

ORDINANCE NO. 2008-02-020

AN ORDINANCE APPROVING A SPECIAL USE PERMIT

(To Allow the Installation of Nine Panel Antennas on an Existing Telecommunications Tower in the R-5, Medium High Density Multiple Family Residential Zoning District - Plan Case 2058-SU-08 / Insite Incorporated for T-Mobile Communications)

WHEREAS, Insite Incorporated, as an agent for T-Mobile Communications, has petitioned the City for a Special Use Permit to locate nine panel antennas on an existing telecommunications tower at 1106 W. Main Street in the R-5, Medium High Density Multiple-Family Residential Zoning District; and

WHEREAS, Section XIII-1.R of the Urbana Zoning Ordinance requires a Special Use Permit for the placement of the antennas; and

WHEREAS, after due publication, the Urbana Plan Commission on February 7, 2008 held a public hearing concerning the petition and voted unanimously to forward the case to the Urbana City Council with a recommendation to approve the Special Use Permit application, with the condition that the installation of the antennas conform to the submitted site plan; and

WHEREAS, the approval of the Special Use Permit, with the condition set forth herein, is consistent with the requirements of Section VII-4 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 location of a nine panel antenna on an existing telecommunications tower located at 1106 W. Main Street, in the R-5, Medium High Density Multiple-Family Residential Zoning

District, the property more specifically described below, with the condition that the installation of the antennas conform to the submitted site plan.

LEGAL DESCRIPTION:

Lot 10 in Block 44 of Seminary Addition to Urbana, as per plat recorded in deed record "Y" at page 208, in the East half of the Southeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, in Champaign County, Illinois.

PERMANENT PARCEL NUMBER: 91-21-07-477-011

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 _____, 2008.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2008.

Laurel Lunt Prussing, Mayor

EXHIBIT A: SITE PLAN

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 _____ day of _____, 2008 the Corporate Authorities of the City of Urbana passed and approved Ordinance No. _____, entitled AN ORDINANCE APPROVING A SPECIAL USE PERMIT (To locate nine panel antennas on an existing telecommunications tower in the R-5, Medium High Density Multiple Family Residential Zoning District - Plan Case 2058-SU-08 / Insite Incorporated for T-Mobile Communications) 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 _____, 2008 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 _____, 2008



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Laurel Lunt Prussing, Mayor

FROM: Elizabeth H. Tyler, AICP, Director, Community Development Services

DATE: February 14, 2008

SUBJECT: Plan Case No. 2058-SU-08: A request by Insite Incorporated (as an agent for T-Mobile Communications) for a Special Use Permit to locate nine panel antennas on an existing telecommunications tower at 1106 W. Main Street in the R-5, Medium High Density Multiple Family Residential Zoning District.

Introduction

Insite Inc., as an agent for T-Mobile Communications, is requesting a Special Use Permit to locate nine panel antennas on WILL's existing telecommunications tower at 1106 W. Main Street. The tower is 250 feet tall and the antennas will be located at the 125 foot level. The antennas will have 36 cables connecting to three outdoor equipment cabinets located in a fenced in 20-foot-by-20-foot lease area on the property to the west of the tower at 1110 W. Main Street. (See attached site layout and site elevation) The subject property is owned by the University of Illinois Urbana-Champaign, and is zoned R-5, Medium High Density Multiple Family Residential. A Special Use Permit for placement of the antennas is required pursuant to Section XIII-1.R of the Urbana Zoning Ordinance.

The antennas will allow for improved telecommunication reception in the campus area. This improved access is beneficial to University students and staff and can assist in emergency communications.

Background

In February 2007, the Plan Commission reviewed a Special Use Permit submitted by Insite, Inc. to allow an equipment enclosure to serve an antenna collocation on an existing telecommunications tower located at 1110 W. Main Street. The Plan Commission recommended that the City Council approve the request and City Council subsequently approved the Special Use Permit in March 2007. (See attached Ordinance No. 2007-03-030) No changes to the approved equipment enclosure are proposed.

