



Date April 20, 2020

RESOLUTION HOLDING HEARING ON REQUEST FROM IOWA HOMELESS YOUTH CENTERS (APPLICANT) TO AMEND THE EXISTING PLANDSM: CREATING OUR TOMORROW PLAN FUTURE LAND USE DESIGNATION AND REZONE PROPERTY LOCATED AT 2705 EAST EUCLID AVENUE

WHEREAS, on April 25, 2016, by Roll Call No. 16-0717, the City Council adopted the PlanDSM: Creating Our Tomorrow Plan; and

WHEREAS, on March 9, 2020, by Roll Call No. _____, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on February 20, 2020, the City Plan and Zoning Commission voted 8-0 in support of a motion to recommend **APPROVAL** of a request by Iowa Homeless Youth Centers (Applicant), represented by Toby O’Berry (officer), to amend the existing PlanDSM: Creating Our Tomorrow Plan future land use designation for real property locally known as 2705 East Euclid Avenue (“Property”) from Low Density Residential to Community Mixed Use, to allow for rezoning to Limited RX1 Mixed Use District and allow development of the Property for a business/trade school use and offices for youth training; and

WHEREAS, on March 9, 2020, by Roll Call No. _____, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on February 20, 2020, its members voted 8-0 in support of a motion to recommend **APPROVAL** of a request from Iowa Homeless Youth Centers to rezone the Property from “Na3” Residential District to “RX1” Mixed Use District, to allow development of the property for a business/trade school use and offices for youth training; and

WHEREAS, on March 9, 2020, by Roll Call No. _____, it was duly resolved by the City Council that request to rezone the Property and for approval of the proposed comprehensive plan amendment, be set down for hearing on March 23, 2020 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 proposed amendment to the Zoning Ordinance and comprehensive plan; and

WHEREAS, on March 23, 2020, by Roll Call No. 20-0585, it was duly resolved by the City Council that the time and place for the hearing on said proposed amendment to Zoning Ordinance and comprehensive plan be continued to April 20, 2020, at 5: 00 p.m., to be held in the Second Floor Board Room in the Richard A. Clark Municipal Services Center at 1551 East Martin Luther King Jr. Parkway; and

WHEREAS, in accordance with said notice and continuance, those interested in said proposed comprehensive plan amendment and rezoning and, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council; and



Roll Call Number

Agenda Item Number

46

Date April 20, 2020

WHEREAS, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the Property locally known as 2705 East Euclid Avenue, legally described as:

THE SOUTH 210.0 FEET OF THE NORTH 260.0 FEET OF THE WEST 183.3 FEET OF THE SOUTH ONE-HALF (1/2) OF THE NORTHEAST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF SECTION 30, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA

from "N3a" Residential District to "RX1" Mixed Use District, to allow development of the property for a business/trade school use and offices for youth training.

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

1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed amendment to the PlanDSM: Creating Our Tomorrow Plan future land use designation for 2705 East Euclid Avenue or the proposed rezoning of the Property to RX1 Mixed Use District, are hereby overruled, and the hearing is closed.
2. The proposed amendment to the PlanDSM: Creating Our Tomorrow Plan for the property locally known as 2705 East Euclid Avenue to Community Mixed Use is hereby **APPROVED**.
3. The proposed rezoning of the Property, as legally described above, to RX1 Mixed Use District, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is **APPROVED**, subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY _____ TO ADOPT.

FORM APPROVED:

Judy K Parks-Kruse
Judy K. Parks-Kruse, Assistant City Attorney

(21-2020-4.04)
(ZON2020-00017)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

CERTIFICATE

I, P. Kay Cmelik, 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



March 3, 2020

Date _____

Agenda Item _____

Roll Call # _____

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their February 20, 2020 meeting, the following action was taken regarding a request from Iowa Homeless Youth Centers (applicant), represented by Toby O’Berry (officer) to rezone property located at 2705 East Euclid Avenue from “N3a” Residential District to “RX1” Mixed Use District to allow development of the property for a business/trade school use and offices for youth training. The subject property is owned by the Michael J Rovner Trust, the Cynthia L Rovner Trust, Michael J Rovner (trustee), and Cynthia L Rovner (trustee).

COMMISSION RECOMMENDATION:

After public hearing, the members voted 8-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Dory Briles	X			
Abby Chungath	X			
Jacqueline Easley				X
Jann Freed				X
John “Jack” Hilmes				X
Lisa Howard	X			
Carolyn Jenison	X			
Greg Jones				X
William Page				X
Rocky Sposato	X			
Steve Wallace	X			
Greg Wattier				X
Emily Webb	X			

APPROVAL of Part A) the Commission find the proposed rezoning not in conformance with the Des Moines’ PlanDSM: Creating Our Tomorrow Plan future land use designations of Low Density Residential, Part B) **APPROVAL** of the request to amend the future land

use designation to Low Density Residential to Community Mixed Use and Part C)
APPROVAL of the requested rezoning to “RX1” Mixed Use District.

(21-2020-4.04) & (ZON2020-00017)

Written Responses

4 in Favor

4 in Opposition

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends that the Commission find the proposed rezoning not in conformance with the Des Moines’ PlanDSM: Creating Our Tomorrow Plan future land use designations of Low Density Residential.

Part B) Staff recommends approval of the request to amend the future land use designation to Low Density Residential to Community Mixed Use.

