

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

Resolution or Ordinance (Blue) _____ *Waiver of First Requested*
X Recommendations of Boards, Commissions & Committees (Green)
Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES
FROM: David A. Hulseberg, Village Manager *dah*
DATE: July 26, 2010 (BOT) Date: August 19, 2010
TITLE: PC 10-10: 1150 E. Jackson Street
SUBMITTED BY: Department of Community Development *WJD*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. The petition requests that the Village grant a conditional use, pursuant to Section 155.206 (A)(2) of the Lombard Zoning Ordinance, to allow an antenna associated with a personal wireless service facility for the subject property located within the R4 - Limited General Residential District.

The Plan Commission recommended approval of this petition subject to conditions.

Please place this item on the August 19, 2010 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X *David A. Hulseberg* _____ Date 7/26/10

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

TO: David A. Hulseberg, Village Manager

FROM: William Heniff, AICP
Director of Community Development *WH*

DATE: August 19, 2010

SUBJECT: **PC 10-10: 1150 E. Jackson Street**

Attached please find the following items for Village Board consideration as part of the August 19, 2010 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 10-10;
3. An Ordinance granting approval of a conditional use to allow an antenna associated with a personal wireless service facility for the subject property located within the R4 – Limited General Residential District; and,
4. Plans associated with the petition.

The Plan Commission recommended approval of the zoning actions associated with the petition.



VILLAGE OF LOMBARD

255 E. Wilson Ave.
Lombard, Illinois 60148-3926
(630) 620-5700 Fax (630) 620-8222
www.villageoflombard.org

August 19, 2010

Village President
William J. Mueller

Village Clerk
Brigitte O'Brien

Trustees

Greg Alan Gron, Dist. 1
Keith T. Giagnorio, Dist. 2
Zachary C. Wilson, Dist. 3
Dana L. Moreau, Dist. 4
Laura A. Fitzpatrick, Dist. 5
William "Bill" Ware, Dist. 6

Village Manager
David A. Hulseberg

Mr. William J. Mueller,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 10-10: 1150 E. Jackson Street

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests that the Village grant a conditional use, pursuant to Section 155.206 (A)(2) of the Lombard Zoning Ordinance, to allow an antenna associated with a personal wireless service facility for the subject property located within the R4 – Limited General Residential District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on July 19, 2010.

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."

Mike Howley, 2210 Midwest Road, Suite 213, Oak Brook, stated he was representing T-Mobile and requesting a conditional use permit to allow construction of a rooftop wireless facility on the Jackson Terrace Condominiums located at 1150 E. Jackson Street.

"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

Prior to giving site specifics, Mr. Howley indicated he would like to visually clarify what is being proposed. Using the overhead projector he displayed a number of photographs:

- A winter snapshot of the Jackson Terrace Condominium building showing how it currently looks from Jackson Street looking east.
- A rendering of the building and roofline showing what is being proposed. He explained that on the penthouse elevator shaft T-Mobile would be placing six antennas.
- A photograph looking west from Jackson toward the building. This shot was again taken in winter and he noted that the building was hard to see even with no leaves on the trees.
- A photograph taken at the intersection of Jackson and Addison looking slightly northwesterly. The building is a five-story condominium complex located in the R4 district.

He further explained that on the east side of the building they were proposing to place three antennas on a sled mount and on the penthouse elevator shaft they are proposing six antennas which would be directly affixed to the brick. Mr. Howley then continued showing photographs of other building rooftop installations:

- A hotel building on the north side shows 2 antennas on sled mounts which is similar to what is being proposed for the east side of the Jackson Terrace facility.
- Photograph of an actual installation of a sled mount of 3 antennas similar to what is being proposed on the east side of the building.

In an effort to explain their request for a conditional use, Mr. Howley stated he would talk about the telecommunications industry and how wireless technology works. He mentioned his 12 years experience in the industry and noted how subscription rates have grown to more than 244 million subscribers today. He mentioned other applications subscribers are looking to have, which require an increased need for more transmitter locations. Wireless technology operates in a low power line of sight and is extremely safe. The sites for wireless carriers are set up on a honeycomb pattern. Each site is close enough, but far enough away to cover an area. When there is a gap in coverage it is the result of one site being too far away from another.

On the overhead projector he displayed a propagation map and explained how it shows the current coverage in the area as well as the location of the adjacent transmitter sites which were denoted in blue. The next map shows the change in coverage should the Jackson Terrace site be approved. He explained that the industry rates coverages into several different levels: excellent in-building, excellent in-vehicle and excellent outdoor. He noted that their goal is to improve service to their subscribers by trying to achieve excellent in-building coverage which is denoted on the map in the green areas.

T-Mobile searched for other suitable structures in the area that could potentially serve as a transmitter site. These structures would have to be tall so their first search was to look for water towers or monopoles in the area. As this is primarily a residential area, those types of structures do not exist. The Jackson Terrace building was one of the taller structures in the area which would give a coverage boost to users in the area and be an improvement for wireless subscribers in that area. Because the proposed site is zoned R4 and not R5 or R6, the construction of a rooftop wireless facility would not be permitted outright and would involve the conditional use process.

