

**ORDINANCE NO. O2021-0\_\_**

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA,  
AMENDING THE ZONING MAP ADOPTED IN CITY CODE SEC. 151.003 BY REZONING THE  
TWO PROPERTIES LOCATED AT 7380 AND 7480 COUNTY ROAD 101 EAST FROM HIGHWAY  
BUSINESS (B-1) TO HEAVY INDUSTRY (I-2) ZONING DISTRICT**

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**WHEREAS**, John Mesenbrink, applicant, and Cargo Van-Go, Inc., property owner, have applied to rezone property from Highway Business (B-1) to Heavy Industry (I-2); and

**WHEREAS**, the properties are legally described as:

*The North 300 feet of that part of the West 217.80 feet of the East 1,276.8 feet of the Southeast Quarter of Section 2, Township 115, Range 22, Scott County, Minnesota, lying Southerly of the Southerly Right-of-Way line of State Trunk Highway No. 101. Containing 1.50 acres more or less.*

*And*

*Lot 1, Block 3, Cretex Industrial Park First Addition, Scott County, Minnesota*

**WHEREAS**, notices were duly sent and posted, and a public hearing was held before the Planning Commission on April 8, 2021, 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 properties be rezoned as stated; and

**WHEREAS**, the City Council heard the matter at its meeting on April 20, 2021; 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 in error. The current zoning of the property does not match the guiding of the current comprehensive plan, which guides this property for Industrial development.*

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

**Finding #2**     *Significant changes in community goals and policies that concern these properties have taken place. Areas of this site are more conducive to industrial development than service / retail development.*

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

*Finding #3      Significant changes in development patterns have occurred. Multiple industrial developments have occurred in the Highway 101 east corridor and the latest comprehensive plan guides this area for Industrial development.*

**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 Industrial development. The Highway 101 corridor is no longer viewed as a potential commercial / retail corridor and most of the surrounding properties have been re-guided and re-zoned for industrial development.*

**BE IT FURTHER ORDAINED**, that the two properties located at 7380 and 7480 County Highway 101 East are hereby approved for rezoning to the Heavy Industry (I-2) District subject to the following conditions:

- 1) The applicant provide a perimeter drainage and utility easement to the City of Shakopee around the 7380 County Road 101 property with a 10' easement on the north and south sides of the property and 5' easement on the east and west sides. The Public Works Department will provide a template.
- 2) The applicant submit a Trip Generation Memo for both properties documenting the worst case trip generation for both the existing zoning and proposed zoning.

*Passed in regular session of the City Council of the City of Shakopee, Minnesota held on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.*

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

Attest:

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

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**PREPARED BY:**  
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