Since approval of the equipment enclosure, the University of Illinois removed an apartment building located on the lot immediately east of 1110 W. Main Street and constructed a telecommunications tower that is 250 feet tall compared to the existing tower located at 1110 W. Main Street that is 190 feet tall. The construction of the taller tower was necessary due to the Burnham project being constructed northwest of the Springfield Avenue/Fourth Street intersection in Champaign. At a height of 221 feet, the new Burnham Building effectively blocks the signal transmission of WILL from their studio on W. Main Street to their transmitter located near Monticello.

The properties surrounding the subject site at 1106 W. Main Street are owned by the University of Illinois and are mainly used for University facilities, parking lots and multi-family housing. The zoning consequently is a mix of residential and commercial zoning districts. The current zoning designations are not always consistent with University uses. The construction of the new tower in an R-5, Medium High Density Multiple Family Residential District is a good example. The tower is consistent with the surrounding University uses; however a residential zoning district is a less preferable location than other zoning districts. A Special Use Permit is therefore required to permit the location of nine panel antennas on the existing tower.

The City has recognized the need to work with the University to formulate a zoning district that is specific to the University and that will allow a mix of compatible campus uses. City staff will continue to work with the University to formulate a university zoning district over the upcoming months. It is anticipated that the district will be created and that the subject site and surrounding properties will be rezoned sometime during 2008. As the University rezoning effort may take several months, and involve several other properties, the applicant is requesting that the Special Use Permit be considered at this time.

At their February 7, 2008 meeting, the Urbana Plan Commission voted unanimously to recommend that the City Council approve the request for the Special Use Permit.

Description of the Site and Surrounding Properties

The subject property is located just east of the WILL studios at the northeast corner of Main Street and Goodwin Avenue. Immediately north and west of the subject property are University of Illinois facilities and associated parking lots. To the east is parking. South of the subject property is University parking, an apartment building and a bicycle shop.

Zoning and Land Use Table

The following is a summary of surrounding zoning and land uses for the subject site:

Location	Zoning	Existing Land Use	Comprehensive Plan Future Land Use
Subject Property	R-5, Medium High Density Multiple-Family Residential	Telecommunications Tower	Institutional
North	R-5, Medium High Density Multiple-Family Residential B-3U, General Business-University	Campbell Hall Parking Lot	Institutional
South	R-5, Medium High Density Multiple-Family Residential B-3U, General Business-University	Multi-Family Residential Parking Lot Commercial	Institutional
East	B-3U, General Business-University	Parking Lot	Institutional
West	B-1, Neighborhood Business	WILL Station	Institutional

Discussion

Requirements for a Special Use Permit

According to Section VII-4 of the Urbana Zoning Ordinance, applications for Special Use Permits shall demonstrate the following criteria shown in italics:

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

The proposed use would be conducive to the public convenience. Section XIII-1. Telecommunication Facilities, Towers and Antennas of the Urbana Zoning Ordinance encourages the collocation of multiple antennas on a single tower. Residents, businesses, students and the University will benefit from the improved T-Mobile service that will increase productivity, convenience and access to information.

- 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 or detrimental to the public welfare.*

The proposed use will not be injurious to the public welfare. T-Mobile has been sensitive in selecting a site to collocate that will minimize the impact on surrounding property. The tower already exists. Antennae will not change the character in a way that is “unreasonably injurious”. Wireless technology affords vital communications in emergency situations and will commonly be used by local residents and emergency personnel to protect the general public’s health, safety and 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.*

The collocation of an antenna on an existing tower conforms to the Urbana Zoning Ordinance. Although the subject site is zoned R-5, the location of the antenna is consistent and in character with the adjacent WILL facility to the west. There is an existing tower on the WILL property as well as an existing fenced area that houses existing telecommunications equipment. It is anticipated that the subject site will be rezoned to a University District sometime later this year.

Summary of Findings

1. Nine panel antennas will be located on the existing tower located at 1106 W. Main Street.
2. The tower at 1106 W. Main Street is located in the R-5, Medium High Density Multiple Family Residential Zoning District. A Special Use Permit is therefore required pursuant to Section XIII-1.R of the Urbana Zoning Ordinance to locate antennas on the tower.
3. The proposed use would be conducive to the public convenience as antenna collocations are encouraged by the Urbana Zoning Ordinance. In addition the improved T-Mobile service will increase productivity, convenience and access to information.

