

CITY OF GRAND RAPIDS

*NOTICE OF MEETING
PLANNING COMMISSION*



**CITY OF
GRAND RAPIDS**
IT'S IN MINNESOTA'S NATURE

Meeting Agenda Full Detail

Thursday, November 2, 2017

4:00 PM

Council Chambers

Planning Commission

**COUNCIL CHAMBERS
CITY HALL - 420 N. Pokegama Ave.
Grand Rapids, MN 55744**

Call To Order**Call of Roll**

Setting of Agenda - This is an opportunity to approve the regular agenda as presented or add/delete an agenda item by a majority vote of the Commissioners present.

Approval of Minutes

17-0775 Approve the minutes of the October 5, 2017, 4:00 pm regular meeting.

Attachments: [October 5, 2017 Meeting Minutes](#)

Public Hearings

17-0778 Conduct a public hearing to consider a recommendation to the City Council regarding a request for a third amendment to the approved Conditional Use Permit granted to Wal-Mart Stores Inc., for the construction of a new Wal-Mart Supercenter located on Lot 1, Block 1, Plat of Wal-Mart Grand Rapids in December 2006.

Attachments: [Wal-Mart CUP Amendment: Staff-Report & Maps](#)
[Zoning Code: Section 30-531 & Division 14](#)
[City Resolutions: #06-130, #07-08, & #08-22](#)
[Rules for Public Hearing & CUP Considerations](#)
[Wal-Mart CUP Amendment: Application](#)
[CUP: Documents/Siteplan](#)
[CUP: Plans \(color\)](#)

Public Input

Individuals may address the Planning Commission about any non public hearing item or any item not included on the Regular Meeting Agenda. Speakers are requested to come to the podium, state their name and address for the record and limit their remarks to three (3) minutes.

Miscellaneous\Updates**Adjourn**

NEXT REGULAR PLANNING COMMISSION MEETING IS SCHEDULED FOR:
Thursday, December 7, 2017



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 17-0775 **Version:** 1 **Name:** Approve the minutes of the October 5, 2017, 4:00 pm regular meeting.

Type: Minutes **Status:** Approved

File created: 10/23/2017 **In control:** Planning Commission

On agenda: 11/2/2017 **Final action:**

Title: Approve the minutes of the October 5, 2017, 4:00 pm regular meeting.

Sponsors:

Indexes:

Code sections:

Attachments: [October 5, 2017 Meeting Minutes](#)

Date	Ver.	Action By	Action	Result
11/2/2017	1	Planning Commission	Approved as Presented by Commission	

Approve the minutes of the October 5, 2017, 4:00 pm regular meeting.

Background Information:

See attached draft meeting minutes.

Staff Recommendation:

Approve the minutes of the October 5, 2017, 4:00 pm regular meeting.



CITY OF GRAND RAPIDS

NOTICE OF MEETING
PLANNING COMMISSION

Minutes - Final Planning Commission

COUNCIL CHAMBERS
CITY HALL - 420 N. Pokegama Ave.
Grand Rapids, MN 55744

Thursday, October 5, 2017

4:00 PM

Council Chambers

Call To Order

Call of Roll

- Present** 4 - Commissioner Charles Burress, Chairperson Lester Kachinske, Commissioner Susan Lynch, and Commissioner Sue Zeige
- Absent** 3 - Commissioner Mark Gothard, Commissioner Paula Johnson, and Commissioner Michelle Toven

Setting of Agenda - This is an opportunity to approve the regular agenda as presented or add/delete an agenda item by a majority vote of the Commissioners present.

Motion by Commissioner Lynch, second by Commissioner Burress to approve the agenda as presented. The following voted in favor thereof: Burress, Kachinske, Zeige, Lynch. Opposed: None, passed unanimously.

Approval of Minutes

Approve the minutes of the September 7, 2017, 4:00 pm regular meeting.

Motion by Commissioner Lynch, second by Commissioner Burress to approve the minutes of the September 7, 2017 regular meeting as presented. The following voted in favor thereof: Burress, Kachinske, Zeige, Lynch. Opposed: None, passed unanimously.

Public Hearings

Conduct a public hearing to consider the preliminary plat of Pokegama Pines.

A preliminary plat entitled Pokegama Pines was submitted by Mike Kellin and filed with the City on September 11, 2017. The property included within the preliminary plat is 12.3 acres in area, including proposed right-of-way, and its location can generally be described as Part of Government Lot 1, Section 30, Township 55, adjacent to the NW edge of the Grace Bible Church property, and lying south of County Road 76. A complete legal description of the subject property is included with the preliminary plat documents.

The Comprehensive Plan's general vision for land use in the area of this proposed subdivision is that of Rural Residential, which is consistent with the proposed use, and with surrounding properties.

A preliminary plat entitled *Pokegama Pines* was submitted by Mike Kellin and filed with the City on September 11, 2017. The property included within the preliminary plat is 12.3 acres in area, including proposed right-of-way, and its location can generally be described as Part of Government Lot 1, Section 30, Township 55, adjacent to the NW edge of the Grace Bible Church property, and lying south of County Road 76. A complete legal description of the subject property is included with the preliminary plat documents.

The plat petitioner has indicated that the nine proposed lots will be developed as follows:

- Lots 1-3, Block 1 are intended to be developed as single family residential lots, retaining the existing SRR (Shoreland Rural Residential) zoning designation.
- Lots 1, 3 & 4, Block 2 are intended to be developed as single family residential lots, retaining the existing SRR (Shoreland Rural Residential) zoning designation.
- Lot 2, Block 2 is intended to function at the "common access lot" to Pokegama Lake for residents of the subdivision, the use of which is spelled out in the Declaration of Covenants and Restrictions, which will be recorded with the Final Plat.
- Lots 1 & 2, Block 3 are intended to be developed as single family residential lots, retaining the existing SRR (Shoreland Rural Residential) zoning designation.

The plat area is undeveloped and was previously owned by UPM Blandin Paper Company, and functioned as a demonstration/test forest.

The Comprehensive Plan's general vision for land use in the area of this proposed subdivision is that of Rural Residential, which is consistent with the proposed use, and with surrounding properties.

The staff review committee, consisting of the City Engineer, Public Works Director, Fire Chief, Grand Rapids PUC, Parks and Recreation Director, and Community Development Department, has reviewed the preliminary plat for technical standards and found that it substantially complies with the City's subdivision requirements. However, there are a few comments identified by the review committee that should be addressed. Those items are as follows: (various items have already been addressed on the preliminary plat, prior to the Public Hearing)

- The East/West portion, of what is labeled 28th Avenue, should be labeled 8th Street SW.
- Kim Gibeau, City Clerk, should be listed as a signee of the plat on behalf of the City of Grand Rapids (in place of Rob Mattei).
- The Subdivision Agreement, to be considered at the final plat approval, shall incorporate a parkland dedication fee, in lieu of dedication of land and in accordance with Section 30-266.

Additionally, the preliminary plat was circulated to the County Highway Engineer, as the plat is accessed off of County Road 76, and to the MN DNR's Area Hydrologist, as required by MN Shoreland Rules.

Motion by Commissioner Burress, second by Commissioner Lynch to open the public hearing. The following voted in favor thereof: Burress, Kachinske, Zeige, Lynch. Opposed: None, passed unanimously.

Maxine Moe, 750 Unser Road is a neighboring property owner and is concerned about the flower bed and trees she has planted that are not on her property.

Motion by Commissioner Lynch, second by Commissioner Zeige to close the public hearing. The following voted in favor thereof: Lynch, Zeige, Kachinske, Burress. Opposed: None, passed unanimously.

Motion by Commissioner Lynch, second by Commissioner Burress that, based on the findings of fact presented here today, and in the public’s best interest, the Planning Commission does hereby forward to the City Council a recommendation to approve the preliminary plat of Pokegama Pines; (Contingent upon the applicant making the following corrections/clarifications):

- The East/West portion, of what is labeled 28th Avenue, should be labeled 8th Street SW.
- The Subdivision Agreement, to be considered at the final plat approval, shall incorporate a parkland dedication fee, in lieu of dedication of land and in accordance with Section 30-266.

With the following considerations:

1. Has there been a change in the development policies of the community?
No, there have not been any changes to the development policies.
2. Was there a mistake in the original zoning ordinance?
No, there hasn't been a mistake in the zoning ordinance.
3. Is the Zoning Ordinance up to date?
Yes, the ordinance is up to date.
4. Is the proposed subdivision compatible with adjacent land uses?
Yes, it is a residential development and the area is zoned RR.
5. Will the proposed subdivision cause undue traffic congestion?
No, it will increase traffic but not cause any undue congestion.
6. Will the proposed subdivision affect public utilities?
Yes, they will need to extend electrical to those new lots.
7. Will the proposed subdivision be detrimental to public health, morals, or general welfare?
No, it will not.
8. Will the proposed subdivision impede orderly development of other property in the area?
No, it will not.
9. Will the proposed subdivision cause a decrease in value of adjacent property?
No, it will not.
10. Will the proposed subdivision increase tax revenues?
Yes, with new development it will increase tax revenues.
11. Will the proposed subdivision impose an excessive burden on parks and other public facilities?

No, it will not the park and recreation department will be accepting a fee rather than dedication of land.

12. Is the proposed subdivision consistent with the Comprehensive Plan?
Yes, it falls in with the orderly development.

The following voted in favor thereof: Burress, Kachinske, Zeige, Lynch.
Opposed: None, passed unanimously.

Public Input

Miscellaneous\Updates

Adjourn

Motion by Commissioner Lynch, second by Commissioner Burress to adjourn the meeting at 4:26 p.m. The following voted in favor thereof: Lynch, Zeige, Kachinske, Burress. Opposed: None, passed unanimously.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 17-0778 **Version:** 1 **Name:** Conduct a public hearing to consider a recommendation to the City Council regarding a request for a third amendment to the approved Conditional Use Permit granted to Wal-Mart Stores Inc., for the construction of a new Wal-Mart Supercenter located on Lot 1

Type: Public Hearing **Status:** PC Public Hearing

File created: 10/26/2017 **In control:** Planning Commission

On agenda: 11/2/2017 **Final action:**

Title: Conduct a public hearing to consider a recommendation to the City Council regarding a request for a third amendment to the approved Conditional Use Permit granted to Wal-Mart Stores Inc., for the construction of a new Wal-Mart Supercenter located on Lot 1, Block 1, Plat of Wal-Mart Grand Rapids in December 2006.

