



Date November 23, 2020

**RESOLUTION HOLDING HEARING ON REQUEST FROM DES MOINES COLD STORAGE (OWNER), FOR REVIEW AND APPROVAL OF AN AMENDMENT TO THE PREVIOUSLY APPROVED PUD FINAL DEVELOPMENT SITE PLAN FOR “PHASE 1A OF DES MOINES COLD STORAGE” FOR PROPERTY AT 3805 VANDALIA ROAD**

**WHEREAS**, on November 9, 2020, the City Council received a communication from the Plan and Zoning Commission advising that at a public hearing held on October 15, 2020, its members voted 14-0 to **APPROVE** a request from Des Moines Cold Storage (owner), represented by CJ Morton (officer), to approve an amendment to the previously approved PUD Final Development Site Plan for “Phase 1A of Des Moines Code Storage” for property located at 3805 Vandalia Road (“Property”) to allow a 62,680 square foot addition to the existing refrigerated warehouse building, with waiver of the previously approved installation of public sidewalk along the Vandalia Road frontage, with the condition that sidewalk would be installed by the owner at any such time transit service is extended to Vandalia Road in front of the property should that be prior to installation of sidewalk with any public street project for Vandalia Road; and

**WHEREAS**, on November 9, 2020, by Roll Call No. 20-1769, it was duly resolved by the City Council that the request to approve an amendment to the previously approved PUD Final Development Site Plan for “Phase 1A of Des Moines Code Storage” for Property be set down for hearing on November 23, 2020 at 5:00 P.M., by electronic means in accordance with the Governor’s and Mayor’s Proclamations and to encourage and maintain social distancing to curb the spread of COVID19 in the community, without public access to the meeting location; 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 land use amendment and rezoning; and

**WHEREAS**, in accordance with said notice, those interested in said proposed amendment to the previously approved PUD Final Development Site Plan for “Phase 1A of Des Moines Code Storage”, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council; and

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

PARCEL 2016-123 BEING PART OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 78 NORTH, RANGE 23 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE NORTH QUARTER CORNER OF SAID SECTION 17; THENCE ALONG THE NORTH LINE OF SAID SECTION 17 N87°28'58"W, 1416.77 FEET; THENCE S02°21'02"W, 50.00 FEET TO THE POINT OF BEGINNING; THENCE



**Roll Call Number**

**Agenda Item Number**

60

**Date** November 23, 2020

S87°28'58"E, 1272.55 FEET; THENCE 206.92 FEET ALONG A 136.00 FOOT RADIUS CURVE, CONCAVE SOUTHWEST, CHORD BEARING S43°45'46"E, 187.53 FEET; THENCE S00°01'28"E, 576.53 FEET; THENCE N87°28'58"W, 1431.60 FEET; THENCE N02°21'02"E, 705.57 FEET TO THE POINT OF BEGINNING. DESCRIBED AREA CONTAINS 22.87 ACRES AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

**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 amendment to the previously approved PUD Final Development Site Plan for "Phase 1A of Des Moines Code Storage" hereby overruled, and the hearing is closed.
2. The proposed amendment to the previously approved PUD Final Development Site Plan for "Phase 1A of Des Moines Code Storage", 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 \_\_\_\_\_ TO ADOPT.

FORM APPROVED:

*Judy K. Parks-Kruse*  
Judy K. Parks-Kruse  
Assistant City Attorney

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

MOTION CARRIED APPROVED

\_\_\_\_\_  
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.

\_\_\_\_\_  
City Clerk



November 3, 2020

Date November 23, 2020

Agenda Item LED

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 October 15, 2020 meeting, the following action was taken regarding a request from Des Moines Cold Storage (owner) represented by CJ Morton (officer) for review and approval of an amendment to the previously approved PUD Final Development Plan for "Phase IA of Des Moines Cold Storage" for property located at 3805 Vandalia Road, to allow a 62,680-square foot addition to the existing refrigerated warehouse building, with waiver of the previously approved installation of public sidewalk along the Vandalia Road frontage.

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 14-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Dory Briles	X			
Abby Chungath	X			
Kayla Berkson	X			
Jann Freed	X			
Johnny Alcivar	X			
Lisa Howard	X			
Carolyn Jenison	X			
Greg Jones	X			
William Page	X			
Rocky Sposato	X			
Steve Wallace	X			
Greg Wattier	X			
Emily Webb	X			

**APPROVAL** of the submitted PUD Final Development Plan amendment waiving the installation of sidewalk with the condition, that sidewalk would be installed by the owner at any such time transit service is extended to Vandalia Road in front of the property should

that be prior to installation of sidewalk with any public street project for Vandalia Road.  
(10-2021-7.24)

## **STAFF RECOMMENDATION TO THE P&Z COMMISSION**

Staff recommends approval of the submitted PUD Final Development Plan amendment waiving the installation of sidewalk with the condition, that sidewalk would be installed by the owner at any such time transit service is extended to Vandalia Road in front of the property should that be prior to installation of sidewalk with any public street project for Vandalia Road.

