I, RUTH A. SCOTT, do hereby certify that I am the duly appointed Deputy City Clerk of the City of DeKalb, DeKalb County, Illinois, and as such officer, I am the keeper of the records and files of the City Council of said City.

I do further certify that the attached is a true and correct copy of:

ORDINANCE 2018-003

AUTHORIZING A SPECIAL USE PERMIT FOR EXISTING CELLULAR ANTENNA EQUIPMENT ON TOP OF AN EXISTING 16-STORY BUILDING LOCATED AT 507 EAST TAYLOR STREET, DEKALB, ILLINOIS (T-MOBILE).

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, on the 12th day of February, 2018, and the original is now on file at the City of DeKalb Municipal Building.

WITNESS my hand and the official seal of said City this 9th day of March, 2018.

RUTH A. SCOTT, Deputy City Clerk

Prepared by and Return to:
Deputy City Clerk Ruth Scott
City of DeKalb
200 South Fourth Street
DeKalb, IL 60115
ORDINANCE 2018-003    PASSED: FEBRUARY 12, 2018

AUTHORIZING A SPECIAL USE PERMIT FOR EXISTING CELLULAR ANTENNA EQUIPMENT ON TOP OF AN EXISTING 16-STORY BUILDING LOCATED AT 507 EAST TAYLOR STREET, DEKALB, ILLINOIS (T-MOBILE).

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, T-Mobile Central LLC, and NTP Wireless, acting as their agent (herein referred to as “Petitioner”) is owner of existing cellular communications equipment on top of an existing 16-story residential building commonly known as 507 E. Taylor St. (Taylor Street Plaza), DeKalb, Illinois (herein referred to as “Subject Property”), has petitioned the City of DeKalb for approval of a special use permit to upgrade existing cellular communications equipment; and

WHEREAS, pursuant to proper legal notice, a public hearing was conducted by the Planning and Zoning Commission on January 3, 2018; 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 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;

STANDARDS OF SPECIAL USE PERMIT FOR ANTENNA FACILITIES—ARTICLE 7.08.08

1. Points of Visual Interest Shall Be Protected.

The only point of visual interest, as defined by the UDO, in the vicinity of the subject property is park property to the east and west of the subject site. The proposed upgrade to the equipment will have no impact on the park areas as the equipment is on top of an existing 16-story building. Additionally, concealment tape will be installed to visually screen the equipment further reducing the visual impact of T-Mobile’s equipment.
2. **Methods for Protecting Points of Visual Interest.**

As noted in standard #1, concealment tape, a non-metallic reflective film technology, is proposed around the existing and new equipment to screen it from ground view and to blend it in with the surrounding environment.

3. **Color**

Reflective screening of the equipment is proposed to reduce the visual impact on the surrounding area.

4. **Height**

The UDO stipulates that antennas may be permitted provided it is no greater than 22 feet taller than the existing structure. The proposed antennas will be 11 feet above the existing building.

5. **Setbacks Adjacent to Residential Uses**

As the proposed antennas are existing and being upgraded, this criterion does not apply to this request.

6. **Lighting**

The UDO stipulates that no lighting is permitted except as required by the Federal Aviation Administration (FAA). There is no lighting present on the rooftop equipment and none will be added as part of the modifications proposed. The FAA does not require lighting at this location.

6. **Fencing and Security**

Since the upgrade is for roof-top equipment, this criterion does not apply.

7. **Landscaping and Screening**

Since the upgrade is for rooftop equipment, no landscaping is required. The applicant is proposing to have concealment tape installed on the antenna and equipment to minimize the visual effect to the surrounding area.

8. **Noise**

No noise generating equipment is present or proposed at this location.
9. **Tower Design**

Since this is an upgrade to existing equipment on the roof-top of the building, this criterion does not apply.

**STANDARDS OF A SPECIAL USE – ARTICLE 14.03.05 (2) OF THE UNIFIED DEVELOPMENT ORDINANCE**

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

The proposed special use is for an upgrade to existing equipment that is co-locating on an existing building with other cell carriers. The property is zoned RC-1 Residential Conservation District and the proposed special use meets all the requirements of the District and Article 7.08 (Wireless Communications Ordinance) of the UDO.

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.**

There has been antenna and associated equipment on top of the building on the subject site since at least 2000 and there is no evidence that the presence of the antennas and equipment has been detrimental to the value of surrounding properties. To further minimize the visual impacts of its site, T-Mobile is proposing to use concealment tape on the antennas and equipment to ensure it further blends into the surrounding neighborhood.

