



54A

Date April 9, 2018

RESOLUTION ON REQUEST FROM HELENA INDUSTRIES, INC. TO AMEND THE EXISTING PLANDSM: CREATING OUR TOMORROW PLAN FUTURE LAND USE DESIGNATION (3525 VANDALIA ROAD)

WHEREAS, on April 25, 2016, by Roll Call No. 16-0717, the City Council adopted the PlanDSM: Creating Our Tomorrow Plan; and

WHEREAS, at a public hearing held on March 1, 2018, the City Plan and Zoning Commission voted 9-0 in support of a motion to recommend APPROVAL of a request by Helena Industries, Inc. (purchaser), represented by Troy Huguen (officer), to amend the existing PlanDSM: Creating Our Tomorrow Plan future land use designation for real property locally known as 3525 Vandalia Road, from Business Park to Industrial, to allow for rezoning to "M-2" Heavy Industrial District and a 46.81-acre expansion of the existing chemical manufacturing campus.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the proposed amendment to the PlanDSM: Creating Our Tomorrow Plan, as described above, is hereby approved / denied.

MOVED by \_\_\_\_\_ to adopt and APPROVE / DENY the proposed amendment.

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

(21-2018-4.04)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, and TOTAL.

MOTION CARRIED APPROVED

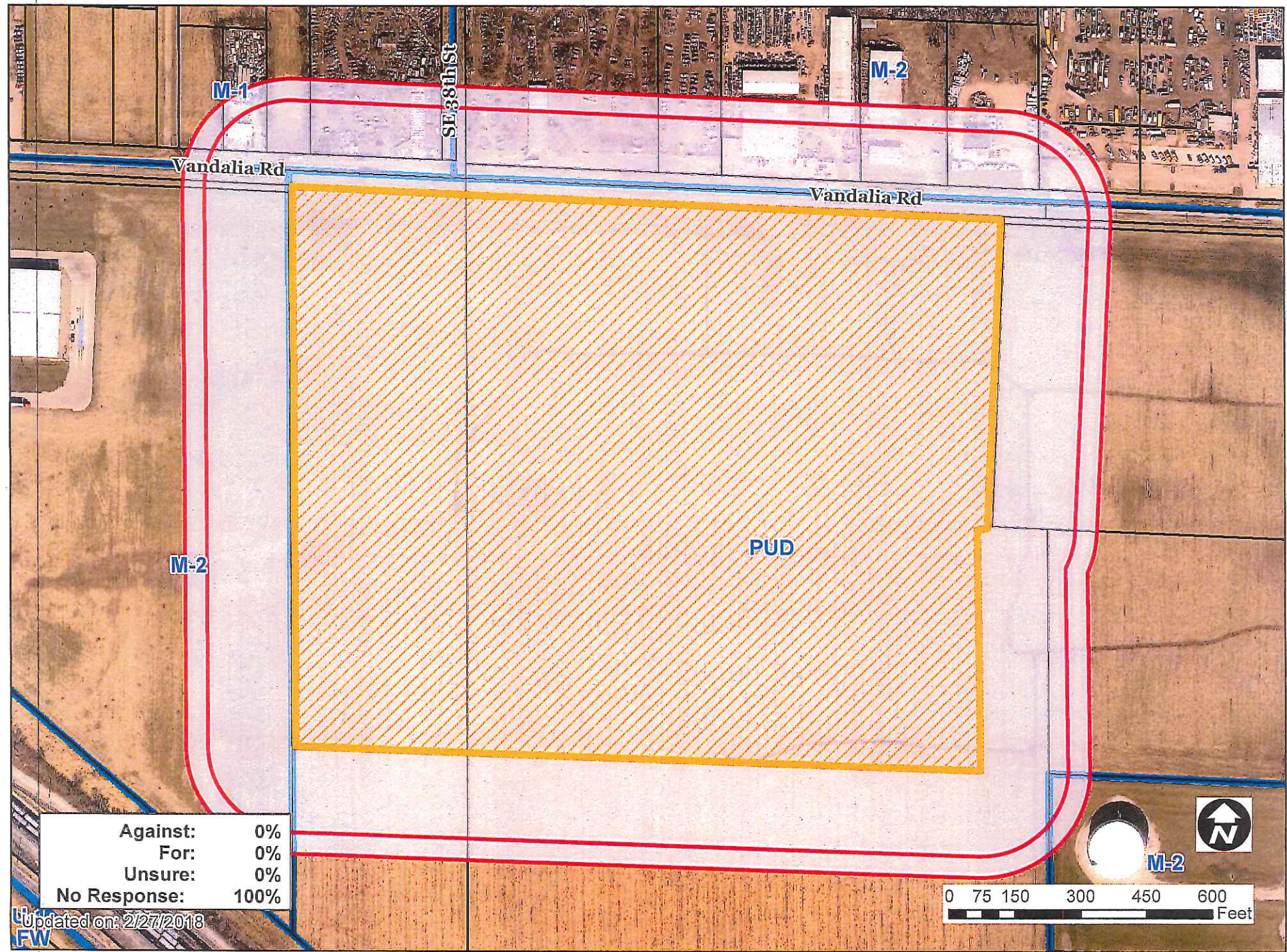
CERTIFICATE

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.

Mayor

City Clerk



th S



March 14, 2018

Date \_\_\_\_\_  
 Agenda Item 54A  
 Roll Call # \_\_\_\_\_

Honorable Mayor and City Council  
 City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their March 1, 2018 meeting, the following action was taken regarding a request from Helena Industries, Inc. (purchaser), represented by Troy Hugen (officer), to rezone property located in the vicinity of 3525 Vandalia Road. The subject property is owned by the City of Des Moines.

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 9-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus				X
Dory Briles	X			
Chris Cutler	X			
David Courard-Hauri				X
Jacqueline Easley	X			
Jann Freed	X			
John "Jack" Hilmes	X			
Lisa Howard				X
Carolyn Jenison				X
Greg Jones	X			
William Page	X			
Mike Simonson				X
Rocky Sposato	X			
Steve Wallace	X			
Greg Wattier				X

**APPROVAL** of Part A) to recommend that the proposed rezoning is not in conformance with the existing PlanDSM Creating Our Tomorrow future land use designation; Part B) to recommend approval of an amendment to the PlanDSM Creating Our Tomorrow future land use designation from Business Park to General Industrial; and Part C) to recommend approval of the proposed rezoning subject to the following 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.

(21-2018-4.04) & (ZON2018-00002)

### Written Responses

0 in Favor

0 in Opposition

### **STAFF RECOMMENDATION**

Part A) Staff recommends that the Commission find the proposed rezoning not in conformance with the existing PlanDSM Creating Our Tomorrow future land use designation.

