RESOLUTION NO. 2021-35

Motion By: Schultz Seconded By: Thomas

A RESOLUTION TO DENY THE REQUEST FOR REZONING, PRELIMINARY PLAT AND PRELIMINARY PUD PLAN FOR 19220 COUNTY ROAD 10 (PID 25-119-23-14-0003) (CITY FILE 20-047)

WHEREAS, Beth Hustad of Trek Development Inc. ("the applicant") has requested approval to rezone 27.31 acres legally described as follows:

See Attachment A

WHEREAS, the Planning Commission has reviewed the request at a duly called Public Hearing and recommends denial, and;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORCORAN, MINNESOTA, that it should and hereby does deny the request for a rezoning, based on the following findings:

- 1. The planned unit development is in conflict with the Comprehensive Plan. The proposed pre-development net density is 5.3 units per acre. The property should be within the 8-10 units per acre expected in the Mixed Residential land use classification.
- 2. The planned development of a 102-unit senior living cooperative, 20 single family residential villa lots, a 12,987 square foot child care and early education facility and a 20,781 square foot assisted living and memory care facility is consistent with the intent of the RMF-2 district and the Comprehensive Plan goals to provide a variety of housing options. However, the applicant is seeking extensive flexibility from the Zoning Ordinance standards which results in an overcrowding of the site, due to taller buildings, increased impervious surface coverage and reduced setbacks.
- 3. The development is in conflict with other applicable provisions of the zoning ordinance, the developer is seeking a large number of PUD flexibilities as discussed in the staff report. The benefits to the PUD do not balance with the PUD flexibilities being granted and the overall project is not of higher quality than what would be allowed through normal zoning standards.
- 4. The planned development is feasible without dependence upon any other subsequent phase. The project could be completed in a single phase.
- 5. The planned development will not create an excessive burden on parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the planned development. The developer is providing public trails and sidewalks along with some private trails. The development includes the construction of all public infrastructure needed to serve this site at the developer's expense.
- 6. The planned development is a mixed residential development developed and such use is not, in and of itself, inconsistent with the Comprehensive Plan but with the given

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magnitude of the proposed buildings and the proximity to adjacent residential uses, it will have an undue and adverse impact on the reasonable enjoyment of the neighboring properties.

7. While the uses provided within the development are desirable for the community, the overall site design and quality of the development do not create a project that is superior to what could be achieved through adherence to the primary zoning regulations. Additionally, it has not been sufficiently demonstrated how the aesthetics of the site have been substantially enhanced to justify departure from the primary zoning regulations.

FURTHER, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORCORAN, MINNESOTA, that it should and hereby does deny the request for a preliminary plat based on the finding that the minimum lot size and side yard setback requirements are not met.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORCORAN, MINNESOTA, that it should and hereby does deny the request for a preliminary PUD plan based on the finding that the rezoning to create a PUD zoning has been denied.

VOTING AYE	VOTING NAY
McKee, Tom	McKee, Tom
🔀 Bottema, Jon	Bottema, Jon
Nichols, Jeremy	Nichols, Jeremy
Schultz, Alan	Schultz, Alan
🔀 Thomas, Manoj	Thomas, Manoj
Whereupon, said Resolution is hereby declared denied on this 22 nd day of April 2021.	
	Tom McKee - Mayor
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ATTEST: ^/	
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	City Seal
Jessica Beise – Administrative Services Directo	
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ATTACHMENT A

All that part of Section 25, Township 199, Range 23, Hennepin County, Minnesota, described as follow:

All that part of the East ½ of the Northeast ¼ of the Southeast ¼ lying North of County Road No. 10; the East ½ of the Southeast ¼ of the Northeast ¼ and commencing at the Northwest corner of the East ½ of the Southeast ¼ of the Northeast ¼ of said Section; thence parallel with the East line of said Section 1085 feet; thence at right angles West 557.7 feet; thence Northeasterly in a straight line to place of beginning.

EXCEPT that part of the East Half of the Southeast Quarter of the Northeast Quarter, Section 25, Township 119, Range 23 Hennepin County, Minnesota, described as follows:

Commencing at the Southeast corner of said East Half of the Southeast Quarter of the Northeast Quarter; thence on an assumed bearing of North 01 degrees 09 minutes 16 seconds West, along the East line of said East Half of Southeast Quarter of the Northeast Quarter, a distance of 50.58 feet; thence South 88 degrees 50 minutes 44 seconds West 168.59 feet to the West line of the East 168.59 feet of said East Half of Southeast Quarter of the Northeast Quarter and the point of beginning; thence continuing South 88 degrees 50 minutes 44 seconds West 305.00 feet; thence South 01 degrees 09 minutes 16 seconds East 175.00 feet; thence North 88 degrees 50 minutes 41 seconds East 305.00 feet to said West line of the East 168.59 feet; thence North 01 degrees 09 minutes 16 seconds West, along last said line, a distance of 175.00 feet to the point of beginning.