## **STAFF REPORT TO THE PLANNING COMMISSION**

### **I. GENERAL INFORMATION**

1. **Purpose of Request:** Waiver of the previously approved installation of public sidewalk along the Vandalia Road frontage.
2. **Size of Site:** Approximately 43.17 acres for the area owned by Des Moines Cold Storage. The original Vision Fuels PUD area was approximately 165 acres. This was reduced to approximately 135 acres when a portion was sold to Helena Industries, Inc. to the west and rezoned to "M-2" Heavy Industrial District in 2013.
3. **Existing Zoning (site):** Legacy "PUD" Planned Unit Development (Vision Fuels).
4. **Existing Land Use (site):** Des Moines Cold Storage refrigerated warehouse. The undeveloped portion of the site is currently used for agricultural production. Approved Phase 1A addition is under construction.
5. **Adjacent Land Use and Zoning:**
  - North** – "EX", Uses include salvage yards and undeveloped land.
  - South** – "EX", Uses include above ground petroleum storage for Magellan Pipeline and Solar Transport petroleum trucking facility.
  - East** – "I-3" (City of Pleasant Hill), Use is Oneok natural gas utility facilities.
  - West** – "I2", Uses are Helena Industries, Inc. chemical processing and distribution.
6. **General Neighborhood/Area Land Uses:** The subject property is located south of Vandalia Road in an area designated as the Agrimergent Business Park just west of the Highway 65/69 bypass.
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 to all recognized neighborhood associations on September 25, 2020 and by mailing of the Final Agenda on October 9, 2020. Additionally, separate notifications of the hearing for this specific item were mailed on October 5, 2020 (10 days prior) to the neighborhood associations and to the primary

titleholder on file with the Polk County Assessor for each property within 250 feet of the subject property.

- 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 adopted Ordinance No. 14,726 approving rezoning of 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 adopted Ordinance No. 15,202 which rezoned the western 30 acres from “PUD” Planned Unit Development to “M-2” Heavy Industrial District.

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 13, 2016, the City Council approved the Second Amendment the Vision Fuels PUD Conceptual Plan for the development of an approximately 43.17-acre portion of the property for refrigerated warehousing and distribution with an initial phase of an approximately 111,000-square foot office/refrigerated storage/distribution facility that could be expanded by 244,000 square feet and a future phase up to 400,000 square feet.

On April 8, 2018, the City Council zoned an additional 48.49 acres immediately west of the subject property from “PUD” Planned Unit Development to “M-2” Heavy Industrial District for Helena Industries.

On March 23, 2020 the City Council approved the PUD Final Development Plan “Phase 1A of Des Moines Cold Storage” for development of a 62,680-square foot addition to the existing refrigerated warehouse building.

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

- 10. Applicable Regulations:** Considering the criteria set forth in Chapter 18B of the Iowa Code, and based on the provisions of Chapter 134 Section 134-2.2.9.C, all amendments to existing PUD Final Development Plans must be reviewed and approved by the City Council after review and recommendation by the Plan and Zoning Commission.

## **II. ADDITIONAL APPLICABLE INFORMATION**

- 1. Traffic/Street System:** When the Plan and Zoning Commission considered the approved PUD Final Development Plan on March 5, 2020, there was not discussion with regard to the installation of public sidewalk with the “Phase 1A” addition at either the Commission or City Council considerations. It was requirement of the

administrative review to install and the PUD Final Development was approved on the condition of compliance with all administrative review comments.

The developer has resubmitted the PUD Final Development Plan for amendment to remove the sidewalk. Vandalia Road is determined to be a priority level 3 street for provision of public sidewalk within the MoveDSM Plan. This guidance is the lowest level of priority for provision of sidewalk along public streets.

Staff has had discussions with Des Moines Area Regional Transit (DART) to determine if there is demand for pedestrian connection to transit stops along Vandalia Road. At this time there is not a transit route along Vandalia Road. While there is some desire for provision of transit services in the future by some of the major employers in the area such as Kemin Industries, Helena Industries, and Des Moines Cold Storage, funding for additional routes and expansion of this service to this area is yet to be identified. There is a project identified in the Mobilizing Tomorrow Regional Transportation Plan, LRTP# 607 in the 2035-2050 timeframe, which is to widen Vandalia Road from two to three lanes. At the time of this project, public sidewalks would be incorporated.

Staff believes in the interim, should transit service be extended to Vandalia Road adjoining the subject property, then the developer should install the public sidewalk along the developed frontage at that point in time including any necessary infrastructure for any transit stop located along the frontage.

## **SUMMARY OF DISCUSSION**

Jann Freed asked if any member of the public or the commission desired to speak on the item. No one requested to speak.

## **COMMISSION ACTION:**

Dory Briles made a motion for approval of the submitted PUD Final Development Plan amendment waiving the installation of sidewalk with the condition, that sidewalk would be installed by the owner at any such time transit service is extended to Vandalia Road in front of the property should that be prior to installation of sidewalk with any public street project for Vandalia Road.

