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Date November 21, 2022

HEARING REGARDING REQUEST FROM ELECTRICAL WORKERS FOUNDATION (OWNER), REPRESENTED BY PATRICK WELLS (OFFICER), FOR PROPERTY LOCATED AT 850 18TH STREET, TO REZONE THE PROPERTY FROM “RX1” MIXED USE DISTRICT AND “NX2A” NEIGHBORHOOD MIX DISTRICT TO “RX1” MIXED USE DISTRICT, TO ALLOW REUSE OF THE EXISTING BUILDING FOR A MEDICAL OFFICE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on October 20, 2022, its members voted 11-0-1 in support of a motion to recommend **APPROVAL** of a request from Electrical Workers Foundation, represented by Patrick Wells (officer), for property located at 850 18th Street, to rezone the property from “RX1” Mixed Use District and “NX2a” Neighborhood Mix District to “RX1” Mixed Use District, to allow reuse of the existing building for a medical office and determined the requested rezoning is not in conformance with the PlanDSM: Creating Our Tomorrow Comprehensive Plan; and

WHEREAS, the Property is legally described as follows:

The South four (4) feet of Lot 83 and all of Lots 84 and 85 in T. E. Brown’s Addition to Des Moines, now included in and forming a part of the City of Des Moines, Iowa

WHEREAS, on November 7, 2022, by Roll Call No. 22-1728, it was duly resolved by the City Council that the request for approval of the proposed amendment and rezoning be set down for hearing on November 21, 2022, at 5:00 p.m., at the City Council Chambers; 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 proposals; and

WHEREAS, in accordance with said notice, those interested in said proposals, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

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 rezoning are hereby overruled, and the hearing is closed.
2. The proposed rezoning of the Property, as legally described above, from “RX1” Mixed Use District and “NX2a” Neighborhood Mix District to “RX1” Mixed Use District, to allow reuse of the existing building for a medical office, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.



Roll Call Number

Agenda Item Number

52

Date November 21, 2022

MOVED BY _____ TO ADOPT. SECOND BY _____.

FORM APPROVED:

/s/ Lisa A. Wieland
Assistant City Attorney

(ZONG-2022-000090)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	

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.

Mayor

City Clerk

November 1, 2022

Communication from the City Plan and Zoning Commission advising that at their October 20, 2022 meeting, the following action was taken regarding a request from Electrical Workers Foundation (owner), represented by Patrick Wells (officer) to rezone property located at 850 18th Street from “RX1” Mixed Use District and “NX2a” Neighborhood Mix District to “RX1” Mixed Use District, to allow reuse of the existing building for a medical office.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 12-0 as follows

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus				X
Dan Drendel	X			
Leah Rudolphi	X			
Dory Briles	X			
Abby Chungath	X			
Kayla Berkson	X			
Chris Draper	X			
Todd Garner	X			
Johnny Alcivar	X			
Justyn Lewis				X
Carolyn Jenison				X
William Page	X			
Andrew Lorentzen	X			
Emily Webb	X			
Katie Gillette	X			

ARPROVAL of Part A) The requested rezoning be found not in conformance with PlanDSM: Creating Our Tomorrow Comprehensive Plan.

Part B) Approval of the rezoning of the portion of the subject property zoned “NX2a” Neighborhood District to “RX1” Mixed-Use District.

Written Responses

2 in Favor

0 in opposition

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends that the requested rezoning be found not in conformance with PlanDSM: Creating Our Tomorrow Comprehensive Plan.

