

Agenda Item Number

Date February 8, 2021

RESOLUTION SETTING HEARING ON REQUEST FROM CATHOLIC HEALTH INITIATIVES – IOWA CORPORATION D/B/A MERCY MEDICAL CENTER DES MOINES FOR APPROVAL OF A PROPOSED 7TH AMENDMENT TO THE MERCY MEDICAL CENTER PUD CONCEPTUAL PLAN ON PROPERTY LOCATED IN THE VICINITY OF 1111 6TH AVENUE

WHEREAS, on January 21, 2021, the City Plan and Zoning Commission voted 14-0 to APPROVE a request from Catholic Health Initiatives – Iowa Corporation d/b/a Mercy Medical Center Des Moines (owner), represented by Diane Cummings (officer), to review and approve a proposed 7th Amendment to the Mercy Medical Center PUD Conceptual Plan on property located in the vicinity of 1111 6th Avenue ("Property") to allow construction of a canopy on the building known as 411 Laurel Street, and revision of the campus signage plan; and

WHEREAS, the Property is legally described as follows:

LOTS 1 THROUGH 5 IN BLOCK "A", LOTS 1 AND 2 IN BLOCK "B", AND LOTS 1 THROUGH 3 BLOCK "D" AND STREET LOT "I" AND "K", ALL IN RIVER HILLS PLAT 1 BEING AN OFFICIAL PLAT IN THE CITY OF DES MOINES, POLK COUNTY, IOWA EXCEPT WARRANTY DEEDS BOOK 16099, PAGE 855 AND BOOK 16099, PAGE 850 AS FILED IN THE POLK COUNTY RECORDER'S OFFICE.

AND

A PART OF UNIVERSITY COURT RECORDED IN QUIT CLAIM DEED BOOK 6060 PAGE 198 AND A PART OF LOTS 47 AND 92 AND A PART OF AN ALLEY BETWEEN LOTS 47 AND 92 RECORDED IN WARRANTY DEED BOOK 6088 PAGE 01, ALL IN GRAND PARK BEING AN OFFICIAL PLAT IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS.

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1, BLOCK "A" OF RIVER HILLS PLAT 1; THENCE NORTH 0^00'39" WEST, 90.49 FEET; THENCE NORTH 0^31'15" EAST, 64.31 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 17.50 FEET, WHOSE ARC LENGTH IS 31.87 FEET AND WHOSE CORD BEARS NORTH 52^40'17" EAST, 27.64 FEET; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 455.00 FEET, WHOSE ARC LENGTH IS 78.97 FEET AND WHOSE CORD BEARS SOUTH 70^11'37" EAST, 78.87 FEET; THENCE SOUTH 65^13'11" EAST, 239.35 FEET; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE NORTHEASTERLY WHOSE RADIUS IS 512.50 FEET, WHOSE ARC LENGTH IS 214.67 FEET AND WHOSE CORD BEARS SOUTH 77^13'06" EAST, 213.11 FEET; THENCE SOUTH 0^00'39" EAST, 4.44 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1; THENCE NORTH 89^13'25" WEST ALONG SAID NORTH LINE, 521.94 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.94 AC (40,780 S.F.).

AND

(BOOK 11415 PAGE 563-564)



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THE NORTH 54.9 FEET OF LOT 1, BLOCK 4, EXCEPT THE EAST 11.92 FEET AT THE NORTH LINE AND THE EAST 11.662 FEET ON THE SOUTH LINE THEREOF, WALNUT HILLS ADDITION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA LOCALLY KNOWN AS 1122-6TH AVENUE, DES MOINES, IOWA.

AND

(BOOK 10674 PAGE 961-962)

LOT 19 IN THE OFFICIAL PLAT OF THE NORTHEAST FRACTIONAL QUARTER (NE FRL 1/4) OF THE NORTHWEST FRACTIONAL QUARTER (NW FRL 1/4) OF SECTION 4, TOWNSHIP 78 NORTH, RANGE 24, WEST OF THE 5TH P.M.; (EXCEPT THE FOLLOWING PIECE WHICH HAS BEEN DEEDED FOR STREET PURPOSES; BEGINNING A THE SOUTHEAST CORNER OF SAID LOT 19, THENCE WEST 12.19 FEET, THENCE IN A NORTHERLY DIRECTION 50.01 FEET TO THE NORTH LINE OF SAID LOT, THENCE EAST 12.46 FEET TO THE NORTHEAST CORNER OF SAID LOT, 50.01 FEET TO THE SOUTHEAST CORNER OF SAID LOT, 50.01 FEET TO THE SOUTHEAST CORNER OF SAID LOT, TO PLACE OF BEGINNING) ALL INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND LOCALLY KNOWN AS 1130-6TH AVENUE, DES MOINES, IOWA.

