



**Roll Call Number**

**Agenda Item Number**

64

**Date** July 15, 2024

**RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM ORCHARD PLACE DES MOINES CHILDREN'S HOME (OWNER), REPRESENTED BY VALERIE SALTSGAVER (OFFICER), FOR THE FOLLOWING REGARDING PROPERTY LOCATED IN THE VICINTY OF 1301 KENYON AVENUE, TO AMEND PLANDSM CREATING OUR TOMORROW PLAN TO REVISE THE FUTURE LAND USE CLASSIFICATION FROM LOW DENSITY RESIDENTIAL TO LOW-MEDIUM DENSITY RESIDENTIAL, AND TO REZONE THE PROPERTY FROM "NX1" NEIGHBORHOOD MIX DISTRICT TO LIMITED "NX2" NEIGHBORHOOD MIX DISTRICT**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on June 6, 2024, its members voted 12-1 in support of a motion to recommend **APPROVAL** of a request from Orchard Place Des Moines Children's Home (Owner), represented by Valerie Saltsgaver (Officer), for the proposed rezoning from "NX1" Neighborhood Mix District to Limited "NX2" Neighborhood Mix District be found not in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Low Density Residential; and

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on June 6, 2024, its members voted 12-1 in support of a motion to recommend **APPROVAL** of a request from Orchard Place Des Moines Children's Home (Owner), represented by Valerie Saltsgaver (Officer), to amend the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Low Density Residential to Low-Medium Density Residential; and

**WHEREAS**, the City Plan and Zoning Commission has further advised that at a public hearing held on June 6, 2024, its members voted 12-1 in support of a motion to recommend **APPROVAL** of a request from Orchard Place Des Moines Children's Home (Owner), represented by Valerie Saltsgaver (Officer), to rezone the Property from "NX1" Neighborhood Mix District to Limited "NX2" Neighborhood Mix District, to allow for the re-use of the existing building as a Group living not otherwise classified use, subject to the following conditions:

Any use of the property shall be limited to the following:

1. Any use as permitted and limited in the "NX1" Neighborhood Mix District, or
2. A Group Living Not Otherwise Classified use, per City Code Section 134-3.3.2.F, only so long as the Zoning Board of Adjustment grants a Conditional Use Approval for such use.; and

**WHEREAS**, the Property is legally described as follows:

**AN IRREGULAR SHAPED PORTION OF LOT 2 AND LOT 3, DUNSHEE PLACE, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 3;**



**Date** July 15, 2024

THENCE N00°10'58"W ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 198.64 FEET; THENCE S30°16'32"E, A DISTANCE OF 3.72 FEET; THENCE S21°32'16"E, A DISTANCE OF 73.42 FEET; THENCE S72°00'50"E, A DISTANCE OF 33.76 FEET; THENCE S25°53'08"E, A DISTANCE OF 39.96 FEET; THENCE S33°14'04"E, A DISTANCE OF 62.94 FEET; THENCE N05°16'19"W, A DISTANCE OF 29.65 FEET; THENCE N09°40'31"W, A DISTANCE OF 77.38 FEET; THENCE N46°08'21"E, A DISTANCE OF 32.78 FEET; THENCE N01°09'30"W, A DISTANCE OF 68.13 FEET; THENCE N88°40'24"E, A DISTANCE OF 10.42 FEET; THENCE S71°05'49"E, A DISTANCE OF 31.20 FEET; THENCE N25°52'55"E, A DISTANCE OF 43.78 FEET; THENCE S89°20'31"E, A DISTANCE OF 48.82 FEET; THENCE N46°09'40"E, A DISTANCE OF 15.33 FEET; THENCE N01°09'32"W, A DISTANCE OF 48.37 FEET; THENCE N34°07'09"E, A DISTANCE OF 36.45 FEET; THENCE N13°42'54"E, A DISTANCE OF 50.50 FEET; THENCE N88°46'55"E, A DISTANCE OF 17.55 FEET; THENCE S25°55'39"E, A DISTANCE OF 32.85 FEET; THENCE N28°57'21"E, A DISTANCE OF 7.01 FEET; THENCE S00°05'16"E, A DISTANCE OF 370.04 FEET TO THE SOUTH LINE OF SAID LOT 2; THENCE N89°46'57"W ALONG THE SOUTH LINE OF SAID LOTS 2 AND 3, A DISTANCE OF 305.00 FEET TO THE POINT OF BEGINNING.

**WHEREAS**, on June 17, 2024, by Roll Call No. 24-0867, 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 June 17, 2024, 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 amendment and rezoning are hereby overruled, and the hearing is closed.

**Alternative A – Approval of Rezoning and PlanDSM Amendments**

1. The proposed amendment to PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification for the Property from Low Density Residential to Low-Medium Density Residential is hereby **APPROVED**.





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2. The proposed rezoning of the Property, as legally described above, from “NX1” Neighborhood Mix District to Limited “NX2” Neighborhood Mix District, to allow for the re-use of the existing building as a Group living not otherwise classified use, subject to the conditions set forth above, is hereby **APPROVED**, subject to final passage of an ordinance rezoning the Property as set forth herein.

(NOTE – APPROVAL REQUIRES SIX VOTES DUE TO OPPOSITION OF  
GREATER THAN 20% OF RELEVANT PROPERTY OWNERS)

MOVED BY TO ADOPT. SECOND BY.

**Alternative B - Denial**

MOVED by to **DENY** the proposed amendment and rezoning.

Second by

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill

Assistant City Attorney

(ZONG-2024-000013) (COMP-2024-000010)

**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.

| COUNCIL ACTION | YEAS | NAYS     | PASS | ABSENT |
|----------------|------|----------|------|--------|
| BOESEN         |      |          |      |        |
| SIMONSON       |      |          |      |        |
| VOSS           |      |          |      |        |
| COLEMAN        |      |          |      |        |
| WESTERGAARD    |      |          |      |        |
| MANDELBAUM     |      |          |      |        |
| GATTO          |      |          |      |        |
| TOTAL          |      |          |      |        |
| MOTION CARRIED |      | APPROVED |      |        |
| _____ Mayor    |      |          |      |        |

\_\_\_\_\_  
City Clerk

Date July 15, 2024

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June 7, 2024

Communication from the City Plan and Zoning Commission advising that at their June 6, 2024 meeting, the following action was taken on request from Orchard Place Des Moines Children's Home (owner), represented by Valerie Saltsgaver (officer), for the following regarding a parcel located in the vicinity of 1301 Kenyon Avenue:

- 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 Low Density Residential to Low-Medium Density Residential.
- C) Rezone property from "NX1" Neighborhood Mix District to "NX2" Neighborhood Mix District, to allow re-use of the existing building as a Group living not otherwise classified use.

#### COMMISSION RECOMMENDATION:

After public hearing, the members voted 12-1-0 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) that the requested “NX2” District be found not in conformance with PlanDSM Creating Our Tomorrow Comprehensive Plan future land use classification of Low Density Residential.

Part B) Approval of the requested amendment to the PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification from Low Density Residential to Low-Medium Density Residential.

Part C) Approval of the request to rezone the property from “NX1” Neighborhood Mix District to “NX2” Neighborhood Mix District, subject the following condition:

Any use of the property shall be limited to the following:

1. Any use as permitted and limited in the “NX1” Neighborhood Mix District, or
2. A Group Living Not Otherwise Classified use, per City Code Section 134-3.3.2.F, only so long as the Zoning Board of Adjustment grants a Conditional Use Approval for such use

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

Part A) Staff recommends that the requested “NX2” District be found not in conformance with PlanDSM Creating Our Tomorrow Comprehensive Plan future land use classification of Low Density Residential.

Part B) Staff recommends approval of the requested amendment to the PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification from Low Density Residential to Low-Medium Density Residential.

Part C) Staff recommends approval of the request to rezone the property from “NX1” Neighborhood Mix District to “NX2” Neighborhood Mix District, subject the following condition:

Any use of the property shall be limited to the following:

1. Any use as permitted and limited in the “NX1” Neighborhood Mix District, or
2. A Group Living Not Otherwise Classified use, per City Code Section 134-3.3.2.F, only so long as the Zoning Board of Adjustment grants a Conditional Use Approval for such use

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

### **I. GENERAL INFORMATION**

1. **Purpose of Request:** The applicant is proposing to amend PlanDSM to revise the future land use classification of the property to Low-Medium Density Residential and to rezone the property to “NX2” Neighborhood Mix District. These actions would potentially allow renovation and reuse of the existing building that was constructed for

a group living use (formerly Orchard Place) for temporary affordable housing by the Hope Ministries organization. The proposed use would be considered a “Group Living not Otherwise Classified” use, which would be subject to a Conditional Use approval by the City’s Zoning Board of Adjustment.

