

# **MINUTES OF THE OTTAWA PLAN COMMISSION MEETING**

## **October 28, 2013**

Chairman Brent Barron called the meeting to order at 7:01 p.m. in the Ottawa City Council Chambers.

### **ROLL CALL**

Present: Barron, Buiting, Burns, Howarter, Less, Perry (L), Reagan (L), Stone

Absent: Volker

Others: City Planner Tami Huftel

### **MINUTES OF PREVIOUS MEETING**

Minutes of the August 26, 2013 meeting were approved as published.

Minutes of the October 14, 2013 special meeting were approved as published

(Note: The regular monthly meeting scheduled for September 23, 2013 was cancelled.)

### **OLD BUSINESS**

None

### **NEW BUSINESS**

a. Public Hearing – Request for Conditional Use Permit for a Cellular Tower at 419 W. Joliet Street, legally describes as that part of Center Street, (commonly known as Walnut Street), in North Ottawa Addition to Ottawa, lying south of Second Street (commonly known as Joliet Street) north of a line 20 feet north of the centerline of the west bound track of the former Chicago, Rock Island & Pacific Railroad, west of block 8 in said North Ottawa Addition, and east of block 7 in said North Ottawa Addition, all situated in the City of Ottawa, LaSalle County, Illinois. Glenn Rauh, Chairman of Illinois Valley Cellular, explained to the OPC that his company currently has wireless facilities north and south of the City of Ottawa but that these towers are too far away and are not able to provide as good as service to the downtown area. The Joliet Street location is expected to correct that problem. Rauh added that handouts, public hearing notices, a site map and mailings (3 were undeliverable) to surrounding property owners have been provided. A building on site contains the power, fiber optics, etc. needed for the MonoPole they want to install behind it. Because the total height of the pole is 199 ft., it will not need flashing lighting on top of the pole (lighting on poles 200 ft. or higher is required). As the City has expressed concerns in the past about multiple towers in the downtown area, IVC's tower will accommodate room for three additional carriers. The company has also made a commitment to the City for landscaping, fencing and leaving room for additional cabinet facilities for future carriers. Glenn noted the FAA has approved the site for the tower and that he has an executed lease agreement with property owners of the site, John and Linda Liebhart. Stone questioned if Ameren had any concerns about the proximity of the tower to their nearest pole. Tami said that City Engineer Dave Noble confirmed that the location is okay and by City Ordinance only a minimum of 30 ft. between poles is required. Barron questioned if the IVC structure would be the only building on the site (yes) and also questioned if a second attempt was made to contact the parties whose letters were returned (no). Buiting noted that the West Joliet Street is not meant for heavy truck/crane traffic that will be needed to install the pole. Rauh confirmed the 200

ton crane would only be brought in one time and that the crane would be placed on site area, not on the street, during the installation. Reagan questioned if there was enough space around the tower to be in compliance with required distance between it and surrounding properties. It was noted that such distances are more stringent where there is residential living quarters, but that does not apply in this case as the property is bordered by the railroad on the west and south sides of the property, the street to the north and Liebhart's business office to the east. Audience member Terry Bentz, a commercial property owner, told the OPC that he had no problems with the request for the tower but questioned what his options would be for a similar situation on a small piece of property he owns nearby. He added that he was approached several years ago by AT&T to use the property for a similar tower but was told that City wouldn't allow it, so AT&T withdrew their lucrative offer. Tami said that since that, the City Ordinance has changed but that the new IVC tower would need to be full (with the 4 possible carriers) before the City would allow another tower. There being no further questions from the audience or OPC members, it was moved by Burns and seconded by Less that the OPC recommend the City Council approve the request for a Conditional Use Permit to construct a MonoPole cellular tower at 419 W. Joliet Street subject to the following conditions:

- 1.) The tower shall accommodate three additional cellular carriers.
- 2.) Additional carrier's rental rate shall not exceed the usual and customary rental rate (fair market rental rate) for similarly situated cell towers in LaSalle County, Illinois.
- 3.) Total height of the tower shall not exceed 199 feet.
- 4.) Front yard fence line shall be setback one foot to allow landscaping screening in front of the fence.
- 5.) A landscaping plan shall be submitted and approved prior to issuance of a building permit. The landscaping plan shall depict plant material along the front property line and wrapping around the eastside twenty-five feet.

