

Date February 24, 2025

RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM GRACE METHODIST CHURCH (OWNER), REPRESENTED BY CLINT MARTIN (OFFICER), PROPERTY LOCATED AT 1070 37TH STREET, TO REZONE THE PROPERTY FROM “P2” PUBLIC, CIVIC AND INSTITUTIONAL DISTRICT TO “N5” NEIGHBORHOOD DISTRICT, TO ALLOW THE PROPERTY TO BE SUBDIVIDED FROM THE CHURCH PROPERTY FOR USE AS A ONE-HOUSEHOLD RESIDENCE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on February 6, 2025, its members voted 12-0-1 in support of a motion to recommend **APPROVAL** of a request from Grace Methodist Church (Owner), represented by Clint Martin (Officer), for property located at 1070 37th Street, to rezone the property from “P2” Public, Civic and Institutional District to “N5” Neighborhood District, to allow the property to be subdivided from the church property for use as a one-household residence and determined the requested rezoning is in conformance with the PlanDSM: Creating Our Tomorrow Comprehensive Plan; and

WHEREAS, the Property is legally described as follows:

ALL THAT PART OF LOTS 5 AND 6 IN GRACE CHURCH PLAT, AN OFFICIAL PLAT, INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 6, THENCE NORTH 89° 46’34” WEST ALONG THE SOUTH LINE OF SAID LOT 6, A DISTANCE OF 133.50 FEET; THENCE NORTH 00°05’21” EAST, A DISTANCE OF 50.65 FEET; THENCE NORTH 42°46’45” EAST, A DISTANCE OF 30.07 FEET; THENCE SOUTH 89°46’34” EAST, A DISTANCE OF 113.11 FEET TO THE EAST LINE OF SAID LOT 5; THENCE SOUTH 00°05’21”, WEST, A DISTANCE OF 72.80 FEET TO THE POINT OF BEGINNING, CONTAINING 9493 SQ FT, MORE OF LESS, AND SUBJECT TO ANY EASEMENTS AND RESTRICTRICIONS OF RECORD.

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 March 10, 2025, 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



Roll Call Number

Agenda Item Number

26

Date February 24, 2025

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 _____ TO ADOPT.

SECOND BY _____.

FORM APPROVED:

/s/ Chas M. Cahill
Chas M. Cahill
Assistant City Attorney

(ZONG-2024-000049)

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

MOTION CARRIED APPROVED

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.

City Clerk

Date 3/24/25

Agenda Item 26

Roll Call # _____

February 10, 2025

Communication from the City Plan and Zoning Commission advising that at their February 6, 2025 meeting, the following action was taken on a request from Grace Methodist Church (owner), represented by Clint Martin (officer), for the following regarding property located at 1070 37th Street:

- A) Determination as to whether the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.
- B) Rezone the property from “P2” Public, Civic and Institutional District to “N5” Neighborhood District, to allow the property to be subdivided from the church property for use as a one-household residence.

COMMISSION RECOMMENDATION: 12-0-1

After public hearing, the members voted as follows:

Commission Action:	Yes	Nays	Pass	Abstain	Absent
Francis Boggus	X				
Leah Rudolphi	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				
Jane Rongerude	X				

Approval of Part A) The requested “N5” District be found in conformance with the existing PlanDSM future land use designation of Low Density Residential.

Part B) The request to rezone the property from “P2” Public, Civic, and Institutional District to “N5” Neighborhood District.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends that the requested “N5” District be found in conformance with the existing PlanDSM future land use designation of Low Density Residential.

Part B) Staff recommends approval of the request to rezone the property from “P2” Public, Civic, and Institutional District to “N5” Neighborhood District.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

- 1. Purpose of Request:** The applicant is proposing to rezone the southeastern 72.8 feet of the existing parcel to “N5” Neighborhood District. This would allow the existing dwelling on the southeastern portion of the subject property to be subdivided from the church parcel and sold to a separate entity, as it would no longer be considered accessory to the Assembly, Place of Worship use.

Any future construction or redevelopment of the subject property must comply with all applicable site plan and design regulations contained in the Planning and Design Ordinance (Chapter 135 of City Code).