Sponsors:

Indexes:

Code sections:

- Attachments:** [Wal-Mart CUP Amendment: Staff-Report & Maps](#)
[Zoning Code: Section 30-531 & Division 14](#)
[City Resolutions: #06-130, #07-08, & #08-22](#)
[Rules for Public Hearing & CUP Considerations](#)
[Wal-Mart CUP Amendment: Application](#)
[CUP: Documents/Siteplan](#)
[CUP: Plans \(color\)](#)

Date	Ver.	Action By	Action	Result
11/2/2017	1	Planning Commission		

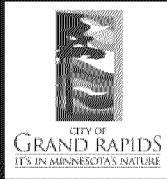
Conduct a public hearing to consider a recommendation to the City Council regarding a request for a third amendment to the approved Conditional Use Permit granted to Wal-Mart Stores Inc., for the construction of a new Wal-Mart Supercenter located on Lot 1, Block 1, Plat of Wal-Mart Grand Rapids in December 2006.

Background Information:

See attached Staff Report and Background Information.

Staff Recommendation:

Conduct a public hearing to consider a recommendation to the City Council regarding a request for a third amendment to the approved Conditional Use Permit granted to Wal-Mart Stores Inc., for the construction of a new Wal-Mart Supercenter located on Lot 1, Block 1, Plat of Wal-Mart Grand Rapids in December 2006.



Planning Commission Staff Report

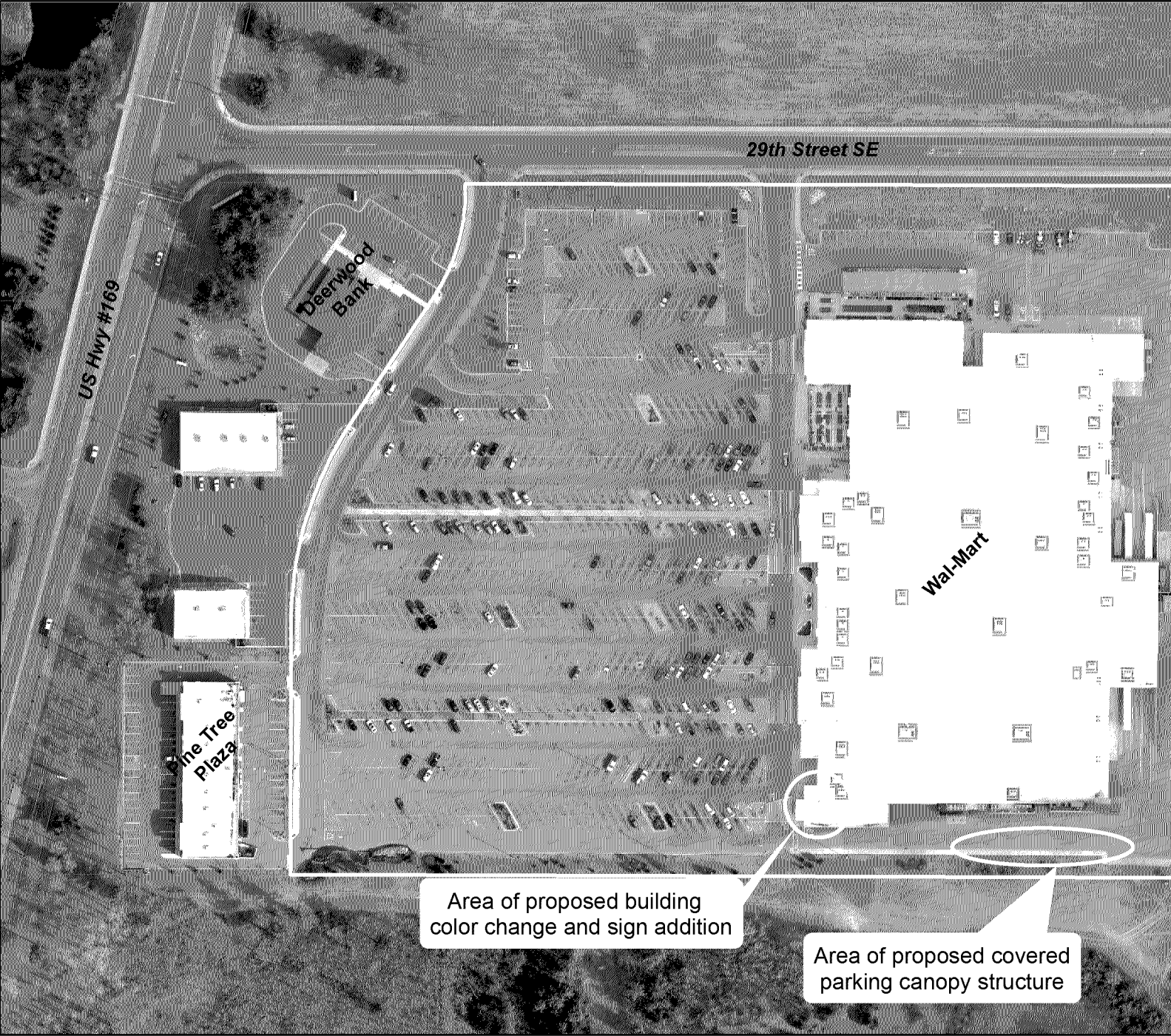
Agenda Item #2	Community Development Department	Date: 11/2/2017
Statement of Issue:	<p>Conduct a public hearing to consider a recommendation to the City Council regarding a request for a third amendment to the approved Conditional Use Permit granted to Wal-Mart Stores Inc., for the construction of a new Wal-Mart Supercenter located on Lot 1, Block 1, Wal-Mart Grand Rapids Addition in December 2006.</p>	
Background:	<p>On December 4, 2006 the City Council adopted City Resolution #06-130 approving a conditional use permit (CUP) for the construction of a Wal-Mart Supercenter, with certain conditions, as provided for under Division 14 of the City Zoning Code (Large Scale Commercial Development Standards).</p> <p>In February of 2007, Wal-Mart Stores requested the City's consideration of an amendment to the approved CUP that incorporated a tire/lube/express (TLE) auto service element to the use. The requested addition enlarged the store from its originally approved footprint of 182,662 s.f. to a footprint of 187,443 s.f. This amendment request was approved through the adoption City Resolution #07-08. <i>(these resolutions established the current footprint of the Wal-Mart Store)</i></p> <p>In February of 2008, Wal-Mart requested the City's consideration of an amendment to the CUP. As part of a "rebranding" strategy undergone by Wal-Mart Stores, Wal-Mart proposed a reduction in building signage, and changes in color on both the exterior building façade and the monument sign. This second amendment request was approved through the adoption City Resolution #08-22. <i>(this resolution established the current signage layout and color scheme of the Wal-Mart Store)</i></p> <p>WD Partners, on behalf of Wal-Mart Real Estate Business Trust, has requested the Planning Commission's recommendation for approval, of a third amendment to the Conditional Use Permit.</p> <p>The requested amendment would allow for an 18' X 72' covered parking canopy structure (for their On-line Ordering Pick-up Program) to be added to the southeast corner of the property, and the addition of an orange accent color & "Pickup" related signage, to a portion of the southwest corner of the Wal-Mart building.</p> <p>As some of the Commissioner's may recall, the City amended its Zoning Ordinance in 2005 establishing the General Sales and Service (building footprint over 70,000 s.f.) use, as a conditional use, in GB (General Business) zoning districts, and further established building and site design standards</p>	

	<p>intent upon influencing the development of these uses in a manner that creates a smaller scale, feel and relationship to the small town atmosphere of Grand Rapids.</p> <p>With the establishment of the CUP process set forth within Division 14, the review and approval of new projects, as well as modifications/amendments to approved facilities, is no longer administered by staff, but is issued through a Conditional Use Permit approved by the City Council, with recommendations received from the Planning Commission.</p> <p>When reviewing Conditional use application and considering their recommendation to the City Council, the Planning Commission should make specific findings based upon their standard list of considerations, which are found in Section 30-531e of the City Code. The Planning Commission must also consider the degree to which the proposed project meets the criteria and objectives established within the Large Scale Commercial Design Standards, Division 14, of the City Zoning Code, and if certain conditions or restrictions should be recommended to the City Council to ensure that the project meets those objectives and criteria.</p> <p>Special attention should be given to that portion of Division 14 which addresses <i>parking and vehicular circulation</i> and <i>building materials and colors</i>, to be sure the spirit and intent of the ordinance is maintained with the proposed changes: (<i>attachment - Division 14</i>)</p> <ul style="list-style-type: none"> • Section 30-902(3) <i>Parking and vehicular circulation</i> • Section 30-903(1)b. <i>Materials and colors</i> <p>Staff has reviewed the application and the associated changes to the approved development plans and provides the following comments and potential conditions:</p> <ul style="list-style-type: none"> • That in the event the City, or designated contractor, is not able to access the water line, for maintenance/replacement purposes, in the area around and/or under the proposed parking canopy, the canopy would be promptly removed and reinstalled at the property owners expense to permit access. • That all previously imposed conditions under City Council Resolution No.'s 06-130, 07-08 & 08-22 remain in effect.
<p>Considerations:</p>	<p>When reviewing a request for a Conditional Use Permit, the Planning Commission must make findings based on the attached list of considerations. Section 30-531(e):</p> <ul style="list-style-type: none"> • Will not be detrimental to the public health, safety, morals, or general welfare; • Will not cause undue traffic congestion or hazards and will not result in a parking shortage; • Will not be injurious to the use and enjoyment or result in a decrease in value of other property in the area; • Will not impede the orderly development of other property in the

	<ul style="list-style-type: none"> • area; • Will not impose an excessive burden on parks and other public facilities and utilities; • Is consistent with the Comprehensive Plan. <p>The Planning Commission must also consider the proposals compliance with the criteria and objectives established within the Large Scale Commercial Design Standards, Division 14, of the City Code.</p>
<p>Recommendation:</p>	<p>Staff recommends that the Planning Commissioners visit the site and look at the situation.</p> <p>Prior to making a motion to recommend approval or denial, the application, the Planning Commission should make specific findings to support its recommendation and reference those specific findings in their motion to either approve or deny the Conditional Use Permit.</p>
<p>Required Action:</p>	<p>Approve a motion to either recommend: approval, approval with additional conditions, or deny the applied for Conditional Use Permit.</p> <p><u>Example Motion:</u></p> <p>Motion by _____, second by _____ that, based on the findings of fact presented here today, and in the public’s best interest, the Planning Commission does hereby recommend that the City Council (grant)(deny) the following amendment to the Conditional Use Permit, approved under City Resolution No. 06-130, to Wal-Mart Stores Inc., for the property legally described as: <i>Lot 1, Block 1, Plat of Wal-Mart Grand Rapids, Itasca County, Minnesota:</i></p> <ul style="list-style-type: none"> • For the placement of an 18’ X 72’ covered parking canopy structure (for their On-line Ordering Pick-up Program) to be added to the southeast corner of the property, and the addition of an orange accent color & “Pickup” related signage, to a portion of the southwest corner of the Wal-Mart building as described within the CUP application. <p>and that the following conditions shall apply:</p> <ul style="list-style-type: none"> • That in the event the City, or designated contractor, is not able to access the water line, for maintenance/replacement purposes, in the area around and/or under the proposed parking canopy, the canopy would be promptly removed and reinstalled at the property owner’s expense to permit access. • That all previously imposed conditions under City Council Resolution No.’s 06-130, 07-08 & 08-22 remain in effect.

