

.....
Date June 13, 2022

RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM EXODUS GROUP INVESTMENT, LLC (OWNER) REPRESENTED BY JERET KOENIG (OFFICER), FOR THE FOLLOWING REGARDING PROPERTY LOCATED IN THE VICINITY OF 1717 EAST ARMY POST ROAD, 1825 EAST ARMY POST ROAD, AND 1895 EAST ARMY POST ROAD, TO AMEND PLANDSM CREATING OUR TOMORROW PLAN TO REVISE THE FUTURE LAND USE CLASSIFICATION FROM BUSINESS PARK AND MEDIUM DENSITY RESIDENTIAL TO INDUSTRIAL USE, AND TO REZONE THE PROPERTY FROM “EX” MIXED USE DISTRICT TO “I1” INDUSTRIAL DISTRICT TO ALLOW THE USE OF THE PROPERTY FOR USES SUCH AS WAREHOUSE, WHOLESALE SALES AND DISTRIBUTION, EQUIPMENT AND MATERIAL STORAGE - OUTDOOR, AND FABRICATION PRODUCTION - GENERAL

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 2, 2022, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from Exodus Group Investments, LLC (owner), represented by Jeret Koenig (officer), for the proposed rezoning from “EX” mixed use District to “I1” District be found not in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Business Park; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 2, 2022, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from Exodus Group Investments, LLC (owner), represented by Jeret Koenig (officer), for the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Business Park and Medium Density Residential to Industrial; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on June 2, 2022, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from Exodus Group Investments, LLC (owner), represented by Jeret Koenig (officer), to rezone the Property from “EX” Mixed Use District to “I1” Industrial District, to allow the use of the property for uses such as Warehouse, Wholesale Sales and Distribution, Equipment and Material Storage – Outdoor, and Fabrication and Production – General, subject to provision of the following setbacks for any primary or accessory building:

1. All outdoor storage within the site shall comply with Des Moines Municipal Code Section 135-8.2.2; and
2. Any use on the subject site shall be in accordance with an approved site plan; and

WHEREAS, the Property is legally described as follows:

The Northeast 1/4 of the Northwest 1/4 of Section 35, Township 78 North, Range 24 West of the 5th P.M., Polk County, Iowa.

.....
Date June 13, 2022

AND

The West 1/2 of the Northwest 1/4 of the Northwest 1/4 of the Northeast 1/4 and the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 35, Township 78 North, Range 24 West of the 5th P.M., Polk County, Iowa.

AND

The East 1/2 of the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 35, Township 78 North, Range 24 West of the 5th P.M., Polk County, Iowa.

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 amendments to PlanDSM Creating Our Tomorrow comprehensive Plan and proposed rezoning are to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposals, shall be held at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on June 27, 2022, at which time the City Council will hear both those who oppose and those who favor the proposals.
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.



Roll Call Number

Agenda Item Number

30

Date June 13, 2022

MOVED BY _____ TO ADOPT. SECOND BY _____.

FORM APPROVED:

/s/ Lisa A. Wieland
Lisa A. Wieland
Assistant City Attorney

(ZONG-2022-000047; ZONG-2022-000045)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

CERTIFICATE

I, LAURA BAUMGARTNER, Acting 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.

_____ Acting City Clerk

Date June 13, 2022

Agenda Item 30

Roll Call # _____

June 7, 2022

Communication from the City Plan and Zoning Commission advising that at their June 2, 2022 meeting, the following action was taken regarding a request from Exodus Group Investments, LLC (owner), represented by Jeret Koenig (officer) to rezone property in the vicinity of 1717 East Army Post Road, 1825 East Army Post Road, and 1895 East Army Post Road from "EX" Mixed Use District to "I1" Industrial District, to allow the use of the property for uses such as Warehouse, Wholesale Sales and Distribution, Equipment and Material Storage – Outdoor, and Fabrication and Production – General.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 10-0 as follows

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus				X
Dan Drendel	X			
Leah Rudolphi	X			
Dory Briles	X			
Abby Chungath	X			
Kayla Berkson	X			
Chris Draper	X			
Todd Garner	X			
Johnny Alcivar				X
Justyn Lewis				X
Carolyn Jenison				X
William Page	X			
Andrew Lorentzen	X			
Emily Webb	X			

APPROVAL of Part A) The proposed rezoning to "I1" District be found not in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Business Park.

Part B) The PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Business Park and Medium Density Residential to Industrial.

Part C) Approval of rezoning the subject property from "EX" Mixed-Use District to "I1" Industrial District, subject to the following conditions:

- ~~1. Vehicular access to the subject site shall be limited to the following:
 - ~~a. Two full access points to be aligned with Southeast 16th Court and Southeast 19th Street.~~
 - ~~b. One right-in right-out access near the entrance to the existing commercial building at 1825 East Army Post Road.~~~~
2. All outdoor storage within the site shall comply with Des Moines Municipal Code Section 135-8.2.2.
3. Any use on the subject site shall be in accordance with an approved site plan.
- ~~4. A site plan for the property at 1825 East Army Post Road and 1895 East Army Post Road shall be submitted no later than July 31, 2022, and the property owner shall obtain approval no later than October 31, 2022.~~
- ~~5. The property at 1825 East Army Post Road and 1895 East Army Post Road shall be brought into conformance with an approved site plan by May 31, 2023.~~

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends that the proposed rezoning to "I1" District be found not in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Business Park.

Part B) Staff recommends amending the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Business Park and Medium Density Residential to Industrial.

Part C) Staff recommends approval of rezoning the subject property from "EX" Mixed-Use District to "I1" Industrial District subject to the following conditions:

1. Vehicular access to the subject site shall be limited to the following:
 - a. Two full access points to be aligned with Southeast 16th Court and Southeast 19th Street.
 - b. One right-in right-out access near the entrance to the existing commercial building at 1825 East Army Post Road.
2. All outdoor storage within the site shall comply with Chapter 135-8.2.2.
3. Any use on the subject site shall be in accordance with an approved site plan.
4. A site plan for the property at 1825 East Army Post Road and 1895 East Army Post Road shall be submitted no later than July 31, 2022, and the property owner shall obtain approval no later than October 31, 2022.
5. The property at 1825 East Army Post Road and 1895 East Army Post Road shall be brought into conformance with an approved site plan by May 31, 2023.

Written Responses

0 in Favor

0 in opposition

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

- 1. Purpose of Request:** The applicant is proposing to develop a warehousing facility that allows the buildings to be used for receipt of materials, assembly of goods, and distribution of finished products. Some limited outdoor storage is anticipated, but undefined at this point. This large scale warehousing facility does not conform to what is allowed in the "EX" District and is not compatible with the Business Park land use classification. The proposed development and expansion would require a site plan and building elevations to be submitted for review and approval pursuant to the Planning and Design Ordinance.
- 2. Size of Site:** 57.1 acres.
- 3. Existing Zoning (site):** "EX" Mixed-Use District.
- 4. Existing Land Use (site):** The subject property includes undeveloped land, an existing warehouse and retail building, a single family dwelling unit, and unpaved parking area with shipping containers, vehicles and other equipment storage.
- 5. Adjacent Land Use and Zoning:**
 - North** – "CX", "EX", "I1"; Uses are big box retail, one-household dwelling units, bank, auto repair and used car sales lot, warehouse, vacant land, storage warehouse, and fireworks company.
 - South** – "NM"; Use is Mobile Home Park.
 - East** – "EX"; Use is one-household dwelling unit.
 - West** – "EX"; Uses are warehouse, undeveloped land and Bloomfield Road right-of-way.
- 6. General Neighborhood/Area Land Uses:** The subject property is located near the intersection of East Army Post and Southeast 14th Street. The area contains a mix of industrial, commercial and residential uses adjacent to East Army Post Road. There is medium density residential south of the subject property and low density residential further north of East Army Post Road.
- 7. Applicable Recognized Neighborhood(s):** The subject property is in the Easter Lake Area Neighborhood. All neighborhoods were notified of the public hearing by mailing of the Preliminary Agenda on May 13, 2022. Additionally, separate notifications of the hearing for this specific item were mailed on May 13, 2022 (20 days prior to the hearing) and May 23, 2022 (10 days prior to the hearing) to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. The

Final Agenda for the hearing was mailed to all recognized neighborhoods on May 27, 2022.

