

GENERAL INFORMATION

Applicant: 200 West 98th Street, LLC (Owner)
Christianson Companies (Developer)

Location: 200 West 98th Street

Request: Conditional Use Permit and Final Site and Building Plans to
redevelop an existing office building into an automated car wash

Existing Land Use and Zoning: Office; Zoned B-2 General Commercial

Surrounding Land Use and Zoning: North – Multi-family residential; zoned RM-24
East – Office; zoned B-2
South – Single family residential; zoned R-1
West – Retail; zoned B-2

Comprehensive Plan Designation: General Business

CHRONOLOGY

Planning Commission 04/14/2022 – Public hearing held and closed – item continued
to 4/28/2022

Planning Commission 4/28/2022 – Action resulted in a tie vote.

City Council 05/23/2022 – Public hearing scheduled.

DEADLINE FOR AGENCY ACTION

Application Date: 03/09/2022
60 Days: 05/08/2022
120 Days: 07/07/2022
Applicable Deadline: 07/07/2022 – Extended by City
Newspaper Notification: Confirmed (05/12/2022 Sun Current – 10 day notice)
Direct Mail Notification: Confirmed (500-foot buffer – 10 day notice)

STAFF CONTACT

Liz O'Day, Planner
Phone: (952) 563-8919

E-mail: ecoday@BloomingtonMN.gov

PROPOSAL

Tommy's Express Car Wash proposes constructing a new freestanding automated car wash at 200 West 98th Street. The one-story, 5,371 square foot car wash would replace an existing 8,590 square foot office building. The proposed 146-foot long building, placed north to south, would be constructed in the middle of the lot. Three access lanes are proposed along the building's east side for stacking and payment. The lanes funnel into a single lane prior to the car wash entrance on the building's north and continuing through the car wash. Ten vacuum stations are proposed on the west side of the building. The site is subject to joint access and parking easements with the property at 208 West 98th Street. According to the submitted car wash counts, the business produces the most car washes on Friday and Saturday between noon and 6:00 pm. There would be up to three employees on-site during business hours. Tommy's Car Wash provides a monthly membership for unlimited washes as well as one-time car washes.

ANALYSIS

Land Use

The subject property is zoned B-2. Car washes are conditional uses in the B-2 Zoning District. Subject to an appeal, the Planning Commission has final approval authority unless appealed.

Code Compliance

The proposed development complies with most City Code requirements. Table 1 analyzes the proposed development and associated site improvements according to the B-2 zoning district performance standards and other applicable City Code performance standards. Additional discussion regarding conformance to various performance standards are provided in specific sections in the staff report.

Table 1: City Code Analysis – Regulations in Compliance

Standard and Code Section	Code Required	Provided
Minimum Site Area (Section 21.301.01(d))	25,000 square feet	46,859 square feet
Minimum Lot Width (Section 21.301.01(d))	100 feet	165 feet
Minimum Building Setback (Section 21.301.02(e))	35 feet (along streets) 10 feet (side yard)	71 feet (along W 98 th St.) 66 feet (along W 97 th St.) 40 feet (east side yard) 74 feet (west side yard)

Standard and Code Section	Code Required	Provided
Minimum Parking Setback (side yard) (Section 21.301.06)	5 feet (side yard)	5.33 feet (east side yard) Joint access on the west
Impervious Surface Coverage (Section 21.301.01(d))	90 percent	77 percent
Maximum Floor Area Ratio (FAR) (Section 21.301.01(d))	0.5 Maximum	0.11
Minimum Building Size (Section 21.301.01(d))	3,000 square feet	5,371 square feet
Sidewalk Connection (Section 21.301.04(b)(2)(a))	Sidewalk connection between the public sidewalk network and primary building entrance	Yes
Maximum Building Height (Section 21.301.10)	4 stories/60 feet	1.5 stories/28 feet
Parking setback (along street) (Section 21.301.06)	20 feet	20 feet 4 inches (W 97 th Street) 20 feet (W 98 th Street)
Minimum Parking required (Section 21.301.06)	14 spaces	14 spaces
Minimum Parking Stall Size (Section 21.301.06)	9 feet by 18 feet	9 feet by 18 feet
Minimum Drive Aisle (Section 21.301.06)	24 feet	24 feet
Minimum Drive-through Stacking Spaces (Section 21.301.05)	6 spaces per drive- through lane	8 spaces per drive-through lane
Minimum Trash Collection Area (Section 21.301.17)	26 square feet	80 square feet
Minimum Free-Standing Sign Setback (Article X)	20 Feet	Not shown on plans
Minimum Tree Requirement (Section 21.301.15(c)(2))	19 trees	19 trees – see discussion below
Minimum Shrub Requirement (Section 21.301.15(c)(2))	47 shrubs	70 shrubs

