

RESOLUTION NO. PC2022-006

**A RESOLUTION OF THE CITY OF SHAKOPEE
APPROVING A CONDITIONAL USE PERMIT TO ALLOW A CARWASH IN THE
HIGHWAY BUSINESS (B-1) ZONE AT 8108 OLD CARRIAGE COURT NORTH**

WHEREAS, the City of Shakopee received an application from Jarice Barbee, applicant, and Shakopee Crossings Limited Partnership, property owner, for a Conditional Use Permit to allow a car wash at 8108 Old Carriage Court North, Shakopee, MN; and

WHEREAS, the property for which the application was made is legally described as follows:

See Attached Exhibit; and

WHEREAS, proper public hearing notices were sent, published and posted, and on May 5, 2022, a public hearing was held on the requested Conditional Use Permit before the Board of Adjustment and Appeals (BOAA).

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF ADJUSTMENT AND APPEALS OF THE CITY OF SHAKOPEE, MINNESOTA ADOPTS THE FOLLOWING FINDINGS RELATIVE TO THE REQUEST FOR CONDITIONAL USE PERMIT.

CUP Criteria and Proposed Findings:

Criteria #1 The use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity;

Finding #1: The Board has not received any evidence that the proposed use will be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity, if conducted in accordance with the proposed conditions.

Criteria #2 The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses allowed in the area;

Finding #2: The Board finds that the car wash will not impede the normal and orderly development and improvement of surrounding property.

Criteria #3 Adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided;

Finding#3: The Board finds that adequate utilities, access, drainage and other necessary facilities have been or will be provided for the site.

Criteria #4 The use is consistent with the purposes of the zone in which the applicant intends to locate the proposed use; and

Finding #4 The Board finds that this use is consistent with the purposes of the Highway Business (B-1) Zone.

Criteria #5 The use is not in conflict with the Comprehensive Plan.

Finding #5 The Board finds that the use is not in conflict with the Comprehensive Plan for the Mixed-Use Commercial Center Area.

BE IT FURTHER RESOLVED, that the Conditional Use Permit to allow a car wash facility is approved subject to the following conditions:

1. The proposed trash enclosure must include a roof to meet City Code requirements.
2. The pay station area for the car wash must be shifted as far south as practical to maximize the vehicle stacking area. A revised turning movement diagram / site plan must be provided showing that full-size pickup trucks are able to navigate the entrance to the wash from all lanes without backing up or driving over curbs.
3. Non-permanent car stops are not permitted in the parking / vacuum areas.
4. The building materials and design of the building must be adjusted to meet City Code requirements for buildings in the B-1, Highway Business zone.
5. Noise generated by the washing / drying equipment must comply with City Code requirements.
6. A water conservation / recovery system is required.
7. Landscape plantings on the site must comply with City Code for size and quantity at time of planting.
8. Curb and gutter is required for parking / driveway areas. Concrete ribbon curb is permitted for parking areas adjacent to trees / landscaped areas.
9. A stormwater management plan must be submitted for review and approval prior to issuance of a Building Permit.
10. A public watermain connection must be provided from the watermain on the north side of the site to the south side of the site for a future connection. Contact Shakopee Public Utilities for details.
11. The applicant must comply with the Public Works and Engineering Department Memo dated April 26, 2022.

Adopted by the Shakopee Board of Adjustment and Appeals on the 5th day of May, 2022.

Chair of the Board of Adjustment & Appeals

ATTEST:

Michael Kerski,
Director of Planning and Development

CERTIFICATION OF RESOLUTION NO. PC2022-006

I, Lori Hensen, City Clerk for the City of Shakopee, do hereby certify that the attached is a true and correct copy of Resolution No. PC2022-006, presented to and adopted by the Board of Adjustment and Appeals of the City of Shakopee at a duly authorized meeting thereof held on the 5th day of May, 2022, as shown by minutes of the meeting in my possession.

Dated this _____ day of May, 2022.

Lori Hensen
City Clerk

SEAL