AND

THE WEST 111.54 FEET OF LOT 18 OF THE OFFICIAL PLAT OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 78 NORTH, RANGE 24, WEST OF THE 5TH P.M.; EXCEPT A TRIANGULAR PORTION OF SAID LOT WHICH LIES WITHIN THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 18; THENCE EASTERLY, ALONG THE NORTH LINE OF SAID LOT 18, A DISTANCE OF 60 FEET; THENCE SOUTHWESTERLY ALONG A STRAIGHT LINE, TO A POINT ON THE WEST LINE OF SAID LOT 18, SAID POINT BEING 15 FEET NORTH OF THE SOUTHWEST CORNER HEREOF; THENCE NORTHERLY, ALONG THE WEST LINE OF SAID LOT 18, TO THE POINT OF BEGINNING, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA; EXCEPT LEGALLY ESTABLISHED ROAD AND HIGHWAYS AND LOCALLY KNOWN AS 1134-6TH AVENUE, DES MOINES, IOWA.

AND

THE SOUTH 6 INCHES OF LOT 1 (EXCEPT THAT PART DEEDED TO THE CITY OF DES MOINES, AND LOT 2 (EXCEPT THE FOLLOWING: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 60 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE WEST ALONG THE SOUTH LINE OF LOT 2, A DISTANCE OF 11.37 FEET; THENCE IN A NORTHERLY DIRECTION 60 FEET TO A POINT ON THE NORTH LINE OF LOT 2; THENCE



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EAST 11.66 FEET TO THE POINT OF BEGINNING), AND THE WEST 112.63 FEET OF THE NORTH HALF OF LOT 3, ALL IN BLOCK 4 IN WALNUT HILL ADDITION TO FORT DES MOINES, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND LOCALLY KNOWN AS 1108, 1112 & 1116-6TH AVENUE, DES MOINES, IOWA.

AND

THE SOUTH 1/2 OF LOT 3, IN BLOCK 4 IN WALNUT HILL ADDITION, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA, (EXCEPT THE FOLLOWING: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 3, THENCE RUNNING WEST 11.09 FEET, THENCE RUNNING IN A NORTHERLY DIRECTION A DISTANCE OF 30 FEET, THENCE EAST ON A LINE PARALLEL TO THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 11.23 FEET TO THE EAST LINE OF SAID LOT 3, THENCE SOUTHERLY ALONG THE EAST LINE OF SAID LOT 3, A DISTANCE OF 30 FEET, TO THE POINT OF BEGINNING AND LOCALLY KNOWN AS 1106-6TH AVENUE, DES MOINES, IOWA.

AND

(BOOK 5908 PAGE 60)

LOT 20 IN THE OFFICIAL PLAT OF THE NE 1/4 OF THE NW 1/4 SECTION 4, TOWNSHIP 78 NORTH RANGE 24, WEST OF THE 5TH P.M., (EXCEPT A PART OF THE EAST END OF SAID LOT SOLD TO THE CITY OF DES MOINES DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 20, THENCE WEST ALONG THE SOUTH LINE 11.92 FEET, THENCE IN A NORTHERLY DIRECTION THROUGH SAID LOT 20 A DISTANCE OF APPROXIMATELY 50.1 FEET TO THE NORTH LINE OF SAID LOT, THENCE EAST ALONG THE NORTH LINE 12.19 FEET TO THE NORTH LINE OF SAID LOT, SAID LOT, THENCE IN A SOUTHERLY DIRECTION ALONG THE EAST LINE OF SAID LOT, 50.01 FEET TO THE SOUTHEAST CORNER THEREOF, THE PLACE OF BEGINNING) ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

(BOOK 12696, PAGE 421)

LOT 4 IN BLOCK 4 OF WALNUT HILL ADDITION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA EXCEPT THAT PART CONVEYED TO THE CITY OF DES MOINES IN A DEED FILED IN BOOK 993, PAGE 330 ON NOVEMBER 5, 1926.

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD



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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 7th Amendment to the Mercy Medical Center PUD Conceptual Plan is to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposal, shall be held at 5:00 p.m. on February 22, 2021, by electronic means to encourage and maintain social distancing to curb the spread of COVID19 in the community, without public access to the meeting location.
- 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. The City Clerk is instructed to provide this notice including information about participation in the electronic meeting as indicated above.

MOVED BY _____ TO ADOPT.

FORM APPROVED: Judy 16 Hunter Kuse

Judy K. Parks-Kruse Assistant City Attorney

(ZON2020-00165)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
OTION CARRIED			API	PROVED

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.



