

**Docket Number:** #20/8741

**Applicant:** InRoads, LLC, represented by Joe Manatt, President and Bill Rosener, Vice President, 4224 Hubbell Avenue, Suite 1, Des Moines, IA 50317 (prospective buyer)

**Request:** Conditional Use Permits to establish an Asphalt Batch Plant and a Disposal Use, specifically an Asphalt and Concrete Pavement Recycling use at the subject property, 4756 NE 20<sup>th</sup> Lane, Des Moines, Iowa 50313.

**Background:**

The Applicant, InRoads, LLC, is requesting two Conditional Use Permits. If approved, the Conditional Use Permits would allow the Applicant to establish a permanent Asphalt Batch Plant and a Disposal Use, specifically an Asphalt and Concrete Pavement Recycling use at the subject property. The proposed conceptual plan and narrative submitted by the Applicant is attached as *Attachment 'A'*. The Applicant is also requesting four (4) Variances that are specifically requested due to the uses proposed through this Conditional Use Permit application. The Variances are related to timing of on-site improvements, parking lot surface and curbs, parking lot landscaping and the maximum height standard in the "HI" Heavy Industrial District zone.

The development of the site is proposed to be in two (2) phases. The first phase will include the Asphalt Batch Plant, two (2) hard surface entrances, reclaimed asphalt drives and parking areas, establishment of aggregate and asphalt stockpiles, landscaping adjacent to Interstate 80/35, a Temporary Asphalt Batch Plant area and stormwater improvements. The second phase, which the applicant has identified will occur when their current lease expires, in approximately three (3) years, at their existing location, 4224 Hubbell Avenue, Des Moines, and when the first phase is operational and economically viable, will include additional site improvements and an office and shop. The second phase improvements are proposed on the southern portion of the property. The initial phase will include four (4) to seven (7) employees, which will depend upon the amount of material needed that day. It is anticipated that the second phase will include an additional 40 employees.

The subject property is located at 4756 NE 20<sup>th</sup> Lane, Des Moines, and totals approximately 17.32 acres. The property was recently approved through a subdivision process as Lot 1 in D & M Development Plat 1, within Section 13 of Saylor Township. The Applicants are requesting the Conditional Use Permits as prospective buyers with permission from the property owner, D & M Partners, LLC. The site is provided access from two public streets, NE 20<sup>th</sup> Lane and NE 21<sup>st</sup> Court. NE 20<sup>th</sup> Lane connects to NE 46<sup>th</sup> (Broadway) Avenue to the south and NE 22<sup>nd</sup> Street to the east. The site also has significant frontage onto Interstate 80/35 along the northern property line. The first phase of the proposed development will access an existing private drive extension of NE 21<sup>st</sup> Court.

**Site Operation:**

As previously stated, the site will be fully developed in two (2) phases with the second phase developed in at least three (3) years. Initially, development of the Asphalt Batch Plant and the Asphalt and Concrete Recycling Use, will include the following as described within the submittal:

1. *Asphalt paving mix will be mixed and trucked from the property to job sites throughout the Des Moines area.*
2. *Fatigued concrete and asphalt pavements will be hauled from projects into the facility and stockpiled to be recycled into re-usable construction products.*
3. *Recycled concrete will be hauled from the site to be used on construction projects throughout the metro. The recycled asphalt, (RAP) that is produced on site is re-used as a component in the new asphalt product produced.*
4. *Sand, aggregate and asphalt cement will be hauled onto the site from local suppliers to be used in the asphalt mixture.*

The initial phase will include five (5) stockpiled areas, not to exceed 45 feet in height, which is the maximum height allowed within the “HI” Heavy Industrial District zone. The five (5) stockpiles are the following:

1. Aggregate Stockpiles;
2. Processed Asphalt Recycle Material;
3. Raw Asphalt Recycle Material;
4. Raw Concrete Recycle Material; and,
5. Processed Concrete Recycle Material.

The raw asphalt and raw concrete is recycled two (2) to three (3) times per year and may take two (2) to three (3) weeks to process. The equipment that is utilized to process the raw materials is not permanently located on-site, rather it travels to individual facilities to process the materials.

Although the active asphalt season is from April 1<sup>st</sup> to November 15<sup>th</sup> and the typical concrete paving season is from March to December, the site is expected to be operational for the entire year. The typical hours of operation will be from 6:00 am to 6:00 pm, however there will be occasional jobs throughout the construction season, typically municipal and Iowa Department of Transportation contracts, that will require paving operations to be scheduled outside of the normal hours of operation. In these instances, the site will operate 24 hours a day for a period of two (2) to three (3) days at a time.

A plant operations office, which will include an office and restroom for on-site employees, will be constructed within the first phase of site development.

An area of the site has been designated on the Conditional Use Permit Site Plan for a Temporary Asphalt Batch Plant. The submitted Conditional Use Permit narrative states that the Temporary Asphalt Batch Plant will only be utilized when the permanent plant is not in operation and being repaired.

### **Future Process**

If approved, the Conditional Use Permits for the Asphalt Batch Plant and an Asphalt and Concrete Recycling Use will be dependent upon each other. If one use expands or ceases, the property owner will need to apply for a modification to the existing Conditional Use Permit. Further, if a new business owner, other than InRoads, LLC, wishes to continue this use, they will be required

to obtain a new Conditional Use Permit.

In order to operate these uses at this site, the Applicants will need to apply for a Major Site Plan and construction documents for the needed utility extensions, construction of the utilities, followed by the needed Building Permits and improvement of the property.

### **Public Testimony**

Staff created a combined public notice which included the two (2) Conditional Use Permits and the four (4) requested Variances. The notice was mailed to 14 property owners within 500 feet of the subject property. To-date staff has not received testimony in favor of, or in opposition to, this proposal.

The Applicants hosted a neighborhood meeting prior to submittal of the Conditional Use Permit and Variance Appeals to Polk County. The meeting was held on Tuesday, January 14, 2020 and notice was sent to an area that exceeds the minimum required public notification for this Conditional Use Permit, which is 500 feet. The neighborhood meeting notice has been attached to this staff report as *Attachment 'B'*. The Applicants' representative verbally stated that two interested neighbors attended the meeting and were given an overview of the site development proposal.