The proposal submitted by the applicant indicates that there would be renovation of the existing building only. No additions are currently being proposed. Three (3) new parking spaces would be provided, in addition to accessibility improvements on the site.

Any future conversion, construction, or reuse of the site must comply with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of City Code).

2. **Size of Site:** 67,082 square feet (1.54 acres).
3. **Existing Zoning (site):** “NX1” Neighborhood Mix District.
4. **Existing Land Use (site):** The subject property contains a 4,387 square-foot building that was most recently occupied by Orchard Place – Des Moines Children’s Home as a group home facility for children.
5. **Adjacent Land Use and Zoning:**

*North* – “F”; Uses is wooded open space along Yeader Creek.

*South* – “N2b”, Uses are one-household dwelling units.

*East* – “N3a”, Uses are one-household dwelling units.

*West* – “N3a”; Uses are one-household dwelling units.

6. **General Neighborhood/Area Land Uses:** The subject property is located at the northwest corner of Kenyon Avenue and Southwest 13<sup>th</sup> Street. The area is primarily residential in nature, with an elementary school, public pool, and public library in close proximity.
7. **Applicable Recognized Neighborhood(s):** The subject property is within the Watrous South Neighborhood. All neighborhood associations were notified of the public hearing by emailing the Preliminary Agenda on May 17, 2024, and the Final Agenda on May 31, 2024. Additionally, separate notifications of the hearing for this specific item were mailed on May 17, 2024 (20 days prior to the public hearing) and May 27, 2024 (10 days prior to the public hearing) 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 Watrous South Neighborhood mailings were sent to Mitch Harris, 360 Bridgewood Drive, #1102, West Des Moines, IA 50266.



The applicant is required to conduct neighborhood outreach. They will be available to provide a summary of that outreach during the public hearing.

8. **Relevant Zoning History:** None.
9. **PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation:** Low Density Residential.
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 property owner agrees to them in writing. The recommendation of the Commission will be forwarded to the City Council.

## II. ADDITIONAL APPLICABLE INFORMATION

1. **Summary of Proposal:** The Hope Ministries organization is proposing to reuse the existing building that was constructed for a children's group home use. They are proposing to provide supportive housing units that are affordable and part of a supportive community that helps participants transition to permanent housing. Housing would be provided to single men for a period of up to two years.

This facility, which was previously used as a residential group home, has 14 individual bedrooms, along with shared kitchen, food storage, dining, and living room spaces. The applicant proposes to renovate the property to create 12 living units. Each resident would have their own room with a bed and dresser and would share a bathroom, including a toilet and shower, with one other resident. All other areas – kitchen, dining room, living room, and recreation/game room – would be shared by all residents. A resident would serve as a housing assistant, living onsite to monitor building and property maintenance, and to address any concerns with residents.

2. **PlanDSM: Creating Our Tomorrow:** The proposal requires the property to be rezoned from "NX1" District to "NX2" Neighborhood Mix District. The Zoning Ordinance states that the "NX1" District is intended for a mix of single- and smaller-scaled multiple-household uses and building forms to preserve the scale and character of the existing neighborhood while allowing for new infill housing. The Zoning Ordinance also states that the "NX2" District is intended for a mix of single-household houses with appropriately scaled and detailed multiple-household building types in the same neighborhood.

The existing Low Density Residential designation is described as follows:

### Low Density Residential

Areas developed with primarily single family and two family residential units with up to 6 dwelling units per net acre.

In order for the proposed rezoning to “NX2” District to be in conformance with PlanDSM, the future land use designation must be revised to Low-Medium Density Residential. The proposed Low-Medium Density Residential designation is described as follows:

Low-Medium Density Residential

Areas developed with a mix of single family, duplex and small multi-family units up to 12 units per net acre.

Based on these designations, the proposed “NX2” District zoning would not be found in conformance with the Comprehensive Plan designation of Low Density Residential but would be found in conformance with the requested designation of Low-Medium Density Residential.

- 2. Group Living Not Otherwise Categorized:** In the proposed “NX2” District, “Group Living Not Otherwise Categorized” uses are subject to Conditional Use Approval by the City’s Zoning Board of Adjustment.

Furthermore, per City Code Section 134-3.3.2.F, “Group Living Not Otherwise Categorized” uses are also subject to the following supplemental use regulations:

1. The proposed location must provide residents with adequate access to public transportation.
  2. A permit for such use is subject to the reconsideration by the board of adjustment if at any time the neighborhood services director determines that the facility has become detrimental to the neighborhood.
  3. Each bedroom must have 80 square feet of usable floor space per bed and usable floor space of at least eight feet in any major dimension. For purposes of calculating usable floor space, any parts of a room having less than seven feet of ceiling height may not be counted. Rooms in which beds are located may not be used for purposes other than bedrooms.
  4. Each such facility must contain at least one lavatory and one toilet per 10 residents or fraction thereof and one tub or shower per 15 residents or fraction thereof. At least one bathroom with tub or shower, toilet and lavatory must be located on each floor that is occupied by resident bedrooms.
  5. Each such facility must contain areas for dining and recreational purposes. When space is used for multi-purpose dining and recreational purposes, the area must include at least 30 square feet of floor area per resident bed. When space is provided exclusively for dining, the area must include at least 15 square feet of floor area per resident bed. When space is provided to be used exclusively for recreational purposes, the area shall total at least 15 square feet of floor area per resident bed and at least 50% of the required area must be in one room.
- 3. Planning and Design Ordinance:** Any development or reuse of the property must comply with all applicable site plan and design regulations of the Planning and Design Ordinance. Should the rezoning be approved, the applicant would be required to prepare a Site Plan and building elevations for review before the building can be occupied by the proposed use.
- 4. Staff Rationale:** The proposed “Group Living Not Otherwise Categorized” use would be the continuation of a general group living use type that has been in existence on the



subject property. The applicant is not proposing to expand the building or bring forth any major additions on the site. The intent is to bring the use in conformance with the appropriate zoning designation and allow interior renovations and minor site improvements in accordance with the City Code. Furthermore, the subject property is on a corner lot buffered from adjacent residential areas to the west and north by a heavily wooded area which is undevelopable due to an existing creek and floodplain restrictions. The property is within 300 feet of a DART route and bus stop along Southwest 14<sup>th</sup> Street. Therefore, Staff is supportive of the proposed rezoning

## **SUMMARY OF DISCUSSION**

Sreyoshi Chakraborty presented the staff report and recommendations.

Chris Draper inquired about a written comment shown during the presentation of a neighbor stating they did not receive a comment card.

Sreyoshi Chakraborty stated that many people in the area had been involved in the neighborhood meeting that do not own property that is within 250 feet of the site, which is the range for those that received a notice with a comment card. An extra card outside of the area was requested and sent to that homeowner, but only comment cards within the range are shown on the consent map. However, all comments cards, letters, and emails were included in the presentation.

Rick Trower asked how many people were in opposition outside of the 250-foot range.

Sreyoshi Chakraborty stated we do not track the numbers outside of the range.

Jason Van Essen stated that the City sends notices to everyone that owns property within 250 feet of a subject property and that is based on state law which utilizes a 200-foot radius for opposition calculations. Stressed the importance of receiving these signed cards as 20% opposition or more will trigger a super majority vote requirement for the City Council. However, all citizens are able to send comments or attend meetings to voice their opinions.

Katie Gillette asked for the NX1 definition and what it allows.

Jason Van Essen stated it is basically residential and, in this area, as it is zoned now, it would not allow for more than 8 units should it ever be changed to multifamily or rebuilt. The existing zoning does allow some of group living uses, but not the type that is proposed. The staff proposed zoning conditions would freeze what is allowed to what is allowed now and then only add the specific use that is being requested by the applicant.

Sreyoshi Chakraborty provided the definition of NX1.

Johnny Alcivar asked about condition #2 listed in the staff recommendation, noting that he wondered if it was necessary.

