

DES MOINES CITY COUNCIL MEETING
City Hall, City Council Chambers
400 Robert D Ray Drive
Des Moines, Iowa 50309

June 28, 2021

5:00 P.M.

The public is hereby notified that if the meeting is disrupted as it was June 14th which made conducting that in-person meeting impossible or impractical, that Council will make a finding of impossibility or impracticality and then immediately reconvene as soon as practical into an electronic only meeting at the zoom link in this agenda below to conduct the peoples' business. **The zoom link will not be active unless the in-person meeting is disrupted.** Persons are reminded of the following:

1. We welcome germane comments from the public at the appropriate time, but this is a Council business meeting and the Council needs to conduct the people's business and Council has rules that are validly adopted under Iowa law and those rules will be followed.
2. Anyone engaging in disruptive conduct will result in those being disruptive being ordered to leave chambers.
3. No person will be permitted to stand in the council chamber during council sessions between the audience seats and the councilmembers except the persons addressing the council **at the speakers' microphone** and **only** after being recognized by the Mayor.
4. All persons desiring to address the council may do so only when recognized by the Mayor, but the council reserves the right to limit the speaker's time and the order in which the speakers may address the council.
5. **Under Section 2-70 of the City Code**, it is illegal to interrupt any person who is addressing the council except by a council member and it is illegal to disrupt the Council meeting.
6. EVERYONE in attendance has First Amendment rights and any disruptive conduct by one person or group impinges on the rights of others present, so disruptive conduct will not be tolerated.
7. If the meeting is disrupted, the public speaking portion of the meeting will be moved to the next in-person meeting which is not disrupted.
8. Those who disrupt the meeting will not be called on during the electronic meeting and may be cited for disorderly conduct, trespass or interfering with the good order of the meeting or other applicable charges.

THE ZOOM LINK WILL NOT BE ACTIVE UNLESS THE IN-PERSON MEETING IS DISRUPTED.

Join from a PC, Mac, iPad, iPhone or Android device:

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1. ROLL CALL:
 - I. [Amending](#) the procedural rules of the Des Moines City Council.
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 51:

***Note: These are routine items and will be enacted by one roll call vote without separate discussion unless someone, Council or public, requests an item be removed to be considered separately.**

LICENSES AND PERMITS

4. [Approving](#) Alcoholic Beverage License Applications for the following:

NEW APPLICATIONS

(A) FIESTA MEXICAN RESTAURANT	1810 ARMY POST RD	C Liquor
(B) HOTEL FORT DES MOINES	1000 WALNUT ST	B Liquor
(C) ST KILDA CATERING	1011 LOCUST ST	C Liquor

RENEWAL APPLICATIONS

(D) 1ST STOP BEVERAGE SHOP	2839 E UNIVERSITY	E Liquor
(E) AKEBONO RESTAURANT	215 10TH ST	C Liquor
(F) BEAVERDALE VFW CLUB	4029 URBANDALE	A Liquor
(G) BERK AND CHESTERS	5800 FLEUR DR	C Liquor
(H) BLANK PARK ZOO	7401 SW 9TH STREET	C Liquor
(I) BUBBA - SOUTHERN COMFORTS	200 10TH ST	C Liquor
(J) BUFFALO WILD WINGS	4345 MERLE HAY RD	C Liquor
(K) DRUGTOWN WINE AND SPIRITS	4100 UNIVERSITY	E Liquor
(L) DES MOINES PLAYHOUSE	831 42 ND ST	C Liquor
(M) EXILE BREWING COMPANY	1514 WALNUT ST	C Liquor
(N) FONGS PIZZA	3018 FOREST AVE.	C Beer/Wine
(O) HOLIDAY INN DOWNTOWN	1050 6TH AVE	B Liquor
(P) HY VEE FOOD STORE #4	4605 FLEUR DR	E Liquor
(Q) HY VEE FOOD STORE #5	1107 E ARMY POST	E Liquor
(R) LOCUST TAP	434 E LOCUST ST	C Liquor
(S) MOTLEY SCHOOL TAVERN	1903 BEAVER AVE	C Liquor
(T) PRINCIPAL FINANCIAL	750 PARK ST	C Liquor
(U) RITAS CANITANA	401 SE 5TH ST	C Liquor

