

RESOLUTION NO. PC2022-001

**A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA, APPROVING A
CONDITIONAL USE PERMIT TO ALLOW CONCRETE CRUSHING,
COMMERCIAL VEHICLE SALES/SERVICE, AND EXTERIOR STORAGE OF
CONSTRUCTION EQUIPMENT AND MATERIALS AT 7350 HENTGES WAY**

WHEREAS, Cretex Industrial Park, LLC, applicant, and property owner, has made application for a Conditional Use Permit (CUP) to allow to allow concrete crushing, commercial vehicle sales/service facility, and exterior storage of construction equipment and materials; and

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

Lot 1, Block 1, Hentges Industrial Park 2nd Addition; and

WHEREAS, all required public notices regarding the public hearing for the application were duly sent and posted and all persons appearing at the hearing have been given an opportunity to be heard thereon; and

WHEREAS, the Board of Adjustment and Appeals of the City of Shakopee did review this application on March 3, 2022, and adopted the following findings:

- Finding #1 The City has not received any evidence that the proposed use will be injurious to the use and enjoyment of other property in the immediate vicinity, nor would it substantially diminish or impair property values in the area, provided the use complies with the conditions of the resolution.
- Finding #2 The conditional use permit should not impede future development and improvement in the area, provided the use complies with the conditions of the resolution.
- Finding #3 The Board finds that adequate utilities, access, drainage and other necessary facilities have been or will be provided for the site, as conditioned in the resolution.
- Finding #4 The use of the subject property is consistent with the purposes of the Heavy Industry (I-2) Zone.
- Finding #5 The use is not in conflict with the Comprehensive Plan (Industrial).

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. Exterior storage (including concrete rubble, crushed concrete, sand, topsoil, mulch, and other materials used in road building and landscaping) shall not exceed the height of 25 feet. Construction equipment shall be stored in the down position.
2. The Performance Standards and Design Standards of the City Code shall be complied with, particularly concerning building design and odor/noise/smoke/vibration requirements.
3. No materials or equipment shall be stored in the drainage and utility easements.
4. All proposed uses will take place as shown on the submitted Site Plan (dated 01/19/22), specifically the material storage area. The future expansion of the building shall be allowed, provided it complies with City Code Performance and Design standards in place at time of construction or is designed to match with the existing building.
5. Additional landscaping, fencing and/or berming will be required to ensure that screening of the parking lot and of the construction equipment/materials complies with the City Code requirements. Financial security shall be provided in accordance with City Code (including security/fees for tree replacement).
6. SPU requires additional information regarding the use of the field hydrants, and how much water will be used by the field hydrants.
7. Fire department access shall be provided as required by the Minnesota State Fire Code. Access roads with widths of less than 20-feet shall require special approval.
8. Backflow prevention is required on all fire hydrants that extend after building service line. Coordinate with Shakopee Utilities and Shakopee Fire on layout.
9. Development of the site shall comply with the conditions noted in the City Engineering Memo (dated 02/22/22), unless as revised/approved by City Engineering and Planning staff. This shall include providing crushed granite material or a similar material approved by City staff for all non-paved, exterior storage areas.
10. The applicant shall pave the site access driveways and areas immediately surrounding the buildings and the fueling area with a material to be approved by City Engineering and Planning staff. Areas that will be used for storage of equipment and vehicles and sorting/crushing of non-contaminated earthen materials and soils can be conducted on non-paved surfaces.
11. Vehicle/equipment sales (trucks, earthwork equipment, and other related equipment) shall not exceed 10 vehicles/month. Vehicles shall be owned by the property owner, and records of sales shall be provided to City staff when requested.
12. No overnight camping or Recreational Vehicle storage shall be permitted on the site.
13. Hours of operation for concrete crushing shall be limited from 7 a.m. to 10 p.m. on weekdays, and 9 a.m. to 9 p.m. on weekends and holidays.

Adopted in _____ session of the Board of Adjustment and Appeals of the City of Shakopee, Minnesota, held the _____ day of _____, 2022.

Chairperson,
Board of Adjustment and Appeals

ATTEST:

Michael Kerski,
Director of Planning and Development

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