



PLANNING COMMISSION

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| AGENDA SECTION | PUBLIC HEARINGS  |
| MEETING DATE   | NOVEMBER 6, 2024 |

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| ITEM:       | Site Plan Review for 999 50 <sup>th</sup> Avenue NE |  |
| DEPARTMENT: | Community Development                               | BY/DATE: Andrew Boucher, City Planner; 11/1/24 |

- CASE NUMBER:** 2024-0904
- APPLICANT:** Civil Site Group on behalf of Tsunami Express Car Wash
- DEVELOPMENT:** Site Plan Review proposing demolition of the existing building at (999 50<sup>th</sup> Avenue NE) in preparation for a new car wash facility.
- LOCATION:** 999 50<sup>th</sup> Avenue NE
- REQUEST:** Site Plan Review
- PREPARED BY:** Andrew Boucher, City Planner

**INTRODUCTION:**

Civil Site Group on behalf of Tsunami Express Car Wash has requested approval of a Site Plan Review proposing demolition of the existing vacant office building in preparation for new construction of a car wash (between the intersection of 50<sup>th</sup> Avenue NE and Tyler Street NE off Central Avenue NE). The Site Plan Review only requires Planning Commission approval.

The applicant is proposing to demolish the existing approximately 7,000 sq. ft. vacant building on the 0.83-acre parcel and construct a new single-story 4,300 sq. ft. building containing the car wash bay, mechanical room, storage, office, and restroom as well as two accessory buildings including a 100 sq. ft. employee sales booth and 100 sq. ft. vacuum pump house serving 12 vacuums along the parking stalls; 8 on the north side and 4 on the south side. The subject site is located towards the northern end of the municipal boundary along Central Avenue and the surrounding adjacent properties to the immediate north, west, and south are all zoned for Commercial use through the General Business District. The property also abuts several residential neighborhoods to the north, east, and south containing multi-family, duplexes, and single-family residential zoning adjacent to Central Avenue.

The proposed site plan that was presented at the October 1, 2024 Planning Commission incorporated feedback from staff, members of the public, and the Planning Commission. The applicant has removed six of the vacuums so there are eight along the north side and four along the south side of the parking lot. Other changes include 3-6 foot shrubs along the south side of the parking lot as well as a 5.5 foot tall barrier to mitigate noise and prevent headlights from affecting the adjacent residential properties to the south. A 12-foot tall "wing-wall" connected to the south side of the car wash exit. The sound study was prepared under the worst-case scenario reflecting that the blowers will be on when the exit doors are open.

The subject site is zoned, General Business District, and the use as a car wash is a permitted use in the district subject to Specific Development Standards 9.107 (10) for a car wash. The proposed site plan, as conditioned,

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shall meet the specific developments applying to car washes including:

- (a) Water from the car wash shall not drain across any sidewalk or into any public right-of-way;
- (b) Vacuum facilities shall be located in an enclosed structure or located at least 50 feet from any residential property line to avoid noise impacts.
- (c) The premises, all adjacent streets, sidewalks, and alleys, and all sidewalks and alleys within 100 feet of the use shall be inspected regularly for the purposes of removing litter found thereon.

The proposed site plan shows 18 parking stalls and four (4) stacking spaces in two (2) lanes for a total lane queue length of eight (8) total vehicles at the entrance. The required parking and vehicle stacking for an automobile washing facility is two (2) spaces per bay, plus four (4) stacking spaces per bay with one (1) space at the bay exit.

