ITEM NO. C(11)

AGENDA ITEM ABSTRACT

MEETING DATE: DECEMBER 4TH, 2012

SUBJECT: MINOR MODIFICATION TO THE WILLOW CREEK CONDITIONAL USE PERMIT, EXTERIOR CHANGES TO BURGER KING RESTAURANT.

DEPARTMENT: PLANNING	PUBLIC HEARING: YES __ NO X
ATTACHMENTS: A. RESOLUTION ADOPTING THE MODIFICATION B. CONDITIONAL USE PERMIT DOCUMENT WITH MEETING MINUTES C. PROJECT REMODELING PLAN WITH SIGNAGE D. APPLICANT NARRATIVE DESCRIPTION OF CHANGES	**FOR INFORMATION CONTACT**: JEFF KLEAVELAND, 918-7332

PURPOSE

Corey Morris of Lend Lease, Inc., representing the owner, Devine LLC, has recently submitted an application for a *Minor Modification* to the Conditional Use Permit for the Willow Creek Shopping Center (originally issued on July 14th, 1981 (Attachment B)).   The modification is for the remodeling of the Burger King restaurant.

INFORMATION

The Burger King restaurant operates under the Willow Creek Shopping Center CUP. The proposed remodeling changes the interior and exterior appearance of the business but does not involve any revisions to the building footprint, parking areas, or landscape areas (Attachment C). The applicant's description of the proposed changes is attached (Attachment D).

The building elevations and signs have been reviewed and approved by the Appearance Commission. The signage meets the requirements of the Land Use Ordinance. If the Board approves the plans as presented, the applicant will not need to apply for a sign permit separately. Because of the existing non-compliant walpak lighting fixtures the following condition (as stated in the recommendation below) is recommended. The applicant has written given consent to this condition.

RECOMMENDATION

If the request is approved it is recommended that the attached resolution approving the Minor Modification to the Conditional Use Permit, subject to the following condition, be adopted.

- That existing non-compliant walpak outdoor lighting units be replaced with full-cutoff walpaks as needed to satisfy the Outdoor Lighting provisions of Article XV of the Land Use Ordinance.