

THAT THE REQUEST FROM INNOVATIVE CONSTRUCTION SOLUTIONS, REPRESENTING BROAD REACH RETAIL PARTNERS, LLC SEEKING AN AMENDMENT TO A CONDITIONAL USE PERMIT FOR A FAÇADE RENOVATION AT BADGER PLAZA OUT LOT BUILDING AT 4111 DURAND AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the plans presented to the Plan Commission on August 29, 2012 be approved subject to the conditions contained herein.
- b. That the two tenant and three tenant scenarios as depicted in the approved plans are herein approved.
- c. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
- d. That the new parapet walls shall be consistent in materials and colors with the parapet walls on the building at 4101 Durand Avenue.
- e. That no signage is approved with this submittal, and any proposed signage must be approved by the Director of City Development prior to permits being issued. Submittal for approval of a uniform signage plan is required.
- f. That a landscape plan be submitted for the review and approval of the Director of City Development, and implemented by April 30, 2013.
- g. That prior to commencement of work on the parapets, a financial surety shall be provided to the City in an amount equal in value to the required landscaping improvements described in condition f. above, subject to the following terms:
 1. Financial surety 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.
 2. 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 completed by time of the issuance of an occupancy permit, or by an earlier date as may be required herein. 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.
 3. By operating under this Conditional Use, the applicant and owner give permission to the City to enter upon the property for the purposes described herein.
- 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.