

RESOLUTION R2018-146
A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA,
APPROVING A COMPREHENSIVE PLAN TEXT AMENDMENT FOR A NEW LAND
USE CLASSIFICATION AND TO REGUIDE CERTAIN PROPERTIES WITHIN THE
DOWNTOWN DISTRICT.

WHEREAS, The City of Shakopee, applicant, has made application for a Comprehensive Plan Amendment for a text amendment to create a new land use classification “Downtown Mixed Use”; and

WHEREAS, The City of Shakopee, applicant, has made application for a Comprehensive Plan Amendment of properties located at 129 Holmes Street South, 115 1st Avenue East, 101 Fuller Street North, 200 Levee Drive West, 219 1st Avenue West, 126 Atwood Street North, 339 1st Avenue West and 321 1st Avenue West; and

WHEREAS, the properties upon which the request are being made are legally described as:
See attached Exhibit A; and

WHEREAS, all required public notices regarding the public hearing for the Comprehensive Plan Amendment 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 the application on November 8, 2018 and recommended approval; and

WHEREAS, the City Council of the City of Shakopee did review the application on December 18, 2018 and adopted the following findings:

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Shakopee hereby adopts the following findings of facts relative to the Comprehensive Plan Amendment request:

Criteria #1 The original zoning ordinance is in error.

Finding #1 The original zoning ordinance is not in error. However the original Land Use Classification was in error for multiple properties within the Downtown District. This Amendment remedies this error.

Criteria #2 Significant changes in community goals and policies have taken place.

Finding #2 Significant changes in community goals and policies that concern properties within the Downtown District have taken place. For the city to meet its stated goals of redevelopment within the Downtown District, maximum allowed residential density is needed to be increased up to 125 dwelling units per acre.

Criteria #3 Significant changes in development patterns have occurred.

Finding #3 Significant changes in development patterns have occurred for the subject properties. Downtown redevelopment has become more in-demand, but the current maximum allowed residential density in the city, 28 dwelling units per acre, is not sufficient for projects located on the small parcels found in the downtown area.

Criteria #4 The Comprehensive Plan requires a different provision.

Finding #4 The comprehensive plan for the Downtown District requires amended language. To achieve community goals of redevelopment in the downtown and riverfront area, it is necessary to amend the 2030 Comprehensive Plan to create an additional land use classification, Downtown Mixed Use and to reguide specific properties within the Downtown District to both retroactively bring existing developments into conformance and to allow for proposed mixed use redevelopment.

BE IT FURTHER RESOLVED, that the following language is hereby approved for a text amendment to the 2030 Comprehensive Plan to create a new land use classification and an amendment to the 2030 Comprehensive Plan to reguide certain properties within the Downtown District from Mixed Use to Downtown Mixed Use: See attached Exhibit B for affected parcels and attached Exhibit C for amended text; and

FURTHER, to incorporate the changes, the City will modify its official land use map; and

FURTHER, the City Council authorizes staff to submit the comprehensive plan amendment for the required adjacent and impacted jurisdiction review; and

FURTHER, approval of the comprehensive plan amendment is contingent upon, and subject to, the required review and response by the Metropolitan Council.

Adopted in regular session of the City Council of the City of Shakopee, Minnesota, held on the ____ day of _____, 2018.

Mayor of the City of Shakopee

ATTEST:

Lori Hensen, City Clerk

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

EXHIBIT A

129 Holmes Street South

Lot 1, Lot 2, Lot 3 and W ½ of S 102 feet of Lot 4, Block 23, City of Shakopee, Scott County, Minnesota

115 1st Avenue East

That part of Block 3 and 4, vacated Lewis Street, vacated Sommerville Street and vacated alley, all contained within "Shakopee City", according to the plat thereof on file and of record in the office of the County Recorder, Scott County, Minnesota, described as follows:

Commencing at the Southeasterly Corner of Block 3, Shakopee City, thence North 80 degrees 06 minutes 40 seconds East assumed bearing along the easterly extension of the southerly line of said Block 3 a distance of 46.34 feet to the point of beginning; thence South 80 degrees 06 minutes 40 seconds West along the southerly line of said Block 3 a distance of 668.40 feet; thence North 09 degrees 53 minutes 19 seconds West a distance of 58.43 feet, thence along a tangential curve concave to the east having a radius of 85 feet, a central angle of 80 degrees 04 minutes 12 seconds and an arc length of 118.79 feet; thence along a compound curve concave to the south having a radius of 557.15 feet, a central angle of 9 degrees 55 minutes 49 seconds, and an arc length of 96.56 feet; thence North 80 degrees 06 minutes 40 seconds East tangent to said curve a distance of 289.31 feet; thence along a tangential curve concave to the south having a radius of 272.84 feet, a central angle of 24 degrees 12 minutes 29 seconds and an arc length of 115.28 feet; thence South 75 degrees 40 minutes 50 seconds East tangent to said curve a distance of 62 feet; thence along a tangential curve concave to the southwest having a radius of 75 feet, a central angle of 65 degrees 47 minutes 30 seconds and an arc length of 86.12 feet; thence South 09 degrees 53 minutes 19 seconds East tangent to said curve a distance of 32.68 feet to the point of beginning.