4. The proposed use will not be injurious to the public welfare as it will be collocated on an existing tower. In addition wireless technology affords vital communication in emergency situations, thereby assisting with the protection of the general public's health, safety and welfare.
5. The proposed collocation of the antennas on an existing tower is in character with the existing telecommunications equipment and use of the WILL facility to the west.
6. At their February 7, 2008 meeting, the Urbana Plan Commission voted unanimously to recommend that the City Council approve the special use permit request.

Options

City Council has the following options in Plan Case No. 2058-SU-08:

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

Recommendation

Based on the evidence presented in the discussion above, the Plan Commission and staff recommend that City Council **APPROVE** the proposed special use permit in Plan Case No. 2058-SU-08 with the condition that the installation of the antennas conform to the submitted site plan.

Prepared by:

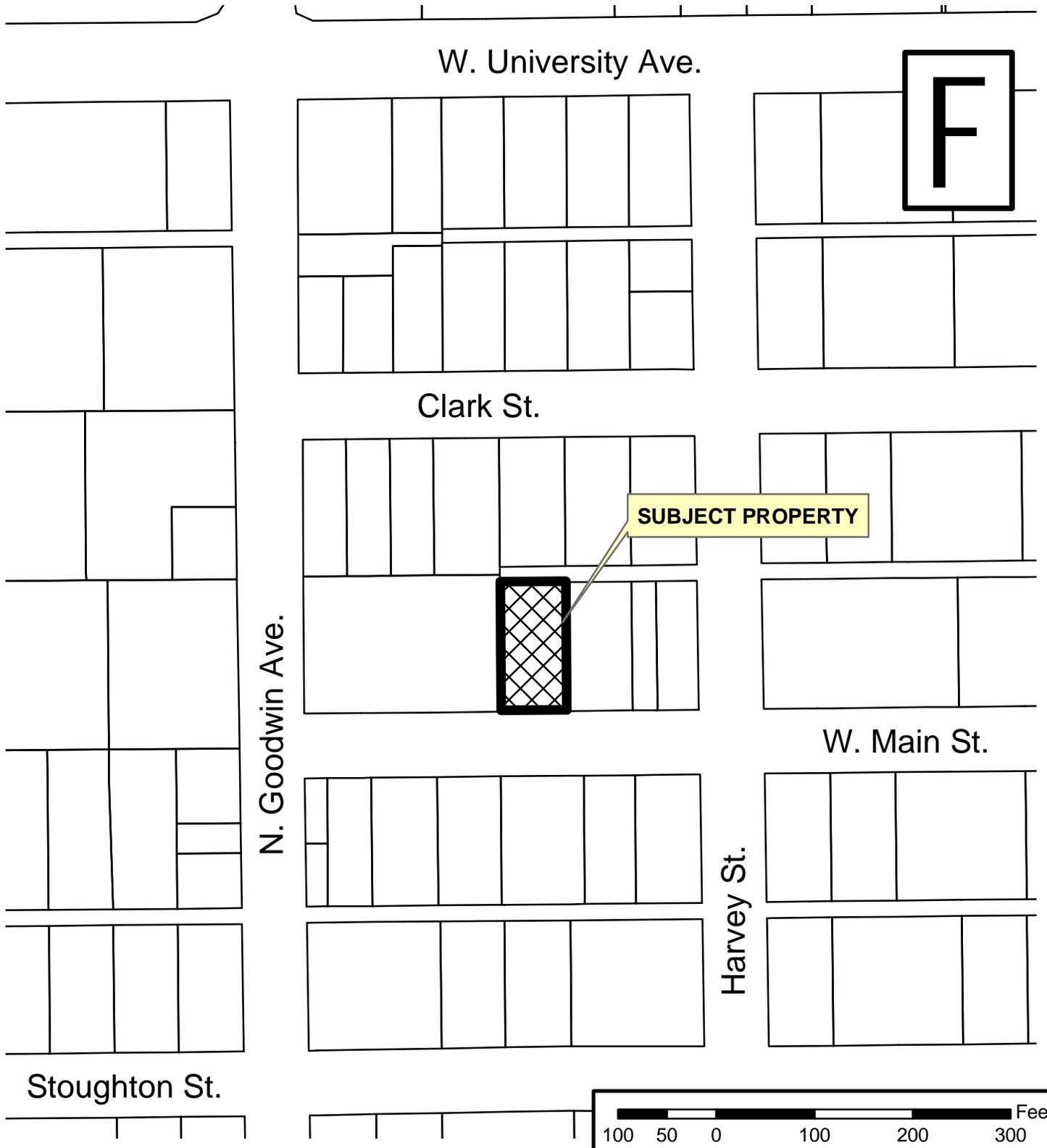
Lisa Karcher, Planner II

Attachments: Exhibit A: Location Map
Exhibit B: Zoning Map
Exhibit C: Existing Land Use Map with Aerial
Exhibit D: Future Land Use Map
Exhibit E: Ordinance Approving SUP for Enclosure
Exhibit F: Special Use Permit Application
Exhibit G: Site Photos
Exhibit H: Site Plan
Exhibit I: Site Elevation

cc: Insite Inc.
Ray Shinkle
2210 Midwest Road, Suite 213
Oak Brook, IL 60523

University of Illinois
Helen Coleman
1501 S. Oak Street, MC 800
Champaign, IL 61820

Exhibit A: Location Map



Plan Case: 2058-SU-08
Petitioner: Insite Incorporated (for T-Mobile)
Location: 1106 W. Main Street
Description: Special Use Permit to locate nine panel antennas on an existing tower.

Prepared 2/08 by Community Development Services - Ikk

Exhibit B: Zoning Map

W. University Ave.

Clark St.

SUBJECT PROPERTY

N. Goodwin Ave.

W. Main St.

Harvey St.

Stoughton St.

