

**RECOMMENDATION:**

THAT THE REQUEST FROM TIM AND HEATHER KOCHANSKI SEEKING APPROVAL OF A CONDITIONAL USE TO OPERATE A CONSIGNMENT/NEW RETAIL STORE AT 2508 DOUGLAS AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the plan presented to the Plan Commission on July 27, 2011 for 2508 Douglas Avenue be approved subject to the conditions contained herein.
- b. That the hours in which retail establishment may operate are Tuesday through Saturday, 10:00 a.m. – 4:00 p.m.
- c. That all pallets, tires, junk vehicles, trailers, and any other debris be removed from the rear of the building prior to issuance of an occupancy permit.
- d. That the front parking lot be re-stripped, wheel stops re-installed, and the two spaces at the northernmost part of the parking lot eliminated. These spaces require visitors to back up over property lines and are illegal spaces. Wheel stops or curbing shall be installed along the sidewalk to prevent vehicles from backing over property lines. This shall occur prior to issuance of an occupancy permit.
- e. That all signage shall require permits through the Building Inspection department and be subject to review of the Douglas Avenue Access Corridor District.
- f. That all codes and ordinances shall be complied with and required permits acquired.
- g. That all improvements as required shall be fully completed by September 1, 2011. If the applicant or owner fails to implement the required improvements by September 1, 2011, a financial security shall be provided to the City in an amount 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 September 1, 2011. 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 the purpose hereby described.

- h. 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.
- i. That this permit is subject to Plan Commission review for compliance with the listed conditions.