ORDINANCE 2017-053 FAILED: NOVEMBER 27, 2017

APPROVING A SPECIAL USE PERMIT FOR A CELLULAR COMMUNICATIONS TOWER AT 1300 SOUTH SEVENTH STREET, DEKALB, ILLINOIS (VERIZON WIRELESS).

WHEREAS, the City of DeKalb is a home rule municipality with the power and authority conferred upon it by the Illinois Municipal Code and the Constitution of the State of Illinois; and

WHEREAS, Central States Tower II, LLC (herein referred to as “Petitioner”), representing Verizon Wireless, has petitioned the City of DeKalb for approval of a special use permit for a 140-foot-tall cellular communications antenna to be located at the southeast portion of the property at 1300 South Seventh Street (herein referred to as “Subject Property”), in the “Li” Light Industrial District; and

WHEREAS, pursuant to proper legal notice, a public hearing was conducted by the Planning and Zoning Commission on August 23, 2017, continued to September 20, 2017, continued to October 4, 2017, and continued to November 8, 2017; and

WHEREAS, the City and Petitioner have conducted all required public hearings before the Planning and Zoning Commission of the City of DeKalb for the special use permit for the Subject Property, and have otherwise satisfied all conditions precedent to the adoption of this Ordinance; and

WHEREAS, the City Council has reviewed and adopts the following findings of fact of the Planning and Zoning Commission of the City of DeKalb, finds that the proposed special use permit is in conformance with the applicable factors contained therein, and finds that approval of the special use permit for the Subject Property is in the public interest and promotes the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL of the City of DeKalb, DeKalb County, Illinois, as follows:

Section 1. The recitals set forth in the preamble are hereby incorporated herein by reference and made part of this Ordinance.

Section 2. The Ordinance is limited and restricted to the Subject Property, commonly described as 1300 South Seventh Street, DeKalb, Illinois, 60115 and has a Parcel Identification Number (PIN) of 08-26-326-001.

Section 3. A special use permit for a 140-foot-tall cellular communications antenna is hereby granted for the Subject Property and subject to the conditions listed in Section 4 of this Ordinance.
Section 4. The approval herein is granted subject to the following conditions:

1. The tower and accessory equipment shall comply with the plans dated November 26, 2014 entitled Chicago SMSA Limited Partnership – State HWY 23 and Fairview.

2. The applicant is required to submit the necessary application and plans to the City in compliance with applicable Building Codes and the regulations of Article 7.08 of the UDO.

3. The proposed structure is to be painted a neutral color, preferably gray or sky blue, so that the structure and attached equipment are as visually unobtrusive as possible, unless otherwise specified under Federal Aviation Administration (FAA) regulations.

4. Add landscaping to the west side of the fenced area to meet the requirements of the UDO regarding screening of sides facing public rights-of-way or residential areas.

5. Provide a structural engineer’s report prior to the issuance of building and electrical permits for the antenna. The applicant will present information about the dimensions of the panels to be affixed to the top of the tower, which will be evaluated based on their visual impact on the area. The applicant is strongly advised to consider the use of panels or equipment with narrow profiles that are fabricated/painted to minimize their visual impact on the area.

6. Upon issuance of a special use permit, the applicant shall state in writing that requests by other providers to co-locate their antennae on the applicant’s monopole shall not be unreasonably denied, and shall not require leases/rents beyond the going market rate for such services.

7. Completion of the tower and associated equipment shall be completed and a final certificate of occupancy issued by the City within one year of approval of the special use permit.

8. If the tower and associated equipment is abandoned or discontinued for a period more than six months, the special use permit shall be revoked.

Section 5. All ordinances or portions thereof in conflict with this Ordinance are hereby repealed.

Section 6. Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.
Section 7. That all provisions of the Unified Development Ordinance shall remain in full force and effect and this Ordinance shall take effect upon its passage and approval according to Law. The City Clerk or designee shall record a copy of this Ordinance included herein after execution of this Ordinance.

COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT
September 29, 2017
November 3, 2017 (Updated)

TO: DeKalb Planning and Zoning Commission

FROM: Jo Ellen Charlton, Community Development Director
       Dan Olson, Principal Planner

RE: Special Use Permit for a 140 foot tall Cell Tower (Verizon) – 1300 S. 7th St.
    (Central States Tower II, LLC)

I. GENERAL INFORMATION

A. Purpose
   To obtain a special use permit to construct a 140 foot tall cellular communications antenna to be located at the southeast portion of the property at 1300 S. 7th St.

B. Location
   1300 S. 7th St.

C. Size
   12.93 acres; Lease area – 4,800 sq. ft.

D. Existing Zoning
   “LI” Light Industrial District

E. Existing Land Use
   Industrial Building

F. Proposed Land Use
   No change; Construct 140 foot tall cell tower, associated equipment and access drive

G. Surrounding Zoning and Land Use
   North: LI; Fire station #2, water treatment plant, wholesale, church, residential
   South: LI; AT&T communications tower, industrial, park/ball fields
   East: PD-I; RR, industrial park
   West: SFR2; Single family residences

H. Comprehensive Plan Designation
   Light Industrial
II. APPLICANT'S REQUEST

The applicant, Verizon, and Central States Tower II, LLC, acting as their agent, requests the approval of a special use permit to construct a 140 foot tall cellular communications tower to be located at the southeast portion of the property at 1300 S. 7th St. The proposal will include the construction of an equipment shelter and access drive on a portion of the 12.93 acre site. The lease area (4,800 sq. ft.) and tower location will be on the southeast portion of the site. The property is zoned “LI” Light Industrial District and owned by Hovis Light Industry Park, Inc. Access will be provided from S. 7th St. along the south side of the site via a 12 foot wide asphalt drive.

On August 23, 2017 the Planning and Zoning Commission (PZC) conducted a public hearing regarding the request and approved a motion to continue the public hearing to September 20, 2017 so that additional documentation could be submitted by the applicant and a staff report could be prepared. The approved minutes from the August 23rd meeting are included in the packet.

Prior to the scheduled September 20th PZC meeting, the applicant provided some of the required documentation; however, additional information was still forthcoming. Therefore, on September
On October 2, 2017, the applicant communicated to the City they are requesting continuance of the hearing because the Verizon representative could not attend the October 4th meeting. At their October 4, 2017 meeting, the PZC voted to continue the hearing to November 8, 2017.

Since the October 4, 2017 PZC meeting, the applicant has provided additional documentation including additional information and a co-location protocol for the Taylor Street Plaza building at 507 E. Taylor St.

III. BACKGROUND AND ANALYSIS

Previous Application (2014-16)

The applicant, Central States Tower II, LLC, previously applied for a special use permit in 2014 to locate a 140 foot cell tower at the same location on the subject site. An initial public hearing was held by the PZC on November 12, 2014 and continued two additional times until complete supporting information was provided by the applicant and the possibility of co-locating on the adjacent 300 foot AT&T tower was concluded. At their April 15, 2015 meeting, the PZC voted to deny the special use request based upon the recommendation from staff that the application was still incomplete, the applicant did not honestly convey the ability or opportunity to co-locate on the adjacent AT&T tower and opposition from neighboring residents. The petition was withdrawn by the applicant prior to consideration by the City Council on May 11, 2015.

In July, 2015 the City received correspondence from Verizon Wireless that they desired to co-locate on the adjacent AT&T tower. A special use permit application was subsequently submitted, and on August 26, 2015, the PZC recommended unanimously to approve a special use permit for Verizon to co-locate on the adjacent AT&T tower. The City Council approved the special use permit via Ordinance 2015-038 on September 28, 2015. The applicant submitted plans for a building permit to co-locate on the AT&T tower in December, 2015 and the permit was issued in February, 2016. No work was conducted on the project after issuance of the permit.

Current Application (2017)

The applicant met with City staff in May, 2017 and indicated they are re-applying for a special use permit for a 140 foot tower at the same location because the estimated cost to co-locate on the AT&T tower was extensive and cost prohibitive. The applicant provided an estimate indicating the cost would be almost $440,000 (estimate provided in packet). The costs are related to site preparation, tower remediation, electrical upgrades and project oversight by AT&T. The estimate was prepared by AT&T for Verizon and a representative from AT&T has responded confirming the amount. AT&T provided a response when they received a notification letter from Verizon required per the co-location protocol in the Unified Development Ordinance (UDO). The response from AT&T was submitted by Thomas Wilson, Project Manager for AT&T Towers – Antenna Solutions Group via e-mail on July 20, 2017 and is provided in the PZC packet. The e-mail from
AT&T included a markup of the drawings showing changes they believed would significantly reduce the co-location cost for Verizon from what was listed in the estimate. The e-mail states the two main changes are going from underground utilities to overhead and to add a concrete slab with an adjustable raised platform for Verizon’s equipment shelter instead of removing underground conduit. AT&T could not provide a range on the percentage the cost would be reduced and stated Verizon is responsible for providing the revised estimate. Verizon subsequently did provide an affidavit from a construction engineer at the August 23rd public hearing noting the changes suggested by AT&T would not appreciably decrease the costs of the co-location. It should be noted the UDO does not allow the installation of overhead electrical power lines in these type of situations.

**Cost Analysis for Co-Location on AT&T Tower**

In February, 2016 a cost estimate was prepared by AT&T at Verizon’s request regarding the cost to co-locate on the adjacent AT&T tower. The estimate provided indicates a cost of $439,897, which includes capital costs for AT&T vendors to perform earth work, structural and electrical work, tower remediation and project oversight. The applicant did provide an e-mail (dated June 22, 2017) mentioning that the typical cost to co-locate on any tower is approximately $35,000 and would be the same for the usual AT&T tower as well. The e-mail further stated Verizon’s costs are amplified in the co-location on the adjacent AT&T tower because Verizon would have to pay almost $440,000 in capital costs for tower modifications and a higher monthly rent than normal. The applicant did submit an affidavit at the August 23rd public hearing from a construction engineer for Verizon indicating that the changes suggested by AT&T would not significantly decrease the co-location costs and would still be over $400,000. Since the August 23rd public hearing, the applicant has submitted two detailed cost estimates that were done in 2016 to construct the proposed 140 foot Verizon tower and accessory equipment. The average cost between the two estimates is $171,625. Staff has requested, but AT&T has not provided further changes to the plans for the co-location to reduce the costs or additional detail into why the $440,000 estimate is so much higher than a normal co-location. AT&T has also not responded to several requests to have a representative attend the PZC meetings.

The City had a third party consultant, Pyramid Consulting, review the coverage maps and the cost estimate for the co-location on the AT&T tower along with the plans for the proposed new Verizon tower. They also reviewed the marked up plans that AT&T provided that would reduce the cost of the Verizon co-location. A copy of their report is provided in your packet dated October 25, 2017. The report by Pyramid indicates that the co-location cost between the AT&T Tower and the proposed Verizon Tower should be similar, however the difference appears to be the specialized work (e.g. lead remediation) required by AT&T at the site and cost for general contractor oversight. Pyramid also reviewed the July 20, 2017 e-mail and marked up plans from Thomas Wilson of AT&T indicating that a significant reduction in the cost of the co-location would occur if the changes noted were done. In their report, Pyramid Consulting concurs with the assessment by the RF Engineer with Verizon that the cost would not be significantly reduced and would still be over $400,000.
Pyramid Consulting also reviewed the two estimates provided by the applicant for construction of the new CST tower and accessory equipment. The average cost between the two estimates was $171,625. Pyramid indicates in their report that it appears all the issues are covered in the estimate for the build-out of the site for the Verizon tower. Pyramid also notes the typical co-location costs based upon their experience with other similar towers is about $169,000.

Pyramid also reviewed the coverage maps provided by Verizon. Although there is limited review that can be conducted due to proprietary rights of the maps by cell carries, Pyramid indicates the pre-coverage maps clearly indicate a lack of coverage in the proposed tower area on all four levels (“In-Residence”, “In-Vehicle, “On-Street” and “Marginal Coverage”). They also indicate that improved coverage has been demonstrated by the coverage maps provided.

Pyramid is an Indianapolis based consulting firm that is working on the implementation of DeKalb County’s new digital telecommunications system.

UDO Regulations and Standards for Wireless Communications Equipment

Article 7.08 of the UDO, regulates the placement, design and use of wireless communication equipment. This section of the UDO also stipulates compliance with certain criteria that needs to be demonstrated by the applicant prior to approval of the special use. The criteria is listed in the applicant’s petition submittal along with responses. The applicant has also provided photo simulations indicating how the tower will look from ground level from all directions.

The applicant is indicating there is a need for Verizon wireless service in the area. A summary provided with the petition indicates the area under consideration is a coverage hole know for frequent trouble tickets and customer complaints. The summary continues by noting residences and business in the areas have poor coverage and neighboring cell sites currently covering the area are breaking for capacity. The petition notes the primary objectives for the proposed facility is to provide reliable in-residence coverage in the area and capacity offload to the neighboring sectors serving the area. The applicant has provided maps indicating the existing Verizon cell sites in the DeKalb area and also pre-coverage and post-coverage maps showing how the coverage will be improved around the subject site with the new tower. Updated coverage maps were provided by the applicant since the August 23rd meeting reflecting the coverage for a recently constructed Verizon cell tower at the northeast corner of Annie Glidden Road and I-88. The updated maps are provided in the packet.

IV. STANDARDS OF SPECIAL USE FOR ANTENNA FACILITIES (ARTICLE 7.08.08)

1. Points of Visual Interest Shall Be Protected

The UDO requires “views from residential structures located within 250 feet of the proposed tower
to the following points of interest, shall be protected to the greatest extent possible.”

- Public Open Spaces
- Natural Areas as defined on the Development Plan
- Landmark Structures

There are no residential properties within 250 feet of the proposed tower. The closest residential structure is approximately 730 feet away from the tower so technically there is no visual points of interest that are required to be protected per the UDO. The closest public open spaces is McCormick Park, which is located to the south of the AT&T Tower, and about 900 feet from the proposed Verizon Tower.

The proposed Verizon Tower would be located adjacent to an existing 300 foot communications tower owned by AT&T and which has a larger visual impact on McCormick Park. However, it is recognized that regardless of the applicant’s actions to minimize the visual impacts, there would be another tower added in the viewshed for park patrons and private property owners (see photo simulation images).

2. Methods for Protecting Points of Visual Interest

The UDO requires an applicant to demonstrate how the points of visual interest will be protected. Since there are no residential structures located within 250 feet of the proposed cell tower, this provision does not apply. Should the special use permit be approved, it is recommended that conditions be attached specifying the design and color of the structure, landscaping and associated equipment to minimize any potential negative impacts on the appearance of the surrounding area.

3. Color

Proposed structures are to be a neutral color so that the structure and attached equipment are as visually unobtrusive as possible, unless otherwise specified under Federal Aviation Administration (FAA) regulations. The color has been identified as a natural metal or sky color, which meets this criterion.

4. Height

The UDO stipulates that a proposed cell tower must be no higher than the maximum height restriction of the zoning district in which the property is located plus 15 feet. To exceed this restriction the applicant must demonstrate why an exception would be necessary. The proposed 140-foot tower exceeds the maximum height standard set forth in the ‘LI’ Light Industrial District (max. height 75 feet) by 50 feet. If approved as part of a special use permit, the UDO does allow for additional height on structures if setbacks are increased. The proposed monopole is setback an adequate amount to offset the additional height. The applicant’s documentation and testimony indicates the additional height is needed to adequately serve the area and provide adequate space
for additional cell carriers on the tower.

5. **Setbacks Adjacent to Residential Uses**

Antennas or towers must be setback from any existing adjacent residential property line by a distance equal to the height of the tower. The proposed 140 foot tower is about 710 feet from the nearest residential property line. The setbacks of the proposed tower are sufficient to meet the criterion.

6. **Lighting**

The UDO stipulates that no lighting of the tower is permitted except as required by the FAA. In most cases, the FAA does not require lighting on towers under 200 feet. The applicant had previously submitted Form 7460 to the FAA, and the results of this report have indicated that the FAA approves the tower as proposed. In addition, DeKalb Airport Manager Tom Cleveland has reviewed the plans for the proposed tower and indicates that based upon the tower height, distance from the airport and location in relation to the runways, it would not interfere with airport operations.

7. **Fencing and Security**

The UDO stipulates that communications towers must be enclosed by a fence not less than six (6) feet in height. The site plan submitted in conjunction with the application identifies a six (6) foot high fence to surround the proposed tower and associated equipment.

8. **Landscaping and Screening**

The UDO requires that landscaping be placed outside the required fenced area on sides facing public rights-of-way or residential areas. The plans submitted indicate landscaping along the north and south sides of the proposed fence. Additional plantings will be required for a portion of the west side of the fenced area to meet this UDO requirement.

9. **Noise**

As the proposed structure does not appear to be a source of noise to be monitored and regulated, this criterion does not apply.

10. **Tower Design**

The UDO requires that proposed towers be designed without the use of guy wires or external supports. Proposed is a 140 monopole without any guy wires or supplementary supports, therefore the applicant is meeting this criterion.
11. Co-Location Protocol

Any special use request for the erection of a new tower must complete the co-location protocol as outlined in Article 7.08 of the UDO. A copy of Article 7.08 is provided at the end of the PZC packet. The purpose of the protocol is to create a process that will allow providers to share publicly available nonproprietary information among themselves, with interested agencies and the City. The co-location protocol is designed to increase the likelihood that all reasonable opportunities for co-location have been investigated and that the appropriate information has been shared among the providers. The UDO regulations for co-location protocol also notes “that co-location is preferable, where technologically feasible and visually desirable, as a matter of public policy, but that co-location of antennas by providers is not always feasible for technical or business reasons.”

Per the co-location protocol, the applicant has contacted the other providers (AT&T, T-Mobile, Sprint, and Cricket) in the area noting their intent to construct a tower along S. 7th St and if the other providers had co-location opportunities. The applicant provided the mailing receipts and copies of the letters that were sent to the other providers. Only one of the providers contacted noted an opportunity for co-location and that was from AT&T regarding the adjacent 300 foot tower to the south of the proposed Verizon tower.

Per the UDO, if a response to a co-location request is received by the applicant indicating an opportunity for co-location, the applicant shall analyze and investigate the feasibility based upon criteria listed in the UDO. Those criteria include if service can or cannot be provided by co-location at the site, evidence that the lessor either agrees or disagrees to co-location on their site and evidence that adequate access does or does not exist at the possible co-location site.

The co-location protocol is designed to ensure that the blight of multiple duplicative towers is minimized or mitigated to the greatest extent possible. However, neither the City nor the applicant has the ability to force or compel co-location with an unwilling existing tower owner. The City and the applicant have reached out to AT&T and attempted to negotiate the colocation of facilities here, but AT&T has persisted in bringing forward a cost that is a several times multiple of the cost of new tower construction. While this has been a challenging, multiyear process, the applicant appears to have complied with the intent of the colocation protocol in regards to the AT&T tower and exhausted reasonable colocation possibilities to provide service to the intended area.

The Taylor Street Plaza building is a 16-story building located at 507 E. Taylor St. and about .65 miles from the proposed Verizon tower. The building is owned by the Housing Authority of the County of DeKalb and has three cell carriers on the roof of the structure. The Housing Authority has indicated via an e-mail dated September 5, 2017 that there is an opportunity for Verizon to locate on the building (e-mail provided in the packet). The staff has raised the question of using the Taylor Street Plaza building before and the applicant responded via an affidavit provided at the August 23rd public hearing that the building “was never considered since it is very close to an existing Verizon cell site.” Staff has asked the applicant to provide more detail into the reason the site cannot be used and conduct a co-location protocol for the building. The applicant has provided
a response that indicates that 507 E. Taylor Street was never considered since it is very close to an existing Verizon cell site. The applicant also provided search ring maps where service is needed and the location of the 507 E. Taylor Street building is .5 miles from edge of the search ring. The applicant’s e-mail states “therefore would not meet the RF engineering criteria for the placement of a new cell”, and accordingly no effort was made to investigate this location. Although the co-location protocol in the UDO only states that it is required from other “providers rendering service in the area”, the applicant has provided the co-location protocol for the Taylor Street Plaza building, which is owned by the Housing Authority and leases space to cell providers. As with the AT&T Tower, the City cannot force a cell provider to co-locate on the Taylor Street Plaza building if they do not wish to do so.

A Verizon RF Engineer will be in attendance at the November 8th PZC meeting to answer any questions.

V. STANDARDS OF SPECIAL USE (ARTICLE 14.03.05)

1. The proposed special use complies with all provisions of the applicable district regulations.

The proposed tower and antenna is in compliance with the regulations of Article 7.08 of the UDO and the “LI” Light Industrial District, except for additional landscaping needed along the west side of the fenced area, which is made a part of the condition of approval.

2. The proposed special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or to the public welfare at large.

The closest residential structure is approximately 730 feet away from the proposed Verizon tower. There is an existing 300 foot tall AT&T tower to the south of the subject site and is approximately 300 feet away from the nearest residential structure along S. 7th St. For comparison purposes, a recently installed 190 foot tall cell tower behind the DeKalb Police Station along W. Lincoln Highway is approximately 300 feet away from the nearest residential structure. The proposed cell tower will be situated behind the building on the subject site and further away from the residential area than the adjacent 300 foot tall AT&T communications tower.

Several nearby residents spoke at the August 23, 2017 public hearing and submitted comments noting objections to the proposed tower and that it would be injurious to the neighborhood. However, no documentation was provided at the public hearing showing how or to what extent the proposed special use would be detrimental to property values in the surrounding area. Records from DeKalb County indicate assessments of residential properties in the area along S. 7th St. have gone up in the past years despite the presence of the existing AT&T tower.

3. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to
streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations.

The surrounding areas is already developed with commercial, industrial, institutional and single-family residential uses. A 300 foot communications tower has existed on the property to the south for several decades. The special use will not dominate the immediate area and will not prevent development on the neighboring properties.

4. Adequate utility, drainage and other such necessary facilities have been or will be provided.

Adequate public services are already provided to the subject site. Power for the proposed cell tower will come from an existing utility line along S. 7th St. A 12 foot wide asphalt drive will be provided to the lease area from the existing paved parking lot on the subject site.

5. The proposed use, where such developments and uses are deemed consistent with good planning practice, or can be operated in a manner that is not detrimental to the permitted developments and uses in the district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; shall in all other respects conform to the applicable regulations of the district in which it is located; and is deemed essential or desirable to preserve and promote the public health, safety and general welfare of the City of DeKalb.

The proposed special use will provide enhanced cell service to the surrounding area and was identified by the applicant as an area that is needed to provide adequate coverage relief to the areas in the southeast portion of the City including the I-88 corridor. The applicant’s documents also indicate that the new tower will improve in-building and in-vehicle coverage for the area and provide capacity relief in the area to improve data speed. The proposed tower and lease area will accommodate the co-location of three additional cell providers, which will reduce the possibility of new cell towers being constructed in the area.

Testimony provided at the public hearing from nearby residents who have Verizon service indicated no problems with their service in the area. Occupants of the building on the subject site reported poor in-building cell service at the hearing. Staff has requested from the applicant any reports indicating the number of customer complaints of Verizon cell service in the 7th St. area, however no documentation was provided. The City cannot base a decision upon the perceived impacts of RF Emissions and electromagnetic health effects. Towers are required to be installed in accordance with FCC guidelines for human exposure to radio frequency (RF) fields.

VI. CITIZEN INPUT

To date, there have been nine correspondence from surrounding property owners/residents
indicating their opposition to the proposal and three correspondence noting their support for the proposal have been received and are made part of the record. The correspondence were provided in the PZC packet for the August 23rd meeting and provided again in the November 8th PZC packet. Also included in the packet is a correspondence from a resident, Donna Larkin, who submitted an e-mail dated September 18, 2017 indicating a request for the extension of the public hearing from September 20th to October 4th be denied. Documents submitted at the August 23rd hearing from resident David Lehman was also included in this packet.

VII. CONCLUSIONS AND RECOMMENDATIONS

The challenge with the request is that applicant (Central States Tower) is not the telecommunications provider. There is no incentive for the applicant to co-locate Verizon on another tower or building. However, there are limited opportunities for co-locating an antenna on an existing structure on the southeast side of DeKalb near the industrial parks where the majority of the underserved area is located.

The desired outcome for everyone in 2015 when the special use permit was approved for the co-location on the AT&T tower has been held up by the unusually high cost to do the co-location. As noted in this report, AT&T has not provided further changes to the plans for the co-location to significantly reduce the costs or provide more detail into why the $440,000 estimate is so much higher than a normal. In addition, AT&T has not responded to several requests to have a representative attend the Commission meetings to address questions.

If the Commission desires to approve the special use a sample motion has been prepared. In addition, staff recommends certain conditions be placed on the approval of the special use permit (listed at bottom of page and on next page).

If the Commission wishes to deny the special use request, it must be per the requirements of Article 7.08 of the UDO and the findings of fact for a special use in Article 14. Separate findings would have established by the PZC to recommend denial of the request.

Sample Motion to Approve:

Based upon the submitted petition and testimony presented, I move that the Planning and Zoning Commission forward its findings of fact and recommend to the City Council approval of a Special Use Permit for a 140 foot tall cellular communications antenna and accessory equipment to be located on the subject property located at 1300 S. 7th St. subject to the following:

1. The tower and accessory equipment shall comply with the plans dated November 26, 2014 entitled Chicago SMSA Limited Partnership – State HWY 23 and Fairview.

2. The applicant is required to submit the necessary application and plans to the City in compliance with applicable Building Codes and the regulations of Article 7.08 of the
The proposed structure is to be painted a neutral color, preferably gray or sky blue, so that the structure and attached equipment are as visually unobtrusive as possible, unless otherwise specified under Federal Aviation Administration (FAA) regulations.

Add landscaping to the west side of the fenced area to meet the requirements of the UDO regarding screening of sides facing public rights-of-way or residential areas.

Provide a structural engineer’s report prior to the issuance of building and electrical permits for the antenna. The applicant will present information about the dimensions of the panels to be affixed to the top of the tower, which will be evaluated based on their visual impact on the area. The applicant is strongly advised to consider the use of panels or equipment with narrow profiles that are fabricated/painted to minimize their visual impact on the area.

Upon issuance of a special use permit, the applicant shall state in writing that requests by other providers to co-locate their antennae on the applicant’s monopole shall not be unreasonably denied, and shall not require leases/rents beyond the going market rate for such services.

Completion of the tower and associated equipment shall be completed and a final certificate of occupancy issued by the City within one year of approval of the special use permit.

If the tower and associated equipment is abandoned or discontinued for a period more than six months, the special use permit shall be revoked.
CITY OF DEKALB

CHAPTER 23:
UNIFIED DEVELOPMENT ORDINANCE

ARTICLE 7
SUPPLIMENTAL DISTRICT REGULATIONS

SECTION 7.08
ANTENNA AND SATELLITE DISH REGULATIONS
(WIRELESS COMMUNICATIONS ORDINANCE)

[ORD 1997-067]

PETITIONER’S SECOND FORMAL RESPONSE TO

SECTION 7.08.09 (4)

SUBMITTED BY:
RICHARD CONNOR RILEY
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(312) 953-5664
SECTION 7.08.09 (4)

4. Applicant’s Duty to Analyze the Feasibility of Co-location
   If a response to a co-location request letter is received by an applicant indicating an opportunity for co-location, the applicant shall analyze the feasibility of co-location. This analysis shall be submitted with an application for any support structure.

RESPONSE: CENTRAL STATES TOWER HAS RECEIVED NO FORMAL RESPONSES TO THE CO-LOCATION LETTER SENT TO ALL CARRIERS PURSUANT TO SECTION 7.08.09 (3). THEREFORE, THE APPLICANT, CENTRAL STATS TOWER HAS MET THE REQUIREMENTS OF SECTION 7.08.09 (4).

SECTION 7.08.09 (4) DOES NOT ADDRESS NOR AUTHORIZE THE CITY TO REQUEST CO-LOCATION INFORMATION REGARDING OTHER SITES NOT OWNED BY EXISTING CARRIERS.

ALSO, THE FCC, IN WT DOCKET NO. 13-238; 11-59; & 13-32 REPORT AND ORDER: IN THE MATTER OF ACCELERATION OF BROADBAND DEPLOYMENT BY IMPROVING WIRELESS FACILITIES SITING POLICIES (FEDERAL COMMUNICATIONS COMMISSION 2014) MAKES CLEAR THAT MUNICIPALITIES HAVE THIRTY (30) DAYS FROM THE DATE OF APPLICATION (MAY 26TH, 2017) TO REQUEST ADDITIONAL INFORMATION IN ORDER TO DEEM APPLICATIONS COMPLETE. ADDITIONALLY, THE MUNICIPALITY CAN ONLY REQUEST INFORMATION SPECIFYING THE CODE PROVISION, ORDINANCE, APPLICATION INSTRUCTION, OR OTHERWISE PUBLICLY-STATED PROCEDURES THAT REQUIRE THE INFORMATION TO BE SUBMITTED.
THE CITY OF DEKALB HAS FAILED TO REQUEST ANY ADDITIONAL INFORMATION WITHIN THE THIRTY (30) DAY PERIOD, AND HAS REQUESTED INFORMATION OUTSIDE OF THE SCOPE OF AND NOT SUPPORTED BY THEIR ORDINANCES.

NOTWITHSTANDING THESE FAILURES ON THE PART OF THE CITY, CENTRAL STATES TOWER HAS COOPERATED WITH CITY REQUESTS AS FOLLOWS:

1. DAN OLSEN IN AN AUGUST 17TH EMAIL MADE THE FOLLOWING REQUEST; “Was the Taylor Street Plaza Building (507 E. Taylor Street) considered for co-location?”

RESPONSE: Trisha H. Bhuyan, a Radio Frequency Engineer employed by Verizon Wireless responded in a notarized Affidavit dated August 22nd 2017 as follows: “507 E. Taylor Street was never considered since it is very close to an existing Verizon cell site.”

2. Dan Olson, in a September 27th Email again made the following request: namely, “We are looking for more detail regarding the co-location possibilities at the Taylor St. Plaza building”.