Part B) Staff recommends approval of the rezoning of the portion of the subject property zoned “NX2a” Neighborhood District to “RX1” Mixed-Use District.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to renovate the subject property as a multiple tenant building including a chiropractic office.
2. **Size of Site:** 15,514 square feet (0.356 acres).
3. **Existing Zoning (site):** “NX2a” Neighborhood Mix District and “RX1” Mixed-Use District.
4. **Existing Land Use (site):** The subject property has been used as an office for an electrical workers’ union.
5. **Adjacent Land Use and Zoning:**
 - North** – “RX1” & “NX2a”; Uses are surface parking and office building/youth center.
 - South** – “NX2a”; Uses are low density and low-medium density residential.
 - East** – “NX2a”; Uses are low density and low-medium density residential.
 - West** – “NX2a” & “RX1”; Uses are low density and mixed use.
6. **General Neighborhood/Area Land Uses:** The subject property is generally located on the west side of 18th Street south of the intersection with Crocker Street. It is located in an area consisting of a mix of one-household residential, two-household residential, multiple-household residential uses, office uses, commercial/retail uses, and public, civic, and institutional uses.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Sherman Hill neighborhood. All neighborhood associations were notified of the public hearing by mailing of the Preliminary Agenda on September 30, 2022 and by mailing of the Final Agenda on October 14, 2022. Additionally, separate notifications of the hearing for this specific item were mailed on September 30, 2022 (20 days prior to the public hearing) and October 10, 2022 (10 days prior to the public hearing) to the Neighborhood Associations and 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 on the date of the mailing. The Sherman Hill Neighborhood

Association mailings were sent to Angela Broughton-Romain, 830 19th Street, Des Moines, IA 50314.

The applicant will provide a summary of the neighborhood meeting at the public hearing.

8. Relevant Zoning History: None.

9. PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation: Neighborhood Mixed Use.

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 area owner agrees to them in writing. The recommendation of the Commission will be forwarded to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

1. PlanDSM Creating Our Tomorrow: The future land use designation for the property is "Neighborhood Mixed Use". PlanDSM describes these designations as follows:

Low Density Residential: Small scale mixed use development typically located at the intersections of collector and/or arterial streets and along transportation corridors. Non-residential development is designed to serve the immediate neighborhood and include small retail, offices, restaurants, and service oriented development. Low-medium density residential may be included in mixed use development.

The subject parcel is currently zoned "NX2a" District and "RX1" District. The Zoning Ordinance describes "NX2a" district as, "intended for the same form as NX2, but, in addition to the typical residential uses allowed in NX2 includes commercial home occupations per section 134-3.9.4 of this chapter." The Zoning Ordinance describes "RX1" district as, "intended for transitional areas between MX districts and N districts, providing for residential and office buildings at a scale and intensity appropriate for corridors adjacent to low-scale neighborhoods."

The applicant is proposing to rezone the southern portion of the subject parcel, which is currently zoned "NX2a" District to the "RX1" District. This would remove the split zoning from the parcel and apply only "RX1" District zoning to the entire parcel.

Staff believes that the proposed rezoning would be consistent with the existing character of the surrounding area.

2. Planning and Design Ordinance: Any future construction or development of the site must comply with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of City Code). Should the rezoning be approved, the applicant would be required to prepare a site plan and building elevations for any proposed additions or modifications.

SUMMARY OF DISCUSSION

Emily Webb asked if any member of the public or commission desired to speak on the item. No one requested to speak.

COMMISSION ACTION:

Todd Garner made a motion for:

Part A) The requested rezoning be found not in conformance with PlanDSM: Creating Our Tomorrow Comprehensive Plan.

Part B) Approval of the rezoning of the portion of the subject property zoned "NX2a" Neighborhood District to "RX1" Mixed-Use District.

