

RESOLUTION NO. PC2019-010

**A RESOLUTION OF THE CITY OF SHAKOPEE
APPROVING A CONDITIONAL USE PERMIT FOR PET DAYCARE AND BOARDING
IN THE I-2, HEAVY INDUSTRY ZONE AT 4000 VALLEY INDUSTRIAL BLVD S**

WHEREAS, the City of Shakopee received an application from Patrick Baker, applicant, and Larson Development 4000 LLC, property owner, have applied for a Conditional Use Permit for a pet daycare and boarding operation; and

WHEREAS, the property for the application is legally described as follows:

Lot 10, Block 1, Valley Park Fifth Addition

WHEREAS, proper public hearing notices were sent, published and posted, and on July 11, 2019, a public hearing was held on the requested Conditional Use Permit before the Board of Adjustment and Appeals (BOAA).

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF ADJUSTMENT AND APPEALS OF THE CITY OF SHAKOPEE, MINNESOTA, that it adopts the following findings relative to the request for Conditional Use Permit.

Conditional Use Permit Criteria and Proposed 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, nor substantially diminish and impair property values if conducted in accordance with the proposed conditions. The property is surrounded by other properties that are zoned I-2, Heavy Industry and the outdoor exercise area is located well over 100' from the nearest building.

Criteria #2: The establishment 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 establishment of the conditional use 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. No additional infrastructure is required for this request.

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 the use is consistent with the purposes of the Heavy Industry 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.

BE IT FURTHER RESOLVED, that the Conditional Use Permit to allow a pet daycare and boarding operation in the Heavy Industry (I-2) Zone at 4000 Valley Industrial Blvd be approved subject to the following conditions:

1. The fencing for the outdoor area must be a maintenance free composite and at least 6' in height and be opaque to outside views. A fence permit is a required prior to installation and the fence must comply with SPUC transformer and meter clearance requirements.
2. The outdoor fenced area is not permitted to be used after 10:00 p.m. and before 6:30 a.m.
3. Any animal that barks or cries continuously in the outside exercise area must be let in to the building immediately. Exterior doors and windows of the building are not permitted to be open continuously.
4. Pet waste must be disposed of in a sealed and sanitary manner to limit odor generation.
5. The applicant must receive a kennel license from the MN Board of Animal Health, if the manner of their operation requires a license.
6. Prior to approval of a building permit or fence permit, the applicant must submit a Trip Generation Memo for the proposed use which outlines vehicular trips to and from the site during morning and afternoon peak hours.
7. Prior to operation, the applicant must submit a parking plan that shows the parking spaces on the site.
8. The size of confined spaces for animals must comply with ASPCA guidelines based on the size and type of animals.
9. Exterior signage requires the appropriate sign permits.

Adopted by the Shakopee Board of Adjustment and Appeals on the 11th day of July, 2019.

Chair of the Board of Adjustment & Appeals

ATTEST:

Michael Kerski
Director of Planning and Development

PREPARED BY:
City of Shakopee
485 Gorman Street

Shakopee, MN 55379