

ORDINANCE 98, THIRD SERIES

AN ORDINANCE OF THE CITY OF KENYON REZONING A PARCEL OF LAND OWNED BY ROBERT KYLLO FROM I-1 (GENERAL INDUSTRIAL) TO C-2 (GENERAL COMMERCIAL)

WHEREAS, the City of Kenyon has zoning ordinances and zoning a map with their purpose being as outlined in Chapter 5 of the Kenyon City Code governing zoning, which may be amended pursuant to the authority and procedures outlined in Section 560.05 of the Kenyon City Code; and

WHEREAS, Robert Kylo (the "Applicant") is the fee owner of the property located at 19 Langford Avenue in the City of Kenyon, Goodhue County, Minnesota, with a legal description as follows:

All of Block 16, Slee and Langford's Addition to Kenyon, according to the recorded plat thereof, Goodhue County, Minnesota.

Together with that part of the East Half of the Southeast Quarter of Section 4, Township 109, Range 18, Goodhue County, Minnesota, described as follows: Commencing at a point on the easterly extension of the south line of the alley in Block. 7, Slee and Langford's Addition to Kenyon, according to the recorded plat thereof, distant 9 feet northeasterly, measured at right angles, from the centerline of the most southwesterly side track of the former Chicago and Northwestern Railway Company, as said side track was once located; thence southwesterly at right angles to the centerline of the main track of said former railway company a distance of 20.00 feet to the northeasterly line of Block 16, said Slee and Langford's Addition to Kenyon, and the point of beginning; thence northeasterly along last described course 10.00 feet; thence southeasterly, parallel with said northeasterly line of Block 16 and its southeasterly extension a distance of 175.89 feet to an Intersection with the easterly extension of the centerline of Pine Street; thence westerly along said easterly extension of the centerline of Pine Street to an intersection with the southeasterly extension of the northeasterly line of said Block 16; thence northwesterly along said northeasterly line of Block 16 and its southeasterly extension a distance of 173.30 feet to the point of beginning.

Also together with that part of the North Half of Pine street lying easterly of the southerly extension of the west line of Block 16, Slee and Langford's Addition to Kenyon, according to the recorded plat thereof, Goodhue County, Minnesota, which lies westerly of the southeasterly extension of the northeasterly line of said Block 16.

Also together with that part of the east 10.00 feet of Langford Avenue as dedicated on Slee and Langford's Addition to Kenyon, according to the recorded plat thereof, Goodhue County, Minnesota, lying northerly of the center line of Pine street which lies southwesterly of the west line of the former Minnesota and Northwestern Railroad.

(hereinafter, the "Property", with PID #66.540-1380 and PID #66-660-0101); and

WHEREAS, the Applicant has requested that the Property be rezoned from I-1 (General Industrial) to C-2 (General Commercial); and

WHEREAS, the procedures outlined in Section 560.05 of the City Code pertaining to amendments to the zoning ordinance have been fully satisfied, including public hearing conducted by the Planning Commission on June 30, 2021; and

WHEREAS, no public comments were received as to the Applicant's rezoning request; and

WHEREAS, the Planning Commission made the following findings:

- a. That the zoning ordinance revision changing the Property's zoning district will not be injurious to the use and enjoyment of other property in the immediate

vicinity for purposes already permitted, nor substantially diminish or impair property values of neighboring property, nor otherwise be inconsistent with the objectives and policies of the City's Comprehensive Plan, upon the modification of the Plan consistent with this policy change;

- b. There is a demonstrated need for the zoning amendment recommended by the Planning Commission; and

WHEREAS, a recommendation by the Planning Commission to rezone the Property was submitted to the City Council pursuant to Planning Commission Resolution 2021-01; and

WHEREAS, the Planning Commission recommended that the City enact an ordinance pursuant to Kenyon City Code Section 560.05 that rezones the rezoned from I-1 (General Industrial) to C-2 (General Commercial) and amends the zoning use district map for the City; and

WHEREAS, the public hearing and notice requirements of Minnesota Statutes Section 462.357, subd. 3 has been fulfilled and satisfied by the Planning Commission and the City.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Kenyon, Minnesota, ordains:

1. The above set-forth preamble and recitals are incorporated into and made a part of this ordinance and constitute the findings of the Planning Commission concerning this matter.
2. The requirements as set forth in City Code Section 560.05 for the requested rezoning have been satisfied.
3. The Planning Commission recommends that the Applicant's request for rezoning from I-1 (General Industrial) to C-2 (General Commercial) be granted by the Kenyon City Council.
4. The Planning Commission recommends that the Kenyon City Council adopt a rezoning ordinance, which accomplishes the recommendation set forth above by the Kenyon Planning Commission.

This ordinance shall take effect and be in full force from and after its passage and publication.

Passed by the City Council of the City of Kenyon, Minnesota this 13th day of July, 2021.

Douglas Henke,
Mayor

ATTEST:

Mark R. Vahlsing,
City Administrator