Motion passed: 14-0

Respectfully submitted,



Michael Ludwig, AICP  
Planning Administrator

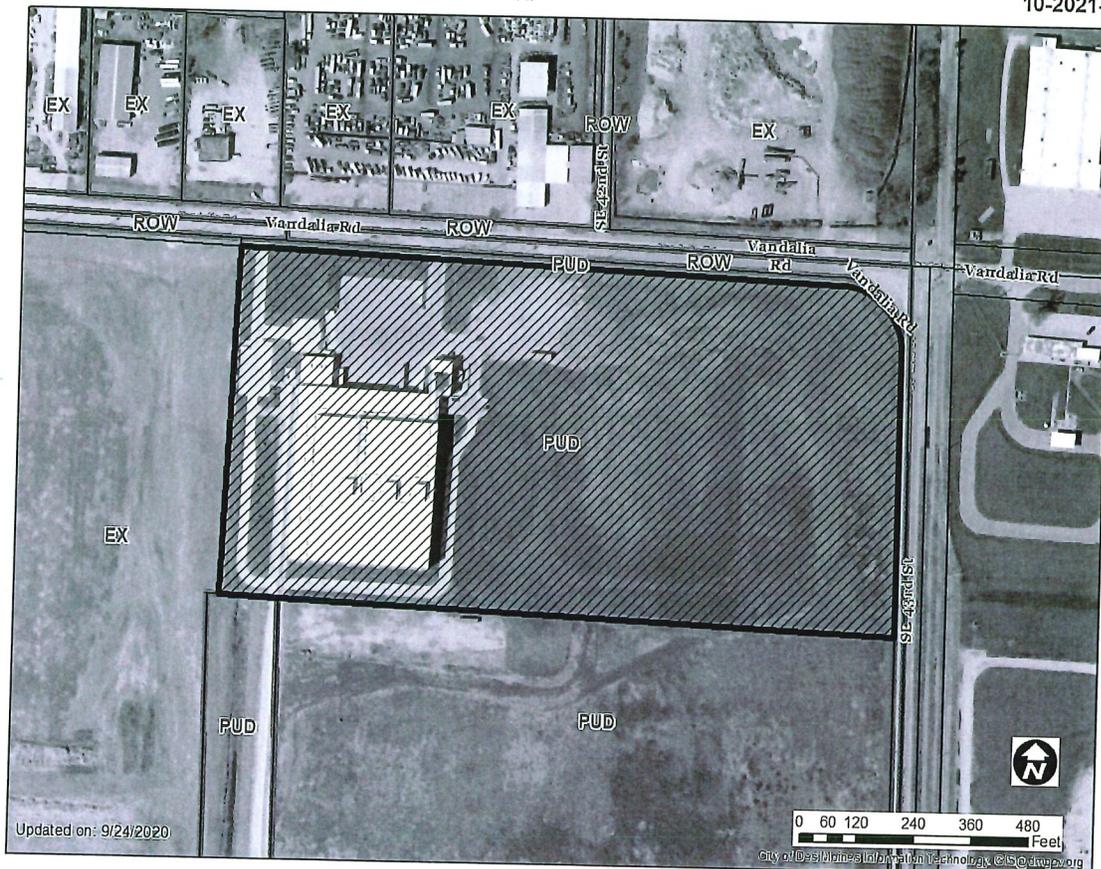
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600

Request from Des Moines Cold Storage (owner) represented by CJ Morton (officer) for property located at 3805 Vandalia Road.			File #		
			10-2021-7.24		
Description of Action	Review and approval of an amendment to the previously approved PUD Final Development Plan for "Phase IA of Des Moines Cold Storage" to allow a 62,680-square foot addition to the existing refrigerated warehouse building, with waiver of the previously approved installation of public sidewalk along the Vandalia Road frontage.				
PlanDSM Future Land Use	Current: Business Park. Proposed: N/A.				
Mobilizing Tomorrow Transportation Plan	2035-2050 Widen Vandalia Road from 2 to 3 lanes. (LRTP# 607).				
Current Zoning District	Vision Fuels Legacy "PUD" Planned Unit Development District				
Proposed Zoning District	N/A.				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Outside Area (200 feet)	0	0			
Within Subject Property					
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council	Yes	
	Denial			No	X