Jason Van Essen explained it was listed as a point of clarification. The applicant would have to go through the conditional use process through the Board of Adjustment

regardless. There are supplemental regulations that have to be followed and the conditional use could be revoked if the use becomes a nuisance.

Johnny Alcivar asked as another point of clarification that even if this is approved through City Council, the project could be denied by the Board of Adjustment for their conditional use.

Sreyoshi Chakraborty stated that is a possibility.

### **CHAIRPERSON OPENED THE PUBLIC HEARING**

Christopher Pose 505 5<sup>th</sup> St, Ste 1005, representing Hope Ministries. Stated they were there to follow the process to change the zoning and move on to the Board of Adjustment. The property is currently zoned NX1, and they wish to rezone to NX2 to allow for expanded group living.

Emily Webb asked for clarification that regardless of the Commission's action the item will move on to the City Council.

Jason Van Essen stated that is correct. The Plan and Zoning Commission is a recommending body.

Emily Webb also clarified that this would require a super majority vote by City Council.

Jason Van Essen stated that it is correct that six out of seven Council Member votes would be required for approval.

Johnny Alcivar asked for the applicant to briefly summarize the program intended for the facility.

Christorpher Pose stated this facility would provide housing for men that have graduated through the Door of Faith shelter program and moving them to transitional housing where they can stay for up to two years. It is intended that they would each have their own living space. There are many rules for living in this facility that have been provided to the neighborhood and commission. Hope Ministries has a number of facilities in the Des Moines area and has an excellent reputation serving the needs of the City of Des Moines and its residents.

Melissa O'Neal, 1420 Mulberry St, CEO of Iowa Shelter & Services, spoke in favor of the project. Noted her appearance last year when 202 luxury apartments were approved for rezoning across the street from their shelter. Studies have shown that this mosaic of housing can work in cities and if it can be approved to add luxury housing next to their shelter facility, this project can work here too.

Bryan Joss, 1019 Keynon spoke in opposition to the proposed project. Stated that he had once lived off of SW 10<sup>th</sup> Street and when the Hope Ministries building was located on SW 9<sup>th</sup> Street, he had both his home and truck broken into. His personal items were later found at the pawnshop in that same area. He also had people walking through his yard and asking for money and cigarettes. He felt this was hard to have around with his children



then, but now worries he will have the same with his grandchildren in this area. He believes they have a good program, but this is not the right area.

Rick Hoffman, 1305 Culter Ave, spoke in opposition and stated that he lives less than 200 feet from the location and did not receive a card. He stated statistics of recidivism rates for addicts and violent crimes and noted concerns that some of the people living in the facility could come there after only a couple weeks of rehab. He has concerns that there is no drug testing. He has great concerns that violent felons could live in this neighborhood and the safety of the large amount of children in the area. He questioned why these men will not be allowed visitors of women or children at the facility, but yet they would expect these men be placed in the neighborhood. He opposes the location of the facility.

Chris Draper asked Rick Hoffman where would the right place be for this type of housing.

Rick Hoffman stated it should be in a more commercial area.

Jason Van Essen confirmed that Rick Hoffman lives at 1305 Cutler Avenue. Noted that the Polk County Assessor's website shows Paul Booth as being the contact for the property. The City of Des Moines uses the Assessor's information for mailing notices. This is why he did not receive a notice. Suggested Rick follow up with the Polk County Assessor's office.

Christina Cotton Baker, 1322 Cutler Ave, spoke in opposition to the project due to the fact of parking limitations. The facility sits at the access point of the only entrance to the cul-de-sac where their home is located. She does not believe the facility has enough parking for the anticipated twelve residents and this could cause access and safety issues to the area.

Jerry Bradley, 4605 SW 15<sup>th</sup> Street, spoke in opposition to the project. A lifelong south side resident and member at large of the South of Watrous Neighborhood Association. He attended the neighborhood meeting as well as conducted a survey in the neighborhood and everyone is opposed to the location of the facility in their neighborhood. He has concerns about the type of people that will be placed there and an area with only single-family homes is not the proper place for this. He noted that they are a 501(3)c organization and do not pay taxes. He believes that it will bring down the property values of the area. Stated that no one has been clear on who will be overseeing the people in this home. Overall, this is not a good fit for this area and the neighborhood is opposed.

Zach Sebring, 1242 Kenyon, spoke in opposition to the project. Voiced concerns about traffic safety, lack of parking, and no accountability with room checks or drug testing. He was advised that because they are 501(3)c and according to State of Iowa Code 628.8.1 that residents could be removed from the property if deemed not in compliance, but if they are homeless, where would they go. He supports what Hope Ministries is trying to do, but this is the wrong location for it.

Audreene Hansen, 1325 Kenyon spoke in opposition to the project. She stated that she has lived in this area for over 30 years and is 80 years old. She lived through all the problems with Orchard Place and has great concerns of safety if one of these men were to come into her home. She does not believe there is enough parking, and this is not an appropriate area to put twelve men next to them. She supports the mission of Hope Ministries but hopes that the City will listen to the neighborhood residents as they are all opposed to this going in their neighborhood.



John Carle, 1335 Kenyon, spoke in opposition. He noted the number of children walking in the area and how this place is not appropriate for the neighborhood. The neighborhood supports the mission of Hope Ministries, but this is not a proper location for a facility such as this.

## **Rebuttal**

Christopher Pose spoke to some of the concerns brought by the neighbors. Stated many of the concerns would be fully addressed by the Board of Adjustment. Hope Ministries will be a good neighbor. Noted that the property is already under a 501(3)c tax exemption, so they are not taking away from funds that were not already previously exempted.

Leah Rudolphi asked how long the program is that people attend before they are able to live in this facility and then why is there no drug testing or perceived accountability for the people living in the facility.

Leon Negen, 5075 E University, Pleasant Hill, CEO of Hope Ministries. Stated that people would come from one of two places for the rental program. The first is through the Door of Faith Life Recovery program which could be several to twelve months. The second is from their other shelter facilities which could be weeks to months. This is not a program they are proposing, this is a rental facility and anyone that comes, must be fully employed. This is affordable housing.

Johnny Alcivar asked him to address the concerns of the neighbors as it pertains to the screening of residents.

Leon Negen stated they will go through a screening process and must go through one of their other programs to be eligible. Noted that they have been in existence for over 100 years. Stated that the Door of Faith Shelter located on SW 9<sup>th</sup> Street has been there for over 20 years and there is anywhere from 40-60 men housed there every day. They have never had a problem or an arrest of any crime in this neighborhood. Their track record speaks for itself.

Emily Webb asked what the vetting process is and how they would determine who is eligible to come to this facility.

Leon Negen stated there will likely be a waitlist to get into the facility. They must apply through their other programs, but this is not another program, rather affordable housing. This could be considered the same as any other affordable housing in the community other than the residents have come from being homeless. It would be no different than them renting one of the rental homes in the area.

Andrew Lorentzen asked about their ability to screen violent and sex offenders.

Leon Negen stated they do have the ability to screen and due to the laws on sex offenders in the State of Iowa, it will limit those offenders to living in this area due to its proximity to schools. They have a very limited number of people they serve with sexual offenses, but no one with a sex offense against a minor would be allowed in this facility.



Katie Gillette asked him to address the concerns with parking as there are only six spots at the location.

Leon Negen stated the parking requirements are within the zoning code for the amount of people living in the facility. Based on their other programs and facilities, they believe that six parking spots will be more than adequate.

Chris Draper asked if there was on-street parking in this area.

Leon Negen stated that they would not use on-street parking and was unaware if it was available on the street.

Emily Webb asked if there would be Hope Ministry staff onsite or if this would be more like calling a landlord if assistance was needed.

Leon Negen stated this would be more like a landlord situation. One of the residents would be the house manager and would live there full-time. There will be part-time case managers coming on site, but they would not be there full-time.

Chris Draper asked for clarification that if this is not a group home, would case manager be coming to individuals in other programs through Hope Ministries.

Leon Negen answered it is being called a group home because of zoning requirements, but in their intention to be considered as affordable housing.

Jason Van Essen stated that it is considered a group facility as it does not have individual dwelling units with their own bathroom and kitchen.

Chris Draper stated then that this would be more like dorm living and by living there, residents are not in a program, but could be in other programs facilitated by Hope Ministries.

