



Roll Call Number

18-0459

Agenda Item Number

26

Date March 19, 2018

**RESOLUTION SETTING HEARING ON REQUEST FROM
HELENA INDUSTRIES, INC. TO REZONE PROPERTY AT 3525 VANDALIA ROAD**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on March 1, 2018, its members voted 9-0 in support of a motion to recommend **APPROVAL** of a request from Helena Industries, Inc. (purchaser), represented by Troy Hugen (officer), to rezone property locally known as 3525 Vandalia Road ("Property") from "PUD" Planned Unit Development District to Limited "M-2" Heavy Industrial District, to allow a 46.81-acre expansion of the existing chemical manufacturing campus, subject to the following rezoning conditions:

1. Overhead doors shall not face Vandalia Road unless screen by another building.
2. Provision of landscaping in accordance with the City's standards for "C-2" Districts.
3. No portion of the north 100 feet of the Property may be used for the outside storage of materials or equipment. Any area used for the outside storage of materials or equipment shall be paved and screened from view from Vandalia Road.
4. The north, west and east facades of any building or portion thereof located within the north 100 feet of the Property which is not blocked from view from Vandalia Road by other structures or landscaping shall be construed using exterior materials that are predominately glass, brick, masonry, architectural steel panels and other durable materials. No Exterior Insulations and Finish System ("EIFS") shall be used below an elevation of 6 feet above grade on such facades; and

WHEREAS, the Property to be rezoned is legally described as follows:

A PARCEL OF LAND BEING A PART OF AND LYING ENTIRELY WITHIN LOT 4 AND LOT 5 OF HENDERSON ESTATE, AN OFFICIAL PLAT, FORMING AND BEING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 18, TOWNSHIP 78 NORTH, RANGE 23 WEST OF THE 5TH P.M.; THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER (NE ¼) OF SAID SECTION 18, NORTH 87°29'01" WEST, 404.66'; THENCE SOUTH 02°30'59" WEST, 50.00' TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF VANDALIA ROAD AS PRESENTLY ESTABLISHED, ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 00°17'55" EAST, 1274.78'; THENCE SOUTH 87°28'42" EAST, 684.20'; THENCE NORTH 00°17'55" WEST, 1274.82' TO A POINT ON SAID SOUTHERLY RIGHT OF WAY LINE OF VANDALIA ROAD AS PRESENTLY ESTABLISHED; THENCE ALONG SAID RIGHT OF WAY LINE, NORTH 87°28'42" WEST, 277.12' TO A FOUND IRON ROD BEING ON THE EAST LINE OF SAID NORTHEAST QUARTER (NE ¼); THENCE CONTINUING ON SAID RIGHT OF WAY LINE, NORTH 87°29'01" WEST, 407.08' TO THE POINT OF BEGINNING.
CONTAINING 20.00 ACRES (871,165.61 SQ. FT.), MORE OR LESS.

AND

A PARCEL OF LAND BEING A PART OF AND LYING ENTIRELY WITHIN LOT 5 AND LOT 6 OF HENDERSON ESTATE, AN OFFICIAL PLAT, FORMING AND A BEING A PART OF THE CITY OF



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DES MOINES, POLK COUNTY, IOWA AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 17, TOWNSHIP 78 NORTH, RANGE 23 WEST OF THE 5TH P.M.; THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER (NW ¼) OF SAID SECTION 17, SOUTH 87°28'42" EAST, 279.54'; THENCE SOUTH 02°31'18" WEST, 50.00' TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF VANDALIA ROAD AS PRESENTLY ESTABLISHED, ALSO BEING THE POINT OF BEGINNING; THENCE ALONG SAID RIGHT OF WAY LINE, SOUTH 87°28'42" EAST, 952.17'; THENCE SOUTH 02°21'18" WEST, 705.57'; THENCE NORTH 87°28'42" WEST, 24.73'; THENCE SOUTH 00°08'19" EAST, 568.32'; THENCE NORTH 87°28'42" WEST, 893.15'; THENCE NORTH 00°17'55" WEST, 1274.82' TO THE POINT OF BEGINNING.

CONTAINING 26.81 ACRES (1,167,787.14 SQ.FT.), MORE OR LESS.

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

1. That the attached communication from the Plan and Zoning Commission is hereby received and filed.
2. That the meeting of the City Council at which the proposed rezoning is to be considered shall be held at the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on April 9, 2018, at which time the City Council will hear both those who oppose and those who favor the proposal.
3. 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 Gatto TO ADOPT.

FORM APPROVED:

Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

(ZON2018-00002)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin Council 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