Part C) Staff recommends approval of the requested rezoning to “RX1” Mixed Use District.

Should the requested rezoning be denied, the applicant would have up to one (1) year following that denial to seek a Use Variance from the Zoning Board of Adjustment to allow the specific proposed uses of the property.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

- 1. Purpose of Request:** The proposed rezoning to the “RX1” District would allow the applicant to develop the property for a business/trade school use and offices for youth training. The proposed “RX1” District would not allow use of the property for a homeless shelter.

The rezoning would permit construction of building using a “Commercial Cottage”, “General Building”, or a “Civic Building” building type in accordance with requirements in Chapter 135 Article 2 of the City Code. The conceptual site sketch submitted with the rezoning application demonstrates that the site would be developed with a 2-story building with a rooftop patio, along East Euclid Avenue and an off-street parking lot to the rear (south).

- 2. Size of Site:** 183 feet by 210 feet (38,493 square feet or 0.884-acre).
- 3. Existing Zoning (site):** “N3a” Neighborhood District.
- 4. Existing Land Use (site):** Undeveloped land.

5. Adjacent Land Use and Zoning:

North - "N1b", Uses include East Euclid Avenue and one-household dwellings.

South - "N3a"; Use is a one-household dwelling.

East - "N3a"; Uses are one-household dwellings.

West - "MX3"; Uses are Cricket Wireless and Papa John's Pizza.

6. General Neighborhood/Area Land Uses: The subject property is located along the south side of the East Euclid Avenue corridor where uses transition from commercial to the west to residential to the east.

7. Applicable Recognized Neighborhood(s): The subject property is located in an area recognized by both the Fairmont Park Neighborhood and the Douglas Acres Neighborhood. All neighborhood associations were notified of the public hearing by mailing of the Preliminary Agenda on January 31, 2020. Additionally, separate notifications of the hearing for this specific item were mailed on January 31, 2020 (20 days prior to the public hearing) and February 10, 2020 (10 days prior to the public hearing) to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. All agendas and notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. A Final Agenda was mailed to recognized neighborhoods on February 14, 2020.

The Fairmont Park Neighborhood mailings were sent to Jeff Witte, 2501 Morton Avenue, Des Moines, IA 50317, and the Douglas Acres Neighborhood mailings were sent to Joe Youngwirth, 3824 Lay Street, Des Moines, IA 50317.

The applicant held a required neighborhood meeting on February 10, 2020. The applicant has provided the required written summary of the neighborhood meeting.

8. Relevant Zoning History: The City' new Zoning Ordinance took effect on December 15, 2019, at which time the property became zoned "N3a" Neighborhood District since PlanDSM currently designates this property as Low Density Residential. It was previously zoned "C-1" Neighborhood Retail Commercial District.

9. PlanDSM Land Use Plan Designation: The property is designated as Low Density Residential.

10. Applicable Regulations: Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission 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 Land Use Plan:** In order to allow for the proposed rezoning, the future land use designation for the property must be amended from Low Density Residential to Community Mixed Use.

PlanDSM Creating Our Tomorrow Plan describes “Community Mixed Use” as: *Small- to medium-scale mixed use development, located on high capacity transit corridors or at the intersection of transportation corridors. Community mixed use areas include both a mix of medium density residential and a mix of retail and service establishments designed to attract customers from a large service area encompassing multiple neighborhoods and may include specialty retail that attracts regional customer.*

Staff believes that the Community Mixed Use is appropriate for this property given the its location along the major East Euclid Avenue corridor and given that it is immediately adjoining property that is already designated as Community Mixed Use.

The recently adopted Zoning Ordinance describes the requested “RX1” District as follows: *RX1 is intended for transitional areas between MX districts and N districts, providing for residential and office buildings at a scale and intensity appropriate for corridor's adjacent to low-scale neighborhoods.*

Staff recommends that the requested “RX1” District be found in conformance with the proposed Des Moines’ PlanDSM: Creating Our Tomorrow Plan future land use designation of “Community Mixed Use”.

2. **Streets and Access:** A traffic study was not required by the City’s Traffic Engineering Division for the requested rezoning. For purposes of future redevelopment of the site, East Euclid Avenue is considered a Primary Street Frontage. 60th Street and 61st Street are considered Non-Primary Street Frontages.
3. **Parking:** If the site is developed for a youth training facility, the business/trade school use component would require 1 parking space for every 2 staff members and 1 parking space for every 5 students, and the office component would require 1 parking space per 400 square feet of office space.

Bicycle parking would be required at one per classroom plus 1 per 50,000 square feet of office space.

SUMMARY OF DISCUSSION

Erik Lundy presented staff report and recommendations.

Abby Chungath asked what this property was previously zoned.

A member of the audience stated it was previously zone C-1 which was affirmed by Erik Lundy.

Dory Briles confirmed the previous zoning was listed on page 2 of the staff report.

Toby O’Berry, 638 41st Street stated they work with transitional youth from the ages of 18-24. They focus on housing assistance, workforce training, employment and education assistance. This project is going to help the youth that have transitioned out of the foster care system with skills they will need in the work place. This will be a place of business that will operate Monday-Friday with no residential dwellings. They will staff 3-4 employees that will assist with the training and 4 youth that are receiving training. This location is perfect for them as its tied to the bus line along Euclid, directly across from Hy-Vee and perfect for the use that is intended. The cash flow that is generated through the sale of their produce to Hy-Vee will support staff and the youth in this program.

