

**ORDINANCE O2022-020**

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA,  
CREATING PLANNED UNIT DEVELOPMENT (PUD) DISTRICT #8 CANTERBURY  
AMPHITHEATER FOR PROPERTIES LOCATED NORTH OF BARENSCHEER  
BOULEVARD, SOUTH OF UNBRIDLED AVENUE, AND WEST OF CANTERBURY ROAD**

**WHEREAS**, Swervo Development Corporation, applicant, and City of Shakopee and Canterbury Development LLC, property owners, have applied for Planned Unit Development District #8 Canterbury Amphitheater for property located north of Barenscheer Blvd., south of Unbridled Avenue, and west of Canterbury Road; and

**WHEREAS**, the properties are legally described as:

*See Attached Legal Description; and*

**WHEREAS**, notices were duly sent and posted, and a public hearing was held before the Planning Commission on August 4, 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 #8 Canterbury Amphitheater be adopted as proposed; and

**WHEREAS**, the City Council heard the matter at its meeting on August 16, 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 (Entertainment District) 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 amphitheater development is compatible with the surrounding neighborhood, which includes a racetrack, casino, and other entertainment facilities. It is west of a large industrial area.

***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 the proposed tenants and future related integral uses. Substantial landscape screening will provide an extensive buffer from the adjacent neighbors/roadways.

***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/businesses within this Canterbury 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 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 existing development and would generally comply with the 2040 Comprehensive plan for this area.

**BE IT FURTHER ORDAINED**, that the properties located north of Barescheer Blvd., south of Unbridled Avenue, and west of Canterbury Road are hereby approved for Planned Unit Development District #8 Canterbury Amphitheater, subject to the following conditions:

1. The 19,000 seat facility shall be constructed generally consistent in layout & design as identified on the Architectural and Rendering Plans (dated 06/27/22 & 06/30/22, respectively); & designed in size, style, and appearance consistent with the Overall Layout Plan/Landscape Plan.
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. Financial security for landscaping improvements must be provided in accordance with City Code.
3. Comply with conditions noted in City Engineering's memo dated July 28, 2022.
4. Comply with conditions noted in Scott County Transportation Services' memo dated July 27, 2022.
5. Generally comply with the mark up comments provided by City Engineering, SPU and the City Fire Marshall.
6. Trash enclosures shall be provided at locations as approved by Planning Department staff, constructed of burnished integral color white CMU.
7. 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 16<sup>th</sup> day of August, 2022.

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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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