

ORDINANCE NO. 2009-18

**ORDINANCE REZONING THE EXISTING PROPERTY AT
16611 BLACK OAKS LANE FROM R-1, LOW-DENSITY RESIDENTIAL, to PUD,
PLANNED UNIT DEVELOPMENT**

The City Of Minnetonka Ordains:

Section 1.

1. 01 The property at 16611 Black Oaks Lane is hereby rezoned from R-1, low-density residential, to PUD, planned unit development.
- 1.02 The property is legally described as follows:

That part of Lot 14, Auditor's Subdivision Number 84, Hennepin County, Minnesota, described as follows: commencing at Northeasterly corner of Lot 14, thence Southeasterly along Northeasterly line there of 188.55 feet, thence Southwesterly at right angles 442.7 feet, thence deflect right 92 degrees seven minutes distance 231.45 feet to point A, thence continue along last described line 78.28 feet to point B, thence deflect left 56 degrees 40 minutes to shore of Gleason Lake and actual point of beginning, thence Easterly to said point B, thence southeasterly to said point A, thence Northeasterly to a point in North line of Lot 14 distant 234.25 feet West from Northeast corner thereof, thence East to Northeast corner thereof, thence Southeasterly along Northeasterly line thereof 188.155 feet, thence Southwesterly at right angles to shore of Gleason Lake, thence Northwesterly along said shore to point of beginning; also Tract A Registered Land Survey NO. 258, files of the Registrar of Titles, Hennepin County, Minnesota.

The ~~stricken~~ language is deleted; the double-underlined language is inserted.

Section 2.

2.01 This ordinance is based on the following findings:

1. The rezoning would be consistent with the city's guide plan; and
2. The rezoning would be consistent with the public health, safety, and welfare.

Section 3.

3.01 Approval is subject to the following conditions:

1. The site must be developed and maintained in substantial conformance with the following plans, unless modified by the conditions below:
 - Preliminary Plat date stamped November 9, 2009
 - Preliminary Grading date stamped November 9, 2009
 - Preliminary Site Plan date stamped November 9, 2009

The above plans are hereby adopted as the master development plan and as final site and building plans.

2. Development must further comply with all conditions as outlined in City Council Resolution No. 2009-117, adopted by the Minnetonka City Council on December 21, 2009.

Section 4. A violation of this ordinance is subject to the penalties and provisions of Chapter XIII of the city code.

Section 5. This ordinance is effective immediately.

Adopted by the city council of the City of Minnetonka, Minnesota, on December 21, 2009.

Terry Schneider, Mayor

ATTEST:

David E. Maeda, City Clerk

ACTION ON THIS ORDINANCE:

Date of introduction:

Date of adoption:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Ordinance adopted.

Date of publication:

I certify that the foregoing is a correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota at a regular meeting held on December 21, 2009.

David E. Maeda, City Clerk

Date:

The ~~stricken~~ language is deleted; the double-underlined language is inserted.