

RESOLUTION PC2024-008

A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW VEHICLE SERVICE/REPAIR AND EXTERIOR STORAGE AT 1500 MARAS STREET

WHEREAS, Marie Paff of EJ Equipment, applicant, and Quiring Properties, LLC, property owner, have made application for a Conditional Use Permit (CUP) to allow a vehicle service/repair facility with exterior storage on property located at 1500 Maras Street; and

WHEREAS, the property upon which the request is being made is legally described in Exhibit A; 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 August 8, 2024, and adopted the following findings:

Criteria #1 The use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity;

Finding #1 The City has not received any evidence that the proposed vehicle service/repair and exterior storage for EJ Equipment 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.

Criteria #2 The establishment of the conditional use permit will not impede the normal and orderly development and improvement of surrounding vacant property for uses allowed in the area;

Finding #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.

Criteria #3 Adequate utilities, access roads, drainage and other necessary facilities have been or will be provided;

Finding #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.

Criteria #4 The use is consistent with the purposes of the zone in which the applicant intends to locate the proposed use; and

Finding #4 The use of the subject property as proposed by EJ Equipment is consistent with the purposes of the Light Industry (I-1) zoning district.

Criteria #5 The use is not in conflict with the Comprehensive Plan.

Finding #5 The uses are not in conflict with the Comprehensive Plan (Industrial).

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. Paving shall be installed and completed by July 1, 2025. A grading or building permit shall be obtained which includes a site survey by a licensed and registered surveyor in the state of MN showing existing and proposed conditions (trash enclosure location, parking lot striping, fencing, etc.) as well as existing and proposed impervious surface areas and totals.
2. Screening of the approved EJ Equipment exterior storage area and parking facilities in the front yard setback shall be installed per City Code requirements by July 1, 2025. A grading or building permit shall be obtained prior to installation.
3. All waste receptacles shall be stored within the building or within an approved accessory structure, consistent with City Code requirements (which includes being enclosed with a roof). A grading or building permit shall be obtained and the enclosure constructed upon issuance of the CUP.
4. Compliance with the Engineering Memo dated July 31, 2024.
5. Compliance with Scott County Hazardous Waste permitting and disposal requirements.
6. Unlicensed or inoperative vehicles shall not be stored for more than 7 days, except in approved and screened exterior storage areas.
7. All washing, repair, assembly, disassembly, or maintenance of vehicles or equipment shall be conducted within the principal building, except for minor maintenance such as tire inflation, adding oil, and wiper replacement.
8. No public address system shall be audible from any residential property.
9. Parking shall only occur on the approved paved areas within the property.
10. Sales of vehicles is not permitted by this conditional use permit.
11. Operation of equipment and tools shall be in compliance with the noise and exterior lighting ordinance standards set forth in the City Code, including in the situations when vehicles are dropped off late in the evenings due to emergency situations.
12. No business activities shall occur within the public right-of-way. This includes dropping off of vehicles for service, street parking/storage of vehicles for service, and business vehicles.
13. Sign permits are required for any business exterior signage.

14. Compliance with any other local, state, or federal requirements including but not limited to Shakopee Public Utilities.

Adopted in regular session of the Board of Adjustment and Appeals of the City of Shakopee, Minnesota, held on the 8th day of August, 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

EXHIBIT A

Tract A:

The Southerly 191.81 feet of the Northerly 383.63 feet, as measured along the East and West lines of that part of the West Half of the East 6/7 of the East Half of the Southeast Quarter of Section 12, Township 115, Range 22, Scott County, Minnesota, described as follows: Beginning at the Southwest corner of Lot 4, Block 1, Maras Addition, said point being on the West line of said West Half of the East 6/7; thence on an assumed bearing of South 0 degrees 18 minutes 12 seconds East, along said West line, 767.25 feet; thence on a bearing of East, parallel with the South line of said Lot 4, a distance of 283.87 feet; thence North 0 degrees 18 minutes 26 seconds West, a distance of 767.25 feet to said South line; thence a bearing of West, along said South line, 283.82 feet to the point of beginning.

Tract B:

The Southerly 191.81 feet of the Northerly 575.44 feet, as measured along the East and West lines of that part of the West Half of the East 6/7 of the East Half of the Southeast Quarter of Section 12, Township 115, Range 22, Scott County, Minnesota, described as follows: Beginning at the Southwest corner of Lot 4, Block 1, Maras Addition, said point being on the West line of said West Half of the East 6/7; thence on an assumed bearing of South 0 degrees 18 minutes 12 seconds East, along said West Half of the East 6/7; a distance of 767.25 feet; thence on an assumed bearing of East, parallel with the South line of said Lot 4, a distance of 283.87 feet; thence North 0 degrees 18 minutes 26 seconds West a distance of 767.25 feet to said South line; thence on a bearing of West, along said South line, 283.25 feet, to the point of beginning.