Leon Negen that is correct.

Emily Webb confirmed that residents would have to be employed to live there.

Leon Negen stated that is correct. They must be employed and pay rent.

Katie Gillette stated that being employed and paying rent are two different things. Asked if there is a requirement that they must be employed.

Leon Negen stated they must be employed to live there.

Rick Trower asked again if a sex offender or violent felon could live in this facility.

Leon Negen stated that sex offenders against minors and violent felons would be excluded from being able to rent at this facility.

Chris Draper asked if a sex offense was against an adult if they would be eligible.

Leon Negen stated that was correct. Only sex offenders with offenses against a minor would be excluded.

Emily Webb noted that a concern about recidivism rates were brought up about sobriety and wondered if Hope Ministries had any statistics on their success rate.

Leon Negen stated that not everyone that experiences homelessness is a substance abuser or a felon. In their Life Recovery program, they do a check in after six months. This looks at four points, are they employed, are they housed, are they in a program, and are they sober. In this model they have a 71% success rate.

Katie Gillette asked if residents would sign a traditional lease and what would be the procedure if they are asked to leave.

Leon Negen stated it would not be a traditional lease as they are able to evict for any reason or any time if standards are not being met or rules not followed. The procedure would be similar to their other programs where they sit the resident down and go over the issue. If they cannot be compliant, they will be asked to leave.

## **CHAIRPERSON CLOSED THE PUBLIC HEARING**

## **COMMISSION ACTION**

Emily Webb asked a procedural question about conditional uses and if there were problems in the neighborhood, would there be a way to complain and could the conditional use be revoked.

Jason Van Essen explained that a conditional use can be revoked and compared it to a situation like a bar where if they become an issue, the approval can be taken away. If there are enforcement issues that can be documented, it could go before the Board of Adjustment and could be revoked. Acknowledged that this does take time, but it is a possibility.

Johnny Alcivar asked that if this facility was changed to eight full dwelling units, they would not need to be coming before the commission as it is already zoned for this.

Jason Van Essen stated that is correct. The facility would have to go through renovation and site plan procedures, but as it is zoned now, it would not need a public hearing.

Laura Kessler noted that in theory, Hope Ministries could buy twelve properties in the neighborhood and rent them out as affordable housing to the same population.

Jason Van Essen stated that is correct. The need tonight is for the shared living to change the zoning to allow for that conditional use.

Chris Draper noted a study on group homes in neighborhoods that found that they do not reduce property values. Also, regarding on-street parking, studies show that it slows traffic



down, making it safer for pedestrians. Things are not always impacted the way that neighborhoods think they will.

Emily Webb shared information about her involvement with the Y supportive housing downtown and discussions with their executive director. She stated it has been shown how much these programs can help the residents stay sober and avoid homelessness. They have a built-in support system of each other, and this helps people to transition into productive citizens. They can actually help improve a neighborhood.

Rick Trower stated this is not supportive housing though. Asked if any of the commissioners had driven to see this area. It is an odd place to have this sort of facility as almost 99% of the area around it are single-family homes. He will continue to support the missions of Hope Ministries but questions if this is the right location for this sort of housing. He believes it would be better served in more of a commercial node.

Chris Draper countered that if we used that rational, we would never find the right place for this sort of facility. The evidence shows that these types of facilities typically help with both residents and neighborhoods.

Chris Draper made a motion for the following:

Part A) Finding that the requested "NX2" District is not in conformance with PlanDSM Creating Our Tomorrow Comprehensive Plan future land use classification of Low Density Residential.

Part B) Approval of the requested amendment to the PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification from Low Density Residential to Low-Medium Density Residential.

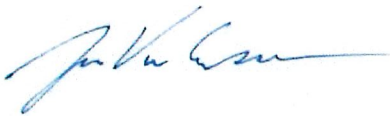
Part C) Approval of the request to rezone the property from "NX1" Neighborhood Mix District to "NX2" Neighborhood Mix District, subject the following condition:

Any use of the property shall be limited to the following:

1. Any use as permitted and limited in the "NX1" Neighborhood Mix District, or
2. A Group Living Not Otherwise Classified use, per City Code Section 134-3.3.2.F, only so long as the Zoning Board of Adjustment grants a Conditional Use Approval for such use.

