

PINs: 07-34-400-002

**ADDRESS:
2220 W. 83rd Street
NAPERVILLE, IL 60564**

**PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170**

**RETURN TO:
CITY OF NAPERVILLE
CITY CLERK'S OFFICE
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540**

PZC Case #17-1-070

ORDINANCE NO. 17- __

**AN ORDINANCE APPROVING A CONDITIONAL USE
FOR A CELL TOWER IN THE R1 DISTRICT FOR
THE PROPERTY LOCATED AT 2220 W. 83rd STREET**

WHEREAS, Central States Tower III, LLC ("Petitioner"), has petitioned the City of Naperville for approval of a conditional use for a cell tower in the R1 (Low Density Single Family Residential) District for the property located at 2220 W. 83rd Street, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property"); and

WHEREAS, the owner of the Subject Property is the Naperville Park District; and

WHEREAS, the Subject Property is currently zoned R1 (Low Density Single Family Residential) and is improved with the Springbrook Golf Course; and

WHEREAS, the Petitioner is requesting approval of a conditional use in order to locate a 130' cell tower on the Subject Property; and

WHEREAS, Section 6-13-6 (Regulations for Telecommunication Facilities, Radio, Satellite and Television Antenna Towers and Dishes; Conditional Use Permits and Variances) of the Naperville Municipal Code requires conditional uses for

telecommunication towers that are in excess of 60' in height on residentially zoned property;
and

WHEREAS, the requested conditional use meets the standards for conditional uses and the standards granting a conditional use for antennas, towers or dishes as provided in **Exhibit C** attached hereto; and

WHEREAS, on September 6, 2017, the Planning and Zoning Commission conducted a public hearing to consider the requested conditional use and recommended approval of the Petitioner's request; and

WHEREAS, the City Council of the City of Naperville has determined that the Petitioner's request should be granted subject to **Exhibit D** (Site Plan) attached hereto.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule powers, as follows:

SECTION 1: The foregoing recitals are incorporated as though fully set forth here. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: A conditional use to allow for a 130' cell tower on the Subject Property pursuant to Section 6-13-6 (Regulations for Telecommunication Facilities, Radio, Satellite and Television Antenna Towers and Dishes: Conditional Use Permits and Variances) of the Municipal Code is hereby granted.

SECTION 3: The Site Plan, attached to this Ordinance as **Exhibit D**, is hereby approved.

SECTION 4: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 5: The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

SECTION 6: If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision, shall not affect any of the remaining provisions of this Ordinance or any other City ordinance, resolution, or provision of the Naperville Municipal Code.

SECTION 7: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2017.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2017.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph. D.
City Clerk