Lastly, Mr. Howley indicated that along with the rooftop structures, there is also other equipment needed to make the site functional, such as radio cabinets and cables that run to the antennas. These cabinets would not be placed on the roof but located on the ground level in a nook in the back of the building on the north side. He showed a photograph of a 21' x 6' area where this auxiliary equipment would be placed. He noted the cement pad the equipment would be placed on and showed how it will run in a straight line about one (1') foot north of the foundation wall in an east/west direction. A wood fence would enclose all the equipment so it would not be visible.

Chairperson Ryan asked if there were any questions of the petitioner.

Commissioner Sweetser asked the petitioner to explain the level of radio frequency waves coming from these antennas.

Mr. Howley explained radio frequency emission. He noted that the FCC developed guidelines that are strict and quite conservative and contains the maximum permissible exposure limits. He noted how sophisticated the technology has gotten in that an independent engineer can review via computer, results of a study to show the radio frequencies. Pertaining to the proposed site, we find that at the ground level the exposure is thousands times the levels below the FCC limit. The level of radio frequency is diminished by distance. These rooftop facilities are lower powered line of sites and because they operate at low power per antenna by the time you get to the ground level, the exposure is minimal.

Attorney Wagner stated that under federal law, the Village cannot consider issues related to exposure or affects of radio frequency emissions. The purview of the Commission is to review the petition based on the standards in the Village Code as to a conditional use. We can listen to concerns about radio frequency emission but cannot consider it when making a decision.

Chairperson Ryan then opened the meeting for public comment. There was no one spoke in favor of the petition.

To speak against the petition was Shameen Habiba, 1146 E. Cambria Lane, Lombard. She explained how her unit is a three-bedroom located on the second floor and faces across from where they are proposing to put the antennas on the east end of the condominium building. As the antennas will be clearly visible from her unit, she wouldn't be able to enjoy the scenery and her surroundings. She was confused by the petitioner's scientific explanations and noted that people distrust corporations especially as it relates to the environment. She was worried about radiation effects and decreased property values and was not in support of the petition.

Ms. Habiba mentioned she had a letter from her neighbor, Rubina Hafeez, 1140 N. Cambria Lane, Lombard, who was unable to attend the meeting. Ms. Hafeez was also against the petition and she wanted to read her reasons:

1. The tower is going to be across the street from her house in a residential area.
2. The view will be obstructed. She does not want to look at a metal structure while trying to enjoy the nature and beauty of the landscape.
3. Building the tower will decrease property values and give off radiation waves 24/7 365 days in and out.

Ms. Hafeez requested that the Committee consider her objection.

Mr. Howley rebutted. He displayed on the overhead projector a photograph of the northerly view as well as an illustration showing how it would look to the east side. He stated that the antennas would be painted to match the brick so they would blend in. Village Code allows for personal wireless structures to be placed up to 15' above the building itself. He added that they are only proposing that the antennas by 7' above the roofline, which is only half of what could be allowed by Code. Lastly, he noted that what is being proposed are antennas not towers. He requested

that the Commission respectfully uphold the recommendation of the planning staff for a conditional use permit. Given the location and the coverage needed, it is a minimally intrusive structure. With the acknowledged coverage problem in this section of the town, their request is consistent with the intent of the code. For the record, he requested that their answers to the standards for conditional use be entered into the record.

Chairperson Ryan then requested the staff report.

Michael Toth, Planner I, indicated that he had made amendments to the staff report and will note the changes when he gets to the portion that has been amended. The amended report has been distributed to the Commissioners.

T-Mobile is proposing to install a rooftop wireless antenna facility at the Jackson Terrace Condominiums, which is located on the northwest corner of Jackson Street and Addison Avenue. Any personal wireless service facility that does not comply with the associated requirements of the Zoning Ordinance may be authorized only in accordance with the procedures for conditional uses. The subject property is located in the R4 – Limited General Residential District. As personal wireless service facilities are only allowed (as-of-right) in the R5 – General Residence District and R6 – Central Residence District, conditional use approval is required.

The petitioner is proposing to install three (3) structures with three (3) antenna panels on each structure for a total of nine (9) cellular antenna panels as part of their personal wireless service facilities plan. The proposed antennas are designed to fill a coverage gap in T-Mobile's network. The subject property was selected due to the height opportunity of the existing 5-story multi-family building. All nine (9) antennas would be installed on the roof of the five (5) story multi-family dwelling. The subject property is located within the R4 – Limited General Residential District. As previously stated, personal wireless service facilities are only allowed (as-of-right) in the R5 – General Residence District and R6 – Central Residence District.

Mr. Toth noted that this section was amended. The proposed personal wireless service facility meets all other requirements of the Zoning Ordinance. More specifically, personal wireless service facilities shall not add more than fifteen (15) feet to the height of the structure. The highest portion of the subject dwelling unit is forty eight feet and two inches (48'2") in height. Only three (3) of the nine (9) antennas will be mounted on a ballasted antenna frame, which will extend seven and a half (7.5) feet above a different portion of roof. Staff notes that the other six antennas will be located on the tallest portion of the building; however, the proposed panels only extend an additional six feet and two inches (6'2") over the highest portion of the building. According to the petitioner, the personal wireless service facility will be designed in a manner that will blend in with the current physical environment of the Jackson Terrace Condominium Complex. Staff also notes that the antennas will be the only appurtenances that will be located on the roof – all other associated equipment will be housed within a leased area on the ground, directly adjacent to the building, and screened by a six (6) foot fence.