100 0 100 200 300 Feet

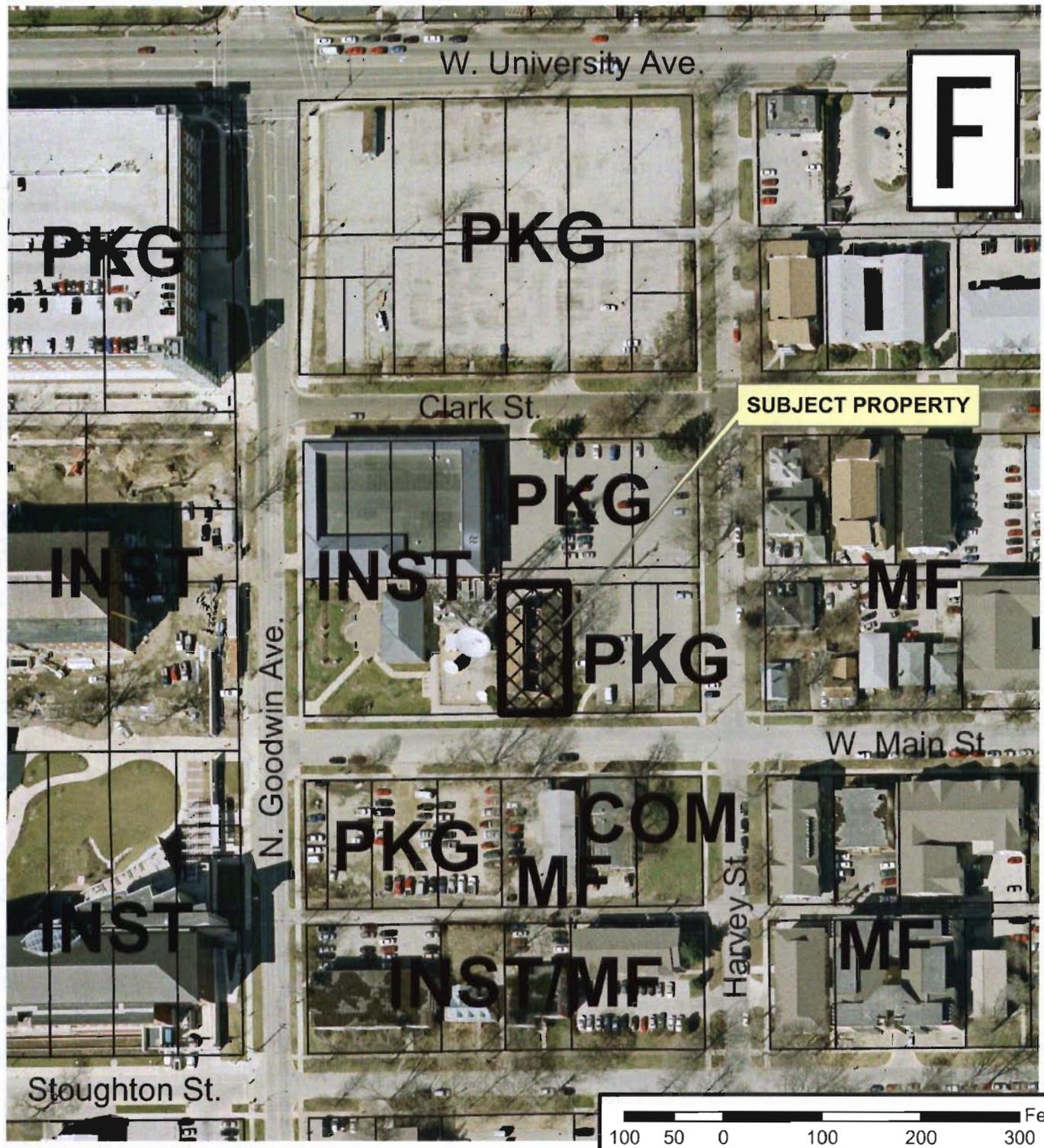


Plan Case: 2058-SU-08
Petitioner: Insite Incorporated (for T-Mobile)
Location: 1106 W. Main Street
Description: Special Use Permit to locate nine panel antennas on an existing tower.

Prepared 02/08 by Community Development Services - lkk

- B1 - Neighborhood Business
- B3 - General Business
- B3U - General Business - University
- R3 - Single- and Two-Family
- R5 - Medium High Density Multiple-Family
- R6 - High Density Multiple Family Residential
- CRE - Conservation-Recreation-Education

