



**CITY OF WAUKEE, IOWA  
CITY COUNCIL MEETING COMMUNICATION**

**MEETING DATE:** July 19, 2021

**AGENDA ITEM:** Consideration of approval of an ordinance to amend Chapter 169, Zoning Ordinance, City of Waukeee, Iowa, by rezoning certain property from A-1 to R-2, R-3, R-4, and C-1, a property to be known as Prairie Village [third (final) reading]

**FORMAT:** Ordinance

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**SYNOPSIS INCLUDING PRO & CON:**

**FISCAL IMPACT INCLUDING COST/BENEFIT ANALYSIS:**

**COMMISSION/BOARD/COMMITTEE COMMENT:**

**STAFF REVIEW AND COMMENT:**

**RECOMMENDATION:** Approve the third reading in title only and place it on final passage.

**ATTACHMENTS:** I. Proposed Ordinance

**PREPARED BY:** Becky Schuett

**REVIEWED BY:**

**PUBLIC NOTICE INFORMATION –**

**NAME OF PUBLICATION:**

**DATE OF PUBLICATION:**

**ORDINANCE NO.**

**AN ORDINANCE TO AMEND CHAPTER 169, ZONING ORDINANCE, CITY OF WAUKEE, IOWA BY AMENDING THE ZONING FROM A-1 (AGRICULTURAL DISTRICT) TO R-2 (ONE AND TWO FAMILY RESIDENTIAL DISTRICT), R-3 (MULTI-FAMILY RESIDENTIAL DISTRICT), R-4 (ROW DWELLING & TOWNHOME DISTRICT), & C-1 (COMMUNITY & HIGHWAY SERVICE COMMERCIAL DISTRICT) FOR CERTAIN PROPERTY [PRAIRIE VILLAGE]**

BE IT ORDAINED by the Council of the City of Waukee:

Section 1. Section 160.02 of Chapter 169, Waukee Municipal Code, Zoning Ordinance of the City, adopting the Official Zoning Map, is hereby amended by amending the following real estate (Property) from A-1 (Agricultural District) to R-2 (One & Two Family Residential District), legally described as follows:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER AND A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, ALL IN SECTION 32, TOWNSHIP 79 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF WAUKEE, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 32; THENCE NORTH 89°38'19" WEST ALONG THE SOUTH LINE OF SAID SECTION 32, A DISTANCE OF 425.90 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°38'19" WEST ALONG SAID SOUTH LINE, 1000.27 FEET; THENCE NORTH 00°21'40" EAST, 175.63 FEET; THENCE NORTHERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 1800.00 FEET, WHOSE ARC LENGTH IS 695.50 FEET AND WHOSE CHORD BEARS NORTH 10°42'29" WEST, 691.18 FEET; THENCE SOUTH 68°13'22" WEST, 285.10 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 800.00 FEET, WHOSE ARC LENGTH IS 308.18 FEET AND WHOSE CHORD BEARS SOUTH 79°15'31" WEST, 306.28 FEET; THENCE NORTH 89°42'19" WEST, 1664.34 FEET; THENCE SOUTH 00°17'41" WEST, 55.00 FEET; THENCE NORTH 89°42'19" WEST, 170.35 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH 00°44'29" EAST ALONG SAID WEST LINE AND THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, 1171.69 FEET; THENCE SOUTH 89°15'31" EAST, 249.31 FEET; THENCE SOUTH 63°09'26" EAST, 647.02 FEET; THENCE SOUTH 44°13'04" EAST, 445.22 FEET; THENCE SOUTH 86°09'32" EAST, 195.37 FEET; THENCE NORTH 57°55'23" EAST, 238.14 FEET; THENCE NORTH 65°59'16" EAST, 301.24 FEET; THENCE NORTH 78°54'48" EAST, 388.27 FEET; THENCE NORTH 83°22'59" EAST, 234.65 FEET; THENCE SOUTH 68°35'25" EAST, 91.56 FEET; THENCE SOUTH 15°54'23" EAST, 247.37 FEET; THENCE SOUTH 31°02'04" EAST, 383.54 FEET; THENCE SOUTH 04°46'21" WEST, 471.69 FEET; THENCE SOUTH 54°09'18" EAST, 486.48 FEET; THENCE SOUTH 78°54'20" EAST, 351.39

FEET; THENCE SOUTH 17°26'25" EAST, 130.97 FEET TO THE POINT OF BEGINNING AND CONTAINING 56.66 ACRES (2,468,269 SQUARE FEET).

