

ORDINANCE 1922

AN ORDINANCE AMENDING THE ZONING REGULATIONS, CHAPTER 192, OF THE MUNICIPAL CODE OF THE CITY OF ANKENY, IOWA, BY REZONING CERTAIN REAL ESTATE OWNED BY ROCK CREEK COMMERCIAL, LLC, LOCATED NORTH AND EAST OF THE INTERSECTION OF NW 36TH STREET AND NW IRVINEDALE DRIVE

WHEREAS, the Plan and Zoning Commission of the City of Ankeny, Iowa, held a public hearing and on the 5th day of July 2017, 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 properties owned by Rock Creek Commercial, LLC, from the current C-1, Neighborhood Retail Commercial District to PUD, Planned Unit Development; and

WHEREAS, on the ____ day of _____, 2017, 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 TRACT OF LAND BEING A PART OF PARCEL 'E' OF THE PLAT OF SURVEY OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 80 NORTH, RANGE 24 WEST OF THE 5TH P.M., ANKENY, POLK COUNTY, IOWA, RECORDED AT BOOK 15735, PAGE 812 IN THE OFFICE OF THE POLK COUNTY RECORDER. SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF PARCEL 'E' OF THE PLAT OF SURVEY OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 80 NORTH, RANGE 24 WEST OF THE 5TH P.M., ANKENY, POLK COUNTY, IOWA, RECORDED AT BOOK 15735, PAGE 812 IN THE OFFICE OF THE POLK COUNTY RECORDER; THENCE S89°32'34"W, 512.34 FEET ALONG THE SOUTH LINE OF SAID PARCEL 'E'; THENCE N 00°27'26"W, 243.40 FEET TO A POINT OF CURVATURE OF A 300.00 FEET RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE NORTHWESTERLY 93.80 FEET ALONG SAID CURVE, SAID CURVE HAS A CHORD LENGTH OF 93.41 FEET AND A CHORD BEARING OF N09°24'51"W, TO THE NORTHERLY LINE OF SAID PARCEL 'E'; THENCE N90°00'00"E, 374.98 FEET, TO THE EAST LINE OF SAID PARCEL 'E'; THENCE S25°00'00"E; 365.73 FEET ALONG SAID EAST LINE TO THE SOUTHEAST CORNER OF SAID PARCEL 'E' AND TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 3.355 ACRES MORE OR LESS.

SAID TRACT OF LAND BEING SUBJECT TO ALL EASEMENTS OF RECORD.

LAYMAN'S DESCRIPTION:

Approximately 3.355 acres (+/-) of land generally located 660-feet east and north of the intersection of NW 36th Street and NW Irvinedale Drive of Ankeny.

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 properties owned by Rock Creek Commercial, LLC, from the current C-1, Neighborhood Retail Commercial District to PUD, Planned Unit Development.

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 _____, day of _____, 2017.

Gary Lorenz, Mayor

ATTEST:

Pamela DeMouth, City Clerk

**PUBLISHED IN THE
DES MOINES REGISTER
ON THE ____ DAY OF _____, 2017**

**1st Con 08/07/17 (P. Hrg.)
2nd Con _____
3rd Con _____**