

CITY OF LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S. Special Permit #1948

DATE: January 23, 2002

PROPOSAL Cricket Wireless is proposing a 156' tall tower designed to accommodate up to four carriers within a 40' x 40' fenced compound that is also capable of accommodating the associated equipment shelters for four carriers.

LAND AREA: Approximately 106 acres.

CONCLUSION: This is an acceptable location for a broadcast tower, and allows the applicant to provide service in an area where lack of coverage has been demonstrated. This request complies with the requirements of the Zoning Ordinance and is consistent with the Comprehensive Plan.

RECOMMENDATION:	Conditional Approval
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GENERAL INFORMATION

LEGAL DESCRIPTION: Lot 66, Section 13, T9N, R6E, Lancaster County, Nebraska.

LOCATION: Northeast of the intersection of Pine Lake Road and South 14th Street

OWNER: Lincoln Memorial Park Cemetery Association
6800 S. 14th Street
Lincoln, NE 68506

APPLICANT: Cricket Nebraska Property Company
6655 South Lewis Avenue, Suite 200
Tulsa, OK 74136

CONTACT: Harvey Cooper
Abraham Kaslow, and Cassman
8712 West Dodge Road Suite 300
Omaha, NE 68114

EXISTING ZONING: R-1 Residential District

EXISTING LAND USE: Cemetery

SURROUNDING LAND USE AND ZONING:

North	Cemetery	R-1
South	Cemetery Chapel/Office	AG
East	Vacant	R-1
West	Single-family Residential/Vacant	R-1, I-3

COMPREHENSIVE PLAN SPECIFICATIONS: The Comprehensive Plan designates this area as Public/Semi-public. The following goals from the Comprehensive Plan are applicable:

1. Chapter III (A) pg. 37 - Goal #1 - Maximize opportunities for planned urban development which are sensitive to the natural qualities of the area, including land uses efficiently served by a balanced and energy efficient transportation system and community services and facilities.
2. Chapter V (H) pg. 149 - Goal #1 - Continue to assure that Lincoln and Lancaster County are fully served by development of the "Information Superhighway".

ANALYSIS

OVERVIEW:

This special permit was first considered by the Planning Commission at the January 9, 2002 public hearing. Action was deferred to allow the applicant time to seek a more suitable location and move it out of an area designated for future residential development.

The revised application again proposes a 156' tall monopole, but now designed to accommodate four carriers, versus the original three. The monopole is located within a 40' x 40' compound that can accommodate the ground-based equipment shelters for up to four carriers. Per design standards, trees and shrubs will be planted to help screen the base of the facility.

STANDARDS FOR EVALUATION:

Conformity with Comprehensive Plan.

1. The Lincoln Memorial Park Cemetery Association owns five parcels of land northeast of the intersection of South 14th Street and Pine Lake Road - Lot 59; Lot 66; Lot 77; Lot 78; and Outlot D, The Ridge 13th Addition. The proposed siting of the tower is on Lot 66. This is the largest of the five parcels owned by the Association at this location, and is where the majority of Lincoln Memorial Cemetery is located.

The Comprehensive Plan designates Lots 66, 77 and 78 as public and semi-public. The remaining Association-owned parcels are designated as urban residential. This request is consistent with the intent of the Zoning Ordinance to locate broadcast towers on publicly-owned sites, and therefore areas designated as public and semi-public.

Preference of site location in accordance with Chapter 27.68.080.

2. This application is considered a sensitive location under Lincoln Municipal Code (LMC) Section 27.68.080(c), as the cemetery is zoned R-1, and is adjacent to residential development to both the east and west across South 14th Street. As a result, the applicant must demonstrate that there is not a feasible preferred or limited preference site available.

Compatibility with abutting property and land uses.

3. The most appropriate locations to site a tower to provide needed coverage in this area are near either the South 14th or South 27th Streets and Pine Lake Road intersections. These locations enhance compatibility of land use by providing the maximum separation from residential uses, and by allowing the tower to be sited among existing commercial and industrial uses.

Adverse impacts such as visual, environmental or noise impacts.

4. The proposed site is adjacent to a maintenance building at the south end of the cemetery. At this location the tower is able to make use of the natural screen provided by existing vegetation, particularly the screen provided by the trees along west property line of Lot 66.

Considering surrounding residential development in the area, antennas should be designed to present the minimum silhouette possible. For this reason, the typical triangular, platform-type antenna arrays should not be permitted on this tower. Allowed antennas should be limited to those that are either flush-mounted, or those where each antenna panel is attached by an individual arm. The application indicates these are the types of antennas to be placed on the tower.

Availability of suitable existing structures for antenna mounting.

5. There is an existing 150' tall monopole at the LES substation located near the intersection of South 27th Street and Porter Ridge Road. This tower already supports three carriers, and according to Cricket it is structurally incapable of supporting another. According to the applicant, there are no buildings or other existing structures in the area tall enough to accommodate the coverage requirements of Cricket.

Scale of facility in relation to surrounding land uses.

6. Compatibility of scale is provided by the zoning pattern that allows office, commercial and industrial uses in the vicinity of the intersection of South 14th Street and Pine Lake Road. Existing development includes the cemetery, Southwest High School, and commercial and industrial buildings currently under construction. Additionally, there is the existing tower at the LES substation near the intersection of South 27th Street and Pine Lake Road. Compatibility of scale is also provided by the tower being located in a large, open semi-public space where it can take advantage of the separation from adjacent uses provided by this site.

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. There is no negative impact on views, vistas, or historic structures/districts.

Color and finish.

8. The tower will have a galvanized finish consistent with LMC 27.68.100.

Ability to collocate.

9. The tower is designed for collocation and can accommodate three additional carriers.

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

10. As noted previously, the proposed site makes the best use of the screening provided by existing vegetation that includes mature-growth trees, 35'-40' in height. Additional trees and shrubs will be planted according to design standards to help screen the base of the tower to a height of 35' along with the ground-based equipment in the fenced compound.

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

11. The preferred locations in or near the search ring include the commercial areas at South 27th & Pine Lake Road (South Pointe Pavillions, Shopko Center, and South Ridge Crossing), the tower at the LES substation, and Southwest High School. According to the applicant, the only potential lease sites near these commercial developments are around the perimeter in proximity to planned or existing residential development. As noted earlier, the existing tower at the LES substation cannot accommodate another carrier. Southwest High School is also adjacent to residential development, and is beyond the limits of the applicant's search ring and would require a taller tower.

Hazel Scott Middle School is a limited preference site. However, the school is adjacent to existing residences and does not provide the separation that the proposed site does. Additionally, due to the change in elevation between the proposed site and the school, the applicant claims a taller tower would be needed if located at the school.

CONDITIONS

1. Site Specific:

1.1 This approval authorizes a 156' tower in a 40' x 40' compound that also houses the ground-based equipment cabinets capable of accommodating three additional carriers consistent with the site plan submitted for a period of 15 years.

1.2 Typical triangular platform-type antenna arrays are not allowed on the monopole.

1.3 The State Historical Society must be notified if any unsuspected archeological remains are uncovered during the process of project construction.

1.4 A revised curb cut application must be approved, and the site plan must be revised to reflect this new curb cut and show the proposed driveway paved with concrete 6" thick consistent with the comments provided by the Public Works Department.

2. General:

2.1 Prior to issuance of building permits:

2.1.1 A structural design analysis prepared by a licensed Nebraska engineer must be approved by the City showing structural integrity sufficient for four carriers.

2.1.2 A surety in an amount sufficient to guarantee removal of the applicant's facilities must be approved by the City Attorney.

3. Standard:

3.1 The following conditions are applicable to all requests:

3.1.1 Before operating this personal wireless facility, all development and construction is to comply with the approved plans.

3.1.2 The personal wireless service provider shall comply at all times with the current applicable FCC and FAA standards and regulations, and any of those of other agencies of the federal government with authority to regulate towers and antennas.

