

## Legislation Details (With Text)

<b>File #:</b>	2016-0805	<b>Name:</b>	
<b>Type:</b>	Public Hearing - Sworn	<b>Status:</b>	Passed
<b>File created:</b>	12/9/2016	<b>In control:</b>	City Council - Regular Session
<b>On agenda:</b>	2/2/2017	<b>Final action:</b>	
<b>Title:</b>	CONTINUED PUBLIC HEARING - Appl. #PL2016-184 - SPECIAL USE PERMIT renewal for outdoor storage of temporary storage containers - Walmart, 1000 NE Sam Walton Lane; Walmart Real Estate Business Trust, applicant.		
<b>Sponsors:</b>	Planning and Special Projects		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. PC Minutes, 2. Staff Letter, 3. Site Plan, 4. Photos of Surrounding Properties, 5. Location Map		

Date	Ver.	Action By	Action	Result
2/2/2017	1	City Council - Regular Session	approved with conditions	Pass
1/10/2017	1	Planning Commission	recommended for approval	Pass
12/13/2016	1	Planning Commission	continued	Pass

CONTINUED PUBLIC HEARING - Appl. #PL2016-184 - SPECIAL USE PERMIT renewal for outdoor storage of temporary storage containers - Walmart, 1000 NE Sam Walton Lane; Walmart Real Estate Business Trust, applicant.

### Issue/Request:

The applicant requests renewal of the special use permit to allow for the continued use of 25 temporary storage containers located on the west and southwest areas of the property, to the rear of the building. The applicant requests use of the containers on the property from October 1<sup>st</sup> to December 31<sup>st</sup> each year for a period of 10 years. The containers are used for storage of additional inventory during the holiday season.

The original special use permit was approved on October 8, 1996, for a period of 10 years. The original approval granted the use of 18 temporary storage containers from October 15<sup>th</sup> to December 10<sup>th</sup> each year. The special use permit was renewed in 2007 for an additional 10 years from the date of the original expiration. As part of the renewal, the number of containers allowed on the property was increased from 18 to 25, and the date range that the containers were allowed to be used on the property was expanded to span from October 1<sup>st</sup> to December 31<sup>st</sup>.

### Proposed City Council Motion:

I move to direct staff to present an ordinance approving Continued PUBLIC HEARING - Appl. #PL2016-184 - SPECIAL USE PERMIT renewal for outdoor storage of temporary storage containers - Walmart, 1000 NE Sam Walton Ln; Walmart Real Estate Business Trust, applicant

Recommendation: Staff recommends **APPROVAL** of the special use permit, subject to the following:

1. The special use permit shall be granted for a period of 10 years, from the previous expiration date, to expire on October 8, 2026.

2. No more than twenty-five (25) 8 foot x 40 foot storage containers shall be allowed.
3. Containers shall be allowed for a period of twelve weeks. The containers shall not be placed on the premises prior to October 1<sup>st</sup>, and shall be removed no later than December 31<sup>st</sup> of each calendar year during which the special use permit is effective.
4. The container storage areas shall be as shown on the original site plan dated August 7, 2007, and shall remain outside the fire lanes.

Committee Recommendation:

**PLANNING COMMISSION ACTION:** On motion of Mr. DeMoro and seconded by Mr. Funk, the Planning Commission voted four "yes" (Mr. Lopez, Mr. Norbury, Mr. Funk and Mr. DeMoro) and two "no" (Mr. Gustafson and Ms. Roberts) by voice vote to **APPROVE Appl. #PL2016-184 - SPECIAL USE PERMIT renewal for outdoor storage of temporary storage containers** - Walmart, 1000 NE Sam Walton Ln; Walmart Real Estate Business Trust, applicant, subject to staff's letter, dated January 6, 2017, recommendation items 1-4.