(V) RIVER WALK HUB SPOT	215 WATER ST	C Liquor
(W) SMOKIN JOES #20	3019 SE 14TH ST	C Beer
(X) SOUTH TOWN TAP	3803 SW 9TH ST	C Liquor
(Y) SPLASH SEAFOOD BAR & GRILL	303 LOCUST ST	C Liquor
(Z) TOBACCO HUT PLUS US GAS	3000 SW 9TH ST	E Liquor
(AA) WAVELAND MUNICIPAL GOLF	4908 UNIVERSITY AVE	C Liquor
(BB) WHISKEY RIVER INGERSOLL	2301 INGERSOLL AVE	C Liquor

SPECIAL EVENT APPLICATIONS

- (CC) BUD TENT 3000 E GRAND AVE Five (5) Day License
Class B Beer License for the Goodguys Car Show on July 2 -4, 2021.
- (DD) DEPOT 3000 E GRAND AVE Five (5) Day License
Class C Liquor License for the Goodguys Car Show on July 2 -4, 2021.
- (EE) IOWA TAPROOM 215 E 3RD ST Five (5) Day License
Class B Beer License for Moonlight Classic on July 10, 2021.
- (FF) PAVILION 3000 E GRAND AVE Five (5) Day License
Class B Beer License for the Goodguys Car Show on July 2 -4, 2021.
- (GG) SA PRESENTS 2201 GEORGE FLAGG C Liquor
Fourteen day license for Blues Traveler & JJ Grey and Mofro concert on July 9, 2021
and Cody Johnson & Friends concert on July 16, 2021.
- (HH) TRUMANS KC PIZZA 400 SE 6TH ST Five (5) Day License
Class C Liquor License for Moonlight Classic on July 10, 2021.
- (II) YOUR PRIVATE BAR 500 E LOCUST ST Five (5) Day License
Class C Liquor License for a private event on July 3, 2021.

- 5. [City Clerk](#) to issue Cigarette/Tobacco/Nicotine/Vapor Permits.

PUBLIC IMPROVEMENTS

- 6. [Approving](#) and authorizing the application for a Department of Transportation Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grant for the Southeast Connector Project between SE 30th Street and U.S. 65.

[\(Council Communication No. 21-294\)](#)

- 7. [Approving](#) Supplemental Agreement No. 3 to the Professional Services Agreement (PSA) with Veenstra & Kimm, Inc. for additional construction phase services for Market District Sanitary Sewer Improvements, not to exceed \$90,448.

[\(Council Communication No. 21-293\)](#)

8. [Approving](#) Supplemental Agreement No. 1 to the Professional Services Agreement (PSA) with Stanley Consultants, Inc. for additional design services for Dean Avenue Reconstruction – E. 26th Street Redhead Road, not to exceed \$41,270.

[\(Council Communication No. 21-288\)](#)

9. [Acceptance](#) of a proposal from MidAmerican Energy Company to remove existing utility poles and relocate overhead utilities underground for E. 2nd Street Reconstruction from E. Court Avenue to Iowa Interstate Railroad, in an amount of \$140,334.05.

[\(Council Communication No. 21-291\)](#)

10. [Approving](#) Private Construction Contract between Elder Corporation and 217 E. Second, LC for Sanitary Sewer Improvements in 217 E. 2nd Street.

11. Approving completion and acceptance of private construction contracts for the following:

- (A) [Storm](#) Sewer Improvements in 2530 University Avenue between CIDW, LLC and Drake Multifamily, LLC.

- (B) [Paving](#) Improvements in Ruby Rose Ridge between Legacy Excavation, LLC and Kenyon Hill Ridge, LLC.

12. [Communication](#) from contractors requesting permission to sublet certain items on public improvement project.

13. [Accepting](#) completed construction and approving final payment for Simon Estes Amphitheater Repairs, Minturn, Inc.

SPECIAL ASSESSMENTS

14. Deletion of rental inspection assessment at the following:

- (A) [1912](#) E Creston Avenue.

- (B) [1914](#) E Creston Avenue.

BOARDS/COMMISSIONS/NEIGHBORHOODS

15. [Recommendation](#) by Council Member Gray to re-appoint Matt Connolly to the Housing Services Board, Seat 4, for a three-year term commencing on July 1, 2021, and ending on June 30, 2024.
16. [Recommendation](#) by Council Member Gray to re-appoint Ann Giudicessi to the Access Advisory Board, Seat 12, for a four-year term commencing on June 16, 2021, and ending on June 15, 2025.
17. [Recommendation](#) by Council Member Gray to re-appoint Carolyn Jenison to the Plan and Zoning Commission, Seat 9, for a five-year term commencing on July 1, 2021, and ending on June 30, 2026.
- 17I. [Recommendation](#) by Mayor T.M. Franklin Cownie to appoint Todd Garner to the Plan and Zoning Commission, Seat 15, for the term commencing on July 1, 2021 and ending June 30, 2026.
18. [Communication](#) from Jan Goode advising of her resignation from the Neighborhood Revitalization Board, Seat 5, effective May 27, 2021.

