

ORDINANCE NO. O2022-005

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA,
AMENDING PLANNED UNIT DEVELOPMENT (PUD) DISTRICT #7 SUMMERLAND
PLACE FOR PROPERTIES LOCATED NORTH OF 17TH AVENUE (CSAH 16), EAST OF
SUMMERLAND WAY, SOUTH OF TYRONE DRIVE/SHARON PARKWAY, AND WEST
OF CANTERBURY ROAD**

WHEREAS, Lennar Multifamily Communities, applicant, and Gene Hauer Farms Ltd. Partnership, property owner, have applied for an amendment of Planned Unit Development District #7 Summerland Place for property located north of 17th Avenue (CSAH 16), east of Summerland Way, south of Tyrone Drive/Sharon Parkway, and west of Canterbury Road; and

WHEREAS, the properties are legally described as:

Outlot C, Summerland Place 1st Addition, and Outlot A, Summerland Place 2nd Addition, Scott County, Minnesota; and

WHEREAS, notices were duly sent and posted, and a public hearing was held before the Planning Commission on February 3, 2022, 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 Amendment of Planned Unit Development District #7 Summerland Place be adopted as proposed; and

WHEREAS, the City Council heard the matter at its meeting on February 15, 2022; 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) and current approved PUD 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 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. Substantial landscape screening will provide an extensive buffer from the adjacent residential neighborhoods.

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 expands upon the current PUD, and would generally comply with the 2040 Comprehensive plan for this area.

BE IT FURTHER ORDAINED, that the properties located north of 17th Avenue (CSAH 16), east of Summerland Way, south of Tyrone Drive/Sharon Parkway, and west of Canterbury Road are hereby approved for Planned Unit Development District #7 Summerland Place, subject to the following conditions:

1. The 288-unit apartment complex must be constructed generally consistent in layout as identified on the Preliminary and Concept Site Plans (dated 12-29-21 & 12-22-21, respectively); designed in size, style, and appearance consistent with the Typical Apartment Elevation plan (dated 11-15-21) and Typical Elevation plan (dated 12-1-21); and utilizing materials consistent with the Exterior Materials, Colors & Products plan (dated 12-14-21).
2. Landscaping and site design and performance standards (including open space and trail construction) shall be provided consistent with City Code requirements and as shown on the submitted Landscape Plan (dated 12-29-21). Financial security for park land dedication must be provided in accordance with City Code. Additional overstory or ornamental trees shall be provided along the buildings as shown on the Typical Elevation plan (dated December 1, 2021).
3. Comply with conditions noted in City Engineering's memo dated January 24, 2022.
4. Comply with conditions noted in Scott County Transportation Services' memo dated January 27, 2022.
5. Generally comply with the mark up comments provided by City Engineering, SPU and the City Fire Marshall.

6. 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 _____, 2022.

Mayor of the City of Shakopee

Attest:

Lori Hensen, City Clerk

Published in the Shakopee Valley News on the _____ day of _____, 2022.

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