CHAIRPERSON OPENED THE PUBLIC HEARING

The Chair solicited testimony from individuals in favor of the rezoning request. Seeing none the Chair solicited testimony from individuals opposed to the rezoning.

Jeff Witte, 2501 Morton Avenue stated there were three main concerns after the neighborhood meeting that was held February 11th, disruption of privacy, questions around future expansion and the possibility of problems with the men who will be going through the program. There are a lot of abandoned buildings along Euclid they could use for this project, they shouldn’t rezone this property back to commercial and should save it for residential development.

Jason Carpenter, 3216 E. 24th Street stated he has concerns with the light pollution from the parking lot and water run off was another concern of his. He would like to see trees planted along the South and East side of the property to create a buffer.

The Chair opened the hearing for rebuttal by the applicant.

Toby O’Berry stated Douglas Acers Neighborhood Association is in support of this project while Fairmont Park is opposition. They want to address the concerns of the neighbors and believe they will be able to address the privacy and parking encroachment concerns that have been raised.

Alan Van Gundy, 1717 Ingersoll Avenue stated with the contour of the land, the properties to the South sit 10 feet higher than what the base of their building will sit at. If you consider a floor to floor height of 14 feet, that would only be 4 feet above the homes to the South. They have also pulled the intensity of their site to the North and West of the parcel to address the concerns of the neighborhood. They are willing to reduce the number of parking stalls as they have exceeded the requirement, which would eliminate the 2 parking stalls abutting the property to the South. Landscaping requirements will be met and will provide evergreen and shrubs along the South and East side of the property. Lighting will also meet code with cut off fixtures that will not spill into adjoining properties.

Toby O’Berry stated 60% of the youth they serve are women. They want these kids to be self-sufficient and contribute to society. These are kids that were born with unstable families, they’re not violent and are not criminals.

COMMISSION ACTION:

Francis Boggus made a motion for approval of Part A) the Commission find the proposed rezoning not in conformance with the Des Moines’ PlanDSM: Creating Our Tomorrow Plan

future land use designations of Low Density Residential, Part B) **APPROVAL** of the request to amend the future land use designation to Low Density Residential to Community Mixed Use and Part C) **APPROVAL** of the requested rezoning to "RX1" Mixed Use District.

