



Date March 10, 2014

RESOLUTION APPROVING AMENDMENT TO THE DES MOINES 2020 COMMUNITY CHARACTER LAND USE PLAN FOR PROPERTY IN THE VICINITY OF 320 CREIGHTON AVENUE

WHEREAS, on August 7, 2000, by Roll Call No. 00-3381 the City Council adopted the Des Moines 2020 Community Character Land Use Plan; and

WHEREAS, the City Plan and Zoning Commission has advised in the attached letter that at a public hearing held February 6, 2014, the members voted 8-0-1 to recommend APPROVAL of a request from Catholic Health Initiative – Iowa Corporation (owner) represented by Ronald Mueck (officer) to amend the Des Moines 2020 Community Character Land Use Plan future land use designation from Low Density Residential and Commercial: Pedestrian-Oriented, Commercial Corridor to Public/Semi-Public for property in the vicinity of 320 Creighton Avenue as more specifically shown on the accompanying map.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the proposed amendment to the Des Moines 2020 Community Character Land Use Plan described above, is hereby approved.

MOVED by \_\_\_\_\_ to adopt and approve the proposed amendment.

FORM APPROVED:

Roger K. Brown

Roger K. Brown
Assistant City Attorney

(21-2013-4.28)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRAY, HENSLEY, MAHAFFEY, MOORE, GATTO, and TOTAL.

CERTIFICATE

I, DIANE RAUH, 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.

MOTION CARRIED APPROVED

Mayor

City Clerk



February 14, 2014

Honorable Mayor and City Council  
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held February 6, 2014, the following action was taken regarding a request from Catholic Health Initiative – Iowa Corporation (owner) represented by Ronald Mueck (officer) to rezone property in the vicinity of 320 Creighton Avenue.

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 8-0-1 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Dory Briles				X
JoAnne Corigliano	X			
Jacqueline Easley				X
Tim Fitzgerald	X			
Dann Flaherty				X
Jann Freed	X			
John "Jack" Hilmes			X	
Ted Irvine	X			
Greg Jones	X			
William Page	X			
Christine Pardee	X			
CJ Stephens				X
Vicki Stogdill	X			
Greg Wattier				X

**APPROVAL** of staff recommendation to find the proposed rezoning not in conformance with the existing Des Moines' 2020 Community Character Plan designations of Low-Density Residential; **APPROVAL** of an amendment to the Des Moines' 2020 Community Character Plan future land use designation from Low Density Residential and Commercial: Pedestrian-Oriented, Commercial Corridor to Public/Semi-Public; and **APPROVAL** of the request to rezone from "R1-60" One-Family Low-Density Residential District to "C-0" Commercial Residential District, to allow construction of a maintenance building in support of the Mercy

Hospital Complex and surrounding related properties.  
00204)

(21-2013-4.28 & ZON2013-

## **STAFF RECOMMENDATION TO THE P&Z COMMISSION**

Part A) Staff recommends that the requested rezoning be found not in conformance with the existing Des Moines' 2020 Community Character Plan.

Part B) Staff recommends approval of the requested amendment to the Des Moines' 2020 Community Character Plan to revise the future land use designation from Low Density Residential and Commercial: Pedestrian-Oriented, Commercial Corridor to Public/Semi-Public.

Part C) Staff recommends approval of the requested rezoning to "C-0" Commercial-Residential District.

### Written Responses

1 In Favor

0 In Opposition

## **STAFF REPORT TO THE PLANNING COMMISSION**

### **I. GENERAL INFORMATION**

1. **Purpose of Request:** The applicant is seeking to develop an accessory maintenance garage on the northern portion of the split-zoned property in an area where paved off-street parking has already been extended. It also seeks to bring additional off-street parking area already developed within the residential zoned property into conformance with zoning. The proposed "C-0" District allows hospital, office, and accessory uses.
2. **Size of Site:** Approximately 21,475 square feet (0.49 acres).
3. **Existing Zoning (site):** "R1-60" One-Family Low Density Residential District.
4. **Existing Land Use (site):** The subject property is currently developed with paved off-street parking in support of the adjoining office use and the greater Mercy Hospital complex.
5. **Adjacent Land Use and Zoning:**
  - North** – "R1-60", Uses are single-family dwellings.
  - South** – "C-2", Use is Mercy University Office Plaza.
  - East** – "R1-60", Uses are off-street parking and single-family dwellings.
  - West** – "C-2" & "PUD", Uses are off-street parking and an assisted living residential facility.

