

**An Ordinance Amending a Special Use
(Clearwire/Sprint, 3201 Central Road/3200 Campbell Street)**

WHEREAS, on December 8, 2009, the Plan Commission conducted a public hearing for the purpose of considering amending SprintCom, Inc.'s Special Use to allow Clearwire, an affiliate of SprintCom, Inc., to install two (2) backhaul dish antenna and cable on the City Water Tank Number 2 with associated radio equipment within the existing Sprint facility at the property commonly known as 3201 Central Road/3200 Campbell Street, Rolling Meadows, Illinois ("Property"); and

WHEREAS, the Plan Commission conducted a public hearing on the Amendment to the Special Use after notice of public hearing as required by law; and

WHEREAS, the Plan Commission has submitted its report and recommendation to the Mayor and City Council of the City of Rolling Meadows; and

WHEREAS, the Plan Commission has submitted its report and recommendation to grant the Amendment to the Special Use to the Mayor and City Council of the City of Rolling Meadows, which report has been considered by the Mayor and City Council; and

WHEREAS, the City Council having received the minutes, recommendation and findings of fact of the Plan Commission; and

WHEREAS, the City Council finds that the evidence is such as to establish the following beyond a reasonable doubt:

That the proposed use at the particular location required is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or the community; and

That such use will not under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity, or injurious to property values or improvements in the vicinity; and

That the proposed use will comply with the regulations and the conditions specified in the City's Comprehensive Zoning Code for such use and with the stipulations and conditions made a part of the authorization granted by the City Council.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rolling Meadows, Illinois:

SECTION ONE: Clearwire, an affiliate of SprintCom, Inc. is hereby granted an amendment to the Sprint Special Use at 3201 Central Road/3200 Campbell Street, Rolling Meadows, Illinois to install two (2) backhaul dish antenna and cable on the city's water tank with the associated radio equipment to be located within the existing Sprint facility on the ground, subject to the following:

- A. The number of dish antenna is limited to two (2);
- B. A board-on-board privacy fence, similar in height to the existing enclosure, shall be constructed separating this property and the residential property to the west by June 1, 2010. The fence shall be constructed from the southwesterly corner of the property and continue northerly to the farthest most point allowed by the Building and Zoning Codes. The petitioner shall deposit an escrow amount of ten thousand dollars (\$10,000.00) at the time of building permit issuance to guarantee the construction of the fence by June 1, 2010. In the event that the fence is constructed on or before June 1, 2010, the city shall release the escrow funds to the petitioner. In the event that the fence is not constructed by June 1, 2010, the city shall cause the fence to be erected and remit and balance of the escrowed funds to the petitioner; and

C. The First Amendment to Communications Water Tower Lease Agreement is executed before building permits are issued.

SECTION TWO: This Ordinance shall be in full force and effect from and after its date of passage and approval as required by law.

SECTION THREE: This Ordinance shall be printed and published in pamphlet form by order of the City Council of Rolling Meadows, Illinois.

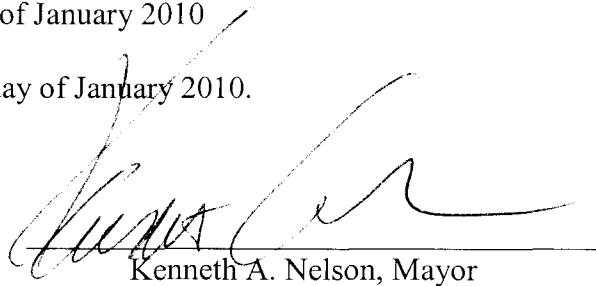
YEAS: Lusk, Buske, Judd, Adams, D'Astice, Larsen

NAYS: 0

ABSENT: Pitzafarro

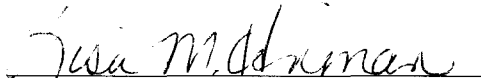
Passed this 26th day of January 2010

Approved this 26th day of January 2010.




Kenneth A. Nelson, Mayor

ATTEST:



Lisa M. Hinman, City Clerk

Published this 27th day of January 2010.



Lisa M. Hinman, City Clerk