



Legislation Text

File #: 0995-18, **Version:** A

Subject: (Direct Referral) A request from Jake Chance of Rockford Contractors, agent for AMNJ Enterprise seeking a conditional use permit to operate a drive-in establishment and a takeout-carryout restaurant in an existing building at 2815 Durand Avenue. (PC-18) (Res. 0304-18)

Recommendation from the City Plan Commission on 9-26-18: That based on the findings of fact, the request from Jake Chance of Rockford Contractors, agent for AMNJ Enterprise seeking a conditional use permit to operate a takeout/carryout restaurant with a drive-in at 2815 Durand Avenue be approved subject to the following conditions:

- a. That the plans presented to the Plan Commission on September 26, 2018 be approved subject to conditions contained herein.
- b. That all of the following development standards be complied with prior to occupancy unless otherwise noted:
 1. Rubbish and trash storage area be repaired and compliant with Sec. 114-740; and
 2. Site be landscaped and maintained as required by Sec. 114-743. Removal of rock planting beds and installation of organic materials around plantings and vegetation. Plans and specifications of new plantings and organic materials for beds to be submitted to the Department of City Development and approved prior to installation. Selected landscaping shall effectively screen headlights across the northern lot line between entrance drives. Installation to occur by May 1, 2019; and
 3. Wheel stops along the parking spaces on the western edge of the property be installed as required in Sec. 114-1171; and
 4. Parking lot spaces be re-striped in accordance with the sizing requirements of Sec. 114-1150; and
 5. The pole signage on the property be removed, or brought to a total height of 15 feet as required in Sec. 114-1078 (1)(c).
- c. That if, prior to the issuance of an Occupancy Permit, required site improvements listed in “b” above have not been or cannot be completed, a financial surety shall be provided to the City. The surety shall be in a format as approved by the City Attorney’s office, and subject to all stipulations as identified for financial sureties in the City of Racine. The dollar amount shall be determined at the time of application based upon estimates provided by the applicants for any incomplete work, and shall be valid for no less than one (1) year from the date of issuance. The surety format and content is subject to review and approval by the City Attorney.
- d. That all codes and ordinances are complied with and required permits acquired.
- e. That no minor changes be made from the conditions of this permit without approval of the Plan Commission, and no major changes be made from the conditions of this permit without the approval of the Common council.
- f. That this conditional use permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A