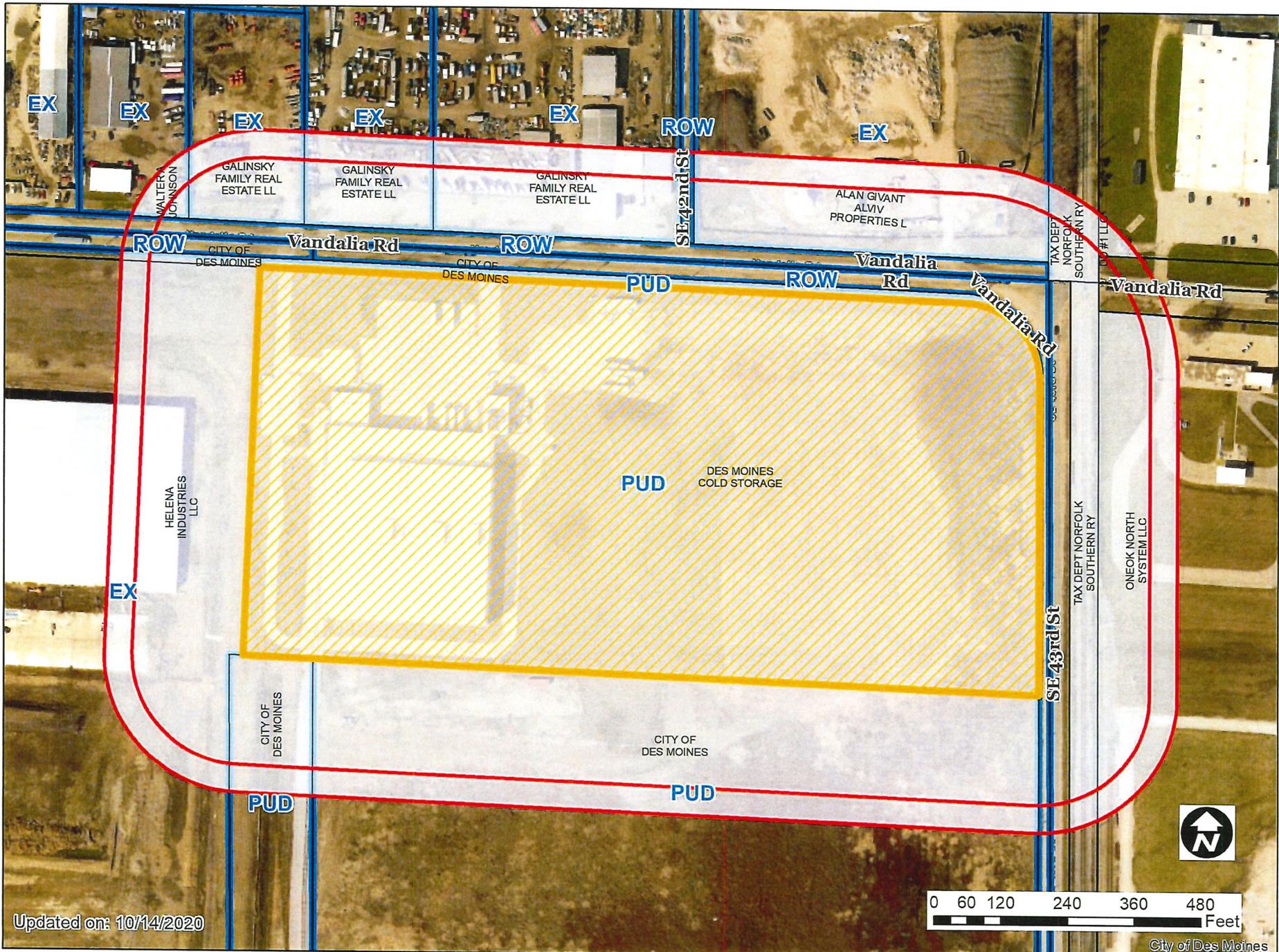
Des Moines Cold Storage, 3805 Vandalia Road

10-2021-7.24

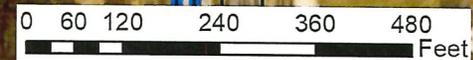


1 inch = 229 feet

100



Updated on: 10/14/2020



City of Des Moines

1 inch = 229 feet







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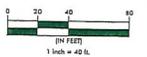
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EXISTING CONDITIONS



NORTH



DES MOINES  
COLD STORAGE  
SITE PLAN - PHASE IA  
DES MOINES, IA  
20216014  
JANUARY 29, 2020  
REVISED  
FEBRUARY 21, 2020  
MARCH 10, 2020  
MAY 18, 2020

DESIGNED BY  
C. SMITH  
CHECKED BY  
FIELD BOOK NO.  
DRAWN BY  
R. CORDINA  
SHEET NO.

DRAWING NO. GN-03  
SHEET NO. 03 / 15



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ZONED: M-2

ZONED: M-2

ZONED: M-2

ZONED: M-2

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ZONED: M-2

OUTSIDE CITY LIMITS

VANDALIA ROAD

ZONED: PUD

40' PUBLIC STORM SEWER EASEMENT  
70' PRIVATE STORM SEWER AND  
SURFACE WATER FLOWAGE EASEMENT

40' PRIVATE RAIL EASEMENT

ZONED: M-2

SE 43RD STREET

OUTSIDE CITY LIMITS

OUTSIDE CITY LIMITS



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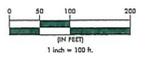
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- NOTE:
- THIS SITE SHALL BE MAINTAINED IN COMPLIANCE WITH ALL CITY CODE APPLICABLE ON THE DATE OF SITE PLAN APPROVAL.
  - ANY NEW ROOFTOP MECHANICAL EQUIPMENT MUST BE SCREENED FROM STREET LEVEL VIEW.
  - TRANSFORMERS, JUNCTION BOXES, AIR CONDITIONERS OVER 3 FEET IN HEIGHT, OR OTHER SUCH ITEMS MAY NOT BE LOCATED IN THE REQUIRED SETBACK AREAS.
  - ANY AMENDMENTS OR CHANGES TO THE PROJECT SITE THAT DO NOT MEET WHAT IS SHOWN ON THE SITE PLAN NEED TO BE APPROVED WITH THE PERMIT AND DEVELOPMENT CENTER PRIOR TO INSTALLATION/CONSTRUCTION.
  - LIGHTING MUST BE LOW GLARE CUT OFF TYPE FIXTURES TO REDUCE THE GLARE OF LIGHT POLLUTION ON SURROUNDING PROPERTIES.
  - THE REQUIRED LANDSCAPING, BOTH EXISTING AND PROPOSED, SHALL BE MAINTAINED FOR THE LIFE OF THE CERTIFICATE OF OCCUPANCY.
  - ALL DISTURBED AREAS SHOULD BE RESTORED BY SEEDING OR SODDING.
  - NO DUMPSTER WILL BE PROVIDED ON SITE WHICH WOULD REQUIRE THE NEED FOR A DUMPSTER ENCLOSURE.**