All agendas and notices are mailed to the primary contact person designated to the City of Des Moines Neighborhood Development Division by the recognized neighborhood association. The Easter Lake Area Neighborhood Association mailings were sent to Jim Bollard, 4007 Southeast 26th Street, Des Moines, IA 50320.

The applicant is required to do neighborhood outreach as part of the rezoning process. They will be available to provide a summary of that neighborhood outreach at the public hearing.

- 8. Relevant Zoning History:** On February 2, 2022, the Zoning Enforcement Officer sent a Notice of Violation to the applicant for the property at 1825 East Army Post Road (Parcel # 7824-35-201-007) for violation of Chapter 135 and other City Codes. The site was not in compliance with the approved site plan 10-16-7.100 (including but not limited to, vehicle display/rental of trucks, vehicles and or equipment and materials parked/stored on unapproved areas). Furthermore, the addition of vehicle rental to the use is not in compliance with the requirements under Planning and Design Ordinance, Chapter 135.

There was also found to be temporary storage containers located on the lot for more than 10 consecutive days. These containers are not considered permanent structures under Chapter 135 and are limited to a 10 day duration on a given property. Additionally, temporary storage containers, considered to be component parts of trailers, were being used as accessory buildings and were not in conjunction with a valid building permit to convert them to buildings as defined in Section 135-12.3.

- 9. PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation: Business Park and Medium Density Residential.**

- 10. Applicable Regulations:** Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission 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 Creating Our Tomorrow:** The subject property is designated as "Business Park" and "Medium Density Residential" on the Future Land Use Map. PlanDSM describes this designation as follows:

Business Park: Accommodates light industrial, office and employment uses along with limited complementary retail uses. Industrial uses in this category would produce little or no noise, odor, vibration, glare, or other objectionable

influences, and would have little or no adverse effect on surrounding properties.

Medium Density Residential: Areas developed with mix of single family, two family and multi-family residential up to 17 dwelling units per net acre.

The applicant is proposing to rezone the property from "EX" District to "I1" District. The Zoning Ordinance states that "EX is intended for locations and corridors with a mix of light industrial and heavier commercial uses, accommodating higher levels of vehicular traffic than MX districts and a predominance of mid-scale employment uses, such as office, low intensity industrial, and warehouse spaces associated with offices." Building types allowed in this district include Storefront, Commercial Cottage, General Building, Workshop/Warehouse, Civic Building, and Principal-Use Parking Structure."

The proposed "I1" District zoning requires the "Industrial" designation on the Future Land Use Map. PlanDSM describes this designation as follows:

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

The Zoning Ordinance states that "I1 is intended for general industrial uses, warehousing, and transportation terminal." Building types allowed in this district include the General Building, Workshop/Warehouse, Civic Building and Principal-Use Parking Structure."

Staff believes that industrial uses should be located in areas of the City that are already designated for those types of uses. Most of the uses adjoining East Army Post corridor are higher intensity commercial and light industrial in nature. Therefore, the proposed use is appropriate for this location. For I1 zoning, accommodating industrial uses could have a significant impact on adjoining properties if they are residential, environmentally sensitive, or other lower intensity uses. There is residential use further north of East Army Post Road and directly south of the subject property. Staff is supportive of this rezoning as the use is generally compatible for this area. However, as the applicant has ongoing zoning violation issues, staff believes that the site must be brought into compliance and any mitigation measures needed to reduce impacts on adjacent properties must be addressed with this development.

2. **Planning and Design Ordinance:** Any development must comply with all applicable site plan and design regulations of the Planning and Design Ordinance. Should the rezoning be approved, the applicant would be required to prepare a site plan and building elevations for review before the property can be occupied by the proposed use.
3. **Traffic & Site Access:** The large scale development concept plan for the subject property proposes six full movement drive accesses off East Army Post Road. A traffic impact study was required to be completed for this proposal. The traffic study finds no significant impact to the level of service and operations to the adjacent streets and intersections. The study recommends consolidation of the six driveway accesses to the

property to three. Two of those accesses are recommended to be full movement and aligned with Southeast 16th Court and Southeast 19th Street. The third is recommended to be a right-in-right-out access near the entrance to the existing commercial building at 1825 East Army Post Road. Traffic circulation and driveway configuration should be updated to align with the recommendations of the traffic study.

Staff notes that sidewalks must be provided along East Army Post Road as per Chapter 135-8.

- 4. Grading & Storm Water Management:** Any 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. Tree removal and mitigation calculations must be submitted with any site plan in accordance with Section 42-550 of the Municipal Code.

SUMMARY OF DISCUSSION

Bert Drost presented the staff report and recommendation.

Chris Draper asked what the peak morning and afternoon trips that these proposed driveways would need to accommodate.

Bert Drost stated he didn't have that information available tonight.

Chris Draper asked if the volume of traffic would result in signage or lighting for these 2 intersections.

Bert Drost stated the traffic study indicates that the proposed development could be adequately served by 2 full-access driveway and a 1 right-in, right out only driveway.

Chris Draper asked if there will be a minimum of 250 trips in and out of these driveways.

Bert Drost stated the traffic study indicated the recommended 3 driveways from East Army Post Road would accommodate the volume of trips in and out of the site.

Daniel Willrich, Pelds Design Services, 2323 Dixon Street, stated they have concerns with a few of the recommendations listed in the staff report. They are showing 6 driveway access points from East Army Post Road in order to allow separation of the employee parking from truck traffic. They would request this recommendation be removed to allow them more time to work with city staff as they go through the site plan development process. Mr. Willrich also asked that the dates in recommended conditions #4 and #5 be extended to allow them additional time.

Chris Draper asked for their projected peak trips in and out.

Daniel Willrich stated that information is within the traffic study but recalls it projects approximately 50 semis arriving each day with these same 50 semis leaving each day. After a full build out, they are projecting 400 employees over 3 different shifts, as 60 employees per 100,000 square feet of building area is their standard estimate.

Chris Draper asked what the justification is for reducing driveways.

Daniel Willrich stated regardless of access, a full build-out would not negatively impact traffic flow on East Army Post Road. This project would not cause any infrastructure improvement to East Army Post that wasn't already expected.

CHAIRPERSON OPENED THE PUBLIC HEARING

No one was present or requested to speak.

CHAIRPERSON CLOSED THE PUBLIC HEARING

Chris Draper stated it would be premature to set the number of entrances before they have a finalized traffic study.

Emily Webb stated she also doesn't see a concern with pushing out the dates listed under #4 and #5 of the staff recommendation.