1) RESPONSE: See attached 507 E. TAYLOR ST. AND PROPOSED VERIZON WIRELESS FACILITY ANALYSIS that depicts the search ring for the proposed Wireless Facility and the relative location of the 507 Taylor Street building in relation to the proposed location. This document reveals that the 507 E. Taylor St. building is .07 miles from our current site and therefore would not meet the RF engineering requirements for the placement of a new cell.
2) RESPONSE: See attached ORIGINAL SEARCH RING AND 507 EAST TAYLOR STREET ANALYSIS that depicts the original Search Ring and the relative location of the 507 Taylor Street building. This document reveals that the 507 E. Taylor street building is 0.5 miles from the edge of the Search Ring and therefore would not meet the RF engineering criteria for the placement of a new cell. Accordingly, no effort would be made to investigate this location.

The investigation of the feasibility of co-location shall be deemed to have occurred if the applicant submits all of the following information:

WITH REGARD TO THE 507 E. TAYLOR STREET BUILDING:

a. A statement from a qualified engineer indicating whether the necessary service can or cannot be provided by co-location at the possible location site;

RESPONSE: No, the necessary service cannot be provided by co-location at the 507 E. Taylor street building location as it too far removed from where the proposed wireless facility must be located in order to meet the RF Engineering requirements. [Note: testimony by a qualified RF Engineer will affirm this statement]
b. Evidence that the lessor of the possible co-location site either agrees or disagrees to co-location on their property;

RESPONSE: not known, not investigated, and not relevant as the 507 E. Taylor street building would not meet the RF engineering requirements as it was located too far from the search ring and from where the proposed wireless facility had to be located.

c. Evidence that adequate access does or does not exist at the possible co-location site to accommodate needed equipment and meets all of the site development standards.

RESPONSE: not known, not investigated, and not relevant as the 507 E. Taylor street building would not meet the RF engineering requirements as it was located too far from the search ring and from where the proposed wireless facility had to be located.

d. Evidence that adequate access does or does not exist at the possible co-location site.

RESPONSE: not known, not investigated, and not relevant as the 507 E. Taylor street building would not meet the RF engineering requirements as it was located too far from the search ring and from where the proposed wireless facility had to be located.
5. Result of Co-location Feasibility Analysis
If the applicant has provided information addressing each of the criteria in Section 7.08.09.04 above, the co-location protocol shall be deemed complete.

RESPONSE: CENTRAL STATES TOWER RECEIVED NO FORMAL RESPONSES TO THE CO-LOCATION LETTER SENT TO ALL CARRIERS PURSUANT TO SECTION 7.08.09 (3). THEREFORE, THE APPLICANT, CENTRAL STATES TOWER HAS MET THE REQUIREMENTS OF SECTION 7.08.09 (4).

SECTION 7.08.09 (4) DOES NOT ADDRESS NOT AUTHORIZE THE CITY TO REQUEST OTHER CO-LOCATION SITES NOT OWNED BY EXISTING CARRIERS.

NOTWITHSTANDING THAT THE CITY HAS NOT TIMELY REQUESTED THIS CO-LOCATION INFORMATION REGARDING THE 507 E. TAYLOR STREET BUILDING, CENTRAL STATES TOWER HAS COOPERATED IN PROVIDING PROOF THAT THE 507 E. TAYLOR STREET BUILDING WOULD NOT WORK FROM A RF ENGINEERING PERSPECTIVE.
AS the Google measuring tool depicts, the 507 E. Taylor Street building is 0.7 miles away from where a Wireless Facility is needed.
ORIGINAL SEARCH RING AND 507 EAST TAYLOR STREET ANALYSIS
October 25, 2017

Dan Olson, Principal Planner
City of DeKalb
200 S. 4th Street
DeKalb, IL 60115
E-mail: dan.olson@cityofdekalb.com

RE: Review of Verizon Co-Locations at 1300 S. 7th St.
DeKalb, Illinois

Dan,

The following is a report concerning Plans for Verizon Tower at 1300 S. 7th St.
DeKalb, Illinois. Pyramid reviewed the following for this report:

1. CST Documents (cover letter dated 7/17/17)
2. AT&T cost issues dated 2/24/16
3. CST Petitioner’s responses
4. Verizon Coverage Maps
6. WT Communications Design Group construction documents dated 5/28/14
7. Ronald J. Pauly affidavit dated 8/22/17
8. Trisha H. Bhuyan affidavit dated 8/22/17
9. Two Verizon Estimates (Mercury & Tyler/Kutz) for CST Tower location dated 3/16/16

It appears that there are two options presented for the Verizon antennas: the existing AT&T tower or a new CST monopole tower. This review will look at two issues:
1. Propagation from each site
2. Cost issues at each site

Propagation from each site:

There are two sets of coverage maps that have been reviewed as part of this document. The frequencies and program utilized for the propagation modeling are most likely proprietary and not part of this review. There are four levels of coverage included in the reviewed maps: “In-Residence”, “In-Vehicle”, “On-Street” and “Marginal Coverage”. The pre-coverage maps clearly indicate a lack of coverage in the proposed tower area on all four levels. The proposed coverage with antennas at 125’ indicated complete coverage On-Street and substantial
increases in coverage for In-Vehicle and In-Residence. There is no difference between the two locations - existing AT&T tower and new CST tower.

Since the City of DeKalb is most likely interested in the better coverage by several vendors within the city limits, the proposed Verizon antenna systems on 7th Street will allow the vendor to assume better propagation in this area. The improved coverage has been demonstrated in the coverage maps provided. There is no difference in propagation by installing the Verizon antennas on the existing AT&T tower or a new third-party monopole structure at the proposed location.

**Cost issues at each site:**

As part of this review, two cost issues were reviewed related to the existing AT&T site (co-location) and the new proposed CST tower. The two costs issues are (1) the cost to co-locate at the existing AT&T tower and (2) the cost to co-locate at the proposed new CST tower.

**Co-location on AT&T site**

Submitted overall costs = $439,897

Review of this cost is limited to the estimate sheets dated around February 24, 2016. The following conclusions include:

1. Existing tower is around 290’, which is much greater than the 125’ level at which the Verizon antennas will be installed.
2. There are details lacking for the GPD Group cost of $252,022. GPD is the general contractor for the work at the AT&T tower provided by AT&T.
3. The cost of lead remediation is not known.
4. The “value engineering” provided by Thomas Wilson around July 20, 2017 indicates a possible significant reduction in the proposed cost of $439,897. The follow-up from Ron Pauly, Verizon Engineer, indicates that the work would still be over $400,000. Mr. Pauly is correct, since it appears that the cost issues from AT&T are not site-related, but rather tower-related. A cost comparison of a typical co-exist scenario is included below.
5. The AT&T tower has very limited antenna systems currently located on it. There appear to be no structural upgrades required for the installation of the Verizon antenna systems.
6. Typical co-existing costs should be similar based on either location. The difference appears to be specialized work required at the AT&T tower (lead remediation) and the GPD costs of $252,022.

**Co-locate on proposed new CST tower:**

Submitted overall costs = $171,625
Review of this cost is limited to the estimate sheets from Verizon’s vendors, Mercury Communications and Tyler/Kutz. The following conclusions include:

1. It appears that all the issues are covered for build-out of the site for the Verizon antennas on the CST tower.
2. The difference in costs between the two vendors is less than 3%.

Cost Comparison between the two co-location sites:

1. Typical co-existing costs should be similar based on either location. The difference appears to be specialized work required at the AT&T tower (lead remediation) and the GPD costs of $252,022.
2. There is a $268,272 cost difference between the AT&T site and CST site. The unknown details of the GPD and lead remediation may account for $230,000 in additional cost issues not included in the CST site.
3. Typical co-location costs are as follows:
   - Typical steel platform = $35,000
   - Typical antenna structure = $30,000
   - Typical electrical = $35,000
   - Typical cabinets = $10,000
   - Typical engineering = $3,000
   - Typical management = $15,000
   - Typical asphalt work = $10,000
   - Typical landscaping = $3,000
   - Typical secured area = $8,000
   - Typical civil work = $10,000
   - Typical general conditions = $10,000
   - **Total anticipated cost** = **$169,000**

The above costs are based on other sites that Pyramid has been involved with, as well as industry standards. On-site power generation is not included in the above cost, but a uninterrupted power supply (UPS) is included. The cost does not include the antennas, but does include the ladder, ice-bridge, and structure for the antennas.

There are two costs related to co-location: (1) time installation costs, which have been compared in this document, and (2) the lease rate for locations of the antennas on the tower. The cost for the lease is dependent on the antenna mounting locations on the tower; higher mounting translates to higher rental cost. At 125’ on either location in this area, rental ranges from $28,000 to $35,000 per year. There was no review of the lease rates, since none have been provided.

Attached is a brochure for Pyramid Consulting. Pyramid specializes in public safety radio frequency (RF) projects. Our staff includes RF specialists, licensed architects & engineers, as well as project management personnel for construction of RF sites. This review was completed by the following staff members at Pyramid:
• Terry Burnworth, President (RF engineering)
• Don Flick, Registered Architect
• Todd Durnil, Construction Project Manager

Pyramid reviewed the documents as indicated above, visited both potential sites, and conducted an interview with Dan Olson at the City of DeKalb. Pyramid completed the review in an objective manner with the information provided. Pyramid does not employ any personnel that have worked for the vendors (Verizon, AT&T, and CST) and/or their associates.

If you have any questions, please contact me by one of the following methods.
   Email: tburnworth@pyramidarch.com
   Mobile: 317-979-6984
   Office: 317-396-9426.

Sincerely,

[Terry L. Burnworth, President]
PYRAMID Consulting Services &
PYRAMID AE & CA, Inc.
The Planning and Zoning Commission held a Meeting on August 23, 2017 at the City of DeKalb Municipal Building, 200 S. Fourth St., DeKalb, Illinois. Chair Atherton called the meeting to order at 6:20 PM.

A. ROLL CALL

Brenda Hart called the roll. Planning and Zoning Commission members present were Vicki Buckley, David Castro, Jerry Wright and Chair Christian Atherton. Members absent were Katharina Barbe, Matthew Crull and Deborah Nier.

City staff present were Community Development Director Jo Ellen Charlton, Principal Planner Dan Olson, and Recording Secretary Brenda Hart.

B. APPROVAL OF THE AGENDA

Chair Atherton requested a motion to approve the August 23, 2017 agenda as presented. V. Buckley motioned to approve the agenda, D. Castro seconded the motion, and the motion was approved by unanimous voice vote.

C. PUBLIC PARTICIPATION (Open Floor to Anyone Wishing to Speak on Record)

None

D. APPROVAL OF MINUTES

None

E. NEW BUSINESS

1. **Public Hearing** on a petition by Central States Tower II, LLC, represented by Richard Connor Riley, for approval of a Special Use Permit for a 140 foot tall cellular communications antenna to be located at the southeast portion of the property at 1300 South Seventh St., DeKalb, Illinois.

PETITIONER PRESENTATION

The applicant, Mr. Richard Riley, representing Central States Tower II, LLC, gave a detailed accounting of the history from 2014 to present of Verizon’s pursuit of a special use permit for the proposed Verizon tower at the subject site. He went through the requirements of the City for cell towers per the Unified Development Ordinance (UDO) and detailed how Central States Tower has met those requirements.
Mr. Riley said the proposed cell tower is needed to provide Verizon adequate coverage to the surrounding area as almost everyone uses wireless now instead of landlines. Wireless systems are sophisticated in that if a call is dropped, it’s recorded which indicates where a greater need for service is. Mr. Riley displayed a map indicating how the area of coverage would expand with the new tower. He then discussed other existing towers and buildings where they have antenna and the possibility of co-locating on those. With each tower and building discussed there was a reason it wasn’t feasible, including the coverage isn’t where the need is or it wouldn’t provide the capacity needed.

Mr. Riley provided affidavits from Trisha H. Bhuyan, a Radio Frequency Engineer and Ronald J. Pauly, a Principal Construction Engineer, both employed by Verizon Wireless. The affidavits made statements regarding construction and cost details of the co-location on the adjacent AT&T Tower and the feasibility of using one of Verizon’s other towers to increase service coverage to the area along S. 7th St.

Mr. Riley showed a site plan detailing the fall zone for the proposed tower and the proposed landscape screening. He said the trees along 7th Street would provide coverage and would block the view of the tower. He showed photo simulations of the proposed tower from all directions noting the tower is non-obtrusive.

Mr. Riley listed the City’s zoning requirements for cell tower placement noting that 1300 S 7th Street is zoned “LI” Light Industrial District, which allows for more intense uses than the commercial districts. He said cell towers fit well within the “LI” District. Mr. Riley read the allowed uses of the “LI” District and noted there is no mention of cell towers until Article 7 of the UDO, which requires a special use permit for such a use. He went through the list of considerations and conditions: setbacks, color, height, lighting, fencing, noise, design and the co-location protocol. He noted they mailed letters to all the other carriers for possibilities of co-location and sent a second one to AT&T. Mr. Riley provided copies of the letters to the City. He stated the proposed antenna meets all requirements and told how costly and time consuming this process has been and asked the Commission to make a finding that Central States Tower has done their due diligence in all aspects. He noted the height of the tower will be 140 feet and will hold 3 other carriers. Mr. Riley added the maximum height allowed for the tower per the UDO is 15’ over the max height allowed which is 75 feet. He noted, however, the UDO allows increased height of structures for additional setbacks, which they meet.

Mr. Riley noted they submitted plans to AT&T for the colocation at their existing tower at 1500 S. 7th St. after they received their approval from the City. The estimate prepared by AT&T (dated February 24, 2016) indicated the cost for Verizon to co-locate on their tower would be $439,897.00, which was cost prohibitive for them. He noted the typical cost to co-locate on another tower is $100,000 to $125,000. Mr. Riley added the revisions mentioned by Thomas Wilson of AT&T (e-mailed dated July 20, 2017) would not result in a big change in costs and still would be over $400,000.00 as indicated on the provided affidavit from the construction engineer from Verizon. Mr. Riley made note
the tower presently to the south at 1500 S 7th Street is an AT&T landline tower saying he has never seen wireless co-location on a landline based tower.

Mr. Riley noted Central States Tower was very careful in their search of an appropriate site. In their opinion 1300 S 7th Street is an excellent location and meets the requirements of a special use per the UDO:

- The tower sits 750’ from the street and behind a building.
- The tower will increase values of the surrounding area because connectivity will improve.
- The 140’ tower is designed for three additional future co-locates.
- The tower is compatible with neighboring uses.
- The tower is the least aesthetically intrusive design, a mono-pole.
- Traffic into and out of the site will be minimal, approximately once a month. There will be no staffing, no impact to noise nuisances.
- There is no airport in close proximity to the proposed site.

Additional benefits:

- Public Safety – Providing good cell coverage supports the general welfare of the residents of the City of DeKalb.
- This tower will ensure good cell service to the area. Businesses won’t relocate to areas that have poor wireless service.

STAFF REPORT

Dan Olson, Principal Planner, noted the applicant Verizon, and Central States Tower II, LLC, acting as their agent, requests the approval of a special use permit to construct a 140 foot tall cellular communications antenna to be located at the southeast portion of the property at 1300 S. 7th St. The proposal will include the construction of an equipment shelter and access drive on a portion of the 12.93 acre site. The lease area (4,800 sq. ft.) and tower location will be on the southeast portion of the site. The property is zoned “LI” Light Industrial District and the property owner is Hovis Light Industry Park, Inc. Access will be provided from S. 7th St. along the south side of the site via a 12 foot wide asphalt drive.

Mr. Olson also mentioned the applicant previously applied for a special use permit in 2014 to locate a 140 foot cell tower at the same location on the subject site. An initial public hearing was held by the Planning and Zoning Commission on November 12, 2014 and continued two additional times until complete supporting information was provided by the applicant and the possibility of co-locating on the adjacent 300 foot AT&T tower was concluded. At the April 15, 2015 the Commission voted to deny the special use request based upon the recommendation from staff that the application was still incomplete, the applicant did not honestly convey the ability or opportunity to co-locate on the adjacent AT&T tower and opposition from neighboring residents. The
petition was withdrawn by the applicant prior to consideration by the City Council on May 11, 2015.

Mr. Olson added that in July, 2015 the City received correspondence from Verizon Wireless that they desired to co-locate on the adjacent AT&T tower. A special use permit application was subsequently submitted, and on August 26, 2015, the Commission recommended unanimously to approve a special use permit for Verizon to co-locate on the adjacent AT&T tower. The City Council approved the special use permit via Ordinance 2015-038 on September 28, 2015. The applicant submitted plans for a building permit to co-locate on the AT&T tower in December, 2015 and the permit was issued for the work in February, 2016. No work was conducted on the project after issuance of the permit. The applicant met with City staff in May, 2017 and indicated they are re-applying for a special use permit for a 140 foot tower at 1300 S. 7th St. because the estimated cost to co-locate at the AT&T tower was extensive and cost prohibitive. The applicant provided an estimate indicating the cost would be almost $440,000 which was decided to be too great a cost.

City Attorney Dean Frieders responded to two points made by Mr. Riley. 1.) The affidavits submitted by Mr. Riley are not too meaningful because the professionals who wrote the affidavits are not in attendance and cannot be cross-examined. 2.) It was stated there is not an airport within close proximity to the site. It was noted the DeKalb Municipal Airport is to the northeast of the site.

PUBLIC PARTICIPATION

Chair Atherton opened the floor for public comment.

Mr. David Lehman - 621 Karen Ave– Mr. Lehman spoke in opposition to placing the tower at 1300 S 7th Street. He expressed his concern and said his opinion is they have not provided adequate documentation to co-locate on the AT&T tower nor has Central States Tower shown a good faith effort by following DeKalb’s Unified Development Ordinance protocol on co-location. Mr. Lehman reviewed the history of the Planning and Zoning Commission meetings in which Central States Tower was pursuing a special use permit. He noted AT&T has shown that it is possible to co-locate on their tower. Mr. Lehman reiterated his objection to the placement of a new tower considering it to be unnecessary and undesirable for the surrounding residents. He posed several questions to Mr. Riley, which were answered. Mr. Riley noted Verizon deals directly with AT&T on the co-location issue, not Central States Tower. Mr. Lehman requested a representative from Verizon attend the next PZC meeting.

Patrick Fagan - 3700 Pebblebeach Ct., 4th Ward Alderman – Mr. Fagan said he feels a responsibility to add to the conversation. He indicated he met with the building owner, Mr. Hovis, and toured the facility. He added he met with the local residents and there were three in favor of the new tower. Mr. Fagan mentioned that one of those is the property owner, one did not give their address and one works in the building. He noted there are 14 residences in the immediate area that occupy 11 homes. He said he
doesn’t understand why the tower can’t be moved to the industrial area on the other side of the RR tracks to the east. He would like more discussion on that in a continued public hearing.

Richard Larson - 12284 Fairview Dr. & 1331 Sycamore Rd. Mr. Larson said he is concerned about representations being made without evidence. Some of those are:

- Talk of poor service in the area but no documentation to support that statement.
- A picture was shown of a tree along 7th Street with the claim that the tree will protect residents from the view of tower.
- The claim was made that there’s no issue with the airport when in fact there may be.
- It was said that the fee to co-locate would be $439,897 but there is no documentation of that. Until the invoice is paid, it’s not admissible.
- It was stated that real estate property values will go down if there is poor service. Is there evidence?
- It was stated the existing AT&T tower has not adversely impacted the neighboring properties. He acknowledged if that tower were proposed today it may not be considered under the current UDO and wouldn’t be placed where it is presently.
- Were told there’s an affidavit from an engineer but this is not evidence. The person who wrote it is not there to be cross examined.
- Said there is a problem with colocation because it’s a landline tower but there is no competent witness to know what that means.

Mr. Larson asked that these things be explored.

Donna Larkin - 432 Karen Ave. – Ms. Larkin said she drives by the AT&T tower all the time and would prefer to not see it. She wondered how Central States Tower didn’t know there was an airport in DeKalb. She said she would prefer they make use of the tower that’s already there. Ms. Larkin complimented the City for the progress made on the Protano junkyard cleanup on S. 4th St. and said why take a step back by installing something unsightly in the neighborhood. She thinks there is no reason to not pursue the other side of the RR tracks as a location for the tower. She also found it interesting that the radius of the affected area to mail notices was reduced. Ms. Larkin expressed she finds it troubling that the conversation continues regarding a Verizon tower but no one from Verizon has attended a meeting to explain the necessity for one. City staff and the Commission Chair explained that the radius has not been reduced but rather the placement of the proposed tower was moved further away from the 7th Street thus changing the radius for notification.

Michael Welsh - 3122 Fairway Oaks– Mr. Welsh explained he served on the Planning and Zoning Commission when the Verizon tower was previously proposed and also helped to create the UDO requirements for co-location which encourages several carriers on one antenna. Mr. Welsh strongly stated that the Planning & Zoning Commission’s role is not to suggest a business be placed in a different location other
than the one requested. In his opinion it would be wrong to do so. He said we now have a group that wants to construct a tower that will allow for future co-locations at a reasonable rate with the mono-pole being designed to hold four carriers. In his opinion, the goal should be for this community and its citizens to have top-notch service which he stated is what drives business. He wondered about the person sitting in an office who can’t get a signal. Mr. Welsh said he hears that people don’t want the antenna because of the view but wondered if it would really even be noticed. Mr. Welsh’s opinion is that we need to allow our community to have good cellular service and thinks Central States Tower is the right company to do it, noting they are willing to make the investment to bring cellular service to our community and asked what else we want.

Donna Larkin – 432 Karen Dr. – Ms. Larkin wanted to clarify that cell service in that area is not lacking as several comments have been made to the contrary.

Tarryn Thaden - 115 Andresen Ct – Current Property Manager at 1300 S. 7th St. - Ms. Thaden said there is presently an AT&T tower on the proposed site, large and looming. She reported when Central States Tower approached Jim Hovis about the site it was with the intention of providing the area with better service coverage and not simply because the site was available. Instead they believed the 1300 S 7th Street location to be an ideal location. With the existing AT&T tower being a landline tower they may not be able to easily co-locate. Being sensitive to resident’s concerns she noted using a monopole is less intrusive. Ms. Thaden said she works within the building at 1300 S 7th St. and her calls are often dropped within the business. She believes not taking care of our community’s communication needs will be problematic.

Jim Hovis – 1300 S 7th St. – Mr. Hovis is part of the group that owns the property. Mr. Hovis said he doesn’t have an office within the building but others who do, say they don’t have good cell service. Central States Tower approached him indicating this was a good location. CST made an offer to lease the land and he accepted their first offer. Mr. Hovis said he wanted them to be in the best location in order to provide good service for the community. He noted that businesses within the building must use landlines because service is so poor. He thinks the tower will benefit other neighboring businesses such as Nestle and Panduit as well.

Linda Liston - 717 Gifford St – Ms. Liston said within the surrounding neighborhood there is no connectivity problem with Verizon that she is aware of and wonders if the cell service trouble within the building has something to do with its construction.

William Oleckno - 1622 Sleepy Hollow – Mr. Oleckno said he wants to congratulate the City of DeKalb on adopting the portion of the UDO that requires and promotes co-location, which means cooperation. He asked that Central States Tower attempt to bring an AT&T representative to the next Planning and Zoning Commission meeting. He said the issue of cost has come up in regard to co-locating on the AT&T tower but wonders if AT&T may be willing to reconsider some of those costs. Mr. Oleckno thinks
that the future is smaller antenna and possibly being placed on a roof of a house with more efficiency.

D’Ann Hamilton White- 614 Spring Ave – Ms. Hamilton said she is in agreement with those opposed to the antenna and would also like to see representatives of AT&T and Verizon at the PZC meetings.

V. Buckley made a motion to extend the meeting until 9:30 p.m. Castro seconded the motion. The motion was unanimously approved by voice vote.

COMMISSION DISCUSSION

Chair Atherton repeated the history of the pursuit of a Special Use Permit by Central States Tower. She said in 2015 approval was given for colocation on the AT&T tower and in 2016 a permit was issued. Chair Atherton noted the decision by the PZC can’t be based on financial reasons. She said that some of the industrial buildings in the area have poor service and recognizes the need for improvement.

V. Buckley asked if other sites had been explored. She asked what the long term ramifications would be if the tower is not built. Mr. Riley said once there is an existing tower that will allow for co-location they will do whatever they can to use that site for other carriers. Colocation is valued because it’s a quick process. He added they looked at other sites, but this is the only location that works. Mr. Riley noted it will be good to have an outside engineer review the matter regarding the cost. He mentioned he will bring a representative from Verizon to the next meeting.

Chair Atherton expressed frustration at the request for an extension of the Public Hearing. She noted that the previous time this was before the Planning & Zoning Commission there was displeasure expressed over the many extensions allowed.

J. Wright made a motion, based upon the submitted petition and testimony presented, to continue the Planning and Zoning Commission public hearing to Wednesday, September 6, 2017 at 6:00 pm so staff can prepare a staff report and recommendation. In addition, it was recommend the preparation of the staff report be contingent upon the applicant providing a complete application submittal per Article 7.08 of the UDO, a revised estimate regarding the co-location on the AT&T Tower and that a Professional Fee Reimbursement Agreement and the appropriate escrow amount be established to cover the costs of any third party reviews of the cost estimates/plans for the project.

D. Olson said the hearing should be continued to the September 20th meeting instead. City Attorney Dean Frieders noted if it’s not ready for a recommendation by the 20th, City staff will reach out to let the public know. J. Wright amended the motion to change the date to continue the hearing to September 20th. V. Buckley seconded the motion.

A roll call vote was called. Vicki Buckley - yes, David Castro - yes, Jerry Wright - yes and Chair Christian Atherton - no. The motion passed 3-1-3.
F. OLD BUSINESS

1. Continued Public Hearing on City-initiated text amendments to the following Articles of Chapter 23 “Unified Development Ordinance” of the Municipal Code: Article 19 “Non-Conforming Situations” to remove the requirement in Article 19.05 (4) that a legal non-conforming use of a building or structure must be discontinued if a change in ownership, use or tenancy occurs; and to Article 19.09 to allow for a change in tenancy, ownership or management of an existing use of a building or structure, provided there is no change in the nature or character, extent or intensity of such non-conforming use of the building or structure.

STAFF REPORT

Mr. Dan Olson, Principal Planner, went over the staff report dated August 18, 2017, which recommended approval of the amendments to Article 19 as proposed.

PUBLIC COMMENT

Rorry Heide, ReMax Real Estate - Ms. Heide told of a client who bought a residence as a two unit. The owner is now trying to sell it but had to remove it from the MSL listing because of the City’s requirement. She described a near impossible situation where the residence can’t be advertised as a two unit but also can’t be advertised as a one unit because it has two kitchens, two meters, etc. Ms. Heidi explained how difficult this is for owners who cannot sell their properties. She mentioned the instances where some are needing to move into a retirement situation and need the proceeds from their homes but aren’t able to sell it because of this requirement.

Mike Groark - 1405 S 2nd Street – Real estate attorney - Mr. Groark observed the people who are affected by this ordinance are not owners of apartment complexes but rather the small mom and pop or the family who may live in one space and rent out the other in order to make ends meet. He has 6 different cases right now that are affected by this ordinance. They are small mom pop operations where the family may live in it and rent out a unit. He commented that people who own these may be retired and now trying to sell their house and can’t or are faced with taking 40% less than what they may have gotten otherwise. He sees another scenario, someone dies and the affairs can’t be settled because of the inability of selling the house. He sees situations where these houses have been like this for fifty, sixty or seventy years or more and trying to figure out when these changes were made and when the rules changed can be difficult if not impossible. Having to bring the house into conformance in order to sell will hurt many. He asked the Commission to please consider the recommendation regarding approving the amendments.

Alex Finke - 1430 DeKalb Ave– Government Affairs representative – Hometown Association of Realtors – Mr. Finke stated he’s in agreement with the recommendation.
Will Heinisch – DeKalb Property Owner – Mr. Heinisch stated his support for staff in removing this wording from the ordinance.

Attorney Frieders explained that the changes proposed in the ordinance granted protection to uses that were initially established lawfully, but which became nonconforming uses by virtue of changes in the applicable zoning codes or standards. He further suggested that the continued protection from loss of legal nonconforming status should be provided as suggested by the PZC where there is a change in ownership or tenancy, but not where there is a change in use, as a change in use would change a nonconforming status.

Bessie Chronopoulos – 423 Gayle Ave – Ms. Chronopoulos gave her agreement with all other speakers and said she is glad the City is taking a pro-active stance. She thinks the PZC should be more involved and get out in community more.

Brian Morsch - 404 S 3rd Street – Mr. Morsch replied to Dean’s comments wondering about residents who bought their properties as a two or three unit without knowing historically whether permits were obtained and now want to sell. D. Frieders reiterated that it has to be a legal non-conforming use meaning it had to have been changed legally with building permits, etc. Dean stated that building codes go back a hundred years so there would have always been a requirement for permits.

V. Buckley motioned to continue the meeting until 10:00 p.m. Wright seconded the motion and it was approved unanimously by voice vote.

B. Morsch added DeKalb needs to keep the EAV up noting that allowing property to be devalued won’t be good or sustainable.

David Jacobson - 802 Edgebrook, #1 – Mr. Jacobson commented that we don’t want to scare investment out and suggested this change solves present and past problems but still presents questions for the future. He supports the amendment.

COMMISSION DISCUSSION

D. Castro said the proposed amendment seems arbitrary and doesn’t think this will give people a huge say in bringing things to conformity. He added the proposed change will not remedy the problem.

V. Buckley motioned to approve the amendment as presented. Wright seconded the motion. Roll Call vote was taken. Vicki Buckley – yes, David Castro – no, Jerry Wright – yes, Chair Atherton – yes. The motion passed 3-1-3.
G. REPORTS / ITEMS FOR NEXT MEETING

Continued Public Hearing on a petition by Central States Tower II, LLC for approval of a Special Use Permit for a 140 foot tall cellular communications antenna to be located at the southeast portion of the property at 1300 South Seventh St., DeKalb, Illinois.

H. ADJOURNMENT

V. Buckley motioned to adjourn, D. Castro seconded the motion, and the motion was approved by unanimous voice vote. The meeting adjourned at 9:50 PM

Respectfully Submitted,

Brenda Hart, Recording Secretary

Minutes were approved by the Planning and Zoning Commission on October 4, 2017.
Dan,

Please see below.

Richard,

Thanks for the documents. I would forward the following comments/questions:

- The coverage maps by the RF Engineer are hard to see. Can a larger size be provided? I will try and get you electronic copies you can manipulate.

- We are looking for more detail regarding the co-location possibilities at the Taylor St. Plaza building. What existing Verizon cell site is “very close” to the Taylor St. Plaza building? How would the coverage maps look indicating a Verizon antenna on the Taylor St. Plaza building? The RF engineer can answer any questions you may have regarding the Taylor Street Plaza building, but the answer really is simple and has been answered twice.

