

RESOLUTION NO. PC2022-008

**A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA, APPROVING A
CONDITIONAL USE PERMIT TO ALLOW A CNG FLEET FUELING FACILITY
AT 7420 HENTGES WAY**

WHEREAS, Cretex Industrial Park, LLC, property owner, and CT Realty, applicant, have made application for a Conditional Use Permit (CUP) to allow for a compressed natural gas (CNG) fleet fueling facility on property located south of Hwy. 101 and west of Stagecoach Road (7420 Hentges Way); and

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

Lot 2, Block 1, Hentges Industrial Park 3rd 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 June 9, 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. This use shall comply with the 17 conditions noted in City Code Section 151.007 (L) (24), Industrial Fuel Stations.
2. The visible portions of the columns/support of the canopy shall be constructed out of brick.
3. All proposed uses will take place as shown on the submitted Site Plan (dated 05/06/22), unless as specifically noted in this Resolution.
4. Additional landscaping, fencing and/or berming will be required to ensure that screening of the parking lot and of the canopy area complies with the City Code requirements. This shall include providing a mix of plantings along the north side of the parking lot (presently shown as the same species) at a minimum height of three (3) feet. Financial security shall be provided in accordance with City Code for the proposed landscaping.
5. Additional fees for woodland replacement of existing trees on site (including the high priority Oak trees) will need to be paid at time of building permit.
6. Fire department access shall be provided as required by the Minnesota State Fire Code.
7. Development of the site shall comply with the conditions noted in the City Engineering Memo (dated 06/01/22), unless as revised/approved by City Engineering staff.
8. Fencing shall comply with City Code Section 111.02 standards (including not to exceed 8' in height, nor constructed of materials that are deemed hazardous, including use of barb-wire).

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