ORDINANCE O2023-0___

AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA, AMENDING PLANNED UNIT DEVELOPMENT DISTRICT #3 IN THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 2750 WINNER'S CIRCLE DRIVE

WHEREAS, Bryce Hotzler, applicant, and Canterbury DBSV Development LLC, property owner, have applied to amend Planned Unit Development District #3, Canterbury Southwest PUD; and

WHEREAS, the property is legally described as:

Outlot A, Canterbury Southwest Third Addition; and

WHEREAS, notices were duly sent and posted, and a public hearing was held before the Planning Commission on October 5, 2023, at which time all persons present were given an opportunity to be heard; and

WHEREAS, the Planning Commission has recommended to the City Council that the subject property be adopted as an amendment to Planned Unit Development District #3 as stated; and

WHEREAS, the City Council heard the matter at its meeting on October 17, 2023; and

NOW, THEREFORE BE IT ORDAINED, that the City Council of the City of Shakopee hereby adopts the following findings of facts relative to the above-named request:

Criteria #1: Is the proposed development consistent in all respects with the comprehensive plan?

Finding #1: The proposed development complies with the current guiding for the site, Entertainment district.

Criteria #2: Is the proposed development, including deviations from design standards compatible with surrounding land uses?

Finding #2: The proposed amendment is consistent with the requirements of the original Canterbury Southwest PUD and is compatible with the surrounding land uses. The original PUD proposed retail / restaurant spaces on this site.

Criteria #3: Does the proposed development provide adequate open space, circulation, pedestrian orientation, parking, recreation, screening, and landscaping?

Finding #3: The applicant is proposing connections to the surrounding sidewalks and trail. The applicant is not proposing any major changes to the character of the original Canterbury Southwest PUD. This amendment is for the review of the building's elevations and other site improvements. This proposed development allows for shared parking with another use in the development at off-peak times.

Criteria #4. If the primary function of the PUD is to encourage development which will preserve and enhance worthwhile natural terrain characteristics, it should not force intense development to utilize all portions of a given site in order to arrive at the maximum density allowed.

Finding #4: The proposed development plan is for a restaurant / bar and another retail tenant space.

Criteria #5: Does the PUD provide an overall compatibility of land uses and overall appearance and compatibility of individual buildings to other site elements or to surrounding development. The architectural style of buildings shall not solely be a basis for denial or approval of a plan.

The proposed amendment to the Canterbury Southwest PUD is compatible with the PUD and the character of the surrounding buildings. The applicant has proposed building elevations that are above the minimum standards provided in City Code and in compliance with the Canterbury Southwest PUD.

Criteria #6. Whether the proposed PUD plan would offer a greater general public benefit than would be realized under the underlying zoning district and/or general zoning provisions.

The applicant is proposing the development of an attractive building that complements the streetscape investments made in the Canterbury Park area and goals of the 2040 Comprehensive Plan.

BE IT FURTHER ORDAINED, that the proposed amendment to PUD District #3, the Canterbury Southwest PUD for the development of property at 2871 Winner's Circle Drive is hereby approved, subject to the following conditions:

1. An approved turning movement diagram showing garbage truck and fire truck movements through the site is required.
2. The applicant must comply with the Engineering Department comment memo dated September 28, 2023.
3. The development of the site, including the site plan, building elevations, setbacks, building height, and exterior materials must be consistent with the submitted and approved plans with this application and the original Canterbury Southwest PUD.
4. The building must have at least 25% window coverage on the façade with the
5. Ground mounted or rooftop mechanical equipment must be screened or painted to match the surrounding building materials in accordance with City Code requirements. Units taller than 3'6" in height above the roof deck require screening and units less than 3'6" above the roof deck may be painted to match the surrounding building materials.
6. Fencing for the patio area must match the proposed design.
7. A shared access and parking agreement must be provided and recorded on the restaurant / brewery parcel to the west and the parcel directly east of this site across Suzanne's Way. A future user east of this site must have hours of operation allow for parking on the site in the evenings and weekends if tenant's of this building require parking beyond what is provided on this site.
8. Bicycle parking must be provided on the site and meet City Code requirements.

9. The pedestrian ramp access to the south side of the building must be shifted west to align directly with the proposed pedestrian island walkway access from Winner's Circle Drive.
10. Building materials for the trash enclosure must be materials used for the primary building.
11. Landscaping on the site must meet diversity requirements set forth in City Code.
12. The building design with sloped parapets at the building entrances must be utilized.
13. Up to 83% impervious surfaces are approved for this site, provided the additional impervious is allowed by the stormwater management plan.

Passed in regular session of the City Council of the City of Shakopee, Minnesota held on the 17th day of October 2023.

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Mayor of the City of Shakopee

Attest:

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Lori Hensen, City Clerk

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PREPARED BY:
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