

April 14, 2017

**NOTICE OF HEARING  
PLANNING & ZONING COMMISSION  
CITY OF ELGIN**

**SUBJECT**

Consideration of Petition 27-16 requesting a conditional use in the NB Neighborhood Business District for a conditional commercial antenna tower, and requesting a variation (1) to the number of off-street parking stalls required by Chapter 19.45 of the Elgin Municipal Code, 1976 as amended, and (2) to the height requirement of Chapter 6.95 of the Elgin Municipal Code, 1976 as amended, to install a 106-foot tall commercial antenna tower on the Property Located at 726-750 W. Chicago Street, by Tom Ferry of Buell Consulting on behalf of SBA BTS, LLC, as Applicant, and Jasco Holdings LLC, as Property Owner.

**BACKGROUND**

An application has been filed by Tom Ferry of Buell Consulting on behalf of SBA BTS, LLC, as applicant, and Jasco Holdings LLC, as property owner, requesting approval of a conditional use with a variation from the parking requirement, and a variation from the maximum height requirement to construct a 106-foot tall commercial antenna tower. The subject property is located at 726-750 W. Chicago Street.

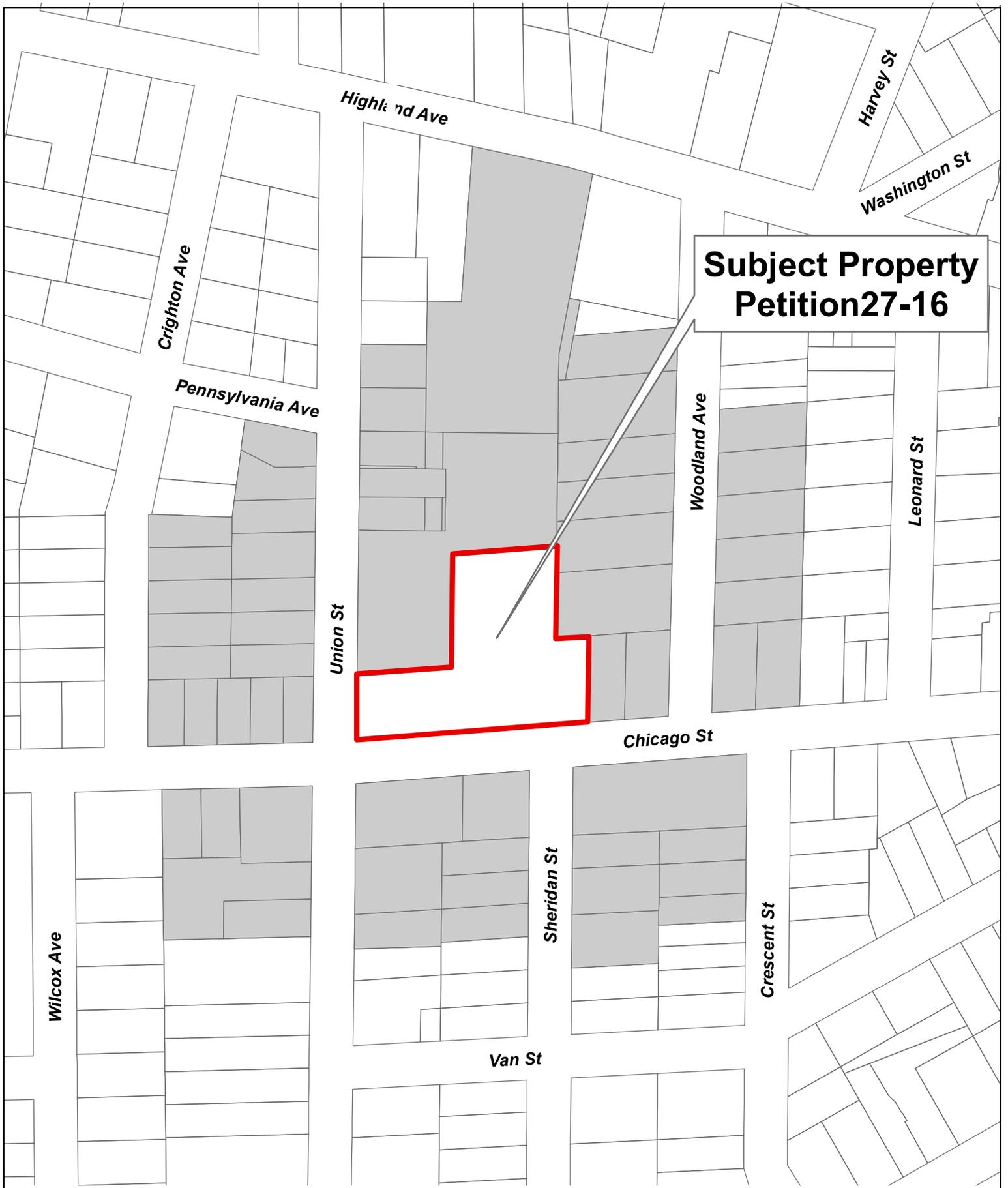
The proposed antenna tower would be located on the north side of the existing one-story multi-tenant shopping center building approximately 7 feet from the building, approximately 21 feet from the west property line, and approximately 45 feet from the north property line. The location of the proposed tower and associated equipment cabinets on the ground, and establishment of an access easement from the street to the tower equipment will result in a loss of six parking spaces. The proposed antenna tower and equipment cabinets would be enclosed with a six-foot high solid board on board wood fence.

