

ORDINANCE NO. O2020-006

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA,
CREATING PLANNED UNIT DEVELOPMENT DISTRICT DEVELOPMENT #4 IN THE ZONING
ORDINANCE FOR A PORTION OF THE PROPERTY LOCATED AT 1760 4th AVENUE EAST**

WHEREAS, Matt Soucek, applicant, and Shakopee Council 1685 Home, property owner, have applied to create the Prairie Pointe Planned Unit Development; and

WHEREAS, the property is legally described as:

Lot 2, Block 1, Prairie Pointe, Scott County, MN (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 #4 as stated; and

WHEREAS, the City Council heard the matter at its meeting on June 2, 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 mixed residential, which allows for densities of 6-30 units / acre. The proposed density is 22.5 units / acre.

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

Finding #2: The proposed development involves the construction of an apartment building on a site that is located between light industrial development and single-family houses.

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 open space, along with evergreen trees for screening of adjacent properties.

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 B-1, Highway Business zoning district (previous zoning classification), or the comprehensive plan, which allows for more dense residential development.

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 site is currently zoned B-1, Highway Business and is located adjacent to several different land uses, including light industrial development, a cemetery, townhomes, and single-family houses.

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, in that it allows for housing for residents below the average median income, which is a goal of the comprehensive plan. The development also utilizes an underutilized portion of a commercially zoned property adjacent to single-family residential properties.

BE IT FURTHER ORDAINED, that the part of the property described above located at 1760 4th Avenue East is hereby approved for PUD District #4 in the Zoning Ordinance subject to the following conditions:

1. Development of the site, including driveways, sidewalks, parking areas and land uses must be consistent with the submitted PUD site plan and review comments received.
2. Building materials and elevations must match the approved plans approved by the City Council.
3. Landscaping on the site must comply with City Code. Financial security for plantings must be provided consistent with City Code requirements.
4. A shared parking agreement between Beacon and Resonate Church must be provided that provides parking spaces consistent with the provided shared parking diagram. The agreement must be recorded.
5. Bicycle Parking must be provided consistent with City Code Requirements (APBP approved racks of at least 2 spaces + 5% of vehicle spaces)
6. Tree removals on the site must comply with the woodland management regulations of City Code. Trees intended to be saved must be protected by tree protection fence placed at the dripline of trees for the duration of construction.
7. The applicant must comply with the stormwater review memo dated April 28, 2020.
8. The applicant must comply with the Engineering Department memorandum dated April 20, 2020.
9. The applicant must comply with the Fire Department memorandum dated April 13, 2020.
10. The applicant must comply with the Shakopee Public Utilities Memorandum dated April 8, 2020.

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

Published in the Shakopee Valley News on the _____ day of _____, 2020.

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