Bert Drost stated staff was recommending these dates to make sure that the current property owners mitigate the existing zoning violations in a timely manner.

Chris Draper asked if its normal to couple the actions of zoning enforcement with a rezoning.

Bert Drost stated yes and gave an example of the recent rezoning on East 18th Street that required that property owner to have a site plan submitted in the near future in order to address existing zoning violations.

COMMISSION ACTION:

Chris Draper made a motion for:

Part A) The proposed rezoning to "I1" District be found not in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Business Park.

Part B) The PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Business Park and Medium Density Residential to Industrial.

Part C) Approval of rezoning the subject property from "EX" Mixed-Use District to "I1" Industrial District, subject to the following conditions:

- ~~1. Vehicular access to the subject site shall be limited to the following:~~
 - ~~a. Two full access points to be aligned with Southeast 16th Court and Southeast 19th Street.~~
 - ~~b. One right in right out access near the entrance to the existing commercial building at 1825 East Army Post Road.~~
2. All outdoor storage within the site shall comply with Des Moines Municipal Code Section 135-8.2.2.

3. Any use on the subject site shall be in accordance with an approved site plan.
- ~~4. A site plan for the property at 1825 East Army Post Road and 1895 East Army Post Road shall be submitted no later than July 31, 2022, and the property owner shall obtain approval no later than October 31, 2022.~~
- ~~5. The property at 1825 East Army Post Road and 1895 East Army Post Road shall be brought into conformance with an approved site plan by May 31, 2023.~~