3.1.3 All privately-owned improvements, including landscaping, are to be permanently maintained by the owner.

3.1.4 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.

3.1.5 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

3.1.6 The permittee shall, within 10 days of written demand, reimburse the City for all direct and indirect costs and expenses as provided in Section 27.68.090, in connection with the issuance and review of this permit.

3.1.7 As a part of this approval, the permittee agrees that the permittee, successors and assigns shall, at its sole cost and expense, indemnify and hold harmless the City, its officers, officials, boards, commissions, agents, representatives, and employees against any and all claims, suits, losses, expenses, causes of actions, proceedings, and judgements for damage arising out of, resulting from, or alleged to arise out of or result from the construction, operation, repair, maintenance or removal of the provider's facilities. Indemnified expenses shall include, but not be limited to, all out-of-pocket expenses, such as costs of suit and defense and reasonable attorney fees, and shall also include the reasonable value of any services rendered by the City Attorney's office and any employees of the City and any consultants retained by the City.

3.1.8 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

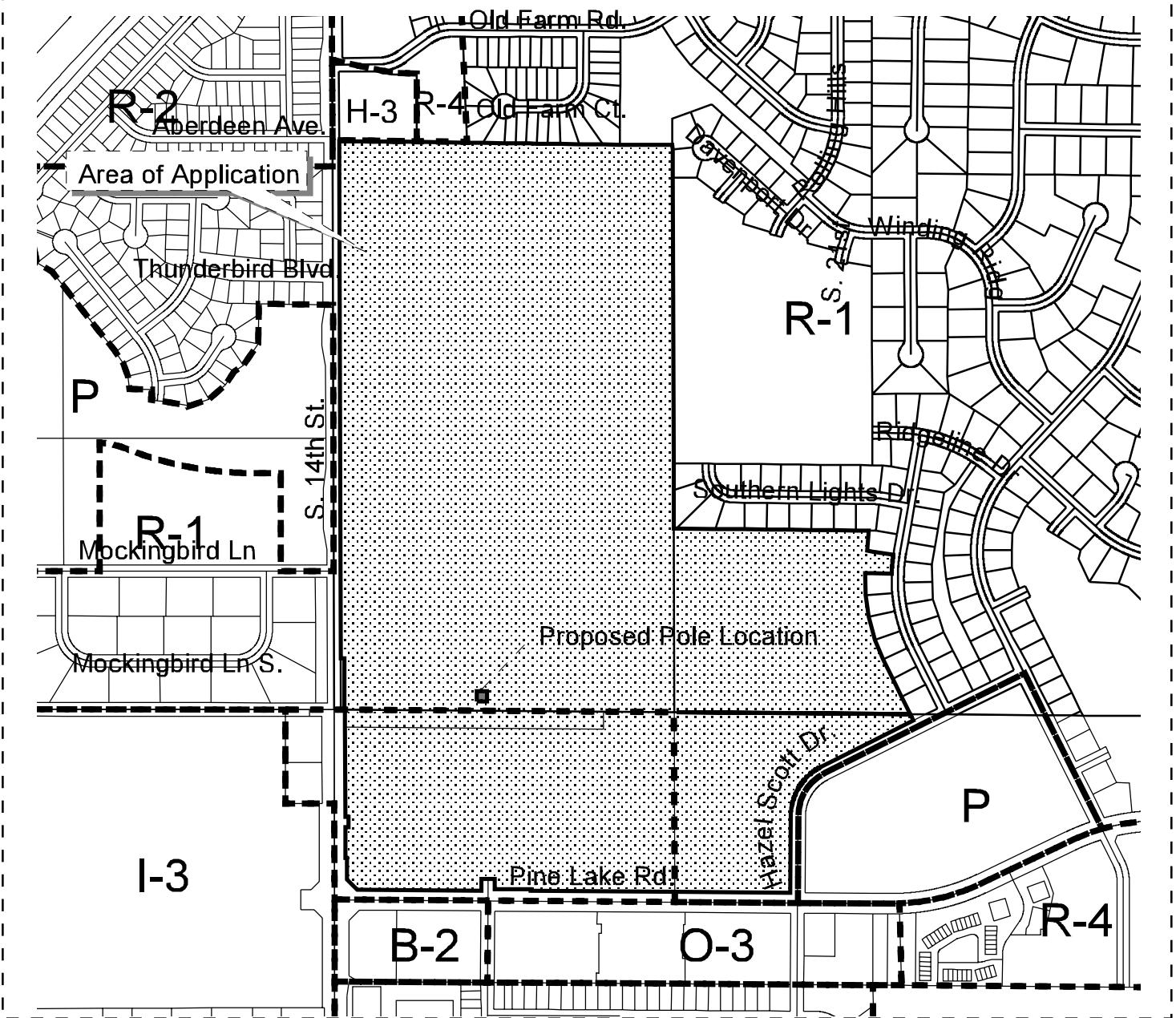


Special Permit #1948
Pine Lake Rd & S. 14th St.



Photograph Date: 1999

Lincoln City - Lancaster County Planning Dept.

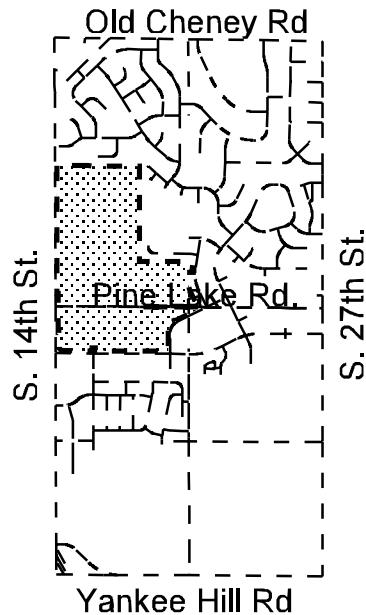
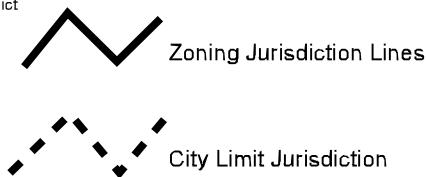


**Special Permit #1948
Pine Lake Rd & S. 14th St.**

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

Two Square Miles
Sec. 13 T9N R6E
24 T9N R6E





DRAWN BY:	CHECKED BY:
MAP	JPB

SUBMITTALS		
DATE	DESCRIPTION	REV
01/22/02	CONSTRUCTION REVISION	C



PROJECT NO.
LIN-023C

SITE NAME
SOUTH POINTE PAVILLION

SHEET TITLE
SITE SURVEY

SHEET NUMBER	REVISION
C-1A	JOB NO D1035.84

LEGAL DESCRIPTION

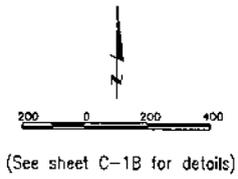
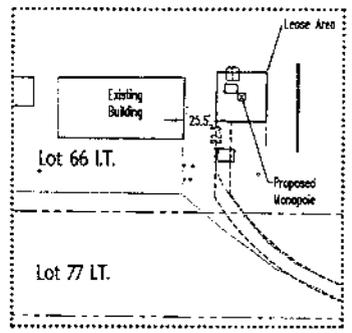
(Parent Legal)
Outlot D, THE RIDGE 13TH ADDITION, a subdivision, as surveyed, platted and recorded in Lancaster County, Nebraska and Lots 77 and 78, Irregular Tracts, all in the Northwest Quarter of Section 24, AND ALSO Lot 65, Irregular Tracts, Section 13, the entire tract in Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska.

