

RESOLUTION PC2024-005

A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW EXTERIOR STORAGE AT 1555 MARAS STREET

WHEREAS, John Mesenbrink, applicant, and Maras Street LLC, property owner, have made application for a Conditional Use Permit (CUP) to allow for exterior storage on property located at 1555 Maras Street; and

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

Lot 1, Block 1, Maras Street First 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 May 9, 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 construct a paved storage area in an area that was previously used for storage of black dirt and other materials.*

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 The proposed use of the site as a paved storage area will generate less dust than previous uses on this site. A draft condition has been added to not permit semi-trucks and trailers not affiliated with tenants of the buildings on this site. The applicant is also proposing to construct a berm and plant trees on the berm as a means of additional screening beyond the existing trees on the site.

Criteria #4 The use of the subject property is consistent with the purposes of the Light Industry (I-1) Zone.

Finding #4 Exterior storage is an allowed conditional use in the I-1, Light Industry zone.

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

Finding #5 Exterior storage is an allowed use in the Mixed Use Employment Center designation in the comprehensive plan.

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. Storage of both semi-trailers and semi-trucks not affiliated with the tenants of the buildings on the site is not permitted in this storage area.
2. The size and configuration of the proposed paved storage area east of the proposed building may be adjusted in size to meet stormwater requirements on this site.
3. The storage area must be paved and vehicles stored on the site must be both licensed and operable.
4. Exterior storage is only permitted in areas shown on the attached exhibit, which is to be based off approved stormwater retention and infiltration requirements on the site.
5. Screening on the site must match the proposed landscape plan and be maintained.

Adopted in regular session of the Board of Adjustment and Appeals of the City of Shakopee, Minnesota, held on the 9th day of May, 2024.

**Chairperson,
Board of Adjustment and Appeals**

ATTEST:

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

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