

**STATE OF MINNESOTA
COUNTY OF RAMSEY
CITY OF SHOREVIEW**

ORDINANCE NO. 969

AN ORDINANCE AMENDING THE CITY OF SHOREVIEW OFFICIAL ZONING MAP
REGARDING PROPERTY LOCATED AT 5900 MACKUBIN STREET

**The Shoreview City Council ordains that the Official Zoning Map are hereby amended
as follows:**

SECTION 1. Buell Consulting, on behalf of Verizon Wireless, LLC initiated a rezoning from TOD-1, Telecommunications Overlay District One to TOD-2, Telecommunications Overlay District Two for the following described property:

Section 1 Town 30 Range 23 Lot 7 Blk 3 Western Pines No 2 & Park In Evergreen Shores
And In Sd Sec 1 Tn 30 Rn 23, The S 720 Ft Of N 903 Ft Of E 785 Ft Of W 815 Ft Of Ne 1/4
Of Nw 1/4 (Subj To Ditch) Sec 1 Tn 30 Rn 23, Ramsey County, Minnesota.

(This property is commonly known as Bucher Park, 5900 Mackubin Street)

SECTION 2. The procedural history of this rezoning is as follows:

1. This rezoning was initiated pursuant to Section 203.052 of the Shoreview Code of Ordinances.
2. The Shoreview Planning Commission held a public hearing on February 26, 2019. Legal notice of this hearing was published on February 6th in the City's legal newspaper. Notice was mailed pursuant to law to property owners within 350' on February 13th. All persons present at said meeting, including the applicant, were given an opportunity to be heard and present written statements. The Commission also considered the recommendation of

the City staff. After discussion, the Planning Commission recommended the City Council approve the rezoning request with a 6 to 1 vote.

3. This rezoning was considered by the Shoreview City Council on March 18, 2019.

SECTION 3. Section 205.010 of Chapter 200, Development Regulations is hereby amended to add the following:

Zoning Map Revision The Shoreview Zoning Map, adopted on March 18, 1991, is hereby revised to indicate that the above described property has been rezoned to TOD-2, Telecommunications Overlay District Two from TOD-1, Telecommunications Overlay District One zoning classification pursuant to Shoreview Ordinance 969.

SECTION 4. Approval of zoning amendment is on the basis of the following findings of fact:

1. The rezoning is consistent with the Comprehensive Plan, and the requirements of the Development Code. The park use of the property will remain and the underlying zoning will remain as R-1, Detached Residential.
2. The increased height permitted in the TOD-2 District will not have a significant adverse impact on the surrounding planned residential land uses. Impacts will be mitigated by the park's size, characteristics, natural features and City design standards.
3. The increased height permitted in the TOD-2 District will not impact the park use.

SECTION 5. Said approval is subject to the following conditions:

1. This approval rezones the property from TOD -1, Telecommunications Overlay District – One, to TOD -2, Telecommunications Overlay District – Two. The underlying zoning designation of R-1, Detached Residential District will remain unchanged.
2. Rezoning is not effective until a Wireless Telecommunications Facility (WTF) agreement is executed.

Adoption Date. Passed by the City Council of the City of Shoreview on the 18th day of March, 2019.

Effective Date. This ordinance shall become effective the day following its publication in the City's official newspaper and satisfaction of the conditions above in Section 5.

Publication Date. Published on the 27th of March, 2019.

Sandra C. Martin, Mayor

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