

## RESOLUTION NO. 2024-068

A resolution of the Planning Commission for the City of Columbia Heights, Minnesota, recommending approval of a Conditional Use Permit for the property located at 999 50<sup>th</sup> Avenue NE (PID: 25-30-24-23-0002) in the City of Columbia Heights, MN;

**Whereas**, a proposal (Planning Case # 2024-0905) has been submitted by Civil Site Group on behalf of Tsunami Express Car Wash as the property owner to the Planning Commission requesting approval of a Conditional Use Permit at the following location:

ADDRESS: 999 50<sup>th</sup> Avenue NE (PID: 25-30-24-23-0002)

### EXISTING LEGAL DESCRIPTION:

That part of Lots 8 and 9, Auditors Subdivision No. 153 LYG, Anoka County, Minnesota, lying Westerly of a line described as follows:

THAT PART OF LOTS 8 & 9 AUDITORS SUBDIVISION NO 153 LYG ELY & SLY OF ALDI ADDITION, WLY OF MATHAIRE ADDITION & NELY OF 50TH AVE NE

### THE APPLICANT SEEKS THE FOLLOWING:

1. Conditional Use Permit to allow an eight (8') foot tall over-height sound barrier along the eastern/northern property line of the lot at 999 50<sup>th</sup> Avenue NE in accordance with City Code Section 9.106 (E)(3)(a).

**Whereas**, the Planning Commission held a public hearing as required by the City Zoning Code on November 6, 2024;

**Whereas**, the Planning Commission has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed Conditional Use Permit upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concern related to traffic, property values, light, air, danger of fire, and risk to public safety, in the surrounding area;

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

### FINDINGS OF FACT

1. 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.
2. The use is in harmony with the general purpose and intent of the comprehensive plan.

3. The use will not impose hazards or disturbing influences on neighboring properties.
4. The use will not substantially diminish the use of property in the immediate vicinity.
5. 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.
6. The use and property upon which the use is located are adequately served by essential public facilities and services.
7. 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.
8. The use will not cause a negative cumulative effect, when considered in conjunction with the cumulative effect of other uses in the immediate vicinity.
9. The use complies with all other applicable regulations for the district in which it is located.

### **CONDITIONS**

1. The site plan included in this submittal shall become part of this approval.
2. The applicant shall submit a building permit application for review and approval prior to construction.
3. Fences greater than seven feet in height shall be of an engineered design and capable of withstanding the applicable wind loads in the Minnesota State Building Code.
4. The sound barrier wall/fence shall be constructed in the manner specified in the Noise Impact Study recommendations dated October 30, 2024 including construction requirements that the barrier meet the minimum acoustical rating of STC 22 or a mass no less than 2 pounds per square foot, the panels screwed together instead of nailed, and that there is an overlapping, 1" (nominal thickness) assembled so that the total actual thickness of the wall is at least 1-1/2" along the entire length of the wall.
5. The applicant shall be responsible for conducting routine inspections to ensure that the sound barrier wall/fence is maintained and upkept.
6. Post-construction sound testing is required to demonstrate compliance with the recommendations made in the Noise Impact Study and ensure that the wall meets the MPCA standards for noise.
7. All other applicable local, state, and federal requirements shall be met at all times.

Passed this 6<sup>th</sup> day of November, 2024

Offered by:

Seconded

by:

Roll Call:

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Clara Wolfe, Chair

Attest:

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Andrew Boucher, City Planner