Motion passed: 8-0

Respectfully submitted,



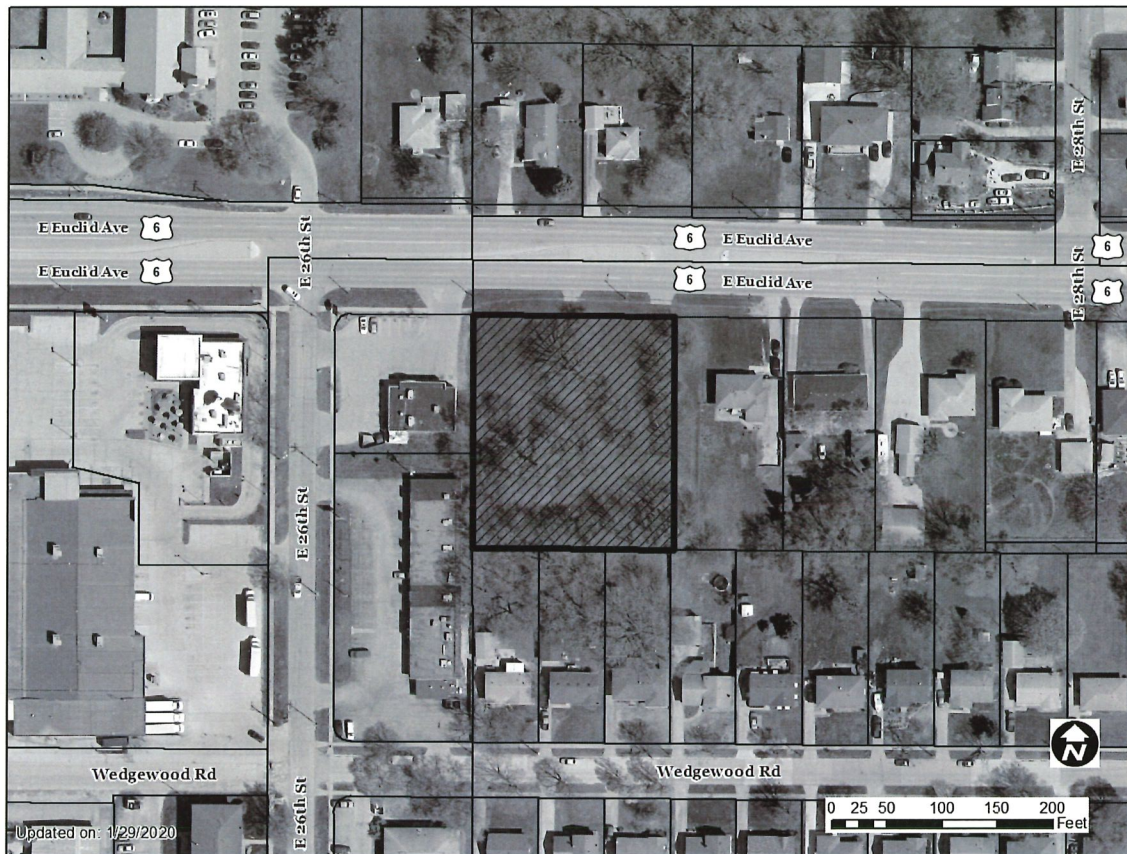
Erik Lundy, AICP
Senior City Planner

EML:tjh

Iowa Homeless Youth Centers (applicant), represented by Toby O’Berry (officer), for property located at 2705 East Euclid Avenue. The subject property is owned by the Michael J Rovner Trust, the Cynthia L Rovner Trust, Michael J Rovner (trustee), and Cynthia L Rovner (trustee).				File # 21-2020-4.04	
Description of Action	Amend PlanDSM Creating Our Tomorrow’s future land use designation from Low Density Residential to Community Mixed Use.				
PlanDSM Future Land Use	Current: Low Density Residential. Proposed: Community Mixed Use.				
Mobilizing Tomorrow Transportation Plan	No planned improvements.				
Current Zoning District	“N3a” Residential District.				
Proposed Zoning District	“RX1” Mixed Use District.				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Outside Area (200 feet)	0	0			
Within Subject Property					
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council	Yes	
	Denial			No	X

