

Date June 25, 2018

**RESOLUTION SETTING HEARING ON REQUEST FROM  
WALDINGER CORPORATION TO REZONE PROPERTY IN THE  
4701 BLOCK OF SOUTHWEST 63<sup>RD</sup> STREET**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on June 7, 2018, its members voted 10-0-1 in support of a motion to recommend **APPROVAL** of a request from Waldinger Corporation (purchaser), represented by Guy Gast (officer), to rezone property located in the 4701 Block of Southwest 63<sup>rd</sup> Street (“Property”) from Limited “C-2” General Retail and Highway-Oriented Commercial District to Limited “M-1” Light Industrial District, to allow the development of the Property for the headquarters and warehouse/distribution center for a mechanical, electrical and sheetmetal contractor, subject to the following rezoning conditions:

1. Overhead doors shall not face Iowa Highway 28 or any residentially developed property unless screened by another building or by earthen berms and landscaping materials.
2. Provision of landscaping in accordance with the City’s standards for “C-2” Districts.
3. No portion of the property within 50 feet of the public Rights-Of-Way or adjoining residentially zoned property may be used for the outside storage of materials, trailers or equipment. Any area used for the outside storage of materials or equipment shall be paved and screened from public street views and residential development by an architectural screening panel system or fencing/landscaping as approved by the Commission or Planning Administrator.
4. The public street facades of any building or portion thereof located within the Property which is not blocked from view by other structures or landscaping shall be construed using exterior materials that are predominately glass, brick, masonry, architectural steel panels and other durable materials. No Exterior Insulations and Finish System (“EIFS”) shall be used below an elevation of 6 feet above grade on such facades.
5. Compliance with all recommendations of the traffic study as part of any submitted subdivision or site plan.
6. Any site plan for development shall be reviewed by the Plan and Zoning Commission;  
and

**WHEREAS**, the Property to be rezoned is legally described as follows:

OUTLOTS X AND Y IN AIRPORT INDUSTRIAL PARK PLAT 2, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY.



22

Date June 25, 2018

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 rezoning is to be considered shall be held at the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on July 9, 2018, at which time the City Council will hear both those who oppose and those who favor the proposal.
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.

MOVED BY \_\_\_\_\_ TO ADOPT.

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

(ZON2018-00082)

