



Date April 22, 2019

**RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING
COMMISSION REGARDING PRELIMINARY PLAT "AIRPORT INDUSTRIAL PARK
PLAT 3" ON PROPERTY LOCATED AT 6230 SCOUT TRAIL**

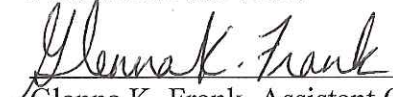
WHEREAS, on April 4, 2019, the City of Des Moines Plan and Zoning Commission voted 10-2 for **APPROVAL** of a Preliminary Plat "Airport Industrial Park Plat 3", submitted by Bell Avenue Properties, Inc. (owner), represented by Guy Gast (officer), on property located at 6230 Scout Trail, to define a 27.12-acre development parcel for previous Outlots X and Y in Airport Industrial Park Plat 2, provide turnaround right-of-way for Scout Trail, and to provide right-of-way to realign Southwest McKinley Avenue, as part of the development of the Waldinger Corporation headquarters building, subject to the following conditions:

1. Compliance with all administrative review comments by the Permit and Development Center.
2. Provision of the 10-foot trail and street tree landscaping spaced every 30 feet along the Iowa Highway 28 frontage of the property in furtherance of the MoveDSM Plan.
3. Provision of any Right-of-Way easement on the Preliminary Plat as determined necessary for the future extension of Scout Trail in accordance with the MoveDSM Plan.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the attached communication from the City Plan and Zoning Commission is hereby received and filed.

MOVED by _____ to receive and file.

FORM APPROVED:


Glenna K. Frank, Assistant City Attorney

(13-2019-1.37)

NOTE: The subject preliminary plat shall be revised administratively in accordance with any Council-approved revision to the Site Plan for the subject property following Council's Site Plan appeal hearing.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				
MOTION CARRIED	APPROVED			