Building Design

The proposed 5,371 square-foot building is 28 feet in height. The main car wash entrance is located on the north elevation with exits on the south side of the building facing West 98th Street. A proposed

detached canopy is shown inconsistently on the plans. It is anticipated the canopy would cover two access lanes and payment stations. The eastern lane is uncovered to provide fire access around the building. Should the canopy extend over the third lane, the height must accommodate fire access.

The car wash is automated. The floor plan identifies the wash and drying areas in the central portion of the building, the trash room located in the southwestern area, and the employee area located in the northern portion of the building. There is a second floor that includes an observation mezzanine area, equipment platforms and an owner office space.

The proposed building materials consist of brick, metal and glass with fiber cement and concrete masonry units as secondary materials. The proposed building materials are Code compliant provided the metal panels meet minimum durability and finish warranty standards. Staff recommends a condition of approval that the exterior building materials be approved by the Planning Manager prior to issuance of a building permit.

Access, Circulation, Sidewalks and Parking

Site access will continue to be provided via a shared driveway to West 98th Street (CSAH 1), serving the subject property and 208 West 98th Street (Pierce Skate and Ski). Any West 98th Street driveway changes must be reviewed and approved by Hennepin County, as the roadway is a County facility. Additional access is available to the north to West 97th Street. Vehicles traveling to the site can utilize either West 97th or West 98th Street.

Site circulation provides stacking to the car wash payment area under a canopy on the east side of the site. After payment, the vehicles travel north taking a 180 degree turn into the car wash then exit south of the building. There is a bypass lane on the north for egress. Parking spaces located along the west side of the building include vacuum stations. A long median would separate the subject property from 208 West 98th Street.

Joint access, and parking easements to the benefit of the subject property and 208 West 98th Street must be revised and recorded to reflect the modified site plan associated with the proposed development. Upon recording, the applicant must provide copies of the recorded agreement to the Engineering Division. Proof of recording of the revised agreements must be provided prior to the issuance of a building permit for the car wash.

A six-foot-wide public sidewalk exists along West 98th Street, but this sidewalk does not meet the minimum width (eight feet) for a sidewalk along an arterial roadway. This sidewalk is proposed to be replaced with a Code-compliant eight-foot-wide sidewalk. An eight-foot-wide sidewalk is proposed along West 97th Street as well. The Code-required width for the sidewalk along West 97th Street is six feet. The width of this sidewalk can be reduced to six feet if desired by the applicant. A sidewalk connection to the proposed car wash is provided from the primary building entrance to West 98th Street as required by City Code (Sec. 21.301.04(b)(2)(A)). The applicant must also provide sidewalk easements as approved by the City Engineer.

City Code Section 21.301.06(d) requires eight queuing spaces per car wash bay, plus one space per 375 square feet of gross floor area. City Code Section 21.301.05(a) requires six stacking spaces behind the first point at which the vehicle must stop. The first drive-through lane includes the cashier at a window. The second lane has an automated credit card reader. The third lane is for TommyClub members only. A license plate reader allows drivers to move through the lane quickly. The Code requires six stacking spaces for the cashier lane. Per the parking requirement, the Code requires eight queuing spaces behind the car wash entrance door. The site has adequate space to meet Code requirements for both queueing and stacking spaces.