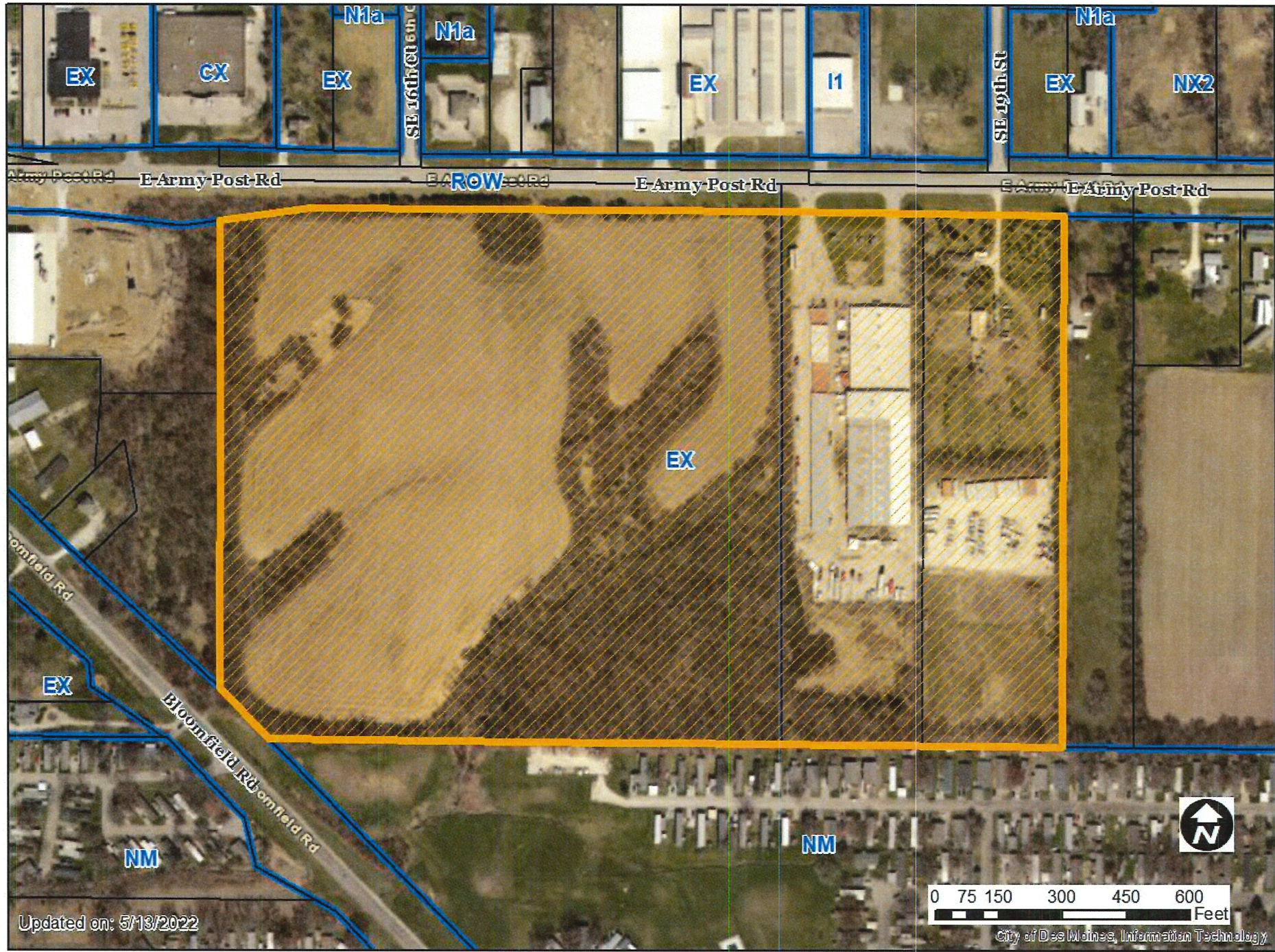
Motion passed: 10-0

Respectfully submitted,

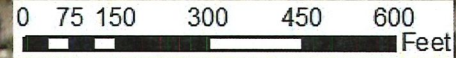


Bert Drost, AICP
Planning & Urban Design Administrator

BAD:tjh

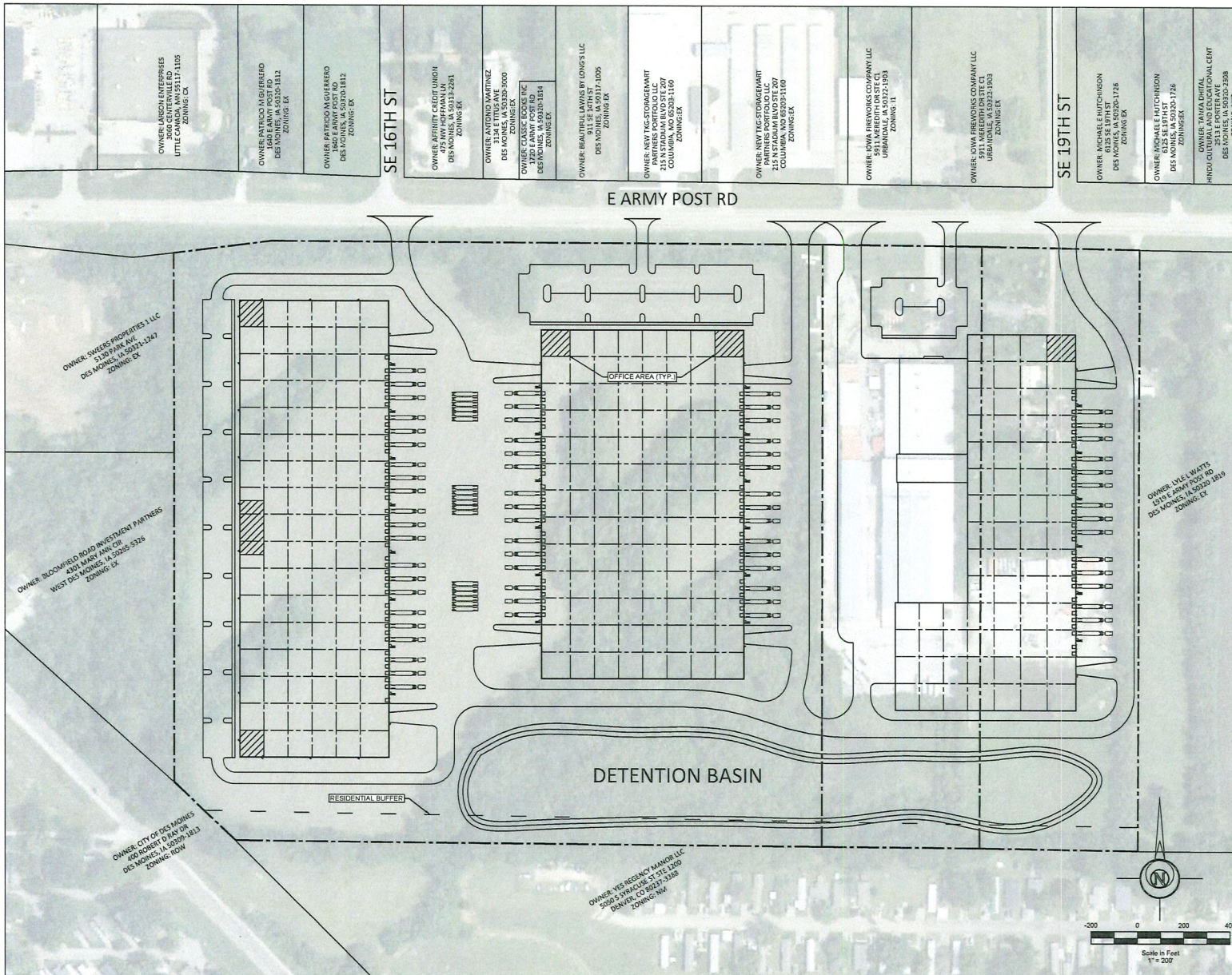


Updated on: 5/13/2022



City of Des Moines, Information Technology

1 inch = 298 feet



SITE ADDRESS
 1717, 1825, & 1895 NE 14TH ST
 DES MOINES, IA 50320

SITE USE
 EXISTING - AGRICULTURE, RETAIL, WAREHOUSE
 PROPOSED - WAREHOUSING WITH OFFICE SPACE

ZONING
 EXISTING - EX
 PROPOSED - I1

BUILDING USES
 EXISTING RETAIL - 28,000 SF ±
 EXISTING WAREHOUSE - 44,760 SF±
 PROPOSED OFFICE - 20,600 SF ±
 PROPOSED MANUFACTURING WAREHOUSE - 783,140 SF ±

P
 ELDS DESIGN SERVICES

Architecture | Engineering | Surveying
 2223 Dean Street, Des Moines, Iowa 50316 | PO Box 4626, Des Moines, Iowa 50305 | Ph: 515.265.8196

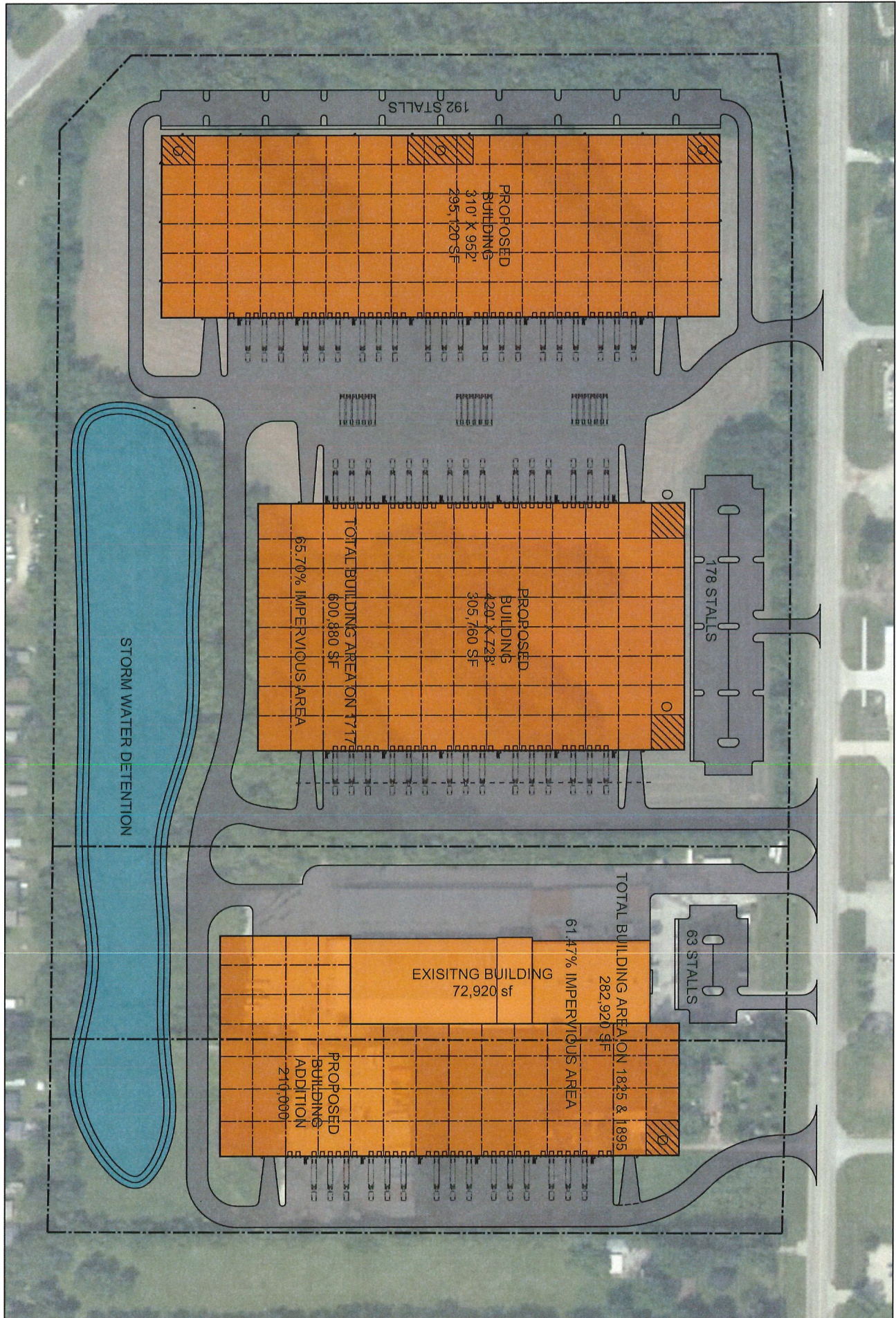
EXODUS DIRECT WAREHOUSE
 1717, 1825, & 1895 E ARMY POST RD
 DES MOINES, IOWA

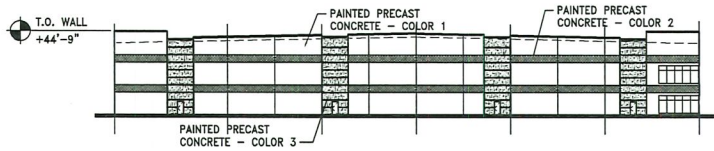
PRELIMINARY

Scale in Feet
 1" = 200'

