

THAT THE REQUEST BY DOUGLAS STRATTON REPRESENTING REGENCY WEST APARTMENTS, LLC SEEKING A CONDITIONAL USE PERMIT FOR THE REGENCY WEST APARTMENTS PLANNED DEVELOPMENT AT 2300 LONI LANE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the plans presented to the Plan Commission on October 13, 2010 be approved subject to the conditions contained herein.
- b. That this proposal and the supporting materials have been submitted in sufficient detail to grant a simultaneous preliminary and final approval as provided for in Section 114-173 Preliminary Plans, of the Municipal Code.
- c. That the following shall be accomplished prior to the issuance of building permits:
  1. Submit the following materials to the director of City Development for review and approval:
    - Detailed revised site, building, lighting, landscaping plans.
    - Copies of all appropriate documents as outlined by Section 114-181 of the City of Racine Municipal Code.
    - Project specific open space designation documents.
    - Detailed site management and maintenance plan.
  2. Resolve technical requirements and discrepancies, and obtain all applicable approval and permits as indicated by the City Departments and staff.
  3. Comply with applicable State and Federal guidelines and permits.
- d. That all improvements as depicted in the approved plans shall be fully implemented prior to occupancy for any building at 2300 Loni Lane. If the applicant or owner fails to implement the required improvements prior to the issuance of an occupancy permit for any use at 2300 Loni Lane, the City is authorized by this conditional use permit to enter the site, implement the plan(s) and draw on a letter of credit for the cost of implementation. The letter of credit shall be equal to 100% of the value of the improvements and be submitted for the review
- e. and approval of the Director of City Development. Any costs incurred in excess of the value of the letter of credit 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 this purpose.
- f. That prior to the issuance of a building permit the following shall be accomplished:
  1. That a Developer's Agreement shall be executed with the City proper to the issuance of building permits.
  2. That the developer submit for the review and approval of the Director of City Development all required planned development documents as required by Sec 114-175 of the Municipal Code. Following such review and approval, the developer, at their expense, shall record all planned development document with the Racine County Register of Deeds.
  3. **(New condition for 10-13-10) That a Storm Water Management Practices Maintenance Agreement be executed prior to the issuance of building permits.**
- f. 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.
- g. That this permit is subject to Plan Commission review for compliance with the listed conditions.