

ORDINANCE NO. O2020-014

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA,
CREATING PLANNED UNIT DEVELOPMENT (PUD) DISTRICT #7 FOR PROPERTIES LOCATED
NORTH OF 17TH AVENUE (CSAH 16), EAST OF BALINESE STREET AND SOUTH OF HIGHWAY
169**

WHEREAS, Summergate Development, applicant, and Gene Hauer, property owner, have applied for Planned Unit Development District #7 for property located north of 17th Avenue (CSAH 16), east of Balinese Street, south of Hwy. 169, and west of Canterbury Road; and

WHEREAS, the properties are legally described as:

See attached legal descriptions; and

WHEREAS, notices were duly sent and posted, and a public hearing was held before the Planning Commission on December 3, 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 Planned Unit Development District #7 be adopted as proposed; and

WHEREAS, the City Council heard the matter at its meeting on December 15, 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 City Council finds that the proposed development complies with the current guiding (Suburban and Mixed Residential) for the site.

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

Finding #2: The City Council finds that the proposed project as a single-family, townhouse and multi-family residential development is compatible with the surrounding neighborhood, which includes existing single-family, townhouse and guided commercial property.

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

Finding #3: The City Council finds that the elements of design as identified in this criteria will follow and comply with City Code requirements. Parking as presently identified complies with the City Code, trails will be incorporated throughout this development and tie into adjacent properties, and open space/recreation opportunities will be available for proposed tenants of the structures.

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 City Council finds that the plans submitted by the developer identify extensive landscaping, a trail network that provides connections within this development and ties into adjacent properties/street networks, and open space/amenities for the future residents of this 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 City Council finds that the developer has proposed a project that the supports and adds to the mixed-use community being built out in this neighborhood.

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 City Council finds that the proposed project would bring a unique opportunity that the current zoning does not provide, and would generally comply with the 2040 Comprehensive plan for this area.

BE IT FURTHER ORDAINED, that the properties located within the Jackson Elementary School and Countryside subdivisions, located north of 17th Avenue (CSAH 16), east of Balinese Street, south of Hwy. 169, and west of Canterbury Road are hereby approved for Planned Unit Development District #7 in the Zoning Ordinance subject to the following conditions:

1. The villa homes, townhouses, single family residences and apartment complex must be designed to ensure that they are generally consistent in style, size, building materials and appearance with the City Code Design Standards (inc. window percentages, garage protrusions, etc.) at time of building permit review/approval.
2. Landscaping and site design and performance standards (including open space and trail construction) shall be provided consistent with City Code requirements. Financial security must be provided in accordance with City Code.
3. The applicant shall work with City staff on the final parking plan layout for the area of the townhouses prior to installation.
4. Approval of a Final Plat consistent with submitted plans shall occur prior to issuance of any building permit.

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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