There are not a lot of possibilities. Will's response was that this industrial area is the sort of location where the city would direct a facility. But, in this situation, we are trying to be objective. The intent is to limit these towers and respect the surrounding land uses. This is the only house in this particular industrial area and staff believes that there are other open areas for location in this area that are more appropriate than the lot right across the street from the only house.

Carroll inquired whether the staff is requesting that the applicant show all the reasons why this is the only site. Will concurred. We are asking them to eliminate all other possibilities. Parks is interested in them locating in Sawyer Snell Park. We want them to fully investigate that possibility. We would also ask them to determine whether there is anything else that can be done to locate on the existing Sprint tower or other undeveloped lots that are not right across the street from a residence.

Will pointed out that if the applicant wants a vote today, the staff would recommend denial, but has provided conditions of approval in the staff report should the Commission vote to approve the special permit.

Carlson wondered how the issue will be addressed for the existing tower that cannot accommodate three carriers as permitted. The intent of the ordinance is to put multiple carriers on the pole. Will acknowledged that this circumstance doesn't come up very often and generally we find that the carriers can collocate and are cooperative. If it came down to some technical issue, at that point we may have to have some expert advice. It has not come to that prior to this time.

Taylor pointed out that there has been no opposition to this proposal.

Response by the Applicant

Wyngharden requested that the Commission take action today. He believes the applicant has already addressed some concerns about the park location, but in order to determine whether it will work, they will be required to work through the Urban Design Committee and Parks Board, etc. Alltel needs that guarantee. The park area would require environmental and soil testing. We can't stand here and say that that site will or will not work without proceeding to pursue that site. When we do site acquisition we do talk with numerous land owners in the area. This particular property was not chosen because of the residence across the street, but because there is a lot of space to meet the fall zone requirements. As far as eliminating towers or preventing proliferation, Wyngharden pointed out that different types of users have different loading requirements. That is part of the problem at the global signal site.

Wyngharden assured that the proposed tower will support three "comparable" installations. Wyngharden also pointed out that location in the park does not eliminate a tower. The impact on the greater surrounding area or residential area would be the same.

The applicant agreed with the conditions of approval provided in the staff report and requested that the Commission take action today.

ACTION BY PLANNING COMMISSION:

December 6, 2006

Taylor moved approval, with conditions, seconded by Carroll.

Esseks commented that the Planning Department has done a good job of trying to respect the interests of the nearby residence. He is glad that the resident was contacted and informed. The resident did not choose to appear today or make any other type of communication. The city has done the best it can to respect the resident's interest and in the absence of their opposition, he believes the Commission can proceed to provide an important service to the greater community.

Carroll believes that the applicant has evaluated all the areas and the fall zone fits inside this property. It is too bad there is an older residential house in an industrial zoned area, but he does not believe that Alltel should be held up because we have told them to put these towers in industrial areas.

Carlson stated that he will vote against the motion. He believes the professional staff has done a premier job of saying why the application is not complete, and that there is additional information that should be provided. He does not believe it will be overly burdensome on the applicant. Alltel has chosen a relatively high risk property in terms of what is available and what the ordinance calls for. Their interpretation is that this should be easy to approve and staff has said it is not easy to approve, and that is the burden they bear, i.e. to investigate and evaluate all other sites. The ordinance clearly defines the areas. This is a perfect example of when an application is incomplete. Since the applicant does not want a deferral, he will vote to deny because it is an application that is incomplete.

Motion for approval, with conditions, carried 7-1: Larson, Krieser, Carroll, Esseks, Taylor, Sunderman and Cornelius voting 'yes'; Carlson voting 'no'; Strand absent. This is final action unless appealed to the City Council.



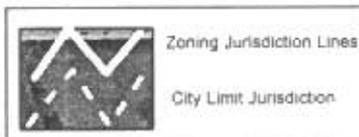
2005 aerial

**Special Permit #06065
S 3rd & Garfield St**

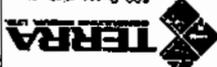
Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile
Sec. 35 T10N R06E



ALLTEL COMMUNICATIONS, INC.



600 Quaker Highway
Suite 100
Riverside, IL 60088
Tel: 847/995-8400
Fax: 847/995-8401

NO.	REVISION	DATE
1	ISSUED FOR PERMITS	11/15/00
2	REVISED FOR CITY COMMENTS	11/15/00
3	REVISED FOR CITY COMMENTS	11/15/00
4	REVISED FOR CITY COMMENTS	11/15/00
5	REVISED FOR CITY COMMENTS	11/15/00
6	REVISED FOR CITY COMMENTS	11/15/00
7	REVISED FOR CITY COMMENTS	11/15/00
8	REVISED FOR CITY COMMENTS	11/15/00
9	REVISED FOR CITY COMMENTS	11/15/00
10	REVISED FOR CITY COMMENTS	11/15/00
11	REVISED FOR CITY COMMENTS	11/15/00
12	REVISED FOR CITY COMMENTS	11/15/00
13	REVISED FOR CITY COMMENTS	11/15/00
14	REVISED FOR CITY COMMENTS	11/15/00
15	REVISED FOR CITY COMMENTS	11/15/00
16	REVISED FOR CITY COMMENTS	11/15/00
17	REVISED FOR CITY COMMENTS	11/15/00
18	REVISED FOR CITY COMMENTS	11/15/00
19	REVISED FOR CITY COMMENTS	11/15/00
20	REVISED FOR CITY COMMENTS	11/15/00
21	REVISED FOR CITY COMMENTS	11/15/00
22	REVISED FOR CITY COMMENTS	11/15/00
23	REVISED FOR CITY COMMENTS	11/15/00
24	REVISED FOR CITY COMMENTS	11/15/00
25	REVISED FOR CITY COMMENTS	11/15/00
26	REVISED FOR CITY COMMENTS	11/15/00
27	REVISED FOR CITY COMMENTS	11/15/00
28	REVISED FOR CITY COMMENTS	11/15/00
29	REVISED FOR CITY COMMENTS	11/15/00
30	REVISED FOR CITY COMMENTS	11/15/00
31	REVISED FOR CITY COMMENTS	11/15/00
32	REVISED FOR CITY COMMENTS	11/15/00
33	REVISED FOR CITY COMMENTS	11/15/00
34	REVISED FOR CITY COMMENTS	11/15/00
35	REVISED FOR CITY COMMENTS	11/15/00
36	REVISED FOR CITY COMMENTS	11/15/00
37	REVISED FOR CITY COMMENTS	11/15/00
38	REVISED FOR CITY COMMENTS	11/15/00
39	REVISED FOR CITY COMMENTS	11/15/00
40	REVISED FOR CITY COMMENTS	11/15/00
41	REVISED FOR CITY COMMENTS	11/15/00
42	REVISED FOR CITY COMMENTS	11/15/00
43	REVISED FOR CITY COMMENTS	11/15/00
44	REVISED FOR CITY COMMENTS	11/15/00
45	REVISED FOR CITY COMMENTS	11/15/00
46	REVISED FOR CITY COMMENTS	11/15/00
47	REVISED FOR CITY COMMENTS	11/15/00
48	REVISED FOR CITY COMMENTS	11/15/00
49	REVISED FOR CITY COMMENTS	11/15/00
50	REVISED FOR CITY COMMENTS	11/15/00
51	REVISED FOR CITY COMMENTS	11/15/00
52	REVISED FOR CITY COMMENTS	11/15/00
53	REVISED FOR CITY COMMENTS	11/15/00
54	REVISED FOR CITY COMMENTS	11/15/00
55	REVISED FOR CITY COMMENTS	11/15/00
56	REVISED FOR CITY COMMENTS	11/15/00
57	REVISED FOR CITY COMMENTS	11/15/00
58	REVISED FOR CITY COMMENTS	11/15/00
59	REVISED FOR CITY COMMENTS	11/15/00
60	REVISED FOR CITY COMMENTS	11/15/00
61	REVISED FOR CITY COMMENTS	11/15/00
62	REVISED FOR CITY COMMENTS	11/15/00
63	REVISED FOR CITY COMMENTS	11/15/00
64	REVISED FOR CITY COMMENTS	11/15/00
65	REVISED FOR CITY COMMENTS	11/15/00
66	REVISED FOR CITY COMMENTS	11/15/00
67	REVISED FOR CITY COMMENTS	11/15/00
68	REVISED FOR CITY COMMENTS	11/15/00
69	REVISED FOR CITY COMMENTS	11/15/00
70	REVISED FOR CITY COMMENTS	11/15/00
71	REVISED FOR CITY COMMENTS	11/15/00
72	REVISED FOR CITY COMMENTS	11/15/00
73	REVISED FOR CITY COMMENTS	11/15/00
74	REVISED FOR CITY COMMENTS	11/15/00
75	REVISED FOR CITY COMMENTS	11/15/00
76	REVISED FOR CITY COMMENTS	11/15/00
77	REVISED FOR CITY COMMENTS	11/15/00
78	REVISED FOR CITY COMMENTS	11/15/00
79	REVISED FOR CITY COMMENTS	11/15/00
80	REVISED FOR CITY COMMENTS	11/15/00
81	REVISED FOR CITY COMMENTS	11/15/00
82	REVISED FOR CITY COMMENTS	11/15/00
83	REVISED FOR CITY COMMENTS	11/15/00
84	REVISED FOR CITY COMMENTS	11/15/00
85	REVISED FOR CITY COMMENTS	11/15/00
86	REVISED FOR CITY COMMENTS	11/15/00
87	REVISED FOR CITY COMMENTS	11/15/00
88	REVISED FOR CITY COMMENTS	11/15/00
89	REVISED FOR CITY COMMENTS	11/15/00
90	REVISED FOR CITY COMMENTS	11/15/00
91	REVISED FOR CITY COMMENTS	11/15/00
92	REVISED FOR CITY COMMENTS	11/15/00
93	REVISED FOR CITY COMMENTS	11/15/00
94	REVISED FOR CITY COMMENTS	11/15/00
95	REVISED FOR CITY COMMENTS	11/15/00
96	REVISED FOR CITY COMMENTS	11/15/00
97	REVISED FOR CITY COMMENTS	11/15/00
98	REVISED FOR CITY COMMENTS	11/15/00
99	REVISED FOR CITY COMMENTS	11/15/00
100	REVISED FOR CITY COMMENTS	11/15/00

7th & GARFIELD

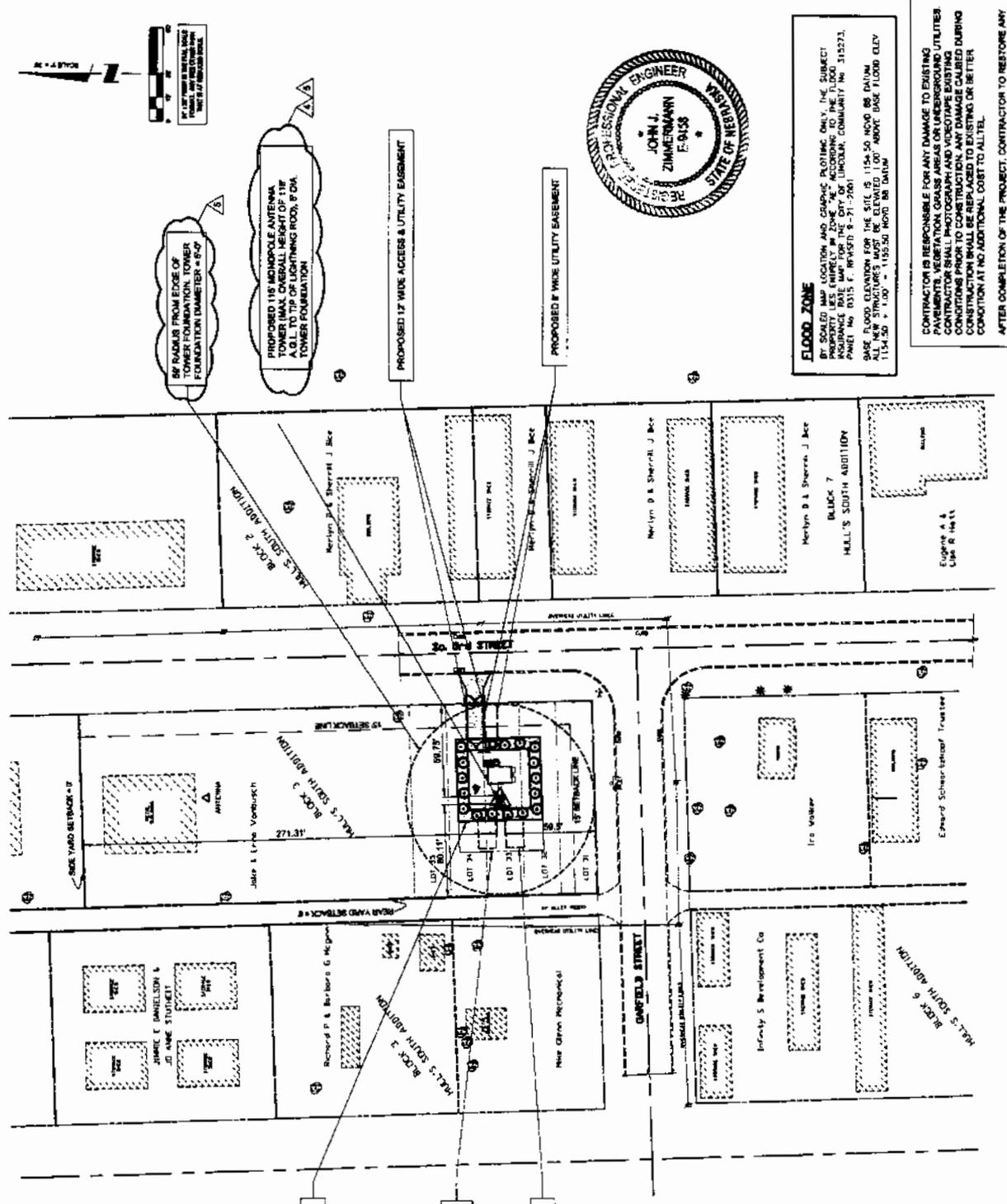
1448 S 3rd ST.
LINCOLN, NE 68508

PROJECT #	10000
DATE	11/15/00
DRAWN BY	JAL
CHECKED BY	MSB

LOCATION PLAN

SHEET NUMBER

LP



FLOOD ZONE
BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY, THE SUBJECT CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE LATEST INSURANCE RATE MAP FOR THE CITY OF LINCOLN, COMMUNITY NO. 315223, PANEL NO. 0315. REVISED 8-21-2001.
BASE FLOOD ELEVATION FOR THE SITE IS 1154.50 ABOVE MEAN SEA LEVEL. ALL NEW STRUCTURES MUST BE ELEVATED 1.00 ABOVE BASE FLOOD ELEVATION. 1154.50 + 1.00 = 1155.50. ROAD BE DRAIN.

CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES AND STRUCTURES DURING CONSTRUCTION. CONTRACTOR SHALL PHOTOGRAPH AND VIDEO TAPE EXISTING CONDITIONS PRIOR TO CONSTRUCTION. ANY DAMAGE CAUSED DURING CONSTRUCTION SHALL BE REPAIRED TO EXISTING OR BETTER CONDITION AT NO ADDITIONAL COST TO ALLTEL.
AFTER COMPLETION OF THE PROJECT, CONTRACTOR TO RESTORE ANY STAGING AREAS TO ORIGINAL CONDITION.

