



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

**MEETING DATE:** September 7, 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, a property to be known as Fox Valley Phase 2 [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 of the ordinance 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. 2981**

**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 & TWO FAMILY RESIDENTIAL DISTRICT) FOR CERTAIN PROPERTY [FOX VALLEY PHASE 2]**

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

Section 1. Section 169.02 of Chapter 169, Waukee Municipal Code, Zoning Ordinance of the City, adopting the Official Zoning Map, is hereby amended by amending the Zoning from A-1 (Agricultural District) to R-2 (One & Two Family Residential District) for property legally described as follows:

A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND A PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, ALL IN SECTION 21, 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 NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 89°34'14" EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, 1065.86 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°34'14" EAST ALONG SAID NORTH LINE, 249.30 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 89°29'36" EAST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, 507.13 FEET; THENCE SOUTH 00°18'13" WEST, 210.89 FEET; THENCE SOUTH 89°41'47" EAST, 1.71 FEET; THENCE SOUTH 00°18'13" WEST, 220.71 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 465.00 FEET, WHOSE ARC LENGTH IS 9.53 FEET AND WHOSE CHORD BEARS SOUTH 81°58'34" WEST, 9.53 FEET; THENCE SOUTH 07°26'13" EAST, 70.00 FEET; THENCE SOUTH 00°18'13" WEST, 521.21 FEET; THENCE NORTH 89°41'47" WEST, 520.00 FEET; THENCE NORTH 00°18'13" EAST, 491.33 FEET; THENCE NORTHWESTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.27 FEET AND WHOSE CHORD BEARS NORTH 44°41'47" WEST, 35.36 FEET; THENCE NORTH 89°41'47" WEST, 140.15 FEET; THENCE NORTH 00°18'13" EAST, 302.58 FEET; THENCE NORTH 11°10'18" WEST, 100.82 FEET; THENCE NORTH 25°46'03" WEST, 120.45 FEET TO THE POINT OF BEGINNING AND CONTAINING 14.29 ACRES (622,282 SQUARE FEET).

THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

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

Section 3. 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 4. Effective Date. This ordinance shall be in effect upon its final passage, approval and publication as provided by law.

Passed by the Council this 2<sup>nd</sup> day of August, 2021, and approved this 2<sup>nd</sup> day of August, 2021.

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Courtney Clarke, Mayor

Attest:

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Rebecca D. Schuett, City Clerk