Date Agenda Item Roll Call #_

February 2, 2021

Honorable Mayor and City Council City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their January 21, 2021 meeting, the following action was taken regarding a request from Catholic Health Initiatives – Iowa Corporation d/b/a Mercy Medical Center Des Moines (owner) represented by Diane Cummings (officer) for review and approval of a proposed 7th Amendment to the Mercy Medical Center PUD Conceptual Plan on property located in the vicinity of 1111 6th Avenue, to allow construction of a canopy on the building known as 411 Laurel Street and revision of the campus sign plan.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 14-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	Х			
Dory Briles	Х			
Abby Chungath	Х			
Kayla Berkson	Х			
Jann Freed	Х			
Johnny Alcivar	Х			
Lisa Howard	Х			
Carolyn Jenison	Х			
Greg Jones	Х			
William Page	Х			
Rocky Sposato	Х			
Steve Wallace	Х			
Greg Wattier	Х			
Emily Webb	Х			

APPROVAL of the proposed 7th Amendment to the Mercy "PUD" Conceptual Plan. (ZON2020-00165)

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the proposed 7th Amendment to the Mercy "PUD" Conceptual Plan.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

- 1. Purpose of Request: The proposed amendment to Mercy Medical Center's "PUD" Planned Unit Development District would allow construction of a new building canopy and expanded driveway to replace the existing canopy and driveway along the west façade of the building known as 411 Laurel Street. The proposed amendment would also allow installation of wall-mounted signage on the proposed canopy, as well as new wall-mounted signage on the west and south facades of the building known as 411 Laurel Buildings. The proposed improvements would serve as an intermediate step for the hospital ahead of future construction of as indicated in the 4th amendment of the PUD Conceptual Plan.
- 2. Size of Site: Approximately 38 acres.
- 3. Existing Zoning (site): "PUD" Planned Unit Development District.
- 4. Existing Land Use (site): The site contains the Mercy Medical Center campus.
- 5. Adjacent Land Use and Zoning:

North – "RX2" & "MX2", Uses include Comito's Fifield Pharmacy, Mercy Education Center, Riley Physician Office, University Nursing & Rehabilitation Center, and Burger King.

South – "DX2", Uses include Des Moines Medical Center offices, Iowa Dental Supply, and Medical Office Plaza.

East - "P2", Use is Des Moines Metro U.S. Post Office.

West – "RX2" & "MX2", Uses include QuikTrip, Mercy Daycare, and offices for Planned Parenthood of Greater Iowa.

- 6. General Neighborhood/Area Land Uses: The subject property is located north of Interstate 235 between residential neighborhoods to the north and west and commercial uses to the south and east.
- 7. Applicable Recognized Neighborhood(s): The subject property is in the Cheatom Park Neighborhood and within 250 feet of the River Bend Neighborhood. All

recognized neighborhoods were notified of the meeting by mailing of the Preliminary Agenda on January 7, 202. Additionally, separate notifications of the hearing for this specific item were mailed on December 30, 2020 (20 days prior to the hearing) and on January 11, 2021 (10 days prior to the hearing) to the Cheatom Park Neighborhood, River Bend Neighborhood, and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. A Final Agenda for the meeting was mailed to all the recognized neighborhood associations on January 15, 2021.

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 on the date of the mailing. The Cheatom Park Neighborhood Association mailings were sent to Susan Wells, 1157 14th Place, Des Moines, IA 50314 and the River Bend Neighborhood Association mailings were sent to Jon Royal, 1830 8th Street, Des Moines, IA 50314.

Due to the COVID-19 pandemic, the applicant was unable to hold a neighborhood meeting. On January 5, 2021, the applicant mailed a letter to the neighboring property owners and neighborhood associations to explain their proposal and to provide contact information in case they had any questions or comments. The applicant will provide a summary of any communications with neighboring property owners prior to the public hearing.

8. Relevant Zoning History: The Mercy Medical Center "PUD" Conceptual Plan was originally approved on April 5, 2004 by Ordinance 14,333.

The 1st amendment was approved administratively in June 2004 to allow construction of a building addition to the south side of the hospital for a "Cyber Knife" facility.

The 2nd amendment was approved administratively in June of 2006 to allow a new signage plan for the hospital complex.

The 3rd amendment was approved by City Council in April 2007 (Roll Call 07-688) to allow construction of a building addition to the northwest corner of the hospital for an expansion of the emergency room and a helicopter pad.

The 4th amendment was approved on September 26, 2016 (Roll Call 16-1668) to expand the PUD area by 2.3 acres and to allow for the demolition of the existing Mercy Apartments for development of a new parking structure and additional surface parking; demolition of the Mercy Office Plaza building for development of a parking structure; and demolition of the existing east parking structure for development of an 11-story hospital tower with 2 levels of subsurface parking.

The 5th amendment was approved administratively in July 2019 to allow installation of a sign for the children's hospital.

The 6th amendment was approved on January 13, 2020 (Roll Call 20-0113) to allow revision to the campus signage plan.

