ORDINANCE O2023-004

AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA, AMENDING THE ZONING MAP ADOPTED IN CITY CODE SEC. 151.003 BY ZONING PROPERTY SOUTH OF COUNTY STATE AID HIGHWAY 78 AND EAST & WEST OF ZUMBRO AVENUE TO AGRICULTURAL PRESERVATION (AG) ZONE

WHEREAS, D.R. Horton Inc. - Minnesota, applicant, and William & Jean Luers, LaTour Farms LP, David Brown, and Harriet Plekkenpol, property owners, have applied to zone property located south of County State Aid Highway 78 and East & West of Zumbro Avenue to Agricultural Preservation (AG) Zone; and

WHEREAS, the properties are legally described as:

See attached Legal Descriptions; and

WHEREAS, notices were duly sent and posted, and a public hearing was held before the Planning Commission on February 9, 2023, 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 zoned as stated; and

WHEREAS, the City Council heard the matter at its meeting on February 21, 2023; 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; therefore, zoning needed to be established for the property.

Finding #2 *Significant changes in community goals and policies that concern this property have taken place.* Since this property was recently annexed into the City of Shakopee, zoning needs to be established for the property.

Finding #3 *Significant changes in city-wide or neighborhood development patterns have occurred.* The developer's intent is to construct a single-family and townhome residential subdivision utilizing the same/similar zoning/guiding as adjacent subdivisions.

Finding #4 *The Comprehensive Plan requires a different provision.* The 2040 Comprehensive Plan was recently approved. No changes to the plan are required.

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BE IT FURTHER ORDAINED, that the request to zone 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 21st day of February, 2023.

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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_____, 2023.

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