

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit and Expansion of a Nonconforming Use
BZZ-4800

Date: June 14, 2010

Applicant: Duke and King Acquisition Corporation

Addresses of Property: 925 Washington Avenue SE

Project Name: Burger King

Contact Person and Phone: Peter Roos 612-269-2204

Planning Staff and Phone: Jim Voll 612-673-3887

Date Application Deemed Complete: May 12, 2010

End of 60-Day Decision Period: July 11, 2010

Ward: 2 Neighborhood Organization: PPERRIA

Existing Zoning: C2 Neighborhood Corridor Commercial District, PO Pedestrian Oriented Overlay District, and UA University Area Overlay District

Zoning Plate Number: 22

Legal Description: Not applicable for this application

Existing Use: Fast food restaurant with a drive-through.

Concurrent Review:

Conditional use permit: To allow the restaurant to open at 5:00 a.m. Monday through Saturday and to stay open until 1:00 a.m. Sunday through Wednesday and until 3:00 a.m. Thursday through Saturday.

Expansion of a nonconforming use. To allow the restaurant to open at 5:00 a.m. Monday through Saturday and to stay open until 1:00 a.m. Sunday through Wednesday and until 3:00 a.m. Thursday through Saturday.

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits.

Background: The applicant is requesting a continuance to the June 28, 2010, meeting of the City Planning Commission to allow the applicant to discuss the extended hours with the Police Department, CPED, and Licensing staff.

CPED – Planning Division Report
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RECOMMENDATION:

Recommendation of the Community Planning and Economic Development Department - Planning Division for conditional use permit to allow extended hours:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission **continue** the conditional use permit to June 28, 2010, meeting of the City Planning Commission for property located at 925 Washington Avenue SE.

Recommendation of the Community Planning and Economic Development Department - Planning Division for conditional use permit for the expansion of a nonconforming use:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission **continue** the expansion of a nonconforming use to June 28, 2010, meeting of the City Planning Commission for property located at 925 Washington Avenue SE.

Attachments:

1. Letter from applicant
2. Zoning map.