9. PlanDSM Land Use Plan Designation: Public/Semi Public & Medium 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.

The application, accompanying evidence and "PUD" Conceptual Plan shall be considered by the Plan and Zoning commission at a public hearing. The Commission shall review the conformity of the proposed development with the standards of the City Code and with recognized principles of civic design, land use planning, and landscape architecture. At the conclusion of the hearing, the Commission may vote to recommend either approval or disapproval of the amended "PUD" Conceptual Plan as submitted, or to recommend that the developer amend the plan or request to preserve the intent and purpose of this chapter to promote public health, safety, morals and general welfare. The recommendations of the Commission shall be referred to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

- 1. Building Modifications: The requested "PUD" Conceptual Plan amendment proposes construction of a new entrance canopy along the west façade of the building known as 411 Laurel Street. The canopy would generally measure 97.83 feet by 21.5 feet, and would replace an existing canopy. The proposed amendment would also allow the existing drop-off lane to be lengthened, which would necessitate construction of a short retaining wall.
- 2. Signage: The requested "PUD" Conceptual Plan amendment proposes a new sign on the south façade of the building, which would measure 1.67 feet by 57.6 feet (95.45 square feet), and a new sign on the west façade of the proposed canopy, which would generally measure 4.67 feet by 22.33 feet (104.28 square feet). Staff believes that proposed size and placement of the signs are appropriate given the scale of the existing hospital complex.

SUMMARY OF DISCUSSION

<u>Jann Freed</u> asked if any member of the public or the commission desired to speak on the item. No one requested to speak.

COMMISSION ACTION:

<u>Dory Briles</u> made a motion for approval of the proposed 7th Amendment to the Mercy "PUD" Conceptual Plan.

Motion passed: 14-0

Respectfully submitted,

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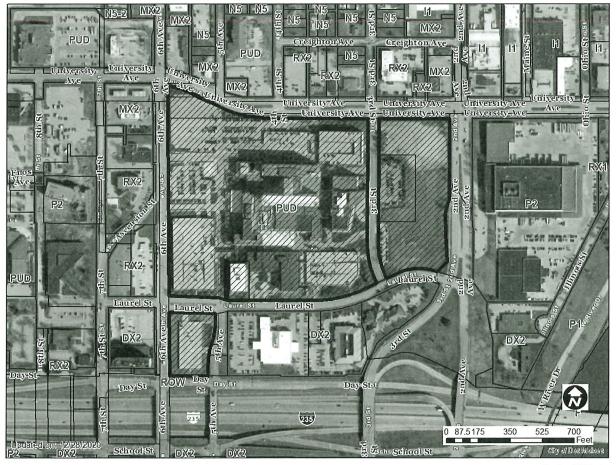
Michael Ludwig, AICP Deputy Director of Development Services

MGL:tjh

Catholic Health Initiatives – Iowa Corporation d/b/a Mercy Medical Center Des Moines						File #				
(owner) represented by Diane Cummings (officer) for the property located in the vicinity of 1111 6 th Avenue.					ZON2020-00165					
Description of Action	Review and approval of a proposed 7 th Amendment to the Mercy Medical Center PUD Conceptual Plan, to allow construction of a canopy on the building known as 411 Laurel Street and revision of the campus sign plan.									
PlanDSM Future Land Use			Current: Public/Semi Public within a Community Node. Proposed: N/A.							
Mobilizing Tomorrow Transportation Plan			No planned improvements.							
Current Zoning District			Mercy Medical Center Legacy "PUD".							
Proposed Zoni	ning District N/A.									
Consent Card Responses		In Fav	In Favor		t In Favor	Undetermined		% Opposition		
Outside Area (Outside Area (200 feet)		1 (0					
Within Subject	Within Subject Property									
Plan and Zonir	9	Appro	oval	val X		Required 6/7		Yes		
Commission Action		Denia	l			the City Coun	cil	No		Х