LEGAL DESCRIPTION

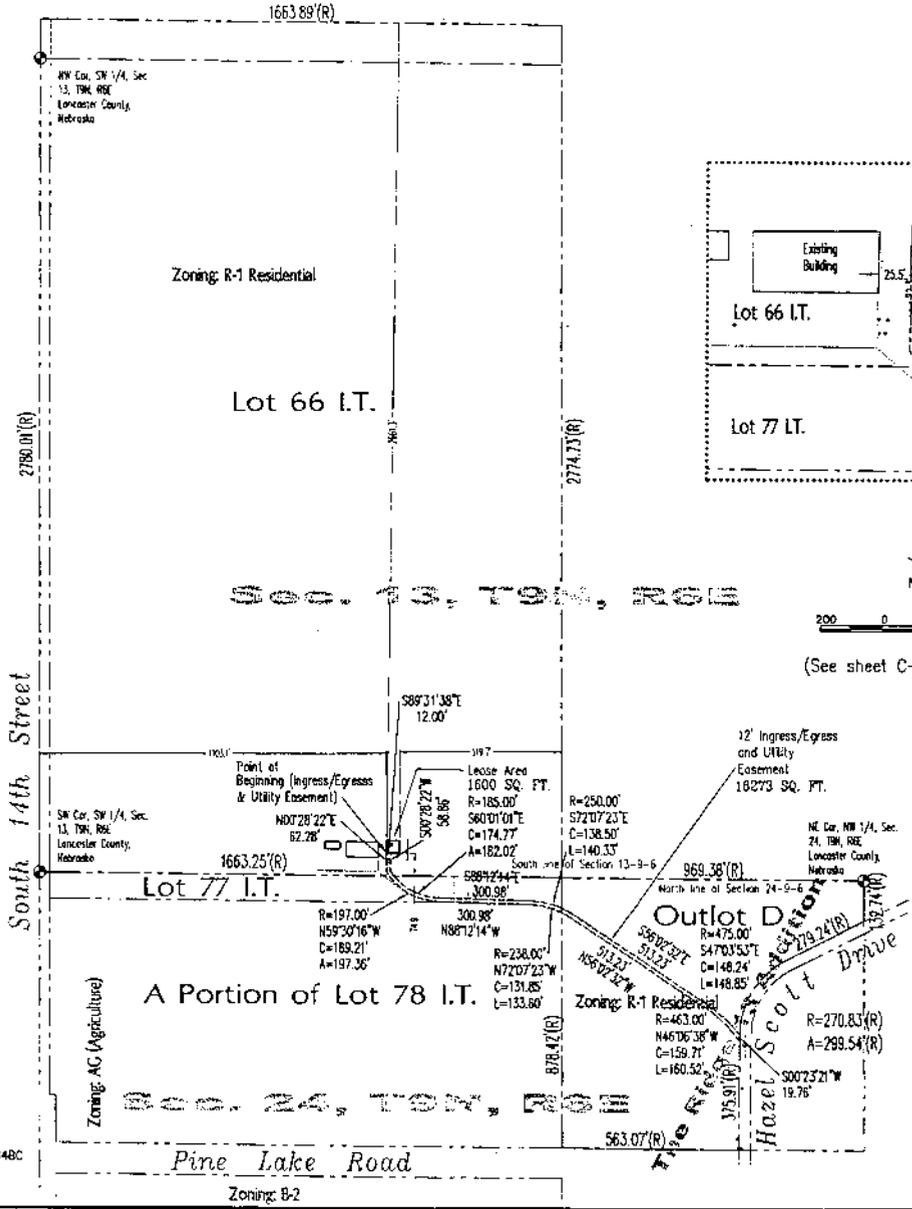
(Lease Area Legal)
That part of Lot 66, Irregular Tracts, Southwest Quarter of Section 13, Township 9 North, Range 6 East of the 6th P.M. Lancaster County, Nebraska described as follows:
Commencing at the southeast corner of said Lot 66;
Thence North 89°32'08" West (assumed bearings) for 520.94 feet along the south line of said Lot 66;
Thence North 00°27'52" East for 74.94 feet to the TRUE POINT OF BEGINNING;
Thence North 89°31'38" West for 40.00 feet;
Thence North 00°28'22" East for 40.00 feet;
Thence South 89°31'38" East for 40.00 feet;
Thence South 00°28'22" West for 40.00 feet to the Point of Beginning.
Contains 1600 square feet.

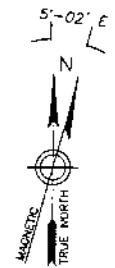
LEGAL DESCRIPTION

(Utility and Ingress & Egress Easement)
A permanent easement for Ingress and Egress AND the installation and maintenance of utilities over that part of Outlot D, THE RIDGE 13TH ADDITION, a subdivision, as surveyed, platted and recorded in Lancaster County, Nebraska and Lots 77, and 78, Irregular Tracts, in the Northwest Quarter of Section 24, AND ALSO part of Lot 66, Irregular Tracts, Section 13, all in Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska described as follows:
Beginning of the south west corner of a forty foot (40') by forty foot (40') telecommunications tower lease site;
Thence South 89°31'38" East (assumed bearings) for 12.00 feet along the south line of said tower lease site;
Thence South 00°28'22" West for 58.86 feet;
Thence along a curve to the left (having a radius of 185.00 feet and a long chord bearing South 60°01'01" East for 174.77 feet) for an arc length of 182.02 feet;
Thence South 88°12'14" East for 300.98 feet;
Thence along a curve to the right (having a radius of 250.00 feet and a long chord bearing South 72°07'23" East for 136.50 feet) for an arc length of 140.33 feet;
Thence South 58°02'32" East for 513.23 feet;
Thence along a curve to the right (having a radius of 475.00 feet and a long chord bearing South 47°03'53" East for 148.24 feet) for an arc length of 148.85 feet to the west right of way line of Hazel Scott Drive;
Thence South 00°23'21" West for 16.76 feet along said west, right of way line.
Thence along a curve to the left (having a radius of 463.00 feet and a long chord bearing North 46°06'38" West for 158.71 feet) for an arc length of 160.52 feet;
Thence North 58°02'23" West for 513.23 feet;
Thence along a curve to the left (having a radius of 238.00 feet and a long chord bearing North 72°07'23" West for 131.85 feet) for an arc length of 133.60 feet;
Thence North 88°12'14" West for 300.98 feet;
Thence along a curve to the right (having a radius of 197.00 feet and a long chord bearing North 59°50'16" West for 89.21 feet) for an arc length of 197.36 feet;
Thence North 00°28'22" East for 62.28 feet to the Point of Beginning.
Contains 16273 square feet.



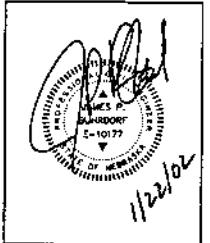
(See sheet C-1B for details)





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SUBMITTALS		
DATE	DESCRIPTION	REV
01/22/02	ZONING	0

