

August 19, 2010

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.

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.

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 of 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