6. **General Neighborhood/Area Land Uses:** The subject property is located on the north side of the University Avenue corridor around the Mercy Hospital complex.
7. **Applicable Recognized Neighborhood(s):** The subject property is within the River Bend Neighborhood and within 250 feet of the Cheatom Park Neighborhood to the west. All recognized neighborhoods were notified of the meeting by mailing of the Preliminary Agenda on December 30, 2013. Additionally, separate notifications of the hearing for this specific item were mailed on December 27, 2013 (20 days prior) and January 6, 2014 (10 days prior to the scheduled hearing) to the River Bend Association and Cheatom Park Neighborhood Association contacts and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the subject property. A Final Agenda for the meeting was mailed to all the recognized neighborhood associations on January 10, 2013.

All agendas and notices are mailed to the contact person(s) designated to the City of Des Moines Neighborhood Development Division by the recognized neighborhood association. The River Bend Association mailings were sent to Mike Hildebrand, 410 Franklin Avenue, Des Moines, IA 50315. The Cheatom Park Neighborhood mailings were sent to Don Curry, 1189 10<sup>th</sup> Street, Des Moines, IA 50314.

The applicant is required to schedule a neighborhood meeting prior to the hearing which includes invitation to neighborhood contacts and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. Due to the holiday schedule and weather issues, the applicant has indicated that they were unable to successfully schedule a neighborhood meeting. Therefore the applicant has requested continuance to the February 6, 2014 meeting.

8. **Relevant Zoning History:** N/A.
9. **2020 Community Character Land Use Plan Designation:** Low Density Residential and Commercial: Pedestrian-Oriented Commercial Corridor.
10. **Applicable Regulations:** The Commission reviews all proposals to amend zoning regulations or zoning district boundaries 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 recommend that certain conditions be applied to the subject property if the property owner agrees in writing, prior to the City Council Hearing. The recommendation of the Commission will be forwarded to the City Council.

## II. ADDITIONAL APPLICABLE INFORMATION

1. **Parking/Access:** The applicant proposes to construct a 35-foot by 40-foot garage for accessory maintenance storage. This would displace some existing parking that serves the office plaza property at 323 University Avenue. A Site Plan will be required for the development of the new building and to reconfigure the remaining parking and drive circulation. No changes to existing access drives from University Avenue and Creighton

Avenue are proposed. The proposal is not expected to deprive any existing building of its minimum required parking spaces.

- 2. **Des Moines 2020 Community Character Plan:** The subject property has two designations: Low Density Residential and Commercial Corridor. Both of these designations reflected the existing development pattern at the time. Mercy Hospital has continued to assemble property surrounding the hospital complex to gradually expand ancillary services and medical offices in support of the hospital. Staff believes based on this that it would be appropriate to extend the Public/Semi-Public future land use designation for the subject property and intervening contiguous property owned by the hospital. This would allow for the proposed rezoning yet restrict the future rezoning to districts in support of the hospital.

**SUMMARY OF DISCUSSION**

*There was no discussion.*

**CHAIRPERSON OPENED THE PUBLIC HEARING**

*There was no one to speak in favor or in opposition of the applicant's request.*

**COMMISSION ACTION:**

Ted Irvine moved **APPROVAL** of staff recommendation to find the proposed rezoning not in conformance with the existing Des Moines' 2020 Community Character Plan designations of Low-Density Residential; **APPROVAL** of an amendment to the Des Moines' 2020 Community Character Plan future land use designation from Low Density Residential and Commercial: Pedestrian-Oriented, Commercial Corridor to Public/Semi-Public; and **APPROVAL** of the request to rezone from "R1-60" One-Family Low-Density Residential District to "C-0" Commercial Residential District, to allow construction of a maintenance building in support of the Mercy Hospital Complex and surrounding related properties.

Motion passed 8-0-1 (John "Jack" Hilmes abstained).