- LEGEND**
- P = PLATTED DISTANCE
 - M = MEASURED DISTANCE
 - = FOUND MONUMENT
 - = SET MONUMENT #5 REBAR
 - ▲ = SET TEMP. POINT
 - ⊙ = POWER POLE
 - * = CONIFEROUS TREE
 - = DECIDUOUS TREE

PROPOSED ALLTEL SITE (85' x 55')

FUTURE CELLULAR PROVIDER LEASE AREA (20' x 55')

FUTURE CELLULAR PROVIDER, TYPE OF 2



CALL OR VISIT US TODAY AT THE LAW
1-800-311-5448
NETVO OMAHA 344-5565

Survey Prepared by
K & M INC.
LAND SURVEYING
1400 N. LINCOLN ST.
LINCOLN, NE 68505
TEL: 402-478-7444
FAX: 402-478-7444

DATE: 11/15/00
DRAWN BY: JAL
CHECKED BY: MSB

THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE NE 1/4 OF SEC. 24, T. 10 N. R. 5 E. ELEVATION = 1340.00

900 B Street
Lincoln, NE 68502
PH: 402/441-8800
FAX: 402/441-8801

1010 G Street
Lincoln, NE 68502
PH: 402/441-8800
FAX: 402/441-8801

NO.	DATE	DESCRIPTION
1	10/1/00	ISSUE FOR C.D. REVIEW
2	10/1/00	FIELD FOR PERMIT
3	10/1/00	FIELD FOR PERMIT
4	10/1/00	FIELD FOR PERMIT
5	10/1/00	FIELD FOR PERMIT
6	10/1/00	FIELD FOR PERMIT

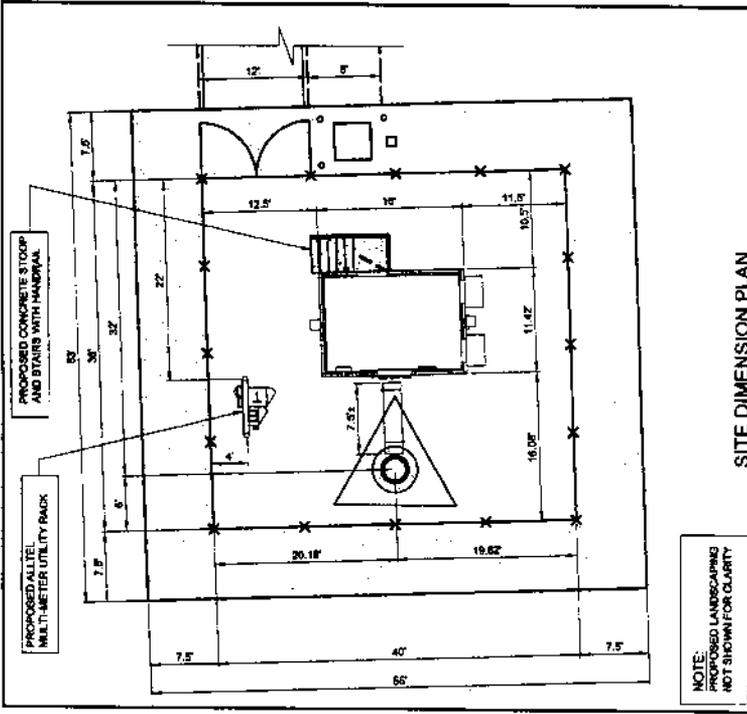
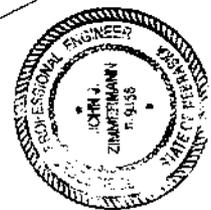
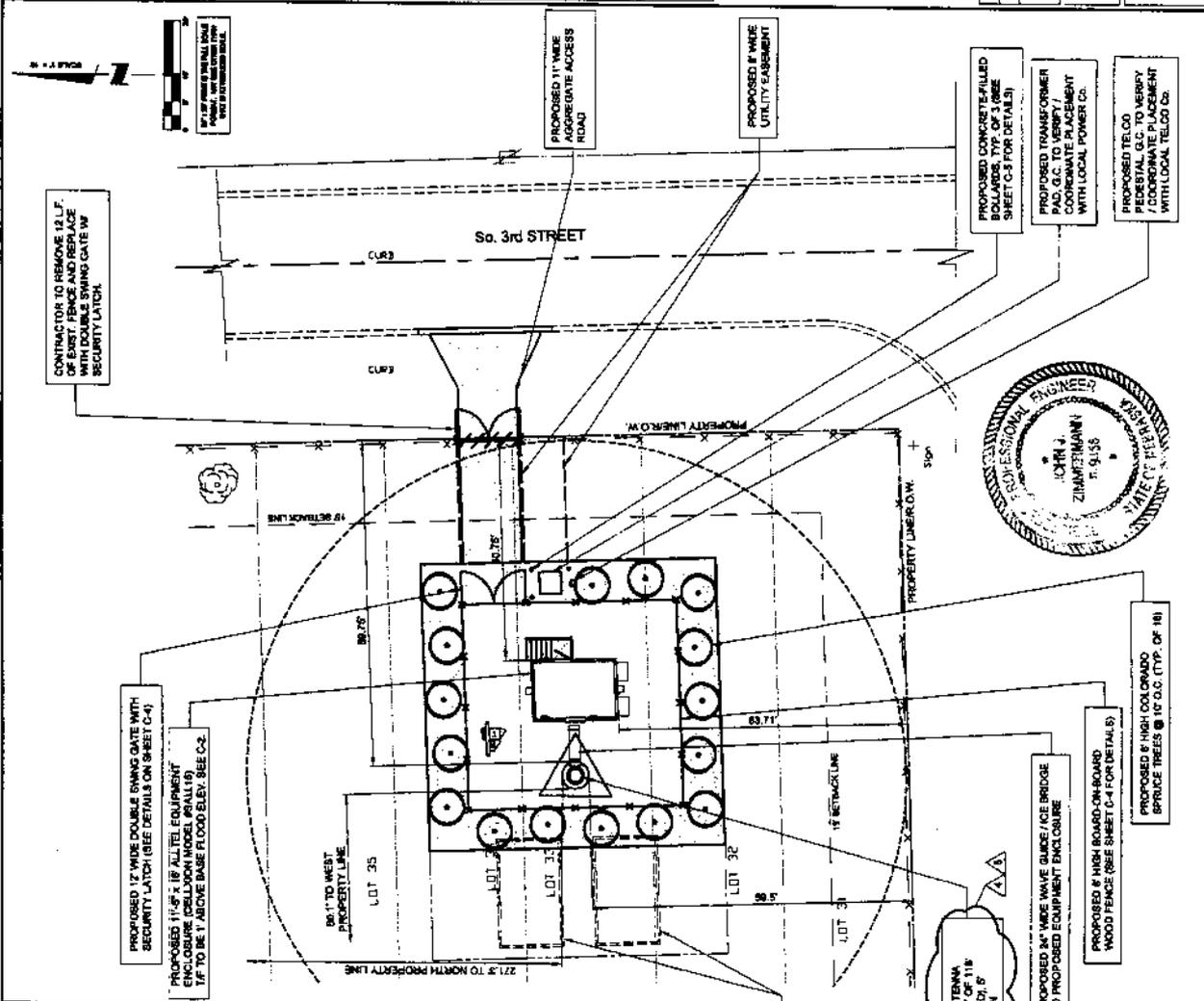
7th & GARFIELD

1445 S. 3rd ST.
LINCOLN, NE 68508

DESIGNED BY	DATE	SCALE
CHECKED BY	DATE	SCALE
PROJECT NO.	DATE	SCALE

ENGINEERING
SITE PLAN

SHEET NUMBER
C-1



NOTE:
PROPOSED LANDSCAPING NOT SHOWN FOR CLARITY

SURVEY PROVIDED BY:
K & M, INC.
LAND SURVEYING
1001 S. 10th Street
Lincoln, NE 68502
402-441-3000

REGS. SURVEY MARK:
STEEL ROD (50) 48117-STAMPED
1" DIA. 10' LONG
NE 1/4 OF SEC. 34, T. 10 N., R. 8 E
ELEVATION 1340.00

Diggers Hotline
OF
Nebraska
CALL BEFORE YOU DIG... IT'S THE LAW
1-800-331-2888
METRO (800) 344-3585

PAVEMENT MATERIALS AND QUANTITIES

ACCESS ROAD 40 S.Y.
8" AGGREGATE BASE COURSE
4" COMPACTED AGGREGATE SUBGRADE
2000 GRADE SUBGRADE GEOTEXTILE FABRIC, WOVEN
180 L.F. OF FENCING

LEASE SITE 326 S.Y. (BASED ON 57' x 50' LEASE AREA)
4" COMPACTED AGGREGATE BASE COURSE
4" 4.8 LIMESTONE
2000 GRADE SUBGRADE GEOTEXTILE FABRIC, WOVEN
180 L.F. OF FENCING

THE CONTRACTOR ALSO SHALL INCLUDE A SEPARATE UNIT PRICE PER CY FOR 18" WIDE CURB AND 18" WIDE DRIVE PAVEMENT. ALL DRIVE PAVEMENT SHALL BE UNDER THE ACCESS DRIVE PAVEMENT.

800 Grosse Pointe Rd
P.O. Box 447
P.O. #47/898-6401

TERRA

NO.	REVISIONS	DATE
1	ISSUED FOR PERMIT	11/20/08
2	ISSUED FOR PERMIT	11/20/08
3	ISSUED FOR PERMIT	11/20/08
4	ISSUED FOR PERMIT	11/20/08
5	ISSUED FOR PERMIT	11/20/08
6	ISSUED FOR PERMIT	11/20/08
7	ISSUED FOR PERMIT	11/20/08
8	ISSUED FOR PERMIT	11/20/08
9	ISSUED FOR PERMIT	11/20/08
10	ISSUED FOR PERMIT	11/20/08

7th & GARFIELD

144 S. 3rd ST
LINCOLN NE 68508

DESIGNED BY: []

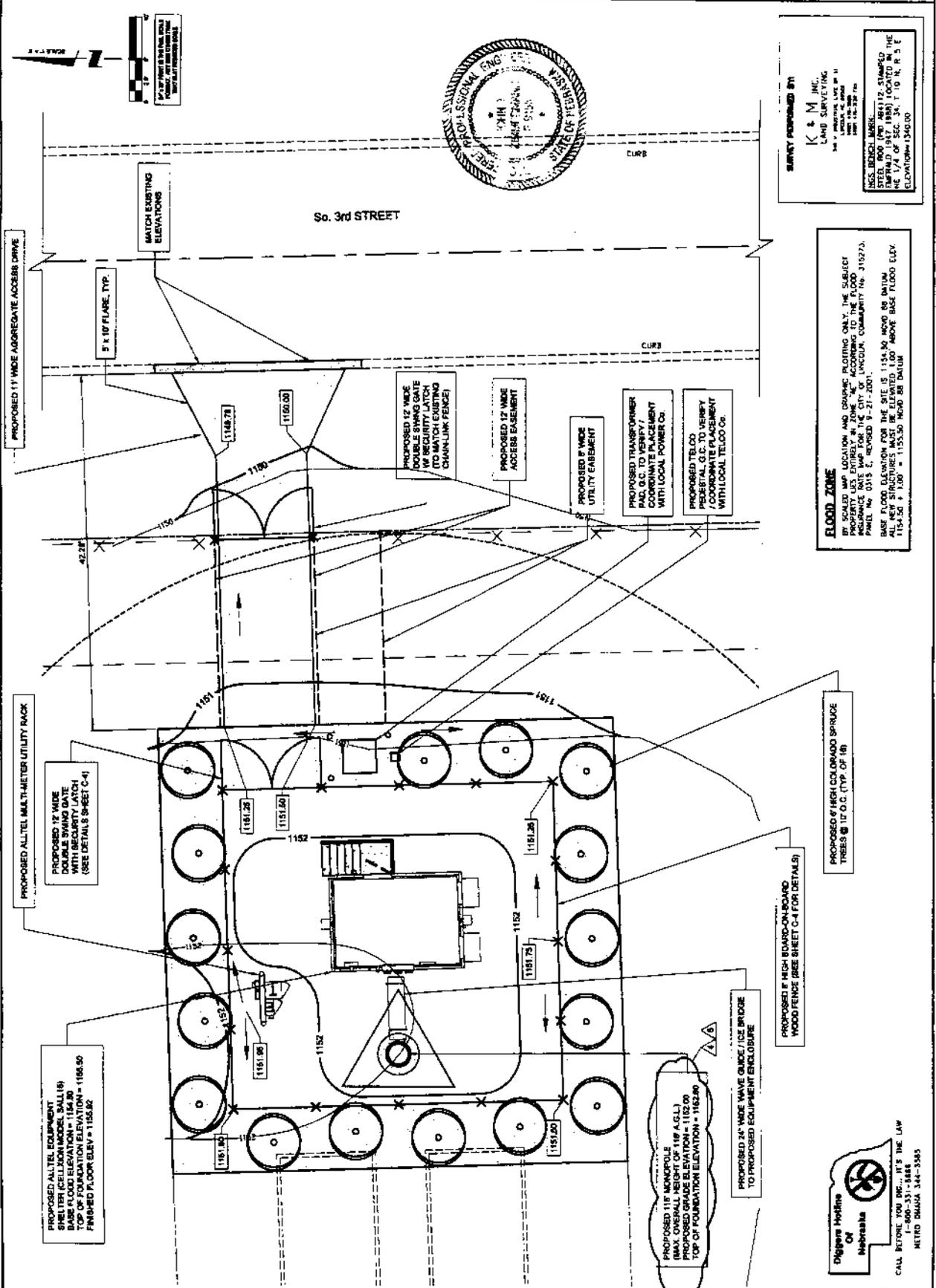
CHECKED BY: []

DATE: []

PROJECT # []

SHEET TITLE: **SITE GRADING PLAN**

SHEET NUMBER: **C-2**



SURVEY PROVIDED BY:

K & M INC.
LAND SURVEYING
144 S. 3rd St., Suite 11
Lincoln, NE 68508
402-441-2339
www.kandm.com

DEVELOPER:
K & M INC.
144 S. 3rd St., Suite 11
Lincoln, NE 68508
402-441-2339
www.kandm.com

ISSUE NO.: 001
DATE: 11/20/08

PROJECT NO.: 001

SCALE: 1" = 10'

DATE: 11/20/08

PROJECT: 7th & Garfield

SHEET: C-2

FLOOD ZONE

BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY, THE SUBJECT PROPERTY LIES ENTIRELY IN ZONE "X" ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM NO. 15040C0010, COMMUNITY NO. 310273, PANEL NO. 0313 E, REVISED 9-27-2001).

BASE FLOOD ELEVATION FOR THE SITE IS 1154.50' ABOVE MEAN SEA LEVEL. ALL NEW STRUCTURES MUST BE ELEVATED 1'00" ABOVE BASE FLOOD ELEVATION. 1154.50' + 1'00" = 1155.50' ABOVE MEAN SEA LEVEL.

Diggins Hoffman
Of
Nebraska

CALL BEFORE YOU DIG... IT'S THE LAW

NEBRASKA REG. NO. 144-1345

ALTER
COMMUNICATIONS, INC.

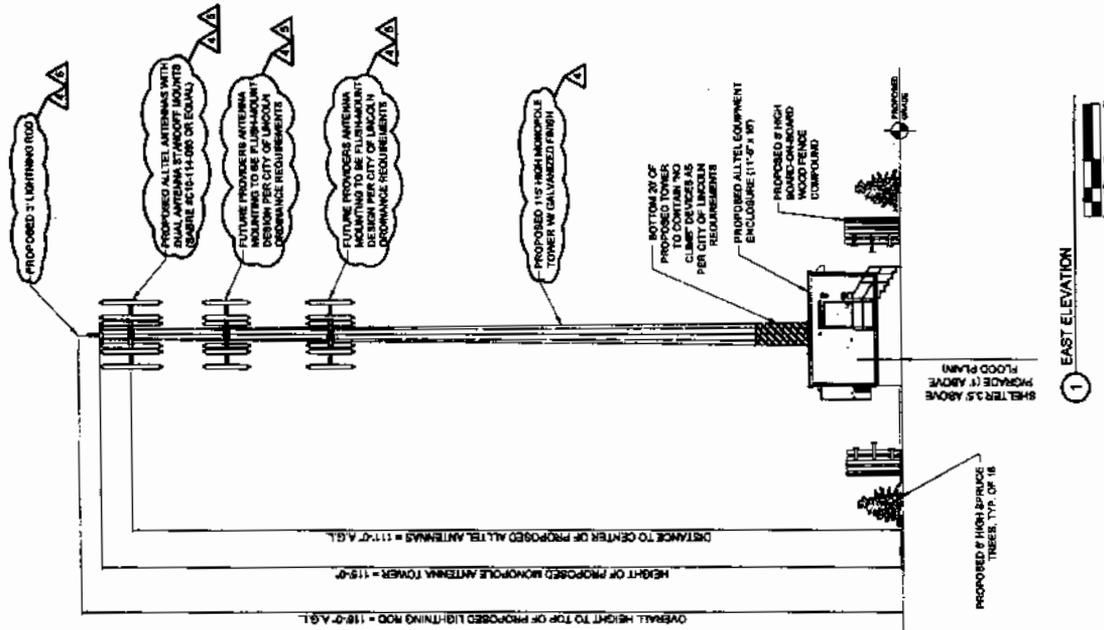
TERRA
ENGINEERING, INC.