As the zoning restrictions are the only cause for needing conditional use approval, staff has examined the subject property in accordance with the surrounding area and pertinent zoning regulations. The subject property is predominantly surrounded by single-family residential

properties and attached single-family dwellings. The intent of allowing personal wireless service facilities as-of-right in the R5 – General Residence District and R6 – Central Residence District is largely contributed to the height restrictions within those districts. Essentially, the higher the personal wireless service facility is located, the less of a visual impact it will have on adjacent properties. The maximum height restriction in the R5 – General Residence District is five (5) stories or 65 feet, whichever is less and eight (8) stories (or 100 feet) in the R6 – Central Residence District. Conversely, the maximum building height in the R4 – Limited General Residential District is only three (3) stories (or 36 feet). As the multi-family building on the subject property is five (5) stories in height, the height of the structure is similar to that of the height restrictions of the R5 – General Residence District; and, therefore would have a minimal visual impact on the surrounding properties than a standard structure in the R4 – Limited General Residential District. Staff notes that ground mounted antennas (monopoles) are only permissible in the I – Limited Industrial District. The closest I District property is located one-and-a-half (1.5) miles from the subject property, which further demonstrates that a monopole tower is not a practical solution to address a gap in coverage for this area.

Aside from the zoning requirement, the proposed personal wireless service facility meets all other provisions of the Zoning Ordinance. Moreover, the subject property is currently improved with a 5-story multi-family dwelling; therefore, it is more aligned with properties in the R5 – General Residence District and R6 – Central Residence District. Furthermore, staff finds that the proposed personal wireless service facility meets the intent of the Zoning Ordinance. As previously mentioned, the proposed antennas are designed to fill a coverage gap in T-Mobile's network. The Village acknowledges a cellular service issue as residents have voiced a number complaints, more specifically relating to poor cellular service on the east side of the Village.

Mr. Toth noted that the second paragraph under the findings and recommendation section has been updated. Staff recommends approval of this petition subject to the three conditions noted in the staff report.

An unidentified female audience member from 1150 E. Jackson, Lombard, referred to the petitioner's comments that radio frequency emissions would not be troublesome at lower levels. She asked how they would affect people at higher levels, specifically people who are living on the top floors. Mr. Howley explained that the sites are designed to project the energy outward in order to be effective not downward toward the roof. The unidentified female then asked if this proposal was similar to the one that was proposed to be on clips. Mr. Howley indicated that this petition includes 3 sectors of antennas, 2 sets are affixed to the penthouse wall and the other set is on a sled mount located on top of the far east end of the building. He displayed an illustration depicting their locations.

Doreen Natalino, 809 S. Addison Avenue, Lombard, asked if the equipment would interfere with televisions, phones, internet, satellite dishes or wireless fire alarms. Mr. Howley answered there would be no interference with any of them. They are all different wireless providers and each carrier operates within a certain spectrum of radio frequency.

Chairperson Ryan then opened the meeting for comments among the Commissioners.

The Commissioners had no comments or questions.

On a motion by Commissioner Sweetser and a second by Commissioner Olbrysh , the Plan Commission voted 5 to 0 that the Village Board **approve** the conditional use based on the finding that the petitioner had met the required Standards as set forth in the Zoning Ordinance.

Based on the submitted petition and the testimony presented, the proposed conditional use complies with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission adopt the findings included within the Inter-department Group Report, as the findings of the Lombard Plan Commission, and recommend **approval** of PC 10-10 to the Corporate Authorities subject to the following conditions:

1. The personal wireless service facility shall be consistent with the proposed plans prepared by T-Mobile, and dated June 25, 2010.
2. The petitioner shall apply for and receive a building permit for the proposed personal wireless service facility.
3. All materials associated with the personal wireless service facility shall be neutral in color or of a color and material which matches the exterior of the building or structure on which they are mounted.

Respectfully,

VILLAGE OF LOMBARD



Donald Ryan, Chairperson
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO: Lombard Plan Commission HEARING DATE: July 19, 2010

FROM: Department of PREPARED BY: Michael S. Toth
Community Development Planner I

TITLE

PC 10-10: 1150 E. Jackson Street: The petitioner requests that the Village grant a conditional use, pursuant to Section 155.206 (A)(2) of the Lombard Zoning Ordinance, to allow an antenna associated with a personal wireless service facility for the subject property located within the R4 – Limited General Residential District.

GENERAL INFORMATION

Petitioner: Insite RE, Inc (Agent for T-Mobile)
2210 Midwest Road #213
Oak Brook, IL 60523

Property Owner: Jackson Terrace Condominium Association
1150 E. Jackson
Lombard, IL 60148

PROPERTY INFORMATION

Existing Zoning: R4 – Limited General Residential District

Existing Land Use: Multi-family dwellings

Size of Property: 1.6 acres

Comprehensive Plan: Low Density Residential

Surrounding Zoning and Land Use:

North: R2 – Single Family Residential District

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South: R4PD – Limited General Residential District Planned Development, developed ad attached single-family dwellings, known as Cambria
East: Other Municipality, zoned as R-2 Single Family Residential
West: R2 – Single Family Residential District

ANALYSIS

SUBMITTALS

This report is based on the following documents, which were filed with the Department of Community Development on June 7, 2010:

1. Petition for Public Hearing.
2. Proposed site plan, building floor plan, building elevations, and antenna plan, prepared by T-Mobile, and dated June 25, 2010.
3. Response to Standards for Conditional Uses.

