

**ORDINANCE 2153**

**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 R-3, MULTIPLE FAMILY RESIDENCE DISTRICT, RESTRICTED TO SINGLE FAMILY, REZONING AREA D**

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**WHEREAS**, the Plan and Zoning Commission of the City of Ankeny, Iowa, held a public hearing and on the 8<sup>th</sup> 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 R-3, Multiple Family Residence District, Restricted to Single Family (Rezoning Area D); and

**WHEREAS**, on the 2<sup>nd</sup> 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:**

A PART OF THE NORTHWEST QUARTER AND A PART OF THE NORTHEAST QUARTER AND A PART OF THE SOUTHEAST QUARTER, ALL IN 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 CENTER OF SAID SECTION 36; THENCE SOUTH 89°52'38" WEST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, 385.00 FEET; THENCE NORTH 00°07'22" WEST, 86.38 FEET; THENCE NORTHERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 1000.00 FEET, WHOSE ARC LENGTH IS 196.61 FEET AND WHOSE CHORD BEARS NORTH 05°45'19" WEST, 196.30 FEET; THENCE NORTH 11°23'16" WEST, 169.54 FEET; THENCE NORTHERLY ALONG A CURVE CONCAVE EASTERLY WHOSE RADIUS IS 1000.00 FEET, WHOSE ARC LENGTH IS 77.99 FEET AND WHOSE CHORD BEARS NORTH 09°09'12" WEST, 77.97 FEET; THENCE NORTH 89°52'38" EAST, 1291.99 FEET; THENCE NORTHERLY ALONG A CURVE CONCAVE EASTERLY WHOSE RADIUS IS 1330.00 FEET, WHOSE ARC LENGTH IS 644.86 FEET AND WHOSE CHORD BEARS NORTH 13°40'02" WEST, 638.56 FEET; THENCE NORTH 00°13'22" EAST, 527.24 FEET; THENCE NORTHERLY ALONG A CURVE CONCAVE EASTERLY WHOSE RADIUS IS 1000.00 FEET, WHOSE ARC LENGTH IS 181.57 FEET AND WHOSE CHORD BEARS NORTH 05°25'28" EAST, 181.32 FEET; THENCE NORTH 10°37'33" EAST, 94.16 FEET; THENCE NORTHERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 1000.00 FEET, WHOSE ARC LENGTH IS 181.57 FEET AND WHOSE CHORD BEARS NORTH 05°25'28" EAST, 181.32 FEET; THENCE NORTH 00°13'22" EAST, 521.42 FEET TO THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 89°43'12" EAST ALONG SAID NORTH LINE, 165.35 FEET; THENCE SOUTH 00°17'54" WEST, 264.01 FEET; THENCE NORTH 89°43'13" EAST, 165.00 FEET; THENCE SOUTH 00°17'53" WEST, 373.02 FEET; THENCE NORTH 89°42'59" EAST, 703.99 FEET; THENCE SOUTH 32°56'05" WEST, 505.04 FEET; THENCE SOUTH 00°13'22" WEST, 705.09 FEET; THENCE SOUTH 67°10'04" EAST, 444.03 FEET; THENCE SOUTH 00°12'25" WEST, 522.09 FEET; THENCE SOUTH 38°28'54" WEST, 243.33 FEET TO THE NORTHWEST CORNER OF KIMBERLEY ESTATES PLAT 2 ALSO BEING A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 89°52'38" WEST ALONG SAID SOUTH LINE, 605.62 FEET; THENCE SOUTH 89°46'46" WEST, 73.48 FEET; THENCE SOUTH 85°36'15" WEST, 66.85 FEET; THENCE SOUTH 79°22'24" WEST, 66.85 FEET; THENCE SOUTH 73°08'32" WEST, 66.85 FEET; THENCE SOUTH 66°54'41" WEST, 66.85 FEET; THENCE SOUTH 61°34'12" WEST, 71.30 FEET; THENCE SOUTH 60°58'05" WEST, 225.00 FEET; THENCE SOUTH 61°21'15" WEST, 78.94 FEET; THENCE SOUTH 65°20'09" WEST, 85.40 FEET; THENCE SOUTH 70°18'19" WEST, 85.40 FEET; THENCE SOUTH 75°16'29" WEST, 85.40 FEET; THENCE SOUTH 80°14'39" WEST, 85.40 FEET; THENCE SOUTH 85°12'49" WEST, 85.40 FEET; THENCE NORTH 89°59'06" WEST, 79.63 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 00°05'22" WEST ALONG SAID WEST LINE, 349.56 FEET TO THE POINT OF BEGINNING AND CONTAINING 66.98 ACRES MORE OR LESS.

**LAYMAN'S DESCRIPTION:**

Approximately 66.98-acres (+/-) located south of NE 126<sup>th</sup> Avenue, 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 R-3, Multiple Family Residence District, Restricted to Single Family (Rezoning Area D); 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 2<sup>nd</sup>, day of **October**, 2023.

DocuSigned by:  
  
4C9E47CBE956471...  
Mark E. Holm, Mayor

ATTEST:

DocuSigned by:  
  
7E497EC63C464A9  
Michelle Yuska, City Clerk

**PUBLISHED IN THE  
DES MOINES REGISTER  
ON THE 6<sup>TH</sup> DAY OF OCTOBER, 2023**

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