

THAT THE REQUEST FROM AKIL AJMERI FOR A CONDITIONAL USE PERMIT TO CONSTRUCT AND OPERATE A GAS STATION, CONVENIENCE STORE AND FAST FOOD RESTAURANT ON THE VACANT PROPERTY AT 1116-1152 WASHINGTON AVENUE BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That the plans presented to the Plan Commission on August 8, 2012, be approved subject to the conditions contained herein.
- b. That all codes and ordinances shall be complied with and required permits acquired.
- c. That the hours of operation shall be from 5:00 a.m. – no later than 11:00 p.m., daily. “24 hour” pay-at-the-pump fuel service shall be properly illuminated.
- d. That there shall be no outside display, sales or service other than the dispensing of fuel at the fuel islands. This prohibition includes ice machines, public telephones, propane, fire wood, window wash, ATM cash machines, and automobiles. This prohibition does not include vacuum and air services as those may be operated from 6:00 a.m. until 9:00 p.m. daily. The location of vacuum and air service shall be submitted for approval by the Director of City Development.
- e. That prior to the issuance of a building permit final site, architectural, lighting, signage and landscaping plans shall be submitted to the Director of City Development for review and approval.
- f. That prior to the issuance of an occupancy permit, all improvements depicted in the plans described in condition “e” above shall be completed.
- g. That if improvements as depicted in the plan described in condition “e” are not completed prior to the request for occupancy, then prior to the issuance of the occupancy permit, financial surety shall be provided to the City in an amount equal in value to the required improvements described above, subject to the following terms:
 1. Financial security 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 within 120 day from the date of the issuance of an occupancy permit. 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.
- h. That all trash and recyclables be stored in closed containers and screened from view.
- i. That this permit is subject to Plan Commission review for compliance with the listed conditions.

- j. That no minor changes shall 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.