Following the motion, Less asked if there is only a one foot setback for the fencing from the street how landscaping could be placed in such a narrow area between the fence and the street. Tami said due to the existing building's location the City would allow the required landscaping to be placed partially on City street ROW. He also questioned if chain link fence was going to be allowed. Tami confirmed that it is because the property has industrial zoning. There being no further discussion, Chairman Barron called for a vote. Motion carried unanimously.

b. Review of Concept Plan - Heritage Harbor Ottawa – West Peninsula, Unit 8

Rich Bridges presented the proposed preliminary plat and architectural elevations on behalf a guest developer, Entre' Partners Inc who is interested in purchasing these four lots. While this architecture is different, it's still considered coastal architecture. They have studied the market and buyers are seeking different architecture and privacy in multi-family units. This type of lot layout is done in Europe. Tom Heimsoth noted any new development is good development. Originally design of this road did not allow garages. However, they learned the buyer want garages. John Stone asked if this is for second home market, Tom answered yes but there may be full time residence as well. Currently "the new normal" no local builders are building spec houses and no local bank is financing development. HHO is marketing and selling the units. These units offer up to 4 bedrooms and will be stick built. Buiting – looks like a fortress. Stone – questioned the need for a 9 foot setback on the garage. Perry – likes the architecture but not the

garage. Less – likes the architecture but not the garages...consider 2 or the 4 with no garage. Also noted, this type of product should be a limited use maybe only these 4. Nancy Scholtz with HHO commented preliminary plat approval will be done at a Special Plan Commission meeting on November 18<sup>th</sup>.

Debbie Reagan provided commission members a draft letter to the City Council on the ADM annexation. Commission members were asked to review the letter and it will be discussed at the November 18<sup>th</sup> meeting.

Meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Deborah L. Burns  
Secretary as written by Nancy Stisser and Tami Huftel

## **Conditional Use Permit for a Cellular Tower at 419 W. Joliet Street, Staff Report:**

The following is an analysis in terms of the standards as outlined in the City of Ottawa Zoning Ordinance:

- (a) *That the location and size of the proposed use and the nature and intensity of use in relation to the size of the lot will be in harmony with the orderly development of the area and compatible with other existing uses.*

With the lots proximity to Ameren high power poles, railroad tracks and being surrounded significantly with industrial uses this use general fits. However, I still question the ascetics of a tall tower here...you will see from everywhere.

- (b) *That the kind, size, location and height of the structure and extent of landscaping on the lot are appropriate for the use and will not hinder or discourage the appropriate use of adjoining property or diminish the value thereof.*
- (c) *That the design elements of the proposed development, including landscaping, are attractive and suitable in relation to the site characteristics and style of other buildings in the immediate area, and that the proposed use will not alter the essential characteristics of the area or adversely affect property value in the neighborhood.*

No landscaping can hide a cell tower however, I am requesting landscaping along the front and partially along the westside. The eastside has existing vegetation.

- (d) *That the parking and loading facilities, if applicable, are adequate and properly located and that entrance and exit driveways are laid out to achieve maximum safety.*

No parking area is proposed.

- (e) *That streets providing access to the proposed uses are adequate in width, grade, alignment, visibility, and have adequate capacity for the additional traffic and parking generated by the proposed use, and the proposed use will not impede traffic circulation.*

The existing street is adequate.

- (f) *That the proposed use shall have easy accessibility for fire apparatus and police protection.*
- (g) *That the electric wiring, water supply, the sewage disposal, and the stormwater drainage shall conform with all municipal codes and ordinances; comply with all standards of the appropriate regulatory authority; and not unduly burden the capacity of such facilities.*

The tower and accessory structure can be accessed from the roadway.

- (h) *That the proposed use will provide for the conservation of natural features, drainage basins, the protection of the environment of the area, and sustained maintenance of the development.*

This area and this use does not have the opportunity for preservation of natural features.

- (i) *That the proposed use will not have any detrimental effects on upon the public health, safety, welfare, or property values, and that the proposed use will not conflict with the purpose of this ordinance.*

It does not appear the proposed use will have detrimental effects on the public health, safety, welfare, or property values as this use does fit into this area.

**CONCLUSION:**

As always, Staff welcomes Plan Commission discussion and as this is a public hearing, public comment should be considered. It appears the request meets the requirements of granting a conditional use permit. Please add the conditions listed below:

- 6.) The tower shall accommodate three additional cellular carriers.
- 7.) Additional carrier's rental rate shall not exceed the usual and customary rental rate (fair market rental rate) for similarly situated cell towers in LaSalle County, Illinois.
- 8.) Total height of the tower shall not exceed 199 feet.
- 9.) Front yard fence line shall be setback one foot to allow landscaping screening in front of the fence.
- 10.) A landscaping plan shall be submitted and approved prior to issuance of a building permit. The landscaping plan shall depict plant material along the front property line and wrapping around the eastside twenty-five feet.

