



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning Division*

**m e m o r a n d u m**

**TO:** Bruce Walden, Chief Administrative Officer

**FROM:** Elizabeth H. Tyler, <sup>CAT</sup>AICP, Director/City Planner

**DATE:** November 3, 2005

**SUBJECT:** Plan Case No. 1961-SU-05, Request for a Special Use Permit to install a Telecommunications Antenna with Tower at 202 South Broadway Avenue in Urbana's B-4 Central Business Zoning District.

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**Introduction**

This case is a request by the Independent Media Center (IMC) for a Special Use Permit to install a radio *Antenna with Tower* at 202 South Broadway Avenue. The subject property is located in Urbana's B-4 Central Business Zoning District.

The Zoning Ordinance Article V, Section V-11.Q.1.b states that *Antennas with Towers* in the B-4 Central Business zoning district require Special Use Permit review. Pursuant to the Urbana Zoning Ordinance, the Plan Commission must recommend approval or denial of the Special Use and forward it to City Council for action.

On October 20, 2005, the Urbana Plan Commission conducted a public hearing to consider the case. At the hearing, Staff presented a set of conditions of approval revised from those originally submitted with the Staff memorandum. The Commission voted 8-0 to recommend approval of the Special Use Permit including the set of three revised conditions. Staff is now recommending an additional revision of the conditions of approval.

For more information regarding the case, please refer to the Staff Memorandum dated October 14, 2005. The draft minutes of the October 20, 2005 hearing are attached to this report.

**Background**

**Description of the Site and Surrounding Properties**

The IMC is located in the former U.S. Post Office building at the southeast corner of Broadway Avenue and Elm Street. The site is located within Urbana's central business district. The immediate area includes commercial uses, institutional uses, and mixed use buildings (see aerial photograph exhibit). To the North across Elm Street is the Champaign County Courthouse. To the South is the Lincoln Square Village mall. West across the dead end loop of Broadway is the Historic Lincoln Hotel (formerly Jumer's Castle Lodge). To the east is a parking area and a U.S. Federal Courthouse building.

Built in 1914 in a Neo-Classical style, the U.S. Post Office is an historically noteworthy structure and will soon be considered for designation as a local landmark. Pursuant to Section 106 of the Historic Preservation Act, the structure is subject to certain restrictions due to its historic nature. The proposed installation must undergo review and approval for Section 106 compliance through the State Historic Preservation Office. Representatives for the IMC are working with the State on attaining this approval.

In September 2004, a "Nationwide Agreement" entitled "Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission," was enacted. Section 106 of the National Historic Preservation Act of 1966, (NHPA) requires federal agencies to take into account the effects of their "Undertakings" (such as issuing Federal Communications Commission (FCC) radio antenna licenses) on Historic Properties included in or eligible for inclusion in the National Register of Historic Places, and so give the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment with regard to such "Undertakings". In the case of tower and antenna licenses from the FCC, Section 106 of the NHPA requires the applicant to submit a "New Tower Submission Packet" (FCC Form 620) to the State Historic Preservation Office (SHPO) for review of any potential adverse impact on any Historic Properties.

Certain categories of new tower construction were excluded from Historic Preservation review under Section 106 of the NHPA and are described in Section III of the Nationwide Agreement. An applicant's proposal may be exempt from Section 106 review in a number of cases including the case of "A temporary ballast mount Tower" (from page B-9, section C. 4). The C-U Independent Media Center is working under the assumption this that exemption is applicable to the proposed tower and antenna in this case. This means that construction of the temporary tower would be permissible prior to completion of a Section 106 application and review by the State Historic Preservation Office for a permanent tower. Thus, the proposed tower/antenna would be approved as a temporary structure by both the FCC and the SHPO, but the same tower could also subsequently be approved for permanent status following an FCC required two-year trial period.

Following the October 20, 2005 Plan Commission hearing, Mike Lehman of the Independent Media Center contacted the Illinois State Historic Preservation Office to verify IMC's interpretation of the exemption under the Nationwide Agreement. The Illinois SHPO is considering this request but has not yet verified its compliance. The City has assisted the applicant by forwarding copies of the Plan Commission case memo, case exhibits, site photographs, and an adjusted photo of the Post Office with a line representing the antenna inserted.

Since the Illinois State Historic Preservation Office has not yet responded, Staff recommends a revision to the conditions of approval recommended by the Plan Commission so that it is possible to approve the Special Use Permit prior to completion of the Illinois State Historic Preservation Office review. All other FCC approvals have been obtained for installation of the temporary tower. The applicant is anxious to pursue installation of the tower in order to meet the deadlines associated with an initial construction license obtained from the FCC which is set to expire in December and to pursue a planned "barn raising" event scheduled for mid-November. Staff does not believe it is necessary for the tower/antenna to complete the SHPO review process in order to comply with the special use permit criteria. However, as a caution, staff recommends that the special use permit may be reviewed again after a period of two (2) years, if the SHPO review has not then been completed.

## Towers and Antennas

The Urbana Zoning Ordinance defines *Tower* as:

*“Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term encompasses personal wireless service facilities, radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers or personal communications services towers, alternative tower structures, and the like.”*

The Urbana Zoning Ordinance defines *Antennae* as:

*“Any exterior apparatus designed for telephonic, radio, data, Internet, or television communications through the sending and/or receiving of electromagnetic waves, including equipment attached to a tower or building for the purpose of providing personal wireless services, including unlicensed wireless telecommunications services, wireless telecommunications services utilizing frequencies authorized by the Federal Communications Commission for “cellular,” “enhanced specialized mobile radio” and “personal communications services,” telecommunications services, and its attendant base station.”*

The Urbana Zoning Ordinance allows *antennas with towers* on existing structures provided the top of the antenna must not exceed 35 feet from the top of the building. There are no height limits for buildings in the B-4 district.

The petitioners would mount their antenna on a triangular lattice tower of approximately one foot per side. The tower would be located in the center of the roof of the IMC former post office building approximately 55 feet from the east and west edge, and 30 feet from the north and south edge. The tower and antenna will be supported by guy wires attached to the building. The radio station studio and electrical equipment will be located inside the building. Please refer to the attached site plan (which supersedes the plan information attached to the application).

The tower itself is a steel triangular lattice painted gray, 17 feet in height with 18-inch wide sides (See engineering plans exhibit). There would be three guy wires of ¼ inch steel cable that connect from the roof top to the top of the tower section. The next section is a steel pipe painted gray, 2.5 inches in diameter extending another 18 feet from the top of the tower. There would be two separate TV style antennas attached to the pole itself. One is located four feet below the top and the other 12 feet below the top. Each of the antennas is about five feet long horizontally and three feet tall and wide. The tower is a standard commercial design and the wind loading calculations and mounting plans have been provided by an Illinois licensed structural engineer. In the unlikely event the tower were to fall straight over it would land entirely on the IMC property. Towers are actually designed to break in the middle and so collapse into an area that is smaller than their height. As designed no part of the tower and antennae should ever fall off the top of the building.

## Discussion

The IMC has a license to operate a 100-watt low power radio station with the call letters of WRFU. The petitioners state that this location is within an area that will meet the technical requirements for placement of a low power radio station antenna to serve the center of town. Antennas must be placed in areas that can transmit effectively to the target service area. A second constraint is that an antenna must be permitted in that zoning district. Third, there must be a landowner willing to lease the property. One of the reasons the IMC chose to purchase and relocate to the Post Office was that it met all those criteria.

The purpose of Special Use Permit review of towers and antennas in the B-4 Central Business district is to ensure they are designed and located with reasonable care. The question for review in this instance is whether the placement of the tower and antenna meets the intent of the Special Use provisions of the zoning code to not "... be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare."

Also of concern is the potential visual impact of the tower and antenna as viewed by pedestrians or occupants of adjacent buildings. Cellular and radio towers and antennas are typical rooftop appurtenances in urban areas and are generally visually compatible with the urban surroundings. This is particularly true if the host structure is itself taller than surrounding structures. The Post Office building is about the same height as Lincoln Square Village, but is shorter than some other nearby structures (e.g., Champaign County Courthouse and Historic Lincoln Hotel). This could make the tower/antenna more noticeable than it otherwise would be. In addition, at 35 feet, the tower/antenna will be distinctly taller than other rooftop appurtenances found downtown. It's appearance will be similar to a tower and antenna located behind the municipal building at 400 South Vine Street.

While the tower/antenna will be relatively tall for the host building and surrounding buildings, its visual impact will be substantially mitigated by its very narrow width. The upper 18 feet of the tower/antenna will only be 2.5 inches wide. The lower 17 feet of the tower/antenna will be only 18 inches wide. These narrow dimensions combined with the neutral gray color will make the visible portion of the antenna unobtrusive from most surrounding viewpoints. For those viewpoints where it is visible, the tower/antenna would not be disharmonious with the urban setting. It should be noted that the B-4 zoning district does not have a height restriction so that the height of the structure alone can not be held inconsistent with the district in which it is located.

Impacts of the proposed tower/antenna upon the historic covenants pertaining to the building are subject to review by the State Historic Preservation Officer. As noted earlier, the petitioners are pursuing an exemption under the Nationwide Agreement.

### Requirements for a Special Use Permit

According to Section VII-6 of the Urbana Zoning Ordinance, an application for a Special Use Permit shall demonstrate the following:

1. *That the proposed use is conducive to the public convenience at that location.*

The proposed use is conducive to the public convenience because it would facilitate the operation of low power community radio service to residential and business customers in the area.

2. *That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare.*

The proposed use will not be unreasonably detrimental to the district in which it is proposed to be located or any adjoining properties. The addition of the tower and antenna would not be visually disharmonious with its urban surroundings and should not have a significant negative visual impact on the surrounding property.

3. *That the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located, except where such regulations and standards are modified by Section VII-7.*

*Antennae with towers* are permitted in the B-4 Central Business zoning district under Special Use Permit review. The proposed facility is designed to meet applicable regulations and standards of the Urbana Building Code as well as applicable Federal Communications Commission regulations. Should the Special Use Permit be granted, the petitioner will be required to obtain a building permit to erect the tower and antenna. The building permit application will be reviewed to demonstrate complete compliance with the provisions of the Special Use Permit as well as all other applicable codes and ordinances.