**THE VOTE** 12-1-0 (Rick Trower voted in opposition)

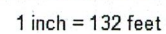
Respectfully submitted,



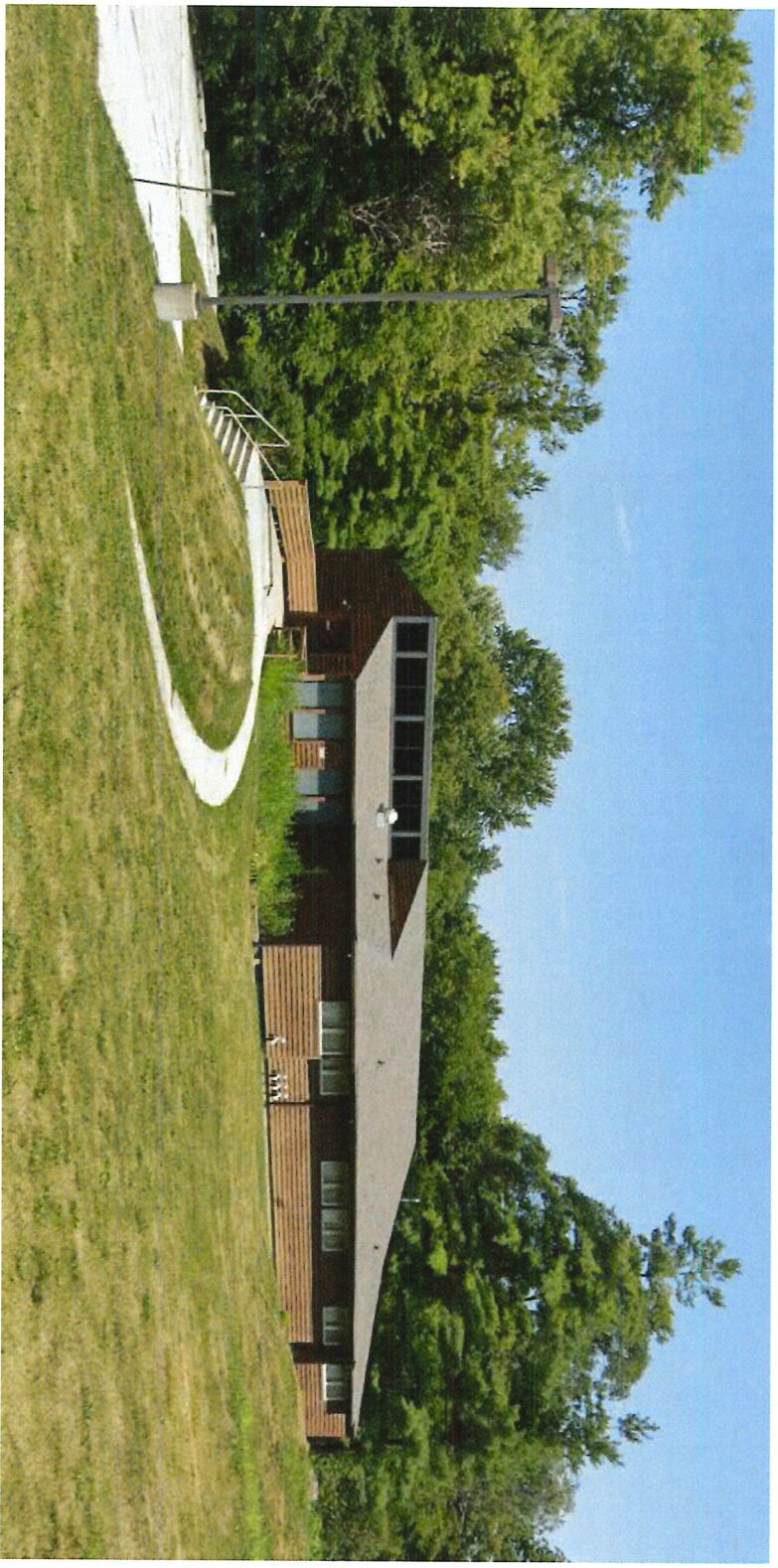
Planning & Urban Design Administrator

JMV:mrw

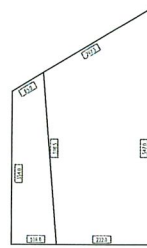




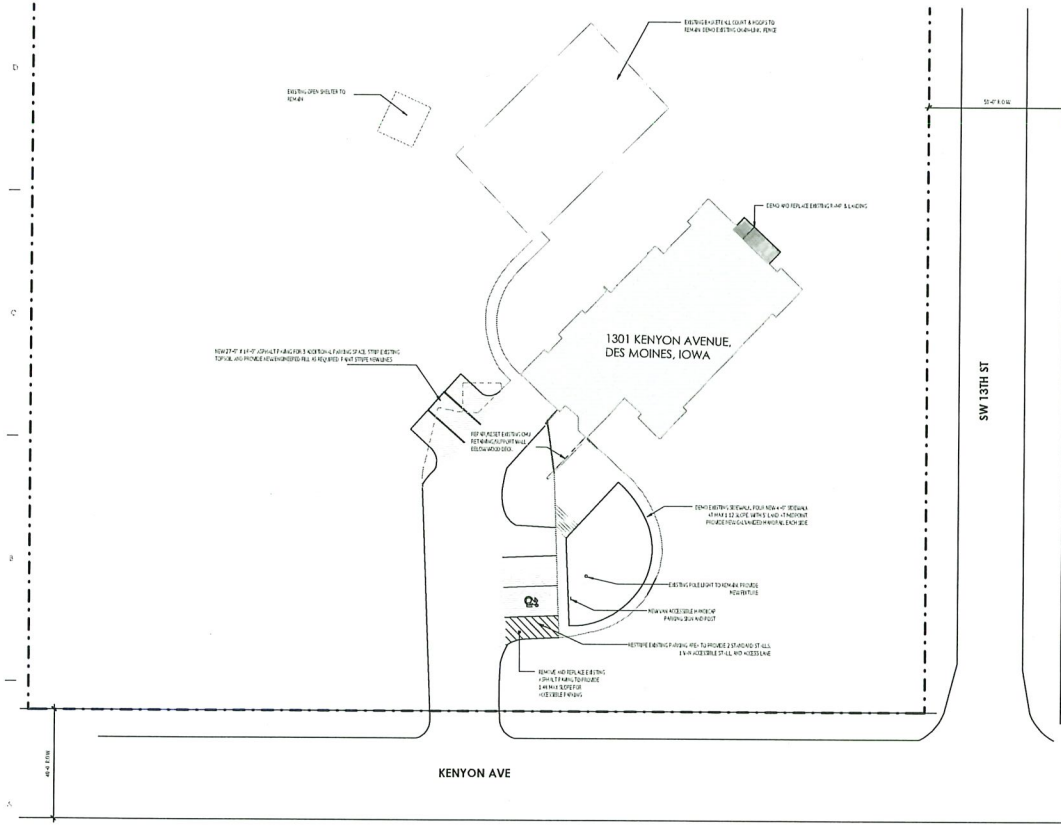




ARCHITECTURE INTERIORS PLANNING



2 SITE PLAN - PROPERTY LINES  
SCALE: 1" = 100'-0"



A1 SITE  
SCALE: 1/4" = 1'-0"

















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**Hope Ministries**  
**Rezoning request for 1301 Kenyon Ave.**  
**May 23, 2024, neighborhood meeting summary**

On May 13, Hope Ministries mailed letters to neighbors within the notification area of 1301 Kenyon Ave. inviting them to a neighborhood meeting on May 23. Hope Ministries also emailed a meeting notice to the Watrous South Neighborhood Association contact email on May 15.

The meeting was held on the date indicated from 6:30-7:30 p.m. at the South Side Public Library, 1111 Porter Ave. Approximately 35 people were in attendance, including City Council member Joe Gatto. Hope Ministries CEO, Leon Negen, provided a brief overview of Hope Ministries' mission and history of service in the City of Des Moines. He then described the organization's plan to purchase and rezone a property at 1301 Kenyon Ave. to create 12 units of supportive housing for formerly homeless men.

Hope Ministries will offer single men the opportunity to apply and be considered for supportive housing at 1301 Kenyon Ave. if they have completed the organization's life recovery program, or if they have been served by Hope Ministries and are employed but in need of housing. Hope Ministries will serve single men in supportive housing at this location for a period of up to two years per resident.

Safe, affordable housing in a supportive community-living environment is a needed step for many of the men Hope Ministries serves. Utilizing this model will help former Hope Ministries program participants transition effectively into self-sufficiency and permanent housing. Having these men pay rent to Hope Ministries furthers the goal to teach self-sufficiency and responsibility.

A single resident will serve as a housing assistant, living onsite to monitor building and property maintenance, and to address any concerns with residents. Hope Ministries will also have a case manager available at various times throughout the week to meet with residents, and to continue to offer case management services during the residents' stay in supportive housing to promote success, achievement and transition.

Hope Ministries Supportive Housing will emphasize living life in a Christian community as well a recovery community. Residents will be expected to follow rules designed for the safety and well-being of all, including but not limited to:

1. Paying rent on time.
2. Observing and obeying all civil laws.
3. Observing and obeying Hope Ministries Supportive Housing rules and the rules stated in each housing contract.
  - a. Residents are not to possess or use any alcohol or illegal/illicit drugs, including drug paraphernalia within the premises or on the grounds. A violation will lead to immediate eviction.



- b. Residents must maintain a sober state that will not cause conflicts with other residents. Conflicts will be investigated, and continued conflicts may lead to eviction.
- c. No guns or weapons are permitted. Instances of weapon possession will lead to immediate eviction.
- d. Behavior in word or deed must not include verbal or physical threats or violence of any kind. A violation will lead to immediate eviction.
- e. No overnight guests will be permitted, and no children will be allowed.
- f. There will be no smoking of any kind within the building. Smoking areas will be designated outside on the 1301 Kenyon housing campus.
- g. Residents are required to maintain each unit in a neat, clean and orderly fashion, and to report maintenance needs or repairs in a timely manner. Residents are responsible to do their part in maintaining the cleanliness and orderliness of the common area(s), including: living room/family room, kitchen/food service/dining area, recreation and game room, and physical exercise room.
- h. No pets of any kind are allowed.

Leon then opened the meeting up for approximately 45 minutes of Q&A. Questions and suggestions shared fell into the following categories, with responses after each concern.

- Questions to clarify how Hope Ministries will operate the property, such as:
  - How will rent be determined? Same rate for all, non-negotiable.
  - Can Hope Ministries enforce eviction quickly? Yes, as a 501c(3) organization, Hope Ministries is exempt from Landlord Tenant Act requirements.
  - Will Hope Ministries clean up the surrounding woods? Yes, the property belonging to Hope Ministries will be cleaned up and well maintained. Hope Ministries, however, will not clean up wooded property owned by others.
  - Will Hope Ministries drug test the renters? No.
  - Will men be free to come and go from the property at all times? Yes.
- Comments and opinions were shared about safety and impact on the neighborhood.
  - Discussion of nearby schools and many children in the area. Leon confirmed that because the property is within 2,000 feet of a school or child care facility, men registered as sex offenders against minors will not be permitted to live at 1301 Kenyon Ave.
  - Discussion of recidivism and addition relapse. Leon shared that Hope Ministries' goal is to help men move forward in a supportive, sober Christian environment. No alcohol or drug use will be allowed on the premises.
  - Discussion of whether a residential neighborhood is appropriate for this type of property. Leon shared that Hope Ministries has been operating the Door of Faith men's life recovery center at 6701 SW 9<sup>th</sup> St., a residential area, since 2004. Hope Ministries has between 40-60 men staying in that building at any given time, and in 20 years the organization has received only one neighborhood complaint. It was related to men smoking at a table outside of the Mercy clinic next door. Hope Ministries conveyed to Door of Faith residents that was not appropriate, and the concern was resolved.
  - Discussion of possible negative impact on property values. Leon shared that as part of our 2020 rezoning process for a new women and children's center at 3800 E. Douglas, Swaim Appraisal Services did a study on property values related to

the Hope Ministries property located in a residential neighborhood at 3333 E. University in Des Moines. The study indicated no effect on values in a negative direction for properties that are immediately adjacent to a center for homeless women and children compared to those that are not.