### **Natural Resources / Environmental**

The property is located within Zone X, Area of Minimal Flood Hazard, on the current adopted FEMA Flood Insurance Rate Map (FIRM) for Polk County. The site topography includes a few low berms and generally is at an elevation in the upper 930's to low 940's in the north, falling to approximately 919 to the south of the lot. No significant natural features or resources were identified through the recent platting process.

### **Roads / Utilities**

The property has accessible frontage onto NE 20<sup>th</sup> Lane and NE 21<sup>st</sup> Court. The first phase of this development has proposed two (2) entrances onto the paved private drive extension of NE 21<sup>st</sup> Court. The future entrance for the future phase will access the public street, NE 21<sup>st</sup> Court, directly. Prior to approval of a future Major Site Plan, the property owner will need to extend public water and sanitary sewer to the northern extent of the private street extension. An eight (8) inch Des Moines Water Works water main and an eight (8) inch Polk County sanitary sewer are available in NE 20<sup>th</sup> Lane. Prior to approval of a Major Site Plan, the public utilities will be required to be extended northward in NE 21<sup>st</sup> Court and the private drive to serve the proposed development and future development to the north and east of this site.

### **Analysis**

The Board of Adjustment in reviewing an application for a Conditional Use permit shall consider the proposal in terms of:

#### **1. Existing zoning and land use in the vicinity of the uses.**

The subject property and surrounding area are zoned "HI" Heavy Industrial District. Uses within this area include warehousing, chemical storage and distribution, truck repair/salvage, heavy construction contractors, construction equipment sales and leasing,

refuse/recycling haler and a concrete form manufacturer. Further, a similar permitted asphalt batch plant is located north of Interstate 80/35. The proposed uses, a permanent Asphalt Batch Plant and an Asphalt and Concrete Recycling use are consistent with the type of uses within this area and within the “HI” Heavy Industrial District zone.

**2. Planned and proposed public and private development, which may be adversely affected by the proposed use.**

There are no major public or private developments planned in the area. Further, this development will require a northern extension of existing public infrastructure, water and sanitary sewer mains, which will provide for additional public utility connections to the north, thus supporting future development.

**3. Whether and to what extent the proposed use, at the particular location for which it is suggested, is necessary or desirable to provide a development which is in the interest of the public convenience or which will contribute to the general welfare of the area or Polk County.**

A permanent Asphalt Batch Plant and an Asphalt and Concrete Pavement Recycling use provide the needed materials for road improvement projects to the Des Moines metro area. An additional provider will provide additional contract options for roadway projects. Further, the ability to recycle removed asphalt and concrete materials into new pavement and other construction needs is beneficial to keep this material from being deposited into a landfill.

**4. Whether and to what extent all steps possible have been taken by the developer to minimize any adverse effects of the proposed use on the immediate vicinity and on the public health, safety and welfare in general.**

The Major Site Plan for the first phase of development will require compliance with Polk County development standards including required landscape buffers, stormwater detention, lighting regulations and other site improvements. This location, adjacent to Interstate 80/35, mitigates noise concerns. The submitted application narrative also identifies the absence of odor through the processing of the products on-site. Further, dust from the concrete crushing process is eliminated with water that is fan-sprayed onto the concrete as it is being processed. Due to the topography of the site and the type of uses that are planned to occur on-site, the visual impact is not able to be eliminated, however it is consistent with this portion of the Interstate corridor. The Applicant is proposing a light bufferyard along the Interstate frontage to be installed in the first phase of the development.

### **Findings**

The application shall be denied if the Board of Adjustment finds any of the following:

**a. The application and record fail to establish compliance with the standard made applicable to the proposed development by the provision of this Ordinance.**

A Permanent Asphalt Batch Plant and a Disposal Use, specifically an Asphalt and Concrete Recycling use, are permitted within the “HI” Heavy Industrial District upon the granting

of Conditional Use Permits by the Polk County Board of Adjustment. Due to the interdependence of the two (2) uses, staff has prepared a condition of approval that requires an updated Conditional Use Permit if either of the uses cease and a new Conditional Use Permit if the business ownership changes from InRoads, LLC.

- b. The proposed use, developed in the proposed manner, and at the proposed location, would be inconsistent with the standards pursuant to the provisions of this Ordinance.**

If the Conditional Use Permits and associated Variance Appeals are approved, the Applicant will be required to submit and receive approval of a Major Site Plan, which will mandate compliance with the provisions of the Polk County Zoning Ordinance. Other than the requested Variance Appeals, staff has not found additional inconsistencies. The proposed conditions of approval provide clarifications to the expectations of the proposed uses.

- c. The adverse impacts on the overall public health, safety and welfare are not balanced by the public or private benefits of the proposal. The Board of Adjustment shall include in this balance, any proposals of the applicant and any conditions that it might impose on the development, pursuant to the provisions of this Ordinance, to ameliorate problems associated with the development.**

See recommended conditions of approval at the end of this report.

**In addition, no application for a Conditional Use Permit shall be approved unless the Board of Adjustment specifically finds the proposed conditional use appropriate in the location for which it is proposed. This finding shall be based on the following criteria:**

- A. The proposed use is not in harmony with the general purpose, goals, objectives, and standards of the following:**
- 1. Polk County Comprehensive Plan:** The proposal is consistent with the goals and policies of the 2030 Polk County Comprehensive Plan.
  - 2. Polk County Zoning Ordinance:** The Ordinance allows the proposed uses, pending approval of the Conditional Use Permits.
  - 3. Other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the County:** None.
- B. The proposed location of the use is not consistent with policies or provisions of the following:**
- 1. Comprehensive Plan:** The proposed uses are consistent with the goals and policies of the 2030 Polk County Comprehensive Plan.
  - 2. Polk County Zoning Ordinance:** The uses are permitted in the zoning district subject to approval of the requested Conditional Use Permits, extension of public infrastructure and a Major Site Plan.