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

MOTION CARRIED APPROVED

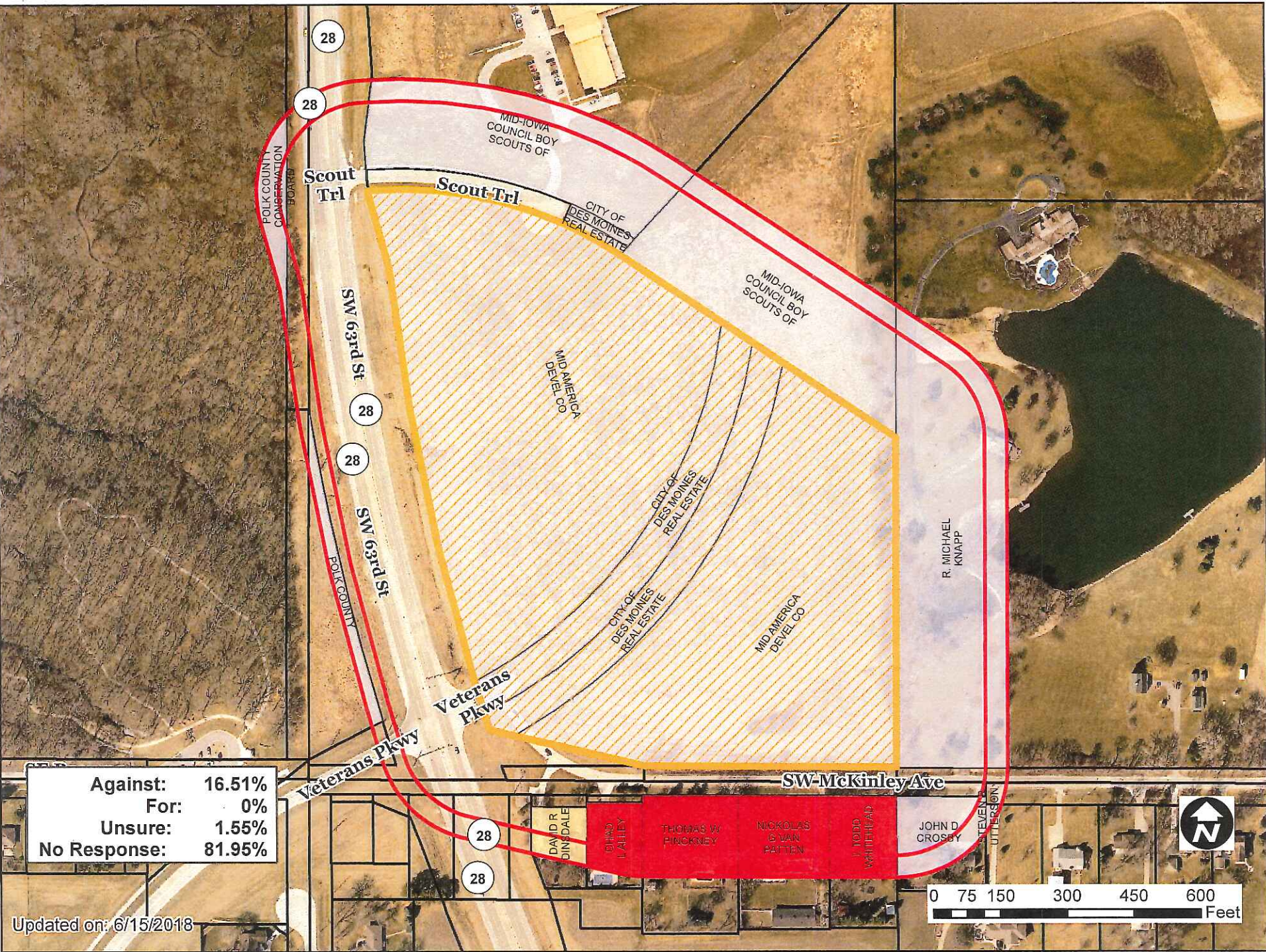
CERTIFICATE

I, DIANE RAUH, 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.

Mayor

City Clerk



Against:	16.51%
For:	0%
Unsure:	1.55%
No Response:	81.95%

Updated on: 6/15/2018



22



June 19, 2018

Honorable Mayor and City Council  
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their June 7, 2018 meeting, the following action was taken regarding a request from the Waldinger Corporation (purchaser) represented by Guy Gast (officer) to rezone property located in the 4701 Block of Southwest 63<sup>rd</sup> Street from Limited "C-2" General Retail and Highway-Oriented Commercial District to "M-1" Light Industrial District, to allow use of the property for the headquarters and warehouse/distribution center for a mechanical, electrical, and sheetmetal contractor. The subject property is owned by Mid-America Development Company.

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 11-0-1 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Dory Briles	X			
Chris Cutler				X
David Courard-Hauri	X			
Jacqueline Easley	X			
Jann Freed				X
John "Jack" Hilmes			X	
Lisa Howard	X			
Carolyn Jenison	X			
Greg Jones	X			
William Page	X			
Mike Simonson				X
Rocky Sposato	X			
Steve Wallace	X			
Greg Wattier	X			

**APPROVAL** of Part A) the Commission find the proposed rezoning in conformance with the existing PlanDSM Creating Our Tomorrow Future Land Use Map designation of “Business Park” and Part B) approval of the proposed rezoning subject to the following conditions:

