

ORDINANCE NO. O2022-014

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA,
AMENDING PLANNED UNIT DEVELOPMENT #6, THE CANTERBURY CROSSING PLANNED
UNIT DEVELOPMENT DISTRICT IN THE ZONING ORDINANCE**

WHEREAS, Pulte Homes, applicant, and Canterbury Development LLC, property owner, have applied to amend the Canterbury Crossing Planned Unit Development; and

WHEREAS, the property is legally described as:

Outlot A and Lots 1-65, Block 1 of Canterbury Crossing, Scott County, MN; and

WHEREAS, notices were duly sent and posted, and a public hearing was held before the Planning Commission on May 5, 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 Planned Unit Development District #6 be amended as stated; and

WHEREAS, the City Council heard the matter at its meeting on May 17, 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 proposed development complies with the current guiding for the site as Entertainment. The Entertainment classification allows for residential uses. The proposed amendment involves shifting the units slightly to accommodate.

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

Finding #2: The proposed amendment does not contemplate any further deviations from City Code.

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 Major Recreation district (previous zoning classification).

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 located adjacent to several different land uses, including multiple family residential development and future commercial and entertainment uses.

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 Amendment is adjusting the site plan of the development slightly, not adding additional units or proposing any additional concessions from City Code.

BE IT FURTHER ORDAINED, that the property described above located at 1805 Hauer Trail and 1050 Schenian Street is hereby approved for the amendment of PUD District #6 in the Zoning Ordinance subject to the following conditions:

1. The applicant must stake locations of trees on the north side of the site for City review prior to planting to confirm the tree locations are not path of the Emergency Overflow route.
2. The applicant must comply with the Engineering Department memo dated April 29, 2022.
3. The applicant must provide cash in an acceptable amount to the Public Works / Engineering Department for the future construction of the sidewalk along Hauer Trail adjacent to their development.
4. The applicant must provide the Canterbury Crossing Homeowner’s Association with funds of a sufficient amount to cover the future removal of the farm driveway, distribution of topsoil, establishment of turf, and irrigation in the driveway easement area. The amount must be an approved amount by the Public Works / Engineering Department.
5. The applicant must provide copies of the disclosure statement regarding the private driveway easement to the Planning and Development Department for review and approval.
6. The evergreen trees provided south of Lots 34-46 must be 6’ tall at time of planting.

Passed in regular session of the City Council of the City of Shakopee, Minnesota held on the _____ day of _____, 2022.

Attest:

Mayor of the City of Shakopee

Lori Hensen, City Clerk

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PREPARED BY:
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