The following items are still needed:

- Updated Summary Sheet including any reports documenting the number of customer complaints of Verizon cell service in the 7th St. area. I have come to understand that the need for a “Capacity” Cell site is different from how the need for a coverage site is determined. This will be explained at the hearing.

- Copy of your PowerPoint presentation from the August 23rd Planning and Zoning Commission meeting. I thought I sent a copy on September 22nd but I have attached it again.

- As built cost for a similar sized tower in another location. They are looking but hard an exact site.

Dan Olson
Dan,

Attached are several of the items requested. With regard to your last request, Namely,

- A detailed response on why co-locating at the Taylor Street Plaza building at 507 E. Taylor St. is not possible. The owner (Housing Authority of the County of DeKalb) has indicated there is a possibility of leasing space at the top of the building. They had a carrier recently leave and have an available platform space for another one. You should provide a response on why that building was not chosen and expand on your statements you made at the August 23rd public hearing.

Please be advised that this was specifically answered in the Notarized affidavit previously submitted by Verizon’s RF engineer, namely:

1. Was the Taylor Street Plaza Building (507 E. Taylor Street) considered for co-location?

   RESPONSE: 507 E Taylor Street was never considered since it is very close to an existing Verizon cell Site.

Additional questions may be asked of the RF Engineer at the October 4th Hearing.

Thanks

Richard

Richard Connor Riley
LAW OFFICE OF
RICHARD CONNOR RILEY
123 North 4th Street
Chesterton, Indiana 46304
(312) 244-3792 (O)
(312) 276-5123 (F)
CITY OF DEKALB

CHAPTER 23:
UNIFIED DEVELOPMENT ORDINANCE

ARTICLE 7
SUPPLIMENTAL DISTRICT REGULATIONS

SECTION 7.08
ANTENNA AND SATELLITE DISH REGULATIONS
(WIRELESS COMMUNICATIONS ORDINANCE)

[ORD 1997-067]

PETITIONER’S FORMAL RESPONSE TO
SECTION 7.08.09 (4)

SUBMITTED BY:
RICHARD CONNOR RILEY
ATTORNEY FOR PETITIONER
CENTRAL STATES TOWER II, LLC
123 N. 4TH STREET,
CHESTERTON, IN 46304
RCRILEY@SITING-ADVISORS.COM
(312) 953-5664
4. Applicant’s Duty to Analyze the Feasibility of Co-location

If a response to a co-location request letter is received by an applicant indicating an opportunity for co-location, the applicant shall analyze the feasibility of co-location. This analysis shall be submitted with an application for any support structure.

RESPONSE:
We have received no formal responses to the Co-location letter sent to all carriers pursuant to Section 7.08.09 (3).

1. At the direction of Dan Olson, Principal Planner for the City of DeKalb a duplicate letter was sent to Thomas R. Wilson, a contract Project Manager for AT&T Towers.

2. Mr. Wilson responded by e-mail which stated that modifications could be made to the previously issued Invoice / Project Approval letter (PAL) for the existing AT&T tower (proximate to the subject site) which would reduce the original invoice cost of $439,897.00 by some unknown and unstated amount.

3. In response Petitioner submitted a notarized affidavit by Ronald J. Pauly, the Principal Construction Engineer employed by Verizon Wireless who stated: IN SUMMARY THE CHANGES SUGGESTED BY MR. WILSON WOULD NOT APPRECAIBLY DECREASE THE COSTS AS THE OVERALL AT&T COLOCATION COSTS WOULD STILL BE OVER $400 THOUSAND DOLLARS.
Therefore, the only co-location candidate pursuant to Section 7.08.09 (4) that is necessary to address is the existing AT&T tower as Petitioner has not received any responses from other carriers. [I note that other properties have been suggested for co-location consideration but they are outside of the scope of this Section and will be dealt with separately through testimony]

The investigation of the feasibility of co-location shall be deemed to have occurred if the applicant submits all of the following information:

WITH REGARD TO THE AT&T TOWER:

a. A statement from a qualified engineer indicating whether the necessary service can or cannot be provided by co-location at the possible location site;

   RESPONSE: YES, THE NECESSARY RF SERVICE CAN BE PROVIDED BY CO-LOCATION AT THE AT&T TOWER [NOTE: TESTIMONY BY A QUALIFIED RF ENGINEER WILL AFFIRM THIS STATEMENT]

b. Evidence that the lessor of the possible co-location site either agrees or disagrees to co-location on their property;

   RESPONSE: YES AT&T AGREES TO CO-LOCATION ON THEIR TOWER. PETITIONER HAS WORKED EXTENSIVELY WITH AT&T IN FURTHERANCE OF CO-LOCATING AND RESULTED IN AT&T ISSUING AN INVOICE/PROJECT APPROVAL LETTER (PAL) (ATTACHED HERETO) IN THE AMOUNT OF $439,897.00.
c. Evidence that adequate access does or does not exist at the possible co-location site to accommodate needed equipment and meets all of the site development standards.

RESPONSE: ADEQUATE ACCESS DOES EXIST AT THE POSSIBLE CO-LOCATION SITE TO ACCOMMODATE NEEDED EQUIPMENT AND MEETS ALL OF THE SITE DEVELOPMENT STANDARDS.

d. Evidence that adequate access does or does not exist at the possible co-location site.

RESPONSE: ADEQUATE ACCESS DOES EXIST AT THE AT&T TOWER SITE.

5. Result of Co-location Feasibility Analysis
If the applicant has provided information addressing each of the criteria in Section 7.08.09.04 above, the co-location protocol shall be deemed complete.

RESPONSE: PETITIONER HAS RESPONDED AFIRMATIVELY TO EACH OF THE ABOVE CRITERIA AS THE REAL ISSUE IS NOT WHETHER THE AT&T TOWER WOULD BE CAPABLE OF CO-LOCATION BUT WHETHER THE COST OF SAID CO-LOCATION IS JUSTIFIED.
State Hwy 23 and Fairview Drive
Proposed Site Summary

The area under consideration is needed to provide adequate coverage relief to the area south east of NIU area. In addition, the new site located at 1500 South 7th Street, will improve in-building and in-vehicle coverage for the area.

The primary objectives of this site are:
1. Improve coverage along Hwy 23 and I-88.
2. Improve reliable in-building coverage for the area.
3. Provide Capacity relief in the area to improve Data Speed.

- Coverage plots generated at 700 MHz
List of existing Verizon Wireless Sites

• DeKalb: 7480 South Malta Road, DeKalb, IL 60115. Guyed Tower, Verizon antennas at 185ft.
• DeKalb 2: 1120 East Oak Street, DeKalb, IL 60115. Water Tower, Verizon antennas at 110ft.
• DeKalb 3: 155 N 3rd St, DeKalb, IL 60115. Roof top, Verizon antennas at 79ft.
• Annie Glidden: 511 Russell Road, DeKalb IL 60115. Verizon antennas installed inside Clock Tower at 110ft.
• Annie Glidden South:700 W Lincoln Highway, DeKalb IL 60115. Verizon antennas installed at 100ft on a tower.
• NIU DAS 1: 590 Garden Road, DeKalb IL
• NIU DAS 2: 671 Lincoln Terrace, DeKalb IL.
• NIU DAS 3: Wirtz Hall, 517 Lucinda Avenue, DeKalb IL
• NIU DAS 4: Stevens Hall, DeKalb IL.
• DeKalb 4: Future Verizon site located at 800 Fairview Drive, DeKalb IL. Verizon antennas installed at 150ft on a tower.
Without Proposed Sites

Existing site: Annie Glidden

NIU DAS 1

NIU DAS 2

NIU DAS 3

NIU DAS 4

Existing site: Annie Glidden South

Existing site: DeKalb 2

Existing site: DeKalb 3

Proposed new site location: DeKalb 4

Proposed new site location: State Hwy 23 and Fairview Drive

Confidential and proprietary materials for authorized Verizon personnel and outsiders agencies only. Use, disclosure or distribution of this material is not permitted to any unauthorized person or third parties except by written agreement.
With Proposed Sites: State Hwy 23 And Fairview Drive, DeKalb 4
Dan,

Attached are two cost estimates for the subject site at 1300 S. 7th Street.

They are the most accurate as they were submitted pursuant to the original specifications for this site.

Please note the dates on these estimates they were prepared and sent on 3/16/16.

For my purposes I have taken the average of these two bids, which comes to $171,625.00.

I will submit the formal Co-Location Feasibility Analysis as required in Article 7.08.09 (5) of the UDO tomorrow.

Frankly, I am still waiting for the RF information.

Thanks,

Richard
Richard Connor Riley
LAW OFFICE OF RICHARD CONNOR RILEY
123 North 4th Street
Chesterton, Indiana 46304
(312) 244-3792 (O)
(312) 276-5123 (F)
*LICENSED IN ILLINOIS
### Site Pricing Breakout

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### Unit Pricing Breakout

| Project #: | 285821 |
| Prepared by: | Mercury Communications, Inc. |
| Address: | 1710 Larkin Williams Rd, Fenton, MO 63026 |

### Project Data

- **Electrical**: $8,500.00 at 1500 South 7th Street, Dekalb, IL 60115
- **Landline Facilities**: $6,200.00 at 1500 South 7th Street, Dekalb, IL 60115
- **Building Foundation/Stoop**: $23,250.00
- **Building Offloading/Setting**: 4.0
- **Tower Foundation**: 6.0
- **Grounding**: $5,200.00
- **Antenna & Coax Install**: $22,750.00
- **Tower Attachments (Materials)**: $29,925.00
- **Sweep Test & Fiber Test**: $1,500.00
- **Night Work**: 6.4
- **Fuel Line Install**: $1,200.00
- **Generator Fueling** (Include 200 gal. diesel fuel): 7.1
- **Deliver/Set Generator**: 7.2
- **Mobilization**: $9,200.00
- **General Conditions**: $6,325.00
- **OH & Profit**: $17,360.00

---

*Bid Qualifications*

Proposal submitted in accordance with the specifications and drawings as designed by:
Bid includes painting of waveguide ladder, coax, hybrid, jumpers, antennas, mounts, etc.

Bid includes coordination with Nicor for gas line installation.

Construction drawings specify an 8ft fence but fence detail provided in drawings show a max height of 6ft vinyl fe

| LUMP SUM PRICE | $173,865.00 |

Bid includes the additional asphalt in the crosshatched areas listed on C-1 and C-2 of the construction drawings.
### Site Pricing Breakout

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### Unit Pricing Breakout

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### Bid Qualifications

- Proposal submitted in accordance with the specifications and drawings as designed by:
- *Power and Fiber Bid to be bored to avoid asphalt Restoration*
- *Add $6075 to bore gas line conduit for NICOR*

### LUMP SUM PRICE

$169,385.00
Thanks Randy

Dan Olson

From: Randy Bourdages [mailto:rbourdages@dekohousing.com]
Sent: Tuesday, September 05, 2017 4:26 PM
To: Olson, Dan <Dan.Olson@CITYOFDEKALB.com>
Cc: davidlehman1@frontier.com
Subject: Platform Availability on Roof Top @ 507 E Taylor Street DeKalb

Good Afternoon Dan,

I was contacted by Dave Lehman with regards to Verizon requesting a permit for construction of a new cell tower with in the vicinity of our 16 story high rise located at 507 E Taylor Street DeKalb. The Housing Authority of the County of DeKalb currently leases space to T-Mobile, U.S. Cellular, and Sprint. When Cricket vacated 2016 we request that the platform remain to avoid damage to the building structure which in return allows us the opportunity to lease the platform space.

I have reached out to Central States Tower II, LLC, and they referred me to Richard Connor Riley. I have left a message this afternoon informing Mr. Riley of the availability which can provide as a second option for Central States Tower II, LLC. This would save them a considerable amount in construction cost as the platform is already in place. The big question would be what their antenna requirements would be for this project and would the remain space be sufficient enough for their project.

Dan, if you have any questions please do not hesitate to reach out to by calling my cell phone number at 815-739-0010 or my office number 815-758-2692 ext. 122.

Sincerely,
Randy J. Bourdages
Capital Projects, Contracts & Procurement Manager

Housing Authority of the County of DeKalb
310 N 6th Street DeKalb IL 60115
Phone 815-758-2692 Ext. 122
Ronald J. Pauly, a resident of the aforementioned State and County, personally affirmed this Affidavit with me, the undersigned Notary Public, and makes this her statement, and testimony under oath, in good faith and to the best of her knowledge:

1. I am the Principal Construction Engineer employed by Verizon Wireless.

2. I have knowledge of all aspects of Wireless Facility Construction Costs.

3. I am responsible for the design and management of the construction of the wireless facility located at property having a common mailing address of 1300 South 7th Street, Dekalb, IL. 60115, and designated as VERIZON Location #285821.

4. I have read and analyzed the PROJECT APPROVAL LETTER (PAL) and am familiar with its content and cost estimates.

5. This PAL totals $439,897.00 which said sum is approximately three (3 ½ ) times the normal cost of a colocation which is $100 to $125 Thousand Dollars.

6. In response to the July 20th E-mail (ATTACHED HERETO) from Thomas Wilson I state as follows:

   1. **First it needs to be said that Thomas Wilson works for a project management firm (CBRE) that will lose approximately Forty-Three Thousand dollars if the AT&T tower Colocation does not happen.**
   2. In his e-mail, he states: “. The two main changes is going from underground utilities to overhead and the second is to extend the existing driveway with a concrete slab with an adjustable raised platform on top that will accommodate all of Verizon’s equipment.”
3. RESPONSE: Regarding “going from underground utilities to overhead”

   Going overhead with power is normally cheaper than boring, but would not amount to significant savings; and to accomplish this the following would have to occur:

   a) The property owner would have to grant an easement to allow overhead utilities with the associated power poles and wires;
   b) The City would have to allow the use of overhead utilities; [See City of DeKalb Municipal Code, Chapter 23, Article 10, Section 10.07 Certain Utilities to be Placed Underground]
   c) The Utility Company would have to agree to run overhead utilities;
   d) The cost to construct is unknown but again not appreciable in this instance.

4. RESPONSE: Regarding “to extend the existing driveway with a concrete slab with an adjustable raised platform on top that will accommodate all of Verizon’s equipment.”

   a) There are no appreciable savings in replacing a section of asphalt with concrete.
   b) The equipment platform or skid is our standard structure and Verizon is providing it so it is a moot point as that cost is not AT&T’s: therefore, there are no savings.

5. **IN SUMMARY THE CHANGES SUGGESTED BY MR. WILSON WOULD NOT APPRECIABLY DECREASE THE COSTS AS THE OVERALL AT&T COLOCATION COSTS WOULD STILL BE OVER $400 THOUSAND DOLLARS.**
Dated this 22nd Day of August 2017

Ronald J. Pauly

State of Illinois
County of Porter
Subscribed and sworn to, or affirmed, before me on this
22nd Day of August, 2017, by Affiant.

Annamarie Riley
Signature of Notary Public
3-8-2025

My Commission Expires:

(SEAL)
AFFIDAVIT

STATE OF ILLINOIS
COUNTY OF DuPage

Trisha h. Bhuyan, a resident of the aforementioned State and County, personally came and appeared before me, the undersigned Notary Public, and makes this her statement, and testimony under oath, in good faith and to the best of her knowledge:

1. I am a Radio Frequency Engineer employed by Verizon Wireless.
2. I am responsible for the electronic design and implementation of the wireless facility located at property having a common mailing address of 1300 South 7th Street, Dekalb, IL. 60115, and designated as Location # 285821.
3. In response to the August 17th E-mail from Dan Olsen I state as follows:

   1. In reviewing the coverage maps you provided with the application, it appears that the coverage for the Verizon antenna at the “DeKalb” location as shown on the map (Water Tower at 1119 Oak St.) does not provide as much coverage as the other locations. Is there a possibility the strength could be increased at that location to cover the area around the subject site?

      RESPONSE: We cannot change the current propagation of our existing site named Dekalb without raising the transmitting center line of the antennas and since this is a water tower it is not possible.

   2. There is a new cell tower being erected at the southeast quadrant of the intersection of S. Annie Glidden Road and Fairview Drive, just north of I-88 in unincorporated DeKalb County (see attached aerial). Is there a possibility Verizon could locate on that tower and still serve the residents around the S. 7th St. location?

      RESPONSE: Yes new Verizon site is getting constructed near I-88 and Dekalb West Road. And no this will not provide the capacity relief needed near S 7th Street location.
3. Was the Taylor Street Plaza Building (507 E. Taylor Street) considered for co-location?

**RESPONSE: 507 E Taylor Street was never considered since it is very close to an existing Verizon cell Site.**

Dated this 22\textsuperscript{nd} Day of August 2017

\underline{Trisha Bhuyan}

Trisha H. Bhuyan

\underline{Annmarie Riley}

Signature of Notary Public
3-8-2025

My Commission Expires:

(SEAL)
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT
August 18, 2017

TO: DeKalb Planning and Zoning Commission

FROM: Jo Ellen Charlton, Community Development Director
       Dan Olson, Principal Planner

RE: Special Use Permit for Antenna Equipment (Verizon) – 1300 S. 7th St. (Central States Tower II, LLC)

I. GENERAL INFORMATION

   A. Purpose To obtain a special use permit to construct a 140 foot tall cellular communications antenna to be located at the southeast portion of the property at 1300 S. 7th St.

   B. Location 1300 S. 7th St.

   C. Size 12.93 acres; Lease area – 4,800 sq. ft.

   D. Existing Zoning “LI” Light Industrial District

   E. Existing Land Use Industrial Building

   F. Proposed Land Use No change; Construct 140 foot tall cell tower, associated equipment and access drive

   G. Surrounding Zoning and Land Use

      North: LI; Fire station #2, water treatment plant, wholesale, church, residential

      South: LI; AT&T communications tower, industrial, park/ball fields

      East: PD-I; RR, industrial park

      West: SFR2; Single family residences

   H. Comprehensive Plan Designation Light Industrial
II. APPLICANT'S REQUEST

The applicant, Verizon, and Central States Tower II, LLC, acting as their agent, requests the approval of a special use permit to construct a 140 foot tall cellular communications antenna to be located at the southeast portion of the property at 1300 S. 7th St. The proposal will include the construction of an equipment shelter and access drive on a portion of the 12.93 acre site. The lease area (4,800 sq. ft.) and tower location will be on the southeast portion of the site. The property is zoned “LI” Light Industrial District and the property owner is Hovis Light Industry Park, Inc. Access will be provided from S. 7th St. along the south side of the site via a 12 foot wide asphalt drive.
III. BACKGROUND AND ANALYSIS

The applicant, Central States Tower II, LLC, previously applied for a special use permit in 2014 to locate a 140 foot cell tower at the same location on the subject site. An initial public hearing was held by the Planning and Zoning Commission (PZC) on November 12, 2014 and continued two additional times until complete supporting information was provided by the applicant and the possibility of co-locating on the adjacent 300 foot AT&T tower was concluded. At the April 15, 2015 PZC meeting, the Commission voted to deny the special use request based upon the recommendation from staff that the application was still incomplete, the applicant did not honestly convey the ability or opportunity to co-locate on the adjacent AT&T tower and opposition from neighboring residents. The petition was withdrawn by the applicant prior to consideration by the City Council on May 11, 2015.

In July, 2015 the City received correspondence from Verizon Wireless that they desired to co-locate on the adjacent AT&T tower. A special use permit application was subsequently submitted, and on August 26, 2015, the PZC recommended unanimously to approve a special use permit for Verizon to co-locate on the adjacent AT&T tower. The City Council approved the special use permit via Ordinance 2015-038 on September 28, 2015. The applicant submitted plans for a building permit to co-locate on the AT&T tower in December, 2015 and the permit was issued for the work in February, 2016. No work was conducted on the project after issuance of the permit.

The applicant met with City staff in May, 2017 and indicated they are re-applying for a special use permit for a 140 foot tower at 1300 S. 7th St. because the estimated cost to co-locate at the AT&T tower was extensive and cost prohibitive. The applicant provided an estimate indicating the cost would be almost $440,000 (estimate provided in packet). The costs are related to site preparation, tower remediation, electrical upgrades and project oversight by AT&T. The estimate was prepared by AT&T for Verizon and a representative from AT&T has responded confirming the amount. AT&T provided a response when they received a notification letter from Verizon required per the co-location protocol in the UDO. The response from AT&T was submitted by Thomas Wilson, Project Manager for AT&T Towers – Antenna Solutions Group via e-mail on July 20, 2017 and is provided in the PZC packet. Mr. Wilson indicated AT&T has revised the drawings showing changes they believe will significantly reduce the construction cost for Verizon from what was listed in the estimate. The e-mail indicates the two main changes are going from underground utilities to overhead and to add a concrete slab with an adjustable raised platform for Verizon’s equipment shelter instead of removing underground conduit. AT&T could not provide a range on the percentage the cost would be reduced, however Verizon is responsible for providing the revised estimate.

The applicant was advised the City would need a revised project estimate regarding the changes prior to any recommendation by the Planning and Zoning Commission. As of August 18th, we had not received the revised estimate. The applicant did provide an e-mail (dated 6-22-17) mentioning that the typical cost to co-locate on any tower is approximately $35,000 and would be the same for the usual AT&T tower as well. The e-mail further states Verizon’s costs are amplified in the co-
location on the adjacent AT&T tower because Verizon would have to pay almost $440,000 in capital costs for tower modifications and a higher monthly rent than normal.

Article 7.08 of the Unified Development Ordinance (UDO), regulates the placement, design and use of wireless communication equipment. This section of the UDO also stipulates compliance with certain criteria that needs to be demonstrated by the applicant prior to approval of the special use. The criteria is listed in the applicant’s submittal along with their responses. Sufficient evidence supporting a 140 foot tower was not provided. The applicant has also provided photo simulations indicating how the tower will look from ground level from all directions.

The applicant is indicating there is a need for Verizon wireless service in the area. A summary provided with the petition indicates the area under consideration is a coverage hole know for frequent trouble tickets and customer complaints. The summary continues by noting residences and business in the areas have poor coverage and neighboring cell site currently covering the area are breaking for capacity. The petition notes the primary objectives for the proposed facility is to provide reliable in-residence coverage in the area and capacity offload to the neighboring sectors serving the area. The applicant has provided maps indicating the existing Verizon cell sites in the DeKalb area and also pre-coverage and post-coverage maps showing how the coverage will be improved around the subject site with the new tower.

Article 7.08 of the UDO describes the Co-location Protocol for antenna systems and is designed to increase the likelihood that all reasonable opportunities for co-location have been investigated. The applicant has contacted other carriers (AT&T, T-Mobile, Sprint, and Cricket) in the area and provided mailing receipts. The only copy the City received of one of the letters was the one sent to AT&T. Staff has requested copies of the letters that were sent to the other carriers in relation to the co-location protocol in the UDO, but have not received them.

Per the UDO, if a response to a co-location request is received by the applicant indicating an opportunity for co-location, the applicant shall analyze and investigate the feasibility based upon criteria listed in the UDO. Those criteria include if service can or cannot be provided by co-location at the site, evidence that the lessor either agrees or disagrees to co-location on their site and evidence that adequate access does or does not exist at the possible co-location site. A financial or cost criteria is not one of the listed criteria in determining if co-location is a possibility.

The City has advised the applicant that a Professional Fee Reimbursement Agreement be submitted along with the appropriate escrow amount be established per Chapter 9 of the Municipal Code. The escrow will be used to pay for any third party review of the cost estimates that are provided for the co-location on the AT&T Tower or the costs for the construction of the Verizon tower at 1300 S. 7th Street. The City also noted the agreement shall be established prior to any consideration by the Planning and Zoning Commission. As of August 18\textsuperscript{th}, the City had not received an agreement.
IV. CITIZEN INPUT

To date, there have been 9 correspondence from surrounding property owners/residents indicating their opposition to the proposal and 3 correspondence noting their support for the proposal have been received and are made part of the record. The correspondence are provided in the PZC packet.

VII. CONCLUSIONS AND RECOMMENDATIONS

Due to the past history of the request to place a 140 foot tall tower at this location and the amount of public interest and opposition regarding the request, it would be appropriate for staff to not make a recommendation until all testimony and information regarding the request has been heard and the public hearing was concluded. Staff would recommend after conclusion of the petitioner’s presentation, resident input and PZC questions and comments, the public hearing be continued to the next PZC meeting so staff can prepare a full staff report and recommendation. In addition, staff would recommend the preparation of the staff report be contingent upon the applicant providing a complete application, a revised estimate regarding the co-location on the AT&T Tower and that a Professional Fee Reimbursement Agreement and the appropriate escrow amount be established to cover the costs of any third party reviews of the cost estimates/plans for the project.

Sample Motion:

Based upon the submitted petition and testimony presented, I move the Planning and Zoning Commission continue the public hearing to Wednesday, September 6, 2017 at 6:00 pm so staff can prepare a staff report and recommendation. In addition, I recommend the preparation of the staff report be contingent upon the applicant providing a complete application submittal per Article 7.08 of the UDO, a revised estimate regarding the co-location on the AT&T Tower and that a Professional Fee Reimbursement Agreement and the appropriate escrow amount be established to cover the costs of any third party reviews of the cost estimates/plans for the project.
July 26, 2017

Dear Property Owner:

You may have recently received a letter and several associated documents via certified mail from Richard Connor Riley, representing Central States Tower II, LLC, regarding the application for a special use permit to construct a cellular communications antenna at the property located at 1300 S. 7th St. The documents also included a letter from the City of DeKalb to surrounding residents indicating there will be a public hearing in front of the City of DeKalb Planning and Zoning Commission regarding the request on Wednesday, August 9, 2017. Although the public hearing notice for August 9th was published in the newspaper, the means by which the applicant (Central States Tower II, LLC) provided notice to surrounding residents was not clear regarding the process, hearing date and contact information.

Therefore, in order to ensure the surrounding residents receive proper notice regarding the request, the public hearing originally scheduled for August 9th will not be held. The City will republish the public hearing notice for an August 23rd hearing in front of the Planning and Zoning Commission. Attached is a revised letter and hearing notice indicating the public hearing will be held on August 23, 2017 at 6:00 p.m. in the DeKalb Municipal Building, 200 South Fourth Street, DeKalb, Illinois.

If you have any questions regarding this letter, please contact me or the Community Development Department at (815) 748-2060.

Sincerely,

Dan Olson
Principal Planner

Enclosures

CC: Jo Ellen Charlton, Community Development Director
Planning and Zoning Commission
Applicant – Central States Tower II, LLC
July 26, 2017

Dear Property Owner:

The DeKalb Planning and Zoning Commission will consider a request on a petition by Central States Tower II, LLC, represented by Richard Connor Riley for approval of a Special Use Permit for a 140 foot tall cellular communications antenna to be located at the southeast portion of the property at 1300 S. 7th St., DeKalb, IL. The subject property is located along the east side of S. 7th Street, across from Karen Ave., zoned “LI” Light Industrial District, 12.93 acres in size and has a Parcel Identification Number (PIN) of 08-26-326-001.

The DeKalb Planning and Zoning Commission will review the request and hold a public hearing at its regular meeting on Wednesday, August 23, 2017 at 6:00 p.m. The meeting will be at the DeKalb Municipal Building, 200 South Fourth Street, DeKalb, Illinois. As a property owner within 250 feet of the above-mentioned property, you are encouraged to attend this meeting to learn about and comment on the proposal.

You are also welcome to submit any written comments you may have on the proposal no later than Wednesday, August 16, 2017. You may submit written comments regarding the request on the enclosed comment sheet by mail to the address listed above, or by e-mail to dan.olson@cityofdekalb.com. All comments will be shared with the Commission and included in the public record.

If you have any questions about this request, please feel free to contact the Community Development Department at (815) 748-2060.

Sincerely,

Dan Olson
Principal Planner

Enclosures

CC: Mayor
City Council
City Manager
Planning and Zoning Commission
Applicant
LEGAL NOTICE

NOTICE is hereby given that a public hearing will be held before the DeKalb Planning and Zoning Commission at its regular meeting on Wednesday, August 23, 2017, at 6:00 p.m. in the DeKalb Municipal Building, 200 South Fourth Street, DeKalb, Illinois, on the petition by Central States Tower II, LLC, represented by Richard Connor Riley for approval of a Special Use Permit for a 140 foot tall cellular communications antenna to be located at the southeast portion of the property at 1300 S. 7th St., DeKalb, IL. The subject property is located along the east side of S. 7th Street, across from Karen Ave., zoned “LI” Light Industrial District, 12.93 acres in size and has a Parcel Identification Number (PIN) of 08-26-326-001.

All interested persons are invited to appear and be heard at the time and place listed above. Interested persons are also encouraged to submit written comments on these proposals to the City of DeKalb, Community Development Department, 200 South Fourth Street, DeKalb, Illinois, 60115 by 5:00 p.m. on Wednesday, August 16, 2017.

Further information is available from the Community Development Department, (815) 748-2060.

Christina Atherton, Chairman
DeKalb Planning and Zoning Commission
CITY OF DEKALB
SPECIAL USE PERMIT PETITION

PETITIONERS:
CENTRAL STATES TOWER II, LLC
&
VERIZON WIRELESS

LOCATION:
1300 SOUTH 7TH STREET, DEKALB, ILLINOIS

MAY 26TH, 2017

SUBMITTED BY:
RICHARD CONNOR RILEY
ATTORNEY FOR:
CENTRAL STATES TOWER II, LLC
123 N. 4TH STREET
CHESTERTON, IN 46304
RCRILEY@SITING-ADVISORS.COM
(312) 953-5664

RECEIVED
MAY 26 2017
TO: City Council, City Clerk, and Mayor of the City of DeKalb, Illinois

FROM: Petitioner Name(s): CENTRAL STATES TOWER II, LLC
Petitioner’s Representative: RICHARD CONNOR RILEY
Mailing Address: 123 N. 4TH STREET
CHESTERTON, IN, 46304

Property Owner: HOVIS LIGHT INDUSTRY PARK, INC.
Mailing Address: 1300 S. 7TH STREET
DEKALB, IL. 60115

Telephone: (219) 395-9999
Cell: (312) 953-5664
Email: RCRILEY@SITING-ADVISORS.COM
Telephone: (815) 751-4719
Cell: (815) 761-2699
Email: thaden@gmail.com

1. The petitioner hereby petitions the City of DeKalb to approve a Special Use Permit for the following property:

   A. Legal Description and Parcel Number(s) – If necessary, attach the full legal description on a separate piece of paper: PARCEL NUMBER: 0826326001 SEE ATTACHED SURVEY AND SITE PLAN

   B. Street Address or Common Location: 1300 SOUTH 7TH STREET, DEKALB, IL 60115

   C. Size (square feet or acres): 12.93 ACRES

   D. Existing Zoning District: INDUSTRIAL

   E. Proposed Special Use: TO ERECT A NEW 140 FOOT CELLULAR COMMUNICATIONS ANTENNA

F. Proposed Use and Description: On a separate piece of paper, describe the proposed use’s characteristics such as operating hours, number of employees, capacity of facility, etc. Also, indicate whether or not the proposed use would: a) be in conformance with City’s Comprehensive Plan and how the proposed use may; b) impact adjacent existing and future land uses; c) impact adjacent property values; d) impact the general public’s health, safety, and welfare; and e) in conformance with all elements of the “UDO,” Unified Development Ordinance.