Part B) Staff recommends approval of amending the PlanDSM Creating Our Tomorrow future land use designation from Business Park to General Industrial.

Part C) Staff recommends approval of the proposed rezoning subject to the following 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.
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## STAFF REPORT TO THE PLANNING COMMISSION

### I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is in the process of acquiring the subject property from the City of Des Moines. The acquisition would allow Helena Industries to expand their existing facilities, which adjoin the site to the west. The submitted application indicates that the site would be divided into two parcels and that two warehouse buildings would be constructed on the easternmost parcel. Plans for the westernmost parcel have not been finalized as this time. An internal access drive would be constructed to connect the proposed warehouses to the existing site. The new site would also have direct access to Vandalia Road. The existing Helena site is zoned "M-2" District and Limited "M-2" District.

2. **Size of Site:** 46.81 acres.

The original Vision Fuels PUD area was approximately 165 acres. This was reduced to approximately 135 acres in 2013 when a portion was sold to Helena Industries, Inc. to the west and rezoned to a Limited "M-2" Heavy Industrial District.

3. **Existing Zoning (site):** Vision Fuels "PUD" Planned Unit Development District.

4. **Existing Land Use (site):** Undeveloped land used for agricultural production.

5. **Adjacent Land Use and Zoning:**

*North* – "M-1" & "M-2", Uses include salvage yards and undeveloped land.

*South* – "PUD", Use is undeveloped land used for agricultural production.

*East* – "PUD", Use is undeveloped land used for agricultural production.

*West* – "M-2", Use is Helena Industries, Inc. chemical processing and distribution.

6. **General Neighborhood/Area Land Uses:** The subject property is located south of Vandalia Road to the west of the Highway 65/69 bypass. It is located in an area known as the Agrimergent Business Park.

7. **Applicable Recognized Neighborhood(s):** The subject property is not located in a recognized neighborhood. All neighborhood associations were notified of the meeting by mailing of the Preliminary Agenda for the February 15, 2018 meeting to all recognized neighborhood associations on January 26, 2018 and by mailing of the Final Agenda on February 9, 2018. Additionally, separate notifications of the hearing for this specific item were mailed on January 26, 2018 (20 days prior to February 15, 2018) and February 5, 2018 (10 days prior to February 15, 2018) to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the subject property. A final agenda for the March 1, 2018 meeting was mailed to all recognized neighborhood associations on February 23, 2018.

