

City Council Introduction: **Monday**, March 31, 2003
Public Hearing: **Monday**, April 7, 2003, at **1:30 p.m.**

Bill No. 03R-84

FACTSHEET

TITLE: SPECIAL PERMIT NO. 1672A, requested by Sprint PCS, to amend Special Permit No. 1672 to waive the landscaping required on the north and east sides of a broadcast tower at the North Forty Golf Course, generally located southwest of the intersection of North 84th and Adams Streets.

STAFF RECOMMENDATION: Conditional approval.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 12/17/97
Administrative Action: 12/17/97

RECOMMENDATION: Conditional approval (8-0: Bayer, Bleed, Heier, Hopkins, Duvall, Schwinn, Steward and Wilson voting 'yes'; Magruder absent).

FINDINGS OF FACT:

1. This proposed amendment to the existing special permit seeks to waive the landscaping required on the north and east sides of a broadcast tower at the North Forty Golf Course.
2. The staff recommendation of conditional approval is based upon the "Analysis" as set forth on p.3, concluding that the approved landscaping would probably not grow well at the base of the tower. However, landscaping could be placed north of the parking lot to provide screening from Adams Street. A waiver of the landscaping at the base of the tower should be granted only if the landscaping is relocated to north of the parking lot.
3. This application had public hearing before the Planning Commission on December 17, 1997. The applicant's testimony is found on p.5.
4. There was no testimony in opposition.
5. On December 17, 1997, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend conditional approval, as set forth in the staff report dated December 1, 1997. The conditions of approval are found on p.3-4.
6. The conditions of approval as recommended by the Planning Commission required that Condition #1.2.1 be completed prior to scheduling this application on the City Council agenda. The revised site plan showing the revised landscape plan required by Condition #1.2.1 was not submitted until March 10, 2003 (See p.7).

FACTSHEET PREPARED BY: Jean L. Walker

DATE: March 24, 2003

REVIEWED BY: _____

DATE: March 24, 2003

REFERENCE NUMBER: FS\CC\2003\SP.1672A

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.#: Special Permit #1672A

DATE: December 1, 1997

SCHEDULED PLANNING COMMISSION MEETING: December 17, 1997

PROPOSAL: Sprint PCS is requesting an amendment to Special Permit #1672 to waive the landscaping required on the north and east sides of a broadcast tower at the North Forty Golf Course.

CONCLUSION: The approved landscaping would probably not grow well at the base of the tower. However, landscaping could be placed north of the parking lot to provide screening from Adams Street. A waiver of the landscaping at the base of the tower should be granted only if the landscaping is relocated to north of the parking lot.

RECOMMENDATION: Conditional Approval

APPLICANT: Crystella Garcia
Sprint PCS
9801 West Higgins Suite 540
Rosemont, IL 60018

LOCATION: Southwest of the intersection of North 84th and Adams Streets.

LEGAL DESCRIPTION: Lot 85 I.T., located in the northeast quarter of Section 15, T10N, R7E, Lincoln, Lancaster County, Nebraska.

EXISTING ZONING: AG, Agricultural with special permits for a golf course and broadcast tower.

EXISTING LAND USE: Broadcast tower and golf course.

SURROUNDING LAND USE AND ZONING:

North: Cemetery, golf course and park P, Public
South: Residential R-3, Residential
East: Vacant (future commercial) AG, Agriculture
West: Residential R-2, Residential

COMPREHENSIVE PLAN SPECIFICATIONS: The Comprehensive Plan shows this area as urban residential.

HISTORY: SP #1672 - Approved January 29, 1997 allowing a 62' tall broadcast tower for wireless facilities.

SP #1306 - Approved in 1988, allowing the golf course.

Zoning on this site changed from AA Rural and Public Use to AG Agricultural with approval of the 1979 update of the Zoning Ordinance.

ANALYSIS:

1. This is a request to eliminate the screening required on the north and east sides of the base of a broadcast tower for wireless facilities.
2. The approved landscape plan to screen the tower included four Eastern White Pines along the north side of the base, and three Blue Haven Junipers along the eastern edge of the base.
3. The proposed landscape plan provides no screening along the north or east sides of the tower base. The plant material that was to have been planted on the north and east has been placed along the south side, east of the tower base.
4. The applicant states that the landscaping would not survive if planted at the north end because of the overflow parking lot adjacent to the north end of the base. The applicant states that a water problem precludes landscaping the east side.
5. The tower is still visible from the street, although there are several trees along Adams Street.
6. The landscaping could be placed between Adams Street and the parking lot, instead of adjacent to the tower, to provide additional screening of the tower to the north.
7. The tower is partially screened by the clubhouse on the east, however landscaping could be angled between the clubhouse and the parking lot to provide additional screening on the east.

