

Date April 1, 2024

RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM ECOSOURCE, LLC (OWNER), REPRESENTED BY DAREN FIFE (OWNER), FOR THE FOLLOWING REGARDING PROPERTY LOCATED IN THE VICINITY OF 1001 RACCOON STREET, TO REZONE THE PROPERTY FROM “DXR” DOWNTOWN DISTRICT TO LIMITED “EX” MIXED USE DISTRICT, TO ALLOW THE EXPANSION OF AN EXISTING INDUSTRIAL SERVICE, WAREHOUSING AND OFFICE USE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on March 7, 2024, its members voted 14-0 in support of a motion to recommend **APPROVAL** of a request from Ecosource, LLC (owner), represented by Darren Fife (officer), for the proposed rezoning of two (2) parcels located in the vicinity of 1001 Raccoon Street from “DXR” Downtown District to Limited “EX” Mixed-Use District be found in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Downtown Mixed Use; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on March 7, 2024, its members voted 14-0 in support of a motion to recommend **APPROVAL** of a request from Ecosource, LLC (owner), represented by Darren Fife (officer), to rezone the Property from “DXR” Downtown District to Limited “EX” Mixed-Use District, to allow the expansion of an existing industrial service, warehousing and office use, subject to the following conditions:

1. Permitted uses shall be limited to the following:
 - a. Uses permitted in the “EX” Mixed-Use District that are allowed by right in the “DXR” Downtown District.
 - b. A use that contains warehouse and office functions.
 - c. Industrial Service, Light.
2. Outdoor storage is prohibited.
3. Parking and vehicular maneuvering areas shall not extend south of the principal building.
4. Any fencing on the property shall be ornamental metal in style. Existing fencing that does not comply shall be removed.
5. The site shall be brought into conformance with all applicable regulations found in the Planning and Design Ordinance (Chapter 135 of City Code).
6. A site plan for the property shall be submitted and shall obtain approval no later than December 31, 2024.
7. All site and building improvements identified in the approved site plan pursuant to condition # 6 shall be completed by June 1, 2025.
8. Foundation plantings shall be provided around the perimeter of the building with additional emphasis on the south façade of the building to the satisfaction of the Planning and Urban Design Administrator.; and



Date April 1, 2024

WHEREAS, the Property is legally described as follows:

LOTS 1, 2, AND THE NORTH 36 FEET OF LOT 3, THE NORTH 36 FEET OF LOT 8, AND ALL OF LOT 9 AND 10, BLOCK 1 IN ALLEN'S SECOND ADDITION TO DES MOINES, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA, EXCEPT

PART OF LOTS 2 AND 3, BLOCK 1, ALLEN'S SECOND ADDITION

A TRIANGULAR PARCEL IN BLOCK 1, ALLEN'S SECOND ADDITION, BEING A PART OF LOTS 2 AND 3, DESCRIBED AS FOLLOWS: COMMENCING AS A POINT OF REFERENCE AT THE NORTHWEST CORNER OF SAID BLOCK 1; THENCE SOUTH 16° (DEGREES) 00' (MINUTES) 00" (SECONDS) EAST ALONG THE WEST LINE OF SAID BLOCK 1, 82.92 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 67°05'44" EAST, 102.80 FEET; THENCE SOUTH 73°41'08" WEST, 80/.00 FEET TO THE WEST LINE OF SAID LOT 3; THENCE NORTH 16°00'00" WEST ALONG THE WEST LINE OF SAID BLOCK 1, 65.00 FEET TO THE POINT OF BEGINNING, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING 2599.96 SQUARE FEET OR 0.060 ACRES.

AND INCLUDING

PART OF NORTH-SOUTH ALLEY IN BLOCK 1, ALLEN'S SECOND ADDITION SOUTH OF RACCOON STREET, BETWEEN SE 10TH STREET AND SE 11TH STREET

THAT PART OF THE NORTH-SOUTH, 20.00 FOOT VACATED ALLEY LYING EAST AND ADJOINING LOTS 1, 2 AND THE NORTH 36.00 FEET OF LOT 3, BLOCK 1, ALLEN'S SECOND ADDITION, AN OFFICIAL PLAT, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE NORTH 73° (DEGREES) 38' (MINUTES) 45" (SECONDS) EAST ALONG THE NORTH LINE OF SAID BLOCK 1, 20.00 FEET TO THE NORTHWEST CORNER OF LOT 10 OF SAID BLOCK 1; THENCE SOUTH 15°57'00" EAST ALONG THE EAST LINE OF SAID ALLEY, 148.03 FEET; THENCE SOUTH 73°41'08" WEST, 20.00 FEET TO THE WEST LINE OF SAID ALLEY; THENCE NORTH 15°57'00" WEST ALONG THE WEST LINE OF SAID ALLEY, 148.02 FEET TO THE POINT OF BEGINNING, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING 2960.43 SQUARE FEET OR 0.068 ACRES.; and