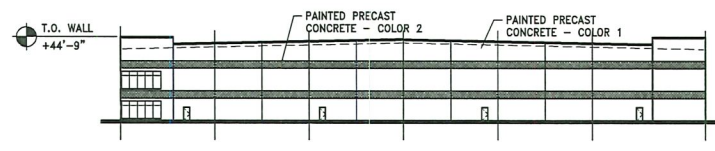
04-27-2022

LARGE-SCALE DEVELOPMENT PLAN

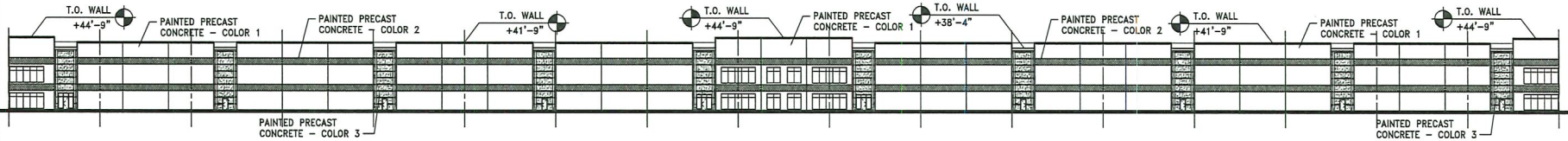




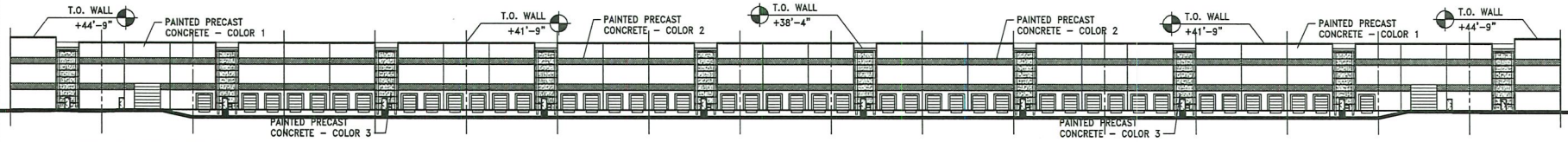
REAR LOADED BUILDING - NORTH ELEVATION
N.T.S.



REAR LOADED BUILDING - SOUTH ELEVATION
N.T.S.



REAR LOADED BUILDING - WEST ELEVATION
N.T.S.



REAR LOADED BUILDING - EAST ELEVATION
N.T.S.

From: [Bogenreif, Corey D.](#)
To: [Bianchetta, Stephen M.](#); [Daniel Willrich](#)
Cc: [Jeret Koenig](#); [Charles Margiotta](#); [Edmunds Pelds](#); [Tim Bratvold](#); [Gregg Schmidt](#)
Subject: Re: Exodus traffic study
Date: Thursday, May 26, 2022 3:50:15 PM
Attachments: [image001.jpg](#)

Daniel,

Thank you for getting back to us. For the public infrastructure we can ask that the language is modified to better explain that the need for improvements are based on background traffic.

As for the access points we think that 3 accesses are reasonable for this development. The site can be designed in a way to accommodate this. It really is a matter of traffic safety. We have had two independent studies recommend this access spacing. There are countless studies that come to the same conclusion that the more access points on a corridor, the more dangerous it tends to be. Each additional access point is one more opportunity for a crash and with the speeds of this corridor, serious injuries. trying to make E Army Post Rd as safe as possible is not only a benefit to the general public but also this development as employees, deliveries, and visitors will be daily users of this corridor. Based on the speed and context of E Army Post Rd this access spacing is appropriate.

Thank you.

Corey Bogenreif

From: Bianchetta, Stephen M. <SMBianchetta@dmgov.org>
Sent: Thursday, May 26, 2022 2:42:51 PM
To: Daniel Willrich <daniel@pelds.com>
Cc: Jeret Koenig <jeretk@exodusdirect.com>; Charles Margiotta <charles.margiotta@inlightre.com>; Edmunds Pelds <ed@pelds.com>; Tim Bratvold <tbratvold@estesconstruction.com>; Gregg Schmidt <Gregg@estesconstruction.com>; Bogenreif, Corey D. <CDBogenreif@dmgov.org>
Subject: RE: Exodus traffic study

**Adding Corey Bogenreif to this discussion.*

STEPHEN BIANCHETTA | CITY OF DES MOINES
Transportation Engineer | Traffic & Transportation
(515) 208-4027
DSM.city | 400 Robert D. Ray Drive | Des Moines, Iowa 50309

From: Daniel Willrich <daniel@pelds.com>
Sent: Thursday, May 26, 2022 2:39 PM
To: Bianchetta, Stephen M. <SMBianchetta@dmgov.org>
Cc: Jeret Koenig <jeretk@exodusdirect.com>; Charles Margiotta <charles.margiotta@inlightre.com>; Edmunds Pelds <ed@pelds.com>; Tim Bratvold <tbratvold@estesconstruction.com>; Gregg Schmidt <Gregg@estesconstruction.com>
Subject: Exodus traffic study

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Steven:

Thank you for the opportunity to review the traffic study. Several on our team have looked at it and have a few comments / concerns.

1. Number of access point to Army Post Road. With three buildings and a retail tenant, and the mix of semis and automobiles, the development team feels strongly that three access points is not enough. It would be our preference to keep the six access points shown, even if some are right in/right out..
2. Public infrastructure. The traffic study indicates that road improvements will be required, but these improvements would eb necessary regardless of our project. We have emails suggesting that we will not be required to include any public improvements as a part of our project. The team would like something specific in writing outlining the city's position for public improvements along Army Post Road as it related to our project.

Team: Feel free to add anything I forgot.

DANIEL WILLRICH, AIA
Director of Architecture, Business Development



PELDS DESIGN SERVICES

Architecture | Engineering | Surveying

2323 Dixon Street | Des Moines, IA | 50316

O: 515 | 265 | 8196 P: 515 | 777 | 2548

Proudly serving our clients and community for over 50 years.

Chakraborty, Sreyoshi

From: Bogenreif, Corey D.
Sent: Friday, May 27, 2022 8:27 AM
To: Chakraborty, Sreyoshi; Tarpey, Nicholas O.
Subject: RE: Traffic Study - 1717 E Army Post
Attachments: Re: Exodus traffic study

I think it is okay to include this on the staff report. The developer asked for additional access points but we will not have the traffic study changed as it's a matter a safety. Attached is our email correspondence for reference. If you need additional sources for access spacing I can provide that as well.

Let me know if you need anything else.

Thanks,

COREY BOGENREIF, P.E. | CITY OF DES MOINES
Principal Traffic Engineer | Traffic & Transportation Division
Engineering Department
(515) 283-4014 | m: (515) 208-4014
DSM.city | 400 Robert D. Ray Drive | Des Moines, Iowa 50309

From: Chakraborty, Sreyoshi <SChakraborty@dmgov.org>
Sent: Friday, May 27, 2022 6:05 AM
To: Bogenreif, Corey D. <CDBogenreif@dmgov.org>; Tarpey, Nicholas O. <NOTarpey@dmgov.org>
Subject: RE: Traffic Study - 1717 E Army Post

Corey,

I am assuming no big changes to the TIS after further review? Is it safe to include the traffic access recommendations below to the P&Z staff report? Thanks,

Sreyoshi

From: Bogenreif, Corey D. <CDBogenreif@dmgov.org>
Sent: Monday, May 23, 2022 3:04 PM
To: Tarpey, Nicholas O. <NOTarpey@dmgov.org>; Chakraborty, Sreyoshi <SChakraborty@dmgov.org>
Subject: RE: Traffic Study - 1717 E Army Post

Sreyoshi/Nick,

I didn't see any issues with the recommendations within the study. The recommendations that most impact the site plan include:

- 2 full access points are recommended to be aligned with SE 16th Ct and SE 19th St
- 1 right-in right-out access near the existing access to the commercial build. Note that the right-in right-out access may not be enforceable today with the current rural street cross-section. When the City has a project to improve this stretch of E Army Post, a center two-way left turn lane would be constructed with medians where possible. So a median would be built to restrict this access at some point in the future. I think this is important for the developer to know this upfront.

