

BASED ON THE FINDINGS OF FACT IN THIS REPORT, THAT THE REQUEST FROM FURY II LLC, SEEKING A CONDITIONAL USE PERMIT TO ALLOW MIXED USE IN AN EXISTING BUILDING AT 1800 CLARK STREET AND 1825 HOLBORN STREET BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That the plans presented to the Plan Commission on January 9, 2019 be approved subject to the conditions contained herein.
- b) That the following development standards be complied within 12 months of warehouse space being occupied unless otherwise noted:
  1. Site be landscaped and maintained as required by Sec. 114-743. Removal of gravel parking area, planting beds and installation of organic materials around plantings and vegetation. Plans and specifications of new plantings and organic materials for beds to be submitted to the Department of City Development and approved prior to installation. Alternatively, gravel area be paved for parking and maneuvering areas as required by Sec. 114-1167; and
  2. Parking lot spaces and loading zone be striped in accordance with the sizing requirements of Sec. 114-Article XI; this shall be accomplished by May 1, 2019 and
  3. Fencing on the site be compliant with requirements of Sec. 114 Article VII, Division 7 and the requirements of Sec. 114-567 for any outside storage. All existing chain link fence along DeKoven Avenue and southern 40 feet of Clark Street shall be removed. Privacy fencing shall be installed across the DeKoven Avenue frontage and southern 40 feet of Clark Street frontage. Prior to installation, selected privacy fencing shall be reviewed and approved by the Department of City Development.
- c) That by March 7, 2019 all existing tenants in the development shall have occupancy permits issued by the City of Racine Building and Inspection Division of the City Development Department.
- d) That if, **12 months after warehouse occupancy**, required development standards listed in “b” above have not been or cannot be completed, a financial surety shall be provided to the City. The surety shall be in a format as approved by the City Attorney’s office, and subject to all stipulations as identified for financial sureties in the City of Racine. The dollar amount shall be determined at the time of application based upon estimates provided by the applicants for any incomplete work, and shall be valid for no less than one (1) year from the date of issuance. The surety format and content is subject to review and approval by the City Attorney.
- e) That new uses be reviewed by the City of Racine prior to occupancy of tenant spaces to determine use classification and occupancy requirements. New uses authorized in this mixed use development shall be as follows:
  1. Uses already permitted in the district;
  2. Garages for storage, repair, and servicing of motor vehicles. This shall not include body repair, painting, and engine rebuilding; these uses shall require a separate conditional use permit application per tenant.
  3. Contractor or construction offices, shops and yards so long as all permitted outdoor storage is completely screened.

- f) That the following site performance standards are applicable to all tenants on the site:
  - a) Outdoor storage shall occur within 25 feet of a building and be completely screened as required by Sec. 114-567; at no time shall automobile parts, accessories, tires, or chemicals be kept outside, even if screened.
  - b) Junked or inoperable vehicles, boats, trailers and other equipment shall not be stored on the site. All vehicles which are not operational shall be kept inside until such a time they are functional or removed from the site.
  - 3. Dumpsters and trash shall be completely enclosed at all times as required by Sec. 114-740.
  - 4. Additional parking which meets all requirements of Sec. 114-Article XI shall be provided for tenants as vacant space is occupied or as currently occupied space changes occupancy and requires more parking.
  - 5. Outdoor component(s) to operations from any tenant on the site commence no earlier than 7:00 AM and finish no later than 10:00 PM.
  - 6. At no time shall storage or parking of any vehicle or equipment associated with a tenant operation occur in the space between the building line and right-of-way for DeKoven Avenue.
- g) That all codes and ordinances are complied with and required permits acquired.
- h) That no minor changes be made from the conditions of this permit without 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 conditional use permit is subject to Plan Commission review for compliance with the listed conditions.