

ORDINANCE NO. 16-09

ORDINANCE AMENDING THE MARION CODE OF ORDINANCES REGARDING A REQUEST TO REZONE PROPERTY FROM R-5, MODERATE DENSITY MULTIPLE FAMILY RESIDENTIAL TO C-2, CENTRAL BUSINESS DISTRICT COMMERCIAL FOR PROPERTY LOCATED SOUTH OF 6TH AVENUE BETWEEN 8TH AND 9TH STREET (PERRY DEVELOPMENT PARTNERS).

WHEREAS, Perry Development, applicant, has made application to rezone from R-5, Moderate Density Multiple Family Residential to C-2, Central Business District Commercial for property located South of 6th Avenue between 8th and 9th Street, Marion, Iowa, more particularly described as follows:

LOTS 1, 2, 3 & 4 OF BLOCK 26 ORIGINAL TOWN, MARION, IOWA

WHEREAS, on June 14, 2016 the Marion Planning and Zoning Commission held a public hearing regarding said amendment and adopted CPC Resolution No. 16-28 recommending approval of said Comprehensive Plan amendment; and,

WHEREAS, said application has heretofore been set for public hearing on July 7, 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;

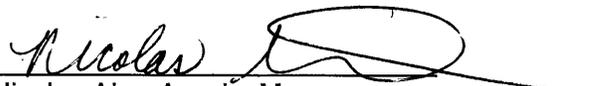
Section 1. That Section 176.05 of the Marion Code of Ordinances is hereby amended, including the Zoning District Map, and the zoning classification is changed for the above described real estate from R-5, Moderate Density, Multiple-Family Residential to C-2, Central Business District Commercial subject to the following conditions:

1. Site plan and building elevations shall be reviewed by the Marion Planning and Zoning Commission with a recommendation to the Marion City Council for final approval.

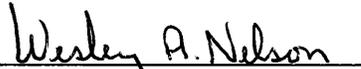
Section 2. That all ordinances and parts of ordinances in conflict with the same are hereby repealed.

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

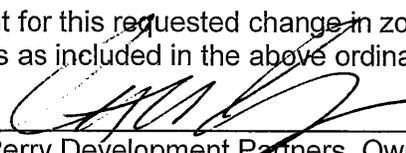
Passed and approved this 21 day of July, 2016.


Nicolas AbouAssaly, Mayor

ATTEST:


Wesley A. Nelson, City Clerk

ACCEPTANCE: As Owner and Applicant for this requested change in zoning district classification, we hereby accept the conditions as included in the above ordinance.


Perry Development Partners, Owner

CERTIFICATE OF SERVICE

The undersigned City Clerk of Marion, ~~I~~
certifies that the ordinance
shown immediately above was published
marion times on the 28

July, 2016
Wes Nelson
City Clerk