- The site plan had 6 proposed access points. The site plan will need to be revised to match these recommendation.
- Recommendation of sidewalk to be built.

Let us know if you have any questions. Thanks,

COREY BOGENREIF, P.E. | CITY OF DES MOINES

Principal Traffic Engineer | Traffic & Transportation Division
Engineering Department
(515) 283-4014 | m: (515) 208-4014
DSM.city | 400 Robert D. Ray Drive | Des Moines, Iowa 50309

From: Tarpey, Nicholas O. <NOTarpey@dmgov.org>
Sent: Monday, May 23, 2022 2:07 PM
To: Chakraborty, Sreyoshi <SChakraborty@dmgov.org>
Cc: Bogenreif, Corey D. <CDBogenreif@dmgov.org>
Subject: FW: Traffic Study - 1717 E Army Post

Sreyoshi –

Here is the draft study I was referencing.

Corey – I am looping in Sreyoshi since she has really been the primary contact for this one post Pre-App, and will be writing the staff report for P&Z.

NICK TARPEY | CITY OF DES MOINES

Assistant Planner | Development Services
NOTarpey@dmgov.org
Desk: (515) 283-4585 | Mobile: (515) 238-1085
DSM.city | 602 Robert D. Ray Drive | Des Moines, Iowa 50309

From: Bogenreif, Corey D. <CDBogenreif@dmgov.org>
Sent: Monday, May 23, 2022 11:15 AM
To: Poole, Chandler M. <CMPoole@dmgov.org>; Davis, John A. <JADavis@dmgov.org>; Ludwig, Michael G. <MGLudwig@dmgov.org>; Tarpey, Nicholas O. <NOTarpey@dmgov.org>; Olson-Douglas, Erin <EODouglas@dmgov.org>
Subject: RE: Traffic Study - 1717 E Army Post

The study is in draft form. We received the document end of the day of Friday and sent it to the developer team this morning for their review and comments. We have done a cursory review and will complete a more thorough review by end of the day tomorrow.

Study is attached.

Thanks,

COREY BOGENREIF, P.E. | CITY OF DES MOINES

Principal Traffic Engineer | Traffic & Transportation Division
Engineering Department
(515) 283-4014 | m: (515) 208-4014
DSM.city | 400 Robert D. Ray Drive | Des Moines, Iowa 50309

From: Poole, Chandler M. <CMPoole@dmgov.org>
Sent: Monday, May 23, 2022 11:12 AM
To: Davis, John A. <JADavis@dmgov.org>; Bogenreif, Corey D. <CDBogenreif@dmgov.org>; Ludwig, Michael G. <MGLudwig@dmgov.org>; Tarpey, Nicholas O. <NOTarpey@dmgov.org>; Olson-Douglas, Erin <EODouglas@dmgov.org>
Subject: Traffic Study - 1717 E Army Post

All,

Daniel Willrich from Pelds contacted me and said the traffic study is done and they would like to schedule a Team Mtg to discuss the results to make sure there are no hiccups in understanding the study. Have you guys had a chance to review it? Can I get a copy of it?

A Teams meeting invite will be sent later today.

Chandler M Poole | CITY OF DES MOINES
Economic Development Coordinator | Economic Development Division
Development Services Department
CMPoole@dmgov.org
(515) 283-4018 | m: (515) 318-9840
DSM.city | 602 Robert D. Ray Drive | Des Moines, Iowa 50309

Want to learn more about development in Des Moines? We'll now be sharing monthly updates. Sign up at DSM.city/DevUpdate

From: [Brandon Short](#)
To: [Neighborhood Meeting](#)
Cc: [Edmunds Pelds](#); [Daniel Willrich](#)
Subject: Neighbor Meeting Summary for 1717, 1825 & 1895 E Army Post Rd
Date: Monday, May 23, 2022 2:24:30 PM
Attachments: [Rezoning - Neighbor Letter.docx](#)
[Address List.xls](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom it May Concern:

I am writing to summarize the neighborhood meeting efforts for the proposed rezoning of 1717, 1825 & 1895 E Army Post Rd.

The attached letter was sent by mail on May 6, 2022, to the neighbors on the list provided by the City of Des Moines. The address list is attached as well. In the letter, contact information was provided for Daniel Willrich of Pelds Design Services so that recipients would be able to contact him via email or phone should they be unable to attend the meeting.

The letters sent to the following addresses were returned with the reasons listed:

7085 Bloomfield Rd Lot 264, Des Moines, IA – Forward Time Exp

911 SE 14th St, Des Moines, IA – No Such Number, Unable to Forward

3060 Centerville Rd, Little Cannada, MN – Attempted – Not Known, Unable to Forward

The meeting was scheduled for and held on May 17, 2022 at 6:00 pm via Zoom. It was attended by representatives of the developer (Daniel Willrich, Ed Pelds, and Charles Margiotta), but no neighbors attended. The developer representatives remained on the meeting for 15 minutes past the start of the meeting, but still no neighbors joined.

One phone call was received prior to the meeting by Daniel Willrich, whose contact information was provided in the notification letter. The phone call was from Randy Sackett, owner of 1536 Army Post Sackett LLC at 1550 E Army Post Road. In the phone call, Randy asked what the plan was for the development. Daniel explained the proposal, and Randy replied that he was ok with it.

No concerns have been voiced by any neighbors, so no changes are proposed to the design.

Thanks!

BRANDON SHORT, E.I.T.