## **COMPREHENSIVE PLAN**

The City's 2040 Comprehensive Plan guides the subject site, as well as properties to the north and east for "commercial land use" with additional "commercial land use" to the south as well as "medium density and low density residential" further to the south and east of the commercial parcels. The Plan describes the "commercial" designation as follows:

*The Commercial land use designation is primarily located along major transportation corridors and includes a variety of retail uses, services, and office uses.*

The subject site also lies within "Opportunity Area #2B" of the Comprehensive Plan which overlays the segment of the Central Avenue from 37<sup>th</sup> Avenue NE to the Fridley Border, specifically between Central Avenue NE and 49<sup>th</sup> Avenue NE. In this regard, the Plan identifies the area as having development potential for future commercial use. Some of the guiding principles for redevelopment include commercial uses with appropriate parking and pedestrian accesses to Central Avenue and emphasizing on businesses that provide goods or services that appeal to the community at large as well as the adjacent neighborhoods. This area is described as having an emphasis on providing sidewalks, four season landscaping, and lighting.

## **SITE PLAN REVIEW**

### **1. Access**

Two accesses to the site are proposed from the south via 50<sup>th</sup> Avenue NE, a 60-foot wide public right of way with a road width of 35 feet back of curb to back of curb, through an existing 24 foot wide driveway with directional markings for vehicles exiting the car wash and entering to use the vacuums with an additional access point at the southeastern corner of the property which has directional markings showing an entrance only for the car wash accommodating the vehicle stacking. As a condition of approval, a 24 foot fire access lane must be maintained for emergency vehicle access.

### **2. Off-Street Parking**

Supply Requirements. The submitted site plan illustrates a total of 18 off-street parking stalls. The Zoning Ordinance requires two (2) spaces per bay plus four (4) stacking spaces for the one (1) car wash bay including

one (1) stacking space at the exit. The Zoning Ordinance also specifies that that employee parking is only required when the parking requirements are based on employee counts, as such, the parking requirements for car washes are determined by the number of service bays and stacking spaces, not employee counts. Appropriately, one off-street parking spaces on the site has been designated as a disability stall (in accordance with the American Disability Act) along with an access aisle striped with “No Parking”. The proposed site plan has more off-street parking than required and has accounted for employee parking needs.

| Use                                   | Ratio   | Required Parking Stalls                                  | Provided Parking  |
|---------------------------------------|---|--|---|
| Car Wash                              | Two (2) parking spaces per bay                                      | 2  | 18 (+16)  |
| Automobile washing facility–automatic | Four (4) stacking spaces per bay with one (1) space at the bay exit | 4 stacking spaces at entrance; 1 stacking space at exit. | 8 stacking spaces at entrance; 1 stacking space at exit |
| <b>Total</b>                          |   | <b>2 spaces</b>  | <b>18 spaces (+16)</b>                                  |

A traffic study was commissioned by the applicant and prepared by a licensed independent engineering firm which shows the anticipated traffic using trip generation estimates for trips during weekday a.m. and p.m. peak hours as well as a daily basis. The Trip Generation Summary provides estimates demonstrates on the in/out traffic for the a.m. and p.m. peak hours as well as the daily trips between the proposed car wash and the previous office use with the following trip estimates as shown:

| Land Use Type (ITE Codes)        | Size                | AM Peak Hour |            | PM Peak Hour |           | Daily       |
|----------------------------------|---------------------|--------------|------------|--------------|-----------|-------------|
|                                  |                     | In           | Out        | In           | Out       |             |
| <b>Proposed Development</b>      |                     |              |            |              |           |             |
| Automated Car Wash (947-949)     | 1 – Tunnel/4,500 SF | 15           | 15         | 30           | 30        | 300         |
| <b>Former Land Use</b>           |                     |              |            |              |           |             |
| Office (710)                     | 12,500 SF           | 25           | 3          | 3            | 25        | 190         |
| <b>Overall Site Change (+/-)</b> |                     | <b>-10</b>   | <b>+12</b> | <b>+27</b>   | <b>+5</b> | <b>+110</b> |

Trips were routed to the adjacent roadway network using the following distribution based on existing area travel patterns and engineering judgement:

- Central Avenue (Highway 65) North and South: 35% each
- Tyler Street: 15%
- 50<sup>th</sup> Avenue West, 50<sup>th</sup> Avenue East, and Polk Place: 5% each

The traffic study indicates that all applicable intersections will continue to operate at Level-of-Service C or better and all approaches will continue to operate near the Level-of-Service D/E threshold or better during the peak hours. Minimal changes in queuing are expected nor any impacts to the proposed development driveways are expected. The daily traffic volume changes along Polk Place, 50<sup>th</sup> Avenue, and Tyler Street

are minimal and within a typical daily variation of most roadways. The provided vehicle stacking distance is adequate and no impacts to 50<sup>th</sup> Avenue are expected.

