

RESOLUTION NO. 2018-020
A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA,
APPROVING A CONDITIONAL USE PERMIT FOR A VETERINARY CLINIC AT
12675 MARYSTOWN ROAD

WHEREAS, Shakopee Veterinary Clinic Properties LLC, applicant and property owner, has made application for a Conditional Use Permit to allow a Veterinary Clinic at property located at 12675 Marystown Road in the Community Commercial (CC) Zone; and

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

A tract of land in the Northwest Quarter of the Southwest Quarter of Section 13, Township 115 North, Range 23 West, described as follows:

Commencing at the Northwest corner of said Northwest Quarter of the Southwest Quarter and thence South along the West line thereof a distance of 749.65 feet to the actual point of beginning, thence continuing South along said West line a distance of 300 feet; thence East at right angles to said West line a distance of 726 feet; thence North at right angles a distance of 300 feet; thence West at right angles a distance of 726 feet to the actual point of beginning;
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 November 8, 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 received no evidence that a veterinary clinic 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 conditions of the resolution are met.

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, as proposed, will not impede future development and improvement in the area, provided the conditions of the resolution are met.

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 CC Community Commercial 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 which designates Commercial use for this property.

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 veterinary clinic in the CC Community Commercial Zone is hereby APPROVED, subject to the following conditions:

1. Shall be screened from any adjacent residential zone;
2. Shall enter into an Underground Distribution Agreement with Shakopee Public Utilities, grant any requested easements and pay any associated fees for electric service. The applicant shall contact SPU directly for additional information;
3. Any future development plans will be subject to all applicable city standards for development. Applicant shall contact City Engineering, Planning and Building departments prior to any building or grading permit applications for a potential future expansion;
4. When property is platted in the future, applicant shall
 - a. Pay park dedication fees;
 - b. Dedicate additional right-of-way for County Road 15 (Marystown Road) to Scott County;
5. A new septic system is required to be installed prior to any new facility construction. Contact Scott County Environmental Health for additional information;
6. At the time of any future building permit application, applicant shall:
 - a. Provide drainage and utility easements per City of Shakopee Design Criteria Section 10.1 (A-D);
 - b. Provide escrow funds for a future trail along County Road 15 (Marystown Road);
 - c. Submit plans to Scott County for review and approval subject to conditions imposed by the County;
7. Approval of this CUP does not constitute approval of any submitted plans.

**Adopted by the Shakopee Board of Adjustment and Appeals on the 8th day of
November, 2018.**

BOAA Chairperson

ATTEST:

Michael Kerski
Director of Planning & Development

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