1. Overhead doors shall not face Iowa Highway 28 or any residentially developed property unless screened by another building or by earthen berms and landscaping materials.
2. Provision of landscaping in accordance with the City’s standards for “C-2” Districts.
3. No portion of the property within 100 feet of the public Rights-Of-Way or adjoining residentially zoned property may be used for the outside storage of materials, trailers or equipment. Any area used for the outside storage of materials or equipment shall be paved and screened from public street views and residential development by an architectural screening panel system or fencing/landscaping as approved by the Commission or Planning Administrator.
4. The public street facades of any building or portion thereof located within the which is not blocked from view by other structures or landscaping shall be construed using exterior materials that are predominately glass, brick, masonry, architectural steel panels and other durable materials. No Exterior Insulations and Finish System (“EIFS”) shall be used below an elevation of 6 feet above grade on such facades.
5. Compliance with all recommendations of the traffic study as part of any submitted subdivision or site plan.
6. Any site plan for development shall be reviewed by the Plan and Zoning Commission. (ZON2018-00082)

Written Responses

1 in Favor  
5 in Opposition

**STAFF RECOMMENDATION**

Part A) Staff recommends that the Commission find the proposed rezoning in conformance with the existing PlanDSM Creating Our Tomorrow Future Land Use Map designation of “Business Park”.

Part B) Staff recommends approval of the proposed rezoning subject to the following conditions:

1. Overhead doors shall not face Iowa Highway 28 or any residentially developed property unless screened by another building or by earthen berms and landscaping materials.
2. Provision of landscaping in accordance with the City’s standards for “C-2” Districts.
3. No portion of the property within 100 feet of the public Rights-Of-Way or adjoining residentially zoned property may be used for the outside storage of materials,

trailers or equipment. Any area used for the outside storage of materials or equipment shall be paved and screened from public street views and residential development by an architectural screening panel system or fencing/landscaping as approved by the Commission or Planning Administrator.

4. The public street facades of any building or portion thereof located within the which is not blocked from view by other structures or landscaping shall be construed using exterior materials that are predominately glass, brick, masonry, architectural steel panels and other durable materials. No Exterior Insulations and Finish System ("EIFS") shall be used below an elevation of 6 feet above grade on such facades.
5. Compliance with all recommendations of the traffic study as part of any submitted subdivision or site plan.
6. Any site plan for development shall be reviewed by the Plan and Zoning Commission.

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

### **I. GENERAL INFORMATION**

1. **Purpose of Request:** The applicant is in the process of acquiring the subject property to redevelop it for a campus to consolidate their existing Des Moines Metro operations scattered in multiple locations. The would include a building office space and operations for fabrication and warehousing of sheetmetal components for their mechanical/electrical contracting business. It is anticipated that there would be outside storage of tractor trailers.
2. **Size of Site:** 25.9 acres.
3. **Existing Zoning (site):** Limited "C-2" General Retail and Highway-Oriented Commercial District.
4. **Existing Land Use (site):** Undeveloped land used for agricultural production.
5. **Adjacent Land Use and Zoning:**
  - North** – "Airport Industrial Park PBP", Use is the Mid-Iowa Council of the Boy Scouts of America Headquarters.
  - South** – "C-2", Uses are single-family dwellings.
  - East** – "R1-80", Use is large acreage single-family dwellings.
  - West** – "OS" Agricultural/Open Space (West Des Moines), Use is Brown's Woods Polk County Park.
6. **General Neighborhood/Area Land Uses:** The subject property is located northwest of the Des Moines International Airport along the Iowa Highway 28 (Southwest 63<sup>rd</sup> Street) corridor, which is primarily developed with light industrial uses.

**7. Applicable Recognized Neighborhood(s):** The subject property is located in the Southwestern Hills Neighborhood. All recognized neighborhood associations were notified of the meeting by mailing of the Preliminary Agenda on May 18, 2018. Additionally, separate notifications of the hearing for this specific item were mailed on May 18, 2018 (20 days prior) and May 25, 2018 (13 days prior due to Memorial Day holiday) to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the subject property. A final agenda was mailed to all recognized neighborhood associations on June 1, 2018.

The applicant held a neighborhood meeting on May 21, 2018. The applicant will be able to provide a summary at the hearing.

**8. Relevant Zoning History:** On December 4, 1995, the subject property was rezoned to Limited "C-2" General Retail and Highway-Oriented Commercial District by Ordinance 13,274, subject to "Upon any future subdivision of the Property, there shall be provided by the owners of the Property and dedicated to the City, the necessary right-of-way for future street extensions through the Property, as determined by the City of Des Moines in the proceedings for approval of such subdivision."