3. **Other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the County:** None.
- C. **The proposed use at the proposed location results in a substantial or undue adverse effect on any of the following either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of the Comprehensive Plan, this Ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the County or other governmental agency having jurisdiction to guide growth and development:**
1. **Adjacent property:** Adjacent properties, and properties within this general area, are developed with allowed “HI” Heavy Industrial District uses. No residential uses exist within this area.
  2. **Character of the neighborhood:** There will be no undue adverse effects. Surrounding properties are developed with “HI” Heavy Industrial District uses. Notification to all property owners within 500 feet of the subject property and a previous Neighborhood Meeting have not provided testimony. The required extension of public water and sanitary sewer will bring utilities closer to a vacant property, directly east of the subject site.
  3. **Traffic conditions:** The public streets utilized to access the site include NE 46<sup>th</sup> (Broadway) Avenue, NE 22<sup>nd</sup> Street, NE 21<sup>st</sup> Court and NE 20<sup>th</sup> Lane. The surrounding street network has been constructed assuming usage by heavy industrial vehicles and equipment. The multiple street network surrounding the site disperse the truck traffic so that it is not concentrated at one intersection. Alternative routes are also available during peak traffic times.
  4. **Parking:** The concept plan provides adequate parking, however staff is recommending a condition of approval that requires compliance with the Americans with Disabilities Act.
  5. **Public improvements:** The Applicant will need to extend public water and sanitary sewer to serve the proposed development and to provide service for future development to the north. The additional public improvement has been added as a condition of approval and will need to be constructed prior to Major Site Plan approval.
  6. **Public sites or rights-of-way:** The surrounding street network is adequate for the proposed use.
  7. **Other matters affecting the public health, safety, and general welfare:** None.
- D. **The proposed use in the proposed area is not adequately served by or imposes an undue burden on any of the following.**

1. **Public improvements:** Adequate for proposed use.
2. **Public facilities:** Adequate for proposed use.
3. **Public utilities:** Adequate for proposed use, with required utility extensions.
4. **Public services:** Adequate for proposed use.

**Disposal Use:**

The asphalt and concrete recycling use is allowed as a Disposal Use, subject to approval of a Conditional Use Permit, within the “HI” Heavy Industrial District zone. Disposal Uses typically include waste management facilities such as landfills, trash transfer sites and junkyards. The concrete recycling use, although technically a Disposal Use due to the stockpiles of asphalt and concrete waste from roadway project sites, does not share the same environmental issues of other listed Disposal Uses.

The stockpiled asphalt and concrete will be deposited on grade, which will be prepared with fly ash to stabilize the surface and to provide a barrier between the product and the grade until it is recycled two (2) to three (3) times per year.

The Polk County Zoning Ordinance, *Article 4. Use Regulations, Division 4. Use Categories and Standards, Section 6. Other Uses, Subsection (F)*, includes criteria specifically for Disposal Uses. The following includes the criteria and the proposal response:

*Plans Required:*

*Plan of General Area* – The D & M Development Plat 1 Preliminary Plat (*Attachment ‘C’*) provided detailed information regarding the subject property during the subdivision process. Due to the type of disposal use, groundwater movements, climate, precipitation and wind data do not apply. This requirement is satisfied with the provided Conditional Use Permit Site Plan. A future Major Site Plan will also confirm compliance with this standard.

*Site and Geological Data* – The submitted Conditional Use Permit Site Plan and application narrative provides detailed information regarding interior road patterns, landscaping and nuisance abatement. The soil embankments for nuisance abatement and geology with soil borings are not applicable for this above ground use. This requirement is satisfied with the provided Conditional Use Permit Site Plan and narrative. A future Major Site Plan will confirm compliance with this standard.

*Plan of Operation* – The submitted narrative provides information regarding the operation which includes a detailed description and anticipated amount of stockpiled material, method of protecting the material, type and origination of the concrete, average number of vehicles entering the site and routes that they utilize, type and noise levels of machinery, safety measures and monitoring of complaints and source of water. The type of liners and leachate generated, on-site management techniques to protect against odor, dust, litter, animal and insects and estimated life of operation do not apply to the proposed Asphalt and Concrete Recycling use. This requirement is satisfied with the provided Conditional Use Permit Site Plan and narrative.

*End Use Plan* – The end use plan is not applicable to the proposed Asphalt and Concrete Recycling use.

*Performance Standards:*

*Operations* – A Major Site Plan and construction of the improvements, except for those improvements that will be waived through approval of a Variance Appeal, will be required prior to the operation of the Disposal Use.

*Setbacks* – The Disposal Use, specifically the unprocessed materials, will comply with the applicable 200-foot setback from Interstate 80/35 and from NE 21<sup>st</sup> Court as shown on the Conditional use Permit Site Plan.

*Planting* - This criterion applies to establishing ground cover once the use has ceased. This is not applicable due to the type of Disposal Use and the continuation of the use.

**Recommendation**

Staff recommends approval of the Conditional Use Permits for the Asphalt Batch Plant and the Disposal Use, specifically an Asphalt and Concrete Pavement Recycling use at the subject property at 4756 NE 20<sup>th</sup> Lane, Des Moines, Iowa 50313 and including approximately 17.32 total acres. Approval is subject to the following conditions:

1. The two (2) Conditional Use Permits are approved for InRoads, LLC. Any changes in the operation of the site as described in this staff report and as represented in the attachments will require a new or amended Conditional Use Permit. Operation of these uses by a business owner, other than InRoads, LLC, will require a new Conditional Use Permit.
2. The Major Site Plan will accommodate applicable Americans with Disabilities Act (ADA) improvements, including, but not limited to, parking and restroom facilities.
3. Construction Documents and extension and construction of the public water and sanitary sewer mains to the northern extent of the private drive extension, north of NE 21<sup>st</sup> Court must be approved and completed prior to approval of the Major Site Plan.
4. The operation shall comply with all Polk County Lighting and Noise Ordinance requirements.
5. No material that is stockpiled at this site shall exceed 45 feet in height.
6. The operation shall comply with all Polk County Air Quality Division requirements to maintain dust free surfaces on drives, reduce errant dust generated from the subject property, and clean all dirt and mud generated by the site from adjacent roadways.
7. The Applicant shall obtain approval of Air Quality construction permit applications for the asphalt mix batch plant (subject to 40CFR Part 60 Subpart I) and the nonmetallic mineral processing plant (subject to 40CFR Part 60 Subpart OOO).







## Conditional Use Permit Application

Conditional Uses are those uses which may have a special impact or uniqueness demanding closer scrutiny and analysis to the site and the surrounding environment. When such a use is proposed, a review and report by Planning Division staff of the location, design, configuration, and impact will be conducted, comparing the proposed use to fixed standards and presented to the Board of Adjustment for action at a public hearing. Notices of the request are mailed to all property owners located within 500 feet of the subject property.



Please complete the entire application, submit with fee and review the standards on page 3.