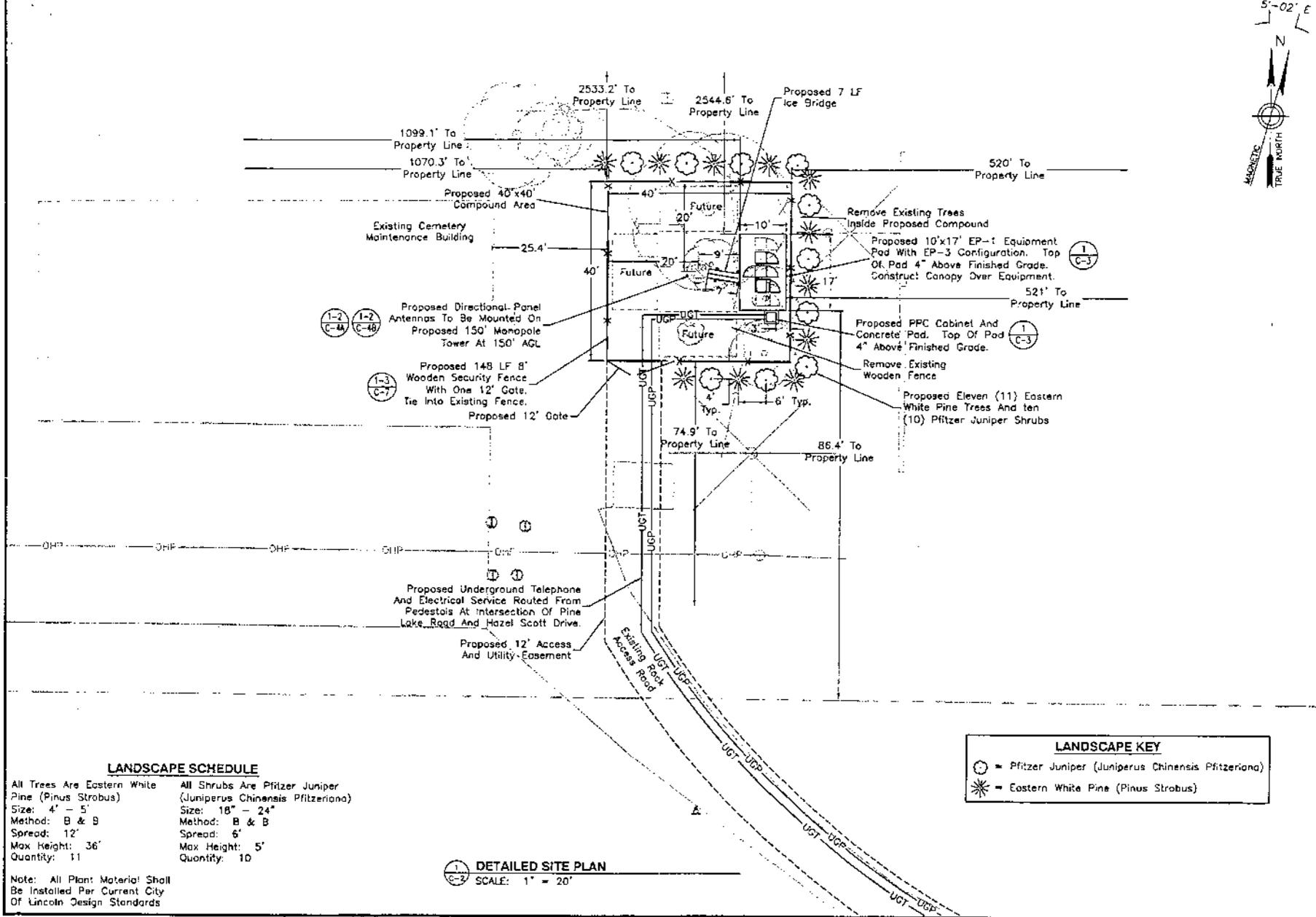


PROJECT NO.
LIN-023C

SITE NAME
SOUTH POINTE
PAVILLION

SHEET TITLE
DETAILED SITE PLAN

SHEET NUMBER	REVISION
C-2	JDB:ND 01035.84



LANDSCAPE SCHEDULE

All Trees Are Eastern White Pine (Pinus Strobus) Size: 4' - 5' Method: B & B Spread: 12' Max Height: 36' Quantity: 11	All Shrubs Are Pfizer Juniper (Juniperus Chinensis Pfitzeriana) Size: 18" - 24" Method: B & B Spread: 6' Max Height: 5' Quantity: 10
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LANDSCAPE KEY

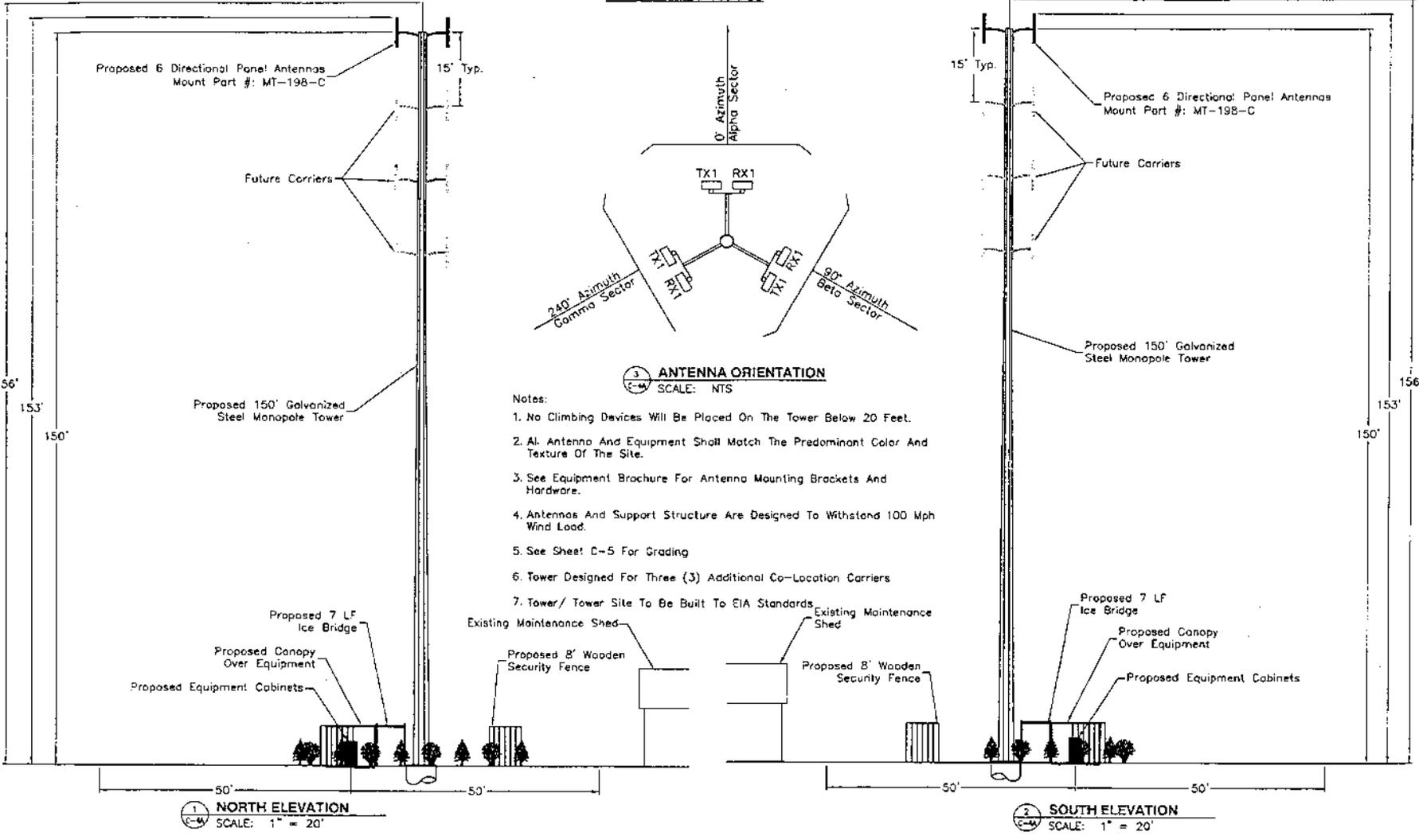
- ⊙ = Pfizer Juniper (Juniperus Chinensis Pfitzeriana)
- * = Eastern White Pine (Pinus Strobus)

DETAILED SITE PLAN
SCALE: 1" = 20'

Note: All Plant Material Shall Be Installed Per Current City Of Lincoln Design Standards

SECTOR	AZIMUTH (TN)	AZIMUTH (MN)	ANT. HEIGHT (FEET)	DOWNTILT (DEGREE)	NUMBER OF ANTENNAS	ANTENNA MODEL NUMBER	CABLE LENGTH (FEET)	CABLE TYPE	COLOR CODE
1 (Alpha)	0	8	150	0	2	EMS RV-65-19-00	165	1 5/8"	TX1/RX1: Yellow Brown RX2: Yellow Yellow White
2 (Beta)	90	96	150	0	2	EMS RV-65-19-00	165	1 5/8"	TX1/RX1: Red Brown RX2: Red Red White
3 (Gamma)	240	248	150	0	2	EMS RV-90-18-02	165	1 5/8"	TX1/RX1: Green Brown RX2: Green Green White

