

ORDINANCE NO. 965

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA,
AMENDING THE ZONING MAP ADOPTED IN CITY CODE SEC. 151.003 BY REZONING
PROPERTIES IN WEST VIERLING ACRES FIRST ADDITION FROM MULTIPLE FAMILY
RESIDENTIAL (R-3) TO HIGH DENSITY RESIDENTIAL (R-4)**

WHEREAS, Dennis Cornelius, applicant and Hy-Vee, Inc., property owners, have applied to rezone properties at the southeast quadrant of the intersection of Adams Street South and Vierling Drive West from the Multiple-Family Residential, R-3 zone to High Density Residential, R-4; and

WHEREAS, the subject properties are legally described as:

Outlots B and D, West Vierling Acres First Addition, Scott County, MN

WHEREAS, notices were duly sent and posted, and a public hearing was held before the Planning Commission on June 8, 2017, at which time all persons present were given an opportunity to be heard; and

WHEREAS, the Planning Commission reviewed this request on June 8, 2017 unanimously recommends that the City Council rezone the properties as stated; and

WHEREAS, the City Council heard the matter at its meeting on June 20, 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 current ordinance is in error. The proposed development is similar in unit density to all of the existing apartment projects developed in the R-3 zoning district. Since the density of the R-3 zone was reduced in 2001 to a maximum of 14 units per acre, no apartment developments have occurred under the lower density standard.

Criteria #2 Significant changes in community goals and policies have taken place.

Finding #2 Significant changes in goals or policy have taken place. The City desires to create opportunities for higher density residential development, as there is a shortage of this housing type within the community. The proposed development will serve to buffer the existing single family and townhouse development in the area from the commercial development, and also take advantage of the transportation and park facilities in the area that are conducive to more dense development.

Criteria #3 Significant changes in development patterns have occurred.

Finding #3 Market trends have led to the desire for the development of multi-family family housing. The proposed site is an ideal site for multiple family residential development.

Criteria #4 The Comprehensive Plan requires a different provision.

Finding #4 *The comprehensive plan does not require another provision. The comprehensive plan was amended in 2016 to allow High Density Residential Development on this site.*

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 20th day of June, 2017.

Mayor of the City of Shakopee

Attest:

City Clerk

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