Since that time the property was subdivided by previous owner, Cornerstone Family Church of Des Moines, Iowa, in 2008. Right -Of-Way (ROW) easements were dedicated within the subject property based on the preferred alignment for the Southwest Connector improvement project. The easements placed the construction cost of the Connector on the City of Des Moines. The subject properties were platted as Outlots and therefore must be subdivided in order for it to be developed.

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

**10. Applicable Regulations:** The Commission, considering the criteria set forth in Chapter 18B of the Iowa Code, 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:** The subject site is designated as "Planned Business Park" on the Future Land Use Map. Plan DSM describes this designation as follows:

*Accommodates light industrial, office and employment uses along with limited complementary retail uses. Industrial uses in the category would produce little or no noises, order, vibration, glare, or other objectionable influences, and would have little or no adverse effect on surrounding properties.*

Staff believes that the proposed rezoning to the "M-1" Light Industrial District would be consistent with this Future Land Use map designation.

2. **Natural Site Features:** The site is primarily cultivated for agricultural crop production on an annual basis. There are not any prominent natural features on the subject property. The residential property to the east has a small pond reservoir with landscaped open space. To the west are multiple acres of heavy timbered area maintained by the Polk County Conservation Board as Brown's Woods Park. Any development of the site through platting and site planning must comply with the City's Tree Removal and Mitigation Ordinance (Section 42-550 of the City Code).
3. **Drainage/Grading:** The site has significant relief which drains generally east and north. All 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. All subdivision plats and site plans must comply with the City's Stormwater Management requirements to the satisfaction of the City's Permit and Development Center.
4. **Utilities:** The site has access to all necessary utilities within the adjoining street network. Sanitary sewer is available from Scout Trail to the north. Des Moines Water Works mains are available in Scout Trail and Southwest McKinley Avenue.
5. **Street System & Access:** The proposed rezoning and warehouse project required a traffic study per City policy. This study was completed by the City's consultant Bolton and Menk and approved by Traffic Engineering on May 7, 2018.

The study was based on a development concept from the applicant and the eventual planned improvement of the Southwest Connector through the site. The recent draft of the "MoveDSM Plan" contemplates the reconsideration of the Southwest Connector for this area in favor of a more localized street circulation network. This has not been formally adopted, nor has the regional transportation plan of the MPO, "Mobilizing Tomorrow".

The following are significant recommendations of the study affecting the applicant's expectation for participation in the surrounding street network:

- The southbound left turn lane at Scout Trail needs to be extended to 125 feet for the build scenarios.
- The proposed truck-only access drive connecting to Scout Trail is beyond the required off-set from Southwest 63<sup>rd</sup> Street, but the queueing for Scout Trail westbound extends beyond the driveway for build conditions for the P.M. peak. The driveway should be reviewed by the developer for the off-set and traffic flow during the P.M. peak to avoid conflict.
- If the Southwest Connector is constructed, any driveway to the site should be a minimum of 600 feet from Southwest 63<sup>rd</sup> Street and a relocated Southwest McKinley Drive should match up with that driveway.
- If the Southwest Connector is not extended, Southwest McKinley should be realigned to connect to Southwest 63<sup>rd</sup> Street. Any drive from a joint access from existing residences should then be lined up with the site driveway or off-set by at least 75 feet. Both should be at least 100 feet from Southwest 63<sup>rd</sup> Street in that scenario.
- Any site access driveway should be limited to 45 feet wide per SUDAS requirements.



These recommendations should be incorporated with any subdivision plat and site plan for the subject property. These improvements would be the responsibility of the developer with the City providing assistance per a development agreement. Any elimination of the Southwest Connector would necessitate vacation of the existing easements as part of any subdivision consideration.

