



**Roll Call Number**

19-0756

**Agenda Item Number**

49

**Date** May 6, 2019

**RESOLUTION DISMISSING HEARING ON APPEAL BY BELL AVENUE PROPERTIES, INC. OF THE CONDITIONS TO SITE PLAN FOR PROPERTY LOCATED AT 6230 SCOUT TRAIL**

**WHEREAS**, on April 22, 2019, by Roll Call No. 19-0631, the City Council received a recommendation from the City Plan and Zoning Commission advising that at a public hearing held on April 4, 2019, its members voted 10-2 to recommend **APPROVAL** of a request from Bell Avenue Properties, Inc. (owner), represented by Guy Gast (officer), for approval of the Site Plan “Waldinger Headquarters” for property located at 6230 Scout Trail 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, subject to the following conditions:

1. Compliance with all administrative review comments by the Permit and Development Center.
2. Provision of a note on the Site Plan to specify minimum 22-gauge thickness metal for any metal panels, and that landscaping, curing and bollards are required where metal panel material is located less than four (4) feet from grade.
3. 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.
4. 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.
5. Revision of the landscaping plan to provide a moderate amount of base landscaping material distributed around the outside of the proposed fenced outdoor storage area. Additionally, with regard to the neighborhood input regarding the proposed southern screening berm, staff would consider substitutions of evergreen species for proposed overstory and ornamental tree plantings in accordance with substitution allowances in the approved Landscaping Standards in the Site Plan Policies.

**WHEREAS**, Bell Avenue Properties, Inc. has timely appealed to the City Council pursuant to Municipal Code Section 82-210, seeking to have conditions 3 and 5 set forth above, as determined by the Plan and Zoning Commission, overturned and/or modified to allow for deferral of the construction of the 10-foot trail pending completion of design and initial construction of any trail segments (condition 3) and waiver of any obligation to construct sidewalk along Iowa Highway 28 frontage if applicable, waiver of the street tree landscaping requirement along Iowa Highway 28 frontage (condition 3), and waiver of the requirement for additional plantings around the outside of the proposed fenced outdoor storage area (condition 5); and

**WHEREAS**, on April 22, 2019, by Roll Call No. 19-0631, it was duly resolved by the City Council that the appeal be set down for hearing on May 6, 2019 at 5:00 P.M. in the Council Chamber at City Hall; and

**WHEREAS**, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said appeal; and



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WHEREAS, thereafter Bell Avenue Properties, Inc. presented a revised Site Plan to Community Development Department staff fulfilling the Plan and Zoning Commission's conditions of approval, and has requested to withdraw its appeal.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the public hearing on the appeal by Bell Avenue Properties, Inc. of the conditions of approval to the Site Plan "Waldinger Headquarters" for property located at 6230 Scout Trail is hereby dismissed, and the matter of the proposed appeal is withdrawn from City Council consideration.

MOVED by Mendelbaum to adopt.

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

(10-2019-7.86)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

J. M. Franklin Cownie Mayor

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.

Diane Rauh City Clerk