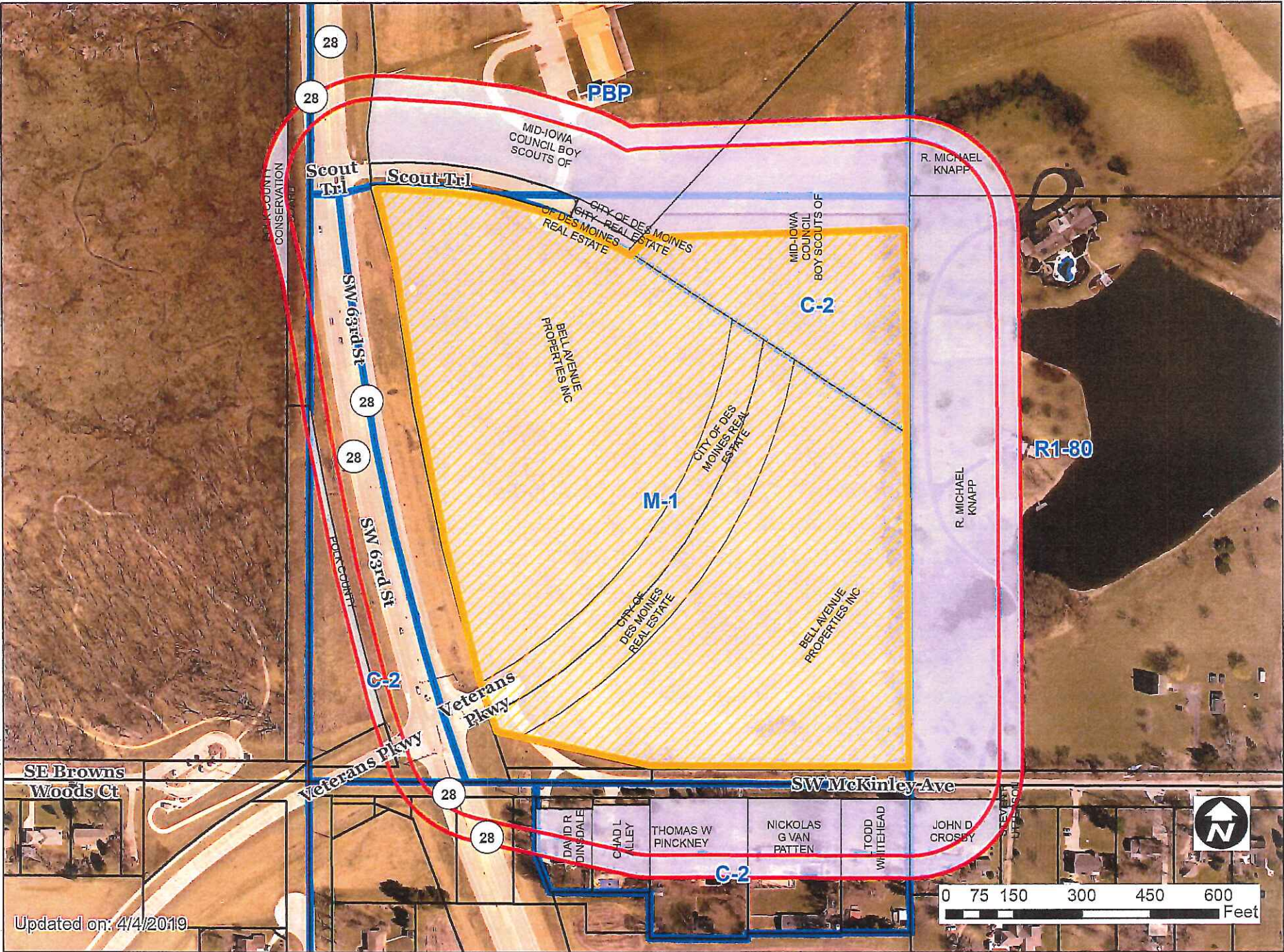
CERTIFICATE

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

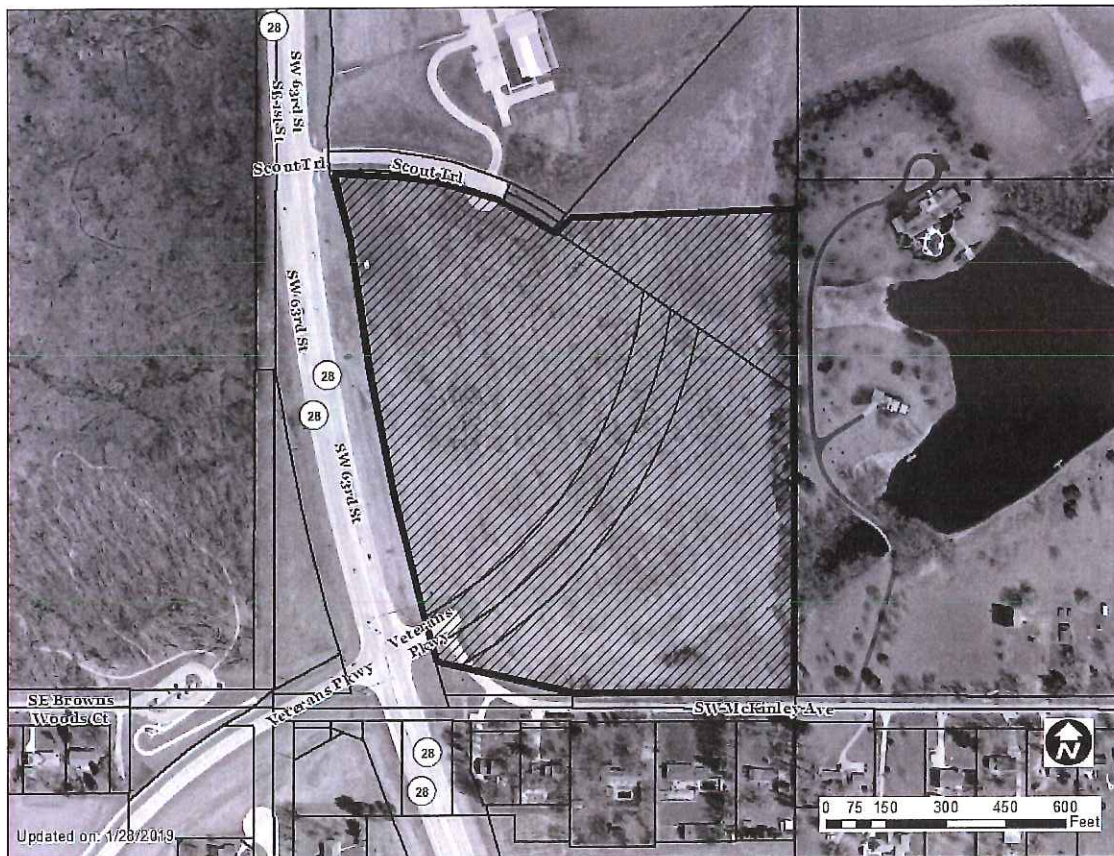
City Clerk



Bell Avenue Properties, Inc. (owner) represented by Guy Gast (officer) for property located at 6230 Scout Trail.				File #
				13-2019-1.37
Description of Action	Review and approval of a Preliminary Plat "Airport Industrial Park Plat 3" to define a 27.12-acre development parcel for previous Outlots X and Y in Airport Industrial Park Plat 2, provide turnaround Right-Of-Way (ROW) for Scout Trail, and to provide ROW to realign Southwest McKinley Avenue.			
PlanDSM Future Land Use	Current: Business Park. Proposed: N/A.			
Mobilizing Tomorrow Transportation Plan	Southwest Connector, 4 Lanes Divided.			
Current Zoning District	"M-1" Light Industrial District, "C-2" General Retail and Highway-Oriented Commercial District and "FSO" Freestanding Signs Overlay District.			
Proposed Zoning District	N/A.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Subject Property	0	0		
Outside Area (200 feet)				
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council	Yes
	Denial			No X

