
AGENDA ITEM SUMMARY

Subject: Consider the third reading of Ordinance 1154 to rezone property owned by Larry Milleson and Jodi Hammond Milleson from R-3, Multi-Family Residence District, to B-3, Service Business District and motion to adopt

Recommendation: Approve the third reading of Ordinance 1154 and approve motion to adopt

Background Summary:

Larry Milleson and Jodi Hammond Milleson own the property at 904 Court Street which is currently zoned R-3, Multi-Family Residence District and is seeking to rezone it to B-3, Service Business District. An aerial view of the area is attached showing the subject parcel and the surrounding zoning districts. The easterly half of the block was recently rezoned for Floyd County's law enforcement center from R-3 to B-3. The southwesterly quadrant of the block is already zoned B-3 and includes the Taco John's restaurant. The requested rezoning is an expansion of the surrounding B-3 zoning district.

The Planning and Zoning Commission met on August 23rd and held a public hearing on the matter. The applicants stated at the meeting they intend to operate a motorcycle engine repair business at 904 Court Street. There were Court Street residents in attendance at the public hearing and voiced concerns about potential noise, traffic, and other potential business activities if both properties are rezoned.

As previously discussed, the initial rezoning application included both 904 and 906 Court Street properties. At the Commission meeting the applicants said the rezoning of only 904 Court Street will meet their business needs. The Commission approved a recommendation to the City Council to rezone 904 Court Street to B-3 zoning district.

The Council completed the first reading of the ordinance amendment at the September 7th meeting to rezone 904 Court Street to a B-3 Zoning District and held a public hearing and approved the second reading at the September 21st meeting.

We recommend the Council approve the third reading and approve a motion authorizing the City Clerk to publish the approved ordinance.

Larry Milleson and Jodi Hammond Milleson
904 and 906 Court Street
Rezoning Request

R-3 Zoning District to B-3 Zoning District



ORDINANCE NO. 1154

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF PROPERTY LOCATED AT 904 COURT STREET, CHARLES CITY, IOWA, FROM R-3, MULTI-FAMILY RESIDENCE DISTRICT, TO B-3, SERVICE BUSINESS DISTRICT

BE IT ENACTED by the City Council of the City of Charles City, Iowa:

SECTION 1. Change in Zoning Classification. Property legally described as:

Lot 16, Block 29, Kelly & Company's addition to St. Charles, now incorporated as Charles City, Iowa and that part of the alley in Block 29 of Kelly & Company's Addition to St. Charles now incorporated in and as a part of Charles City, Iowa, immediately abutting Lot 16 of said Block 29, otherwise described as follows: Commencing at the NEly corner of Lot 16, thence SWly 132 feet along the Ely Boundary of said Lot 16, thence SEly 7.92 feet along the Sly boundary of Lot 16 extended, thence NEly 132 feet along a line parallel with the Ely Boundary of Lot 16, thence NWly 7.92 feet to the point of beginning

(locally known as 904 Court Street, Charles City, Iowa)

presently classified as R-3, Multi-Family District, is hereby reclassified as B-3, Service Business District.

SECTION 2. Map Amendment. The official zoning map of the City of Charles City shall be modified to reflect these changes in zoning classification upon approval and passage of this Ordinance.

SECTION 3. Severability. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. When Effective. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the City Council on this _____ day of _____, 2021.

Dean Andrews, Mayor

ATTEST:

Trudy O'Donnell, City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the _____ day of _____, 20____.

Trudy O'Donnell, City Clerk