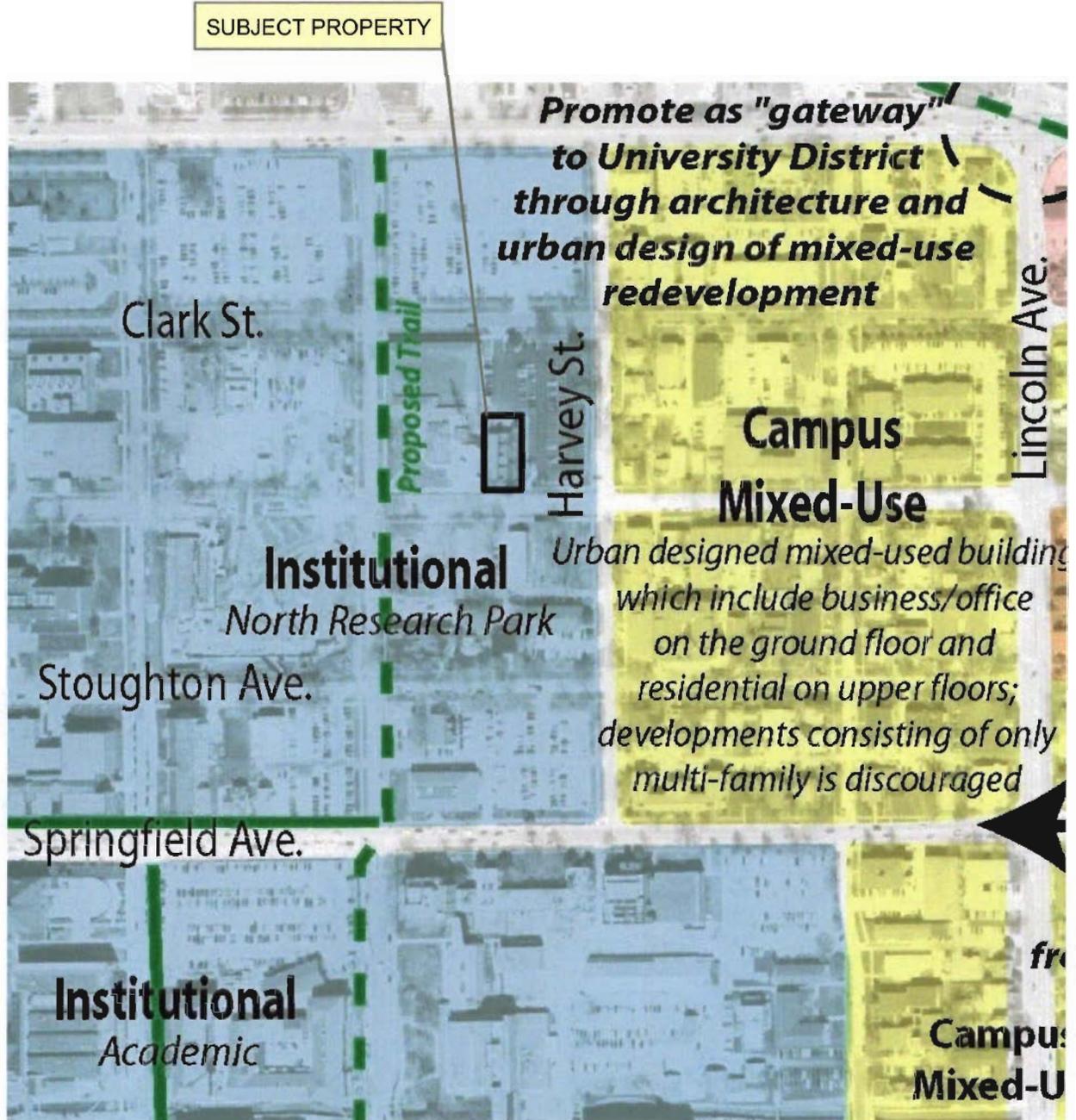
Exhibit C: Existing Land Use Map



Plan Case: 2058-SU-08