To: **Polk County Board of Adjustment**

1. The undersigned Petitioners request that the Board consider this application for a Conditional Use Permit for the following use: (Describe briefly the nature of the use.)  
Asphalt Batch Plant including Paving Material Recycling

2. Subject Property Address: 4756 NE 20th Lane

3. Subject Property District and Parcel Number: 270/00901-000-001

4. Subject Property Legal Description (attach if necessary):

Lot 1 of D & M Development Plat 1, an official plat filed in Book 17336, Page 896 of the Polk County Recorder's Office, Polk County, Iowa, and containing 17.32 acres (754,365 S.F.), more or less.  
Property subject to any and all easements of record.

(time stamp)  
Official Use Only

5. Filing Fee: - \$407.00

6. Applicant(s) Information:

Joe Manatt, President, InRoads, LLC

Applicant (Print Name)

Signature

1/22/2020

Date

Perspective Buyer

joe@inroadspaving.com

Interest in Property (owner, renter, perspective buyer, etc.)

Email

4224 Hubbell Avenue, Suite 1, Des Moines, Iowa 50317

515-348-8141

515-266-0998

Address, City, State and Zip

Phone

Fax

7. Applicant(s) Representative:

If the appeal is going to be represented by someone other than the applicant please provide that information below.

Bill Rosener, Vice President

InRoads, LLC

Applicant Representative (Print Name)

Firm or Business Name

4224 Hubbell Avenue, Suite 1, Des Moines, Iowa 50317

Address, City, State and Zip

bill@inroadspaving.com

515-450-0100

515-266-0998

Email

Phone

Fax

8. Property Owner Consent:

The application must be signed by all the Titleholders, Contract Purchasers, or Option Purchasers of the subject property. The application may also be signed by the Registered Agent for a corporation or other person with similar legal authority to sign for a property owner. (if additional signatures are needed please attach)

Dennis Albaugh, D&M Partners, LLC

(Print Name)

Signature

1/22/2020

Date

Mick Albaugh, D&M Partners, LLC

(Print Name)

Signature

1/22/2020

Date

Please provide a written description providing specific detail and reasons for the proposed Conditional Use Permit. (attach if necessary)

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

- A. Complete Application including the detailed description of requested Conditional Use Permit, including specific information about the request.
- B. Submit six (6) copies of a fully dimensioned, to scale site plan meeting site plan requirements, as required.
  1. Provide additional information as required by Zoning Ordinance specific to the use requested.
  2. Submit a reduced size, 11"X17" site plan that is legible that can be reproduced.

Return forms to: Polk County Public Works, Planning & Development Division 5885 NE 14<sup>th</sup> Street  
Des Moines, IA 50313

Forms and calendar available online <http://www.polkcountyiowa.gov/PublicWorks/>

OFFICIAL USE ONLY			
Received by		Docket Number	
Application deadline		Date Received	
BOA meeting date		BOA Approved	Y / N

## **Conditional Use Permit Standards**

### **Section 1. Review Standards**

The review determines whether the proposed use should be permitted by weighing public need for and benefits to be derived from the use against the local impact which it may cause. The review shall consider the proposal in terms of:

- (A) Existing zoning and land use in the vicinity of the use; and
- (B) planned and proposed public and private developments which may be adversely affected by the proposed use; and
- (C) whether and to what extent the proposed use, at the particular location for which it is suggested, is necessary or desirable to provide a development which is in the interest of the public or which will contribute to the general welfare of the area or Polk County; and
- (D) whether and to what extent all steps possible have been taken by the developer to minimize any adverse effects of the proposed use on the immediate vicinity and on the public health, safety and welfare in general.

### **Section 2. General Standards**

No application for a conditional use permit shall be approved unless the Board of Adjustment specifically finds the proposed conditional use appropriate in the location for which it is proposed. This finding shall be based on the following criteria:

The proposed use shall be in harmony with the general purpose, goals, objectives, and standards of the Polk County Comprehensive Plan, this Ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the County.

- (A) The proposed location and use shall be consistent with policies or provisions of the Comprehensive Plan, this Ordinance, or other plans or programs of the County.
- (B) The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of the Comprehensive Plan, this Ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the County or other governmental agency having jurisdiction to guide growth and development.
- (C) The proposed use in the proposed area will be adequately served by, and will not impose an undue burden on, any public improvements, facilities, utilities, and services. Where any such improvements, facilities, utilities, or services are not available or adequate to service the proposed use in the proposed location, the applicant shall, as part of the application and a condition to approval of the proposed conditional use permit, be responsible for establishing ability, willingness, and binding commitment to provide such improvements, facilities, utilities, and services in sufficient time, and in a manner consistent with the Comprehensive Plan, this Ordinance, and other plans, programs, maps, and ordinances adopted by Polk County to service the development. The approval of the conditional use permit shall be conditioned upon such improvements, facilities, utilities, and services being provided and guaranteed by the applicant.

## **D & M Development Plat 1, Lot 1 Conditional Use Permit Narrative**

This Conditional Use Permit request is seeking approval to operate an asphalt batch plant, asphalt pavement recycling and concrete pavement recycling operation.

### **General Narrative of Asphalt Production and Pavement Recycling**

Today, asphalt roads comprise 95% of hard surfaced roads in the United States and serve as the pavement of choice for most public and private entities. Asphalt allows for safe, efficient and reliable transportation of goods and services to the broad spectrum of the traveling public.

Asphalt is comprised of approximately 95% rock and sand products and 5% asphalt cement. The majority of all limestone/rock is trucked into Des Moines from the Martin Marietta Mine in Ames, IA for use in the production of both asphalt and concrete. Sand and gravel deposits are located in several areas of Polk County, including the Saylor Creek and Booneville township areas. Martin Marietta and Hallett Materials are suppliers of sand and gravel in Polk County. Asphalt Cement can be purchased in Des Moines or Tama, IA from local supplier Bituminous Materials.

The process of creating asphalt starts with an asphalt recipe, different percentages of limestone, sand, recycled products and asphalt cement – a driveway recipe is different than an interstate recipe. Aggregates are heated and dried before introducing the asphalt cement. Asphalt cement is a solid at room temperature but is a liquid at 300 degrees Fahrenheit. Rock and sand are dried and heated with a natural gas burner inside a mixing drum and the asphalt cement is added to provide the “glue” to bind the materials together. Asphalt is loaded and shipped as a heated product and is placed and compacted while the material is hot. After asphalt has cooled down, traffic can drive on it immediately making it a very advantageous product for high-traffic areas.