Bell Avenue Properties, Inc., Airport Industrial Park Plat 3, 6230 Scout Trail

13-2019-1.37



1 inch = 283 feet

April 16, 2019

Honorable Mayor and City Council
City of Des Moines, Iowa

Date 4/22/19
Agenda Item 15
Roll Call # _____

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held April 4, 2019 the following action was taken regarding a request from Bell Avenue Properties, Inc. (owner) represented by Guy Gast (officer) for review and approval of a Preliminary Plat "Airport Industrial Park Plat 3" to define a 27.12-acre development parcel for previous Outlots X and Y in Airport Industrial Park Plat 2, provide turnaround Right-Of-Way (ROW) for Scout Trail, and to provide ROW to realign Southwest McKinley Avenue. The subject property is located at 6230 Scout Trail. Additional property is owned by the Mid-Iowa Council Boy Scouts of America.

COMMISSION ACTION:

After public hearing, the members voted 10-2-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Dory Briles	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		
Emily Webb	X			

APPROVAL of the submitted Preliminary Plat subject to the following conditions:

1. Compliance with all administrative review comments by the Permit and Development Center.

2. Provision of the 10-foot trail and street tree landscaping spaced every 30 feet along the Iowa Highway 28 frontage of the property in furtherance of the MoveDSM Plan.
3. Provision on any Right-of-Way easement on the Preliminary Plat as determined necessary for the future extension of Scout Trail in accordance with the MoveDSM Plan.

(13-2019-1.37)

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the submitted Preliminary Plat subject to:

1. Compliance with all administrative review comments by the Permit and Development Center.
2. Provision of the 10-foot trail and street tree landscaping spaced every 30 feet along the Iowa Highway 28 frontage of the property in furtherance of the MoveDSM Plan.
3. Provision on any Right-of-Way easement on the Preliminary Plat as determined necessary for the future extension of Scout Trail in accordance with the MoveDSM Plan.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The developer is seeking to assemble the subject property, relocate Southwest McKinley Avenue, and develop the site for a corporate headquarters facility to consolidate their Des Moines Metro operations. This would include accessory outside storage and required off-street parking areas. The new building would have a 2-story office component totaling 90,000 square feet and a 1-story production area totaling 113,000 square feet, for a total of a 203,000-square foot facility.
2. **Size of Site:** 30.45 acres.
3. **Existing Zoning (site):** Limited "M-1" Light Industrial District and "FSO" Freestanding Signs Overlay 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 63rd 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 February 1, 2019. Additionally, separate notifications of the hearing for this specific item were mailed on February 11, 2019 (10 days prior) 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 March 29, 2019.

All agendas and applicable notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Southwestern Hills Neighborhood Association mailings were sent to George Davis, 3124 Southwest 29th Street, Des Moines, Iowa 50321.

The developer met again with neighbors on March 27, 2019 to go over revisions made in response to neighbor input provided at the March 7, 2019 hearing of the Commission

- 8. Relevant Zoning History:** On July 9, 2018, by Ordinance No. 15,683 the City Council rezoned a majority of the property from Limited "C-2" District to a Limited "M-1" District subject to the following conditions:
- A) 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.
 - B) Provision of landscaping in accordance with the City's standards for "C-2" Districts.
 - C) 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.
 - D) 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.
 - E) Compliance with all recommendations of the traffic study as part of any submitted subdivision or site plan.
 - F) Any site plan for development shall be reviewed by the Plan and Zoning Commission.

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

10. Applicable Regulations: In this instance, the review of the Site Plan by the Plan and Zoning Commission was required by condition of the Ordinance for the rezoning of the

property. In consideration of the criteria set forth in Chapter 18B of the Iowa Code, in acting upon any Site Plan application the Plan and Zoning Commission shall apply the design standards in section 82-213 and ensure compliance with the conditions of the rezoning contained in Ordinance No. 15,683. The decision to approve, approve subject to conditions or disapprove a proposed Site Plan must be based upon the conformance of the Site Plan with the design standards.

II. ADDITIONAL APPLICABLE INFORMATION

- 1. Natural Site Features:** The site is currently 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). A tree removal and mitigation plan has been provided, with the proposed plantings exceeding the amount of mitigation plantings required for removals.

The property owner to the east has an easement to maintain a berm and planting within the east 50 feet of the property. The developer is proposing to increase this to a 75-foot wide easement for their benefit. Construction improvements would impact a small area of the property, however the developer has proposed restoring this disturbed area.

- 2. 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. In this case, when a site is over 10 acres, an erosion control plan also requires the provision of temporary sedimentation basins in the design. The developer has provided a SWPPP and erosion control plan for both the Site Plan and the Preliminary Plat.
- 3. 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.
- 4. 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 recently adopted "MoveDSM Plan" reconsiders the Southwest Connector for this area in favor of a more localized street circulation network. The regional transportation plan of the MPO, "Mobilizing Tomorrow" has not formally adopted this.