- 2. Size of Site:** The pre-existing parcel including the Assembly, Place of Worship and low density residential uses associated with the Assembly, Place of Worship use consists of 1.716 acres (74,760 square feet). The proposed subject property would consist of approximately 0.22 acres (9,493 square feet).
- 3. Existing Zoning (site):** The site is zoned “P2” Public, Civic and Institutional District. The congregation is proposing to rezone the subject property and conduct minor site improvements to allow both the subject property and the property to the south, owned in common with the subject property to be marketed and sold to private ownership.
- 4. Existing Land Use (site):** The site consists of a one-household residential dwelling unit, which is currently accessory to the Assembly, Place of Worship use to the north and west.
- 5. Adjacent Land Use and Zoning:**
 - North** – “P2”; Uses are Assembly, Place of Worship and low-density residential.
 - South** – “N5”; Use is low-density residential.
 - East** – “N5”; Use is low-density residential.
 - West** – “N5”; Use is low-density residential.
- 6. General Neighborhood/Area Land Uses:** The subject property is located southwest of the intersection of Cottage Grove Avenue and 37th Avenue. The surrounding area is predominantly residential and consists of a mix of low-density residential dwelling units.

- 7. Applicable Recognized Neighborhood(s):** The subject property is located in the Drake Neighborhood Association. All neighborhood associations were notified of the public hearing by emailing of the Preliminary Agenda on January 17, 2025, and of the Final Agenda on January 31, 2025.

Additionally, an official public notice of the hearing for this specific item was mailed on January 17, 2025 (20 days before the hearing), and on January 27, 2025 (10 days before the hearing), to any Neighborhood Association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site or adjacent to the site. All Neighborhood Association mailings are sent to the primary contact designated by the recognized Neighborhood Association on file with the City of Des Moines' Neighborhood Services Department.

The applicant can provide a summary of the neighborhood meeting at 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. PlanDSM: Creating Our Tomorrow:** The subject property has a future land use designation of "Low Density Residential". PlanDSM describes the designation 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.

The subject parcel is currently zoned "P2" Public, Civic, and Institutional District. The Zoning Ordinance describes this district as, "intended for civic and institutional facilities, such as religious assembly places, cultural or arts centers, community centers, schools, infrastructure, recreational facilities, and other institutional facilities. Infrastructure includes public or private infrastructure, including rail corridors and utility corridors or sites."

The applicant is proposing to rezone the parcel to the "N5" Neighborhood District. The Zoning Ordinance describes the "N5" District as, "intended to preserve the scale and character of neighborhoods developed with a mix of bungalow and two-story houses,

predominantly in the Victorian, Revival, and Arts and Crafts styles pursuant to House D building type in section 135-2.16 of this code.”

Staff believes the proposed rezoning is in conformance with the existing land use designation. The subject property is located in an area that is primarily low density residential. The existing Low Density Residential designation would allow a maximum density of 6 units per acre. The applicant is proposing to use the site for one-household residential use.

2. **Planning and Design Ordinance:** If rezoned to “N5” Neighborhood District, any future one-household residential construction would need to be in accordance with the House D building type regulations contained in City Code Chapter 135.
3. **Off-Street Parking:** The subject property has pre-existing off-street parking in a two-car garage. The proposed driveway for the subject property would be closed off from the Assembly, Place of Worship use’s surface parking to the west and used in common with the property to the south

SUMMARY OF DISCUSSION

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

COMMISSION ACTION

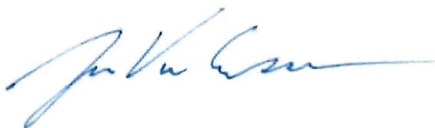
Carolyn Jenison made a motion for approval of the following:

Part A) The requested “N5” District be found in conformance with the existing PlanDSM future land use designation of Low Density Residential.