Updated: March 2017
2. The petitioner hereby submits the following information:
   ✔ Vicinity map of the area proposed for the special use
   ✔ List of current owner and mailing addresses of all property within 250 feet (exclusive of right-of-way) of the property proposed to be rezoned
   ✔ Petition fee ($500.00)
   ✔ 6 full size copies and an electronic copy on a disk of a site plan, which must show the following items:
     ✔ Property dimensions
     ✔ Location and use of proposed structure
     ✔ Number and location of parking spaces and loading area
     ✔ Location and type of landscaping (including existing trees 6” in diameter or greater and existing tree masses
     ✔ Location, type, and height of fencing or walls
     ✔ Location and width of driveways and curb cuts; internal traffic patterns
     ✔ Floor area (square footage)
     ✔ Location of exterior lighting
     ✔ Location, type, and height of signage
     ✔ Direction of storm water flow, location of detention area

   (Note to Petitioner: A site plan for a special use permit is intended to be a schematic plan only. All plans must eventually conform to other City standards prior to the issuance of any building permits or other permits.)

3. The petitioner hereby states that a pre-application conference ✔ was ☐ was not held with City staff prior to the submittal of this petition.

   *Date of pre-application conference: TUESDAY MAY 2ND, 2017
   Those in attendance: DAN OLSON & RICHARD CONNOR RILEY

   *(Note to Petitioner: A pre-application conference with staff is highly encouraged to avoid delays and help in the timely processing of this petition.)*

4. The petitioner hereby agrees that this petition will be placed on the Planning and Zoning Commission’s agenda only if it is completed in full and submitted in advance of established deadlines.

5. The petitioner has read and completed all of the above information and affirms that it is true and correct.

Updated: March 2017
6. Petitioner/property owner(s) hereby give the City of DeKalb permission to post a public notice sign(s) on the subject property.

[Signature]

MAY 23RD, 2017

DATE

RICHARD CONNOR RILEY

[Signature]

MAY 23RD, 2017

DATE

Subscribed and sworn to before me
this 24th day of MAY, 2017.

[Signature]

Anmarie Riley
Notary Public
SEAL
State of Indiana
My Commission Expires March 8, 2025

I hereby affirm that I am the legal owner (or authorized agent or representative of the owner — proof attached) of the subject property and authorize the petitioner to pursue this Special Use Permit petition as described above (petitioner must sign if s/he is the owner).

[Signature]

MAY 24, 2017

DATE

[Signature]

DATE

Subscribed and sworn to before me
this 24th day of MAY, 2017.

[Signature]

Christine Sheikh
Notary Public
SEAL
Christine Sheikh
Notary Public, State of Illinois
My Commission Expires June 16, 2019

Updated: March 2017
CITY OF DEKALB

CHAPTER 23:
UNIFIED DEVELOPMENT ORDINANCE

ARTICLE 7
SUPPLIMENTAL DISTRICT REGULATIONS

SECTION 7.08
ANTENNA AND SATELLITE DISH REGULATIONS
(WIRELESS COMMUNICATIONS ORDINANCE)
[ORD 1997-067]

PETITIONER'S RESPONSES

SUBMITTED BY:
RICHARD CONNOR RILEY
ATTORNEY FOR PETITIONER
CENTRAL STATES TOWER II, LLC
123 N. 4TH STREET,
CHESTERTON, IN 46304
RCRILEY@SITING-ADVISORS.COM
(312) 953-5664
7.08 Antenna and Satellite Dish Regulations (Wireless Communications Ordinance) (Ord 1997-067)

7.08.01 Purpose and Intent
It is the intent and purpose of this Section to permit antennas and satellite dishes where they can be installed with minimal visual impact by encouraging co-location and other aesthetic measures, without creating adverse economic or safety impacts and promoting the health, safety and general welfare of the community. Furthermore, it is the intent of this Section to ensure compliance with Federal Communications Commission (FCC) regulations as they relate to the promotion of universal service, competitive contracting by ensuring fairness through the creation of clear and objective approval criteria.

7.08.04 General Requirements
1. Federal Communication Commission Compliance: All antennas, towers, and satellite dishes shall comply with all Federal Communication Commission (FCC) requirements.

**RESPONSE: CENTRAL STATES TOWER II, LLC (PETITIONER HEREIN) STATES THAT ALL THEIR ANTENNAS WILL COMPLY WITH ALL FEDERAL COMMUNICATION COMMISSION (FCC) REQUIREMENTS.**

2. No lot shall have more than (1) antenna, tower, or satellite dish, except for radio or television studios or amateur radio operators licensed by the FCC, in which case the only antennas, towers or satellite dishes allowed shall be those used related to the principal use of the property. Businesses selling satellite dishes shall be allowed a maximum of three (3) satellite dishes located outdoors and only one (1) of these shall be allowed in front of the building.

**RESPONSE: PETITIONER’S APPLICATION COMPLIES WITH THIS REQUIREMENT.**

3. An antenna, tower, or satellite dish shall be located in the side or rear yard. In the situation of a corner lot, the antenna, tower, or satellite dish shall not be closer to the adjoining side street than the principal building.

**RESPONSE: PETITIONER’S APPLICATION COMPLIES WITH THIS REQUIREMENT.**

4. In the event that a usable satellite signal cannot be obtained from the rear yard or side yard of the property, such antenna, tower, or satellite dish may be placed on the roof of a building subject to the approval of the Community Development Director and to the other requirements of this section.

**NOT APPLICABLE**
5. Satellite dishes shall not be visible between the ground level and ten (10) feet above ground from any street adjoining the property. Screening used to achieve this requirement shall be in compliance with the Building Code, the provisions of this Ordinance and approved by the Community Development Director.

NOT APPLICABLE

6. Within residential zoning districts, the diameter of satellite dishes shall not exceed seven (7) feet. The dish and supporting structure shall be neutral in color and shall, as much as possible, blend with the character and appearance of the neighborhood.

7. No antenna or satellite dish shall be used or serve as a sign or bear an advertising emblem other than the name of the manufacturer in letters not to exceed two (2) inches in height.

RESPONSE: PETITIONER’S APPLICATION COMPLIES WITH THIS REQUIREMENT

8. Guy wires (only where necessary) shall not be anchored within any front yard area but may be attached to the building.

NOT APPLICABLE

9. Whenever an antenna is installed within a distance less than the height of the tower to power or telephone lines, or where damage would be caused by its falling, a separate safety wire must be attached to the antenna or mast or tower and secured in a direction away from the hazard.

RESPONSE: PETITIONER’S APPLICATION COMPLIES WITH THIS REQUIREMENT

10. Antennas, towers, and satellite dishes shall meet and be installed according to all manufacturers’ specifications. The mast or tower shall be constructed of non-combustible materials, unless otherwise approved by Underwriters’ Laboratories (UL). Brackets, tumbuckles, clips, and similar type equipment shall be protected with materials approved by Underwriters’ Laboratories (UL).

RESPONSE: PETITIONER’S APPLICATION COMPLIES WITH THIS REQUIREMENT: SITE PLANS, DRAWINGS AND STRUCTURAL ANALYSIS WILL BE SUBMITTED WITH THE BUILDING PERMIT APPLICATION.

11. Antennas, towers, or satellite dishes shall meet the setback requirement for a primary structure for the zoning district in which the facilities are located.

RESPONSE: PETITIONER’S APPLICATION COMPLIES WITH THIS REQUIREMENT

7.08.05 Prohibited USES

NOT APPLICABLE
7.08.06 PERMITTED USES

NOT APPLICABLE

7.08.07 Special Uses
The following uses may be permitted under the conditions and requirements specified in Article 14, “Permits” in addition to those outlined below:

1. Co-locating Antennas on Existing Non-Tower Structures or Existing Commercial Towers in Residential Districts

   NOT APPLICABLE

2. Towers or Antennas in Commercial or Industrial Zones or on Publicly Owned Property - Antennas or towers of any height, including the placement of other supporting equipment and accessory buildings. Any equipment shelter shall comply with development standards (i.e., setbacks, height limitations, bulk, etc.) of the property’s zoning district classification.

   RESPONSE; PETITIONER ACKNOWLEDGES THIS REQUIREMENT AND STATES THAT THEY HAVE APPLIED FOR A SPECIAL USE PURSUANT TO THIS REGULATION

3. Private Use Antennas, Towers or Dishes Greater than Sixty-Eight (68) feet

   NOT APPLICABLE

7.08.08 Application for a Special Use Permit for Antenna Facilities

In addition to the requirements of Article 14 “Permits”, the applicant shall be required to submit information that includes, but is not necessarily limited to, how the proposed special use will satisfy the following conditions:

1. Points of Visual Interest Shall be Protected
   Views from residential structures located within 250 feet of the proposed antenna or tower to the following points of visual interest shall be protected to the greatest practical extent:
   a. Public Open Spaces;
   b. Natural Areas as defined on the Development Plan;
   c. Landmark Structures

   RESPONSE: THE PROPOSED TOWER STRUCTURE IS LOCATED GREATER THAN 250 FEET FROM ANY RESIDENTIAL STRUCTURE.

2. Methods for Protecting Points of Visual Interest

   NOT APPLICABLE.
3. Color
Antennas or towers and their support structures, wiring and all related facilities and appurtenances shall be a neutral color that is the same or similar in color as the supporting structure to make the antenna and equipment as visually unobtrusive as possible, unless otherwise specified under Federal Aviation Administration (FAA) standards.

**RESPONSE: PETITIONER WILL COMPLY WITH THIS REGULATION**

4. Height
Antennas or towers shall not exceed the maximum building height plus fifteen (15) feet, in the zoning district in which it is located, applicants who wish to exceed this height shall provide evidence demonstrating the need for exceeding this maximum standard. The Planning and Zoning Commission and City Council shall decide, through the special use permit, if sufficient evidence has been provided to demonstrate the need for the additional height requested.

**RESPONSE: PETITIONER IS REQUESTING A TOWER HEIGHT OF 140' FEET; THIS HEIGHT WILL FACILITATE FUTURE CO-LOCATION WHICH IS A STATED GOAL OF THIS ORDINANCE AND IN THE BEST INTERESTS OF THE CITY OF DEKALB.**

5. Setbacks (Adjacent to Residential Uses)
Antennas or towers shall be set back from any existing adjacent residential property line by a distance equal to the height of the tower, unless building plans are submitted demonstrating that the tower will collapse within itself. Such building plans shall be affixed with the seal of a certified structural engineer.

**RESPONSE: PETITIONERS APPLICATION COMPLIES WITH THE REGULATION AS THE ANTENNA WILL BE MORE THAN ITS LENGTH (140' FEET) AWAY FROM A RESIDENTIAL PROPERTY.**

6. Lighting
None allowed except as required by the Federal Aviation Administration (FAA).

**RESPONSE: PETITIONERS APPLICATION COMPLIES WITH THIS REGULATION AS THERE IS NO LIGHTING.**

7. Fencing and Security
For security, antennas or towers and ancillary facilities shall be enclosed by a fence not less than six (6) feet in height.

**RESPONSE: PETITIONERS APPLICATION COMPLIES WITH THIS REGULATION AS THEIR PREMISES/LEASED AREA IS ENCLOSED WITH A 7'FOOT FENCE (SEE SHEET C-6 (CHAIN LINK FENCE DETAIL) OF SUBMITTED SITE PLANS.**

8. Landscaping and Screening
Landscaping shall be placed outside the required fence area on sides facing public rights-of-way or residential areas and shall consist of fast growing vegetation with a minimum planted height of four feet, spaced evenly at intervals equal to twice the expected width of the plant material. Building or tower mounted antenna and related facilities and appurtenances shall be screened by an appropriate material which either: a) matches the building to which it is mounted (in the case of building-mounted structures); or, b) provides an alternate façade that screens the appearance of the facilities and provides a positive appearance/benefit to the public.
RESPONSE: PETITIONER COMPLIES WITH THIS REGULATION: SEE SHEET L1 (LANDSCAPE PLAN) AND SHEET L2 (LANDSCAPE DETAILS) OF SUBMITTED SITE PLANS

9. Noise
Noise generating equipment shall be sound buffered by means of baffling, barriers, or other suitable means to reduce sound level measured at the property line to 30dBA when adjacent to residential areas and 45dBA in other areas.

RESPONSE: AS THIS SITE IS ZONED INDUSTRIAL THE NOISE LIMIT IS 45dBA; PETITIONER WILL COMPLY WITH THIS NOISE LIMIT. NO GENERATOR IS PLANNED AT THIS TIME SO THERE IS ONLY THE NOISE GENERATED BY THE AIR CONDITIONER.

10. Tower Design
Towers shall generally be designed without the use of guy wires or external supports. In instances where such a requirement may not be feasible, appropriate documentation shall be provided by the petitioner, demonstrating why such a tower is not feasible. The applicant will offer alternatives to the design so as to minimize the visual impact of the tower.

RESPONSE: PETITIONER COMPLIES WITH THIS REGULATION: SEE SHEET A-1 (TOWER ELEVATION) OF SUBMITTED SITE PLANS.

11. Co-location Protocol
Any special use request for the erection of a new tower shall complete the co-location protocol as outlined in Article 7.08.09.

RESPONSE: PETITIONER HAS COMPLIED WITH SECTION 7.08.09 CO-LOCATION PROTOCOL

7.08.09 Co-location Protocol

1. Purpose
The purpose of this requirement is to create a process that will allow providers to equitably share publicly available, nonproprietary information among themselves, with interested persons and agencies, and with the City of DeKalb, at the time the provider schedules a pre-application conference with the City of DeKalb. This co-location protocol is designed to increase the likelihood that all reasonable opportunities for co-location have been investigated and that the appropriate information has been shared among the providers. The City of DeKalb recognizes that co-location is preferable, where technologically feasible and visually desirable, as a matter of public policy, but that co-location of antennas by providers is not always feasible for technical or business reasons. However, if all licensed providers are made aware of any pending tower or antenna permit requests, such disclosure will allow providers to have the maximum amount of time to consider possible co-location opportunities, and will also assure the City that all reasonable accommodations for co-location have been investigated.

RESPONSE: AGREED

2. Pre-Application Requirement
A pre-application conference is required for all proposed support structures.

RESPONSE: PETITIONER HAS FULFILLED THIS REQUIREMENT: RICHARD RILEY, PETITIONER'S ATTORNEY, MET WITH DAN OLSON ON MAY 20TH 2017

3. Co-location Request Letter Requirement
"Pursuant to the requirements of Article 7.08.09.03, (applicant) is hereby providing you with notice of our intent to meet with the City of DeKalb in a pre-application conference to discuss the location of a wireless communication facility that would be located at . In general, we plan to construct a support structure of feet in height for the purpose of providing (Cellular, PCS, etc.) Service. Please inform us whether you have any existing or pending antenna or tower facilities located within feet of the proposed facility that may be available for possible co-location opportunities. Please provide us with this information within ten (10) business days after the date of this letter. Your cooperation is appreciated.

Sincerely, (applicant)"

RESPONSE: PETITIONER HAS COMPLIED WITH THIS REQUIREMENT. PETITIONER MAILED BY CERTIFIED MAIL THE ABOVE NOTICE TO ALL WIRELS PROVIDERS AND HAS PROVIDED PROOF OF SAID MAILING.

4. Applicant’s Duty to Analyze the Feasibility of Co-location
   If a response to a co-location request letter is received by an applicant indicating an opportunity for co-location, the applicant shall analyze the feasibility of co-location. This analysis shall be submitted with an application for any support structure. The investigation of the feasibility of co-location shall be deemed to have occurred if the applicant submits all of the following information:
   a. A statement from a qualified engineer indicating whether the necessary service can or cannot be provided by co-location at the possible location site;
   b. Evidence that the lessor of the possible co-location site either agrees or disagrees to co-location on their property;
   c. Evidence that adequate access does or does not exist at the possible co-location site to accommodate needed equipment and meets all of the site development standards.
   d. Evidence that adequate access does or does not exist at the possible co-location site.

RESPONSE: IF A RESPONSE IS RECEIVED PETITIONER WILL COMPLY WITH THE ABOVE CRITERIA. PETITIONER WILL SUBMIT UNDER SEPARATE COVER DOCUMENTATION REGARDING THEIR ATTEMPT TO LOCATE ON THE AT&T TOWER.

5. Result of Co-location Feasibility Analysis
   If the applicant has provided information addressing each of the criteria in Section 7.08.09.04 above, the co-location protocol shall be deemed complete.

RESPONSE: PETITIONER ACKNOWLEDGES

7.08.10 Abandoned Facilities
An antenna or satellite dish which has been discontinued for a period of six consecutive months or longer is hereby declared abandoned. Abandoned facilities shall be removed by the property owner within 90 days of abandonment. Failure to remove an abandoned facility is declared a public nuisance and is subject to penalties as outlined in the DeKalb Municipal Code.

RESPONSE: PETITIONER ACKNOWLEDGES
Summary

Area under consideration is a coverage hole known for frequent trouble tickets and customer complaints. Residences and businesses in the area have poor in-residence coverage. Neighboring cell sites currently covering this area are breaking for capacity.

The primary objective of this site is to provide:

1. Reliable In-residence coverage in the area.
2. Capacity offload to the neighboring sectors serving the area.
Dear Property Owner,

There is no doubting the incredible impact that wireless technologies have had on our personal lives including business and personal applications. Wireless technologies are at the very core of our existence - so much so that we have become dependent upon them in immeasurable ways. Today, wireless technology is continually and rapidly evolving while consumer appetite for more extensive, more seamless wireless services soars.

By way of introduction my name is Richard Riley and I represent Central States Tower II, LLC, who has applied for a Special Use Permit to construct a wireless telecommunication facility on a 12.93-acre parcel of property that is zoned “LI” Light Industrial District, located along the east side of S. 7th Street with a common address of 1300 S. 7th St.

The reason this wireless facility is needed is apparent when one looks at the intense residential development to the West). To minimize the aesthetic impact of a tower structure effort was expended to locate the tower on a large parcel of industrial property that was not residential. Additionally, to further lessen the aesthetic impact a monopole structure was chosen, and located in the rear of the property behind an existing industrial building. Please see the enclosed photos depicting the actual view of this tower structure.

The Petitioner understands and appreciates the nature and aesthetics of development in the City of Dekalb and has taken care to propose a wireless facility that will serve the residents of the City and present the least possible aesthetic impact.

Should you have any questions please call me at (312) 953-5664. Thank you for your consideration.

[Signature]

Richard Connor Riley
DeKalb, IL
Verizon Wireless Existing Cell Sites

DeKalb: 7480 S Malta Road, DeKalb, IL 60115

DeKalb II: 1120 E. Oak Street, DeKalb, IL 60115

Annie Glidden: 511 Russell Road, DeKalb, IL 60115

Barber Greene: 1472 Barber Greene Road, DeKalb, IL 60115

NIU DAS 1: 671 Lincoln Terrace, DeKalb, IL 60115

NIU DAS 2: 590 Garden Road, DeKalb, IL 60115
State Hwy 23 and Fairview – PROPOSED COVERAGE at 125ft
HWY 23 & Fairview Dr.
1300 S.7th St.
DeKalb, IL 60115

Facing Northwest

Disclaimer: This photo simulation is an artist’s depiction of a future installation. The actual construction may vary slightly in size, layout, color and texture from this simulation.
HWY 23 & Fairview Dr.
1300 S.7th St.
Dekalb, IL 60115

Facing Northwest

Disclaimer: This photo simulation is an artist's depiction of a future installation. The actual construction may vary slightly in size, layout, color and texture from this simulation.
HWY 23 & Fairview Dr.
1300 S.7th St.
DeKalb, IL 60115

Facing North

Disclaimer: This photo simulation is an artist's depiction of a future installation. The actual construction may vary slightly in size, layout, color and texture from this simulation.
HWY 23 & Fairview Dr.
1300 S.7th St.
Dekalb, IL 60115

Facing East

Disclaimer: This photo simulation is an artist's depiction of a future installation. The actual construction may vary slightly in size, layout, color and texture from this simulation.
HWY 23 & Fairview Dr.  
1300 S.7th St.  
DeKalb, IL 60115  

Facing Southeast  

Disclaimer: This photo simulation is an artist's depiction of a future installation. The actual construction may vary slightly in size, layout, color and texture from this simulation.
HWY 23 & Fairview Dr.
1300 S.7th St.
DeKalb, IL 60115

Facing South

Disclaimer: This photo simulation is an artist’s depiction of a future installation. The actual construction may vary slightly in size, layout, color, and texture from this simulation.
HWY 23 & Fairview Dr.
1300 S.7th St.
Dekalb, IL 60115

Facing South
PROPOSED LEASE AREA #2 DESCRIPTION
PART OF THE WEST HALF OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 8 EAST, AND THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS, COMMENCING AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF SEVENTH STREET AND THE NORTH LINE OF LOT 2 IN THE FIRST ADDITION TO C. BRANDT'S INDUSTRIAL SUBDIVISION, THENCE NORTH 01 DEGREES 18 MINUTES 30 SECONDS EAST ALONG SAID EAST LINE 52.82 FEET, THENCE NORTH 01 DEGREES 27 SECONDS EAST, 184.43 FEET, THENCE NORTH 87 DEGREES 43 MINUTES 32 SECONDS WEST, 30.33 FEET, THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 425.87 FEET, THENCE NORTH 03 DEGREES 32 MINUTES 03 SECONDS EAST, 56.26 FEET TO THE POINT OF BEGINNING. THENCE NORTH 90 DEGREES 22 MINUTES 97 SECONDS WEST, 19.22 FEET; THENCE NORTH 03 DEGREES 37 MINUTES 03 SECONDS EAST, 80.00 FEET; THENCE SOUTH 86 DEGREES 22 MINUTES 57 SECONDS EAST, 60.00 FEET; THENCE SOUTH 03 DEGREES 37 MINUTES 03 SECONDS WEST, 36.00 FEET; THENCE SOUTH 01 DEGREES 27 SECONDS WEST, 20.78 FEET, TO THE POINT OF BEGINNING, CONTAINING 4880.00 SQUARE FEET, ALL IN DEKES COUNTY, ILLINOIS.

PROPOSED ACCESS AND UTILITY EASEMENT
PART OF THE SOUTH HALF OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 8 EAST, AND THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS, COMMENCING AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF SEVENTH STREET AND THE NORTH LINE OF LOT 2 IN THE FIRST ADDITION TO C. BRANDT'S INDUSTRIAL SUBDIVISION, THENCE NORTH 01 DEGREES 18 MINUTES 30 SECONDS EAST ALONG SAID EAST LINE 48.40 FEET, TO THE POINT OF BEGINNING. THENCE CONTINUING NORTH 00 DEGREES 18 MINUTES 30 SECONDS EAST ALONG SAID EAST LINE 56.26 FEET, THENCE SOUTH 88 DEGREES 22 MINUTES 27 SECONDS EAST, 144.26 FEET, THENCE NORTH 87 DEGREES 43 MINUTES 32 SECONDS EAST, 39.33 FEET, THENCE NORTH 03 DEGREES 32 MINUTES 00 SECONDS EAST, 428.23 FEET, THENCE NORTH 03 DEGREES 37 MINUTES 03 SECONDS EAST, 80.00 FEET; THENCE SOUTH 86 DEGREES 22 MINUTES 57 SECONDS EAST, 60.00 FEET; THENCE SOUTH 03 DEGREES 37 MINUTES 03 SECONDS WEST, 36.00 FEET; THENCE SOUTH 01 DEGREES 27 SECONDS WEST, 20.78 FEET, TO THE POINT OF BEGINNING, CONTAINING 7200.00 SQUARE FEET, ALL IN DEKES COUNTY, ILLINOIS.

LEGEND
- PROPERTY LINE
- STREET LINE
- LEASE AREA LINE
- DRIVEWAY LINE
- UTILITIES EASEMENT
- FENCE LINE
- BOUNDARY MARKER
- GAS VALVE
- DRAIN VALVE
- AIR DUCT
- UTILITY POLES
- ROADWAY
- CONCRETE

LAYOUT TABLE
<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
</tr>
</thead>
<tbody>
<tr>
<td>S 86'22&quot;57' E 0.78'</td>
<td>N 0'33'37&quot;3' E 4.10'</td>
<td>N 86'22&quot;57' W 20.78'</td>
<td>N 0'33'37&quot;3' W 36.00'</td>
<td>N 86'22&quot;57' W 20.00'</td>
<td>N 0'33'37&quot;3' W 36.00'</td>
</tr>
</tbody>
</table>

SCALE: 1" = 30'
CHICAGO SMSA
limited partnership

CHICAGO SMSA LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS

STATE HWY 23 AND FAIRVIEW

LOCATION #: 285821
1300 S. 7TH STREET.
DEkalb, IL 60115

PROPOSED COMMUNICATIONS FACILITY LOCATED ON NEW 150 FT MONOPOLE WITH RELATED EQUIPMENT AT GRADE LEVEL.
NOTE: THE CONTRACTOR WILL, UPON BECOMING AWARE OF SUBSURFACE OR LATENT MATERIAL CONDITIONS DIFFERING FROM THOSE DISCLOSED BY THE ORIGINAL SOIL INVESTIGATION WORK, PROMPTLY NOTIFY THE OWNER VERBALLY TO PERMIT VERIFICATION OF THE DIFFERING CONDITIONS, AND IN WRITING, AS TO THE NATURE OF THE DIFFERING CONDITIONS NO CLAIM BY THE CONTRACTOR FOR ANY CONDIONS DIFFERING FROM THOSE ANTICIPATED IN THE PLANS AND SPECIFICATIONS AND DISCLOSED BY THE SOIL STUDIES WILL BE ALLOWED UNLESS THE CONTRACTOR HAS SO NOTIFIED THE OWNER VERBALLY AND IN WRITING, AS REQUIRED ABOVE, OF SUCH DIFFERING SUBSURFACE CONDITIONS.

NOTE 3:
CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO EXISTING PAVEMENT OR STRIPING. CONTRACTOR SHALL PHOTOGRAPH AND VIDEO TAPE EXISTING PAVEMENT PRIOR TO CONSTRUCTION. ANY DAMAGE CAUSED BY CONTRACTOR DURING CONSTRUCTION SHALL BE REPLACED TO EXISTING OR BETTER CONDITION AT NO ADDITIONAL COST.

NOTE 4:
CONTRACTOR TO PROVIDE APPROXIMATE 50'x 50' STAGING AREA AND TEMPORARY ROAD. CONTRACTOR SHALL COORDINATE WITH PROPERTY OWNER A STAGING AREA AND TEMPORARY ROAD THAT IS ACCEPTABLE TO THE OWNER. STAGING AREA AND TEMPORARY ROAD SHALL BE RESTORED TO EXISTING CONDITIONS AS NECESSARY UPON COMPLETION OF PROJECT.

NOTE 5:
BEFORE AND DURING CONSTRUCTION, THE CONTRACTOR SHALL PROVIDE ADEQUATE EROSION CONTROL AS NECESSARY IN THE FORM OF SILT FENCES FOR THE SITE AND BARRIERS AROUND ANY EXISTING MANHOLE, SEWER, OR OTHER SITES SUSCEPTIBLE TO EROSION. EROSION CONTROL MEASURES SHALL BE PERIODICALLY INSPECTED. ALL SILT FENCES AND OTHER EROSION CONTROL SHALL BE REMOVED UPON COMPLETION OF WORK. SEE C-4 FOR DETAILS.

NOTE 6:
A THIRD PARTY INSPECTION AGENCY WILL CERTIFY THE SERVICES DONE ON SITE WERE COMPLETED USING THE APPROVED PLANS. THESE SERVICES INCLUDING, BUT NOT LIMITED TO, SOIL BORING, SOIL TEST, FOUNDATIONS, CONCRETE SLABS, AND STRUCTURAL STEEL. ALL WORK MUST BE COMPLETED AND SIGNED BY THE TESTING COMPANY'S ENGINEER.

NOTE: CONTRACTOR SHALL VERIFY ALL UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION.

NOTE: CONTRACTOR SHALL RESTORE AREAS DAMAGED BY CONSTRUCTION TO ORIGINAL CONDITION.

OVERALL SITE PLAN

1. NEW 12'-0" ASPHALT DRIVE SIZE 8'-0" FOR DETAIL.
2. NEW 6'-0" TURNAROUND.
3. NEW 3'-0" UNDERGROUND ELECTRIC CONDUIT FROM TOWER CENTER ON N FRAME TO EXISTING UTILITY POLE CONTRACTOR TO VERIFY FINAL CONNECTION IN FIELD WITH LOCAL UTILITY COMPANY.
4. NEW 3'-0" UNDERGROUND TELCO CONDUIT WITH TURNAROUND FOR FUTURE USE FROM TOWER CENTER TO TELCO HAND HOLE ON 7TH STREET CONTRACTOR TO VERIFY FINAL CONNECTION IN FIELD WITH LOCAL UTILITY COMPANY.

NOTE: CONTRACTOR TO TAKE ALL NECESSARY PRECAUTIONS TO PROTECT EXISTING TREES DURING CONSTRUCTION.
1. Woven wire fence to be fastened securely to fence posts with wire ties or staples.
   Posts: Steel 8” x 8” or U-type 2” hardwood.
   Fence: Woven wire, 14 ga. 6” max. mesh opening.

2. Filter cloth to be fastened securely to woven wire fence with ties spaced every 24” at top and mid section.
   Filter cloth: Filter, Nanot, 100% spun polypropylene, 14 ga. or approved local.