ANTENNA SCHEDULE

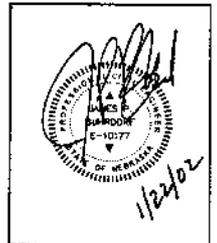


- Notes:
1. No Climbing Devices Will Be Placed On The Tower Below 20 Feet.
 2. All Antenna And Equipment Shall Match The Predominant Color And Texture Of The Site.
 3. See Equipment Brochure For Antenna Mounting Brackets And Hardware.
 4. Antennas And Support Structure Are Designed To Withstand 100 Mph Wind Load.
 5. See Sheet C-5 For Grading
 6. Tower Designed For Three (3) Additional Co-Location Carriers
 7. Tower/ Tower Site To Be Built To EIA Standards



DRAWN BY: MAF
CHECKED BY: JPB

SUBMITTALS		
DATE	DESCRIPTION	REV
01/22/02	ZONING	0



PROJECT NO. LIN-023C

SITE NAME SOUTH POINTE PAVILLION

SHEET TITLE SITE ELEVATION

SHEET NUMBER	REVISION
C-4A	JOB NO. 01025-04

cricket™
 Comfortable Wireless
 10415 OLD HILL ROAD SUITE 1
 COMRAH, NE 68124

Lucent Technologies



 LAMP BY NEARSON
 & ASSOCIATES INC.

DRAWN BY: MAP
 CHECKED BY: JPB

SUBMITTALS		
DATE	DESCRIPTION	REV
01-09-02	ZONING	0


 1/9/02

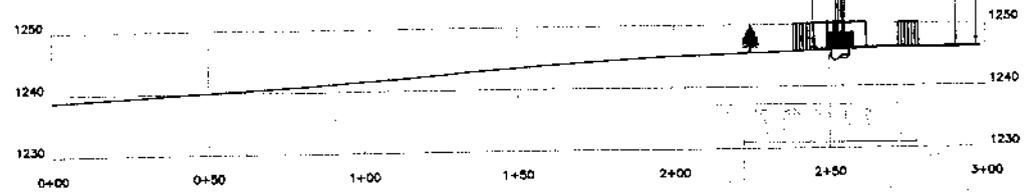
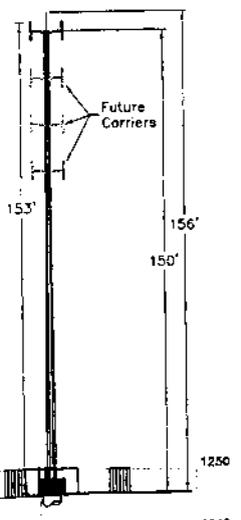
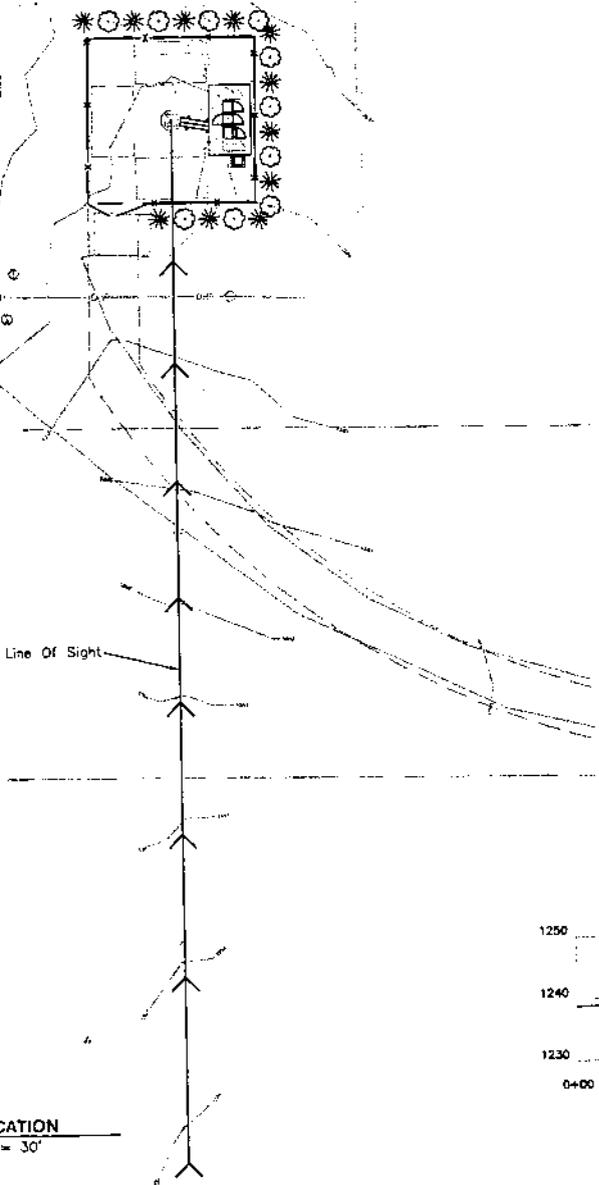
PROJECT NO.
 LIN-023C

SITE NAME
 SOUTH POINTE
 PAVILLION

SHEET TITLE
 LINE OF SIGHT

SHEET NUMBER	REVISION
C-4C	
	JOB NO.
	01038,84

Existing Cemetery
 Maintenance Building



SIGHT LOCATION
 SCALE: 1" = 30'

LINE OF SIGHT PROFILE
 SCALE: 1" = 40'

Cricket Site Lin-023
Lincoln Memorial Park Cemetery
6800 South 14th Street, Lincoln, Nebraska

Detailed Application Discussion

Cricket seeks a special permit to a height of 156 feet to construct a new monopole support structure, consisting of a 150 foot monopole and a 6 foot lightning rod (top height of 156 feet), on the grounds of Lincoln Park Memorial Cemetery, at 6800 South 14th Street in Lincoln. Cricket's ground equipment will be located inside a fenced 40' x 40' compound with the monopole in the center of the compound. This pole is collocatable and ground space is available for three additional carriers. Two carriers have stated their intent to locate on the tower. This is a **sensitive** site.

The following information addresses the requirements contained of the ordinance and the Planning Department's Design Standards and General Requirements sections.

I. 27.68.090 Application Requirements.

A. Pre-Application Conference and Fees

A pre-application conference for the purpose of discussing application requirements, site specifics, plans for current and future facilities, and establishing the application fee was held between Brian Will of the Lincoln/Lancaster Planning Department, and Cricket representative Harvey Cooper. Subsequent discussions occurred between the two regarding the site.

B. Plot Plan

Attached to the application is the plot plan of the lot and proposed uses, drawn to an accurate scale in accordance with the Design Standards. The plot plan includes:

1. A metes and bounds description of special permit area, including the tower, base station equipment, security barrier, and landscaping, referring to the legal description of the property including lot, block, subdivision, section, township, range. (Sheet C-1)
2. A Site Plan showing the following:
 - a. Tower, antenna, antenna support structure, building fencing buffering, access, etc. (Sheet C-2)
 - b. An engineer's scale so as to be legible
 - c. Lot lines (Sheet C-1)
 - d. Lease area lines (Sheets C-1, C-2 & C-5)
 - e. Dimensions of lease area (Sheets C-1, C-2 & C-5)
 - f. Distances from lease area to property lines (Sheet C-2)

