



CONDITIONAL USE PERMIT APPLICATION CHECKLIST

Applications will be scheduled for consideration by the Planning Commission and/or City Council only after all required materials have been submitted. Application submittal deadlines are available on the City's website or by contacting the Community Development Manager.

Late or incomplete applications will not be accepted.

Office Use Only:

Case #: _____

Applicant: _____

Address: _____

A. PURPOSE: The development and execution of this chapter [conditional uses] 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, cannot be properly classified in any district or districts without consideration, in each case, of the impact of those uses on neighboring land or the public need for the particular location. To provide for these needs, the council may by resolution approve a conditional use for those uses and purposes, and may impose conditions and safeguards in such permits to ensure that the purpose and intent of this chapter is carried out.

B. APPLICATION REQUIREMENTS:

The following materials must be submitted for the application to be considered complete:

Completed Planning Application, with signatures/dates from the Applicant and/or Property Owner, if different from the Applicant. The application must also include the attached "Statement Explaining Escrow Fee Payment" form, to be signed by the Applicant.

Fee (*including escrow*) as noted in the attached Fee Schedule with Planning Application. Checks made payable to **City of Mendota Heights**.

NOTE: Planning Application fees and escrow fees do not cover building permit fees, utilities, or other fees which may be required after application approval or to complete the proposed project.

Letter of Intent. The Applicant's letter must include a detailed narrative describing and justifying the need of the conditional use; and provide a response statement to the following standards (*as they apply to the proposed project or use*):

- a) *The proposed use will not be detrimental to the health, safety or general welfare of the community;*
- b) *the proposed use will not cause serious traffic congestion nor hazards;*
- c) *the proposed use will not seriously depreciate surrounding property value; and*
- d) *the proposed use is in harmony with the general purpose and intent of the City Code and the comprehensive plan.*

One (1) electronic copy via email, flash-drive or similar, plus two (2) full-sized hard copy sets with measurable scale of all required plans

Electronic and hard copies of all the required materials must be submitted according to the Planning Application submittal schedule.

APPLICANT MUST CHECK ALL APPLICABLE ITEMS INCLUDED IN THE SUBMITTAL

1. Site and/or Development Plan, which shall include the following:

- Location of all buildings, including existing and proposed.
- Location of all adjacent buildings located within 350' of the exterior boundaries of the property.
- Floor area ratio.
- Location and number of existing and proposed parking spaces.
- Vehicular circulation.
- Architectural elevations (type and materials used on all external surfaces).
- Sewer and water alignment, existing and proposed.
- Location and candle power of all lights and luminaries.
- Location of all existing easements.

2. Dimension Plan, which shall include the following:

- Lot dimensions and area.
- Dimensions of proposed and existing structures.
- "Typical" floor plan and "typical" room plan.
- Setbacks on all structures existing or proposed on property in question.
- Proposed setbacks.

3. Grading Plan, which shall include the following:

- Existing contour.
- Proposed grading elevations.
- Drainage configuration.
- Storm sewer catch basins and invert elevations.
- Spot elevations.
- Proposed road profile.

4. Landscape Plan, which shall include the following:

- Location of all existing trees, type, diameter and which trees will be removed.
- Location, type and diameter of all proposed plantings.
- Location and material used of all screening devices.

C. REFERRAL TO PLANNING COMMISSION: The city clerk shall refer all applications for a conditional use permit to the planning commission. The council may, of its own motion, initiate the request for a conditional use permit and refer the same to the planning commission. Upon receipt of the application and other requirements of this chapter, the city clerk shall establish the date for a public hearing and shall be responsible for the mailing and publication of hearing notices.

D. PLANNING COMMISSION HEARING AND RECOMMENDATIONS: The planning commission shall hold a public hearing on such request for a conditional use permit affording an opportunity for all parties interested to be heard. The city clerk shall give not less than ten (10) days' nor more than thirty (30) days' notice of the time and place of such hearing published in the designated legal newspaper for the city, and such notice shall contain a description of the property for which such conditional use permit is proposed and the proposed conditional use. At least ten (10) days before the hearing, an identical notice shall be mailed to the owner or owners of the property in question and to each of the property owners within three hundred fifty feet (350') of the outside boundaries of the property for which said conditional use permit is requested. Failure to mail such notice or failure of the property owners to receive said notice shall not invalidate the proceedings. Within sixty (60) days after the date of reference by the council, the planning commission shall make a written report to the council stating its findings and recommendations.

E. ACTION BY CITY COUNCIL:

1. **Grant of Permit:** In considering an application for a conditional use permit under this chapter, the council shall consider the advice and recommendations of the planning commission and the effect of the proposed use upon the health, safety, and welfare of occupants or surrounding lands, existing and anticipated traffic conditions including parking facilities on adjacent streets, and the effect of the proposed use on the comprehensive plan. If the council shall determine that the proposed use will not be detrimental to the health, safety or general welfare of the community, nor will cause serious traffic congestion nor hazards, nor will seriously depreciate surrounding property value, and that the same is in harmony with the general purpose and intent of this chapter and the comprehensive plan, the council may grant such conditional use permit imposing conditions and safeguards therein. The city council may, by an affirmative vote of the majority of all members thereof, approve a conditional use permit. The city council may, by an affirmative vote of the majority of all members thereof, approve a conditional use permit for planned unit development.
2. **Denial of Permit:** Conditional uses may be denied by resolution of the city council, and such resolution shall include a finding and determination that the conditions required for approval do not exist. No application for a conditional use which has been denied wholly or in part shall be resubmitted for a period of six (6) months from the date of said order of denial, except on grounds of new evidence or proof of change of conditions found to be valid by the planning commission.

F. REVOCATION OF PERMIT: A violation of any condition set forth in a conditional use permit shall be a violation of this chapter and automatically terminates the conditional use permit.