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 63rd 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 63rd 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 63rd 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 63rd Street in that scenario.
- Any site access driveway should be limited to 45 feet wide per SUDAS requirements.

With the elimination of the Southwest Connector project, the submitted Preliminary Plat proposes the reconfiguration and relocation of Southwest McKinley Avenue to connect to SW 63rd Street/IA Highway 28 across from Veterans Parkway in West Des Moines. The submitted Plat proposes extending the street to connect to existing SW McKinley Avenue, with a frontage connection for access to existing residences. The City Engineer is recommending that this project all be completed in one phase with the site development.

Separately the MoveDSM Plan and Complete Streets policy adopted by the City Council call for sidewalks on all public street sides with any Site Plan where they are absent. Furthermore, based on MoveDSM, a 10-foot wide multipurpose trail is to be located on the SW 63rd Street/IA Highway 28 frontage. The City Traffic Engineering Division has recommended that this be installed in lieu of the typical 5-foot wide sidewalk that would be required with the Site Plan. There are some challenges with grades and Des Moines Water Works easements in providing either. Engineering staff has indicated that it could be accomplished but may require some development on the private property side, in which public easements would need to be provided. The developer has not provided either a 10-foot multipurpose trail or a 5-foot public sidewalk on the Southwest 63rd Street/IA Highway 28 frontage. The has not shown a trail or sidewalk with the submittal and is requesting temporary waiver or deferment of this provision. Staff recommends that the trail improvement be required with the Site Plan development at the front end. Any deferment should be required to provide a bond for the cost of constructing after a set period of time.

An issue raised at the most recent meeting with neighbors inquired about the extension of Scout Trail in accordance with the MoveDSM Plan identified future street network. While the City's development agreement did not include their responsibility for the developer to construct such improvement, the City is working with the developer to provide an alignment to determine any future Right-Of-Way easement that may be necessary from the subject property. The developer has indicated that they would

coordinate any necessary easement dedication on their property with the final plat documents.

- 5. 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. The conditions of the zoning require 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. Additionally, the zoning conditions require outside storage areas be 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. Also, 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.

Since the item was continued, the developer has revised the landscaping plans in an effort to meet this requirement. In the attachments are sheets provided by the developer to demonstrate compliance with the Zoning Conditions by showing sections at selected lines of sight towards the proposed building and outside storage areas. The proposal does not include any architectural screening solutions only landscaping and berm solutions. Staff has several concerns including the fact that these plans are based on plant materials at full maturity. The surrounding neighbors need to be aware if approved as proposed, it would be several years for the plantings to serve their full purpose. Staff further believes that there are several view sheds from surrounding streets and residences that would be adequately screened as proposed. These areas are mostly related to the proposed south drive entrances which make it more challenging to achieve the intent of the Zoning Conditions. Staff has identified areas to the northeast, southeast, south and southwest which would need more plant material including evergreen plantings to sufficiently obscure the proposed dock doors in the long term. Staff also believes the north, south, and east perimeter of the proposed outside storage area and the loading area at the southwest corner of the building should be screened with an opaque wall or fence.

The developer has provided additional revised landscaping plan to address these concerns. Staff recommends that a moderate distribution of plant materials also be provided around the proposed architectural screen fence for the outside storage area.

The neighborhood meeting generated input related to the type of planting that would occur in the berm area between homes to the south and the realignment of SW McKinley Avenue. It was expressed that more evergreens should be included. Staff is comfortable with approving a standard substitution of up to 30% of the overstory trees with evergreen species in accordance with Landscape Policies. The substitution ratio would be two (2) evergreens per (1) overstory tree or two (2) evergreens per three(3) ornamental trees.

- 6. Urban Design:** The submitted elevations indicate the proposed building would be comprised primarily of pre-cast concrete walls. There would be contrasting coloration between the office and production components of the building. The office component also includes significant glass and Aluminum window panel systems. There are also galvanized steel features and Aluminum composite panel systems. The proposed

zoning conditions require that 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. The submitted elevations would comply with this requirement.

SUMMARY OF DISCUSSION

Jason Van Essen presented staff report and recommendation. Noted that the applicant and city staff met with neighboring property owners on March 27, 2019. Showed a map of a potential alignment for Scout Trail.

Guy Gast 2601 Bell Avenue, representing Bell Avenue Properties stated they were able to shift a small patch of trees to the median so Nick Van Patten, an adjoining property owner, has the option to acquire land to extend his driveway.

Mike Anthony, Shive Hattery, 4125 Westown Parkway, representing Bell Avenue Properties stated they were able to satisfy Mike Knapp's request and will bore the pipe underneath the berm. They will also be planting an additional 12 trees and adding a 75-foot conservation easement.

Guy Gast stated they are supportive of the regional trail system but still would like to defer that construction until a plan is developed around the trail system in the area. They are willing to provide a bond for the cost to construct the future trail. They have no problem granting a right-of-way easement for Scout Trail and working with staff for future roadway system. They have also addressed the issue around the outdoor storage area and will be using a 10-foot architectural metal panel system with additional landscaping.

