

ORDINANCE NO. 960

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA,
AMENDING THE ZONING MAP ADOPTED IN CITY CODE SEC. 151.003 BY REZONING
PROPERTY LOCATED SOUTH OF U.S. HWY. 169, WEST OF CSAH 15/MARYSTOWN ROAD
AND WEST/NORTHWEST OF 17TH AVENUE TO URBAN RESIDENTIAL (R-1B), MEDIUM
DENSITY RESIDENTIAL (R-2) & HIGH DENSITY RESIDENTIAL (R-4) ZONES, AND HIGHWAY
COMMERCIAL (B-1) ZONE**

WHEREAS, D.R. Horton, Inc. - Minnesota, applicant and property owner, have applied to rezone property from R-1B, R-2, and B-1 Zones to R-1B, R-2, R-4 & B-1 Zones; and

WHEREAS, the property is legally described as:

See Attached Exhibit; and

WHEREAS, notices were duly sent and posted, and public hearings were held before the Planning Commission on February 9 and April 6, 2017, 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 18, 2017; 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 not in error; however, the original zoning ordinance established a zoning boundary that is not compatible with the recently approved West End Study Area, which included this development area.

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 consistent with the West End Study Area plan approved by City Council in June, 2016.

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 comprehensive plan is proposed to be amended by Resolution No. 7863 to adjust the guiding for this property from Single Family Residential, Medium Density Residential and Commercial; to Single Family, Medium Density & High Density Residential, and Commercial.*

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 this 18th day of April, 2017.

Mayor of the City of Shakopee

Attest:

Lori Hensen, City Clerk

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