OVERALL SITE LAYOUT



NORTH



DES MOINES  
COLD STORAGE  
SITE PLAN - PHASE IA

DES MOINES, IA

20216014

JANUARY 29, 2020

REVISED

FEBRUARY 21, 2020

MARCH 10, 2020

MAY 18, 2020

DRAWN BY

R. CORONA

CHECKED BY

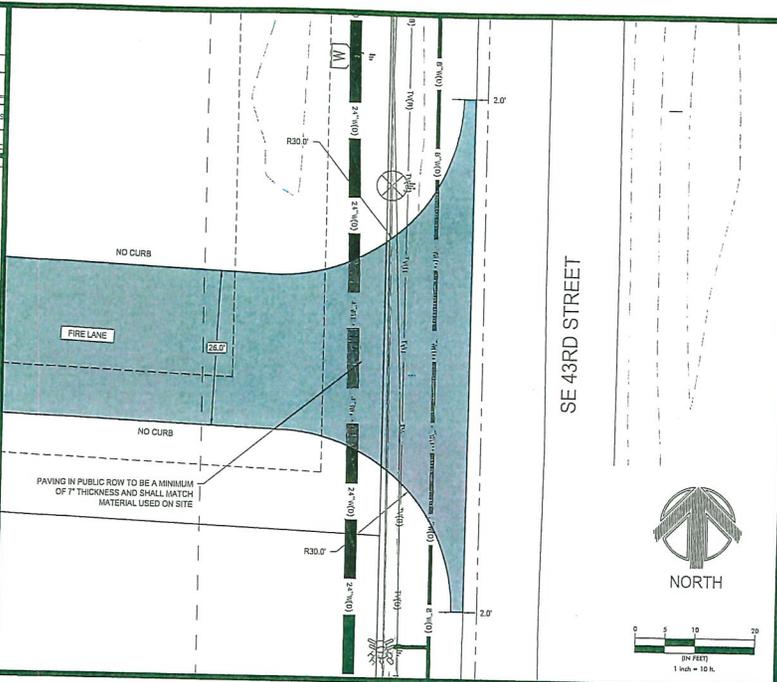
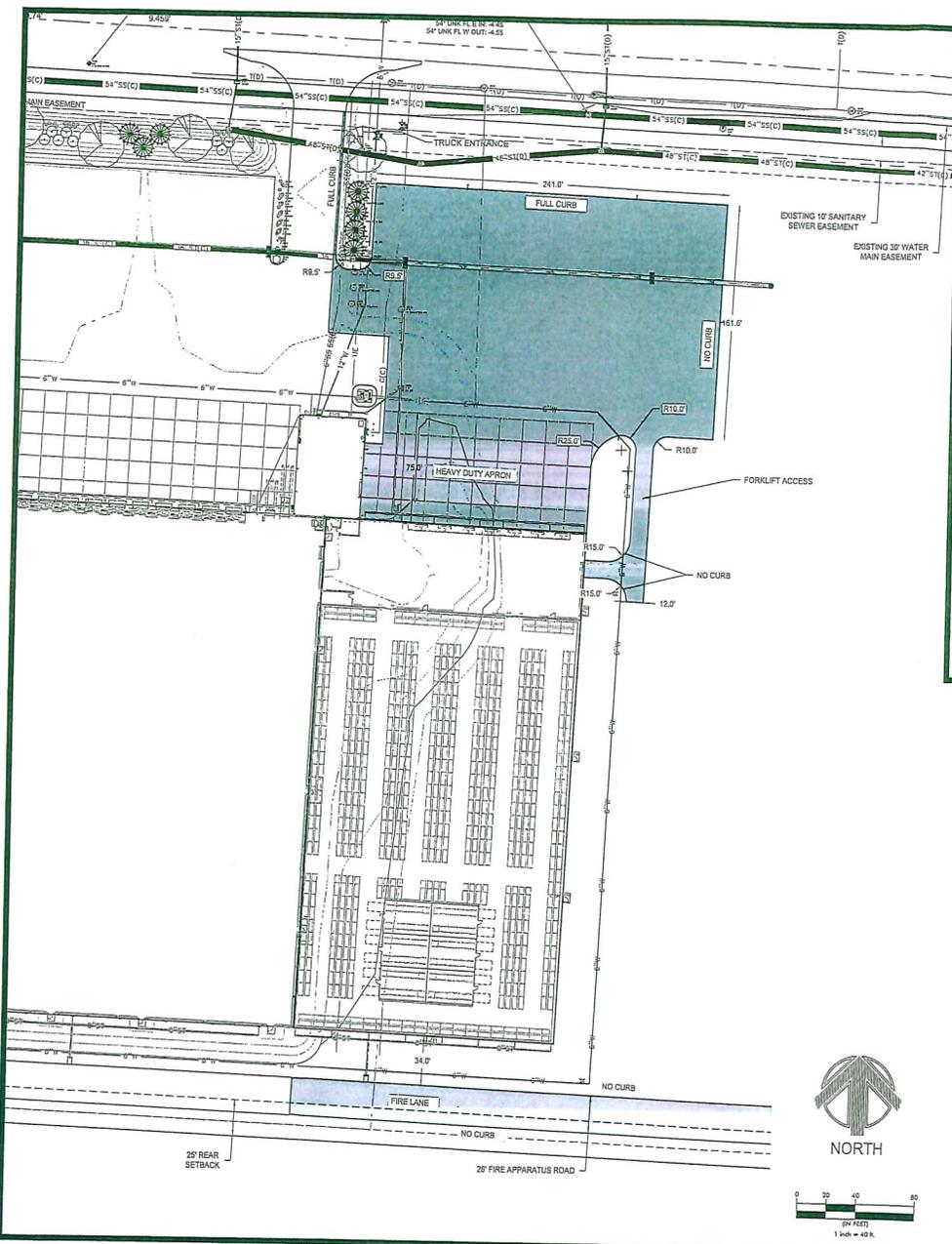
FIELD BOOK NO.

