
MEMORANDUM



TO: Mayor & City Council
FROM: Mary Lou DeWitt, Comm. Dev. Zoning Specialist
SUBJECT: **Culver's Conditional Use Permit at 200 19th Avenue North for extended drive-thru hours**
DATE: June 7th, 2024

Background: Jim LaValle, applicant has applied for a Conditional Use Permit to allow the drive-thru hours of operation for a restaurant and eating establishment to be 10 AM to 11 PM at the property site located at 200 19th Avenue North.

The Planning Commission held a public hearing on May 20th, 2024. There were no issues from the neighboring sites for this Conditional Use Permit for extended hours for drive-thru service.

Analysis:

The property site is located in the B-3, General Commercial District. The Zoning Ordinance states the following:

****Restaurants and eating establishments, including drive thru services provided that:***

- a. Residential properties shall be screened from vehicle lights in the stacking area. The site is in the B-3 District, and the Belle Haven residential site is quite a distance away, and the drive-thru service area is on the opposite side of the Culver's building which will block vehicle lights.*
- b. Adequate stacking is provided at the menu board and pick up window. The City Engineer has reviewed the Site Plan Review and the drive-thru stacking for vehicles between the menu board and pick up window have met the review standards.*
- c. The drive-thru hours of operation are limited to 7:00 AM to 10:00 PM, unless extended by the City Council as part of the conditional use permit. The applicant would like the drive-thru hours to be 10 AM to 11 PM.*

Directly across from the Culver's site is Walmart. They are open 6 AM to 11 PM, seven days of the week. The extended drive-thru hour will not be an issue.

CONDITIONAL USE PERMIT STANDARDS:

The issuance of a Conditional Use Permit finds the proposed location complies with the following standards:

1. The proposed use does not violate the health, safety or general welfare of Princeton residents. **The proposed use will not violate the health, safety or general welfare of the Princeton residents.**
2. The proposed use has been reviewed and approved by the City Engineer in regards to erosion, runoff, water pollution, and sedimentation. **The proposed use of having extended drive-thru hours will not cause an increase of erosion, runoff, water pollution, or sedimentation.**

3. Adequate parking and loading is provided in compliance with the Ordinance. **The City Engineer reviewed the Site Plan Review and found the parking and loading were in compliance.**
4. Possible traffic generation and access problems have been addressed. **The traffic and access were reviewed for the Site Plan Review and it meets the City Engineer requirements.**
5. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity. **The Conditional Use Permit request will not cause an issue with the City's service capacity.**
6. The proposed use conforms to the City's Comprehensive Plan and is compatible with present and future land uses of the area. **This site conforms to the City's Comprehensive Plan and is compatible with the future land uses of the area.**

CONDITIONS: In approving any Conditional Use Permit, the Planning Commission may impose conditions which it considers necessary to meet the standards of this Ordinance and to protect the best interests of the surroundings area or the City as a whole. Failure by the applicant or property owner to comply with the conditions of approval shall result in the revocation proceedings according to subsection E.

The conditions may include, but are not limited to, the following:

1. Ingress and egress to property and proposed structures thereon with particular reference to vehicle and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other catastrophe;
2. Off-street parking and loading areas where required, with particular attention to the items in Subd. 1 and the economic, noise, glare, or odor effects of the conditional use on nearby property.
3. Refuse and service areas, with particular reference to the items in Subd. 1 and Subd. 2 above.
4. Utilities, with reference to location, availability, and compatibility.
5. Diking, fencing, screening, landscaping, or other facilities to protect adjacent or nearby property;
6. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;
7. Required yards and other open space;
8. General compatibility with present and future land uses of the area; and
9. Hours of operation.

Conclusion / Recommendation:

Normally, the Planning Commission's decision will serve as the final ruling and decision for a Conditional Use Permit and would be reported to the City Council as informational only. In this case, the B-3 Zoning Ordinance states the City Council will approve the Conditional Use Permit for the extended hours (Do not apply days of the week with hours). The Planning Commission held a public hearing on May 20th, 2024. There were no issues from those that received the notice. The Planning Commission supports the Conditional Use Permit application and recommended approval to the City Council for Resolution #24-30 at the property site located at 200

19th Avenue North (PID #24-750-0120) for drive-thru hours of operation for a restaurant and eating establishment to be 10 AM to 11 PM.



The site has the star on it.