Iowa Homeless Youth Centers, 2705 East Euclid Avenue

21-2020-4.04

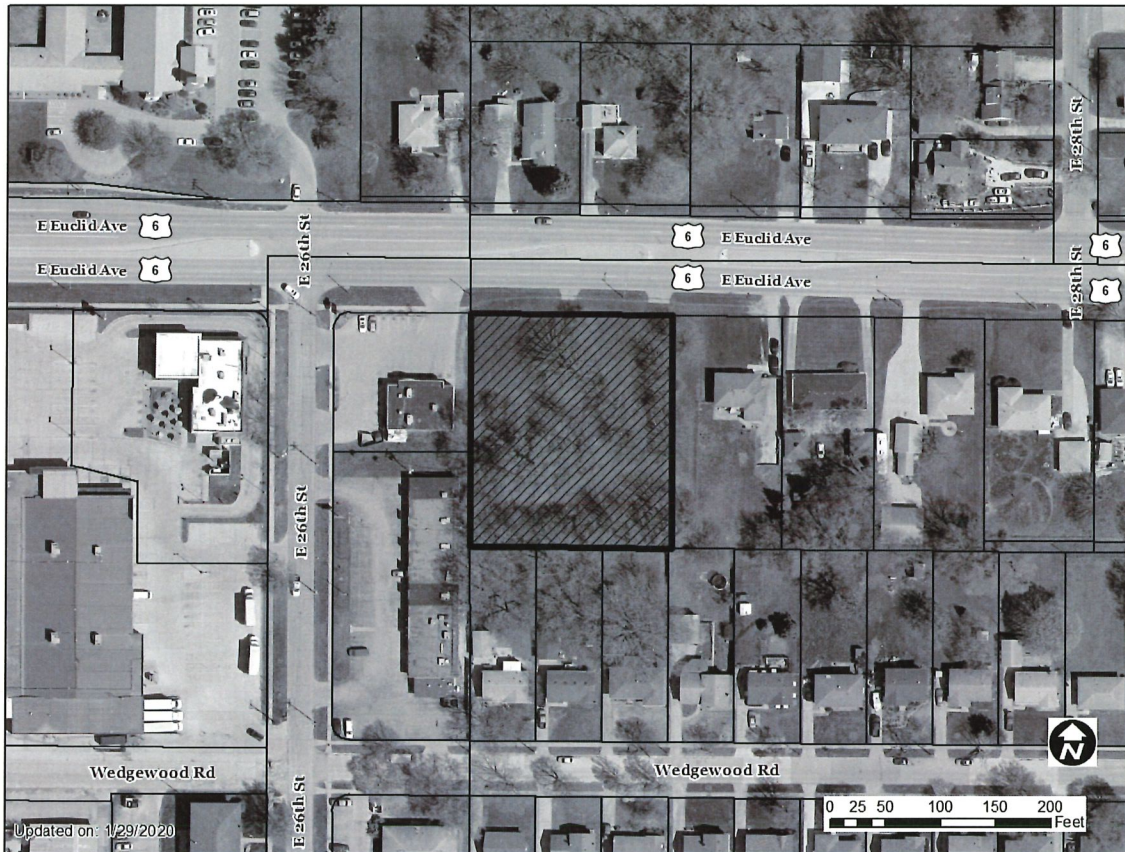


1 inch = 103 feet

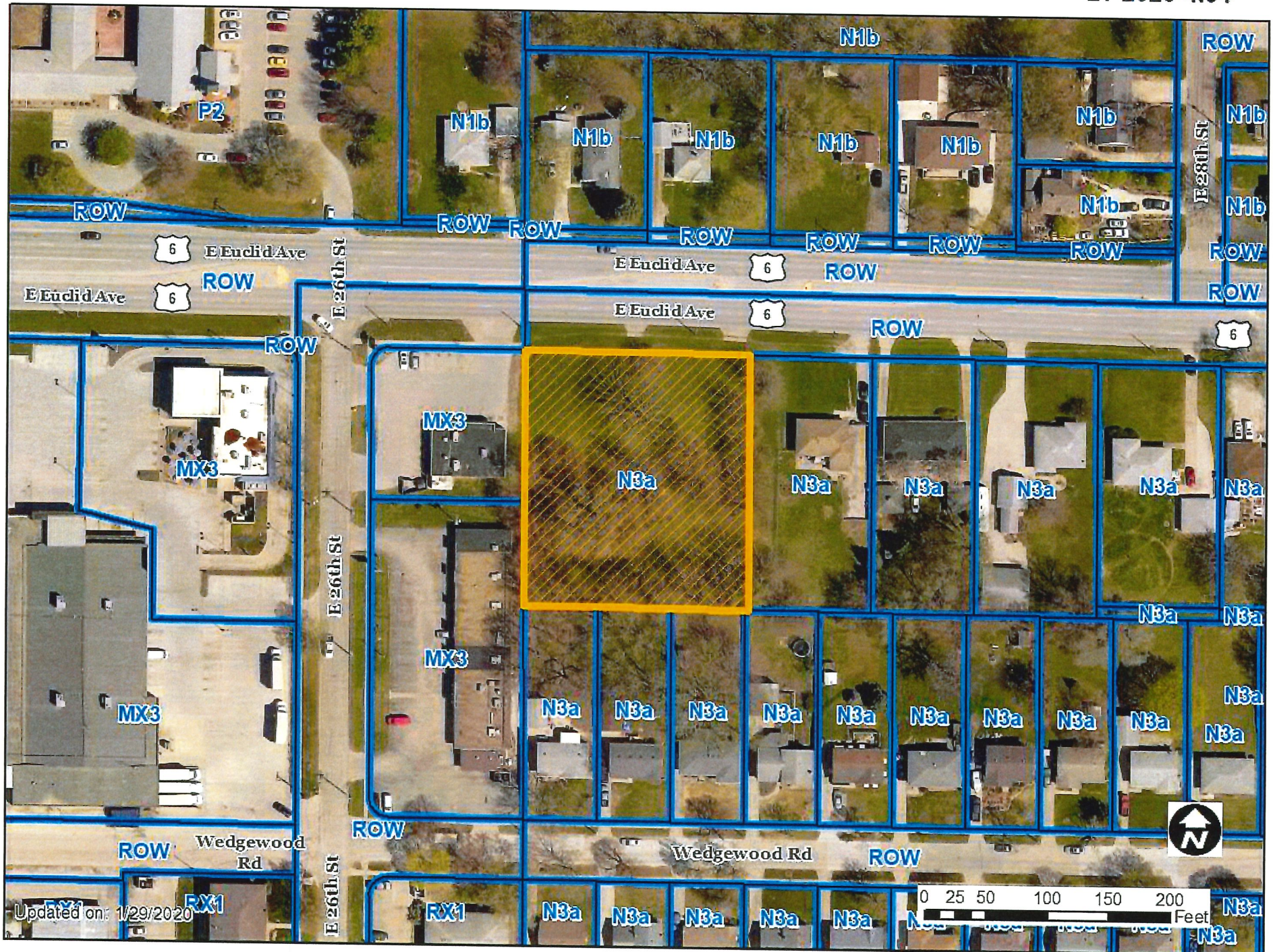
Iowa Homeless Youth Centers (applicant), represented by Toby O’Berry (officer), for property located at 2705 East Euclid Avenue. The subject property is owned by the Michael J Rovner Trust, the Cynthia L Rovner Trust, Michael J Rovner (trustee), and Cynthia L Rovner (trustee).				File # ZON2019-00017	
Description of Action	Rezone property from “N3a” Residential District to “RX1” Mixed Use District to allow development of the property for a business/trade school use and offices for youth training.				
PlanDSM Future Land Use	Current: Low Density Residential. Proposed: Community Mixed Use.				
Mobilizing Tomorrow Transportation Plan	No planned improvements.				
Current Zoning District	“N3a” Residential District.				
Proposed Zoning District	“RX1” Mixed Use District.				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Outside Area (200 feet)					
Within Subject Property	4	4			
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council	Yes	
	Denial			No	X