8. **Relevant Zoning History:** On May 23, 2005, the subject property was rezoned by Ordinance 14,451 from "M-2" Heavy Industrial District to "M-1" Light Industrial District.

On November 11, 2007, the City Council approved Ordinance No. 14,726, which rezoned approximately 165 acres from "M-1" Light Industrial District to "PUD" Planned Unit Development along with the adoption of the Vision Fuels PUD Conceptual Plan for development of an ethanol fuel plant.

On June 24, 2013, the City Council approved Ordinance No. 15,202, rezoning the western 30 acres from "PUD" Planned Unit Development to a Limited "M-2" Heavy Industrial District subject to the following conditions:

- a. Any site expansion is subject to providing a Certificate of Compliance with Flood Plain Development Regulations.
- b. Construction of one or more buildings on the Property for office, manufacturing, or liquid terminal storage, for industrial use by Helena Industries, Inc. and related businesses or successors, which contain at least 100,000 square feet of floor area.
- c. 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.
- d. 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.

On July 27, 2015, the City Council approved the first amendment the Vision Fuels PUD Conceptual Plan to allow development of an approximately 42-acre portion of the property for light manufacturing of electrical components within an initial phase of a 182,000-square foot office/production facility that could be expanded to 286,000 square feet, and a 250,000-square foot second phase building.

On June 27, 2016, the City Council approved the second amendment to the Vision Fuels "PUD" Conceptual Plan to allow development of an approximately 43.17-acre portion of the property for refrigerated warehousing and distribution by Roll Call Number 16-1089. This amendment allowed the construction of an approximately 111,000-square foot office, storage and distribution facility that could be expanded with additional phases of 244,000 square feet and 400,000 square feet.

**9. PlanDSM Future Land Use Plan Designation:** Business Park.

- 10. Applicable Regulations:** The Commission, considering the criteria set forth in Chapter 18B of the Iowa Code, reviews all proposals to amend zoning boundaries or regulations within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in 414.3 of the Iowa Code. The Commission may make recommendations to the City Council on conditions to be made in addition to the existing regulations so long as the subject property owner

agrees to them in writing. The recommendation of the Commission will be forwarded to the City Council.

## II. ADDITIONAL APPLICABLE INFORMATION

1. **PlanDSM:** The subject site is designated as “Planned Business Park” on the Future Land Use Map. Plan DSM describes this designation as follows:

*Accommodates light industrial, office and employment uses along with limited complementary retail uses. Industrial uses in the category would produce little or no noises, order, vibration, glare, or other objectionable influences, and would have little or no adverse effect on surrounding properties.*

The proposed rezoning to the “M-2” Heavy Industrial District requires the Future Land Use map designation for the site to be amended to “Industrial.” Plan DSM describes this designation as follows:

*Accommodates industrial development and limited supporting commercial uses. Development in this classification could have large impact on adjoining properties and the environment which would need to be mitigated.*

The proposed amendment to the Future Land Use Map also includes a portion of Helena Industries existing site, which is currently zoned “M-2” District but is designated Planned Business Park on the current Future Land Use Map. Staff added this to the request in order to clarify the situation.

2. **Natural Site Features:** Development of the site must comply with the City’s Tree Removal and Mitigation Ordinance (Section 42-550 of the City Code).
3. **Drainage/Grading:** All grading is subject to an approved grading permit and soil erosion control plan, as well as a Stormwater Pollution Protection Plan (SWPPP) approved by the Iowa DNR. All site plans must comply with the City’s Stormwater Management requirements to the satisfaction of the City’s Permit and Development Center.

The City of Des Moines has developed a regional stormwater management plan for the Agrimergent Technology Park and Southeast Connector that includes regional detention and retention facilities, conveyance facilities, and stormwater pump stations. Use of the regional system will be evaluated during the review of any future site plans.

4. **Utilities:** The site has access to all necessary utilities. A 54-inch sanitary sewer main and an 8-inch water main are located within the Vandalia Road right-of-way.
5. **Street System & Access:** The proposed rezoning and warehouse project does not require a traffic study per City policy. The number and position of driveways along Vandalia Road would be evaluated during the review of any future site plans.
6. **Landscaping & Buffering:** The current approved PUD Conceptual Plan references providing a landscaping plan for the site in accordance with “C-2”

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requirements as part of a PUD Development Plan. Staff recommends that the proposed rezoning be subject to providing landscaping in accordance with the standards for the "C-2" District.

## SUMMARY OF DISCUSSION

Jaquelyn Easley asked if anyone was present to speak on this item. No one was present or requested to speak.