- g. Specific location and dimensions of all proposed structures and equipment (Sheets C-1 & C-2)
- h. Distance from all proposed structures and equipment within the lease area to the boundary of the lease area (Sheet C-2)
- i. Distance from all proposed structures and equipment within the lease area to the property lines (Sheets C-2 & C-5)
- j. Location of all existing structures on the property (Sheets C-1 & C-2). Note that the property is a cemetery covering a significant geographic area, and there are no existing nearby structures.
- k. Distance from the lease area to the existing structures (Sheets C-1 & C-2). Note that the property is a cemetery covering a significant geographic area, and there are no existing nearby structures.
- l. If existing structure is within lease area, distance from proposed to existing structure. (N/A)
- m. Proposed security barrier, including type, extent and point of controlled entry (Sheets C-2, C-4A, C-4B, C-4C, C-5 & C-7).
- n. Indication of anti-climbing devices on the tower, or a notation that no climbing devices will be placed on the tower below 20 feet. (Sheet C-4A)
- o. Galvanized finish of tower. (Sheet C-4A)
- p. Lighting. None required
- q. Type and mounting of antennae (Sheets C-4A, C-4B & C-4C). Each of the six flat panel antennas will be attached to a single arm that will attach to the pole.
- r. Notation that antennae and support structure will be designed to withstand wind force of 100 mph (Sheet C-4A)
- s. Indication that antennae and support structure are safe, and will meet EIA standards. Structural detail for the proposed monopole will be provide when a tower vendor is selected. The monopole detail will be provided with the building permit application. The monopole will be constructed as a three-carrier pole.
- t. Location of all roads (Sheets C-1 & C-2)
- u. Location and dimensions of access to proposed facility (Sheet C-2)
- v. Location of existing trees and shrubs (Sheets C-1 & C-2)
- w. Location of other significant existing site features (Sheets C-1 & C-2)

- x. Proposed changes to the existing property including grading, vegetation removal, roads and driveways (Sheets C-2 & C-5)
- y. Zoning of the site (Sheet C-1). The Site is zoned R-1 Residential.
- z. Land uses of adjacent properties (Sheet C-1). The adjacent properties are zoned R-1 Residential and AG Agriculture.
- aa. Ground space for two future carriers' equipment, if applicable. (Sheets C-2 & C-5)
- bb. Space on support structure for two future carriers' antennas. The monopole will be built to accommodate two additional carriers.
- cc. Flood plain information, including elevation of platform, generator, and fuel tank, and a notation that the tower will be designed to prevent collapse or lateral movement in the event of a flood, constructed with materials and utility equipment resistant to flood damage, and constructed by methods and practices that minimize flood damage. (Sheet C-1)
- dd. Elevations:
 - 1) Dimensioned and to scale in NAVD 88
 - 2) From north, south, east, and west (Sheets C-4A, C-4B & C4-C)
 - 3) From all existing public and private roads that serve the property. (Sheet C-4C)
 - 4) For a 50-foot radius around the proposed facility. (Sheets C-4A, C-4B)
 - 5) Showing:
 - a) antennas, mounts, equipment enclosures, security barrier, platforms, cable runs, other construction or development with elevation dimensions to the highest point (Sheets C-2, C-4A, C-4B, C-5 & C-7)
 - (1) If the security barrier blocks views of the facility, it should be cut away to show the view behind the barrier. (Sheets C-4A, C-4B)
 - b) all existing structures on the property. (Sheets C-4A, C-4B)
 - c) existing Trees and shrubs at current height. (N/A)
 - d) proposed trees and shrubs, with approximate heights and time of installation dimensioned. (N/A)

- e) grade changes, or cuts and fills, to be shown as original and new grade lines with foot contours above mean sea level. (Sheets C-5, C-6)
- C. Photographic simulations from a design professional are included in Tab F. They depict the site before and as it will appear after construction from several vantage points 300 feet from the pole, including the nearest heavily trafficked intersections.

II. Location Preference

The proposed facility is a **Sensitive Site** as defined in Section 27.68.080: Location Preferences. This is a new monopole.

The site search ring is centered approximately a half mile north of 27th Street and Pine Lake Road. Cricket, realizing the predominately residential character of this location, elected to move the search ring to find an acceptable location with lessened adverse impact that did not compromise its system. Various sites were eliminated for the reasons discussed below. See Tab G.

- A. Whether any preferred location sites is located within the service area of the proposed personal wireless service facility:
 - 1. **LES substation tower, 7420 South 27th Street.** The existing tower is 150 feet tall, and is full. There currently are three carriers on the pole, at 148, 130 and 110 feet. Cricket proposed going on the pole at 90 feet. A structural analysis was performed to factor in the weight and design of Cricket's equipment. The analysis concluded that the tower would not support the weight of Cricket's equipment. See Tab Q. Cricket requested LES to consider allowing Cricket to rebuild or install a second tower. Jim Manel and Steve Hanks, LES representatives, rejected this proposal. LES encountered significant adverse public reaction when it constructed the existing tower.
 - 2. **Alltel Tower, 5707 South 27th Street.** This location is too close to Cricket site Lin-021, at Star City Shores, 27th and Old Cheney Road. Placing the proposed site there will interfere with the Star City Shores site because of its close proximity, and will not provide the desired service coverage in the area requested herein.
 - 3. **Hazel Scott Middle School at Pine Lake Road and Hazel Scott Drive.** The location considered was by the northeast corner of the school building or in the grassy area between the parking lot and Ridge Road. Both of these locations as

well as other parts of the school grounds would have significantly more impact to the nearby residential areas than the proposed site. Residential property is 315 feet from the school. Moreover, because the school's elevation is 38 feet lower than the proposed site, the monopole would need to be 190 feet tall, further impacting nearby residential housing. (See Additional Photographs of Site and Nearby School, Tab N)

There are no limited preference sites within a half mile of the proposed site. Nevertheless Cricket considered and rejected the following sites a mile away in the vicinity of 27th Street and Pine Lake Road:

1. **South Pointe Pavilion Shopping Center, 27th Street and Pine Lake Road.** The location has insufficient ground space and is too close to abuts a residential area. The proposed tower is too tall and out of character with the area. Additionally, the abutting residential neighborhoods are in close proximity to and have a clear view of this location:

- a. Perimeter Road

1. 201 feet south of houses;
2. 264 feet west of houses; and
3. 477 feet north of houses across Pine Lake Road.

See Tab R.

2. **ShopKo Center, 27th Street and Pine Lake Road.** The location has insufficient ground space and is too close to and abuts R-1 zoning and an existing residential area. ShopKo, the owner of the shopping center, rejected the use of its property for a cell site. See fax of December 5, 2001, Tab S. The proposed tower is too tall and out of character with the area. Residential uses are in close proximity to and have a clear view of this location:

- a. Southwest Corner:

1. 999 feet east of Hazel Scott Middle School;
2. 1,149 feet southeast of houses;
3. 1,707 feet south of houses; and
4. 756 feet northeast of apartments.

- b. Northwest Corner:
 1. 1,086 feet east of Hazel Scott Middle School;
 2. 966 feet southeast of houses; and
 3. 1,356 feet south of houses.

See Tab R.

Cricket, before choosing the proposed site, also examined the four story Union Bank building in the Northeast corner of the ShopKo Center (6801 S. 27th Street), and rejected the location because it was considerably lower than the designed antenna height for Cricket's system design. The Radio Frequency engineers determined that a four story building would require a considerable extension, of probably 50 or 60 feet. Cricket searched unsuccessfully for another location for a 20 foot height in the 27th and Pine Lake Road area. Cricket then moved west and located the current proposed site, which required a higher height of 150 feet.

3. **South Ridge Crossing Shopping Center, 27th Street and Pine Lake Road.**

The location has insufficient ground space and is too close to abuts a residential area. The proposed tower is too tall and out of character with the area. Additionally, residential zoning abuts the west side of the shopping center, and the following other uses are in close proximity to and have a clear view of this location:

- a. 651 feet east of apartments; and
- b. 1,368 feet southeast of Hazel Scott Middle School.

See Tab R.

4. **Outlot D, the Ridge 13th Addition, Lincoln Memorial Park Cemetery.** This location is in proximity to the following uses:

- a. 801 feet north of Pine Lake Road;
- b. 1,059 feet south of nearest house;
- c. 732 feet northwest of Hazel Scott Middle School (nearest point of building); and
- d. 300 feet west of bend in Hazel Scott Drive

The houses to the north would not have a clear view of the site, as a tree line between the site and the houses obstructs the view of the site. Additional plantings would further obstruct the view.