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	11/15/07
2	ISSUED FOR PERMITS	11/15/07
3	ISSUED FOR PERMITS	11/15/07
4	ISSUED FOR PERMITS	11/15/07
5	ISSUED FOR PERMITS	11/15/07
6	ISSUED FOR PERMITS	11/15/07
7	ISSUED FOR PERMITS	11/15/07
8	ISSUED FOR PERMITS	11/15/07
9	ISSUED FOR PERMITS	11/15/07
10	ISSUED FOR PERMITS	11/15/07

7th & GARFIELD
1445 S. 3RD ST.
LINCOLN, NE 68508

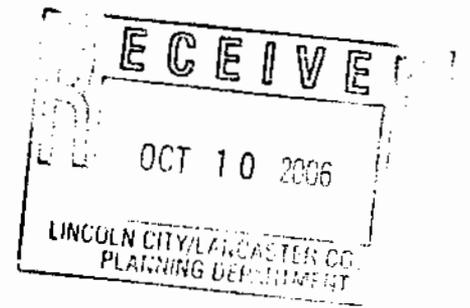
DATE: _____
DRAWN BY: _____
CHECKED BY: _____
SCALE: _____
SHEET NUMBER: _____

ANT-2





Faulk & Foster



October 9, 2006

Via FedEx

Brian Will
City of Lincoln Planning Department
555 South 10th Street, Room 213
Lincoln, NE 68508

(402) 441-6362

Re: Special Permit for Personal Wireless Services Facility under Sec. 27.63.720
Applicant: ALLTEL Communications of Nebraska, Inc., by Faulk & Foster
Project: Proposed personal wireless services facility consisting of a 115' monopole (123' to tip of lightning rod) and an 11'5" x 16' equipment shelter within a 38' x 40' fenced compound as shown in the drawings submitted
Location: 1445 S. 3rd Street (Parcel ID: 10-35-101-035-000)
Legal Description: Lots 32-34, Block 3, Hulls South Addition to the City of Lincoln, Lancaster County, Nebraska
Zoning District: I-1 Industrial District

Dear Mr. Will:

I have enclosed the following materials in application for a Special Permit for the above referenced project:

- A check in the amount of \$250.00 for the Special Permit Fee
- A completed Zoning Application Form (including attached legal description and attached application form signed by property owners Jake & Emma Von Busch)
- A Purpose Statement
- An Ownership Certificate issued by RELS Title on 8/24/06 (with attached supporting documentation)
- A Title Commitment from First American Title dated 8/30/06
- Other Ownership Information (Treasurer's Property Tax Information, Assessors Property Information, Appraisal Card, Deed, Memorandum of Lease signed by Jacob & Emma Von Busch)
- Other Parcel Information (including Parcel Map, Zoning Map, Floodplain Map, and Aerial Images from 3 distances showing relevant parcels and surrounding area)
- A June 14, 2006 Structural Analysis from Global Signal showing the nearby existing monopole to be structurally unacceptable for Alltel's use
- RF Engineering Maps (including map of area Alltel sites and "best server" and signal quality maps with and without proposed site on air)
- Before and after photosimulation views of the proposed site
- One 8 1/2 x 11 Full Set of Construction Drawings
- One 8 1/2 x 11 Survey Set
- 8 - 11 x 17 Full Sets of Construction Drawings
- 24 - 11 x 17 "Site Plan Only" Drawing Sets (includes sheets T-1, LP, C-1, C-2, ANT-1, ANT-2, and L-1)
- 32 - 11 x 17 Survey Sets

028

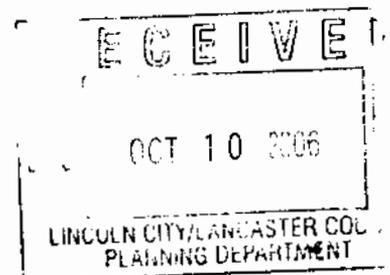
Please place this matter on the November 8 Lincoln-Lancaster County Planning Commission agenda. If you have any questions in the meantime please do not hesitate to contact me at ralph.wyngarden@faulkandfoster.com or 1-616-975-0923, ext. 115. I look forward to working with you on this project. Thanks!

Sincerely,



Ralph Wyngarden

Enclosures



ALLTEL'S SUPPLEMENTAL STATEMENT REGARDING DESIGN CHANGES AND REGARDING ELIMINATION OF COOPER PARK AND SAWYER SNELL PARK AS VIABLE LOCATIONS

In response to comments raised by the city in the course of review and to the presentation of suggested alternative locations in Cooper Park and in Sawyer Snell Park Alltel has made the following design changes and presents the following information.

I. CHANGE IN TOTAL TIP HEIGHT TO AVOID NECESSITY OF FALL ZONE WAIVERS

The antenna centerline as been shifted downward in order to bring the tip of the antenna mounts level with the top of the monopole at 115'. This allows utilization of a 3' rather than an 8' lighting rod and reduces the total tip height to 118' rather than 123'. This height reduction is noted on sheets LP, C-1, and C-2 and shown in the elevation views on sheets ANT-1 and ANT-2 of the revised drawings.

The 118' total height means the fall zone requirement in Section 27.68.110(g) can be met by keeping the edge of the tower at least 59' from any property line. As noted on sheets LP and C-1, the diameter of the tower foundation is 5' and the distance from the edge of the tower foundation to each property line is as follows:

- 59.5' from the south property line
- 60.11' from the west property line
- 271.31' from the north property line
- 59.75 feet from the east property line

In addition to each measurement, a dashed line with a radius of 59' from the edge of the tower foundation is shown. Because the distance to each property line is greater than one half the height of the structure, the fall zone requirement in Section 27.68.110(g) is met and no waiver is necessary.

II. CHANGE IN ANTENNA MOUNTING DESIGN FROM A FULL PLATFORM TO TWO-FOOT STANDOFF ARMS

The antenna mounting has been changed from a full platform design to a design using three 2' long standoff arms. At the end of each standoff arm is a bracket holding two antenna panels and maintaining a separation of 2' between panels. This design is illustrated on sheet ANT-1 of the revised drawings. The improvement in aesthetic appearance is illustrated by the revised set of before and after photosimulation views provided.

The reason this was designed as a full platform mount is to maintain diversity by separation of antennas and allow for the maximum number of panels per sector possible. Alltel's radiofrequency engineer has explained the need for antenna length, separation, and quantity as follows:

Size of Antennas:

The design of cellular and PCS antennas requires that for higher gain of the antenna, more elements are needed, which results in a longer antenna. The longer the antenna the higher the gain. This is needed to achieve in-vehicle and often in-building coverage. The antennas for this site are 8 foot and have a gain of 17dB. If there were shorter antennas resulting in a lower gain the site would have poorer in-vehicle and in-building coverage.

RECEIVED

NOV 8 2005

LINCOLN CITY/LANCASTER COUNTY PLANNING DEPARTMENT

Horizontal Separation:

Cell sites have more power and larger antennas than mobile phones. In order to compensate for the weakness of the phone a "diversity" design is required. This design in most cases will act to double the phone's ability to communicate with the base station. Even with this doubling the phone can struggle to be heard by the base station and this can cause dropped calls and calls not being able to go through. The reason for the distance required between antennas is that there is an optimal distance of 10-12 times the wavelength. Alltel operates in the 800 MHz frequency so taking 850Mhz equates to a wavelength of a little over 13 inches. Optimal separation is then a little over 13 feet to 16 feet. 10 feet of separation is generally the minimum to see the diversity results needed to improve the mobile connection.

Quantity of Antennas:

Regarding the above topic of diversity. Diversity is needed in one form or another. Other than space diversity there is polarization. In polarization there are essentially 2 antennas built in 1, but there is some losses associated with it as well. Dense urban areas are the best application for polarization diversity, there should be lots of buildings and places for the signals to reflect from. In urban or rural areas space diversity should be used instead. The ideal amount of antennas would be 3 or 4 with space diversity in an urban or rural application. 2 is the minimum amount. Since this site is in more of a residential area with no tall buildings and mostly businesses and homes, 2 antennas would be the minimum.

A typical flush mount would allow for only one antenna per sector and only a few inches of separation. The standoff arm design proposed by Alltel allows for 2 antennas per sector and provides for a separation between them of 2 feet. This reduction in space is only possible with the use of polarized antennas as described above. This is the minimum quantity and separation possible given the objectives at this site. This change in design does represent a sacrifice in service quality but has been made because, in the balance between functionality and visual appearance, the greater weight appears to be placed on aesthetics.

III. ELIMINATION OF COOPER PARK AS A VIABLE ALTERNATIVE LOCATION

The Verizon site location at Cooper Park is not viable because it fails to meet radiofrequency engineering service objectives for this site. A PowerPoint presentation from Alltel's radiofrequency engineer illustrates the problem with a series of maps. The first slide maps the location of the currently proposed site labeled "OMA_454_7th-Garfield" and the Cooper Park location (in red) as well as the surrounding existing Alltel sites. The remaining maps illustrate the differences in signal and in "best server" footprint between these two locations.

The Cooper Park location is too close to existing Alltel sites 401 and 437.

Slide 2 shows how the current proposed location is centered in a gap area of weaker signal (represented by shades of green) and Slide 4 shows how that area is filled with the proposed site on air. Slide 2 shows that the Cooper Park location is well inside of the area of strong signal (represented by shades of blue) generated by existing Alltel sites 401 and 437.

Slides 3 and 5 illustrate the service footprints of Alltel's sites before and after the proposed location is on air. The colors indicate the geographic area served by an individual sector at each location. Slide 3 indicates that for a phone user in the proposed site location the "best server" (the site with the strongest signal for them in that location) would be site 401 if they are in a light blue area, site 446 if they are in a pink area, site 455 if they are in a purple or red area, site 418 if they are in a green area, or site 422 if they are in a yellow area. Every time a user moves from an area served by one site to a different colored area served by another site they are switched from one site to another. The fractured patchwork of "best server" colors in the proposed tower location indicates an area where a caller will be repeatedly switched from one tower to another causing service degradation and increasing the call drop rate. Slide 5 shows the proposed site on air and how it fills this area in to create more clean decisive handoffs. An examination of the Cooper Park location on both slides 3 and 5 shows it is not located centrally in the area where signals from multiple sites come together to create a "best server" patchwork and it is barely even within the area that will be served by the proposed site once it is on air.

Slide 6 shows signal strength generated by the current location standing alone and slide 7 shows signal strength that would be generated at the Cooper Park location standing alone. It is clear that the area of strong signal (represented by blues and purples) is completely different from one location to the other. It is only the proposed location that fills the current gap and is appropriately centered to offload calls from surrounding sites in each direction. The Cooper Park location provides strong signal where it is already present and not where it is needed to offload sites 418 and 455 to the south.

The duplication of coverage if the Cooper Park location were utilized would cause interference at sites 401 and 437. Alltel's radiofrequency engineer states on Slide 9: "With Cooper as close as it is to the existing sites, 401 and 437, this would cause too much signal in the area resulting in pilot pollution. Pilot pollution is what happens when you have too many strong signals. The phone is unable to use all the signals so the unused signals appear as interference. Even though the signal is strong, some of it is interference and not usable so it results in degradation in call quality, echoes, missed syllables, static-ish sounding calls. It can also result in drops and mobiles unable to place or receive calls. This needs to be avoided and is important to overall system design because the unusable signals result in bringing the noise floor up for the whole system as well."

The Cooper Park location is too far from existing Alltel sites 418 and 455.

The available height and location at the ball field in Cooper Park is 35' lower and a half a mile farther away from sites 418 and 455. The area of strong signal generated by the Cooper Park location as shown on Slide 7 is north of A Street. It does not address the areas of weaker signal shown in green on Slide 2 and it does not generate signal within the "best server" footprints of sites 418 and 455 which are shown on Slide 3. When the best server footprint of a site does not change it means that that site will continue to serve all calls originating from that area without any capacity relief from the new site. Lack of capacity relief and poor handoff between sites means more dropped calls and less service reliability.

The currently proposed location is precisely positioned in relation to surrounding sites to best meet service objectives and provide capacity relief without leaving gaps or causing overlaps that degrade service like the Cooper Park location would.

IV. ELIMINATION OF SAWYER SNELL PARK AS A VIABLE ALTERNATIVE LOCATION

The proposed Sawyer Snell location is not a viable alternative for a number of reasons which are presented below in no specific order.

Alltel's location is an equally valid "preferred location site".

The city's hierarchy of locations preferences in Section 27.68.080 establishes three categories of preference: "preferred location sites", "limited preference sites", and "sensitive location sites". The ordinance language does not indicate a hierarchy of preference within each of the three categories. Alltel's location qualifies as a preferred location site under Section 27.68.080(a)(4) and should be on equal footing in terms of category with any other "preferred location site" offered as an alternative.

The Sawyer Snell location does not have any less impact on the character of the surrounding area.

The proximity of the proposed location and the Sawyer Snell location to each other means the visual impact on the neighborhood is similar in each location. The impact is unlikely to be a factor with respect to future development because the location of this area in a 100 year floodplain and in an industrial zoning district that retains its industrial designation in the future land use plan means that future development will be restricted to industrial compatible uses and any current residential uses will likely phase out over time.

The Sawyer Snell location would represent a significant loss of investment.

Alltel has invested a significant amount of time and money designing this site starting in 2004 with the nearby Global Signal tower that proved structurally infeasible and proceeding through search, pre-application meeting, and application processes for the present proposed location. From a timing standpoint, the Cooper Park and Sawyer Snell locations have only been presented within the last month for elimination and have not previously been presented as part of the process. All of Alltel's survey, drawing, leasing, soil testing, regulatory filing, environmental due diligence, etc. was completed prior to presentation of these alternatives. Once significant time and investment has been placed behind a particular project, it is only fair that the availability of any late appearing alternatives be considered in light of their timing.

The Sawyer Snell location would significantly delay the site's on-air date.

The lease negotiation and approval process has proven to be very lengthy on city owned sites and that process is likely to delay the on air date for a site that is sorely needed and overdue. This application has been brought to a point of final decision and Alltel stands ready to proceed promptly with the Building Permit and construction upon approval.

Parks Department design restrictions will not allow necessary antenna quantity and separation at the Sawyer Snell location.

Parks Operations Coordinator Dave Bomberger In his letter of October 17 commenting on Alltel's application emphasized the requirement of "close mount or stealth antennas". In subsequent conversation he emphasized that a location in Sawyer Snell Park would need to have antennas at least flush mounted at minimum

and that internal policy no longer allowed for platforms or standoff arms on city land sites.

As pointed out under heading II above, the radiofrequency objectives and the character of the surroundings require at least 2 antennas per sector for a total of six and require that . This cannot be accomplished with a flush mount.

The Sawyer Snell location carries uncertain environmental risks.

Alltel has received a clean bill of health for its selected location based on soil testing and environmental study. This study did, however, indicate locations of concern for soil or groundwater contamination throughout the area. As a mature industrial area with a long history of potentially environmentally sensitive uses it is a minefield where locations must be chosen with care. The Sawyer Snell location is downhill from an area of contamination from a former plating operation. Furthermore, it is immediately adjacent to the railroad tracks and, as a general rule, the compounds that leak from cars and engines, from the ties, and from any freight spillage, always raise concerns for sites in close proximity. Alltel also notes the presence of a well of undetermined purpose nearby and would like to ascertain whether it pertains to groundwater monitoring or has some other purpose. Without expenditure for environmental studies for this location it is unclear whether it even has viability from an environmental perspective.

