

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT
for January 21, 2004 PLANNING COMMISSION MEETING

P.A.S.: Special Permit #1627A

PROPOSAL: Extend the height of an existing Sprint Spectrum tower from 92' to 105' to accommodate the collocation of US Cellular's antennas.

LOCATION: 921 Fletcher Avenue

CONCLUSION: This request complies with the intent and provisions of the Wireless Ordinance and the Comprehensive Plan.

<u>RECOMMENDATION:</u>	Conditional Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: The remaining portion of Lots 10, 44 and 50, and the west ½ of Lot 8, Grove Park, located in the NE 1/4 of Section 2-10-6, Lancaster County, Nebraska

EXISTING ZONING: AG Agriculture

EXISTING LAND USE: Residential, agriculture.

SURROUNDING LAND USE AND ZONING:

North:	Residential, agriculture	AG
South:	Residential, agriculture	AG
East:	Residential, agriculture	AG
West:	Residential, agriculture	AG

HISTORY:

Special Permit #1627 - Approved August 14, 1996 allowing Sprint Spectrum to build a 92' tall tower. This application was approved prior to the new wireless ordinance and the requirement to accommodate additional carriers was not a part of the permit.

RELATED APPLICATIONS:

Special Permit #1892 - Approved February 19, 2001 allowing Qwest Wireless to build a 123' tall tower northwest of the intersection of North 7th Street and Fletcher Avenue. This application was approved after the adoption of the new wireless ordinance (January, 2000) and was required to accommodate three carriers. The tower currently supports three carriers.

Special Permit #1581 - Approved January 29, 1996 allowing Lincoln Cellular Corporation (now Western Wireless) to build a 150' tall tower at 1201 Fletcher Avenue. This application was approved prior to the new wireless ordinance and the requirement to accommodate additional carriers was not a part of the permit.

Special Permit #1322 - Approved June 27, 1989 allowing Aliant Communications (now Alltel) to build a 185' tall tower southwest of the intersection of North 7th Street and Fletcher Avenue. This application was also approved prior to the new wireless ordinance and the requirement to accommodate additional carriers was not a part of the permit. However, this tower does support two carriers but is not structurally capable of supporting another.

COMPREHENSIVE PLAN SPECIFICATIONS:

Page F25 - The 2025 Comprehensive Plan's Land Use Plan designates urban residential land uses in this area.

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 topography of this area consists of the typical gentle rolling hills surrounding Lincoln to the north, and generally falls in elevation from the northwest to the southeast down to I-80. It is the proximity to I-80 and the higher elevation that makes this a desirable location for providing wireless coverage along the I-80 corridor in this area.

ANALYSIS:

STANDARDS FOR EVALUATION:

Conformity with Comprehensive Plan.

1. The Comprehensive Plan designates urban residential uses in this area, and calls for wireless facilities to be sited in a way that is compatible with the natural and built environment. The facility is located more than 600' away from the nearest residence and backs upon I-80. The impact of a 105' tower upon residences in the area is minimal, and the height is not out of character given the amount of separation among uses and the other towers in the area.

Preference of site location in accordance with Section 10.008.

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, in order of priority:

(1) Sites on other public property.

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

(3) Screened antennas on multi-family residential structures exceeding 30' in height.

(4) Camouflaged structures with minimal impact on residential land uses.

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.

This application is considered a sensitive location site, as it does not meet the criteria of A or B above, and agricultural areas such as where this tower is located have residential uses. The only preferred or limited preference sites in the area consist of collocating on existing towers. In sensitive location sites, the applicant is required to demonstrate what good faith efforts were taken to locate at a preferred or limited preference site, and why a preferred or limited preference site was not used if available.

There are three other towers in this area, and in this case the applicant was required to demonstrate why collocation without a height extension on a surrounding tower was not feasible. This issue is addressed in the analysis below.

Compatibility with abutting property and land uses.

3. This site and all surrounding lands are zoned AG and generally used for agricultural purposes. The tower is setback from adjacent roadways to provide separation as a buffer from surrounding uses and to be in proximity to I-80. Except for the compound area, the area around the tower is still put to productive agricultural use. There are three other towers in this area, ranging from 123' to 185' in height. At 105', this will remain the shortest tower in the area even with the extension.

Adverse impacts such as visual, environmental or noise impacts.