Asphalt is the most recycled product in the world, both in terms of percentage and volume. Asphalt can contain upwards of 40% recycled asphaltic material. InRoads will utilize a material recycling yard to collect old asphalt and concrete material. During the concrete and asphalt recycling process, the pile of raw materials will be entirely processed, screened and stockpiled on site keeping the recycled concrete separate from the recycled asphalt. Based on the amount of material, processing can take up to two weeks and may be done 2-3 times per year. The equipment used in the recycling process travels from facility to facility and does not permanently reside at any one site. The recycled asphalt material will be reused in new asphalt pavements and the recycled concrete is used in the construction industry as an aggregate base material.

InRoads will be purchasing a new, state-of-the-art asphalt drum plant to produce safe, economical and environmentally friendly materials to maintain and improve infrastructure in Des Moines and surrounding communities.

InRoads is also seeking approval to operate a concrete pavement recycling facility on the site. The significance of recycling concrete pavements is that 25% of the solid waste generated nationally is construction and demolition (C&D) material and 70% of the C&D material is concrete. According to the Construction and Demolition Recycling Association, 140 million tons of concrete are recycled annually.

The benefits of recycled concrete are that it is a diverted waste stream from the landfill, thus reducing landfill tipping fees and the need to expand landfills. Recycled concrete aggregates are cheaper to produce than mined aggregates and reduce the needed for expanded gravel mining. Typically the recycling yards are closer to the end users than the gravel mines, thus reducing hauling distances, fuel consumption and truck traffic wear on the overall roadway system. Recycled concrete is a construction commodity asset.

Marketable uses for graded recycled concrete include 1.) Aggregate base course for new concrete roadways and concrete flatwork. 2.) Roadway shouldering material. 3.) Larger gradation material can be used for soil stabilization or construction entrance drives. 4.) Recycled concrete can be used for pipe trench bedding and backfill. 5.) Recycled concrete has been successfully used as an erosion control product and in erosion control structures.

As the Des Moines roadway network ages and the community continues to grow, there is an increasing need by local contractors for recycling facilities to accept clean concrete pavements and in turn a complimentary demand market for recycled concrete products.

### **Site Operations Summary**

As an operating asphalt plant and pavement recycling facility, the primary activities occurring at the facility include: 1.) Asphalt paving mix will be mixed and trucked from the property to job sites throughout the Des Moines area. 2.) Fatigued concrete and asphalt pavements will be hauled from projects into the facility and stockpiled to be recycled into re-usable construction products. 3.) Recycled concrete will be hauled from the site to be used on construction projects throughout the metro. The recycled asphalt, (RAP) that is produced on site is re-used as a component in the new asphalt product produced. 4.) Sand, aggregate and asphalt cement will be hauled onto the site from local suppliers to be used in the asphalt mixture.

In addition to the primary site operations, a temporary asphalt batch plant may be in operation onsite when the main stationary plant is out of service for repair.

The number of employees needed to operate the asphalt plant and recycling operation vary from 4-8 depending on the amount of material needed that day. On a high production day, 150 truckloads of asphalt (3,000 tons) could be batched out of the site, and corresponding raw materials will be hauled in to make the asphalt mixtures. Iowa's asphalt season lasts from approximately April 1<sup>st</sup> – November 15<sup>th</sup>. There is very limited activity in the winter months.

The normal operating hours of the asphalt plant and recycling facility will be 6:00 AM to 6:00 PM. It is typical for DOT and municipal project contacts to require paving operations to be completed during the overnight hours. When supplying to evening hour paving jobs, the plant will be operating in the overnight hours in addition to the normal daytime hours. There will be periods throughout the asphalt construction season when the facility will be operating 24 hrs a day for a 2-3 day period.

ASTEC, the asphalt plant manufacturer, states that the typical noise level measured 150' from the center of the plant is 75 dB. At 300 ft. from the center, that level drops to 69 dB and at 450' that level drops to

63 dB. By comparison, the noise level along the side of an interstate highway is 70-80 dB. As a reference point, normal person to person conversation has a noise level of 60 dB. The end loaders and trucks on the site will have OSHA required back-up beepers that operate at 97-112 dB.

The property is located at the NW corner of NE 20<sup>th</sup> Lane and NE 21st Ct. and one block off both NE 46<sup>th</sup> Ave. (Broadway) and NE 22<sup>nd</sup> St. (Delaware). All of these named roadways are substantially thick pavements built to support the expected truck traffic volumes and weights associated with the Heavy Industrial land use. The relative close proximity of NE 20<sup>th</sup> Lane to the signalized intersection of Broadway and Delaware is beneficial as the signals create gaps in the traffic flow along both NE 46<sup>th</sup> Avenue and NE 22<sup>nd</sup> Street for truck traffic both entering and exiting the site.

Asphalt production requires sand, aggregate and asphalt cement. Typically the aggregate deliveries will come from Ames via I-35, using the Corporate Woods interchange and travel south into the site on NE 22<sup>nd</sup> St. Sand deliveries will typically come from the west using the I-80 & NE 14th St. exit and travel east into the site on NE 46<sup>th</sup> Ave. Asphalt cement deliveries will arrive from Tama, IA or SE Des Moines. Asphalt cement deliveries will arrive from I-80 west through the NE 14<sup>th</sup> St. exit and travel east into the site on NE 46<sup>th</sup> Ave. It is anticipated that approximately 45% of the inbound traffic will arrive from NE 22<sup>nd</sup> St. and the other 55% will arrive from NE 46th Ave.

Primary asphalt customers include City of Des Moines, City of West Des Moines, Polk County and the Iowa DOT. Based on the anticipated location of future paving projects, the following is an approximation of the truck traffic leaving the site with asphalt material. Approximately 25% outbound asphalt deliveries would utilize NE 22<sup>nd</sup> St. south bound to get to the Euclid exit on 235. Approximately 40% outbound asphalt deliveries would travel west on NE 46<sup>th</sup> Ave. to NE 14<sup>th</sup> St. and then either turn south on NE 14<sup>th</sup> St. into DSM or turn north to get onto I-80. Approximately 25% outbound asphalt deliveries would exit north on NE 22<sup>nd</sup> St. toward Ankeny and the I-35 Corporate Woods Dr. interchange. The remaining 10% of outbound deliveries would exit east on NE 46 Ave. toward east Des Moines and Altoona. Additionally, pavement materials to be recycled into new asphalt mix will be hauled into the site from these same job sites located throughout the metro area.

