RESOLUTION NO. 7956
A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA, APPROVING AN INTERIM USE PERMIT AMENDMENT TO ALLOW TEMPORARY STORAGE OF SEMI-TRAILERS ON VALLEYFAIR PROPERTY

WHEREAS, Valleyfair, applicant, and Cedar Fair, property owner, have made application for an Interim Use Permit (IUP) Amendment to allow temporary storage of 450 semi-trailers on Valleyfair property; and

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

See Exhibit A (attached); 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 Planning Commission of the City of Shakopee did review this application on December 7, 2017 and recommended approval of the application request; and

WHEREAS, the City Council of the City of Shakopee did review this application on December 19, 2017 and adopted the following findings:

Interim Use Permit Findings:

Criteria a: The proposed use will not delay permanent development of the site;

Criteria b: The proposed use will not adversely impact implementation of the Comprehensive Plan or adopted plan for the area;

Criteria c: The proposed use will not be in conflict with any provisions of the city code on an ongoing basis;

Criteria d: The proposed use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare;

Criteria e: The date or event that will terminate the use has been identified with certainty;

Criteria f: The property on which the use is situated has no open enforcement orders and there are no nuisance characteristics associated with the property or its current use;

Criteria g: Permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future; and

Criteria h: The user agrees to any conditions that the governing body deems appropriate for permission of the use.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Shakopee, Minnesota that the requested IUP is hereby approved, subject to the following conditions:

1. The use shall be located consistent with the location on the submitted aerial plan, and shall occur for the time frame requested by the applicant (Nov. 1 – thru February 15).
2. The number of trailers shall not exceed 450 trailers.
3. The trailers shall be parked so that the maximum area for each grouping of trailers do not exceed 250 feet by 100 feet, with a minimum separation of 10 feet maintained between each area.
4. The applicant identifies a storage area of approx. 785 feet by 303 feet. The applicant shall submit to City Planning and Fire a site plan for review/approval to ensure compliance with any Fire Code and Parking requirements.
5. The term of an interim use permit must not exceed two years with a review after the first year.
6. An interim use permit expires and the interim use must terminate at the earlier of:
    a. The expiration date established by the City Council at the time of approval, but in no event more than two years from the date of approval;
    b. The occurrence of any event identified in the interim use permit for the termination of the use;
    c. Upon an amendment of the city code that no longer allows the interim use.
    d. Unused interim use permits expire six months after approval if the proposed use has not commenced or a complete building permit application for a structure to support the interim use has not been submitted to the city for review. A land owner may apply to the Zoning Administrator for no more than one time extension of up to six months for an unused interim use permit.
    e. Interim use permits expire if the interim use ceases operation for a continuous period of one year or longer.

Adopted in _____session of the City Council of the City of Shakopee, Minnesota, held on the ____ day of _____, 2017.

_____
Mayor

ATTEST:

_____
Lori Hensen, City Clerk

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