The applicant proposes 14 total parking stalls on the west side of the property, ten of which have vacuum stations. Four parking stalls would not have vacuum stations, two of which would be located immediately west of the car wash and two of which would be near the property line on the northwest side of the property. The applicant would construct six parking stalls dedicated to the neighboring property. Four at the West 98th Street entrance and two at the northern portion of the site. The parking is required for continued parking compliance for Pierce Skate and Ski building. As mentioned above, the shared access and parking easements must be revised to identify the newly constructed stalls. The off-street parking spaces provided would be Code compliant.

Landscaping, Screening and Lighting

Based on the developable landscaping area for the site (46,859 square feet), the Code requires 19 trees and 47 shrubs. The applicant has provided a Code compliant number of trees and shrubs. However, minor tweaks to the landscape plan are required. The Code prohibits all ash species. In addition, overstory trees must be at least two and one-half caliper inches at planting. The applicant has proposed a minimum of one tree in each island, including the island along the west side of the drive aisle. The islands must be eight feet wide measured inside curb to inside curb to accommodate a tree.

In addition to the landscaping material quantities, the City's supplemental landscaping policy requires foundation plantings along 50% of building elevations facing public streets. The northern elevation facing West 97th Street meets the standard. The southern elevation facing West 98th Street is exempt due to the location of the car wash exit and secondary building entrance.

City Code requires a three-foot screen along all public streets and drive-through facilities to screen from residential properties within 300 feet. The proposed drive lane along the north side of property is partially screened from the residential properties using trees and shrubs. Additional screening is required to screen the bypass lane from the residential properties to the north. Along West 98th Street, the applicant must provide a three-foot screen pursuant to City Code. Some screening along West 98th Street has been added, but additional material is needed to fully screen from vehicle headlights. The screening is intended to shield vehicle lights from residential.

The proposed pole and wall-mounted LED lights meet the City's cut-off and power exterior lighting requirements. The plan shows above ground flood lights for the flag. The flag lights must be recessed in the ground. The plan light levels are deficient. City Code requires a minimum 2.0

footcandles on the parking surface, which can be reduced by 50% along the perimeter 25 feet of the parking areas. The primary building entrance must have a minimum of 10 footcandles within 12 feet of the entrance. Likewise, the secondary building entrance must have a minimum 2 footcandles within 5 feet of the entrance. At the time of building permit submittal, the applicant must submit revised landscaping and lighting plans for review and approval.

Noise

The property has residential uses to the north and south and commercial uses to the east and west. Noise generated from the car wash use must meet State and City Code noise limits at the nearest receivers. ESI Engineering provided a noise impact study that reviews both an existing Twin Cities Tommy's Car Wash location and the subject property. The Minnesota Pollution Control Agency (MPCA) and City Code require noise not to exceed certain levels at the nearest residential and commercial receivers. Limits vary by land use type and by daytime hours (7:00 am to 10:00 pm) and nighttime hours (10:00 pm to 7:00 am). The proposed hours of operation for the car wash are 7:00 am and 9:00 pm. Therefore, the noise levels must not exceed the daytime noise levels. Therefore, the noise level must not exceed an L50 noise level of 60 dBA or the L10 level of 65 dBA at the nearest residential receiver and an L50 noise level of 65 dBA or L10 noise level of 70 dBA at the nearest commercial receiver.

A noise analysis was conducted in February 2022 by ESI Engineering. An engineer took measurements between 8:00 pm and 9:00 pm on two dates in February at the proposed facility to calculate the ambient noise. The noise levels were measured at the residential properties to the north and south, as identified in the noise study report. The noise levels were at 56 dBA and 43 dBA at locations 1 and 2 respectively, which is below the 60 dBA standard for residential during daytime hours. The main noise source was vehicle traffic on West 98th Street. The noise study results do not include the ambient noise.

An engineer visited an existing Tommy's Car Wash location in Mounds View, Minnesota, to observe and measure existing conditions. The noise level was 72 dBA taken 10 feet from a running vacuum. The vacuums do not have mufflers. The main noise source from the existing facility is the dryer system. The noise level was measured 58 feet from the system and had a measurement of 83 dBA. The audio system at the entrance was at 71 dBA measured from 48 feet from the car wash entrance. Lastly, the car wash had louvers with dampers on each side. The main noise source from the dampers was the dryer system. Noise levels taken 8.5 feet from the louver and were at 75 dBA.

