

COUNCIL COMMUNICATION

	Number:	25-381	Meeting:	October 20, 2025
	Agenda Item:	53	Roll Call:	25-1444
	Submitted by:	Cody Christensen, Development Services Director		

AGENDA HEADING:

Review of Zoning Board of Adjustment decision conditionally granting a Use Variance for a “Commercial Service, Studio or Instructional Service” use (fitness center) within an “F” Flood District on property at 414 61st Street owned by 414 61st Street, LLC (Daniel Doyle, Agent).

SYNOPSIS:

Staff recommends that the Council decline to remand the decision conditionally granting a Use Variance for a “Commercial Service, Studio or Instructional Service” use (fitness center) within an “F” Flood District on property at 414 61st Street owned by 414 61st Street, LLC (Daniel Doyle, Agent; 601 Forest Avenue, Des Moines, IA 50314).

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- On November 21, 2024, the Plan & Zoning Commission recommended denial of request to rezone the property from “F” Flood District to “RX1” Mixed-Use District.
- On December 23, 2024, the City Council, by Roll Call No. 24-1747, denied the request to amend PlanDSM to revise the Future Land Use Designation and to rezone the property from “F” Flood District to “RX1” Mixed-Use District.
- On January 22, 2025, the Zoning Board of Adjustment conditionally granted a Use Variance to allow re-use of a vacant 4,868-square foot building for a “Business, Office” use within a “F” Flood District.
- On February 10, 2025, the City Council declined to remand the decision to the Zoning Board of Adjustment granting a Use Variance for an “Office: Business or Professional” use and the decision of the Board was finalized on that date.
- Subsequently, the property owner has elected to pursue a different use of the property.
- On September 24, 2025, the Board of Adjustment conditionally granted a Use Variance to allow re-use of a vacant 4,868-square foot building for a “Commercial Service, Studio or Instructional Service” use (fitness center) within an “F” Flood District.

- The Zoning Board of Adjustment's Decision & Order includes multiple conditions to ensure that the impacts of any "Commercial Service, Studio or Instructional Service" use (fitness center) are minimal.
- The subject property measures approximately 50,422.9 square feet (1.16 acres) and is located along the west side of 61st Street to the north side of Grand Avenue, and within the Walnut Creek floodplain. The subject property includes a 4,868-square foot building. It is located within the Waterbury Neighborhood and within 250 feet of the Westwood Neighborhood.
- The subject property is zoned "F" Flood District since it is within the Federal Emergency Management Agency (FEMA)-designated floodplain. The Base Flood Elevation (BFE) at this property is approximately 820.6 feet and the adjacent ground elevation is approximately 820 feet. According to City Engineering staff, the change of use or vacancy does not trigger the "substantial improvement" threshold that would require them to elevate or floodproof the existing building.
- The Iowa Department of Natural Resources (IDNR) have no objections since there is no addition or substantial improvement taking place. Additional review pursuant to City Code Chapter 50 is not warranted.
- The property is currently owned by 414 61st Street (titleholder), represented by Daniel Doyle, Agent.
- Pursuant to City of Des Moines Chapter 134: Zoning Ordinance Code Section 134-6.7.8.D, the City Council shall review the Board's decision within 30 days after the decision is filed. After such review, the City Council may remand the decision to the Board for further study. If the City Council declines to remand the decision, that decision shall become final on the date of the City Council's action (October 20, 2025).

PREVIOUS COUNCIL ACTION(S):

Date: February 10, 2025

Roll Call Number: [25-0230](#)

Action: [Review](#) of Zoning Board of Adjustment decision conditionally granting a Use Variance for an "Office: Business or Professional" use within an "F" Flood District on property at 414 61st Street. ([Council Communication No. 25-058](#)) Moved by Mandelbaum to adopt alternative C, (C) The City Council declines to remand the decision to the Zoning Board of Adjustment. The decision of the Board becomes final on this date. Second by Gatto. Motion Carried 7-0.

Date: December 23, 2024

Roll Call Number: [24-1747](#)

Action: [On](#) request from 414 61st Street, LLC (Daniel Doyle, Officer) for property located in the vicinity of 414 61st Street to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification of the property from Parks and Open Space and Development Control to Community Mixed Use and to rezone the property from "F" Flood District to "RX1" Mixed

Use District, to allow reuse of an existing building as an office. Moved by Mandelbaum to DENY the proposed rezoning. Second by Gatto. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Board of Adjustment

Date: September 24, 2025

Resolution Number: ZBOA-2025-000071

Action: Voted 7-0 to conditionally grant a Use Variance to allow re-use of a vacant 4,868-square foot building for a “Commercial Service, Studio or Instructional Service” use (fitness center) within a “F” Flood District.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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