DRAWING NO.

SHEET NO.

SP-01

04 / 15

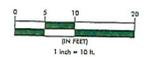


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SITE PLAN

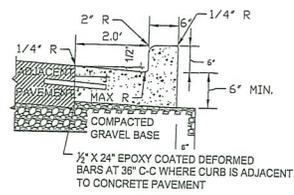
**PAVING THICKNESS**

(PER TERRACON REPORT DATED MAY 2, 2016)

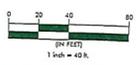
- HEAVY DUTY APRON - 8-IN PCC WITH 6-INCH GRANULAR SUBBASE
- HEAVY DUTY PAVING - 8.5 IN PCC WITH 6-INCH GRANULAR SUBBASE  
 (BID ALTERNATE - 8.5 IN HMA WITH 6-INCH GRANULAR SUBBASE)
- FIRE LANE - 6 IN PCC WITH 6-INCH GRANULAR SUBBASE  
 (BID ALTERNATE - 7.5 IN HMA WITH 6-INCH GRANULAR SUBBASE)

**NOTES**

1. ALL CURB AND GUTTER SECTIONS TO BE STANDARD 6-INCH TALL CURBING. SEE DETAIL ON THIS PAGE.
2. ALL PCC AND HMA PAVING SHALL CONFORM TO TERRACON'S REPORT FOR THE PROJECT DATED MAY 2, 2016.



**30" CURB & GUTTER SECTION**  
 NOT TO SCALE



DES MOINES  
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 2021014  
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 MARCH 10, 2020  
 MAY 18, 2020

ENGINEER  
 C. SMITH

DRAWN BY  
 R. CORONA

CHECKED BY  
 FIELD BOOK NO.

DRAWING NO.  
 SP-02

SHEET NO.  
 05 / 15

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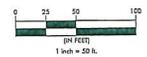
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GRADING PLAN



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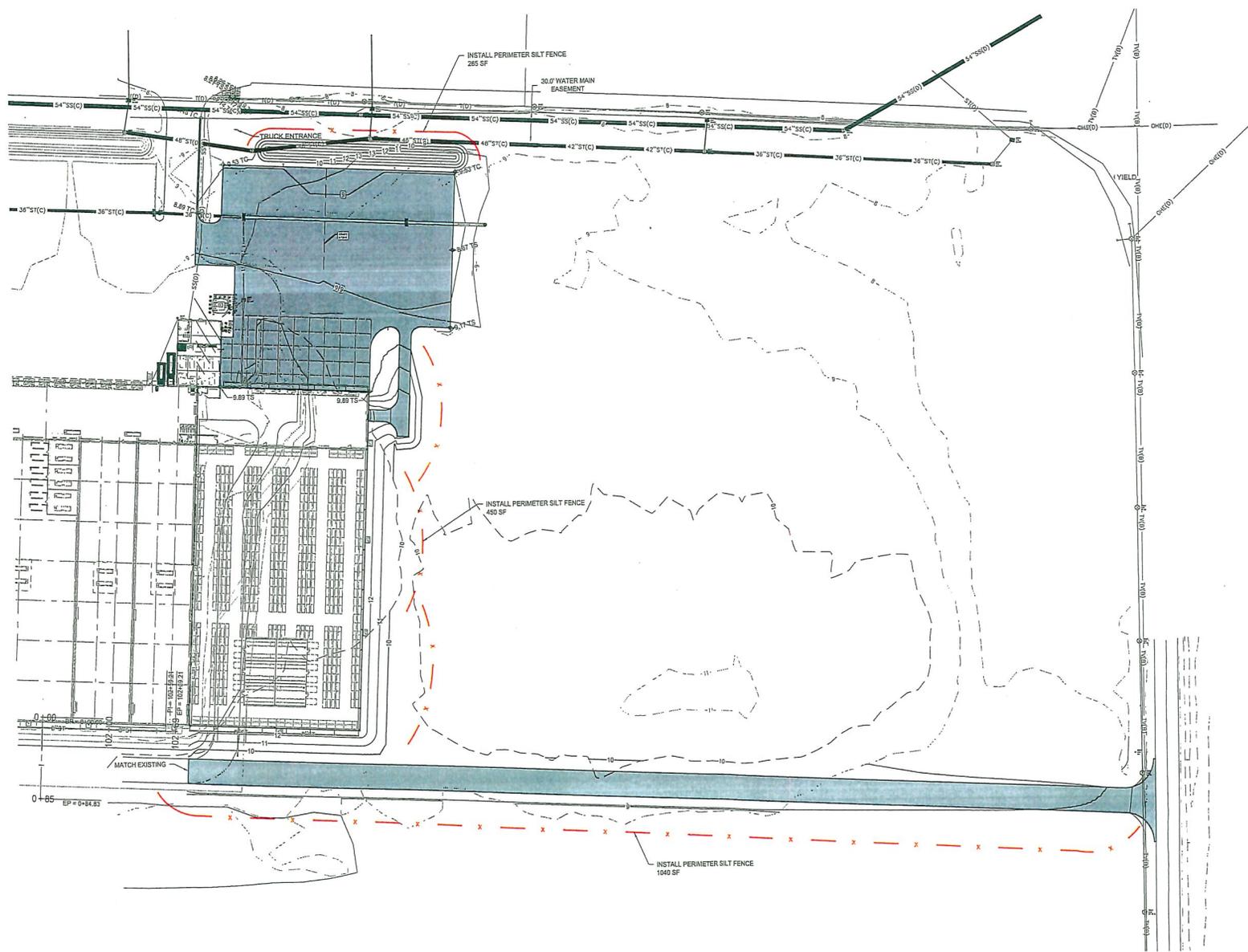


