

## OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park Planning Commission was held on March 28 2022, at the City Hall, at 7:00 PM.

### 1. CALL TO ORDER

Vice Chair Bernhagen called the meeting to order at 7:00 PM.

### 2. ROLL CALL

#### MEMBERS PRESENT

Commissioner Jeff Bernhagen

Commissioner Rick Cobbs

Commissioner Kelsey Hollihan

#### MEMBERS ABSENT

Chair Han Hansen

Commissioner Eric Julien

#### STAFF PRESENT

Building Official Baker, City Planner Phil Carlson, Administrator Buchholtz

#### OTHERS PRESENT

Councilmember Brad Delfs

Bob Jung & Sue McColley, 8162 Middletown Rd

Kathy Peacock, 8182 Middletown Rd

Ashley Morlock, 8178 Middletwon Rd

Rohhal Hamimoune, 8160 Middletown Rd

Mei Qal, 8200 Highway 65

### 3. PLEDGE OF ALLEGIANCE

### 4. APPROVAL OF MINUTES

#### A. Approval of Minutes – January 24, 2022

Motion made by Commissioner Cobbs, seconded by Commissioner Hollihan, to approve the minutes from the January 24, 2022 Planning Commission meeting.

Voting Yea: Commissioner Bernhagen, Commissioner Cobbs, Commissioner Hollihan. Motion carried.

## 5. PUBLIC HEARING

### A. Conditional Use Permit – Mister Car Wash – 8188/8200 Hwy 65 NE

Planner Phil Carlson provided an overview of the conditional use permit request from Mister Car Wash. He stated that the applicant is seeking to build a new car wash facility at 8200 Central Avenue NE, on the parcels now occupied by Taco Lindo Restaurant and Hope's Chinese Buffet. He said the property is guided as Commercial in the Comprehensive Plan and zoned C-1 Shopping Center. He noted that a car wash is a conditional use in the C-1 district. He said the applicant is also applying to plat the property.

Planner Carlson recommended that the Conditional Use Permit for the proposed Mr. Car Wash at 8200 Central Avenue NE be approved as submitted on plans from Kimley-Horn dated 3-3-2022 and architectural elevations from Mr. Car Wash, with following conditions:

1. Hours of operation will be 7:30 am to 7:00 pm.
2. If noise information from the applicants warrants additional sound mitigation, a solid fence or wall 6 feet in height will be installed on the west side of the site as illustrated in the Planner's report dated March 28, 2022, to block noise from the vacuum and parking area. The fence or wall will be of materials and colors compatible with the building, to be reviewed and approved by the City Administrator.
3. The entry drive on Middletown Road will be signed as entrance only and indicating that no stacking is allowed onto the public street. If the City becomes aware of problems with cars stacking in the street or other traffic problems on site, the City Council reserves the right to review and potentially revoke the Conditional Use Permit.
4. Building materials will not include painted concrete block or wood. All concrete block will be integrally colored.
5. All lighting will be downcast cutoff type fixtures that allow no more than 0.5 foot-candle of light spillage beyond the property lines or onto the public road rights-of-way. This includes the up/down sconces proposed on the east side of the car wash building, which will not include any up lighting.
6. Signage will be submitted for a sign permit before a building permit is issued.
7. The driveway at the north side of the site will include signage indicating exit only and right turn onto Highway 65.
8. All landscaping will be installed as indicated on the landscape plan and guaranteed for at least one year.
9. All requirements of the City Engineer will be followed for engineering and utility issues prior to issuing a building permit.

Planner Carlson presented the following finding of Facts for Approval of Conditional Use Permit:

1. The City has standards for review of conditional uses to review and regulate potential impacts to surrounding properties and public roadways.
2. The proposed car wash use may generate traffic that could impact area roadways. Limiting and regulating traffic on and around the site is a reasonable exercise of the City's authority.