WHEREAS, on March 18, 2024, by Roll Call No. 24-0415, it was duly resolved by the City Council that the request for approval of the proposed rezoning be set down for hearing on April 1, 2024, at 5:00 p.m., at the City Council Chambers; and



Roll Call Number

Agenda Item Number

42

Date April 1, 2024

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 proposal; and

WHEREAS, in accordance with said notice, those interested in said proposal, 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, of the two (2) parcels located in the vicinity of 1001 Raccoon Street from "DXR" Downtown District to Limited "EX" Mixed-Use District, to allow the expansion of an existing industrial service, warehousing and office use, subject to the condition set forth above, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY _____ TO ADOPT. SECOND BY _____.

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill
Assistant City Attorney

(ZONG-2023-000065)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
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

March 12, 2024

Communication from the City Plan and Zoning Commission advising that at their March 7, 2024 meeting, the following action was taken for request Ecosource, LLC (owner), represented by Darren Fife (officer), for the following regarding two (2) parcels located in the vicinity of 1001 Raccoon Street

- A) Determination as to whether the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.
- B) Amend the PlanDSM Creating Our Tomorrow Comprehensive Plan to revise the future land use classification of the property from Downtown Mixed Use to Business Park.
- C) Rezone property from “DXR” Downtown District to “EX” Mixed Use District, to allow the expansion of an existing industrial service, warehousing, and office use

COMMISSION RECOMMENDATION:

After public hearing, the members voted 13-0-0 as follows.

Commission Action:	Yes	Nays	Pass	Abstain	Absent
Francis Boggus	X				
Leah Rudolphi	X				
Abby Chungath	X				
Kayla Berkson	X				
Chris Draper					X
Laura Kessel	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				
Rick Trower	X				

Approval of Part A) the requested rezoning to “EX” Mixed-Use District be found not in conformance with the PlanDSM: Creating Our Tomorrow Comprehensive Plan, which designates this property as Downtown Mixed Use.

Part B) denial of the request to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification for the property from Downtown Mixed Use to Business Park as it would not be necessary if the zoning conditions listed in Part C are adopted.

Part C) approval of the request to rezone the property from “DXR” Downtown District to “EX” Mixed-Use District, subject to the following conditions:

- 1) Permitted uses shall be limited to the following:
 - a. Uses permitted in the “EX” Mixed-Use District that are allowed by right in the “DXR” Downtown District.
 - b. A use that contains warehouse and office functions.
 - c. Industrial Service, Light.
- 2) Outdoor storage is prohibited.
- 3) Parking and vehicular maneuvering areas shall not extend south of the principal building.
- 4) Any fencing on the property shall be ornamental metal in style. Existing fencing that does not comply shall be removed.
- 5) The site shall be brought into conformance with all applicable regulations found in the Planning and Design Ordinance (Chapter 135 of City Code).
- 6) A site plan for the property shall be submitted and shall obtain approval no later than December 31, 2024.
- 7) All site and building improvements identified in the approved site plan pursuant to condition # 6 shall be completed by June 1, 2025.
- 8) Foundation plantings shall be provided around the perimeter of the building with additional emphasis on the south façade of the building to the satisfaction of the Planning and Urban Design Administrator.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends that the requested rezoning to “EX” Mixed-Use District be found not in conformance with the PlanDSM: Creating Our Tomorrow Comprehensive Plan, which designates this property as Downtown Mixed Use.

Part B) Staff recommends denial of the request to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification for the property from Downtown Mixed Use to Business Park as it would not be necessary if the zoning conditions listed in Part C are adopted.

Part C) Staff recommends approval of the request to rezone the property from “DXR” Downtown District to “EX” Mixed-Use District, subject to the following conditions:

- 1) Permitted uses shall be limited to the following:
 - a. Uses permitted in the “EX” Mixed-Use District that are allowed by right in the “DXR” Downtown District.
 - b. A use that contains warehouse and office functions.
 - c. Industrial Service, Light.