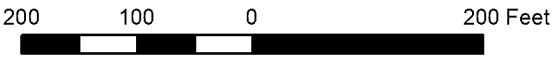
	<p><i>(If the Planning Commission wishes to place additional conditions upon their approval, the following should be added to the motion:)</i></p> <ul style="list-style-type: none">• _____
Attachments:	<ul style="list-style-type: none">• Copy of the WD Partners, (on behalf of Wal-Mart Real Estate Business Trust) application and associated documentation.• List of the Planning Commissions CUP Considerations• City Resolution #'s: 06-130, 07-08 & 08-22• Section 30-531 (CUP's) and Division 14 of City Zoning Code• Site Maps

Wal-Mart CUP Amendment

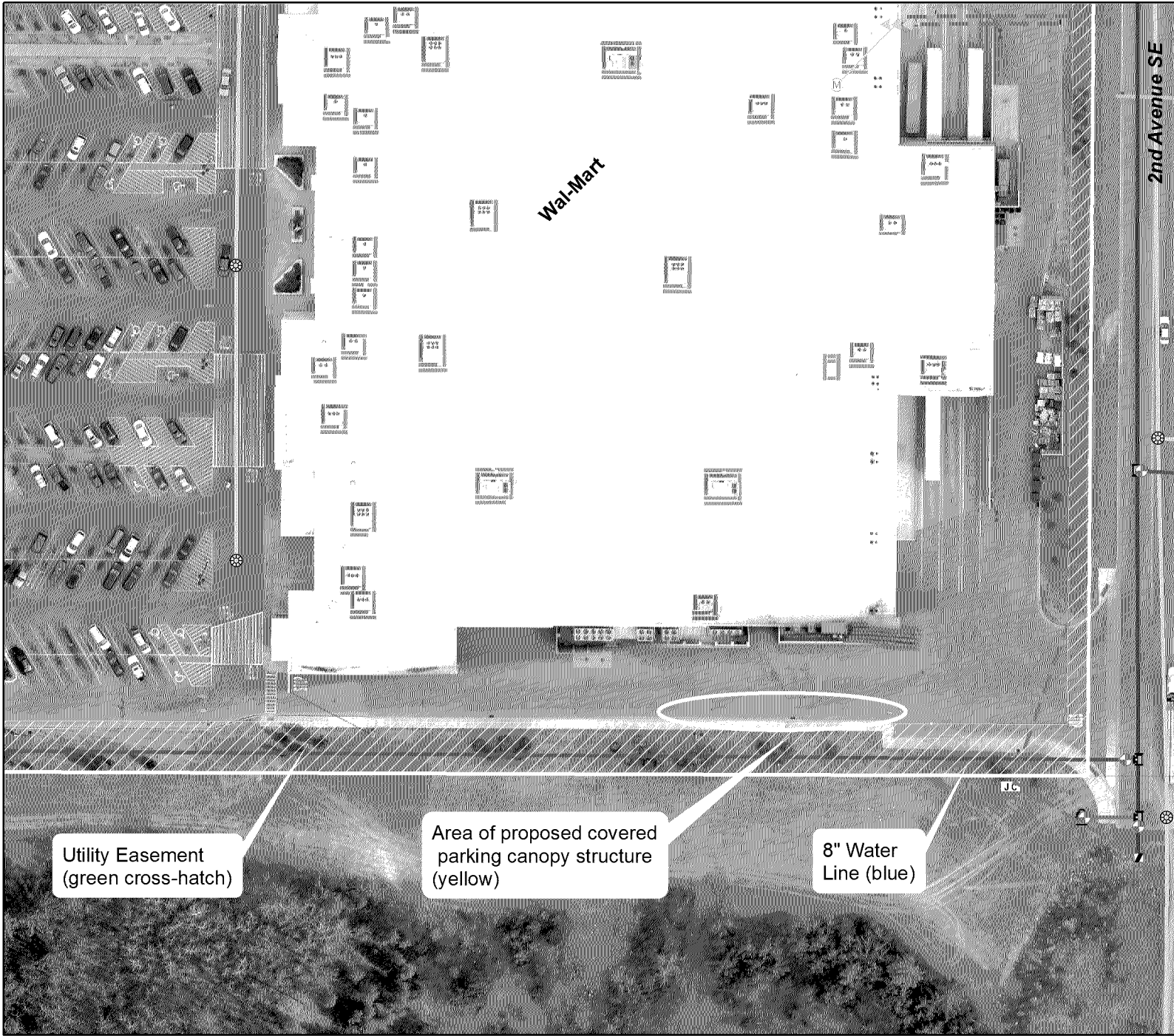


Area of proposed building color change and sign addition

Area of proposed covered parking canopy structure



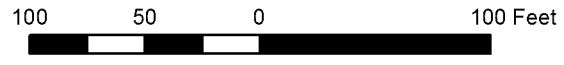
Wal-Mart CUP Amendment (Easements & Utilities)



Utility Easement
(green cross-hatch)

Area of proposed covered
parking canopy structure
(yellow)

8" Water
Line (blue)



Secs. 30-513—30-530. Reserved.

DIVISION 5. CONDITIONAL USES

Sec. 30-531. Conditional use permits (CUP).

(a) *Purpose and intent.* The development and execution of this division is based upon the division of the city into districts within which the regulations are specified. It is recognized, however, that there are special or conditional uses which, because of their unique characteristics, must be considered individually as to their impact upon neighboring land, and the public welfare and their compatibility at the particular location. To provide for these needs the city council may by resolution approve a conditional use permit for those uses and purposes listed and may impose conditions and safeguards in such permits to ensure that the purpose and intent of this division is carried out.

(b) *Application requirements.* An application signed by the landowner for a CUP shall be filed with the zoning administrator together with a filing fee as established by the city council. Such application shall be accompanied by the following information:

- (1) A site plan drawn to scale which shows all dimensions; the location of existing and proposed streets, buildings and parking; the existing and proposed building height and floor area; curb cuts and driveway locations; utilities; loading areas and lighting.
- (2) A drainage plan showing existing and proposed topography and slopes and how surface drainage will be handled.
- (3) A landscape plan as specified in section 30-456.
- (4) Building plans showing elevation drawings and floor plans.
- (5) A written description of the use to be made of the property and buildings including the number of employees, students, etc.
- (6) Any other information, which in the opinion of the zoning administrator, is required to evaluate the application and its consistency with the city comprehensive plan.

(c) *Waiver authority.* The zoning administrator shall have the authority to waive any of the information in subsection (b) of this section not deemed to be necessary and appropriate to evaluate the application.

(d) *Hearing and mailed notices.* The zoning administrator shall cause to be published a notice of the public hearing before the planning commission in the official newspaper at least ten days prior to the hearing date. Notices shall also be mailed to all owners of property within 350 feet of the parcel included in the request not less than ten days prior to the hearing. Failure to give such notice or defects or errors in the notice shall not invalidate the proceedings, provided a good faith attempt to comply with notice requirements was made.

(e) *Planning commission review and recommendation.* The planning commission shall conduct a public hearing on the application and make its recommendation with findings and conditions to the city council within 60 days of receipt of the planning commission's recommendation, to approve or deny the CUP. The council shall not approve a CUP unless it shall find that the establishment, maintenance and operation of the use:

- (1) Will not be detrimental to the public health, safety, morals or general welfare;
- (2) Will not cause undue traffic congestion or hazards and will not result in a parking shortage;
- (3) Will not be injurious to the use and enjoyment or result in a decrease in value of other property in the area;
- (4) Will not impede the orderly development of other property in the area;
- (5) Will not impose an excessive burden on parks and other public facilities and utilities;
- (6) Is consistent with the comprehensive plan.

Approval shall require a majority vote of the city council.

(f) *Conditions and restrictions.* The city council may impose such conditions and restrictions as it deems necessary on the establishment, location, construction, maintenance, operation and duration of the use to ensure compliance with the requirements of this division.

(g) *Resubmission.* No application which has been denied by the city council shall be resubmitted by the applicant for a period of one year following the date of denial by the city council.

(h) *Lapse and extension.* If within one year after the date of issuance the use for which the CUP was issued has not commenced, the CUP shall become null and void. If the applicant requests an extension in writing within one year after issuance, the city council shall conduct a public hearing and consider an extension utilizing the same notice procedures as required for the original application. The city council may extend the CUP for up to one year upon finding that:

- (1) A good faith effort has been made to use the permit;
- (2) There is reasonable expectation that there will be uses; and
- (3) The facts upon which the original permit was issued are essentially unchanged.

(i) *Periodic review.* If periodic review is imposed as a condition of a CUP, the CUP shall be reviewed at a public hearing prior to the expiration of the review period. It shall be the responsibility of the zoning administrator to schedule the public hearing and inform the owner of the review. A fee shall not be required to be paid.

(j) *Revocation.* If any person is found in violation of any condition or restriction imposed by the city council, the city may revoke such CUP utilizing the procedures established in this division.