Cricket still believes this is a viable site location. However, at the request of the Planning Staff, Cricket proposes to move the site from that location to the area adjoining the cemetery maintenance building.

The newly proposed site is immediately east of the Cemetery maintenance building approximately 750 feet east of the Outlot D location. The site, at elevation 1246' AGL is just north of the AG-R-1 line, in the R-1 area, adjoining the maintenance building. Although it is on R-1 land, it is well shielded from the developed residential area by intervening existing higher ridge lines and mature pine tree lines. The first tree line towards the residential housing is 235 feet NNE of the site at 1298' AGL, with 40' and higher trees. The second tree line is at almost out of the cemetery property, 1312' AGL NNE, with five 44' to 48' pine and oak trees. From there the land slopes downward towards the residential development.

- B. What good faith efforts and measures were taken to investigate each of these preferred location sites and why such efforts were unsuccessful:

See Section II. A. above.

- C. Why the use of a preferred location site is not technologically, legally or economically feasible:

See Section II.A. above.

- D. How and why the proposed site is required to meet service demands for the proposed facility and citywide network:

See attached Radio Frequency Engineering analysis and discussion of the coverage requirements in Tab C. The proposed site is necessary to meet the rapidly growing demand for wireless service in Lincoln. Cricket is building a new wireless network covering the City. This site is part of the comprehensive group of cells needed for this project. In particular this site will service the area in and around Pine Lake Road from 10th Street to 33rd Street between Old Cheney Road and Yankee Hill Road. Radio Frequency coverage plots demonstrating the geographic area with and without the site are attached, as is a

letter from a Cricket's Radio Frequency Engineer comprehensively explaining the need for the site.

The site hands off coverage principally to two other sites, Lin-21 at Star City Shores, 4375 S. 33rd Street, and Lin-24 at the ATC tower, 6201 S. 57th Street. Both of these sites are at 80 feet AGL. Cricket's RF engineers conducted a signal coverage propagation study, modeling the new location with tower heights of 150 and 120 feet. Although there was no serious coverage degradation to the north handoff to Site 21, there is significant signal degradation in the area between the proposed site and Site 24, particularly in the vicinity of 40th Street and Old Cheney Road, militating against the lower tower height. See Tab C.

- E. The distance between proposed facility and the nearest residential unit and residentially zoned properties.

The proposed facility is over 1200 feet southwest of the nearest residential homes.

- F. Existing Structures and/or Towers considered prior to this application for new tower (Section 27.68.100(b)):

See Section II. A. above.

- G. Provide evidence showing what good faith efforts and measures were taken to secure a preferred location site or limited preference site within one-half mile of the proposed facility.

See Section II. A. above. There are no feasible limited preference sites within a half mile of the proposed site identified.

- H. Demonstrate with engineering evidence why each such preferred location site or limited preference site was not technologically, legally or economically feasible.

See Section II.A.

III. Description of the Security Barrier

A locked 8 foot high wood fence will enclose the monopole and ground equipment in a 40' x 40' compound. Landscaping will be planted adjacent to three sides of the fenced compound.

IV. Minimization of Potentially Adverse Effect on Adjacent Properties

A. Location

The site is located in a cemetery, zoned R-1. There is a residential neighborhood to the northeast and east of the site, zoned R-1. The nearest house is over 1200 feet from the site. Hazel Scott Middle School, zoned P Public is located over 1250 feet southeast of the site, its nearest building point 1282 feet from the site. Finally there is B-2 Neighborhood Business, and O-3 Office Park zoning along the south side of Pine Lake Road, approximately 860 feet south of the site. These lots are only a single lot deep and abut a residential neighborhood.

B. Screening

Section 27.68.110(a)(2).

C. Buffering

The wireless facility is in an unimproved raw land owned by the cemetery. It is screened by trees to the north and east, a building to the west and vacant land to the east, southeast, south and southwest. The cemetery screens the site from the west and north. The site will also be buffered by new landscaping adjacent to it.

D. Blending

The tower will be located between commercial buildings to the west and east, and will be separated from residential units to the north by an alley and mature trees.

E. Height

Cricket requires an antenna height of 150 feet AGL. This is the lowest possible in order to effectively cover the area from a radio frequency standpoint. A "drive test" performed by Cricket radio frequency engineers confirmed this. In this test, an antenna is hoisted by a crane to various heights and data is taken so as to determine that lowest possible height at which the site will be effective. The height is not out of scale with other existing towers in this area

F. Lighting

No artificial lighting will be necessary at this site.

G. Pole Finish

The monopole will have a galvanized finish. Section 27.68.110(c).

H. Antenna Design

The antenna array is a three sectored mounted antenna array. The six antennas will each be mounted to an individual support that will attach to the pole. The proposed antennas are less than the maximum dimensions defined by code.

- I. **Parking**
The proposed facility will have no impact on parking. The site will be on an unimproved grassy lot.
- J. **Landscaping**
Cricket is locating white pine trees and Pfizer juniper shrubs around the fenced compound to mitigate visual impact.
- K. **Scale**
The proposed 40 foot by 40 foot compound, and 150 foot monopole, 156 feet total structure overall, are in scale to similar uses in the surrounding area.
- L. **Views**
The proposed facility will have no negative impact on our views or vistas, including the view of the Capitol.
- M. **Landmark Structures**
The proposed facility will have no negative impact on landmark structures, historically or architecturally significant structures, or on any other views, vistas or scenery.
- N. **Natural Resources**
The proposed facility will have no negative impact on natural resources, open spaces or recreational resources.
- O. **Collocation**
This facility will be constructed to meet the collocation requirements of Section 27.68.110(d). The proposed monopole will be structurally capable of accommodating four carriers. There is sufficient ground space for such carriers. Cricket has attached letters from Nextel Partners and Alltel expressing their interest in locating on the proposed new tower. See Tab P.
- P. **Existing Structures**
There are no other existing structures within ½ mile of the site. Section 27.68.120(d).
- Q. **Setbacks**
All base equipment and structures meet the setbacks for residential zoning. Distances from lot lines are indicated on the plot plans. Section 27.68.110(a)(6).
- R. **Fall Zone**
The proposed monopole meets the fall zone requirement that towers shall be set back a distance no less than one-half the height of the structure, pursuant to Section 27.28.110(g).
- S. **Antenna and Support Structure Safety**
The antenna and support structure will be designed to be safe, and the surrounding areas will not be negatively affected by support structure failure, falling ice, or other debris.

Section 27.68.110(e)(1). Cricket will meet or exceed all EIA/TIA standards and requirements of the City of Lincoln, and will provide to the Planning and Building and Safety Departments design specifications for the specific tower to be used before a building permit is issued if necessary. Cricket will mount each of the six antenna panels on individual arms attached to the pole.

T. Wind Force

As noted on the plot plans, the antennas and support structure will be designed to withstand a wind force of 100 miles per hour. Section 27.68.110(e)(9). Cricket will meet or exceed all requirements of the City of Lincoln, and will provide to the Planning and Building and Safety Departments design specifications for the specific tower to be used before a building permit is issued if necessary.

U. Standards

As noted on the plot plans, the tower shall be constructed and maintained to meet or exceed EIA standards, and all applicable construction and building codes. Section 27.68.120 (a and b). Improvements or additions will also comply with these requirements.