## **Summary of Findings**

At the public hearing on October 20, 2005 the Plan Commission adopted the following findings:

1. *Antennae with towers* are permitted in the B-4 Central Business zoning district under Special Use Permit review.
2. The purpose of Special Use permit review of towers and antennas in the B-4 district is to ensure they are designed and located with reasonable care.
3. The proposed use is conducive to the public convenience because it would facilitate the operation of low power community radio service to residential and business customers in the area.
4. The proposed use should not pose a detriment to the district in which it is proposed to be located or any adjoining properties. The addition of the tower and antenna should not have a significant negative visual impact on the surrounding property.
5. The proposed facility is designed to meet applicable regulations and standards of the Urbana Building Code as well as applicable Federal Communications Commission regulations.
6. The proposed use is consistent with the zoning designations of the subject site and the surrounding area.
7. The proposed use is compatible with the existing land use pattern of the general area.

## Options

The Urbana City Council has the following options in this case:

1. Approve the Special Use Permit request;
2. Approve of the Special Use Permit request with any additional conditions deemed appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Zoning Ordinance;
3. Deny the request for a Special Use Permit.

## Recommendation

At the October 20, 2005 hearing, the Plan Commission voted 8-0 to recommend approval of the Special Use Permit to the City Council subject to certain conditions. Several Commissioners asked questions regarding the National Historic Preservation Act Section 106 requirement for review, and the Federal Communications Commission (FCC) requirements (see draft minutes attached). It was the goal of the IMC to install the tower in time for a November 13<sup>th</sup> "barn raising" event inaugurating the new radio station and to start operation prior to expiration of the initial FCC license in December. The IMC has been working with ISHPO for several months and believes the tower is exempt from Section 106 review under the Nationwide Agreement.

Staff recommends a revision to the conditions of approval recommended by the Plan Commission so that it is possible to approve the Special Use Permit prior to final input from Illinois State Historic Preservation Office. This revision (underlined text below) would require that the tower and antenna come under possible further special use review after two years if Section 106 review has not been completed by ISHPO by that time. The necessity of this review would be determined by the Zoning Administrator.

Based on the evidence presented in the discussion above, and at the public hearing conducted on October 20, 2005, the Urbana Plan Commission recommended that the City Council **CONDITIONALLY APPROVE** the proposed special use permit in Plan Case No. 1961-SU-05 with the following conditions (as subsequently modified by staff):

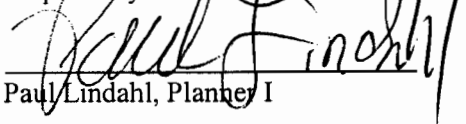
1. The design, installation, and operation of the tower and antenna shall be in accordance with all applicable city, state, and Federal laws and regulations.
2. The completed installation of the temporary ballast mount tower and antenna will be in substantial conformity with the submitted engineering diagram attached and identified as Exhibit "E".
3. Within two years from the date of the Special Use Permit approval the applicant shall submit written evidence from the Illinois State Historic Preservation Office that the undertaking either (1) is exempt from Section 106 historic review; or (2) meets the requirements of Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800).
4. If after two years from the date of the Special Use Permit approval the applicants have been unable to meet Condition 3 herein, the Special Use Permit shall come under administrative review by the Zoning Administrator who may determine that the special use be further reviewed by the Plan Commission and City Council or otherwise be brought into conformity.

Attachments:

Draft Ordinance Approving a Special Use Permit  
Draft Minutes of October 20, 2005 Plan Commission Hearing  
Exhibit C, Existing Land Use on Aerial Photo map  
Exhibit E, Engineering Diagram  
Exhibit F, Special Use Application  
Exhibit G, Manufacturers tower and antenna information  
Photographs of the IMC Post Office  
Attempted perspective photo of tower on IMC Post Office Roof.

- A copy of an October 24, 2005 e-mail communication from Michael Lehman Director of the Urbana-Champaign Independent Media Center Foundation to Ann Haaker of the Illinois State Historic Preservation Office requesting a confirmation that the tower and antenna project is exempt from National Historic Preservation Act (NHPA) Section 106 review.
- A copy of an October 14, 2005 letter from Michael Lehman Director of the Urbana-Champaign Independent Media Center Foundation stating the case that the tower and antenna project is exempt from National Historic Preservation Act (NHPA) Section 106 review.
- A copy of the pages of the FCC document cited in the letter above as an applicable exemption to NHPA Section 106 review.
- A copy of the IMC deed to the old post office building at 202 S. Broadway including Exhibit B - Historic Covenants.
- A copy of an October 20, 2005 e-mail communication from Alice Novak, Chairperson of the Urbana Historic Preservation Commission, expressing concerns about the compliance of the project with the requirements of NHPA Section 106 review.

Prepared by:



Paul Lindahl, Planner I

Cc:

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Independent Media Center  
Attn: Mike Lehman  
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James Webster  
104 West University Avenue  
Urbana, IL 61801

Alice Novak, Chair  
Urbana Historic Preservation  
Commission

**ORDINANCE NO.**

**An Ordinance Approving A Special Use Permit**

(To Allow the Installation of a Telecommunications Antenna with Tower at 202 South Broadway Avenue in the B-4, Central Business Zoning District - Plan Case No. 1961-SU-05)

WHEREAS, The Champaign - Urbana Independent Media Center has petitioned the Urbana Plan Commission in Case No. 1961-SU-05 for a Special Use Permit to install a radio Antenna with Tower at 202 South Broadway Avenue; and

WHEREAS, subject property is located in Urbana's B-4, Central Business Zoning District; and

WHEREAS, the Zoning Ordinance Article V, Section V-11.Q.1.b states that Antennas with Towers in the B-4, Central Business zoning district require Special Use Permit review; and

WHEREAS, all applicable development regulations will be met, including those involving setbacks, signage, parking, drainage, and vehicular access considerations; and

WHEREAS, the conditions placed on the approval in Section 1 herein should minimize the impact of the proposed development on surrounding properties; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on October 20, 2005 concerning the petition filed by the petitioner in Plan Case No. 1961-SU-05; and

WHEREAS, on October 20, 2005, the Urbana Plan Commission voted 8 ayes and 0 nays to forward the case to the Urbana City Council with a recommendation to approve the request for a Special Use Permit, subject to the conditions as outlined in Section 1 herein; and

WHEREAS, the approval of the Special Use Permit, with the conditions set forth below, is consistent with the requirements of Section VII-6 of the



Urbana Zoning Ordinance, Special Use Permit Procedures, and with the general intent of that Section of the Ordinance; and

WHEREAS, the findings of the Plan Commission indicate that approval of the special use permit would promote the general health, safety, morals, and general welfare of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. A Special Use Permit is hereby approved to allow the installation of a radio Antenna with Tower at 202 South Broadway Avenue in the B-4, Central Business Zoning District with the following conditions upon approval:

1. The design, installation, and operation of the tower and antenna shall be in accordance with all applicable city, state, and Federal laws and regulations.
2. The completed installation of the temporary ballast mount tower and antenna will be in substantial conformity with the submitted engineering diagram attached and identified as Exhibit "E".
3. Within two years from the date of the Special Use Permit approval the applicant shall submit written evidence from the Illinois State Historic Preservation Office that the undertaking either (1) is exempt from Section 106 historic review; or (2) meets the requirements of Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800).
4. If after two years from the date of the Special Use Permit approval the applicants have been unable to meet Condition 3 herein, the Special

Use Permit shall come under administrative review by the Zoning Administrator who may determine that the special use be further reviewed by the Plan Commission and City Council or otherwise be brought into conformity.

LEGAL DESCRIPTION:

Tract 1: Lots 55 and 56 of the Original Town of Urbana, and the West Half of the alley known as Thorn Alley lying on the East side of said Lot 56, as per plat recorded in Deed Record A at page 33, in Champaign County, Illinois.

Tract 2: Lot 57 of the Original Town of Urbana, and the East Half of the alley known as Thorn Alley lying on the West side of said Lot 57, as per plat recorded in Deed Record A at page 33, in Champaign County, Illinois.

Tract 3: The North half of that portion of Cherry Alley, being the east-west alley between Elm Street and Green Street in the City of Urbana, Illinois, described and bounded as follows, as per Ordinance Vacating Certain Alleys recorded January 6, 1964 in Book 747 at Page 45 as Document 706612:

Commencing at the point where the North line of Cherry Alley intersects with the East Line of Broadway Street, thence East along the North line of side alley 38 feet, thence South to the South line of said alley, thence West along the South line of said alley to the East line of Broadway Street, then North along the East line of Broadway Street to the point of beginning, in Champaign County, Illinois

Tract 4: The North Half of that portion of Cherry Alley, being the east-west alley between Elm Street and Green Street in the City of Urbana, Illinois, described and bounded as follows, as per Ordinance Vacating a Portion of an Alley recorded March 13, 1964 in Book 752 at Page 393 as Document 709540 and recorded march 20, 1964 in Book 753 at Page 159 as Document 709879:

Commencing at the point where the North line of vacated Cherry Alley intersects with the East line of Broadway Street, thence East along the North line of said alley 38 feet to the point of beginning, thence East on the North line of said alley 2 feet, thence South to the South line of said alley, thence West along the South line of said alley 2 feet, thence North to the point of beginning, in Champaign County, Illinois.