Some recommendations the traffic study urges the City to consider are locating signage and landscaping to avoid any sight distance issues, review truck maneuverability to limit internal circulation conflicts, and adding a stop or yield sign along Tyler Street at 50<sup>th</sup> Avenue to better define the right-of-way for motorists and reduce potential conflicts. As conditioned, the proposed site plan shall meet vehicle access, stacking, and parking requirements in accordance with City Code.

Dimensional Requirements. The proposed off-street parking stalls meet the minimum dimensional requirements of the Ordinance (9 feet in width and 20 feet in depth, 18 feet for stalls which abut curbs) and the provided 24 foot-wide drive aisle is the minimum width required by the Ordinance.

Building, Parking, and Vacuum Area Setbacks. Within GB zoning districts, the following setbacks are imposed:

| Parking Setbacks: |                 |                 |                 | Building Setbacks: |                 |                  |                 |
|-------------------|-----------------|-----------------|-----------------|--------------------|-----------------|------------------|-----------------|
| Front:<br>15 feet | Side:<br>5 feet | Rear:<br>5 feet | Side:<br>5 feet | Front:<br>15 feet  | Side:<br>0 feet | Rear:<br>20 feet | Side:<br>0 feet |

The proposed site plan configuration would result in the following setbacks for Tsunami Express Car Wash:

| Parking Setbacks: |                         |                             |                                   | Building Setbacks:           |                           |                    |                                   |
|-------------------|-------------------------|-----------------------------|-----------------------------------|------------------------------|---------------------------|--------------------|-----------------------------------|
| Front:<br>26 feet | Side (Aldi):<br>45 feet | Rear:<br>Approx. 60<br>feet | Side<br>(Residential):<br>35 feet | Front:<br>Approx. 70<br>feet | Side (Aldi):<br>49.5 feet | Rear:<br>28.6 feet | Side<br>(Residential):<br>40 feet |

In addition to the building and parking setbacks, car washes have specific development standards requiring that the vacuum facilities must be located in an enclosed structure or located 50 feet from any residential property lines, which will be a condition of approval. The proposed site plan as presented will have building and parking lot setbacks that conform with 9.110 Commercial Districts (C) Lot dimension, height, and bulk requirements. The lot area, setback, height and lot coverage proposed satisfy these requirements. The vacuums, as conditioned, will meet the specific development standard setback of 50 feet from residential property lines and/or be enclosed.

If snowfall exceeds the storage of the designated area, then it shall be required to be removed from the property. The proposed site plan, as presented, meets the parking and stacking requirements. As conditioned, the proposed site plan shall accommodate vehicle access and stacking in accordance with City Code.

**3. Business Hours**

It is understood that the car wash is proposing 7AM – 8PM hours of operation, Monday – Sunday, and any vacuum use shall be limited to hours of operation as a condition of approval.

**4. Trash**

A trash enclosure is shown on the site plan on the western side of the property alongside the parking lot and

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in the architectural renderings as being 6 feet, 11 inches from the slab and surrounded by at least three sides with screening walls that are similar to the construction material used on the new building. The open side of the enclosure shall not face any public street or the front yard of any adjacent property. Garbage pickup is expected to occur outside of business hours.

#### **5. Signage**

The applicant has submitted drawings for on-site signage which will require a building permit and are subject to review for compliance by City Staff. As a condition of approval, all signage shall be reviewed by the City for approval.

#### **6. Fire Access**

The fire lane shall be marked with yellow curb paint and signage that states “No Parking – Fire Lane”. As a condition of approval, this will be required to remain.