A noise contour plot was used to determine noise levels at the proposed Bloomington site. The noise levels at the nearest residential receiver exceeded the 60 dBA requirement. The highest noise level was at the residential receiver south of the car wash exit. The noise level was calculated at 74 dBA at the L50 level, which is 14 decibels higher than the requirement. More detailed calculations can be found in the submitted noise study.

ESI Engineering recommends installing mufflers in each vacuum to reduce the noise level emitting from the vacuums. The report suggests a noise level reduction of nine dBA by installing mufflers,

which does not affect the vacuum operation. The most significant noise source is from the dryer system near the car wash exit. The noise study recommends reducing the blower speeds to 30 Hz (50% speed), which reduces the noise level by 17 dBA. With both recommendations in place, the overall noise level shows 58 dBA at the loudest residential and commercial receivers, below the required 60 dBA and 65 dBA L50 standards.

Staff recommends installing mufflers on all ten vacuums. Also, staff does not support installing a full speed dryer system running at half speed (30 Hz) as it would allow the user to change the speed, potentially creating noise violations. Instead, staff recommends the original blower system installed, fully operational at 100%, must not exceed the maximum noise levels. In addition, the City Code requires the automated audio system not produce noise levels that exceed 75 dBA measured five feet from the speaker. The noise study showed the audio system was 71 dBA measured 48 feet from the car wash. The noise study must be updated to verify compliance. Staff recommends conducting noise testing and providing a positive confirmation of compliance prior to issuance of Certificate of Occupancy for the use.

Stormwater Management

Stormwater will be managed to meet the City's and Watershed District's requirements for stormwater rate control (quantity), stormwater quality and volume. The Stormwater Management Plan calculations and narrative are under review and must meet the requirements in the City of Bloomington Comprehensive Surface Water Management Plan. A maintenance plan has not yet been provided and will be required to be signed and filed at Hennepin County. This site is located within the Nine Mile Creek Watershed District, so a watershed district permit will be required to be provided prior to the issuance of a building permit.

The plans show an underground infiltration system at the 98th Street entrance. The system is partially in the easement and under the sidewalk. The system must be relocated out of the easement.

Utilities

The subject property is served by both City sanitary sewer and water. The City Engineer must approve the utility plans for the site before issuance of a building permit for the site. Fire hydrant coverage and adequate supply for fire protection will also be evaluated as part of the utility plan review.

Traffic Analysis

No significant impacts to the adjacent traffic patterns due to this building addition have been identified. The applicant submitted ITE information with the application. According to the information, the carwash produces 62 trips during the AM peak and 73 trips during the PM peak. There is adequate capacity on West 98th Street (CSAH 1) to accommodate the traffic generated by the use. The project must provide bicycle racks as approved by the City Engineer.

Transit and Transportation Demand Management (TDM)

This redevelopment will require a Tier 2 TDM plan, which allows the property owner to choose from a menu of TDM options. The owner has not yet submitted a Tier 2 TDM checklist.

Fire Prevention and Public Safety

Emergency vehicle access and circulation design must meet or exceed the minimum standards of the Fire Code. Circulation must be approved by the Fire Marshal. The access road shall be maintained in accordance with the approved plan including a surface to provide all weather driving capabilities, support a minimum of 40 tons, provide a minimum of 13'6" and a turning radius to accommodate BFD ladder 3. The emergency vehicle access roads shall be free of any obstructions. Parking and fire lane signage to be reviewed, approved, and installed prior to the certificate of occupancy. Ensure that proposed landscaping doesn't interfere with access to the building and egress components.

The structure shall be fully sprinklered supplied by a looped water supply with a single combination domestic/fire main. Hydrant coverage shall be provided within 50 feet of the fire department connection and within 150 feet of all exterior walls of the structure. A minimum clear space of 36 inches around the hydrants is required. The hydrants must be clearly visible and accessible from the emergency access road. All hydrants, new and existing on the property or that serve the property shall have City approved Storz connections. Hydrant locations, style etc. will be reviewed by the Utilities Division and Fire Department.