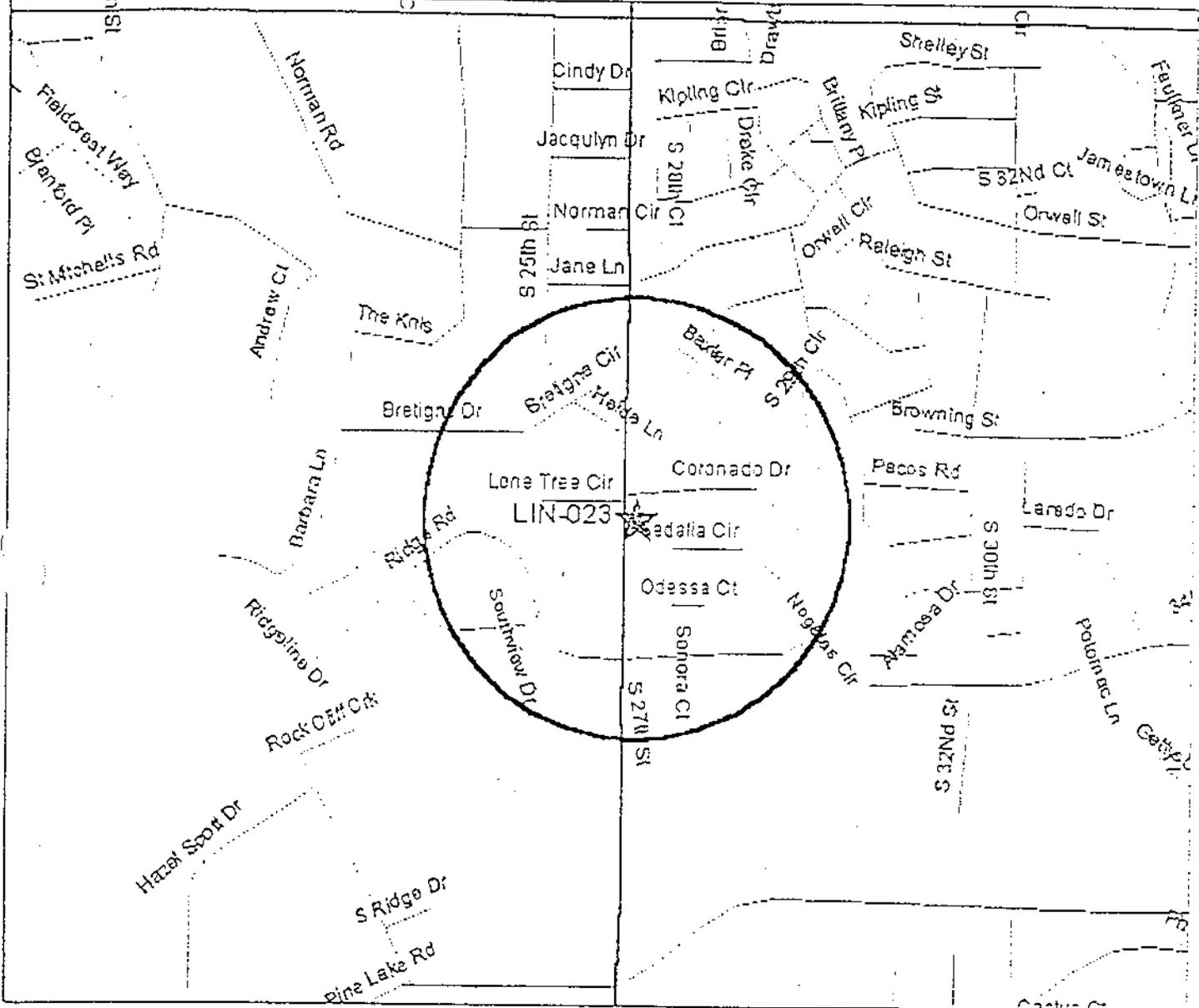
Search Ring Form



Lucent Technologies
Bell Labs Innovations

Site Name **S. Points Pavillion**
 Site Number **LIN-023** Issue Date **12/4/00**

Search Ring Map



Radius of Search Ring (mi) Reference Map

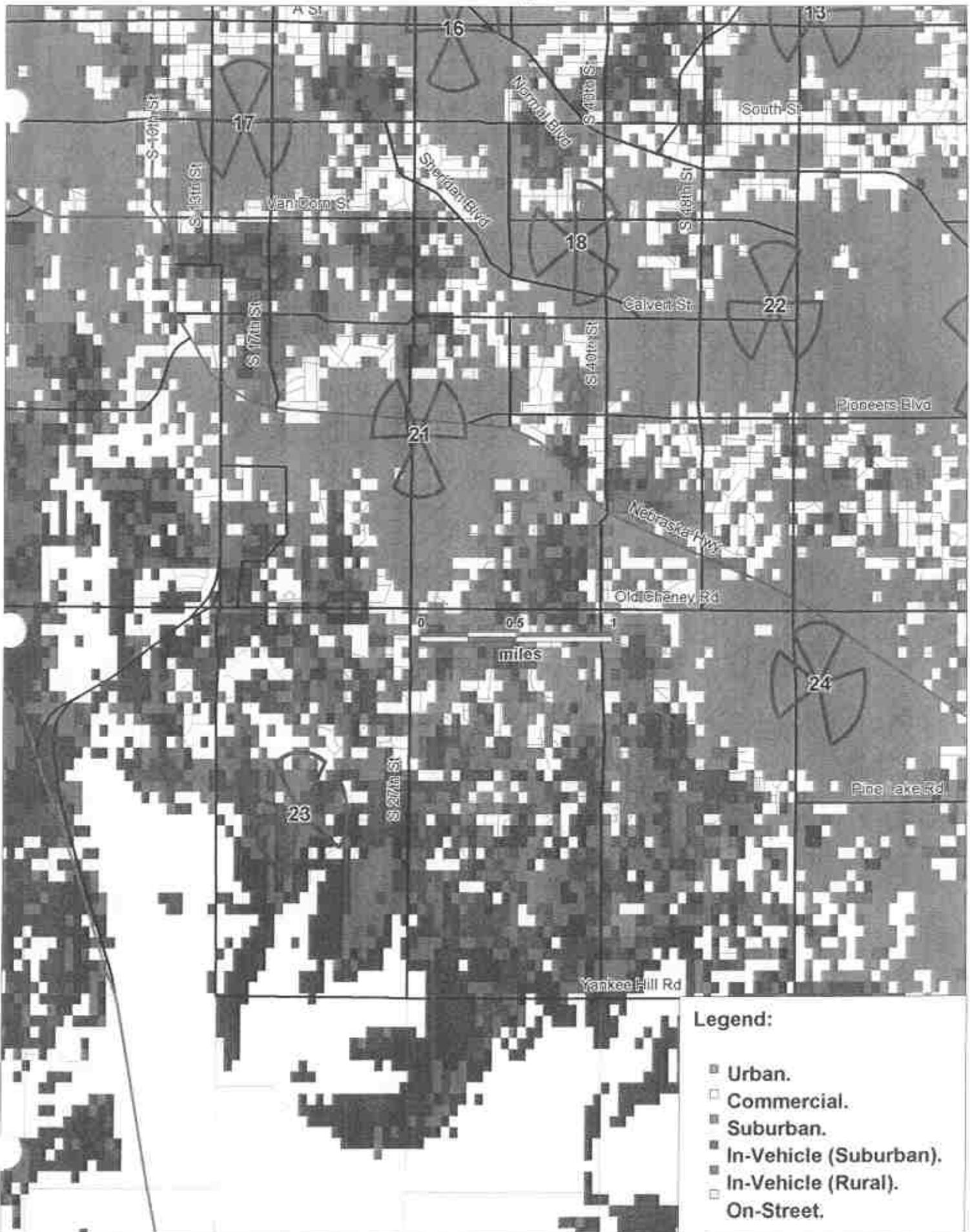
Center of Search Ring:
 Search Area Location (directions)
 7430 S. 27th Street (SPCS OM 13XC411)

Coverage objective
 I & Residential area

Proposed site configuration:

Sector	RCL	Azim	Antenna	Mount
1	120	140	RV90-18-02_P	Tower
2	120	240	RV90-18-02_P	Tower
3	120	350	RV90-18-02_P	Tower

Exhibit B. LIN-023. Coverage without the site.



Legend:

- Urban.
- Commercial.
- Suburban.
- In-Vehicle (Suburban).
- In-Vehicle (Rural).
- On-Street.