4. The tower is sited internal to the tract to help minimize the visual impact of the tower from surrounding properties and roadways, and helps maintain the separation between the tower and surrounding residences.

Availability of suitable existing structures for antenna mounting.

5. Because this site is a Sensitive Location Site, the applicant was required to eliminate all other Preferred or Limited Preference sites and possibilities for collocation. As noted previously, there are three other towers in the area, and the applicant was required to demonstrate that a height extension was required, versus merely collocating on a taller tower.

The Western Wireless and Alltel towers were approved prior to the adoption of the current wireless ordinance, and at that time there was no requirement to accommodate additional carriers. As a result, the owners of these towers are under no obligation to allow collocation. However, in Sensitive Location Sites, the applicant is still required to demonstrate a good faith effort to collocate, and provide the findings of why it is not feasible. The applicant states in the application that he contacted Western Wireless and was informed that they are not allowing additional collocations for at least the next 12 months. Alltel's tower supports two carriers, and according to the company it is not structurally capable of accommodating another.

The third tower, belonging to Qwest, was built after the adoption of the new wireless ordinance and is obligated to accommodate up to three carriers per the ordinance. Currently, this tower has three carriers on it.

Sprint's tower, the one under consideration for extension, was also approved prior to the new wireless ordinance and the requirement to accommodate additional carriers was not a part of the permit. However, it is structurally capable of being extended to 105' to accommodate US Cellular's antenna's, and Sprint is willing to allow it. This is consistent with the goals of the Ordinance to maximize the utility of existing facilities, and in a manner that is not detrimental to the surround area. US Cellular has the need to provide coverage in this area, and collocation eliminates the need for another tower.

Scale of facility in relation to surrounding land uses.

6. Compatibility of scale is partially provided by the amount of separation between the proposed tower and surrounding uses, and acts as a mitigating factor in the siting of the tower. Additionally, if this extension is approved, at 105' this tower remains the shortest of the four in the area which range in height from 123' to 185' in height.

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 site is not located within a Capitol View Corridor, or any other significant view corridor.

Color and finish.

8. The existing tower has a galvanized finish, as will the proposed extension.

Ability to collocate.

9. This tower will now support two carriers, and can accommodate a third at approximately the 90' level. This is consistent with the Ordinance requirement that towers in excess of 100' be capable of accommodating 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. The existing tower is already screened per Design Standards.

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

11. As noted previously in paragraph #5, the only preferred or limited preference sites in the area consist of collocating on existing towers. The applicant has submitted a letter stating that he has attempted to collocate without extending a tower, but is unable to do so. Western Wireless is unwilling to allow additional collocation at this time, and the Qwest and Alltel towers are full.

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department and the plans are found to be acceptable, the application will be scheduled on the County Board's agenda:
 - 1.1 Revise the site plan to show:
 - 1.1.1 Plans drawn to scale.
2. This approval permits a 105' tower consistent with the site plan submitted.

General:

3. Before receiving building permits:
 - 3.1 The permittee shall have submitted 5 copies of the final plans and the plans are acceptable.
 - 3.2 The construction plans shall comply with the approved plans.

Standard:

4. The following conditions are applicable to all requests:
 - 4.1 Before use of the facility all development and construction shall have been completed in compliance with the approved plans.
 - 4.2 All privately-owned improvements shall be permanently maintained by the owner.

- 4.3 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.
- 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 4.5 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.

Prepared by

Brian Will, AICP
Planner
January 7, 2004

CONTACT: Douglas Rogers
LCC International
1023 Lincoln Mall
Lincoln, NE 68508
(402-434-9307

APPLICANT: US Cellular Wireless Communications
3601 109th Street
Urbandale, IA 50322
(515) 210-1010

