



Roll Call Number

Agenda Item Number

37C

Date February 11, 2019

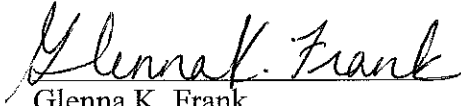
An Ordinance entitled, "AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of 3500 Vandalia Road from the "M-1" Light Industrial District to Limited "M-2" Heavy Industrial District classification,

presented.

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

FORM APPROVED:

(First of three required readings)



Glenna K. Frank
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
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

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Prepared by: Glenna K. Frank, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA 50309
 Phone: 515/283-4530
 Return Address: City Clerk - City Hall, 400 Robert D. Ray Drive, 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, 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 3500 Vandalia Road from the "M-1" Light Industrial District to Limited "M-2" Heavy Industrial 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 3500 Vandalia Road, more fully described as follows, from the "M-1" Light Industrial District to Limited "M-2" Heavy Industrial District classification:

A PART OF LOTS B, D, 72 AND 81, AND ALL OF LOT A, AND ALL OF LOTS 67 THROUGH 71, AND ALL OF LOTS 82 THROUGH 102, ALL IN VANDALIA ACRES PLAT NO. 2, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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BEGINNING AT THE NORTHWEST CORNER OF LOT E IN SAID VANDALIA ACRES PLAT NO. 2, SAID NORTHWEST CORNER ALSO BEING THE SOUTHWEST CORNER OF LOT A IN SAID VANDALIA ACRES PLAT NO. 2, AND SAID LOT A ALSO BEING VACATED SOUTHEAST 34TH STREET RIGHT OF WAY (VACATED BY ORDINANCE 14,644); THENCE NORTH ALONG THE WEST LINE OF SAID LOT A TO THE NORTHWEST CORNER OF SAID LOT A, SAID NORTHWEST CORNER ALSO BEING THE SOUTHWEST CORNER OF LOT D IN SAID VANDALIA ACRES PLAT NO. 2 AND SAID LOT D ALSO BEING VACATED EAST GRANGER AVENUE RIGHT OF WAY (VACATED BY ORDINANCE 14,644); THENCE CONTINUING NORTH ALONG THE WEST LINE OF SAID LOT D TO THE NORTH LINE OF SAID LOT D; THENCE EAST ALONG THE NORTH LINE OF SAID LOT D TO THE NORTHERLY EXTENSION OF THE WEST RIGHT OF WAY LINE OF SOUTHEAST 36TH STREET; THENCE SOUTH ALONG SAID NORTHERLY EXTENSION AND ALONG THE WEST RIGHT OF WAY LINE OF SAID SOUTHEAST 36TH STREET, A DISTANCE OF 711 FEET; THENCE WESTERLY ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID LOT D TO THE WEST LINE OF LOT B IN SAID VANDALIA ACRES PLAT NO. 2, SAID LOT B ALSO BEING THE VACATED SOUTHEAST 35TH STREET RIGHT OF WAY (VACATED BY ORDINANCE 14,644); THENCE SOUTH ALONG SAID WEST LINE OF SAID LOT B TO THE NORTH LINE OF SAID LOT E; THENCE WEST ALONG SAID NORTH LINE OF SAID LOT E TO THE POINT OF BEGINNING, AND CONTAINING APPROXIMATELY 29.85 ACRES (1,300,095 SQUARE FEET).

Section 2. That this ordinance and the zoning granted by the terms hereof are subject to the following imposed additional conditions which have been agreed to and accepted by execution of an Acceptance of Rezoning Ordinance by the proposed purchaser of said property and are binding upon the proposed purchaser and its successors, heirs, and assigns as follows:

Landscaping within 200 feet of Southeast 36th Street and Vandalia Road rights-of-way in accordance with the City's standards for "C-2" Districts shall be provided by developer at such time as development occurs within 200 feet of the applicable corridor. Should the City's landscaping standards be revised, the new landscape standards will apply to all applicable portions of the site when developed.

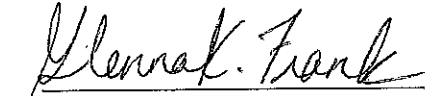
Section 3. The City of Des Moines, as current owner of the Property, hereby agrees to and accepts the above-stated rezoning conditions on the Property.

Section 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

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Section 5. That the City Clerk is hereby authorized and directed to cause certified copies of the Acceptance of Rezoning Ordinance, this ordinance, vicinity map and proof of publication of this ordinance to be properly filed in the office of the County Recorder of the county in which the subject property is located.

FORM APPROVED:


Glenna K. Frank
Glenna K. Frank
Assistant City Attorney