

★ Roll Call Number

15-1143

Agenda Item Number

26A

Date July 13, 2015

**RESOLUTION SETTING HEARING ON REQUEST FROM
ELECTRICAL POWER PRODUCTS (EP2) (DEVELOPER) FOR FIRST AMENDMENT TO
THE VISION FUELS PUD CONCEPTUAL PLAN ON PROPERTY LOCATED IN THE
SE AGRIBUSINESS URBAN RENEWAL AREA**

WHEREAS, on November 19, 2007, by Roll Call No. 07-2256, the City Council adopted Ordinance No. 14,726, to rezone real property located in the City's SE AgriBusiness Urban Renewal Area in the vicinity of the 3801 block of Vandalia Road, including approximately 42 acres thereof located at SE 43rd Street and Vandalia Road ("Property"), from "M-1" Light Industrial District to "PUD" Planned Unit Development District classification for the Vision Fuels PUD; and

WHEREAS, on November 19, 2007, by Roll Call No. 07-2254, the City Council approved the "Vision Fuels" PUD Conceptual Plan for 165 acres of land to be developed with light industrial and limited heavy industrial uses, which Plan included the Property; and

WHEREAS, on June 22, 2015, by Roll Call No. 15-1092, the City Council received and filed a communication from the City Manager regarding a request from Electrical Power Products (EP2) ("Developer") to purchase the Property for relocation and expansion of its Des Moines-based industrial facility; and

WHEREAS, on June 16, 2015, the City Plan and Zoning Commission will hold a public hearing at which they will review and make recommendation regarding the Developer's request to amend the "Vision Fuels" PUD Conceptual Plan to allow for the redevelopment project as described in Roll Call No. 15-1092, which Commission recommendation will be forwarded to Council at the July 27, 2015 City Council meeting; and

WHEREAS, the Property is legally described as follows, subject to survey as to be completed prior to Council hearing on the proposed amendment:

The East 880 feet of Lot 13, Dawson and Sweeney Estates, an Official Plat, city of Des Moines, Polk County, Iowa, said parcel contains 26 acres, more or less, not including road right-of-ways.

And

Lot 13, Dawson and Sweeney Estates, an Official Plat, City of Des Moines, Polk County, Iowa, except the East 880 feet thereof and the East 120 feet of the North 1,275 feet of Lot 6, Henderson Estate Plat, City of Des Moines, Polk County, Iowa, said parcel contains 16 acres more or less, not including road right-of-ways.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. That the meeting of the City Council at which the proposed First Amendment to the "Vision Fuels"

(continued)



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PUD Conceptual Plan is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa, at 5:00 p.m. on July 27, 2015, at which time the City Council will hear both those who oppose and those who favor the proposal.

- 2. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

MOVED BY Hensley TO ADOPT.

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin 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.

Diane Rauh

City Clerk