

THAT THE REQUEST FROM KELLY SCHMITZ, REPRESENTING UNITED STATES CELLULAR, SEEKING A CONDITIONAL USE PERMIT FOR THE INSTALLATION OF A WIRELESS COMMUNICATION FACILITY AT 5700 DURAND AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That plans presented to the Plan Commission on May 9, 2012 be approved subject to the conditions contained herein.
- b. That all applicable permits be obtained from all applicable departments allowing for the installation of antenna and equipment within City property.
- c. That the color of the antennas shall match the color of the tower to which they will be mounted.
- d. That all codes and ordinances be complied with.
- e. That all required FAA approvals be obtained and submitted to the Department of City Development prior to the issuance of a building permit.
- f. That the operator in charge of the antennas and equipment provide the City/County Communications Office within the Racine Police Department a current listing of all frequencies utilized by this facility and the name of the contact in charge of radio frequencies for the operator. AT&T Mobility or their future assigns shall be responsible for notifying the City/County Communications Office of any changes in frequencies for this facility.
- g. That the equipment shelter brick match in color and texture the brick on the building to the west.
- h. That a detailed landscape plan be submitted to the Director of City Development for review and approval, prior to the issuance of a building permit.
- i. That the applicant or owner shall provide the City with a letter of credit, bond, or other acceptable financial security, equal in value to the required landscaping improvement.

The financial security documents shall be submitted for the review and approval of the Director of City Development, shall be issued in the City's favor, shall be in effect for one year from the date of issuance, shall be extended beyond the expiration date if deemed necessary by the City of Racine, and shall require that the issuer give a 90 day notice to the Department of City Development prior to the expiration of said financial security.

The City is authorized by this conditional use permit to enter the site, implement the plan(s) and draw on the financial security for the cost of implementation if required improvements are not implemented by the dates stated. Any costs incurred in excess of the value of the financial security shall be paid by the applicant or owner or shall be imposed as a special charge against the real property in accordance with the applicable statute.

By operating under this conditional use, the applicant and owner give permission to the City to enter upon the property for purpose hereby described.

- j. That there be no side casting of light from the light fixtures, and that all light fixtures be mounted at heights equal to the existing pole mounted light fixtures.

- k. That no minor changes from the conditions be made from the conditions of this permit without the approval of the Department of City Development, and no major changes be made without the approval of the Planning Commission and Common Council.
- l. That this permit is subject to Plan Commission review for compliance with the listed conditions.