

RESOLUTION PC2023-006

A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW VEHICLE SERVICE AND REPAIR AT 8610 HANSEN AVENUE

WHEREAS, Elmer Paz, KME Auto Repair, applicant, and Hansen Avenue LLC, property owner, have made application for a Conditional Use Permit (CUP) to allow for a vehicle repair facility on property located at 8610 Hansen Avenue; and

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

Lot 1, Block 2, Reliakor First 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 8, 2023, and adopted the following findings:

Criteria #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 #1 The applicant is proposing to occupy a space that was used for repair of Reliakor company vehicles.

Criteria #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 #2 Conditions are put in place to require that the use follow City Code and not have impacts on surrounding properties.

Criteria #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 #3 City sewer and water were recently added to this area. Fire Sprinklers must be installed in the building prior to the operation of this business.

Criteria #4 The use of the subject property is consistent with the purposes of the Light Industry (I-1) Zone.

Finding #4 Vehicle service and repair is a listed conditional use in the I-1, Light Industry zone.

Criteria #5 The use is not in conflict with the Comprehensive Plan (Mixed Use Employment Center).

Finding #5 Vehicle service and repair is an allowed use by the comprehensive plan in the Mixed Use Employment Center designation.

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. The applicant must comply with the Engineering Department Memo dated May 19, 2023.
2. Any alterations to the building will require a Building Permit. If building alterations are not necessary or planned, the applicant must receive a Change of Occupancy Permit from the Building Department prior to operation of the business.
3. The applicant must receive a Hazardous Waste Generator License from Scott County Environmental Services prior to operation of the business, contact Joan Anderson at Scott County Environmental Services for details.
4. Fire Sprinklers must be installed in this building prior to the applicant occupying the building. The Fire Sprinkler System must be monitored and the monitoring system must be installed prior to the applicant occupying the space and the use shall comply with all Building / Fire Codes.
5. A proper paint booth must be installed if painting of vehicles or parts takes place on the site.
6. Exterior storage of new or used parts is not permitted.
7. Any future tenants within this tenant space must comply with the Zoning Ordinance and receive a Change of Occupancy Permit from the Building Department.
8. All service or repair work on vehicles must take place inside the building.
9. Trash handling must either take place inside the building, or be contained in a trash enclosure that meets City Code requirements, including a roof.
10. Unlicensed or inoperable vehicles must not be kept outside the building, unless the vehicles are within an area that is screened from view from adjacent properties and streets that complies with City Code requirements for screening.
11. The applicant shall not have a public address system.

**Adopted in regular session of the Board of Adjustment and Appeals of the City of
Shakopee, Minnesota, held on the 8th day of June, 2023.**

**Chairperson,
Board of Adjustment and Appeals**

ATTEST:

**Michael Kerski,
Director of Planning and Development**

PREPARED BY:
City of Shakopee
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Shakopee, MN 55379