Currently, InRoads' office and shop is located in a leased property at 4224 Hubbell Ave. in Des Moines. There are currently 3 years left on the lease. It is InRoads intent to construct the office and shop building after the asphalt batch plant and recycling operations are operational and economically viable.

Once the office and shop building are constructed and functional, InRoads expects 40+ employees to be based out of the new facility. This includes the asphalt plant operators, loader operators, truck drivers, paving crew, shop mechanics and office personnel.

When not on job sites, the InRoads paving equipment will be kept on the site in the outside storage area. InRoads paving equipment includes paving and milling machines, rollers, dump trucks, and semi-tractor trailers used for hauling both paving equipment and asphalt.

The concrete recycling operation will be complimentary to the asphalt production. With their construction paving projects, InRoads often removes clean concrete pavements as part of their work. It is the intent that the inbound concrete pavements will be restricted to InRoads construction jobs and select invited contractors. The concrete pavement recycling operation is not intended to be open to the

public for any random citizen or small contractor to come on site unannounced and drop off broken concrete from unknown sources.

The expected amount of concrete to come on site on a given day is 25-30 dump truck loads. The weather and proximity of the jobsites to the facility will impact the inflow of concrete into the site. Once an inventory of recycled concrete is established and available for sale, it is typical and expected that a contractor bringing in broken concrete from a jobsite will load out and haul a load of recycled concrete back to the same job to be used as road base or shouldering material for that job.

The concrete paving season typically runs from March to December, so concrete could reasonably be coming on site during that time. Given recycled concrete's use as a trench bedding and backfill material, it is a product that is used year round. During the winter months, the concrete recycling operation would typically operate on an "as needed" basis to support the local construction industry. Normal daily operating hours would be the same as the asphalt being from 6:00 AM to 6:00 PM.

The process of recycling the broken concrete pieces into usable products starts by breaking down the larger pieces into smaller enough pieces to fit through the mill. This work is typically completed with an excavator with a point breaker. These pieces are then ran through a crusher with screens set to meet various gradations for various use. As much reinforcing steel as possible is removed before the concrete pieces are ran through the crusher. There is a magnet as part of the crusher process that also removes reinforcing steel. The reinforcing steel removed as part of the recycling process is sold to a local scrap metal processor. During the crushing process, water is fan sprayed onto the concrete to control dust.

The actual recycling operation is not a daily occurrence. The equipment used to do the recycling is portable and would come on site 2-3 times a year to process the stockpiled materials. It typically takes 2 weeks to process the raw product pile.

Because of the weight and porosity of both the raw concrete stockpiles and processed recycled concrete, the materials are not subject to being transported by wind, or rainfall run-off. The recycling operation does not create a negative impact on the local environment or wildlife. The minimal quantity of storm water run-off coming from the operation will pass through the site storm water detention facility before leaving the development.

The inbound concrete pavements coming into this facility will be coming from various surrounding construction sites. As there are various similar recycling operations throughout the metro, it is expected that the concrete coming into the site will come from within a 10 mile radius of the site. The primary roadways used to support the recycling operation will be NE 46<sup>th</sup> Ave. and NE 22<sup>nd</sup> St. During a normal operating day, 25-30 truckloads of broken concrete will come onto the site.

There is typically not odor emitted from the concrete recycling process. Water is introduced to the concrete during the recycling process to control dust. There is public water available to the property to fulfill this need. There is not expected to be windblown litter associated with the operation and the operation is not expected to create an environment conducive to increased vermin or insect activity. This operation will not create water to be disposed of.

The machinery needed to operate the concrete recycling facility includes an excavator with point breaker and claw/grapple, wheel loader and the portable processing equipment. A picture of a typical crushing equipment is included in this narrative. The noise levels of the crushing operation will be



similar to the asphalt batch plant in the 70 db range. Other site noise will come from the OSHA required back-up beepers on the wheel loader equipment.

The site operations will be subject to OSHA requirements related to employee visibility, hearing protection etc. As with the asphalt plant the operation will be subject to state and local permits related to air quality and storm water run-off. There is an informal local Broadway Business owners group formed and headed up by EFCO that would provide the forum for the closest neighbors to present complaints to InRoads. Other complaints regarding the facility could be received through Polk County code enforcement.

The recycling operation intends to operate in perpetuity as long as there is a need for concrete recycling and the operation is financially viable. Because of the simplistic nature of the operation on a flat working pad, there is not a need for an end use plan. If concrete recycling operations were to cease, the concrete could be hauled off and the site re-purposed to expand the asphalt operation or to support some other facet of InRoads construction and paving business.

#### **Supporting information related to the Section 1. Review Standards**

- A. This property is zoned Heavy Industrial and the site is situated in the center of a larger Heavy Industrial area that encompasses approximately 3 square miles. The land use surrounding the property features a variety of industrial users that generate significant truck traffic as a collective whole. There is one similar permitted asphalt plant located within a half mile of this site and 2 concrete batch plants within a mile of this site. Other surrounding land uses include warehousing, chemical storage and distribution, truck repair/salvage and leasing, heavy construction contractors, construction equipment sales and leasing, refuse/recycling hauler and a concrete form manufacturer. It is anticipated that the proposed use will blend well with the surrounding businesses and will have a positive economic impact with those businesses.
- B. Most of the surrounding properties are already developed, or planned to be developed, as heavy industrial-use businesses. Many of the surrounding properties have significant paving on their properties as part of their business operation. This paving will need repair at some time in the future and having an asphalt plant and pavement recycling facility nearby will be complimentary to the surrounding properties.
- C. As the Des Moines metro area continues to grow, the existing roadway system continues to expand. In addition, it is critical for the Metro and surrounding communities to maintain their existing roadways. The need for asphalt paving and pavement recycling is ever increasing. Having an additional asphalt plant and pavement recycling facility benefits the public by increasing competition for public paving projects and increasing overall paving capacity in the metro to meet the demand of an expanding and aging infrastructure. The proposed asphalt plant will directly result in more local, high-paying jobs and will create an economic benefit for the suppliers that service the construction industry and small businesses. Recycling pavements keeps those materials out of the local landfill which helps reduce landfill fees and slows the need to expand the landfill and local quarrying operations. By providing a close proximity disposal site, it reduces the overall truck miles driven on the state and local roadway system.

