



Date September 14, 2020

**RESOLUTION HOLDING HEARING ON REQUEST FROM IOWA LABORERS
EDUCATION AND TRAINING TRUST FUND FOR APPROVAL OF PUD FINAL
DEVELOPMENT PLAN FOR "IOWA LABORERS TRAINING FACILITY"
FOR PROPERTY AT 4560 EAST 46TH STREET**

WHEREAS, on August 17, 2020, by Roll Call No. 20-1325, the City Council received a communication from the City Plan and Zoning Commission advising that the Commission voted 13-0 to **APPROVE** a request from Iowa Laborers Education and Training Trust Fund (owner), represented by Mike Weckman (officer), to approve the PUD Final Development Plan for "Iowa Laborers Training Facility" on property located at 4560 East 46th Street ("Property") to allow development of a 15,000 square foot indoor training and storage facility with an outdoor training center, subject to compliance with all administrative review requirements; and

WHEREAS, the Property is legally described as follows:

AN IRREGULARLY SHAPED PORTION OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5th P.M., DES MOINES, POLK COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE. 1/4) OF SECTION 21, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5th P.M., DES MOINES, POLK COUNTY, IOWA; THENCE SOUTH 00°24'05" WEST (BEARING ESTABLISHED IN THE PLAT OF BROWNSTONE ESTATES) ALONG THE WEST LINE OF NE. 1/4 OF SAID SECTION 21, A DISTANCE OF 1122.82 FEET TO THE SOUTHWEST CORNER OF OUTLOT "X" IN BROWNSTONE ESTATES, AN OFFICIAL PLAT, POLK COUNTY, IOWA AND TO THE POINT OF BEGINNING; THENCE NORTH 70°57'01" EAST ALONG THE SOUTHERLY LINE OF SAID BROWNSTONE ESTATES AND ALONG THE EASTERLY EXTENSION OF THE SOUTHERLY LINE OF SAID BROWNSTONE ESTATES, A DISTANCE OF 2804.37 FEET TO THE WEST RIGHT OF WAY LINE OF NE. 46th STREET, AS IT IS PRESENTLY ESTABLISHED; THENCE SOUTH 00°09'26" WEST ALONG THE WEST RIGHT-OF-WAY LINE OF SAID NE. 46th STREET, A DISTANCE OF 603.03 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF F.M. HUBBELL AVENUE, AS IT IS PRESENTLY ESTABLISHED; THENCE SOUTH 55°26'35" WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID F.M. HUBBELL AVENUE, A DISTANCE OF 261.74 FEET; THENCE SOUTHWESTERLY ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID F.M. HUBBELL AVENUE AND ALONG A 5765.00 FEET RADIUS CURVE CONCAVE SOUTHEASTERLY A DISTANCE OF 1011.34 FEET, SAID CURVE HAVING A CHORD BEARING OF SOUTH 50°08'14" WEST AND A CHORD LENGTH OF 1010.05 FEET; THENCE SOUTH 45°02'42" WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID F.M. HUBBELL AVENUE, A DISTANCE OF 62.63 FEET TO THE NORTHEAST CORNER OF PARCEL "D" OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21 AS SHOWN IN BOOK 8361 AT PAGE 967 IN THE OFFICE OF THE POLK COUNTY RECORDER; THENCE SOUTH 89°40'34" WEST

.....
Date .. September 14, 2020

ALONG THE NORTH LINE OF SAID PARCEL "D", A DISTANCE OF 280.81 FEET TO THE NORTHEAST CORNER OF PARCEL "A" OF LOT 1 IN CAPITOL HEIGHTS REPLAT, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA AS SHOWN IN BOOK 8361 AT PAGE 967 IN THE OFFICE OF THE POLK COUNTY RECORDER; THENCE SOUTH 88°56'37" WEST ALONG THE NORTH LINE OF SAID PARCEL "A" AND ALONG THE NORTH LINE OF PARCEL "C" OF LOT 1 IN CAPITOL HEIGHTS REPLAT, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA AS SHOWN IN BOOK 8727 AT PAGE 975 IN THE OFFICE OF THE POLK COUNTY RECORDER AND ALONG THE NORTH LINE OF SAID LOT 1 AND ALONG THE NORTH RIGHT-OF-WAY LINE OF E. 42nd STREET AS IT IS PRESENTLY ESTABLISHED, A DISTANCE OF 1336.97 FEET TO THE WEST LINE OF THE NE. 1/4 OF SAID SECTION 21; THENCE NORTH 00°18'10" EAST ALONG THE WEST LINE OF THE NE. 1/4 OF SAID SECTION 21, A DISTANCE OF 554.06 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD.

