

RESOLUTION NO. PC2020-006

A RESOLUTION OF THE CITY OF SHAKOPEE APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE CONSTRUCTION OF AN ELEVATED PLATFORM AT THE ARCHERY RANGE, LOCATED IN THE FLOODPLAIN OVERLAY ZONE.

WHEREAS, the City of Shakopee, applicant, and the Minnesota Department of Natural Resources, property owner, have filed an application for a Conditional Use Permit under the provisions of Chapter 151, Land Use Regulation (Zoning), of the City of Shakopee City Code, Sections 151.011(M) and 151.088 (D), to allow development of property located within the Flood Plain Overlay Zone; and

WHEREAS, the subject parcel of land is presently zoned Agricultural Preservation (AG) Zone; and

WHEREAS, the legal description for the subject parcel of land for which the request is being made is:

See legal Description (Exhibit F); and

WHEREAS, notice was provided and on October 8, 2020, the Board of Adjustment and Appeals conducted a public hearing regarding this application, at which it heard from the Director of Planning and Development or his designee and invited members of the public to comment; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ADJUSTMENT AND APPEALS OF THE CITY OF SHAKOPEE, MINNESOTA, AS FOLLOWS:

That the application for Conditional Use Permit is hereby APPROVED, based on the following findings with respect to City Code Sec. 151.011, Subd. A, "Criteria for Granting Conditional Use Permits.": and subject to the following conditions:

- Finding #1 The Board finds that 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, provided the conditions identified in the resolution are met.*
- 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 for uses allowed in the area, provided the conditions identified in the resolution are met.*
- Finding #3 The Board finds that adequate utilities, access roads, drainage, and other necessary facilities exist to serve the proposed use, provided the conditions identified in the resolution are met.*
- Finding #4 The Board finds that the use is consistent with the purposes of the Agricultural Preservation (AG) Zone, provided the conditions identified in the resolution are met.*
- Finding #5 The Board finds that the proposed use is consistent with the purposes of the Comprehensive Plan, which guides the subject property for agricultural related uses.*

AGAIN, BE IT FURTHER RESOLVED BY THE BOARD OF ADJUSTMENT AND APPEALS OF THE CITY OF SHAKOPEE, MINNESOTA, AS FOLLOWS:

That the application for Conditional Use Permit is hereby APPROVED, subject to the following conditions:

1. Development of the site shall be generally consistent with the Shakopee Archery Range Concept Plan and the submitted photographs of the structure.
2. The proposed structure shall be reviewed for compliance with the city's building code and design and performance standards of the Shakopee City Code at time of building permit submittal, as well as comply with the City Building Official's request for information.
3. Any proposed signage shall comply with the City Code requirements. Sign permits will be required for any proposed sign(s).
4. The applicant shall be responsible for compliance with conditions identified in Section 151.011 (Conditional Use Permits), Subdivision M (Special Provisions in Floodplain Overlay Zone).

Adopted by the Board of Adjustment and Appeals of the City of Shakopee, Minnesota this 8th day of October, 2020.

**Chair of the Board of Adjustment
and Appeals**

ATTEST: _____
Community Development Director

CERTIFICATION OF RESOLUTION NO. PC 2020-006

I, Lori Hensen, City Clerk for the City of Shakopee, do hereby certify that the attached is a true and correct copy of **Resolution No. PC 2020-006**, presented to and adopted by the Board of Adjustment and Appeals of the City of Shakopee at a duly authorized meeting thereof held on the 8th day of October, 2020, as shown by minutes of the meeting in my possession.

Dated this _____ day of _____, 2020

Lori Hensen, City Clerk

SEAL

Prepared by:
THE CITY OF SHAKOPEE
485 Gorman Street
Shakopee, MN 55379