

THAT THE REQUEST BY DAVID ISRAEL FOR A MAJOR AMENDMENT TO THE REGENCY MALL CONDITIONAL USE TO MODIFY THE FORMER JC PENNEY DEPARTMENT STORE AT 5900 DURAND AVENUE INTO THREE SEPARATE TENANT SPACES BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the plans presented at the June 24, 2015 Plan Commission meeting be approved subject to the conditions contained herein.
- b. That all codes be complied with and all required permits obtained.
- c. That a scaled site plan showing the entire former JC Penney property and proposed site changes and amenities be submitted to the Department of City Development for review and approval prior to issuance of a building permit.
- d. That the hours of operation for all retail spaces shall be from 10:00 a.m. – 9:00 p.m., seven days a week.
- e. That a landscape plan, prepared by a licensed landscape architect and incorporating the comments as discussed in this staff report, be submitted for review and approval to the Department of City Development prior to the issuance of any building permits.
- f. That all landscaping as approved on the forthcoming landscape plan shall be installed prior to issuance of an occupancy permit.
- g. That signage is not approved with this permit. All requests for signage shall be submitted to the Department of City Development for review and approval prior to issuance of sign permits or installation.
- h. That information on the handling of trash for JoAnn Fabrics and Crafts, and Party City, be submitted to the Department of City Development for review and approval prior to the issuance of building permits, and that if necessary the site plan shall be amended to show the location of the dumpster and enclosure.
- i. That revised elevation drawings eliminating EIFS material within 8-feet of building grade be submitted to the Department of City Development for review and approval prior to the issuance of building permits.
- j. That all masonry units shall have their color integral to the unit and not painted or stained, and any existing masonry surface shall remain unpainted but cleaned. Samples of new masonry units shall be presented to the Director of City Development for review and approval prior to the issuance of a building permit.
- k. That the lot shall be re-surfaced and striped according to the approved site plan prior to issuance of an occupancy permit.
- l. That a revised lighting plan, showing photometric information for the entire former J C Penney property and including any building lighting, with re-configuration of light placement, be submitted to the Department of City Development for review and approval prior to issuance of any lighting installation permits and prior to issuance of an occupancy permit. Note that neon lighting will not be permitted.
- m. That information on truck traffic and site maintenance be provided to the Department of City Development for review and approval prior to issuance of an occupancy permit.
- n. That if the required improvements cannot be completed prior to the request for occupancy, the applicant may submit a financial surety, subject to approval by the City Attorney, for the amount of any labor and materials for unfinished work based on cost

estimates provided by the applicant. The surety shall be subject to all regulations and allowances as set forth by the City of Racine.

- o. That no minor changes be made from the conditions of this permit without the approval of the Plan Commission, and no major changes shall be made from the conditions of this permit without the approval of the Common Council.