

**RESOLUTION NO. PC17-004**  
**A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA,**  
**APPROVING A CONDITIONAL USE PERMIT TO EXTERIOR STORAGE OF SEMI**  
**TRAILERS IN THE LIGHT INDUSTRY (I-1) ZONE**

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**WHEREAS**, Duke Realty Corporation, applicant and property owner, has filed an application for a Conditional Use Permit to allow exterior storage of semi-trailers in the Light Industry (I-1) Zone, under the provisions of Chapter 11, Land Use Regulation (Zoning), of the Shakopee City Code, Section 151.045 (Light Industry Zone) and Section 151.014 (CUP Standards for Industry Zones).

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

Lot 1, Block1, & Outlot A, Gateway South Second Addition

**WHEREAS**, notice was provided and on March 9, 2017, the Board of Adjustment and Appeals (BOAA) held a public hearing regarding this application, at which it heard from City Planning staff and invited members of the public to comment; and

**NOW, THEREFORE, BE IT RESOLVED** by the BOAA of the City of Shakopee, Minnesota, that it adopts the following findings relative to the request for the Conditional Use Permit:

*Finding #1 Staff has received no evidence that the proposed use will 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, 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 proposed Light Industry (I-1) Zone.*

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

**NOW THEREFORE, BE IT FURTHER RESOLVED** by the BOAA of the City of Shakopee, Minnesota that the CUP request to allow exterior storage of semi-trailers is approved, subject to the following conditions:

- A. The trailer storage area shall comply with the conditions referenced in City Code Section 151.014 (B) (7).
- B. Landscaping requirements shall be calculated at time of building permit application. The landscaping units are based on the gross floor area, per City Code Section 151.112.
- C. Screening of the storage area shall be generally consistent with Landscape Plan # L202 (dated 01/16/2017), except that additional plantings shall be provided along County State Aid Highway 101 and along the southeasterly portion of the storage area, perpendicular to Shenandoah Drive to provide an opaque screening of the storage area. Final design of this screening shall be approved by the City Planning Department.
- D. Exterior lighting, noise and odor generated by the proposed use shall comply with the regulations identified in City Code Sections 151.114, 151.115, and 151.117.
- E. Storage of trailers shall be consistent with the Overall Site Plan # C200 dated 01/27/2017, and Landscape Plan # L202 dated 01/16/2017. This storage area is exclusively for the use of businesses located within Gateway South First and Second Addition.
- F. Landscaping in drainage and utility easements encompassing public storm sewer structures and pipes will need to be in compliance with the most recent version of the City of Shakopee's Easement Fencing and Landscaping Policy.
- G. The proposed 4th Avenue accesses will be aligned with existing accesses along the south side of the roadway and the proposed Shenandoah Drive accesses will be aligned with the existing accesses along the east side of the roadway, or as approved by the City Engineer.
- H. Specific performance/design standard details will be reviewed for compliance with City Code Sections 151.045 (Light Industry Zone) and 151.108 (Construction Materials) at the time of building permit application(s).

**Adopted in regular session of the Board of Adjustment and Appeals of the City of Shakopee, Minnesota, held the \_\_\_\_ day of \_\_\_\_\_, 2017.**

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Chairperson

Attest:

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Michael Kerski, Director of Planning & Development