Parcel No.: 92-21-17-212-004

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the Corporate Authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

AYES:

NAYS:

ABSTAINS:

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

\_\_\_\_\_  
Laurel Lunt Prussing, Mayor

**CERTIFICATE OF PUBLICATION IN PAMPHLET FORM**

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the \_\_\_\_\_, 2005, the Corporate Authorities of the City of Urbana passed and approved Ordinance No. \_\_\_\_\_, entitled

**"An Ordinance Approving A Special Use Permit**

(To Allow the Installation of a Telecommunications Antenna with Tower at 202 South Broadway Avenue in the B-4, Central Business Zoning District - Plan Case No. 1961-SU-05)"

which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. \_\_\_\_\_ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 2005, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

**MINUTES OF A REGULAR MEETING**

**URBANA PLAN COMMISSION**

**DRAFT**

**DATE:**        **October 20, 2005**  
**TIME:**        **7:30 P.M.**  
**PLACE:**       **Urbana City Building**  
                  **400 South Vine Street**  
                  **Urbana, IL 61801**

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**MEMBERS PRESENT:**     Lew Hopkins, Ben Grosser, Randy Kangas, Michael Pollock, Bernadine Stake, Marilyn Upah-Bant, James Ward, Don White

**MEMBERS EXCUSED:**    Laurie Goscha

**STAFF PRESENT:**       Elizabeth Tyler, Director of Community Development Services; Robert Myers, Planning Manager; Matt Wempe, Planner I; Paul Lindahl, Planner I; Teri Andel, Secretary

**OTHERS PRESENT:**     Carol Ammons, Mother Mary Brooks, Dorothy Carter, Leonard and Faye Christmon, Phyllis Clark, Almada Davis, Levi Dinkla, John Green, Lorean Howard, Ruby Hunt, Samuel and Frankie Johnson, Adam Judeh, Ibrahim Odeh, Bob Leach, Michael Lehman, Robert Lewis, Donna McKinley, Janice Mitchell, Jerry Moreland, Beverly Napper, Andrew O’Baouill, Del Owens, Lawrence Owens, Hayward and Virginia Patterson, Melvin Peeples, Ivan Ruiz, Emma Shelton, Doretha Simmons, Jennifer Tatum, Susan Taylor, Mary Thomas, Patrick Thompson, Asa Walker, Navarn Welch, Betty Williams, Joseph Wilson

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**Plan Case No. 1961-SU-05: Request for a Special Use Permit to install a Telecommunications Antenna with a Tower at 202 South Broadway Avenue in Urbana’s B-4, Central Business Zoning District.**

Paul Lindahl, Planner I, presented the case to the Plan Commission. He explained that the purpose for the special use permit request was to install a radio antenna with tower in the B-4 Zoning District. He described the proposed site and the surrounding properties. He talked about Section 106 of the Illinois Historic Preservation Act and how it pertained to the proposed antenna with tower.

Mr. Pollock inquired if the proposed special use permit would be for a temporary tower, which would later be replaced with a permanent tower under the same special use permit. Mr. Lindahl said that the proposed special use permit was for a temporary tower. A permanent tower could replace the temporary one. The only difference would be in the anchoring of the tower.

Mr. Pollock asked if the special use permit would need to be reviewed again if the petitioner wanted more height. Mr. Lindahl stated that the City would need to review the special use permit again.

Mr. Lindahl went on to talk about towers and antennas, noting the definitions of each as defined in the Urbana Zoning Ordinance. He reviewed the requirements for a special use permit according to Section VII-6 of the Urbana Zoning Ordinance. He summarized staff findings and read the options of the Plan Commission. He presented a revised staff recommendation from what was previously sent to the commissioners, which was as follows:

*Based on the evidence presented in the written staff report, and without the benefit of considering additional evidence that may be presented during the public hearing, staff recommended that the Plan Commission recommend approval of the proposed special use permit in Plan Case No. 1961-SU-05 to the City Council along with the following condition:*

- 1. The design, installation, and operation of the tower and antenna shall be in accordance with all applicable city, state, and federal laws and regulations.*
- 2. The applicant shall submit written evidence from the Illinois State Historic Preservation Office that the project is either exempt from Section 106 historic review, or if not exempt that the project has met the requirements of Section 106 of the National Historic Preservation Act, as amended (36 CFR Part 800).*
- 3. The completed installation of the tower and antenna will be in substantial conformity with the submitted engineering diagram attached to the Plan Commission Staff memo and identified as Exhibit "E".*

Mr. Grosser asked if the proposed special use permit was granted for a temporary tower and if the State of Illinois approved a permanent tower, then the petitioner would probably want to construct a permanent tower. Mr. Lindahl stated that from his understanding, there are two criteria in dealing with the Illinois State Historic Preservation Office and the Federal Communications Commission (FCC). The first criteria is that the FCC considers any tower as temporary until the petitioner has proven that it would not interfere with signals from other electronic devices and radio and television antennas. The second criterion is that because the proposed tower would have a temporary base, it could potentially be located at the proposed site for as long as two years. Then, at that point, the petitioner would have to either build a permanent tower or remove the temporary tower.

Mr. Grosser inquired as to who set the two year limit. Mr. Lindahl replied that it was one of the regulations listed in the FCC documents. One of the considerations for exempt structures was any structure with a temporary ballast mount. The purpose of this was to prevent excavation for tower bases that might disturb historic, archeological artifacts.

Ms. Tyler talked about Condition #2 in staff's recommendation. She mentioned that there was a concern expressed by the petitioner that they have been working with the Illinois State Historic Preservation Office. The procedure has taken a long time. The petitioner was concerned that if this evidence was not submitted from the State Office, then they would not be able to reach their plan deadline of November 11 or 13. Therefore, City staff wanted to help expedite the process by having the Plan Commission vote on the proposed special use permit before receiving the recommendation from the State Office.

Mr. Pollock asked staff to clarify the levels of review that were taking place. Mr. Myers explained that there were three different levels of review, which are as follows:

- 1) FCC Review to get a communications license
- 2) Local Review to get a special use permit to erect the tower
- 3) Illinois State Historic Review to see if the proposed tower would affect properties eligible for listing in the National Register of Historic Places.

If all three organizations said that they would not make a decision until the other two organizations approved the tower, then the petitioner would be running around in circles and would not be able to get anything done. Therefore, he suggested that the Plan Commission, if they vote to grant the special use permit, include Condition #2 as part of the approval.

Mr. Pollock questioned if the petitioner would have to remove the temporary tower if one of the other two parts of the process did not get approved. Mr. Myers replied yes.

Mr. Kangas inquired if the petitioner wanted to construct a permanent tower in two years, what process would they have to go through to be able to do so. Mr. Myers explained that the petitioner did not specify on the application that the special use permit request was for a temporary antenna with tower. It states, "erection and maintenance of mast and antenna of approximately 35 feet for WRFU-LP, 104.5 FM radio station on roof of existing building". Therefore, if the City Council approves the special use permit, then the petitioner would not have to come back for approval of a permanent tower, as long as the permanent tower would be of the same height and looks the same as the temporary tower.

Mr. Pollock noted that Lincoln Square Mall was being redeveloped. Part of the redevelopment involves residential development. Will the tower or its appearance on top of the IMC Building have any impact on people who might want to buy or rent one of the residential units at Lincoln Square Mall? Mr. Myers replied by saying that it was a judgment call, and that was why we have a public board. In City staff's opinion, it would not be overly unreasonably injurious or detrimental to the district. Ms. Tyler added that the owner of Lincoln Square was concerned about the case. Staff provided the owner a copy of the memorandum. The owner also met with the petitioner. City staff has not heard an official objection. She understood the owner of Lincoln Square had initial concerns that may have been mitigated when he understood the dimensions and in particular the width of the proposal.

Mr. Pollock asked if the special use permit would limit the height. Ms. Tyler said yes.

Mike Lehman, Director of the IMC, stated that he precipitated this project with the radio station. The process has been ongoing since the year 2002. He mentioned that he was concerned as a historian, an Urbana citizen, and as one of the directors of this operation that the tower does conform and substantially be an appropriate fixture. Historic preservation is a cooperative venture. The building has to have a viable economic use to sustain it. Otherwise buildings fall out of repair or people do not want to take care of them.

Mr. Lehman believed that the Illinois State Historic Preservation Office will find the temporary tower to be exempt from their review until he applies for a permanent tower. He pointed out that the tower was designed in a way that it would be temporary, but it could also be permanent.

Since they bought the building, they have put a new roof on it. One of the first things they addressed was the preservation of the property. They are currently trying to get the building so it could be utilized as a community center, which was their vision for the building. The radio station would be just one part of this vision.

The FCC allows a certain amount of time to build once they issue a permit. It took him about three years to get to the point of being issued a construction permit. He noted that they have to be on the air by a year from this December or they will lose their license.

One other thing about historic compatibility is that the people in the community are very concerned about media, and yet the City of Urbana does not have a radio station of its own. This radio station will be people from the City of Urbana. The downtown location is crucial to them being able to serve the community. They should be able to serve all of Urbana and a substantial amount of the City of Champaign.

Another interesting fact is that the Post Office was originally set up to distribute news and information. He read from an article that talked about the Post Office. He would argue that the proposed antenna with tower would be compatible with all the issues of historical preservation.

The tower construction was designed to have a low visual signature, because they knew it would be an issue with people. The most visible part would be the two-half inch central section that holds things that look like TV antennas.

One of the reasons it has to be 35 feet high is for the protection of the people who work in the building. The dual bay antenna is designed to minimize any interference locally. There will be a special filter to prevent them from interfering with either of the two court houses and the Urbana Police and Fire Departments. This is one reason why they want to build a temporary tower. They want to be sure that they do not to cause a bunch of problems that they cannot afford to fix. He stated that the energy going out would basically be equal to a 100-watt light bulb.

Mr. Grosser commented that on Exhibit F-1, it appeared that if the antenna with tower would go over the north and south sides if it fell. Mr. Lehman pointed out that on the south side, the drawing shows another roof. On the north side, there is a planted garden on the ground and normally no one would be in this area. As far as safety goes, it should not be an issue even in the very worst case that something should fall down.



Mr. Pollock inquired about the entry way to the roof. Mr. Lehman explained that the entry way is through a closet inside the building, up a ladder, and there is a hatch. They would have control over this access. This is important because they are required to ensure that people would not be exposed to RFs.

Ms. Upah-Bant questioned what the petitioner planned to do if they found out that they do interfere with the federal court house or the sheriff's office. Could they operate the radio station with the tower constructed in another location? Mr. Lehman stated that they could operate the radio station from the IMC Building with the tower at another location; however, that would nearly double the cost of the initial setup, because that would still require an antenna for their rooftop, and it would have to have line of sight in order to bounce a signal to the tower. They did check out other locations for the tower.

Mr. Lehman mentioned that they have received approval from the FCC, and he believed that the Illinois State Historic Preservation Office will say that this antenna would be exempt.

Mr. Pollock asked if they find that the radio station is interfering with other local broadcasts or operations, what do they do? Mr. Lehman said it would depend on how easy or difficult it would be to fix. A temporary tower would give them a chance to see if it will work.