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

1.1 Revise the site plan to show:

1.2.1 A revised landscape plan showing a screen, on private property, at the north end of the parking lot. The screen shall contain coniferous evergreen trees, half of which shall grow to a mature height of at least 35 feet. The plant

material shall screen 70% of the area from the ground to 8 feet in height along the entire northern edge of the parking lot.

2. This approval permits a waiver of the required landscaping at the north and east sides of the base of the wireless telecommunications tower, provided that the landscaping is placed north of the parking lot, adjacent to Adams Street.

Standard:

3. The following conditions are applicable to all requests:
 - 3.1 Before operating this tower all development and construction is to comply with the approved plans.
 - 3.2 All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the owner.
 - 3.3 The operation is to meet appropriate state and federal licensing requirements.
 - 3.4 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.
 - 3.5 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 3.6 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-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.
4. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by:

Brian Will, AICP
Planner

SPECIAL PERMIT NO. 1672A

PUBLIC HEARING BEFORE PLANNING COMMISSION:

December 17, 1997

Members present: Bayer, Bleed, Hopkins, Heier, Duvall, Schwinn, Steward and Wilson; Magruder absent.

Planning staff recommendation: Conditional approval.

Jennifer Dam of Planning staff submitted one letter in opposition.

Proponents

1. **Ken Weber**, testified on behalf of **Sprint Spectrum**, the applicant. This request to waive landscaping requirements is due the condition of the ground on the north side of the compound. It is very hard compacted rock and is not conducive to the growth of trees. In addition, the property owner's customers park right up to the fence in this area which would cause damage to anything that would be planted. On the east side of the compound there is problem with drainage of the parking lot; the owner had to install a catch basin with some drain tile along the east side. Therefore, with the drainage tile in place it is not conducive to planting trees where the tree root growth would interfere with that drainage area. This is a request to waive the landscaping on the east and north sides. He noted that staff is recommending landscaping further out along Adams Street, which the applicant does not object to; however, they will have to work this out with the property owners because it is property beyond what this applicant leases. He believes that is a large undefined space along Adams Street and will be more extensive than what they were originally obligated to do. They would like to seek an arborist's recommendation about the interspersing of evergreens within the existing mature trees.

