



**Roll Call Number**

25-0434

**Agenda Item Number**

24

**Date** March 24, 2025

**RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM HELENA INDUSTRIES LLC (OWNER), REPRESENTED BY TONY DIBENEDITTO (OFFICER), FOR A PARCEL LOCATED IN THE VICINITY OF 3523 VANDALIA ROAD, TO REZONE THE PROPERTY FROM "EX" MIXED USE DISTRICT TO "I2" INDUSTRIAL DISTRICT, TO ALLOW FABRICATION AND PRODUCTION USE WITH ACCESSORY OUTDOOR STORAGE OF TRUCKS AND TRAILERS**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on March 6, 2025, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from Helena Industries LLC (Owner), represented by Tony DiBeneditto (Officer), for a parcel located in the vicinity of 3523 Vandalia Road, to rezone the property from "EX" Mixed Use District to "I2" Industrial District, to allow Fabrication and Production use with accessory outdoor storage of trucks and trailers and determined the requested rezoning is in conformance with the PlanDSM: Creating Our Tomorrow Comprehensive Plan; and

**WHEREAS**, the Property is legally described as follows:

**ALL THAT PART OF LOTS ONE (1) AND TWO (2) IN PLAT "A" OF THE HENDERSON ESTATE, IN SECTION EIGHTEEN (18), TOWNSHIP SEVENTY-EIGHT (78) NORTH, RANGE TWENTY-THREE (23) WEST OF THE 5TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 18; THENCE WEST 110.900 FEET ALONG THE NORTH LINE OF SAID SECTION 18; THENCE SOUTH 33 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF IOWA STATE HIGHWAY 46 (VANDALIA ROAD) TO THE POINT OF BEGINNING; THENCE EAST 1371.78 FEET, 33 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID SECTION 18; THENCE SOUTH 880.00 FEET NORMAL TO THE NORTH LINE OF SAID SECTION 18; THENCE WEST 442.20 FEET, PARALLEL TO AND 913.00 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 18 TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE CHICAGO, BURLINGTON & QUINCY RAILROAD; THENCE NORTHWESTERLY 1301.63 FEET ALONG SAID NORTHEASTERLY RIGHT-OF-WAY OF THE CHICAGO, BURLINGTON & QUINCY RAILROAD; THENCE NORTHEASTERLY 109.40 FEET TO THE POINT OF BEGINNING, CONTAINING 19.94 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS AND RESTRICTIONS, IF ANY, OF RECORD. ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.**

**PARCEL 2017-99:**

**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**



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**BEING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE NORTHWEST COFRNER OF SECTION 17, TOWNSHIP 78 NORTH, RANGE 23 WEST OF THE 5<sup>TH</sup> P.M.; THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER (NW1/4) 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.**

**PARCEL 2017-100:**

**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 (NE1/4) 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 ½" IRON ROD BEING ON THE EAST LINE OF SAID NORTHEAST QUARTER (NE ¼); THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE, NORTH 87°28'01" WEST, 407.08' TO THE POINT OF BEGINNING.**

**CONTAINING 20.00 ACRES (871,165.61 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, and at which time the City Council will hear both those who oppose and those who favor the proposal, shall be held



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at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on April 7, 2025, 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.

SECOND BY Coleman.

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill

Assistant City Attorney

(ZONG-2025-000001)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
COLEMAN	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			
MOTION CARRIED		APPROVED		

Connie Boesen Mayor

#### CERTIFICATE

I, LAURA BAUMGARTNER, 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.

Laura Baumgartner City Clerk