The property and building(s) address and building numbers shall be clearly visible from the entry point into the property. The address shall be a minimum of four inches, be Arabic numbers or alphabetical letters with a minimum stroke width of .5 inches and contrasting to the background. All exterior doors that allow access to the interior of the building shall be numbered in a sequential order starting with the main entrance (public entrance) as number 1 and continue in a clockwise manner. The numbering plan will be approved by the Police and Fire Departments.

Fire alarm and annunciator panel location to be determined by the Fire Department. Alarm systems are required to meet the 2016 edition of NFPA 72. Regarding suppression systems, NFPA 13 systems are required to meet the 2016 edition of NFPA 13.

A lock box (Knox or DAMA) is required for the property. The location will be approved by the fire department.

Provide for emergency responder radio coverage throughout the complex and in all structures per the requirements of Appendix P of the 2020 Minnesota State Fire Code.

Any changes made to the current plans, including building location, access road, water supply and addressing, shall be reviewed by the Fire Department to ensure continued compliance with the Fire Code.

Miscellaneous

The building elevations show several signs that do not meet City Code. Signage is allowed on two wall elevations. The plans identify large cabinet style signs which exceed the maximum sign size and on multiple facades. The submitted sign plan also shows multiple freestanding signs along the east side of the building. One freestanding building identification sign is allowed per street frontage.

The Code allows directional and incidental style signs limited to 12 square feet each. While the location is not shown on the plans, the sign plan key identifies a pylon sign that exceeds the size allowance of 75 square feet. Freestanding signs must meet a minimum setback of 20 feet along and street and five feet along side and rear property lines. All signage must meet City Code. A separate sign permit is required for review and approval.

The submitted floor plans identify an 80 square foot indoor trash room, which meets the City Code requirement for minimum trash room size.

The proposed development utilizes a majority of the site, thereby providing little area for snow storage. Any storage on the east or west would encroach on the adjoining property and may impact the sidewalk on the north and south. The site may require hauling of snow as a result.

Status of Enforcement Orders

The property is not subject to any open enforcement orders.

Public Correspondence

At the April 14th Planning Commission meeting, residents and a neighbor spoke against the proposed car wash. The main concerns from the adjoining neighbor to the east were noise and snow storage. The property to the west, 208 West 98th Street, has submitted an email and letter expressing their support of the application. Residents were concerned about non-compliance with the 98th Street Station Area Plan. After the meeting, staff received correspondence from people in support of the application. The received correspondence is attached to the packet for reference.

Planning Commission Action

At the April 14th meeting, the Planning Commission received the staff report, opened the public hearing, received public testimony from four individuals opposed to the applications, closed the public hearing, voted 4-3 to continue the item to the April 28th meeting and directed staff to draft a resolution of denial. At the April 28th meeting, one of the Commissioners who voted to continue the item and direct staff to prepare a resolution of denial was absent. Votes to deny both the Conditional

Use Permit and Final Site and Building Plan applications resulted in a 3-3 vote. According to City Code Sections 21.501.04(d) and 21.501.01 (c) (2), a tie vote automatically sends both the Conditional Use Permit and Final Site and Building Plans to City Council for final action.

The subject property is located within the 98th Street Station Area Plan on the eastern edge of the Plan boundary. The main concern from the opposed members of the Planning Commission was non-compliance with the 98th Street Station Area Plan vision. The Plan recommends pedestrian upgrades in the public realm to facilitate a walkable, friendly, and comfortable neighborhood. The opposed members felt that constant vehicular movements entering and exiting the site and an auto-centric use conflicts with the 98th Street Station Area Plan. The other main concern was related to noise and impacts on the adjoining uses.