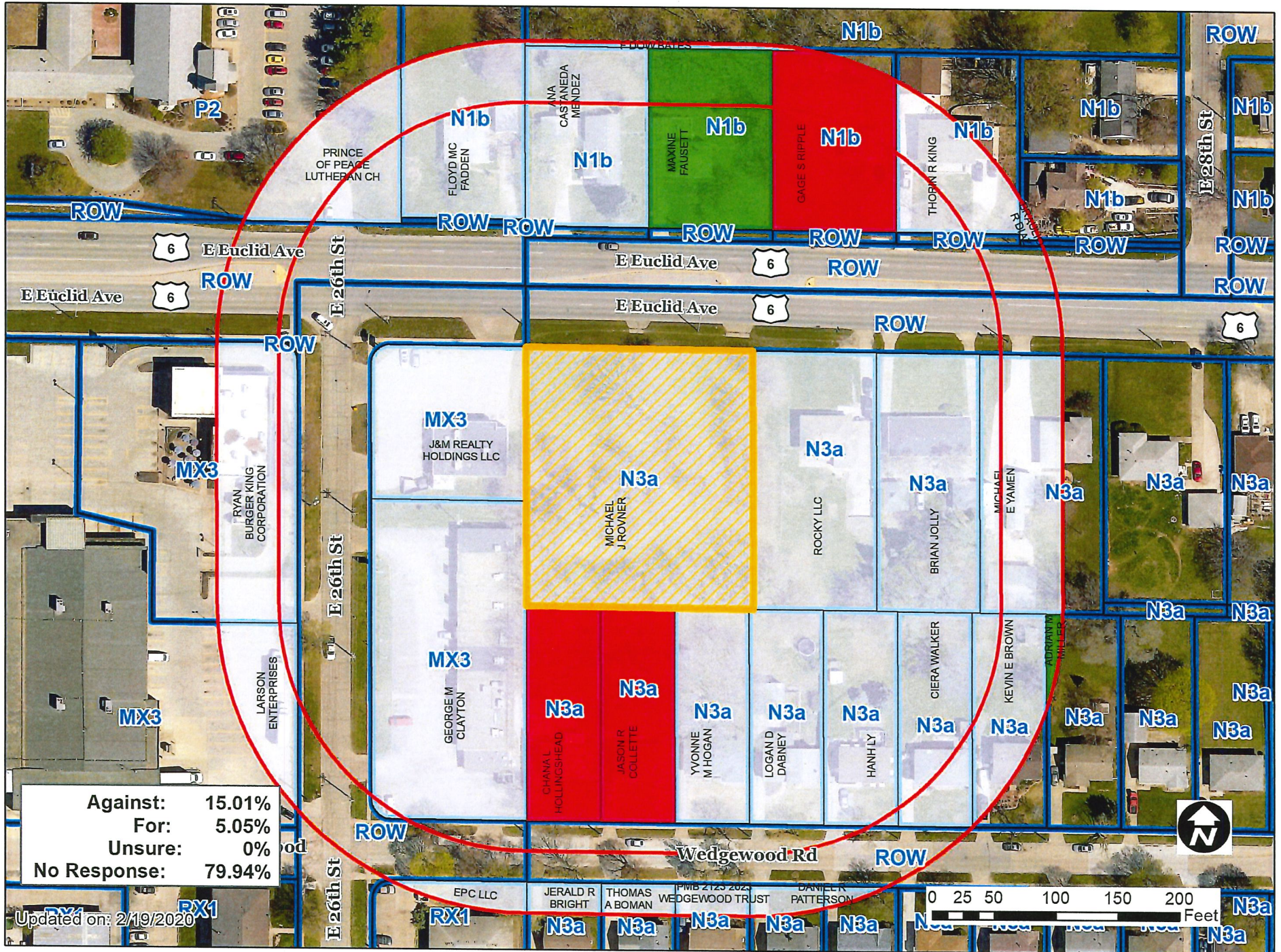
Iowa Homeless Youth Centers, 2705 East Euclid Avenue

ZON2020-00017



1 inch = 103 feet





Updated on: 2/19/2020

1 inch = 100 feet

Item: ZON2020-00017

Date: Feb 12, 2020

DOUGLAS ACRES NEIGHBORHOOD ASSOC.

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

(Circle One)

Print Name: DANA - Joe Youngwith, president

Signature: Joe Youngwith

RECEIVED
COMMUNITY DEVELOPMENT

Address: 3824 Lay St.

FEB 14 2020

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

low traffic, low neighborhood impacts, local grown healthy food source, job training for needy youths

Item: ZON2020-00017

Date: 2-11-20

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

(Circle One)

Print Name: JOE Fausett

RECEIVED
COMMUNITY DEVELOPMENT

Signature: Joe Fausett

Address: 2712 Euclid AVE

FEB 14 2020

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

Item: ZON2020-00017

Date: 2/13/2020

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

SUBJECT PROPERTY OWNER

(Circle One)

Print Name: Michael Rovner

812 38th St
WOM IA

Signature: [Handwritten Signature]

Address: 2705 E. Euclid

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

How + why were you able to rezone
this property recently to residential
WITHOUT notifying us (current owner)
was that even legal?? MJR

Item: ZON2020-00017

Date: 2-12-20

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

(Circle One)

Print Name: Adrian M. Miller

RECEIVED
COMMUNITY DEVELOPMENT
FEB 18 2020

Signature: Adrian M. Miller

Address: 2644 Wedgewood Rd

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

youth Training, Trade School
Very much so, yes

Item: ZON2020-00017 Date: 2/11/20

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

(Circle One) Print Name: Chana Hollingshead

RECEIVED COMMUNITY DEVELOPMENT Signature: [Signature]

FEB 19 2020 Address: 2612 Wedgewood Rd

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

no privacy -
property value going down -
resale value
Taxes go up

Item: ZON2020-00017 Date: 2/11/2020

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

(Circle One) Print Name: Jason Collette

RECEIVED COMMUNITY DEVELOPMENT Signature: [Signature]

FEB 18 2020 Address: 2614 Wedgewood Rd

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

It's a safety hazard for our family & child.
Dropping the market value so bad we now have
to move after only 1 1/2 years ~~ago~~ here.

Item: ZON2020-00017 Date: 2-16-2020

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

(Circle One) Print Name: Gage Rippe

RECEIVED
COMMUNITY DEVELOPMENT
Signature: Gage Rippe

FEB 19 2020 Address: 2727 E. Euclid Ave
Des Moines IA 50317

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

decreases my property value.
potential increase in crime rates.

Item: ZON2020-00017 Date: 11 Feb 2020

I (am) (am not) in favor of the request: FAIRMONT PARK NEIGHBORHOOD ASSOC.