COMMUNICATIONS FROM PLANNING AND ZONING

19. [Regarding](#) request from Joppa Cheatom Park, LLC (Joe Stevens, Officer) for vacation of the north/south segment of alley right-of-way west of, and adjoining, the property at 1010 13th Street, running north from Interstate 235 to the east/west alley in the block bounded by Laurel Street on the north, Interstate 235 on the south, 13th Street on the east, and 14th Street on the west, to allow the property to be assembled with adjoining parcels owned by the applicant.
20. [Regarding](#) request from Des Moines Climate Controlled Self Storage, LLC (Mark Bockenstadt, Officer) for vacation of the north/south segment of alley right-of-way east of, and adjoining, the property located at 1106 Scott Avenue in the block bounded by East M.L. King Jr. Parkway on the north, Scott Avenue on the south, Southeast 12th Street on the east, and Southeast 10th Street on the west, to allow the property to be assembled with adjoining property for purposes of commercial redevelopment.
21. [Regarding](#) request from 3524 6th Avenue, LLC (Joseph Cordaro, Officer) for vacation of a 5.50-foot by 50.61-foot segment of air rights along the west side of 6th Avenue adjoining property located at 3524 6th Avenue to allow continued encroachment of existing 2nd and 3rd floor bay window projections with the renovation of the building.

SETTING DATE OF HEARINGS

22. [On](#) the application for voluntary annexation by ILEX Group, Inc. (7-19-21).
23. [On](#) appeal by Fareway Stores, Inc. of denial of site plan for property located at 2716 Beaver Avenue and 2723 41st Place, (7-12-21).
24. [On](#) vacation of segments of 42nd Street right-of-way and conveyance of easements for bus shelter encroachment on City-owned property to Des Moines Area Regional Transit Authority (DART), \$440, (7-19-21).
25. [On](#) request from Larson Enterprises (John Fitzgerald, Officer) for property located at 1600 East Army Post Road to amend PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Business Park to Community Mixed Use and to rezone the property from EX Mixed Use District to CX Mixed Use District, to allow an expansion of the existing Large Format Retail use, (7-19-21).
- 25I. [On](#) the proposition to authorize a lease purchase in the principal amount of not-to-exceed \$75,000, for the purpose of acquiring certain items of equipment consisting of three Nissan Leaf Electric Vehicles, (7-19-21).

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

26. [Approving](#) payment to Darryl Elswick.
27. [Retention](#) of Outside Counsel to act as guardian ad litem.

CITY MANAGER COMMUNICATIONS

- 27I. [Receive](#) and file from ADT regarding LifeSaver Award celebration to be held in Des Moines.

APPROVING

28. [Amended](#) Community Development Block Grant (CDBG) Agreement with Youth and Shelter Services (YSS), doing business as Iowa Homeless Youth Centers (IHYC) for an additional \$100,000 for the Rooftop Gardens facility located at 2705 E. Euclid Avenue.

[\(Council Communication No. 21-287\)](#)

29. [Supplemental](#) Emergency Solutions Grant Funding to prepare for, prevent, and respond to Coronavirus (ESG-CV 2) allocation to Central Iowa Shelter & Services (CISS) for the mobile shower unit.

[\(Council Communication No. 21-289\)](#)

30. [Preliminary](#) terms of an Urban Renewal Development Agreement with SW9 215, LLC (Kris Saddoris, Officer) for the construction of a 5-story, 66-unit Multi-family Housing Project located on vacant, city-owned property at 215 SW 9th Street.

[\(Council Communication No. 21-304\)](#)

- (A) [Support](#) of Workforce Housing Tax Credit (WHTC) benefit application to be submitted to the Iowa Economic Development Authority by SW9 215, LLC (Kris Saddoris, Officer) for the 215 SW 9th Project.