FINDINGS

Required Conditional Use Permit Findings - Section 21.501.04 (e) (1)

Required Finding	Finding Outcome/Discussion
(1) The proposed use is not in conflict with the Comprehensive Plan.	Staff Analysis - The subject property is guided General Business, which is intended for general business activities. The proposed development, a car wash, is not in conflict with the Comprehensive Plan.
(2) The proposed use is not in conflict with any adopted District Plan for the area.	Staff Analysis - The subject property is located within the 98 th Street Station Area Plan but is located on the edge of the station area. The proposed use is not in conflict with the 98 th Street Station Area Plan.
(3) The proposed use is not in conflict with City Code provisions.	Staff Analysis - Subject to compliance of the recommended conditions, the use is not in conflict with City Code provisions.
(4) The proposed use will not create an excessive burden on parks, schools, streets, and other public facilities and utilities which serve or are proposed to serve the planned development.	Staff Analysis - The subject property is served by an arterial roadway with adequate capacity. Sanitary sewer and water infrastructure serving the subject property also have adequate capacity. The proposed use is not anticipated create an excessive burden on parks, schools, streets and other public facilities and utilities which serve the planned development.
(5) The proposed use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.	Staff Analysis - The proposed redevelopment will allow for a new freestanding structure and will maintain cross access and parking easements with the neighboring property. Assuming compliance with conditions of approval, the proposed development is not anticipated to be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.

Required Final Site and Building Plan Findings - Section 21.501.01(d)(1-4):

Required Finding	Finding Outcome/Discussion
(1) The proposed use is not in conflict with the Comprehensive Plan.	Staff Analysis - The subject property is guided General Business, which is intended for general business and service activities. A car wash is a common service-oriented use found in commercial and retail areas. The proposed development, a car wash, is not in conflict with the Comprehensive Plan.
(2) The proposed use is not in conflict with any adopted District Plan for the area.	Staff Analysis - The subject property is located within the 98th Street Station Area Plan but is located on the edge of the station area. The proposed use is not in conflict with the 98th Street Station Area Plan.
(3) The proposed use is not in conflict with City Code provisions.	Staff Analysis - Subject to compliance of the recommended conditions of approval, the use is not in conflict with City Code provisions.
(4) The proposed development will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.	Staff Analysis - The proposed redevelopment will allow for a new freestanding structure and will maintain cross access and parking easements with the neighboring property. The subject property is served by an arterial roadway with adequate capacity to serve the development. The development is required to demonstrate compliance with maximum noise requirements specified in State Law and City Code. Assuming compliance with conditions of approval, the proposed development is not anticipated to be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.

RECOMMENDATION

Staff recommends approval of the requested Conditional Use Permit and Final Site and Building Plans applications. Should the City Council affirm the staff recommendation, Staff recommends the following motion:

Motion by _____, seconded by _____, in Case #PL2022-54, to continue the item to the June 6th City Council meeting and direct staff to prepare a resolution of approval for the Conditional Use Permit and Final Site and Building Plans applications.

Should the City Council decide to deny the applications, staff recommends the following motion:

Motion by _____, seconded by _____, in Case #PL2022-54, to continue the item to the June 6th City Council meeting and direct staff to prepare a resolution of denial for the Conditional Use Permit and Final Site and Building Plans applications.

RECOMMENDED CONDITIONS OF APPROVAL

Case PL2022-54

Project Description: Conditional Use Permit and Final Site and Building Plans to redevelop an existing office building into an automated car wash

Address: 200 West 98th Street

The following conditions of approval are arranged according to when they must be satisfied. In addition to conditions of approval, the use and improvements must also comply with all applicable local, state, and federal codes. Codes to which the applicant should pay particular attention are included below.

