

7. SPECIAL USE PERMIT NO. 2010-3 - 8725 Metcalf Avenue

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1. APPLICANT: 8725 Metcalf II, Inc., is the applicant for this request.
2. REQUESTED ACTION: The applicant is requesting approval of a special use permit, for a five-year period of time, to allow a drinking establishment.
3. LOCATION: The subject property is located at 8725 Metcalf Avenue.
4. EXISTING ZONING: This property is currently zoned CP-1, Planned Restricted Business District.
5. NEIGHBORHOOD CHARACTERISTICS: The existing restaurant is located on a portion of Metcalf Avenue developed with commercial and auto dealership uses.
6. CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Development Plan identifies this area as appropriate for commercial uses. The Future Development Plan does not specifically discuss the appropriate location for drinking establishments, but the Unified Development Ordinance does require this use to obtain a special use permit.
7. ANALYSIS: The applicant is requesting approval of a special use permit to allow the continuation of a drinking establishment for Fuddrucker's Restaurant. The restaurant obtained a special use permit for a drinking establishment in 1991, for a three-year period of time, and obtained three renewals, each for a five-year period of time, in 1994, 1999 and 2005. The applicant wants to renew the special use permit to allow continued operation as a drinking establishment. Staff does not have a concern regarding the renewal, and has received a letter from the police department indicating there have been no major or frequent alcohol-related problems at this establishment.
8. STAFF RECOMMENDATION: The staff recommended approval of Special Use Permit No. 2010-3, for a five-year period of time, with no stipulations.
9. PLANNING COMMISSION RECOMMENDATION: The Planning Commission considered this item at a public hearing on March 22, 2010. No one spoke in opposition to the request and the Planning Commission voted 11 to 0 to recommend approval of Special Use Permit No. 2010-3, for a five-year period of time, with no stipulations.