[\(Council Communication No. 21-306\)](#)

31. [Preliminary](#) terms of an Urban Renewal Development Agreement with Des Moines Climate Controlled Storage, LLC (Mark Bockenstedt) for the construction of a new 4-story, 153,600 sq. ft. storage complex at 503 SE 12th Street.

[\(Council Communication No. 21-305\)](#)

32. [Urban](#) Renewal Development Agreement with Urban Campus Apartments LLLP, Hatch Development Group, LLC, and Kiernan Development & Construction, LLC (Jack Hatch, Michael Kiernan) for the multi-family new construction project at 1230 6th Avenue.

[\(Council Communication No. 21-285\)](#)

- (A) [Support](#) for a Workforce Housing Tax Credit (WHTC) benefit applications to be submitted to the Iowa Economic Development Authority (IDEA) by Hatch Development Group, LLC (Jack Hatch) for the Sixth Avenue Flats project at 1230 6th Avenue.

[\(Council Communication No. 21-306\)](#)

33. [Urban](#) Renewal Development Agreement with ILEX Group, Inc. and JE Northridge 2021, LLC (Ben Schultes, Officer) for the construction of Warehouse Buildings located in the vicinity of 4600 NE 14th Street.

[\(Council Communication No. 21-290\)](#)

34. [First](#) Amendment to Urban Renewal Development Agreement with Merle Hay Investors, LLC and Merle Hay Anchors, LLC (Elizabeth Holland, Officer) for redevelopment of a portion of the Merle Hay Mall Phase 2.

[\(Council Communication No. 21-284\)](#)

35. [Second](#) Amendment to Urban Renewal Development Agreement with Des Moines Cold Storage Co., Inc. and Crossroads Cold Storage, LLC (CJ Morton) regarding Phase II Property at SE 43rd and Vandalia Road.

[\(Council Communication No. 21-295\)](#)

36. [Contingent](#) Use of \$120,000 from the Economic Development Enterprise Fund as the City Match for Workforce Housing Tax Credit (WHTC) Application for Merge Urban Development Group.

[\(Council Communication No. 21-282\)](#)

- (A) [Support](#) for a Workforce Housing Tax Credit (WHTC) benefit application to be submitted to the Iowa Economic Development Authority by Merge, LLC (Brent Dahlstrom, Officer) for the Dogtown Mixed Use Project at 25th and Carpenter Avenue.

[\(Council Communication No. 21-306\)](#)

37. [Support](#) of Workforce Housing Tax Credit (WHTC) benefit application to be submitted to the Iowa Economic Development Authority by DEV Partners c/o Home Investments 6, LLC (Daniel Heggen, Officer) for the Concord Project at 732 and 740 18th Street.

[\(Council Communication No. 21-306\)](#)

38. [Support](#) for a Workforce Housing Tax Credit (WHTC) benefit application to be submitted to the Iowa Economic Development Authority (IDEA) by Tree House Partners, LLC (Tim Rypma, Paul Cownie and Jeremy Cortright) for the Grand Trees Project at 2315 Grand Avenue.

[\(Council Communication No. 21-306\)](#)

39. [Support](#) of a Workforce Housing Tax Credit (WHTC) benefit application to be submitted to the Iowa Economic Development Authority (IDEA) by Euclid Foresight, LLC (Connor Delany) for the French Way Cleaners Project at 413 Euclid Avenue.

[\(Council Communication No. 21-306\)](#)

40. [Approving](#) an exception to the procurement ordinance competitive process for good cause and approving an agreement with Police Executive Research Forum (PERF) for professional training of Police Officers to safely and professionally resolve critical incidents.
41. [Iowa](#) Department of Transportation (IDOT) State Recreational Trails (SRT) funding grant application for Riverview Connection Trail.

[\(Council Communication No. 21-283\)](#)

42. [Use](#) of various City facilities as poll sites for the General Election on Tuesday, November 2, 2021.
43. [Extension](#) of contract for Professional Auditing Services with RSM US LLP to provide auditing services for fiscal year 2020/21.

[\(Council Communication No. 21-281\)](#)

44. [Annual](#) Insurance Renewal for July 1, 2021 (Fiscal Year 2021/22) property, casualty and other city operations.

[\(Council Communication No. 21-280\)](#)

45. [Request](#) from Downtown Community Alliance, on behalf of the University of Iowa, for approval of up to 80 banners on 40 banner poles in Downtown Des Moines beginning August 1, 2021. These banners will be displayed on Western Gateway Park and the Historic East Village.
46. [Request](#) from Downtown Community Alliance, on behalf of the Greater Des Moines Partnership will facilitate the display of 48 banners on 24 banner poles in Downtown Des Moines beginning August 1, 2021. These banners will be displayed in Grand Avenue and Locust Street bridges until December 31, 2021.