Motion passed: 12-0

Respectfully submitted,



Jason Van Essen, AICP
Planning & Urban Design Administrator

JMV:tjh



Updated on: 9/30/2022

1 inch = 88 feet

SURVEY 14326/254

125

84

60

SURVEY 15372/21

125

850

85

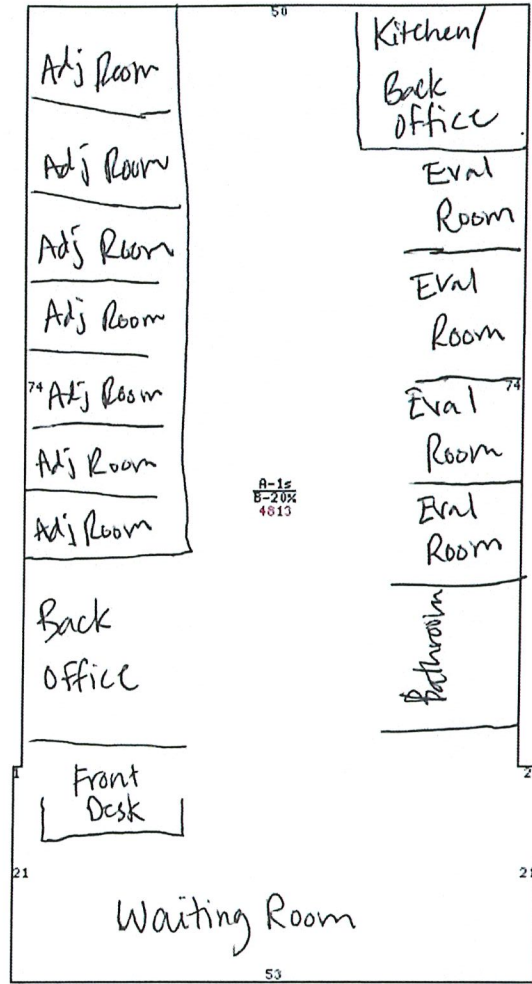
60

125

124

18TH ST



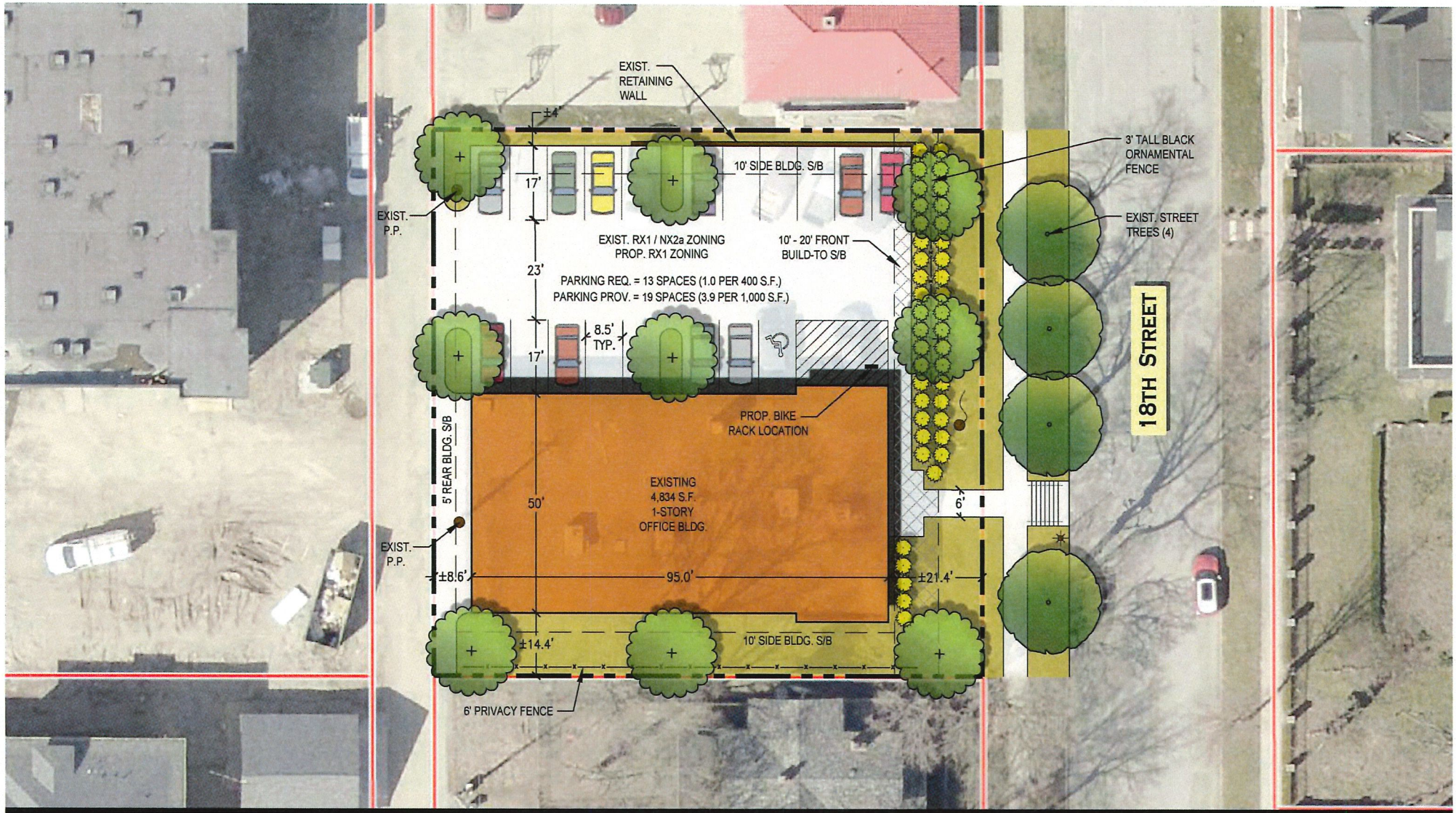


Sketch Vector

A1B20:SU21L2U74L50D74L1D21R53Z

Polygons				
Label	Story Height	Basement%	Base Area	Perimeter
A	1	20	4,813	296

Areas	
Name	Area
A	4,813



This drawing has been prepared by the Architect, or under the Architect's direct supervision. This 