

★ **Roll Call Number**

Agenda Item Number

59A

Date..... May 7, 2007

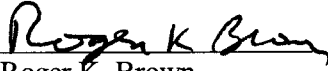
An Ordinance entitled, "AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of the 3801 block of Vandalia Road from the "M-1" Light Industrial District to the "PUD" Planned Unit Development District classification",

presented.

MOVED by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)


 Roger K. Brown
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

.....
 Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 City Clerk

59A

Prepared by: Roger K. Brown, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA
50309 515/283-4541

Return Address: City Clerk - City Hall, 400 Robert D. Ray Dr., Des Moines, IA 50309

Title of Document: City of Des Moines, Ordinance No. _____

Grantor/Grantee: City of Des Moines, Iowa

Legal Description: See page 1-3, below.

ORDINANCE NO. _____

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of the 3801 block of Vandalia Road from the "M-1" Light Industrial District to the "PUD" Planned Unit Development District classification.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Official Zoning Map of the City of Des Moines, Iowa, set forth in

Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, be and the same is hereby amended by rezoning and changing the district classification of certain property located in the vicinity of the 3801 block of Vandalia Road, more fully described as follows:

Parcel A:

A parcel of land situated in Sections 17 and 18, Township 78 North, Range 23 West of the 5th P.M., City of Des Moines, County of Polk, State of Iowa, being a portion of the land conveyed to said City of Des Moines by special warranty deed dated May 9th, 2000, and recorded in the Polk County Recorder's office in Book 8546, Page 390; said Parcel of land includes part of Henderson Estate Plat, part of the original Plat of the South 5/8 of the East 3/4 of said Section 18 and part of the original Plat of the Northwest 1/4 of the Southwest 1/4 and the Southwest 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section 17, all now included in and forming a part of

said City of Des Moines, said parcel being more particularly described as follows:

Commencing at the North 1/4 corner of said Section 18; thence South 87 degrees 28'45" East (assumed bearing for the purpose of this description) on the North line of said Section 18, a distance of 1,262.13 Feet to the North extension of the West line of said land conveyed to the City of Des Moines; thence South 02 degrees 30'46" West on the North extension of the West line and the West line of said land conveyed to the City of Des Moines 50.00 Feet to the point of beginning; thence South 87 degrees 38'45" East on a line that is 50.00 Feet South of and parallel with the North line of said Section 18, a distance 1,388.39 Feet; thence South 87 degrees 28'39" East on a line that is 50.00 Feet South 00 degrees 16'15" East, 1,938.26 Feet; thence South 00 degrees 05'33" West 1,225.88 Feet (1,226.15 Feet record) to the Southwest line of said land conveyed to the City of Des Moines, also being the present Northeast Right-of-Way line of the Burlington Northern and Santa Fe Railway Company; thence North 48 degrees 42'49" conveyed to the City of Des Moines; thence North 02 degrees 30'46" East on said line, 862.24 Feet to the point of beginning, containing 5,533,876 square Feet or 127.04 Acres.

Parcel B:

A 50.00 Foot wide parcel of land situated in Northwest 1/4 of Section 17, Township 78 North, Range 23 West of the 5th P.M., City of Des Moines, County of Polk, State of Iowa, being a portion of the land conveyed to said City of Des Moines by special Warranty Deed dated May 09, 2000, and recorded in The Polk County Recorder's office in Book 8546, Page 390. Said Parcel being more particularly described as follows:

