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PLAN

REPORT OF THE PROCEEDINGS OF A PUBLIC HEARING BEFORE THE VILLAGE OF ARLINGTON HEIGHTS PLAN COMMISSION

COMMISSION

RE: VERIZON WIRELESS CELL TOWER - 1500 WEST SHURE DRIVE - PC #23-017
SPECIAL USE PERMIT(S) TO ALLOW A PERMANENT COMMERCIAL ANTENNA
ON THE PRINCIPAL BUILDING FACADE AND A TEMPORARY COMMERCIAL
ANTENNA IN THE PARKING LOT, VARIATION FROM LANDSCAPING
REQUIREMENT

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Plan Commission Meeting taken at the Arlington Heights Village
Hall, 33 South Arlington Heights Road, 3rd Floor Board Room, Arlington Heights,
Illinois on the 24th day of January, 2024 at the hour of 7:30 p.m.

MEMBERS PRESENT:

MARY JO WARSKOW, Acting Chairperson
LYNN JENSEN
JOE LORENZINI
GEORGE DROST
TERRY ENNES
JOHN SIGALOS
JAY CHERWIN

ALSO PRESENT:

MICHAEL LYSICATOS, Assistant Director of Planning & Community Development

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ACTING CHAIRPERSON WARSKOW: All right, at least until Sue gets here, I will take over the meeting. So, calling the Plan Commission meeting to order, can we all please stand and say the Pledge?

(Pledge of Allegiance recited.)

ACTING CHAIRPERSON WARSKOW: All right, I believe the first thing is roll call.

MR. LYSICATOS: Okay, Commissioner Cherwin.

COMMISSIONER CHERWIN: Here.

MR. LYSICATOS: Commissioner Drost.

COMMISSIONER DROST: Here.

MR. LYSICATOS: Commissioner Ennes.

COMMISSIONER ENNES: Here.

MR. LYSICATOS: Commissioner Green.

(No response.)

MR. LYSICATOS: Commissioner Jensen.

COMMISSIONER JENSEN: Here.

MR. LYSICATOS: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Here.

MR. LYSICATOS: Commissioner Sigalos.

COMMISSIONER SIGALOS: Here.

MR. LYSICATOS: Acting Chair Warskow.

ACTING CHAIRPERSON WARSKOW: Here.

MR. LYSICATOS: And Commissioner Dawson is not here at the moment.

So, we have a quorum.

ACTING CHAIRPERSON WARSKOW: Okay, thank you very much.

All right, so I believe next thing, and you can correct me because I don't have my cheat sheet, is approving the minutes from the previous meeting.

MR. LYSICATOS: Yes.

ACTING CHAIRPERSON WARSKOW: Can I have a motion?

COMMISSIONER DROST: I'll make a motion to approve.

COMMISSIONER CHERWIN: I'll second.

ACTING CHAIRPERSON WARSKOW: Okay, all in favor?

(Chorus of ayes.)

ACTING CHAIRPERSON WARSKOW: Anyone opposed or needs to abstain?

COMMISSIONER JENSEN: I have to abstain, yes.

COMMISSIONER SIGALOS: I have to abstain also; I was not here.

ACTING CHAIRPERSON WARSKOW: All right, so two abstains --

MR. LYSICATOS: Two abstentions?

ACTING CHAIRPERSON WARSKOW: Yes.

MR. LYSICATOS: Okay.

ACTING CHAIRPERSON WARSKOW: All right, so go right to our first petitioner.

MR. LYSICATOS: Sure, yes.

So, our first and only petitioner tonight is Verizon Wireless Cell Tower at 1500 West Shure Road, Plan Commission Application #23-017.

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ACTING CHAIRPERSON WARSKOW: Okay, anyone who is going to speak on behalf of the project, if you could come forward? First thing I'm going to do is swear you in.

(Witnesses sworn.)

ACTING CHAIRPERSON WARSKOW: Okay, first thing is if I could ask you to say your name, spell your last name for the court reporter please.

MR. LEE: Sure. My name is Christopher Lee, last name is spelled L-e-e.

