

RESOLUTION NO. PC17-042
A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA, APPROVING A
CONDITIONAL USE PERMIT TO EXTEND HOURS OF OPERATION FOR
PROPOSED RESTAURANTS' OUTDOOR PATIO AREAS TO 2:00 A.M.

WHEREAS, Sambatek, Inc. applicant, and Shakopee Crossings Limited Partnership, property owner, have made application for Conditional Use Permit (CUP) to extend hours of operation for proposed restaurants' outdoor patio areas to 2:00 a.m.; and

WHEREAS, the property upon which the request is being made is legally described as:

Lot 1 and Lot 2, Block 1, Southbridge Crossings East 5th Addition; and

NOW THEREFORE, BE IT RESOLVED by the Board of Adjustment and Appeals of the City of Shakopee, Minnesota that the requested CUP is hereby approved, subject to the following conditions:

1. Ensure compliance with the approved PUD and City Code Design Standards.
2. All patios and congregation areas are subject to the city's noise regulations.
3. Any lights on the patios and congregation areas are subject to the city's regulations pertaining to illumination standards at the property line.
4. Exterior congregation areas which serve alcohol shall physically delineate the exterior area which alcohol is to be served. This delineation shall clearly define the space, with a clear access and exit. Delineation examples shall include, but not be limited to: grade changes, material changes, decking, or planters.
5. The entry to the outdoor patio or congregation areas is to be compact and contiguous with the structure.
6. Exterior congregation areas that utilize pedestrian areas, such as a public or private sidewalk or walkway, shall maintain a clear 4 foot path for pedestrian walkway.
7. The property owner shall provide a cross access and parking easement for the proposed development.
8. The property owner shall provide pedestrian connectivity throughout the proposed development and connectivity to existing and proposed neighboring developments.
9. The applicant/property owner shall secure Liquor licenses for any establishments proposing to distribute alcoholic beverages.
10. Internal pedestrian connections must be provided to allow for pedestrian movement within the development. These connections must comply with City Code requirements and PUD approvals for this property.

11. The property owner shall provide appropriate ingress and egress easements and maintenance agreements for the private driveways and shared parking areas. Those parking areas shall be adequately signed to ensure safe vehicular circulation patterns.
12. A sidewalk must be constructed on the north side of the east-west traveling private drive adjacent to the north elevation of Home Depot, or the applicant must work with Home Depot to continue the existing sidewalk on the south side of the private drive to connect to the future buildings on Lot 1 and Lot 2 at time of development.
13. A minimum of two spaces of bike parking consistent with APBP guidelines shall be provided at each future building within the PUD. Buildings greater than 5,000 square feet in area shall provide at least 4 spaces of bike parking meeting APBP guidelines.

Adopted in _____ session of the Board of Adjustment and Appeals of the City of Shakopee, Minnesota, held on the ____ day of _____, 2017.

**Chairperson, Board of
Adjustment and Appeals of the
City of Shakopee**

ATTEST:

Michael Kerski, Director of Planning and Development

PREPARED BY:
City of Shakopee
485 Gorman Street
Shakopee, MN 55379