## COMMISSION ACTION:

John "Jack" Hilmes made a motion for Part A) to recommend that the proposed rezoning is not in conformance with the existing PlanDSM Creating Our Tomorrow future land use designation; Part B) to recommend approval of an amendment to the PlanDSM Creating Our Tomorrow future land use designation from Business Park to General Industrial; and Part C) to recommend approval of the proposed rezoning subject to the following conditions:

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Motion Passed: 9-0

Respectfully submitted,



Michael Ludwig, AICP  
Planning Administrator

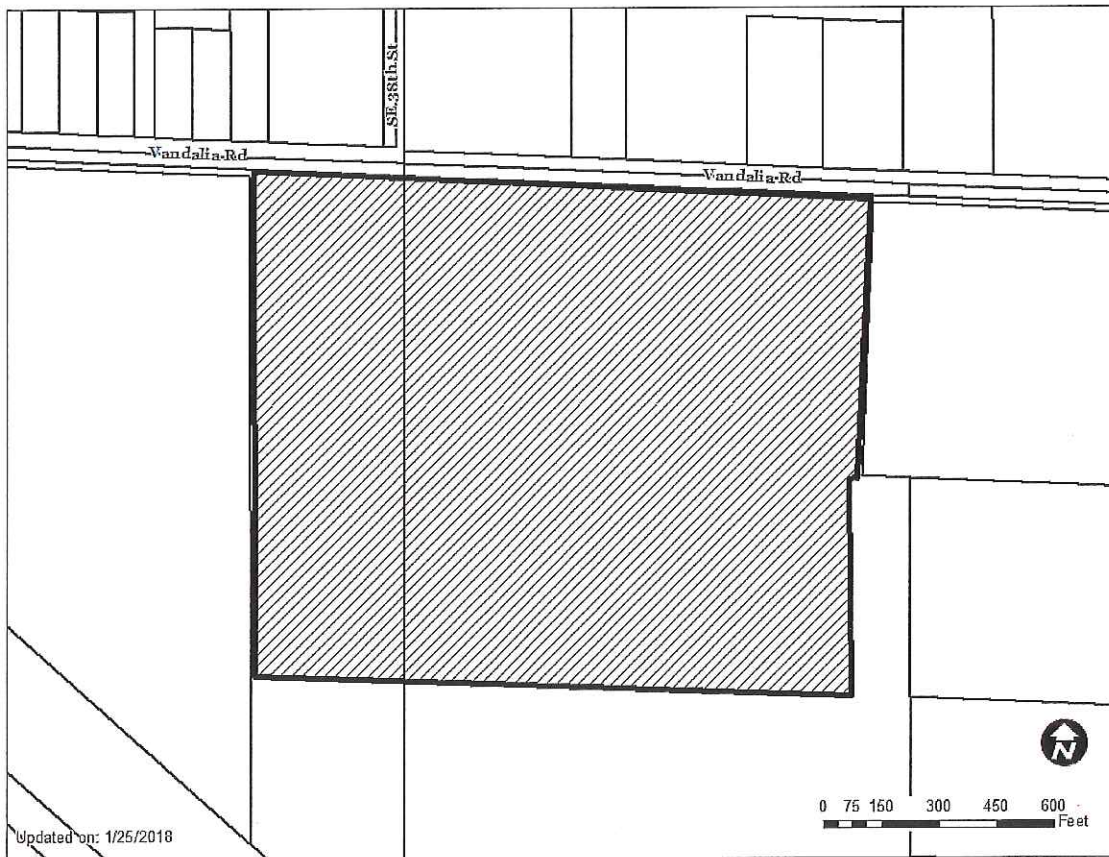
EML:tjh



Helena Industries, Inc. (purchaser), represented by Troy Hugen (officer) for property located in the vicinity of 3525 Vandalia Road.			File #		
			ZON2018-00002		
<b>Description of Action</b>	Rezoning from "PUD" Planned Unit Development to "M-2" Heavy Industrial District, to allow a 46.81-Acre expansion of the existing chemical manufacturing campus.				
<b>PlanDSM Future Land Use</b>	Current: Business Park. Proposed: Industrial				
<b>Mobilizing Tomorrow Transportation Plan</b>	No planned improvements.				
<b>Current Zoning District</b>	"PUD" Planned Unit Development and "FSO" Freestanding Signs Overlay District.				
<b>Proposed Zoning District</b>	"M-2" Heavy Industrial District and "FSO" Freestanding Signs Overlay District.				
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition	
<b>Subject Property</b>	0	0			
<b>Outside Area (200 feet)</b>					
<b>Plan and Zoning Commission Action</b>	Approval	X	<b>Required 6/7 Vote of the City Council</b>	Yes	
	Denial			No	X