SAID TRACT OF LAND CONTAINS 49.67 ACRES MORE OR LESS.

AND,
WARRANTY DEED: BOOK 11622, PAGE 522-523

LOTS 5, 6 AND 7; LOT 13 AND THAT PART OF LOT 1 DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1, THENCE EAST 500 FEET, THENCE SOUTH TO BOUNDARY LINE OF LOT 1, THENCE IN A SOUTHWESTERLY AND WESTERLY DIRECTION ALONG THE BOUNDARY LINE OF LOT 1 TO THE SOUTHWEST CORNER OF SAID LOT 1, THENCE NORTH TO THE POINT OF BEGINNING; AND THAT PART OF LOT 12 DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 12, THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 12, 133.33 FEET, THENCE SOUTHERLY IN A STRAIGHT LINE 151.65 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 12; THENCE NORTHEASTERLY ALONG THE EASTERLY LINE OF SAID LOT 12, 186.6 FEET TO THE NORTHEAST CORNER OF SAID LOT 12, AND TO THE POINT OF BEGINNING; ALL IN CAPITOL HEIGHTS REPLAT, AN OFFICIAL REPLAT IN POLK COUNTY, IOWA.

SUBJECT TO ANY AND ALL EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD, IF ANY; and

WHEREAS, on August 17, 2020, by Roll Call No. 20-1325, it was duly resolved by the City Council that the request for approval of the PUD Final Development Plan be set down for hearing on September 14, 2020 at 5:00 p.m., by electronic means to encourage and maintain social distancing to curb the spread of COVID19 in the community; and

Date September 14, 2020

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 PUD Final Development Plan; and

WHEREAS, in accordance with said notice, those interested in said proposed PUD Final Development Plan, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

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 PUD Final Development Plan "Iowa Laborers Training Facility" are hereby overruled, and the hearing is closed.
2. The proposed PUD Final Development Plan "Iowa Laborers Training Facility", as on file in the Development Services Department, is hereby found to be in conformance with PlanDSM: Creating Our Tomorrow Plan and is hereby approved, subject to revision and conditions stated above.

MOVED BY _____ TO ADOPT.

FORM APPROVED:

/s/ Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

(10-2020-7.123)

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



Date September 14, 2020

Agenda Item 83

Roll Call # _____

August 11, 2020

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their August 6, 2020 meeting, the following action was taken regarding a request from Iowa Laborers' Education and Training Trust Fund (owner) represented by Mike Weckman (officer) for review and approval of a PUD Final Development Plan "Iowa Laborers Training Facility", for property located at 4560 East 46th Street, to allow development of a 15,000-square foot indoor training and storage facility with an outdoor training ground.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 13-0 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 proposed PUD Final Development Site Plan subject to the compliance with all administrative review comments.

(10-2020-7.123)

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the proposed PUD Final Development Plan subject to the compliance with all administrative review comments.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant proposes to develop the property for an indoor and outdoor training center for skilled laborers practicing infrastructure and utility work. The building would house an indoor training environment, offices and some storage for equipment and materials related to the training.
2. **Size of Site:** 7.12 acres.
3. **Existing Zoning (site):** Baker “Legacy PUD” Planned Unit Development.
4. **Existing Land Use (site):** Agricultural land.
5. **Adjacent Land Use and Zoning:**
 - North** – “N2a”, Uses are one household living dwellings.
 - South** – “Legacy PUD” & “MX3”, Uses are multiple household living dwellings and vacant land.
 - East** – “N1a” & “MX3”, Uses are one household living dwellings.
 - West** – “N2a” & “Legacy PUD”, Use are one household living dwellings and vacant timbered land.
6. **General Neighborhood/Area Land Uses:** The subject property is located north and west of the Hubbell Avenue (U.S. Highway 6) corridor.
7. **Applicable Recognized Neighborhood(s):** The subject property is not in a recognized neighborhood. All recognized neighborhoods were notified of the meeting by mailing of the Preliminary Agenda on July 17, 2020. Additionally, separate notification of the hearing for this specific item was mailed on July 27, 2020 (10 days prior to the original public hearing) to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the Final PUD Development Plan boundary. A final agenda was mailed on July 31, 2020.
8. **Relevant Zoning History:** The subject property was rezoned by the City Council from “A-1” District to “PUD” District on October 27, 1997.

