

Shakopee Board of Adjustment and Appeals Meeting

September 7, 2023

7:00 PM

City Hall, 485 Gorman St.

1. Roll Call: Present Commissioners Forsythe (Chair), Olson, Weiler, Robbins, Lara, Schleck, Sepulveda, Staff Kerski
2. Approval agenda: Modified agenda to move item 6D from Planning Commission Agenda over to Board of Adjustment Agenda now as 6C. Robbins moved to approve agenda as modified, Olson second. Approved unanimously.
3. Call – good
4. Interested citizens – None
5. Consent business – motion to table by Robbins, seconded by Sepulvado, approved unanimously.
6. General Business
 - a. PUBLIC HEARING - Conditional Use Permit for Exterior Storage at 1425 Stagecoach Road
Motion made by Robbins and seconded by Weiler to open public hearing. Approved unanimously.

Staff presented that Northwest Asphalt had applied for exterior storage. The applicant is requesting to store equipment on this site and would not store broken or crushed material on this site. The applicant is proposing to construct a 6' tall wood privacy fence along the north lot line. The proposed storage area is 10' south of the fence. Staff recommends that the fence be set back 10' from the lot line to allow for planting of trees adjacent to the fence. The applicant is proposing to plant nine trees west of the infiltration basin on the site. Staff is recommending that an additional two trees be planted adjacent to the basin to screen the storage area from Stagecoach Road and that deciduous trees be added in 40' intervals adjacent to the privacy fence along the north side of the storage area. With the proposed changes to the landscape plan, staff recommends approval of the conditional use permit request.

Robbins moved to close the public hearing, seconded by Schleck. Robbins moved Adopt Resolution PC2023-014, seconded by Weiler. Passed unanimously.

- b. PUBLIC HEARING - Conditional Use Permit for Vehicle Sales at 8610 Hansen Avenue
Motion by Robbins and seconded by Weiler to open the public hearing. Passed unanimously.

Staff presented that Alex Hernesto Davis Henriquez of KME Auto Repair / Sales has applied for a conditional use permit for vehicle sales at 8610 Hansen Avenue in the existing Reliakor building. KME Auto Repair received a conditional use permit for vehicle repair at the June 8th Board Meeting. City Code requirements for vehicle sales conditional use permits are as follows:

- Shall not store any vehicles which are unlicensed or inoperative for more than 7 days, except in appropriately designed and screened storage areas;

- Shall conduct all repair, assembly, disassembly, or maintenance of vehicles within a building;
- Shall not have any outside storage
- Shall not have a public address system which is audible from any residential property;
- Shall screen any storage areas;
- Shall apply the parking setback to all areas where vehicles are located;

Overall staff is recommending approval of the request and the specific conditions that are noted above have been added to the draft resolution, along with conditions relating to the number of vehicles offered for sale being limited to five vehicles, and that any vehicles stored outside be both licensed and operable.

Motion to close the public hearing by Robbins, seconded by Olson. Approved unanimously. Motion by Robbins to adopt Resolution PC2023-013, seconded by Forsythe, passed unanimously.

c. PUBLIC HEARING - Conditional Use Permit for an Overheight Utility Structure in the Light Industry (I-1) Zone

Motion by Robbins, seconded by Olson to open the public hearing. Passed unanimously.

Shakopee Public Utilities have submitted a Conditional Use Permit (CUP) application to allow for the construction of an overheight electrical distribution substation and fence at 8850 Hansen Avenue, located south of Hansen Avenue and just west of Maras Street extended, on property zoned Light Industry (I-1) Zone. Overheight structures are allowed as conditional use within the I-1 Zone, and shall be setback from each property line a distance equal to half the structure height (45 feet required setback). The electric substation will be used to serve the eastern part of the Shakopee Public Utilities electric service area.

The steel box structures shall not exceed 90' in height, and the static & antenna poles shall not exceed 80' in height. The switchgear buildings will have a galvanized steel frame with a red brick veneer. SPU will be primarily utilizing the north two-thirds of the site, with the southerly third to incorporate an infiltration basin/storm pond and landscaping, both existing and new plantings.

Joe Adams from Shakopee Public Utilities was available for any questions.

Robbins made a motion to approve Resolution PC2023-012, a resolution approving the conditional use permit for Overheight Utility Structures and fencing in the Light Industry (I-1) Zone. Seconded by Olson. Passed unanimously.

7. Other Business - None

Motion to adjourn by Robbins and seconded by Sepulvado to adjourn to October 5, 2023, approved.

Closed At 7:34PM