

THAT THE REQUEST BY MAURICE AND KIMBERLY HORTON OF KIMBERLAND DAYCARE SEEKING A CONDITIONAL USE PERMIT FOR A DAYCARE FACILITY AT 3417 DOUGLAS AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the plans presented to the Plan Commission on June 27, 2012 be approved, subject to the conditions contained herein.
- b. That all applicable building and occupancy permits be obtained from the Building Inspection Department.
- c. That this activity shall take place only in the areas identified on the floor plan and site plan.
- d. That the hours of operation be from 4:00 a.m. to 12:00 a.m., seven days a week.
- e. The outdoor play area shall be kept in a neat and orderly appearance.
- f. That all trash and recyclables be stored in closed containers and screened from view.
- g. That all child drop off and pick up shall not be conducted on Douglas Avenue, Short Street or the alleyway and "no right turn" signs be installed at the State Street parking lot exit.
- h. That the parking of transport vans be confined to the rear of the building or the parking lots eastern most parking spaces.
- i. That all sign designs shall be presented to the Director of City Development for review and approval, and be professionally made.
- j. That prior to the issuance of an occupancy permit, the following shall be accomplished:
 1. All weeds shall be removed from sidewalk, parking and landscape areas, planting and long the building's foundation and Short Street retaining wall.
 2. The retaining wall along Short Street sidewalk shall be repaired.
 3. That the damaged tree in the Short Street parkway shall be removed and replaced.
 4. Placement of the front entrance planters, and plantings installed therein.
- k. That if prior to occupancy the requirements in condition j. are not completed than a financial surety shall be provided to the City in an amount equal in value to the required improvements described in condition j. 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.
 - l. That all codes and ordinances be complied with and required permits acquired.
 - m. That the site shall be kept clean, free of weeds and debris, and any needed repair to the building or sidewalk area shall be accomplished immediately, including but not limited to graffiti, broken windows, burnt out light bulbs, peeling paint, out-of-place or damaged retaining wall blocks, etc.
 - n. 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 without the approval of the Common Council.]
 - o. That this permit is subject to Plan Commission review for compliance with the listed conditions.