

Application for Conditional Use Permit

491 and 539 Citation Drive
Shakopee, MN

This application for a Conditional Use Permit (the “CUP”) is made by Swervo Development Corporation (“Applicant”). Subsequent to the issuance of the CUP, Applicant intends to sell the CUP Property, defined below to Canterbury Properties, LLC (“Canterbury”).

1. The CUP Property.

The property covered by this Application (the “CUP Property”) consists of two separate tax parcels:

- 491 Citation Drive (the “491 Parcel”); and
- 539 Citation Drive (the “539 Parcel”).

The CUP Property is comprised of approximately 156,063 square feet or 3.583 acres. The CUP property is currently improved with two buildings. The 491 Parcel has one building comprised of approximately 14,190 square feet. The 539 Parcel has one building comprised of approximately 11,920 square feet.

2. Site Control.

Swervo is the contract purchaser of the CUP property pursuant to the purchase agreement (the “Swervo Purchase Agreement”) dated January 25, 2022 with the owner of the CUP Property. Swervo has entered to a purchase agreement with Canterbury dated July 18, 2022 (the “Canterbury Purchase Agreement”) pursuant to which Swervo will sell the CUP Property to Canterbury. Redacted copies of the Swervo Purchase Agreement and the Canterbury Purchase Agreement are available for City review if requested.

3. Demolition and Replacement; Use

The existing building located on the 539 Citation Parcel, as well as most of the associated bituminous area, will be demolished and replaced with gravel (4-inch MnDOT Class 5 Aggregate). The existing driveway apron off Citation Drive will be demolished and seeded. A portion of the existing bituminous drive lane will remain and a small amount of new bituminous is proposed to connect to the 491 Citation Parcel. Landscaping and turf establishment are proposed along the west and southeast corner of the CUP Property.

Canterbury intends to use the property for the rental, sale and storage of commercial cranes and ancillary equipment, together with related office and maintenance shop operations (the “Use”). The building on the 491 parcel will be used as an office/warehouse and maintenance shop facility.

The 539 Parcel will be used for the outdoor storage of cranes and contracting equipment. Stacking of equipment will not exceed twenty-four (24) feet. The preliminary use and drive aisle plan for the outdoor storage area is part of this application and will be finalized at the time of

construction. Applicant acknowledges that Fire Marshall approval of the use site plan and drive aisle(s) location (including turning radii) for the outdoor storage area will be a condition of the issuance of the certificate of occupancy for the project.

Business hours are anticipated to be from 7:00 am to 4:30 pm, Monday-Friday. The property will be a secure facility with the eight (8) foot vinyl fence as shown on the plans and locked gates.

4. Stormwater Management.

Stormwater will be managed on-site using a combination of surface infiltration and underground storage. The surface component of the stormwater management system will utilize the existing low area north of and adjacent to the 491 Parcel building. The low area alone does not provide adequate volume to meet City volume reduction requirements; therefore, the following stormwater improvements are shown on the plans accompanying this Application:

- For water quality and rate control purposes, a cast in place concrete weir is proposed to be constructed on the upstream side of the existing outlet culvert flowing west under Citation Drive.
- To provide additional water quality volume below the weir outlet, 24-inch dual wall HDPE pipe will be located underground and adjacent to the existing parking area.
- To provide additional live storage volume above the weir outlet, the existing berm along the north side of the low area will be increased in height and a stabilized overflow will be constructed.

5. Landscaping.

The landscape plan consists of turf seed restoration in areas where demolition, removal, and proposed grading are located. Screening along Citation Drive is required and based on conversations with City staff, an 8-foot tall 100-percent opaque fence supplemented with evergreen trees will be shown. Twenty-four (24) existing trees were surveyed on the site, with eleven (11) trees slated for removal. Five (5) trees are proposed for installation, which will give the site a net loss of 25-percent trees from existing conditions. Based on consultation with City staff, tree species and diameter were not necessary for this site, with importance being on overall site density.

6. Fencing.

The screening material to be used along Citation Drive shall be 100-percent opaque and 8-feet high and constructed using vinyl material. The specifications for the fencing are shown on the landscape plans

7. Conditional Use Permit Findings.

A Conditional Use Permit for the Use should be granted based on the following:

- a. 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;
- b. 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;
- c. Adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided;
- d. The use is consistent with the purposes of the zone in which the applicant intends to locate the proposed use; and
- e. The use is not in conflict with the comprehensive plan.

8. Conditional Use Permit Submissions:

Applicant submits with this Application the following:

a. Survey of the CUP Property dated May 28, 2022 prepared by Stantec Consulting Services, Inc.

b. "Preliminary Construction Plans for Quality Forklift Improvements" prepared by Stantec Consulting Services, Inc dated June, 2023 and consisting of the following:

- 1. Sheet C-001 – Cover Sheet
- 2. Sheet C-002 – General Notes
- 3. Sheet C-003 – Existing Conditions
- 4. Sheet C-004 – Removals and Preconstruction Erosion Control Plan
- 5. Sheet C-101 – Site Plan
- 6. Sheet C-201 – Post Construction Stabilization Plan
- 7. Sheet C-202 – SWPPP
- 8. Sheet C-301 – Grading and Storm Sewer Plan
- 9. Sheet C-801 – Details
- 10. Sheet C-802 – Details
- 11. Sheet L-101 – Landscape Plan
- 12. Sheet L-801 – Landscape Details

c. Storm Sewer Design Calculations prepared by Stantec dated May 16, 2023

d. Legal Description of CUP Property.

e. Preliminary Use and Drive Aisle Plan for Outdoor Storage Area