Respectfully submitted,



Michael Ludwig, AICP  
Planning Administrator

MGL:clw

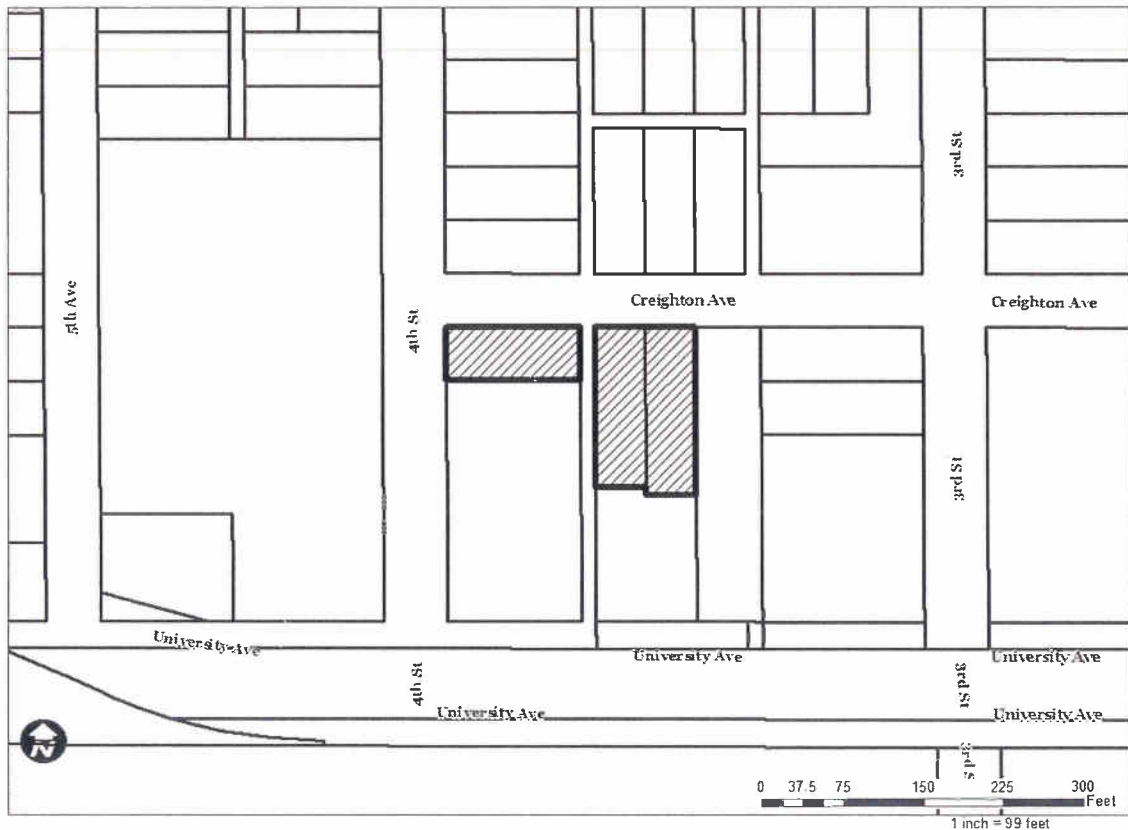
Attachment

35A

Catholic Health Initiative – Iowa Corporation (owner) represented by Ronald Mueck (officer) for property in the vicinity of 320 Creighton Avenue.		<b>File #</b> ZON2013-00204		
<b>Description of Action</b>	Approval to rezone from "R1-60" One-Family Low-Density Residential District to "C-0" Commercial Residential District, to allow construction of a maintenance building in support of the Mercy Hospital Complex and surrounding related properties.			
<b>2020 Community Character Plan</b>	Low/ Density Residential and Commercial: Pedestrian-Oriented, Commercial Corridor. (current) Public/Semi-Public. (proposed)			
<b>Horizon 2035 Transportation Plan</b>	No Planned Improvements.			
<b>Current Zoning District</b>	"R1-60" One-Family Low-Density Residential District.			
<b>Proposed Zoning District</b>	"C-0" Commercial Residential District.			
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area	1			
Outside Area				
<b>Plan and Zoning Commission Action</b>	Approval	9-0	<b>Required 6/7 Vote of the City Council</b>	Yes
	Denial			No

