

AN ORDINANCE APPROVING A SPECIAL USE PERMIT

(To Allow the Establishment of a Telecommunications Tower with Equipment Enclosure in the R-4, Medium Density Multiple-Family Residential Zoning District - Plan Case 2027-SUP-06 / METCAD 9-1-1)

WHEREAS, METCAD 9-1-1 has petitioned the City for a Special Use Permit to construct a 285-foot tall communications tower with an equipment enclosure at 1905 E Main Street in the R-4, Medium Density Multiple-Family Residential Zoning District; and

WHEREAS, METCAD 9-1-1 is the primary agency for emergency responders throughout Champaign County, including for the City of Urbana's police, fire, and public works responders; and

WHEREAS, the proposed tower with equipment enclosure would be located on the site of METCAD's central dispatch center located at 1905 E Main Street in Urbana; and

WHEREAS, the 2005 Comprehensive Plan designates the future land use of this property as "Institutional", METCAD 9-1-1 being a quasi-public use is considered "Institutional", and the proposed tower with equipment enclosure is an essential part of this use; and

WHEREAS, the Urbana Zoning Ordinance, Section XIII-1, Telecommunications Facilities, Towers and Antennas, permits towers to be constructed in R-4 zoning districts with Special Use Permit procedures; and

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

WHEREAS, the Urbana Zoning Ordinance, Section XIII-1, authorizes the City Council to waive certain tower requirements given specific circumstances; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on December 21, 2006 concerning the petition filed by the petitioner in Plan Case No. 2027-SUP-06; and

WHEREAS, on December 21, 2006, the Urbana Plan Commission voted 7 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 condition and with the waivers provided herein; and

WHEREAS, approval of the Special Use Permit, with the condition set forth below, 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; and

WHEREAS, The application demonstrates that the development will be generally conducive to the public convenience at this location; that it will not be injurious to the public or district in which it is located; and that it will meet the applicable standards of the Urbana Zoning Ordinance and preserve the essential character of the zoning district in which it will be located.

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 a tower and related equipment enclosure in the R-4, Medium Density Multiple-Family Residential Zoning District with the following condition upon approval:

1. The design, installation, and operation of the equipment enclosure and associated equipment shall be in accordance with all applicable city, state, and Federal codes, ordinances, and

regulations, including health and safety regulations required by the Federal Communications Commission.

And furthermore, the following variations and waivers from standard Special Use Permit requirements for towers are hereby approved:

1. Variation from the 50 foot height limit for towers in R-4 zoning districts, to advance the goals of safeguarding the public and provide emergency communications quickly, effectively, and efficiently, as permitted in Section XIII-1.E.6 of the Zoning Ordinance; and
2. Variation from property boundary setback requirements for towers in residential zoning districts equal to or greater than twice the tower height, based on public safety and welfare and other public policy considerations, as permitted in Section XIII-1.E.5 of the Zoning Ordinance. The tower would be located less than 285 feet from a parcel boundary in common with the Illinois Army National Guard; and
3. A waiver from the landscape screening requirements for towers, as permitted in Section XIII-1.R.7, based on the tower being located behind the existing METCAD building and among remaining mature trees.

LEGAL DESCRIPTION:

The Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Sixteen (16), Township Nineteen (19) North, Range Nine (9) East of the Third Principal Meridian, Champaign County, Illinois, EXCEPT the east 470 feet of even and equal width thereof. All situated in the City of Urbana, Urbana Township, Champaign County, Illinois.

PERMANENT PARCEL NUMBER: 92-21-16-200-005

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 8th day of January,
2007.

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

NAYS:

ABSTAINS:

APPROVED by the Mayor this 8th day of January,
2007.



Phyllis D. Clark
Phyllis D. Clark, City Clerk

Heather J. Robert
Deputy Clerk

Laurel Lunt Brussing
Laurel Lunt Brussing, Mayor

[Special Council Meeting]