Engineer In Training



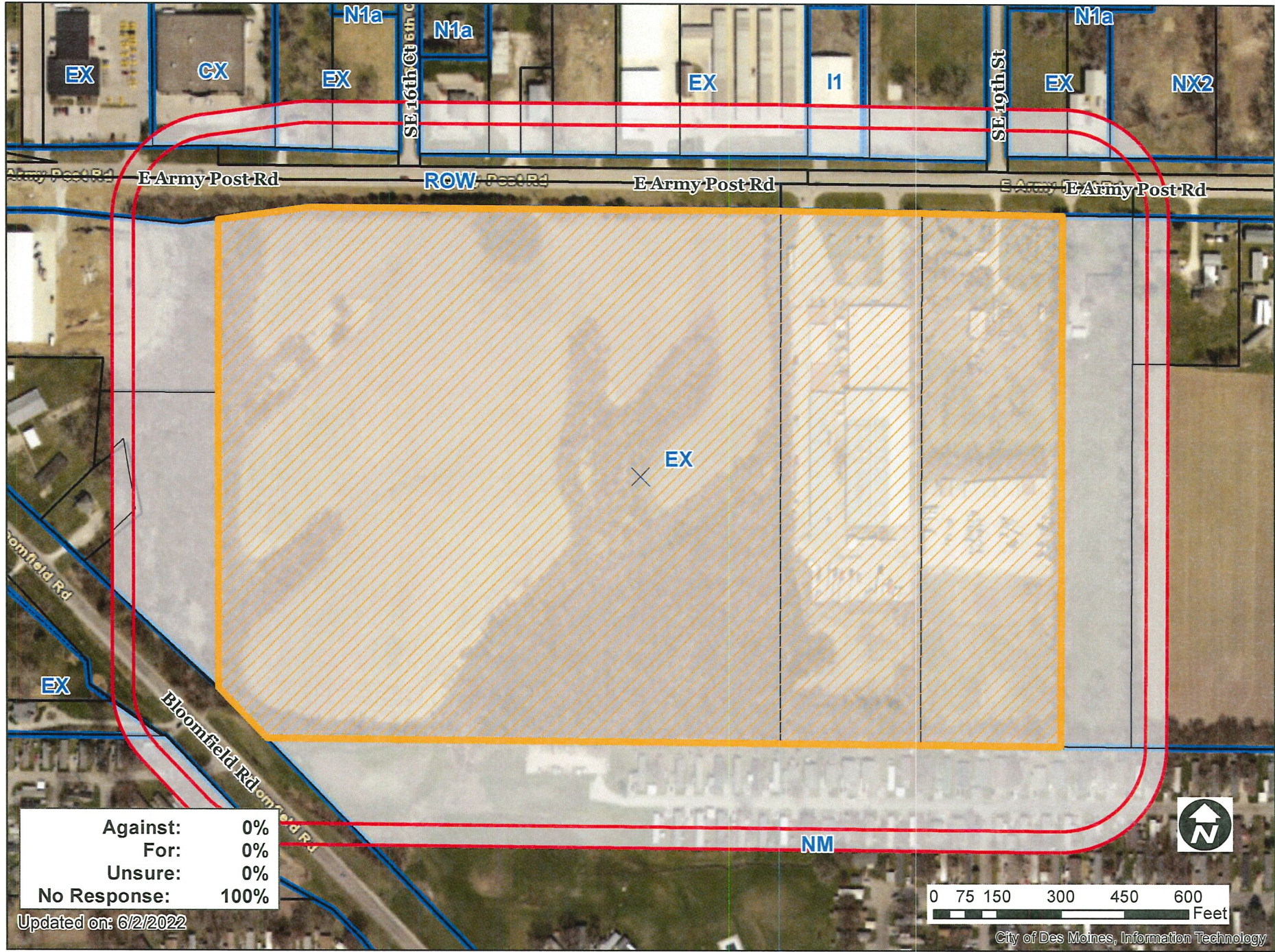
PELDS DESIGN SERVICES

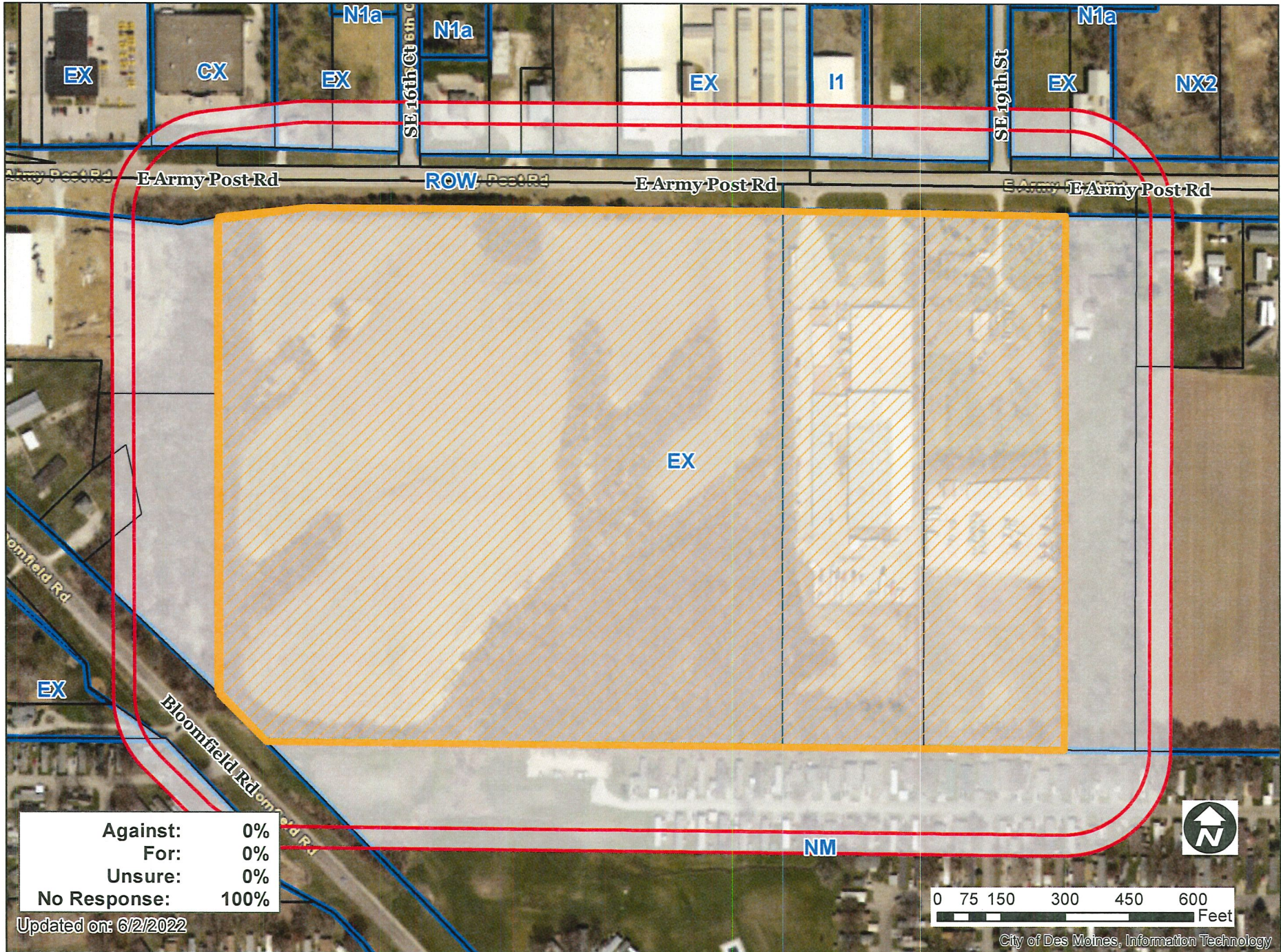
Architecture | Engineering | Surveying

2323 Dixon Street | Des Moines, IA | 50316

O: 515 | 265 | 8196 P: 515 | 528 | 8041

Proudly serving our clients and community for over 50 years.





g. Access Spacing

Per City of Des Moines, the East Army Post Road Corridor Study will be recommending ¼ mile access spacing along the corridor. The proposed access points at SE 16th Ct and SE 19th St conform with the City recommended ¼ mile spacing. To help serve the traffic circulation of the proposed site and to accommodate the existing business that is planned to remain, a third access point could be constructed as a Right-In/Right-Out (RI/RO) access.