OWNER: Sprint Sites USA
5600 River Road
Rosemont, IL 60018
(847) 318-3076



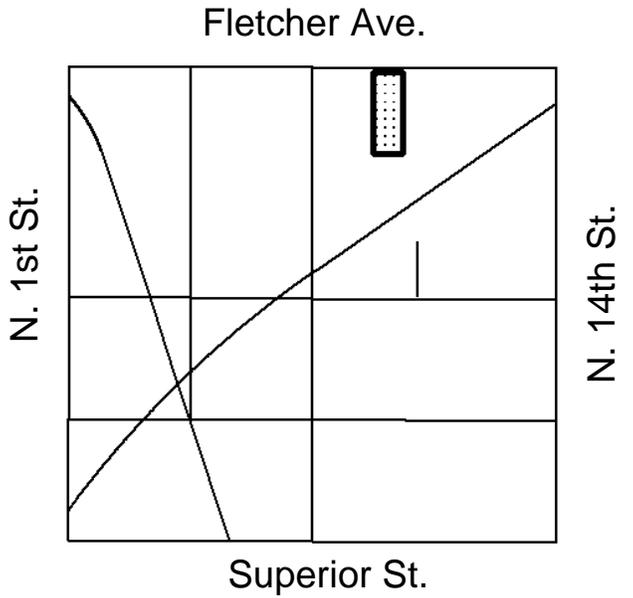
2002 aerial

Special Permit #1627A
921 Fletcher Ave.

