

**Roll Call Number**25-0137**Agenda Item Number**20**Date** May 19, 2025

RESOLUTION SETTING HEARING ON APPEAL FROM SCOTTISH RITE PARK, INC. (OWNER), REPRESENTED BY DANIEL J. BOOR (OFFICER), ON A CONDITIONALLY APPROVED TYPE 2 DESIGN ALTERNATIVE FOR A PUBLIC HEARING SITE PLAN FOR PROPERTY LOCATED AT 2909 WOODLAND AVENUE

WHEREAS, at a public hearing held on April 3, 2025, the City Plan and Zoning Commission considered a request from Scottish Rite Park, Inc. (Owner), represented by Daniel J. Boor (Officer), for approval of the Site Plan for Type 2 Design Alternative waiving the requirement to install sidewalks along all street frontages identified in the city's transportation master plan, as shown in the Site Plan submitted for the property located at 2909 Woodland Avenue; and

WHEREAS, pursuant to Section 135-8.5.2.A of the Municipal Code, installation of sidewalks are required as identified in the city's transportation master plan; and

WHEREAS, in its Site Plan, the Scottish Rite Park, Inc. proposed waiving the requirement for installing sidewalks along all street frontages of the subject property, which have been identified in the city's transportation master plan as requiring sidewalks; and

WHEREAS, the Plan and Zoning Commission voted 11-0 for a conditional **APPROVAL** of a Type 2 Design Alternative, in which the Commission conditionally approved the request to waive said ordinance requirement to install sidewalks along all street frontages identified in the city's transportation master plan, subject to the following conditions:

1. Provision of a sidewalk segment extending east from the eastern edge of the drive to a point that aligns with the western 29th Street sidewalk. The sidewalk segment shall include a ramp oriented towards the south for pedestrians crossing Woodland Avenue.
2. Compliance with all administrative review comments.; and

WHEREAS, the Scottish Rite Park, Inc. has timely appealed to the City Council pursuant to Municipal Code Section 135-9.3.9(B), and is seeking further review of the Plan and Zoning Commission decision and conditional approval of the above-described Type 2 design alternative to the Site Plan waiving the requirement to install sidewalks along all street frontages identified in the city's transportation master plan set forth in Municipal Code Section 135-8.5.2.A.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. The City Council shall consider the appeal by the Scottish Rite Park, Inc. at a public hearing in the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa at 5:00 p.m. on June 9,



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2025 at which time the City Council will hear both those who oppose and those who favor the proposal.

2. The City Clerk is hereby authorized and directed to publish notice of said hearing in the form hereto attached, in accordance with Section 362.3 of the Iowa Code.

MOVED BY Gatto TO ADOPT.

SECOND BY Voss

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill,
Assistant City Attorney

(SITE-2024-000132)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
MANDELBAUM	✓			
SIMONSON	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED	APPROVED			

Connie Bassen Mayor

CERTIFICATE

I, Laura Baumgartner, 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.

Laura Baumgartner City Clerk