

THAT A REQUEST BY FELIX SERVANTEZ REPRESENTING SERVANTEZ AUTOMOTIVE, INC. SEEKING CONSIDERATION OF A REQUEST FOR A CONDITIONAL USE PERMIT FOR AN AUTOMOBILE SALES AND REPAIR ESTABLISHMENT AT 1407 SOUTH MEMORIAL DRVE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the plans presented to the Access Corridor Development Review Committee on October 22, 2009 and the Plan Commission on October 28, 2009 be approved subject to the conditions contained herein.
- b. That all codes and ordinances be complied with and required permits acquired.
- c. That up to 10 vehicles may be displayed for sale along the eastern most parking area with the remainder of parking being reserved for employees and customers.
- d. That the hours of operation be Monday through Friday 9:00 a.m. to 9:00 p.m., Saturday 9:00 a.m. to 6:00 p.m. and no hours on Sunday.
- e. That there be no pennants, banners, streamers, advertising flags, antenna sleeves, string lights, spot lights, electronic signs or other similar forms of advertising and attraction devices utilized.
- f. That only light auto repair and servicing shall be conducted at this location with all such activities being conducted indoors. For purposes of this conditional use permit, the following activities shall qualify as light auto repair: washing, waxing, and other detailing activities; fluid changes; lubrication; break, shock absorber and strut replacement; tire rotation or repair; other low intensity servicing activities.
- g. That there shall be no major repair activities conducted at this location such as auto body or painting work, engine or transmission work, or exhaust system work.
- h. That all activities associated with this property shall be contained on site, with repair and servicing activities being conducted in the garage building. The overhead garage door shall be closed at all times except to move vehicle in and out of the garage.
- i. That prior to the issuance of an occupancy permit, a property maintenance plan shall be submitted for the review and approval of the Director of City Development. Said plan shall indicate landscaping and general site maintenance activities and schedules, and the responsible parties.
- j. That prior to the installation of signs, a sign plan shall be submitted for the review and approval of the Access Corridor Development Review Committee. No signs shall be mounted on the building.
- k. That the cyclone fence shall be painted, and the parking lot shall be resealed and striped by June 1, 2010. The color of the fence paint and parking lot sealcoat shall be submitted for the review and approval of the Director of City Development.

- l. That all trash and recyclables shall be store in containers and screened from view. A dumpster/trash enclosure shall be installed by the owner or applicant prior to the issuance of an occupancy permit and in accordance with plans, which have been submitted by the applicant or owner, for the review and approval of the Director of City Development prior to the issuance of an occupancy permit.
- m. If the applicant or owner fails to paint the fence, reseal and restripe the parking lot, and install a dumpster/trash enclosure prior to occupancy, the applicant shall provide the City with a letter of credit. If the required improvements are not completed by the dates stated above in conditions "k." and "l.", the City is authorized by this conditional use permit to enter the site, implement the plan and draw on a letter of credit for the cost of implementation. The letter of credit shall be equal to 100% of the value of the painting, sealing, striping dumpster/trash enclosure, and be submitted for the review and approval of the Director of City Development. Any costs incurred in excess of the value of the letter of credit 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. By operating under this conditional use, the applicant and owner give permission to the City to enter upon the property for this purpose.
- n. That no changes or exterior alterations be made that detract from or change the historic character or integrity of this Racine Landmark building.
- o. That there be no junked or inoperable vehicles store outdoors on the property.
- p. That there be no outside storage of parts, equipment, materials and supplies
- q. That no minor changes be made from the conditions of this permit without the approval of the Access Corridor Development Review Committee, and no major change be made from the conditions of this permit without the review of the Plan Commission and approval of the Common Council.
- r. That this permit is subject to review by the Access Corridor Development Review Committee and /or Plan Commission for compliance with the listed conditions.