

ORDINANCE NO. O2018-013

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA,
CREATING PLANNED UNIT DEVELOPMENT DISTRICT DEVELOPMENT #1 IN THE ZONING
ORDINANCE FOR PROPERTIES LOCATED AT 1716 AND 1746 STAGECOACH ROAD**

WHEREAS, Steve Soltau, applicant, and Jerilynn Wilking and Donald and Barbara Booth, property owners, have applied to rezone property from Rural Residential (RR) to Planned Unit Development District; and

WHEREAS, the properties (3 parcels) are legally described as:

See attached legal description (Exhibit A); and

WHEREAS, notices were duly sent and posted, and a public hearing was held before the Planning Commission on July 5, 2018, 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 #1 as stated; and

WHEREAS, the City Council heard the matter at its meeting on July 17, 2018; 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.

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

Finding #2: The proposed development as single-family homes on generally 65' x 120' lots serves as an appropriate transition from the townhomes of Riverside Grove to the surrounding rural residential neighborhood.

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

Finding #3: The applicant is proposing to have sidewalks on one side of each street, a future trail along Stagecoach Road, a 2.04 acre park, adequate street connections to existing streets. Boulevard trees are also proposed.

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 below the typical maximum density of single-family residential developments of 5 units / acre.

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 applicant has proposed building elevations that are above the minimum standards provided in City Code. Staff has proposed conditions for the appearance and aesthetics of building elevations.

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 Parks, Trails, and Open Space Plan does not call for a park in this area. The applicant has agreed to provide a neighborhood park that preserves many High Priority trees, as defined by City Code.

BE IT FURTHER ORDAINED, that the properties at 1716 and 1746 Stagecoach Road are hereby approved for PUD District #1 in the Zoning Ordinance subject to the following conditions:

1. The applicant must comply with Engineering Memo Dated June 25, 2018
2. The applicant must comply with Shakopee Public Utilities Memo Dated June 7, 2018.
3. The applicant must comply with the memorandum from the Water Resources Engineer.
4. The applicant must remove existing driveways to Stagecoach Road. An existing driveway to Stagecoach Road for the park area may remain if the existing driveway is deemed appropriate by the Engineering Department.
5. Lot 50 must be added to the proposed park. Tree numbers 596, 597, and 598 must be saved.
6. Sidewalks are required to be installed on one side of Wilking Way and Booth Court as shown on plans.
7. A sidewalk and pedestrian ramp must be provided from the cul-de-sac of Booth Court to the park area.
8. The applicant may develop the proposed park land in accordance with plans approved by the Parks Planner in exchange for the waiver of tree replacement fees and park dedication fees.
9. The applicant must provide an approved cash escrow amount for the construction of a future trail along Stagecoach Road. A trail connection to the park area and the sidewalk on Booth Court must be provided.
10. Tree protection fencing must be installed at the dripline of trees and inspected prior to any tree removal or grading.
11. The applicant must provide financial security for the proposed plantings in accordance with City Code.
12. Unauthorized tree removal is subject to the fees in City Code (\$500 / caliper inch). If a measurement of the size of the tree removed is not available, a minimum fee of \$15,000 will apply to each tree that is unable to be identified.

13. Boulevard trees and required landscaping are required consistent with City Code requirements and must have a 2-year warranty. Financial security must be provided in accordance with City Code.
14. Boulevard tree species and spacing must comply with the Forestry Specifications Manual. Tree planting locations must be marked and approved by the city prior to installation.
15. Soil provided for tree planting areas and yards must meet City Code requirements for soil material and compaction.
16. The applicant must work with city staff to select specific lots with 20' front yard setbacks to save additional High Priority trees near currently proposed tree protection limits and also to adjust grading limits to save additional trees that are currently near the proposed limits of disturbance.
17. The applicant must provide a revised Woodland Management Plan that shows both tree identification numbers and limits of disturbance.
18. The applicant must provide a revised landscape plan that shows easements and utilities.
19. Required setbacks for structures are as follows:
 - Front yard: 25', except approved select lots with a 20' front setback to allow for saving of High Priority or exceptional trees as defined by City Code.
 - Side yard: 7.5'
 - Street side (corner lot): 15'
 - Rear yard: 25'
 - Rear setback for decks: 20' for decks >5' in height, 10' for decks less than 5' in height. The rear setback for a deck on a double frontage lot is 25'.
 - Pond setback is 30' from HWL.
20. The houses constructed in the PUD must be generally consistent in style, size, and appearance to the photographs provided and approved by planning staff. The houses must also meet the minimum requirements outlined below.
21. Building Elevations for all houses must comply with the following requirements:
 - Stone or brick accents on the front building façade:
 - At least two window openings on all four sides of the house.
 - Varying major exterior colors within the subdivision.
 - Varying exterior materials on the front façade of the house.
 - Varying roof lines
 - The identical house plan must not be used on an adjacent lot.
 - A different shade, or contrasting trim colors on the front façade

Passed in regular session of the City Council of the City of Shakopee, Minnesota held on the _____ day of _____, 2018.

Mayor of the City of Shakopee

Attest:

Lori Hensen, City Clerk

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PREPARED BY:
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