


COUNCIL COMMUNICATION

	Number:	25-202	Meeting:	May 19, 2025
	Agenda Item:	34	Roll Call:	25-0760
	Submitted by:	Chris Johansen, Neighborhood Services Department Director		

AGENDA HEADING:

Approving a request from 515 Walnut, LLC (Owner) represented by Joe Teeling, for determination that noise to be generated by 24-hour construction activity, limited to concrete pouring of flooring on a permitted 33 floor residential tower at 515 Walnut Street, is deemed acceptable to city residents and that the activity be exempted from Code provisions in Chapter 42, Article IV.

SYNOPSIS:

The City received a request from the owner and developer of the property at 515 Walnut Street to be exempt from the City's Noise Ordinance in Chapter 42, Article IV, limited construction activities related to the pouring of the concrete floor decks on the permitted 33 story residential tower project for that location. The Neighborhood Services Director makes recommendations on locations where a finding of public acceptance of such activity is appropriate by authority in Section 42-263(c)(6). The Council is then charged with considering an action to deem proposed noise as acceptable to city residents based on the overall acceptance of the proposed construction activity.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- The St. Joseph's Group (owner) in conjunction with Beal Derkeene Construction is making a special request for the provision in the City Code that gives the City Council the authority to deem a project activity to be exempted from enforcement of the City Noise Ordinance in Chapter 42. This provision is based specifically on the Council's finding that because of the general public acceptance of the project activities the particular noise generated from the activity is deemed to be acceptable to the city residents.
- In this instance, the owner is seeking to allow construction activities specific to pouring the floor decking on a 33-story tower building to occur outside the hours generally limiting construction activity between 10:00 PM and 7:00 AM by the Ordinance in Section 42-260 applicable to construction. The activity would include 24-hour continuous flow pouring of each floor deck (33 pours) about 10 days apart. Due to the fast-setting nature of the concrete mixes, it is optimal for the pours to be continuous and during hours when temperatures are at their lowest to ensure the highest quality structural strength and finish.

- The Neighborhood Services Director is recommending that the project permitted for construction at 515 Walnut Street to construct a 33-story 390 units residential tower be considered of significant importance, and of overall benefit to the residents of Des Moines, as to deem the noise generated outside hours allowed by the Noise Ordinance by the concrete floor pouring for each floor of the project as acceptable to the city residents.

PREVIOUS COUNCIL ACTION(S):

Date: December 23, 2024

Roll Call Number: [24-1752](#)

Action: Items regarding 515 Walnut LLC's project to construct a 33-story, 390-unit, high rise apartment building at 515 Walnut Street: ([Council Communication No. 24-536](#))

- (A) [Final](#) terms of an urban renewal development agreement and approving the conceptual development plan. Moved by Coleman to adopt. Second by Simonson. Motion Carried 7-0.
- (B) [Grant](#) Agreement in support of the construction project. Moved by Coleman to adopt. Second by Simonson. Motion Carried 7-0.
- (C) [Parking](#) License Agreement for the use of spaces in the City's Fifth and Walnut Street parking garage. Moved by Coleman to adopt. Second by Simonson. Motion Carried 7-0.

Date: November 21, 2022

Roll Call Number: [22-1817](#)

Action: [Expenditures](#) of ARPA funds. Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.

BOARD/COMMISSION ACTION(S):

Board: Urban Design Review Board

Date: February 21, 2023

Resolution Number: N/A

Action: Review and Recommendation of the Design and Financial Assistance of 515 Walnut Tower project.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Allowance of 24-hour construction activities for concrete floor pouring only for the duration of the 33-story residential building project.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the first floor of City Hall, 400 Robert D Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to cityclerk@dmgov.org.