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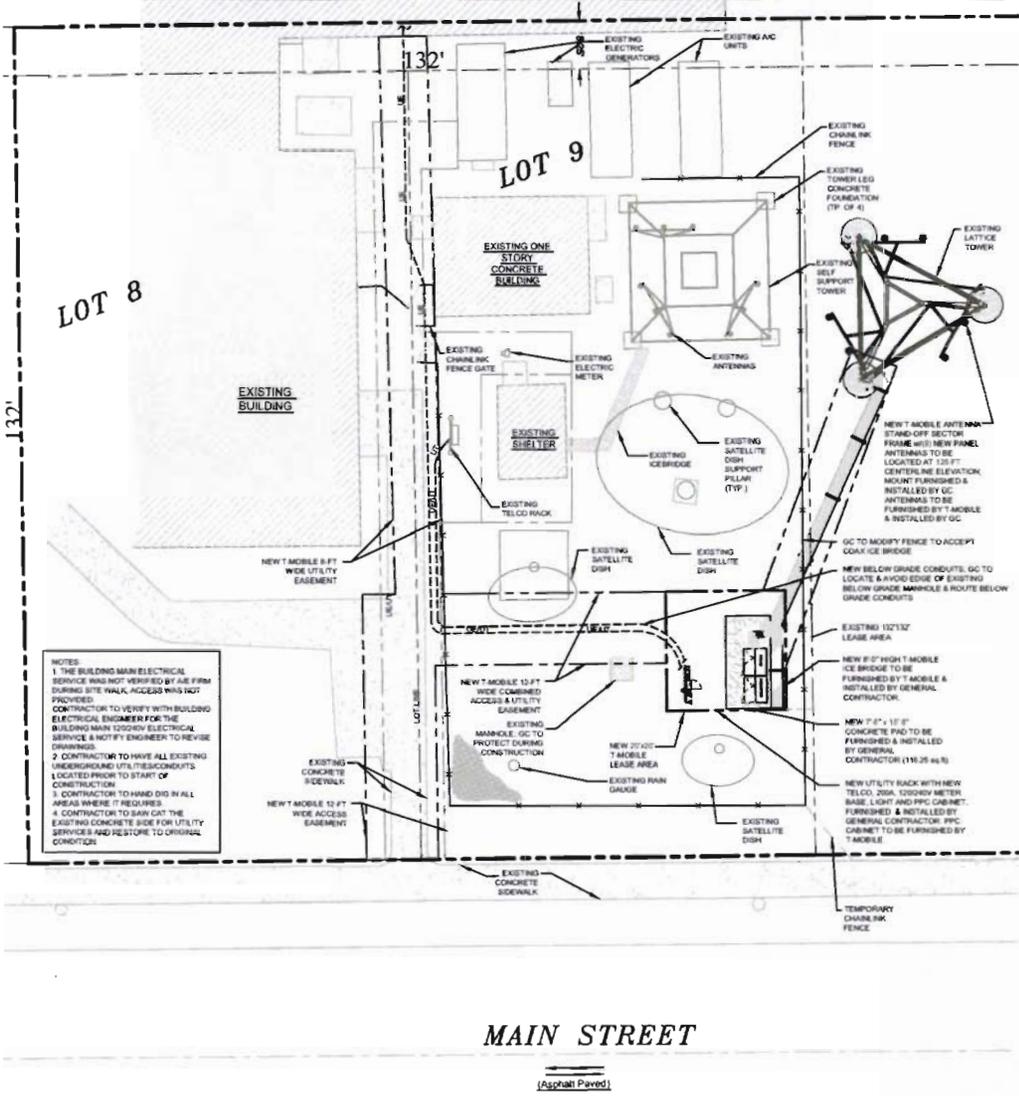
Prepared 2/08 by Community Development Services - Ikk