ACTING CHAIRPERSON WARSKOW: Oh, yes, thank you very much. Have all notices been given?

MR. LYSICATOS: They have.

ACTING CHAIRPERSON WARSKOW: All right, so please proceed with your presentation.

MR. LEE: Thank you. Good evening, Commissioners. So, I am Chris Lee, I'm here to represent Mountain Limited and Verizon Wireless. We are here to ask for your approval for two special uses; one for a temporary communications facility and one for a permanent communications facility.

So, the interest that Verizon has in this property is mostly due because they have an existing site that is about half a mile to the southwest of this property. They are actually located on an existing tower that the property owner has decided that they no longer want to lease to that tower owner. Verizon is a tenant on that tower, so they have no choice but to de-com all their equipment off that tower and move to a new location. This creates a big problem for them because without coverage to this area, there are quite a few businesses and residents that will lose critical cell phone coverage, you know, without them having some kind of facility in that area. So, they have worked out a deal with the property owners and building owners at the subject property to locate antennas on that building.

In the meantime, while we are going through the permitting processes to get the approvals to install the permanent location on the building, we are also asking for your approval to allow the temporary site in the parking lot of the building to be used so that the users of Verizon Wireless will not lose their coverage. I mean, you can imagine, you know, somebody who has Verizon Wireless and, you know, they have an emergency and they can't use it because their site went down. That would be a big problem for them.

So, this is a site that will drastically improve coverage to the area. Once again, they, you know, will be only using the temporary location tower that's in the parking lot for the amount of time that it takes to get the approvals and then install their equipment. So, it is temporary. We are asking for a waiver on the landscaping because, you know, it doesn't really make sense to put landscaping around a temporary tower that's on a truck in the middle of a parking lot. It is temporary, will be removed, it doesn't affect the use of the parking lot, and you know, once that's removed, the parking lot can go back to its full use.

So, I covered pretty much everything that's on the temporary communications facility. I mean, if you want me to describe it to you, it's just basically a 50 by 60-foot area in a parking lot that's fenced in. It's a truck that holds up a mass of antennas that's about 60 feet high. It does have guy wires that are anchored to the ground that support it. The truck does have stabilizers that come out. So, it's safe and secure and, as I mentioned, it's only a temporary solution, will be removed from the parking lot in the very near future.

This is the site plan just showing basically where that temporary communications facility is located. As you can see, it's east of the building there, right there in the

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middle of the parking lot. This building does have a lot of vacant office space available, so there isn't any issue with taking up any parking spaces that need to be used. There typically isn't much parking needed there because of the open amount of available office space there in the building.

So, the permanent communications facility, Chapter 28 does require the special use. We are proposing to install antennas on the seven-story building. You know, the purpose again is to provide critical cell phone coverage. The antennas will be installed on the facade of the building. They will be painted to match so that when you're, you know, looking at the building from a distance, they kind of blend in with the facade. The antennas look very small as you're looking at them from the ground.

So, all the equipment that transmit to the antennas, the ground equipment, the cabinets if you will, will actually be installed on the roof where you can't see them. They're installed on an existing platform that was used by a previous carrier. Our engineers have of course, you know, done a lot of structural analysis and confirmed that the existing platform can hold the equipment, it's safe, and so it's completely un-visible from the ground.

This is the site plan that basically shows where the antennas will be located on the building. As you can see, there's antennas that are located in three different sections of the building. This provides the coverage that Verizon needs, fills that whole, and then you can also see where the cabinets will be located on the inner walls of the building, not visible from the ground whatsoever.

Here's a southeast elevation of what the building will look at if you were looking at the building at the southeast. So, you have antennas that, you know, are mounted right to the facade. They're on close mounts to the facade so it gives them enough room to be tilted one way or another so that they can achieve the azimuths that they need, but they're installed in a way that they are close-mounted to the building as much as possible to minimize that visual intrusiveness.

Here's a southwest elevation, and if I go too fast, please let me know. Northwest elevation. As you can see, they're all pretty much installed in the same manner. There are existing carriers that are already on this building that are installed in the same way that we're installing the equipment, so we're not doing anything different from the way that existing carriers have already installed and been approved to be there, and this is the northeast elevation.