CHAIRPERSON OPENED THE PUBLIC HEARING

Nick Van Patten, 6020 SW McKinley, confirmed he is still working with Waldinger to move trees so he can obtain the roadway in front of his house.

Walter Githens 320 SW 6th Street, stated flood water has limited the trails we have in Des Moines and the trail along 63rd Street would be traversable during flood events.

Amy Noonan 15153 Summit Drive, President of Des Moines Cycle Club, stated in the past there have been promises made but not followed through. This section of trail would be great to connect the north and south sides of the Raccoon River.

Mike Knapp, 5935 SE McKinley, stated he is concerned about the development of Scout Trail because neither Waldinger nor the Boy Scouts have interest in developing that road. He would like to find a solution around how Scout Trail could connect to Highway 28. He is also concerned about the view of the overhead doors from his home due to the trees planted being on the downhill side of the berm. He proposed to move the storage area more to the North or extend the wall they are constructing around the storage area.

Guy Gast stated they aren't allowed to move the storage area into the C-2 zoned portion of the site but have done the best they can with landscaping.

Mike Anthony stated the trees are on the highest side of the slope to protect the view of the overhead doors. Knapp's property is over 3 ½ football fields away and what's not shown in the line of site is the size of things once you get that far away.

Guy Gast stated Scout Trail has never been Waldinger's responsibility to construct and that would be something to talk about with the Boy Scouts because Waldinger only owns a small portion of the area where the road would traverse.

Will Page asked for information around Waldinger's proposal to bond for the bike trail.

Guy Gast stated we assume there is a way to provide financial assurance to the City, whether it's through a bond or waiving their right to appeal a future assessment.

Mike Ludwig stated Council has already approved the development agreement for this project and did not require Scout Trail to be constructed by Waldinger. The Scout Trail extension is shown in MoveDSM. Without the construction of the Southeast Connector, there is going to be a study completed to identify what roadway network need to be developed in this area. This property is also in an Urban Renewal District and will generate TIF increment that could be used to develop public infrastructure within the District, subject to Council approval. At this point staff feels comfortable asking for a roadway easement to be dedicated and there is no obligation for Waldinger to construct Scout Trail.

CHAIRPERSON CLOSED THE PUBLIC HEARING

David Courard-Hauri moved approval of the staff recommendation. He feels it's important for the bike trail to be constructed now so it doesn't become a problem with any future development.

Greg Wattier offered a friendly amendment to defer construction of the trail and to accept a bond for the cost of the future trail construction.

David Courard-Hauri declined the amendment.

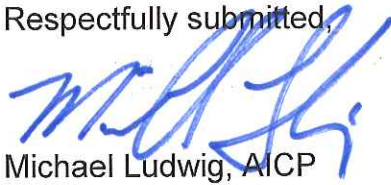
COMMISSION ACTION:

David Courard-Hauri made a motion for approval of Parts A & B) approval of the submitted Preliminary Plat and Site Plan subject to compliance with the following conditions:

1. Compliance with all administrative review comments by the Permit and Development Center.
2. Provision of the 10-foot trail and street tree landscaping spaced every 30 feet along the Iowa Highway 28 frontage of the property in furtherance of the MoveDSM Plan.
3. Provision on any Right-of-Way easement on the Preliminary Plat as determined necessary for the future extension of Scout Trail in accordance with the MoveDSM Plan.

Motion passed 10-2-0

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:tjh
Attachments

7. All services lines to buildings and all utility lines in the adjoining right-of-way shall be located underground.
8. Compliance with Section 42-550 of the City Code.
9. There shall be no change to the originally approved building materials.

THE VOTE: 9-1-2 (John "Jack" Hilmes opposed, Emily Webb and Greg Wattier abstained)

Item 5

Request from Bell Avenue Properties, Inc. (owner) represented by Guy Gast (officer) for the following for property located at 6230 Scout Trail. Additional property is owned by the Mid-Iowa Council Boy Scouts of America.

- A) Review and approval of a Preliminary Plat "Airport Industrial Park Plat 3" to define a 27.12-acre development parcel for previous Outlots X and Y in Airport Industrial Park Plat 2, provide turnaround Right-Of-Way (ROW) for Scout Trail, and to provide ROW to realign Southwest McKinley Avenue.

(13-2019-1.37)

- B) Review and approval of a Site Plan "Waldinger Headquarters" in accordance with the conditions of Ordinance No. 15,683, to allow for development of a corporate headquarters building with two stories of office space totaling 90,000 square feet and a 113,000-square foot main level production area.

(10-2019-7.86)

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The developer is seeking to assemble the subject property, relocate Southwest McKinley Avenue, and develop the site for a corporate headquarters facility to consolidate their Des Moines Metro operations. This would include accessory outside storage and required off-street parking areas. The new building would have a 2-story office component totaling 90,000 square feet and a 1-story production area totaling 113,000 square feet, for a total of a 203,000-square foot facility.