Part B) the request to rezone the property from “P2” Public, Civic, and Institutional District to “N5” Neighborhood District

THE VOTE 12-0-1 (Will Page abstained)

Respectfully submitted,



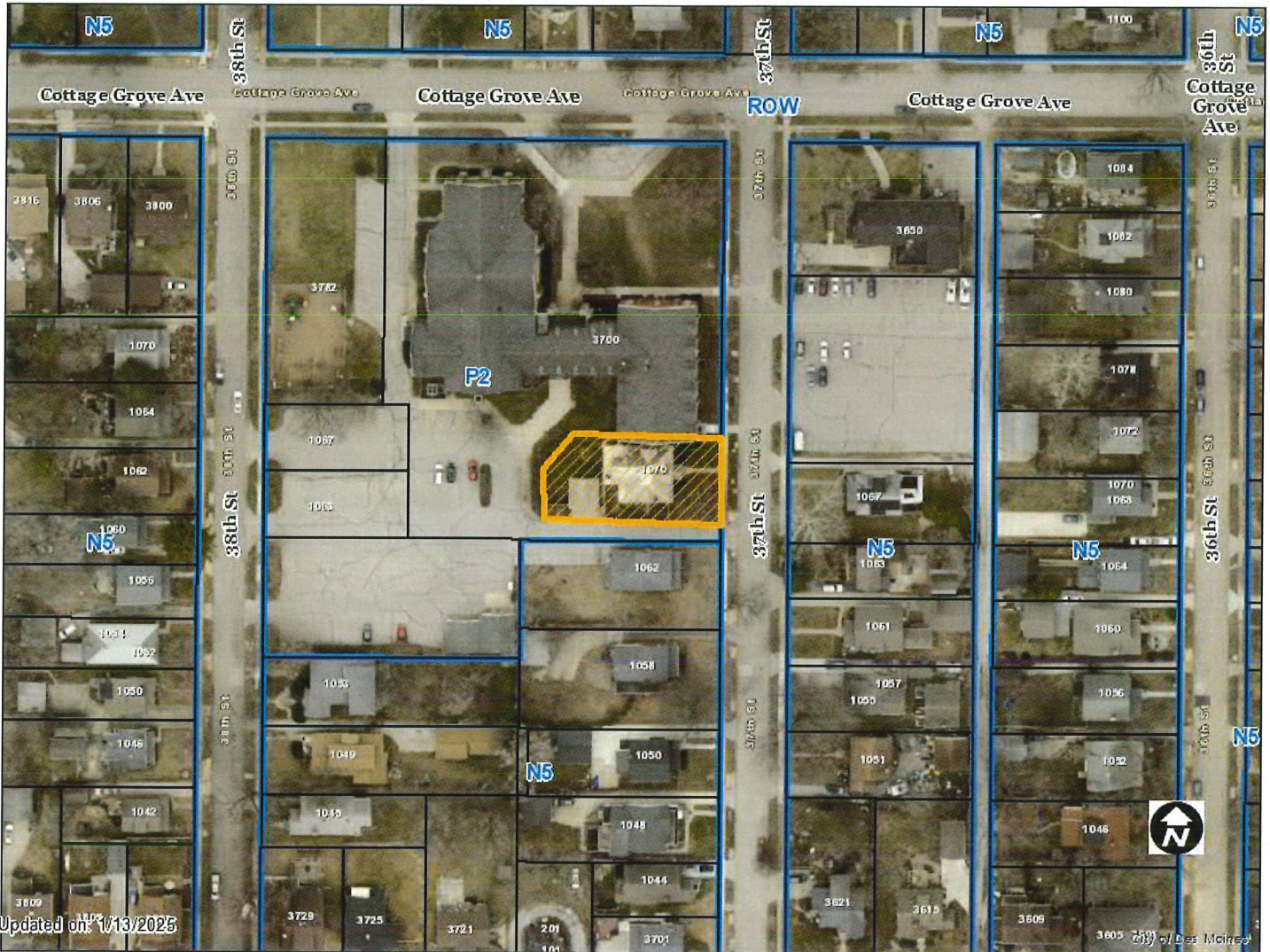
Jason Van Essen

Planning & Urban Design Administrator

JMV:mrw

Grace Methodist Church 1070 37th Street

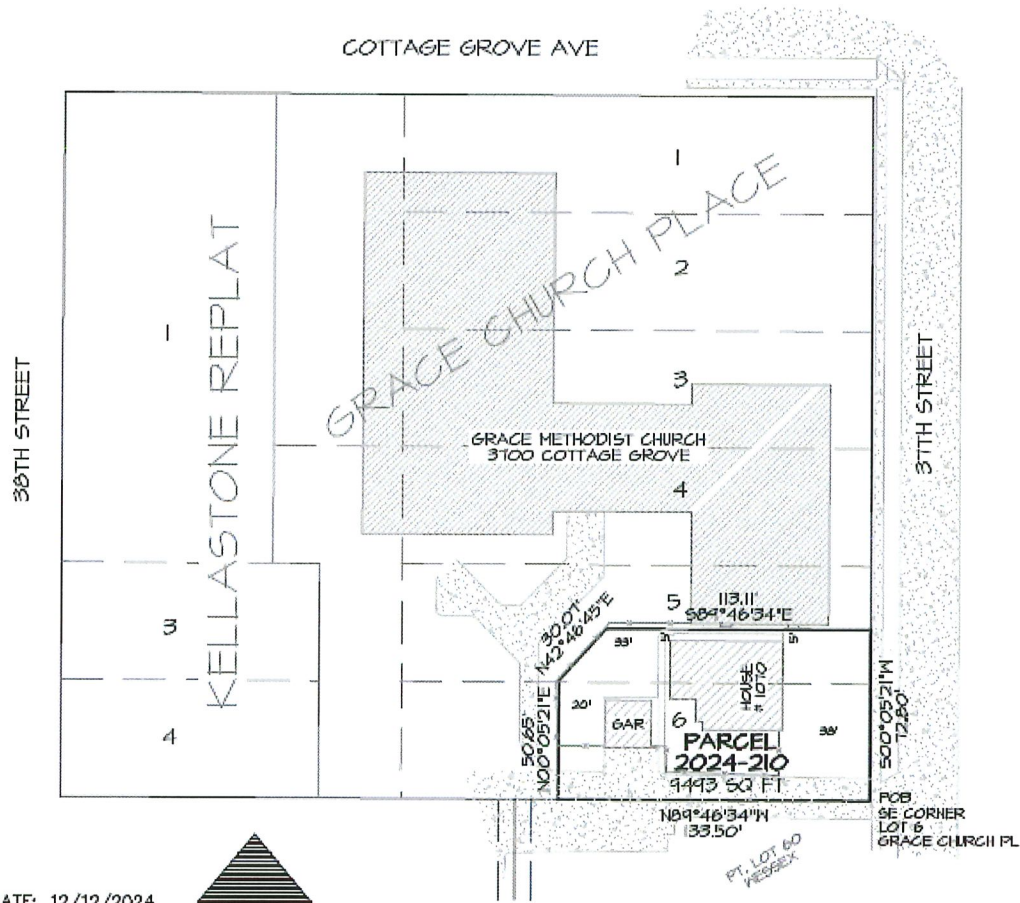
ZONG-2024-000049



REZONING EXHIBIT

PARCEL 2024-210

ALL THAT PART OF LOTS 5 AND 6 IN GRACE CHURCH PLAT, AN OFFICIAL PLAT, INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 6; THENCE NORTH $89^{\circ}46'34''$ WEST, ALONG THE SOUTH LINE OF SAID LOT 6, A DISTANCE OF 133.50 FEET; THENCE NORTH $00^{\circ}05'21''$ EAST, A DISTANCE OF 50.65 FEET; THENCE NORTH $42^{\circ}46'45''$ EAST, A DISTANCE OF 30.07 FEET; THENCE SOUTH $89^{\circ}46'34''$ EAST, A DISTANCE OF 113.11 FEET TO THE EAST LINE OF SAID LOT 5; THENCE SOUTH $00^{\circ}05'21''$ WEST, A DISTANCE OF 12.80 FEET TO THE POINT OF BEGINNING, CONTAINING 4493 SQ FT, MORE OR LESS, AND SUBJECT TO ANY EASEMENTS AND RESTRICTIONS OF RECORD.