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 MAY 18, 2020

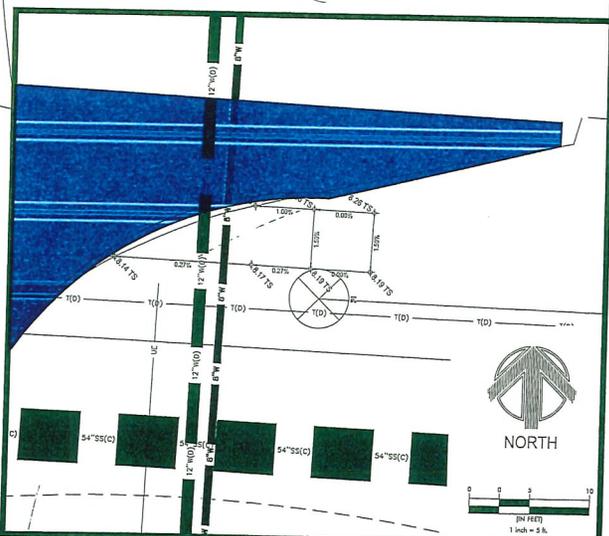
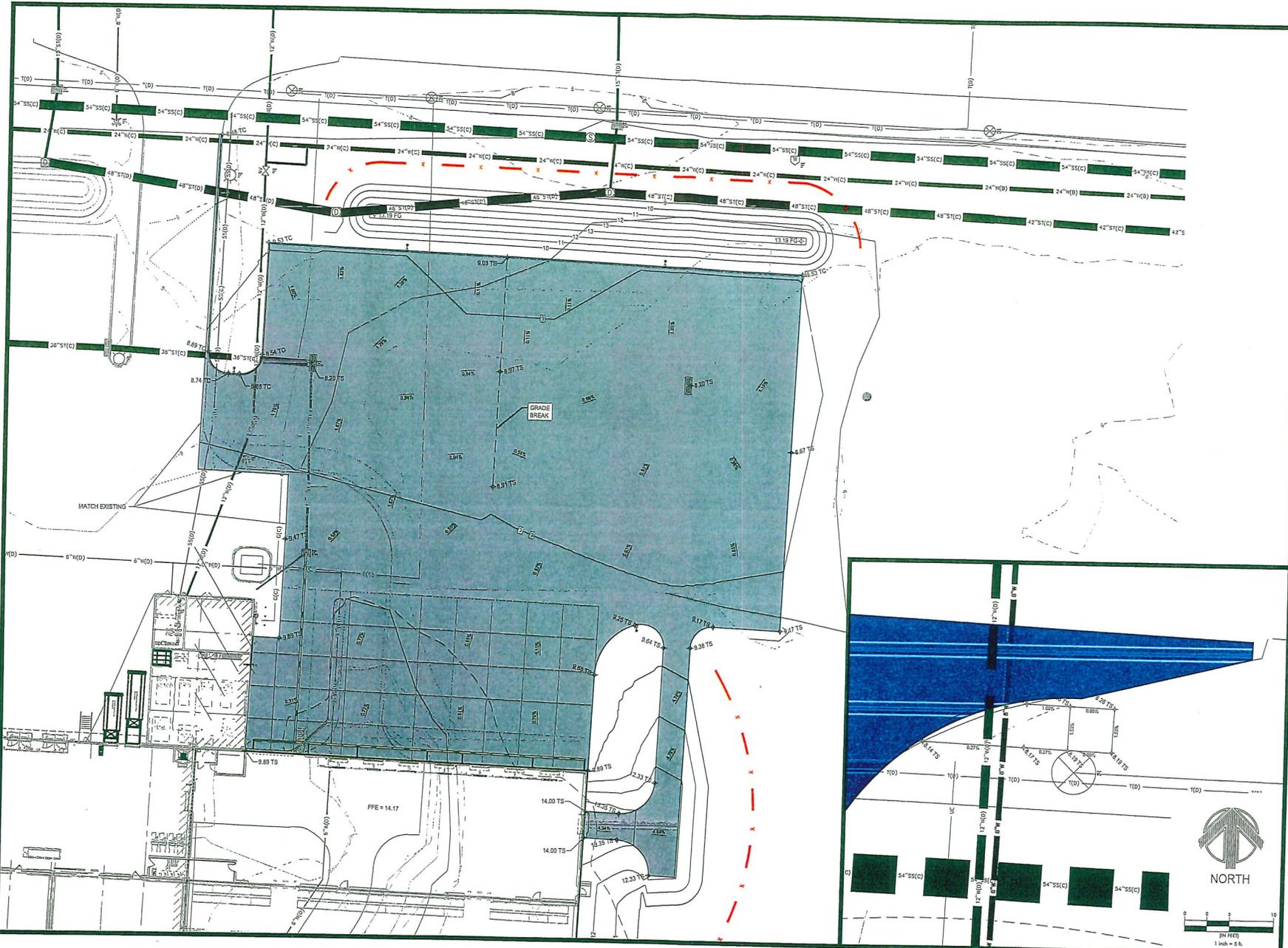
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 SHEET NO. GR-01