2. **Size of Site:** 30.45 acres.

3. **Existing Zoning (site):** Limited "M-1" Light Industrial District and "FSO" Freestanding Signs Overlay 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 63rd 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 February 1, 2019. Additionally, separate notifications of the hearing for this specific item were mailed on February 11, 2019 (10 days prior) 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 February 15, 2019.

All agendas and applicable notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Southwestern Hills Neighborhood Association mailings were sent to George Davis, 3124 Southwest 29th Street, Des Moines, Iowa 50321.

8. **Relevant Zoning History:** On July 9, 2018, by Ordinance No. 15,683 the City Council rezoned a majority of the property from Limited "C-2" District to a Limited "M-1" District subject to the following conditions:
 - A) 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.
 - B) Provision of landscaping in accordance with the City's standards for "C-2" Districts.
 - C) 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.
- D) 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.
 - E) Compliance with all recommendations of the traffic study as part of any submitted subdivision or site plan.
 - F) Any site plan for development shall be reviewed by the Plan and Zoning Commission.

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

10. Applicable Regulations: In this instance, the review of the Site Plan by the Plan and Zoning Commission was required by condition of the Ordinance for the rezoning of the property. In consideration of the criteria set forth in Chapter 18B of the Iowa Code, in acting upon any Site Plan application the Plan and Zoning Commission shall apply the design standards in section 82-213 and ensure compliance with the conditions of the rezoning contained in Ordinance No. 15,683. The decision to approve, approve subject to conditions or disapprove a proposed Site Plan must be based upon the conformance of the Site Plan with the design standards.

II. ADDITIONAL APPLICABLE INFORMATION

- 1. Natural Site Features:** The site is currently 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). A tree removal and mitigation plan has been provided, with the proposed plantings exceeding the amount of mitigation plantings required for removals.

The property owner to the east has an easement to maintain a berm and planting within the east 50 feet of the property. The developer is proposing to increase this to a 75-foot wide easement for their benefit. Construction improvements would impact a small area of the property, however the developer has proposed restoring this disturbed area.

- 2. 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. In this case, when a site is over 10 acres, an erosion control plan also requires the provision of temporary sedimentation basins in the design. The developer has provided a SWPPP and erosion control plan for both the Site Plan and the Preliminary Plat.

3. **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.
4. **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 recently adopted "MoveDSM Plan" reconsiders the Southwest Connector for this area in favor of a more localized street circulation network. The regional transportation plan of the MPO, "Mobilizing Tomorrow" has not formally adopted this.

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 63rd 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 63rd 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 63rd 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 63rd Street in that scenario.
- Any site access driveway should be limited to 45 feet wide per SUDAS requirements.

With the elimination of the Southwest Connector project, the submitted Preliminary Plat proposes the reconfiguration and relocation of Southwest McKinley Avenue to connect to SW 63rd Street/IA Highway 28 across from Veterans Parkway in West Des Moines. The submitted Plat proposes extending the street to connect to existing SW McKinley Avenue, with a frontage connection for access to existing

residences. The City Engineer is recommending that this project all be completed in one phase with the site development.

Separately the MoveDSM Plan and Complete Streets policy adopted by the City Council call for sidewalks on all public street sides with any Site Plan where they are absent. Furthermore, based on MoveDSM, a 10-foot wide multipurpose trail is to be located on the SW 63rd Street/IA Highway 28 frontage. The City Traffic Engineering Division has recommended that this be installed in lieu of the typical 5-foot wide sidewalk that would be required with the Site Plan. There are some challenges with grades and Des Moines Water Works easements in providing either. Engineering staff has indicated that it could be accomplished but may require some development on the private property side, in which public easements would need to be provided. The developer has not provided either a 10-foot multipurpose trail or a 5-foot public sidewalk on the Southwest 63rd Street/IA Highway 28 frontage. The has not shown a trail or sidewalk with the submittal and is requesting temporary waiver or deferment of this provision. Staff recommends that the trail improvement be required with the Site Plan development at the front end. Any deferment should be required to provide a bond for the cost of constructing after a set period of time.

5. **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. The conditions of the zoning require 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. Additionally, the zoning conditions require outside storage areas be 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. Also, 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.

Since the item was continued, the developer has revised the landscaping plans in an effort to meet this requirement. In the attachments are sheets provided by the developer to demonstrate compliance with the Zoning Conditions by showing sections at selected lines of sight towards the proposed building and outside storage areas. The proposal does not include any architectural screening solutions only landscaping and berm solutions. Staff has several concerns including the fact that these plans are based on plant materials at full maturity. The surrounding neighbors need to be aware if approved as proposed, it would be several years for the plantings to serve their full purpose. Staff further believes that there are several view sheds from surrounding streets and residences that would be adequately screened as proposed. These areas are mostly related to the proposed south drive entrances which make it more challenging to achieve the intent of the Zoning Conditions. Staff has identified areas to the northeast, southeast, south and southwest which would need more plant material including evergreen plantings to sufficiently obscure the proposed dock doors in the long term. Staff also believes

the north, south, and east perimeter of the proposed outside storage area and the loading area at the southwest corner of the building should be screened with an opaque wall or fence.