Mr. Myers pointed out the three requirements that must be met for a special use permit, which are as follows:

1. That the proposed use is conducive to the public convenience at that location.
2. That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare.
3. That the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of the district in which it shall be located, except where such regulations and standards are modified by Section VII-7.

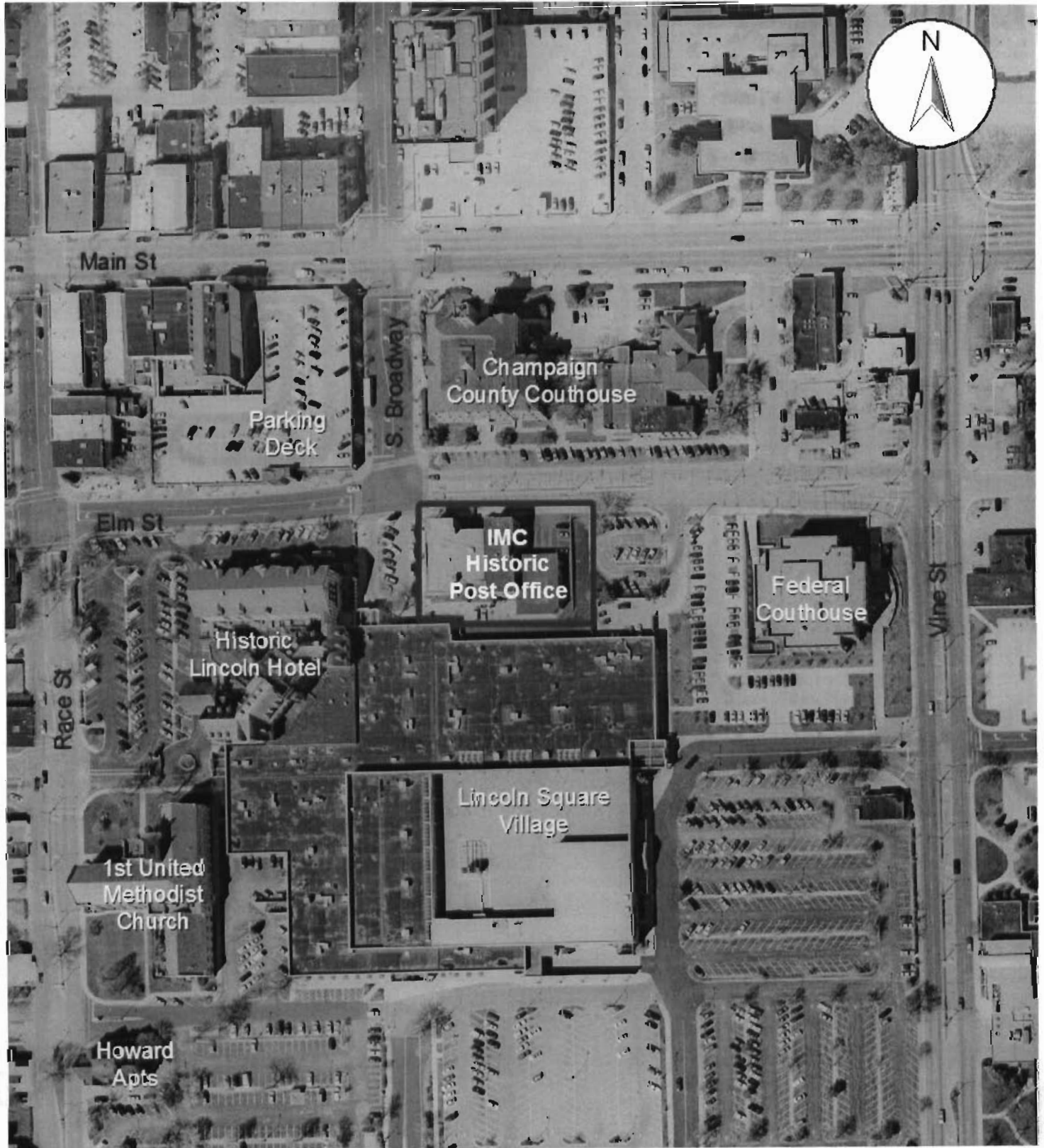
Ms. Stake moved that the Plan Commission forward the case to the Urbana City Council with a recommendation for approval along with the three revised conditions suggested by City staff. Mr. Grosser seconded the motion. Roll call was as follows:

Mr. Hopkins	-	Yes	Mr. Kangas	-	Yes
Mr. Pollock	-	Yes	Ms. Stake	-	Yes
Ms. Upah-Bant	-	Yes	Mr. Ward	-	Yes
Mr. White	-	Yes	Mr. Grosser	-	Yes

The motion was passed by unanimous vote. Ms. Tyler noted that this case would be heard by the City Council on November 7, 2005.

# Existing Land Use - Aerial Photo

# Exhibit "C"



ZBA Case: 1961-SU-05  
Petitioner: Independent Media Center  
Location: 202 S. Broadway  
Zoning: B-4, Central Business  
Description:  
Allow media tower in B-4 Zoning District

Prepared 10/04/05 by Community Development Services - rfg



PLAN COMMISSION  
Michael Pollock - Chair

TO: Elizabeth Tyler, City Planner  
City of Urbana  
Community Development Department - Planning Division  
400 South Vine Street  
Urbana, IL 61801  
Phone (217) 384-2440 FAX (217) 384-2367

**PETITION FOR SPECIAL USE PERMIT**

DO NOT WRITE IN THIS SPACE

FOR OFFICE USE ONLY

Date Filed: Aug 16, 2005 Plan Case No.: 1961-SU-05

Date Set for Hearing: Oct 20, 2005

Date Hearing Held: \_\_\_\_\_

Published Notice Made: Oct 6, 2005 Newspaper: News-Gazette

Date Adjacent Property Owners Notified: Oct 6, 2005

Fee Paid -- Receipt No.: \_\_\_\_\_ Amount \_\_\_\_\_ Date: \_\_\_\_\_

Action by Commission on Request: \_\_\_\_\_

Action by Council on Request: \_\_\_\_\_

A SPECIAL USE PERMIT is requested in conformity with the powers vested in the Plan Commission to recommend to the City Council under Section V-11 of the Urbana Zoning Ordinance to allow (insert proposed use)

erection and maintenance of mast and antenna of approximately 35 feet for WRFU-LP, 104.5 FM radio station on roof of existing building on the property described below.

1. Legal Description of Property (attach a separate sheet if necessary) see Exhibit A  
Property Tax ID # 92-21-17-212-004
2. General location or address of property 202 South Broadway
3. Lot size (depth) 137 Ft. (multiplied by width) 200 Ft. = 27,400 square feet.
4. Present use office use / U.S. Post Office
5. Zoning Districts B-4

---

DATA ON APPLICANT AND OWNER

1. Name of Applicant(s) Urbana-Champaign Independent Media Center  
Address of Applicant 202 South Broadway, Room 100  
Telephone of Applicant 217-344-8820  
Property Interest of Applicant, (owner, contract purchaser) owner
2. Name of Owner(s) Urbana-Champaign IMC

REASONS FOR REQUEST FOR APPLICATION FOR SPECIAL USE PERMIT

NOTE: The following information must be provided in order to process the application. If additional space is needed, attach extra pages to application.

1. Explain how the proposed use is conducive to the public convenience at the location of the property.

WRFU-LP, 104.5 FM, is a fiscally-sponsored project and working group of U-C IMC. Due to its low power (100 watts), the transmitter and antenna must be located near the center of the service area, which is the city of Urbana.

2. Explain how the proposed use is designed, located and proposed to be operated, so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.

Mast and antenna will be mounted in center of building roof. In case of failure all, or substantially all, of the structure would fall onto roof.

3. Explain how the proposed use conforms to the applicable regulations and standards of and preserves the essential character of the district in which it shall be located.

U-C IMC, and more generally the downtown area, serve as focal points of a thriving culture based on communication and education. WRFU is an important component of outreach and media for the community medicine and arts center that U-C IMC is developing to synergize an active and diverse social network in Urbana.

Attachments: Exhibits A, B, C, and D

WHEREFORE, petitioner prays that this petition be heard by the Urbana Plan Commission and the Application for Special Use Permit be granted.

Respectfully submitted this 15<sup>th</sup> day of August, 2005

[Handwritten Signature]

Signature of Applicant

STATE OF ILLINOIS }  
  }  
CHAMPAIGN COUNTY }

I, Carol Inskeep being first duly sworn on oath, deposes and says, that Michael Lehman is the same person named in and who subscribed the above and foregoing petition, that Michael Lehman has read the same and knows the contents thereof, and that the matters and things therein set forth are true in substance and in fact as therein set forth.

Subscribed and sworn to before me this <sup>8/15/05</sup> ~~15<sup>th</sup>~~ <sub>CP</sub> day of August, 2005

[Handwritten Signature]  
Notary Public

(seal)



Signature of Applicant \_\_\_\_\_

Petitioner's Attorney (if applicable) \_\_\_\_\_

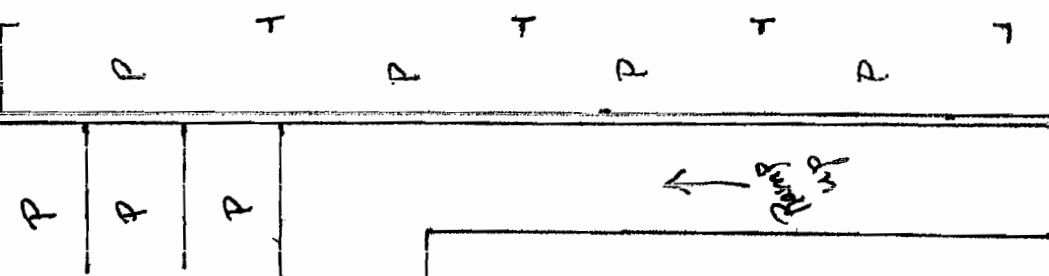
Address 202 South Broadway, Rm 100

Telephone 217-344-8820 (344-5609 - Home Phone - Mike Lehman)

Elm St.

