

ORDINANCE NO. O2019-011

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA,
AMENDING THE ZONING MAP ADOPTED IN CITY CODE SEC. 151.003 BY REZONING
PROPERTY LOCATED NORTH OF CSAH 78 AND BOTH EAST AND WEST OF THE
PROPOSED EXTENSION OF ZUMBRO AVENUE NORTH OF CSAH 78 TO URBAN
RESIDENTIAL (R-1B) ZONE**

WHEREAS, Shakopee Public Utilities, applicant, and LATOUR FARMS, L.P., property owner, have applied to rezone property to Urban Residential (R-1B) Zone; and

WHEREAS, the property is legally described as:

The South Half of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter of Section 14, Township 115, Range 23, and a parcel in the Southeast corner of the Northeast Quarter of the Southwest Quarter of Section 14, Township 115, Range 23, described as follows:

Commencing at the southeast corner of said Northeast Quarter of the Southwest Quarter; thence running west 35 feet, thence northeasterly to a point 35 feet north of the southeast corner of the Northeast Quarter of the Southwest Quarter; thence south 35 feet to the place of beginning.

All located in Scott County, Minnesota.

Together with

Outlot G, WINDERMERE SOUTH 2ND ADDITION, according to the proposed plat thereof, Scott County, Minnesota; and

WHEREAS, notices were duly sent and posted, and public hearings were held before the Planning Commission on September 5, 2019, 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 rezoned as stated; and

WHEREAS, the City Council heard the matter at its meeting on October 1, 2019; 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 The original zoning ordinance is in error.

Finding #1 *The original zoning ordinance is in error; As the property is presently unzoned, establishing this property as R-1B zoning is consistent with the existing and proposed land guiding of both the 2030 and 2040 Comprehensive Plans.*

Criteria #2 Significant changes in community goals and policies have taken place.

Finding #2 Significant changes in community goals and policies that concern this property have taken place, as stated at the public meetings during discussion of the West End Study Area. The proposed plan is generally consistent with the West End Study Area plan approved by City Council in June, 2016 and is consistent with the existing and proposed land guiding of both the 2030 and 2040 Comprehensive Plans.

Criteria #3 Significant changes in development patterns have occurred.

Finding #3 Significant changes in development patterns have occurred for the subject property, as referenced in the approved West End Study Area plan.

Criteria #4 The Comprehensive Plan requires a different provision.

Finding #4 The 2030 and 2040 Comprehensive Plans guide this property for single family residential. The property is currently classified as unzoned, which is different than the Comprehensive Plan.

BE IT FURTHER ORDAINED, that the above referenced property is hereby approved for rezoning to Single-Family Residential (R-1B) Zone.

Passed in regular session of the City Council of the City of Shakopee, Minnesota held this 1st day of October, 2019.

Mayor of the City of Shakopee

Attest:

Lori Hensen, City Clerk

Published in the Shakopee Valley News on the _____ day of _____, 20____.