- 2) Outdoor storage is prohibited.
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STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is currently operating a legal non-conforming use on the subject property. The use falls under the Industrial category and is consistent with an Industrial Services - Light use type. The applicant is proposing to add additional parking spaces, and other minor parking lot improvements which is considered an expansion of the legal non-conforming use and requires a rezoning to bring the use and the site to compliance. The subject business provides services associated with the assessment and cleanup of environmentally contaminated sites. The building contains office space, and the indoor storage of vehicles, materials, and equipment used for business operations.
2. **Size of Site:** 44,651 square feet (1.03 acres).
3. **Existing Zoning (site):** “DXR” Downtown District.
4. **Existing Land Use (site):** Warehouse building with surface parking lot.
5. **Adjacent Land Use and Zoning:**
 - North** – “DXR”; Uses are heavy industrial including a concrete processing plant.
 - South** – “P1”; Uses are parks and open space.
 - East** – “DXR”; Uses are vacant land belonging to City of Des Moines.
 - West** – “DXR”; Uses are vacant land and one family residential.
6. **General Neighborhood/Area Land Uses:** The subject property consists of a 6,000-square-foot warehouse building and parking area. The site is located on Raccoon Street just north of the Martin Luther King Jr. Parkway corridor. The property sits along the eastern edge of the Market District in the downtown area. The uses to the north of Martin Luther King Jr. Parkway are predominantly light industrial in nature. The uses to the south consist of a park and open space, and low density residential to the southwest.

- 7. Applicable Recognized Neighborhood(s):** The subject property is located in the Historic East Village Neighborhood. All neighborhood associations were notified of the public hearing by emailing of the Preliminary Agenda on January 26, 2024, and the Final Agenda on February 9, 2024. Additionally, separate notifications of the hearing for this specific item were mailed on January 26, 2024 (20 days prior to the public hearing) and February 5, 2023 (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 Services Department on the date of the mailing. The Historic East Village Neighborhood Association mailings were sent to Luke Dickens, PO Box 93904, Des Moines, IA 50393.

The applicant can provide a summary of their neighborhood outreach meeting at the public hearing.

- 8. Relevant Zoning History:** None.
- 9. PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation:** Downtown 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 applicant is requesting that the future land use designation for the property be revised from "Downtown Mixed Use" to "Business Park". PlanDSM describes these designations as follows:

Downtown Mixed Use: Allows mixed-use, high density residential uses, and compact combinations of pedestrian-oriented retail, office, residential, and parking in downtown. Should include active uses (e.g. retail) on ground floor, particularly at key intersections.

Business Park: Accommodates light industrial, office and employment uses along with limited complementary retail uses. Industrial uses in this category would produce little or no noise, odor, vibration, glare, or other objectionable influences, and would have little or no adverse effect on surrounding properties.

The subject property is currently zoned “DXR” District. The Zoning Ordinance describes “EX” district as, “intended for the highest intensity of activity in the downtown, where mixed-use buildings include offices, ground-floor storefronts with shopping, services, and restaurants, and residential and lodging.”

The applicant is proposing to rezone the subject property to “EX” District. The Zoning Ordinance describes “EX” district as, “intended for locations and corridors with a mix of light industrial and heavier commercial uses, accommodating higher levels of vehicular traffic than MX districts and a predominance of mid-scale employment uses, such as office, low intensity industrial, and warehouse spaces associated with offices.”

- 2. The Market District of the East Village Master Plan:** The subject property is within the Market District planning boundary. The Market District is located on the east side of the Des Moines River, across from Downtown Des Moines and immediately south of the East Village. The Plan states that “it is currently dominated by industrial uses, but is beginning to experience redevelopment pressure, with several active redevelopment projects currently in the pipeline”. The subject property is to the southeast of Raccoon Street and Southeast 10th Street with direct visibility from the Martin Luther King Jr. Parkway corridor that runs just to the south. The Market District Plan proposes a naturalized drainage basin park on the eastern end of the district running roughly north of East Elm Street. The park serves the dual purpose of parks/open space and drainage basin to assist with storm water detention as the area develops in the future. This park is in close proximity to the north of the subject site. The general intent of the plan is to create a walkable urban neighborhood that contains a variety of uses, including residential, retail, hospitality, and office. Sustainability and green initiatives are also layered into the framework for this district.

Staff believes that the proposed land use amendment and proposed rezoning would be consistent with the goals and future plans for the Market District, the greater Downtown area, and PlanDSM, Creating our Tomorrow Comprehensive Plan, so long as the property is developed according to the recommended conditions of approval in Part C of the Staff Recommendation are adopted.

