



Date September 14, 2015

**RESOLUTION SETTING HEARING ON REQUEST FROM
ELECTRO MANAGEMENT CORP. (PURCHASER) FOR FIRST AMENDMENT TO THE
CITY GATEWAY PUD CONCEPTUAL PLAN ON PROPERTY
LOCATED AT 4240 ARMY POST ROAD**

WHEREAS, on September 17, 2015, the City Plan and Zoning Commission will hold a public hearing at which they will review and make recommendation regarding a request from Electro Management Corp. (purchaser), represented by Britt Baker (officer), to amend the City Gateway PUD Conceptual Plan on property located at 4240 Army Post Road ("Property") to allow development of the property for light manufacturing of electrical components within office/production facilities and with outside storage areas, which Commission recommendation will be forwarded to Council at a subsequent City Council meeting; and

WHEREAS, the Property is legally described as follows:

PART OF THE E1/2 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 78N, R25 WEST OF THE 5TH PM, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST QUARTER CORNER OF SECTION 36 TOWNSHIP 78N R25 WEST OF THE FIFTH PM; THENCE NORTH 89° 55' 33" WEST ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 36 A DISTANCE OF 115.00 FEET; THENCE SOUTH 00° 03' 55" WEST PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST 1/4 33.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE INTERSECTION OF THE WEST LINE OF SW 42ND STREET (IOWA HIGHWAY 28) AND THE SOUTH LINE OF PINE STREET; THENCE SOUTH 00° 03' 55" WEST ON SAID WEST LINE OF SW 42ND STREET A DISTANCE OF 1,342.60 FEET; THENCE SOUTH 03° 24' 14" WEST ON SAID WEST LINE OF SW 42ND STREET 254.91 FEET, TO THE NORTH LINE OF RELOCATED IOWA HIGHWAY 5; THENCE SOUTH 90° 00' 00" WEST ON SAID NORTH LINE OF RELOCATED IOWA HIGHWAY 5 A DISTANCE OF 511.54 FEET; THENCE NORTH 56° 30' 00" WEST ON SAID NORTH LINE OF RELOCATED IOWA HIGHWAY 5 A DISTANCE OF 805.35 FEET; THENCE NORTH 00° 17' 57" WEST A DISTANCE OF 1,040.50 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED ARMY POST ROAD; THENCE NORTHEAST ALONG A 3,926.81 FOOT RADIUS CURVE CONCAVE SOUTHEAST WITH A CENTRAL ANGLE OF 08° 16' 05", A CHORD DISTANCE OF 566.16 FEET, A CHORD BEARING OF NORTH 78° 29' 45" EAST, FOR AN ARC DISTANCE OF 566.65 FEET, SAID ARC BEING THE SOUTH LINE OF RELOCATED ARMY POST ROAD; THENCE SOUTH 89° 55' 33" EAST ON SAID SOUTH LINE OF RELOCATED ARMY POST ROAD A DISTANCE OF 650.42 FEET TO THE POINT OF BEGINNING CONTAINING 39.95 ACRES MORE OR LESS.

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 City Gateway

(continued)



Roll Call Number

Agenda Item Number

28

Date September 14, 2015

-2-

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 September 28, 2015, at which time the City Council will hear both those who oppose and those who favor the proposal.

- 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 _____ TO ADOPT.

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

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

On file with City Clerk

Legal Description – 1st Amendment to the City Gateway PUD Conceptual Plan – Hearing:
9/28/15:

ZON2015-00166 (4240 Army Post Road)

PART OF THE E1/2 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 78N, R25 WEST OF THE 5TH PM, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 36 TOWNSHIP 78N R25 WEST OF THE FIFTH PM; THENCE NORTH 89° 55' 33" WEST ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 36 A DISTANCE OF 115.00 FEET; THENCE SOUTH 00° 03' 55" WEST PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST 1/4 33.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE INTERSECTION OF THE WEST LINE OF SW 42ND STREET (IOWA HIGHWAY 28) AND THE SOUTH LINE OF PINE STREET; THENCE SOUTH 00° 03' 55" WEST ON SAID WEST LINE OF SW 42ND STREET A DISTANCE OF 1,342.60 FEET; THENCE SOUTH 03° 24' 14" WEST ON SAID WEST LINE OF SW 42ND STREET 254.91 FEET, TO THE NORTH LINE OF RELOCATED IOWA HIGHWAY 5; THENCE SOUTH 90° 00' 00" WEST ON SAID NORTH LINE OF RELOCATED IOWA HIGHWAY 5 A DISTANCE OF 511.54 FEET; THENCE NORTH 56° 30' 00" WEST ON SAID NORTH LINE OF RELOCATED IOWA HIGHWAY 5 A DISTANCE OF 805.35 FEET; THENCE NORTH 00° 17' 57" WEST A DISTANCE OF 1,040.50 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED ARMY POST ROAD; THENCE NORTHEAST ALONG A 3,926.81 FOOT RADIUS CURVE CONCAVE SOUTHEAST WITH A CENTRAL ANGLE OF 08° 16' 05", A CHORD DISTANCE OF 566.16 FEET, A CHORD BEARING OF NORTH 78° 29' 45" EAST, FOR AN ARC DISTANCE OF 566.65 FEET, SAID ARC BEING THE SOUTH LINE OF RELOCATED ARMY POST ROAD; THENCE SOUTH 89° 55' 33" EAST ON SAID SOUTH LINE OF RELOCATED ARMY POST ROAD A DISTANCE OF 650.42 FEET TO THE POINT OF BEGINNING CONTAINING 39.95 ACRES MORE OR LESS.