47. Purchases from the following:

- (A) [CDW](#) Government LLC (Christina A. Leahy, President) for Cisco SmartNet maintenance and support services for Cisco network equipment and software for a 3-year period per NASPO Value Point Contract as requested by the Information Technology Department, \$153,729.58 annual cost, \$461,188.75 total cost.

[\(Council Communication No. 21-278\)](#)

- (B) [Waldinger](#) Corporation (Thomas Koehn, CEO) for a blanket purchase order for FY 2022 miscellaneous heating, ventilation and air conditioning (hvac) services per State of Iowa Contract as requested by the Facilities Division, \$91,143.

[\(Council Communication No. 21-300\)](#)

- (C) [Vermeer](#) Sales and Service Inc. (Jason Andringa, President and CEO) for two replacement brush chippers per Sourcewell Contract as requested by the Fleet Services Division, \$139,570.

[\(Council Communication No. 21-301\)](#)

- (D) [Clark](#) Equipment Company d/b/a Bobcat Company, Government Sales (David Rowles, President) for a replacement compact tracked skid steer loader per State of Iowa Contract for use in Parks and Recreation Department as requested by the Fleet Services Division, \$60,709.30.

[\(Council Communication No. 21-302\)](#)

- (E) [Central](#) Service and Supply (Dan Abramovich, President) for one additional hydraulic power unit with portable submersible pumps per State of Iowa Contract for use in the Sewers Division of Public Works Department, \$65,310.

[\(Council Communication No. 21-299\)](#)

- (F) [Heartland](#) Business Systems, (Peter Helander CEO) for Cisco wireless network hardware per the State of Iowa Contract as requested by the Information Technology Department, \$134,607.60.

[\(Council Communication No. 21-279\)](#)

- (G) [W. W. Grainger](#) (Shannon Waddell, Branch Manager) for a blanket purchase order for miscellaneous industrial supplies and equipment during FY 2022 per Omnia Master Agreement, \$50,000.

[\(Council Communication No. 21-277\)](#)

- (H) [AP/M Permaform](#) (Bill Shook, President) sole area-wide distributor for high-strength grout products to be used during fiscal year 2022 as requested by the Public Works Department, \$100,000.

(Council Communication No. 21-275)

~~48. Accepting proposal of Cale America, Inc. d/b/a Flowbird for multi-space parking meter system and approving agreement for same.~~

(Council Communication No. 21-298)

49. Communication of fire escrow at the following locations:

- (A) 2814 Easton Boulevard.
- (B) 1662 Northwest Drive.
- (C) 2432 Whispering Ridge Drive.

50. Abatement of public nuisance as follows:

- (A) 1274 Stewart Street.
- (B) 3705 5th Avenue.
- (C) 3328 Dubuque Avenue.
- (D) 4330 Hubbell Avenue.
- (E) 1210 Army Post Road.
- (F) 1424 E. Virginia Avenue, Lot 28.
- (G) 2700 Logan Avenue.
- (H) 1335 McCormick St.

50I. Authorizing Finance Director to draw checks on registers for the weeks of June 28, July 5 and 12, 2021; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of June 28 and July 5 and 12, 2021; to draw checks for biweekly payroll due July 2 and 16, 2021.

ORDINANCES - SECOND CONSIDERATION

51. Amending Sections 60-3, 60-5, 60-7, 60-10, 60-11, 60-12, 60-15, 60-19, 60-30, 60-31, 60-32, 60-33, 60-34, 60-35, 60-40, 60-41, 60-42, 60-43, 60-44, 60-45, 60-50, 60-60, 60-76, 60-85, 60-104, 60-128, 60-144, 60-170, 60-183, 60-192 and 60-193, relating to the housing code.

* * * * * END CONSENT AGENDA * * * * *

ORDINANCES - FIRST CONSIDERATION

52. [Amending](#) Chapter 114 of the Municipal Code regarding Traffic Regulation Changes as follows:

[\(Council Communication No. 21-303\)](#)

- (A) Parking Restriction –Guthrie Avenue between E. 28th Street and E. 29th Street.
- (B) Parking Restriction–E. Broad Street/SE 9th Street between SE 8th Court and Indianola Avenue.
- (C) Parking Restriction–Crocker Street from 5th Avenue to 7th Street.