- 3. 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

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

COMMISSION ACTION

Carloyn Jenison made a motion for approval of the request to rezone the property from "DXR" Downtown District to "EX" Mixed-Use District, subject to the following conditions:

- 1) Permitted uses shall be limited to the following:
 - a. Uses permitted in the "EX" Mixed-Use District that are allowed by right in the "DXR" Downtown District.
 - b. A use that contains warehouse and office functions.
 - c. Industrial Service, Light.
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THE VOTE 13-0-0 (Chris Draper had not yet arrived)

Respectfully submitted,

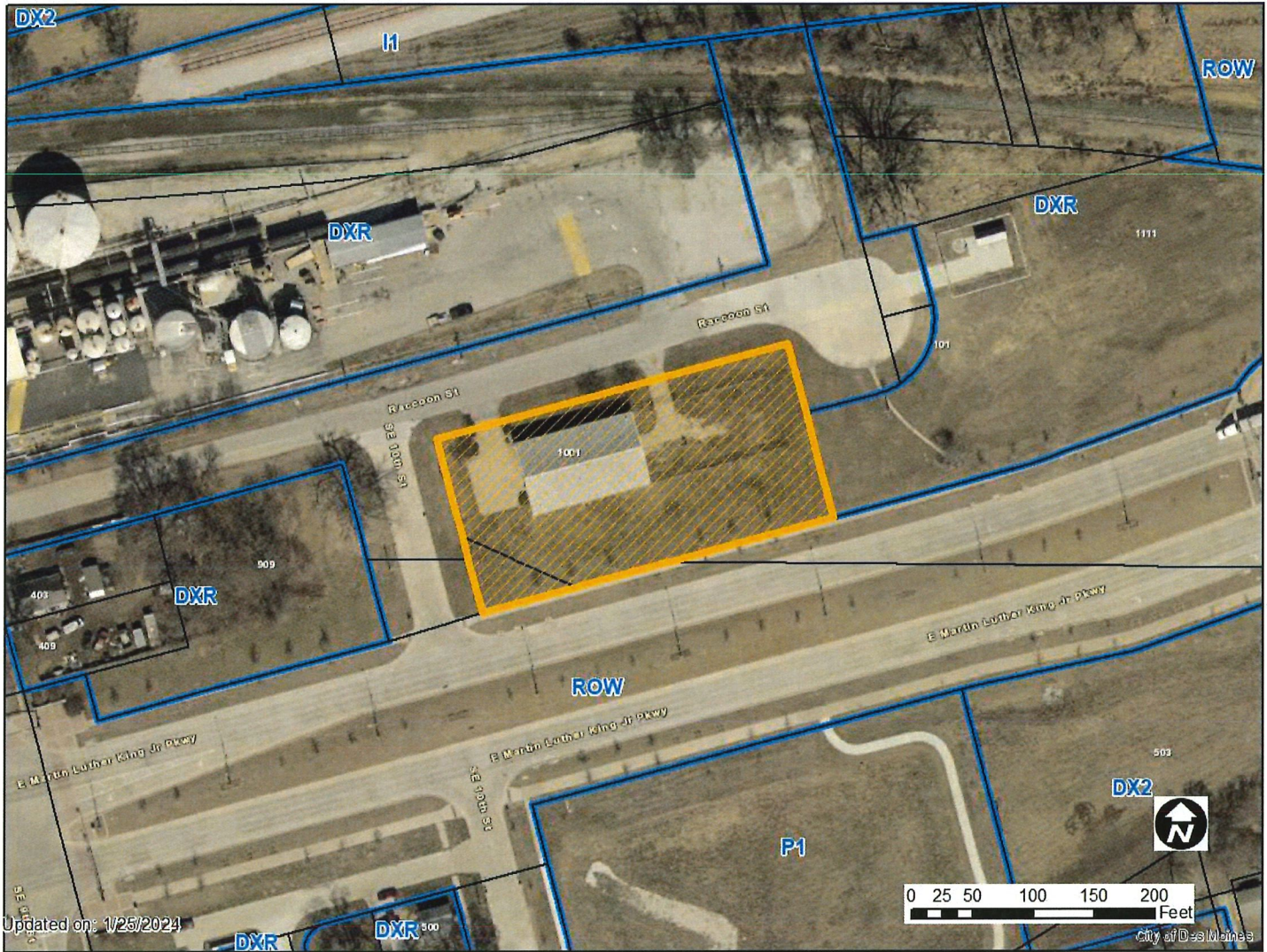


Jason Van Essen, AICP
Planning & Urban Design Administrator

JMV:mrw

Ecosource, LLC, Parcels in Vicinity of 1001 Raccoon Street

ZONG-2023-000065

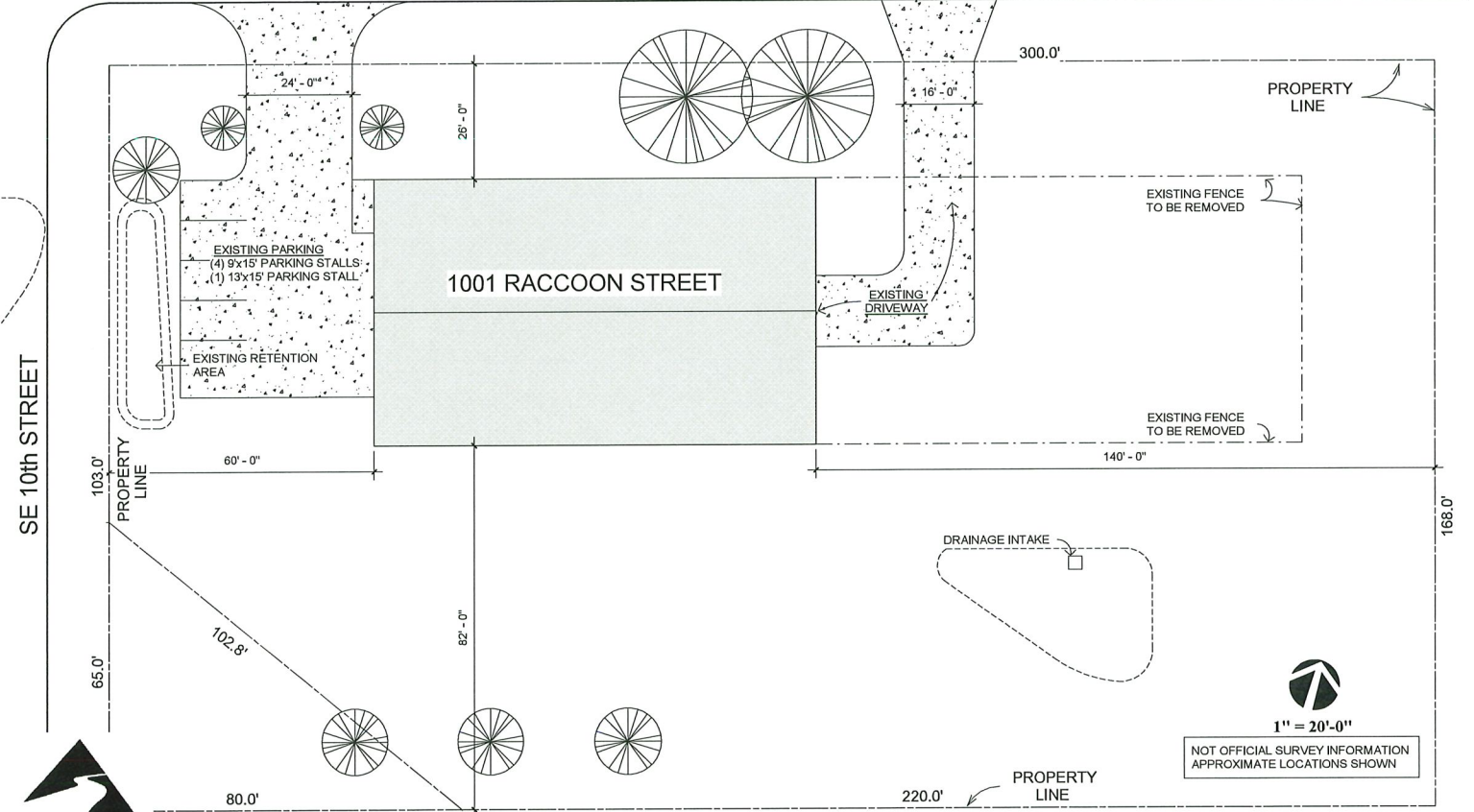


1 inch = 103 feet

RACCOON STREET

1001 RACCOON STREET

SE 10th STREET



1" = 20'-0"

