

**STAFF RECOMMENDATION:**

THAT A REQUEST FROM GERALD BESTER OF DYNAMITE 1 ENTERPRISE, LLC SEEKING A CONDITIONAL USE PERMIT TO ACCOMMODATE A DINING AND ENTERTAINMENT ESTABLISHMENT AT 1501 WASHINGTON AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the plans presented to the Access Corridor Development Review Committee (ACRDC) on August 27, 2009, and the Plan Commission on September 9, 2009 be approved, subject to the conditions contained herein.
- b. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
- c. That the following shall be submitted to the ACDRC for review and approval:
  1. A sign plan. All signs shall be professionally made, comply with zoning ordinance requirements.
  2. A dumpster screening plan prior to the issuance of the occupancy permit.
  3. A plan for the use of the second floor outdoor patio area.
- d. That all activities permitted by this conditional use permit be confined to the indoor spaces as indicated on the floor plans submitted with the application.
- e. That the days and hours of operation be Monday through Wednesday from 7:00 a.m. to 11:00 p.m., Thursday through Saturday from 7:00 a.m. to close, and Sunday from 7:00 a.m. to 7:00 p.m.
- f. That plans for the future use of the second floor outdoor patio area be submitted to the ACDRC for review and approval prior to implementation and used in accordance with the conditions of approval for the City of Racine alcohol license.
- g. That the security plan provided in the business plan be implemented and maintained in accordance with said plan unless otherwise authorized by the Plan Commission.
- h. That the window and door glass surfaces not be obstructed in excess of 15% of their surface area.
- i. That the interior and exterior of property be policed at the close of each business day or after each event so that all trash, debris and refuse are properly collected and disposed of in a timely fashion.
- j. That all music and associated vibration be contained within the building.
- k. That all codes and ordinances be complied with and required permits acquired.
- l. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission and no major changes be made from the conditions of this permit without the approval of the Common Council.
- m. That this permit is subject to Plan Commission review for compliance with the listed conditions.