FILTER FENCE DETAIL

1. SEED BENCHMARK SQUARE CUT ON MANHOLE 1, AS SHOWN.
   Elevation: 886.88’ (NAVD88)

2. CONTRACTOR SHALL VERIFY ALL UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION.

3. CONTRACTOR SHALL RESTORE AREAS DAMAGED BY CONSTRUCTION TO ORIGINAL CONDITION.

4. ANY AREA ALTERED FROM CONSTRUCTION TO BE RETURNED TO ITS ORIGINAL STATE. GRASS AREA SHALL BE SEEDS AND MAINTAINED UNTIL SEEDS HAVE GROWN.

5. CHICAGO SMALL UNITED PARTNERSHIP
   - 6420 W. VERONICA WIRELESS
   - ROCKFORD, ILLINOIS (490) 212-5552

6. PROJECT NO. 1000175
   - SHEET NUMBER
   - SHEET TITLE
   - ISSUE DATE

7. CONTRACTOR TO TAKE ALL NECESSARY PRECAUTIONS TO PROTECT EXISTING TRESS DURING CONSTRUCTION.

8. SCALE: N.T.S.

9. SEGMENTATION AND EROSION CONTROL SPECIFICATIONS

   1. HAY OR STRAW DITCH CHECKS SHALL BE INSTALLED AT 50’ INTERVALS ON ALL DITCHES. DITCH CHECKS SHALL BE MAINTAINED UNTIL DRAINAGE AREA TREATED TO DITCH CHECKS HAS WIDE AND GROWING GRASS OR GROUND COVER. AFTER THE NEWLY GROWN GRASS OR GROUND COVER HAS BEEN ESTABLISHED, DITCH CHECKS SHALL BE REMOVED.

   2. STRAWED HAY OR STRAW BALES SHALL BE INSTALLED AROUND EACH INLET OR CATCH BASIN THAT HAS A TYPE B FRAGILE. THESE SHALL BE MAINTAINED UNTIL DRAINAGE AREA TREATED TO GROWING GRASS OR GROUND COVER.

   3. STREETS ADJACENT TO THE SITE SHALL BE KEPT FREE OF DIRT, MUD AND SEED.

   4. MAINTAIN BARE EARTH SURFACES DURING CONSTRUCTION.

   5. ALL DISTURBED AREAS SHALL BE SEEDED OR SOILED AS SOON AS IS PRACTICAL.

   6. UNDREDGED DURING CONSTRUCTION OPERATIONS ANY LOOSE MATERIALS DEPOSITED IN THE FLOW LINE OF GUTTERS, DRAINAGE STRUCTURES, TRENCHES, OR DITCHES SUCH THAT THE NATURAL FLOW LINE OF WATER IS OBSTRUCTED, THIS LOOSE MATERIAL SHALL BE REMOVED.

   7. ALL SEDIMENT WILL BE PREVENTED FROM ENTERING ANY EXISTING STORM DRAINAGE SYSTEMS BY THE USE OF SAND BAGS, INTERCEPTOR SLEDS OR OTHER APPROVED FUNCTIONAL METHODS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING SEDIMENT RESULTING FROM THIS PROJECT FROM STORM SEwers AND DRAINAGE STRUCTURES.

   8. CONSTRUCTION ACCESS POINTS TO THE SITE SHALL BE PROTECTED IN SUCH A WAY AS TO PREVENT TRACKING OF MUD OR SOIL INTO PUBLIC THOROUGHFARES. AT THE END OF EACH DAY THE CONTRACTOR SHALL CLEAN UP ALL MUD OR SOIL TRACKED INTO PUBLIC STREETS OR AS REQUIRED BY VILLAGE OFFICIALS.
SITE WORK GENERAL NOTES:

ALL PLACEMENT OF LANDSCAPING SHALL MEET THE FOLLOWING CONDITIONS:

1. NO TREES SHALL BE PLANTED IN THE PARKWAY UNLESS WRITTEN APPROVAL HAS BEEN RECEIVED FROM THE APPROPRIATE MOWWAY DEPARTMENT. THOSE TREES THAT ARE PLANTED IN THE PARKWAY MUST BE PLANTED TO THE SPECIFICATIONS OF THE APPROPRIATE MOWWAY DEPARTMENT. WHERE TREES ARE NOT ALLOWED TO BE PLACED IN THE PARKWAY, TREES REQUIRED BY THE COUNTY MUST BE PLACED IN THE FRONT YARD OF THE PARCEL.

2. ALL PLANT MATERIAL SHALL BE PLANTED IN A MANNER WHICH IS NOT TO INTERFERE WITH OVERHEAD Wires OR BE INTRUSIVE TO UTILITIES OR PAVEMENT.

3. NO TREES OR OTHER LANDSCAPING SHALL BE LOCATED CLOSER THAN 10 FEET TO A FIRE HYDRANT OR OTHER ABOVE GROUND UTILITIES.

4. NO LANDSCAPING SHALL INTERFERE WITH SITE REQUIREMENTS FOR SAFE INGRESS AND EGRESS.

INSTALLATION STANDARDS

1. PLANT MATERIAL SHALL CONFORM WITH THE CURRENT AMERICAN STANDARDS FOR NURSERY STOCK, PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSETVEN FOR THAT TYPE OF TREE OR SHRUB AT THE TIME OF INSTALLATION.

2. ALL PLANT MATERIAL SHALL BE INSTALLED FREE OF DISEASE AND IN A MANNER THAT ENSURES THE AVAILABILITY OF SUFFICIENT SOIL AND WATER TO SUSTAIN HEALTHY GROWTH.

3. ALL TIES, WIRES, PLANTING TIES AND ROPE SHALL BE CUT FROM EACH TREE TO PREVENT GROWTH OF THE TREE. THE BURLAP SHALL BE PULLED BACK FROM THE UPPER THIRD OF THE ROOTBALL IF A PLASTIC "BURLAP" IS USED, IT SHALL BE REMOVED IN ITS ENTIRETY FROM THE POSTBALL.

4. WHEN PLANTING, THE HOLE SHALL BE DIG APPROXIMATELY THREE (3) TIMES WIDER THAN THE ROOTS OR ROOTBALL.

5. ALL PLANT MATERIAL SHALL BE PLANTED WITH A MINIMUM OF DEPTH OF THREE (3) INCHES OF WELLCHYED MATERIAL AND A DIAMETER OF THREE (3) INCHES AROUND THE BASE OF THE TREE.

6. TREES SHALL BE STAKED WITH POSTS AND NOT STAKED IN AREAS OF HIGH WIND FOR ONE TO THREE YEARS TO ALLOW THE GROWTH OF NEW ROOTS TO STABILIZE. ALL ROPE SHALL BE COVERED TO PREVENT CUTTING INTO THE BARK.

7. THE PLANTING SEASON SHALL BE APPROXIMATELY OCTOBER 15 TO DECEMBER 1 AND MARCH 15 TO MAY 1.

8. ANY EXCESS SOIL, CLAY, OR CONSTRUCTION DEBRIS SHALL BE REMOVED FROM THE PLANTING SITE PRIOR TO PLANTING OF INDIVIDUAL TREES AT FINAL GRADE.

9. THE COUNTY, AT ITS DISCRETION, HAS THE RIGHT TO REMIND A PROFESSIONAL LANDSCAPE ARCHITECT OR ASHLEST TO REVIEW SUBMITTED LANDSCAPE PLAN AND THE PROFESSIONAL LANDSCAPE ARCHITECT OR ASHLEST WILL SIGN A WRITTEN REPORT TO THE PLANNING AND ZONING COMMISSION. ALL EXPENSES INCURRED BY THE COUNTY FOR THE USE OF THE LANDSCAPE ARCHITECT OR ASHLEST SHALL BE REIMBURSED BY THE DEVELOPER.

LANDSCAPE SCHEDULE

<table>
<thead>
<tr>
<th>NO.</th>
<th>MATERIAL</th>
<th>SCIENTIFIC NAME</th>
<th>HT.</th>
<th>SPACING</th>
<th>ROOT BALL</th>
</tr>
</thead>
<tbody>
<tr>
<td>16</td>
<td>MISSION ARGENTINA</td>
<td>Prosopis rubra</td>
<td>10'</td>
<td>25'</td>
<td>6''</td>
</tr>
</tbody>
</table>
**NOTES:**

1. CROWN OF SHRUB SHALL BE SET SO THAT WIND AND WATER WILL BE DIRECTED TO THE SAME ELEVATION AS THE FINISHED GROUND.
2. FOR PRUNING, TRANSPLANTING AND OTHER INFORMATION, SEE SPECIFICATIONS.
3. IF A CONTAINER PLANT, CUT AND REMOVE PLANTING CONTAINER BEFORE PLANTING KEEPING ROOT BALL INTACT.

**LANDSCAPE SCHEDULE**

<table>
<thead>
<tr>
<th>NO.</th>
<th>MATERIAL</th>
<th>SCIENTIFIC NAME</th>
<th>HT.</th>
<th>SPACING</th>
<th>ROOT BALL</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>Mission Arbovitae</td>
<td>Thuja occidentalis</td>
<td>6-0</td>
<td>5'-0'</td>
<td>6/8</td>
</tr>
</tbody>
</table>

**GROUND COVER/PERSIMMON DETAIL**

- Stake and Guy Trees 6' or greater in height. (See Specifications)
- Set crown of root ball 3' above existing grade.
- Create saucer with topsoil.
- 3' minimum double shredded hardwood from mulch. (See Specifications)
- Fold down or cut and remove top 1/3 of burlap planting mix. (See Specifications)
- Set rootball on undisturbed subgrade.

**SHRUB LAYOUT**

**SCALE:** 1/4" = 1'-0"
ELEVATION B

ELEVATION D

REVIEWS NOTE

THE SHELTER IS PREFABRICATED BY REXFORD CORPORATION OF
MADISON, LA. THE FOLLOWING PAGES (B-1 THRU B-4) ARE FOR
REFERENCE ONLY. SEE ACTUAL BUILDING PLANS BY REXFORD FOR
CONSTRUCTION DETAILS, INTERIOR ELECTRIC LAYOUT, FIRE RATING
GATING INFORMATION, ETC.

* SHELTER IS 1 HOUR FIRE RATED AND MADE FROM 6000 PSI
CONCRETE.
Did you know you can request a refund online for unused Click-N-Ship® labels in your Shipping History? Click here to learn more.

Label Details

Label Number:
9407803699300032820001

SCAN® Form: 947576036909369229074449

Terms

Acceptance Cutoff: 05/24/2017 3:46 PM
Acceptance Time: 05/24/2017 11:00 PM
Scheduled Date: 05/26/2017 12:00 AM
Delivery Status: Delivered, To Agent 2017-05-27 08:19:06.0

Label Actions

USPS Tracking®
Ship Again
Request A Refund

Need help
File an insured claim

Return Address:
RICHARD C RILEY
WIRELESS & BROADCAST SITING-ADVISORS LLC
123 N 4TH ST
CHESTERTON, IN 46304-2352
rcriley@siting-advisors.com

Delivery Address:
COLOCATION MANAGER
T-MOBILE
12920 SE 36TH ST
BELLEVUE, WA 98006-1350

Transaction Number: 406408855
Transaction Type: Label
Payment Method: AMEX-2003
Payment Status: Account Charged

Package:
Ship Date: 05/24/17
Value: $10.00
From: 49304

Service:
Priority Mail® 2-Day
Flat Rate Envelope
Signature Confirmation

Postage Cost
Signature Confirmation
$6.85
$2.45

Label Total:
$9.10

Order Total:
$36.40

Timestamp
Message
05-24-2017 12:35:51
LABEL PRINTED
05-24-2017 12:36:13
Getting Payment
05-24-2017 12:34:58
Setting Payment

Back to Shipping History

https://cns.usps.com/labelDetails.shtml?orderid=624330651
Did you know you can request a refund online for unused Click-N-Ship® labels in your Shipping History? Click here to learn more.

Label Details

Label Number: 9407803699300032820025
SCAN® Form: 9475636993000229974449
Terms
Acceptance Cutoff: 05/24/2017 5:40 PM
Acceptance Time: 05/24/2017 6:47 PM
Scheduled Date: 05/28/2017 12:00 AM
Delivery Status: Delivered, Individual Picked Up at Postal Facility 2017-05-26 06:28:06.0

Label Actions
- USPS Tracking®
- File a Claim
- Request A Refund

Return Address:
RICHARD C RILEY
WIRELESS & BROADCAST SITTING-ADVISORS LLC
123 N 4TH ST
CHESTERTON, IN 46304-2352
rcliley@sitting-advisors.com

Package:
- Ship Date: 05/24/17
- Value: $10.00
- From: 46304

Delivery Address:
COLOCATION MANAGER
SPRINT
6200 SPRINT PKWY
OVERLAND PARK, KS 66251-6117

- Service:
  - Priority Mail® 2-Day
  - Flat Rate Envelope
  - Signature Confirmation

Transaction Number: 406408935
Transaction Type: Label
Payment Method: AMEX-2003
Payment Status: Account Charged

Postage Cost: $6.65
Signature Confirmation: $2.45
Label Total: $9.10
Order Total: $36.40

Timestamp
05-24-2017 12:35:52
Message
LABEL PRINTED

05-24-2017 12:35:13
Getting Payment

05-24-2017 12:34:58
Setting Payment

https://cns.usps.com/labelDetails.shtml?orderItemId=624330653

1/2
Did you know you can request a refund online for unused Click-N-Ship® labels in your Shipping History? Click here to learn more.

Label Details

Label Number: 9407603693300032819999

SCAN® Form: 9475703693300229074440

Terms

Acceptance Cutoff: 05/24/2017 5:49 PM
Acceptance Time: 05/24/2017 6:47 PM
Scheduled Date: 05/27/2017 12:00 AM
Delivery Status: Delivered, To Original Sender 2017-05-26 08:42:00.0

Label Actions

USPS Tracking®, Ship Again, Request A Refund

Need help
File an insurance claim

Return Address:
RICHARD C RILEY
WIRELESS & BROADCAST SITING-ADVISORS LLC
123 N 4TH ST
CHESTERTON, IN 46304-2352
rcliley@siting-advisors.com

Delivery Address:
COLOCATION MANAGER
CRICKET WIRELESS
12735 MORRIS ROAD EXT
STE 300
ALPHARETTA, GA 30004-8904

Transaction Number: 4064036655
Transaction Type: Label
Payment Method: AMEX-2003
Payment Status: Account Charged

Package:
Ship Date: 05/24/17
Value: $10.00
From: 46304
Service:
Priority Mail® 3-Day
Flat Rate Envelope
Signature Confirmation

Postage Cost $6.85
Signature Confirmation $2.45
Label Total $9.10
Order Total $36.40

Timestamp
05-24-2017 12:35:50
05-24-2017 12:35:13
05-24-2017 12:34:58

Message
LABEL PRINTED
Getting Payment
Setting Payment

https://cns.usps.com/labelDetails.shtml?orderId=624330849
May 25, 2017

AT&T
Attention: Inbound Colocation Manager
4016 Watson Blvd
Warner Robins, GA 31093

RE: Central States Tower Site IL-00-5791 State Highway 23 and Fairview Drive
1300 S. 7th Street, Dekalb, Illinois 60115

In-bound Colocation Manager,

Pursuant to the requirements of Article 7.08.09.03, Central States Tower is hereby providing you with notice of our intent to meet with the City of Dekalb in a pre-application conference to discuss the location of a wireless communication facility that would be located at 1300 S. 7th Street, Dekalb, Illinois 60115. In general, we plan to construct a support structure of 140 feet in height for the purpose of providing Wireless Communication Services.

Please inform us whether you have and existing or pending antenna or tower facilities located within 5,280 feet of the proposed facility that may be available for possible co-location opportunities. Please provide us with this information within ten (10) business days after the date of this letter. A failure to respond shall be construed as confirmation of our findings indicating that Cricket Wireless has no such colocatable facilities. Your cooperation is appreciated.

Sincerely,

Richard Connor Riley
Attorney for:
Central States Tower II, LLC
July 17th, 2017

AT&T
Attention: CBRE for AT&T Towers
2300 Northlake Center Drive
Suite 405 office Number 4W-01
Tucker, GA 30084
RE: Central States Tower Site IL-00-5791 State Highway 23 and Fairview Drive
1300 S. 7th Street, Dekalb, Illinois 60115

To whom is responsible,

Pursuant to the requirements of Article 7.08.09.03, Central States Tower is hereby providing you with notice of our intent to meet with the City of Dekalb in a pre-application conference to discuss the location of a wireless communication facility that would be located at 1300 S. 7th Street, Dekalb, Illinois 60115. In general, we plan to construct a support structure of 140 feet in height for the purpose of providing Wireless Communication Services.

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Sincerely,

Richard Connor Riley
Attorney for:
Central States Tower II, LLC
May 25, 2017

Cricket Wireless
Attention: Inbound Colocation Manager
12735 Morris Road #300
Alpharetta, GA 30004

RE: Central States Tower Site IL-00-5791 State Highway 23 and Fairview Drive
1300 S. 7th Street, DeKalb, Illinois 60115

In-bound Colocation Manager,

Pursuant to the requirements of Article 7.08.09.03, Central States Tower is hereby providing you with notice of our intent to meet with the City of DeKalb in a pre-application conference to discuss the location of a wireless communication facility that would be located at 1300 S. 7th Street, DeKalb, Illinois 60115. In general, we plan to construct a support structure of 140 feet in height for the purpose of providing Wireless Communication Services.

Please inform us whether you have and existing or pending antenna or tower facilities located within 5,280 feet of the proposed facility that may be available for possible co-location opportunities. Please provide us with this information within ten (10) business days after the date of this letter. A failure to respond shall be construed as confirmation of our findings indicating that Cricket Wireless has no such co-locatable facilities. Your cooperation is appreciated.

Sincerely,

Richard Connor Riley
Attorney for:
Central States Tower II, LLC
May 25, 2017

Sprint
Attention: Inbound Colocation Manager
6200 Sprint Parkway
Overland Park, Kansas 66251

RE: Central States Tower Site IL-00-5791 State Highway 23 and Fairview Drive
1300 S. 7th Street, Dekalb, Illinois 60115

In-bound Colocation Manager,

Pursuant to the requirements of Article 7.08.09.03, Central States Tower is hereby providing you with notice of our intent to meet with the City of Dekalb in a pre-application conference to discuss the location of a wireless communication facility that would be located at 1300 S. 7th Street, Dekalb, Illinois 60115. In general, we plan to construct a support structure of 140 feet in height for the purpose of providing Wireless Communication Services.

Please inform us whether you have and existing or pending antenna or tower facilities located within 5,280 feet of the proposed facility that may be available for possible co-location opportunities. Please provide us with this information within ten (10) business days after the date of this letter. A failure to respond shall be construed as confirmation of our findings indicating that Cricket Wireless has no such colocatable facilities. Your cooperation is appreciated.

Sincerely,

Richard Connor Riley
Attorney for:
Central States Tower II, LLC
May 25, 2017

T-Mobile
Attention: Inbound Colocation Manager
12920 SE 38th Street
Bellevue, WA 98006

RE: Central States Tower Site IL-00-5791 State Highway 23 and Fairview Drive
1300 S. 7th Street, Dekalb, Illinois 60115

In-bound Colocation Manager,

Pursuant to the requirements of Article 7.08.09.03, Central States Tower is hereby providing you with notice of our intent to meet with the City of Dekalb in a pre-application conference to discuss the location of a wireless communication facility that would be located at 1300 S. 7th Street, Dekalb, Illinois 60115. In general, we plan to construct a support structure of 140 feet in height for the purpose of providing Wireless Communication Services.

Please inform us whether you have and existing or pending antenna or tower facilities located within 5,280 feet of the proposed facility that may be available for possible co-location opportunities. Please provide us with this information within ten (10) business days after the date of this letter. A failure to respond shall be construed as confirmation of our findings indicating that Cricket Wireless has no such colocatable facilities. Your cooperation is appreciated.

Sincerely,

Richard Connor Riley
Attorney for:
Central States Tower II, LLC
Dan,

It is the cost to Verizon that needs to be examined, and not the cost to Central States Tower.

Normally Verizon’s costs to co-locate on any tower are approximately $35,000.00. This cost would be the same for the usual existing AT&T tower as well. Verizon’s costs are amplified in the colocation on this Central Office AT&T tower because Verizon would have to pay $439,897.00 in capital costs for the tower modification (See attached estimate) as well as a higher monthly rent than what Central States Tower would charge.

CST’s proposed tower is 145’ with Verizon at 125’, which provides opportunity for 2 colocations above and one below. This co-location capacity is an important benefit to the City as it should eliminate some future towers. Allowing that Every site is slightly different CST typically budgets about $180,000 for a monopole in the 150’ range, of which approximately $60,000 represents the cost of the monopole itself, which CST could reuse if necessary. These costs are Central States Tower’s cost and not Verizon’s.

It should be noted that it is the impossibility of the wireless carrier (Verizon) to co-locate on other structures that Section 7.08.09 Co-location Protocol mandates; CST believes therefore, that the real comparison should be the normal cost to Verizon to co-locate on an existing tower versus the cost to locate on the AT&T central office Tower. This cost increase is approximately thirteen (13) times higher and is therefore not feasible.
Should you have any questions please call me.

Thanks,

Richard Connor Riley
LAW OFFICE OF
RICHARD CONNOR RILEY
123 North 4th Street
Chesterton, Indiana 46304
(312) 244-3792 (O)
(312) 276-5123 (F)
*LICENSED IN ILLINOIS

From: Olson, Dan [mailto:Dan.Olson@CITYOFDEKALB.com]
Sent: Tuesday, June 20, 2017 2:09 PM
To: Richard Connor Riley <rcriley@siting-advisors.com>
Cc: Charlton, Jo Ellen <Joellen.Charlton@CITYOFDEKALB.com>; Dean Frieders <dean@frieders.com>
Subject: FW: 1300 S. 7th Street - Verizon Tower

Richard,

Were you able to obtain the cost for the new tower?

Dan Olson

From: Olson, Dan
Sent: Thursday, June 08, 2017 3:07 PM
To: 'Richard Connor Riley' <rcriley@siting-advisors.com>
Cc: Dean Frieders <dean@frieders.com>; Charlton, Jo Ellen (Joellen.Charlton@CITYOFDEKALB.com)
Subject: RE: 1300 S. 7th Street - Verizon Tower

Richard,

Thanks. What is the overall cost for the construction of the tower so we can compare to the construction estimate you provided for the co-locate on the AT&T Tower?
INVOICE

PROJECT APPROVAL LETTER (PAL)

AT&T Towers PMO
5001 Executive Parkway, Room 4W750II
San Ramon, CA 94583

PAL: 11242440-D1/11334811-D2

DATE: February 24, 2016

CUSTOMER: Verizon
180 Washington Valley Road, Bedminster, NJ 07921

CUSTOMER SITE ID: State Hwy 23 and Fairview Ave

PROJECT: State Hwy 23 & Fairview Ave

PROJECT LOCATION: 1500 7th St., Dekalb, IL

AT&T PROJECT MGR: (Gus) Marion Deguillo

SITERRA PROJECT: 11242440

CFAS: 0

PMA: 0

Per Paragraph 6 ("IMPROVEMENTS: ACCESS") of the Master Communications Site License Agreement, we are requesting your authorization to proceed with the following scope of work at the above address.

SCOPE OF WORK

This price quote is for CRE to over see Gilbane/Dtech/GPD and Verizon's vendor to perform each of their individual scopes of work. Gilban will perform all earth, structural and electrical/grounding work for the platform. Dtech will perform the post EME study. GPD will perform the tower remediation along with a post inspection report. Verizon's vendor will perform all L & A work, supply the generator with cold weather kit, supply (platform, anchors, antennas, radio equipment and any other materials for L & A). Verizon must provide delivery schedule to CRE and Gilbane for anchors, platform and generator. Anchors must be on site before concrete pour for retaining wall.

<table>
<thead>
<tr>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>$388,171.00</td>
</tr>
</tbody>
</table>

CUSTOMER APPROVAL:
Customer requests that AT&T act as its agent in performing the above-described custom work on Customer behalf. Customer agrees to pay the charge(s) indicated above for such work. The work is to be done on an "Actual Cost" basis, all charge(s) will be computed in accordance with AT&T's ordinary accounting practices under the Uniform System of Accounts for Class A telephone companies and will include allocated costs for labor, engineering, materials, transportation, motor vehicles, tool and supply expenses and sundry billings from sub-contractors and suppliers for work and materials related to the job. The Customer affirms that the cost estimate furnished by AT&T has been considered only as an estimate of approximate costs and that the actual costs might differ.

Customer agrees to make an advance payment in the amount stated above. If Customer cancels work prior to completion, Customer agrees to pay AT&T for costs incurred to date. Price is guaranteed for 60 days. Please sign and date the PAL and return it with check payment to: AT&T, 5001 Executive Parkway, Room 3W050, San Ramon, CA 94583.

ACCEPTED FOR CUSTOMER:

Name:
Title:
Date:

GEO CODE: ILES70

ACCEPTED FOR AT&T TOWERS:

Name:
Title:
Date:

CLLI: DKLB1R8

FA: 10136315
### Detailed Bid Results - Verizon Cell Tower Antenna Installation

#### General Trades

<table>
<thead>
<tr>
<th>Item</th>
<th>J-Mac</th>
<th>Bear</th>
<th>Gicor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Bid</td>
<td>$216,735</td>
<td>$269,120</td>
<td>$188,570</td>
</tr>
<tr>
<td>Cost to include OPD Group's cost in bid with supervision</td>
<td></td>
<td>$61,454</td>
<td></td>
</tr>
<tr>
<td>Cost to include Drech cost in bid with supervision</td>
<td></td>
<td>$2,524</td>
<td></td>
</tr>
<tr>
<td>Deduct Bituminous surface (-290)</td>
<td></td>
<td>$150</td>
<td></td>
</tr>
<tr>
<td>Deduct Arborvitaes (-1)</td>
<td></td>
<td>($276)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>$252,022</td>
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</table>

#### Electrical Trades

<table>
<thead>
<tr>
<th>Item</th>
<th>Dongerra</th>
<th>Geary</th>
<th>McWilliams</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Bid</td>
<td>$112,745</td>
<td>$69,414</td>
<td>$67,580</td>
</tr>
<tr>
<td>Add cost for feed to generator and power wiring of generator.</td>
<td></td>
<td>$12,140</td>
<td></td>
</tr>
<tr>
<td>Provide cost for branch circuitry to platform</td>
<td></td>
<td>$4,340</td>
<td></td>
</tr>
<tr>
<td>Deduct for reduce scope of grounding work</td>
<td></td>
<td>($876)</td>
<td></td>
</tr>
<tr>
<td>Total Base Bid with out Allowances or Alternates or Gilbane Fees</td>
<td></td>
<td>$83,190</td>
<td></td>
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#### Alternates and Allowances

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
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</thead>
<tbody>
<tr>
<td>If any bollards are required? 4&quot;x6&quot; each</td>
<td>$437</td>
</tr>
<tr>
<td>Cost if Nicor is not including the cost of trenching in their cost. Also to restore the grass including top soil seed and mat.</td>
<td>$5,560</td>
</tr>
<tr>
<td>Silt fence 300 LF if needed</td>
<td>$1,309</td>
</tr>
<tr>
<td>Unit price for contaminated soil soil testing of the contaminated soil during removal</td>
<td>$189</td>
</tr>
<tr>
<td>Cost for initial watering for 3 weeks using building water setting up hose with timer</td>
<td>$5,452</td>
</tr>
<tr>
<td>3 weeks of watering using water truck</td>
<td>$3,460</td>
</tr>
<tr>
<td>Winner conditions to thaw ground weekly rental of thaw machine and two weeks of blankets (this may need to be done more than once depending on start?)</td>
<td>$10,500</td>
</tr>
<tr>
<td>$7,016</td>
<td></td>
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</tbody>
</table>

#### Subtotal

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<tbody>
<tr>
<td></td>
<td>$345,541</td>
</tr>
<tr>
<td>Contingency 2%</td>
<td>$6,910.82</td>
</tr>
<tr>
<td>Total with Selected A+A and Gilbane Fees</td>
<td>$388,171</td>
</tr>
</tbody>
</table>

**Please note that this cost dose not include the cost of the generator or the cold weather kit. Generator manufacture to include kit as part of order. Verizon to supply generator to LSA vendor to set only.

**There are no permit fees in this bid. Building, Com Ed and Nicor**
### Scope Review Meeting Minutes

**Project Name:** DeKalb Verizon Cell Tower  
**Meeting Location:** DeKalb CO / Conference Call  
**Bid Category:** Electrical Trades  
**Engagement #:** M23545  
**Present:** Melanie Kmetz, Jim Raymond, Gus DeQuilio

The meeting was opened by Melanie Kmetz of Giilbane Building Company who asked the following questions to the above bidder present at the meeting:

1. Have you received all documents, drawings, specifications, etc as listed in the bid package?  
   - **Answer:** Yes  

2. Have you received Supplement(s) No. 0?  
   - **Answer:** Yes  

3. Have you included all taxes, all freight charges and all bonds in the bid price?  
   - **Answer:** Yes  

4. Have you reviewed the sample contract and would you sign if successful?  
   - **Answer:** Yes  

5. Can you meet the schedule as referred to in the bid package?  
   - **Answer:** Yes  

6. How long after Contract Award would it take to submit shop drawings?  
   - **Answer:** Panels, PVC schedule 40  

7. How long after approved submittals would it take for materials to be delivered to jobsite?  
   - **Answer:** Panels – 2-4 weeks  

   Are there any materials with long-lead times?  
   - **Answer:** Yes  

8. Have you taken into account any union labor expirations during the course of the project?  
   - **Answer:** Yes  

9. Who is performing the work? List Subcontractors/Trades: Jim Burke Excavation

10. Gilbane requires that the trade contractors must have an on-site designated supervisor at all times while labor personnel are performing work. The supervisor is one who has the authority to receive and carry out instructions from Gilbane. Will this project be manned in that manner?  
    - **Answer:** Yes  

11. Does your bid include all insurance premiums?  
    - **Answer:** Yes  

12. Does your bid exclude a Performance Bond and Labor & Material Payment Bond?  
    - **Answer:** Yes  

13. Do you understand that any sub trades must also carry the same insurance coverage and submit a certification to Gilbane prior to working on-site?  
    - **Answer:** Yes  

14. Are the guarantee periods, as specified in the contract documents, covered in your bid?  
    - **Answer:** Yes  

15. Do you acknowledge the specification requirements for the manufacturers' warranty and the standard one-year warranty on workmanship?  
    - **Answer:** Yes  

16. Do you have any special requirements concerning temporary electric, water or heat? If yes, please provide a detailed explanation  
    - **Answer:** Yes
Scope Review Meeting Minutes

17. Any items of work excluded? Review it and determine who is responsible for scope of work excluded.
   □ YES □ NO

18. Additional Questions:

   _2_ guys _4-5_ weeks of work? Send durations of work areas.