Section 2. Section 160.02 of Chapter 169, Waukee Municipal Code, Zoning Ordinance of the City, adopting the Official Zoning Map, is hereby amended by amending the following real estate (Property) from A-1 (Agricultural District) to R-2 (One & Two Family Residential District), legally described as follows:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER AND A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, ALL IN SECTION 32, TOWNSHIP 79 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF WAUKEE, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 00°41'28" WEST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, 404.89 FEET; THENCE NORTH 89°26'20" WEST, 370.89 FEET; THENCE NORTH 00°42'40" EAST, 471.02 FEET TO THE SOUTH LINE OF PARCEL 20-92 AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2020, PAGE 28973; THENCE SOUTH 89°44'55" EAST ALONG SAID SOUTH LINE, 370.73 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 00°41'28" WEST ALONG SAID EAST LINE, 68.13 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.02 ACRES (175,028 SQUARE FEET).

Section 3. Section 160.02 of Chapter 169, Waukee Municipal Code, Zoning Ordinance of the City, adopting the Official Zoning Map, is hereby amended by amending the following real estate (Property) from A-1 (Agricultural District) to R-2 (One & Two Family Residential District), legally described as follows:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, ALL IN SECTION 32, TOWNSHIP 79 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF WAUKEE, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH 00°44'29" EAST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, 636.03 FEET; THENCE SOUTH 89°42'19" EAST, 170.35 FEET; THENCE NORTH 00°17'41" EAST, 55.00 FEET; THENCE SOUTH 89°42'19" EAST, 1664.34 FEET; THENCE EASTERLY ALONG A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 800.00 FEET, WHOSE ARC LENGTH IS 308.18 FEET AND WHOSE CHORD BEARS NORTH 79°15'31" EAST, 306.28 FEET; THENCE NORTH 68°13'22" EAST, 285.10 FEET; THENCE SOUTHERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 1800.00 FEET, WHOSE ARC LENGTH IS 695.50 FEET AND WHOSE CHORD BEARS SOUTH 10°42'29" EAST, 691.18 FEET; THENCE SOUTH 00°21'40" WEST, 175.63 FEET TO THE SOUTH LINE OF SAID

SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 89°37'42" WEST ALONG SAID SOUTH LINE, 163.19 FEET; THENCE NORTH 00°18'27" WEST, 155.48 FEET; THENCE NORTH 00°09'47" WEST, 63.80 FEET; THENCE NORTH 02°16'39" WEST, 63.26 FEET; THENCE NORTH 04°29'40" WEST, 63.26 FEET; THENCE NORTH 06°42'44" WEST, 63.30 FEET; THENCE NORTH 82°11'59" EAST, 130.00 FEET; THENCE NORTHERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 1765.00 FEET, WHOSE ARC LENGTH IS 101.09 FEET AND WHOSE CHORD BEARS NORTH 09°27'39" WEST, 101.08 FEET; THENCE SOUTH 78°53'54" WEST, 130.00 FEET; THENCE NORTH 12°12'37" WEST, 30.27 FEET; THENCE NORTH 89°42'19" WEST, 1997.29 FEET; THENCE SOUTH 00°17'41" WEST, 90.00 FEET; THENCE NORTH 89°42'19" WEST, 130.00 FEET; THENCE SOUTH 00°17'41" WEST, 91.79 FEET; THENCE SOUTH 89°42'19" EAST, 130.00 FEET; THENCE SOUTH 00°15'15" WEST, 350.19 FEET TO THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH 89°52'58" WEST ALONG SAID SOUTH LINE, 335.55 FEET TO THE POINT OF BEGINNING AND CONTAINING 15.23 ACRES (663,442 SQUARE FEET). THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

Section 4. Section 160.02 of Chapter 169, Waukee Municipal Code, Zoning Ordinance of the City, adopting the Official Zoning Map, is hereby amended by amending the following real estate from A-1 (Agricultural District) to R-3 (Multi-Family Residential District), legally described as follows:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 79 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF WAUKEE, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 32; THENCE NORTH 89°38'19" WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, 371.21 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°38'19" WEST ALONG SAID SOUTH LINE, 54.69 FEET; THENCE NORTH 17°26'25" WEST, 130.97 FEET; THENCE NORTH 78°54'20" WEST, 351.39 FEET; THENCE NORTH 54°09'18" WEST, 486.48 FEET; THENCE NORTH 04°46'21" EAST, 429.45 FEET; THENCE SOUTH 89°44'55" EAST, 808.58 FEET; THENCE SOUTH 00°42'40" WEST, 902.27 FEET TO THE POINT OF BEGINNING AND CONTAINING 12.88 ACRES (561,015 SQUARE FEET).