(k) *Special considerations for shoreland areas.* The following additional evaluation criteria and conditions apply within shoreland areas:

- (1) *Evaluation criteria.* A thorough evaluation of the waterbody and the topographic, vegetation, and soils conditions on the site must be made to ensure:
 - a. The prevention of soil erosion or other possible pollution of public waters, both during and after construction;
 - b. The visibility of structures and other facilities as viewed from public waters is limited;
 - c. The site is adequate for water supply and on-site sewage treatment; and
 - d. The types, uses, and numbers of watercraft that the project will generate are compatible in relation to the suitability of public waters to safely accommodate these watercraft.
- (2) *Conditions attached to conditional use permits.* The city council, upon consideration of the criteria listed in subsection (k)(1) of this section and the purposes of this division, shall attach such conditions to the issuance of the conditional use permits as it deems necessary to fulfill the purposes of this division. Such conditions may include, but are not limited to, the following:
 - a. Increased setbacks from the ordinary high water level;
 - b. Limitations on the natural vegetation to be removed or the requirement that additional vegetation be planted; and
 - c. Special provisions for the location, design, and use of structures, sewage treatment systems, watercraft launching and docking areas, and vehicle parking areas.

(Code 1978, § 23.5(I); Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

State law reference—Conditional use permits, Minn. Stat. § 462.3595.

Sec. 30-532. Uses permitted by conditional use permit (CUP).

The following uses or any expansion of an existing use requiring a CUP shall require the issuance by the city of a CUP. Each such use shall comply with these stated conditions.

- (1) *Manufactured home parks.* Manufactured home parks have special characteristics which require the full consideration of their location needs, layout and design, and their relationship to and effect upon surrounding land uses. Because of these characteristics, manufactured home parks are permitted within the R-2, SR-2, R-3, SR-3, R-4, SR-4, LB, SLB, MU and SMU districts subject to all of the following conditions:
 - a. *Site development requirements.*
 1. Location. The site shall have at least one property line abutting an arterial or collector street as defined by the city comprehensive plan.
 2. Minimum site area: Ten acres.

to limit impacts of high densities by requiring seasonal use, improving vegetative screening, centralizing shore recreation facilities, installing new sewage treatment systems, or other means.

(Code 1978, § 23.17(J); Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

Secs. 30-810—30-899. Reserved.

DIVISION 14. LARGE SCALE COMMERCIAL DEVELOPMENT STANDARDS

Sec. 30-900. Purpose and intent.

(a) *Purpose.* The purpose of these standards are to ensure large scale commercial development is to provide compatible design, size and layout considerations to the unique built and natural environment of Grand Rapids.

(b) *Intent.* The intent of these development standards is to provide standards that influence building and site design of large scale development that creates a smaller scale, feel and relationship to the small town atmosphere of Grand Rapids. Large scale commercial development has the potential to distract, disrupt or adversely impact the natural and built environment of Grand Rapids and the surrounding area. When properly implemented, the standards contained in this section minimize impacts to better integrate these developments within the context of the community. This section establishes standards that regulate the location, appearance and function of buildings; off-street parking and circulation; vehicular and pedestrian access; loading areas; yard spaces; and preservation of natural site amenities. It is not the intent of the City of Grand Rapids to unnecessarily over-regulate large scale commercial development when these uses provide retail services and create market dynamics that are a benefit to the greater good of Grand Rapids and its market area.

(Ord. No. 05-05-08, 5-18-2005; Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

Sec. 30-901. Applicability.

(a) *New large scale commercial development.* The standards contained in this section apply to commercial development that has a building footprint area exceeding 70,000 square feet.

(b) *Existing large scale commercial development.* When triggered by occupation; change in use; building enlargement, expansion, or modification; or site modifications to commercial development with building footprints exceeding 70,000 square feet, the provisions of Section 30-458 are applicable.

(c) *Procedure.* All commercial development meeting the applicability criteria of this section will be reviewed by the conditional use permit process contained in Section 30-531.

(Ord. No. 05-05-08, 5-18-2005; Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

Sec. 30-902. Site design standards.

The following section outlines the guidelines and standards required for large scale commercial development within the City of Grand Rapids. The following site and building design standards present the objectives for development with regards to site planning and building design.

- (1) *Site planning.* Site planning as it relates to the commercial and community context shall be considered. Buildings shall be located to relate to adjacent streets, other adjacent commercial development, residential neighborhoods, and community features. Grand Rapids has a wealth of natural features which need proper attention and consideration during the site planning process. These features create intrinsic site value when properly integrated into development planning by providing opportunities to create outdoor spaces that convey community identity.
- (2) *Building setbacks.* Building setbacks are as required by applicable zoning districts.
- (3) *Parking and vehicular circulation.*
 - a. Standards for minimum and maximum parking space ratios, parking lot space sizes and design, and interior landscaping are applicable.
 - b. The distribution of parking spaces shall be arranged to provide convenient vehicular and pedestrian movement. Consideration for the distance from the furthest parking space to building entries shall be given as well as the route by which people walk from their car to the building entry.
 - c. Off-street parking spaces shall be located in two yard spaces. This standard may be relaxed if:
 1. The majority of parking area is screened by natural vegetation or outlet development sites.
 2. Parking in only one yard space will preserve features of the site that can be considered as site amenities.
 - d. A traffic study shall accompany the application showing the proposed amount of traffic generated by the development and its impact on surrounding roadways including existing and proposed levels of service at intersections. The developer shall consult with city staff to establish parameters of study and its scope.
 - e. Parking lots shall incorporate other natural features, design elements, or functional elements such as stormwater management systems internally within the parking lot to break up the parking lot into smaller areas to minimize negative visual impacts.
 - f. Driveways and isles shall be located in a manner to relate to surrounding roadway systems, driveways serving adjacent development, and other land uses that may be negatively impacted by high levels of traffic.
 - g. Differing pavement surfaces shall be used to define vehicle isles and pedestrian walkways and crossing areas.

- h. Pedestrian walkways shall be incorporated into the parking lot to minimize potential conflicts with vehicles.
- (4) *Pedestrian and bicycle circulation*
- a. Sidewalks and/trails shall be provided along the all sides of the site perimeter with street frontage. Trails shall be provided as needed to connect the site to community trail systems and/or link to natural site amenities. Widths and locations of the sidewalks and trails shall be determined by their intended use and guided by the city.
 - b. Bicycle racks shall be provided in close proximity to building entrances.
- (5) *Landscaping and screening*
- a. Minimum standards for tree preservation and landscaping shall apply as regulated in sections 30-594 and 30-595.
 - b. Special landscaping attention shall be given to loading areas. Buffering techniques that incorporate berming shall be used when adjacent to residential areas if a building entrance is not present.
 - c. Mature trees along the perimeter of the site shall be preserved to create development "rooms" that aid to minimize the scale of development.
 - d. Additional landscaping to minimize the impacts of large parking areas and building size shall be provided as determined necessary by the city.
- (6) *Community spaces.* Sites should provide attractive and inviting pedestrian scale features, spaces and amenities. Entrances and parking lots should be configured to be functional and inviting with walkways conveniently tied to logical destinations. Pedestrian ways should be anchored by special design features such as towers, arcades, porticoes, pedestrian light fixtures, bollards, planter walls, and other architectural elements that define circulation ways and outdoor spaces. The features and spaces should enhance the building as integral parts of the community fabric. Other features to be considered for site amenities include patio/seating area, pedestrian plaza with benches, transportation center, window shopping walkways, outdoor play area, kiosk area, water feature, clock tower, steeple, or other such deliberately shaped area and/or a focal feature or amenity that, in the judgment of the City, adequately enhances such community and public spaces.
- (7) *Walls and fences.* Walls and fencing may be used in cases where natural landscaping is not adequate for screening purposes. Fencing materials and design shall relate to the building design and character when used. Additional landscaping treatment may be required to soften the fence from public view.
- (8) *Outdoor storage, trash collection and loading.* Loading areas and outdoor storage areas exert visual and noise impacts on surrounding development and residential areas. These areas, when visible from adjoining properties and/or public streets, should be screened, recessed or enclosed. While screens and recesses can effectively mitigate

these impacts, the selection of inappropriate screening materials can exacerbate the problem. Appropriate locations for loading and outdoor storage areas include areas between buildings, where more than one building is located on a site and such buildings are not more than 40 feet apart, or on those sides of buildings that do not have customer entrances. In addition, the following standards apply:

- a. Areas for outdoor storage, truck parking, trash collection or compaction, loading, or other such uses shall not be visible from public or private rights-of-way or residential areas.
- b. All storage, collection, and compaction of trash shall occur within the principal building.
- c. Loading docks, truck parking, utility meters, HVAC equipment, and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets.
- d. Non-enclosed areas for the storage and sale of seasonal inventory shall be permanently defined and screened with walls and/or fences. Materials, colors, and designs of screening walls and/or fences and the cover shall conform to those used as predominant materials and colors of the building. If such areas are to be covered, then the covering shall conform to those used as predominant materials and colors on the buildings.

(9) *Shopping cart management.* Defined areas for the storage of shopping carts shall be provided. Overnight outdoor storage within parking lots shall not be permitted.

(Ord. No. 05-05-08, 5-18-2005; Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

Sec. 30-903. Building design standards.

The size of large commercial buildings can have a positive or negative impact on community character. By identifying appropriate building design standards for large commercial development, these buildings can become community assets that help promote the image, identity and economy of Grand Rapids. By encouraging designs that play down size, relate to community character and provide a human scale, provide a higher probability of producing positive benefits to the community including their eventual reuse.

- (1) *Building width and facade.* The building width and facade treatment may be the most important design considerations as they convey first and lasting impressions of the development. Long building facades with no articulation can present a generic low quality image. Grand Rapids development character needs to reinforce smaller scale character elements that have a greater degree of human scale. The following standards shall apply to building facades and exterior walls.
 - a. For exterior walls that front on a public street, the facade shall be articulated so that there are projections and recesses every 100 feet. The minimum projection and recess shall be 5 feet.

- b. *Materials and colors.* Buildings shall incorporate high quality materials that provide long term durability and design appeal. Concrete cinder block and metal siding are prohibited on building facades that face public streets. Facade colors shall be low reflectance and subtle. High intensity colors are prohibited but complementary colors that accent primary colors are acceptable.
 - c. *Building height.* As prescribed by the zoning district.
 - d. *Rear facades.* Rear facades or facades not fronting public streets should be designed to compliment the front facade.
 - e. *Entries and window treatment*
 - 1. Buildings shall incorporate canopies, awnings, or porticos that clearly identify building entry locations. The size and design of these treatments shall integrate with the overall building architecture.
 - 2. Windows should be incorporated into street facing facades except for those facades that are loading areas. Windows shall have functional two-way glass.
 - f. *Roof treatment.* Variations in roof lines should be used to add interest to and reduce the massive scale of large buildings. Rooftop equipment shall be designed to blend into the building or be concealed through the use of features such as parapets, mansard roofs, gable roofs, hip roofs, or dormers.
 - g. *Signage.* Signage both wall and freestanding, shall be consistent with the over all building design character. Sign area and height shall be as prescribed in division 10, article VI.
 - h. *Lighting.* A comprehensive lighting plan shall be developed for building and site lighting. Lighting shall not produce unnecessary glare or light pollution.
- (Ord. No. 05-05-08, 5-18-2005; Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

Sec. 30-904. Other requirements.

