

THAT THE REQUEST BY RAZOR SHARP, LLC TO LOCATE A FITNESS CENTER AT 3900 ERIE STREET BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the plans presented to the Plan Commission on October 26, 2011 be approved, subject to the conditions contained herein.
- b. That all codes and ordinances shall be complied with and required permits acquired.
- c. That all applicable building and occupancy permits be obtained from the Building Inspection Department prior to opening for business.
- d. That the hours of operation may be 24/7 for gym members, with Staff on site from 6:00 a.m. – 8:00 p.m. Monday through Friday; and from 7:00 a.m. – 3:00 p.m. Saturdays and Sundays. Access to the facility shall be controlled via electronic card entry into the facility.
- e. That all security cameras and panic buttons shall be installed and functional prior to issuance of an occupancy permit, and information and plans concerning said security shall be submitted to the Department of City Development for review.
- f. That all signage shall comply with any existing signage restrictions of the Shorecrest Shopping Center, and signage shall receive all necessary permits from the Building Department prior to installation.
- g. That the applicant and property owner work together and with all other tenants to enclose all trash receptacles located along the west side of the building with 6'opaque enclosures and gates. This is to be completed within 6 months of this tenant occupancy.
- h. That those improvements as required by above conditions shall be fully implemented by the dates listed. If the applicant or owner fails to implement the required improvements by said dates, 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 improvements.

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.

- i. That this permit is subject to Plan Commission review for compliance with the listed conditions.
- j. That no minor changes shall be made from the conditions of this permit without the approval of the Plan Commission, and no major changes shall be made from the conditions of this permit without the approval of the Common Council.