

ORDINANCE NO. 2016-06-048

An Ordinance Approving a Special Use Permit

(Special Use Permit to allow construction of a 95-foot monopole telecommunications tower with antennas and a telecommunications equipment enclosure in the B-3, General Business Zoning District - Plan Case No. 2279-SU-16 / 2000 North Cunningham Avenue - Insight RE, Inc. on behalf of PI Tower Development)

WHEREAS, Insight RE, Inc. on behalf of PI Tower Development, LLC. has petitioned the City for approval of a Special Use Permit to allow a telecommunications tower with antennas and an equipment enclosure in the B-3, General Business Zoning District; and

WHEREAS, the Urbana Zoning Ordinance requires a Special Use Permit for any tower proposed on a B-3, General Business Zoning District property within 250 feet of a residential use; and

WHEREAS, the Urbana Zoning Ordinance requires documented justification for the location of a new tower to demonstrate that Champaign-Urbana's existing telecommunications infrastructure and other sites can not accommodate the cellular carrier's new antenna; and

WHEREAS, the proposed use is conducive to the public convenience at this location by improving cellular coverage while minimally impacting the nearby area; and

WHEREAS, the tower is designed, located, and proposed to be operated so that it will not be unreasonably injurious, detrimental to its location or the public welfare; and

WHEREAS, the proposed development is consistent with the development regulations for non-residential properties in the B-3 Zoning District and preserves the essential character of the district in which it shall be located; and

WHEREAS, after due publication. the Urbana Plan Commission held a public hearing on June 9, 2016 and voted with 6 ayes and 1 nay to forward Plan Case 2279-SU-16 to the Urbana City Council with a recommendation to

approve the request for a Special use Permit, subject to the conditions specified in Section 1 herein; and

WHEREAS, approval of the Special Use Permit, with the conditions set forth below, is consistent with the requirements of Section XIII-1 of the Urbana Zoning Ordinance, Special Use Permit Procedures, and with the general intent of that Section of the Ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of Urbana, Illinois, as follows:

Section 1. A Special Use Permit is hereby approved to allow construction of a 95-foot monopole telecommunications tower in the B-3, General Business Zoning District with the following conditions:

1. The tower and equipment conform generally to the site plan submitted with the application.
2. The proposed access road shall be paved with an approved surface as defined in the Zoning Ordinance.
3. The tower and related utility equipment shall be appropriately screened with landscaping vegetation as required in Section XIII-1.R.7 of the Zoning Ordinance, subject to the approval of a submitted landscaping plan by the Zoning Administrator.
4. The design, installation, and operation of the tower shall be in accordance with all applicable city, state, and federal codes, ordinances, and regulations, including those for public health and safety.
5. If the tower is no longer being used, the applicant shall remove the tower within 180 days. Failure to remove an abandoned tower within said 180 days shall be grounds for the City to cause removal of the tower at the owner's expense.

Legal Description:

Lot 1 of Ohnstad Commercial Subdivision No. 1, as per plat recorded August 16, 2004 as Document No. 2004R26137, in Champaign County, Illinois.

PIN: 91-21-04-352-029, Address: 2000 North Cunningham Avenue

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the City Council. This Ordinance shall be in

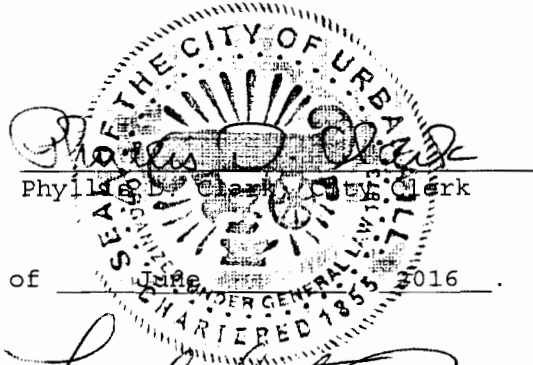
full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

PASSED BY THE CITY COUNCIL this 20th day of June, 2016.

AYES: Ammons, Brown, Jakobsson, Madigan, Marlin, Roberts, Smyth

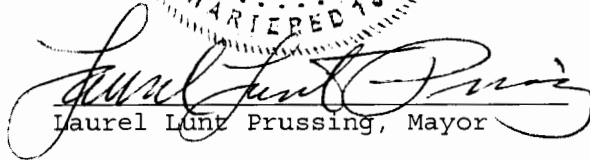
NAYS:

ABSTAINS:



Phyllis B. Clark, City Clerk

APPROVED BY THE MAYOR this 23rd day of June, 2016.


Laurel Lunt Prussing, Mayor