

ORDINANCE O2022-017

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA,
AMENDING THE ZONING MAP ADOPTED IN CITY CODE SEC. 151.003 BY
REZONING PROPERTY AT 2175 COLBURN DRIVE (WEST OF COUNTY ROAD
NO. 69) FROM AGRICULTURAL PRESERVATION (AG) ZONE TO RURAL
RESIDENTIAL (RR) ZONE AND BUSINESS PARK (BP) ZONE**

WHEREAS, The Opus Group, applicant, and Roger J & Phyllis E Theis Trust, property owners, have applied to rezone property located at 2175 Colburn Drive (west of County Road No. 69) from Agricultural Preservation (AG) Zone to Rural Residential (RR) Zone and Business Park (BP) Zone; and

WHEREAS, the property is legally described as:

See Exhibit A; and

WHEREAS, notices were duly sent and posted, and a public hearing was held before the Planning Commission on July 7, 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 subject property be rezoned as stated; and

WHEREAS, the City Council heard the matter at its meeting on July 19, 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:

Finding #1 *The original zoning ordinance is in error.* The property was recently annexed into the City of Shakopee, and at that time it was brought in as Agricultural Preservation. At this time, a developer has proposed a project and is requesting zoning consistent with the approved Comprehensive Plan (Mixed Employment Center), which is aligned with the Business Park Zone. The parcel proposed for Rural Residential is comparable to the existing use of the property.

Finding #2 *Significant changes in goals in community goals and policies have taken place.* The request is consistent with the approved Comprehensive Plan – this is a procedural item to address the recent annexation that included a non conforming zoning.

BE IT FURTHER ORDAINED, that the request to rezone the property as stated in this ordinance is hereby approved.

Passed in regular session of the City Council of the City of Shakopee, Minnesota held on the 19th day of July, 2022.

Mayor of the City of Shakopee

Attest:

Lori Hensen, City Clerk

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DRAFT