

ORDINANCE 2152

AN ORDINANCE AMENDING THE ZONING REGULATIONS, CHAPTER 192, OF THE MUNICIPAL CODE OF THE CITY OF ANKENY, IOWA, BY REZONING CERTAIN PROPERTY OWNED BY HOPE KIMBERLEY LLC, FROM THE CURRENT R-1, ONE-FAMILY RESIDENCE DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, REZONING AREA B AND E

WHEREAS, the Plan and Zoning Commission of the City of Ankeny, Iowa, held a public hearing and on the 8th day of August, 2023, recommended to the City Council that the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, for the following described property owned by Hope Kimberley LLC, be rezoned from the current R-1, One-Family Residence District, to PUD, Planned Unit Development (Rezoning Area B and E); and

WHEREAS, on the 2nd day of October, 2023, after due notice and hearing provided by law, the Council now deems it reasonable and appropriate to rezone the following described property:

LEGAL DESCRIPTION (AREA B):

A PART OF THE NORTH HALF OF SECTION 36, TOWNSHIP 81 NORTH, RANGE 24 WEST OF THE FIFTH PRINCIPAL MERIDIAN AND A PART OF OUTLOT 'Y', FOUR MILE FOUR, AN OFFICIAL PLAT, ALL IN THE CITY OF ANKENY, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF HARVEST RIDGE PLAT 2, AN OFFICIAL PLAT; THENCE SOUTH 89°52'38" WEST ALONG THE SOUTH LINE OF SAID NORTH HALF OF SECTION 36, A DISTANCE OF 197.65 FEET TO THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 36; THENCE NORTH 00°08'38" EAST ALONG SAID WEST LINE, 534.33 FEET; THENCE SOUTH 89°55'10" WEST, 115.60 FEET; THENCE NORTH 00°29'17" EAST, 168.23 FEET; THENCE NORTHWESTERLY ALONG A CURVE CONCAVE NORTHEASTERLY WHOSE RADIUS IS 55.00 FEET, WHOSE ARC LENGTH IS 65.89 FEET AND WHOSE CHORD BEARS NORTH 39°21'59" WEST, 62.02 FEET; THENCE NORTH 89°30'43" WEST, 165.26 FEET; THENCE NORTH 00°29'17" EAST, 715.00 FEET; THENCE NORTH 89°30'43" WEST, 5.00 FEET; THENCE NORTH 00°29'17" EAST, 1173.98 FEET TO THE NORTH LINE OF SAID SECTION 36; THENCE NORTH 89°43'12" EAST ALONG SAID NORTH LINE, 427.09 FEET TO THE WEST LINE OF THE WEST 50 FEET OF THE NORTH 115 FEET OF THE EAST 1206.05 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 36; THENCE SOUTH 00°40'44" EAST AONG SAID WEST LINE, 115.14 FEET TO THE SOUTHWEST CORNER OF SAID WEST 50 FEET OF THE NORTH 115 FEET OF THE EAST 1206.05 FEET; THENCE NORTH 89°23'31" EAST ALONG THE SOUTH LINE OF SAID WEST 50 FEET OF THE NORTH 115 FEET OF THE EAST 1206.05 FEET, A DISTANCE OF 50.00 FEET TO THE SOUTHEAST CORNER OF SAID WEST 50 FEET OF THE NORTH 115 FEET OF THE EAST 1206.05 FEET; THENCE NORTH 00°40'46" WEST ALONG THE EAST LINE OF SAID WEST 50 FEET OF THE NORTH 115 FEET OF THE EAST 1206.05 FEET, A DISTANCE OF 114.86 FEET TO SAID NORTH LINE OF SAID SECTION 36; THENCE NORTH 89°43'12" EAST ALONG SAID NORTH LINE, 718.02 FEET; THENCE SOUTH 00°29'17" WEST, 1357.74 FEET; THENCE SOUTH 89°30'43" EAST, 1143.50 FEET; THENCE SOUTH 00°13'22" WEST, 128.98 FEET; THENCE SOUTHERLY ALONG A CURVE CONCAVE EASTERLY WHOSE RADIUS IS 1330.00 FEET, WHOSE ARC LENGTH IS 644.86 FEET AND WHOSE CHORD BEARS SOUTH 13°40'02" EAST, 638.56 FEET; THENCE SOUTH 89°52'38" WEST, 1291.99 FEET; THENCE SOUTHERLY ALONG A CURVE CONCAVE EASTERLY WHOSE RADIUS IS 1000.00 FEET, WHOSE ARC LENGTH IS 77.99 FEET AND WHOSE CHORD BEARS SOUTH 09°09'12" EAST, 77.97 FEET; THENCE SOUTH 11°23'16" EAST, 169.54 FEET; THENCE SOUTHERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 1000.00 FEET, WHOSE ARC LENGTH IS 196.61 FEET AND WHOSE CHORD BEARS SOUTH 05°45'19" EAST, 196.30 FEET; THENCE SOUTH 00°07'22" EAST, 86.38 FEET TO THE SOUTH LINE OF SAID NORTH HALF; THENCE SOUTH 89°52'38" WEST ALONG SAID SOUTH LINE, 747.16 FEET TO THE POINT OF BEGINNING AND CONTAINING 88.50 ACRES MORE OR LESS.

LAYMAN'S DESCRIPTION:

Approximately 88.5-acres (+/-) located south of NE 126th Avenue, east of N Ankeny Boulevard.

LEGAL DESCRIPTION (AREA E):

A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 81 NORTH, RANGE 24 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF ANKENY, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF KIMBERLEY ESTATES PLAT 2, AN OFFICIAL PLAT; THENCE NORTH 38°28'54" EAST, 243.33 FEET; THENCE SOUTH 89°04'19" EAST, 174.76 FEET; THENCE NORTH 00°17'05" EAST, 104.49 FEET TO THE SOUTHWEST CORNER OF PARCEL "2018-191" AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 17102, PAGE 203; THENCE NORTH 89°15'04" EAST ALONG THE SOUTH LINE OF SAID PARCEL "2018-191", A DISTANCE OF 542.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL "2018-191"; THENCE SOUTH 00°13'22" WEST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, 297.37 FEET; THENCE SOUTH 89°52'38" WEST AND ALONG THE NORTH LINE OF SAID KIMBERLEY ESTATES PLAT 2, A DISTANCE OF 867.47 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.75 ACRES MORE OR LESS.

LAYMAN'S DESCRIPTION:

Approximately 4.75 acres (+/-) of land south of NE 126th Avenue and west of NE Delaware Avenue.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANKENY, IOWA:

Section 1. That Chapter 192 of the Municipal Code of the City of Ankeny, Iowa, is hereby amended by rezoning the above-described property owned by Hope Kimberley LLC, from the current R-1, One-Family Residence District, to PUD, Planned Unit Development (Rezoning Area B and E); and

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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

PASSED at Ankeny Iowa, this **2nd**, day of **October**, 2023.

Mark E. Holm, Mayor

ATTEST:

Michelle Yuska, City Clerk

**PUBLISHED IN THE
DES MOINES REGISTER
ON THE 6TH DAY OF OCTOBER, 2023**

**1st Con 9/5/23 (P. Hrg.)
2nd Con 9/18/23
3rd Con 10/2/23**