Mercy Medical Center Des Moines, Vicinity of 1111 6th Avenue

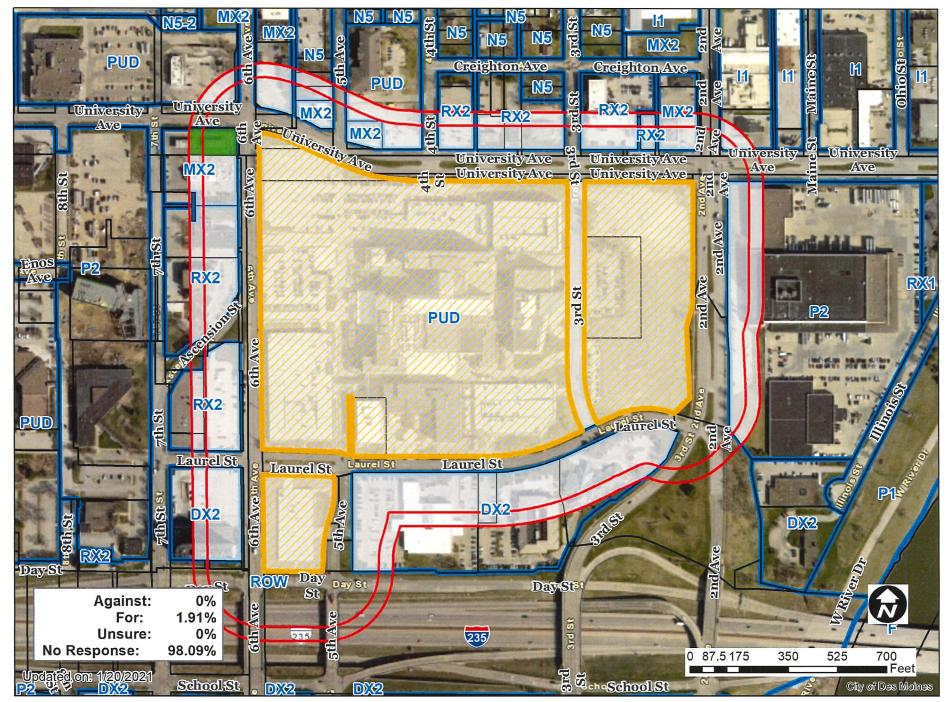
ZON2020-00165



1 inch = 329 feet

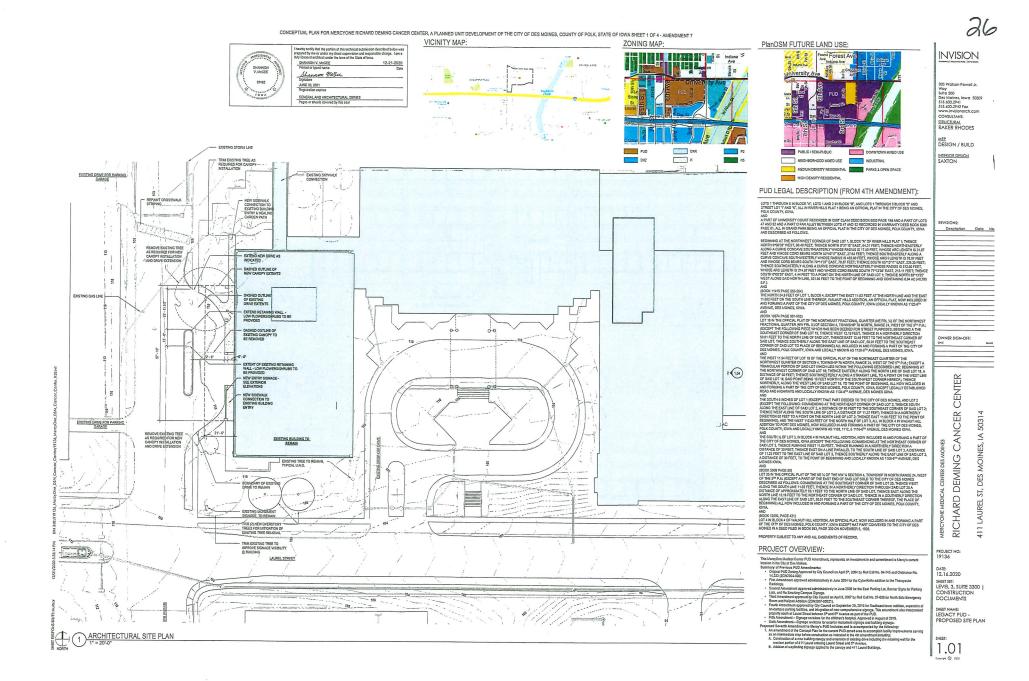
Mercy Medical Center Des Moines, Vicinity of 1111 6th Avenue

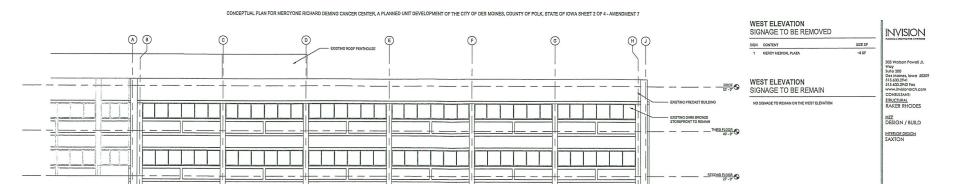
ZON2020-00165



Item:	ate:
Blease mark one of the following	Staff Use Only
I am not in favor of the request Signature: A Manual Name: A Market R Valle Vork Address: 13018 Pinchwitt	RECEIVED Community development JAN 192021