COUNCIL REQUESTS

53. [Resolution](#) expressing support of City staff.

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 54 THRU 74)

54. [On](#) the conveyance of vacated street right-of-way located south of and adjoining 1445 Dean Avenue to Sam KCAD Real Estate 1, LLC for \$50.
55. [On](#) conveyance of a Permanent Easement for Building Encroachment in a portion of Waveland Golf Course located west of and adjoining 4841 Algonquin Road to Cory L. Schooley and Kristin Schooley for \$4,400.
56. [Dismiss](#) hearing on vacation of portions of 12th Street and Keosauqua Way right-of-way adjoining 1201 Keosauqua Way and conveyance of a permanent easement for building encroachment and a permanent easement for building encroachment-door swing to Aust Real Estate, LLC for \$11,280.
57. [On](#) vacation of a portion of 23rd Street right-of-way adjoining Woodland Cemetery.
- (A) [First](#) consideration of ordinance above.
58. [Closing](#) public hearing on the proposed Twenty-eighth Amendment to the Metro Center Urban Renewal Plan.
59. [On](#) request from ILEX Group, Inc. for the PUD Final Development Plan “Northridge 80/35 Business Park – Plat 1” and for review and approval of a preliminary “Northridge 80/35 Business Park” all for property in vicinity of 4600 East 14th.

60. On request from Zion Capital Group, LLC (Owner), represented by Ryan Campos (Officer) for the following regarding the property located at 2453 East Grand Avenue, to amend the PlanDSM Creating Our Tomorrow Plan future land use classification from Low Density Residential to Neighborhood Mixed Use, and to rezone the property from “N3c” Neighborhood District to “RX1” Mixed Use District, to allow reuse of the existing building for mixed residential and commercial use.
- (A) First consideration of ordinance above.
61. On request from Terrace Hill, LLC to rezone property located at 2525 Grand Avenue from RX2 – Mixed Use District to Limited MX3 – Mixed Use District to allow the existing building to be considered for a Conditional Use approval by Zoning Board of Adjustment for a Bar associated with reuse of property for a Hotel.
- (A) First consideration of ordinance above.
62. On request from Greg LoRang and Elissa Cirigonotta to amend PlanDSM: Creating Our Tomorrow future land use designation for property located at 1235 43rd Street from Low Density Residential within a Community Node to Low-Medium Density Residential within a Community Node to allow rezoning to N5-2 Neighborhood District to allow use of the property for an Accessory Household Unit dwelling, subject to condition that the site plan must come back to the Commission for review and approval.
- (A) First consideration of ordinance above.
- (B) Final consideration of ordinance above (waiver requested by Greg LoRang, Owner), requires six votes.
63. On request from Gorkha Brothers, Inc. (Lessee) to amend PlanDSM: Creating Our Tomorrow future use designation from Neighborhood Mixed Use to Community Mixed Use to allow for rezoning of property located at 2829 Easton Boulevard from MX1 to MX3 Mixed Use District to allow the existing building to be considered for a Conditional Use approval by the Zoning Board of Adjustment for a business selling alcoholic liquor. **(Choose one Alternative A or B):**
- (A) To deny.
or
(B) To continue to July 19, 2021 to prepare the necessary legislation to approve.

64. [On](#) request from Legacy Park, LLC to rezone property located at 1315-1325 9th Street and 1322-1332 8th Street from N5 Neighborhood District to N5-2 Neighborhood District to allow use of the Property for two-household residential structures including rebuilding following destruction due to a fire.
- (A) [First](#) consideration of ordinance above.
- (B) [Final](#) consideration of ordinance above (waiver requested by Russ Frazier, President, Legacy Park, LLC, Anawim Housing General Partner), requires six votes.
65. [Dismissing](#) hearing on request from IPE1031 REV353, LLC to rezone 505 Sheridan Avenue from I1 Industrial District to I2 Industrial District to allow the current operation of the property to be considered for Conditional Use by the Zoning Board of Adjustment for an outdoor storage yard for portable toilets as an Intensive Fabrication and Production use.
66. [Continuing](#) hearing on request from Oscar and Enrique Zenteno to amend the PlanDSM: Creating our Tomorrow future land use classification for 2354 E Grand Avenue from Neighborhood Mixed Use to Community Mixed Use District and to rezone from MX1 Mixed Use District to MX3 Mixed Use District to allow ongoing operation of a Minor Vehicle/Maintenance Repair use on the property. Plan and Zoning Commission recommends denial (**Continued from June 14, 2021**)(**Continue to July 19, 2021**).
67. [On](#) City-initiated request to rezone property located at 2014 and 2016 East Ovid Avenue from P1 Public, Civic and Institutional District to I1 Industrial District, to allow the existing buildings to continue as conforming Professional Office, Warehouse, and Vehicle Maintenance/Repair uses.
- (A) [First](#) consideration of ordinance above.
- (B) [Final](#) consideration of ordinance above (waiver requested by Neighborhood Services Department Director), requires six votes.
68. [On](#) request from On Point Investments, LLC to amend PlanDSM: Creating Our Tomorrow future land use designation for property located at 2406 Woodland Avenue from Low Density Residential in a Neighborhood Node to Medium Density Residential in a Neighborhood Node to rezone from N5 Neighborhood District to N5-2 Neighborhood District to allow use of the property for a Two Household Living dwelling.