The Sawyer Snell location carries a significant risk of denial.

Alltel has a good track record of co-locating to reduce the number of new towers, of working to use a single antenna per sector where possible, and of presenting such creative designs as the flagpole in Max Roper Park. However, given past experience with the Urban Design Committee and Parks Board approval processes, even stealth applications have not always received unanimous approval and there are serious questions about how much latitude there will be for non-stealth applications, particularly a design with standoff arms. There is no guarantee of an approval for a Sawyer Snell Park location and abandoning a fully developed application in an appropriate location for a risky alternative does not seem wise.

RECEIVED

OCT 10 2005

LINCOLN CITY/LANCASTER CO. PLANNING DEPARTMENT

PURPOSE STATEMENT

Re: Special Permit for Personal Wireless Services Facility under Sec. 27-63-720
Applicant: ALLTEL Communications of Nebraska, Inc., by Faulk & Foster
Project: Proposed personal wireless services facility consisting of a 115' monopole (123' to tip of lightning rod) and an 11'5" x 16' equipment shelter within a 38' x 40' fenced compound as shown in the drawings submitted
Location: 1445 S. 3rd Street (Parcel ID: 10-35-101-035-000)
Legal Description: Lots 32-34, Block 3, Hulls South Addition to the City of Lincoln, Lancaster County, Nebraska
Zoning District: I-1 Industrial District

SYSTEM DESIGN GENERALLY AND THE NEED IN THIS LOCATION

Alltel probably has the most mature system of cellular providers in Lincoln and that means that most applications, like this one, will be for fill-in sites that create new cells in between existing sites to address primarily "capacity" rather than "coverage" objectives.

Cell service is basically a line of site type of service where each tower facility serves users in a surrounding area that varies in size with the height of the tower as well as any manmade or geographic feature that can impact the signal. This area is called a cell. That is why we speak of cell service and cell phones. A tall tower will create a large cell and a shorter pole will create a much smaller geographic footprint. The inability to communicate using a cell phone in a given location can arise from either a coverage issue (the location you are in is not within a cell) or a capacity issue (you are within a cell but the site's capacity is full and your call cannot be handled).

Coverage

A stationary caller may have an entire call within one cell utilizing a single tower. A moving caller will be handed off from one cell to the next as the caller moves away from one tower location and closer to the next. The system detects the weakening signal from the tower the caller is on and the increasing signal from the tower the caller is approaching. When the strength of signal for the approaching tower exceeds that of the tower the caller is on the caller is handed off to that tower ahead. On a long call this can continue from tower to tower to tower.

If the caller reaches a point where there is no tower to be handed off to, the call is dropped and the caller can not reach the person they were talking with again until they come within range of another tower. This gap is referred to as a gap or hole in coverage. An applicant for a tower seeking to fill that gap would have a primary objective of providing coverage.

Sometimes coverage is categorized or mapped based on differing levels of signal strength as you get farther from a tower. Closest to the tower you have an area of in-building coverage, as you get farther away and the signal is weaker you lose the ability to talk when inside a building but still have coverage while in a car. The signal propagation maps provided previously are useful for discussing coverage but not for discussing capacity concerns as explained below.

In rural areas you often see taller guyed towers placed so as to provide in-building coverage to a town and in-car coverage far enough down the road in each direction to handoff to the next tall tower. Those living in the in between may have problems talking in their home and may need to go out and stand on the deck or drive to a

035

nearby high point but providers live with this because the number of people inconvenienced is small. In a more urban environment with many buildings of substantial construction you need more shorter towers to provide each area with in-building coverage. Having only in vehicle coverage would inconvenience a very large number of people hoping to make and receive calls indoors.

Capacity

There is also the issue of capacity. A site with no capacity exhibits characteristics similar to a location with no coverage at all. A caller will encounter the same symptoms of dropped calls and inability to access the system but for a different reason.

The capacity of each cell tower is limited. Each cell can only serve a certain number of users. That is another reason you see taller guyed towers in more rural areas and shorter self support and monopole towers in more urban areas. Because there are fewer users in the rural areas a tall tower covering a large geographical area can actually have significantly less call traffic than a short monopole in a busy area of a city. In an urban area many smaller cells are necessary because of the greater density of users. This difference in desired cell size also changes over time as a market matures in terms of cell usage.

Lets take a hypothetical town called Anytown. Back when only a few business users in Anytown had cell phones one tower outside of a town was enough. They put up a 310' tower on the east side of town and called the site Anytown. It really isn't crucial which side of town it is on because one tower anywhere nearby is enough to meet current needs. It met Anytown's needs for a while. However, as the number of users in the town grew beyond what that tower can handle from a capacity standpoint the provider needed to add a site on.

At that point it can be still be said that the first Anytown site provides *coverage* to the entire town but it can't handle the *capacity*. The provider now places a 220' self-support tower on the west side of town and calls it AnytownWest. That will equally divide the load. Putting it on the north or the south side of town won't do this. For the time being these towers share the load and cover the town. A caller driving west across town would be handed off somewhere in the middle from the Anytown site to the AnytownWest site.

Well, Anytown has a good economic base and thriving businesses so it is growing in population and now parents are getting their kids phones and grandpa and grandma want phones for security and now they can take pictures and transfer data so pretty soon the towers on the east and west aren't enough. The provider now needs to place a 100' monopole right in the middle of town to offload the Anytown site to the east and the AnytownWest site to the west. They call this site AnytownDowntown. Shorter height and a precise location ensure that the AnytownDT site offloads the proper amount of call traffic from each overburdened site. The town may say wait a minute we have a water tank over on the west side of town or what about the other tower on the east side of town but these wont work. They are each too far from one site and thus can't accomplish the task of offloading traffic to relieve the overcapacity there and too close to the other site resulting in strong signal overlap and lack of a clean handoff (a caller between the two overly close towers being repeatedly bounced back and forth as the signals compete, loading both towers and increasing dropped calls and service interruptions).

As usage in a community grows towers get shorter but there are more of them and in harder and harder to find locations. And there is much less flexibility in where they can be placed.

This Location

As just illustrated with hypothetical Anytown, the location chosen by the radio frequency engineer in the present case is precisely determined with reference to the appropriate distance from existing tower locations and the height chosen by the RF engineer takes into account the projected number of calls so that the site doesn't bite off more than it can chew. In this case Alltel's proposed height and location will create a cell big enough to capture the users that are currently overburdening adjacent towers but small enough so that it can handle its load with room to grow as the number of users and amount of usage in the immediate area continues to expand. Its location is such that it will appropriately offload each of the surrounding sites and ensure clean handoffs in each direction will at the same time bolstering nearby in-building coverage.

RF maps have been provided showing the surrounding Alltel sites, and "best server" and signal quality with the site on and off air. The signal quality map is better used to show coverage than capacity. However, there is an area of greens which indicate a lower signal quality that extend from north to south across the site location when the site is not on air and these fill in when the site is modeled as being "on air."

The primary representation showing what this site will do is found in the "best server" maps. The "best server" maps show the geographic area within each sector of a particular site. In other words, a caller within a particular colored area will be utilizing that sector of that tower and when they move into another colored area they are on either a different sector of the same tower or a sector on another adjacent tower. Crossing a color boundary is another way of visualizing a handoff from one tower to the next. The only problem here is that the "best server" map represents a static situation. In reality, as a site gets busier its "footprint" shrinks as it serves those callers nearby with strong signal while callers further away shift onto an adjacent tower if available because they find the site that would ordinarily provide the stronger signal busy.

By comparing the "Best Server Map With Proposed Site On Air" with the "Best Server Map Without Proposed Site On Air" you can see that the proposed site creates a footprint concentrated roughly between Capitol Parkway on the north and South Street on the south and between the expressway on the west and 10th Street on the east. Calls occurring within this footprint will be handled by this site rather than one of the surrounding 7 sites shown on the "Map of Area Alltel Sites". By offloading call traffic from these surrounding sites it frees up capacity at each of those sites to handle calls without service interruption within their respective "best server" footprints. Without this site the number of dropped calls and instances of system inaccessibility experience by callers near one of these sites continued to increase.

LACK OF ALTERNATIVES

The only alternative structure in or near Alltel's search area is the existing Global Signal (formerly Sprint) tower just south of A Street and west of 5th Street (the address is 445 A Street). Initially, Alltel selected this location as its primary candidate and proceeded with a co-location application with the intent of extending this tower to accommodate its proposed antenna array (the monopole is already

currently occupied by US Cellular and Sprint). Unfortunately, the June 14, 2006 Structural Analysis from Global Signal (a copy has been provided) showed the monopole to be structurally unacceptable for Alltel's proposed use.

This forced Alltel into a search for a new monopole location. Not only was the search area narrowly constrained by radio frequency engineering requirements as described above, Alltel was also constrained by factors such as floodway proximity and groundwater contamination concerns, limitations of parcel size, landowner willingness, and proximity to residential zoning districts. The selected parcel represents the best available most compatible site location for a new monopole in this area.

LOCATION DESCRIPTION

The selected parcel is in an older "brownfield" industrial area which is buffered from the residential area to the north by the elevated A Street overpass and approach. It is buffered from the residential area to the east by the railroad corridor and parallel area of heavy industrial activity. It is buffered to the south by Sawyer Snell Park and to the west by the Salt Creek corridor. Parcel maps and aerial photos have been provided for review.

The Von Busch parcel is elongated north-south and consists of a number of platted lots. It includes a building on the north end but is, for the most part, vacant with a dirt surface and has been used for dumpster storage and equipment parking. Alltel's project area impacts only lots 32-34.

PROJECT DESCRIPTION

This personal wireless services facility will consist of a 115' monopole (123' to tip of lightning rod) and an 11'5" x 16' equipment shelter within a 38' x 40' fenced compound. The monopole will be galvanized steel and no lighting for FAA purposes is required. The equipment shelter is made of prefabricated concrete and has a earth tone construction aggregate finish. Detailed representations are included in the Construction Drawings provided. Before and after photosimulation views have also been provided for review.

The pole is designed to accommodate at least two other comparable providers. Sheets ANT-1 and ANT-2 show hypothetical providers at centerlines of 85' and 100'. Actual antenna height would be based on each provider's own specific system needs.

The Von Busch site is currently fenced but no screening or natural growth is present. Alltel's landscape plan includes screening with an 8' board-on-board wood fence and 6' high Colorado Spruce trees set 10 feet apart (see sheets C-2, C-4, and L-1).

REQUEST FOR DETERMINATION REGARDING THE NECESSITY OF WAIVERS

If the total tip height of 123' is used to calculate a 50% of height fall zone for purposes of Section 27.68.110(g), the necessary setback from property lines is 61.5'. As shown in the structure location inset on Sheet 1 of the Survey the pole is centered 62' from the south property line, 62.61' from the west property line and 62.25' from the east property line. While it is 58.93 feet from the north line of Lot 35, this lot and the others to the north of it are part of the same parcel so this does not constitute a property line.

If the monopole height of 115' (half of which is 57.5') or the antenna tip height of 117' (half of which is 58.5') is used in the calculation rather than the lightning rod height, no waiver of fall zone setback is needed. Please advise whether the lightning rod can be excluded from the calculation of this setback.

COMPATIBILITY/ORDINANCE COMPLIANCE

This project is consistent with the scale and impact of other surrounding uses. Because it generates no noise, odor, glare, or traffic it is more compatible with surrounding uses than some its industrial neighbors. Arguably, it also has less impact than the current use of the property by a waste handling company for storage and staging of dumpsters and equipment. Also, the existing Global Signal tower is already present in this neighborhood without complaint.

The proposed site conforms with the comprehensive plan and with the specific ordinance criteria set forth for personal wireless service. This area retains its Industrial designation on the future land use map included in the Lincoln-Lancaster County Comprehensive Plan. Floodplain and environmental and groundwater contamination concerns limit the types of future development that can occur here.

This older "brownfield" industrial area is buffered from the residential area to the north by the elevated A Street overpass and approach. It is buffered from the residential area to the east by the railroad corridor and parallel area of heavy industrial activity. It is buffered to the south by Sawyer Snell Park and to the west by the Salt Creek corridor.

There is no impact on landmarks, historically significant features, or scenic vistas. The project avoids designated Capitol View Corridors. The galvanized steel finish of the monopole blends the best with varying sky conditions. The monopole does not require obstruction lighting for aviation purposes so there will be no nighttime impact. The vehicle traffic generated by this site will be limited to one to two technician visits a month and is not significant for this neighborhood.

Alltel's landscape and screening plan involving an 8' board-on-board wood fence and 6' high Colorado Spruce trees set 10 feet apart improve on the current visual situation where the existing chain link and lack of natural vegetation fail to screen current views of dumpsters and equipment.

Given the distance to residentially zoned districts, the character of the surrounding industrial area (including the presence of another monopole), the minimal height proposed, and the location on a large lot with proposed screening and landscaping, this project qualifies as a "Preferred Location Site" under Section 27.68.080.

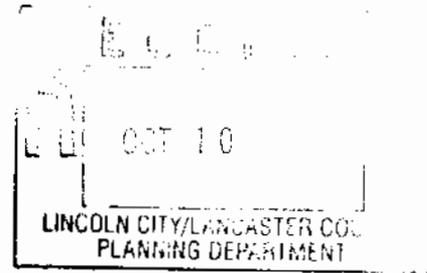
COMMUNITY BENEFIT

Wireless communications is a crucial part of the city's infrastructure and maintaining its quality serves the health, safety, and welfare of the community. The service provided is not only a personal convenience and an essential business tool, it is also central to public safety. This is true on a personal level where it provides assurance to those traveling alone, a way to locate family members, and a source of help in trouble. It is also true on a community level where it can lead to quicker accident and crime response times as a result of on the scene emergency calls, can serve as a

backup communication tool for emergency personnel, and provides a basis for coordination of searches and natural disaster response on a broad scale.

These benefits are multiplied for each additional service provider that co-locates at this site. As more and more technological innovations are delivered in a wireless fashion, more and more sites throughout the city will be needed for cellular, wireless internet, and others.

Global Signal
301 North Cattlemen Road, Suite 300
Sarasota, FL 34232



**102 ft EEI Monopole
With Proposed 15 ft Extension
Structural Analysis**



**Prepared for:
ALLTEL
4078753**

**Site: 3020510
YEATS CONSTRUCTION
Lincoln, Lancaster County, NE**

June 14, 2006

Prepared by:

**Christian MacKay E.I.
Engineer Intern**

Reviewed by:

**Michael T. De Boer P.E.
Senior Engineer**

Global Signal Services LLC
June 14, 2006
3020510
4078753

**102 ft EEI Monopole
(With proposed 15' extension)
Structural Analysis**

**Prepared for:
ALLTEL**

Table of Contents

INTRODUCTION.....	3
ANTENNA LOADING INFORMATION.....	4
RESULTS	4
CONCLUSION.....	5
MONOPOLE PROFILE.....	Attached
MONOPOLE REINFORCEMENT DETAIL.....	Attached
CALCULATIONS.....	Attached

Global Signal Services LLC

June 14, 2006

3020510

4078753

Introduction:

We have completed the structural analysis for the existing 102 ft EEI monopole located at the above referenced site. The objective of this analysis is to determine if the existing monopole design is in conformance with the TIA/EIA-222 Rev F Standard and in compliance with the local building code for the proposed antenna installation. Refer to the Review and Recommendations section at the end of this report for the analysis results.

Description of Structure:

The structure is a 102 ft EEI monopole with a 15 ft extension. The proposed 15 ft extension considered in this analysis is a 3/16" galvanized grade 65 steel 18 sided tapered polygon. The extension and connection is to be designed and fabricated by the original manufacturer and based on a field visit to verify all required information. The proposed overall height will be 117'.

