

ORDINANCE NO. O2020-002

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA,
CREATING PLANNED UNIT DEVELOPMENT DISTRICT DEVELOPMENT #3 IN THE ZONING
ORDINANCE FOR THE PROPERTY LOCATED AT 1150 SHENANDOAH DRIVE**

WHEREAS, Bryce Hotzler, applicant, and Canterbury Development LLC, property owner, have applied to create the Canterbury Southwest Planned Unit Development; and

WHEREAS, the properties are legally described as:

Outlots A-E and Lot 1, Block 1, Canterbury Park 9th Addition (proposed); 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 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 as Entertainment which allows for residential and commercial uses.

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

Finding #2: The proposed development of restaurants, offices, a hotel, and residential uses is compatible with the Canterbury Park area.

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

Finding #3: The applicant is proposing adequate pedestrian and vehicular connectivity, and providing patio areas adjacent to the sidewalks, adequate open space for the residential component, and a garden / amenity area along Shenandoah Drive.

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 does not reach the maximum density of the Major Recreation zoning district (previous zoning classification) or the comprehensive plan.

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.

Finding #5: The proposed land uses already exist in this area and the applicant will be proposing subsequent PUD amendments for the review of each building.

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.

Finding #6: The proposed PUD has a greater public benefit than the previous plan for this area. The proposed plan has enhanced landscaping, pedestrian connections, patios for restaurants, and other amenities.

BE IT FURTHER ORDAINED, that the property at 1150 Shenandoah Drive is hereby approved for PUD District #3 in the Zoning Ordinance subject to the following conditions:

1. Development of the site, including private drives, sidewalks, parking areas and land uses must be consistent with the submitted PUD site plan and the review comments provided.
2. Facades of buildings facing public right-of-ways must have at least 15% window coverage and meet other City Code design and material requirements.
3. Trash handling must be either within the proposed buildings, or in trash enclosures meeting the following requirements:
 - o Enclosures must be placed in locations approved by City Planning and Engineering Staff
 - o Major building materials of the enclosure must match materials of the principal structure.
 - o The enclosure must have a roof.
4. A minimum 7' wide landscaped boulevard must be maintained along both sides of the east-west and north-south private drives. Trees must be outside of sanitary sewer easements and at least 5' from storm sewer structures.
5. Boulevard trees must be a salt tolerant species and meet diversity and size requirements in City Code. Boulevard trees must be spaced at 40' intervals, or the minimum accepted distance for a specific species. Refer to the City Forestry Specifications Manual for required distances from intersections, light poles, etc.
6. Financial security for landscaping is required in accordance with City Code.
7. Every effort should be made to locate required landscaping for each building on this site. If the amount of required trees will not fit on a site, required trees may be planted on other properties in the City of Shakopee owned by the developer, or a contribution must be made to the City Tree Fund of \$400 per tree that does not fit on site.
8. Ground mounted and rooftop mechanical units must be screened in accordance with City Code.
9. A maintenance agreement and shared parking agreement that is approved by the City Attorney must be provided for the common private streets, parking lots, and sidewalks. The agreement must be recorded on each property.

10. Park dedication fees consistent with current city fee schedule are due at the time of recording of subsequent final plats.
11. All sidewalks in the development must be at least 5' in width.
12. Street names for the two private drives are to be approved by City staff.
13. Unnecessary drainage and utility easements from previous plats must be vacated prior to the recording of any final plats in this development.
14. Future buildings will be subject to additional PUD Amendments.
15. Signage within the development must meet the following conditions:
 - o Pylon signs are not permitted in this development.
 - o Window signage is not permitted for windows facing public right-of-ways.
 - o Marquee or projecting signs are permitted consistent with City Code requirements for marquee and projecting signs.
 - o One monument sign is permitted per lot in this development. The bases of the signs must be constructed of a uniform design and materials and not exceed 6' in height and a total of 50 square-feet of sign area per side of each monument sign.
16. Bicycle parking consistent with City Code requirements must be provided on each lot.
17. Each individual lot must not exceed 80% impervious surface.
18. Any fencing in this development must be ornamental in design. Chain link, wood, or PVC is not permitted as a fencing material.
19. ADA parking requirements will be reviewed as part of each individual building permit.
20. Window signage is not permitted for windows facing public right-of-ways.
21. Phasing of sidewalk construction along the private drives must comply with the phasing plan provided by Planning staff on April 10, 2020.
22. A minimum of a 7' landscaped boulevard must be maintained along both sides of the east-west and north-south private drives. Trees must be outside of sanitary sewer easements and at least 5' from storm sewer structures.
23. The applicant must comply with the conditions of approval of the Canterbury Park 9th Addition Plat.
24. Subsequent amendments will be required that will include the review of landscaping, building design / elevations, and land use for each user.

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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