

THAT THE REQUEST BY ARC VISION, INC. TO REMODEL THE TACO BELL AT 3358 DOUGLAS AVENUE AND 2825 S. GREEN BAY ROAD BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the plans date stamped December 17<sup>th</sup>, 2012 and presented to the Plan Commission on January 9, 2013, be approved subject to the conditions and additional information requirements as stated herein.
- b. That revised building elevation plans showing removal of the E.I.F.S. material from any portion of the building between grade and 8-feet, and that a suitable replacement material of masonry construction be submitted. The plan shall be subject to review and approval by the Department of City Development prior to commencement of construction.
- c. That sheet L1.0, Landscaping, be submitted to the Department of City Development for review and approval prior to the commencement of construction.
- d. That the pedestrian access in front of the drive through window for the 3358 Douglas Avenue location be removed.
- e. That for both sites the applicant provide bicycle racks, and a revised site plan indicating the location. The plan shall be subject to the approval of the Department of City Development prior to commencement of construction.
- f. That for the outdoor seating area at 3358 Douglas Avenue, a privacy / separation fence of a decorative nature be provided to help shield the outdoor dining area from the parking spaces located directly to the north and west. The design and selection of fencing shall be subject to the review and approval of the Department of City Development.
- g. That revised site plans be provided to the Department of City Development for review and approval which indicate the property line boundaries for both sides and shows all available parking spaces for both sites prior to commencement of construction.
- h. That any modification to lighting shall not produce additional glare or light intrusion onto adjacent sites or be so bright as to cause traffic concerns.
- i. That the color scheme provided for the building remodels shall be the palate used in the building upgrades as provided.
- j. That all site and plan details as outlined above shall be completed and followed and all building or site changes shall be done in accordance with said plans.
- k. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
- l. That all codes and ordinance shall be complied with and required permits acquired.
- m. That signage is approved with this submittal, and any changes shall be allowed only upon authorization of the Department of City Development prior to installation. All permits for signage shall be obtained prior to installation.

- n. That any future pole/monument signage for either site shall be subject to review and approval by the Department of City Development and shall not exceed 6-feet in height as measured from grade.
- o. That wheel stops shall be installed as indicated and required for all parking spaces located along the periphery of the lots.
- p. That prior to the issuance of a sign/building permit, 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 landscaping improvement. 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 approval 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 acting under this approval, the applicant and owner give permission to the City to enter upon the property for purpose hereby described.

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