DATE: 12/12/2024
 SCALE: 1"=60'

JOB # 9081

ross LAND SURVEYING, inc
www.rosslandsurveying.com

PO Box 336 Johnston, Iowa 50131
 PHONE: 515.254.2567



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CONCEPT DRAWING ONLY



Feb 5, 2025 1:37:24 PM
1069 37th Street
Des Moines
Polk County
Iowa



Feb 5, 2025 1:38:05 PM
1069 37th Street
Des Moines
Polk County
Iowa



Feb 5, 2025 1:36:34 PM
1062 37th Street
Des Moines
Polk County
Iowa



Grace United Methodist Church

3700 Cottage Grove Avenue, Des Moines, IA 50311

To: City of Des Moines Staff, Planning and Zoning Commissioners
December 27, 2024

Our former parsonage located at 1070 37th St has historic significance having been part of the important Wallace Family. It has been used as our single family parsonage since the 1950's but unfortunately is assembled together with our large church at 3700 Cottage Grove, parcel #090/02388-000-000 with a P2 zoning.

Our current Sr. pastor desired to own his own home and has moved out. It is our plan to now sell the home as a single-family dwelling. The N5 rezoning is being requested as single family household living is not allowed in the P2 current zoning.

We have a driveway between 1062 37th St (we own this property also) and 1070 37th St that we plan to close to church access and split between these 2 properties. The fire department has approved the closure of this driveway access. A new survey of plat has been completed by Ross Land Surveying.

Our neighborhood meeting is planned for January 28 at 7:00pm and it is our hope to be on the agenda for the Feb 6 Planning and Zoning meeting. We appreciate the "consent" vote from the City of Des Moines staff and are anxious to gain a financial reward from the sale. Additionally, it will be good to add this home to the property tax rolls for the greater good of the community.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Betsy a. Pokorny".

Betsy Pokorny
State Certified Appraiser and Trustee (2025) and congregation member
Des Moines Real Estate Services
515-321-2646

and

Clint Martin

A handwritten signature in cursive script that reads "Clint Martin".

Chairperson of Grace UMC Trustees and congregation member



Grace United Methodist Church

3700 Cottage Grove Avenue, Des Moines, IA 50311

Hello Dear Neighbors,

We hope this letter finds you well in this new year. As members of the Drake Neighborhood community, we value the relationships shared with our neighbors and the history of this wonderful neighborhood. We are writing to inform you of an important decision regarding the church's historic parsonage known as The John P. Wallace home, located at 1070 - 37th Street. John Wallace, his father Henry, brother, Henry A. and nephew, Henry C. had a significant and lasting impact on agriculture in Iowa and our nation by the founding of Pioneer Hi-Breds.

After careful consideration and prayer, our congregation has decided to sell the house. To proceed with the sale, it is necessary to create a separate plot for the parsonage and rezone the property. As part of this process, the City requires that local neighbors be informed and given the opportunity to ask questions or express concerns. We believe transparency and collaboration are vital in this endeavor, and we're committed to preserving the historical integrity of the property while ensuring it remains a valued part of our community.

We invite you to a meeting to discuss this matter and provide further details:

Date: Tuesday, January 28, 2025

Time: 7:00 p.m.

Location: Grace United Methodist Church, 3700 Cottage Grove Ave, Des Moines, IA 50311

NOTE: Grace UMC is fully ADA accessible from the south parking lot entrance doors.

During the meeting, we will: (1) Provide details about the rezoning and plot creation process as well as its necessity; (2) Share how the new plot's configuration will benefit the church and neighborhood; (3) Answer questions and hear your feedback.

We hope you can join us for this important conversation. Moreover, we invite you to attend our free community meal served prior to this meeting and every Tuesday in our Activity Center beginning at 5:00 p.m. If you are unable to attend this meeting, but would like more information, please feel free to contact us at info@gracedesmoines.org.

We welcome your involvement and support as we navigate this new chapter in our congregation's and our neighborhood's history together.

