ORDINANCE 18-37

AN ORDINANCE APPROVING THE REZONING OF PROPERTY SOUTH OF BLAIRS FERRY ROAD, NORTH OF TWIXT TOWN ROAD AND WEST OF MARION BOULEVARD FROM R-2 MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL TO C-3 GENERAL COMMERCIAL. (DELONG DEVELOPMENT CO., LLC)

WHEREAS, Delong Development Co., LLC has made application to rezone from R-2 Medium Density Single Family Residential to C-3 General Commercial for certain property located between south of Blair's Ferry Road, north of Twixt Town Road and west of Marion Boulevard, more particularly described as follows:

A PART OF LOTS 3 AND 8 AUDITOR'S PLAT NO.514, RECORDED IN LINN COUNTY RECORDER'S OFFICE, BOOK 3299, PAGE 72, LINN COUNTY, IOWA AND A PART OF THE IRREGULAR SURVEY IN NE FRL ¼ OF SECTION 2, TOWNSHIP 83 NORTH, RANGE 7 WEST OF THE 5TH WEST PRINCIPAL MERIDIAN, LINN COUNTY, IOWA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SE CORNER OF SAID LOT 8; THENCE N89°58'46"W ALONG THE NORTH RIGHT OF WAY LINE OF TWIXT TOWN ROAD, 271.85 FEET TO THE SE CORNER OF LOT 94, EL-MAR HEIGHTS FOURTH ADDITION; THENCE N00°53'41"W ALONG SAID THE EAST LINE OF SAID FOURTH ADDITION, 621.28 FEET TO THE SOUTH LINE OF PARCEL A, PLAT OF SURVEY #187, RECORDED IN BOOK 2185, PAGE 34, LINN COUNTY RECORDER'S OFFICE, LINN COUNTY, IOWA; THENCE S89°35'23"E ALONG THE SOUTH LINE OF SAID PARCEL A AND ITS E-LY EXTENSION, 407.47 FEET; THENCE S10°45'41"E, 165.79 FEET; THENCE S89°51'58"E, 85.19 FEET; THENCE S01°04'05"E, 72.00 FEET TO THE NORTH LINE OF LOT 7, AUDITOR'S PLAT #514; THENCE N89°51'58"W ALONG THE NORTH LINE OF LOT 7 AND LOT 9, AUDITOR'S PLAT #514, 250.55 FEET TO THE NW CORNER OF SAID LOT 9; THENCE S01°04'05"E ALONG THE WEST LINE OF SAID LOT 9, 383.97 FEET TO THE SE CORNER OF SAID LOT 8; THENCE N89°58'46"W, 271.85 FEET TO THE POINT OF BEGINNING, CONTAINING 4.84 ACRES.

WHEREAS, the Marion Planning and Zoning Commission, on October 9, 2018, conducted a public hearing and approved CPC Resolution No 18-48 recommending approval of a request by Delong Development Co., LLC to rezone the above described property from R-2 Medium Density Single Family Residential to C-3 General Commercial; and

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission regarding said rezoning application and finds that the rezoning should be approved;
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARION, IOWA;

Section 1: That Section 176.05 of the Marion Code of Ordinances is hereby amended, including the Zoning District Map, and the zoning classification is changed for the above described real estate from R-2 Medium Density Single Family Residential to C-3 General Commercial.

Section 2: All other chapters shall remain unchanged by this ordinance.

Section 3: All ordinances and parts of ordinances in conflict with the same are hereby repealed.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval and publication, as provided by law.

Passed and approved this 20 day of November, 2018.

Nicolas AbouAssal, Mayor

ATTEST:

I, Rachel Bolender, Assistant City Clerk of the City of Marion, Iowa hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings the above was adopted.

Rachel Bolender, Assistant City Clerk

CERTIFICATE OF SERVICE

The undersigned City Clerk of Marion, Iowa certifies that the Ordinance shown immediately above was published in the Marion Times on the 13 day of December, 2018.

Rachel Bolender
City Clerk