DESCRIPTION

T-Mobile is proposing to install a rooftop wireless antenna facility at the Jackson Terrace Condominiums, which is located on the northwest corner of Jackson Street and Addison Avenue. Any personal wireless service facility that does not comply with the associated requirements of the Zoning Ordinance may be authorized only in accordance with the procedures for conditional uses. The subject property is located in the R4 – Limited General Residential District. As personal wireless service facilities are only allowed (as-of-right) in the R5 – General Residence District and R6 – Central Residence District, conditional use approval is required.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

Private Engineering Services has no comments.

PUBLIC WORKS

Public Works Engineering has no comments.

BUILDING DIVISION

The Building Division offers the following comments:

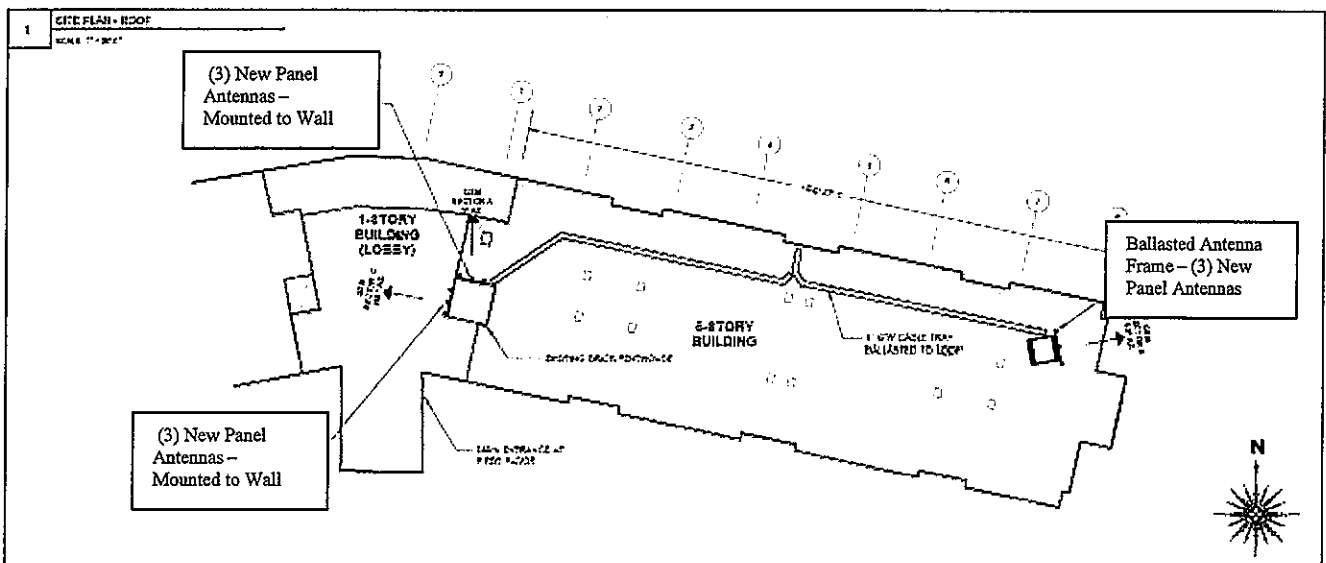
1. No wood fencing is allowed within 15 feet of the building per local ordinance. Draft plan page C1.1 shows wood fencing.
2. Placement of antennae can not be such that it allows people on the roof to walk past the front of the antennae as currently shown on draft plan page C1.1.

FIRE

The Fire Department has no comments.