The following shall also be required:

- (1) *Adaptability for reuse plan.*
 - a. The building design for a retail use shall demonstrate how the building is designed for adaptation to a multi-tenant building in the event of the abandonment of the large scale commercial store. The design may include, but is not limited to, compartmentalized construction, including plumbing, electrical, service, heating, ventilation, air conditioning and wall placement. The plans shall also demonstrate how the exterior of the building can be divided into separate tenancies, facades can be adapted to separate entrances, parking can be shared, and the exterior can be maintained as a multi-tenant building.
 - b. When a business relocates to another building, the owner shall not place restrictions on the use or occupancy of the previously occupied property through the use of deed restrictions, covenants, or other means which would encumber the

property's reuse in the open market. Every attempt shall be made by the owner to sell or lease the building to a use(s) allowed under zoning district requirements without prohibition of similar uses that may pose competition.

- (2) *Environmental review.* Large scale commercial development with buildings over 125,000 square feet are required to prepare an Environmental Assessment Worksheet (EAW) as prescribed by Minnesota Rules Chapter 4410. The city will serve as the responsible governmental unit (RGU) for review of the EAW unless otherwise assigned.

(Ord. No. 05-05-08, 5-18-2005; Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

Secs. 30-905—30-949. Reserved.

DIVISION 15. TELECOMMUNICATIONS TOWERS AND FACILITIES

Sec. 30-950. Purpose and intent.

(a) The Federal Communications Act of 1934 as amended by the Telecommunications Act of 1996 ("the Act") grants the Federal Communications Commission exclusive jurisdiction over the regulation of the environmental effects of radio frequency emissions from telecommunications facilities and the regulation of radio signal interference among users of the radio frequency spectrum.

(b) Consistent with the Act, the regulation of towers and telecommunications facilities in the city will not have the effect of prohibiting any person from providing wireless telecommunications services. The general purpose of this section is to regulate the placement, construction, and modification of telecommunication towers and facilities in order to protect the health, safety and welfare of the public, while not unreasonably interfering with the development of the competitive wireless telecommunications marketplace in the city. In addition, this section recognizes the contractual control for the purpose of preserving public health, safety, and welfare that can be exercised over telecommunications facilities when those facilities are located on property owned or controlled by governmental entities. Specifically, the purposes of this section are:

- (1) To regulate the location of telecommunication towers and facilities;
- (2) To protect residential areas and land uses from potential adverse impacts of telecommunication towers and facilities;
- (3) To minimize adverse visual impacts of telecommunication towers and facilities through design, site, landscaping, and innovative camouflaging techniques;
- (4) To promote and encourage shared use and collocation of telecommunication towers and antenna support structures;

Councilmember Erkkila introduced the following resolution and moved for its adoption:

RESOLUTION NO. 06-130

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT, APPLIED FOR BY WAL-MART STORES INC., FOR THE CONSTRUCTION OF A PROPOSED WAL-MART SUPERCENTER, A GENERAL SALES AND SERVICE (GREATER THAN 70,000 SQ. FT. BUILDING FOOTPRINT) USE, TO BE LOCATED AT THE SOUTHEAST QUADRANT OF THE INTERSECTION OF TRUNK HWY. 169 AND 29TH ST. SE.

WHEREAS, a petition was received for a Conditional Use Permit (CUP) for the purpose of allowing the establishment of a General Sales and Service (greater than 70,000 sq. ft. building footprint) use, on property legally described within an application submitted by Wal-Mart Stores Inc. on November 15, 2006 and generally located on vacant land located at the southeast quadrant of the intersection of Trunk Hwy. 169 and 29th St. SE.; and

WHEREAS, the Planning Commission reviewed the request for a CUP and conducted a public hearing on this request on November 28, 2006, and all were heard who wished to speak on the matter; and

WHEREAS, the Planning Commission made certain findings that the request for a CUP would meet the requirements of Section 30-531(e) and the Large Scale Commercial Design Standards, Division 14, of the City Code if certain conditions were applied; and

WHEREAS, the Planning Commission recommended approval of the CUP with the following conditions:

- (1) A requirement for City Council approval of the requested text amendments to the Zoning Ordinance revising parking requirements for the Retail Sales and Service (not listed) use.
- 1a) A requirement that the pedestrian walkway within the landscaped island extending the depth of the parking lot in front of the general merchandise vestibule from its proposed width of 5 feet to a width of 7 feet.
- (1b) A requirement that the crosswalk at the west end of the pedestrian walkway within the landscaped island extending the depth of the parking lot in front of the general merchandise vestibule be appropriately delineated with signage.
- (2) A requirement that the preserved trees and the proposed landscaping between these areas along Hwy 169 be permanently preserved by including those areas within a conservation easement
- (3) A requirement that the proposed pylon and monument signs incorporate architectural elements such as the cultured ledgerstone, as used on the building façade, in their construction

WHEREAS, the City Council, upon review of the minutes, findings and conditions of the Planning Commission, accepts and specifically adopts the findings and recommendation of the Planning Commission; that the establishment, maintenance and operation of the use contemplated by the proposed CUP:

1. Will not be detrimental to the public health, safety, morals or general welfare;
2. Will and will not cause undue traffic congestion or hazards and will not result in a parking shortage;
3. Will not be injurious to the use and enjoyment or result in a decrease in value of other property in the area;
4. Will not impede the orderly development of other property in the area;
5. Will not impose an excessive burden on parks and other public facilities and utilities;
6. Is consistent with the Comprehensive Plan

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRAND RAPIDS, MINNESOTA that a Proposed Conditional Use Permit be granted to Wal-Mart Stores Inc. to allow the construction of a proposed Wal-Mart SuperCenter Store, on property legally described with the CUP application, as depicted within that application, subject to the conditions listed above.

Adopted by the Council this 4th day of December 2006.



Susan Zeige, Mayor

ATTEST:



Karen Alto, Interim City Clerk

Councilmember Schlauderaff seconded the foregoing resolution and the following voted in favor thereof Driscoll, Erkkila, Schlauderaff, Zeige, and the following voted against same; Drake, whereby the resolution was declared duly passed and adopted.

Councilmember Adams introduced the following resolution and moved for its adoption:

RESOLUTION NO. 07-08

A RESOLUTION GRANTING AN AMENDMENT TO A CONDITIONAL USE PERMIT, PREVIOUSLY APPROVED UNDER CITY COUNCIL RESOLUTION 06-130 FOR A PROPOSED WAL-MART SUPERCENTER, A GENERAL SALES AND SERVICE (GREATER THAN 70,000 SQ. FT. BUILDING FOOTPRINT) USE, TO BE LOCATED AT THE SOUTHEAST QUADRANT OF THE INTERSECTION OF TRUNK HWY. 169 AND 29TH ST. SE.

WHEREAS, a petition was received from Wal-Mart Stores Inc. on January 18th, 2007 for an amendment to a Conditional Use Permit (CUP) previously approved by the City Council under Resolution 06-130; and

WHEREAS, the requested amendment is necessary because the petitioner, Wal-Mart Stores Inc., wishes to change the building and site plans for the proposed Wal-Mart Supercenter already approved under said resolution; and

WHEREAS, the change to the building and site plans would increase the building size from the originally approved footprint of 182,662 s.f. to a proposed footprint of 187,443 in order to incorporate a tire/lube/auto service express component to the proposed retail; and

WHEREAS, the Planning Commission reviewed the request to amend the CUP and conducted a public hearing on this request on February 1st, 2007, and all were heard who wished to speak on the matter; and

WHEREAS, the Planning Commission made certain findings that the amended CUP would meet the requirements of Section 30-531(e) and the Large Scale Commercial Design Standards, Division 14, of the City Code if those same conditions, as applied to the original CUP under Resolution 06-130, remained in effect; and

WHEREAS, the Planning Commission recommended approval of the amended CUP with the following, previously approved conditions applying:

- (1) A requirement for City Council approval of the requested text amendments to the Zoning Ordinance revising parking requirements for the Retail Sales and Service (not listed) use.
- 1a) A requirement that the pedestrian walkway within the landscaped island extending the depth of the parking lot in front of the general merchandise vestibule from its proposed width of 5 feet to a width of 7 feet.
- (1b) A requirement that the crosswalk at the west end of the pedestrian walkway within the landscaped island extending the depth of the parking lot in front of the general merchandise vestibule be appropriately delineated with signage.
- (2) A requirement that the preserved trees and the proposed landscaping between these areas along Hwy 169 be permanently preserved by including those areas within a conservation easement
- (3) A requirement that the proposed pylon and monument signs incorporate architectural elements such as the cultured ledgerstone, as used on the building façade, in their construction

WHEREAS, the City Council, upon review of the minutes, findings and conditions of the Planning Commission, accepts and specifically adopts the findings and recommendation of the Planning Commission; that the establishment, maintenance and operation of the use contemplated by the proposed amended CUP:

1. Will not be detrimental to the public health, safety, morals or general welfare;
2. Will and will not cause undue traffic congestion or hazards and will not result in a parking shortage;
3. Will not be injurious to the use and enjoyment or result in a decrease in value of other property in the area;
4. Will not impede the orderly development of other property in the area;
5. Will not impose an excessive burden on parks and other public facilities and utilities;
6. Is consistent with the Comprehensive Plan

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRAND RAPIDS, MINNESOTA that an amended Conditional Use Permit be granted to Wal-Mart Stores Inc. to allow the construction of a proposed Wal-Mart SuperCenter Store, on property legally described within the CUP application, as depicted within that application, subject to the conditions listed above.

Adopted by the Council this 12th day of February 2007.



Dale Adams, Mayor Pro-Tem

ATTEST:



Karen Alto, Interim City Clerk

Councilmember Schlauderaff seconded the foregoing resolution and the following voted in favor thereof Adams, Erkkila, Schlauderaff, Adams, Millis; and the following voted against same: None; whereby the resolution was declared duly passed and adopted.

