



City of Aurora

44 East Downer Place
Aurora, Illinois 60505
www.aurora-il.org

Legistar History Report

File Number: 16-01073

File ID: 16-01073

Type: Ordinance

Status: ATS Review

Version: 4

General Ledger #:

In Control: Planning & Development Committee

File Created: 11/09/2016

File Name: Chris Court, LLC / T-Mobile / 325 S. Union Street / Special Use / Telecommunications

Final Action:

Title: An Ordinance Granting a Special Use Permit for a Telecommunication Facility (4211) Use on the Property located at 325 S. Union Street

Notes:

Agenda Date: 12/15/2016

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Exhibit "A" Legal Description.docx, Exhibit "B" Memorandum of Agreement.doc, Property Research Sheet - 2016-09-21 - 2016.181.pdf, Land Use Petition and Supporting Documents - 2016-11-08 - 2016.181.pdf, Site Plans - 2016-11-08 - 2016.181.pdf, Overall Site Plan - 2016-11-08 - 2016.181.pdf, Planning Council Report - 2016-11-30 - 2016.181.pdf,

Enactment Number:

Planning Case #: AU27/2-16.181-Su

Hearing Date:

Drafter: esieben@aurora-il.org

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Committee of the Whole	11/15/2016	Forward to Planning Council	DST Staff Council (Planning Council)			
	Action Text: This Petition was Forward to Planning Council to the DST Staff Council (Planning Council)						
1	DST Staff Council (Planning Council)	11/22/2016					
	Notes: Mr. Sieben said this is set to go to the December 7th Planning Commission meeting. I guess we can vote this out next week also.						
1	DST Staff Council (Planning Council)	11/29/2016	Forwarded	Planning Commission	12/07/2016		Pass
	Action Text: A motion was made by Ms. Phifer, seconded by Mrs. Morgan, that this agenda item be Forwarded to the Planning Commission, on the agenda for 12/7/2016. The motion carried by voice vote.						
	Notes: Mrs. Vacek said this one is being voted out today.						
	<i>Ms. Phifer said we're not changing the provisions of the ordinance which affect this type of installation,</i>						

so this one can actually move forward. I believe that we need to vote it out today because it is scheduled for a public hearing at the December 7th Planning Commission. I'll make that motion. Mrs. Hall seconded the motion. The motion carried unanimously.

2	Planning Commission	12/07/2016	Forwarded	Planning & Development Committee	12/15/2016	Pass
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Action Text: A motion was made by Mrs. Anderson, seconded by Mr. Cameron, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 12/15/2016. The motion carried.

Notes: Mr. Sieben said the Petitioner, Insite RE, Inc., is requesting approval for a Special Use for a Telecom Facility, specifically for rooftop antennas and related equipment with an R-2 zoning district for 325 S. Union Street. It is currently an industrial building; however, it has R-2 zoning, so it is a legal non-conforming industrial use. Aurora Cord and Cable is a long time business here. The building is 3 stories, about 50,000 square feet and it was built in 1913. The property has been zoned R-2 since 1957. Why? I'm not sure, but it is, but the building has been there for about 103 years. Because the property is zoned R-2, the rooftop antenna requires a Special Use. Had this property been zoned commercial or industrial, this would just be a building permit process. Otherwise, all provisions of the current and proposed Telecommunications Code are being met, including that the antenna be set back at least 100 feet from residential property. The overall site plan, I know there is a variety of elevations and site plans in your packet, but essentially the antennas are on kind of the northern portion of the building there. This is being done on behalf of T-Mobile for the new antennas as shown. They are going to be attached to the Penthouse section of the roof, which will extend no higher than 15 feet above the main parapet wall. This location on the roof is approximately 17 feet from the east wall and 40 feet from the east property line along Union Street. The support equipment would be located in the basement. T-Mobile has evaluated their coverage areas and found a coverage gap in the area due to increasing demand for wireless communication services such as data and mobile phone services. With that being said, unless you have any questions for me, this is a public hearing and the Petitioners from Insite are here if there are any other questions.