sidewalk

Service Drive



← Ramp

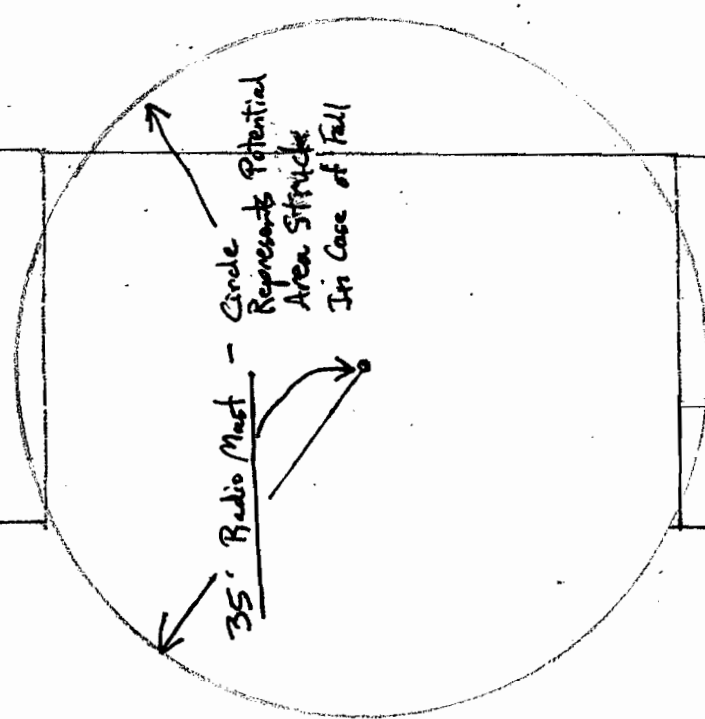
Ramp UP

Loading Dock Doors

Window Well

INC Elms St. Entrance

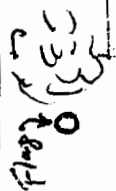
INC South Entrance to Basement



Circle Represents Potential Area Struck In Case of Fall

35' Radio Mast

202 South Broadway



Steps to West Entrance (202 South Broadway)

P.O. Person lift Est.

South Entrance

Load Zone

P

P

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Cherry Alley - Vacated

Exhibit "F-1"

Linda Square Village

Urban-Champaign IMC Lot Plan

P = Parking Space

← 91' →

← 110' →

← 110' →



Legal Description  
Exhibit ■ F-2

Tract 1:

Lots 55 and 56 of the Original Town of Urbana, and the West Half of the alley known as Thorn Alley lying on the East side of said Lot 56, as per plat recorded in Deed Record "A" at page 33, in Champaign County, Illinois.

Tract 2:

Lot 57 of the Original Town of Urbana, and the East Half of the alley known as Thorn Alley lying on the West side of said Lot 57, as per plat recorded in Deed Record "A" at page 33, in Champaign County, Illinois.

Tract 3:

The North Half of that portion of Cherry Alley, being the east-west alley between Elm Street and Green Street in the City of Urbana, Illinois, described and bounded as follows, as per Ordinance Vacating Certain Alleys recorded January 6, 1964 in Book 747 at Page 45 as Document 706612:

Commencing at the point where the North line of Cherry Alley intersects with the East line of Broadway Street, thence East along the North line of said alley 38 feet, thence South to the South line of said Alley, thence West along the South line of said alley to the East line of Broadway Street, thence North along the East line of Broadway Street to the point of beginning, in Champaign County, Illinois.

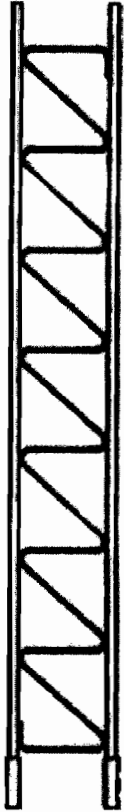
Tract 4:

The North Half of that portion of Cherry Alley, being the east-west alley between Elm Street and Green Street in the City of Urbana, Illinois, described and bounded as follows, as per Ordinance Vacating a Portion of an Alley recorded March 13, 1964 in Book 752 at Page 393 as Document 709540 and recorded March 20, 1964 in Book 753 at Page 159 as Document 709879:

Commencing at the point where the North line of vacated Cherry Alley intersects with the East line of Broadway Street, thence East along the North line of said alley 38 feet to the point of beginning, thence East on the North line of said alley 2 feet, thence South to the South line of said alley, thence West along the South line of said alley 2 feet, thence North to the point of beginning, in Champaign County, Illinois.



### Rohn 45G Guyed Tower



#### 45G

#### Midsection.....

The Rohn 45G is an 18" face triangular tower design using 1-1/4" 14 gauge steel side rails and solid steel 7/16" cross bracing. Middle sections measure 10 feet long, tops are approximately nine. Sections fit together with a double bolt joint for added strength. The tower is designed to use three guy points spaced 120 degrees radially, with anchors set out from the base of the tower 80% of the tower height. All 45G tower sections and optional accessories are hot dip galvanized after fabrication to assure many years of trouble free service. Supplied with nuts and bolts for installation.

#### 45G

#### Accessories

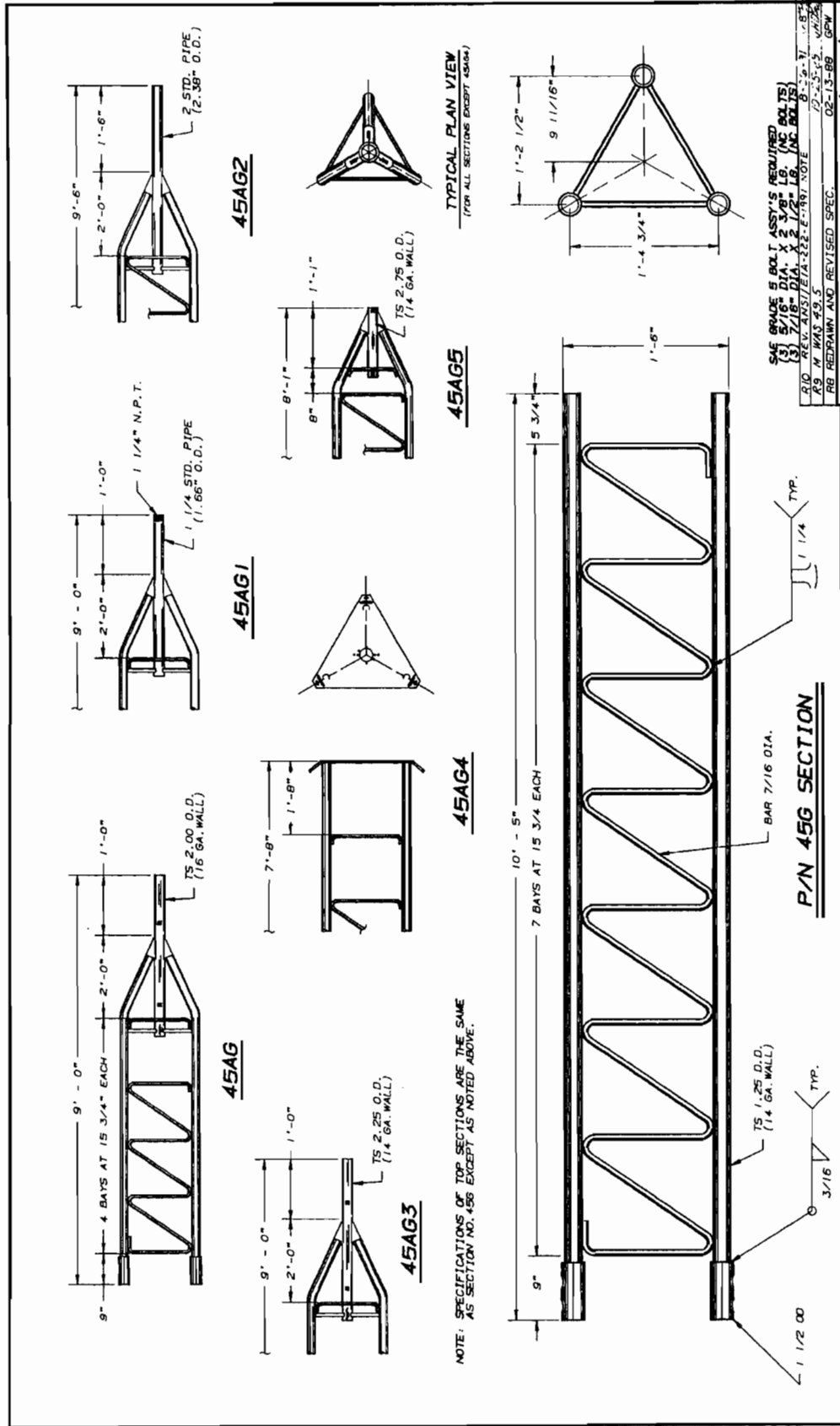
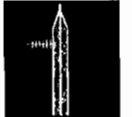
- 1/2X12BB Base Bolt
- 3/4X12PP Pier Pin
- 45AG2 Sleeve Top
- 45AG4 Flat Top
- AS455G Rotor Shelf
- BPC45G Base Plate
- BPH45G Hinged Base Plate
- BPL45G Bearing Plate
- EP25343 Equalizer Plate (3 hole)
- EP25345 Equalizer Plate (5 hole)
- GA45GD Guy Assembly
- GAC3455 Guy Anchor
- GAR30 Concrete Anchor
- HBU Universal House Bracket
- SB45G Short Base Section
- TB3 Thrust Bearing (2")
- TB4 Thrust Bearing (3")

#### DANGER

**No Tower is self supporting during construction! Always use temporary guys on the top most section, and install permanent guy wires as soon as a guy point height is reached.**

[Rohn Home Page](#)





TYPICAL PLAN VIEW  
(FOR ALL SECTIONS EXCEPT 45AG4)

45AG3

45AG4

45AG5

45AG6

NOTE: SPECIFICATIONS OF TOP SECTIONS ARE THE SAME AS SECTION NO. 45G EXCEPT AS NOTED ABOVE.