Councilmember Adams introduced the following resolution and moved for its adoption:

RESOLUTION NO. 08-22

A RESOLUTION GRANTING AN AMENDMENT TO A CONDITIONAL USE PERMIT, PREVIOUSLY APPROVED UNDER CITY COUNCIL RESOLUTION 06-130 AND AMENDED UNDER CITY COUNCIL RESOLUTION 07-08 FOR A WAL-MART SUPERCENTER, A GENERAL SALES AND SERVICE (GREATER THAN 70,000 SQ. FT. BUILDING FOOTPRINT) USE, LOCATED ON LOT 1, BLOCK 1, WAL-MART GRAND RAPIDS ADDITION

WHEREAS, a petition was received from Wal-Mart Stores Inc. on January 23rd, 2008 requesting an amendment to a Conditional Use Permit (CUP) previously approved by the City Council under Resolution 06-130, and amended under City Council Resolution 07-08; and

WHEREAS, the amendment requested by Wal-Mart Stores, Inc. seeks approval of changes in both the exterior building façade color scheme as well as the type, color, and amount of exterior building signage and monument signage; and

WHEREAS, the change to the color on both the exterior building façade and the monument sign as well a net reduction in building signage are requested in order to fulfill a corporate wide "rebranding" strategy recently undergone by Wal-Mart Stores; and

WHEREAS, the Planning Commission reviewed the request to amend the CUP and conducted a public hearing on this request on February 7th, 2008, and all were heard who wished to speak on the matter; and

WHEREAS, the Planning Commission made certain findings that the requested amendments to the CUP would meet the requirements of Section 30-531(e) and the Large Scale Commercial Design Standards, Division 14, of the City Code if those same conditions, as applied to the original CUP under Resolution 06-130 and amended under Resolution 07-08, remained in effect; and


WHEREAS, based upon their findings, the Planning Commission recommended approval of the amended CUP with a condition that all previously imposed conditions under City Council Resolution 06-130 & 07-08, remain in effect:

WHEREAS, the City Council, upon review of the minutes, findings and conditions of the Planning Commission, accepts and specifically adopts the findings and recommendation of the Planning Commission; that the establishment, maintenance and operation of the use contemplated by the proposed amended CUP:

1. Will not be detrimental to the public health, safety, morals or general welfare;
2. Will not cause undue traffic congestion or hazards and will not result in a parking shortage;
3. Will not be injurious to the use and enjoyment or result in a decrease in value of other property in the area;
4. Will not impede the orderly development of other property in the area;
5. Will not impose an excessive burden on parks and other public facilities and utilities;
6. Is consistent with the Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRAND RAPIDS, MINNESOTA that an amended Conditional Use Permit is granted to Wal-Mart Stores, Inc. to allow the proposed Wal-Mart SuperCenter, on property legally described as Lot 1, Block 1, Wal-Mart Grand Rapids Addition, and as depicted within the application, subject to the conditions within City Council Resolutions 06-130 and 07-08.

Adopted by the Council this 11th day of February 2008.



Jim Millis, Mayor

ATTEST:



Karen Alto, Interim City Clerk

Councilmember Erkkila seconded the foregoing resolution and the following voted in favor thereof Adams, Erkkila, McInerney, Millis; and the following voted against same, None; whereby the resolution was declared duly passed and adopted.



CITY OF
GRAND RAPIDS
IT'S IN MINNESOTA'S NATURE

Grand Rapids Planning Commission

Grand Rapids, MN – City Hall

RULES FOR A PUBLIC HEARING

1. After the Chairperson opens the Public Hearing, background on the issue at hand will be given by our Community Development Department Staff and by other presenters.
2. Anyone who wishes to address the Commission about the issue may do so, and all who wish to speak will be heard. Please step to the lectern to use the microphone, and state your name and address for the public record. **These Proceedings are recorded.** Please keep your comments relative to the issue. Please keep in mind that you are addressing the Planning Commission, not debating others in the audience who may have conflicting viewpoints. At all times, be courteous and refrain from interrupting any other speaker present on the floor.
3. After everyone has spoken, the Public Hearing will be closed. At this point, Planning Commissioners may ask clarifying questions from citizens and presenters.
4. The Chairperson will go through the legal Considerations for the Issue of the Public Hearing, after which the Commissioners will vote on the issue.

PLANNING COMMISSION
CONSIDERATIONS
CONDITIONAL USE PERMIT

1. Will not be detrimental to the public health, safety, morals, or general welfare?
Why/Why not?

2. Will not cause undue traffic congestion or hazards and will not result in a parking shortage?
Why/Why not?

3. Will not be injurious to the use and enjoyment or result in a decrease in value of other property in the area?
Why/Why not?

4. Will not impede the orderly development of other property in the area?
Why/Why not?

5. Will not impose an excessive burden on parks and other public facilities and utilities?
Why/Why not?

6. Is consistent with the Comprehensive Plan?
Why/Why not?



Conditional Use Permit Application
 Community Development Department
 420 North Pokegama Ave.
 Grand Rapids, MN 55744
 Tel. (218) 326-7601 Fax (218) 326-7621
 Web Site: www.cityofgrandrapidsmn.com

Community Development
 Office **10/9/17**
 Date Received **10/5/2017**
 Certified Complete **10/9/2017**
 Fee Paid **7505**

The undersigned do hereby respectfully request the following be granted by support of the following facts herein shown:

<u>WD Partners/Jihad Othman</u> Name of Applicant	<u>Walmart Real Estate Business Trust</u> Name of Owner
<u>7007 Discovery Blvd</u> Address	<u>2001 SE 10th Street</u> Address
<u>Dublin, OH 43017</u> City State Zip	<u>Bentonville, AR 72716-5570</u> City State Zip
<u>949-266-7096/jihad.othman@wdpartners.com</u> Business Telephone/e-mail address	 Business Telephone/e-mail address

Parcel Information:

Tax Parcel # <u>91-718-0110</u>	Existing Zoning: <u>Commercial</u>
Existing Use: <u>Walmart - Commercial Retail</u>	Proposed Use: <u>Online Ordering Pick-up w/ parking canopy</u>
Property Size: <u>18.9 acres</u>	
Property Address / Legal Description: <u>100 SE 29th St, Grand Rapids, MN 55744</u> (attach additional sheet if necessary)	

Permit Type:

The following type of Conditional Use Permit is, hereby, requested:

<input type="checkbox"/> Mobile Home Parks	<input type="checkbox"/> Primary, Secondary, and Post High schools in R districts
<input type="checkbox"/> Mining of Sand and Gravel (> 2year)	<input type="checkbox"/> Junk and Salvage Operations
<input type="checkbox"/> Heavy Mining	<input type="checkbox"/> Land Reclamation
<input type="checkbox"/> Interim Use of Buildings	<input checked="" type="checkbox"/> CUP Amendment
<input type="checkbox"/> Group and Foster Homes (7-8 residents in R-1 and R-2)	
<input type="checkbox"/> Bed and Breakfast Accommodations (up to 5 guest rooms/10 persons in R2)	
<input type="checkbox"/> Essential Service Structure (within any residential zone or CBD)	
<input type="checkbox"/> General Sales and Service (greater than 70,000 sq. ft. building footprint)	
<input type="checkbox"/> Telecommunication Towers and Facilities	

I (we) certify that, to the best of my (our) knowledge, information, and belief, all of the information presented in this application is accurate and complete and includes all required information and submittals, and that I consent to entry upon the subject property by public officers, employees, and agents of the City of Grand Rapids wishing to view the site for purposes of processing, evaluating, and deciding upon this application.

<u>Jihad Othman</u> Signature(s) of Applicant(s)	<u>10-3-17</u> Date
<u>[Signature]</u> Signature(s) of Owner(s)-(If other than applicant)	<u>10-3-17</u> Date

Required Submittals: 1 Set (electronic copies required):

- Application Fee - \$505.00 Site Plan (as per 30-531b1) Drainage Plan (as per 30-531b2)
 Landscape Plan (as per 30-531b3) Building Plans (as per 30-531b4)
 Written description of proposed use (as per 30-531b5)

Additional Required Submittals, if applicable:

If the proposed use is classified as General Sales and Service (greater than 70,000 sq. ft. building footprint), and is, thus, regulated by Division 14, Article IV, Chapter 30 of the Grand Rapids City Code, the following additional submittals are required:

- Application Fee – Total Actual Cost Incurred by the City (\$3,500.00 deposit required via escrow agreement)
 Traffic Study (as per 30-902c4)
 Written explanation of how the proposed development adheres to the individual elements of the Site Design Standards in 30-902, and the Building Design Standards in 30-903.
 The Landscaping Plan required under 30-531b3 shall include sufficient detail to demonstrate the proposed developments compliance with 30-902e.
 The Site Plan required under 30-531b4 shall include sufficient detail to demonstrate the proposed developments compliance with sections: 30-902a, 30-902b, 30-902c, 30-902d, 30-902f, 30-902g, 30-902h, and 30-902i.
 The Building Plans required under 30-531b4 shall include sufficient detail to demonstrate the proposed developments compliance with sections 30-903a through 30-903h.
 Adaptability for Reuse Plan (as per 30-904a1)
 Environmental Assessment Worksheet, if applicable, (as per 30-904b) and RGU Notice of Decision – Negative Declaration, or, if the RGU Notice of Decision on the EAW is a Positive Declaration, a copy of the Environmental Impact Statement and RGU Notice of Adequacy.

Findings for Approval:

In accordance with Section 30-531e of the Grand Rapids City Code, the City Council shall not approve a Conditional Use Permit unless it shall find that the establishment, maintenance and operation of the use:

- Will not be detrimental to the public health, safety, morals and general welfare;
- Will not cause undue traffic congestion, or hazards and will not result in a parking shortage;
- Will not be injurious to the use and enjoyment or result in a decrease in value of other property in the area;
- Will not impede the orderly development of other property in the area;
- Will not impose an excessive burden on parks and other public facilities and utilities;
- Is consistent with the Comprehensive Plan.

In addition to the general requirements for all Conditional Use Permit listed above, the City Council will also consider the requirements specific to each designated conditional use as contained within the Grand Rapids City Code.

The attached Section 30-531 of the Grand Rapids City Code provides additional detail with respect to Conditional Use Permit process.

