

RESOLUTION PC2023-015

A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW AN ASSISTED LIVING FACILITY AT 2217 MERIDIAN DRIVE

WHEREAS, Sacha Sam, Socha Assisted Living, applicant and David Seng Chor and Tonara Hing, property owners, have made application for a Conditional Use Permit (CUP) to allow for an Assisted Living Facility at 2217 Meridian Drive; and

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

Lot 12, Block 2, Shenandoah Place, Scott County, MN; 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 October 5, 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 has proposed to operate the facility in a manner that is not injurious to the use and enjoyment of properties in the vicinity.

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 / State of MN regulations 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 Adequate utilities, access to drainage and other necessary facilities have or will be provided.

Criteria #4 The use of the subject property is consistent with the purposes of the Urban Residential (R1B) Zone.

Finding #4 Assisted Living Facilities are a listed conditional use in the R1B, Urban Residential zone.

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

Finding #5 Assisted Living Facilities are allowed uses by the comprehensive plan in the Mixed Residential 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 receive the appropriate licenses from the Minnesota Department of Health and/or the Minnesota Department of Human Services.
2. No more than three residents may be served by the assisted living facility and no more than four staff may be on site at any given time.
3. Garage spaces are to be dedicated to the staff of the facility. If a third or fourth staff member is on-site, driveway spaces must be utilized, with at least two remaining driveway spaces available for the use by visitors.
4. Any structural alterations to the structure and work on the electrical, mechanical, plumbing systems require review by the Minnesota Department of Labor and Industry and the appropriate permits from the City of Shakopee Building Department. For specific questions related to the requirements for an Assisted Living Facility, the applicant must contact Ryan Rehn, Building Plan Review Supervisor at Ryan.Rehn@State.MN.US for questions on plan review or Stacy Jeffrey for building permit application questions at Stacy.Jeffrey@State.MN.US
5. Trash handling must take place inside the building.

Adopted in regular session of the Board of Adjustment and Appeals of the City of Shakopee, Minnesota, held on the 5th day of October, 2023.

**Chairperson,
Board of Adjustment and Appeals**

ATTEST:

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

PREPARED BY:
City of Shakopee
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