3. The proposed car wash use may generate noise beyond an acceptable level given its location near existing residential uses. Requiring screening to block noise is a reasonable exercise of the City's authority.
4. The use as conditioned with this approval meets the criteria for approving a Conditional Use Permit in Section 16.56.030(E)(1) of the City Code.

Commissioner Cobbs inquired of the applicants if a noise impact study had been performed. The applicant stated that the noise is minimal since the vacuums are enclosed and they have a built-in muffler. He stated that the tunnel is set back about 20 feet and has air gates and speed down doors.

Commissioner Bernhagen asked about the management of trash. The applicant said that staff is onsite to clean up trash and to help control the car volume.

Commissioner Hollihan inquired about the landscaping plan and who will be maintaining the landscaping on the property. The applicants said that they are willing to work with the City to limit or eliminate the headlight glare into homes by providing larger trees.

Commissioner Bernhagen opened the public hearing at 7:38 pm.

Bob Jung, 8162 Middletown Road NE, said that the noise was of concern along with the fact that there are already a number of car washes in the area. He also stated that the car wash entrance on Middletown Road was not the proper place for cars to enter. He noted that he is concerned that the cars will stack on the road. Sue McColley, 8162 Middletown Road NE, inquired if Middletown Road was going to be widened to accommodate the increase traffic.

Ashley Morlock, 8178 Middletown Road NE, stated that there are many children in the neighborhood and she worries about the amount of traffic on the street. She expressed concern with the increasing number of cars that would be driving by going to the car wash. She noted there are no sidewalks and there are many children riding their bikes along Middletown Road, and a large number of High School students who walk to and from school. Ms. Morlock expressed concern about the noise level from the vacuums.

Rohhal Hamimoune, 8160 Middletown Road N, was concerned about the noise and the safety of the kids getting off the buses in the afternoon. He stated he was also concerned about the property values.

Hearing no additional public comments, Commissioner Bernhagen closed the public hearing at 7:48 pm.

Planner Carlson suggested a continuance until the next meeting to get some answers from the applicant on the traffic, noise and building materials being proposed. Administrator Buchholtz agreed, recommending a motion to table the conditional use permit until all information requested by the Commission is submitted.

Motion made by Commissioner Cobbs, seconded by Commissioner Hollihan to table the conditional use permit to Mister Car Wash at 8188/8200 Central Avenue NE.

Voting Yea: Commissioner Bernhagen, Commissioner Cobbs, Commissioner Hollihan. Motion carried.

B. Preliminary Plat – Middletown 65 Addition (Mister Car Wash)

Planner Carlson recommend that the Planning Commission recommend approval of the preliminary plat with the following conditions:

1. Include a 5-wide drainage and utility easement along the south and east sides of the plat.
2. Include a 15-foot wide drainage and utility easement along the west and north sides of the plat.
3. Provide a separate, 10-foot wide road and sidewalk easement document covering the west and north sides of the plat. Record this road and sidewalk easement when the plat is recorded.

Planner Carlson presented the following finding of Fact for Approval of Preliminary Plat:

1. The City has reasonable expectations for provision of streets, sidewalks, utilities, and other public functions. Requiring property to dedicate easements for such features is reasonable.

Commissioner Bernhagen opened the public hearing at 7:48 pm. Hearing no input, Commissioner Bernhagen closed the public hearing at 7:49 pm.

Motion made by Commissioner Hollihan, seconded by Commissioner Cobbs to table the preliminary plat application, Middletown 65 Addition (Mister Car Wash).

Voting Yea: Commissioner Bernhagen, Commissioner Cobbs, Commissioner Hollihan. Motion carried.

## **6. OTHER**

Administrator Buchholtz welcomed Kelsey Hollihan to the Planning Commission. He informed the Commission that Commissioner Eischens resigned from the Commission.

## **7. ADJOURN**

Motion made by Commissioner Cobbs, seconded by Commissioner Hollihan to adjourn.

Voting Yea: Commissioner Bernhagen, Commissioner Cobbs, Commissioner Hollihan. Motion carried.

Meeting adjourned at 7:53 pm.