The Petitioner was sworn in.

My name is Ray Shinkle. I live at 1089 Onwentsia Court in Naperville. Ed did a great job of summing it up. T-Mobile is trying to stay ahead of the demand for wireless coverage. It's actually a capacity issue and more and more people are using their wireless devices for all different types of applications and in many cases replacing their land line home phones with their cellular device. So we need to get and penetrate these areas. We don't always have the luxury of collocating on an industrial type building that we are doing here tonight in order to cover residential area. Usually you don't have this type of building, so this really is a nice luxury. But per the code, even though it is an industrial use, it is zoned residential so that's why we are here in front of you this evening. We do feel that the application is in harmony with your code on looking for existing structures to collocate these type of facilities versus coming in with a new tower. I'm here to answer any questions you have, but Ed did a nice job of summing up the application.

The public input portion of the public hearing was opened. No witnesses came forward. The public input portion of the public hearing was closed.

Mr. Sieben said staff would recommend approval of the Special Use Permit for a Telecom Facility use on the property located at 325 S. Union Street.

MOTION OF APPROVAL WAS MADE BY: Mrs. Anderson

MOTION SECONDED BY: Mr. Cameron

AYES: Mrs. Anderson, Mr. Bergeron, Mr. Cameron, Mrs. Cole, Mr. Divine, Mr. Garcia, Mrs. Owusu-Safo, Mr. Reynolds

NAYS: None

FINDINGS OF FACT

1. Is the proposal in accordance with all applicable official physical development policies and other related official plans and policies of the City of Aurora?

Mrs. Cole said these are listed in the report.

2. Does the proposal represent the logical establishment and/or consistent extension of the requested classification in consideration of the existing land uses, existing zoning classifications, and

essential character of the general area of the property in question?

Chairman Truax said well this is an industrial use even though it is zoned residential, so I would think it is a logical extension.

3. Is the proposal consistent with a desirable trend of development in the general area of the property in question, occurring since the property in question was placed in its present zoning classification, desirability being defined as the trend's consistency with applicable official physical development policies and other related official plans and policies of the City of Aurora?

Mr. Cameron said even though it does have a residential zoning, it is a non-conforming use that has been used as a business facility for a fairly extended period of time so, therefore, it would seem to conform.

4. Will the proposal maintain a compatible relationship with the traffic pattern and traffic volume of adjacent streets and not have an adverse effect upon traffic or pedestrian movement and safety in the general area of the property in question?

Mrs. Cole said this should have no effect whatsoever on traffic in the area.

5. Will the proposal allow for the provision of adequate public services and facilities to the property in question and have no adverse effect upon existing public services and facilities?

Mr. Bergeron said all these services are in place and it shouldn't have any adverse effect.

6. Does the proposal take adequate measures or will they be taken to provide ingress and egress so designed as to maximize pedestrian and vehicular circulation ease and safety, minimize traffic congestion, and not substantially increase the congestion in the public streets?

Mr. Cameron said it should have no effect.

9a. Will the Special Use not preclude the normal and orderly development and improvement of surrounding properties due to the saturation or concentration of similar uses in the general area?

Mrs. Owusu-Safo said I believe this would be the only similar use in the area.

9b. Is the Special Use in all other respects in conformance to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the City Council pursuant to the recommendations of the Plan Commission?

Chairman Truax said I believe this is in conformance in all other aspects.

Mr. Sieben said this will next be heard at the Planning and Development Committee meeting on Thursday, December 15, 2016, at 4:00 p.m. in the 5th floor conference room of this building.

Aye: 8 At Large Bergeron, At Large Cameron, At Large Cole, Aurora Twship Representative Reynolds, At Large Anderson, At Large Divine, SD 131 Representative Garcia and At Large Owusu-Safo
