

RESOLUTION NO. PC2018-010
A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA,
APPROVING A CONDITIONAL USE PERMIT FOR A VEHICLE RENTAL
FACILITY AT 1420 3rd AVENUE WEST

WHEREAS, Minnesota Auto Depot LLC, applicant, has made application for a Conditional Use Permit to allow a Vehicle Rental Facility for property located at 1420 3rd Avenue West in the Highway Business (B-1) Zone; and

WHEREAS, Henk Swanepoel and Paul A. Sullwold Trust, property owner, has assented to the application, and intends to lease the subject property to the applicant; and

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

All that part of Outlot C and Outlot B, Husman Addition to the City of Shakopee, Scott County, Minnesota, lying North of a line drawn parallel with and 320 feet North of and measured at right angles to the North line of the Northeast Quarter of Section 11, Township 115, Range 23 and, South of a line drawn parallel with and 520 feet North of and measured at right angles to the North line of said Northeast Quarter of Section 11, Township 115, Range 23, Scott County, Minnesota; 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 July 5, 2018 and adopted the following findings:

Conditional Use Permit 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 Board has not received any evidence that the use will be injurious to the use and enjoyment of other property in the vicinity, if conducted in accordance with proposed conditions.

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

Finding #2: The Board finds that the conditional use permit for a vehicle rental facility will not impede the normal and orderly development and improvement of surrounding property.

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.

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 Board finds that this use is consistent with the purposes of the B-1 Highway Business Zone.

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

Finding #5 The Board finds that the use is not in conflict with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ADJUSTMENT AND APPEALS OF THE CITY OF SHAKOPEE, MINNESOTA, AS FOLLOWS:

That the conditional use permit for a vehicle rental facility in the B-1 Highway Business Zone are hereby APPROVED, subject to the following conditions:

1. Shall not have any exterior storage except for U-Haul vehicles for rent;
2. Shall conduct any maintenance, repair or washing of rental vehicles within a building;
3. Shall screen all rental vehicle parking areas from adjacent residential properties;
4. Shall apply the parking setback to all areas where vehicles will be located;
5. Rental vehicles shall not take required customer or employee parking spaces;
6. Rental vehicles shall remain in working order;
7. No sale of vehicles, new or used, shall be allowed as part of this Permit;
8. Sign permits shall be required for any proposed site signage;
9. Shall apply for a Change of Occupancy permit. Prior to initiating business at the location all inspections shall be completed and a Certificate of Occupancy shall be issued;
10. Vehicle and trailer parking areas must be paved. No vehicle or trailer parking will be permitted on non-paved surfaces;
11. Provide a detailed map showing the parking areas for each business occupying the premises, including the number of spaces required for each business; and
12. Upon approval of CUP, business must apply for Scott County Hazardous Waste generator license. This can be done by contacting the Scott County Environmental Services department at 952-496-8177.

Adopted by the Shakopee Board of Adjustment and Appeals on the 5th day of July, 2018.

ATTEST:

Michael Kerski
Director of Planning & Development

BOAA Chairperson

PREPARED BY:
City of Shakopee
129 Holmes Street South
Shakopee, MN 55379