SEE GRADE E BOLT ASSY'S REQUIRED  
(3) 5/16" DIA. X 2 3/8" L.G. (NC BOLTS)  
(3) 7/16" DIA. X 2 1/2" L.G. (NC BOLTS)  
R/D REV. ANS/ETA-222-E-1997 NOTE 8-29-97  
R/S M WAS 49.5 12-5-93 WJZ/SL  
RD REDRAWN AND REVISED SPEC. 02-13-88 GPW

ROHN®	
45G SECTION ASSEMBLY	
Scale	Unless otherwise specified, dimensions are given in inches
Drawn by	GPW
Checked by	WJZ/SL
Approved by	WJZ/SL
Revision	2-13-88
Date	2-13-88
By	GPW
Drawn Number	C630645 R 10

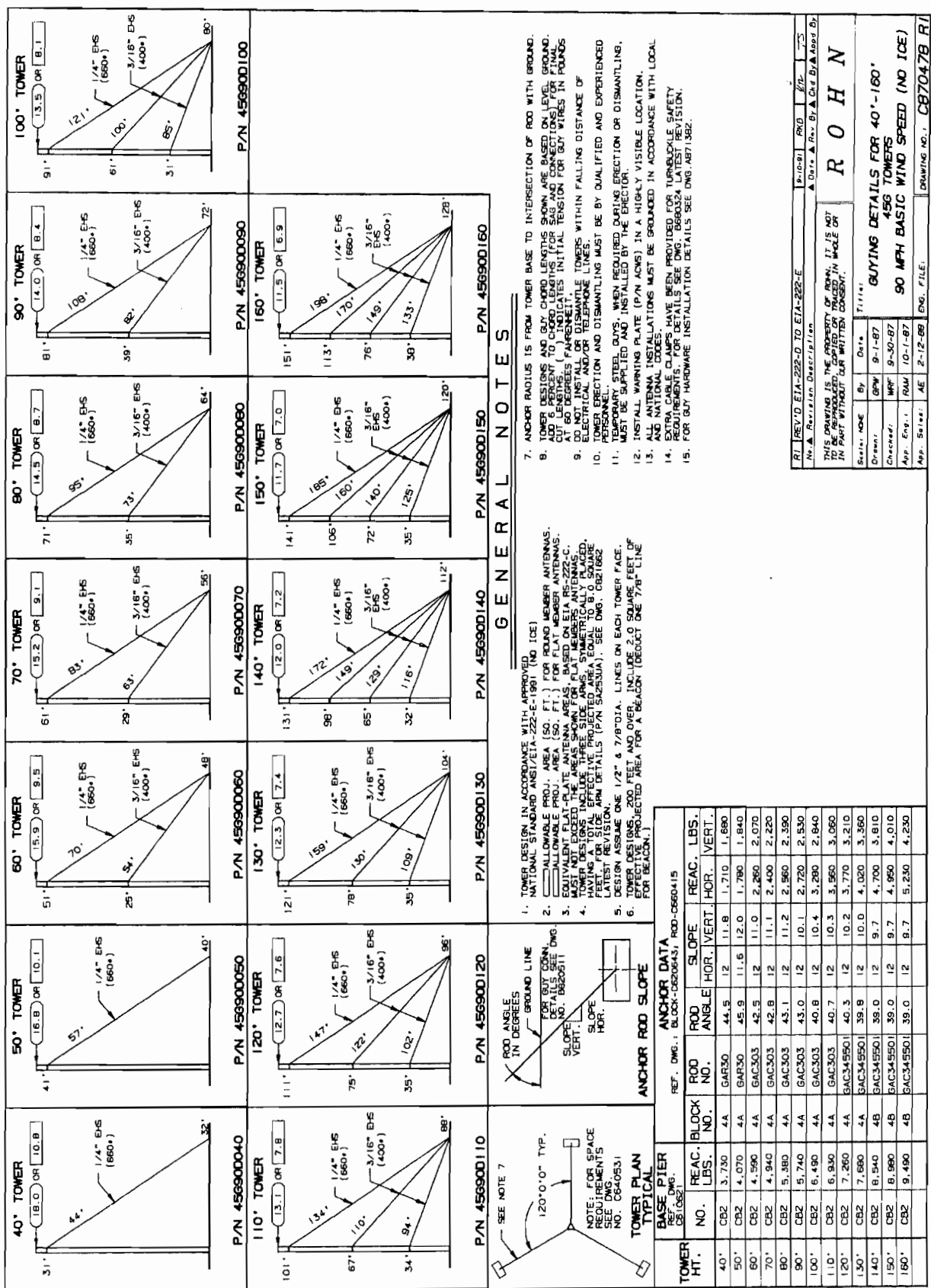
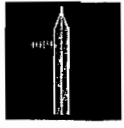
ITEM	45G TOWER SECTION PROPERTIES	SECTION
SIZE	TS 1.25 ODx.083 WALL	N/A
F <sub>y</sub>	50.0	N/A
A	0.3043	.913
S	0.0853	4.15
I	0.0521	42.7
r	0.4136	6.84
L	15.75	VARIES
K	1.0	1.0
M <sub>2</sub>	38.0	141.4
C	10.6	1.50
T	5.46	N/A
M	N/A	N/A
W	1.005	7.000
W <sub>2</sub>	35.0	70.0

ITEM	45G TOWER SECTION PROPERTIES	SECTION
SIZE	TS 1.25 D.D. (14 GA. WALL)	N/A
F <sub>y</sub>	36.0	N/A
A	0.0082	4.15
S	0.0018	42.7
I	0.1094	6.84
r	22.1	VARIES
L	1.0	1.0
K	141.4	VARIES
M <sub>2</sub>	1.50	141.4
C	N/A	N/A
T	N/A	N/A
M	N/A	N/A
W	0.512	7.000
W <sub>2</sub>	35.0	70.0

NOMENCLATURE

- A = CROSS SECTIONAL AREA (SQUARE INCHES)
- C = COMPRESSION FACTOR INCREASE IN ALLOWABLE STRESS (KIPS)
- F<sub>y</sub> = MINIMUM YIELD STRENGTH (KSI)
- K = EFFECTIVE LENGTH FACTOR (DIMENSIONLESS)
- L = UNBRACED LENGTH (INCHES)
- M<sub>2</sub> = MOMENT CAPACITY WITH 1/3 INCREASE IN ALLOWABLE STRESS (FT.-KIPS)
- N/A = ELASTIC SECTION MODULUS (INCHES<sup>4</sup>)
- S = TENSION CAPACITY WITH 1/3 INCREASE IN ALLOWABLE STRESS (KIPS)
- T = RADIUS OF GYRATION (INCHES)
- W = WEIGHT PER FOOT (POUNDS)
- W<sub>2</sub> = WEIGHT PER SECTION (POUNDS)

NOTE: CAPACITIES SHOWN ARE BASED ON ANS/ETA-222-E-1991.



**GENERAL NOTES**

1. TOWER DESIGN IN ACCORDANCE WITH APPROVED NATIONAL STANDARD ANSI/EIA-222-E-1991 (NO. ICE)
2. ALLOWABLE PROJ. AREA (SQ. FT.) FOR ROUND MEMBER ANTENNAS. EQUIVALENT FLAT-PLATE ANTENNA AREAS, BASED ON EIA RS-222-C. TOWER DESIGN INCLUDES THREE SIDE AREA, SYMMETRICALLY PLACED, HAVING A TOTAL EFFECTIVE PROJECTED AREA EQUAL TO 8.0 SQUARE FEET PER ANTENNA (SEE EIA RS-222-C). LATEST REVISIONS APPLY.
3. TOWER DESIGN ASSUMES ONE 1/2" & 7/8" DIA. LINES ON EACH TOWER FACE.
4. TOWER DESIGN, 200 FEET AND OVER, INCLUDE 2.0 SQUARE FEET OF EFFECTIVE PROJECTED AREA FOR A BEACON (DEDUCT ONE 7/8" LINE FOR BEACON.)
5. TOWER DESIGN IN ACCORDANCE WITH APPROVED NATIONAL STANDARD ANSI/EIA-222-E-1991 (NO. ICE)
6. TOWER DESIGN AND GUY CHORD LENGTHS SHOWN ARE BASED ON LEVEL GROUND. TO BE ADJUSTED TO CHORD LENGTHS FOR SAG AND CONNECTIONS FOR FINAL DESIGN. INITIAL TENSION FOR GUY WIRES IN POUNDS AT 60 DEGREES FAHRENHEIT.
7. ANCHOR RADIUS IS FROM TOWER BASE TO INTERSECTION OF ROD WITH GROUND.
8. TOWER DESIGN AND GUY CHORD LENGTHS SHOWN ARE BASED ON LEVEL GROUND. TO BE ADJUSTED TO CHORD LENGTHS FOR SAG AND CONNECTIONS FOR FINAL DESIGN. INITIAL TENSION FOR GUY WIRES IN POUNDS AT 60 DEGREES FAHRENHEIT.
9. DO NOT INSTALL OR DISMANTLE TOWERS WITHIN FALLING DISTANCE OF UTILITY AND/OR TELEPHONE LINES.
10. TOWER ERECTION AND DISMANTLING MUST BE BY QUALIFIED AND EXPERIENCED PERSONNEL.
11. TEMPORARY STEEL GUYS, WHEN REQUIRED DURING ERECTION OR DISMANTLING, MUST BE SUPPLIED AND INSTALLED BY THE ERECTOR.
12. INSTALL WARNING PLATE (P/N ADMS) IN A HIGHLY VISIBLE LOCATION.
13. ALL ANTENNA INSTALLATIONS MUST BE GROUNDED IN ACCORDANCE WITH LOCAL EXTRA CABLE CLAMPS HAVE BEEN PROVIDED FOR TURNBUCKLE SAFETY REQUIREMENTS. FOR DETAILS SEE DWG. B660324 LATEST REVISION.
14. FOR GUY HARDWARE INSTALLATION DETAILS SEE DWG. A871382.

TOWER HT.	BASE PIER		ANCHOR DATA		ANCHOR ROD SLOPE	
	NO.	REAC. LBS.	REF. DWG.	BLOCK	ROD	SLOPE
40'	CB2	3,730	4A	GAR30	44.5	12
50'	CB2	4,070	4A	GAR30	45.9	11.6
60'	CB2	4,590	4A	GAC303	42.5	12
70'	CB2	4,940	4A	GAC303	42.8	11.1
80'	CB2	5,380	4A	GAC303	43.1	11.2
90'	CB2	5,740	4A	GAC303	43.0	10.1
100'	CB2	6,190	4A	GAC303	40.8	10.4
110'	CB2	6,840	4A	GAC303	40.7	10.3
120'	CB2	7,260	4A	SAC345501	39.9	10.2
130'	CB2	7,660	4A	SAC345501	39.9	10.0
140'	CB2	8,140	4B	SAC345501	38.0	9.7
150'	CB2	8,360	4B	SAC345501	39.0	9.7
160'	CB2	9,490	4B	SAC345501	39.0	9.7

R I REV'D EIA-222-D TO EIA-222-E  
 No. Revision Description  
 Date Rev. By. Chd. D/A Appr. By.