(Circle One) Print Name: Fairmont Park Neighborhood Assoc

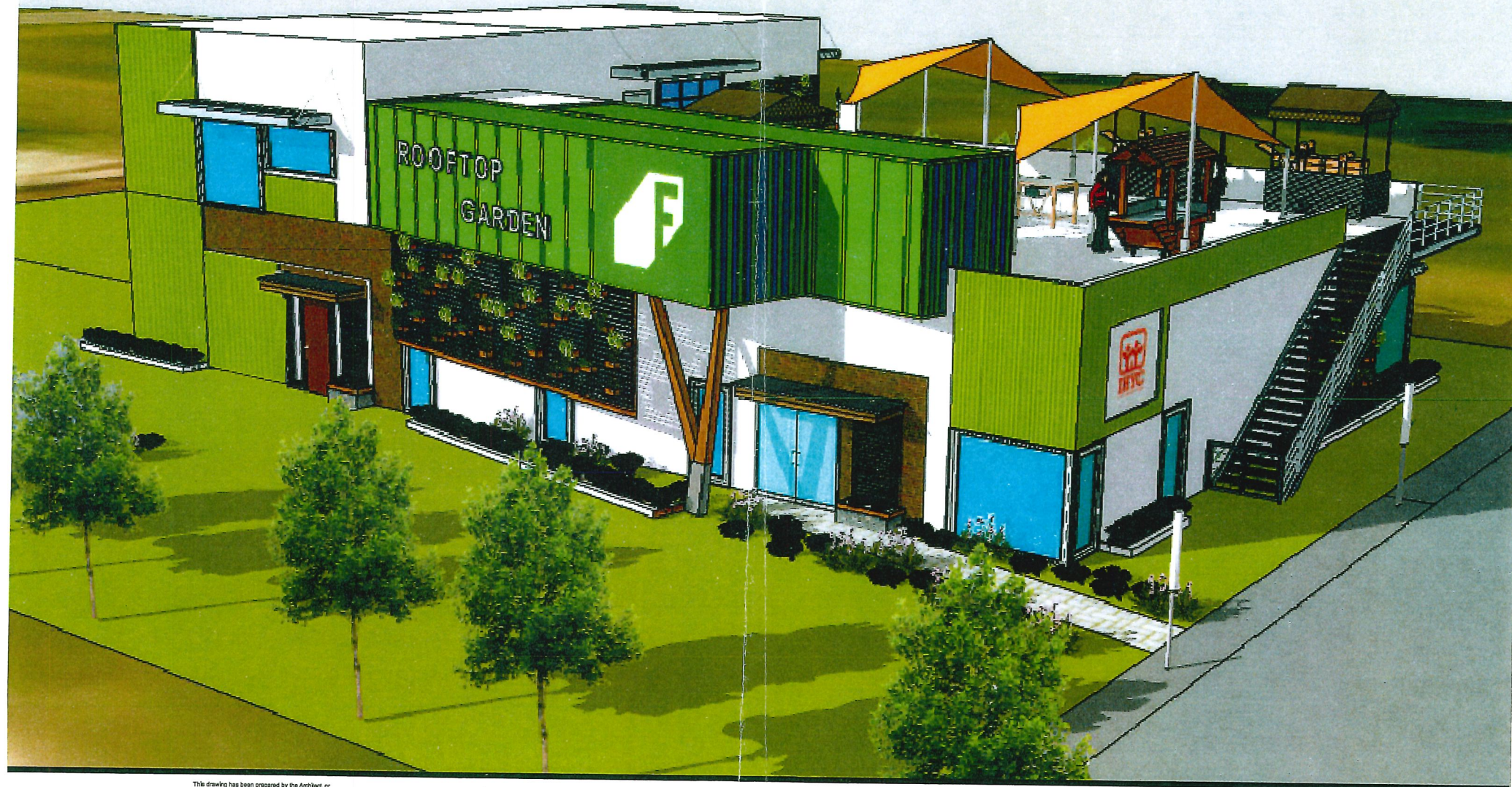
RECEIVED
COMMUNITY DEVELOPMENT
Signature: [Signature]

FEB 18 2020 Address: 2501 Morton Ave Des Moines Ia

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

We would like to see the concerns of the
neighbors addressed.

President FPNA JEFF WITTE



This drawing has been prepared by the Architect, or under the Architect's direct supervision. This drawing is intended to be consultative in nature only. Property boundaries, setbacks, easements, topography, utilities, structures and other physical features shown herein are based on the information available to the architect at the time of design. This document reflects a site plan concept only, and does not necessarily reflect all governing authority requirements, including green space calculations, bulk regulations, landscaping, storm water management, city input, site signage, grading, and other factors that may impact final site design. This drawing shall not be used for construction or bonding documentation. © Copyright 2020 by Simonson & Associates Architects, L.L.C.

