RESOLUTION NO. R2021-____

A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA, APPROVING AN INTERIM USE PERMIT TO ALLOW CONCRETE CRUSHING AND STORAGE OF CONSTRUCTION MATERIALS AND EQUIPMENT

WHEREAS, Cretex Industrial Park, LLC, applicant and property owner, has made application for an Interim Use Permit (IUP) to allow to allow concrete crushing and storage of construction materials and equipment; and

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

Outlot B, HENTGES INDUSTRIAL PARK; 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 4, 2021 and recommended approval of the application request; and

WHEREAS, the City Council of the City of Shakopee did review this application on March 16, 2021 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. Exterior storage (including concrete material, soil, mulch, wood, and construction material) shall not exceed the height of 25 feet. Cranes shall be stored in the down position.
2. The performance Standards and Design Standards of the City Code shall be complied with, particularly concerning odor/noise/smoke/vibration requirements.
3. All materials currently being stored in the drainage and utility easement along the north side of the site must be relocated prior to any other uses being allowed.
4. All proposed uses will take place within the limits of the area currently surfaced with gravel and west of the established tree line.
5. Prior to any land disturbing activity, the applicant will obtain a grading permit and/or a building permit. Along with the permit(s), the applicant must submit a detailed impervious surface drawing.
6. A Construction Management Plan must be completed for the site.
7. Approval of the Interim Use Permit request does not constitute approval of the submitted plans.
8. No overnight camping or Recreational Vehicle storage shall be permitted on the site. If boats are being stored on site, they need to be secured with a chain link fence that includes a locked gate.
9. No other materials be brought to the site for crushing/recycling, unless it is related to construction of the proposed Hentges Way, reconstructed Stagecoach Road, and/or the pending WPT project (Southwest Logistics Center proposed on the westerly 39 acres of this development).
10. Hours of operation for concrete crushing shall be limited from 7am to 10pm on weekdays, and 9am to 9pm on weekends and holidays.
11. This interim use permit must not exceed two years, with a review after the first year.
12. 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.

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Adopted in _____session of the City Council of the City of Shakopee, Minnesota, held on the ____ day of _____, 2021.

_____
Mayor

ATTEST:

_____
Lori Hensen, City Clerk

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

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