

ORDINANCE NO. O2018-007

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA,
AMENDING THE ZONING MAP ADOPTED IN CITY CODE SEC. 151.003 BY REZONING
PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CSAH 15/MARYSTOWN ROAD AND
17TH AVENUE TO HIGH DENSITY RESIDENTIAL (R-4) ZONE**

WHEREAS, Benedictine Health System, applicant, and D.R. Horton, Inc. - Minnesota, property owner, have applied to rezone property to High Density Residential (R-4) Zone; and

WHEREAS, the property is legally described as:

Outlots G, H, & I, Windermere Addition; and

WHEREAS, notices were duly sent and posted, and a public hearing was held before the Planning Commission on April 5, 2018, 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 April 17, 2018; 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:

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| Criteria #1 | The original zoning ordinance is in error. |
| Finding #1 | <i>The original zoning ordinance is not in error; however, the original zoning ordinance established a zoning boundary that is not compatible with what the market research/demand has identified as a need in Shakopee.</i> |
| Criteria #2 | Significant changes in community goals and policies have taken place. |
| Finding #2 | <i>Significant changes in community goals and policies that concern this property have taken place. Market research have identified a need in the community of Shakopee for senior housing (independent & assisted living, and assisted memory care).</i> |
| Criteria #3 | Significant changes in development patterns have occurred. |
| Finding #3 | <i>Significant changes in development patterns have occurred for the subject property, as there is a desire for senior housing rather than the townhouse residential units which were previously approved for this property.</i> |
| Criteria #4 | The Comprehensive Plan requires a different provision. |
| Finding #4 | <i>The proposed guiding is different than the current medium density residential guiding, which is consistent with the type of development the residents of Shakopee have expressed interest in seeing occur in the community.</i> |

BE IT FURTHER ORDAINED, that the above referenced property is hereby approved for rezoning as High Density Residential (R-4) Zone.

Passed in regular session of the City Council of the City of Shakopee, Minnesota held on the _____ day of _____, 2018.

Mayor of the City of Shakopee

Attest:

Lori Hensen, City Clerk

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PREPARED BY:
City of Shakopee
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