PLANNING

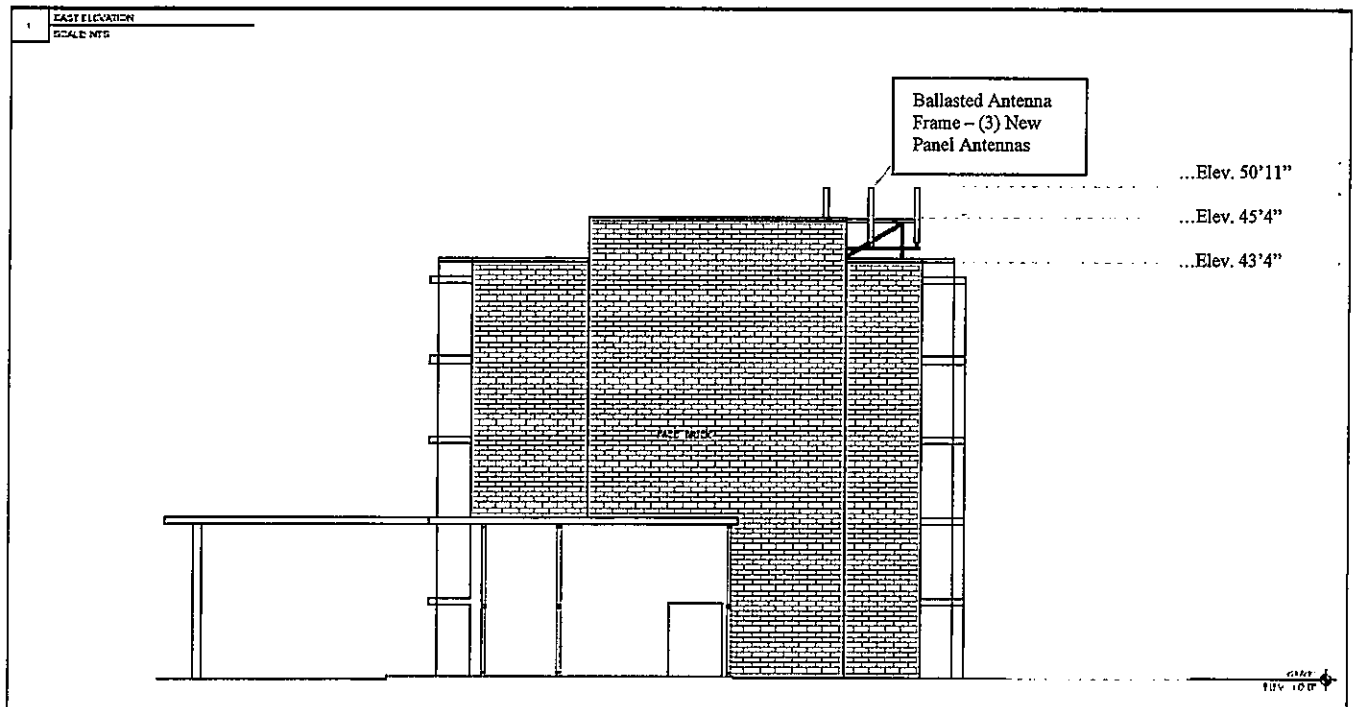
The petitioner is proposing to install three (3) structures with three (3) antenna panels on each structure for a total of nine (9) cellular antenna panels as part of their personal wireless service facilities plan. The proposed antennas are designed to fill a coverage gap in T-Mobile’s network. According to the petitioner, the network operates on a grid system, whereby overlapping cells mesh to form a continuous wireless network. In order to provide wireless coverage within the geographic confines of each cell, a wireless facility must be located somewhere near the center of that cell. If the wireless facility is not located within or near the center or the height of the antennas is inadequate, then coverage gaps exist. The subject property was selected due to the height opportunity of the existing 5-story multi-family building. All nine (9) antennas would be installed on the roof of the five (5) story multi-family dwelling. The subject property is located within the R4 – Limited General Residential District. As previously stated, personal wireless service facilities are only allowed (as-of-right) in the R5 – General Residence District and R6 – Central Residence District.



(Aerial view of the proposed antennas on the existing 5-story multi-family building)

Compliance with the Zoning Ordinance

The proposed personal wireless service facility meets all other requirements of the Zoning Ordinance. More specifically, personal wireless service facilities shall not add more than fifteen (15) feet to the height of the structure. The highest portion of the subject dwelling unit is forty eight feet and two inches (48'2") in height. Only three (3) of the nine (9) antennas will be mounted on a ballasted antenna frame, which will extend seven and a half (7.5) feet above a different portion of roof. Staff notes that the other six antennas will be located on the tallest portion of the building; however, the proposed panels only extend an additional six feet and two inches (6'2") over the highest portion of the building. According to the petitioner, the personal wireless service facility will be designed in a manner that will blend in with the current physical environment of the Jackson Terrace Condominium Complex. Staff also notes that the antennas will be the only appurtenances that will be located on the roof – all other associated equipment will be housed within a leased area on the ground, directly adjacent to the building, and screened by a six (6) foot fence.



(Diagram illustrating building elevation and proposed frame ballasted antenna)

Compatibility with Surrounding Land Uses

As the zoning restrictions are the only cause for needing conditional use approval, staff has examined the subject property in accordance with the surrounding area and pertinent zoning regulations. The subject property is predominantly surrounded by single-family residential properties and attached single-family dwellings. The intent of allowing personal wireless service facilities as-of-right in the R5 – General Residence District and R6 – Central Residence District is largely contributed to the

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height restrictions within those districts. Essentially, the higher the personal wireless service facility is located, the less of a visual impact it will have on adjacent properties. The maximum height restriction in the R5 – General Residence District is five (5) stories or 65 feet, whichever is less and eight (8) stories (or 100 feet) in the R6 – Central Residence District. Conversely, the maximum building height in the R4 – Limited General Residential District is only three (3) stories (or 36 feet). As the multi-family building on the subject property is five (5) stories in height, the height of the structure is similar to that of the height restrictions of the R5 – General Residence District; and, therefore would have a minimal visual impact on the surrounding properties than a standard structure in the R4 – Limited General Residential District. Staff notes that ground mounted antennas (monopoles) are only permissible in the I – Limited Industrial District. The closest I District property is located one-and-a-half (1.5) miles from the subject property, which further demonstrates that a monopole tower is not a practical solution to address a gap in coverage for this area.