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 impact site signage, grading, and other factors that may impact final site design. This drawing shall not be used for construction of legally binding documents. © Copyright 2022 by Simonson & Associates Architects, L.L.C.

True Roots
 Site Exhibit
 850 18th Street
 Des Moines, Iowa
 September 27, 2022



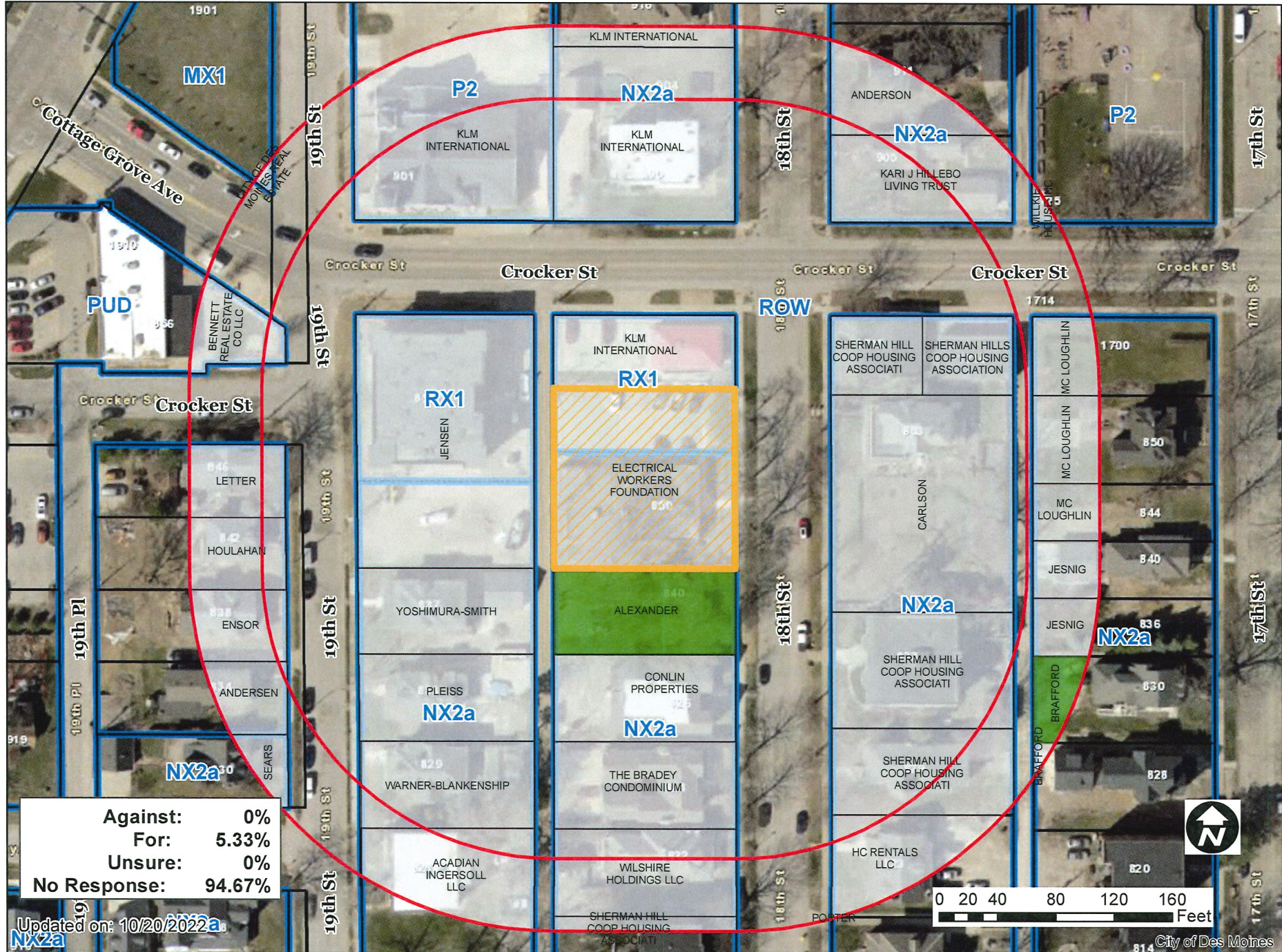
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 PLANNING • ARCHITECTURE • INTERIORS
 Simonson & Associates Architects LLC
 1717 Ingersoll Ave. Suite 117, Des Moines, Iowa 50309
 Ph: 515-240-5676 www.simonsonassoc.com