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. 2 T10N R6E

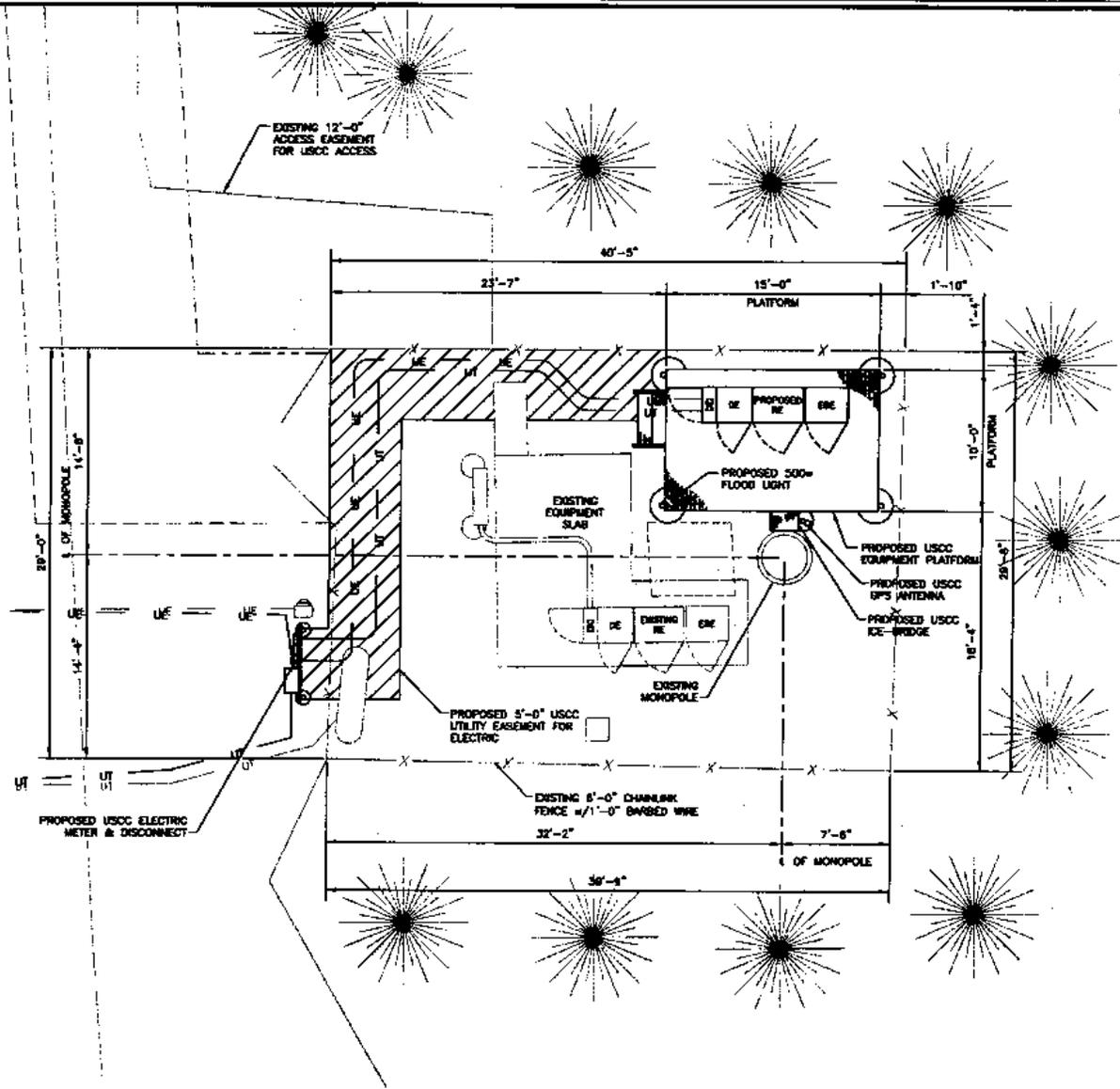


ABBREVIATIONS

(C)	EXISTING	NTL	NERAL
(M)	MEASURED DISTANCE	NC	NOT IN CONTRACT
(P)	PLAT DISTANCE	NO	NUMBER
(R)	RECORD DISTANCE	NTS	NOT TO SCALE
(RO)	RECORDED DISTANCE	OC	ON CENTER
ADJ	ADJUSTABLE	OPP	OPPOSITE
APPROX	APPROXIMATE	SF	SQUARE FOOT
CJ	CONSTRUCTION JOINT	SMT	SHEET
CMB	CORNER	SM	SHIMLAR
CLS	CEILING	SS	STAINLESS STEEL
CONC	CONCRETE	STL	STEEL
CONT	CONTINUOUS	TOC	TOP OF CONCRETE
DN	DIMETER	TM	TOP OF MASONRY
DNB	DRAINAGE	TYP	TYPICAL
EA	EACH	VF	VERIFY IN FIELD
EOB	EQUIPMENT GROUND BAR	UN	UNLESS OTHERWISE NOTED
EL	ELEVATION	USCC	US CELLULAR COMMUNICATIONS
ELEC	ELECTRICAL	WFW	WELDED WIRE FABRIC
EO	EQUAL	W/	WITH
EOP	EQUIPMENT		
EXT	EXTERIOR		
FF	FINISHED FLOOR		
GC	GENERAL CONTRACTOR		
GLY	GALVANIZED		
GRND	GROUND		
LG	LONG		
MAX	MAXIMUM		
MCH	MECHANICAL		
MFR	MANUFACTURE		
MGB	MASTER GROUND BAR		
MN	MINIMUM		

SYMBOLS AND MATERIALS

●	FOUR CORNER
○	SET CORNER
—○—	PROPOSED CHAIN LINK FENCE
—●—	EXISTING FENCE
—	CENTER LINE
—	GUY WIRE
—○	LIGHT POLE
□	POWER BOX
⊕	POWER POLE
—○—	OVERHEAD POWER
□	TELEPHONE BOX
□	TELE FIBER OPTICS BOX
—○	EXISTING LANDSCAPING
—	UTILITY ELECTRIC
—	UTILITY TELECOM
—	PROPERTY LINE
—	LEASE AREA
—	CONTOUR LINES