THIS DRAWING IS THE PROPERTY OF ROHN, IT IS NOT TO BE REPRODUCED, COPIED OR TRANSMITTED IN ANY MANNER WITHOUT OUR WRITTEN CONSENT.

**ROHN**

GUYING DETAILS FOR 40'-160' 456 TOWERS  
 90 MPH BASIC WIND SPEED (NO ICE)

Scale: NONE By Date Title  
 Drawn: GPM 9-1-87  
 Checked: WPF 9-30-87  
 App. Eng.: RAM 10-1-87  
 App. Supt.: AE 2-12-86 Eng. File: CB7047B RI



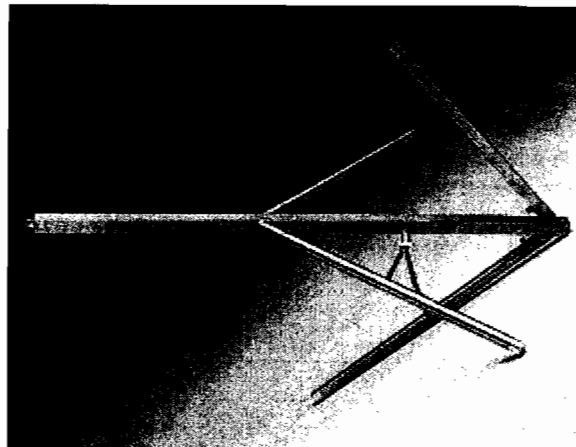


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## Broadband FM Circular Polarization Antenna

### *Antena de FM Banda Ancha Polarizacion Circular*

Model BKG/77



This antenna constructed completely of stainless steel offers the possibility of simultaneously utilizing vertical and horizontal polarization for better coverage especially in urban areas. In order to facilitate and decrease shipping costs this model is simple to break down and reassemble when ready to be installed. It is insulated with teflon and with the appropriate connector has a maximum input of 2 kW.

Esta antena fabricada completamente de acero inoxidable le ofrece la posibilidad de usar la polarización vertical y horizontal al mismo tiempo para mejor alcance, especialmente en zonas urbanas. Para facilitar y disminuir los costos de transportación este modelo es fácil de desarmar y volver a montar tan pronto que la quiera instalar. Está aislada con teflon, y con el conector apropiado tiene una entrada máxima de 2 kW.

#### TECHNICAL SPECIFICATIONS:

Antenna type	circular polarization dipole
Frequency Range	87.5 - 108 MHz
Bandwidth	16 MHz
Impedance	50 Ohms
Connectors	N type (1 kw) - 7/8 type (2 kw)

Power Rating	2000 Watts max
VSWR	< 1.3
Polarization	Vertical and Horizontal
Power Gain	0.47
H plane	omni-directional $\pm 1.5$ dB (with a 4" mast)
V plane	omni-directional $\pm 3$ dB (with a 4" mast)
Front-to-back ratio	3 dB
Lightning protection	all parts grounded
Max wind velocity	119 mph (190 km/h)
Wind load	53 Lbs (24 kg)
Wind Surface	0.11 yd <sup>2</sup> (0.10 m <sup>2</sup> )
Materials (external)	stainless steel
Mounting	from 2" to 4"
Weight	23.1 Lbs (10.5 kg)
Dimensions	58"×32"×32" (1450×800×800 mm)
Packing	72"×6"×6" (1500×152×152 mm)

BKG77 Antenna	Horizontal Pattern	Vertical Pattern	Value Table
<b>Single Bay</b>	<u>Horizontal</u>	<u>Vertical</u>	<u>Table</u>
<b>2-Bay System</b>	<u>Horizontal</u>	<u>Vertical</u>	<u>Table</u>
<b>4-Bay System</b>	<u>Horizontal</u>	<u>Vertical</u>	<u>Table</u>
<b>6-Bay System</b>	<u>Horizontal</u>	<u>Vertical</u>	<u>Table</u>
<b>8-Bay System</b>	<u>Horizontal</u>	<u>Vertical</u>	<u>Table</u>

**E-mail: [info@NicomUsa.com](mailto:info@NicomUsa.com)**

## Lindahl, Paul

---

**From:** Tyler, Elizabeth  
**Sent:** Monday, October 24, 2005 4:58 PM  
**To:** Myers, Robert; Lindahl, Paul  
**Subject:** FW: WRFU Letter of Exemption for Temporary Tower

-----Original Message-----

From: Mike Lehman [mailto:rebelmike@earthlink.net]  
Sent: Monday, October 24, 2005 4:53 PM  
To: anne\_haaker@ihpa.state.il.us  
Cc: Tyler, Elizabeth  
Subject: WRFU Letter of Exemption for Temporary Tower

Dear Ms. Haaker,  
This email is a follow-up to my recent inquiry about a letter from your office confirming the existence of an exemption to Section 106 rules that allows placing a temporary antenna on a building eligible for the historic register.

Please note that I have already issued the required determination of exemption letter for retention in the files of WRFU-LP, as well as supplied a copy of this letter to the City of Urbana for their records. However, the city has required that the Illinois Historical Preservation Agency confirm the existence of this exemption by issuing a letter to this effect, to be mailed to their attention.

The suggested text of such a letter follows.

>>>>>

This letter is to confirm that an exemption exists that allows the temporary placement of an antenna on a building roof under Section 106 of the National Historic Preservation Act of 1966. Per the National Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission (NPA, dated September 2004 and available at [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-04-222A3.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-04-222A3.pdf)), a roof-mounted antenna that utilizes a "temporary ballast mount tower" is excluded from Section 106 review.

The NPA provides that an authorized individual within the Applicant's organization can make a determination that this exclusion applies to the project. Michael R. Lehman has advised me that he has made and recorded this determination, as well as supplied a copy of this determination to the City of Urbana.

>>>>>

This effectively covers what I understand the City of Urbana has requested from your office in regards to this project.

Please address the letter itself to:  
Elizabeth Tyler  
Community Development Director, City of Urbana  
400 South Vine St.  
Urbana, IL 61801

I would appreciate that a copy of the letter you send to the City of Urbana be sent to WRFU for our files. I am cc-ing Libby Tyler of the City of Urbana on this email to you in case you have any questions that she can help you with. You may also contact me if you have any follow-up questions.

Regards,

Mike Lehman  
WRFU-LP  
202 South Broadway, Room 100  
Urbana, IL 61801



14 October 2005  
PO Box 953  
202 South Broadway  
Urbana, IL 61801

To whom it may concern,

In accordance with FCC 04-222, Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission (NPA), I find that the erection of a tower and antenna on the roof of the building located at 202 South Broadway, Urbana, Illinois, 61801 (known as the "Old Downtown Urbana Post Office Building") is excluded from Section 106 review of impacts on the historic nature of this property under Section III. C. This property, the location of the studio and transmitter of WRFU-LP (FCC Facility ID 126154) is now owned by the Urbana-Champaign Independent Media Center Foundation, the fiscal sponsor of WRFU-LP, and is potentially eligible for listing on the National Register of Historic Places.

The proposed tower is designed so that it can be temporary in nature and will utilize a ballast mount on the roof of the structure, thus requiring no excavation. Accordingly, this tower design satisfies the requirement that it is an excluded undertaking in the plain language of the NPA. This allows the exclusion of this tower and antenna from review under the NPA for a period of no more than twenty-four months.

It is the intent of WRFU-LP to either construct an alternative transmitting tower or to subject the temporary tower to appropriate review to transition it to permanent status under the provisions of the NPA within twenty-four months of the beginning of construction of the proposed tower, which is scheduled for 11 November 2005.

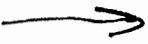



Michael R. Lehman  
Director, Socialist Forum  
Coordinator, WRFU-LP  
Director, Urbana-Champaign Independent Media Center Foundation

- C. For the calculation of time periods under this Agreement, "days" mean "calendar days." Any time period specified in the Agreement that ends on a weekend or a Federal or State holiday is extended until the close of the following business day.
- D. Written communications include communications by e-mail or facsimile.

 III. UNDERTAKINGS EXCLUDED FROM SECTION 106 REVIEW 

Undertakings that fall within the provisions listed in the following sections III.A. through III.F. are excluded from Section 106 review by the SHPO/THPO, the Commission, and the Council, and, accordingly, shall not be submitted to the SHPO/THPO for review. The determination that an exclusion applies to an Undertaking should be made by an authorized individual within the Applicant's organization, and Applicants should retain documentation of their determination that an exclusion applies. Concerns regarding the application of these exclusions from Section 106 review may be presented to and considered by the Commission pursuant to Section XI.

- A. Enhancement of a tower and any associated excavation that does not involve a collocation and does not substantially increase the size of the existing tower, as defined in the Collocation Agreement. For towers constructed after March 16, 2001, this exclusion applies only if the tower has completed the Section 106 review process and any associated environmental reviews required by the Commission.
- B. Construction of a replacement for an existing communications tower and any associated excavation that does not substantially increase the size of the existing tower under elements 1-3 of the definition as defined in the Collocation Agreement (see Attachment 1 to this Agreement, Stipulation 1.c.1-3) and that does not expand the boundaries of the leased or owned property surrounding the tower by more than 30 feet in any direction or involve excavation outside these expanded boundaries or outside any existing access or utility easement related to the site. For towers constructed after March 16, 2001, this exclusion applies only if the tower has completed the Section 106 review process and any associated environmental reviews required by the Commission's rules.
-  C. Construction of any temporary communications Tower, Antenna structure, or related Facility that involves no excavation or where all areas to be excavated will be located in areas described in Section VI.D.2.c.i below, including but not limited to the following: 
  - 1. A Tower or Antenna authorized by the Commission for a temporary period, such as any Facility authorized by a Commission grant of Special Temporary Authority ("STA") or emergency authorization;

2. A cell on wheels (COW) transmission Facility;
3. A broadcast auxiliary services truck, TV pickup station, remote pickup broadcast station (e.g., electronic newsgathering vehicle) authorized under Part 74 or temporary fixed or transportable earth station in the fixed satellite service (e.g., satellite newsgathering vehicle) authorized under Part 25;
4. A temporary ballast mount Tower;
5. Any Facility authorized by a Commission grant of an experimental authorization.

