

ORDINANCE O2024-007

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA,
AMENDING PLANNED UNIT DEVELOPMENT DISTRICT #3 IN THE ZONING ORDINANCE FOR
PROPERTY LOCATED AT 2941 WINNER'S CIRCLE DRIVE**

WHEREAS, Bryce Hotzler, applicant, and Canterbury DBSV Development LLC, property owner, have applied to amend Planned Unit Development District #3, Canterbury Southwest PUD; and

WHEREAS, the property is legally described as:

Outlot A, Canterbury Southwest Third Addition; and

WHEREAS, notices were duly sent and posted, and a public hearing was held before the Planning Commission on June 6, 2024, 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 an amendment to Planned Unit Development District #3 as stated; and

WHEREAS, the City Council heard the matter at its meeting on June 18, 2024; 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, Entertainment district.

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

Finding #2: The proposed amendment is consistent with the requirements of the original Canterbury Southwest PUD and is compatible with the surrounding land uses. The original PUD proposed retail / restaurant spaces on this site. It is expected that the number of vehicle trips generated by this development will be less as an office building.

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

Finding #3: The applicant is proposing connections to the surrounding sidewalks and trail. The applicant is not proposing any major changes to the character of the original Canterbury Southwest PUD. This amendment is for the review of the building's elevations and other site improvements.

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 for an office building with the possibility for a small restaurant.

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 proposed amendment to the Canterbury Southwest PUD is compatible with the PUD and the character of the surrounding buildings. The applicant has proposed building elevations that are above the minimum standards provided in City Code and in compliance with the Canterbury Southwest PUD.

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 applicant is proposing the development of an attractive building that complements the streetscape investments made in the Canterbury Park area and goals of the 2040 Comprehensive Plan.

BE IT FURTHER ORDAINED, that the proposed amendment to PUD District #3, the Canterbury Southwest PUD for the development of property at 2941 Winner's Circle Drive is hereby approved, subject to the following conditions:

1. An approved turning movement diagram showing garbage truck and fire truck movements through the site is required.
2. The applicant must comply with the Engineering Department comment memo dated May 29, 2024.
3. The development of the site, including the site plan, building elevations, setbacks, building height, and exterior materials must be consistent with the submitted and approved plans with this application and the original Canterbury Southwest PUD.
4. The size of a restaurant on this site is limited to 2,000 square-feet and the number of seats in the restaurant or on a patio will be limited by the amount of available off-street parking for this site.
5. Signage noting vehicle parking availability for the Starting Gate tenants and timed restrictions is required on both this site and the Starting Gate site.
6. Ground mounted or rooftop mechanical equipment must be screened or painted to match the surrounding building materials in accordance with City Code requirements. Units taller than 3'6" in height above the roof deck require screening and units less than 3'6" above the roof deck may be painted to match the surrounding building materials.
7. A shared access agreement must be provided and recorded on both this site and the Greystone Construction site, as the parking lots are connected.
8. Bicycle parking must be provided on the site and meet City Code requirements.

9. The applicant must work with Planning staff to add additional design features and/or color of brick to the east elevation in the area of the mechanical / trash room.
10. Required landscaping that does not fit on the site due to utilities and other impervious surfaces requires a cash contribution to the City Tree Fund of \$400 / tree.
11. The proposed boulevard trees along Suzanne's Way must be overstory species. Additional trees are required in parking lot islands as noted on plans.
12. Trash handling must take place inside the building.
13. The proposed monument sign must meet the maximum height requirement of the original PUD at 6' in height.
14. The quantity and area of wall signage on the building must be generally consistent with the locations and is limited to the sizes shown on the elevations.

Passed in regular session of the City Council of the City of Shakopee, Minnesota held on the 18th day of June 2024.

Mayor of the City of Shakopee

Attest:

Lori Hensen, City Clerk

PREPARED BY:
City of Shakopee
485 Gorman Street
Shakopee, MN 55379