

ORDINANCE NO. 14-08

**AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF NORWALK REZONING LAND
LOCATED AT THE COUNTRYSIDE GOLF COURSE/WARRIOR RUN ESTATES FROM R-1 TO R-4, R-
1 TO R-3, R-3 TO R-1 AND C-2 & R-1 TO C-2.**

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF NORWALK, IOWA:

SECTION 1. PURPOSE. The purpose of this ordinance is to amend the Official Zoning Map of the City of Norwalk, Iowa, under the provisions of Title 17 (Zoning Regulations), Chapter 17.04 (General Provisions), Section 17.04.060 (Zoning District Boundaries and Official Zoning Map) of the Norwalk Municipal Code

SECTION 2. OFFICIAL ZONING MAP AMENDED. The official zoning map of the City of Norwalk, Iowa is amended for the following tracts of land:

- Tract A – from R-1, Single Family Residential to R-4, High Density Multiple-Family Residential, with an agreement from the property owner that the following uses are permitted on Tract A:
 - Any principal permitted use in the R-3, Medium Density Multiple-Family Residential District with uses complying with the minimum standards of the R-3 District; and,
 - Assisted Living Residential Facilities, Nursing or Convalescent Home, not exceeding sixteen (16) dwelling units per acre of lot area exclusive of public street right-of-way, or for those facilities which do not provide separate living quarters defined as dwelling units within this ordinance, a maximum of thirty-two (32) beds or residents per acre of lot area exclusive of public street right-of-way.
- Tract B – from R-1, Single Family Residential to R-3, Medium Density Multiple-Family Residential.
- Tract C – from R-3, Medium Density Multiple-Family Residential to R-1 (70), Single Family Residential.
- Tract D – from C-2, Community Commercial and R-1, Single Family Residential to C-2, Community Commercial.

The changes detailed above apply to the property described as follows and as shown in Exhibit “A” attached hereto and made a part thereof by reference:

- *TRACT A – A PARCEL OF LAND IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 77 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF NORWALK, WARREN COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:*
 - *COMMENCING AS A POINT OF REFERENCE AT THE W1/4 CORNER OF SAID SECTION 17;*
 - *THENCE NO0°11'22"W, 1731.13 FEET ALONG THE WEST LINE OF SAID NW1/4 TO THE POINT OF BEGINNING;*
 - *THENCE CONTINUING NO0°11'22"W, 362.44 FEET ALONG SAID WEST LINE TO THE SW CORNER OF LOLA'S ACRES, AN OFFICIAL PLAT RECORDED IN BOOK 1999, PAGE 8363 AT THE WARREN COUNTY RECORDER'S OFFICE, SAID SW CORNER ALSO BEING ON THE CENTERLINE OF CARPENTER STREET AS IT IS PRESENTLY ESTABLISHED;*
 - *THENCE N89°24'28"E, 617.79 FEET ALONG THE EXTENDED SOUTH LINE OF SAID LOLA'S ACRES AND THE CENTERLINE OF SAID CARPENTER STREET TO THE SW CORNER OF PARCEL 'B' OF SAID NW1/4, AN OFFICIAL PARCEL RECORDED IN*

IRREGULAR PLAT BOOK 9, PAGE 3 OF 77-24 AT THE WARREN COUNTY RECORDER'S OFFICE;

- THENCE $S00^{\circ}35'32''E$, 188.18 FEET TO A POINT;
 - THENCE $S41^{\circ}38'21''W$, 239.70 FEET TO A POINT;
 - THENCE $S89^{\circ}48'38''W$, 459.24 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.85 ACRES INCLUDING 0.92 ACRES OF PUBLIC ROAD RIGHT-OF-WAY
- TRACT B – A PARCEL OF LAND IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 77 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF NORWALK, WARREN COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 - COMMENCING AS A POINT OF REFERENCE AT THE W1/4 CORNER OF SAID SECTION 17;
 - THENCE $NO0^{\circ}11'22''W$, 887.80 FEET ALONG THE WEST LINE OF SAID NW1/4 TO THE POINT OF BEGINNING;
 - THENCE CONTINUING $NO0^{\circ}11'22''W$, 843.33 FEET ALONG SAID WEST LINE TO A POINT;
 - THENCE $N89^{\circ}48'38''E$, 459.24 FEET TO A POINT;
 - THENCE $S13^{\circ}21'57''W$, 249.52 FEET TO A POINT;
 - THENCE $S00^{\circ}11'22''E$, 178.24 FEET TO A POINT;
 - THENCE $S06^{\circ}11'52''E$, 180.97 FEET TO A POINT;
 - THENCE $S32^{\circ}27'31''E$, 126.07 FEET TO A POINT
 - THENCE $S58^{\circ}18'23''W$, 222.90 FEET TO A POINT;
 - THENCE $S73^{\circ}37'12''W$, 69.81 FEET TO A POINT;
 - THENCE $S89^{\circ}48'38''W$, 229.92 FEET TO THE POINT OF BEGINNING AND CONTAINING 8.00 ACRES INCLUDING 1.16 ACRES OF PUBLIC ROAD RIGHT-OF-WAY.
- TRACT C – A PARCEL OF LAND IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 77 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF NORWALK, WARREN COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 - COMMENCING AS A POINT OF REFERENCE AT THE W1/4 CORNER OF SAID SECTION 17;
 - THENCE $NO0^{\circ}11'22''W$, 500.00 FEET ALONG THE WEST LINE OF SAID NW1/4 TO THE POINT OF BEGINNING;
 - THENCE CONTINUING $NO0^{\circ}11'22''W$, 177.00 FEET ALONG SAID WEST LINE TO A POINT;
 - THENCE $N89^{\circ}48'38''E$, 286.00 FEET TO A POINT;
 - THENCE $S00^{\circ}11'22''E$, 177.00 FEET TO A POINT;
 - THENCE $S89^{\circ}48'38''W$, 286.00 FEET TO A POINT OF BEGINNING AND CONTAINING 1.16 ACRES INCLUDING 0.24 ACRES OF PUBLIC ROAD RIGHT-OF-WAY.
- TRACT D – A PARCEL OF LAND IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 77 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF NORWALK, WARREN COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 - BEGINNING AT THE W1/4 CORNER OF SAID SECTION 17;
 - THENCE $NO0011'22''W$, 500.00 FEET ALONG THE WEST LINE OF SAID NW1/4 TO A POINT;
 - THENCE $N89^{\circ}48'38''E$, 384.44 FEET TO A POINT;
 - THENCE $N58^{\circ}18'23''E$, 527.00 FEET TO A POINT;
 - THENCE $S31^{\circ}41'37''E$, 428.25 FEET TO A POINT OF CURVATURE;
 - THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 500.00 FEET AND A CHORD BEARING $S15^{\circ}39'57''E$, AN ARC LENGTH OF 279.74 FEET TO A POINT OF TANGENCY;
 - THENCE $S00^{\circ}21'43''W$, 155.05 FEET TO A POINT ON THE SOUTH LINE OF SAID SW1/4;
 - THENCE $N89^{\circ}38'17''W$, 1129.78 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING AND CONTAINING 14.73 ACRES INCLUDING 3.05 ACRES OF PUBLIC ROAD RIGHT-OF-WAY.

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE. In 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 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved by the City Council of the City of Norwalk, Iowa on the 5th day of June, 2014.

Tom Phillips, Mayor

ATTEST:

Jeff Rosien, City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the _____ day of _____ 2014

Jeff Rosien, City Clerk