For purposes of this Section III.C, the term “temporary” means “for no more than twenty-four months duration except in the case of those Facilities associated with national security.”

- D. Construction of a Facility less than 200 feet in overall height above ground level in an existing industrial park,<sup>1</sup> commercial strip mall,<sup>2</sup> or shopping center<sup>3</sup> that occupies a total land area of 100,000 square feet or more, provided that the industrial park, strip mall, or shopping center is not located within the boundaries of or within 500 feet of a Historic Property, as identified by the Applicant after a preliminary search of relevant records. Proposed Facilities within this exclusion must complete the process of participation of Indian tribes and NHOs pursuant to Section IV of this Agreement. If as a result of this process the Applicant or the Commission identifies a Historic Property that may be affected, the Applicant must complete the Section 106 review process pursuant to this Agreement notwithstanding the exclusion.
- E. Construction of a Facility in or within 50 feet of the outer boundary of a right-of-way designated by a Federal, State, local, or Tribal government for the location of communications Towers or above-ground utility transmission or

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<sup>1</sup> A tract of land that is planned, developed, and operated as an integrated facility for a number of individual industrial uses, with consideration to transportation facilities, circulation, parking, utility needs, aesthetics and compatibility.

<sup>2</sup> A structure or grouping of structures, housing retail business, set back far enough from the street to permit parking spaces to be placed between the building entrances and the public right of way.

<sup>3</sup> A group of commercial establishments planned, constructed, and managed as a total entity, with customer and employee parking provided on-site, provision for goods delivery separated from customer access, aesthetic considerations and protection from the elements, and landscaping and signage in accordance with an approved plan.

2005R11973

**LIMITED WARRANTY DEED**

RECORDED ON

05/05/2005 04:21:41PM

CHAMPAIGN COUNTY  
RECORDER  
BARBARA A. FRASCA

REC FEE: 26.00

REV FEE:

PAGES: 5

PLAT ACT: 0

PLAT PAGE:

(5) THIS INDENTURE, made the 4<sup>th</sup> day of MAY, 2005, by and between the UNITED STATES POSTAL SERVICE, an independent establishment of the Executive Branch of the Government of the United States (39 U.S.C. § 201) (hereinafter "Grantor"), having an address at 160 Inverness Drive W Suite 400, Englewood, Colorado, 80112 and URBANA-CHAMPAIGN INDEPENDENT MEDIA CENTER FOUNDATION, an Illinois not-for-profit corporation (hereinafter "Grantee"), having an address at 218 W. Main Street, Suite 110, Urbana, Illinois 61801.

**WITNESSETH:**

THAT Grantor, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, to it paid by Grantee, the receipt of which is hereby acknowledged, does by these presents, sell and convey unto the said Grantee, its successors and assigns, all of its right, title and interest in the property situated in the county of Champaign, in the State of Illinois and described on Exhibit A attached hereto and made a part hereof.

TO HAVE AND TO HOLD the premises aforesaid with all and singular, the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining unto the said Grantee and unto Grantee's successors and assigns forever. This conveyance and the warranties contained herein are hereby expressly made subject to all existing easements, covenants, encumbrances, and interests of others, including, but not limited to, rights of way for streets, roads, highways, railroads, pipelines and public utilities, whether or not matters of public record. This conveyance is subject to the additional covenant for preserving the historic features of the property, which is set forth on Exhibit B attached hereto and made a part hereof.

AND THE SAID Grantor will only warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of those persons claiming by, through or under Grantor, but not otherwise.

Permanent Real Estate Number: 92-21-17-212-004.

Address of real estate: 202 S. Broadway Avenue, Urbana, Illinois.

IN WITNESS WHEREOF, the Grantor has signed, sealed and delivered this Deed, the day and year above written.

UNITED STATES POSTAL SERVICE

BY: [Signature]  
Randyl W. Alder  
Contracting Officer  
United States Postal Service

STATE OF Colorado )  
COUNTY OF Arapahoe ) ss

I, Gloria M. Charlson, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Randyl W. Alder personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed and delivered the instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal this 4th day of May, 2005.



Gloria M. Charlson  
Notary Public

Commission Expires: June 28, 2005

This instrument was prepared by:  
Maria R. Infanger  
Postal Service Attorney  
222 S. Riverside Plaza, Suite 1200  
Chicago, Illinois 60606

Exempt under provisions of Par. B  
Sec. 31-45, Property Tax Code.  
Dated 5-4-05 By [Signature]  
(Buyer, Seller or Representative)

## Exhibit A

### Legal Description

**Tract 1:**

Lots 55 and 56 of the Original Town of Urbana, and the West Half of the alley known as Thorn Alley lying on the East side of said Lot 56, as per plat recorded in Deed Record "A" at page 33, in Champaign County, Illinois.

**Tract 2:**

Lot 57 of the Original Town of Urbana, and the East Half of the alley known as Thorn Alley lying on the West side of said Lot 57, as per plat recorded in Deed Record "A" at page 33, in Champaign County, Illinois.

**Tract 3:**

The North Half of that portion of Cherry Alley, being the east-west alley between Elm Street and Green Street in the City of Urbana, Illinois, described and bounded as follows, as per Ordinance Vacating Certain Alleys recorded January 6, 1964 in Book 747 at Page 45 as Document 706612:

Commencing at the point where the North line of Cherry Alley intersects with the East line of Broadway Street, thence East along the North line of said alley 38 feet, thence South to South line of said Alley, thence West along the South line of said alley to the East line of Broadway Street, thence North along the East line of Broadway Street to the point of beginning, in Champaign County, Illinois.

**Tract 4:**

The North Half of that portion of Cherry Alley, being the east-west alley between Elm Street and Green Street in the City of Urbana, Illinois, described and bounded as follows, as per Ordinance Vacating a Portion of an Alley recorded March 13, 1964 in Book 752 at Page 393 as Document 709540 and recorded March 20, 1964 in Book 753 at Page 159 as Document 709879:

Commencing at the point where the North line of vacated Cherry Alley intersects with the East line of Broadway Street, thence East along the North line of said alley 38 feet to the point of beginning, thence East on the North line of said alley 2 feet, thence South to the South line of said alley, thence West along the South line of said alley 2 feet, thence North to the point of beginning, in Champaign County, Illinois.

## **Exhibit B**

### **Historic Covenants**

Grantee covenants for itself, its successors and assigns and every successor in interest to the real property, or any part thereof, that any rehabilitation work undertaken on the property shall be undertaken in accordance with the Secretary of the Interior's "Standard for Rehabilitation." All rehabilitation proposals, including interior changes, will be submitted to the Illinois State Historic Preservation Officer for review and approval. No changes of any type, including structural, physical, coloring, or surface changes will be made to the property's architecturally or historically significant exterior or interior features, without the prior written approval of the Illinois State Historic Preservation Officer.

The following rehabilitation activities do not require such approval: a) necessary repairs and maintenance that do not materially affect the property's exterior features; b) painting in a complimentary or in-kind color; and c) repairs on roofs, porches, or cornices when the repair is done in-kind to match existing material and form.

Representatives of the Illinois Historic Preservation Office shall have the right to inspect the premises from time to time, upon reasonable notice, to determine whether the Grantee is in compliance with the terms of this covenant.

The Illinois State Historic Preservation Officer may, for good cause, modify or cancel any or all of the foregoing restrictions upon application of the Grantee, its successors or assigns. Failure of the Illinois Historic Preservation Office to exercise any right or remedy shall not waive or limit the exercise of any right or remedy under this covenant.

This covenant shall run with the land and be binding on all future owners of an interest therein. If the property is sold to a public entity of the State, the property shall be designated as an "Illinois Landmark."

## Andel, Teri

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**From:** Tyler, Elizabeth  
**Sent:** Thursday, October 20, 2005 4:20 PM  
**To:** Andel, Teri  
**Cc:** Myers, Robert; Lindahl, Paul  
**Subject:** FW: radio tower

Alice has given her permission to share this e-mail with the Plan Commission.

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**From:** Alice Novak [mailto:AliceNovak@insightbb.com]  
**Sent:** Thursday, October 20, 2005 8:42 AM  
**To:** Tyler, Elizabeth  
**Subject:** radio tower

Hi Libby,

I'm sorry not to have sent something sooner, but I continue to ponder over the consideration of the tower at the old post office. I haven't seen the full packet for the Plan Commission (and I can't make the meeting tonight), but to me, the consideration of the Section 106 issue should be resolved **BEFORE** any decision before the Plan Commission.

The 106 issue is not just the potential effect of the tower on the National Register eligible post office building, but also the National Register eligible Lincoln Square and other potentially eligible properties within a few blocks of the post office, as the visual impact has a range beyond the post office building.

The main contact for this should be Anne Haaker, Deputy State Historic Preservation Officer with the Illinois Historic Preservation Agency, 217.785.5027 (direct line). Her assistant is Cody Wright, Cultural Resource Manager, 217.785.3977 (direct line), if Anne can't be reached. And the State Historic Preservation Officer is Bill Wheeler, 785.9045 if the other two fail to respond in a reasonable time period.

To me, the possible granting of a special use permit would undermine the Section 106 process.

FYI,  
Alice

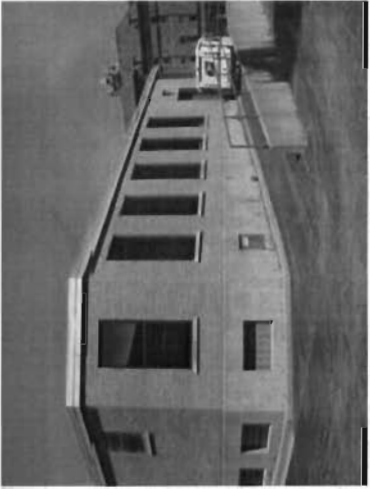




Northwest corner



West (entrance) façade



Southeast corner



Entrance façade detail



West (entrance) façade



Southeast corner, looking West



North façade



Northeast corner



South façade