Helena Industries, Inc., Vicinity of 3525 Vandalia Road

ZON2018-00002

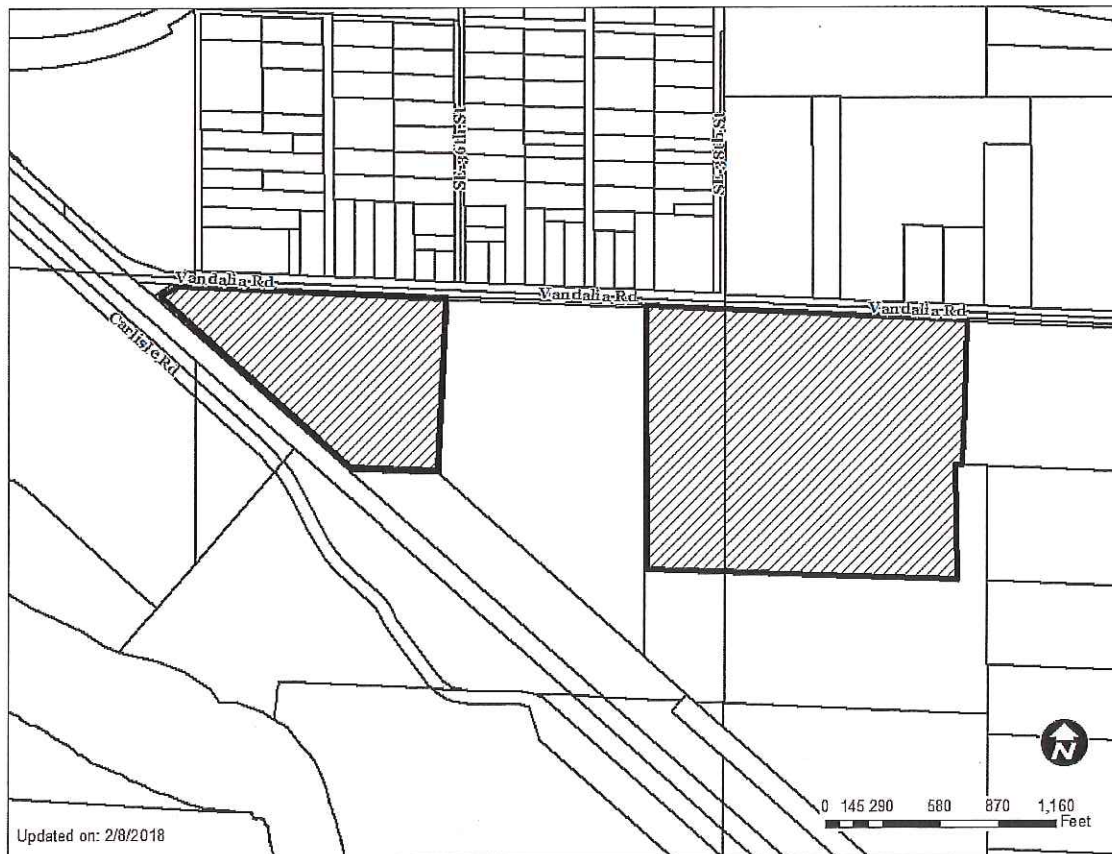


1 inch = 293 feet

Helena Industries, Inc. (purchaser), represented by Troy Hugen (officer) for property located in the vicinity of 3525 Vandalia Road.			File #	
			21-2018-4.04	
<b>Description of Action</b>	Amendment of the PlanDSM Creating Our Tomorrow future land use designation from Business Park to Industrial.			
<b>PlanDSM Future Land Use</b>	Current: Business Park. Proposed: Industrial			
<b>Mobilizing Tomorrow Transportation Plan</b>	No planned improvements.			
<b>Current Zoning District</b>	"PUD" Planned Unit Development and "FSO" Freestanding Signs Overlay District.			
<b>Proposed Zoning District</b>	"M-2" Heavy Industrial District and "FSO" Freestanding Signs Overlay District.			
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition
<b>Subject Property</b>	0	0		
<b>Outside Area (200 feet)</b>				
<b>Plan and Zoning Commission Action</b>	Approval	X	<b>Required 6/7 Vote of the City Council</b>	Yes
	Denial			No

Helena Industries, Inc., 3525 Vandalia Road

21-2018-4.04



1 inch = 560 feet