1. Prior to Permit Grading, Drainage, Utility and Erosion Control plans must be approved by the City Engineer.
2. Prior to Permit Storm Water Management Plan must be provided that demonstrates compliance with the City's Comprehensive Surface Water Management Plan. A maintenance plan must be signed by the property owners and must be filed of record with Hennepin County.
3. Prior to Permit An erosion control surety must be provided (16.08(b)).
4. Prior to Permit Access, circulation and parking plans must be approved by the City Engineer.
5. Prior to Permit A private driveway/access agreement for joint access and parking and sidewalk easement for the public sidewalk must be must be filed with Hennepin County and proof of filing provided to the Engineering Division.
6. Prior to Permit Tier 2 Transportation Demand Management plan must be submitted (Sec. 21.301.09(b)(2)).
7. Prior to Permit Bicycle parking spaces must be provided and located as approved by the City Engineer.
8. Prior to Permit Sewer Availability Charges (SAC) must be satisfied.
9. Prior to Permit Landscape plan must be modified to be Code compliant, be approved by the Planning Manager and landscape surety must be filed (Sec 21.301.15).
10. Prior to Permit Parking lot and site security lighting plans must be revised to satisfy the requirements of City Code Section 21.301.07.
11. Prior to Permit Exterior building materials must be Code compliant and be approved by the Planning Manager (Sec. 19.63.08).
12. Prior to Permit All trash and recyclable materials must be stored inside the principal building (Sec. 21.301.17).
13. Prior to Permit A Minnesota Pollution Control Agency (MPCA) Sanitary Sewer Extension or Modification Permit must be obtained or notification from the MPCA that this permit is not required must be submitted to the City (State of MN).
14. Prior to Permit A Minnesota Department of Health (MDH) watermain review and approval must be obtained or notification from MDH that this permit is not required must be submitted to the City (State of MN).

15. Prior to Permit A National Pollutant Discharge Elimination System (NPDES) construction site permit and a Storm Water Pollution Prevention Plan (SWPPP) must be provided if greater than one acre is disturbed (State of MN and Federal regulation).
16. Prior to Permit The dryer system blowers, when fully operational at 100% of the capacity, must not exceed the maximum noise levels.
17. Prior to Permit All vacuums must include mufflers and be maintained to comply with required noise level limits.
18. Prior to Permit Fire lanes must be approved and posted as approved by the Fire Marshal (MN State Fire Code Sec. 503.3).
19. Prior to C/O The developer must submit electronic utility as-builts to the Public Works Department prior to the issuance of the Certificate of Occupancy.
20. Prior to C/O Prior to Certificate of Occupancy, noise testing with all noise generators fully operational at peak capacity must be conducted to verify compliance with noise requirements (Section 10.29.02). A report, signed by a licensed engineer, must be submitted to document the noise test results and to demonstrate compliance with applicable noise standards.
21. Prior to C/O Building must be provided with an automatic fire sprinkler system as approved by the Fire Marshal (MN Bldg. Code Sec. 903, MN Rules Chapter 1306; MN State Fire Code Sec. 903).
22. Ongoing The car wash must be as shown on the approved plans in Case File # PL2022-54.
23. Ongoing Noise levels must meet State and City noise standards (Minnesota Rules 7030.0040 and City Code Section 10.29.02)
24. Ongoing All loading and unloading must occur on site and off public streets.
25. Ongoing Alterations to utilities must be at the developer's expense.
26. Ongoing Development must comply with the Minnesota State Accessibility Code (Chapter 1341).
27. Ongoing All rooftop equipment must be fully screened (Sec. 21.301.18).
28. Ongoing Signs must be in compliance with the requirements of Chapter 19, Article X of the City Code.
29. Ongoing A Hennepin County permit for work within the right-of-way must be obtained and a copy submitted to the Engineering Division prior to work beginning in the right-of-way.
30. Ongoing All construction stockpiling, staging and parking must take place on site and off adjacent public streets and public right-of-way.

RECOMMENDED CONDITIONS OF APPROVAL

Case PL202200054

Project Description: Conditional Use Permit and Final Site and Building Plans to redevelop an existing office building into an automated car wash

Address: 200 W 98TH ST

The following conditions of approval are arranged according to when they must be satisfied. In addition to conditions of approval, the use and improvements must also comply with all applicable local, state, and federal codes. Codes to which the applicant should pay particular attention are included below.

