

RESOLUTION NO. 2020-15

A resolution of the City Council for the City of Columbia Heights, Minnesota, approving a Conditional Use Permit for a wireless communication tower and Conditional Use Permit for a fence 8 feet in height for the property located at 3939 Central Avenue NE, subject to certain conditions of approval.

Whereas, a proposal (Planning Case 2020-1202) has been submitted by SEH on behalf of the City of Columbia Heights, requesting a Conditional Use Permit for a wireless communication tower and a fence to be 8 feet in height at the following site:

ADDRESS: 3939 Central Ave NE. PID 36-30-24-33-0158

LEGAL DESCRIPTION: On file at City Hall

THE APPLICANT SEEKS THE FOLLOWING: Conditional Use Permits

Whereas, the Planning Commission held a public hearing as required by the City Zoning Code on December 1, 2020;

Whereas, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed Conditional Use Permits upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas;

Now, therefore, in accordance with the foregoing, and all ordinances and regulations of the City of Columbia Heights, the City Council of the City of Columbia Heights makes the following:

FINDINGS OF FACT

- (a) The use is one of the conditional uses listed for the zoning district in which the property is located, or is a substantially similar use as determined by the Zoning Administrator.
- (b) The use is in harmony with the general purpose and intent of the Comprehensive Plan.
- (c) The use will not impose hazards or disturbing influences on neighboring properties.
- (d) The use will not substantially diminish the use of the property in the immediate vicinity.
- (e) The use will be designed, constructed, operated, and maintained in a manner that is compatible with the appearance of the existing or intended character of the surrounding area.
- (f) The use and property upon which the use is located are adequately served by essential public facilities and services.
- (g) Adequate measures have been or will be taken to minimize traffic congestion on the public streets and to provide for appropriate on-site circulation of traffic.

(h) The use will not cause a negative cumulative effect, when considered in conjunction with the cumulative effect of other uses in the immediate vicinity.

(i) The use complies with all other applicable regulations for the districts in which it is located.

Further, be it resolved, that the attached plans, maps, and other information shall become part of this Conditional Use Permit approval; and in granting this Conditional Use Permit approval, the City and the applicant agree that this permit shall become null and void if the project has not been completed within one (1) calendar year after the approval date, subject to petition for renewal of the permit. This approval is subject to certain conditions that have been found to be necessary to protect the public interest and ensure compliance with the provisions of the Zoning and Development Ordinance, including:

CONDITIONS

1. The area surrounding the tower/fence shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from surrounding property. The standard buffer shall consist of a landscaped strip 10 feet wide outside the perimeter of the compound. Existing mature growth and natural land forms on the site shall be preserved to the maximum extent possible.
2. All required state and local codes, permits, licenses and inspections will be met and in full compliance.

ORDER OF COUNCIL

Passed this 14th day of December, 2020

Offered by:

Seconded by:

Roll Call:

Donna Schmitt, Mayor

Attest:

Nicole Tingley, City Clerk/Council Secretary