Providing appropriate spacing between access points increases the safety of motorists approaching an access point by allowing enough time to notice and react to vehicle entering the roadway. The recommended spacing limits are a combination of both motorist reaction time and needed stopping distance and are outlined by the Iowa Statewide Urban Design and Specifications manual (SUDAS)². For anticipated motorist travel speeds along East Army Post Road, approximately 350 ft of spacing between the RI/RO access point and the next full access point is recommended.

To enforce the RI/RO function, a raised median should be considered for East Army Post Road at the access point location. Coordination would be needed for the existing access points on the north side of East Army Post Road, and elimination or relocations of access points would likely be needed when the overall corridor is improved.

This configuration reduces the number of conflict points traveling vehicles may face and reduces the opportunity for collisions. The preceding capacity analysis included this RI/RO configuration.

h. On-Street Parking Impacts

Per *MoveDSM*, on-street parking is not allowed along Regional Mixed Use roads and should not be allowed along a redesigned East Army Post Road. Adequate on-site parking is planned for the proposed site land uses.

5. CONCLUSIONS & RECOMMENDATIONS

The construction of the proposed manufacturing facility at 1717, 1825, & 1895 East Army Post Road is projected to have minimal impact on the function of existing intersections along East Army Post Road for both 2023 and 2040 traffic volumes and road conditions.

During the 2023 peak periods (AM & PM) and the 2040 AM peak period, existing intersections will function within acceptable LOS levels. During the 2040 PM peak period the intersection of US 69/SE 14th Street & East Army Post Road is projected to have two unacceptable LOS movements, but similar unacceptable LOS levels were seen at this intersection during the 2040 PM peak period under a No Build condition as well. Additional through travel lanes are proposed for the US 69/SE 14th St & East Army Post Road intersection for 2040, but the existence of unacceptable LOS levels in both Build and No Build conditions suggest the need for additional measures is driven by background traffic volume growth as the surrounding area develops rather than as a response to this specific development.

² Iowa Statewide Urban Design and Specifications Manual (SUDAS), Revised 2018 Edition. Section 5L – 3: Access Location, Spacing, Turn Lanes, and Medians. *Table 5L-3.04: Minimum Access Spacing to Prevent Right Turn Overlap.*



CITY OF DES MOINES
Neighborhood Services Department

Armory Building · 602 Robert D. Ray Drive · Des Moines, IA 50309-1881
515-283-4046 DZ@dmgov.org

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NOTICE OF VIOLATION – CHAPTER 135 and OTHER CITY CODES

Date of Notice: 2-2-2022
Code Case Number: ZONE-2022-000033
Address of Property: 1825 E. ARMY POST ROAD
Parcel Number: 7824-35-201-007

Date of Inspection: 1-24-2022
1-31-2022

EXODUS GROUP INVESTMENTS LLC.
DAVE HOVE, RESISTERED AGENT
4200 UNIVERSITY AVE SUITE #410
WEST DES MOINES, IA 50266

Upon inspection of the property located at and locally known as **1825 E. Army Post Rd., Des Moines, Iowa** (“Property”), there was/were found to be violation(s) of the Municipal Code of the City of Des Moines, Iowa. We are notifying you that you have the **time set out in this notice (below under “What to do”)** to abate the following violation(s) and complete the required remedial action.

VIOLATION(S)

CITY CODE SECTION:

Section 135-9.3.7.E, Site Plan Compliance, of the Municipal Code of the City of Des Moines.

SPECIFIC VIOLATION(S)

Upon inspection there was found that the site was not in compliance with the approved site plan **10-16-7.100** (Including but not limited to: vehicle display/rental of trucks, vehicles and or equipment and materials parked/stored on unapproved areas, a dumpster stored outdoors without an approved enclosure, missing parking lot striping, missing required parking spaces, missing required fenced areas.) Furthermore, the addition of use to Vehicle Rental is not in compliance with the current requirements under the Planning and Design Ordinance, Chapter 135.

WHAT TO DO:

Within 30 days of the date of this notice:

Remove the Vehicle Rental Use and meet all site plan requirements for this property. Make all required changes on site to bring property into compliance. Obtain any necessary permits and inspections.

Or:

Amend the site plan to allow the revision of parking and accessory outdoor storage area locations and the change of use per 134-7.2.2 to a vehicle rental use in accordance with 135-8.2.3. You can start this process administratively by emailing siteplan@dmgov.org for a pre-application meeting.

CITY CODE SECTION:

Section 135-2.22.3.1, Temporary Storage Container, of the Municipal Code of the City of Des Moines.

SPECIFIC VIOLATION(S)

Upon inspection there was found to be temporary storage containers located on the lot for more than 10 consecutive days. These containers are not considered permanent structures under the Planning and Design Ordinance Chapter 135 and are limited to a 10 day duration on a given property.

WHAT TO DO:

Within 30 days of the date of this notice:

Permanently cease using the temporary storage containers and remove them from the property.

CITY CODE SECTION:

Section 135-2.22.2, Accessory Buildings, of the Municipal Code of the City of Des Moines.

SPECIFIC VIOLATION(S)

Upon inspection there was found to be temporary storage containers, considered to be component parts of trailers, being used as accessory buildings and not in conjunction with a valid building permit to convert them to buildings as defined in Sec. 135-12.3.

WHAT TO DO:

Within 30 days of the date of this notice:

Permanently cease using the temporary storage containers as accessory buildings, and permanently remove the temporary storage containers from the property and right of way.

CITY CODE SECTION:

Section 135-7.10, Screening of Necessary Appurtenances, of the Municipal Code of the City of Des Moines.

SPECIFIC VIOLATION(S):

Upon inspection there was found to be a failure to properly enclose the dumpster(s) and refuse collection container(s) within a required enclosure.

WHAT TO DO:

Within 30 days of the date of this notice:

Remove the dumpster(s) and refuse collection container(s) from the property and right of way.

Or:

Place the dumpster(s) and refuse collection container(s) inside a completely enclosed building.

Or:

Obtain a building permit for the construction of a dumpster enclosure(s), meet all enclosure and setback requirements, and obtain all required inspections. A building permit can be obtained from the Customer Self Service Portal at [CSS \(dmgov.org\)](https://dmgov.org) or the Permit & Development Center at 602 Robert D Ray Dr.

When you have completed what is needed to bring the property into compliance you need to contact the inspector listed at the end of this letter. If the inspector determines that you have corrected the violations, in compliance with city codes, no further action will be taken in this case.

If you fail complete what is needed to bring the property into compliance within the timeframe(s) stated above, the City may take legal action to obtain a court order directing that the violation(s) be abated and no violations of the same type be allowed in the future. A civil suit may be filed in Polk County District Court, pursuant to Sections 1-15 and 135-11.2 of the Municipal Code of the City of Des Moines, Iowa. The City will also ask that the Court order all costs of the court action, fines, and any other costs incurred by the City to correct the violation to be entered against the Property and against you as a personal judgment.

NOTE: Municipal infractions are punishable of a civil penalty of up to \$750.00 per violation or if the infraction is a repeat offense, by a civil penalty of not more than \$1,000.00 for each repeat offense. In addition, each day that a violation exists or continues may be considered a separate municipal infraction.

Please contact me at the number listed below if you have questions regarding this Notice.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Tiernan', with a stylized flourish at the end.

Jimmy Tiernan
Development Zoning Inspector
Jbtiernan@dmgov.org
Office: (515) 283-4513

DATE MAILED: 2-2-2022 BY: JBT









Exodus Group Investments, LLC 1825 East Army Post Road

ZONG-2022-000045



Updated on: 5/13/2022

1 inch = 298 feet