

**ORDINANCE NO. O2020-005**

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA,  
AMENDING THE ZONING MAP ADOPTED IN CITY CODE SEC. 151.003 BY REZONING A  
PORTION OF PROPERTY FROM HIGHWAY BUSINESS (B-1) TO PLANNED UNIT  
DEVELOPMENT (PUD) ZONING DISTRICT**

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**WHEREAS**, Matt Soucek, applicant, and Shakopee Council 1685 Home, property owner, have applied to rezone property from Highway Business (B-1) to Planned Unit Development District; and

**WHEREAS**, the property is legally described as:

*Lot 2, Block 1, Prairie Pointe, Scott County, MN (proposed); and*

**WHEREAS**, notices were duly sent and posted, and a public hearing was held before the Planning Commission on May 7, 2020, 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 June 2, 2020; 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 zoning ordinance is not in error. The property owner desires to utilize a Planned Unit Development as a way to redevelop an existing site for affordable housing. The City Code now requires PUD developments to have their own zoning designation, not an overlay.*

**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. There is a desire to have a mix of housing types and price levels within the city.*

**Criteria #3**     **Significant changes in development patterns have occurred.**

**Finding #3**     *Significant changes in development patterns have not occurred in this case. The applicant is proposing to use a PUD as a mechanism to develop housing on an underutilized part of a property that is currently zoned for commercial use.*

**Criteria #4    The Comprehensive Plan requires a different provision.**

*Finding #4    The proposed guiding is consistent with the approved 2040 Comprehensive Plan that guides this area for Mixed Residential development, with densities between 6 and 30 units per acre.*

**BE IT FURTHER ORDAINED**, that the portion of the property at 1760 4<sup>th</sup> Avenue East is hereby approved for rezoning to Planned Unit Development (PUD) District

*Passed in regular session of the City Council of the City of Shakopee, Minnesota held on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.*

\_\_\_\_\_  
Mayor of the City of Shakopee

Attest:

\_\_\_\_\_  
Lori Hensen, City Clerk

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**PREPARED BY:**  
City of Shakopee  
485 Gorman Street  
Shakopee, MN 55379