

(Appeal of Planning Commission Action)

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 07004

1 WHEREAS, Verizon Wireless has submitted an application designated as
2 Special Permit No. 07004 for authority to construct a 158' tall monopole for personal wireless
3 facilities capable of accommodating up to three carriers in the I-1 zoning district on property
4 generally located at 140th and O Streets, and described as:

5 Lot 33 I.T., located in the Southwest Quarter of Section 21,
6 Township 10 North, Range 8 East of the 6th P.M., 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 City Council of the City of
18 Lincoln, Nebraska:

19 That the application of Verizon Wireless, hereinafter referred to as "Permittee", to
20 construct a 158' tall monopole wireless facility capable of accommodating the antennas of three
21 carriers be and the same is hereby granted under the provisions of Section 27.68.030 the
22 Lincoln Municipal Code upon condition that construction of said tower be in strict compliance

1 with said application, the site plan, and the following additional express terms, conditions, and
2 requirements:

3 1. This permit approves a 158' tall monopole for wireless facilities capable of
4 accommodating the antennas for at least three service providers.

5 2. Before receiving building permits:

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

9
10 i. A revised landscape plan that demonstrates compliance
11 with Design Standards.

12 ii. Add a note to Sheet A01 stating that the heights of the
13 antennas and the locations of the equipment shelters are
14 approximate and can vary at the time of building permits.

15 iii. Add a note stating that the tower will not be lighted.

16 iv. Show all setbacks and dimensions to the tower being
17 measured to the edge of the tower and not to the
18 centerline of the tower.

19
20 b. The construction plans comply with the approved plans.

21 c. Verification of findings of no significant impact from the Lincoln
22 Airport Authority and the Nebraska Historical Society.

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 Permittee.

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

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

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2007:

Mayor