



## Legislation Details (With Text)

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<b>File #:</b>	Res.0161-17	<b>Version:</b>	A	<b>Name:</b>	Automobile and Sales and Detailing Shop at 2828 Lathrop Avenue
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Passed
<b>File created:</b>	5/2/2017	<b>In control:</b>		<b>In control:</b>	City Attorney's Office
<b>On agenda:</b>	5/2/2017	<b>Final action:</b>		<b>Final action:</b>	5/2/2017
<b>Title:</b>	Automobile and Sales and Detailing Shop at 2828 Lathrop Avenue				

Resolved, that the request of Parnell McCray, representing McCray's Auto Sales and Used Tires, for a conditional use permit to operate an automobile sales and detailing shop at 2828 Lathrop Avenue is approved, subject to the following conditions:

- a. That the plans presented to the City Plan Commission on April 26, 2017 be approved subject to the conditions stated herein.
- b. That all applicable ordinances be complied with and permits acquired.
- c. That exterior displays or storage of products, materials, equipment, and/or junked vehicles of any kind, is prohibited.
- d. That all repair and service activities be conduct indoors.
- e. That only seven vehicles are permitted to be displayed for sale at any one time in the designated display areas. Vehicles awaiting sale preparation or repair shall be parked indoors or to the rear of the property.
- f. That business signage is not part of this approval and shall be submitted to the Director of City Development for review and approval prior to installation.
- g. That there be no pennants, banners, streamers, advertising flags, LED and other light strings (interior or exterior), spot lights, electronic signs, balloons, or other similar forms of advertising and attraction devices utilized.
- h. That the hours of operation shall be Monday through Saturday 9:00 a.m. to 7:00 p.m., with no hours of operation on Sunday.
- i. That all trash and recyclables be stored in closed containers and screened from view.
- j. That the following site improvements shall be completed prior to the issuance of an occupancy permit, and in compliance with the approved plans:
  1. Pavement of rear/western parking area.
  2. Sealing and striping of all parking areas.
  3. Removal of existing northern curb cut and drive apron and installation of parkway and vertical curb.
  4. Installation of the following:
    - Wheel stops along the sidewalk.
    - Decorative post and chain barriers along sidewalk, and along south property line.
    - Two planters with boxwood shrubs.
- k. If any improvements listed in condition "j" cannot be completed prior to the occupancy, than the applicant or owner shall provide the City with a letter of credit, bond, or other acceptable financial security, equal in value to the required improvements, subject to the following:
  1. The 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 the financial assurance.

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 implemented by the dates stated. 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 purpose hereby described.

l. That no minor changes be made without the approval of the Plan Commission and no major changes be made without the approval of the Common Council.

m. That this development is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

**Sponsors:** Dennis Wiser

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
5/2/2017	A	Common Council	Approved as Presented	Pass

Alderman Wiser

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