- D. The proposed site will have paved surfacing in the regular and stationary travel paths, including the main asphalt load out path. This will keep dust and track out from the site onto the surrounding streets to a minimum. The asphalt batch plant use will have both local and state environmental permits related to spill prevention and air quality required for its operation. The site will also have storm water run-off controls and detention facilities as required by county ordinance to protect the neighboring downstream properties. On site lighting will conform to the zoning standards with no lighting emitting from the site.

#### **Supporting information related to the Section 2. General Standards**

- A. The proposed use and location conform to the current County zoning and land use plan. The roadway network surrounding and supporting this site and the larger Heavy Industrial, (HI) zoning district consists of state highways and approved truck routes in Polk County, Des Moines and Ankeny. The supporting street network includes NE 14<sup>th</sup> St. (Highway 69), NE 22<sup>nd</sup> St. (NE Delaware Ave) and NE 46th St. (NE Broadway).
- B. The proposed use will not adversely impact the surrounding properties. The traffic type and volume generated is typical to the surrounding businesses and the Heavy Industry zoning classification. Many of the surrounding businesses operate a second or third shift or have regular early start or late end business hours due to the nature of their business/industry. At the times when the asphalt plant is operating in the overnight hours, we do not anticipate adverse impact on the surrounding properties. The Comprehensive Plan does not propose any changes to the zoning or land-use in this industrial area as both the County, surrounding jurisdictions and many large businesses have made significant investment based on the HI zoning classification.
- C. The existing infrastructure, including the roadway network, public infrastructure and private owned infrastructure needed to support this use and the surrounding properties is adequate in size and capacity without needing upgrades or causing negative impact to the surrounding properties.



Artist rendition of the proposed InRoads asphalt plant



Typical equipment used for recycling concrete and asphalt pavements. (Eagle Crusher E-Plant)

December 31, 2019

RECEIVED  
20 JAN -2 PM 1:31  
POLK CO.  
PUBLIC WORKS

**RE: INVITATION TO A NEIGHBORHOOD MEETING  
D&M Partners, LLC Property located in D & M Development Plat 1**

Date/Time: Tuesday, January 14, 2020  
2:00 p.m.-3:30 p.m.

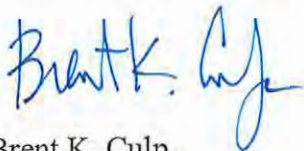
Location: Albaugh Corporate Board Room  
DRA Properties Building  
1515 NE 36<sup>th</sup> Street  
Ankeny, Iowa 50021

D&M Partners, LLC, as owner, and InRoads, LLC, as applicant, has scheduled a neighborhood meeting for those businesses within the general proximity of the D & M Development Plat 1 industrial park that has recently been developed by the partnership of Dennis and Mick Albaugh. Business owners interested in discussing the conditional use permit being applied for through Polk County for Lot 1, located at 4756 NE 20<sup>th</sup> Lane, should attend the meeting. Lot 1 is located on the north side of the development along Interstate 80/35.

The purpose of this discussion is to inform the general neighborhood of the conditional use permit application and to ask questions of representatives from D&M Partners, LLC, InRoads, LLC, and Snyder and Associates, Inc. If you would like to attend, please join us on Tuesday, January 14<sup>th</sup> at 2:00 p.m. at the Albaugh Corporate Board Room in the DRA Properties Building.

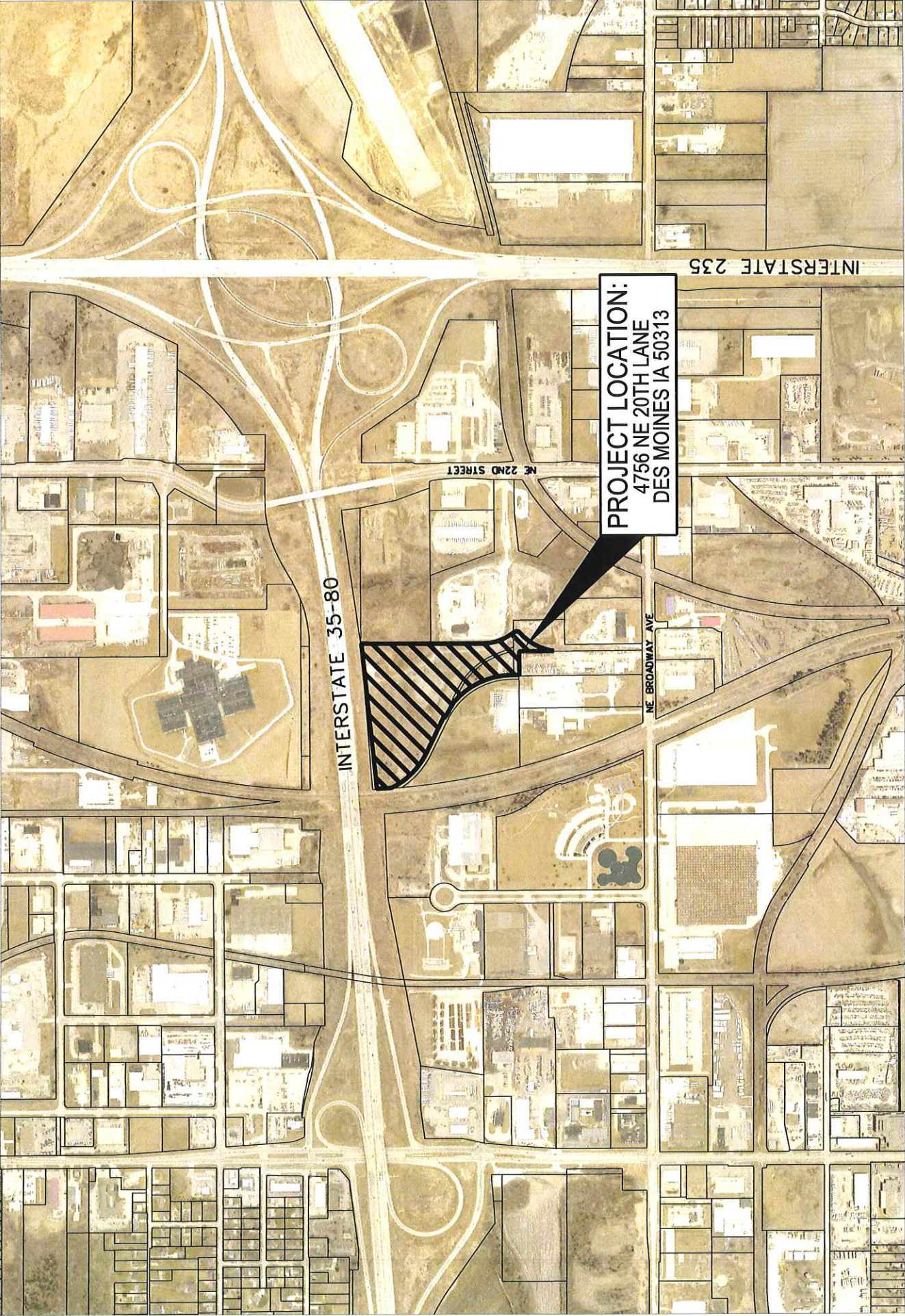
Sincerely,

SNYDER & ASSOCIATES, INC.