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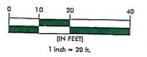
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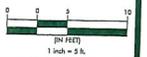
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DES MOINES  
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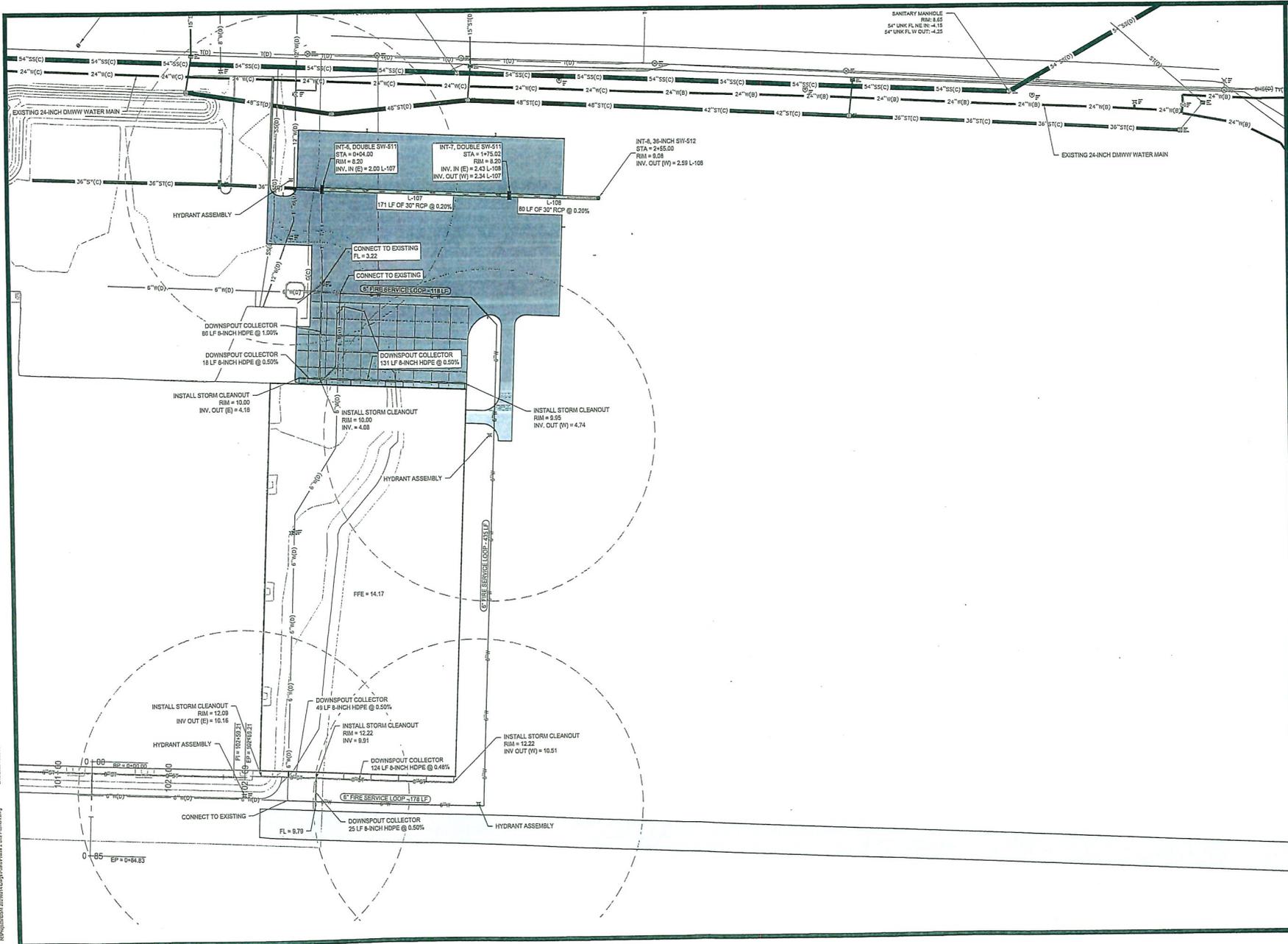
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SHEET NO. 07 / 15

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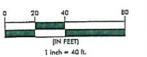
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UTILITY PLAN



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 JANUARY 29, 2020  
 REVISIONS  
 FEBRUARY 21, 2020  
 MARCH 10, 2020  
 MAY 18, 2020

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 CHECKED BY  
 DRAWN BY R. CORONA  
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DRAWING NO. UT-01  
 SHEET NO. 10 / 15

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