- Questions about next steps.
  - Neighbors in attendance discussed the upcoming planning and zoning meeting they received notice of, and how to vote.

Hope Ministries does not plan any specific changes to its proposal for 1301 Kenyon Ave. as a result of this neighborhood meeting. Hope Ministries remains attuned to the needs of community members and is committed to being a good neighbor in this location, as it is committed to in each of the nonprofit's locations across Des Moines.



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**From:** [Lynnette Henderson](#)  
**To:** [Chakraborty, Sreyoshi](#)  
**Subject:** Kenyon housing  
**Date:** Thursday, May 30, 2024 11:03:33 AM

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**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.

I just read about the plan to make the school housing for men. Those that have completed a drug and alcohol program will be living there. I live on sw 9th one block from there. I know there is opposition, that being said I am 100% for this. They need some where to go instead of thrown out in the streets.

5015 SW 9th St, Des Moines, IA 50315

Lynnette Henderson

**From:** [ccarle257@gmail.com](mailto:ccarle257@gmail.com)  
**To:** [Neighborhood Meeting; Planning](#)  
**Cc:** [Boesen, Connie S.](#); [Voss, Carl B.](#); [Simonson, Mike W.](#); [Coleman, Chris J.](#); [Westergaard, Linda C.](#); [Mandelbaum, Josh T.](#); [Gatto, Joe P.](#)  
**Subject:** Hope Ministries, Property at 1303 Kenyon Avenue, DM, IA  
**Date:** Monday, May 27, 2024 7:53:09 PM

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**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.

This email expresses our formal comments on Hope Ministries rezoning property at 1301 Kenyon Avenue, Des Moines, Iowa for supportive housing for 12 single men.

We have read about JOPPA Harvest Academy's future plans near the Des Moines Airport and feel this is a wonderful opportunity for supportive housing. However, we are not confident at all that 1301 Kenyon Avenue property is a good fit for Hope Ministries supportive housing in our neighborhood.

We have two schools, Wright Elementary and Kurtz nearby. Kids walk past 1301 Kenyon Avenue when cutting thru to the Library and Nahas Aquatic Center. Kids wait for buses twice a day on SW 14<sup>th</sup> and Kenyon Avenue. Kids play basketball, etc. at Wright Elementary School during school and after school is out for the summer. Not only do we have many kids walking on Kenyon Avenue as the sidewalks are now completed, we have elderly neighbors who walk their pets down Kenyon Avenue.

After attending the May 23<sup>rd</sup> meeting with about 25 to 30 people in attendance at the Southside Library, the general consensus was that no one is for this project in our back yards.

As a landlord, we are especially cautious about who we bring in as a tenant. We would never think of renting to anyone without doing a credit, eviction, and criminal background check. We do our part to make sure tenants will fit in this family oriented neighborhood. At the meeting, I asked if there would be cameras on premises, and the answer was no. This property, we were told, is strictly a landlord tenant situation.



Please consider our comments when making a decision on how you will vote on this issue.

Thanks for all you do,

John and Connie Carle  
1335 Kenyon Avenue  
Des Moines, Iowa 50315  
515-314-5425

**From:** [Earl Agan](#)  
**To:** [Neighborhood Meeting](#)  
**Subject:** Re: Hope ministries  
**Date:** Saturday, May 25, 2024 9:55:15 PM

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**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.

Linda Hope ministries rejuvenated the property on East university, this property doesn't need rejuvenated and no matter what they call it it will lower the property value in this neighborhood.

On Fri, May 24, 2024 at 4:04 PM Earl Agan <[aganjr@gmail.com](mailto:aganjr@gmail.com)> wrote:

As a resident of Kenyon Ave for over 30 years I need to tell you that this is not a good use of this property. There are two schools within walking distance from the proposed facility, as well as the DM public library and Swimming pool, the Lincoln High school softball and basketball fields, and many neighbors with young children. And no matter what it is called it will lower the property value of all the houses in the neighborhood. Hope Ministries is a good organization however this facility in the middle of a neighborhood is inappropriate. Thank you ; Earl R. Agan Jr.



**From:** [Watrous South Neighborhood Association](#)  
**To:** [Neighborhood Meeting](#); [Dunn-Young, Frank A.](#); [Planning](#)  
**Subject:** 1301 Kenyon Avenue - Zoning  
**Date:** Sunday, May 26, 2024 11:24:35 PM  
**Attachments:** [image001.png](#)

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**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.

Frank et al,

Please consider this our “post card” with regards to re-zoning the property at 1301 Kenyon Avenue.

Myself and one other board member attended the public meeting coordinated by Hope Ministries last week. There were quite a few neighbors in attendance who lived very close to the property in question. Several cited that the mission was good, but all voiced a negative opinion as to the location.

Taking into consideration the opinion and concerns of those neighbors who live extremely close to the property, we are NOT in favor of rezoning this property.

If you need anything else, please let me know. Please acknowledge receipt of this email.

Thank you!

**Mitch**

*Mitch Harris, Vice President  
Board of Directors*



**Neighborhood Association**

PO Box 35845

Des Moines, Iowa 50315

**From:** [MICHAEL FILIPPELLI](#)  
**To:** [Chakraborty, Sreyoshi](#)  
**Subject:** Orchard Place 1301 Kenyon Ave  
**Date:** Thursday, May 30, 2024 3:19:27 PM

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On the matter of the rezoning on 1301 Kenyon Ave....I'm voting NO NO!  
Also, where is this formal notice with postage paid card that was supposed to be sent out? None of my neighbors, nor I received any card in the mail... I would like a return Email from you saying you did receive my Email.

Frank & Michael Filippelli

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**From:** [Audrene Hansen](#)  
**To:** [Neighborhood Meeting](#)  
**Subject:** Orchard Place of Des Moines 1301 Kenyon Ave  
**Date:** Wednesday, May 29, 2024 4:46:44 PM

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**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.

Dear Members of the Des Moines Planning and Zoning Committee,

I have been a member of the southside of Des Moines, namely in the vicinity Kenyon Ave. for over 30 years. During these years I have raised two children who attended the Des Moines School system. During this time we also had a business on the southside of Des Moines.

Orchard Place had 10 to 12 high school students living at 1301 Kenyon over the years. For most of the time Orchard Place High school group were good neighbors, but in the later years we seemed to endure runaways, loud music, unhappy students screaming and increased traffic. The high school students were moved out several years ago evidently to the main campus and since then the building has been vacant.

Our street from 9th to 14th recently had a sidewalk installed. There is a bus stop for middle school students at 14th where students wait each morning for the school bus and are left off on the opposite side of the road each afternoon. We also have Wright elementary school two blocks to the north. Students are walking by my house each time. As a grandparent also I am not in favor of any children walking with homeless men or waiting with them at the bus stop. Many children use our street to get to and from the pool, to the school playground and to the library. This is a family neighborhood and the homeless do not belong here. There are also several members of the neighborhood with mobility issues and they need not be bothered by homeless men either..

Yes, Hope Ministries has had success, but all of their facilities are located in and around commercial property not in a family neighborhood. Put them in some unused building in a commercial area.

My vote is "No" for this rezoning of 1301 Kenyon. I also own rental property in this area and I do not think rental rules should be different for the proposed Hope Ministries facility and my property..

Thank you for your time,

Audrene Hansen  
1325 Kenyon Ave 515 778 8866

Item: ZONG-2024-000013Date: 6/3/2024

Please mark one of the following:

☐ I support the request☐ I am undecided☒ I oppose the request

Staff Use Only

Titleholder Signature: Name/Business: Eric McAllisterImpacted Address: 1313 Kenyon Ave

Comments:

Will make it harder to sell house- may lower property value- will become a destination for homeless in neighborhood even if not in apartment.



Item: ZONG-2024-000013

Date: June 1, 2024

Please mark one of the following:

☐ I support the request

☐ I am undecided

☒ I oppose the request

Staff Use Only

Titleholder Signature: Karla J Thompson

Name/Business: Karla J. Thompson

Impacted Address: 1206 Kenyon

Comments: We have a library over here  
a swimming pool 2 sheds + kids  
that walk up and down the street.