(A) [First](#) consideration of ordinance above.

69. [On](#) request from Flummerfelt Eagle Pointe, LLC (Owner) represented by Mike Flummerfelt (Officer), for property located in the vicinity of 1985 East Army Post Road, to amend the PlanDSM Creating Our Tomorrow Plan future land use classification from Medium Density Residential to Business Park for a portion of property to the north of the requested rezoning area, to approve a Large-Scale Development Plan for the site redevelopment of 18.50 acres for a Mobile Home Park expansion, and to rezone the property from “EX” Mixed Use District to “NM” Neighborhood District, to allow use of the property for a Mobile Home Park.

(A) [First](#) consideration of ordinance above.

(B) [Final](#) consideration of ordinance above (waiver requested by Mike Flummerfelt, (Officer), requires six votes.

70. [On](#) request by Angela Young (resident) to provide an honorary name of “Dr Bobby Young Avenue” to a segment of Washington Avenue between 16th Street and Martin Luther King, Jr. Parkway to honor Reverend Dr. Bobby Young, neighborhood resident and long-time community advocate with addressing and wayfinding retaining the name of Washington Avenue.

71. [On](#) intent to commence a public improvement project to construct the Southwest 9th Street Bridge Replacement Over Middle South Creek Project and to authorize acquisition of the necessary property interests, including agricultural land.

[\(Council Communication No. 21-292\)](#)

72. [On](#) proposed amendments to Zoning Ordinance and Planning and Design Ordinance.

(A) [First](#) consideration of ordinance above (Chapter 134).

(B) [Final](#) consideration of ordinance above (waiver requested by Neighborhood Services Department and Development Services Department, requires six votes.

- (C) [First](#) consideration of ordinance above (Chapter 135).
- (D) [Final](#) consideration of ordinance above (waiver requested by Neighborhood Services Department and Development Services Department, requires six votes).

73. [On](#) Witmer Park Playground and Restroom Improvements, Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating lowest responsible bidder as Graphite Construction Group, Inc. (Russell Carew, President), \$558,000.

[\(Council Communication No. 21-296\)](#)

- (A) [Approval](#) of contract and bond and permission to sublet.

74. [On](#) City Facility FY 2021-2022 Parking Lot Improvements, Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating lowest responsible bidder as Concrete Technologies, Inc. (Brad Baumler, President), \$572,178.20.

[\(Council Communication No. 21-286\)](#)

- (A) [Approval](#) of contract and bond and permission to sublet.

**** END OF HEARINGS _____ P.M. ****

COMMUNICATIONS/REPORTS

75. [Requests](#) to speak as follows:

- (A) Abby Bankes.
- (B) Matthea Little Smith.
- (C) Laural Clinton.
- (D) Frieda Bequeaith
- (E) Leslie Barnhizer.
- (F) Alyssa Huesgen.
- (G) Ron Goodman.
- (H) Nancy Goodman.
- (I) Adam Callanan.
- (J) Vanessa Moranchel.
- (K) James T. Grimm.
- (L) Chelsea Chism-Vargas.
- (M) KT Menke.
- (N) Jaylen Cavil.
- (O) Bridget Pedersen.
- (P) Leah Plath.
- (Q) Reverend Emily E. Ewing.
- (R) Athena Hannam.
- (S) Jaime Leiva.
- (T) Chris Morse.

MOTION TO ADJOURN.

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