#### **7. Pedestrian and Bicycle Access**

The site does not have pedestrian or bicycle access along 50<sup>th</sup> Avenue NE and that access ends at the Aldi property in alignment with Central Ave. The applicant is proposing sidewalk from the edge of the western access to the site and connecting the sidewalk to the access on the eastern side of the property continuing the connection from the Aldi property and ending before the residential neighborhood. The 2040 Comprehensive Plan land use goals state that sites should have pedestrian and bicycle access. Pedestrian access is satisfied, but the site should incorporate a bicycle parking area to satisfy this goal. Staff is recommending that a bicycle rack capable of accommodating two to four bicycles be a condition of approval.

#### **8. Exterior Lighting**

The applicant has provided a lighting plan and specifications for the proposed lighting fixtures satisfying the requirements of 9.106 General Development Standards (K) and addresses potential security concerns from Public Safety. One of the SCM-LED-08L-SC-40 lighting fixtures was relocated so there is no more than 0.5 footcandles along the eastern property line.

#### **9. Loading Area**

The applicant is not proposing any discernable loading areas and the code requirements for off-street loading spaces apply to non-residential uses receiving or distributing materials or merchandise by trucks or similar vehicles and has a gross floor area of 5,000 sq. ft. or more are not applicable to this proposal. The loading area requirements are satisfied per 9.106 General Development Standards (L) (12) as there are no deliveries beyond standard commercial delivery vehicles (UPS, Fed-Ex, and USPS) occurring at the front door. A truck turning diagram has been provided showing that garbage trucks can make the appropriate turns and maneuvers within the site.

#### **10. Tree Preservation and Replanting Standards**

The applicant meets the Tree Preservation and Replanting Standards in 9.106 General Development Standards (M) and has provided both a tree preservation and landscaping plan showing location, size, quantity, and species of all existing and proposed plant materials subject to design standards and considerations reviewed by the Urban Forester. The Urban Forester is satisfied with the proposed preservation and landscaping plan, but recommends and encourages the applicant to work with Aldi to remove undesirable weed trees from the north of the property that leaning heavily over the property line. The tree preservation identifies 15 trees to be removed, one of which is considered a protected tree, and is proposing to preserve four (4) of the existing trees. The applicant is required to provide one tree for every 50 feet of street frontage and the property has 224 feet

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of frontage for a total of four (4) trees, a minimum of four (4) trees per one acre of lot coverage, and five (5) replacement trees per the replacement standards for a total of 13 trees proposed. Additionally, the applicant is proposing landscaping containing native plantings and pollinator friendly habitats for the majority of the trees, shrubs, and grasses used. The applicant is showing 3-6 foot tall shrubs along the south side of the parking lot facing 50<sup>th</sup> Avenue NE to serve as a buffer and minimize any headlight spillover from vehicles onto the adjacent residential property.

As a condition of approval, the applicant is required to provide a letter of credit or other security as acceptable to the City and shall be deposited with the Zoning Administrator, in an amount equal to 100% of the estimated cost of landscaping and/or screening. The letter of credit or other security as acceptable to the City, or portions thereof, shall be forfeited to maintain and/or replace materials for a period of time to include at least two growing seasons. A portion of the letter of credit or other security as acceptable may be released after one growing season as determined by the Zoning Administrator. The property owner shall be responsible for continued maintenance of landscaping and screening materials to remain in compliance with the requirements of this section. Plant materials that show signs of disease or damage shall be promptly removed and replaced within the next planting season.

### **11. Building Design**

The proposed site is considered part of the Highway District in the City Design Guidelines and is subject to the standards and requirements of that design district. The proposed site plan demonstrates compliance with the design objectives of the Highway District, the building is set back from the street behind a parking lot and along a frontage road. The architectural renderings and site plan, as conditioned, show compliance with building configuration, façade and roof treatments, window and door openings, building equipment, drive-through facilities, landscaping and parking meet the design guidelines. Any proposed signage will be subject to the design standards as a condition of approval.