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

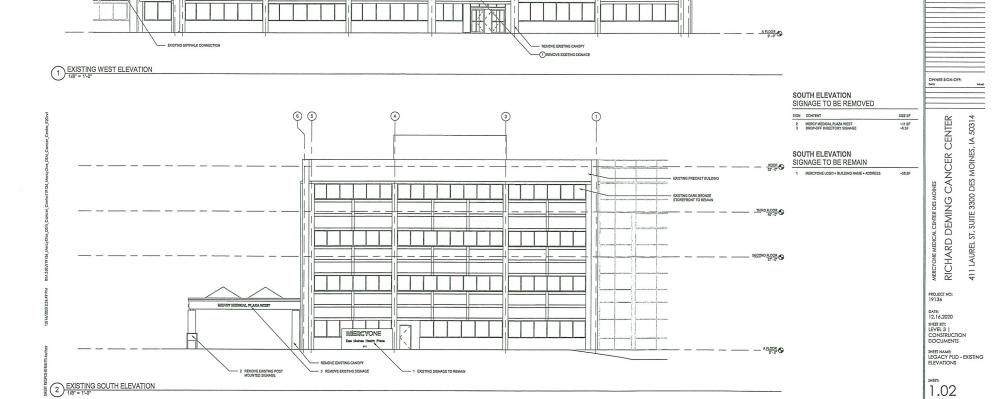




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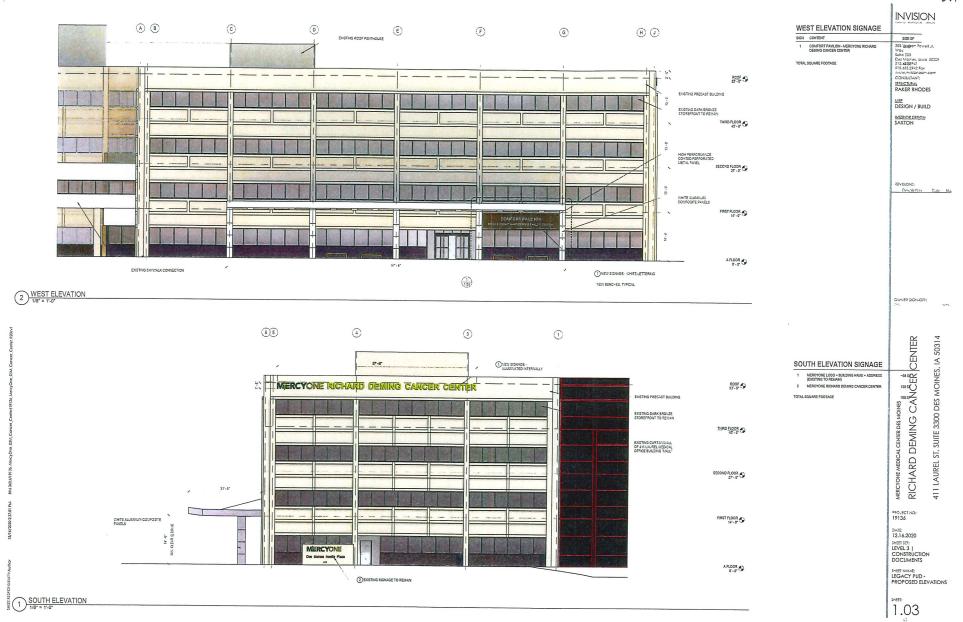
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