Brent K. Culp



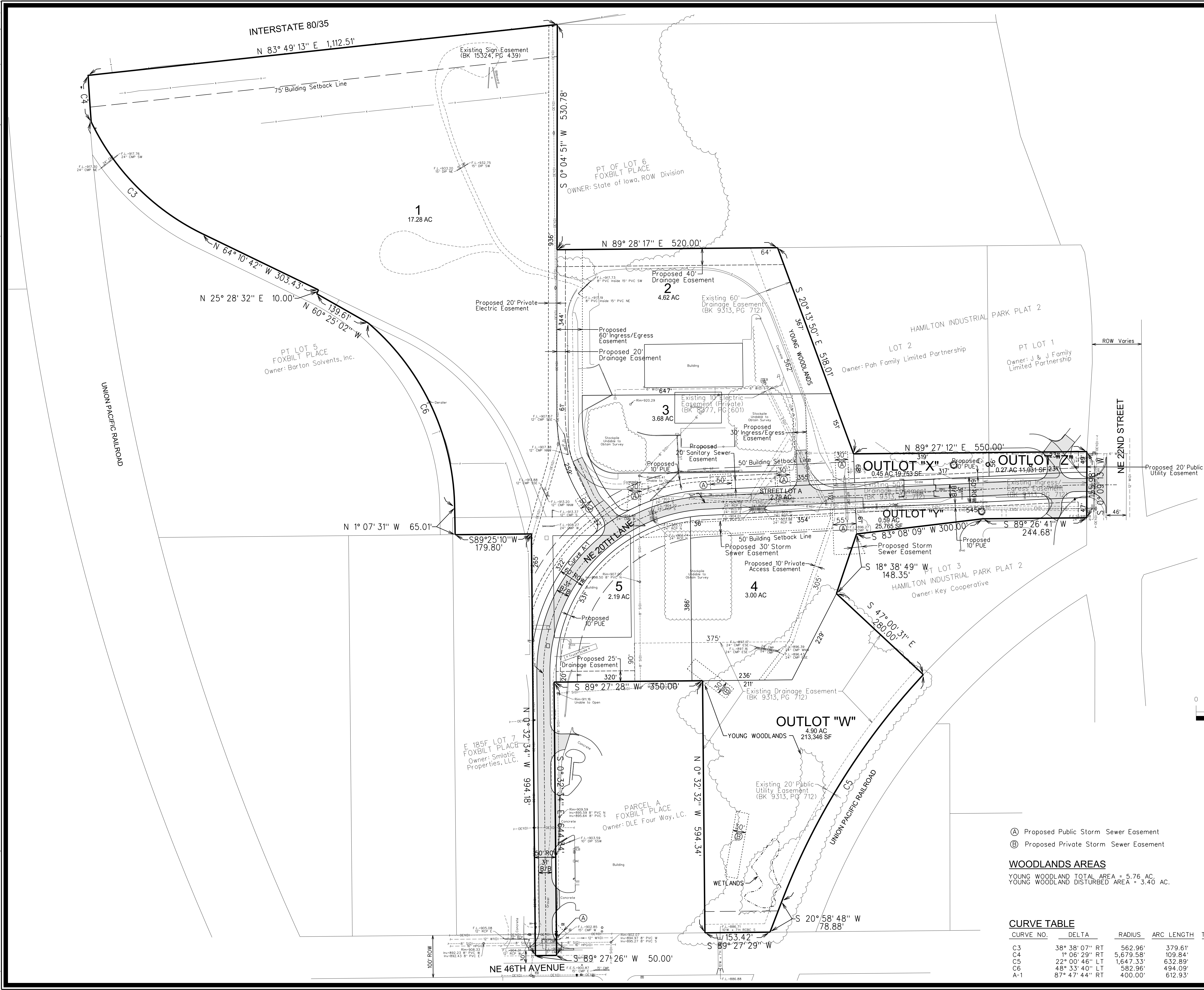








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- (A) Proposed Public Storm Sewer Easement  
(B) Proposed Private Storm Sewer Easement

**WOODLANDS AREAS**  
YOUNG WOODLAND TOTAL AREA = 5.76 AC.  
YOUNG WOODLAND DISTURBED AREA = 3.40 AC.

CURVE TABLE						
CURVE NO.	DELTA	RADIUS	ARC LENGTH	TANGENT	CHORD	BEARING/DISTANCE
C3	38° 38' 07" RT	562.96'	379.61'	197.34'	N 44° 51' 38" W	372.46'
C4	1° 06' 29" RT	5,679.58'	109.84'	54.92'	N 3° 47' 38" W	109.84'
C5	22° 00' 46" LT	1,647.33'	632.89'	320.40'	S 31° 59' 09" W	629.01'
C6	48° 33' 40" LT	582.96'	494.09'	262.98'	N 25° 08' 53" W	479.43'
A-1	87° 47' 44" RT	400.00'	612.93'	384.90'	N 43° 21' 19" E	554.70'

D & M DEVELOPMENT

PRELIMINARY PLAT - 2018

SNYDER & ASSOCIATES, INC.



Project No: 1170709

Sheet 2 of 5

POLK COUNTY, IOWA

2727 S.W. SNYDER BLVD.  
ANKENY, IOWA 50023  
515-964-2020 | www.snyder-associates.com

Project No: 1170709

Sheet 2 of 5

MARK	ENGINEER	CDD	REVISION	DATE	BY
1	AW	11/28/17	11/28/17	11/28/17	11/28/17
2	AW	11/28/17	11/28/17	11/28/17	11/28/17