### **12. Performance Standards**

The applicant shows a 5' retaining wall along the eastern property line as the site is 5 feet lower in elevation than the residential property adjacent to the site. The applicant has provided information on the proposed lighting plan showing photometrics, the reclaim system and equipment as well as safety data sheets for all chemicals used for operations. The applicant also shows a series of proposed shrubs along the southern parking spaces facing 50<sup>th</sup> Avenue NE with an anticipated mature height of between three to six feet as a means of minimizing any spillover lighting from cars using the vacuums onto residential properties. As a condition of approval, the applicant is required to implement the recommendations of a noise impact study to minimize the impact that the car wash and vacuum operations are going to have on the adjacent residential properties.

### **13. Noise Mitigation**

The applicant was required to provide a noise impact study and implement the recommendations to minimize the impact that the car wash and vacuum operations are going to have on the adjacent residential properties. The Minnesota Pollution Control Agency defined the noise limit for Residential zones at the property lines at 60 dB(A), decibels and A-weighting of the sound pressure level for the purpose of determining the human response to sound through MN Statute § 7030 Noise Pollution Control.

The noise study indicates that the carwash-related noise levels will not exceed the residential limits with the addition of an 8' tall sound barrier (which requires a Conditional Use Permit) along the east and north property lines on top of the planned retaining wall with the combined height extending 4' above the top of the car wash entry doors. There are minimum acoustic requirements for the sound barrier wall: constructed from a material

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with a minimum acoustical rating of STC 22 or a mass no less than 2 pounds per square foot. An example of a suitable material would be overlapping, 1" (nominal thickness) cedar or pine planks, assembled so the total, actual thickness of the wall is at least 1-1/2" along the entire length of the wall. These need to be screwed together so the natural warping over time does not cause the planks to pull apart and create gaps; the wall must be constructed tight to the ground and must be inspected, maintained, and upkept over time. Post-construction sound testing will be required to confirm the barrier was built to the recommendations specified. Other operational requirements include a muffler on the vacuum pump house, increasing the height of the retaining wall, removal of 6 vacuums along with the installation of a 12-foot "wing wall" on the south side of the carwash exit.

#### **14. Neighborhood Notification**

As required, neighborhood notification of the site plan review applications have been provided to property owners within 350 feet of the subject property and that list of property owners is attached. At the time of this report, City Staff has received the following written comments and one verbal phone call from a resident as well as a few in-person visits; 6 of the written comments are from residents within the mailing radius.

Linda Rogers at 1057 Polk Place provided the written comment attached as she is opposed to the proposed site plan citing concerns with the existing traffic increases from Aldi, additional cars entering and exiting the car wash, and noise from both the car wash and vacuum operations.

Dana Alexon at 1035 Lincoln Terrace provided the written comments attached and had initial comments on traffic increasing, how the existing area handles traffic, and concerns over the sight lines considering the vehicle queuing and topography. Other remarks were made on the traffic lights and traffic lane arrangement at 50<sup>th</sup> and Central regarding marking, striping, and signage that is not being maintained, used incorrectly, and the signal timing is not effective enough to give adequate time for certain turns and contributes to risky decision-making by drivers. An additional written comment identified more specific concerns such as sight lines on the hill serving nearby residential streets, room for potential expansion in the future, employee parking, and other concerns related to overflow and queuing access onto adjacent streets.

Steve and Janine Ess at 5030 Mulcare Drive provided the written comment attached as they are concerned about the heavy traffic trying to get onto Central Avenue and 50<sup>th</sup> Avenue NE from the existing businesses.

Samantha Koshiol at 1240 Lincoln Terrace provided the written comment attached as she is opposed to the proposed site plan and has concerns that the intersection cannot currently support the existing vehicle traffic from the businesses and school traffic along with concerns about noise.

