ORDINANCE NO. 15-04

ORDINANCE AMENDING THE MARION CODE OF ORDINANCES REGARDING A REQUEST TO ZONE PROPERTIES LOCATED AT EAST OF PARTNERS AVENUE AND SOUTH OF MARION AIRPORT ROAD (1660 AND 1710 MARION AIRPORT ROAD) TO A-1, RURAL RESTRICTED AND I-1, RESTRICTED INDUSTRIAL (Genesis Equities, LLC)

WHEREAS, Genesis Equities, LLC, applicant, has made application to zone properties located east of Partners Avenue and south of Marion Airport Road (1660 and 1710 Marion Airport Road to A-1, Rural Restricted and I-1, Restricted Industrial, more particularly described as follows:

Zone to A-1

PART OF PARCEL B, PLAT OF SURVEY #1042, LINN COUNTY, IOWA FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL B;

THENCE S01°51'34"E ALONG THE EAST LINE OF SAID PARCEL B, 1283.07 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL B;

THENCE S89°45'42"W ALONG THE SOUTH LINE OF SAID PARCEL B, 766.14 FEET;

THENCE N01°43'18"W, 800.00 FEET;

THENCE N28°12'33"W, 80.00 FEET;

THENCE N26°05'51"E, 182.00 FEET;

THENCE N50°59'29"W, 65.00 FEET;

THENCE N01°43'18"W, 208.01 FEET TO THE NORTH LINE OF SAID PARCEL B;

THENCE N89°45'44"E ALONG SAID NORTH LINE, 763.06 FEET TO THE POINT OF BEGINNING CONTAINING 22.49 ACRES MORE OR LESS.

Zone to I-1

PART OF PARCELS A AND B, PLAT OF SURVEY #1042, LINN COUNTY, IOWA FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL A;

THENCE N89°49'36"E ALONG THE NORTH LINE OF SAID PARCEL A, 708.73 FEET TO THE NORTH QUARTER CORNER OF SECTION 3, TOWNSHIP-83-NORTH, RANGE-6-WEST OF THE 5TH P.M., LINN COUNTY, IOWA;

THENCE N89°45'44"E ALONG THE NORTH LINE OF SAID PARCELS A AND B, 577.42 FEET;

THENCE S01°43'18"E, 208.01 FEET;

THENCE S50°59'29"E, 65.00 FEET;
THENCE S26°05'51"W, 182.00 FEET;
THENCE S28°12'33"E, 80.00 FEET;
THENE S01°43'18"E, 800.00 FEET TO THE SOUTH LINE OF SAID PARCEL B;
THENCE S89°45'42"W ALONG THE SOUTH LINE OF SAID PARCELS A AND B, 906.22 FEET;
THENCE S07°23'44"E ALONG THE EAST LINE OF SAID PARCEL A, 1837.60 FEET;
THENCE N88°18'15"E ALONG SAID EAST LINE, 146.13 FEET TO THE NORTHEAST CORNER LOT 1, IRREGULAR SURVEY SW1/4 OF SAID SECTION 3;
THENCE S00°33'03"E ALONG SAID EAST LINE, 930.59 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL A;
THENCE N72°50'21"W ALONG THE SOUTH LINE OF SAID PARCEL A, 312.76 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL A;
THENCE N07°23'47"W ALONG THE WEST LINE OF SAID PARCEL A, 3970.93 FEET TO THE POINT OF BEGINNING CONTAINING 53.54 ACRES MORE OR LESS.

WHEREAS, said application has been considered by the Planning and Zoning Commission and the Commission adopted CPC Resolution No. 15-06 dated March 10, 2015, recommending approval of said rezoning request; and,

WHEREAS, said application has heretofore been set for public hearing on March 19, 2015 before the City Council as required by law and said public hearing having been concluded and the Council having considered the record and all statements for and against said application and being fully advised of the premises; and,

WHEREAS, the City Council has considered the recommendation of the Planning & Zoning Commission regarding said rezoning application.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARION IOWA:
Section 1. That Section 176.04 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 to A-1, Rural Restricted and I-1, Restricted Industrial.

Section 2. That all ordinances and parts of ordinances in conflict with the same are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval, and publication as by law provided.

Passed and approved this 9th day of April, 2015.

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 11th day of April, 2015.

Snooks Bouska, Mayor

Wesley A. Nelson, City Clerk