Catholic Health Initiative, Vicinity of 320 Creighton Avenue

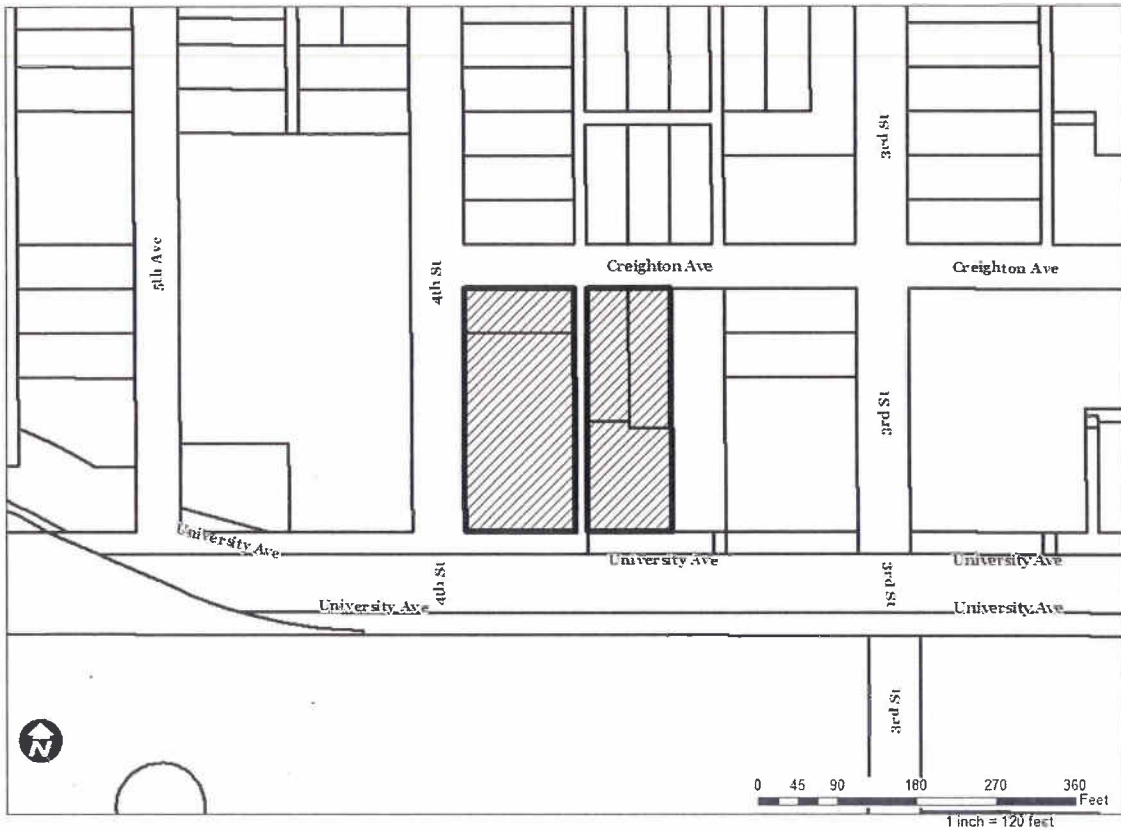
ZON2013-00204



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<b>Proposed Zoning District</b>	"C-0" Commercial Residential District.				
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area	1				
Outside Area					
<b>Plan and Zoning Commission Action</b>	Approval	9-0	<b>Required 6/7 Vote of the City Council</b>	Yes	
	Denial			No	X

Catholic Health Initiative, Vicinity of 320 Creighton Avenue

21-2013-4.28



Item ZON2013-00204

Date 10.30.14

I  (am) (am not) in favor of the request.

**RECEIVED**  
(Circle One)  
COMMUNITY DEVELOPMENT

Print Name JOHN JOHNSON

JAN 13 2014

Signature [Handwritten Signature]

DEPARTMENT

Address 1228 3rd Street

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

AS LONG AS THEY DO A LOT OF  
SECURITY CHECKS 24 HRS A  
DAY! HOMELESS PROBLEM IS RAMPANT  
HERE!! THEFT, THREAT OF PHYSICAL  
ATTACKS, DRUG + ALCOHOL USE!!!