Garedew Ergette at 5000 Fillmore Street NE provided the written comment attached as they have concerns about the intersection and traffic from the existing businesses such as ALDI, Heights Bakery, Jimmy John's, safety concerns for multi-modal transportation users citing the lack of sidewalks, traffic backup, and concerns over the impact on property values and noise/emissions.

Carrie Gille at 3956 Reservoir Boulevard provided the written comment attached as she has concerns about noise, pollution, traffic and safety for school children, and light pollution as she states that there are traffic issues on Central Avenue already.

Bob and Sue Koponen at 1035 Polk Place provided the written comment attached as they are opposed to the proposed site plan with specific concerns about the sound pollution from the car wash, vacuums, and the

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effectiveness of the sound barrier wall as well as concerns with the exterior lighting spilling over into their back yard and traffic at the intersection at 50<sup>th</sup> Avenue NE and Central Avenue.

Tom and Cathy Kehrwald at 1060 50<sup>th</sup> Avenue NE provided the written comments attached as they are opposed to the proposed site plan with concerns over safety in regards to a lack of sidewalk facilities and concerns over the sidewalk being maintained during the winter as well as traffic concerns on Central Avenue and 50<sup>th</sup> Avenue NE. Other concerns identified are noise and light pollution impacts as well as potential for a platform for pedestrians and liability.

Tyler Whitney at 4922 Tyler Street NE provided the written comment attached as he is concerned about the additional traffic that will be generated by the business and worries about the through traffic and the effect that would have on families with small children as well as feedback on the possibility of a sound barrier wall facing Tyler Street NE on the south side of the proposed car wash noting that the sound barrier wall on another property is in disrepair and does not deter noise pollution.

Gerri Moeller at 5000 Johnson Street NE provided the written comment attached as she is concerned about the traffic and safety needs of the neighborhood and that the intersection cannot handle additional traffic.

Jennifer and Dirk DeWester at 1200 50<sup>th</sup> Avenue NE provided the written comment attached as they are opposed to the proposed site plan and cited concerns regarding additional traffic and sight lines over the hill as well as concern in relation to noise pollution from the Speedway Gas Station and how the sound affects properties surrounding them.

Joe Pagliolo and Margaret Hare at 1180 50<sup>th</sup> Avenue NE provided the written comment attached as they are opposed to the proposed site plan and cited concerns regarding the existing traffic congestion from surrounding businesses.

Mark Colombo at 1105 50<sup>th</sup> Avenue NE provided the written comment attached as he is opposed to the proposed site plan and has concerns about the traffic intersection congestion from existing businesses with issues identified with the turn lane and additional traffic during the school year.

Ardell and Jon Schmidt at 1105 Polk Place provided the written comment attached as they are opposed to the proposed site plan and has concerns about water from the cars dripping and causing icy slopes, traffic and safety from the existing businesses causing backups, and the safety of pedestrians.

Nancy Sartor at 1498 Lincoln Terrace provided the written comment attached as they are opposed to the proposed site plan and has concerns about the traffic, safety, noise, and exhaust pollution.

## **15. Staff Review**

The Public Works Department, Police Department, and Fire Department have been provided copies of the application materials. The Police Department was satisfied with the proposed site plan and had no concerns. The Fire Department had a few comments regarding the fire lane, keybox, and other fire related items that are conditions of approval.

In review of the application materials, Public Works/Engineering provided their department's requirements and comments on the proposed site plan in a memo dated August 22, 2024. General comments and requirements are in the memo attached to this report and are referenced in the site plan approval language as conditions of

approval.

## **FINDINGS OF FACT**

Section 9.104 (N) of the Zoning Ordinance outlines certain findings of fact that must be met in order for the City to approve a site plan review. The findings are as follows:

***(a) The site plan conforms to all applicable requirements of this article.***

Upon approval of the Site Plan Review, as conditioned, the proposed site plan will conform to all applicable requirements of the General Business (GB) District as well as City Code 9.106 General Development Standards.

***(b) The site plan is consistent with the applicable provisions of the City's comprehensive plan.***

The use and site plan is consistent with the applicable provisions of the City's comprehensive plan.