   Winter conditions is included in the base bid. Roughly 5 days for both the ComEd and Fiber trench. Any snow
   removal along trench, keeping the frost out of trench is included etc.

   All coordination with ComEd is included in the base bid. Com Ed permit fee in not included.

   In ground pull boxes for fiber (3) included. ComEd service none shown.

   Repair of the asphalt is not included in your bid. Backfill and stone is included in the trench across the
   driveway and in grass area. Replace soils and grade back to grass line.

   Generac 200 amp panel with auto transfer is included in base bid.

   Meter socket and 200 amp disconnect included in base bid.

   Ground bar and grounding system is in the base bid. Entire grounding system as shown on D-1. Any
   grounding going up the existing cell tower to any high mounted equipment is not included in base bid. 48" is
   the below grade dimension for the location of the new ground ring.

   Provide cost for trenching, backfill, pipe, power etc. from the panel to the generator. _$12,140.00_

   For electrical service conduit, base bid includes one 3" and for the fiber (2) 4" with (2) interdict inside each.

   Provide cost for branch AC circuitry, for the power and lighting to the platform _$4,340.00_.

   Any spoils will be removed off site, included in base bid.

   Verizon will provide the equipment and generator the L&A vendor will set equipment and generator. Power to
   the generator will be provided by electrical contractor. Provide price above.

---

The Scope of Work as described on pages _1_ through _9_ of the Proposal Form was

   Discussed.

The Scope of Work as described on pages _1_ through _4_ of the Attachment A was

   Discussed.

Signed By: Melanie Kmetz – Gilbane PM
Name/Title
Date: 1-14-16

Signed By: Jim Raymond – McWilliams Electric, PM
Name/Title
Date: 1-28-16

Signed By: 
Name/Title
Date:
McWilliams Electric Co., Inc.
CONTRACTING ELECTRICAL ENGINEERS
1401 RODENBURG ROAD SCHADENBURG, ILLINOIS 60133-3932
PHONE NUMBER (847) 301-2600 FAX NUMBER (847) 301-2648
SCOPE LETTER

Gibson Building Company
225 W. Randolph, 13th Floor
Chicago, IL 60606
Attn: Melanie Kmetz

Date: February 10, 2016
Re: AT&T DeKalb
2525p01-jmr.doc-revised

Dear Melanie:
The undersigned proposes to furnish all materials and perform all labor necessary to complete the following:

This Scope Letter is based on the information provided by CBRE’s requested add/deducts for Base Pricing submitted on 1/12/16.

Power
Provide and install the following to the Base Bid:
- Conduit, wire and terminations from transfer switch to generator.
- Conduit, wire and terminations for all branch circuits.
- (2) adjustable Nemalux MR3/5 light fixtures.
- (2) Nema 3R 3-way switches.
- (2) 20 amp GFCI receptacles.

Add to Base: $16,480.00

Grounding
Remove the following from the Base bid:
- 27’ of ground wire.
- (3) ground rods.
- (3) Cad welds

Deduct from Base: ($870.00)

Exclusions
- Premium time
- Generator and controls

All of the above work to be completed in a substantial and workmenlike manner according to standard practices during a normal 40 hour work week. Payment to be made within 30 days of receipt of work. Any variation or deviation from above quantities or materials will be executed only upon written orders, and will become an extra change order and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, labor and other necessary insurance. The McWilliams Electric Co., Inc. agrees to carry Workers’ Compensation and Public Liability Insurance, also to pay all Sales Taxes, Old Age Benefit and Unemployment Compensation Taxes upon the labor and materials furnished under this contract, as required by the United States Government and the State in which this work is performed.

Thank you for the opportunity to bid this work. NOTE: This proposal may be withdrawn by us if not accepted within 30 days.

Respectfully submitted,

SIGNED: Jim Raymond, Project Manager

Revised 8/16/02

Original-Customer Copy Yellow-Acceptance Copy-Sign and Return Pink-Job File Green-Project
Scope Review Meeting Minutes

Project Name: DeKalb Verizon Cell Tower
Project No.: 2933
Meeting Location: DeKalb CO / Conference Call
Date: 1/14/16
Bid Category: General Trades
Time: 
Engagement #: M23545
Present: Melanie Kmetz, Carl Ryba, Gus DeGuillo

The meeting was opened by Melanie Kmetz of Gilbane Building Company who asked the following questions to the above bidder present at the meeting:

1. Have you received all documents, drawings, specifications, etc as listed in the bid package?
   - YES ☒ NO ☐

2. Have you received Supplement(s) No 0,
   - YES ☒ NO ☐

3. Have you included all taxes, all freight charges and all bonds in the bid price?
   - YES ☒ NO ☐

4. Have you reviewed the sample contract and would you sign if successful?
   - YES ☒ NO ☐

5. Can you meet the schedule as referred to in the bid package?
   - YES ☒ NO ☐

6. How long after Contract Award would it take to submit shop drawings?
   - Steel Platform – 3 weeks
   - Generator / equip – Verizon

7. How long after approved submittals would it take for materials to be delivered to jobsite?
   - Steel – 3 weeks
   - YES ☒ NO ☐

8. Are there any materials with long-lead times?
   - YES ☒ NO ☐

9. Have you taken into account any union labor expirations during the course of the project?
   - YES ☒ NO ☐

10. Who is performing the work? List Subcontractors/Trades:
    - Tully Brothers
    - Universal Fence
    - REH Landscaping
    - L&A Vendor – P&D Antenna Services Inc.

11. Gilbane requires that the trade contractors must have an on-site designated supervisor at all times while labor personnel are performing work. The supervisor is one who has the authority to receive and carry out instructions from Gilbane. Will this project be manned in that manner?
    - YES ☒ NO ☐

12. Does your bid include all insurance premiums?
    - YES ☒ NO ☐

13. Does your bid exclude a Performance Bond and Labor & Material Payment Bond?
    - YES ☒ NO ☐

14. Do you understand that any sub trades must also carry the same insurance coverage and submit a certification to Gilbane prior to working on-site?
    - YES ☒ NO ☐

15. Are the guarantee periods, as specified in the contract documents, covered in your bid?
    - YES ☒ NO ☐

16. Do you acknowledge the specification requirements for the manufacturers' warranty and the standard one-year warranty on workmanship
    - YES ☒ NO ☐
Scope Review Meeting Minutes

16. Do you have any special requirements concerning temporary electric, water or heat? If yes, please provide a detailed explanation. Building water for landscaping.

☐ YES ☐ NO

Scope Review Meeting Minutes

17. Any items of work excluded? Review it and determine who is responsible for scope of work excluded.

☐ YES ☐ N

Additional Questions:
- 8-10 guys ___ weeks of work? Send durations of work areas. Schedule?

Provide cost to include GPD Group’s Cost of 2750 and 42975 into your base bid. $ _61,454.00 with markup and 2 weeks supervision per GPD Group ___?

Fabrication of GPD Group steel is 4 – 6 weeks

Provide cost to include D Tech quote of $2150 into your base bid. $ ___2,524.00__________?

Provide cost to include winter conditions in your base bid. Defrost ground, pour concrete foundations and generator paid. $ see below on last page ________?

Will Nicor trench in now?

Verizon will provide the equipment and generator the L&A vendor will install.

L&A vendor will provide remaining ground bars, including the antenna 150 up, and any other above ground grounding that is required.

Crane cost is for one day of lifting of the steel platform and the generator. Additional cost would be cost roughly $2000.

Trapeze kit and ice bridge is provided by L&A vendor.

No AC electrical work is included on the platform, no power to the Generator. Only setting the generator.

Telecom fiber and copper cabling to equipment and antenna is included.

Only trench is for the gas line, and full coordination with Nicor.

Alternate #1 is the cost for 4 four 4” x 6” bollards $1745 –

#2 Cost for the gas line trenching, pipe and backfill, and restorations of the grass, topsoil, seed and mat. $5,560

#3 Silt fence of 300 LF $1309

Unit price of hauling contaminated soil $189 per ton

Testing of the contaminated soil during removal $5452. Allowance

Soils currently are included to be spread out around the existing site.

Asphalt work – cut out the area of asphalt for gas line and electrical trenches shown on C-1 and then will come back and asphalt area. The backfill and stone in the trench is provided by others.

All fencing work is included.

All landscape work is included including the topsoil and seed and mat of the electrical trench.

Providing 6’ high trees, with typical saucer detail with mulch. Watering is not included.

Provide cost for initial watering? $ _#1. $3,469.00 for 3 weeks of watering using building water, setting up hoses with timers and checking once a week.

#2: $10,500 for 3 weeks of water truck watering. _______ (First three weeks?) Price both ways with water truck and setting up watering / timer system using existing exterior hose bib.

Concrete and soil testing is included in the base bid.

No Dumpster is included.

Hauling of soil / debris is included. Soils spread on site. All trades haul own spoils

Port a Potty and cleaning is included for the duration of the project.
Scope Review Meeting Minutes

The Scope of Work as described on pages 1 through 9 of the Proposal Form was discussed.
The Scope of Work as described on pages 1 through 4 of the Attachment A was discussed.

Signed By: Melanie Kmetz – Gilbane PM
Name/Title
Date: 1-14-16

Signed By: Carl Ryba – Gilcor Construction
Name/Title
Date: 1-29-16

Winter conditions – Ground Thaw

The thaw machine is for one week fuel and labor to move around. $4,428.00 with 12" frost it will take 48 hours to thaw one area. After area is thawed we cover with blankets. Blankets are rented for 2 weeks, includes labor to get to job and installation and maintaining. $2,588.00.

I would multiply the above times 2.

Revised drawings dated 1/13/16 and Email indicating the line items that supposedly changed. I know they are probably going to want a cost for each listed line item included in this email. So...please show a deduct for each item that pertains to you.
- Platform area = -54 sf - No change – P&D originally figured the smaller platform
- Ground ring = - 13 LF
- Ground Rods = -3 each
- Electric = 0 (none added)
- Fiber = -7 LF
- Bituminous surface = -290 sf - Deduct for Materials $150.00
- Arborvitae = -1 - Deduct $376.00
Thomas Wilson
AT&T Towers
Tw:952-8665
Tel: 952-3663 Office

Monday, November 30, 2015

AT&T Site: USID TAG0086 Dekalb
Tower Modification Project Services

Mr. Wilson,

We are pleased to offer structural modifications services for your project. The below quote is valid for (30) days. GPD Services respectfully includes and excludes the following items based on the modification design by GPD Group 2015703.95 dated 1/18/2015.

**GPD Includes:**

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permit</td>
<td>$1,000</td>
</tr>
<tr>
<td>Mobilization</td>
<td>$3,000</td>
</tr>
<tr>
<td>Labor</td>
<td>$20,975</td>
</tr>
<tr>
<td>Material</td>
<td>$15,000</td>
</tr>
<tr>
<td>GPD Management</td>
<td>$2,000</td>
</tr>
<tr>
<td>Post Observation</td>
<td>$0</td>
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<tr>
<td>Non-Destructive Testing</td>
<td>$0</td>
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<tr>
<td>Pier or Pull test</td>
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</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$42,975</strong></td>
</tr>
</tbody>
</table>

**GPD Excludes:**

- Geotechnical Reporting
- Foundation Exploration / Mapping
- In-Shelter Data Collection
- Temporary Support of Downspipe Antennas
- TIA/EIA Inspection Documentation
- Steel Strength Testing
- Temporary Antenna Supports
- Underground Utility Relocation
- XIT Grounding
- Rock Cut
- Fulltime Security
- Building Relocation
- Multiple Mobilizations

Please note that this quote was done without the benefit of a site visit by GPD. Add-ons, although rare, can sometimes happen due to unexpected or unknown hazardous materials or conditions. However, we feel confident that this quote fully represents the cost needed for the complete upgrade. The project quote is only good if the project is awarded in a lump sum. Carrier will not be permitted to eliminate line items by taking care of the tasks themselves.

Thank you for the opportunity to submit this proposal. We will begin the modification process once we receive a PO or check. If you have any questions, or would like to discuss this information further, please feel free to contact me at (330) 572-2274 or jwoods@gpdgroup.com.

Respectfully Submitted,

GPD Services,

[Signature]
Jeff Woods
Senior Project Manager

520 South Main Street, Suite 2531, Akron, Ohio 44311, 330-572-2100, Fax 330-572-2101, [www.GPDCGroup.com](http://www.GPDCGroup.com)
GPD Group Professional Services Quote

We are pleased to offer structural engineering services for your project. GPD Group respectfully includes the following items:

GPD Includes:

<table>
<thead>
<tr>
<th>Site #</th>
<th>FA#</th>
<th>Client #</th>
<th>Site Name</th>
<th>Service</th>
<th>Cost</th>
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<tbody>
<tr>
<td>TAG0086</td>
<td>10136315</td>
<td>TAG0086-A</td>
<td>DeKalb</td>
<td>Post Observation Site Visit</td>
<td>$2,750.00</td>
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</table>

Total $2,750.00

If GPD Group is to write the final engineer stamped Post Observation Report, we will require the following:
See sheet MI-01 for all closeout documentation

Thank you for the opportunity to submit this proposal. We will begin our analysis upon receipt of a PO or check. If you have any questions, or would like to discuss this information further, please feel free to contact me at 330-572-2208

Respectfully Submitted

Nate Hendricks
Senior Construction Manager
GPD Group
nhendricks@gpdgroup.com
### PROPOSAL

**CUSTOMER:**

AT&T Towers  
Thomas R. Wilson, Project Manager  
3405 Wayward Parkway, Suite 1270E  
Alpharetta, GA 30004

<table>
<thead>
<tr>
<th>Proposal #</th>
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<tbody>
<tr>
<td>P.O. NO.</td>
<td></td>
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<td>Vendor Account #</td>
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<td>11/17/2015</td>
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<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Qty</th>
<th>Rate</th>
<th>Total</th>
</tr>
</thead>
</table>
| EME Package| Site:  
  Verizon at 1500 7th St, Dekalb, IL p11242440 - State Hwy 33 and Fairview Drive  
  SOW:  
  1) Pre-Construction RF safety analysis.  
  2)Post-Construction analysis with on-site visit.  
  3)RF safety map | 1   | 2,190.00 | 2,190.00 |

**Total**

$2,190.00

---

**Terms & Conditions**

1. Dtech will begin activities for this project upon receipt of Purchase Order or Purchase Card approval.
2. Payment is due upon delivery of the report.
3. All information contained in this quotation is confidential and proprietary.
4. Do not distribute without written consent of Dtech Communications, LLC.
Good afternoon Gentlemen, thank you for contacting me regarding this issue. AT&T does have an existing tower approximately 290’ in height located at 1500 S. 7th St. DeKalb, IL 60115. When we MapQuest our address to the proposed address of 1300 S. 7th Street, DeKalb, Illinois 60115 they are 0.1 miles apart which is well below the 5,280 LF. We have taken the current drawings and value engineered them making a couple of small changes (see attached); changes we believe will significantly reduce the construction cost in the PAL letter that we sent to Verizon that was part of your attachment. The two main changes is going from underground utilities to overhead and the second is to extend the existing driveway with a concrete slab with an adjustable raised platform on top that will accommodate all of Verizon’s equipment. Just these two changes would totally redesign sheets C1 and C2 and would eliminate sheets C3 and C4. It would be up to Verizon to redesign their drawings with these changes in order for AT&T to get revised pricing. If you have any questions regarding the redlines and where we feel the cost will be reduced please feel free to contact me. In regards to my contact information please see my signature box below, we have changed offices some time ago. Thank you and have a great day.

Thomas R. Wilson | Project Manager – CBRE for AT&T Towers – Antenna Solutions Group
5600 Glenridge Drive, 6E-94B
Atlanta, GA 30342
(C) 678.602.2779 (O) 678.567.5462
Email - tw292v@att.com

NOTE: New application is now available on the website
To download the application, please go to www.atttowers.com/towers/files/ATT_Towers_Application.xls
To access the AT&T Towers inventory, please go to www.atttowers.com

Download the NEW AT&T site lease application (Version 10.3)
had previously mailed a notification pursuant to City Ordinances to the Inbound Colocation Manager, located at 4016 Watson Blvd, in Warner Robins, GA 31093. (Also Attached)

Additionally I have attached the Invoice / Project Approval letter (PAL) for the existing AT&T tower; please advise if the amount of this Invoice has changed.

Please call if you have any questions.

Richard
Richard Connor Riley
LAW OFFICE OF
RICHARD CONNOR RILEY
123 North 4th Street
Chesterton, Indiana 46304
(312) 244-3792 (O)
(312) 276-5123 (F)
*LICENSED IN ILLINOIS
STATE HWY 23 & FAIRVIEW
PROJECT NUMBER: 20141009837
LOCATION CODE: 285821

SITE DATA:
1. PROPOSED CO-LOCATE SITE
2. EXISTING OVERALL HEIGHT OF THE LATTICE TOWER STRUCTURE IS 298'-0" A.G.L. TO THE TOP OF THE LIGHTNING ROD
3. PROPOSED CENTERLINE OF ANTENNAS TO BE MOUNTED AT 125'-0" A.G.L.
4. PROPOSED OUTDOOR EQUIPMENT CABINETS ON RAISED STEEL PLATFORM (6'-0" X 10'-0")
5. PROPOSED NATURAL GAS GENERATOR (48KW MAX)
6. PROPOSED 14' X 24' LEASE TRACT
Mr. Olson,

We are emailing you to voice our concern and opposition to the Special Use Permit to construct a new 140’ cell tower at 1300 S. 7th Street in DeKalb that will go before the Planning & Zoning Commission/City Council on Wednesday, August 23rd at 6:00 PM.

The property owners located near the proposed site appeared at various meetings a couple years ago when the same parties proposed the same exact Special Use Permit request. My husband and I, along with other property owners close to the proposed site, appeared at the previous meetings and some (including myself) spoke to the attendees at those meetings. We plan to attend the meeting on August 23 and have attached a Citizen Response Form with written comments opposing the Special Use Permit. Please email back acknowledging receipt of the form/comments.

Thank you.

Dale & Donna Larkin
Property Owners at 432 Karen Ave.
DeKalb, IL 60115
Submit comments by Wednesday, August 16, 2017.

New Cell Tower at South 7th Street and Karen Avenue
1300 S. 7th St. – Special Use Permit

Citizen Response Form

Owners Name: Dale & Donna Larkin

Property Address: 432 Karen Ave., Dekalb, IL 60115

Basic Input:

☐ I support the proposal.
☐ I support the proposal in general but would like to see specifics before I decide.
☒ I do not support the proposal.

Written Comments:

Please see comments on attached sheets.

**ATTENTION DAN OLSON**
August 13, 2017

RE: Special Use Permit Request for New Cell Tower at South 7th Street & Karen Avenue

Citizen Response From: Dale & Donna Larkin, 432 Karen Ave., DeKalb, IL 60115

WE DO NOT SUPPORT THE PROPOSAL. I am concerned that this proposal keeps coming up for consideration. There is absolutely no reason for a cell tower to be built when there is an AT&T Tower that is located less than 500 feet from the proposed new tower construction site. Co-location of their (Verizon) equipment IS POSSIBLE on the existing AT&T Tower. Co-location WAS ALSO POSSIBLE when they made the same request a couple years ago. Central States Tower does have permission from AT&T to place their equipment on their tower. So permission has been given to add on ……. why have they not added their equipment to the existing tower? I believe Central States Tower is wanting to “pad their pockets” and continue to receive additional money moving forward for each company that adds their equipment to the new tower in the future years so I’m sure they are quite interested in receiving a lot of money in the years to come. The property owners will also receive a lot of money out of this “deal”.

We have several specific concerns that need to be considered:

1. Why would the City of DeKalb want to do this to property owners in an area where you have been concentrating efforts to improve the neighborhoods? I feel like our area of the city is the “armpit of DeKalb” already so why would you want to do this? My property value will be affected by adding another tower to the scenery!! There is no reason to build another tower when the AT&T Tower is nearby and they have permission to add their equipment.

2. Why did Central States choose to only notify property owners within 250 feet of the location of the proposed cell tower? More importantly, why did the City of DeKalb go along with only notifying property owners within 250 feet? I believe this was a sneaky attempt to be able to approve the tower without notifying the property owners that should have been notified. Notification should have been sent to the same property owners as the previous request was sent. The proposed tower still affects the property values of the same property owners as it did previously. The City of DeKalb needs to consider the effect this request has on their citizens and property owners. We count on city government to represent us . . . and not add to the sneaky attempts to get approval from greedy companies who can care less about us.

3. Why is the City of DeKalb even considering this AGAIN? Nothing has changed from the last round of meetings. The property owners in close proximity DO NOT WANT ANOTHER TOWER and they need to use the existing AT&T tower. Central States Tower failed to adequately pursue co-location at other existing sites as required by City rules and have done so this time. The petition was denied previously and should be denied again. WHY is this even being considered again?? The answer is still NO – you need to find an existing site, follow the City of DeKalb rules and quit wasting DeKalb City Council and Planning & Zoning Commission member’s time.
4. Why has a representative from Verizon not appeared at the City Council/Planning & Zoning Commission Meetings in person?? I'm sure they have plenty of Verizon Representatives (and not an attorney "representing" them) who could come to the meeting to present information and address property owner concerns in person. I believe Verizon would be happy to place their equipment on the existing AT&T Tower and not need to involve more "processes" and spend unnecessary money on another tower when AT&T has already given the OK. I feel if a Verizon Representative is unable to come to the meeting to address this matter in person that no action should be taken until they do participate in person. We only receive "hear say" information as to what Verizon has supposedly said or not said. Let's hear it from the source.

5. Why has Central States failed to pursue co-location at other existing sites as required by City rules? There are many other existing sites available in the City of DeKalb that need to be considered BEFORE a new cellular tower should even be a thought. Why re-invent the wheel (or cellular tower in this case) when you don't have to!! Other possible sites to consider are the Senior High Rise building located on the north side of Taylor Street between 7th & 4th Streets. They already have numerous other towers on their building and most likely would be receptive to another tower (and the associated revenue to add to their annual budget). There are also numerous areas in the Park 88 site located East of the proposed site that could be considered and would not affect the property values of the residential property owners and provide income to industrial areas that are nearby. There are numerous water towers in the City of DeKalb that could be considered. The Student Center building at Northern Illinois University, the DeKalb Municipal Building (DeKalb Police had their tower/antennas located there) should also be considered and would add revenue to the City of DeKalb's budget or NIU's budget. Another site would be the building located on the Southwest corner of Annie Glidden & Rt. 38. They also have numerous towers on their building and could possibly benefit from the revenue the tower would bring in their budget. I've only listed a few possible locations to consider . . . there are many more in DeKalb to consider.

Conclusion: Plain and simple the property owners do not want another tower – use the existing AT&T Tower which is located within 500 feet. The proposed new cellular tower affects our property values and there is no need to build another. We need the Planning & Zoning Commission & City Council members to stand up for us property owners and enforce the City of DeKalb guidelines/rules. NO MORE TOWERS!!
Submit comments by Wednesday, August 16, 2017.

New Cell Tower at South 7th Street and Karen Avenue
1300 S. 7th St. – Special Use Permit

Citizen Response Form

Owners Name: BEILING XIAO & CHUANG SHI LIU

Property Address: 602 KAREN AVENUE, DEKALB, IL 60115

Basic Input:

☐ I support the proposal.
☐ I support the proposal in general but would like to see specifics before I decide.
☒ I do not support the proposal.

Written Comments:

(See attached letter)
602 KAREN AVENUE
DEKALB, IL  60115

AUGUST 11, 2017

TO WHOM IT MAY CONCERN:

We are writing this letter to express our strongest opposition to the petition by Central States Tower II, LLC, to build a cellular tower at 1300 South 7th Street.

The petition is seeking a Special Permit from the city to build the 140-foot cellular communication tower next to a dense residential area, in which we live. This residential area has a lot of families with young kids. This residential area also has a pretty park that a lot of children playing baseball games, enjoying the park recreation facilities, and residents also appreciate the park atmosphere.

Cell phone towers emit high-frequency radio waves, or microwaves, that can travel as far as 45 miles over level terrain. The closer you are, the greater the danger. The microwaves from cell phone towers can interfere with your body’s own EMFs, causing a variety of potential health problems, including: Headaches, Memory loss, Cardiovascular stress, Low sperm count, Birth defects, and Cancer. Cellphone tower microwaves have a significantly higher frequency than even radio waves. The higher the frequency, the more powerful the wave—and the more powerful effect on biological organisms (a mobile tower emit microwaves at 1900 MHz). Recent studies have shown that the intense radioactivity from mobile phone towers adversely impacts every biological organism within one square kilometer.
The company that submitted the petition may insist that there is no solid evidence that the microwaves from the cellphone tower would harm people, and the amount of microwaves resident living near-by the cell tower exposed may be below the U.S. Government allowed limit. On April 2, 2009, the European Parliament overwhelmingly passed a resolution on "Health Concerns Associated with Electromagnetic Fields (EMFs)", 559 to 22. One of the resolutions is that the wireless telecommunications facilities should not be placed near schools, places of worship, retirement homes, and health care institutions. Our current safety standards are obsolete and far above that which is correlated to biological effects. For the residents that living near the cellular tower, the exposure to cellular tower microwaves is continues until you get away from that area.

There is already a tall AT & T Tower near our neighborhood. We do not want another one to be built near our residential area. In addition to many health concerns, it would be an eyesore when the 140-foot tall cell tower is established.

We bet that if the families of CEO of the company that submit the petition are living in our residential area, they would think twice before they submit the petition.

Sincerely,

Beiling Xiao & Chuang Shi Liu
Submit comments by Wednesday, August 16, 2017.

New Cell Tower at South 7th Street and Karen Avenue
1300 S. 7th St. – Special Use Permit

Citizen Response Form

Owners Name: Tammy Todd

Property Address: 621 Fairlane Ave.

Basic Input:

☐ I support the proposal.
☐ I support the proposal in general but would like to see specifics before I decide.
☒ I do not support the proposal.

Written Comments:

Did CST make any effort in the past three years to co-locate with the AT&T Tower?

Until they show proof of having done that, their petition should not even be considered.

Our property values are as important to this neighborhood as anywhere else in the city of Des Plaines. I hope the Planning & Zoning Commission will consider whether they want two towers across from their property. One is enough!

I have lived here 56 years and I ask that you consider a “no answer.”
Submit comments by Wednesday, August 16, 2017.

New Cell Tower at South 7th Street and Karen Avenue
1300 S. 7th St. – Special Use Permit

Citizen Response Form

Owners Name: Denise Garay

Property Address: 1044 Springdale Lane

Basic Input:

☐ I support the proposal.
☐ I support the proposal in general but would like to see specifics before I decide.
☒ I do not support the proposal.

Written Comments:

I propose that Central States Tower pursue the "co-location" method with the existing AT&T Tower.

Denise Garay

[Stamp: Received Aug 14, 2017]
Owners Name: Sherri Pecor

Property Address: 608 BEST AVE Dekalb, IL 60115

Basic Input:

☐ I support the proposal.
☐ I support the proposal in general but would like to see specifics before I decide.
☒ I do not support the proposal.

Written Comments:

"Once again, it appears that the main focus of this proposed Special Use Permit is for the financial gain of the landowner at 1300 S. 7th St.

Erecting a new cell tower is completely unnecessary.
It is our understanding what Central States Tower is proposing is entirely possible to be co-located on the existing AT&T Tower. Common sense makes co-location the best answer. The area gets better cellular signal strength and the established residential neighborhoods maintain their property values.

As a homeowner within 1000 feet of the proposed 140 foot tall cellular tower, we strongly disapprove of the proposal.

Thank you for the opportunity to express our concerns."
Natalie,

Please print and place in file.

Dan Olson
1300 S. 7th St. – Special Use Permit

Citizen Response Form

Owners Name: David Lehman

Property Address: 621 Karen

Basic Input:

☐ I support the proposal.
☐ I support the proposal in general but would like to see specifics before I decide.
☒ I do not support the proposal.

Written Comments:

Central States Tower II should be denied a special use permit to build a new cell tower at 1300 S. 7th St. They are a business that has previously (2014-2015) deceived the city on this very issue:

1. Claiming to have completed the colocation protocol in the Unified Development Ordinance when they tried to side step it
2. Claiming AT&T does not return correspondence
3. Claiming AT&T has no mechanism to process co-location applications
4. Claiming our codes are “ambiguous and open to interpretation.”

CST failed to show up on April 15, 2015 after requesting a third continuation (60 days) with no explanation, they deserve the same treatment!
Please add to the file.

Dan Olson

From: Jim Hovis [mailto:jim.hovis@hovislightindustrypark.com]
Sent: Wednesday, August 16, 2017 4:45 PM
To: Olson, Dan <Dan.Olson@CITYOFDEKALB.com>
Cc: Smith, Jerry <Jerry.Smith@CITYOFDEKALB.com>; Fagan, Patrick <Patrick.Fagan@CITYOFDEKALB.com>
Subject: Proposed Verizon Tower at 1300 S 7th Street, DeKalb

I write in support of the Verizon tower.

Over three years ago Verizon told me that cell phone reception was inadequate in the part of DeKalb where my industrial park is located. I already knew that fact because my Verizon phone reception disappeared there. I felt like the guy on TV who moves around saying "Can you hear me now?, Can you hear me now?"

Visitors to my office tell me they have the same problem.

I wanted the best for DeKalb so in July 2014, and repeating--that's over three years ago--I agreed that Verizon could put a tower in the location they believed was ideal. I accepted the first offer made to me by Verizon, ignoring the advice of advisors who told me I should ask more for that particular plot of land.

Objections to the tower, which would have one-tenth the visibility of the AT&T Tower, caused the city to request that Verizon approach AT&T about mutual use of their tower.

Verizon said that past efforts with AT&T had always failed. They felt it was an expensive and time-consuming effort that would produce nothing.