Here are some photo simulations. Our engineering group put these together. So, if you're looking at the building from the street, the photo on the left is before the installation, the photo on the right is after. As you can see from a distance as you're driving by the building from a public road, the antennas blend in with the building. They're painted to match the same color. They're very unnoticeable unless you are looking at the building and actually looking for them. Here's another view, and here is our last view.

Thank you for your time. Do you have any questions?

ACTING CHAIRPERSON WARSKOW: Anyone have any initial questions?

COMMISSIONER DROST: Not at this time.

ACTING CHAIRPERSON WARSKOW: Okay, you can then go ahead and have a seat and we'll have our Staff presentation.

MR. LYSICATOS: Thank you, Chair.

Okay, so tonight, we're considering the Verizon Wireless tower at 1500 West Shure Drive. The property is in the M-1 Research Development and Light Industrial District, and the Comprehensive Plan identifies it offices only. So, the uses are compatible, it is an office building currently. So, there isn't anything that is incompatible with zoning although it

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requires the special use permit as was mentioned for the permanent commercial antenna on the principal building facade. Then the temporary commercial antenna, we combined both applications into one special use permit as there is no regulation that covers temporary antennas. You would give permission, or they're seeking permission for that special use permit as well.

The one variation is for relief from the requirement of a landscaping plan for the temporary commercial antenna installation which is part of our code for any ground-mounted antenna.

The aerial here shows the two pins that are in question. So, the temporary tower is actually in the eastern lot, and then the permanent one is on the western lot. You can see some of the existing conditions of the building. These were taken just a few weeks ago before our first snow, so you can see the existing Sprint antennas that are on there now as a few of these antennas I believe will be removed, but a good portion of them will be staying.

Also, the temporary tower that is already there, this tower was installed with permission from the Village Board at a Proceed At Own Risk agreement that was executed in October. So, this has been deployed since then since the existing tower was taken down in the previous location to facilitate the temporary service as was mentioned.

The permanent antenna plans, I think you just have seen these, but it shows the dark black is the new antennas that are going to be installed. There are some existing in the lighter gray adjacent to a number of these towers as they have a similar range and similar need to fulfill cell phone service.

The temporary tower plan shows those guy lines as well as the truck structure itself. As you can see, it's in the middle of the parking lot so that the waiver request or the variation request is for the planting. If there were plantings to go, it would actually be disturbing the parking lot for the principal use that's here.

Again, this is the aerial that you've seen before.

So, the special use approval response was submitted by the Applicant. Basically, you've heard that response from the Applicant today about fulfilling the need for cell phone service in the area. Staff has reviewed this and this seems sufficient; we're satisfied with their response. It's rather lengthy, so it's got two pages at this time.

On the variation approval, this was sent to us recently, so it wasn't in your original packets. We are also satisfied with the response for the variation for some of the reasons that were already stated, that to remove some of the parking spaces that are there would be detrimental to the site. The site is actually under-parked at this point. It has a deficit. The temporary tower actually provides, it further provides more of a deficit of 14 spots.

We didn't want to address the parking deficit at this point as the use is really not directly related to the office building. When the office building either wants to re-tenant or wants to come in with a different use, that's when we believe it will be appropriate to address any parking variation that's needed. If one was addressed here and, you know, for instance provided, it's tough to say how that actually impacts the building. There's very little parking that's used right as I believe about 25 percent of the building is used, so we're going to allow that to be an existing nonconforming situation.

So, as a result, the Staff recommends approval for the special use permit for the permanent and temporary commercial antenna under Chapter 28, Section 6.14-2.2(b) for relief from requirement of a landscaping plan for a temporary commercial antenna installation. There are four, or I should say five conditions that we have asked the Board to consider. One, to mitigate the aesthetic impacts of their permanent installation on the building

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facade by painting the antennas, which you've heard they intend to do. We're asking the Petitioner to remove the temporary antenna installation according to the Proceed At Own Risk Declaration (2023-61) executed with the Village of Arlington Heights. We're asking that the Petitioner remove all abandoned or unused antenna equipment from the building facade upon completion of their permanent antenna installation.