***(c) The site plan is consistent with any applicable area plan.***

With conditions imposed to ensure compatibility, the site plan will be consistent with the applicable Design Guidelines of the Highway District.

***(d) The site plan minimizes any adverse impacts on property in the immediate vicinity and the public right-of-way.***

As conditioned, the site plan minimizes any adverse impacts on property in the immediate vicinity and the public right-of-way.

## **RECOMMENDATION**

Staff recommends the following to the Planning Commission:

- A. Approval of the Site Plan Review for property located at 999 50<sup>th</sup> Avenue NE (PID: 25-30-24-23-0002) subject to the following conditions:
  1. The building and site plans adhere to the building and site plans dated October 25, 2024 as conditioned.
  2. Contingent upon successful application for a Conditional Use Permit for an over-height sound barrier that is intended to be heard at the City Council meeting on November 12, 2024. An eight (8') foot tall sound barrier is required to be constructed in the manner specified in the Noise Impact Study dated October 30, 2024 with a minimum acoustical rating of STC 22 or a mass no less than 2 pounds per square foot, the panels screwed together so 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.

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3. The applicant shall adhere to the requirements and comments provided by the City Public Works and Engineering Departments in a memo dated August 22, 2024. The applicant is responsible for filing and recording any proposed easements with Anoka County Recorder's Office.
  4. An on-site area shall be designated for snow storage and if snowfall exceeds the storage of that area, then it shall be required to be removed from the property.
  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.
  7. The applicant is required to maintain a 24 foot fire lane and shall be stripped with "No Parking – Fire Lane".
  8. The vacuums are required to be setback of 50 feet from residential property lines and/or be enclosed. Vacuum use shall be limited to the hours of operation, 7AM – 8PM, Monday – Sunday, and a muffler installed on the vacuum pump house.
  9. The open side of the enclosure shall not face any public street or the front yard of any adjacent property.
  10. A letter of credit or other security as acceptable to the City and shall be deposited with the Zoning Administrator, in an amount equal to 100% of the estimated cost of landscaping and/or screening. The letter of credit or other security as acceptable to the City, or portions thereof, shall be forfeited to maintain and/or replace materials for a period of time to include at least two growing seasons. A portion of the letter of credit or other security as acceptable may be released after one growing season as determined by the Zoning Administrator. The property owner shall be responsible for continued maintenance of landscaping and screening materials to remain in compliance with the requirements of this section. Plant materials that show signs of disease or damage shall be promptly removed and replaced within the next planting season.
  11. All rooftop or mechanical equipment shall be screened in a manner that minimizes the visual impact on adjacent properties and from public streets as a condition of approval.
  12. The building and site shall be meet all requirements found in the Fire Code and the Building Code.
  13. All new site signage shall require sign permits.
  14. Provide a bicycle rack capable of accommodating two-four bicycles.
  15. The applicant is required to receive final approval by the Fire Department or Authority Having Jurisdiction for the location of the keybox, fire alarm panel, fire annunciator, and FDC connection.

16. All required state and local codes, permits, licenses, and inspections will be met and in full compliance.
17. No loudspeakers may be used or loud music from customers.

**RECOMMENDED MOTION(S):**

**MOTION:** Move to waive the reading of draft Resolution No. 2024-069, a Site Plan Review for 999 50<sup>th</sup> Avenue NE, there being ample copies available to the public.

**MOTION:** Move to recommend approval of draft Resolution No. 2024-069, a Site Plan Review for 999 50<sup>th</sup> Avenue NE, as presented and subject to the conditions of approval listed in the draft resolution.

**ATTACHMENT(S):**

- Draft Resolution
- Application
- Narrative
- Plan Set
- Fence Specifications
- Noise Impact Study
- Traffic Study
- Truck Turning Diagram
- Notice of Public Hearing to Newspaper
- Notice of Public Hearing to Neighborhood
- Mailing List
- Written Public Comments