Refer to EEI drawing job # 6922 dated May 2, 2000 for a detailed description of the structure. The tower, for the purpose of this analysis, is considered to be in good condition with no defects.

Method of analysis:

The tower was analyzed using Semaan Engineering Solutions' software suite for communication structures. The structural analysis is performed using the SAPS finite element engine. The method is 3D, non-linear, which accounts for the second order geometric effects due to the displacements. The analysis was performed in conformance with TIA/EIA-222 Rev F Standard and in compliance with the local building code for a basic wind speed of 80 mph (fastest mile, 100 mph 3-sec gust) and a reduced wind speed with ½" solid radial ice. This is in conformance with the IBC 2003: Section 1609.1.1, Exception (5) and Section 3108.4. Wind is applied to the structure, accessories and antennas.

Global Signal Services LLC

June 14, 2006

3020510

4078753

Structure loading:

Existing Loads:

Elev (ft)	Qty	Antennas	Mounts	Line Size	Carrier
100.0	6	FV65-17-04P	Low Profile Platform	(6) 1 5/8"	US Cellular
81.0	9	72" x 12" PCS Panel	Low profile platform	(9) 1 5/8"	Sprint

Proposed Loads:

Elev (ft)	Qty	Antennas	Mounts	Line Size	Carrier
115.0	6	RWA-80017	Low profile platform	(6) 1 5/8"	Alltel

All transmission lines are considered to be running inside of the monopole shaft.

Results of Analysis:

Refer to the attached Computer Summary sheets for detailed analysis results.

Structure:

The monopole and anchor bolts were found to be adequate for the existing and proposed loads. However **the base plate is overstressed** with the proposed antenna loading.

Foundation:

Pole Reactions	Original Design Reactions	Current Analysis Reactions
Moment (ft-kips)	563.80	1,262.72
Shear (kips)	9.95	14.69

The foundation has been analyzed and was found to be adequate for the existing and proposed loads.

Global Signal Services LLC

June 14, 2006

3020510

4078753

Conclusion:

The existing 102 ft EEI monopole (with a proposed 15' extension) located in Lancaster County (Lincoln, Yeats Construction), NE is **structurally unacceptable** with the proposed antenna loading based upon TIA/EIA-222 Rev F Standard and the local building code with a basic wind speed of 80 mph (fastest mile, 100 mph 3-second gust) and a reduced wind speed with 1/2" solid radial ice.

The Global Signal RF Engineering department has the responsibility and the authority to approve the type, and or the specific model number, of the transmission lines or cables that are permitted to be installed at any Global Signal facility.

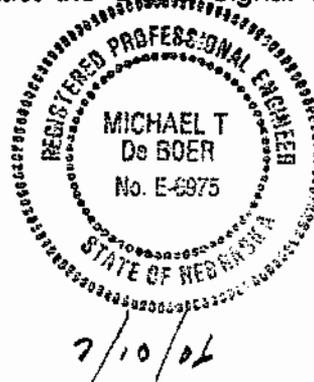
If any other changes are proposed, another structural analysis should be performed to assure the tower is in compliance/conformance with the applicable codes/standards.

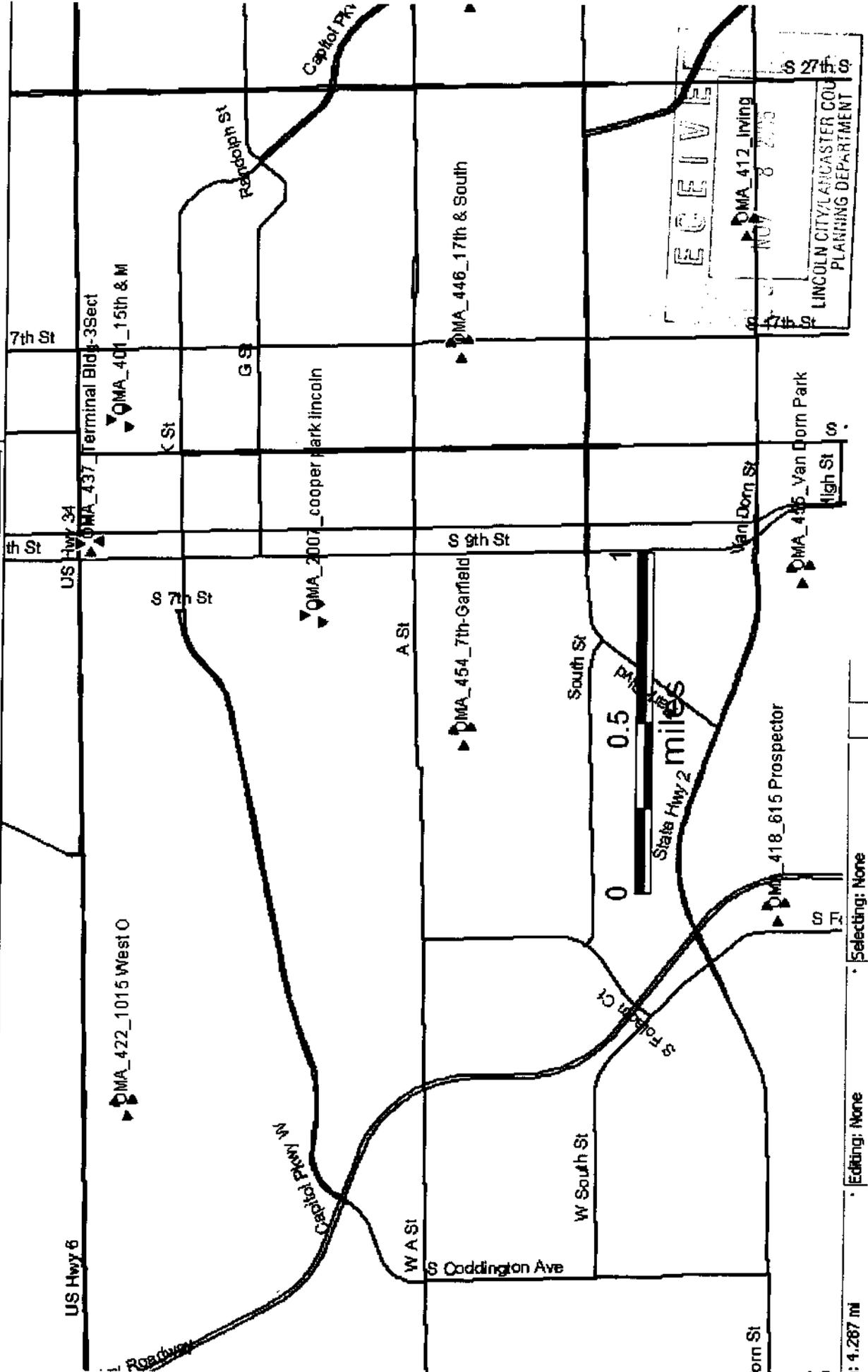
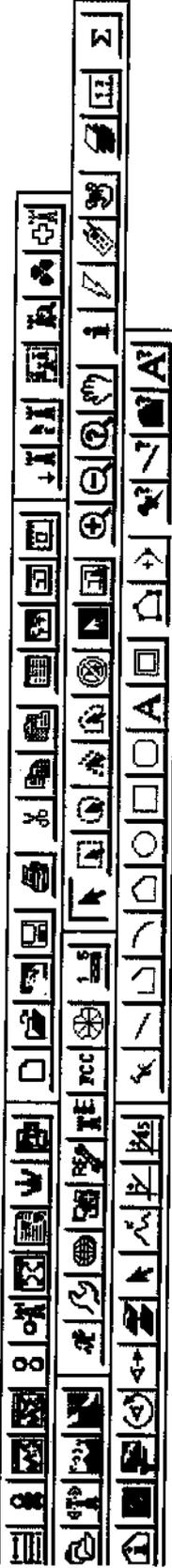
Should any further questions arise, please contact the Global Signal Services LLC Engineering Department at 941-364-8886.

Global Signal Services LLC



Michael T. De Boer, P.E.
Senior Engineer

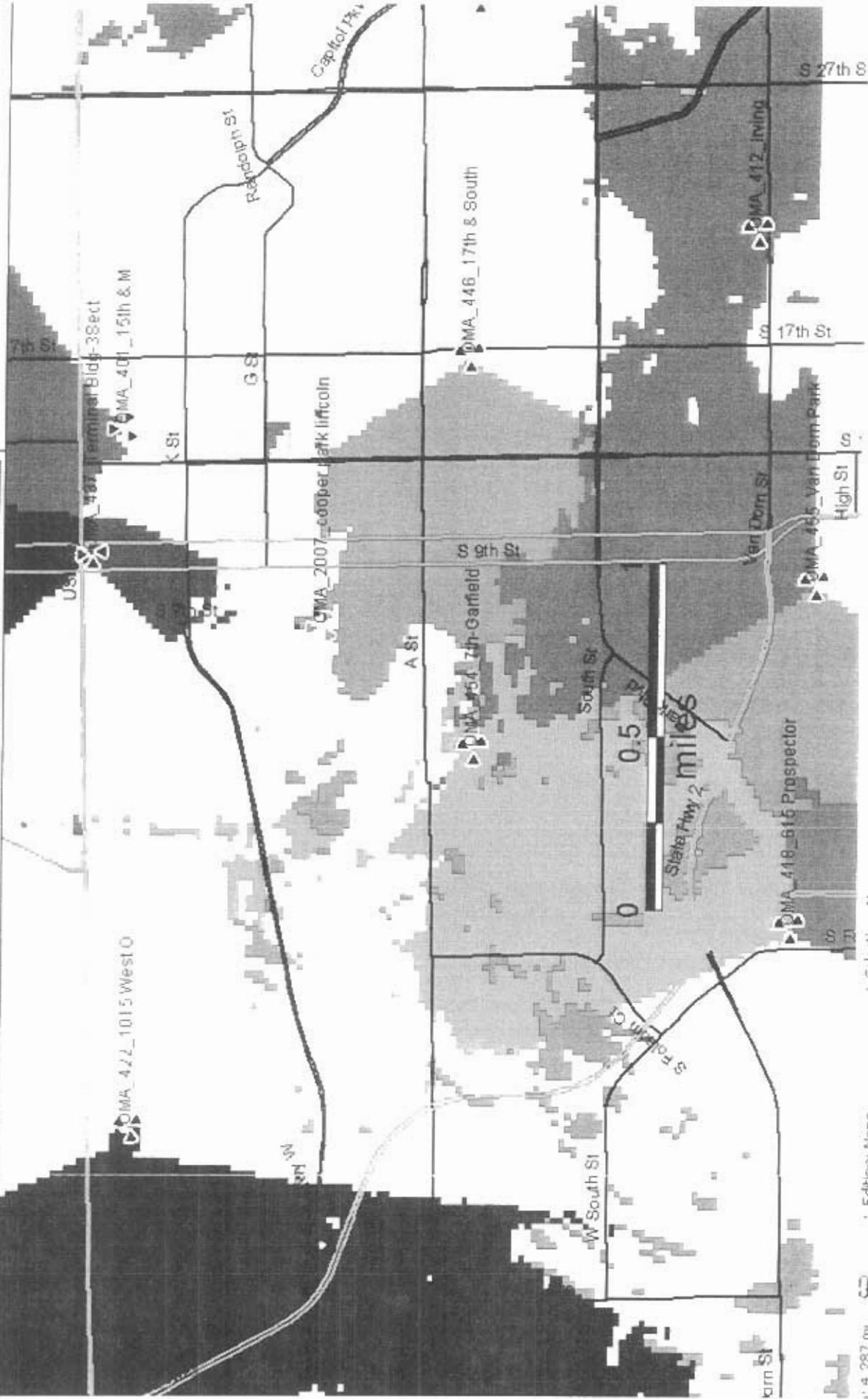
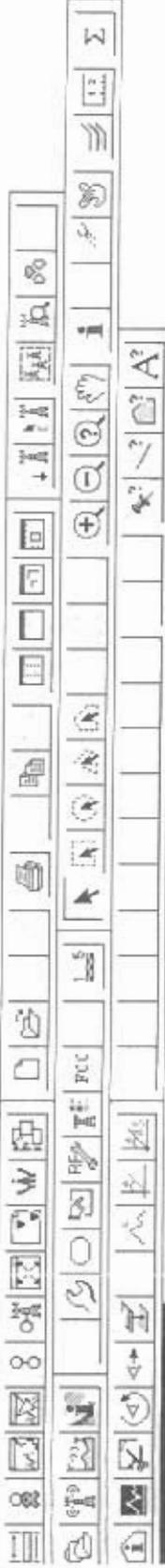




Selecting: None

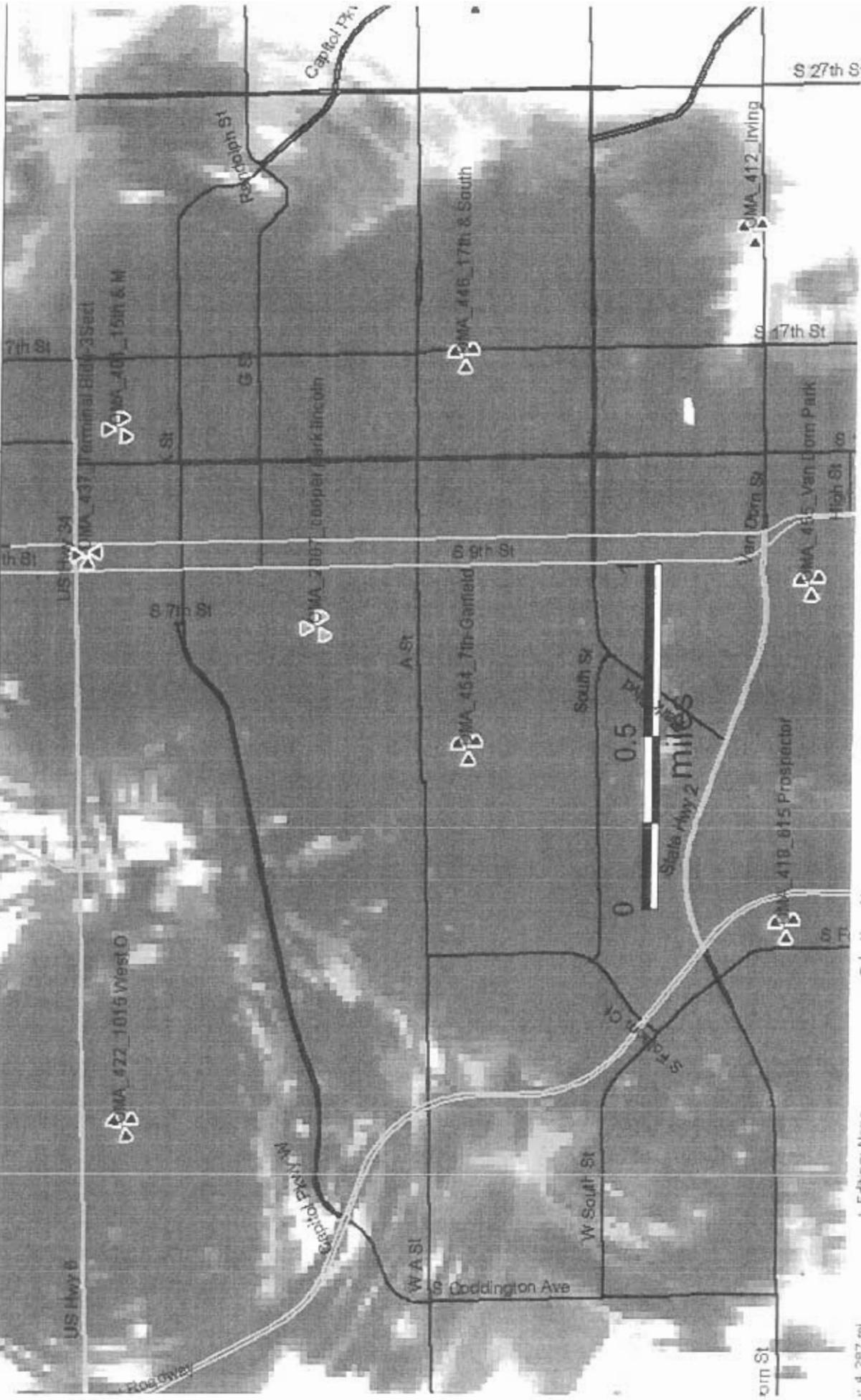
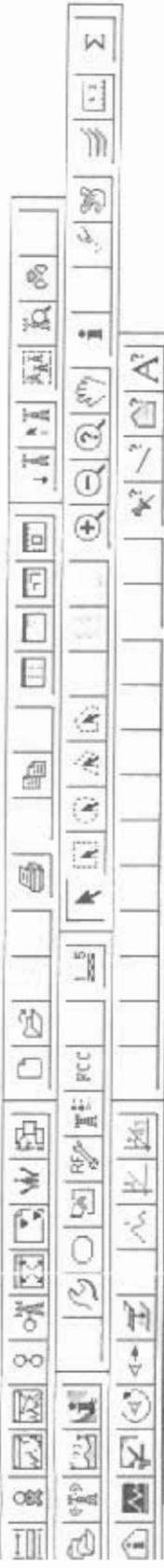
Editing: None

