

**10-5634      Subject: (Direct Referral) request by David Ophale seeking conditional use permit for 2024 N. Memorial Drive to operate an outdoor storage facility.**

**Commission Recommendation:**

THAT THE REQUEST BY DAVID R. OPHALE SEEKING A CONDITIONAL USE PERMIT FOR A BOAT AND RECREATIONAL VEHICLE STORAGE FACILITY AT 2024 N. MEMORIAL DRIVE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the plans as presented to the Plan Commission on September 29, 2010 be approved subject to the conditions contained herein.
- b. That all conditions contained in Common Council Resolution 06-6962 as they relate to a painting contractor's storage facility be complied with unless otherwise amended herein.
- c. That the maximum hours of the operation of the vehicle storage facility be from 6:00 a.m. to 8:00 p.m., daily.
- d. That this facility is not to be used for the storage semi-trucks, tractor trailers, construction equipment or materials.
- e. That no junked or inoperable vehicles be stored outdoors.
- f. That prior to the storage of sail type boats, all masts be lowered or removed, or all rigging be tightly secured to so to avoid wind generated noise.
- g. That only weatherizing of boats and other vehicles be conducted (no repair or salvage).
- h. That all signs be professionally made and comply with all applicable ordinances.
- i. That a landscaping plan be submitted to the Director of City Development for review and approval that depicts the installation of landscaping along North Memorial Drive and the paving of a tracking pad (minimum 20 feet by 40 feet) travel lane. In no case shall the improvements described herein be completed later than June 30, 2011. All storage areas shall be maintained in a gravel surface.
- j. Those improvements as required by above conditions i. shall be fully implemented prior to the use of the facility for vehicle storage. If the applicant or owner fails to implement the required improvements prior to the initiation of vehicle storage, the applicant or owner shall provide the City with a letter of credit equal in value to the required improvements.

The letter of credit shall be submitted for the review and approval of the Director of City Development and having terms that include, but are not limited to the following: The letter of credit 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, shall be reissued upon expiration in terms as deemed necessary by the City, shall be transferable to a successor issuer in the same terms unless otherwise modified with the City's consent, and shall require that the issuer give no less than 90 days but no more than 120 days notice to the Department of City Development prior to the expiration of said letter of credit.

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. 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 purpose hereby described.

- k. That no barbed wire or razor wire be utilized and that all fencing and gates have privacy slats.
- l. That all trash and recyclables be stored in closed containers and screened from view.
- m. That all codes and ordinances be complied with and required permits acquired.
- n. 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.
- o. That this permit is subject to Plan Commission review for compliance with the listed conditions.