

That a request from Bob Kuhn representing Slumberland seeking a conditional use permit for a furniture store at 5200 Durand Avenue as part of the Regency Mall retail development be approved, subject to the following conditions:

- a. That the plans presented to the Plan Commission on May 14, 2008 be approved subject to the conditions contained herein.
- b. That all applicable permits and occupancy permits be obtained from the Building Inspection Department
- c. That the hours the establishment is open to the general public be Monday through Friday, 10:00 a.m. to 8:00 p.m.; Saturday 10:00 a.m. to 6:00 p.m.; and Sunday 12:00 p.m. to 5:00 p.m.
- d. That prior to the issuance of a building permit the following shall be submitted for the review and approval of the Director of City Development:
 1. Revised architectural plans specifying the use of decorative concrete block for all surfaces within eight feet of grade, and illustrating proposed window placement.
 2. Detailed designs and specifications for the retaining wall proposed to be constructed along the north property line.
 3. Color chips illustrating treatment of overhead garage doors.
- e. That prior to the issuance of an occupancy permit, the following shall be accomplished:
 1. Install landscaping in accordance with a final landscaping plan that is to be presented to the Director of City Development for review and approval. If occupancy is requested prior to the installation of landscaping, then a letter of credit equal in value to the cost of materials and installation shall be submitted to the Director of City Development for review and approval. Said letter of credit shall be released upon confirmation of landscaping installation. In no case shall landscaping be installed later than June 1, 2009.
 2. Being part of the Regency Mall retail development, completion of the three party agreement between the owners of the High Ridge Centre, Toys-R-U's and Regency Mall. Said agreement shall be submitted to the Director of City Development for review and approval. Said agreement shall address the construction, design, scheduling, and maintenance of a cross access drive, and contain a construction completion date of no later than November 1, 2008.
- f. That all signs be professionally made, comply with the zoning ordinance requirements and established Regency Mall development standards, and be submitted to the Director of City Development for review and approval.
- g. That any reconfiguration of ingress/egress drives be approved by the Commissioner of Public Works.

- h. That all trash and recyclables be stored in closed containers and screened from view.
- i. That all codes and ordinances be complied with and required permits acquired.
- j. 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.
- k. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A