- 6. Landscaping & Buffering:** The subject property has existing residential areas directly to the east and south. It is important that any site development buffer from these areas, particularly with regard to outside storage and the presence of overhead doors on the facades of the building. Staff also recommends that the proposed rezoning be subject to providing landscaping in accordance with the standards for the "C-2" District rather than only meeting the "M-1" requirements. This would help soften the overall scale of the proposed redevelopment.
- 7. Urban Design:** There were not any conceptual renderings or elevations provided by the applicant. The City is expected to provide some economic assistance to the project and would have review by the Urban Design Review Board to ensure quality design and construction. However, staff believes that there need to be some conditions of any rezoning to ensure a basic level of construction quality and development in the spirit of the PlanDSM intentions for business parks. Since minimal detail is known at the rezoning stage, it is recommended that any site plan be reviewed by the Commission to ensure protection of surrounding residential areas. This should not add to the timeline for the developer as the subdivision plat will be required to be reviewed by the Commission prior to any consideration of public improvement plans.

## **SUMMARY OF DISCUSSION**

Erik Lundy presented the staff report and recommendation.

Jacqueline Easley asked for clarification on condition #6?

Erik Lundy stated they have not provided any site plans for review at this time so staff is recommending that the Commission review the Site Plan to ensure protection of nearby residential property.

## **CHAIRPERSON OPENED THE PUBLIC HEARING**

William Ludwig Architect/Urban Planner, 1444 NW 124<sup>th</sup> Court, stated they have picked this site because of the size and grade of the land. They held a neighborhood meeting about their plans and with Mike Knapp who owns a lot of land in the area. The North side of the property will be intended for 2-3 story office buildings and the South side being the operation side of the business.

Guy Gast 2601 Bell Avenue, Representing the Waldinger Corporation, stated the reason they don't have site plans submitted at this time is because they need to have land that is properly zoned to build what they need, which is in the "M-1" classification. During the neighborhood meetings, concerns were raised about lighting, sound, traffic and use of the building.

22  
Jacqueline Easley asked if they have addressed the questions that came up during the neighborhood meetings.

Guy Gast stated they have done the best they can and have invited neighbors to come see how they operate.

Will Page asked if there was just one neighborhood meeting and how well that was attended.

William Ludwig stated they had all but 3 neighbors on the list show up to their meeting, along with individual meetings with surrounding residents.

George Davis 3124 SW 29<sup>th</sup> Street, stated he received a postcard just 3 days before the scheduled meeting with the neighborhood. They believe the Waldinger Corporation is a very good business in Des Moines and have no problem with them in the community. They know Waldinger will design something great but they are worried about the sides and rear of the building that will be facing the surrounding neighbors. The other major concern is the traffic flow due to the number of employees and the trucks that will be coming in and out the property. They request any Site Plan come through the Commission so they can have a discussion that's inclusive to everyone.

Jacqueline Easley asked if George agreed with the rezoning?

George Davis said he has no problem with the rezoning but would like the opportunity to discuss any Site Plan that is submitted.

Mike Knapp, 5935 SW McKinley, stated he is in favor of what Waldinger wants to do. He would like to see heavy landscaping separating the Waldinger corporation and the residential development, have McKinley dead ended and have access to McKinley rerouted. The pond on his property draws concern and would like to keep debris from the Waldinger parking lot off his pond.

Jacqueline Easley asked where he stands with the rezoning?

Mike Knapp stated he is in favor and believes they will do a great job developing their site.

Nick Van Patten 6020 SW McKinley, stated the biggest concern he has is the traffic on SW McKinley Avenue. He does agree with the rezoning but would like to see a Site Plan designed that will work for everyone that surrounds the property.

Chad Alley 6116 McKinley Avenue, stated more studies need to be done on the water detention and they need to address the number of bicyclists that come off SW McKinley Avenue during the day. He would also like to see the height requirements of the mentioned berm be higher so he isn't looking at a Waldinger billboard outside his front door.

Jacqueline Easley indicated the applicant has time for rebuttal.

William Ludwig stated they are aware transportation is a big concern and he knows the City will continue to review options relative to the Southwest Connector.

Jacqueline Easley asked them to address the height of the berm.

Guy Gast stated at this point in the process it's hard to say how high the berms will be.

