

ORDINANCE NO. 14-22

ORDINANCE AMENDING THE MARION CODE OF ORDINANCES REGARDING A REQUEST TO REZONE PROPERTY LOCATED SOUTH OF BLAIRS FERRY ROAD AND NORTHWEST OF MARION BOULEVARD FROM R-2, MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL AND C-3, GENERAL COMMERCIAL TO PD-R, PLANNED DEVELOPMENT RESIDENTIAL WITH CONDITIONS (Richard Sova, Landover Corporation).

WHEREAS, Richard Sova with Landover Corporation, applicant, has made application to rezone from R-2, Medium Density Single-Family Residential and C-3, General Commercial to PD-R, Planned Development Residential with conditions for property located south of Blairs Ferry Road and northwest of Marion Boulevard, more particularly described as follows:

R-2 to PD-R

Lot 1 of Blairs Ferry Commercial Park, City of Marion, Linn County, Iowa.

C-3 to PD-R

Lot 2 and 4 of Blairs Ferry Commercial Park, City of Marion, Linn County, Iowa.

WHEREAS, said application has been considered by the Planning and Zoning Commission and the Commission adopted CPC Resolution No. 14-28 dated October 14, 2014, recommending approval of said rezoning request; and,

WHEREAS, said application has heretofore been set for public hearing on November 6, 2014 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 from R-2, Medium Density Single-Family Residential and C-3, General Commercial to PD-R, Planned Development Residential subject to the following conditions:

1. Preliminary and Final Site Development Plans submitted per 176.34 (Planned Development Districts) of the Marion Code of Ordinances.
2. Standards of Section 176.47 (Central Corridor Overlay) of the Marion Code of Ordinances is met with the submittal of both the preliminary and Final Site Development Plan.
3. The zoning shall revert to the existing zoning classifications six (6) months from the date of the City Council approval of the zoning amendment if the project should not proceed. The applicant may seek approval to extend this period by 3 months with a written request by the applicant.

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 That all ordinances and parts of ordinances in conflict with the same are hereby repealed.

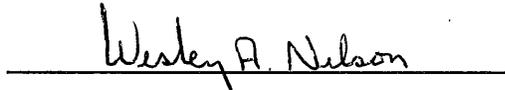
Section 3. This ordinance shall be in full force and effect from and after its passage, approval, and publication as by law provided.

Passed and approved this 4th day of December, 2014.



Snooks Bouska, Mayor

ATTEST:



Wesley A. Nelson, City Clerk

ACCEPTANCE: As the petitioner for this requested change in zoning district classification, I hereby accept the conditions as included in the above ordinance

Landover Corporation



Richard Sova

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 18th day of December, 2014.
Wes Nelson PCB
City Clerk