Item: ZONG-2024-000013

Date: 5/30/24

Please mark one of the following:

☐ I support the request

☐ I am undecided

☒ I oppose the request

Staff Use Only

Titleholder Signature: Frank Fitzpatrick

Name/Business: \_\_\_\_\_

Impacted Address: 1319 Kenyon Ave

Comments: We've had enough. First with the troubled  
teens and cops there everyday and now Homeless-  
this is a neighborhood with families and children.  
This is not the Place!!



Item: ZONG-2024-000013

Date: 5/30/24

Please mark one of the following:

☐ I support the request

☐ I am undecided

☒ I oppose the request

Staff Use Only

Titleholder Signature: Charles Wehler

Name/Business: \_\_\_\_\_

Impacted Address: 1328 KENYON AVE

Comments: I DON'T THINK A MEETING  
WILL DO ANY GOOD, AS I  
KNOW THAT YOU FOLKS HAVE  
ALREADY MADE UP YOUR MIND.

Item: ZONG-2024-000013

Date: 5-30-2024

Please mark one of the following:

☐ I support the request

☐ I am undecided

☒ I oppose the request

Staff Use Only

Titleholder Signature: Connie / John Carle

Name/Business: \_\_\_\_\_

Impacted Address: 1335 Kenyon Ave., DM, Iowa  
50315

Comments: We have already  
submitted our comments via  
email.

Thanks!  
Connie Carle



Item: ZONG-2024-000013

Date: 5-30-24

Please mark one of the following:

☐ I support the request

☐ I am undecided

☒ I oppose the request

Staff Use Only

Titleholder Signature: Andreia Houser Treblee

Name/Business: \_\_\_\_\_

Impacted Address: 1325 Kenyon Ave

Comments: I do not want Safe Minute  
in our neighborhood. We have a  
family neighborhood. Put Safe  
in a commercial area - not  
in my neighborhood. Not enough  
parking at 1301 for 12 men.

Item: ZONG-2024-000013

Date: 5-30-24

Please mark one of the following:

☐ I support the request

☐ I am undecided

☒ I oppose the request

Staff Use Only

Titleholder Signature: Andreene Harmon Revocable

Trust

Name/Business: \_\_\_\_\_

Impacted Address: 1325 Kenyon Ave

Comments: I had ordered please

clients for years and listened  
to their screaming and then  
renewed. Put men for hope  
in a commercial and not family  
area



Item: ZONG-2024-000013

Date: 5/30/2024

Please mark one of the following:

☐ I support the request

☐ I am undecided

☒ I oppose the request

Staff Use Only

Titleholder Signature: Matt Nicholas

Name/Business: Matt Nicholas / Nivia Revocable Living Trust

Impacted Address: 1230 Kenyon Ave

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Item: ZONG-2024-000013

Date:

5-31-2024

Please mark one of the following:

☐ I support the request

☐ I am undecided

☒ I oppose the request

Staff Use Only

Titleholder Signature:

Gregory H Blythe

Name/Business:

Impacted Address: 1334 Spring St

Comments:



Item: ZONG-2024-000013

Date:

06-03-24

Please mark one of the following:

☐ I support the request

☐ I am undecided

☒ I oppose the request

Staff Use Only

Titleholder Signature: 

Name/Business: PORE MID HIGGS LLC #5

Impacted Address: 1300 Lanyon Ave

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Item: ZONG-2024-000013

Date: 6-6-2024

Please mark one of the following:

- ☒ I support the request  
☐ I am undecided  
☐ I oppose the request

REC'D  
COMMUNITY DEVELOPMENT  
Staff Use Only  
JUN 10 2024

Titleholder Signature: Cainon Leeds

Name/Business: Cainon Leeds

Impacted Address: 1241 Frazier Avenue Des Moines IA 50315

Comments: The activities that go on as a result of its vacancy has been a source of issues for the neighborhood. I believe that Hope Ministries' vision for the property will help people & alleviate some of the past issues the neighborhood has faced.



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**From:** [Heilskov, Chris E.](#)  
**To:** [Lundy, Erik M.](#); [Chakraborty, Sreyoshi](#)  
**Cc:** [Delp, Michael R.](#); [Van Essen, Jason M.](#); [Jacobus, Dalton M.](#)  
**Subject:** RE: 1301 Kenyon Ave Rezoning  
**Date:** Friday, May 17, 2024 4:39:30 PM  
**Attachments:** [image001.png](#)

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All, I would agree with Erik, this as presented fits best under Group Home not otherwise classified 134-3.3.2 F. I have determined they will not be licensed under 135C (state). The last water usage according to DMWW was Jan. of 2024. The property is NX-1/F. NX-2 re-zoning required. I did not find a rental license history because Orchard Place was lic under 135C at the state. Hope Ministries would need to comply with Ch 60 requirements and obtain a rental license. I am including Dalton in case I missed something on his end.

Thank you,

**CHRIS HEILSKOV | CITY OF DES MOINES**  
**Zoning Enforcement Officer | Neighborhood Services**  
(515) 237-1486  
[DSM.city](#) | 602 Robert D. Ray Drive | Des Moines, Iowa 50309

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**From:** Lundy, Erik M. <EMLundy@dmgov.org>  
**Sent:** Wednesday, May 15, 2024 12:07 PM  
**To:** Chakraborty, Sreyoshi <SChakraborty@dmgov.org>; Heilskov, Chris E. <CEHeilskov@dmgov.org>  
**Cc:** Delp, Michael R. <MRDelp@dmgov.org>  
**Subject:** RE: 1301 Kenyon Ave Rezoning

The only thing that would have caused us to think that this was multi-family is if each bedroom unit had it's own separate bathroom and independent kitchen facilities. The number of occupants put it out of Family Home which is capped at 8. What isn't clear is whether this will be a licensed facility per Iowa Code 135C, if so it is likely to be Assisted Living as a residential care facility. I would be surprised if there are any ongoing nonconforming rights to a previous Group Living use. What is the current CO in place, did it have rental licenses kept active, was it operating as a 135C previously (then not a Group Living). Additionally, it looks like they plan to expand the land area by adding surface parking which would also possible throw it out of any nonconforming status.

**ERIK LUNDY, AICP, CPM | CITY OF DES MOINES**  
Deputy Director | Neighborhood Services  
(515) 283-4144  
[DSM.city](#) | 602 Robert D. Ray Drive | Des Moines, Iowa 50309

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**From:** Chakraborty, Sreyoshi <SChakraborty@dmgov.org>  
**Sent:** Wednesday, May 15, 2024 11:07 AM  
**To:** Lundy, Erik M. <EMLundy@dmgov.org>; Heilskov, Chris E. <CEHeilskov@dmgov.org>  
**Cc:** Delp, Michael R. <MRDelp@dmgov.org>  
**Subject:** 1301 Kenyon Ave Rezoning



1301 Kenyon Ave

## **Project Narrative**

The existing building at 1301 Kenyon is currently vacant and was used by Orchard Place – Des Moines Children’s Home as a Group Home for Children. The existing building has 14 bedrooms with common kitchen, dining, laundry and living spaces. The building is single story to south with walk-out to north-west. The existing lower area includes a garage space, sprinkler room, mechanical room, and a bathroom/Kitchenette and what were 2 bedrooms.

The new project will be a renovation of the existing building facilities. No new additional sf is being added. The main level will include 12 bedrooms with shared Living/Activity Room, Kitchen, and Laundry space. Each two bedrooms will share a bathroom.

Mechanical and sprinkler room at lower level to remain. The existing garage is to be enclosed and used as an Exercise Room. The previous bedrooms at lower level to be used for general storage.

Exterior of the building to be resided and windows replaced on the lower level.

Accesssibility improvements include providing van accessible parking stall, reworking entry side walk to front entry to provide 1:12 ramp, creating accessible restroom and bedroom access, and accessible kitchen and laundry space.

A total of 6 off street parking spaces to be provided. 3 parking spaces at the base of the existing entry stairs/sidewalk. 3 new parking spaces to be provided at the north side of the existing drive/parking area adjacent to the existing garage area. As the clientele for the new project have limited private vehicles, we would request variance to provide parking in accordance with Table 135-6.4-1 Other Group Living 0.5 parking spaces per resident.

Refer to following narrative for program description.





## Hope Ministries Supportive Housing for Men

For the formerly homeless people Hope Ministries serves, finding affordable housing can be very difficult or even impossible – especially if the individual has already exhausted subsidized/low-income housing options. A supportive community is also important in maintaining the healing the individual experienced while he was served at a Hope Ministries' residential facility.

