

AN ORDINANCE APPROVING A SPECIAL USE PERMIT

(To Allow the Installation of an Antenna Equipment Enclosure for an Existing Telecommunications Tower in the B-1, Neighborhood Business, Zoning District - Plan Case No. 2034-SU-07 / 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 construct an antenna equipment enclosure for an existing telecommunications tower at 1110 W. Main Street in the B-1, Neighborhood Business Zoning District; and

WHEREAS, the proposed antenna equipment enclosure would be located on the site of WILL-FM's broadcast studio located at 1110 W. Main Street in Urbana; and

WHEREAS, Section XIII-1.Q.2.(c) of the Urbana Zoning Ordinance permits the antenna collocation to be administratively approved by the Zoning Administrator; and

WHEREAS, Section XIII-1.R.1.(d) of the Urbana Zoning Ordinance requires that equipment enclosures located within 100 feet of a residential zoning district or land use must obtain a Special Use Permit; and

WHEREAS, the conditions placed on the approval in Section 1 herein are reasonable and intended to insure compliance with City requirements; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on February 22, 2007 concerning the petition filed by the petitioner in Plan Case No. 2034-SU-07; and

WHEREAS, on February 22, 2007, the Urbana Plan Commission voted 7 ayes and 1 nay 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 provided herein; 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 establishment of an antenna equipment enclosure in the B-1, Neighborhood Business Zoning District with the following conditions upon approval:

1) The proposed equipment enclosure shall conform to the attached site plan (see Exhibit A).

2) The proposed equipment enclosure shall obtain all necessary building permits from the City of Urbana Building Safety Division.

LEGAL DESCRIPTION:

Lots 8 and 9 all on 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: 92-21-07-478-003

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 5th day of March,
2007.

AYES: Barnes, Bowersox, Chynoweth, Lewis, Roberts, Smyth, Stevenson

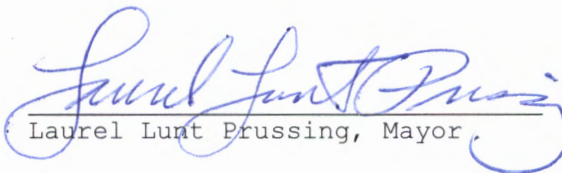
NAYS:

ABSTAINS:



APPROVED by the Mayor this 5th day of March,

2007.


Laurel Lunt Prussing, Mayor