On December 2, 2019 the City Council approved the 8th Amendment to the Baker “PUD”, allowing the development of 7.12 acres with a building for a training center and equipment storage as well as an outdoor training site. This was subject to the following:

- A) Conformance with all administrative comments of the final Mylar review.

- B) Provision of specific elevations with labeled materials and dimensions of the proposed building for Parcel A as approved by the Planning Administrator prior to final Mylar review approval.
- C) Provision of 5-foot public sidewalks along all public street frontages with any PUD Development Plan.
- D) Provision of a note on the Conceptual Plan that any overhead doors on any building shall not be oriented towards a public street.
- E) Provision of a note on the Conceptual Plan that any clearing and excavations as part of the outdoor training are on Parcel A shall be approved by the Engineering Staff in the Permit and Development Center.
- F) Provision of a note that any tree removal shall comply with the Tree Removal and Mitigation regulations in Article X, of Chapter 42 of the City Code.
- G) Provision of a note that hours of operation for any outdoor training activity on Parcel A shall be limited between the hours of 7:00 A.M. to 7:00 P.M.;

9. PlanDSM Future Land Use Plan Designation: Industrial.

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 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. Natural Features/Landscaping: While the property is currently mostly tilled agricultural land, there are dense timbered areas to the northwest and southwest of the proposed amendment area. These timbered areas would partially segregate the subject amendment area from and protect residential areas to the northwest and southwest. The PUD Final Development Plan indicates tree removals resulting from the proposed development and has provided mitigation per the City's Ordinance. This results in 8 additional tree plantings.

The propose landscaping includes overstory tree plantings along the east and south public street perimeters. A dense evergreen and overstory planting strip is proposed along the northern edge of the property where development would abut existing residential areas. There are foundation plantings proposed including shrubs and ornamental trees.

Conservation easement areas are indicated on the PUD Final Development Plan for the protection of timbered areas that are not to be disturbed by the development.

2. Drainage/Grading: There is an existing slope easement along the drainage way to the south to protect stream bank stabilization improvements that have been put in place. The City would need to ensure access through any development to maintain these areas over time. Any permanent grading shall be accompanied by a PUD restoration bond. The developer has begun the process for the bond approval. The small amount of grading or excavation for the outdoor training function is subject to Engineering approval in accordance with the PUD Conceptual Plan amendment.

3. **Traffic/Street System:** A Traffic Impact Study was not required prior to the proposed PUD Conceptual Plan amendment or the PUD Final Development Plan pursuant to City policy given the anticipated number of trips for the training facility. The developer has proposed 6-foot wide sidewalks along East 46th Street and Hubbell Avenue frontages to comply with the PUD Conceptual Plan amendment, the City's complete streets policy, and the MoveDSM Plan.
4. **Urban Design:** The approved PUD Conceptual Plan indicates that buildings shall be constructed of permanent materials such as, tilt-up concrete panels, architectural pre-cast panels, brick, stone and glass. Only durable materials such as stone, brick, block, concrete panels or concrete tile shall be used on the base four-feet of all sides of the building.

The submitted PUD Final Development Plan provides an elevation design for the proposed training center building that complies with the City Council action on December 2, 2019 and has been approved by the Planning Administrator. It would be a predominantly split-face concrete masonry block units and glass with some architectural metal on the exterior of the building. There would be contrasting horizontal banding of the masonry units to reduce the visual impact of the building height. While the developer initially proposed exterior materials with a substantial amount of EIFS or stucco with integrated insulation, the revised material palette is more in keeping with the intent for commercial buildings within the PUD. The roof proposed would be standing seam metal. Overhead doors are proposed on the west side of the building and are not oriented toward public street frontages.