4.287 mi



Selecting: None

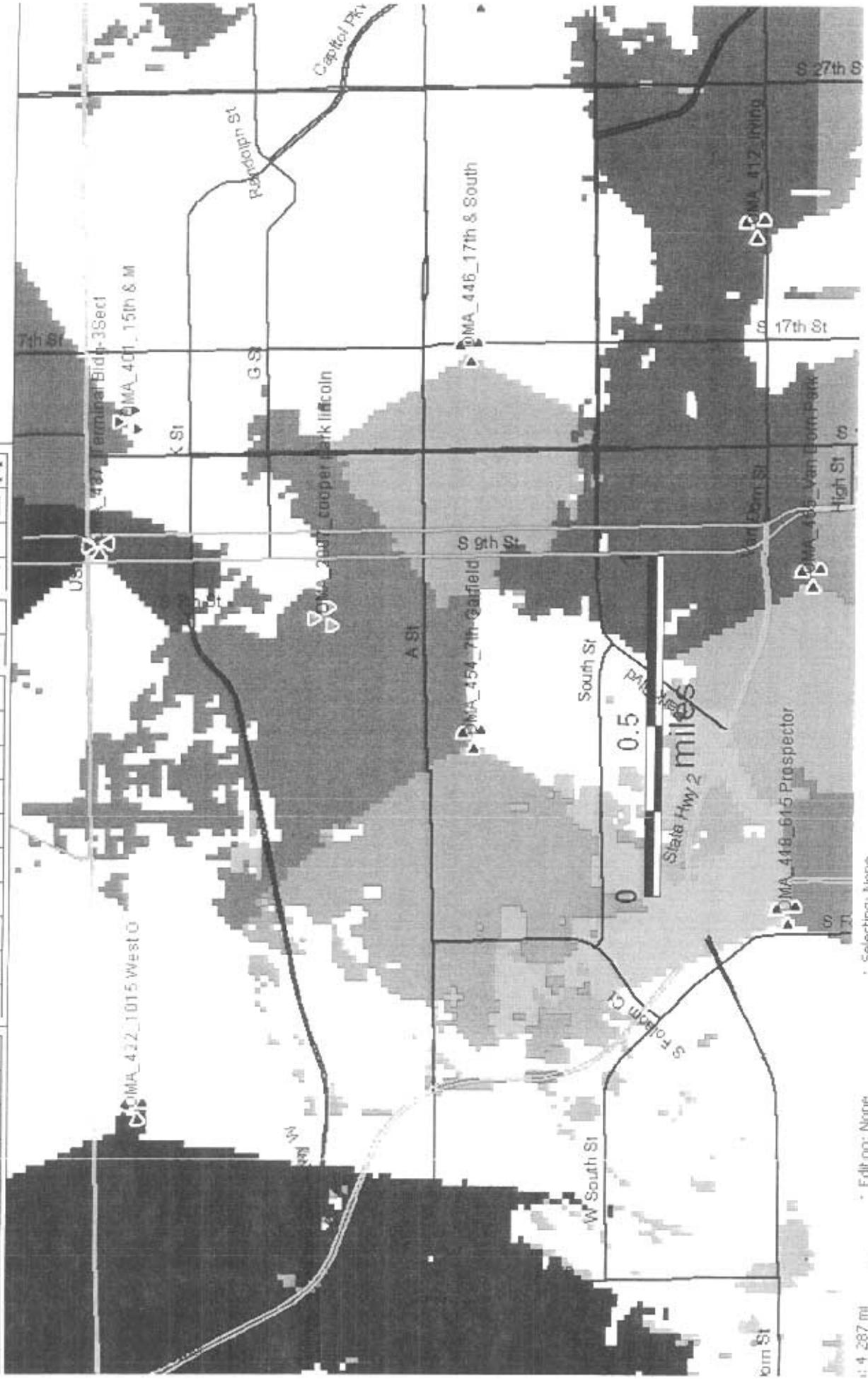
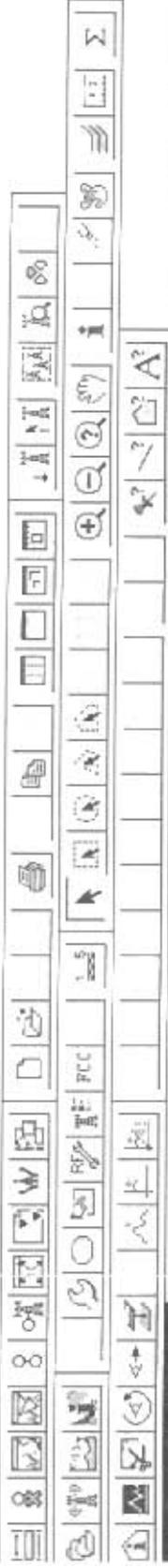
Editing: None



Selecting: None

Editing: None

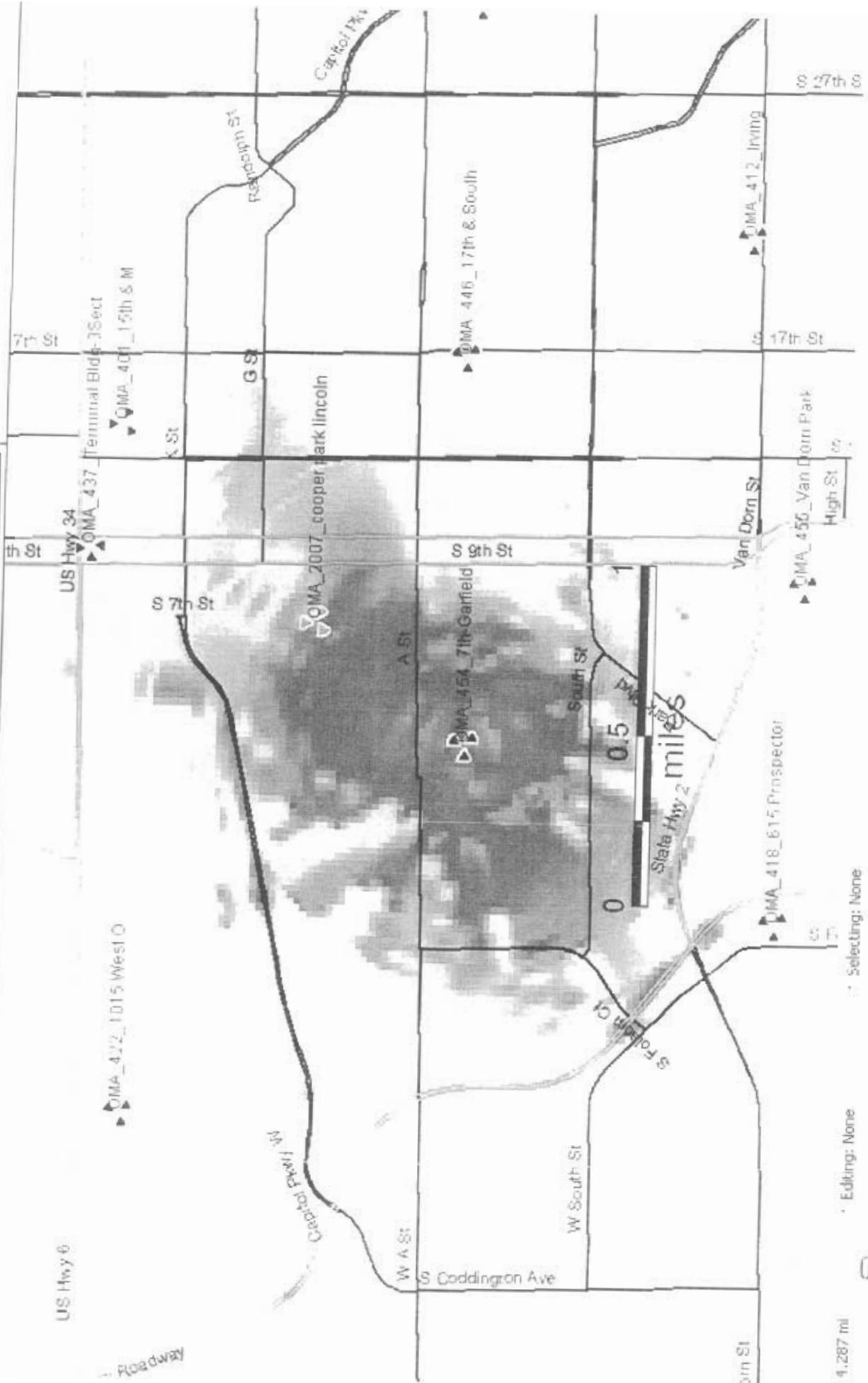
4.287 mi



Selecting: None

Editing: None

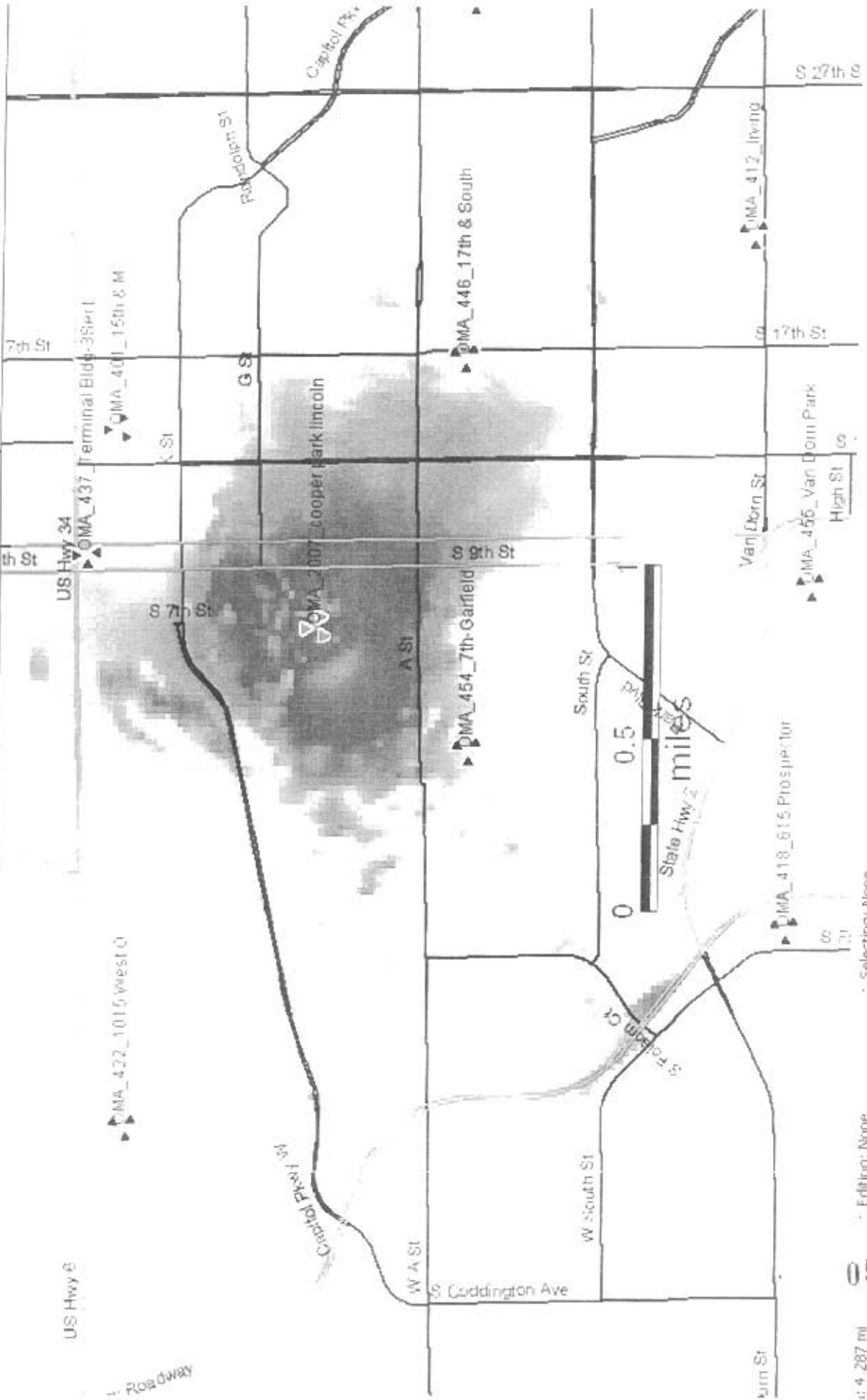
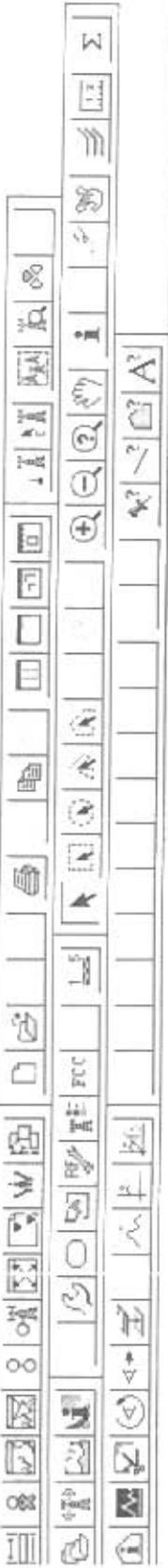
4.287 mi



