

RESOLUTION NO. PC2020-002
A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA,
APPROVING A CONDITIONAL USE PERMIT FOR A PLACE OF WORSHIP AT
1760 4th AVENUE EAST

WHEREAS, Curtis Brown, applicant, and Shakopee Council 1685 Home, property owner, have made application for a Conditional Use Permit to allow a place of worship in the Highway Business Zone (B-1); and

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

The North 30 rods and 4.7 feet (499.7') of the Northwest Quarter of the Southwest Quarter, Section 5, Township 115, Range 22, Scott County, Minnesota EXCEPT the Easterly 59 rods and 1.5 feet (975') thereof, all distances measured along the North-South and East-West lines thereof; 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 May 7, 2020 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. The proposed use is entirely within the building and there is adequate parking and access for this use.

Criteria #2 The approval 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 place of worship will not impede the normal and orderly development and improvement of surrounding property. The previous use of the property as the Knights of Columbus Hall was very similar in traffic volume and character to a place of worship.

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. The purpose of the Highway Business zone is to allow for the development of retail, services, office, and institutional development. The proposed development is similar to the previous use of the building as the Knights of Columbus, a private club.

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. The comprehensive plan guides this property for Mixed Residential, which allows places of worship and residential uses.

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 school in the B-1, Highway Business Zone are hereby approved, subject to the following conditions:

1. The applicant must connect the building to the city water supply and the existing well shall be disconnected from the interior plumbing system. The applicant must pay any applicable fees. A sewer availability charge review must be completed by the Met Council. The Knights of Columbus have already paid the water capacity charge based on the previous Met Council SAC review.
2. Fire sprinklers and a monitoring system must be installed in the entire building. A fire alarm system may be required based on occupancy classifications and load for the building. Contact the Fire Marshal for specific requirements for this building.
3. Sign permits shall be required for any alterations or new exterior signage.
4. A shared parking agreement and easement must be approved by the City Attorney and recorded against both properties if the proposed plat is approved. A minimum of 58 parking stalls must be provided with exclusive use for the church.

Adopted by the Shakopee Board of Adjustment and Appeals on the 7th day of May, 2020.

BOAA Chairperson

ATTEST:

Michael Kerski
Director of Planning & Development

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