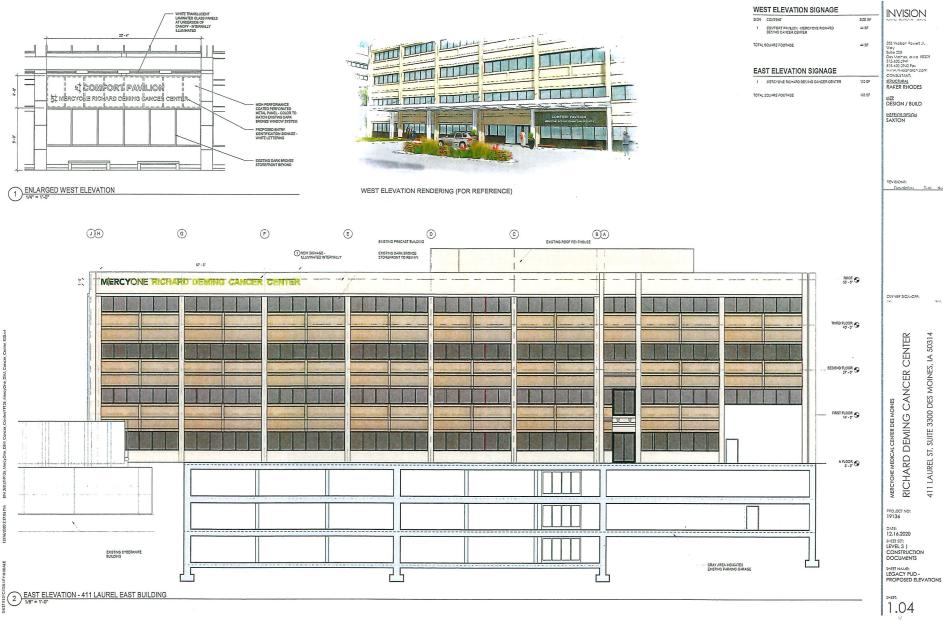
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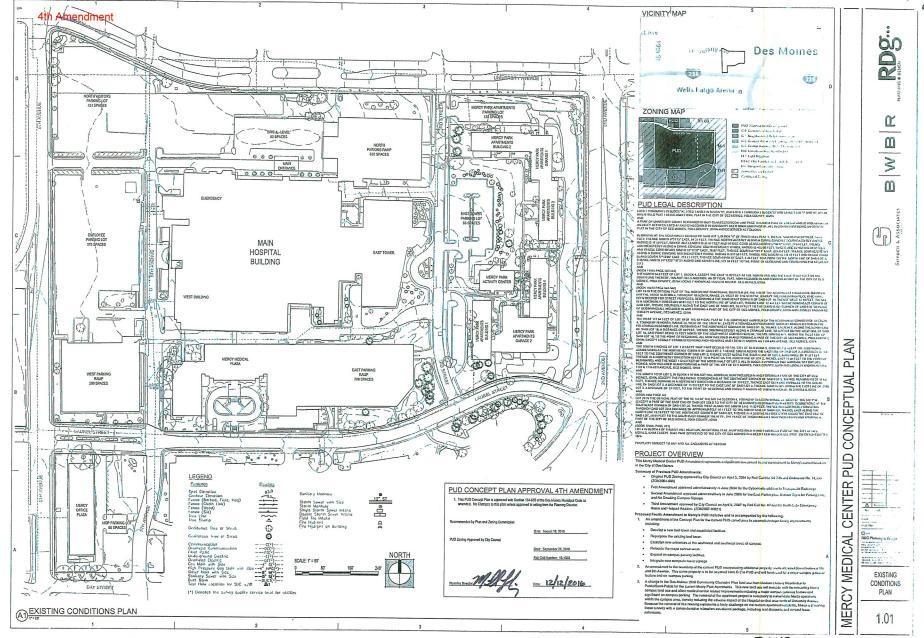
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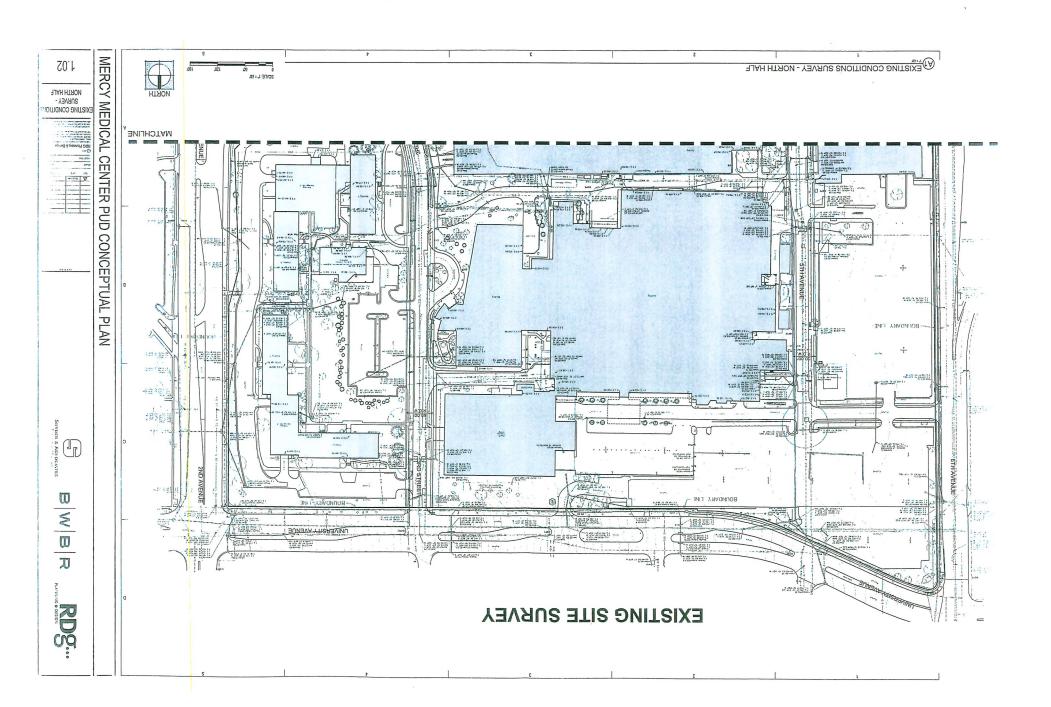


