RESOLUTION PC2023-002

A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW A CNG FLEET SERVICE CENTER AT 7450 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 service center 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:

Outlot A, Hentges Industrial Park; 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 9, 2023, 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. A final plat shall be submitted and approved prior to approval of any building permit for this site.
2. This use shall comply with conditions noted in City Code Section 151.007 (K) (21), Exterior Storage.
3. All proposed uses will take place as shown on the submitted Site Plan (dated 02/27/23), unless as specifically noted in this Resolution or by city staff.
4. Proposed building shall comply with City Code Performance Standards (Section 151.108) and Design Standards (Section 151.046).
5. Additional landscaping, fencing and/or berming will be required to ensure that screening of the parking lot complies with the City Code requirements (151.112). This shall include preserving trees in the northeast and southwest areas of the site, providing a mix of overstory/coniferous plantings along the northeast side of the parking lot; and a mix of shrubs and overstory/coniferous trees along the Stagecoach Road & Hentges Way right of way at a minimum height of three (3) feet. Financial security shall be provided in accordance with City Code for the proposed landscaping.
6. Additional fees for woodland replacement of existing trees on site will need to be paid at time of building permit.
7. Fire department access shall be provided as required by the Minnesota State Fire Code.
8. Development of the site shall comply with the conditions noted in the City Engineering Memo (dated 01/04/23) and as identified on the redlined site plan, unless as revised/approved by City Engineering staff.
9. 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).
10. Existing advertising signs for projects (including but not limited to Triple Crown and Pulte Canterbury townhomes) shall be removed and those projects consolidated on to the fence signage.

Adopted in regular session of the Board of Adjustment and Appeals of the City of Shakopee, Minnesota, held on the 9th day of March, 2023.

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Chairperson,
Board of Adjustment and Appeals

ATTEST:

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Michael Kerski,
Director of Planning and Development

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