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 facility is unstaffed and is a low intensity operation. The antenna and associated equipment related to the special use request are located on top of an existing 16-story building and 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.**

The subject site and structure are already served with adequate utilities and the proposed modifications will not impact this. The only utilities that are necessary
are telephone and electricity, both of which are already onsite in connection with the existing 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.

There has been antenna and associated equipment on top of the building on the subject site since at least 2000 and has operated in a manner that has not been detrimental to other uses in the area. The upgrade in the equipment will provide the residents of the City improved communication capabilities. The applicant is proposing to use concealment tape on the antennas and equipment to minimize the visual effect on the surrounding neighborhood.

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

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

Section 2. This Ordinance is limited and restricted to the Subject Property legally described as follows:

Part of Assessor’s Lot 11 of the Southwest Quarter of Section 23, Township 40, North Range 4, East of the Third principal Meridian, DeKalb County, Illinois, described as follows: Commencing at the Southwest corner of said Assessor’s Lot 11: thence Northeasterly along the West line of said Assessor’s Lot 11, a distance of 35.7 feet to the point of intersection of the West line of said Assessor’s Lot 11 with the North right of way line of Taylor Street for the place of beginning; thence Easterly along the North right of way line of said Taylor Street, a distance of 252.4 feet to the Southeast corner of Lot 3 of Sweet Subdivision, according to the Plat thereof recorded in the DeKalb County Recorder’s Office: thence Northerly along the West line of said Sweet Subdivision, a distance of 208.0 feet to the Northwest corner of Lot 3 of said Sweet Subdivision; thence Easterly along the North line of said Sweet Subdivision, a distance of 17.15 feet: thence Northeasterly at an angle of 112 degrees 22 minutes measured clockwise from the last described course, a distance of 194.8 feet to a point that is 300.0 feet Southwesterly of (as measured at right angles to) the South line of Roosevelt Street; thence Northwesterly and parallel with the South line of Roosevelt Street in the City of DeKalb, Illinois, a distance of 170.6 feet to the West line of said Assessor’s Lot 11; thence Southwesterly along the West line of said Assessor’s Lot 11, a distance of 489.3
feet to the place of beginning situated in the City of DeKalb in the County of DeKalb in the State of Illinois.

The property is commonly described as 507 E. Taylor Street, DeKalb, IL 60115 and has a Parcel Identification Number (PIN) of 08-23-361-031.

Section 3: A special use permit for existing antenna and associated equipment on top of a 16-story building to allow for an upgrade of communication equipment 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 antenna and equipment upgrades and proposed use of concealment tape shall comply with the drawings indicated on Exhibit A.

2) The Petitioner will be 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 (Wireless Communications Ordinance).

3) The antenna, equipment upgrades and proposed use of concealment tape shall be maintained in good and workmanlike condition at all times. Concealment tape shall be installed and thereafter maintained pursuant to manufacturers specifications, and shall be replaced in kind or as directed after 30 days’ notice from the City of DeKalb, based on the Director of Community Development’s observation that product appears defective, or is no longer “reflective” as advertised.

4) Removal of the antenna and associated equipment shall constitute grounds for the Community Development Director to notify the Petitioner, in writing that the Special Use Permit is subject to revocation. Upon receipt of such notice, the Petitioner may either agree and consent to the revocation of the Special Use Permit, or may submit to a due process hearing before a hearing officer designated by the Community Development Director. The report of such hearing officer shall be forwarded to the City Council of the City of DeKalb for consideration, and the decision of the City Council shall be final.

Section 5. All ordinances or portions thereof in conflict with this ordinance, including the prior versions of the ordinances included above, 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 affect 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.


ATTEST:

SUSANNA HERRMANN, City Clerk

JERRY SMITH, Mayor
### Coax Color Coding

- **Antennas** will be labeled (back of antenna view) Right to left: 1 - X ports
- **Coax/jumper lines** will be identified by sector color and by number of bands around the coax/jumper

#### Chart

- **Sector A**: Green
- **Sector B**: Blue
- **Sector C**: Yellow
- **Sector D**: White
- **Sector E**: Black
- **Sector F**: Orange
- **LMU**: Yellow + Sector Color Bands
- **Titan**: Purple
- **Unstranded Coax**: Brown
- **MicroWave**: White
- **PWR Cables**: Black + Green
- **DownLink cable**: Blue + White

#### Example
- Coax with four bands of **RED** tape will represent **Alpha sector** and the **4th port of antenna**.