The fourth item is the Petitioner shall add the Village utility information to the engineering plans prior to the issuance of a building permit. This was during the dialogue on our round two comments, or in response to the round one comments I should say from our Engineering Department. While there might not be any digging on the site, they want to see all the utilities that are present and connecting to the building.

Lastly, the Petitioner shall comply with all federal, state, and Village codes, regulations and policies. I'll take any questions.

ACTING CHAIRPERSON WARSKOW: Okay, thank you.

COMMISSIONER DROST: I'll make a motion to approve the Staff Committee report, or Staff report.

COMMISSIONER CHERWIN: I'll second.

ACTING CHAIRPERSON WARSKOW: Okay, voice vote. All those in favor?

(Chorus of ayes.)

ACTING CHAIRPERSON WARSKOW: Anyone opposed?

(No response.)

ACTING CHAIRPERSON WARSKOW: All right, the Staff report is entered into the record.

I do have one question for you, Mr. Lee, so if you could come forward again? I just want to make sure the five conditions that Michael just listed you have agreed upon. I know the painting you already said, but I just want to make sure all the other conditions you're agreeing to.

MR. LEE: We have. I do feel like I should clarify one thing with the requirement to remove any unused equipment. So, there is equipment on the building that is currently not transmitting any frequencies. It's by Sprint. So, T-Mobile and Sprint have merged together, and what they are currently doing is that they are, you know, looking at all their sites and they're trying to, you know, figure out a game plan to either improve that location or remove equipment.

So, this is something that they're currently doing. They're talking to the building owners about that. They have leased, all the antennas that you see on the building are leased to be there. So, even though there is not any frequencies transmitting through those antennas, it doesn't mean that they're abandoned or they're not going to be used in the future.

So, I just wanted to clarify that point. If they do decide that they're not going to use those antennas in the future, they will remove them. As a matter of fact, ERS who is the rooftop management company, they're all over that. You know, they're very good about making sure that any equipment that's abandoned or not going to be used is removed off the building. So, that's the only thing I wanted to just clarify today.

As far as showing utilities on the site plans, I know that our engineers have been working with you to try to get those shown on there. So, yes, it is our very intent to make sure that's on there, but we may require some help just to get that on there because I think some of your engineers have some data that they can share with us.

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MR. LYSICATOS: Yes. Yes, we will be happy to provide whatever GIS data we have.

MR. LEE: Right, sure.

MR. LYSICATOS: And Staff would also be amenable to changing requirement number three to just be abandoned equipment and maybe remove the language of 'or unused' so that it's something that's actually been abandoned on the building.

MR. LEE: Right, thank you.

ACTING CHAIRPERSON WARSKOW: Okay, thank you very much.

All right, so I am now going to open up public comment for this particular project. Do we have anyone in the audience who would like to speak?

(No response.)

ACTING CHAIRPERSON WARSKOW: All right, I do not see anyone interested, so I'm going to close that portion of the public comment and open up with my fellow Commissioners to see if they have any questions or comments.

Yes?

COMMISSIONER ENNES: I have one quick question, Mr. Lee. Just so I get and understand the need for this move, you're currently located, you have towers/antenna located in Arlington Heights that's on a pole?

MR. LEE: Yes, sir. There is a tower that is located at the corner of the intersection, southwest intersection of 53 and Rand Road.

COMMISSIONER ENNES: Right.

MR. LEE: It's a monopole that's there. I drove by there this morning and it looks like two or the three carriers have already removed their equipment off that tower. So, there's one left, I'm not sure who that carrier is. It's not Verizon because Verizon has already de-commmed their equipment.

COMMISSIONER ENNES: Okay, so why are you moving off? Did you lose your lease on that? Are they taking that tower down

MR. LEE: Yes, sir. So, Verizon doesn't actually own the tower or that site. They only installed their equipment on a structure that's owned by a third party. That third-party has not been able to secure an extension on their lease rights with the property owner. The property owner has just, you know, the lease has probably expired or will be expiring, and the property owner has decided that they have future plans for the property. They don't want the tower there anymore. So, unfortunately, Verizon has had no choice but to remove their equipment off that tower.