Exhibit D: Future Land Use Map



Plan Case: 2058-SU-08
Petitioner: Insite Incorporated (for T-Mobile)
Location: 1106 W. Main Street
Description: Special Use Permit to locate nine panel antennas on an existing tower.

Prepared 2/08 by Community Development Services - Ikk



NOTES

1. THE BUILDING MAIN ELECTRICAL SERVICE WAS NOT VERIFIED BY A/E FIRM DURING SITE WALK. ACCESS WAS NOT PROVIDED. CONTRACTOR TO VERIFY WITH BUILDING ELECTRICAL ENGINEER FOR THE BUILDING MAIN 120/240V ELECTRICAL SERVICE & NOTIFY ENGINEER TO REVISE DRAWINGS.
2. CONTRACTOR TO HAVE ALL EXISTING UNDERGROUND UTILITIES/CONDUITS LOCATED PRIOR TO START OF CONSTRUCTION.
3. CONTRACTOR TO HAND DIG IN ALL AREAS WHERE IT REQUIRES.
4. CONTRACTOR TO BANK CUT THE EXISTING CONCRETE SIDE FOR UTILITY SERVICES AND RESTORE TO ORIGINAL CONDITIONS.



2 SITE PHOTO
SCALE: NTS

IMPORTANT NOTES

1. GO TO HIRE PUBLIC UTILITY & PRIVATE LOCATE SERVICE IN ORDER TO LOCATE AND PROTECT ANY AND ALL SURFACE UTILITIES. DO NOT SCALE OFF THESE PLANS FOR ANY BELOW GRADE UTILITIES.
2. THESE PLANS MAY NOT CONTAIN OR REVEAL ALL SUBSURFACE UTILITIES. GC IS RESPONSIBLE OF LOCATING AND PROTECTING ALL UTILITIES DURING CONSTRUCTION.

T-Mobile

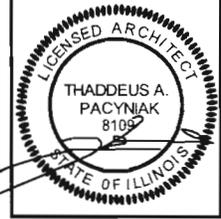
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PROJECT NO: CH59-138C

DRAWN BY: RL CHECKED BY: GMS
CHECKED BY: RL APPROVED BY: GMS, TP



CH59-138C
UNIVERSITY TOWER II
1110 W. MAIN STREET
URBANA, IL 61801

OVERALL SITE PLAN

A-0

1 OVERALL SITE PLAN
SCALE: 1"=10' (1"=20' IF 11X17 SHEET SIZE)



