



Roll Call Number

21-1030

Agenda Item Number

59

Date June 28, 2021

RESOLUTION HOLDING HEARING ON REQUEST FROM ILEX GROUP, INC. FOR APPROVAL OF PUD FINAL DEVELOPMENT PLAN “NORTHRIDGE 80/35 BUSINESS PARK – PLAT I” FOR PROPERTY IN THE VICINITY OF 4600 EAST 14TH STREET

WHEREAS, on June 14, 2021, by Roll Call No. 21-0864, the City Council received a communication from the City Plan and Zoning Commission advising that on May 20, 2021, the Commission voted 11-0 to **APPROVE** a request from ILEX Group, Inc. (owner), represented by Ben Schultes (officer), to approve the PUD Final Development Plan “Northridge 80/35 Business Park – Plat I” on property located in the vicinity of 4600 East 14th Street (“Property”) to facilitate development of two Warehouse/Flex Buildings totaling 822,053 square feet (18.87 acres) with associated parking and loading areas, subject to:

1. Compliance with all administrative review comments; and
2. Execution of all necessary agreements between the applicant, Polk County and the City of Des Moines allowing the Polk County basin to be utilized to serve the proposed development; and

WHEREAS, the Property is legally described as follows:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 14, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA; THENCE SOUTH 89 DEGREES 55 MINUTES 30 SECONDS WEST ALONG THE SOUTH LINE OF THE SOUTH EAST 1/4 OF SAID SECTION 14, 241.7 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 30 SECONDS WEST, 50.0 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 55 MINUTES 30 SECONDS WEST PARALLEL TO AND 50.0 FEET NORTH OF THE SOUTH LINE OF THE SOUTH EAST 1/4 OF SAID SECTION 14, 347.50 FEET; THENCE SOUTH 85 DEGREES 03 MINUTES 30 SECONDS WEST, 200.75 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 30 SECONDS WEST PARALLEL TO AND 33.0 FEET NORTH OF THE SOUTH LINE OF THE SOUTH EAST 1/4 OF SAID SECTION 14, 842.80 FEET TO A POINT THAT IS 1,632.05 FEET WEST OF AND 33.00 FEET NORTH OF THE POINT OF COMMENCEMENT; THENCE NORTH 00 DEGREES 03 MINUTES 45 SECONDS WEST, 192.00 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 30 SECONDS WEST, 348.00 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 45 SECONDS EAST, 192.00 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 30 SECONDS WEST PARALLEL TO AND 33.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTH EAST 1/4 OF SAID SECTION 14, 18.02 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 45 SECONDS WEST ALONG THE WEST LINE OF THE EAST 1/2 OF THE SOUTH WEST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 14, 1,293.06 FEET; THENCE SOUTH 89 DEGREES 56 MINUTES 30 SECONDS WEST ALONG THE NORTH LINE OF THE WEST 1/2 OF THE SOUTH WEST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 14, 665.22 FEET TO THE NORTH WEST CORNER OF THE SOUTH WEST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 14; THENCE



Roll Call Number

21-1030

Agenda Item Number

59

Date June 28, 2021

NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE WEST LINE OF THE SOUTH EAST 1/4 OF SAID SECTION 14, 479.65 FEET TO A POINT THAT IS 183.0 FEET SOUTH OF THE CENTER LINE OF INTERSTATE NO. 35-80, AS IT IS PRESENTLY ESTABLISHED ; THENCE NORTH 89 DEGREES 55 MINUTES 30 SECONDS EAST PARALLEL TO AND 183.0 FEET SOUTH OF THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH WEST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 14, 1,329.98 FEET TO THE EAST LINE OF THE NORTH WEST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 14; THENCE SOUTH 00 DEGREES 03 MINUTES 45 SECONDS EAST, 68.47 FEET ALONG THE EAST LINE OF THE NORTH WEST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 14; THENCE SOUTH 85 DEGREES 15 MINUTES 30 SECONDS EAST, 956.27 FEET; THENCE SOUTHEASTERLY ALONG A 285.57 FOOT RADIUS CURVE TO THE RIGHT, 424.39 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 30 SECONDS EAST PARALLEL TO AND 116.0 FEET WEST OF THE EAST LINE OF THE SOUTH EAST 1/4 OF SAID SECTION 14, 1,131.04 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 30 SECONDS WEST, 125.7 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 30 SECONDS EAST, 191.7 FEET TO THE POINT OF BEGINNING. ANDA RECTANGULAR PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M., POLK COUNTY, IOWA IS DESCRIBED AS FOLLOWS: THE WEST 41.00 FEET OF THE EAST 116.00 FEET OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, EXCEPT THE SOUTH 241.71 FEET THEREOF. SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD. SAID TRACT OF LAND CONTAINS 17,257 SQUARE FEET. EXCEPT: THAT PART DEEDED TO THE IOWA DEPARTMENT OF TRANSPORTATION FOR RIGHT OF WAY PURPOSES BY CONDEMNATION DEED RECORDED ON MAY 20, 1999 IN BOOK 8219 AT PAGE 792 IN THE OFFICE OF THE POLK COUNTY RECORDER. AND EXCEPT: THAT PART ACQUIRED THROUGH CONDEMNATION PROCEEDINGS FOR PUBLIC PURPOSES RECORDED OCTOBER 14, 2014 IN BOOK 15352 ON PAGES 427-557 IN THE OFFICE OF THE POLK COUNTY RECORDER; and

WHEREAS, on June 14, 2021, by Roll Call No. 21-0864, it was duly resolved by the City Council that the request for approval of the PUD Final Development Plan be set down for hearing on June 28, 2021 at 5:00 p.m., in the Council Chambers; and

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposed PUD Final Development Plan; and

WHEREAS, in accordance with said notice, those interested in said proposed PUD Final Development Plan, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.



Roll Call Number

21-1030

Agenda Item Number

59

Date June 28, 2021

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

1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed PUD Final Development Plan “Northridge 80/.35 Business Park – Plat I” are hereby overruled, and the hearing is closed.
2. The proposed PUD Final Development Plan “Northridge 80/.35 Business Park – Plat I”, as on file in the Development Services Department, is hereby found to be in conformance with PlanDSM: Creating Our Tomorrow Plan and is hereby approved, subject to the conditions stated above.

MOVED BY Westergaard TO ADOPT.

FORM APPROVED: Judy K Parks-Kruse
Judy K. Parks-Kruse
Assistant City Attorney

(10-2021-7.72)

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

MOTION CARRIED

APPROVED

J. M. Franklin Cownie
Mayor

CERTIFICATE

I, P. Kay Cmelik, 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.

P. Kay Cmelik

City Clerk