6. **Urban Design:** The submitted elevations indicate the proposed building would be comprised primarily of pre-cast concrete walls. There would be contrasting coloration between the office and production components of the building. The office component also includes significant glass and Aluminum window panel systems. There are also galvanized steel features and Aluminum composite panel systems. The proposed zoning conditions require that 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. The submitted elevations would comply with this requirement.

III. STAFF RECOMMENDATION

Parts A & B) Staff recommends approval of the submitted Preliminary Plat and Site Plan subject to compliance with the following conditions:

1. Compliance with all administrative review comments by the Permit and Development Center.
2. Provision of the 10-foot trail and street tree landscaping spaced every 30 feet along the Iowa Highway 28 frontage of the property in furtherance of the MoveDSM Plan.
3. Provision of architectural screening or opaque fence screening surrounding the proposed outside storage area.
4. Revision of the landscaping plan to increase landscaping or provide architectural screening in areas where Staff has determined that the site lines to overhead doors and outside storage areas from public street views and surrounding residential properties are not proposed to be adequately protected to meet the requirements of the Zoning Conditions.

SUMMARY OF DISCUSSION

Jason Van Essen presented staff report and recommendation.

Francis Boggus asked where the closest sidewalk is to this development.

Jason Van Essen stated he isn't sure of distance but if you look at the aerial photo there is sidewalk on along the north side of Veterans Parkway west of 63rd Street in West Des Moines.

Francis Boggus asked if the Scout Center has a sidewalk on their property, adjacent to 63rd Street.

Jason Van Essen stated he was not certain.

Guy Gast 2601 Bell Avenue, representing Bell Avenue Properties stated last summer they didn't have any plans yet and have done a preliminary meeting with the neighborhood to see what concerns they might have. Their concerns consisted of parking lot lighting, noise, water flow, traffic, transportation and what they could see from their homes. Last week they had another meeting with all the same concerns remaining. They are not opposed to the trail as it would be a benefit for their employees as well but they would like to defer construction until additional segments of the trail are planned and installed.

Mike Anthony, Shive Hattery, 4125 Westown Parkway, representing Bell Avenue Properties stated he has spoken with the City's Park and Recreation department and they do not currently have any plans for this trail connection. They would like to defer this condition until location studies can be done and engineering be completed.

Craig Erikson, Shive Hattery, 4125 Westown Parkway, representing Bell Avenue Properties stated the zoning language requires a screen fence or landscaping around the outdoor storage area. The applicant now proposes a 10-foot tall architectural screen fence. There are over 100 existing trees in the landscape easement along the east property line that are over 12 inches in diameter. All trees provided will meet the City's standards for minimum height and size of all plant materials. Waldinger wants to be a good neighbor in the area and provide the best screening they can.

Vitus Bering, 1466 28th Street, representing SVPA Architects stated the building is made up of 3 main areas, a 2-story office building, a 1 story production area for fabrication and a 1 story production support area. He presented architectural renderings for the proposed building.

CHAIRPERSON OPENED THE PUBLIC HEARING

Dan Johansen 2801 42nd Street, stated he was representing the Street Collective of Greater Des Moines. He is here in support of the staff recommendation to not defer the construction of the bike trail. In West Des Moines there is a trail that comes right up to the property on 63rd and there is also connectivity to the Great Western Trail. For them to say there is no connectivity, that is simply not true.

George Davis, 3124 SW 29th, stated they are in search of a happy medium for everyone and to make this a positive tax base for Des Moines. The neighbors and surrounding development haven't had time to review the changes that have taken place over the last few days, they're not opposed to it but would like time to review it. They would like to have a new traffic study done on SW McKinley now that the SW Connector will no longer be constructed. They are also concerned about the recreational area that was mentioned tonight, will that be screed or just open land.

Mike Knapp, 5935 SE McKinley, stated he has some concerns about the execution of the project. Water runoff is a concern of his and how it will affect the pond on his

property. The berm they are purposing to remove is directly in site of his house and he'd like to know if there is a possibility to bore though the berm instead of removing it.

Nick Van Patten, 6020 SW McKinley, stated he also has a concern about the berm and the visuals he will have from his house. He has a lot of concerns that haven't been answered tonight around changes that will happen in front of his house such as the driveway that will be extended, water drainage and congestion of traffic. He would like to have more time so the neighborhood can digest everything that is going to happen.

Steve Utterson, 5884 McKinley, stated he is concerned about the inadequate roads such as 56th Street, the number of bicycles they have coming down McKinley and how the extension of the road will transition. He would like to table these concerns and look into all the questions the neighbors have tonight.