1. Prior to Permit Grading, Drainage, Utility and Erosion Control plans must be approved by the City Engineer.
2. Prior to Permit Storm Water Management Plan must be provided that demonstrates compliance with the City's Comprehensive Surface Water Management Plan. A maintenance plan must be signed by the property owners and must be filed of record with Hennepin County.
3. Prior to Permit An erosion control surety must be provided (16.08(b)).
4. Prior to Permit Access, circulation and parking plans must be approved by the City Engineer.
5. Prior to Permit A private driveway/access agreement for joint access and parking and sidewalk easement for the public sidewalk must be filed with Hennepin County and proof of filing provided to the Engineering Division.
6. Prior to Permit Tier 2 Transportation Demand Management plan must be submitted (Sec. 21.301.09(b)(2)).
7. Prior to Permit Bicycle parking spaces must be provided and located as approved by the City Engineer.
8. Prior to Permit Sewer Availability Charges (SAC) must be satisfied.
9. Prior to Permit Landscape plan must be modified to be Code compliant, be approved by the Planning Manager and landscape surety must be filed (Sec 21.301.15).
10. Prior to Permit Parking lot and site security lighting plans must be revised to satisfy the requirements of City Code Section 21.301.07.
11. Prior to Permit Exterior building materials must be Code compliant and be approved by the Planning Manager (Sec. 19.63.08).
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14. Prior to Permit A Minnesota Department of Health (MDH) watermain review and approval must be obtained or notification from MDH that this permit is not required must be submitted to the City (State of MN).
15. Prior to Permit A National Pollutant Discharge Elimination System (NPDES) construction site permit and a Storm Water Pollution Prevention Plan (SWPPP) must be provided if greater than one acre is disturbed (State of MN and Federal regulation).

16. Prior to Permit The dryer system blowers, when fully operational at 100% of the capacity, must not exceed the maximum noise levels.
17. Prior to Permit All vacuums must include mufflers and be maintained to comply with required noise level limits.
18. Prior to Permit Fire lanes must be approved and posted as approved by the Fire Marshal (MN State Fire Code Sec. 503.3).
19. Prior to C/O The developer must submit electronic utility as-builts to the Public Works Department prior to the issuance of the Certificate of Occupancy.
20. Prior to C/O Prior to Certificate of Occupancy, noise testing with all noise generators fully operational at peak capacity must be conducted to verify compliance with noise requirements (Section 10.29.02). A report, signed by a licensed engineer, must be submitted to document the noise test results and to demonstrate compliance with applicable noise standards.
21. Prior to C/O Building must be provided with an automatic fire sprinkler system as approved by the Fire Marshal (MN Bldg. Code Sec. 903, MN Rules Chapter 1306; MN State Fire Code Sec. 903).
22. Prior to C/O A six foot tall privacy fence must be installed near the eastern property line for the length of the car wash queuing area.
23. Prior to C/O A sidewalk agreement for a public sidewalk along West 97th Street approved by the City Attorney and triggered upon construction of a sidewalk on an adjacent site must be recorded and filed with Hennepin County.
24. Ongoing The car wash must be as shown on the approved plans in Case File # PL2022-54.
25. Ongoing Noise levels must meet State and City noise standards (Minnesota Rules 7030.0040 and City Code Section 10.29.02)
26. Ongoing All loading and unloading must occur on site and off public streets.
27. Ongoing Alterations to utilities must be at the developer's expense.
28. Ongoing Development must comply with the Minnesota State Accessibility Code (Chapter 1341).
29. Ongoing All rooftop equipment must be fully screened (Sec. 21.301.18).
30. Ongoing Signs must be in compliance with the requirements of Chapter 19, Article X of the City Code.
31. Ongoing A Hennepin County permit for work within the right-of-way must be obtained and a copy submitted to the Engineering Division prior to work beginning in the right-of-way.
32. Ongoing All construction stockpiling, staging and parking must take place on site and off adjacent public streets and public right-of-way.
33. Ongoing Hours of operation for the car wash are limited to 7:00 a.m. to 10:00 p.m.
34. Ongoing Snow that impacts access or parking areas must be removed from the site within 36 hours of snowfall.
35. Ongoing Exterior lighting, except required security lighting, must be extinguished between the hours of 10:00 p.m. and 7:00 a.m.