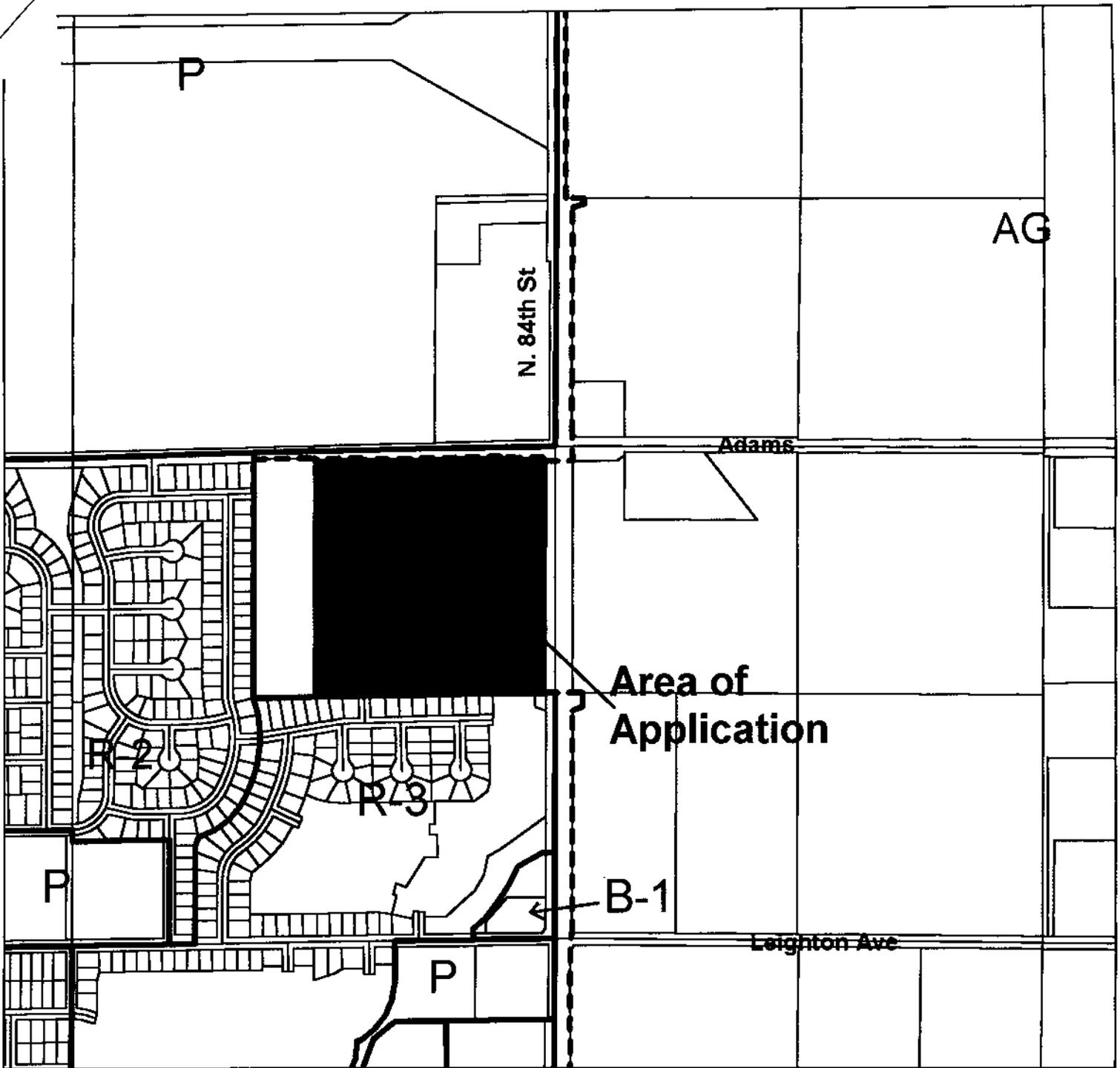
No one testified in opposition.

Public hearing was closed.

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

December 17, 1997

Wilson moved approval of the Planning staff recommendation of conditional approval, seconded by Bayer and carried 8-0: Bayer, Bleed, Heier, Hopkins, Duvall, Schwinn, Steward and Wilson voting 'yes'; Magruder absent.

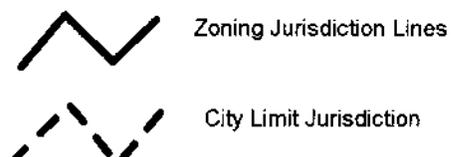
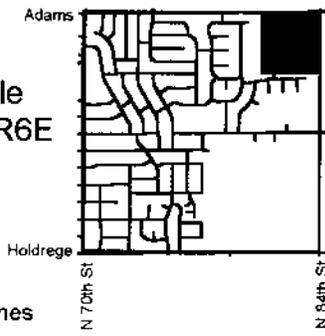


**Special Permit 1672A
N 81st and Adams**

Zoning:

- R-1 to R-6 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. 15-T10N-R6E



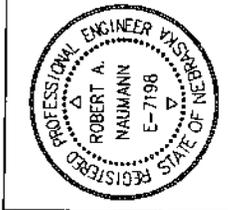
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Sheet 1 of 1
Date: December 2, 1997

