

ORDINANCE NO. O2018-015

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA,
AMENDING THE ZONING MAP ADOPTED IN CITY CODE SEC. 151.003 BY REZONING
PROPERTY LOCATED at 12675 MARYSTOWN ROAD TO COMMUNITY COMMERCIAL (CC)
AND URBAN RESIDENTIAL (R1-B)**

WHEREAS, Ann Spanish, applicant and Shakopee Veterinary Clinic Properties LLC, property owner, have applied to rezone the recently annexed property located at 12675 Marystown Road to Community Commercial (CC) and Urban Residential (R-1B); and

WHEREAS, the property is legally described as:

See Attached Exhibit A; and

WHEREAS, notices were duly sent and posted, and a public hearing was held before the Planning Commission on August 9, 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 September 18, 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
<i>Finding #1</i> | The original zoning ordinance is in error.
<i>When a property is newly annexed into the city it is automatically giving the zoning designation of Agricultural Preservation (AG). The property was recently annexed into the City of Shakopee; therefore, zoning needed to be established for the property consistent with the approved 2030 Comprehensive Plan, which tentatively guided this property for residential land use.</i> |
| Criteria #2
<i>Finding #2</i> | Significant changes in community goals and policies have taken place.
<i>Significant changes in community goals and policies that concern this property have taken place. This property was recently annexed into the City of Shakopee; and zoning & guiding needs to be established for the property.</i> |
| Criteria #3
<i>Finding #3</i> | Significant changes in development patterns have occurred.
<i>Significant changes in development patterns have occurred for the subject property as a result of the annexation into the City of Shakopee. The property owner is pursuing development of the land consistent with the proposed zoning & guiding of the property.</i> |
| Criteria #4
<i>Finding #4</i> | The Comprehensive Plan requires a different provision.
<i>The comprehensive plan is proposed to be amended by Resolution R2018-109 to adjust the guiding boundaries for this property for Commercial and Residential use.</i> |

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 _____day of _____, 2018.

Mayor of the City of Shakopee

Attest:

Lori Hensen, City Clerk

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

Exhibit A

The property located at 12675 Marystown Road is legally described as follows:

A tract of land in the Northwest Quarter of the Southwest Quarter of Section 13, Township 115 North, Range 23 West, described as follows:

Commencing at the Northwest corner of said Northwest Quarter of the Southwest Quarter and thence South along the West line thereof a distance of 749.65 feet to the actual point of beginning, thence continuing South along said West line a distance of 300 feet; thence East at right angles to said West line a distance of 726 feet to the actual point of beginning.