Section 5. Section 160.02 of Chapter 169, Waukee Municipal Code, Zoning Ordinance of the City, adopting the Official Zoning Map, is hereby amended by amending the following real estate from A-1 (Agricultural District) to R-4 (Row Dwelling & Townhome District), legally described as follows:

A PART OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 79 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF WAUKEE, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF PARCEL 20-92 AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 2020, PAGE 28973, BEING A PART OF SAID

SOUTHEAST QUARTER; THENCE SOUTH 89°44'55" EAST ALONG THE SOUTH LINE OF SAID PARCEL 20-92, A DISTANCE OF 910.05 FEET; THENCE SOUTH 00°42'40" WEST, 480.02 FEET; THENCE NORTH 89°44'55" WEST, 808.58 FEET; THENCE NORTH 04°46'21" EAST, 42.24 FEET; THENCE NORTH 31°02'04" WEST, 383.54 FEET; THENCE NORTH 15°54'23" WEST, 247.37 FEET; THENCE SOUTH 85°47'15" EAST, 127.66 FEET TO THE WEST LINE OF SAID PARCEL 20-92; THENCE SOUTH 18°15'19" EAST ALONG SAID WEST LINE, 125.13 FEET TO THE POINT OF BEGINNING AND CONTAINING 10.55 ACRES (459,523 SQUARE FEET).

Section 6. Section 160.02 of Chapter 169, Waukee Municipal Code, Zoning Ordinance of the City, adopting the Official Zoning Map, is hereby amended by amending the following real estate from A-1 (Agricultural District) to R-4 (Row Dwelling & Townhome District), legally described as follows:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, ALL IN SECTION 32, TOWNSHIP 79 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF WAUKEE, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH 89°52'58" WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, 984.25 FEET; THENCE NORTH 00°15'15" EAST, 350.19 FEET; THENCE NORTH 89°42'19" WEST, 130.00 FEET; THENCE NORTH 00°17'41" EAST, 91.79 FEET; THENCE SOUTH 89°42'19" EAST, 130.00 FEET; THENCE NORTH 00°17'41" EAST, 90.00 FEET; THENCE SOUTH 89°42'19" EAST, 1997.51 FEET; THENCE SOUTH 11°47'47" EAST, 30.23 FEET; THENCE NORTH 78°53'54" EAST, 130.00 FEET; THENCE SOUTHERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 1765.00 FEET, WHOSE ARC LENGTH IS 101.09 FEET AND WHOSE CHORD BEARS SOUTH 09°27'39" EAST, 101.08 FEET; THENCE SOUTH 82°10'48" WEST, 130.00 FEET; THENCE SOUTH 06°52'58" EAST, 53.48 FEET; THENCE SOUTH 05°00'18" EAST, 53.69 FEET; THENCE SOUTH 03°07'25" EAST, 53.69 FEET; THENCE SOUTH 01°14'32" EAST, 53.69 FEET; THENCE SOUTH 00°14'47" WEST, 54.54 FEET; THENCE SOUTH 00°22'54" EAST, 139.98 FEET TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 89°38'25" WEST ALONG SAID SOUTH LINE, 1053.19 FEET TO THE POINT OF BEGINNING AND CONTAINING 25.23 ACRES (1,099,186 SQUARE FEET). THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

Section 7. Section 160.02 of Chapter 169, Waukee Municipal Code, Zoning Ordinance of the City, adopting the Official Zoning Map, is hereby amended by amending the following real estate from A-1 (Agricultural District) to C-1 (Community & Highway Service Commercial District), legally described as follows:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 79 NORTH, RANGE 26 WEST OF THE FIFTH PRINCIPAL

MERIDIAN IN THE CITY OF WAUKEE, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 32; THENCE NORTH 89°38'19" WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, 371.21 FEET; THENCE NORTH 00°42'40" EAST, 911.26 FEET; THENCE SOUTH 89°26'20" EAST, 370.89 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 00°41'28" WEST ALONG SAID EAST LINE, 909.97 FEET TO THE POINT OF BEGINNING AND CONTAINING 7.76 ACRES (337,880 SQUARE FEET).

Section 8. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 9. Severability Clause. If 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 10. Effective Date. This ordinance shall be in effect upon its final passage, approval and publication as provided by law.

Passed by the Council this 19<sup>th</sup> day of July, 2021, and approved this 19<sup>th</sup> day of July, 2021.

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Courtney Clarke, Mayor

Attest:

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Rebecca D. Schuett, City Clerk