SUMMARY OF DISCUSSION

Jann Freed asked if any member of the public or the commission desired to speak on the item. None requested to speak.

COMMISSION ACTION:

Will Page made a motion for **APPROVAL** of the proposed PUD Final Development Site Plan subject to the compliance with all administrative review comments.

Motion passed: 13-0

Respectfully submitted,



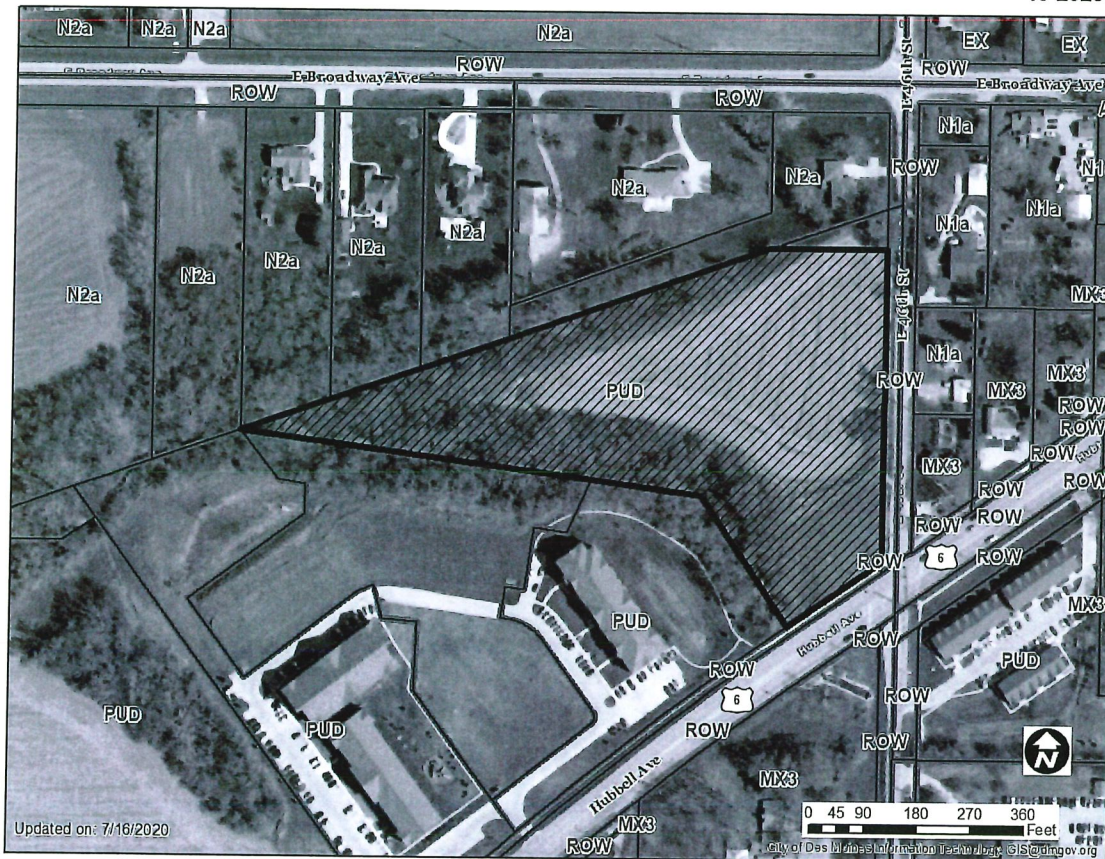
Jason Van Essen, AICP
Senior City Planner

