

RESOLUTION NO. _____
A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA, APPROVING AN
INTERIM USE PERMIT TO ALLOW AN RV PARK AT CANTERBURY PARK

WHEREAS, Canterbury Park Entertainment LLC, applicant and property owner, has made application for an Interim Use Permit (IUP) to allow an RV Park for 28 Recreational Camping Vehicles (RCV's) on their property; and

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

Lot 1, Block 1, Canterbury Park Seventh Addition; 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 Planning Commission of the City of Shakopee did review this application on March 5, 2020 and recommended approval of the application request; and

WHEREAS, the City Council of the City of Shakopee did review this application on March 17, 2020 and adopted the following findings:

Interim Use Permit Findings:

- Criteria a:** The proposed use will not delay permanent development of the site;
- Criteria b:** The proposed use will not adversely impact implementation of the Comprehensive Plan or adopted plan for the area;
- Criteria c:** The proposed use will not be in conflict with any provisions of the city code on an ongoing basis, provided the conditions of approval are met;
- Criteria d:** The proposed use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare;
- Criteria e:** The date or event that will terminate the use has been identified with certainty;
- Criteria f:** The property on which the use is situated has no open enforcement orders and there are no nuisance characteristics associated with the property or its current use;
- Criteria g:** Permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future; and
- Criteria h:** The user agrees to any conditions that the governing body deems appropriate for permission of the use.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Shakopee, Minnesota that the requested IUP is hereby approved, subject to the following conditions:

1. The use shall be located consistent with the location on the submitted site plan (dated 01/31/2020) and shall occur for the time frame requested by the applicant (April through November).
2. The number of Recreational Camping Vehicles (RCV's) shall not exceed 28 vehicles.
3. The applicant shall submit to the City a final site plan for review/approval to ensure compliance with any Fire Code and City Code requirements. This shall include the following:
 - a. Provide 48" clear path from a fire hydrant to gravel access road. This includes a 48" wide gate in the existing fence.
 - b. All RCV's must be located at least 10 feet from all property lines and maintain a minimum of 10 feet of open space between the sides of the adjacent RCV's.
 - c. Reuse existing trees proposed for removal. Should those trees not be salvageable, new trees shall be provided equal in number and size, unless otherwise authorized by Planning Department staff, with security provided consistent with City Code requirements.
 - d. Driveway and travel surfaces may only be allowed as gravel during this two-year interim use permit timeframe. Any gravel areas shall be paved consistent with City Code standards should they exist beyond the two-year timeframe.
 - e. Make corrections to submitted plans, consistent with notes/conditions provided by City Engineering and Fire Departments (see projectdcox markups).
 - f. Submit a revised turning movement diagram that shows a Shakopee fire truck traversing the site (run turning radius results using Shakopee Fire Apparatus Specifications).
4. Install a new sanitary sewer meter downstream of EX-SSMH-100 to allow for sanitary sewer billing for the new connections. The existing sanitary dump station must be removed following construction of the new sanitary system.
5. Obtain approval of a storm water management plan for the proposed development prior to any land disturbing activities.
6. A grading permit is required prior to any land disturbing activities.
7. Submit a recorded copy of a Utility Facilities Easement Agreement for the proposed development.
8. Provide the city a copy of all applicable permits/approvals, including, but not limited to the following:

- a. Minnesota Department of Health
 - b. Met Council
 - c. Minnesota Pollution Control Agency (NPDES)
9. Electric service is provided by Canterbury Park's privately owned electrical system. Should Canterbury Park require additional electric service(s) for the RCVs, electric service is available per SPUC standard terms and conditions for electric service.
10. This interim use permit must not exceed two years, with a review after the first year.
11. An interim use permit expires and the interim use must terminate at the earlier of:
- a. The expiration date established by the City Council at the time of approval, but in no event more than two years from the date of approval;
 - b. The occurrence of any event identified in the interim use permit for the termination of the use;
 - c. Upon an amendment of the city code that no longer allows the interim use.
 - d. Unused interim use permits expire six months after approval if the proposed use has not commenced or a complete building permit application for a structure to support the interim use has not been submitted to the city for review. A land owner may apply to the Zoning Administrator for no more than one time extension of up to six months for an unused interim use permit.
 - e. Interim use permits expire if the interim use ceases operation for a continuous period of one year or longer.

Adopted in _____ session of the City Council of the City of Shakopee, Minnesota, held on the ____ day of _____, 2020.

Mayor

ATTEST:

Lori Hensen, City Clerk

PREPARED BY:
City of Shakopee
485 Gorman Street
Shakopee, MN 55379