Sprint Spectrum

hgm
ASSOCIATES, INC.
1104 DOUGLAS ON THE HILL
DANA, NEBRASKA 68109

NORTEL



REVISIONS	DATE	BY	REVISIONS	DATE
1				
2				
3				
4				
5				
6				

Sprint
Spectrum

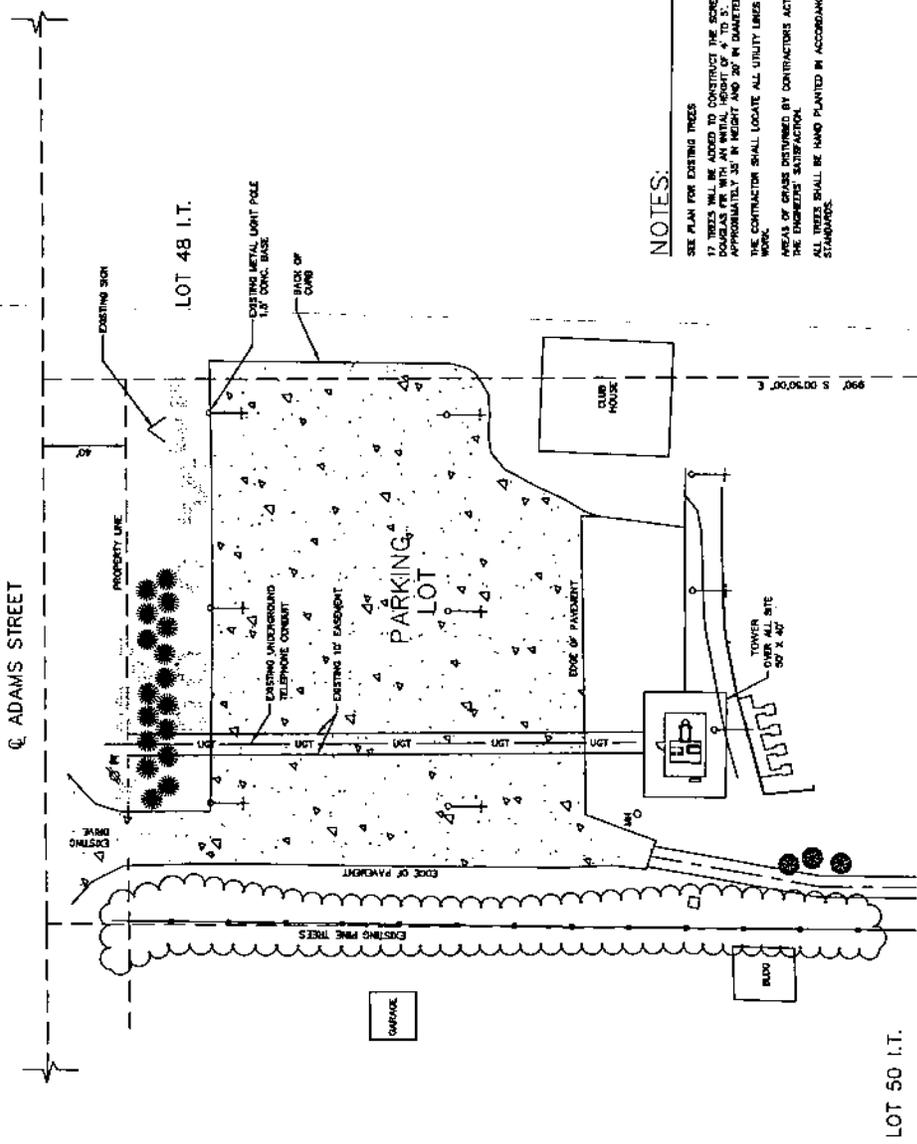
Personal
Communication
Services

DATE	03/06/03	DESIGNER	PAH	CHECKED	DMF
DATE		DESIGNER		CHECKED	
PROJECT NO. SPRINT 84TH AND ADAMS					
DRAWING FILE LANDSCAPE PLAN					
SCALE Z.01					



