

RESOLUTION NO. PC2020-008
A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA,
APPROVING A CONDITIONAL USE PERMIT FOR A SCHOOL AT 4601 DEAN
LAKES BOULEVARD

WHEREAS, Southwest Metro Intermediate School District 288, applicant, and Ryan MPLS II LLC, property owner, have made application for a Conditional Use Permit to allow a school in the Business Park (BP) Zone; and

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

Tract B, Registered Land Survey No. 199, Scott County, MN; 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 December 3, 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 school will be injurious to the use and enjoyment of other property in the vicinity, if conducted in accordance with proposed conditions. The applicant is not proposing any exterior alterations to the building or the site.

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 school 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 BP, Business Park Zone. The proposed use of the site as offices and classrooms is consistent with the purpose of the Business Park 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. The comprehensive plan guides this property for Mixed Use Center, which allows for institutional / office uses, such as a school and affiliated offices.

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 submit a Tier 2 Travel Demand Management Plan (TDMP) to the Engineering Department.
2. The applicant must provide a plan to reduce potential conflicts between queued buses and parked vehicles northwest of the building.
3. A building permit and SAC determination from the Metropolitan Council is required prior to interior alterations to the building. ‘
4. All special assessments due on this property must be paid prior to the sale of the property.
5. Exterior building signage and freestanding signage requires separate sign permits.

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

BOAA Chairperson

ATTEST:

Michael Kerski
Director of Planning & Development

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