

THAT THE REQUEST FROM RYAN NICHOLSON, REPRESENTING BUFFALO WILD WINGS, SEEKING A CONDITIONAL USE PERMIT FOR 5880 DURAND AVENUE TO CONSTRUCT A NEW RESTURANT/BAR, BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the plans presented to the Plan Commission on March 13, 2013 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 the hours of the operation shall be from 11:00 a.m. – 1:00 a.m., Monday through Thursday; 11:00 a.m. – 2:00 a.m. Friday and Saturday; and 11:00 a.m. – 12:00 a.m. Sundays.
- d. That if required, revised building elevation plans be submitted for City Development review and approval prior to issuance of building permits.
- e. That the televisions or any other audio/visual entertainment being provided within the patio area shall cease by 12:00 a.m., seven days a week.
- f. That the patio shall be closed to patrons by 12:00 a.m., seven days a week.
- g. That the owner shall be responsible for all site maintenance, including trimming and pruning of vegetation, grass cutting, removal of debris, and overall maintenance of the site.
- h. That the applicant shall submit a revised landscaping plan showing all vegetative treatments on the site for review and approval by the Department of City Development prior to issuance of a building permit.
- i. That the parking lot shall be re-stripped according to the approved site plan prior to issuance of a certificate of occupancy.
- j. That if, prior to the issuance of an occupancy permit, the site improvements described herein are not completed, a financial surety shall be provided to the City in an amount equal in value to the required improvements, 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 plans(s) and draw on the financial security for the cost of implementation if required improvements are not completed by the 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 the owner or shall be imposed as a special charge against the real property in accordance with applicable statute.
- k. That the signage submitted for review indicating 6 signs be allowed; however, the total size shall not exceed 300 sq. ft.
- l. That metal panels be allowed within 8 feet of grade as reflected on the elevation drawings.

- m. 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.
- n. That this permit is subject to Plan Commission review for compliance with the listed conditions.
- o. That all codes and ordinances be complied with and required permits acquired.