Commencing at the Northwest corner of said Section 17; thence South 00 degrees 14'28" East (Assumed bearing for the purpose of this description) on the West line of the Northwest 1/4 of said Section 17, a distance of 50.06 Feet; thence South 87 degrees 28'39" East on a line that is 50.00 Feet South of and parallel with the North line of the Northwest 1/4 of said Section 17, a distance of 2,501.65 Feet; thence Southeast on a 136.00 Radius curve concave Southwest and having a 187.99 Foot long chord bearing South 43 degrees 45'27" East, 207.55 Feet (arc length) to a East line of said land conveyed to the City of Des Moines, also being the present West Right-of-Way line of Southeast 43rd Street; thence South 00 degrees 02'16" East on said East line, 1,041.12 Feet to the point of beginning; thence continuing South 00 degrees 02'16" East on said East line, 102.28 Feet to a South line of said land conveyed to the City of Des Moines; thence North 87 degrees 31'52" West on said South line, 1,301.15 Feet (1,300.80 Feet record) to a East line of said land conveyed to the City of Des Moines; thence North 00 degrees 16'15" West, 50.06 Feet; thence South 87 degrees 31'52" East, 1,249.11 Feet; thence Northeast on a 50.00 Foot Radius curve concave Northwest and having a 72.24 Foot long chord bearing North 46 degrees 12'56" East, 80.73 Feet (arc length) to the point of beginning, containing 65.660 Square Feet or 1.51 Acres.

Parcel C:

A Parcel of land situated in the Northwest 1/4 of Section 17, Township 78 North, Range 23 West of the 5th P.M., City of Des Moines, County of Polk, State of Iowa, being a portion of the land

conveyed to said City of Des Moines by special warranty deed dated May 09, 2000, and recorded in the Polk County Recorder's office in Book 8546, Page 390, said Parcel being more particularly described as follows:

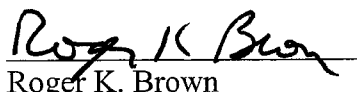
Commencing at the Northwest corner of said Section 17; thence South 00 degrees 14'28" East (assumed bearing for the purpose of this description) on the West line of the Northwest 1/4 of said Section 17, a distance of 50.06 Feet; thence South 87 degrees 28'39" East on a line that is 50.00 Feet South of and parallel with the North line of the Northwest 1/4 of said Section 17, a distance of 1,325.32 Feet to the point of beginning; thence continuing South 87 degrees 28'39" East on the line that is 50.00 Feet South of and parallel with the North line of the Northwest 1/4 said Section 17, a distance of 1,176.33 Feet; thence Southeast on a 136.00 Foot Radius curve concave Southwest and having a 187.99 Foot long chord bearing South 43 degrees 45'27" East, 207.55 Feet (arc length) to a East line of said land conveyed to the City of Des Moines, also being the present East Right-of-Way line of Southeast 43rd Street; thence South 00 degrees 02'16" East on said East line, 1,041.12 Feet; thence Southwest on a 50.00 Foot Radius curve concave Northwest and having a 72.24 Foot long chord bearing South 46 degrees 12'56" West, 80.73 Feet (arc length); thence North 87 degrees 31'52" West 1,249.11 Feet; thence North 00 degrees 16'15" West, 1,224.87 Feet to the point of beginning. Containing 1,590,244 Square Feet or 36.51 Acres.

from the "M-1" Light Industrial District to the "PUD" Planned Unit Development District classification.

Sec. 2. This ordinance shall be in full force and effect from and after the later of its passage and publication as provided by law.

Sec. 3. That the City Clerk is hereby authorized and directed to cause certified copies of the vicinity map, this ordinance, and proof of publication of this ordinance to be properly filed in the office of the Polk County Recorder.

FORM APPROVED:



Roger K. Brown
Assistant City Attorney

Request from Vision Fuels Des Moines, LLC (purchaser) represented by Phillip Stover (agent) for rezoning of property located in the 3801 block of Vandalia Road. The subject property is owned by the City of Des Moines.		File # ZON2007-00027		
Description of Action	B) Rezone property from "M-1" Light Industrial District to "PUD" Planned Unit Development. C) Approval of the proposed "Vision Fuels" PUD Conceptual Plan for 165 acres of land to be developed with light industrial and limited heavy industrial uses including the development and production of renewable fuels such as dry mill Ethanol.			
2020 Community Character Plan	Planned Business Park.			
Horizon 2025 Transportation Plan	No Planned Improvements.			
Current Zoning District	"M-1" Light Industrial District.			
Proposed Zoning District	"PUD" Planned Unit Development District.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area	2	0	0	<20%
Plan and Zoning Commission Action	Approval	14-0	Required 6/7 Vote of the City Council	Yes
	Denial			No

Agrimergent Technology Park South PUD - SE 43rd Street & Vandalia Road ZON2007-00027