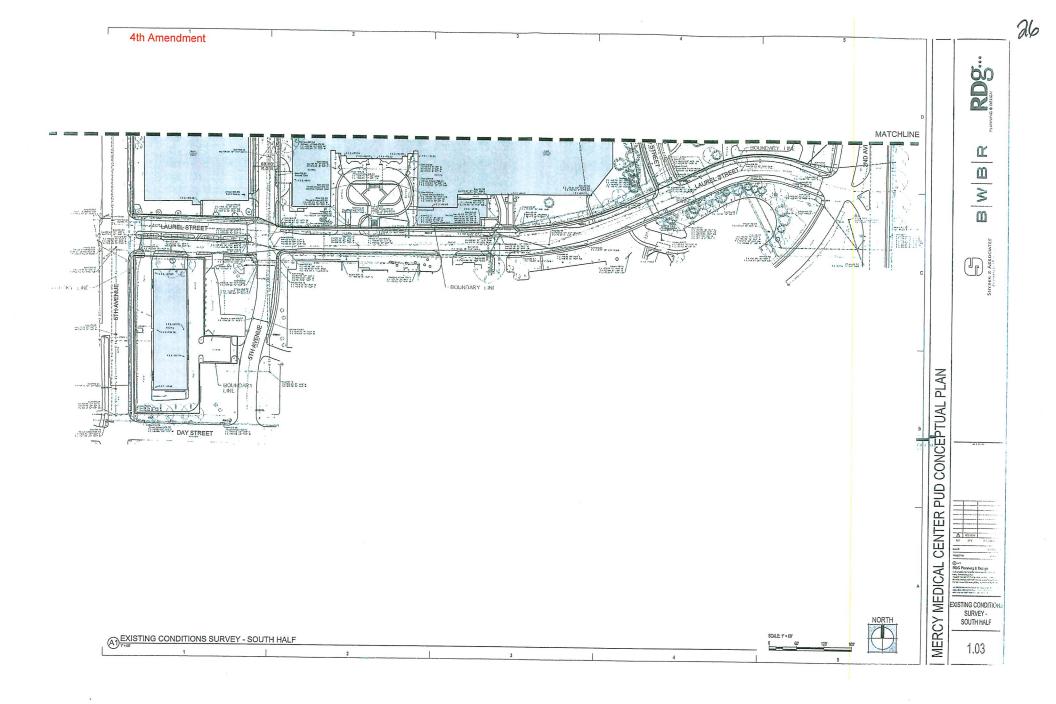
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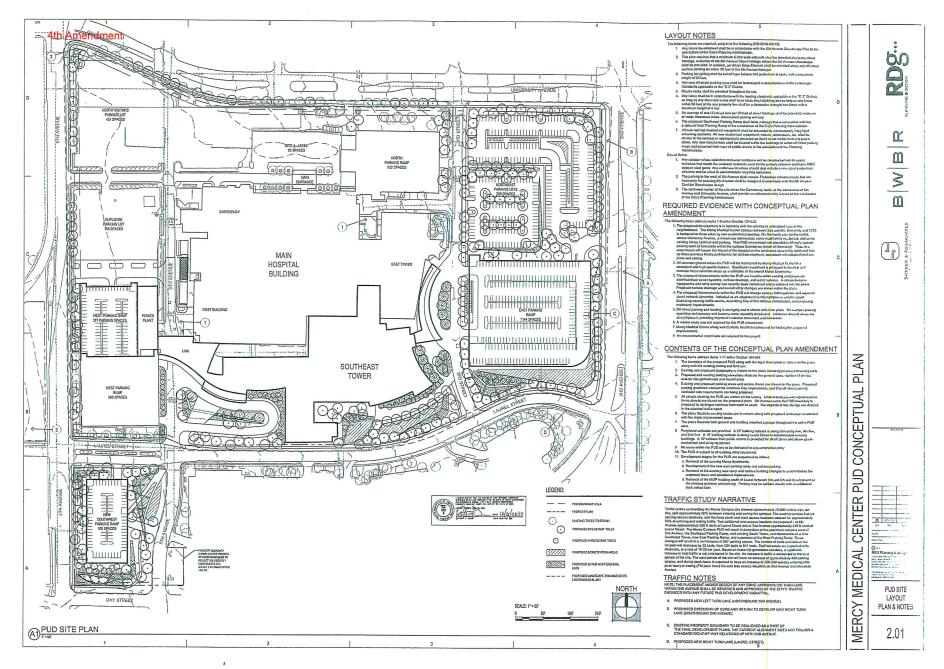


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