Additional Instructions:

Prior to submitting your Conditional Use Permit Application, you will need to arrange for one or more preliminary meetings with the Director of Community Development. This meeting is intended to ensure that the proposed application is complete, to answer any questions the applicant may have, discuss meeting schedules and, if applicable, the scope of the required submittals.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Complete applications shall be submitted to the Community Development Department one month prior to the Planning Commission's review of the CUP. More information may be requested by the City of Grand Rapids Planning Commission or City Council, if deemed necessary to properly evaluate your request. The lack of information requested may be in itself sufficient cause to deny an application.



October 3, 2017

Eric Trast
Community Development Specialist
City of Grand Rapids
420 North Pokegama Avenue
Grand Rapids, MN 55744-2662

Re: Walmart #1609 Proposed Use for Conditional Use Permit Amendment

Dear Mr. Trast:

The existing Walmart located at 100 SE 29th St, Grand Rapids, MN 55744 is requesting a Conditional Use Permit Amendment from the City of Grand Rapids Community Development Department to allow for a new standalone pre-fabricated parking canopy as part of the Online Ordering Pick-Up Program. Ten (10) designated parking stalls will be located on the south side of the building. The proposed canopy would be covering six (6) of the designated parking stalls.

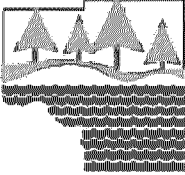
The Pick Up program is a new service where customers may order goods on-line and schedule an appointment to arrive at the store at a certain time to secure their purchases. The nature of this business necessitates designated parking stalls with a protective fabric canopy for identification purposes as well as safe wayfinding for customers throughout the parking lot.

The overall project is consistent with the existing zoning code as it does not change the use or site access. Since it exists today, there will be no blight incurred by the neighborhood. The new grocery pick up program will enhance sales, which in turn drives tax revenues to the county, both in sales tax and employee withholding for new associates to staff the department. This application maximizes the public interest of the neighborhood and county as a significant remodel will enhance the utilization of the existing store as a key economic driver in the community.

Please let me know if there are any questions or concerns by calling me directly at 949-266-7086.

A handwritten signature in cursive script that reads "Jihad Othman".

Jihad Othman
WD Partners
Manager, Planning & Permitting

 <p>Itasca County Parcel Information System Itasca County's Web Site</p>	<p>Mon, Sep 25, 2017</p> <p>Parcel Info Data Date: September 25, 2017 CRV Info Data Date: September 25, 2017 Payment Detail Data Date: September 25, 2017</p>
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- [Parcel Information](#)
 [CRV Information](#)
 [Lake Finder](#)
 [FAQ](#)
 [Request Info](#)

2016 Assessor's Market Values For Taxes Payable In 2017

Parcel Number: **91-718-0110**

Owner of Record WAL-MART REAL ESTATE BUSINESS TRUST
TAX DEPARTMENT #8013
MAIL STOP #0555
1301 SE 10TH STREET

Physical Address:	100 SE 29TH ST GRAND RAPIDS MN 55744
Plat Name:	WAL-MART GRAND RAPIDS
1st Line of Legal Desc:	LOT 1 BLK 1
Deeded Acres:	18.9
Sec-Twp-Rng:	33-55-25
Lake (# / Name):	
Emergency Number:	NOT AVAILABLE



[View the Itasca County GIS map](#) for this parcel in a NEW WINDOW.

This parcel has 1 property tax classification(s). Valuations are provided below for each classification.

<table border="1"> <tr> <td>Class Code 233 Co</td> <td>Preferred</td> </tr> <tr> <td>Land Value:</td> <td>\$880,900</td> </tr> <tr> <td>Building Value:</td> <td>\$9,513,400</td> </tr> <tr> <td>Total Class Value:</td> <td>\$10,394,300</td> </tr> </table>	Class Code 233 Co	Preferred	Land Value:	\$880,900	Building Value:	\$9,513,400	Total Class Value:	\$10,394,300	<p>Total Land Value = \$880,900</p> <p>Total Building Value = \$9,513,400</p> <p>Grand Total Value = \$10,394,300</p>	<p>91-718-0110</p> <p>Click Here To See The Current Year Tax Record For This Parcel</p>
Class Code 233 Co	Preferred									
Land Value:	\$880,900									
Building Value:	\$9,513,400									
Total Class Value:	\$10,394,300									

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Minnesota Counties Information Systems
Grand Rapids, MN
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GRAND RAPIDS, MINNESOTA

STORE NO.: 1609

DRAWING INDEX

GENERAL

C1 COVER SHEET

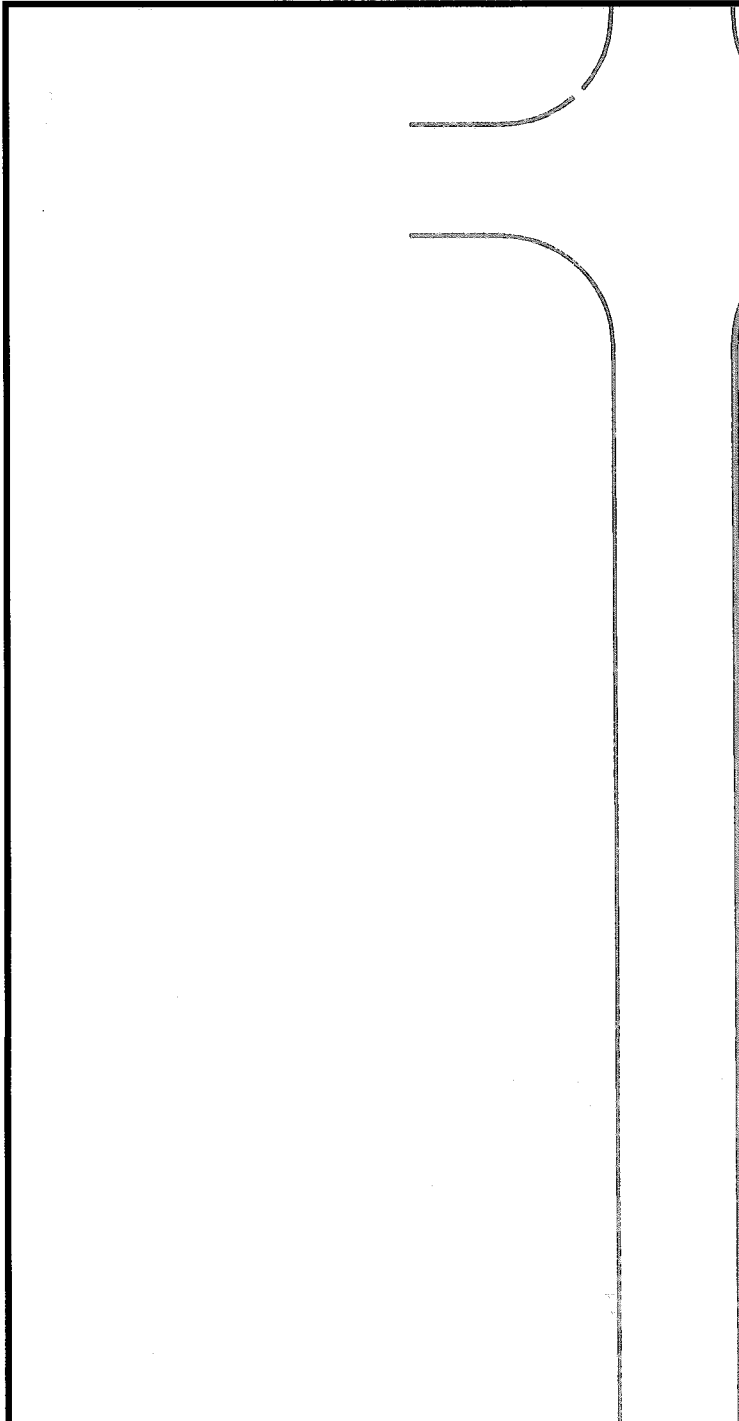
CIVIL

C0.1 COVER SHEET
C0.2 GENERAL NOTES
1/1 TOPOGRAPHY SURVEY
C0.3 OVERALL SITE PLAN
C1.0 DEMOLITION PLAN
C1.1 SITE PLAN
C1.2 GRADING PLAN
C1.3 SITE DETAILS

COVER SHEET - 1609.dwg

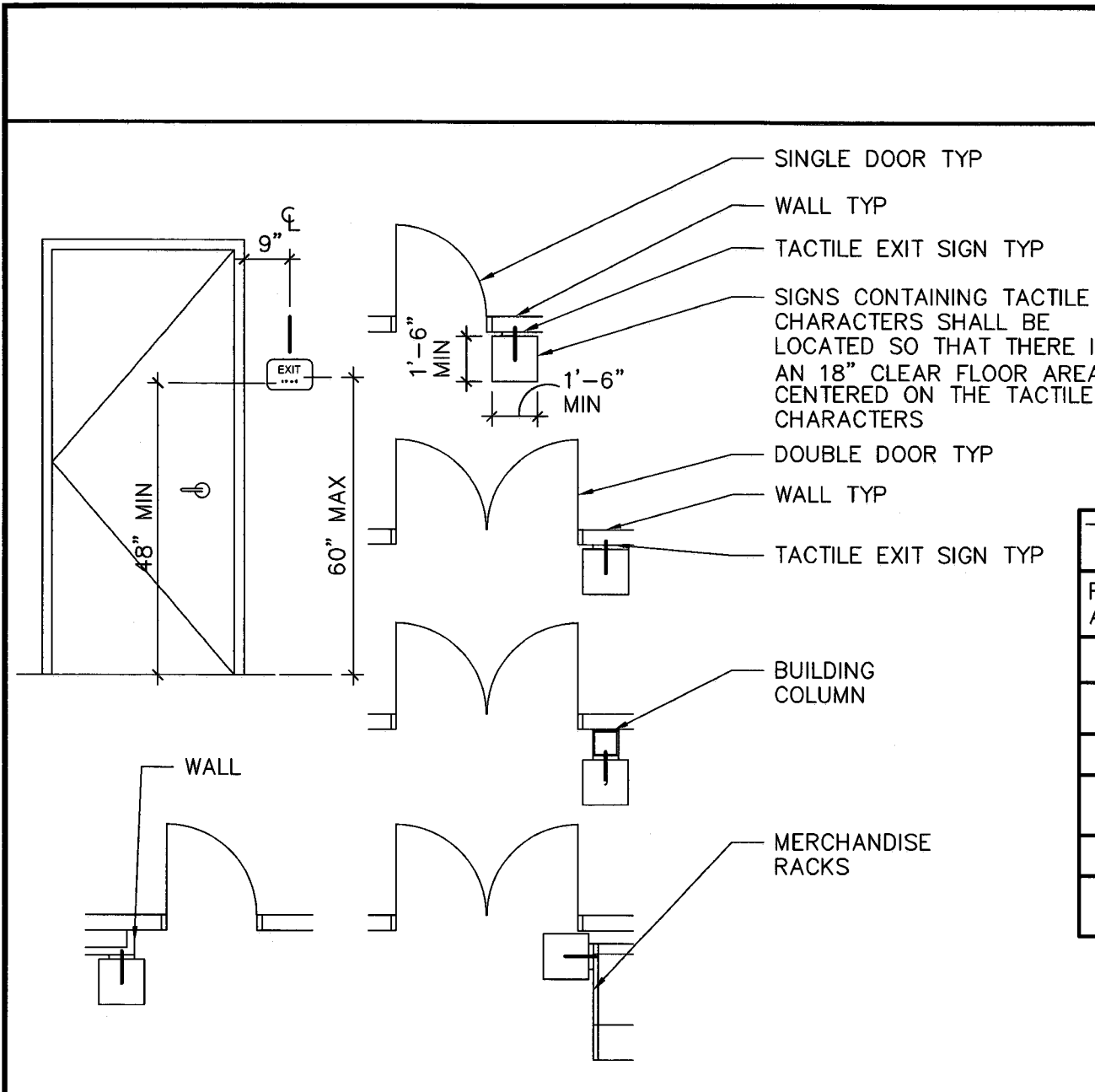
GE
ABBR
AB
ACI
AFF
AHU
AISC
ARCH
ASTM
AWS
BD
BFF
BL
PLSC