Aside from the zoning requirement, the proposed personal wireless service facility meets all other provisions of the Zoning Ordinance. Moreover, the subject property is currently improved with a 5-story multi-family dwelling; therefore, it is more aligned with properties in the R5 – General Residence District and R6 – Central Residence District. Furthermore, staff finds that the proposed personal wireless service facility meets the intent of the Zoning Ordinance. As previously mentioned, the proposed antennas are designed to fill a coverage gap in T-Mobile's network. The Village acknowledges a cellular service issue as residents have voiced a number complaints, more specifically relating to poor cellular service on the east side of the Village.

FINDINGS AND RECOMMENDATIONS

Based on the above considerations, the Inter-Departmental Review Committee has reviewed the standards for conditional uses and finds that the proposal does meet the standards for conditional uses and therefore recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and testimony presented the requested conditional use does comply with the standards required by the Lombard Zoning and, therefore, I move that the Plan Commission adopt the findings of the IDRC Report and recommend to the Corporate Authorities **approval** of the conditional use associated with PC 10-10 subject to the following conditions:

1. The personal wireless service facility shall be consistent with the proposed plans prepared by T-Mobile, and dated June 25, 2010.
2. The petitioner shall apply for and receive a building permit for the proposed personal wireless service facility.

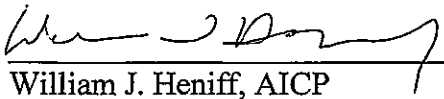
Plan Commission

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3. All materials associated with the personal wireless service facility shall be neutral in color or of a color and material which matches the exterior of the building or structure on which they are mounted.

Report Approved By:



William J. Heniff, AICP
Director of Community Development

MST:jd

att-

c. Property Owner

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ORDINANCE NO. _____

**AN ORDINANCE GRANTING A CONDITIONAL USE PURSUANT TO TITLE
15, CHAPTER 155, SECTION 155.206 (A)(2) OF THE LOMBARD ZONING
ORDINANCE**

(PC 10-10: 1150 E. Jackson Street)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Lombard Zoning Ordinance, otherwise known as Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, the Subject Property as defined below is zoned R4 – Limited General Residential District; and,

WHEREAS, an application has been filed requesting approval of a conditional use pursuant to Section 155.206 (A)(2) of the Lombard Zoning Ordinance to allow an antenna associated with a personal wireless service facility for the subject property located within the R4 – Limited General Residential District; and,

WHEREAS, a public hearing on the forgoing application was conducted by the Village of Lombard Plan Commission on July 19, 2010 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the zoning actions described herein, subject to conditions; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interest of the Village of Lombard to approve the requested zoning actions herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That a conditional use is hereby granted for the property described in Section 2 below and pursuant to Title 15, Chapter 155, Section 155.206 (A)(2) of the Village of Lombard Zoning Ordinance so as, to allow an antenna associated with a

Ordinance No. _____

Re: PC 10-10

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personal wireless service facility for the subject property subject to compliance with the conditions set forth in Section 3 below:

SECTION 2: That this Ordinance is limited and restricted to the properties located at 1150 E. Jackson, Lombard, Illinois and legally described as follows:

THE EAST 55.40 FEET OF LOT 3, AS MEASURED ON THE NORTH AND SOUTH LINES THEREOF AND ALL OF LOTS 4 AND 5 IN JOSEPH S. GIASES SUBDIVISION UNIT NO. 3, OF THE NORTH 176.0 FEET OF THE SOUTH 1499.75 FEET (EXCEPT THE WEST 235.09 FEET AS MEASURED AT RIGHT ANGLES TO THE WEST LINE THEREOF) OF THE EAST ¼ OF THE NORTHWEST ¼ OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID SUBDIVISION RECORDED APRIL 25, 1989 AS DOCUMENT R89-17596, IN DUPAGE COUNTY, ILLINOIS.

Parcel Number: 06-16-118-001

SECTION 3: This ordinance shall be granted subject to compliance with the following conditions:

1. The personal wireless service facility shall be consistent with the proposed plans prepared by T-Mobile, and dated June 25, 2010.
2. The petitioner shall apply for and receive a building permit for the proposed personal wireless service facility.
3. All materials associated with the personal wireless service facility shall be neutral in color or of a color and material which matches the exterior of the building or structure on which they are mounted.

SECTION 4: This Ordinance, upon approval, shall be recorded by the Village with the Office of County Recorder.

SECTION 5: If the construction of the subject conditional use is not substantially underway within one year from the date of granting thereof, and completed within 18 months thereof, then, without further action by the Village Board, the conditional use or authorization thereof shall be null and void.

SECTION 6: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Ordinance No. _____
Re: PC 10-10
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Passed on first reading this _____ day of _____, 2010.

First reading waived by action of the Board of Trustees this _____ day of _____, 2010.

Passed on second reading this _____ day of _____, 2010, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2010.