Warm regards,


Shawn Mullen, Administrative Council Chair
Grace United Methodist Church

Meeting Summary-Rezoning of 1070 37th St for Grace United Methodist Church

From Betsy Pokorny <bpok1960@gmail.com>

Date Wed 1/29/2025 12:23 PM

To NHMeeting@dmgov.org <NHMeeting@dmgov.org>

Cc Shawn Mullen-Home <shawnpci.mullen@gmail.com>; Shawn Mullen-Work <shawn.mullen@protexcentral.net>; Clint Martin <clintm4@msn.com>; Clint Martin <clint.martin@remedystaff.com>

 1 attachment (3 MB)

NeighborLetterShawn.pdf;

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.

Greetings from Grace United Methodist Church.

We held our neighbor meeting last night, January 28 at 7:00 pm in our building's fellowship hall. The following members of our staff and leadership team were there.

Dr. Greg Neal, Senior Pastor
Shawn Mullen, Chair of Administrative Council
Clint Martin, Chair of Trustees
Rod Dougherty, Trustee
and myself Betsy Pokorny, Trustee

We had one guest in attendance. Her name is Jenny Joynt who is a member of our congregation. Jenny is not a member of the Drake neighborhood but owns a home in Des Moines near Samuelson elementary school. She was in the building for our free community meal and was curious to see the presentation. No other invited guests came.

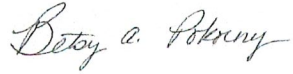
Jenny mostly inquired about closing the driveway between 1070 37th St and 1062 37th St. We showed her an aerial visual of the proposed lot lines, shared driveway and fencing ideas. She left happy and in agreement with our proposed rezoning and site changes. Jenny had no suggested changes to our proposed plans. For your information, Jay Mattas (city staff) has already received approval from the Des Moines Fire Department for the closing of this driveway.

In preparation for the meeting, our office staff Julien mailed the attached letter on January 13 to all names on the list the city staff provided to us. Also that week I personally sent an email with the same letter attachment to the president of the Drake neighborhood organization, Courtney Ackerson, at info@drakeneighborhood.org. Also, on January 26th, the meeting was announced by Dr. Greg Neal as part of our worship service which reaches online attendees as well as attendees in our sanctuary.

The lack of interest in our proposed changes is a good sign! We look forward to a smooth transition through the planning and zoning approval process and then onto the city council approval process.

Please let me know if you have any questions or concerns. I look forward to seeing and meeting the zoning commissioners and council members soon.

Warm Regards,

A handwritten signature in cursive script that reads "Betsy A. Pokorny".

Betsy A Pokorny
State Certified Real Estate Appraiser
515-321-2646

Item: ZONG-2024-000049

Date: 2-3-25

Please mark one of the following:

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

Staff Use Only
RECEIVED
COMMUNITY DEVELOPMENT
FEB 06

Titleholder Signature: *[Handwritten Signature]*

Name/Business: Cottage Grove 3650 LLC

Impacted Address: 3650 Cottage Grove Ave

Comments: _____

Item: ZONG-2024-000049

Date: Feb. 5, 2025

Please mark one of the following:

I support the request

I am undecided

I oppose the request

Staff Use Only

Titleholder Signature: Ryan Fitz and Bryann Sullivan

Name/Business: Ryan Fitz and Bryann Sullivan

Impacted Address: 1061 37th Street Des Moines, IA 50311

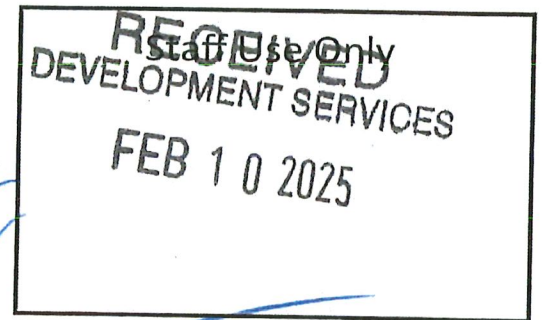
Comments: As long as the home is preserved
in at least a somewhat historically
accurate way, we have heard it's histor-
ically significant, so it would be a
shame to lose that!

