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March 4, 2022

Michael Kerski
Director of Planning and Development
City of Shakopee
485 Gorman Street
Shakopee, MN 55379

***TRANSMITTED
THROUGH
CITY PERMIT PORTAL***

Re: Text Amendment Application

Dear Mr. Kerski:

We represent CT Realty (“CTR”), the preferred national developer for Clean Energy Fuels, a renewable natural gas distributor. CTR has identified a property at the Cretex industrial park (the “Property”) in the City of Shakopee (the “City”) to develop a compressed natural gas (“CNG”) fleet fueling facility. CTR is seeking to amend the Shakopee City Code of Ordinances (“City Code”) to add fleet fueling as a conditional use within the I-2 Heavy Industrial District. Please accept this letter, together with the enclosed materials submitted via the City’s permitting portal, as an application by CTR for a City Code text amendment.

Since it was founded in 1994, CTR has acquired, developed, and managed over \$8 billion in industrial logistics properties in the United States. CTR is developing a network for CNG truck fleet fueling stations across the United States to be leased exclusively to Clean Energy Fuels (“CLNE”). CLNE is the largest distributor of renewable natural gas fuel in North America, is publicly traded on the NASDAQ, and operates over 565 stations throughout the U.S. and Canada. CLNE’s mission is to decarbonize truck transportation in America.

With the rise of same-day delivery services and 2-day shipping, coupled with the need to respond to growing climate concerns, logistics and transportation firms are seeking ways to decarbonize their operations. CNG fueled “Green Trucks” offer comparable or better emission benefits than electric trucks while providing the same range and power as diesel trucks. In developing fleet fueling facilities nationwide, CTR’s goal is to station these Green Trucks in key industrial hubs near regional warehouses, replacing diesel trucks at these facilities. Based on the City’s strong industrial presence, the Property uniquely serves this need to support CTR’s fleet fuel customers. CTR’s facilities provide the infrastructure for truck fueling that makes it possible to replace diesel trucks- promoting sustainability within the transportation industry.

The Property is zoned Industrial and zoned I-2, designed to “accommodate industrial uses in locations remote from residential uses in which urban services and adequate transportation exist.” The development team recognizes that the City has successfully harnessed regional growth trends, developing a substantial industrial base along its transportation corridors. The proposed fueling use is complementary to the industrial users the City has attracted and enhances the City’s

sustainability footprint. As a member of Green Step Cities, the City has invested in long-term ecological preservation for its residents and businesses, adopting significant community goals around sustainability. CTR is seeking to contribute to those goals with the development of this new use. Specifically, replacing diesel trucks that are performing delivery services with renewable CNG trucks will dramatically reduce local air pollution, greenhouse gas emissions, and noise.

Proposed Text Amendment

The proposed text amendment seeks to establish a new use category, *fuel station, industrial*, as a conditional use in the I-2 District. The proposed amendment incorporates the existing “fuel station” definition within the City Code, limiting the use to fleet services through specific conditions established to address the unique characteristic of the use.

COMMERCIAL AND INDUSTRIAL DISTRICTS									
A = Accessory Use C = Conditional Use P = Permitted Use PUD = Planned Urban Development Numbers in superscript indicate additional conditions for approval of use. These conditions are found in City Code § 151.07.K									
USE CLASSIFICATION (proposed)	B-1	B-2	B-3	NC	MR	CC	I-1	I-2	BP
<u>Fuel Station, Industrial</u> ⁵⁸								<u>C</u>	

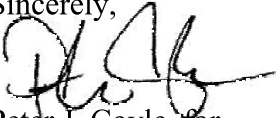
58. Fuel Station, Industrial.

1. Time-fill operations shall be limited to a single user in secured, access controlled parking area;
2. Fast-fill operations shall be limited to commercial fleet fueling;
3. Site lighting must be installed pursuant to industry standards for fueling and vehicular access;
4. Station equipment must be monitored at all times, such monitoring may occur off-site;
5. Station must incorporate fire detection monitoring systems with automatic shut off;
6. Fueling station infrastructure must be screened from view;
7. Landscaping shall be designed and installed in accordance with Ch. 151 and city design criteria;
8. Gasoline and diesel fueling are not permitted;
9. Shall not store any vehicles which are unlicensed and inoperable on the premises, except in appropriately designed and screened storage areas;
10. Minor vehicle repair services are permitted, including tire repair and replacement, brake repair, minor engine repair, minor maintenance, repair, or replacement of motor vehicle components or similar minor repairs and service;
11. Electric, hydrogen, and compressed natural gas stations with time-fill operations shall be performed in a secure area;
12. Shall provide stacking for quick-fill fuel pumps for at least one vehicle beyond the pump island in each direction in which access can be gained to the pump. The required stacking shall not interfere with internal circulation or with designated parking facilities, and shall not be located in any public right of way, private access easement or within the required parking setback;
13. Shall not sell, store, or display any used vehicles;
14. May have a canopy which projects up to 10 feet into the required front or rear yard setback. The setback shall be maintained clear of all obstructions up to a height of 16 feet. The canopy shall have a maximum vertical thickness of 4 feet. The canopy shall have a maximum height of 20 feet.

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On behalf of CTR, we respectfully request consideration and support of this text amendment to the City Code. Please do not hesitate to let me know if you have any questions or would like to discuss further.

Sincerely,



Peter J. Coyle, for
Larkin Hoffman

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