Now we've been told that Verizon was correct. AT&T would not cooperate.

So here we are ... over three years later ... and still DeKalb residents have poor Verizon reception.

DeKalb citizens can be harmed by emergency cellular phone calls not getting through.

DeKalb businesses are hurt when truckers and visitors try to call them for directions or orders and have poor or no reception.

And DeKalb is hurt when businesses decide to locate in another city because of poor cellular reception.

I urge you to make the approvals necessary to help everyone ... and especially to help the City of DeKalb. Please approve the Special Use Permit.
James E Hovis, CEO/Chairman

*Hovis Light Industry Park, Inc.*

1300 S 7th St
DeKalb, IL 60115

[jim.hovis@hovislightindustrypark.com](mailto:jim.hovis@hovislightindustrypark.com)

Mobile: 815-761-2699
Front Office: 815-758-1300
Toll-Free Direct: 844-350-7253 Ext 1
Citizen Response Form

Name: Laura Stuebing
Property: 1300 S 7th St, DeKalb, IL 60115

Basic Input:
I support the proposal for a new cell tower at South 7th Street and Karen Avenue

Reasons to support the 1300 S, 7th St, Special Use Permit

1. 95% of Americans own a cell phone. Pew Research Center Internet and Technology. “Mobile Fact Sheet” January 12, 2017.
3. Cellular service is not very good in the area Verizon is proposing to erect the tower.
4. Property values will potentially increase with improved cellular service.
5. The property at 1300 South 7th Street is already zoned for light industry.
6. Verizon has proposed erecting a monopole structure on a large parcel of land that is not residential.

95% of Americans own a cell phone. That number will not decrease. As such, the city of DeKalb will be supporting their citizens by approving the Special Use Permit to install a new cell phone tower.

There is a need for improved cellular service both because current coverage is not adequate and because landlines will one day be discontinued. Once landlines are abandoned appropriate cellular service must already be in place. We don’t know when the landlines will be cut but the city should be ready. As such, Verizon’s request is fortuitous for the city and its residents.

Considering that 95% of Americans own cell phones. It’s hard to imagine a person willing to buy a home where cellular service is inadequate. So adding the new tower will potentially increase property values.

Verizon has chosen a location with the residents in mind. The location not only meets the cellular needs of the residents and Verizon’s needs to service the tower, but it also is the most discreet location available. It is not in the residents’ neighborhood. It is on a large parcel of land, located in the rear of the property behind an existing building that is already zoned for light industry.

Verizon is also proposing a type of tower that is most unobtrusive: a sleek, monopole structure (not unlike what was recently put in place behind the new police station). Again this is being proposed in consideration of the residents.
Verizon is trying to improve service for its customers. The need was there several years ago when the subject first came up and the need is still there today (or Verizon would not be requesting the Special Use Permit now).

It is my understanding that Verizon has spent extensive time and money trying to work with AT&T to potentially install their equipment on the current (very ugly and obtrusive) tower that AT&T owns. However, I’ve been told that this is not possible or not a feasible option. (Is it possible, considering AT&T’s request to eliminate landline service, that they are trying to control the cellular market?)

Lastly it seems that Verizon has met their responsibility in terms of City code, the residents’ concerns and their desire to improve service to their customers. And, as such, it seems appropriate for the City of DeKalb to approve their request of a Special Use Permit at 1300 S 7th Street.
I am aware of CST attempting 3 years ago to acquire zoning rights for their own tower on behalf of Verizon.

I attended those meetings & distinctly remember Mr. Riley being as "no show" to a meeting specifically tailored to his request for more time. It is 3 years later, with some new members on Planning & Zoning, city council & mayors, I feel he is attempting once again to have CST "bully" their way, showing need for a new tower. The ATT tower is still there. Where are specific reports, if any, that co-location with them is not possible. I believe the bottom line is profitability of the new tower to the owner & to CST for renting multiple sites for other communication companies, in addition to Verizon. I believe this is a new Verizon site on a new tower at the Anne Glidden entrance to I 88.

This land may be zoned "light industrial" but there are many residents in the proximity who will be staring at an unnecessary tower. I would see it from my neighborhood, too.

To allow this proposal threatens to set a precedent that tower companies can choose ANY site, in spite of valid protests of citizens.

Thank you.

[Signature]
Please put in file and on shared drive. Thanks

Dan Olson

From: Olson, Dan
Sent: Thursday, August 17, 2017 9:16 AM
To: Nelson, Natalie
Cc: Charlton, Jo Ellen
Subject: FW: Objection to cell tower on 7th street

Mark,

We received your e-mail. It will be provided to the Planning and Zoning Commission and City Council and will be made part of the record.

Thank You

Dan Olson  |  Principal Planner
City of DeKalb  |  200 South Fourth Street  |  DeKalb, IL 60115
Phone: 815-748-2361  |  Fax: 815-748-2091
Email: dan.olson@cityofdekalb.com  |  Website: www.cityofdekalb.com

From: mark charvat
Sent: Wednesday, August 16, 2017 3:13 PM
To: Olson, Dan; Fagan, Patrick; Smith, Jerry
Subject: Objection to cell tower on 7th street

I would like this e-mail to be a part of the official record made available to city council and the planning and zoning commission.

I am writing to express my objection to a request made by Central States Tower (CST) for a permit to place a Verizon cell tower/antenna at 1300 South 7th Street. In the past we learned that CST did not follow procedures required by city code in the application process.
I contend that a cellular tower is completely unnecessary since co-location of the required equipment is possible on the existing AT&T tower, which is less than 500 feet from the proposed new tower construction site.

As a taxpayer, who lives in the vicinity I am concerned that CST has failed to adequately pursue co-location at other sites as required by city code. I am so concerned about the effect on neighborhood property values.

I am urging a NO VOTE

Ward FIRST!

***PLEASE ACKNOWLEDGE that you received my e-mail****

Mark Charvat
Please place copy in file.

Dan Olson

-----Original Message-----
From: P Collins [mailto:pcollins224@gmail.com]
Sent: Wednesday, August 16, 2017 4:15 PM
To: Olson, Dan <Dan.Olson@CITYOFDEKALB.com>
Cc: Smith, Jerry <Jerry.Smith@CITYOFDEKALB.com>; Fagan, Patrick <Patrick.Fagan@CITYOFDEKALB.com>
Subject: Approval of a special use permit to Central States Tower II, LLC

Dear Planning Commission members,

I support approval of the Special Use Permit requested by Central States Tower II, LLC.

I am a Verizon customer and I work at 1300 S 7th Street, so good cellular service in that area is important to me.

I believe that better cellular service in the area will be important to maintain property values since almost all Americans now own cell phones.

I think Verizon has chosen the site for the proposed Tower, which is essentially the same size as the Tower at the new police station, well and with local residents in mind. It is proposed for a discrete location set back behind an existing building so that the support pad, shed and fence will be screened from view. The property on which the proposed Tower will be located is zoned for Light Industry, an appropriate zoning classification.

Thank you,

Pamela D Collins
407 S 2nd Street
617-645-3490

Sent from my iPad
Entry from 8-10-2012

Company CEO Brian Meier noted, "This agreement solidifies our continuing relationship with Goldman Sachs and allows the opportunity to maintain the steady growth of our portfolio. We're experiencing unprecedented levels of development and this agreement is well timed to keep the construction flowing."

CST focuses on developing new, multi-tenant towers for National Wireless Carriers and is a Delaware Limited Liability Company headquartered in Wheaton Illinois.
LETTER OF AUTHORIZATION

To: City of Dekalb
   200 S. Fourth Street
   Dekalb, IL 60115

APPLICATION FOR ZONING/USE/BUILDING PERMIT

AT&T Corp ("AT&T"), as owner of the below-described property, does hereby appoint VERIZON WIRELESS, as agent for the purpose of consummating any application necessary to ensure VERIZON WIRELESS’s ability to use and/or construct improvements to the property licensed to them for the purpose of constructing a communications site. AT&T and VERIZON WIRELESS both understand that the application may be denied, modified, or approved with conditions, and that such conditions or modifications must be complied with prior to issuance of building permits.

VERIZON WIRELESS understands and acknowledges that any construction of improvements is subject to the full execution of a license agreement with AT&T, and that any action on the part of VERIZON WIRELESS to proceed with any applications with governmental agencies is at VERIZON WIRELESS’s sole risk and liability. VERIZON WIRELESS shall protect, defend, indemnify and hold AT&T and its parent, affiliates and its and their directors, officers, employees, successors and assigns free and harmless from and against any and all injury, damage, loss, liability, lien, penalty, claim or expense ("Liabilities") including without limitation, attorneys' fees, expert witness fees and legal costs suffered by reason of any claim, cause of action, suit or judgment, Liabilities as a result of injury to or death of any person, of damage to or loss or destruction of any property, violation of any laws affecting or concerning any properties owned by AT&T, claims for personal injury, emotional distress, infringement of any patent, trademark, copyright, trade secret or other legally protected proprietary right, which arises out of, is occasioned by or in any way attributable to the acts or omissions of VERIZON WIRELESS, its agents or contractors in connection with this Letter of Authorization, except to the extent caused by the active negligence or willful misconduct of AT&T, its agents or contractors.

Property Location: 1500 South 7th Street
                   Dekalb, IL 60115

Signature of Property Owner: AT&T CORP
                              Jennifer D. Berry
By:                         Jennifer Berry
Title:                     AT&T Area Manager Network Engineering Sales Support
Date: 2/10/2015
INVOICE

PROJECT APPROVAL LETTER (PAL)

AT&T Towers PMO
5001 Executive Parkway, Room 4W750II
San Ramon, CA 94583

PAL: 11242440-01/11334811-D2

DATE: February 24, 2016

CUSTOMER: Verizon
180 Washington Valley Road, Bedminster, NJ 07921

CUSTOMER SITE ID: State Hwy 23 and Fairview Ave

CONTACT: Perez, Danny L <Danny.Perez2@verizonwireless.com>

PROJECT LOCATION: 1500 7th St., Dekalb, IL

PROJECT: State Hwy 23 & Fairview Ave

AT&T PROJECT MGR: [Gus] Marlon Degulio

SITERRA PROJECT: 11242440

CFAS: 0

PMA: 0

Per Paragraph 6 ("IMPROVEMENTS: ACCESS") of the Master Communications Site License Agreement, we are requesting your authorization to proceed with the following scope of work at the above address.

SCOPE OF WORK

This price quote is for CRE to over see Gilbane/Dtech/GPD and Verizon's vendor to perform each of their individual scopes of work. Gilban will perform all earth, structural and electrical/grounding work for the platform. Dtech will perform the post EME study. GPD will perform the tower remediation along with a post inspection report. Verizon's vendor will perform all L & A work, supply the generator with cold weather kit, supply (platform, anchors, antennas, radio equipment and any other materials for L & A). Verizon must provide delivery schedule to CRE and Gilbane for anchors, platform and generator. Anchors must be on site before concrete pour for retaining wall.

<table>
<thead>
<tr>
<th>AMOUNT</th>
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<td>$388,171.00</td>
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AT&T Management Fee $38,817.00
AT&T Telco Labor $8,540.00
AT&T Corporate Overhead $4,369.00

TOTAL $439,897.00

CUSTOMER APPROVAL: Customer requests that AT&T act as its agent in performing the above-described custom work on Customer behalf. Customer agrees to pay charge(s) indicated above for such work. The work is to be done on an "Actual Cost" basis, all charge(s) will be computed in accordance with AT&T's ordinary accounting practices under the Uniform System of Accounts for Class A telephone companies and will include allocated costs for labor, engineering, materials, transportation, motor vehicles, tool and supply expenses and sundry billings from sub-contractors and suppliers for work and materials related to the job. The Customer affirms that the cost estimate furnished by AT&T has been considered only as an estimate of approximate costs and that the actual costs might differ.

Customer agrees to make an advance payment in the amount stated above. If Customer cancels work prior to completion, Customer agrees to pay AT&T for costs incurred to date. Price is guaranteed for 60 days. Please sign and date the PAL and return it with check payment to: AT&T, 5001 Executive Parkway, Room 3W050II, San Ramon, CA 94583.

ACCEPTED FOR CUSTOMER:

Name:
Title:
Date:

ACCEPTED FOR AT&T TOWERS:

Name:
Title:
Date:

GEO CODE: ILE570

CLLI: DKL6B1R5

FA: 10136315
Good afternoon Gentlemen, thank you for contacting me regarding this issue. AT&T does have an existing tower approximately 290’ in height located at 1500 S. 7th St. DeKalb, IL 60115. When we MapQuest our address to the proposed address of 1300 S. 7th Street, DeKalb, Illinois 60115 they are 0.1 miles apart which is well below the 5,280 LF. We have taken the current drawings and value engineered them making a couple of small changes (see attached); changes we believe will significantly reduce the construction cost in the PAL letter that we sent to Verizon that was part of your attachment. The two main changes is going from underground utilities to overhead and the second is to extend the existing driveway with a concrete slab on an adjustable raised platform on top that will accommodate all of Verizon’s equipment. Just these two changes would totally redesign sheets C1 and C2 and would eliminate sheets C3 and C4. It would be up to Verizon to redesign their drawings with these changes in order for AT&T to get revised pricing. If you have any questions regarding the redlines and where we feel the cost will be reduced please feel free to contact me. In regards to my contact information please see my signature box below, we have changed offices some time ago. Thank you and have a great day.

Thomas R. Wilson | Project Manager – CBRE for AT&T Towers – Antenna Solutions Group
5600 Glennridge Drive, 6E-94B
Atlanta, GA 30342
(C) 678.802.2779 (O) 678.567.5462
Email - tw292v@att.com
NOTE: New application is now available on the website
To download the application, please go to www.attowers.com/towers/files/ATT_Towers_Application.xls
To access the AT&TTowers inventory, please go to www.atttowers.com

Download the NEW AT&T site lease application (Version 10.3)

From: Richard Connor Riley [mailto:rcriley@siting-advisors.com]
Sent: Monday, July 17, 2017 12:44 PM
To: WILSON, THOMAS <tw292v@att.com>
Cc: Olson, Dan <Dan.Olson@CITYOFDEKALB.com>; Brian Meier (brianm@centralstatestower.com)
Subject: City of DeKalb IL. co-location notification

Mr. Wilson,

Please see the attached notification letter which Dan Olsen, Principal Planner for the City of DeKalb, asked that I e-mail you regarding Verizon’s Application to build a new Cellular facility at the referenced location in the attached letter. I had previously mailed a notification pursuant to City Ordinances to the Inbound Colocation Manager, located at 4016 Watson Blvd, in Warner Robins, GA 31093. (Also Attached)
Summary

Area under consideration is a coverage hole known for frequent trouble tickets and customer complaints. Residences and businesses in the area have poor in-residence coverage. Neighboring cell sites currently covering this area are breaking for capacity.

The primary objective of this site is to provide:

1. Reliable In-residence coverage in the area.
2. Capacity offload to the neighboring sectors serving the area.
Thursday May 7, 2015

Phone call from Brian Allen, Property Manager
Taylor Street High Rise
507 E. Taylor Street

There are 4 platforms [raised metal decks] on the roof.
Most antenna are on sleds.

1] U.S. Cellular – less than ½ full
2] Cricket – less than ½ full
3] Sprint (an older platform) – less than ¼ full
4] T-Mobile (newest) – virtually full

Any wireless provider wishing to inquire about collocation should contact
Brian Allen, Property Manager, at 815-758-4396.

He will put applicant in touch with platform owners for collocation feasibility.

Also, Derek, Brian would be happy to give you a tour of the roof top to see how space and equipment are utilized and positioned.

P&ZC Meeting
February 11

7:32:15 pm – Attorney Richard Riley

"I would suggest that this matter be continued one final time, two months. Within that two months, I will either withdraw the site, or we will have enough of the process made on the application with AT&T that we can have a reasonable forecast of what's going to happen..."
Good afternoon Mr. Olson,

I received a message from Natalie Nelson indicating that the city meeting that was scheduled this week on September 20th has been changed to October 4th at 7:00 PM. I asked why the meeting has been extended. She indicated that the City changed the meeting date to allow the people wanting to erect the cell phone tower additional time to submit the remaining documents needed. I’m curious why the City of DeKalb has extended the date AGAIN and continues to allow them the ability to keep wasting City time, and our time as well. They have had 2 to 3 years to get all of their documentation in place. I know at the last meeting there was general agreement by all involved that they should be able to have all of their documentation in place by September 20th.

I think at this point the City of DeKalb needs to put their foot down and say enough is enough.

It is my understanding that you will be present at the meeting on September 20th. I would like this email message to be shared and presented to all members of the Council, Board and all other City of DeKalb members who are in attendance at the September 20th meeting. I believe there has been more than sufficient time allowed for all of the required documentation to be submitted to the City of DeKalb. I am asking that the extension request be DENIED since the documents have not been received (AGAIN).

I will attend the October 4th meeting @ 7:00 PM in the event the extension is granted. Again, I hope their request is DENIED.

Thank you.

Donna Larkin
432 Karen Ave.
DeKalb, IL
815-757-7893
5. Such occupation shall be conducted entirely within the residence and carried on by not more than two (2) individuals (not necessarily related), one of whom is the principal occupant.

6. A home occupation shall not create substantially greater vehicle or pedestrian traffic than normal for the district in which it is located. Nor shall substantially more vehicles be parked on the property or adjacent streets than what would typically be required for the normal use of the residence.

7. No outdoor storage of materials or equipment used in the home occupation shall be permitted.

8. No storage or display of materials, goods, supplies, or equipment related to the operation of a home occupation shall be visible from the outside of the residence.

9. No equipment shall be utilized that creates a nuisance due to odor, vibration, noise, electrical interference or fluctuation in line voltage beyond the property line of the lot upon which the home occupation is conducted.

10. No home occupation shall cause a substantial increase in the use of any one or more utilities (water, sewer, electricity) so that the combined use for the residences and the occupation exceeds the average for residences in the neighborhood.

11. Retail Sales of stocks of merchandise, supplies or products is prohibited. Direct sales from display racks or shelves is prohibited. Sales activities that occur over the phone or other communications device, or that occur off-site, are allowed, provided that orders are delivered off-site, and said goods are not picked up on the site of the home occupation.

7.07.02 Examples of Uses That Frequently Qualify as Home Occupations

The following are typical examples of uses which often can be conducted within the limits established herein and thereby qualify as home occupations. Uses which qualify as home occupations are not limited to those named in this paragraph, nor does this listing of a use in this paragraph automatically qualify it as a home occupation: accountant, architect, artist, attorney, individual tutoring, insurance, one-chair barber shops, two-chair beauty shops.

7.07.03 Home Occupations that Are Prohibited

The uses specified herein (other than personal) shall not be permitted as home occupations: auto repair or service, carpentry work, painting of vehicles or appliance, garage or yard sales exceeding occasional instance per Chapter 32.06 of the Municipal Code, furniture stripping or refinishing, body art establishments or body art (tattooing), Firearm Retailers / Firearm Dealers and other similar uses.

7.08 Antenna and Satellite Dish Regulations (Wireless Communications Ordinance) (1997-067)

7.08.01 Purpose and Intent

It is the intent and purpose of this Section to permit antennas and satellite dishes where they can be installed with minimal visual impact by encouraging co-location and other aesthetic measures, without creating adverse economic or safety impacts and promoting the health, safety and general welfare of the community. Furthermore, it is the intent of this Section to ensure compliance with Federal Communications Commission (FCC) regulations as they relate to the promotion of universal service, competitive contracting by ensuring fairness through the creation of clear and objective approval criteria.

7.08.02 Definitions

For the purpose of this Article, the following definitions apply:
Antenna: A device commonly in the form of a metal rod, wire panel or dish, for transmitting or receiving electromagnetic radiation. For the purposes of this section an antenna includes any supporting tower, pole, mast, or building to which it is affixed.

Co-location: The placement of two or more antenna systems or platforms by separate FCC license holders on the same structure, building, water tank, or utility pole.

Height: The height of an antenna or satellite dish shall be measured vertically from the highest point of the signal receiving/transmitting apparatus, when positioned for operation, to the bottom of the base, which supports the antenna.

Neutral in Color: Light or pastel hues of white, beige, gray or light blue. Dark, bright or brilliant colors (including but not limited to primary colors, neon colors, etc.) are prohibited.

Publicly Owned Property: Property in any district owned, leased, or otherwise controlled by a governmental entity.

Satellite Signal Receiving Antenna (Satellite Dish): A device designed for the purpose of receiving and converting earth orbiting satellite communications signals. It may be a solid, open mesh or bar configured structure typically in the shape of a shallow dish or parabola. Said antenna of this type are hereinafter referred to as "satellite dishes."

Usable Satellite Signal: A satellite signal which, when converted and viewed on a conventional television set is at least equal in picture quality to that received from local commercial television stations or by way of cable television.

7.08.03 Permits Required

1. Building and Electrical Permit: Building and electrical permits shall be required prior to the erection of an antenna or satellite dish, except as provided for in paragraph 2 below. The plans and specifications shall meet or exceed the applicable requirements of Chapters 24 and 25, "Building Code" and "Electrical Regulations," of the DeKalb Municipal Code.

2. Exceptions: The private use of an antenna or satellite dish for the reception or transmission of radio or television signals, ham radio signals, or citizen band transmissions, of a height no greater than sixty-eight (68) feet are exempt from the requirements of a building permit, engineering report, or special use permit.

7.08.04 General Requirements

1. Federal Communication Commission Compliance: All antennas, towers, and satellite dishes shall comply with all Federal Communication Commission (FCC) requirements.

2. No lot shall have more than (1) antenna, tower, or satellite dish, except for radio or television studios or amateur radio operators licensed by the FCC, in which case the only antennas, towers or satellite dishes allowed shall be those used related to the principal use of the property. Businesses selling satellite dishes shall be allowed a maximum of three (3) satellite dishes located outdoors and only one (1) of these shall be allowed in front of the building.

3. An antenna, tower, or satellite dish shall be located in the side or rear yard. In the situation of a corner lot, the antenna, tower, or satellite dish shall not be closer to the adjoining side street than the principal building.

4. In the event that a usable satellite signal cannot be obtained from the rear yard or side yard of the property, such antenna, tower, or satellite dish may be placed on the roof of a building subject to the approval of the Community Development Director and to the other requirements of this section.
5. Satellite dishes shall not be visible between the ground level and ten (10) feet above ground from any street adjoining the property. Screening used to achieve this requirement shall be in compliance with the Building Code, the provisions of this Ordinance and approved by the Community Development Director.

6. Within residential zoning districts, the diameter of satellite dishes shall not exceed seven (7) feet. The dish and supporting structure shall be neutral in color and shall, as much as possible, blend with the character and appearance of the neighborhood.

7. No antenna or satellite dish shall be used or serve as a sign or bear an advertising emblem other than the name of the manufacturer in letters not to exceed two (2) inches in height.

8. Guy wires (only where necessary) shall not be anchored within any front yard area but may be attached to the building.

9. Whenever an antenna is installed within a distance less than the height of the tower to power or telephone lines, or where damage would be caused by its falling, a separate safety wire must be attached to the antenna or mast or tower and secured in a direction away from the hazard.

10. Antennas, towers, and satellite dishes shall meet and be installed according to all manufacturers' specifications. The mast or tower shall be constructed of non-combustible materials, unless otherwise approved by Underwriters' Laboratories (UL). Brackets, turnbuckles, clips, and similar type equipment shall be protected with materials approved by Underwriters' Laboratories (UL).

11. Antennas, towers, or satellite dishes shall meet the setback requirement for a primary structure for the zoning district in which the facilities are located.

7.08.05 Prohibited Uses

The following uses are prohibited:

1. Towers or Antennas in Residential Districts: a tower or antenna used for any commercial or other non-residential purpose, including the placement of other support equipment or buildings, used in connection with the tower or antenna in any residential district, including the “PD-R” Planned Development Residential district.

7.08.06 Permitted Uses

The following uses are permitted:

1. Co-locating Antennas on City of DeKalb Property: Antennas on an existing communication tower of any height provided that:
   
a. The additional antennas are cumulatively no more than twenty-two (22) feet higher than the existing tower; and

b. The antenna is neutral in color; and

c. A qualified engineer submits evidence that the existing structure can adequately support the proposed co-location apparatus.

2. Co-locating Antennas on City of DeKalb Property: Antennas on an existing structure other than a tower (such as a building, water tank, sign, utility pole, power pole, or other structure), provided that:

7-11
a. The additional antennas are cumulatively no more than twenty-two (22) feet higher than the existing structure; and

b. The antenna is neutral in color; and

c. A qualified engineer submits evidence that the existing structure can adequately support the proposed co-location apparatus.

7.08.07 Special Uses

The following uses may be permitted under the conditions and requirements specified in Article 14, "Permits" in addition to those outlined below:

1. **Co-locating Antennas on Existing Non-Tower Structures or Existing Commercial Towers in Residential Districts:** Antennas on an existing structure (such as a building (excluding dwelling units), water tank, sign, utility pole, or other structure), provided that:
   a. The additional antennas are cumulatively no more than twenty-two (22) feet higher than the existing structure; and
   b. The antenna is neutral in color; and
   c. A qualified engineer submits evidence that the existing structure can adequately support the proposed co-location apparatus.

2. **Towers or Antennas in Commercial or Industrial Zones or on Publicly Owned Property:** Antennas or towers of any height, including the placement of other supporting equipment and accessory buildings. Any equipment shelter shall comply with development standards (i.e., setbacks, height limitations, bulk, etc.) of the property’s zoning district classification.

3. **Private Use Antennas, Towers or Dishes Greater than Sixty-Eight (68) feet:** The residential use of an antenna or satellite dish for the reception of radio or television signals, ham radio signals, or citizen band transmissions, in excess of sixty-eight (68) feet in height. These special uses shall meet the requirements of Article 14 (Permits), but will be exempt from the requirements of Article 7.08.08 below.

7.08.08 Application for a Special Use Permit for Antenna Facilities

In addition to the requirements of Article 14 "Permits," the applicant shall be required to submit information that includes, but is not necessarily limited to, how the proposed special use will satisfy the following conditions:

1. **Points of Visual Interest Shall be Protected:** Views from residential structures located within 250 feet of the proposed antenna or tower to the following points of visual interest shall be protected to the greatest practical extent:
   a. Public Open Spaces;
   b. Natural Areas as defined on the Development Plan;
   c. Landmark Structures

2. **Methods for Protecting Points of Visual Interest:** The following standards shall be used to protect the above identified points of visual interest to the greatest practical extent if views from a residential structure located within 250 feet from a proposed antenna or tower to a point of visual interest specifically identified above, are significantly impacted. The applicant shall:
a. Examine locations within the same area where such visual impacts can be minimized;

b. Investigate alternative tower designs that can be used to minimize the interruptions of views from the residence to the point of visual interest;

c. Minimize visual impacts to the point of visual interest referred to above, by demonstrating that co-location or the use of other structures within the service area is not feasible at this time;

d. Minimize visual impacts by varying the setbacks or landscape standards that would otherwise be applicable, so long as the overall impact of the proposed development is as good as or better than that which would otherwise be required without said variations.

3. Color: Antennas or towers and their support structures, wiring and all related facilities and appurtenances shall be a neutral color that is the same or similar in color as the supporting structure to make the antenna and equipment as visually unobtrusive as possible, unless otherwise specified under Federal Aviation Administration (FAA) standards.

4. Height: Antennas or towers shall not exceed the maximum building height plus fifteen (15) feet, in the zoning district in which it is located, applicants who wish to exceed this height shall provide evidence demonstrating the need for exceeding this maximum standard. The Planning and Zoning Commission and City Council shall decide, through the special use permit, if sufficient evidence has been provided to demonstrate the need for the additional height requested.

5. Setbacks (Adjacent to Residential Uses): Antennas or towers shall be set back from any existing adjacent residential property line by a distance equal to the height of the tower, unless building plans are submitted demonstrating that the tower will collapse within itself. Such building plans shall be affixed with the seal of a certified structural engineer.

6. Lighting: None allowed except as required by the Federal Aviation Administration (FAA).

7. Fencing and Security: For security, antennas or towers and ancillary facilities shall be enclosed by a fence not less than six (6) feet in height.

8. Landscaping and Screening: Landscaping shall be placed outside the required fence area on sides facing public rights-of-way or residential areas and shall consist of fast growing vegetation with a minimum planted height of four feet, spaced evenly at intervals equal to twice the expected width of the plant material. Building or tower mounted antenna and related facilities and appurtenances shall be screened by an appropriate material which either: a) matches the building to which it is mounted (in the case of building-mounted structures); or, b) provides an alternate façade that screens the appearance of the facilities and provides a positive appearance/benefit to the public.

9. Noise: Noise generating equipment shall be sound buffered by means of baffling, barriers, or other suitable means to reduce sound level measured at the property line to 30dBA when adjacent to residential areas and 45dBA in other areas.

10. Tower Design: Towers shall generally be designed without the use of guy wires or external supports. In instances where such a requirement may not be feasible, appropriate documentation shall be provided by the petitioner, demonstrating why such a tower is not feasible. The applicant will offer alternatives to the design so as to minimize the visual impact of the tower.

11. Co-location Protocol: Any special use request for the erection of a new tower shall complete the co-location protocol as outlined in Article 7.08.09.
7.08.09 Co-location Protocol

1. Purpose

The purpose of this requirement is to create a process that will allow providers to equitably share publicly available, nonproprietary information among themselves, with interested persons and agencies, and with the City of DeKalb, at the time the provider schedules a pre-application conference with the City of DeKalb. This co-location protocol is designed to increase the likelihood that all reasonable opportunities for co-location have been investigated and that the appropriate information has been shared among the providers.

The City of DeKalb recognizes that co-location is preferable, where technologically feasible and visually desirable, as a matter of public policy, but that co-location of antennas by providers is not always feasible for technical or business reasons. However, if all licensed providers are made aware of any pending tower or antenna permit requests, such disclosure will allow providers to have the maximum amount of time to consider possible co-location opportunities, and will also assure the City that all reasonable accommodations for co-location have been investigated.

2. Pre-Application Requirement

A pre-application conference is required for all proposed support structures.