NOT OFFICIAL SURVEY INFORMATION
APPROXIMATE LOCATIONS SHOWN



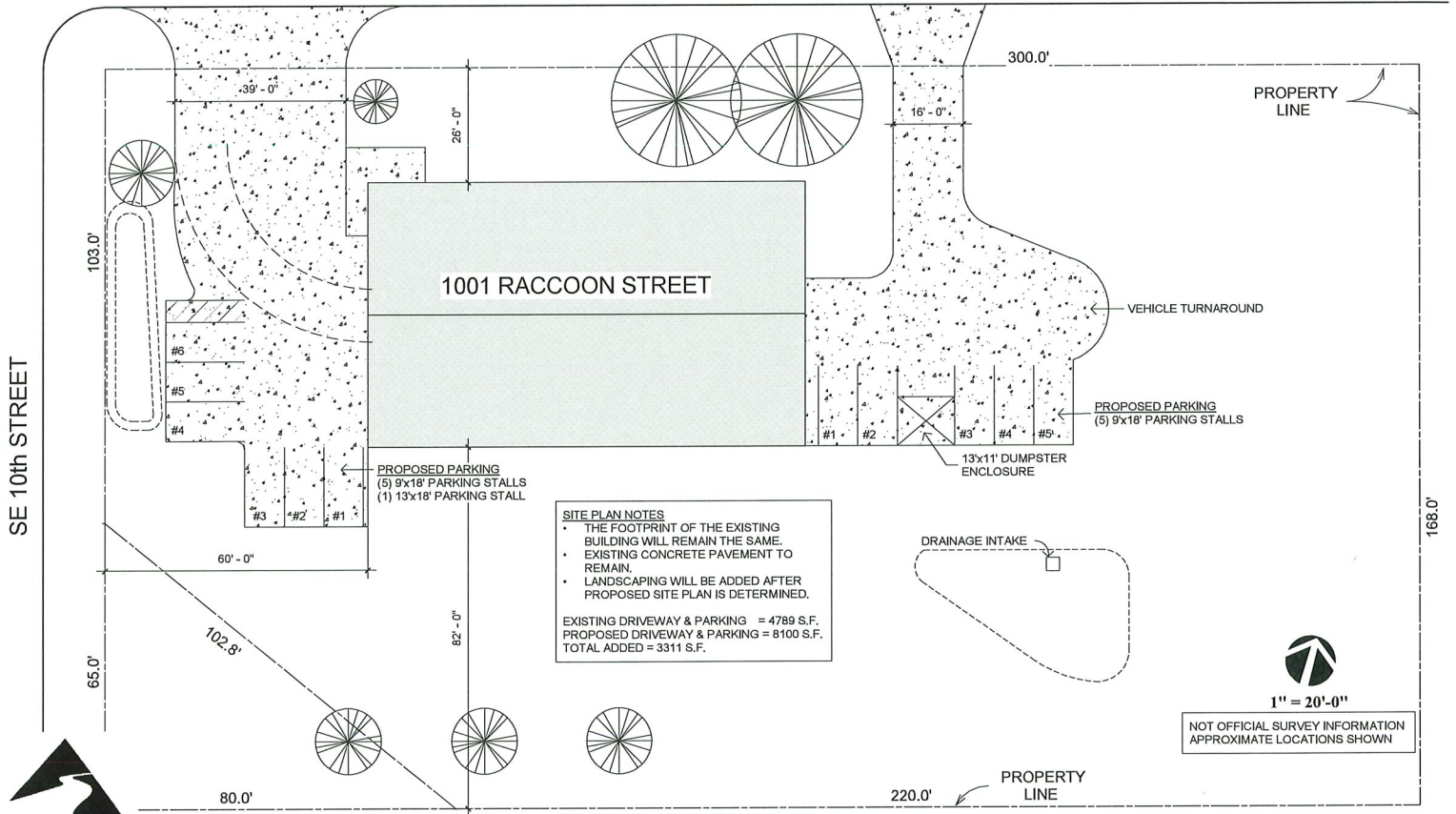
ECOSOURCE BUILDING
1001 RACCOON STREET
DES MOINES, IA 50309

1 SITE PLAN - EXISTING
1" = 20'-0"

OCTOBER 18, 2023

B1.0

RACCOON STREET



SITE PLAN NOTES

- THE FOOTPRINT OF THE EXISTING BUILDING WILL REMAIN THE SAME.
- EXISTING CONCRETE PAVEMENT TO REMAIN.
- LANDSCAPING WILL BE ADDED AFTER PROPOSED SITE PLAN IS DETERMINED.

EXISTING DRIVEWAY & PARKING = 4789 S.F.
 PROPOSED DRIVEWAY & PARKING = 8100 S.F.
 TOTAL ADDED = 3311 S.F.

1" = 20'-0"

NOT OFFICIAL SURVEY INFORMATION
 APPROXIMATE LOCATIONS SHOWN



ECOSOURCE BUILDING
 1001 RACCOON STREET
 DES MOINES, IA 50309

1 SITE PLAN - PROPOSED
 1" = 20'-0"

OCTOBER 18, 2023 **B3.0**





- 1 DESTINATION IN FRONT OF PARK
- 2 EAST VILLAGE PROLOGUE
- 3 MARKET STREET PLAZA
- 4 COURT AVENUE CYCLE TRACK
- 5 SUSTAINABLE ENERGY - SOLAR
- 6 SUSTAINABLE ENERGY - GEOTHERMAL LOOP
- 7 STRUCTURED PARKING W/ RETAIL LINER
- 8 SHARED SPACE / GREEN STREET
- 9 NEIGHBORHOOD GROCEERY
- 10 STANDARD OIL COMMONS
- 11 NATURALIZED STORM WATER PARK
- 12 COHESIVE PARK ENHANCEMENTS
- 13 CAPITOL TRAIL CONNECTION
- 14 EAST VILLAGE LOOP
- 15 MISSING MIDDLE HOUSING
- 16 SIGNIFICANT OFFICE SITE
- 17 SIGNIFICANT SITE FOR REUSING, OPENING UP LOCAL USE



