

ORDINANCE NO. O2020-_____

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA,
AMENDING PLANNED UNIT DEVELOPMENT DISTRICT #3 IN THE ZONING ORDINANCE FOR
PROPERTY LOCATED AT 1290 SHENANDOAH DRIVE**

WHEREAS, Bryce Hotzler, applicant, and Canterbury 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 C, Canterbury Park 9th Addition; and

WHEREAS, notices were duly sent and posted, and a public hearing was held before the Planning Commission on May 7, 2020, 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 May 19, 2020; 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.

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 a garden area adjacent to the public sidewalk. 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.

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 two-story office building that complies with the original Canterbury Southwest PUD. The final building design was not available at the time of the original PUD submittal.

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 significantly 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 office building and amenities adjacent to the public sidewalk that complement the streetscape investments made in the Canterbury Park area.

BE IT FURTHER ORDAINED, that the proposed amendment to PUD District #3, the Canterbury Southwest PUD for the development of property at 1290 Shenandoah Drive is hereby approved, subject to the following conditions:

1. Easements must be provided and approved by the City Engineer. They include, but are not limited to the following:
2. Five (5) feet of drainage and utility easement along the west and south property lines.
3. Dedicate trail easements along Shenandoah Drive and Vierling Drive.
4. The applicant must obtain final approval of the site's storm water management plan.
5. An approved turning movement diagram showing garbage truck and fire truck movements through the site is required.
6. The applicant must submit a copy of the cross-access agreement for the properties and record with the properties.
7. Prior to any land disturbing activity, a grading or building permit must be obtained. A submittal must include detailed construction plans.
8. Submit a maintenance agreement for the shared spaces (parking lots, drive aisles, landscaping, sidewalks, etc.).
9. Submit a shared parking plan for the site and adjacent properties.
10. The owner must enter into a Utility Facilities Easement Agreement with the city. The document must be recorded with Scott County.
11. The contractor must submit a Construction Management Plan to the city prior to any construction activities.
12. Record plans need to be provided per the City of Shakopee Design Criteria, Section 2.5 and Section 11.2 (A-L). The record plans need to be certified and submitted to the engineering

department. Provide a letter from the engineer of record certifying all improvements were constructed per approved plans and under the direct supervision of the engineer of record. The developer/engineer of record must provide a full-time onsite inspector during all utility installation.

13. The applicant must satisfy review comments received from the Engineering Department during the review of this application.
14. The applicant must pay the Storm Water Management Plan Review Fees as required by the most current City of Shakopee Fee Schedule.
15. The applicant must comply with Shakopee Public Utilities requirements and policies and pay applicable fees for this development.
16. The development of the site, including the site plan, building elevations, and exterior materials must be consistent with the submitted and approved plans and the Canterbury Southwest PUD.
17. This lot will be required to be final platted. The final plat shall comply with comments and conditions received during this review.
18. A reflection garden / landscaped pedestrian amenity is required along the sidewalk of Shenandoah Drive. The final design must comply with Engineering Department requirements.

Passed in regular session of the City Council of the City of Shakopee, Minnesota held on the _____ day of _____, 2020.

Mayor of the City of Shakopee

Attest:

Lori Hensen, City Clerk

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PREPARED BY:
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