COMMISSIONER ENNES: Okay, that's why the temporary antennas were put in place in that --

MR. LEE: Yes, sir. Yes, sir.

COMMISSIONER ENNES: Okay, sounds good for me. That's the only question I have.

COMMISSIONER SIGALOS: Yes, I just have a minor question. If this is approved, what is the timeframe you're looking at to put up the permanent antennas, and at which time then the temporary antenna would be removed? So, what kind of timeframe are we talking about?

MR. LEE: So, I don't have an exact number of days that it will take, but I can tell you that it typically takes between one or three months just depending on the availability of the equipment that we are ordering to install there. I mean, this isn't something that's going to take a

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year or anything like that, but I think a good timeframe that I can share, just kind of a rough estimate would be between one month, best case scenario, to probably three months, worst case scenario.

COMMISSIONER SIGALOS: So, the temporary antenna could be there for three months then?

MR. LEE: Yes, sir, in a worst case scenario. I don't anticipate it will take that long, but sometimes when Verizon is trying to get special equipment that they need to build that site, those backorder, not something that they can control, but they do their best to proactively order that equipment in advance so that they reduce that timeline, but I don't typically see sites taking more than that long once they get all their approvals.

COMMISSIONER SIGALOS: Okay, and I understand that the building itself is only about 25 percent occupied. So, these parking spaces that the temporary antenna takes up will not really be a problem?

MR. LEE: Correct. I was there this morning just looking at the building, and the parking lot is completely empty, on both sides.

COMMISSIONER SIGALOS: Okay. All right, thank you.

MR. LEE: Yes, sir.

COMMISSIONER SIGALOS: That's all I have.

ACTING CHAIRPERSON WARSKOW: Okay, anyone else?

Commissioner Cherwin?

COMMISSIONER CHERWIN: No, thank you. I saw the Petitioner at the Conceptual Review Committee and I thought they did as much as they could with the circumstances and I'm good with it.

ACTING CHAIRPERSON WARSKOW: Okay, how about on this side?

COMMISSIONER JENSEN: Yes, just an informational question for Michael. What's the significance of this Proceed At Own Risk Declaration? Obviously, the Board approved it. What does that, what's the significance of that?

MR. LYSICATOS: So, the significance of the Proceed At Own Risk agreement is that there's three conditions on which the temporary tower is removed. One is that they don't apply, which they've already done. The second is that they don't get approval, which they're going through the process right now, or I believe it's the end of March, March 24th I believe is the date.

We are going to work, because the process is what it is, we are going to work with them if they need an extension because of the timeline that Commissioner Sigalos was inquiring about, working for that through Village Board, but basically that's where --

COMMISSIONER JENSEN: So, it's aimed at limiting the amount of time they have a temporary thing.

MR. LYSICATOS: Correct, correct. Then if there wasn't a good faith effort to apply and get approval or ultimately the Village Board doesn't approve it, then that temporary tower would be removed. So, we're moving along in the process and hopefully it will just be the date that we have to worry about.

COMMISSIONER JENSEN: Thank you. Mr. Lee, does Xfinity use the Verizon's network? I mean, is this network, do other people depend on it besides Verizon or not?

MR. LEE: Well, if you have Verizon as your cell phone service, then, you know, obviously, you'd be affected if that site was to go down.

COMMISSIONER JENSEN: Right.

APPROVED

MR. LEE: I can't confirm on, this isn't my specialty. I can't confirm, but I've heard that there are some, you know, smaller carriers that lease spectrum from --

COMMISSIONER JENSEN: I was wondering if it affects more than Verizon, that's really the essence.

MR. LEE: Yes, so that is very possible. Again, this is not my specialty, not my expertise. Just something I've heard as just, you know, being in the industry, so yes, there is a very good possibility that, you know, somebody who has some other smaller carrier that leases their spectrum would also be affected.