From: [John Cecil](#)
To: [Neighborhood Meeting](#); [Darren Fife](#)
Subject: Neighborhood meeting for 1001 Raccoon Street Des Moines
Date: Monday, February 12, 2024 9:11:29 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I am writing to report on our public meeting held on February, 9th, 2024 at 3:00 PM - 4:30 PM for the Neighbors for our proposed expansion and building plans for:

1001 Raccoon Street
Des Moines, Iowa 50309

Notifications were sent out on Wednesday January 24th to the following persons as indicated on the list we received:

Samantha Cone
Veronica Jurado
Bituminous Material & Supply
Burlington Northern Santa Fe
Bituminous Material & Supply
Luke Dickens

No one arrived to attend the meeting on the posted date of the meeting, however one person did show up prior to the meeting to introduce themselves and inquire about our plans. Chris Aldama from Bituminous Material & Supply visited our facility on Feb, 6th, 2024 at 2:00 PM. We discussed all of the proposed changes to the building, showed him all of the blueprints and described what services we provide to the public and private sector. He signed and dated our sign-up sheet and indicated that he has no issues with any of the proposed changes to the property.

No specific changes are being considered as a result of the meeting and discussion with Bituminous Material & Supply.

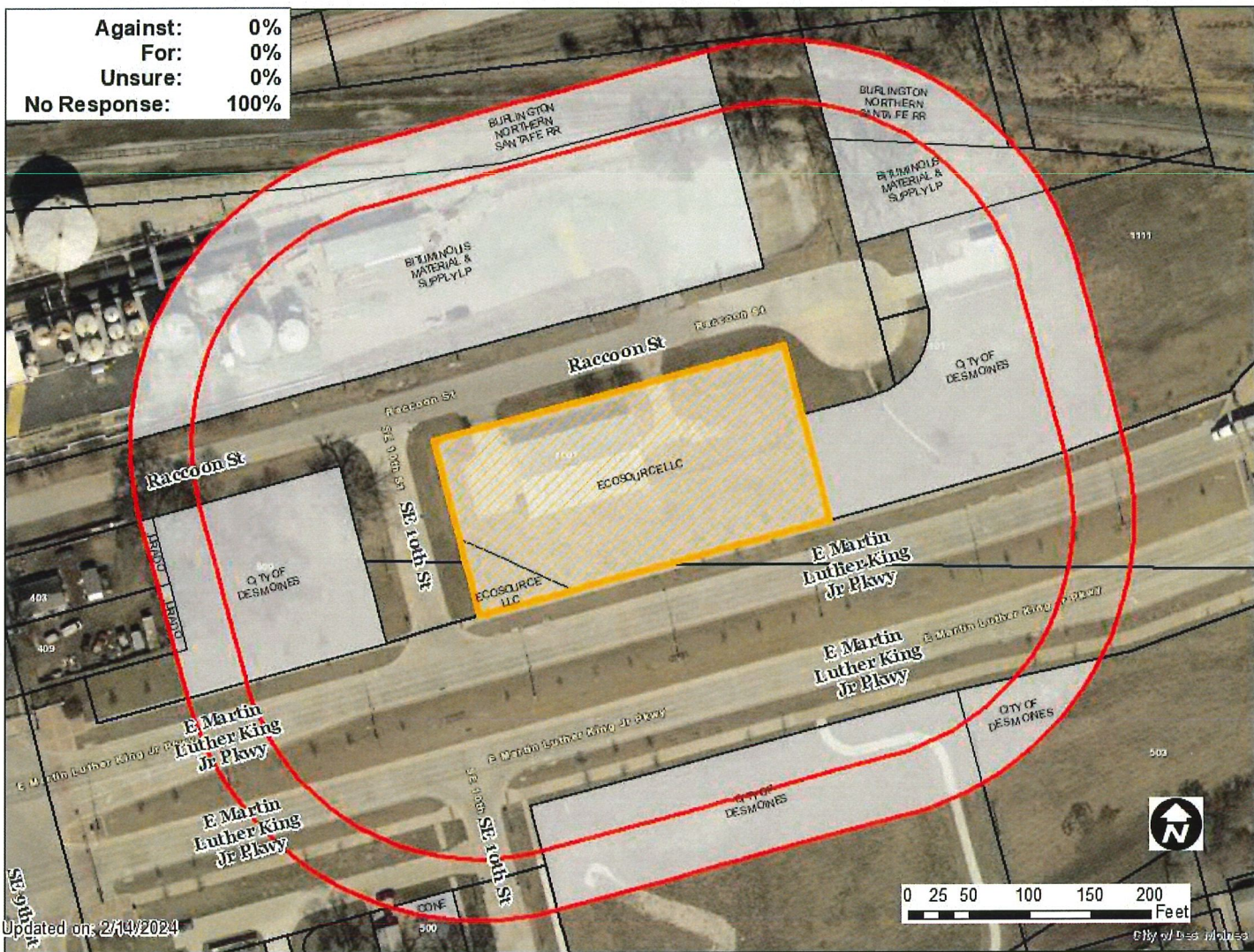
Let me know if you have any further questions.