Item: ZONG-2024-000049

Date: Feb 4, 2025

Please mark one of the following:

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



Titleholder Signature: Heather Frank

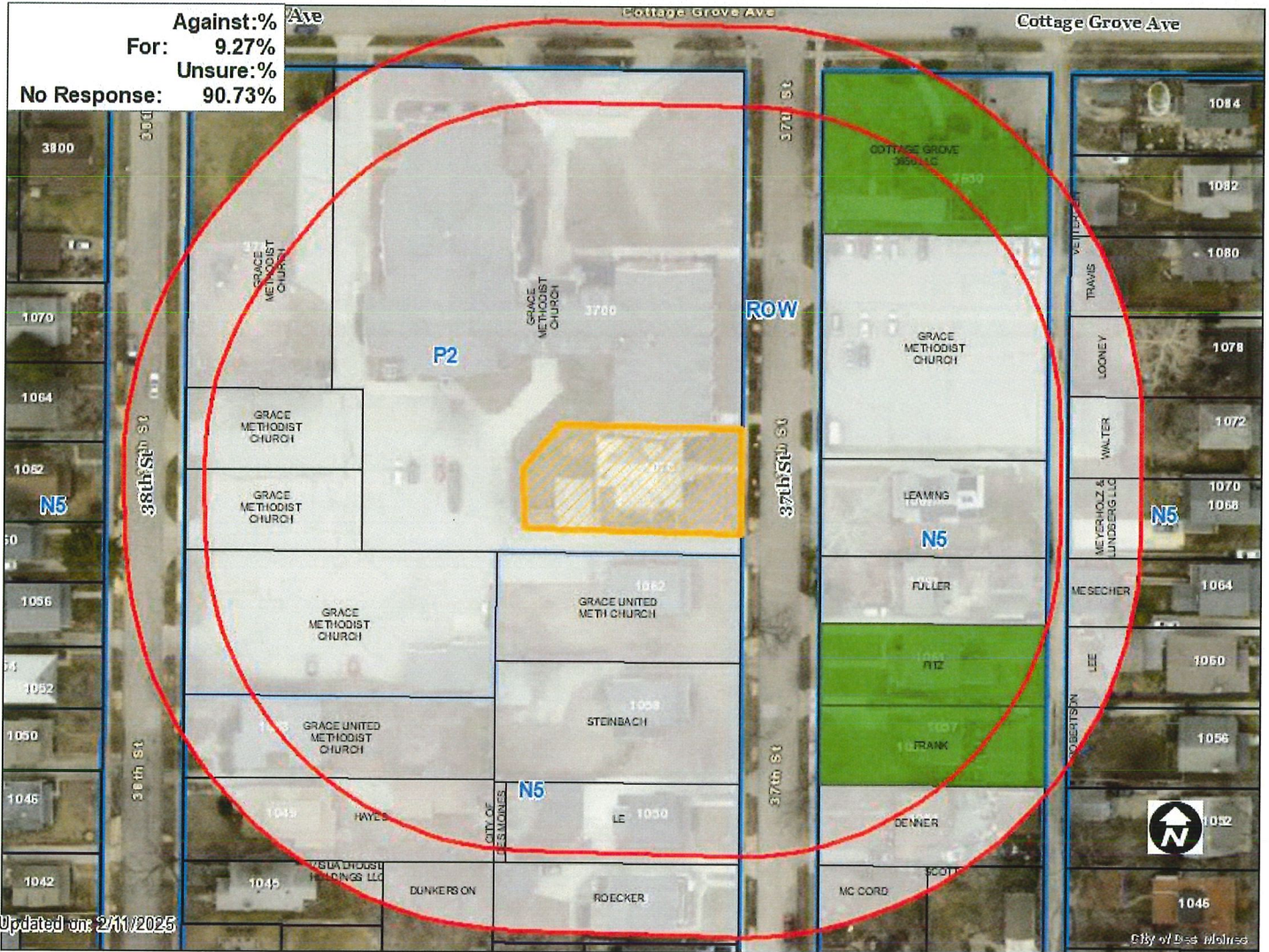
Name/Business: Heather Frank

Impacted Address: 1057 37th Street, DM, IA 50311

Comments: _____

Grace Methodist Church 1070 37th Street

ZONG-2024-000049



Grace Methodist Church 1070 37th Street

ZONG-2024-000049