Greg Wattier asked if they agreed with all 6 conditions from staff.

Guy Gast stated they do agree with staff's conditions.

Will Page asked if they agreed and if the neighbors were aware of the change in the Right-of-Way set back recommended in the staff report?

Guy Gast stated they were aware but not sure if the neighbors were. They asked for relief due to the uncertainties of the Southwest Connector.

### **CHAIRPERSON CLOSED THE PUBLIC HEARING**

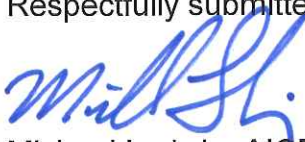
#### **COMMISSION ACTION:**

Dory Briles made a motion for approval of Part A) the Commission find the proposed rezoning in conformance with the existing PlanDSM Creating Our Tomorrow Future Land Use Map designation of "Business Park" and Part B) approval of the proposed rezoning subject to the following conditions:

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5. Compliance with all recommendations of the traffic study as part of any submitted subdivision or site plan.
6. Any site plan for development shall be reviewed by the Plan and Zoning Commission.

Motion Passed: 11-0-1

Respectfully submitted,



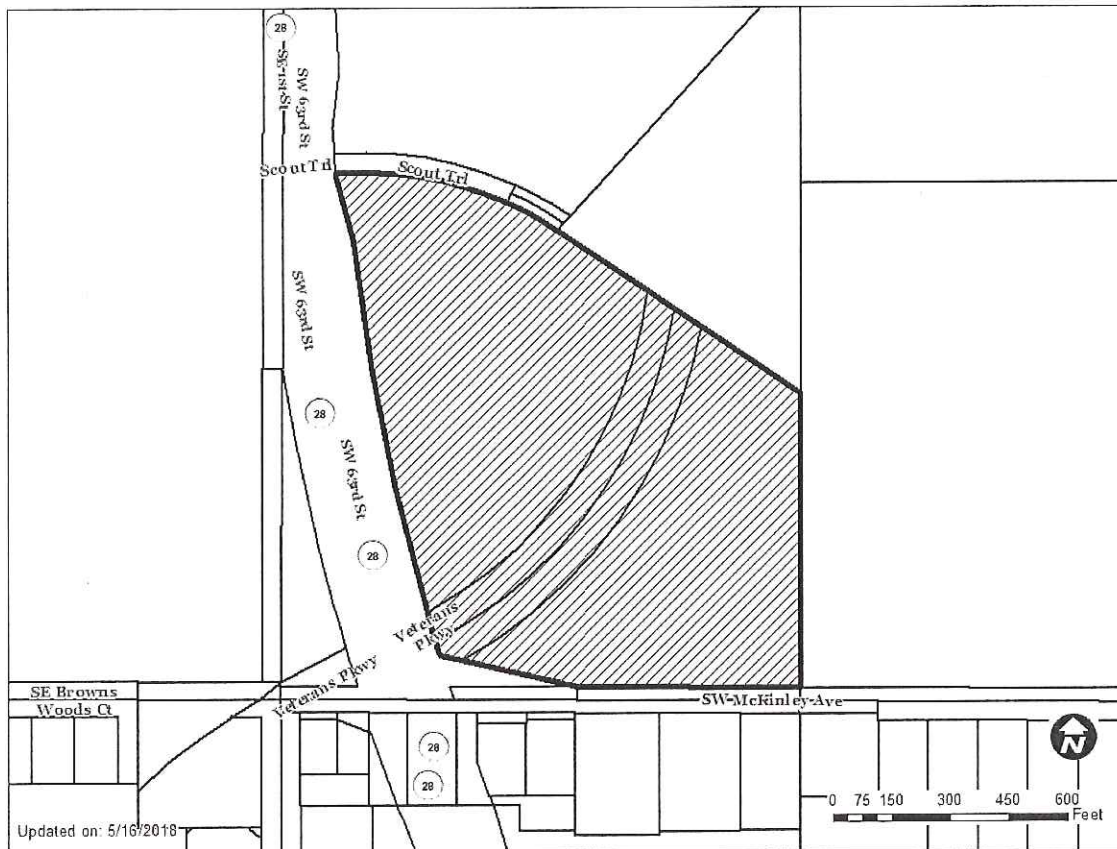
Michael Ludwig, AICP  
Planning Administrator