Against:	0%
For:	5.33%
Unsure:	0%
No Response:	94.67%

Updated on: 10/20/2022

1 inch = 88 feet

Item: ZONG-2022-000090

Date: October 12, 2022

Please mark one of the following

I am in favor of the request

I am not in favor of the request

Signature:

Name:

Address:

D. S. Alexander
Daniel S Alexander
840 18th St

Staff Use Only
RECEIVED
COMMUNITY DEVELOPMENT
OCT 17 2022

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

I have no objection to having a medical office next door to me, so I am in favor of the rezoning request. I am also eager to have the property next to me be used.

Item: ZONG-2022-000090

Date: 10-18-22

Please mark one of the following

I am in favor of the request

I am not in favor of the request

Signature:

Name:

Address:

E. T. Beafford
Edward Beafford
828 17th St

Staff Use Only
RECEIVED
COMMUNITY DEVELOPMENT
OCT 20 2022

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

Meeting Minutes

Date	10/3/2022	Date of Issuance	10/3/2022
Project	850 18th Street		
Project No.	22099	File No.	J:\2022\22099 True Roots, Des Moines, IA\REZONING\2022-10-3 Meeting
Present	Martha Green, Dave Carlson		
Distribution	Sreyoshi Chakraborty, Paige Roth		

On Monday, October 3rd, 2022, at 3:30 pm, the design architect, Simonson + Associates, Architects (SAA) held a neighborhood meeting at our office at 1717 Ingersoll, in accordance with the current application for rezoning. Invitations were mailed to every property owner in the list provided by the City of Des Moines, 10 days prior to the meeting.

Two neighbors attended, Marth Green and Dave Carlson. SAA shared the proposed site diagram, as well as the existing floor plans and existing and proposed elevations. SAA explained that we are seeking the rezoning of the site to RX to allow for use by True Roots, a chiropractic practice owned by Dr. Paige Roth. Mr. Carlson and Ms. Green said that True Roots could be a good neighbor. Mr. Carlson mentioned that the neighborhood association planted oak trees on the site after the city of Des Moines removed ash trees.

Neither attendee chose to leave a written comment.
 No other neighbors attended or responded to the letter.

Sincerely,

ANDREW LORENTZEN

Andrew Lorentzen, AIA
 Simonson + Associates

Electrical Workers Foundation, 850 18th Street

ZONG-2022-000090



1 inch = 88 feet