

ORDINANCE 1961

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 POLK COUNTY AVIATION AUTHORITY

WHEREAS, the Plan and Zoning Commission of the City of Ankeny, Iowa, held a public hearing and on the 8th day of January, 2019 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 Polk County Aviation Authority be rezoned from the current U-1, Conservation and Public Utility District, to M-1, Light Industrial District with use restrictions and conditions; and

WHEREAS, on the 4th day of March, 2019, after due notice and hearing provided by law, the Council now deems it reasonable and appropriate to rezone the properties described below from the current U-1, Conservation and Public Utility District, to M-1, Light Industrial District with use restrictions and conditions.

LEGAL DESCRIPTION:

A PART OF THE NORTHWEST FRACTIONAL 1/4 OF SECTION 6, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF ANKENY, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF OUTLOT "X" OF CORPORATE WOODS BUSINESS PARK PLAT 2, AN OFFICIAL PLAT; THENCE NORTH 08°11'56" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 35, A DISTANCE OF 318.56 FEET TO A CORNER ON SAID EAST RIGHT-OF-WAY LINE; THENCE NORTH 00°55'54" WEST CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, 338.15 FEET TO A CORNER ON SAID EAST RIGHT-OF-WAY LINE; THENCE NORTH 01°56'33" WEST CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, 58.69 FEET; THENCE NORTH 45°02' 55" EAST, 686.86 FEET; THENCE SOUTH 89°48'52" EAST, 70.00 FEET; THENCE SOUTH 00°11'08" WEST, 605.17 FEET; THENCE SOUTH 89°48'50" EAST, 315.00 FEET; THENCE SOUTH 00°11'07" WEST, 257.54 FEET; THENCE SOUTHERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 315.00 FEET, WHOSE ARC LENGTH IS 273.77 FEET AND WHOSE CHORD BEARS SOUTH 25°05'00" WEST, 265.23 FEET; THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 455.00 FEET, WHOSE ARC LENGTH IS 132.03 FEET AND WHOSE CHORD BEARS SOUTH 41°40'05" WEST, 131.57 FEET TO THE NORTH LINE OF OUTLOT "W" OF CORPORATE WOODS BUSINESS PARK PLAT 1, AN OFFICIAL PLAT; THENCE NORTH 89°31'25" WEST ALONG SAID NORTH LINE AND ALONG THE NORTH LINES OF OUTLOTS "U" AND "X" OF CORPORATE WOODS BUSINESS PARK PLAT 2, AN OFFICIAL PLAT, 615.50 FEET TO THE POINT OF BEGINNING AND CONTAINING 16.06 ACRES (699,416 S.F.).

LAYMAN'S DESCRIPTION:

Approximately 16.06 acres of land located east of Interstate 35 and north of SE Corporate Woods Drive.

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 Polk County Aviation Authority from the current U-1, Conservation and Public Utility District, to M-1, Light Industrial District with use restrictions and conditions, described as follows:

Those prohibited uses are the following, found in Section 192.12 of the Zoning Ordinance:

- G. Contractor's equipment storage yard or plant, or rental of equipment commonly used by contractors, storage and sale of livestock feed (provided dust is effectively controlled), and storage yards for vehicles of a delivery or draying service.
- I. Circus, carnival or similar transient enterprise; provided, such structures or buildings shall be at least 200 feet from any R district.
- J. Coal yard, coke yard or wood yard.
- K. Concrete mixing, concrete products manufacture.
- N. Enameling, lacquering or japanning.
- Q. Livery stable or riding academy.
- X. Sawmill and planing mill, including manufacture of wood products not involving chemical treatment.
- Z. The manufacturing, compounding, assembling or treatment of articles or merchandise from previously prepared materials such as bone, cloth, cork, fiber, leather, paper, plastics, metals or stones, tobacco, wax, yarns and wood.
- AA. Automobile body or fender repair shop, but not including automobile wrecking or used parts yards.
- BB. Lumberyards and building materials sales yards.
- CC. Vulcanizing, retreading and recapping of tires.

Furthermore, the following specific conditions are also proposed for this property:

1. Permitted Building Materials: Buildings can be constructed only with these exterior wall materials: Precast concrete, brick, stone, split face block, dryvitt, decorative poured concrete, glass, alumabond, or other quality materials as approved by PCAA. Limestone as a building accent is encouraged.
2. Prohibited Building Materials: Hardboard siding, composite siding, metal-faced plywood, woodcore panels, pre-engineered metals, plain concrete block, and asphalt shingles are specifically prohibited as exterior wall or roof materials.
3. HVAC Units: Screening of rooftop HVAC units is required.

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 **4th** day of **March**, 2019.

Gary Lorenz, Mayor

ATTEST:

Debra M. Arend, Interim City Clerk

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