COMMISSIONER JENSEN: So, it could affect a number of carriers in other words?

MR. LEE: Absolutely. I mean, you know, I was there this morning and there's tons of residences and, you know, commercial buildings that surround this area, and there would be a huge impact to the area if this site was to go down. There would be at least thousands of people that would be affected.

COMMISSIONER JENSEN: Thanks for putting some perspective on that.
Thank you.

MR. LEE: Yes, sir.

ACTING CHAIRPERSON WARSKOW: Joe?

COMMISSIONER LORENZINI: I have no further questions.

COMMISSIONER DROST: I'll get it moving then. I'll make a motion to approve.

A motion to recommend to the Village Board of Trustees approval of PC #23-017, a Special Use permit to allow for a permanent commercial antenna on the principal building facade, and a temporary commercial antenna in the parking lot, and the following Variation:

- **A variation from Chapter 28, Section 6.14-2.2(b) for relief from the requirement of a landscaping plan for the temporary commercial antenna installation.**

This recommendation is subject to resolution of the following:

- 1. The Petitioner shall mitigate the aesthetic impacts of the permanent installation on the building facade by painting the antennas to match the building.**
- 2. The Petitioner shall remove the temporary antenna installation according to the Proceed At Own Risk Declaration (2023-061) executed with the Village of Arlington Heights.**
- 3. The Petitioner will remove all abandoned antenna equipment from the building facade upon completion of the permanent antenna installation.**
- 4. The Petitioner shall add the Village utility information to the engineering plans prior to the issuance of a building permit.**
- 5. The Petitioner shall comply with all federal, state, and Village codes, regulations and policies.**

ACTING CHAIRPERSON WARSKOW: All right.

COMMISSIONER JENSEN: I'll second.

ACTING CHAIRPERSON WARSKOW: Okay, can we have a roll call?

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MR. LYSICATOS: I'm sorry, give me one moment. Just writing down my notes.

Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MR. LYSICATOS: Commissioner Drost.

COMMISSIONER DROST: Aye.

MR. LYSICATOS: Commissioner Ennes.

COMMISSIONER ENNES: Yes.

MR. LYSICATOS: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MR. LYSICATOS: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Yes.

MR. LYSICATOS: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. LYSICATOS: Acting Chair Warskow.

ACTING CHAIRPERSON WARSKOW: Yes.

All right, so you have a unanimous vote. We are though just a recommending body, so it is up to the Village Board to have the final say.

Michael, do we have a date for when they probably go before the Village Board?

MR. LYSICATOS: It will be in two weeks, the Monday two weeks from now. So, yes, they will be on the next available agenda for the Village Board.

MR. LEE: Okay, thank you.

ACTING CHAIRPERSON WARSKOW: You're very welcome.

MR. LEE: Appreciate your time, thank you.

ACTING CHAIRPERSON WARSKOW: All right, so at this time, I'm going to re-open public comment for just any other topics besides the petition that the public would like to speak to.

Do I have anyone in the public who would like to speak on another topic?

(No response.)

ACTING CHAIRPERSON WARSKOW: No, okay. Then I will close that portion of public comment, and I don't believe there is anything else on the agenda.

COMMISSIONER CHERWIN: I'll move to adjourn.

COMMISSIONER JENSEN: Second.

ACTING CHAIRPERSON WARSKOW: All right, voice vote. All in favor?

(Chorus of ayes.)

ACTING CHAIRPERSON WARSKOW: The Plan Commission is adjourned.
(Whereupon, at 7:59 p.m., the public hearing on the above-mentioned petition was adjourned.)

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STATE OF ILLINOIS)
) SS.
COUNTY OF KANE)

I, RON LeGRAND, SR., depose and say that
I am a digital court reporter doing business in the State of Illinois; that
I reported verbatim the foregoing proceedings and that the foregoing
is a true and correct transcript to the best of my knowledge and ability.

RON LeGRAND, SR.

SUBSCRIBED AND SWORN TO
BEFORE ME THIS _____ DAY OF
_____, A.D. 2024.

NOTARY PUBLIC