EML:tjh

Waldinger Corporation (purchaser) represented by Guy Gast (officer) for property located in the 4701 Block of Southwest 63rd Street. The subject property is owned by Mid-America Development Company.				File # ZON2018-00082	
Description of Action	Rezoning from Limited "C-2" General Retail and Highway-Oriented Commercial District to "M-1" Light Industrial District, to allow use of the property for the headquarters and warehouse/distribution center for a mechanical, electrical, and sheetmetal contractor.				
Plan/DSM Future Land Use	Current: Business Park. Proposed: N/A.				
Mobilizing Tomorrow Transportation Plan	Southwest Connector Part 2: IA 28 to Park Avenue.				
Current Zoning District	Limited "C-2" General Retail and Highway-Oriented Commercial District and "FSO" Freestanding Signs Overlay District.				
Proposed Zoning District	"M-1" Light Industrial District and "FSO" Freestanding Signs Overlay District.				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Subject Property	1	5			
Outside Area (200 feet)					
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council		Yes
	Denial				No X

Waldinger Corporation, 4701 Block of Southwest 63rd Street

ZON2018-00082



1 inch = 287 feet

Item ZON2018-00082 Date 5-27-18

I (am)  (am not) in favor of the request.

(Circle One)

Print Name Chad Alley

RECEIVED

Signature [Signature]

COMMUNITY DEVELOPMENT

Address 6116 McKinley Ave

MAY 31 2018

Reason for opposing or approving this request may be listed below.

- \* Clearly no plan that needs to be addressed for building height battling up to residential.
- \* Water Runoff from project
- \* 500+ cars entering and exiting site
- \* Eye sore job trailers that will affect Popocatepec

Item ZON2018-00082 Date June 1, 18

I (am)  (am not) in favor of the request.

(Circle One)

Print Name Nick Van Patten

RECEIVED

Signature [Signature]

COMMUNITY DEVELOPMENT

Address 6020 S.W. McKinley Ave

JUN 05 2018

Reason for opposing or approving this request may be listed below.

Not enough info given on the project being done. Not working with the neighbor hood on improvement with compromise.

Item ZON2018-00082 Date 5-24-18

I (am)  (am not) in favor of the request.

SUBJECT PROPERTY OWNER

(Circle One)

Print Name Steven M. Copman (President, Comm. Popocatepec MADC)

RECEIVED

Signature [Signature]

COMMUNITY DEVELOPMENT

Address 1401 50th St, WDM, IA 50260

Reason for opposing or approving this request may be listed below.

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Item ZON2018-00082

Date 5-30-18

I  (am)  (am not) in favor of the request.

(Circle One)

Print Name Todd Whitehead

Signature Todd Whitehead

Address 6000 McKinley, DSM 50321

Reason for opposing or approving this request may be listed below.

Concerned about Noise, Traffic  
congestion, the appearance of the  
area and our home values.  
Many unanswered questions.

Item ZON2018-00082

Date 5-26-18

I  (am)  (am not) in favor of the request.

(Circle One)

SWANA Association

Not at this time  
until questions  
are addressed

Print Name George Davis

Signature [Signature]

Address 3124 SW 29th

Reason for opposing or approving this request may be listed below.

The neighbors have concerns regarding  
A TRAFFIC Study - who is responsible for  
Additional TRAFFIC Entrances + Exits what is  
The solution for WATER Runoff?  
Design Questions regarding flow with neighbors

22

Item ZON2018-00082

Date 6-1-18

I  (am)  (am not) in favor of the request.

(Circle One)

RECEIVED  
COMMUNITY DEVELOPMENT

Print Name Thomas W. Pinkney

Signature Thomas W. Pinkney

JUN 05 2018

Address 6100 S.W. McKinley Ave

Reason for opposing or approving this request may be listed below.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_