Deb Whitehead, 6000 McKinley, stated there are a lot of people that walk on her street, including herself. With the added traffic and no trail system or sidewalks it will be impossible for that to happen.

Applicant's Rebuttal:

Guy Gast stated they wanted to leave McKinley alone but the City's Traffic and Transportation Division didn't feel comfortable with that option. They have added a sidewalk on this development's side of McKinley from 63rd to the property line but it doesn't have anything to connect too. 56th Street is not their concern and they will not encourage their trucks to use 56th Street but they must be consistent with the City's MoveDSM Transportation Plan. Waldinger is asking for a deferral on installation of the trail, not a waiver.

Mike Anthony stated that the applicant is meeting and exceeding all City requirements for stormwater management. On-site detention basins address both water quantity and quality. The rate of water being released to the Knapp property will be reduced compared to existing conditions and the water quality of Knapp's pond will be significantly better than it has been. Waldinger is willing to provide performance security for future construction of the trail on their property.

Craig Erikson stated the material used for the fence will be an architectural metal panel that is recommended by City staff. The open space referenced earlier won't be for recreational use but simply for employee and family picnics a few times a year.

Mike Anthony stated with the topography in the area, they found it would be challenging to bore through the berm.

Jacqueline Easley asked about the last-minute meeting with the neighborhood.

Guy Gast stated the developer was required to have a meeting last summer before they came in for rezoning. There was another occasion where they've reached out to the neighborhood, offering the opportunity for neighbors to tour the existing facility to

get a sense of what they do. The voluntarily provided another opportunity for neighbors to look at the plans last week.

Greg Wattier asked if they ever explored the option to extend Scout Trail.

Guy Gast stated they only bought a small piece of the Scout Center's land so there isn't much of Scout Trail to work with and shifting production delivery to the North would have required them to abandon a quarter of a million dollars in manufacturing equipment.

Mike Anthony stated the topography was also an issue with the incline on Scout Trail.

Mike Ludwig stated they have met the requirements of the City's Traffic department.

Rocky Sposato asked about the visuals the neighbors would have from their elevated windows.

Guy Gast stated that's something they couldn't solve very easily unless they dug a bigger hole to have the building hidden from all perspectives. They were asked by staff to minimize the view of overhead doors and they have minimized that to as much as possible. They are doing the best they can with the land given and are exceeding the minimum berm and tree height requirements.

CHAIRPERSON CLOSED THE PUBLIC HEARING

David Courard-Hauri stated there is some connectivity for the bike trail and it's a benefit to get bikes off a busy street for a portion of time, rather than no time at all.

Greg Wattier asked if the existing piece of McKinley Avenue will stay.

Mike Ludwig stated the far western portion of existing McKinley Avenue would no longer connect directly to 63rd Street. It will terminate in a cul-de-sac.

Greg Wattier asked if the sidewalk could be built on the South side of the street that Waldinger will construct.

Mike Ludwig stated future development to the west of the Waldinger site would install sidewalk on the north side of McKinley and there is existing sidewalk on the north side of Veterans Parkway west of 63rd Street. It would be better to have sidewalk continuously on the north side of McKinley. Since the south side of McKinley is already developed without sidewalk, staff would like the sidewalk to remain on the north side of McKinley through the Waldinger project for future connectivity.

Greg Wattier stated he wished the walkability could be solved on the south. He believes the number one issue would be water quality and if there is a way the staff representing Waldinger and the staff Mike Knapp has hired could get together to come up with a good solution.

16

Mike Ludwig stated they must meet requirements from the City's Permit and Development Center. We do encourage continued discussions but not sure if they can require mediation between property owners.

David Courard-Hauri stated that he does not support a waiver or deferral of the bike trail. If we always wait until an entire network is installed, there will never be a network. Incremental installation is needed.

Francis Boggus stated he has a contrary view on installation of the trail and believes a trail next to a highway will not be used. He believes that 63rd Street and McKinley is a dangerous crossing. He is ok with a deferral of the trail.

Rocky Sposato requested a continuance to allow time for more discussion with the neighborhood.

Mike Ludwig noted that the next meeting was not until April 4, 2019.

COMMISSION ACTION:

Rocky Sposato made a motion to continue this item to the April 4, 2019 Commission Meeting.

THE VOTE: 9-2-0 (David Courard-Hauri and Greg Wattier opposed)

Item 6

Request from Savannah Homes, Inc. (purchaser) represented by Ted Grob (officer) for review and approval of a 6th Amendment to the Brook Run PUD Conceptual Plan, to allow property at 3740 Village Run Drive intended for neighborhood commercial development to be divided into three (3) lots for single-family residential development. The subject property is owned by Gratias Investments, Inc.

(ZON2019-00015)

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

- 1. Purpose of Request:** The applicant proposes to develop the property for three (3) lots for single-family dwellings. The approved Brook Run PUD Conceptual Plan currently allows for the property to be developed with a commercial use per requirements in the "C-1" Neighborhood Retail Commercial District. Additionally, commercial use is