JVE:tjh

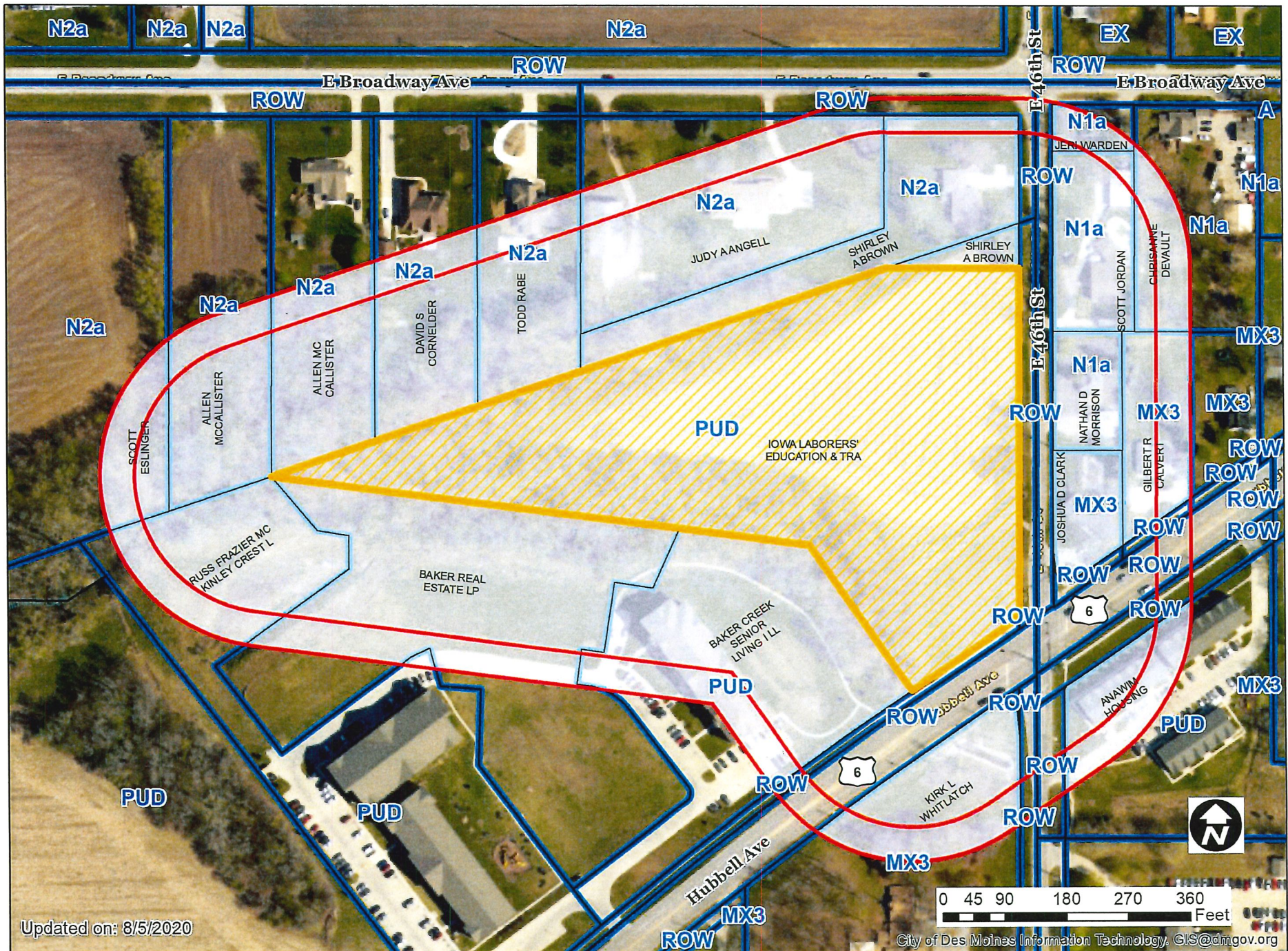
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|--|--|--------------|--|---------------|---|
| Iowa Laborers' Education and Training Trust Fund (owner) represented by Mike Weckman (officer) for property located at 4560 East 46th Street | | | | File # | |
| | | | | 10-2020-7.123 | |
| Description of Action | Review and approval of a PUD Final Development Plan "Iowa Laborers Training Facility", to allow development of a 15,000-square foot indoor training and storage facility with and outdoor training ground. | | | | |
| Plan/DSM Future Land Use | General Industrial | | | | |
| Mobilizing Tomorrow Transportation Plan | No planned improvements. | | | | |
| Current Zoning District | "Baker 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 |

Iowa Laborers' Education and Training Trust, 4560 East 46th Street

10-2020-7.123



1 inch = 186 feet



Updated on: 8/5/2020

0 45 90 180 270 360 Feet

City of Des Moines Information Technology, GIS@dm.gov.org

1 inch = 186 feet