

RESOLUTION NO. PC17-022
A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA,
APPROVING AN AMENDMENT TO THE WEST VIERLING ACRES PUD

WHEREAS, Randy Downs, applicant, and Hy-Vee, Inc. , property owner, have made application for an amendment to the Retail Center PUD West Vierling Acres; and

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

Lots 1 and 2, Block 1 and Outlots A-D, West Vierling Acres First Addition,

Scott County, Minnesota ; and

WHEREAS, the Planning Commission of the City of Shakopee did review the original Retail Center Planned Unit Development of West Vierling Acres on August 4, 2016, and

WHEREAS, the City Council of the City of Shakopee approved the Retail Center Planned Unit Development of West Vierling Acres on August 16, 2016 with specific approved building elevations, and

WHEREAS, on April 7, 2017 the applicant applied to amend the West Vierling Acres Planned Unit Development to allow a revised building elevation for the Gas Station / Convenience Store,

WHEREAS, all required public notices regarding the public hearing for the amendment to the Planned Unit Development 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 proposed amendment to the West Vierling Acres Retail Center Planned Unit Development on May 4, 2017 and adopted the following findings:

Criteria No. 1: Whether the proposed development is consistent in all respect with the comprehensive plan and with this section.

Finding No.1: The comprehensive plan guides the area for highway commercial and multiple family residential development. The proposed amendment is a revision to the building materials and elevation of the proposed gas station / convenience store.

Criteria No. 2: Whether the proposed development, including deviations from design standards of the underlying zones, is compatible with surrounding land uses.

Finding No. 2: The applicant is not proposing any additional deviations from City Code or design standard. The applicant is proposing the use of different building materials that is permitted by the City Code for the building elevation of the gas station / convenience store.

Criteria No. 3: Whether the proposed development, including deviations from development standards of the underlying zone, provides adequate open space, circulation, parking, recreation, screening, and landscaping.

Finding No. 3: No changes are proposed in regard to landscaping, open space, or screening.

Criteria No. 4: Whether the primary function of the PUD is to encourage development which will preserve and enhance the worthwhile, natural terrain characteristics and not force intense development to utilize all portions of a given site in order to arrive at the maximum density allowed. In evaluating each individual proposal, the recognition of this objective will be a basic consideration in granting approval or denial.

Finding No. 4: Impervious surface percentages are not proposed to be increased as a result of this development.

Criteria No. 5: Whether there exists an overall compatibility of land uses and overall appearance and compatibility of individual buildings to other site elements or to surrounding development. However, the architectural style of buildings shall not solely be a basis for denial or approval of a plan.

Finding No. 5: The ultimate development of the PUD will provide for overall compatibility of land uses, buildings, and other site elements to the surrounding development. The proposed revision to the gas station / convenience store building elevation has been used in other communities and is of high quality building materials.

Criteria No. 6: Whether the proposed PUD plan would afford a greater general public benefit than would be realized under the underlying zoning district and/or general zoning provisions.

Finding No. 6: The proposed amendment is only for a revised building elevation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHAKOPEE, MINNESOTA, AS FOLLOWS:

That the Retail Center Planned Unit Development West Vierling Acres is hereby approved to allow the development in the following manner:

1. The proposed amendment is strictly for revising the building materials and elevation of the gas station / convenience store for the coffee shop.
2. The exterior of the gas station / convenience store must generally be consistent with the proposed elevation and photographs submitted by the applicant.
3. All other conditions of approval of the West Vierling Acres Retail Center PUD must be complied with.

Adopted in _____ session of the Planning Commission of the City of Shakopee, Minnesota, held on the ____ day of _____, 2017.

**Chair of Planning Commission
City of Shakopee**

ATTEST:

Lori Hensen, City Clerk

PREPARED BY: City of Shakopee