



**Roll Call Number**

24-D415

**Agenda Item Number**

22

**Date** March 18, 2024

**RESOLUTION SETTING 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 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



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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.**

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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 rezoning 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 City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on April 1, 2024, at which time the City Council will hear both those who oppose and those who favor the proposal.
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.

MOVED BY Gatto TO ADOPT.  
 SECOND BY Mandelbaum.

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill  
Assistant City Attorney

(ZONG-2023-000065)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			
MOTION CARRIED			APPROVED	

Connie Boesen 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