



Roll Call Number

21-0188

Agenda Item Number

20

Date February 8, 2021

RESOLUTION SETTING HEARING ON REQUEST FROM HJT, INC. TO REZONE PROPERTY LOCATED AT 2101 DIXON STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on January 21, 2021, its members voted 14-0 in support of a motion to recommend APPROVAL of a request from HJT, Inc. (owner), represented by Jack Houghton (officer), to rezone the real property locally known as 2101 Dixon Street ("Property") from 'I1' Industrial District to Limited 'I2' Industrial District, to allow the property to be used additionally for the transfer of hazardous and flammable materials, which is defined as a "Fabrication and Production, Intensive" use, subject to the following conditions:

- 1. Any use of the property shall be limited to those uses permitted in the 'I1' Industrial District and Fabrication and Production, Intensive including the temporary transfer of hazardous materials as may be approved as part of a Conditional Use granted by the Zoning Board of Adjustment; and
2. Any use of the building for Fabrication and Production, Intensive including the temporary transfer of hazardous materials shall be limited to the south 170 feet of the existing building; and

WHEREAS, the Property is legally described as follows:

LOTS 1 THROUGH 8 AND 18 THROUGH 24, BLOCK 22, T.E. BROWN'S OFFICIAL PLAT OF THE NORTHEAST 1/4 (EXCEPT THE NORTHEAST 40 ACRES OF THE SAME), SECTION 36, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M., AND PART OF VACATED DIXON COURT, AND PART OF VACATED EAST 18TH STREET, PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 24; THENCE NORTH 00°02'30" EAST ALONG THE WEST LINE OF SAID LOT 24, A DISTANCE OF 34.28 FEET; THENCE NORTHWESTERLY ALONG A 324.00 FOOT RADIUS CURVE, CONCAVE SOUTHWEST WITH A CENTRAL ANGLE OF 26°43'43", A CHORD DISTANCE OF 149.78 FEET; A CHORD BEARING OF NORTH 13°15'59" WEST FOR AN ARC DISTANCE OF 151.15 FEET; THENCE NORTH 00°02'30" EAST, 169.88 FEET; THENCE NORTH 89°54'08" EAST ALONG SAID NORTH LINE OF SAID LOT 18 EXTENDED, 149.80 FEET TO THE NORTHEAST CORNER OF SAID LOT 18; THENCE NORTH 00°00'37" WEST ALONG THE WEST LINE OF LOT 8, A DISTANCE OF 50.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 8; THENCE NORTH 00°54'08" EAST ALONG THE WEST LINE OF SAID VACATED EAST 18TH STREET, 121.00 FEET; THENCE NORTH 89°52'11" EAST, 50.00 FEET TO THE EAST LINE OF SAID VACATED EAST 18TH STREET; THENCE SOUTH 00°03'41" EAST ALONG SAID EAST LINE 279.02 FEET TO THE PRESENT NORTH RIGHT-OF-WAY OF THOMPSON AVENUE; THENCE SOUTH 89°52'11" WEST ALONG THE NORTH

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RIGHT-OF-WAY LINE 25.00 FEET; THENCE SOUTH 89°54'08" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, 256.28 FEET TO THE POINT OF BEGINNING, ALL NOW INCLUDED IN AND FORMING A PART OF DES MOINES, POLK COUNTY, IOWA AND CONTAINING 108,044 SQUARE FEET OF 2.48 ACRES.

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 at 5:00 p.m. on February 22, 2021, by electronic means to encourage and maintain social distancing to curb the spread of COVID19 in the community, without public access to the meeting location.
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. The City Clerk is instructed to provide this notice including information about participation in the electronic meeting as indicated above.

MOVED BY Gatto TO ADOPT.

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

(ZON2020-00156)

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