

RESOLUTION NO. PC2020-007
A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA,
APPROVING A CONDITIONAL USE PERMIT FOR A CAR WASH AT 1341
GREENWOOD COURT

WHEREAS, Adam Ramaekers, applicant, and M & I Marshall and Isley Bank, property owner, have made application for a Conditional Use Permit to allow a car wash in the Highway Business Zone (B-1); and

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

Lot 5, Block 1, Shakopee Valley Marketplace West
; 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 October 8, 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 of the property as a car wash will be injurious to the use and enjoyment of other property in the vicinity, if conducted in accordance with proposed conditions. A car wash is located at the Holiday Gas Station adjacent to this property.

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 car wash will not impede the normal and orderly development and improvement of surrounding property. All adjacent properties are commercially zoned properties.

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 adjacent use of the property as a gas station.

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 Use Center, which allows retail and service uses, such as a car wash.

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 obtain approval of a storm water management plan (SWMP). The SWMP must adequately address requirements set forth in the City of Shakopee's Comprehensive Water Resources Management Plan. The applicant will be responsible to pay the Storm Water Management Plan Review Fee, as required by the most current City of Shakopee Fee Schedule.
2. Prior to any land disturbing activity, the applicant will obtain a grading or building permit. The grading or building permit submittal must include construction plans that satisfy the requirements of City Code section 150.12.
3. The applicant must obtain a NPDES construction site permit prior to any land disturbing activity. A copy of the permit coverage card and letter must be provided to the city.
4. Submit turning movement diagrams that show a Shakopee fire truck and garbage truck traveling throughout the site.
5. 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)
 - d. Shakopee Public Utilities
 - e. Any other required permits

6. Submit a detailed analysis of the proposed sanitary sewer discharge from the site.
7. Submit a recorded copy of a Utility Facilities Easement Agreement for the proposed development. A template can be obtained from the Engineering division.
8. Prior to any construction activity, submit a Construction Management Plan. A template can be obtained from the Engineering division.
9. The minimum width of a one-way drive aisle is 14'.
10. The clearance height of canopies must be noted on the site.
11. Trees removed from the site must be replaced at a 1:1 (remove : replace) ratio in addition to required landscaping.
12. The proposed building must meet the building materials standards in City Code.
13. Sound levels for equipment on the site must meet City Code requirements.
14. The addition of a future detail tunnel location is approved, provided the location and size is generally consistent with the submitted plans and the proposed building meets City Code performance standards for height, materials, and setback.
15. Scott County is planning to construct a trail along the Marschall Road Right-of-Way in 2021. A grading plan for the site is required prior to approval of a Building Permit. Any on-site work impacting the future trail or Marschall Road Transit Station site shall be coordinated with Scott County Public Works.
16. Any work in the Marschall Road Right-of-Way requires a Scott County Right-of-Way permit.
17. A bypass lane around the wash tunnel building is required, the setback for drive aisles along a roadway is 15'.
18. The drive aisle for the vacuum area must be one-way traffic and the width reduced.
19. The trash enclosure must be relocated to an area easily accessible by a garbage truck and acceptable to the City of Shakopee.
20. Ponding, berms, or landscaping is not permitted in the Scott County Right-of-Way.
21. The applicant must comply with review notes provided by city staff on the submitted plans.
22. Exterior building signage and freestanding signage requires separate sign permits.
23. Approval of the CUP does not constitute approval of the submitted plans.

Adopted by the Shakopee Board of Adjustment and Appeals on the 8^h day of October, 2020.

BOAA Chairperson

ATTEST:

Michael Kerski
Director of Planning & Development

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