## **PUBLIC HEARING**

A public hearing will be held by the Planning & Zoning Commission on Monday, May 1, 2017, at 7:00 p.m. in the City Council Chambers, Second Floor, North Tower, Elgin Municipal Building, 150 Dexter Court. At that time, any interested persons may appear in person, by writing, by agent or by attorney and present any testimony they may have pertaining to the granting or denying of this petition. For further information, please contact Damir Latinovic, at 847-931-5943, or by e-mail at [latinovic\\_d@cityofelgin.org](mailto:latinovic_d@cityofelgin.org). A copy of the application may be viewed at the Community Development Department, 150 Dexter Court, Elgin, Illinois.

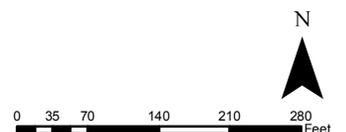
### **Americans with Disabilities Act**

The City of Elgin is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to contact the ADA Coordinator at (847) 931-5620 {TDD (847) 931-5616} promptly to allow the City of Elgin to make reasonable accommodations for those persons.



Location Map

726 W Chicago St.  
Elgin, Illinois



If using this form to respond, please mark the location of your property on the map

# Notice of Hearing

## RESPONSE FORM

**DATE:** April 14, 2017

**SUBJECT:** Consideration of Petition 27-16

*Note: Item was tabled on April 3, 2017, and rescheduled to be heard at the May 1, 2017, Planning & Zoning Commission meeting.*

Requesting a conditional use in the NB Neighborhood Business District for a conditional commercial antenna tower, and requesting a variation (1) to the number of off-street parking stalls required by Chapter 19.45 of the Elgin Municipal Code, 1976 as amended, and (2) to the height requirement of Chapter 6.95 of the Elgin Municipal Code, 1976 as amended, to install a 106-foot tall commercial antenna tower on the property located at 726-750 W. Chicago Street, by Tom Ferry of Buell Consulting on behalf of SBA BTS, LLC, as applicant, and Jasco Holdings LLC, as property owner.

### IF USING THIS FORM TO RESPOND, PLEASE:

- If so desired, please write your response at bottom of form.
- Write your name and address at the bottom of this page.

**If you would like your response to be reviewed at the Planning and Zoning public hearing on Monday, May 1, 2017, please mail this form back as soon as possible to:**

**City of Elgin, 150 Dexter Ct., Elgin, IL 60120**

**Use the following space for any comments:**

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**NAME:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

\_\_\_\_\_

August 7, 2017

TO: Chairman and Members of the  
Planning and Zoning Commission

FROM: Marc S. Mylott, AICP; Director of Community Development

SUBJECT: Conditional Use & Variations  
726-750 West Chicago Street  
Conditional Commercial Antenna Tower

**SUBJECT**

Consideration of Petition 27-16 requesting a conditional use in the NB Neighborhood Business District for a conditional commercial antenna tower, and requesting a variation (1) to the number of off-street parking stalls required by Chapter 19.45 of the Elgin Municipal Code, 1976 as amended, and (2) to the height requirement of Chapter 6.95 of the Elgin Municipal Code, 1976 as amended, to install a 106-foot tall commercial antenna tower on the property located at 726-750 West Chicago Street, by Tom Ferry of Buell Consulting on behalf of SBA BTS, LLC, as applicant, and Jasco Holdings LLC, as property owner.

**RECOMMENDATION**

The applicant has submitted a letter, dated July 31, 2017 (attached), requesting the petition be continued to the October 2, 2017 regular Planning and Zoning Commission meeting to allow the applicant additional time to review and evaluate alternate tower designs. Staff does not object to the applicant's request and recommends the Commission continue the Petition 27-16 to the regularly scheduled Planning and Zoning Commission meeting on October 2, 2017 at 7:00 pm.



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July 31, 2017

**Via Email**

Mr. Marc Mylott  
Director, Community Development Department  
City of Elgin  
150 Dexter Court  
Elgin, IL 60120

Re: SBA BTS, LLC's ("SBA") Request for Continuance of the Planning and Zoning Commission's ("PZC") consideration of SBA's Application for Conditional Use Permit and Variances for the Proposed Construction of a Wireless Communication Facility ("Application") at 726 W Chicago St., Elgin, IL 601523 ("Oak Tree Plaza")

Dear Mr. Mylott:

We are still in the process of reviewing and evaluating the alternative tower designs which you proposed in your email dated June 6, 2017. As such, we will not be prepared to submit additional application materials before the August 7<sup>th</sup> PZC meeting and would respectfully request that the PZC's consideration of the Application be continued to the regular PZC meeting scheduled for October 2, 2017.

At your first opportunity, please provide confirmation of your receipt of this email and of the PZC's granting of our requested continuance. Thank you in advance for your timely attention to this request. Nothing in this letter shall be construed as a waiver of any of SBA's and/or T-Mobile's claims, rights and/or remedies related to the Application and all such claims, rights and/or remedies are expressly reserved by SBA and T-Mobile.

Sincerely,

DYKEMA GOSSETT PLLC



Michael R. Vogt

Cc: Glen Gutierrez (*via email*)  
Tom Ferry (*via email*)  
Damir Latinovic (*via email*)