

**ORDINANCE NO. 16-05**

**ORDINANCE AMENDING THE MARION CODE OF ORDINANCES REGARDING A REQUEST TO REZONE PROPERTY LOCATED north of Oakbrook Drive and west of East Post Road from O-1, Office Transitional to PD-R, Planned Development Residential (The Views Properties B, LLC, applicant)**

WHEREAS, The Views Properties B, LLC, applicant has made application to rezone property from O-1, Office Transitional to PD-R, Planned Development Residential for property north of Oakbrook Drive and west of East Post Road in Marion, Iowa, more particularly described as follows:

**Rezone O-1 to PD-R**

*Northeast Quarter of the Northeast Quarter Section 12, Township 83 North, Range 7 West of the 5th P.M., City of Marion, Linn County, Iowa, and more particularly described as follows:*

*Beginning at the SW corner of said Northeast Quarter of the Northeast Quarter;  
Thence North 01°25'16" West, 663.86 feet along the West line of said Northeast Quarter of the Northeast Quarter to the North Line of the South Half thereof;  
Thence North 87°48'45" East, 532.60 feet along said North Line;  
Thence South 01°31'06" East, 664.18 feet to the South Line of said Northeast Quarter of the Northeast Quarter;  
Thence South 87°50'54" West (Assumed Bearing), 533.72 feet along said South Line and to the Point of Beginning;  
Containing 8.127 Acres, subject to easements of record.*

WHEREAS, said application has been considered by the Planning and Zoning Commission and the Commission adopted CPC Resolution No. 16-10 dated April 12, 2016, recommending approval of said rezoning request; and,

WHEREAS, said application has heretofore been set for public hearing on May 5, 2016 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 176.05 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 O-1, Office Transitional to PD-R, Planned Development Residential.

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 That all ordinances and parts of ordinances in conflict with the same are hereby repealed.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 24 day of May, 2016.

Nicolas AbouAssaly  
Nicolas AbouAssaly, Mayor

ATTEST:

Wesley A. Nelson  
Wesley A. Nelson, 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 2 day of June, 2016.

Wesley Nelson 12013  
City Clerk