William J. Mueller, Village President

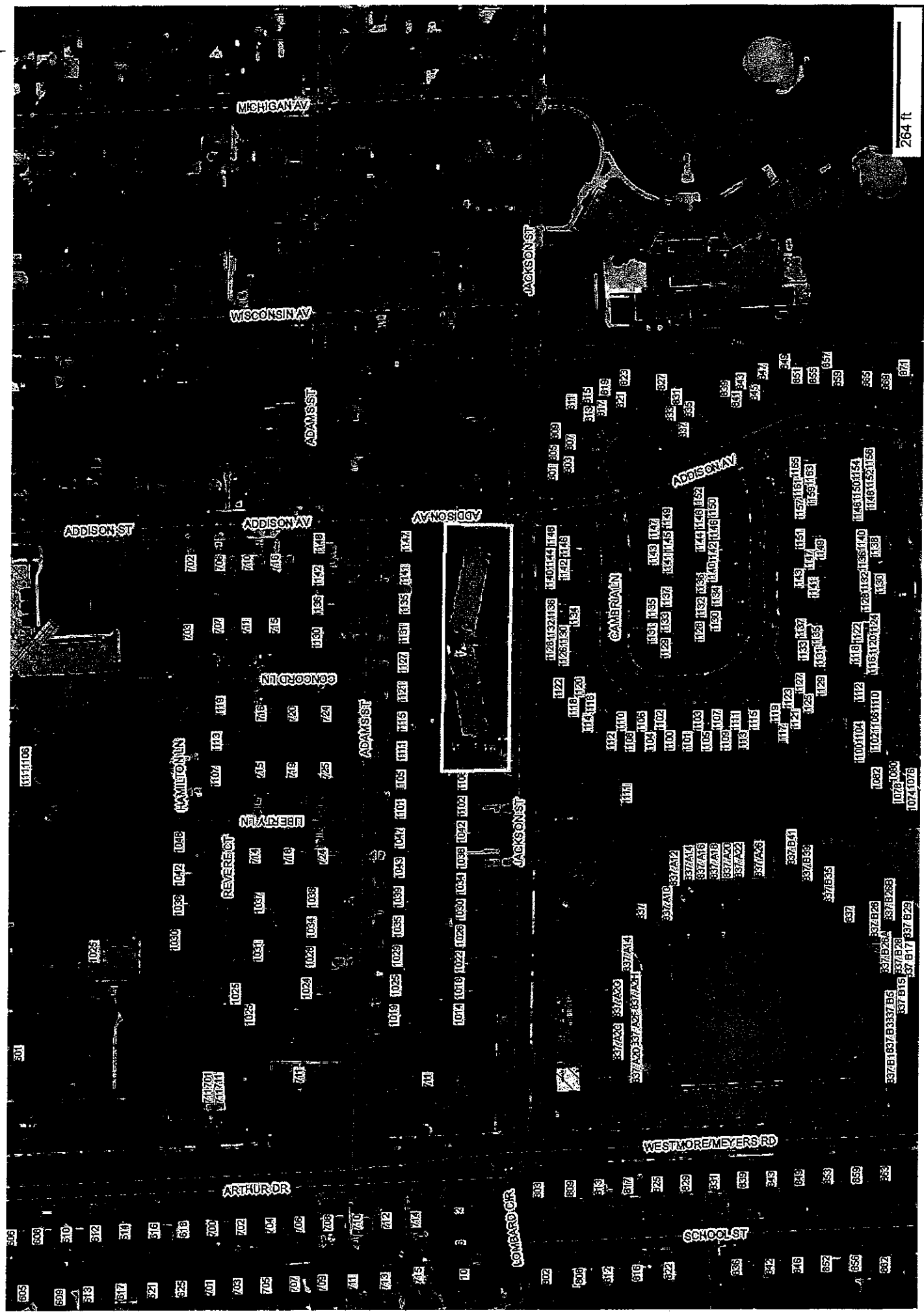
ATTEST:

Brigitte O'Brien, Village Clerk

Published in pamphlet from this _____ day of _____, 2010.

Brigitte O'Brien, Village Clerk

PC 10-10: 1150 E. Jackson St.



264 ft

STATEMENT IN SUPPORT OF APPLICATION

T-Mobile, a federally-licensed wireless provider of communication services, respectfully requests that the Village of Lombard grant approval needed for the installation of the rooftop wireless antenna facility located at the Jackson Terrace Condominiums at 1150 E. Jackson, Lombard, IL, as further described in the submitted Application and its attachments. This request is made under Chapter 155 of the Village of Lombard Code of Ordinances.

PROJECT DESCRIPTION

T-Mobile proposes to install new antennas to the rooftop of the Jackson Terrace Condominiums, a five (5) story building. T-Mobile will locate its related equipment within a new 21'-0" x 6'-4" lease area adjacent to the North wall of the building which will be enclosed by a 6'-0" fence. Access to the roof will be via the interior of the building and a hatch leading to the rooftop. The Jackson Terrace Condominium building is located within the R4 Zoning District.

The design and construction of the Proposed Facility will not create any substantial adverse effect on the public safety. The Proposed Facility will comply with all applicable structural engineering requirements and, if approved, will be reviewed by the Village building department. The Facility will be unstaffed and will typically require one or two visits a month by a service technician. Hence, the Facility will not have a material impact on parking or traffic.

The Facility will be designed and constructed to meet all applicable governmental and industry safety guidelines. T-Mobile will comply with FCC and FAA rules concerning construction requirements, safety standards, interference protection, power and height limitations, and radio frequency standards.

