

RESOLUTION NO. PC17-060

A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA, APPROVING A CONDITIONAL USE PERMIT ALLOWING EXTERIOR STORAGE IN THE LIGHT INDUSTRY (I-1) ZONE AT 290 SARAZIN STREET

WHEREAS, Beacon Construction, Inc., applicant, and Larson Development 101 LLC, property owner, have filed an application received November 16, 2017, for a Conditional Use Permit to allow exterior storage under the provisions of Chapter 151, Land Use Regulation (Zoning), of the Shakopee City Code, Section 151.014, Subd. (B) (7); and

WHEREAS, this parcel is presently zoned Light Industry (I-1) Zone; and

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

*The South 618.33 feet of the following described property:
That part of the Southeast Quarter of the Northeast Quarter of Section 6,
Township 115 North, Range 22 West, Scott County, Minnesota, which lies East of the
following described line: Commencing at a point on the South right-of-way of the
Chicago, St. Paul, Minneapolis & Omaha Railroad, South 79 degrees West 450.9 feet
from an iron pin located on the East line of said Section 6, Township 115, Range 22
about 1,260 feet North of the East Quarter corner of said Section 6; thence Southeasterly
at right angles to said railroad right-of-way line a distance of 328 feet; thence South and
parallel with the East line of said Section 6 to a point on the South line of the Southeast
Quarter of the Northeast Quarter of said Section 6; and*

WHEREAS, notice was provided and on January 4, 2018, the Board of Adjustment and Appeals conducted a public hearing regarding this application, at which it heard from the Community Development Director and invited members of the public to comment.

NOW THEREFORE, BE IT RESOLVED, that the Board of Adjustment and Appeals of the City of Shakopee hereby adopts the following findings of facts relative to the Conditional Use Permit application, as follows:

- Finding #1 Staff has received no evidence that the exterior storage area 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 conditions of the resolution are met.
- Finding #2 The conditional use permit, as proposed, will not impede future development and improvement in the area, provided the conditions of the resolution are met.
- Finding #3 Adequate utilities, access roads and drainage are provided or will be provided at the site.
- Finding #4 The use of the subject property is consistent with the purposes of the Light Industry (I-1) Zone.

Finding #5 The use is not in conflict with the Comprehensive Plan, which guides this property for industrial uses.

BE IT FURTHER RESOLVED, that the application for Conditional Use Permit No. PC17-060 is hereby **GRANTED**, subject to the following conditions:

1. Exterior storage shall be allowed consistent with submitted plans (dated 09/11/17), provided the required fencing/screening is installed consistent with City Code standards [exterior storage areas shall be screened from all public right-of-way and residentially-zoned land with a predominantly opaque fence, wall, and/or berm not to exceed eight (8) feet in height, constructed of new materials, and maintained in good condition], and/or as directed by the conditions incorporated into this Resolution.
2. Storage equipment/materials shall not exceed the height of the screening fence (registered/operable vehicles may extend above the fencing). Lifts shall be stored in a lowered state.
3. The applicant shall submit a fence permit prior to construction of any fencing. This fence shall not exceed eight (8) feet in height, shall include predominantly opaque privacy screening fabric secured on the side facing adjacent properties, and shall not include barbed-wire.
4. Any landscaping removed from within the storage area shall be replaced with new trees of comparable caliper inches (aggregate) around the perimeter of the storage area. An additional mix of 6' tall (min.) Black Hills Spruce, Red Cedar and Eastern White Pine coniferous trees spaced 20 feet apart shall be installed along the north, east and west sides of the storage area for off site screening purposes.
5. If a secured gate is added at any point between the Sarazin Street access and the east elevation (Fire Department connection and fire hydrant), the applicant shall obtain an additional Fire Department keybox and it shall be mounted at the secured gate.
6. Outside storage of combustible materials shall not be located within 10 feet of property lines and the maximum height of storage, except for vehicles, shall not exceed eight (8) feet in height. If the storage height is 6 feet or less, then the separation from the lot line can be reduced to 3 feet.
7. The exterior storage area shall have a maximum area equal to the combined footprint of the principal and accessory buildings.
8. The exterior storage areas shall be surfaced entirely with asphalt or concrete.
9. The exterior storage area shall not be located closer than 300 feet to any residential zone.
10. No businesses may store any vehicles which are unlicensed or inoperative for more than 7 days.

Adopted by the Board of Adjustment and Appeals of the City of Shakopee, Minnesota this 4th day of January, 2018.

Chair of the Board of Adjustment and Appeals

ATTEST: _____
Director of Planning & Development

CERTIFICATION OF RESOLUTION NO. PC17-__

I, Lori Hensen, City Clerk for the City of Shakopee, do hereby certify that the attached is a true and correct copy of Resolution No. PC17-__, presented to and adopted by the Board of Adjustment and Appeals of the City of Shakopee at a duly authorized meeting thereof held on the 5th day of January, 2017, as shown by minutes of the meeting in my possession.

Dated this _____ day of _____, 20__.

Lori Hensen, City Clerk