Scale: 1:287 mi

Editing: None

Selecting: None

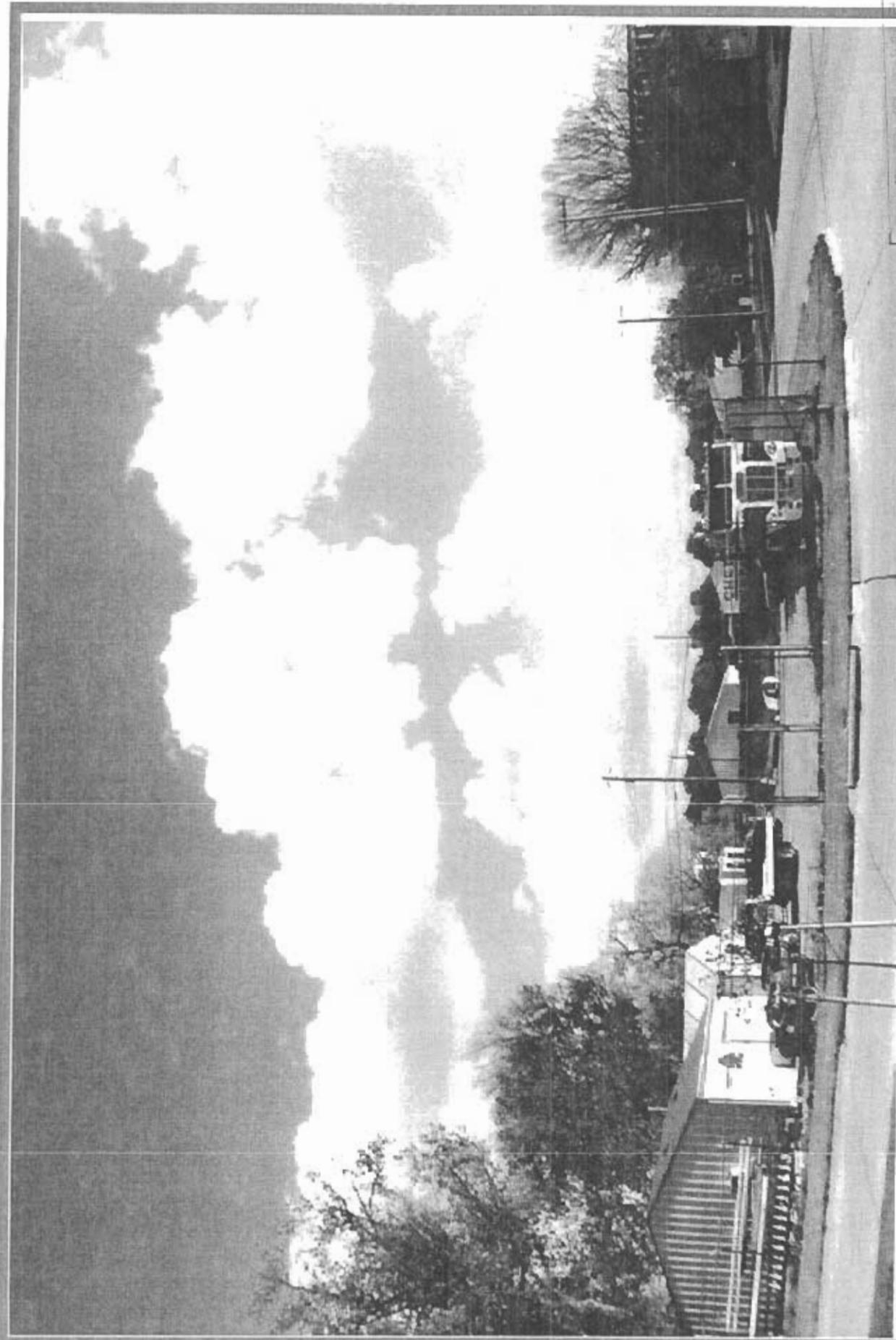


Cooper rejection reasons

- Too close to sites: 401 & 437, which duplicates coverage and causes interference to those sites.
- Too far away from sites: 418 & 455, which makes connections and overlapping coverage less likely, resulting in drops
- Required lower centerline from 115 to 75ft
- Nearly .5 miles away from current location

Technical reasons for rejection

- With Cooper as close as it is to the existing sites, 401 and 437, this would cause too much signal in the area resulting in pilot pollution. Pilot pollution is what happens when you have too many strong signals. The phone is unable to use all the signals so the unused signals appear as interference. Even though the signal is strong, some of it is interference and not usable so it results in degradation in call quality, echoes, missed syllables, static-ish sounding calls. It can also result in drops and mobiles unable to place or receive calls. This needs to be avoided and is important to overall system design because the unusable signals result in bringing the noise floor up for the whole system as well.
- Cooper also doesn't cover as well as the current candidate to the southwest, west and south. The centerline has been decreased, even if it was increased it would make the situation described above worse to those adjacent sites. The location of the this alternative is not acceptable because it duplicates too much existing coverage and doesn't provide it in other needed areas.

