

RESOLUTION NO. PC2019-014

**A RESOLUTION OF THE CITY OF SHAKOPEE
APPROVING A CONDITIONAL USE PERMIT FOR A PLACE OF WORSHIP IN THE
CENTRAL BUSINESS (B-3) DISTRICT AT 214 HOLMES STREET SOUTH**

WHEREAS, the City of Shakopee received an application from Samaha Islamic Center, applicant, and Robert Williams, property owner, for a Conditional Use Permit to allow a Place of Worship at 214 Holmes Street South; and

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

South 50.5' of Lots 6 & 7, Block 31 and part of the adjacent vacated alley, and Lot 8, Block 31,
City of Shakopee, Scott County, Minnesota

WHEREAS, proper public hearing notices were sent, published and posted, and on November 7, 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 City has not received any evidence that the proposed use 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.

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 conditional use permit will not impede future development and improvement in the area. The use will occupy space in an existing structure in the City.

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

Finding#3: Adequate utilities, access roads and drainage exist to 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 use of the subject property is consistent with the purposes of the Central Business (B-3) 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 Place of Worship in the Central Business (B-3) Zone at 214 Holmes Street South is approved subject to the following conditions:

1. Use of the building shall not exceed 300 occupants.
2. Additional rest rooms should be provided consistent with Uniform Building Code requirements.
3. A fire sprinkler system shall be provided and approved by the Shakopee Fire Marshall.
4. The applicant must work with the Fire Marshal to reach an acceptable plan for fire protection to all parts of the building prior to the issuance of a building permit.
5. Fire Service is available per Shakopee Public Utilities (SPU) standard terms and conditions for new water service lines, and the applicant should contact them for specific requirements.

Adopted by the Shakopee Board of Adjustment and Appeals on the 7th day of November, 2019.

Chair of the Board of Adjustment & Appeals

ATTEST:

Michael Kerski,
Director of Planning and Development