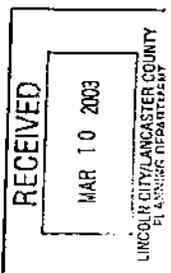
LEGEND

- EXISTING PINE
- EXISTING HAWKBIT
- EXISTING ELM
- EXISTING MISC. BERRY
- PROPOSED DOUGLAS FIR



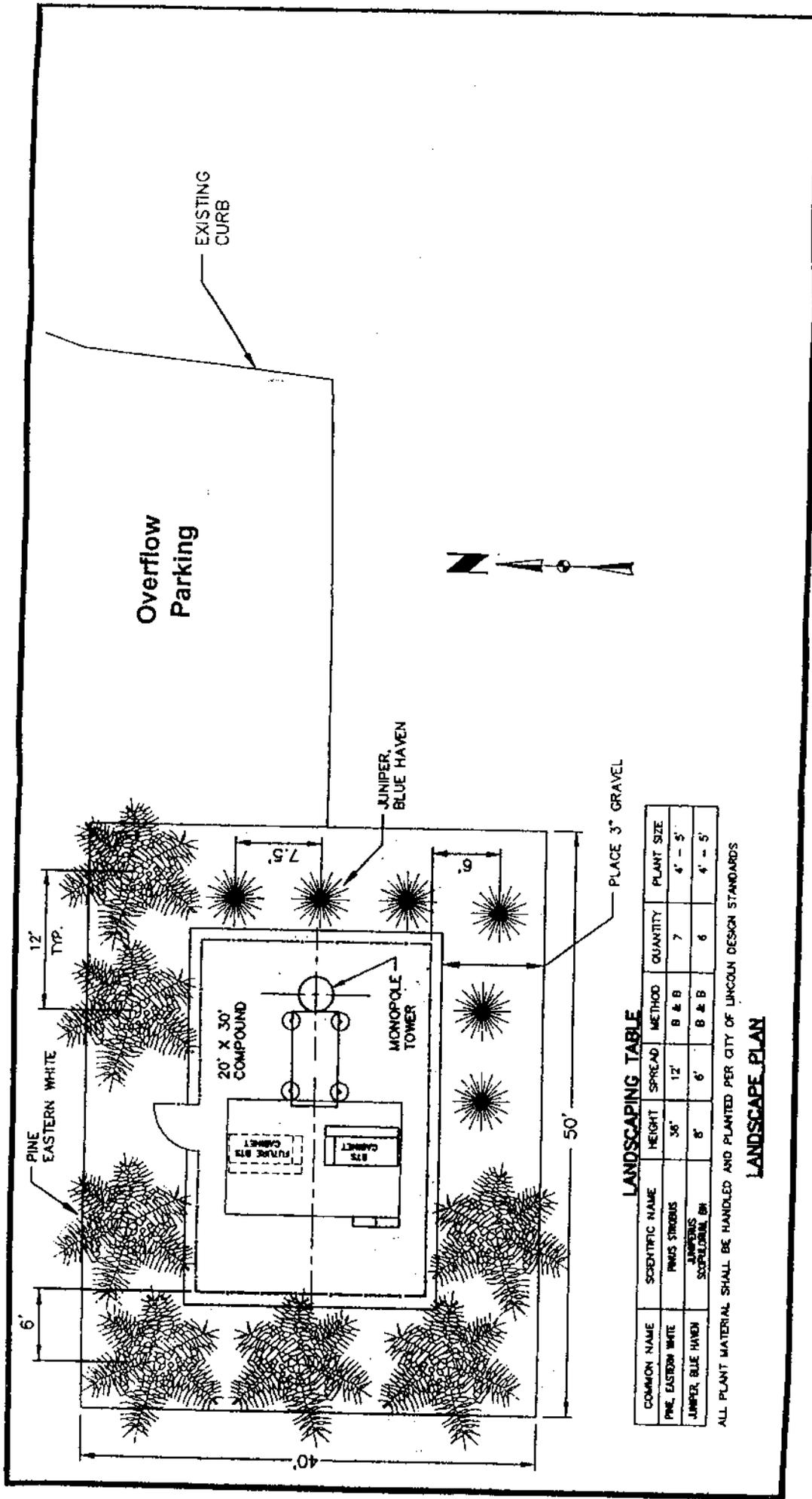
NOTES:

SEE PLAN FOR EXISTING TREES
 17 TREES WILL BE ADDED TO CONSTRUCT THE SCREEN SHOWN ABOVE. NEW TREES WILL BE DOUGLAS FIR. THE TREE AT FULL MATURITY WILL BE APPROXIMATELY 30' IN HEIGHT AND 20" IN DIAMETER.
 THE CONTRACTOR SHALL LOCATE ALL UTILITY LINES IN PROJECT AREA PRIOR TO BEGINNING WORK.
 AREAS OF GRASS DESTROYED BY CONTRACTORS ACTIVITIES SHALL BE TILLED AND RESEED TO THE ENGINEER'S SATISFACTION.
 ALL TREES SHALL BE HAND PLANTED IN ACCORDANCE WITH CITY OF LINCOLN DESIGN STANDARDS.