D:\ConDocs\6060 - C0.3 OVERALL SITE PLAN - 1609.dwg



D-ConDocs\6065 - C1.0 DEMOLITION PLAN - 1609.dwg

DING PLAN - 1609.dwg



INSECT CONTROL UNIT LEGEND

LEGEND

FINAL NUMBER OF UNITS RECEIVED IS DETERMINED BY THE WALMART FOOD SAFETY & HEALTH PEST MANAGEMENT AND PEST ELIMINATION SERVICES PROVIDER

TYPE	TOTAL	D
D	1	

NOTES:

- ALL UNITS TO BE INSTALLED BY THE PEST ELIMINATION SERVICES PROVIDER
- UNITS ARE NOT TO BE INSTALLED ABOVE ANY FOOD SERVICE/PREP EQUIPMENT
- UNITS ARE TO BE INSTALLED (INDICATED WITH BROWN RECEPTACLES AND COVERS) AS INSTRUCTED WITHIN THE CONSTRUCTION DOCUMENTS. REFERENCE ARCHITECTURAL AND ELECTRICAL DRAWINGS FOR PROPER LOCATION

- EXISTING TO REMAIN
- NEW
- DEMO
- RELOCATE

PICKUP WALL SY

HJC/WALMART CUSTOMER SERVICE
 WMCSR@HJCINC.COM, 800-459-70
 MANUF: idX - www.idxcorporation.
 DIM: EACH PANEL = 47 7/8" H x

FLOOR PLANS AND DETAILS - 1609.dwg

PICKUP SITE DETAILS - 1609.dwg

THROUGH WALL PROTECTION TUBE FURNISHED BY WALMART INSTALLED BY SIGN CONTRACTOR INSTALL PER MFR RECOMMENDATIONS

FULL BED OF MULTI-COMPONENT SEALANT AT PERIMETER OF CONDUIT BY SIGN INSTALLER

INSTALL LETTER BACK PRIOR TO INSTALLATION BY SIGN INSTALLER

HILTI HPS 1/4" X 1 5/8" ANCHOR PROVIDED BY WALMART AT EACH SIGN CONNECTION POINT INSTALLED BY SIGN CONTRACTOR

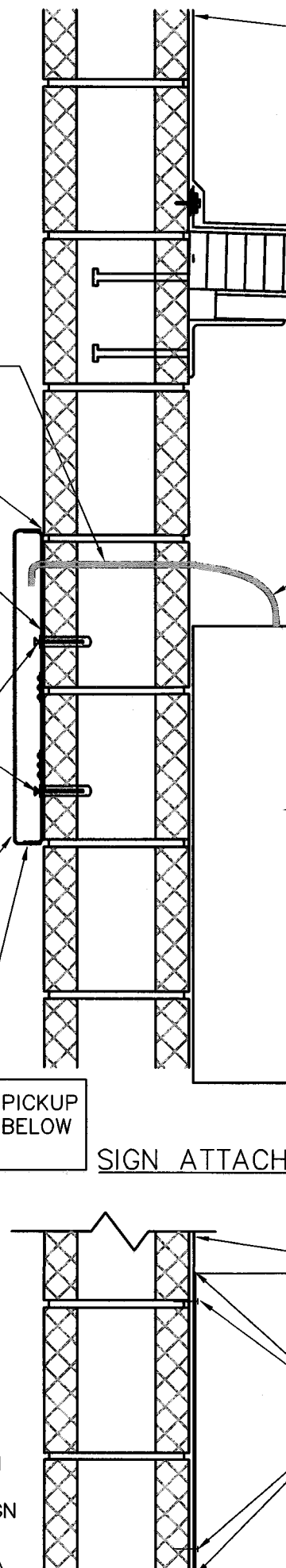
INDIVIDUAL PLASTIC ILLUMINATED CHANNEL LETTERS BY SIGN SUPPLIER

INSTALL LETTER FACES W/ SET SCREWS, TYP BY SIGN INSTALLER

NOTE: G.G TO USE WHEN PICKUP SIGN IS BEING INSTALLED BELOW ROOF DECK

SIGN ATTACH

THROUGH WALL PROTECTION TUBE FURNISHED BY WALMART INSTALLED BY SIGN CONTRACTOR INSTALL PER MFR RECOMMENDATIONS



OWNER FURNISHED AND INSTALLED

DETAIL REFERENCES

MARK	ROOM NAME	DOOR				
		TYPE	MATERIAL	COLOR	QTY	WIDTH
993A	HALLWAY	G	HM-STL	PREFINISHED	1	3' - 0"

DOOR SCHEDULE NOTES

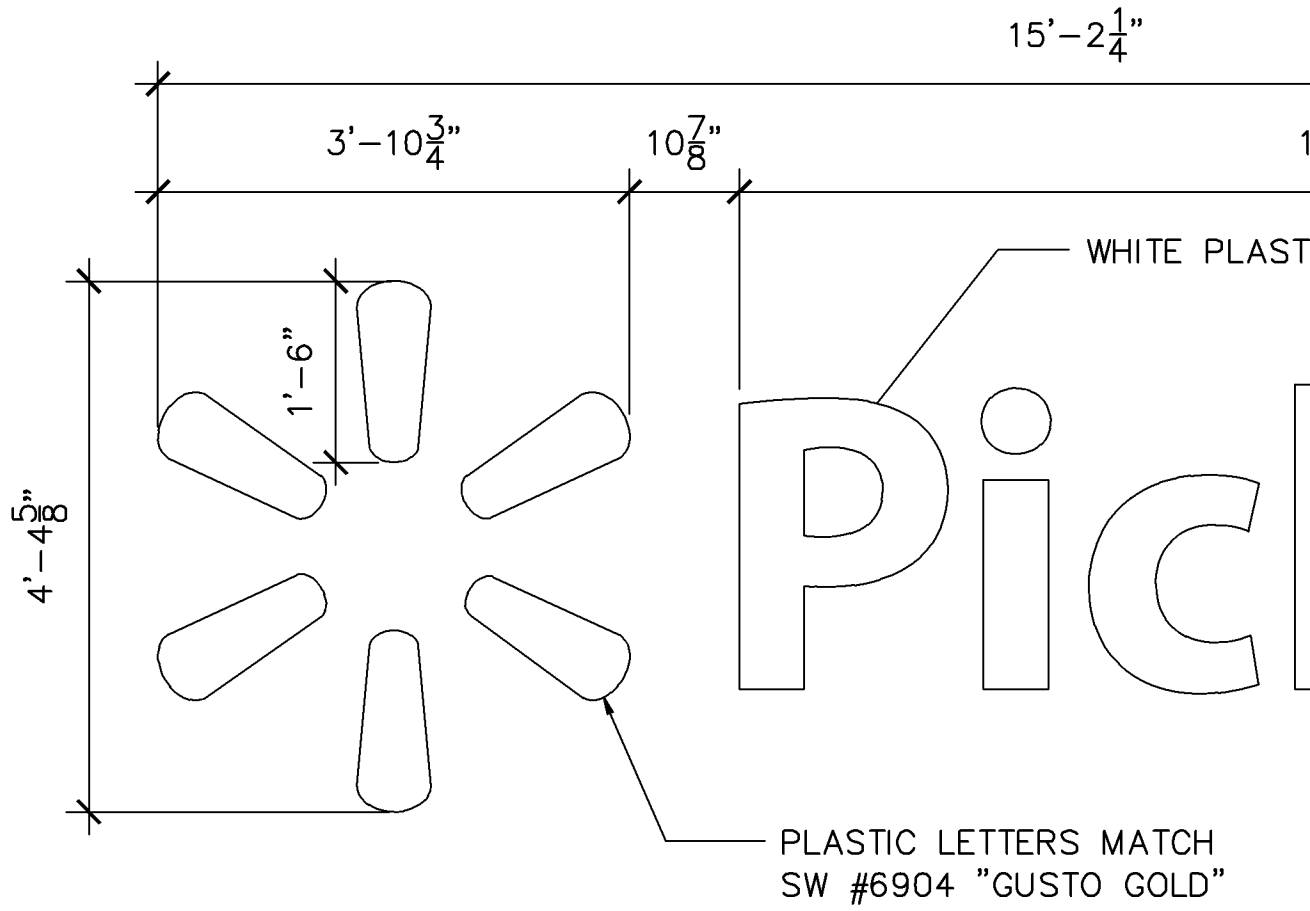
MATERIAL KEY

32	INSTALL STAND ALONE CARD SWIPE, REF ELECTRICAL	HM-STL	HOLLOW METAL-
		TEMP	TEMPERED
33	DOOR, DOOR HARDWARE, AND HARDWARE FURNISHED AND INSTALLED BY VENDOR		
34	FIELD VERIFY DOOR SIZE PRIOR TO ORDERING		

Walmart







EXISTING SIGNAGE