The Proposed Facility is designed to fill a coverage gap in T-Mobile's networks. These networks operate on a "grid" system, whereby overlapping "cells" (geographic wireless coverage areas) mesh to form a continuous wireless network. In order to provide wireless coverage within the geographic confines of each cell, a wireless facility ("cell site") must be located somewhere near the center of that cell. If the wireless facility is not located within or near the center, or the height of the antennas is inadequate, then coverage gaps exist. Coverage gaps result in a weak wireless signal which to the end user means a dropped call or inability to make or receive a call. Given the public's dependency on wireless technology, wireless networks and the cell sites, of which they are made up, are, now more than ever, critical to the safety and well being of the overall population.

Village of Lombard – Conditional Use Standards

T-Mobile hereby incorporates by reference all of the facts and materials contained in this Statement and its attachments into each response set forth below. Without limiting the generality or efficacy of the foregoing, T-Mobile hereby specifically state that the Petition for a Conditional Use Permit satisfies any and all applicable criteria under the Village of Lombard Zoning Ordinance as follows:

VII. STANDARDS FOR CONDITIONAL USES -

- 1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare;*

The granting of the conditional use WILL NOT be detrimental to, or endanger the public health, safety, comfort, morals or general welfare of the community. To the contrary, wireless technology provides vital communications that will be commonly used by local residents, businesses, and emergency personnel for a wide variety of communication needs thereby promoting the general public's health, safety, morals, comfort and overall general welfare.

Over half of all "911" calls are placed on wireless networks. T-Mobile, offers "E-911" service which is particularly helpful in locating users who are unable to articulate their exact location. Accordingly, reliable wireless infrastructure provides wireless service that is an essential part of the community's everyday life including emergency and non-emergency communication needs.

T-Mobile is licensed and regulated by the federal Communications Commission ("FCC"), which imposes strict health, safety, and interference standards. The proposed facility will comply with all rules and guidelines that regulation such installations.

- 2. That the conditional use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair the property values within the neighborhood in which it is to be located;*

T-Mobile has been sensitive in selecting and designing the Proposed Facility so that it DOES NOT negatively impact the permitted uses or enjoyment of the properties in the immediate area. The typical "cell site" is a tower installation, which is much more noticeable than a rooftop antenna application. T-Mobile feels it designed a site that will blend in with the current physical environment of the Jackson Terrace Condominium Complex. By improving the quality of the wireless infrastructure, the proposed site will provide improved wireless service to the many people who live and work near the Jackson Terrace Condominium

building. Improved wireless service offers many community benefits previously discussed.

3. *That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property as permitted in the district;*

As noted, T-Mobile has been sensitive in the selection and design of the Proposed Facility. The granting of the conditional use will not affect the normal and orderly development and improvement of the surrounding area because the Proposed Facility is a very slight alteration of the existing site conditions that will in no way impede the development of surrounding properties. To the contrary, reliable utility networks such as electric, gas, water, and wireless networks are essential to the development of any community.

4. *That the adequate public utilities, access roads, drainage and /or necessary facilities have been or will be provided;*

A wireless facility is unstaffed. The only utilities required are telephone and electricity, both of which are available on site. No drainage, sanitation, refuse removal, parks, library, or school services will be necessary for this facility. This site is entirely self-monitored and connects directly to a central office where sophisticated computers alert personnel to any equipment malfunction or breach of security. Existing police and fire protection are more than adequate to provide security for this facility.

5. *That the adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;*

Typically, once a site is built and operational, it is visited by a technician for routine system checks once or twice a month during normal business hours unless there is an emergency. There will be NO traffic congestion that will result from the sites because typically a single technician visits the Proposed Facility and a single car will not cause traffic congestion in this particular location.

6. *That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan of the Village of Lombard;*

The Proposed Facility is not contrary to the Comprehensive Plan and will in fact improve the quality of life for reasons herein stated with this application. This type of proposed installation is in line with the zoning code in meeting the demands for wireless communications while also maintaining the aesthetics and integrity of the community.

7. *That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recognitions of the Plan Commission.*

The proposed conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recognitions of the Plan Commission. Additionally the facility will comply with all federal, state, and local regulations that govern such a facility except as may be modified by the Plan Commission and/or Village Board of Lombard.

Toth, Michael

From: rchaudhry1@yahoo.com
Sent: Monday, July 19, 2010 11:21 AM
To: Toth, Michael
Subject: Petition PC10-10 for Lombard

Hi Michael,

I'm writing to you in regards to petition #PC 10-10. I am concerned about the proposal of a cell phone antenna being placed at 1150 E. Jackson Street. My concerns are for the structural built and health effects.

I understand that Planning Committee is only interested in hearing the structural built concerns. I've layed out my concerns below to oppose the petition:

1. The tower is going to be across the street from my house in a residential area.
2. The view from my house will be obstructed with this tower. I will not like to look at a metal structure when i'm trying to enjoy the nature and beauty of my and my neighbors landscape.
3. If the tower is built it will decrease my property value along with my neighbors as well. My motive is not to let this happen. I don't think anyone will appreciate looking at or being around a metal structure that gives off radiation waves 24/7 365 day in and out. I sure would not want this for myself or anyone else.

I'm requesting the committee look at my objection for the built of the tower.

I will not be able to attend the meeting in person and would request my email writing be shared with the committee at the hearing.

Very concerned fellow citizen and neighbor.

Regards,
Rubina Hafeez
1140 N. Cambria Ln.

Sent from my iPhone