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APPROVED (1/29/97 PER SP # 167Z) APP'D LANDSCAPE PLAN



LANDSCAPING TABLE

COMMON NAME	SCIENTIFIC NAME	HEIGHT	SPREAD	METHOD	QUANTITY	PLANT SIZE
PINE, EASTERN WHITE	PNUS STROBUS	36"	12'	B & B	7	4' - 5'
JUNIPER, BLUE HAVEN	JUNIPERUS SCOPULORUBRA	6'	6'	B & B	6	4' - 5'

ALL PLANT MATERIAL SHALL BE HANDLED AND PLANTED PER CITY OF LINCOLN DESIGN STANDARDS

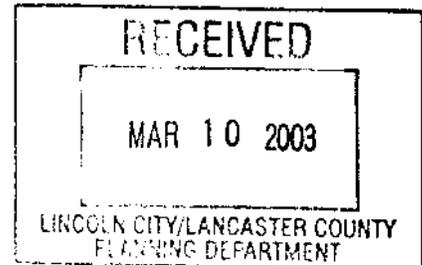
LANDSCAPE PLAN



Sprint Sites USA™

North Central Region
9801 W. Higgins, Suite 540
Rosemont, IL 60018
(847) 384-5636
Fax 384-5640

March 7, 2003



VIA FED EX

Brian Will
Lincoln City – Lancaster County
Planning Dept.
555 S. 10th St.
Lincoln, NE 68508

Re: Sprint OM03XC106 – 84th & Adams

Dear Mr. Will:

Enclosed is the new site plan with greater detail per the city's request. Please let me know as to when the city will approve of this. As you know this issue has been out for some time and we are very anxious to move forward with Alltel's co-location.

If you have any questions or need any additional information, please feel free to call me. Thank you for your help in this matter.

Sincerely,

Crystella R. Garcia
Property Specialist

enclosure



Sprint PCS™

5078 S. 111th Street
Omaha, Nebraska 68137

Telephone: 402 597 5660
Fax: 402 597 5682

November 6, 1997

Ms. Jennifer L. Dam
555 South 10th Street
Room B-417
Lincoln, Nebraska 68508

Dear Ms. Dam:

Sprint Spectrum L. P. would like to amend the landscaping permit for our tower site #106, located at 8101 Adams Street in Lincoln, Nebraska, for the following reasons:

The original drawings, presented to the city of Lincoln, depicted trees on all sides of the site. However, the North side of the site cannot be landscaped because it abuts the parking lot and cars park right up to the compound fence.

In addition, we encountered a drainage issue on the East side of the site. To solve this water build-up problem, we have installed drainage tubes that carry the water parallel to the East side of the compound and meet up with the property owners drainage system along his existing cart path. Therefore, we could not plant trees on the East side of the site, directly on top of the drainage tubes.

We met with the property owner and agreed on a landscaping plan complying with the original concern for the neighbors on the West side being shielded from the site. We planted five (5) Eastern White Pines on the West and South sides of the site. The remainder of the trees were planted straight East of the site and we maintained the quantity originally requested by the city of Lincoln.

Please contact us with any questions or concerns as we work to comply with the city's rules and regulations for this site. Thank you for your time and help in this matter.

Sincerely,

Chris Richardson
Property Specialist

Memo



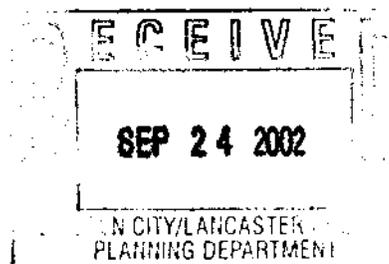
To: Brian Will, Parks & Recreation
From: Mark Canney, Parks & Recreation
Date: September 24, 2002
Re: Sprint Broadcast Tower SP 1672A

Per our conversation, please find attached a copy of the existing and proposed landscape plan. The third plan is a current proposal that Nebraska Nursery is offering on behalf of Sprint, as an alternative.

I think the proposal from Nebraska Nursery is acceptable.

Please advise me how to proceed or what information you need from our office to bring closure to this project.

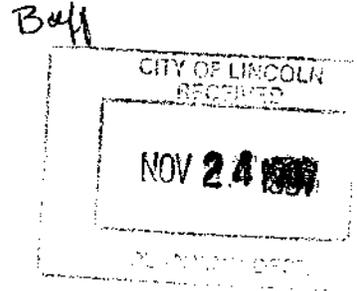
If you need to contact me, I am at 441-8248. Thanks.



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Memorandum

To: John Bradley, Planning Department
From: Chas. W. Baker, Public Works & Utilities Department
Subject: Special Permit #1672A Revise Landscaping
Date: November 24, 1997
cc: Dick Erixson



Public Works has reviewed the request to revise the landscaping around the Sprint PCS Tower at the North Forty Golf Course. The proposed plan is satisfactory for the landscaping, there are no public utilities in the vicinity of the tower.

FCP00056.CWB