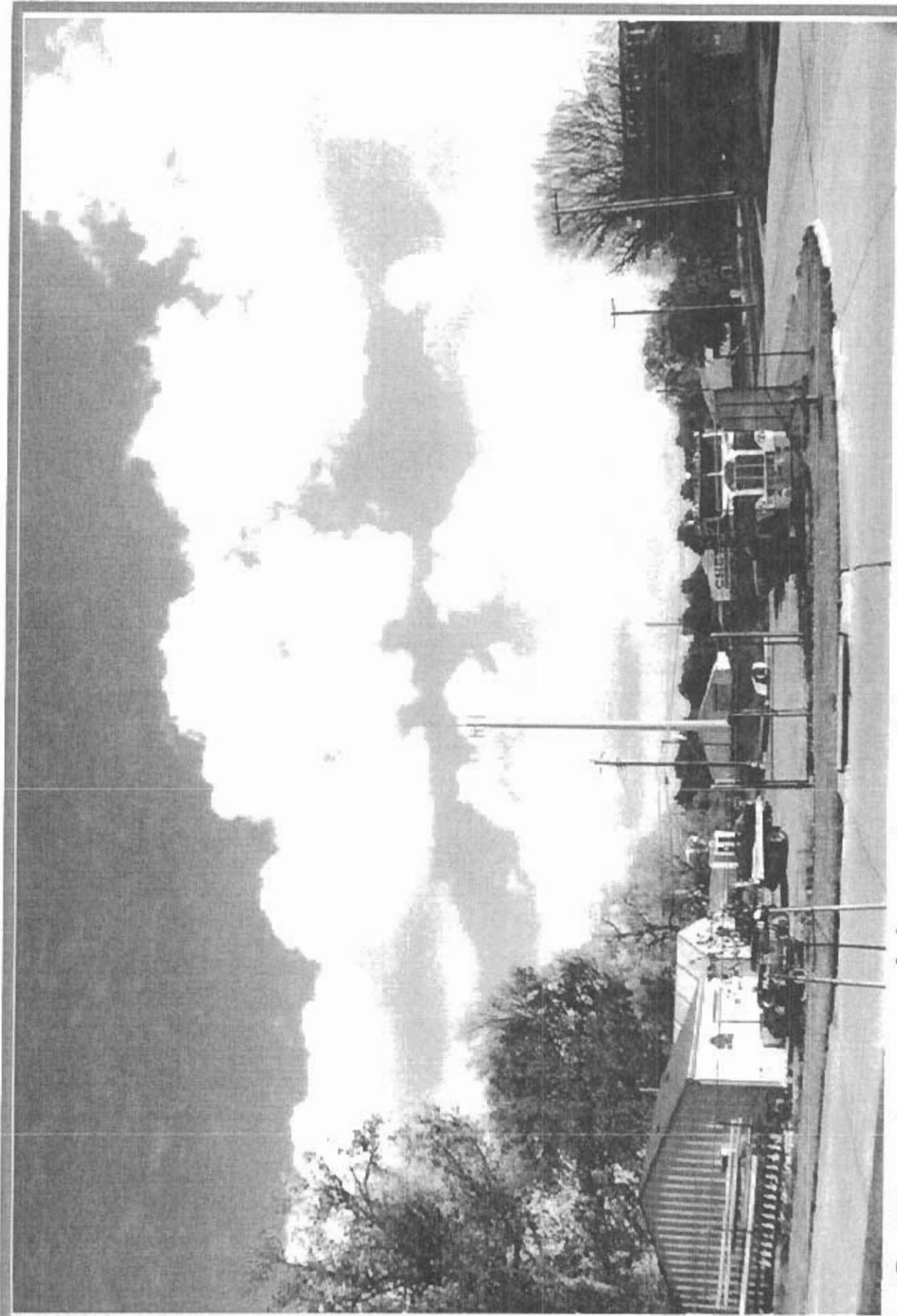


alltel

Lincoln - 7th and Garfield

Before - View Looking East



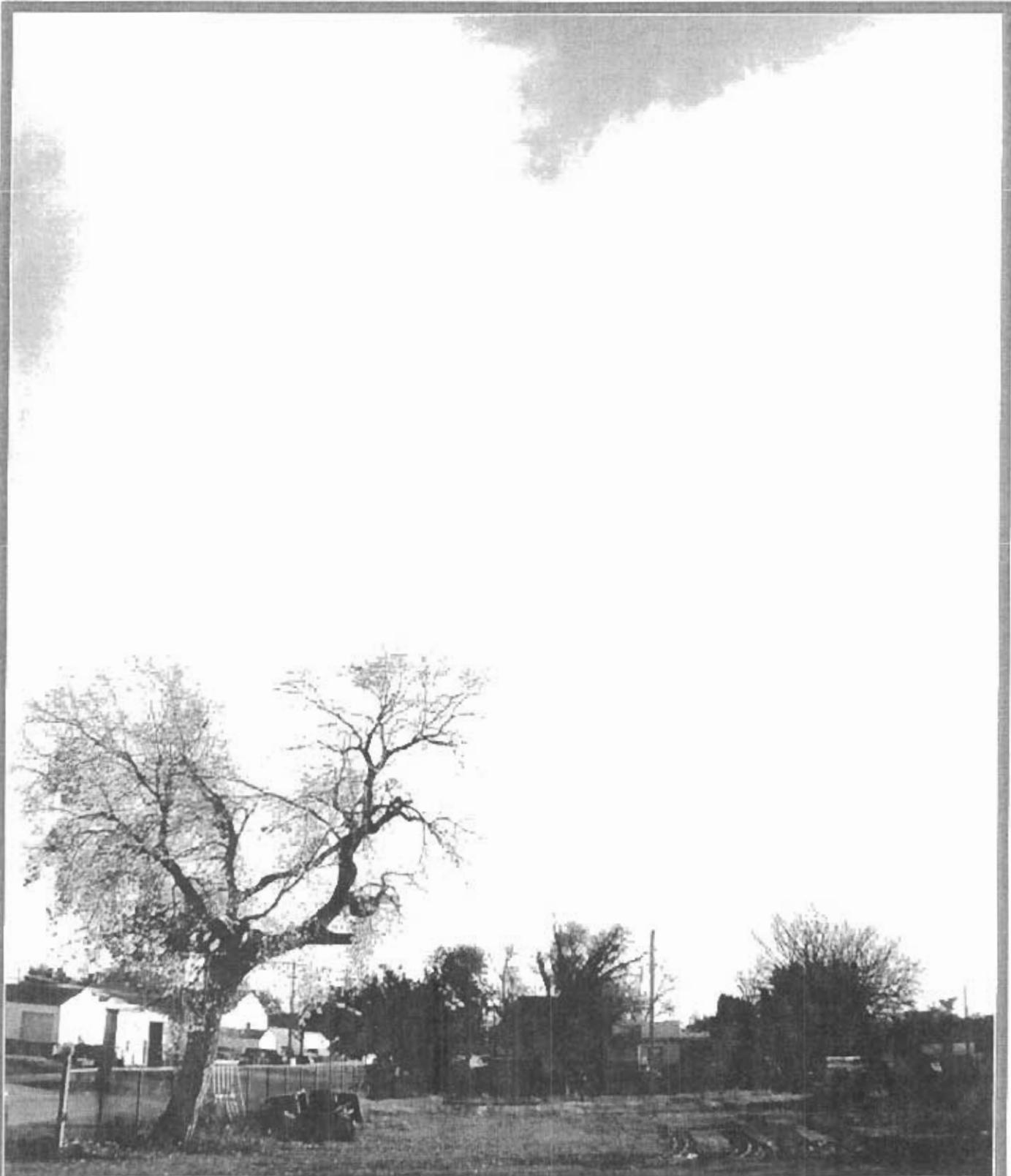


elltel

Lincoln - 7th and Garfield

After - View Looking East

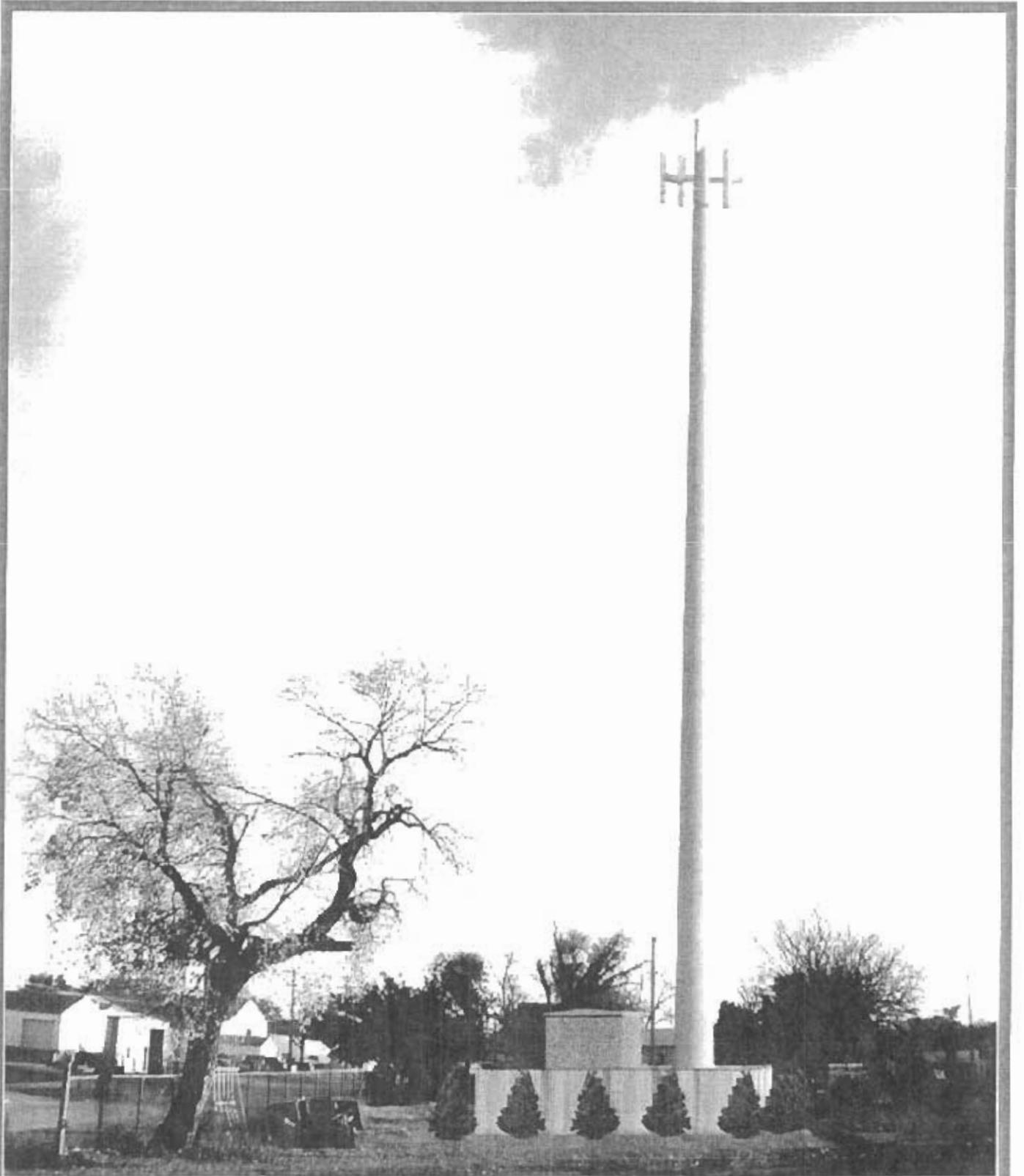




Lincoln - 7th and Garfield

Before - View Looking South

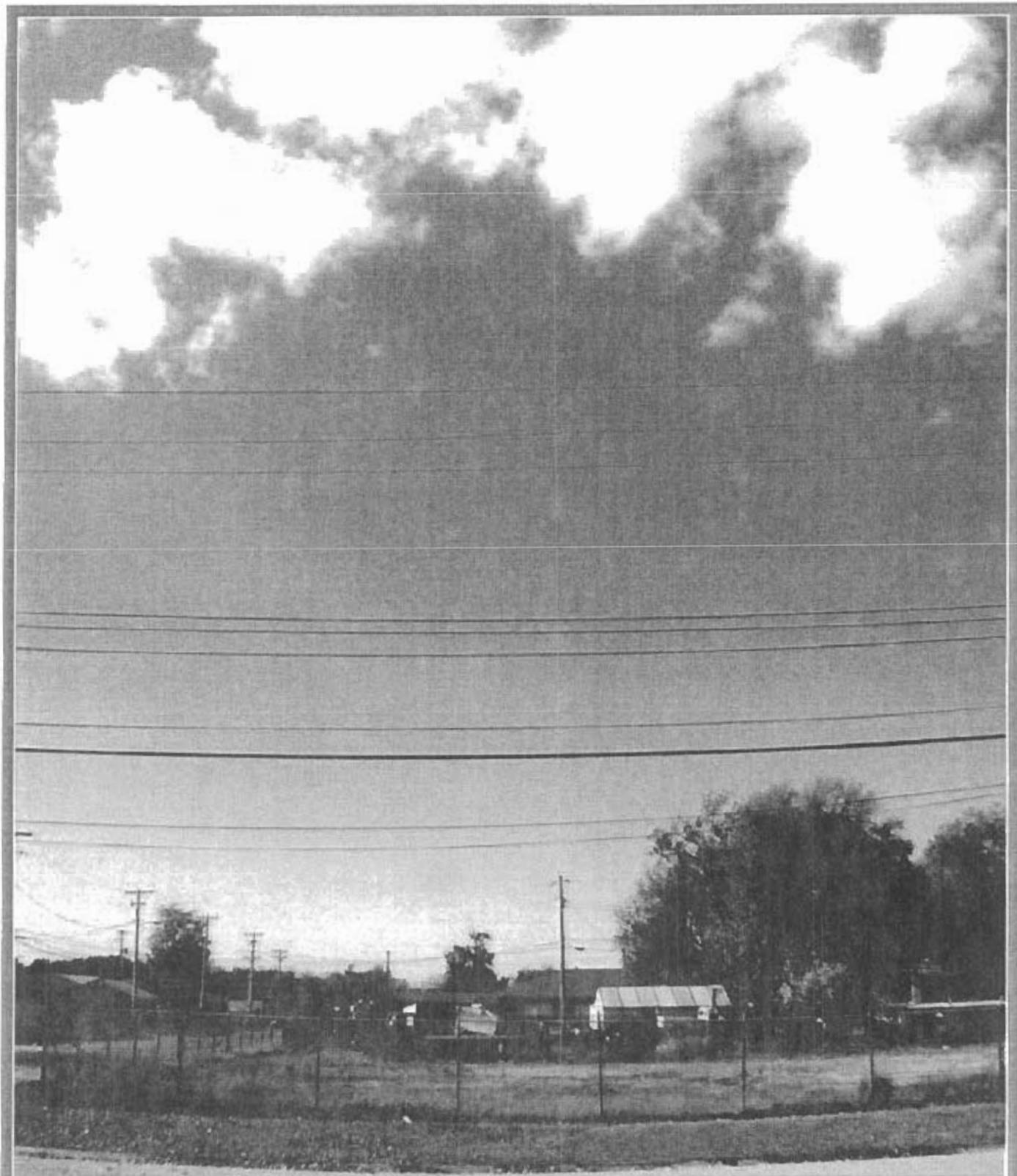




Lincoln - 7th and Garfield

After - View Looking South

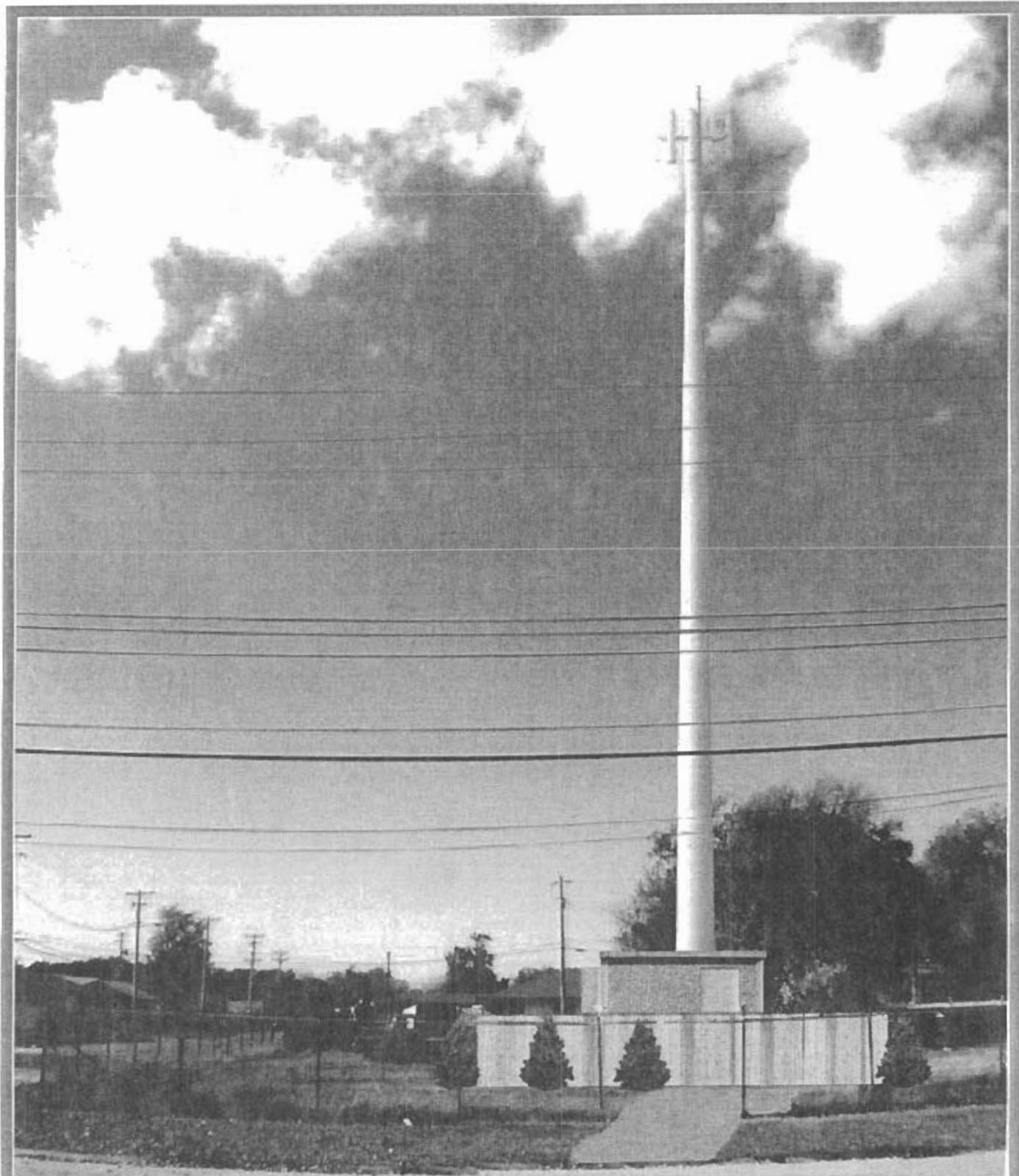




Lincoln - 7th and Garfield

Before - View Looking West



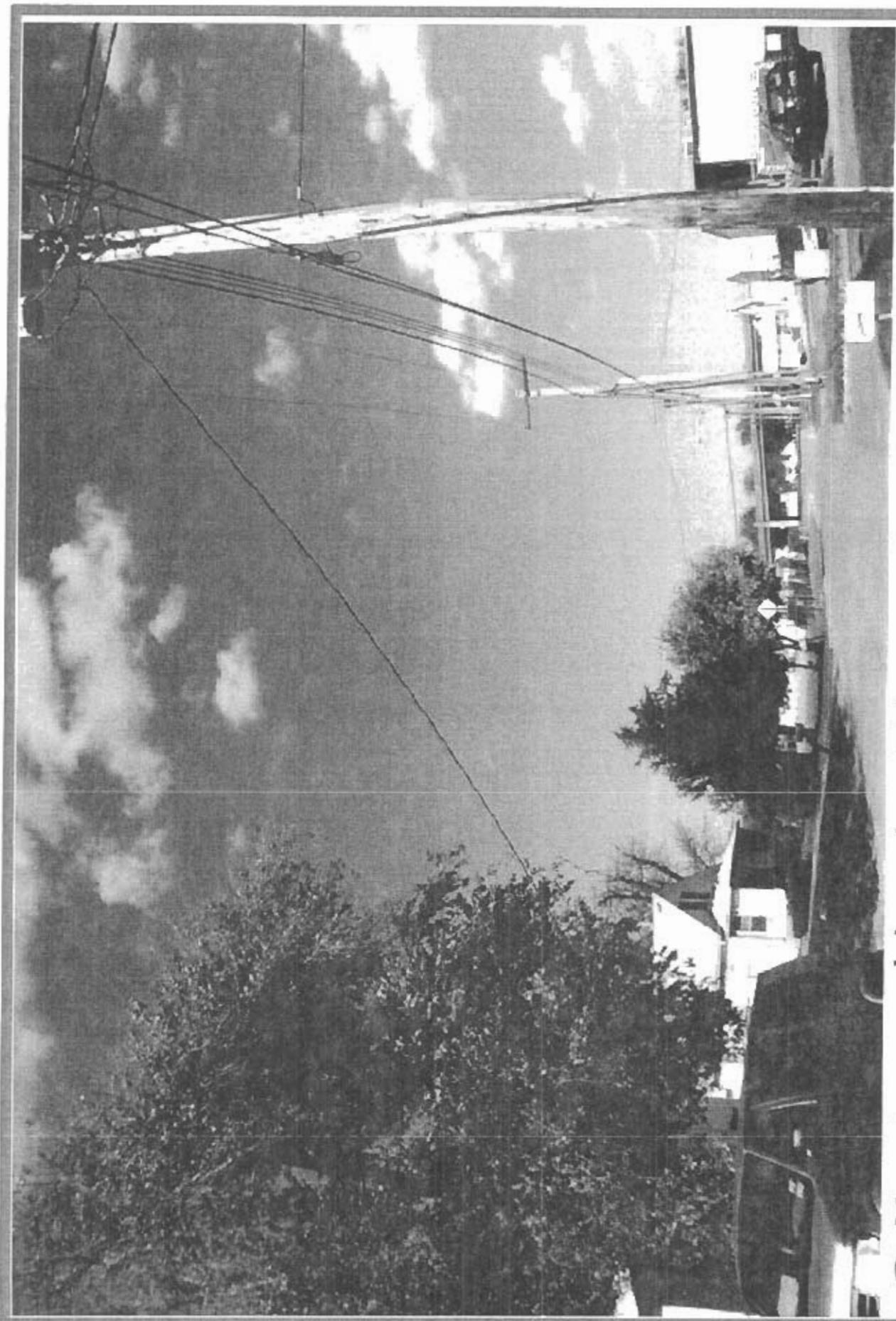


Lincoln - 7th and Garfield

After - View Looking West



TERRA

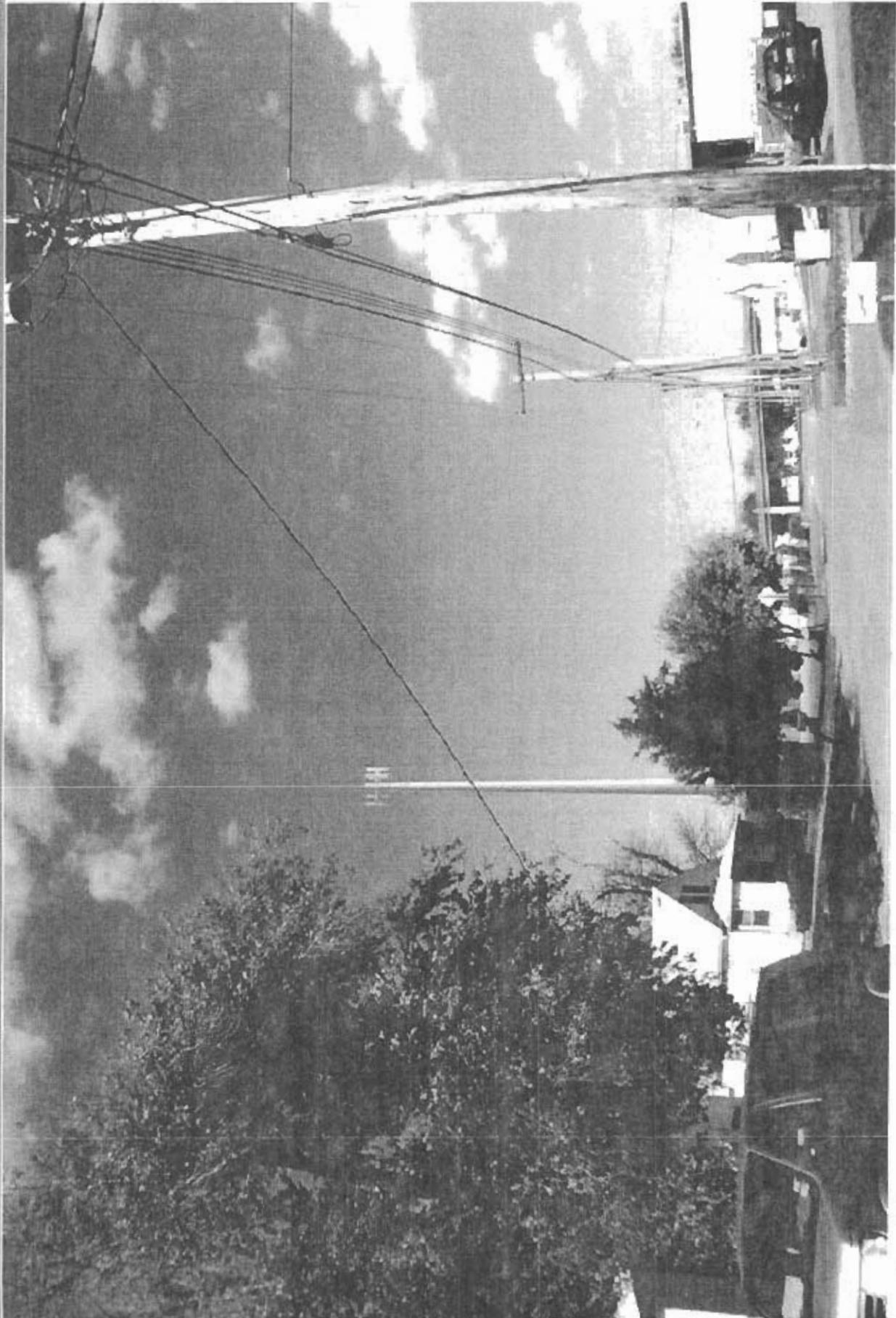


elltel

Lincoln - 7th and Garfield

Before - View Looking North





alltel

Lincoln - 7th and Garfield
After - View Looking North

TERRA
FIC



Parks and Recreation Department
Lynn Johnson, Director
2740 "A" Street
Lincoln, Nebraska 68502

402-441-7847
fax: 402-441-8706

"Making Lincoln a Better Place to Live"



MAYOR COLEEN J. SENG

lincoln.ne.gov

Brian Will
City of Lincoln Planning Department
555 South 10th St. Rm. 213
Lincoln, NE. 68508

October 17th, 2006

Brian,

I have reviewed the Alltel Wireless site proposal listed as 7th and Garfield Street. The plan submitted shows the actual site proposed is at 1445 South 3rd Street on private property owned by Jacob and Emma Von Bush. I believe the following references to City of Lincoln ordinance should be reviewed before consideration of this proposal.

Ordinance # 27.68.080 requires an attempt be made to locate a new cell tower site on public property in the target area.

Lincoln Parks and Recreation Department has been working with Verizon Wireless for a site within 5 blocks of Alltel's proposed location. This proposed Verizon location is up for Council review soon and is planned with one additional co-located provider.

We also are willing to discuss a potential new location on another park property within 4 blocks of Alltel's proposal.

Ordinance # 27.68.110(e)(9) requires that antennas and their mountings blend with the structure to which they are attached. This would require close mount or stealth antennas be used and not the large platform type as Alltel's plan shows.

Ordinance # 27.68.020 defines the tower height as including any antennas or lightning rods for purpose of calculating the fall zone of a tower.

I would be glad to discuss the alternative for locations on Parks and Recreation properties with a representative for Alltel Wireless. I can be reached at (402) 441-6051 or by e-mail at: dbomberger@lincoln.ne.gov if desired.

Sincerely,

Dave Bomberger
Parks Operations Coordinator