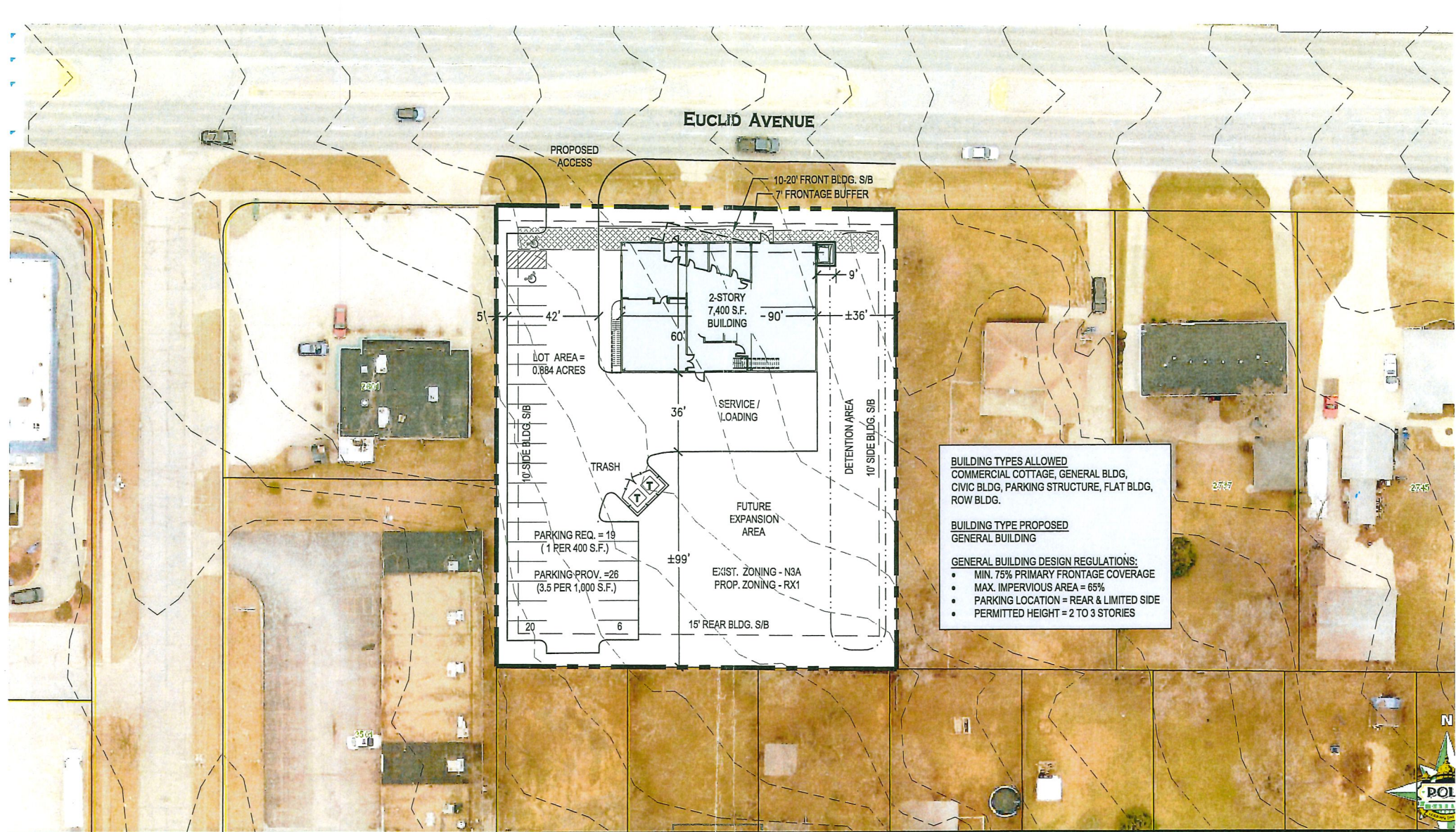
IHYC Rooftop Gardens
2705 E. Euclid Avenue
Des Moines, Iowa

January 22, 2020

simonson

simonson & associates architects llc
 1717 ingersoll avenue suite 117 des moines ia 50309
 phn 515 449 3626 www.simonsonassoc.com

SAAF 19067



BUILDING TYPES ALLOWED
 COMMERCIAL COTTAGE, GENERAL BLDG,
 CIVIC BLDG, PARKING STRUCTURE, FLAT BLDG,
 ROW BLDG.

BUILDING TYPE PROPOSED
 GENERAL BUILDING

GENERAL BUILDING DESIGN REGULATIONS:

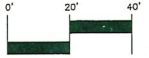
- MIN. 75% PRIMARY FRONTAGE COVERAGE
- MAX. IMPERVIOUS AREA = 65%
- PARKING LOCATION = REAR & LIMITED SIDE
- PERMITTED HEIGHT = 2 TO 3 STORIES

This drawing has been prepared by the Architect or under the Architect's direct supervision. The drawing is intended to be conceptual in nature only. Property boundaries, setbacks, easements, topography, utilities, structures and other physical features shown herein are based on the information available to the architect at the time of design. This document reflects a site plan concept only, and does not necessarily reflect all governing authority requirements, including green space calculations, bulk regulations, landscaping, storm water management, city input, site signage, grading, and other factors that may impact final site design. This drawing shall not be used for construction or legally binding documentation. (C) Copyright 2020 by Simonson & Associates Architects, LLC.

IHYC Rooftop Gardens
 Site Concept #3
 2705 E. Euclid Avenue
 Des Moines, Iowa
 January 22, 2020

NORTH

 1" = 40'-0" @ 11"x17" Sheet
 SAA# 19067
 DRAWN BY: AVG



simonson
 simonson & associates architects llc
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 515 440 5626 www.simonsonassoc.com