1 ENLARGED SITE PLAN
SCALE: 1/4"=1'-0"

ASSOCIATED ENGINEERING, PC
1214 BLAIRSTOWN STREET
SUITE 100
OMAHA, NE 68118
PH: (402) 884-8087

APPLICANT/OWNER:
US Cellular
WIRELESS COMMUNICATIONS
CENTRAL REGION
300 SOUTH STREET
MINNEAPOLIS, MN 55402

CLIENT:
JLCC
1123 LINCOLN BLDG.
LINCOLN, NEBRASKA 68508
(402) 434-8300

DRAWN BY: CHK BY: APP BY:
CPT/WHK/DSE BDC TM

APPROVALS:
SITE ACC: _____
ZONING: _____
R.F.: _____
CONSTRUCTION: _____
OWNER: _____

SITE NAME:
871311.2

SITE NUMBER:
FLETCHER

CURRENT ISSUE DATE:
11/05/03

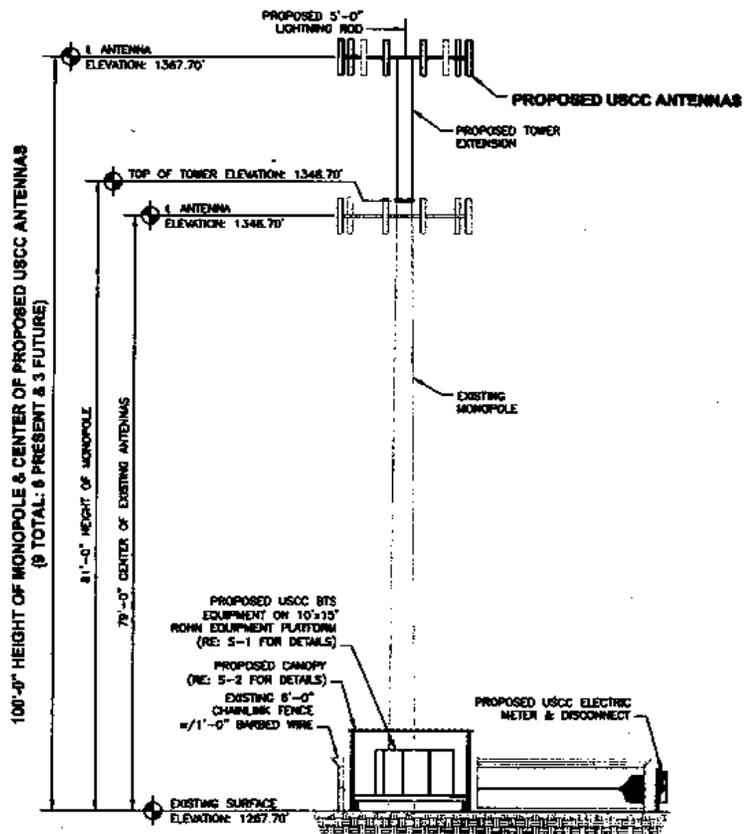
SUBMITTALS:

DATE	DESCRIPTION	REV.
11/05/03	100% ZONING DWGS.	0

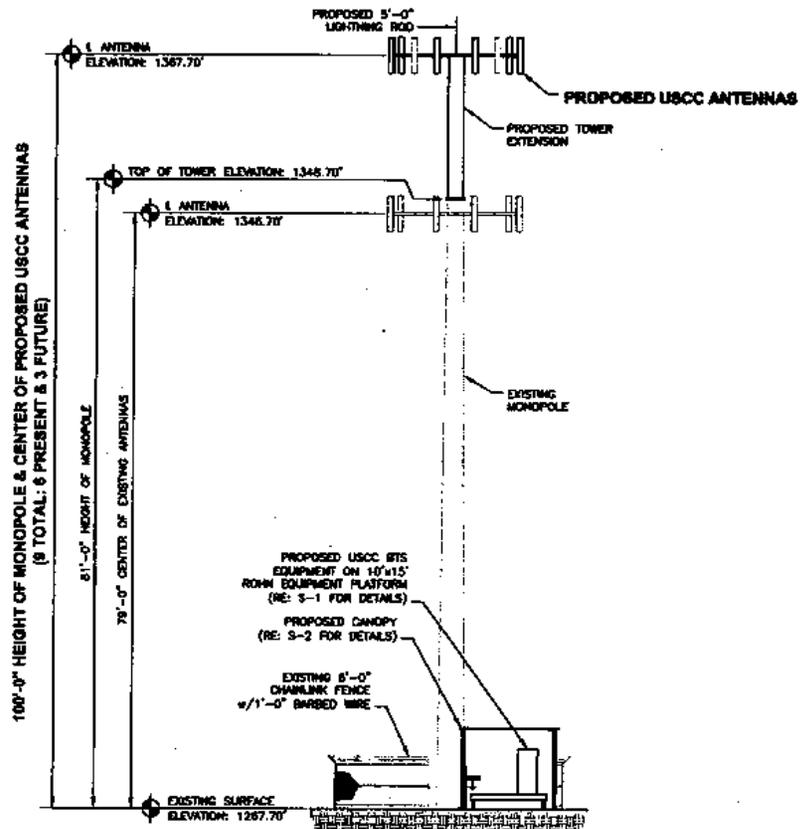
SHEET TITLE:
ENLARGED SITE PLAN

SHEET NUMBER: _____ REVISION:
C-2 0

PROJECT NUMBER:
871311.2



1 NORTH ELEVATION
SCALE: 1/8"=1'-0"



2 WEST ELEVATION
SCALE: 1/8"=1'-0"

ASSOCIATED ENGINEERING, PC
1214 N. 140TH STREET
SUITE 100
OMAHA, NE 68118
TEL: (402) 884-8087

APPLICANT/OWNER:



CLIENT:



DRAWN BY: CHK BY: APPV BY:

CPT/MK/DHF BDC TM

APPROVALS:

SITE ACQ. _____
ZONING _____
P.F. _____
CONSTRUCTION _____
OWNER _____

SITE NAME:

871311.2

SITE NUMBER:

FLETCHER

CURRENT ISSUE DATE:

11/05/03

SUBMITTALS:

DATE	DESCRIPTION	REV.
11/05/03	100% ZONING OMS.	0

SHEET TITLE:

ELEVATIONS

SHEET NUMBER: REVISION:

A-1 0

PROJECT NUMBER:

871311.2



November 21, 2003

Mr. Brian Will
Planner
City of Lincoln-Planning Dept.
555 South 10th Street/Suite213
Lincoln, NE 68508

Dear Mr. Will:

LCC International is contracted by US Cellular to do a wireless network build out for their Lincoln, Nebraska market. This statement letter is in regard to collocation of cellular equipment and antenna on an existing cellular tower and compound currently owned by Sprint Sites USA. The site in reference is located at 921 Fletcher Ave. and is referred to by Sprint as OMO3XC311.

The current tower height is 79' and US Cellular would like to extend the tower and collocate at the 100' level (see attached elevation drawing).

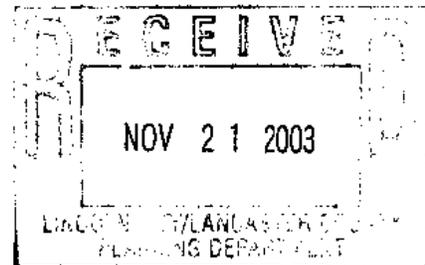
US Cellular will be installing outdoor equipment within Sprint's current compound and lease area, (see attached site plan). Six antennae will be installed during construction with a possibility of 3 additional antennae being added to the platform at a later time. The antennae platform will be similar to what is currently installed.

We respectfully ask the City of Lincoln to review and approve this application for US Cellular's extension of the monopole and collocation at this site.

Thank you for your time and consideration in this matter.

Sincerely,

Douglas Rogers
LCC International



1023 Lincoln Mall Road
Lincoln, Nebraska 68508



December 22, 2003

Brian Will
City of Lincoln
Planning Department/Suite 213
555 S. 10th Street
Lincoln, NE 68508

Dear Mr. Will:

This justification letter is to coincide with LCC International's zoning application to amend Special Permit 1627. Special Permit 1627 currently allows Sprint to own and operate an unmanned telecommunications facility at 921 Fletcher Avenue. The monopole at this site, owned by Sprint, is currently 79' in height.

LCC International is asking to amend Special Permit 1627 to allow the current monopole to be extended to 100' with a 5' lightning rod on top to bring the overall height of the monopole to 105'. We are asking for approval to extend the monopole in order to obtain the coverage objectives of our client, US Cellular. Sprint, and the underlying property owner are in agreement with this proposal.

Many alternatives were looked at before a decision was made to ask for an amendment allowing us to extend Sprint's monopole to accommodate US Cellular.

Currently there is a Western Wireless Tower to the East of Sprint's facility. We inquired about the possibility of collocation and were told that Western Wireless is currently completing a large overlay project to upgrade their system and they would not be looking at any collocation applications for at least 12 months. They encouraged us to explore alternative solutions. We also were told that this tower was installed prior to the current zoning ordinance requiring towers to be collocatable.

Alltel has a tower near 7th and Fletcher referred to as KNKA435. Alltel told us that this tower was built before collocation requirements and that it was unlikely that the monopole would be structurally capable of accommodating the additional weight of our platform and antennas. Alltel also mentioned that ground space for our equipment is unavailable within their current compound.

Qwest is also located near 7th and Fletcher, but currently the monopole is loaded with a total of 3 carriers, with one of the carriers having split sectors. The only spot available on the monopole for antennas is approximately 50', which will not provide US Cellular with proper and adequate coverage from this location.

The Sprint site was selected due to the fact that there was additional ground space available for equipment, and the monopole was structurally capable of being extended to 100'. This extension allows us to meet the coverage needs and objectives of US Cellular, and eliminates the need for another monopole in the area and also creates another collocation opportunity for a future carrier at the 90' level.

We respectfully ask the members of Lincoln's Planning Board to review and approve this application.

Sincerely,

Douglas Rogers
LCC International

1023 Lincoln Mall Road
Lincoln, Nebraska 68508