

## RESOLUTION PC2024-003

### **A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW VEHICLE SERVICE AND REPAIR AT 8245 CROSSINGS BOULEVARD**

**WHEREAS**, Kelly Schwieterman, applicant, and Shakopee Crossings LTD Partnership, property owner, have made application for a Conditional Use Permit (CUP) to allow for a vehicle service and repair facility on property located at 8245 Crossings Blvd; and

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

Lot 2, Block 1, Southbridge Fields Third Addition, 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 April 4, 2024, 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 applicant is proposing to build a facility that complies with the appearance standards for commercial buildings and will meet the landscaping requirements of City Code. Neighborhood meetings were held when this property was rezoned and for this conditional use permit request. None of the surrounding property owners attended either neighborhood meeting to express concerns regarding this development.*

**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 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      This site is served by both city sewer and water and other private utilities. Access to the site is from an existing private drive that can support the anticipated number of vehicle trips. The applicant will be required to provide adequate facilities for stormwater.*

**Criteria #4      The use of the subject property is consistent with the purposes of the Light Highway Business (B-1) Zone.**

*Finding #4      Vehicle service and repair is a listed conditional use in the B-1, Highway Business Zone.*

**Criteria #5      The use is not in conflict with the Comprehensive Plan (Mixed Use Commercial Center).**

*Finding #5      Vehicle service and repair is an allowed use by the comprehensive plan in the Mixed Use Commercial Center 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 comply with the Engineering Department Memo dated March 27, 2024.
2. The applicant must receive a Hazardous Waste Generator License from Scott County Environmental Services prior to operation of the business, contact Joan Anderson at Scott County Environmental Services for details.
3. All service or repair work on vehicles must take place inside the building.
4. Trash handling must either take place inside the building, or be contained in a trash enclosure that meets City Code requirements, including a roof.
5. Unlicensed or inoperable vehicles must not be stored on the site.
6. The operation must not have a public address system or exterior speakers.
7. Automotive bodywork or painting is not permitted by this conditional use permit.
8. A stormwater management plan must be submitted and approved with the grading and/or building permit. If there is greater than one acre of disturbance, an NPDES Construction Stormwater Permit must be obtained.
9. 7.5' of cover must be maintained over the 16" diameter watermain along County Road 18.
10. Underground electric service must be extended to the north lot line of this site. The Shakopee Public Utilities electric system is required to be looped to provide looping ability to the adjacent parcels. The point of connection to SPU's existing underground service shall be at the transformer serving Kwik Trip. The Valvoline building is required to take service from their own transformer.

11. Exterior storage of new or used vehicle parts, or storage tanks is not permitted.
12. Hours of operation must not be outside the hours of 8:00 a.m. to 7:00 p.m.

**Adopted in regular session of the Board of Adjustment and Appeals of the City of Shakopee, Minnesota, held on the 4th day of April, 2024.**

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**Chairperson,  
Board of Adjustment and Appeals**

**ATTEST:**

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

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