3. Co-location Request Letter Requirement

At the time of pre-application conference, the applicant shall demonstrate that the following notice was mailed to all other providers rendering service within the City of DeKalb:

"Pursuant to the requirements of Article 7.08.09.03, (applicant) is hereby providing you with notice of our intent to meet with the City of DeKalb in a pre-application conference to discuss the location of a wireless communication facility that would be located at _________. In general, we plan to construct a support structure of ________ feet in height for the purpose of providing (Cellular, PCS, etc.) Service"

Please inform us whether you have any existing or pending antenna or tower facilities located within ________ feet of the proposed facility that may be available for possible co-location opportunities. Please provide us with this information within ten (10) business days after the date of this letter. Your cooperation is appreciated.

Sincerely, (applicant)"

4. Applicant’s Duty to Analyze the Feasibility of Co-location

If a response to a co-location request letter is received by an applicant indicating an opportunity for co-location, the applicant shall analyze the feasibility of co-location. This analysis shall be submitted with an application for any support structure.

The investigation of the feasibility of co-location shall be deemed to have occurred if the applicant submits all of the following information:

a. A statement from a qualified engineer indicating whether the necessary service can or cannot be provided by co-location at the possible location site;

b. Evidence that the lessor of the possible co-location site either agrees or disagrees to co-location on their property;
c. Evidence that adequate access does or does not exist at the possible co-location site to accommodate needed equipment and meets all of the site development standards.

d. Evidence that adequate access does or does not exist at the possible co-location site.

5. Result of Co-location Feasibility Analysis

If the applicant has provided information addressing each of the criteria in Section 7.08.09.04 above, the co-location protocol shall be deemed complete.

7.08.10 Abandoned Facilities

An antenna or satellite dish which has been discontinued for a period of six consecutive months or longer is hereby declared abandoned. Abandoned facilities shall be removed by the property owner within 90 days of abandonment. Failure to remove an abandoned facility is declared a public nuisance and is subject to penalties as outlined in the DeKalb Municipal Code.

7.09 Air Navigation Space Regulations

All construction, grading, or planting of trees, within the air navigation space of DeKalb Municipal Airport shall conform to the regulations adopted by the City of DeKalb in Chapter 53 of the Municipal Code, as may be amended from time to time.

7.10 Sight Distance Triangle

1. On a corner lot in any district, development shall conform to the requirements of the sight distance triangle in which nothing shall be erected, placed, planted or allowed to grow in such a manner as to materially impede vision between a height of two (2) feet and eight (8) feet above the grades at the back of the curb of the intersecting streets, within the triangular area formed by the right-of-way lines and a line connecting them at points twenty-five (25) feet from their point of intersection or at equivalent points on private streets, except that the sight distance triangle may be increased when deemed necessary for traffic safety by the City Council.

2. On lots located at the intersection of a street and an alley, the two sides of the sight distance triangle may each be reduced to a distance of ten (10) feet.

3. On a lot in a nonresidential zoning district with driveway access to an adjacent public street, development shall conform to the requirements of the sight distance triangle, within the triangular area formed by the right-of-way line and the driveway curb or equivalent delineation, and a line connecting them at points twenty-five (25) feet from their point of intersection. This sight distance triangle requirement shall apply to both sides of the driveway to the public street. (2006-046)

4. No vehicle shall be parked, nor shall any parking space be provided or designed in the triangular areas described hereinabove.

7.11 Screening of Rubbish, Garbage and Dumpster Facilities

Outside storage of permanent rubbish, garbage and dumpster facilities and their surrounding areas shall be permanently screened from the view of adjacent streets or adjacent properties with a six (6) foot high sight-proof fence, wall or landscaped area placed around said facility. The wall or fence shall substantially conform to the principal building in material, type and design of construction, finish and color.
DATE: November 22, 2017

TO: Honorable Mayor Jerry Smith
City Council

FROM: Anne Marie Gaura, City Manager
Jo Ellen Charlton, Community Development Director
Dan Olson, Principal Planner

SUBJECT: Approving a Special Use Permit for a 140 Foot Tall Cell Tower (Verizon) – 1300 S. 7th Street (Central States Tower II, LLC). (First Reading)

I. Summary

The applicant, Verizon, and Central States Tower II, LLC, acting as their agent, requests the approval of a special use permit to construct a 140 foot tall cellular communications tower to be located on the southeast portion of the property at 1300 S. 7th Street. The proposal will include the construction of an equipment shelter and access drive on a portion of the 12.93 acre site. The lease area (4,800 square feet) and tower location will be on the southeast portion of the site. The property is zoned "LI" Light Industrial District and owned by Hovis Light Industry Park, Inc. Access will be provided from S. 7th Street along the south side of the site via a 12 foot wide asphalt drive.

On August 23, 2017, the Planning and Zoning Commission (PZC) conducted an initial public hearing regarding the request. The PZC continued the public hearing two times to November 8, 2017, where they made a recommendation.

II. Background

The applicant, Central States Tower II, LLC, previously applied for a special use permit in 2014 to locate a 140 foot cell tower at the same location on the subject site. An initial public hearing was held by the PZC on November 12, 2014, and continued two additional times until complete supporting information was provided by the applicant and the possibility of co-locating on the adjacent 300 foot AT&T tower was concluded. At their April 15, 2015, meeting, the PZC voted to deny the special use request based upon the recommendation from staff that the application was still incomplete, the applicant did not honestly convey the ability or opportunity to co-locate on the adjacent AT&T tower, and opposition from neighboring residents. The petition was withdrawn by the applicant prior to consideration by Council on May 11, 2015.
In July, 2015, the City received correspondence from Verizon Wireless indicating they desired to co-locate on the adjacent AT&T tower. A special use permit application was subsequently submitted, and on August 26, 2015, the PZC recommended unanimously to approve a special use permit for Verizon to co-locate on the adjacent AT&T tower. The City Council approved the special use permit via Ordinance 2015-038 on September 28, 2015. The applicant submitted plans for a building permit to co-locate on the AT&T tower in December 2015, and the permit was issued in February 2016. No work was conducted on the project after issuance of the permit.

The applicant met with City staff in May 2017, and indicated they are re-applying for a special use permit for a 140 foot tower at the same location because the estimated cost to co-locate on the AT&T tower was extensive and cost prohibitive. The applicant provided an estimate indicating the cost would be almost $440,000. The costs are related to site preparation, tower remediation, electrical upgrades and project oversight by AT&T. The estimate was prepared by AT&T for Verizon and a representative from AT&T has responded confirming the amount. The response from AT&T was provided by Thomas Wilson, Project Manager for AT&T Towers – Antenna Solutions Group, via e-mail on July 20, 2017. The e-mail from AT&T included a markup of the drawings.
showing changes they believe would significantly reduce the co-location cost for Verizon from what was listed in the estimate. The e-mail states the two main changes are going from underground utilities to overhead and to add a concrete slab with an adjustable raised platform for Verizon's equipment shelter instead of removing underground conduit. AT&T could not provide a range on the percentage the cost would be reduced and stated Verizon is responsible for providing the revised estimate. Verizon subsequently did provide an affidavit from a construction engineer at the August 23, 2017, public hearing noting the changes suggested by AT&T would not appreciably decrease the costs of the co-location, and would still be over $400,000. It should be noted that the Unified Development Ordinance (UDO) does not allow the installation of overhead electrical power lines in these type of situations. Staff requested, but AT&T did not provide, further changes to the plans for the co-location to reduce the costs or additional detail into why the $440,000 estimate is so much higher than a normal co-location. In addition, AT&T did not respond to several requests to have a representative attend the City’s public meetings on this matter, at the request of residents and the PZC. The applicant submitted two detailed cost estimates, which were done in 2016, to construct the proposed 140 foot Verizon tower and accessory equipment. The average cost between the two estimates is $171,625, however they did not include the cost of the monopole itself, foundation work and associated site preparation work.

The City had a third party consultant, Pyramid Consulting, review the coverage maps and the cost estimate for the co-location on the AT&T tower along with the plans for the proposed new Verizon tower. They also reviewed the marked up plans that AT&T provided, which would reduce the cost of the Verizon co-location. The report by Pyramid indicates the co-location cost between the AT&T Tower and the proposed Verizon Tower should be similar, however the difference appears to be the specialized work (e.g. lead remediation) required by AT&T at the site and cost for general contractor oversight. Pyramid also reviewed the July 20, 2017, e-mail and marked up plans from Thomas Wilson of AT&T indicating a significant reduction in the cost of the co-location would occur if the changes noted were done. In their report, Pyramid Consulting concurred with the assessment by the engineer with Verizon that the cost would not be significantly reduced and would still be over $400,000.

Pyramid Consulting also reviewed the two estimates provided by the applicant for construction of the new CST tower and accessory equipment. The average cost between the two estimates was $171,625. Pyramid indicates in their report that it appears all the issues are covered in the estimate for co-location costs for the Verizon tower. Pyramid also notes the typical co-location costs based upon their experience with other similar towers is about $169,000. It should be noted, the estimate from Pyramid DID NOT INCLUDE the cost for the tower itself or for its construction.

In addition, Pyramid reviewed the coverage maps provided by Verizon. Although there is limited review that can be conducted due to proprietary rights of the maps by the cell carriers, Pyramid indicates the pre-coverage maps clearly indicate a lack of coverage in the proposed tower area on all four levels ("In-Residence", "In-Vehicle,"
"On-Street" and "Marginal Coverage"). They also indicate improved coverage has been demonstrated by the coverage maps provided. Pyramid is an Indianapolis based consulting firm that is working on the implementation of DeKalb County's new digital telecommunications system.

Article 7.08 of the UDO regulates the placement, design and use of wireless communications equipment. The Article also stipulates compliance with certain criteria that needs to be demonstrated by the applicant prior to approval of the special use. The applicant is indicating there is a need for Verizon wireless service in the area. A summary provided with the petition indicates the area under consideration is a coverage hole known for frequent trouble tickets and customer complaints. The summary continues by noting residences and business in the areas have poor coverage and neighboring cell sites currently covering the area are breaking for capacity. The petition notes the primary objectives for the proposed facility is to provide reliable in-residence coverage in the area and capacity offload to the neighboring sectors serving the area. The applicant has provided maps indicating the existing Verizon cell sites in the DeKalb area and also pre-coverage and post-coverage maps around the subject site with the new tower.

The standards of a special use for antenna facilities per Article 7.08.08 of the UDO are listed below followed by the findings.

1. Points of Visual Interest Shall Be Protected

The UDO requires "views from residential structures located within 250 feet of the proposed tower to the following points of interest, shall be protected to the greatest extent possible."

- Public Open Spaces
- Natural Areas as defined on the Development Plan
- Landmark Structures

There are no residential properties within 250 feet of the proposed tower. The closest residential structure is approximately 730 feet away from the tower so technically there is no visual points of interest that are required to be protected per the UDO. The closest public open spaces is McCormick Park, which is located to the south of the AT&T Tower, and about 900 feet from the proposed Verizon Tower.

The proposed Verizon Tower would be located adjacent to an existing 300 foot communications tower owned by AT&T, and which has a larger visual impact on McCormick Park. However, it is recognized regardless of the applicant's actions to minimize the visual impacts, there would be another tower added in the viewshed for park patrons and private property owners (see photo simulation images).
2. Methods for Protecting Points of Visual Interest

The UDO requires an applicant to demonstrate how the points of visual interest will be protected. Since there are no residential structures located within 250 feet of the proposed cell tower, this provision does not apply. Should the special use permit be approved, it is recommended conditions be attached specifying the design and color of the structure, landscaping and associated equipment to minimize any potential negative impacts on the appearance of the surrounding area.

3. Color

Proposed structures are to be a neutral color so the structure and attached equipment are as visually nonobtrusive as possible, unless otherwise specified under Federal Aviation Administration (FAA) regulations. The color has been identified as a natural metal or sky color, which meets this criterion.

4. Height

The UDO stipulates proposed cell towers must be no higher than the maximum height restriction of the zoning district in which the property is located, plus 15 feet. To exceed this restriction the applicant must demonstrate why an exception would be necessary. The proposed 140 foot tower exceeds the maximum height standard set forth in the 'LI' Light Industrial District (maximum height 75 feet) by 50 feet. If approved as part of a special use permit, the UDO does allow for additional height on structures if setbacks are increased. The proposed monopole is setback an adequate amount to offset the additional height. The applicant’s documentation and testimony indicates the additional height is needed to adequately serve the area and provide adequate space for additional cell carriers on the tower.

5. Setbacks Adjacent to Residential Uses

Antennas or towers must be setback from any existing adjacent residential property line by a distance equal to the height of the tower. The proposed 140 foot tower is about 710 feet from the nearest residential property line. The setbacks of the proposed tower are sufficient to meet the criterion.

6. Lighting

The UDO stipulates no lighting of the tower is permitted except as required by the FAA. In most cases, the FAA does not require lighting on towers under 200 feet. The applicant had previously submitted Form 7460 to the FAA, and the results of this report have indicated that the FAA approves the tower as proposed. In addition, DeKalb Taylor Municipal Airport Manager Tom Cleveland has reviewed the plans for the
proposed tower and indicates that based upon the tower height, distance from the airport and location in relation to the runways, it would not interfere with airport operations.

7. Fencing and Security

The UDO stipulates communications towers must be enclosed by a fence not less than six (6) feet in height. The site plan submitted in conjunction with the application identifies a six (6) foot high fence to surround the proposed tower and associated equipment.

8. Landscaping and Screening

The UDO requires landscaping be placed outside the required fenced area on sides facing public rights-of-way or residential areas. The plans submitted indicate landscaping along the north and south sides of the proposed fence. Additional plantings will be required for a portion of the west side of the fenced area to meet this UDO requirement.

9. Noise

As the proposed structure does not appear to be a source of noise to be monitored and regulated, this criterion does not apply.

10. Tower Design

The UDO requires cell towers be designed without the use of guy wires or external supports. Proposed is a 140 monopole without any guy wires or supplementary supports, therefore the applicant is meeting this criterion.

11. Co-Location Protocol

Any special use request for the erection of a new tower must complete the co-location protocol as outlined in Article 7.08 of the UDO. A copy of Article 7.08 is provided at the end of the packet. The purpose of the protocol is to create a process that will allow providers to share publicly available nonproprietary information among themselves, with interested agencies and the City. The co-location protocol is designed to increase the likelihood that all reasonable opportunities for co-location have been investigated and the appropriate information has been shared among the providers. The public policy underlying the protocol is the premise that making efficient use of existing towers is preferable to a proliferation of additional and unnecessary cellular communications towers.

Per the co-location protocol, the applicant has contacted the other providers (AT&T, T-Mobile, Sprint, and Cricket) in the area noting their intent to construct a tower along S. 7th Street and if the other providers had co-location opportunities. The applicant provided the mailing receipts and copies of the letters that were sent to the other providers. Only
one of the providers contacted noted an opportunity for co-location and that was from AT&T regarding the adjacent 300 foot tower to the south of the proposed Verizon tower.

Per the UDO, if a response to a co-location request is received by the applicant indicating an opportunity for co-location, the applicant shall analyze and investigate the feasibility based upon criteria listed in the UDO. Those criteria include if service can or cannot be provided by co-location at the site, evidence that the lessor either agrees or disagrees to co-location on their site and evidence that adequate access does or does not exist at the possible co-location site.

The co-location protocol is designed to ensure the blight of multiple duplicative towers is minimized or mitigated to the greatest extent possible. However, neither the City nor the applicant has the ability to force or compel co-location with an unwilling existing tower owner. The City and the applicant have reached out to AT&T and attempted to negotiate the colocation of facilities here, but AT&T has brought forward a cost that is higher than the cost of a new tower.

The Taylor Street Plaza building is a 16-story building located at 507 E. Taylor Street and about .65 miles from the proposed Verizon tower. The building is owned by the Housing Authority of the County of DeKalb and has three cell carriers on the roof of the structure. The Housing Authority indicated via an e-mail dated September 5, 2017, that there is an opportunity for Verizon to locate on the building. The staff has raised the question of using the Taylor Street Plaza building before and the applicant responded via an affidavit provided at the August 23, 2017, public hearing stating the building “was never considered since it is very close to an existing Verizon cell site.” Staff asked the applicant to provide more detail into the reason the site cannot be used and conduct a co-location protocol for the building. The applicant provided a response indicating 507 E. Taylor Street was never considered since it is very close to an existing Verizon cell site. The applicant also provided search ring maps where service is needed and the location of the 507 E. Taylor Street building is .5 miles from the edge of the search ring. The applicant’s e-mail states “therefore would not meet the RF engineering criteria for the placement of a new cell”, and accordingly no effort was made to investigate this location.

The applicant is also required to meet the special use findings of fact found in Article 14.03.05 of the UDO.

III. Community Groups/Interested Parties Contacted

On August 23, 2017, the PZC conducted the initial public hearing regarding the request. The PZC continued the hearing two times until a recommendation was forwarded at their November 8, 2017, meeting. At the November 8, 2017, meeting the PZC recommended denial of the special use request by a vote of 5-1-1. Commissioners Wright, Castro, Nier, Barbe and Atherton voted yes, Commissioner Buckley voted no and Commissioner Crull was absent. The PZC found the special use request does not meet the findings for a special use as described in the UDO for the reasons as stated in the Findings of Fact
letter signed by Chair Christina Atherton, and which is provided in the packet following this memo. The PZC found that the applicant did not demonstrate that co-location is infeasible or impractical, nor did the applicant demonstrate that it is unduly expensive to undertake co-location in comparison to constructing a new tower.

During the initial public hearing on August 23, 2017, a total of six property owners/residents spoke in opposition to the request and three property owners/residents, including the building owner, spoke in favor for the cell tower. At the November 8, 2017, public hearing, a total of eight property owners/residents spoke in opposition to the request and the building owner of the subject site spoke in favor of the proposed tower. To date, there have been nine correspondence from surrounding property owners/residents submitted to the City indicating their opposition to the proposal and three correspondence from property owners/residents noting their support for the proposal. They are made part of the record and provided in the packet.

IV. Legal Impact

The City has the legal authority to approve or deny Special Use Permits and to impose conditions which mitigate possible negative impacts after a public hearing and review and recommendation by the PZC.

V. Financial Impact

This item is not anticipated to have any significant financial impact.

VI. Options

1. Approve the Ordinance as presented.

2. Approve the Ordinance with specified modifications.

3. Do not approve the Ordinance.

VII. Recommendation

The Findings of Fact approved by the PZC found the applicant did not demonstrate that co-location is infeasible or impractical, nor did the applicant demonstrate that it is unduly expensive to undertake co-location in comparison to constructing a new tower.

Staff would recommend approval of the findings of fact prepared by the PZC dated November 8, 2017, and approval of option three and reject the attached Ordinance as prepared. In keeping with past practice, the Ordinance was prepared in the affirmative, so concurrence with the recommendation from the PZC would mean a "No" vote for the Ordinance. If the City Council wishes to approve the Ordinance, the findings of fact would have to be added to the Ordinance on second reading.
FINDINGS OF FACT
Special Use Permit for a 140 foot tall cellular communications tower
1300 S. Seventh Street, DeKalb, Illinois

The Planning and Zoning Commission of the City of DeKalb hereby recommends denial of the Special Use Permit for the premises referenced above, based upon the testimony and information considered during the public hearing conducted on August 23, 2017, and continued to September 20, 2017, October 4, 2017 and November 8, 2017, and for the reasons as discussed in the public meetings of the Planning and Zoning Commission and as discussed below.

The Commission notes that the City’s Unified Development Ordinance requires the completion of a colocation protocol to confirm if the installation of a new communications tower is necessary, or if the same or similar goal can be met by the use of an existing tower or building, with installation (colocation) of new equipment on the new tower or building. The public policy underlying that protocol is the premise that making efficient use of existing towers or buildings is preferable to a proliferation of additional and unnecessary cellular communications towers. Of note, the applicant provided testimony from a representative of Verizon Wireless at the final public hearing, conducted on November 8, 2017, on this matter, and said representative testified and agreed that colocation is preferable to new installations for a myriad of reasons.

The Commission wishes to reiterate its support for colocation wherever reasonably possible. The Commission notes that completion of the colocation protocol is a requirement prior to the special use process, and the purpose of that protocol is to inform the Commission’s evaluation of the relevant zoning factors so that an informed recommendation can be reached.

Procedurally, the Commission notes that the applicant has previously pursued this same special use permit. As exhaustively briefed before the Commission, an application was previously filed in 2014 for a similar 140-foot tall cellular communications antenna at the same address (albeit at a different physical location) in 2014. At that time, the Commission conducted a lengthy public hearing and considered extensive testimony and factual information, related to a similar tower proposal from the same applicant. During the course of that matter, the applicant advised the Commission that it had fully complied with City Code, inclusive of the colocation protocol. The colocation protocol is of importance in this case as the property where the tower is proposed to be located is adjacent to an existing 300-foot tall communications tower maintained by AT&T. Through that public hearing process, it came to be revealed that the applicant had in fact sent a communication to AT&T, asking to be rejected for colocation so as to facially satisfy the colocation protocol, rather than actually seeking approval in good faith. Ultimately, the applicant
failed to appear at the final public hearing on that request, and later withdrew its request prior to consideration by the City Council.

Subsequently, a special use permit was applied for (and obtained) for colocation of cellular communications equipment on the existing AT&T tower. That approval was provided in September of 2015, and a building permit for colocation was granted in February of 2016. The applicant later decided to abandon the colocation, and reapplied for a special use permit in May of 2017. The justification for abandonment of colocation was based upon the claim that colocation was unduly expensive. As explanation for that justification, the applicant advised that the cost of coloating its equipment on the AT&T tower was roughly $440,000, whereas the cost of coloating its equipment on a new, standalone tower was roughly $171,600.

Relative to that argument, the Commission notes that the colocation protocol does not include a requirement or provision indicating that colocation should be based on cost, or that colocation should only be conducted where it is more cost effective to do so. Cost, to the extent that it is relevant to colocation, may have an impact on the analysis of some of the zoning factors, but is not determinative by itself. Second, the Commission notes that the applicant’s paperwork relating to colocation cost did not include the cost of the actual new tower, new tower foundation or erection, or the costs of engineering or constructing the same. Similarly, the City’s evaluation of the proposed new tower colocation costs were based on new tower colocation, rather than on the full cost of building a new tower and then locating on it. Accordingly, the Commission finds that the documentation as submitted did not properly evidence a comparable cost between coloating on the existing AT&T tower (where no tower construction is necessary) and coloating on a non-existent new tower. For those costs to be comparable, the applicant should have demonstrated the fully-inclusive cost of building a new tower and coloating upon it. The Commission further notes that the burden of persuasion on such point rests with the applicant, and as the applicant’s own documentation identifies relevant costs (e.g. tower foundation, tower erection) but fails to ascribe any cost to them (said blanks being empty), the applicant failed to demonstrate its argument.

The Commission also notes that there is every indication in the record that colocation on the AT&T tower would be equally serviceable as installing a new tower. The applicant’s witness from Verizon testified that the quality of an antenna location is determined by factors such as proximity, height, antenna alignment, and the geography of the nearby area (e.g. hills can block signals). The AT&T tower is immediately adjacent, installation of antennas can be accomplished at the same height and orientation as a proposed new tower, and there is no intervening terrain feature that would interfere with signal quality or strength.

To that point, the Commission notes that the testimony of the Verizon representative was that the existing Taylor Street Plaza building located at 507 E. Taylor Street was evaluated, but was rejected. The Verizon representative indicated that the building was not suitable as it was roughly 2/3 of a mile from the proposed location, and the building was only 5-7 stories in height (which was not tall enough). The Commission notes that the testimony it received before was that the Taylor Street Plaza building is actually 16 stories in height (with the Verizon representative indicating that greater height contributes to greater signal propagation and effectiveness). The Verizon representative also testified that antenna can be pointed in a directional fashion to
minimize interference with other existing towers. Further, the Verizon representative indicated that the “search area” for a new tower location was over an area with a circumference of ½ mile. In comparison to the ½ mile circumference, the Commission was not presented with evidence that the Taylor Street Plaza building, roughly 2/3 of a mile from the proposed site and of significant height (in fact taller than the proposed new tower) would be unsuitable.

In short, with regard to the first special use application in 2014, the Commission had concluded that the applicant had not completed the colocation protocol in a meaningful fashion. With regard to the present application, the Commission does not find that the applicant has demonstrated that colocation is infeasible or impractical, nor has the applicant demonstrated that it is unduly expensive to undertake colocation in comparison to a new tower (to the extent that is relevant to the present consideration). Based on the information presented, it appears that the AT&T tower is as good a location or better (given the potential for greater elevation of antennas) as compared to a new tower on an adjacent parcel, and there is not a reliable basis in the record to conclude that colocation is unduly expensive (or even that it is more expensive to collocate than to install a new tower). Of note, while this application relates to a Verizon installation, the Commission notes that Central States Tower, and not Verizon, is the applicant. From the testimony presented, it appears that Verizon would lease space from Central States Tower. Accordingly, it may be the case that colocation on the existing AT&T Tower is not economically advantageous to Central States Tower (as they may not receive tower lease revenues from Verizon), but that determination is both outside the clear evidence presented, and outside the scope of the Commission’s determination and recommendation.

The Commission wishes to reiterate that from a public policy perspective, the Commission recommends colocation wherever possible and practical to do so. In that regard, the Commission agrees with the applicant’s representative from Verizon in indicating that colocation is far preferable to a new installation and new tower. However, the recommendation provided herein, to deny the special use permit, is not based solely upon the colocation concern of the Commission.

STANDARDS OF SPECIAL USE (ARTICLE 14.03.05)

1. The proposed special use complies with all provisions of the applicable district regulations.

The Commission notes that the applicant has failed to comply with the requirements of the Unified Development Ordinance (“UDO”). Under the terms of the UDO, the applicant is required to comply with all obligations relating to a special use permit, and to comply with all standards in the UDO. The applicant has failed to submit a statement of compliance affirming that it has complied with all requirements of the UDO. In addition, the applicant has failed to propose screening or landscaping in compliance with the requirements of the UDO. The failure to propose screening or landscaping in accordance with the express requirements of the UDO demonstrates a failure to meet the minimum standards of the UDO and applicable district regulations.
2. The proposed special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or to the public welfare at large.

The Commission notes that the applicant did not provide factual information or testimony that meaningfully addressed this factor in the special use consideration. However, members of the public testified that they had recently engaged in real property transactions (purchases or sales) of parcels in the immediate vicinity of the proposed new tower, and further testified that the existence of communications towers in the area had an adverse impact on property values. The testimony that the presence of communications towers has a negative impact on property values was the only testimony received by the Commission which was based on actual transactional experience with the subject property and nearby parcels. Members of the public also testified regarding their concern about the aesthetic impact of installing an additional tower immediately adjacent to the existing AT&T tower, and the potential negative impact on public welfare. The applicant testified that improved cellular service enhances property values, but no evidence was provided in support of that assertion. On the contrary, the only objective information presented was that the presence of tall towers diminished property values. That statement is consistent with the testimony of the Verizon representative who testified on behalf of the applicant that installing multiple communications towers in a small area can have a deleterious impact on surrounding properties.

3. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations.

The Commission notes that the applicant's own witness from Verizon testified that colocation on existing towers is preferable to the installation of new towers, and that the proliferation of multiple towers in a small area (such as on contiguous parcels) has a deleterious impact on neighborhoods. The Commission also received testimony regarding the impact of a 140-foot tall tower on the adjacent residential neighborhood, inclusive of pictures showing the appearance of similar towers. The Commission finds that the applicant failed to provide testimony or objective information that specifically addressed this factor, other than photographs that were electronically manipulated, the accuracy of which was contested by members of the public. Based on the evidence presented, the Commission is unable to conclude that the special use and its intensity will not dominate the immediate neighborhood and/or prevent their development and use in accordance with the UDO.

4. Adequate utility, drainage and other such necessary facilities have been or will be provided.

As noted above, the applicant failed to provide for the installation of screening and landscaping facilities. The Commission notes that the screening requirements included in the UDO are based upon the City Council's determination, based upon the recommendation of the Commission, that landscaping and screening installations are necessary facilities to mitigate and minimize the impact of communications installations on surrounding properties. Accordingly, the failure of the
applicant to address these requirements in any way is demonstrative of the failure of the applicant to propose to provide adequate facilities.

5. The proposed use, where such developments and uses are deemed consistent with good planning practice, or can be operated in a manner that is not detrimental to the permitted developments and uses in the district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; shall in all other respects conform to the applicable regulations of the district in which it is located; and is deemed essential or desirable to preserve and promote the public health, safety and general welfare of the City of DeKalb.

As noted in the introduction to this section, the colocation protocol was adopted to comply with best standards and practices relating to tower installation. As outlined above, even the applicant has acknowledged that the installation of unnecessary towers is deleterious to the elements described in this factor. With regard to the necessity or desirability of the improvements, the Commission received testimony from several members of the public indicating that they were Verizon wireless customers and had excellent wireless service, and that the tower improvements were not necessary or desirable.

The Commission also received testimony indicating that Verizon wireless has a network coverage map that is publicly available on their website, which indicates clearly and objectively that there is full, high-quality network service available in the entire area surrounding the proposed tower location. That information, from the proposed user of the tower itself, would seem to be the best available information as to the desirability of the installation. Given that the user advertises that service quality improvements are not needed in this area (and users of the service confirm the same through their testimony), it would seem to indicate that further installations are not essential or desirable. The applicant advised that Verizon had determined that improvements in service were deemed desirable in some fashion, but that the information underling that determination was confidential and proprietary.

The Commission was presented with some cellular service coverage maps that were represented to demonstrate a reduction in service or quality of service in the immediate area where the tower and special use are proposed. However, the applicant has acknowledged that colocation of antenna facilities on the existing, adjacent AT&T tower would serve equally as effectively in meeting any need that may exist. Further, given that the applicant’s objective information regarding the height (and thus effectiveness and range of communication available from) the Taylor Street Plaza building was inaccurate (5-7 floors versus the actual 16 floors), it may be the case that other colocation opportunities exist as well. Thus, information supporting the necessity or desirability of the tower was simply not provided to the Commission, and there is no basis in the record for determining that the special use is appropriate to grant on this basis.
Conclusion

For the foregoing reasons and for the reasons as discussed in the multi-part public hearing on this special use application, the Commission, at its November 8, 2017 meeting, determined to recommend denial of the special use permit. The Commission recommended denial of the special use request by a vote of 5-1-1. Commissioners Wright, Castro, Nier, Barbe and Atherton voted yes, Commissioner Buckley voted no and Commissioner Crull was absent.

Respectfully Submitted,

Christina Atherton, Chair
Planning and Zoning Commission