

ORDINANCE NO. O2021-009

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA,
AMENDING THE ZONING MAP ADOPTED IN CITY CODE SEC. 151.003 BY
ZONING PROPERTY LOCATED IN JACKSON TOWNSHIP TO LIGHT INDUSTRY (I-1)
ZONE, AND BY REZONING PROPERTY AT 1725 3RD AVENUE WEST FROM
HIGHWAY BUSINESS (B-1) ZONE TO LIGHT INDUSTRY (I-1) ZONE**

WHEREAS, Lon Carnahan, CityWide Insulation, property owner & applicant, has applied to zone the recently annexed property located in Jackson Township to Light Industry (I-1) Zone; and rezone property located at 1725 3rd Avenue West from Highway Business (B-1) Zone to Light Industry (I-1) Zone; and

WHEREAS, the property is legally described as:

Per Warranty Deed, Document No. 44831, Office of Registrar of Titles, Scott County, Minnesota:

That part of Tract "A" Registered Land Survey Number 99, Scott County, Minnesota lying southwesterly of the following described line: Beginning at a point on the southeasterly line of said Tract "A" distant 970 feet northeasterly (as measured along southeasterly line) of the most southerly corner of Tract "A"; thence northwesterly parallel with the southwesterly line of Tract "A" to its intersection with the northwesterly line thereof and there terminating; and

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 property be zoned/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 *A portion of the property was recently annexed into the City of Shakopee; therefore, zoning needed to be established for the property. And the portion of property already located in the City required a rezoning to ensure compliance with the 2040 Comprehensive Plan.*

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. A portion of this property was recently annexed into the City of Shakopee, and zoning needs to be established for the property consistent with the approved 2040 Comprehensive Plan. The property already located within the City would be rezoned to be consistent with the approved 2040 guiding.

Criteria #3 Significant changes in development patterns have occurred.

Finding #3 The zoning/rezoning of his property will allow for the expansion of his business consistent with City Code design and performance standards (his use is presently non-conforming in the B-1 Zone, but would be conforming in the I-1 Zone).

Criteria #4 The Comprehensive Plan requires a different provision.

Finding #4 The 2040 Comprehensive Plan was recently approved. No changes to the plan are required.

BE IT FURTHER ORDAINED, that the request to zone/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 _____, 2021.

Mayor of the City of Shakopee

Attest:

Lori Hensen, City Clerk

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