To address these needs, Hope Ministries will provide supportive housing units that are affordable and provide a supportive community for our program participants to transition into, acting as a bridge to permanent housing in the near future. Hope Ministries plans to renovate the campus at 1301 Kenyon Ave., which is currently on the market, to provide affordable, supportive housing for single men. We will serve single men in our supportive housing for a period of up to two years.

The Kenyon property is currently owned by Orchard Place and was previously used as a residential group home. It has 14 individual bedrooms, along with shared kitchen, food storage, dining and living room spaces. Hope Ministries will renovate the property to create 12 units of affordable, supportive housing. Each resident will have his own room with a bed and dresser, and will share a bathroom including a toilet and shower with one other resident. All other areas – kitchen, dining room, living room, and recreation/game room – will be shared by all residents.

Utilizing this model will help former Hope Ministries program participants transition effectively into self-sufficiency and permanent housing. Safe, affordable housing in a supportive community-living environment is a needed step for many of the men we serve. Providing this opportunity at 1301 Kenyon Ave. will help fill the gap in available, affordable housing in Des Moines.

Hope Ministries will offer single men the opportunity to apply and be considered for supportive housing at 1301 Kenyon Ave. if they have completed our life recovery program, or if they have been served by Hope Ministries and are employed but in need of housing. Providing this option to live in a recovery and faith-based campus, surrounded by men with united goals, will help formerly homeless individuals transition to permanent housing. The supportive housing campus will offer men opportunities to practice the skills they have learned, live out their recovery, and continue to address barriers to permanent housing.

A resident will serve as a housing assistant, living onsite to monitor building and property maintenance, and to address any concerns with residents. We will also have a case manager available at various times throughout the week to meet with residents, and to continue to offer case management services during the residents' stay in supportive housing. Participation in case management will be a free benefit available to supportive housing residents, but it will not be required.

Hope Ministries Supportive Housing will emphasize living life in Christian community as well as living life in a recovery community. Residents on our supportive housing campus should want and support this type of environment. There will be no program requirements for residents of Hope Ministries Supportive Housing.

Our supportive housing campus will provide opportunities for men to practice what they learned in Hope Ministries' programs, with support available to promote success, achievement and transition. Residents will be expected to follow these few rules for the safety and well-being of all:

1. Pay your rent on time
2. Observe and obey Civil Law
3. Observe and obey Hope Ministries Supportive Housing rules and the rules stated in your housing contract.

- a. You are not to possess or use any alcohol or illegal/illicit drugs, including drug paraphernalia within the premises or on the grounds of Hope Ministries. This does not support a recovery community and will lead to immediate eviction.
- b. You must maintain a sober state that will not cause conflicts with other residents of the supportive housing campus. Conflicts will be investigated, and continued conflicts may lead to eviction.
- c. No guns or weapons are permitted on Hope Ministries' premises or grounds. Instances of weapon possession will lead to immediate eviction.
- d. Behavior in word or deed must not include verbal or physical threats or violence of any kind (will lead to immediate eviction).
- e. No overnight guests will be permitted, and no children will be allowed on the men's supportive housing campus.
- f. There will be no smoking of any kind within Hope Ministries Supportive Housing facilities. Smoking areas are designated outside on campus.
- g. You are required to maintain your unit in a neat, clean and orderly fashion, and to report maintenance needs or repairs in a timely manner. You are responsible to do your part in maintaining the cleanliness and orderliness of the common area(s), including: living room/family room, kitchen/food service/dining area, recreation and game room, and physical exercise (workout room).
- h. No pets of any kind are allowed.

Case management services available through regular, weekly office hours will include:

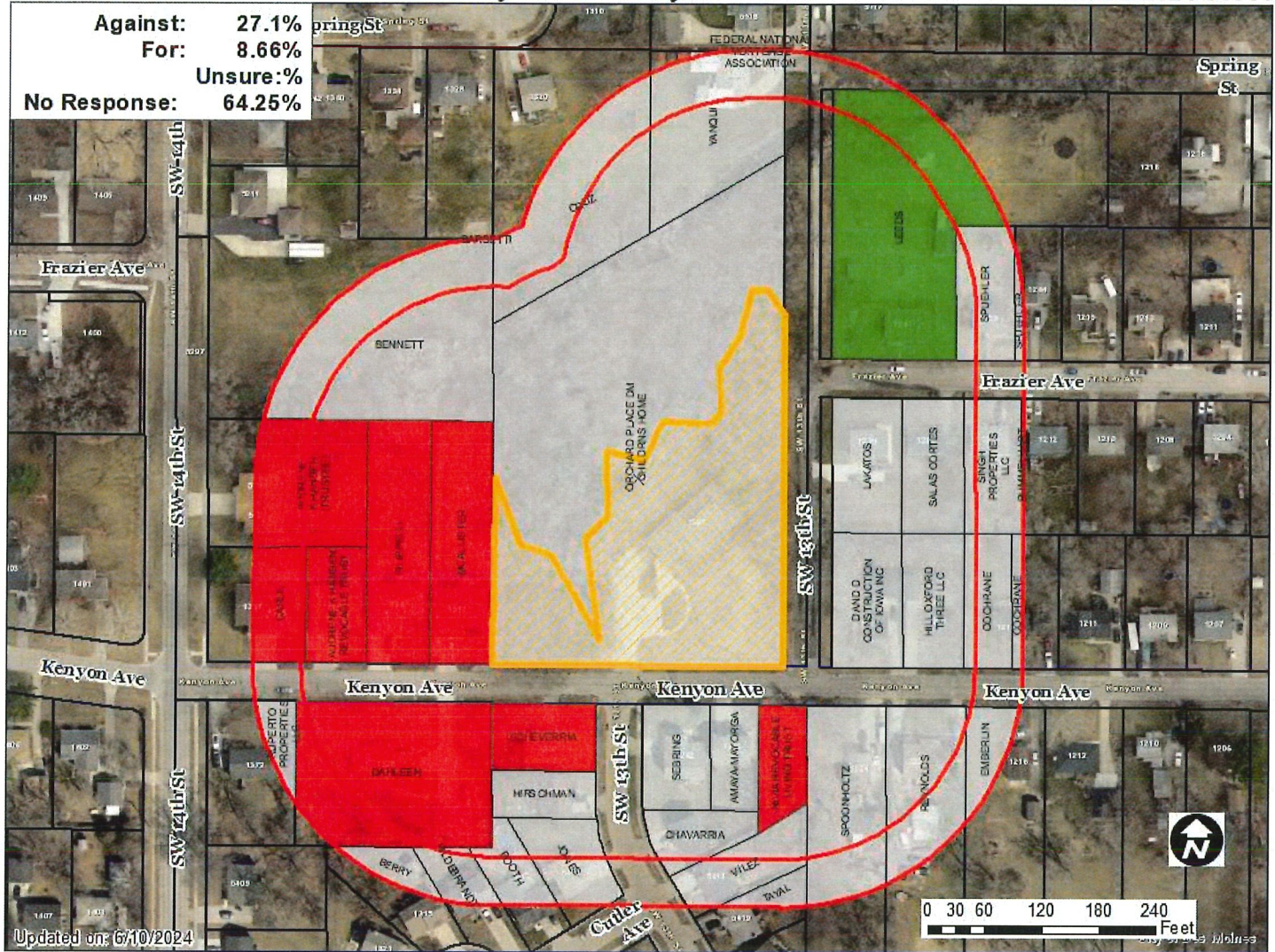
- 1. Advice, counsel and accountability with finances
- 2. Information and encouragement in church involvement
- 3. Transportation resources and training
- 4. Accountability and resources to maintain sobriety
- 5. Assistance with educational advancement and opportunities
- 6. Assistance with employment opportunities and counseling
- 7. Assistance with securing permanent housing
- 8. Community opportunities including groups, classes, retreats, entertainment options/events, support group meetings, worship, and spiritual development opportunities



Orchard Place Childrens Home vicinity of 1301 Kenyon Avenue

ZONG-2024-000013

Against: 27.1%  
For: 8.66%  
Unsure: %  
No Response: 64.25%





Orchard Place Childrens Home vicinity of 1301 Kenyon Avenue

ZONG-2024-000013



1 inch = 132 feet