Thank you,

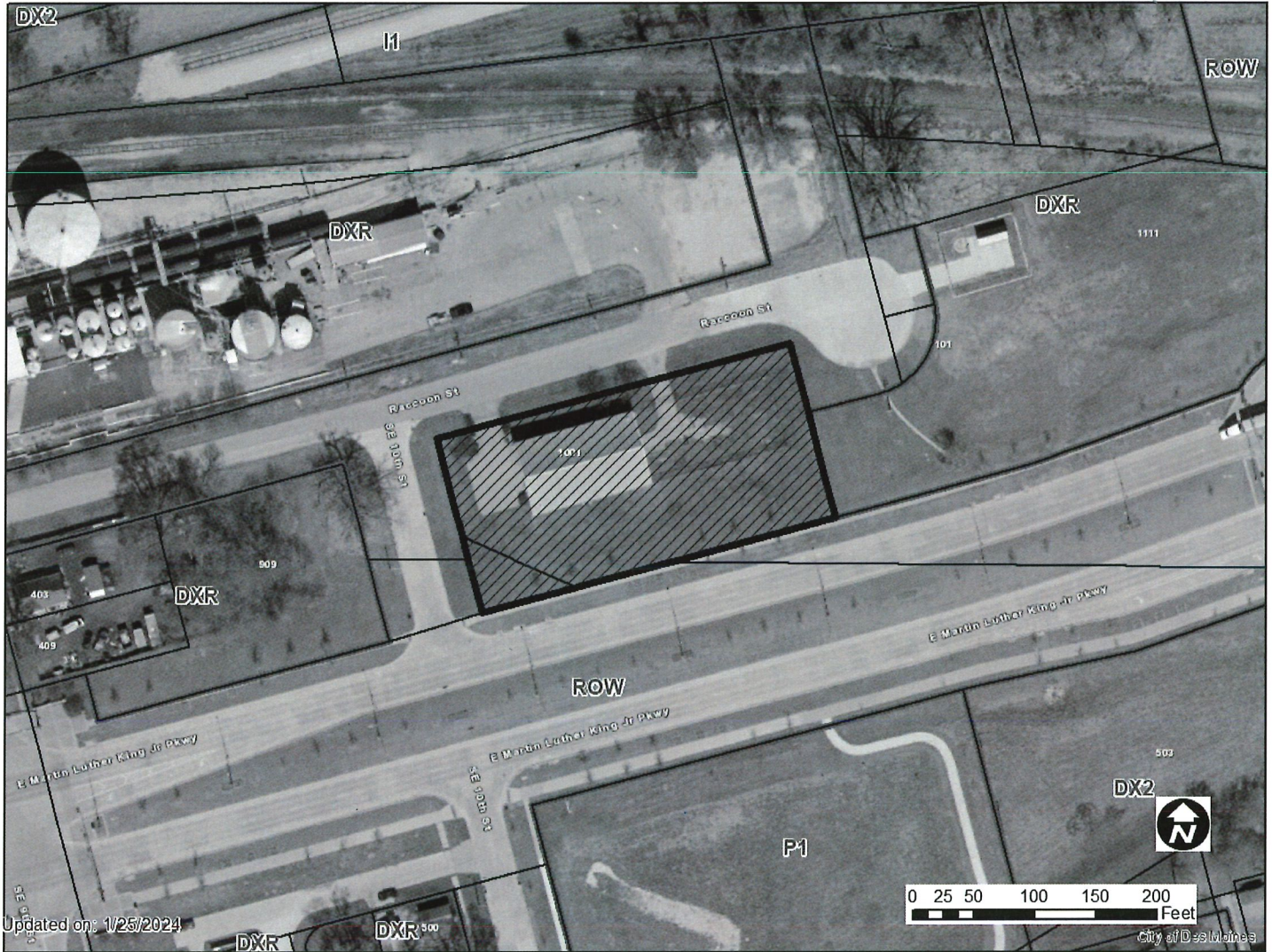
John Cecil - Controller
EcoSource, LLC.
1001 Raccoon Street
Des Moines, Iowa 50309
[515.850.9694](tel:515.850.9694)
www.ecosourceiowa.com

Ecosource, LLC, Parcels in Vicinity of 1001 Raccoon Street

ZONG-2023-000065



1 inch = 103 feet



1 inch = 103 feet