101 Fuller Street North

Those parts of Lot 1, Lot 2, Lot 3 and Lot 4, Block 5, and that part of the vacated and/or to be vacated Alleys in Block 5 accruing thereto, Shakopee City, Scott County, Minnesota, according to the recorded plat thereof on file in the Office of County Recorder in and for Scott County, Minnesota, which lies northerly of the following described line:

Commencing at the northeast corner of Lot 6 of said Block 5; thence southerly on an assumed bearing of South 12 degrees 34 minutes 15 seconds East, along the east line of said Lot 6, a distance of 111 feet to the point of beginning of the line to be described; thence South 48 degrees 37 minutes 49 seconds West, a distance of 187.73 feet; thence southwesterly a distance of 114.93 feet and a central angle of 11 degrees 07 minutes 39 seconds; thence North 65 degrees 00 minutes 00 seconds West, not tangent to said curve, a distance of 37.91 feet to the southwesterly line of said Lot 1 and said line there terminating.

200 Levee Drive West

Lot 6, Lot 7, Lot 8, Lot 9 and Lot 10 of Block 6, City of Shakopee, Scott County, MN.

219 1st Avenue West

Those parts of Lot 3, Lot 4 and Lot 5, Block 6, Shakopee City, according to the recorded plat thereof, Scott County, Minnesota, which lies northerly of the following described line:

Commencing at the northeast corner of said Lot 5; thence southerly on an assumed bearing of South 12 degrees 34 minutes 15 seconds East, along the east line of said Lot 5, a distance of 77.34 feet to the point of beginning of the line to be described; thence South 27 degrees 49 minutes 38 seconds West a distance of 45.69 feet; thence westerly along a non-tangential curve, concave to the north, having a radius of 1221.73 feet and a radius point that bears North 21 degrees 06 minutes 21 seconds West to the west line of said Lot 3 and said line there terminating, together with all hereditaments and appurtenances.

126 Atwood Street North

Lot 6 and Lot 7, Except the northerly 30 feet thereof, Block 7, City of Shakopee, Scott County, Minnesota and;

The northerly 30 feet of Lot 6 and Lot 7, Block 7, City of Shakopee, Scott County, Minnesota.

Parcel 1

Lot 8, Lot 9 and Lot 10, Block 7, City of Shakopee, Scott County, Minnesota.

339 1st Avenue West

Lot 1, Block 7, City of Shakopee, Scott County, Minnesota.

321 1st Avenue West

Lot 2, Block 7, City of Shakopee, Scott County, Minnesota and;

Lot 3, Block 7, except the easterly City of Shakopee, Scott County, Minnesota.

EXHIBIT B

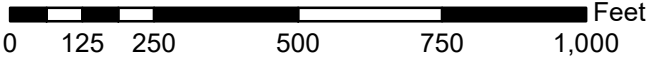


EXHIBIT C

Language to Amend Comprehensive Plan Section 3.5.2

To add new land use category “Downtown Mixed Use” within the Downtown District Area Plan

The Downtown Mixed Use land use category guides multiple parcels within the Downtown District for higher residential densities to allow for predominantly residential mixed use developments to facilitate redevelopment opportunities. This classification is identical with the broader Mixed Use classification with the exception of permitted intensity of residential density. The broader Mixed Use classification prescribes densities which match the level of allowed density for residential zoning districts, while the Downtown Mixed Use classification will cap allowed residential density at 125 dwelling units per acre. This redevelopment activity has the potential to add hundreds of new residents and additional street level retail options to the revitalizing Downtown District.

The Downtown District has seen higher density housing added over the previous decades. These developments; 200 Levee Drive, Northridge Court and River City Center have provided hundreds of additional residents to the District which has helped local businesses by providing local customers who are more likely to patronize District businesses nearby their homes. The success of these developments, either developed by Scott County or funded with public funds, and the continued revitalization of the Downtown District has attracted new private development interest in the District on account of the unique urban form of downtown and demand for apartments remains high.

Unlike newer areas of Shakopee, the Downtown District was originally platted in the 19th century and these lots having been created in the 1850's is of a much different and smaller scale than newer platted lots, which tend to be much larger on average. On account of the size constraints of many parcels located within the downtown area, increased levels of allowed residential density is needed for successful mixed use redevelopment to be feasible for private developers. Currently, all high density residential developments in the Downtown District have been developed by Scott County or with public dollars for income restricted or senior residences. The Downtown Mixed Use category will allow for private capital to be invested in the Downtown District by allowing up to 125 units per acre for mixed use projects.

Shakopee has experienced increased apartment development activity as this type of living has increased in popularity in the wake of the housing crash and economic recession in 2007. This development has all occurred in newly platted suburban areas of the city although, notably on account of the large lots and the city's existing maximum residential density thresholds. Currently, the highest allowed residential density in the city is 28 dwelling units per acre, sufficient for larger lots in newly developed areas, but not for the smaller parcels within the Downtown District. It is the intent of the Downtown Mixed Use category to allow for these types of developments to take place in the Downtown District, which has historically been home to apartment developments with street level retail or commercial use, but lot size and residential density constraints limit the District's desirability today to private development.

Dwelling units per acre for land guided Downtown Mixed Use will be allowed up to 125 dwelling units per acre. This new residential density threshold will allow for vacant or underutilized land within the Downtown District to be redeveloped into vibrant, successful and compatible uses for existing businesses and residents in Shakopee.