



**Date** September 22, 2014

**RESOLUTION SETTING HEARING ON REQUEST FROM KHANNA FAMILY INVESTMENTS, INC. (OWNER), REPRESENTED BY REHKA KHANNA (OFFICER), TO REZONE PROPERTY LOCATED AT 2917 PAYNE ROAD FROM “C-1” NEIGHBORHOOD RETAIL COMMERCIAL DISTRICT TO “C-2” GENERAL RETAIL AND HIGHWAY ORIENTED COMMERCIAL DISTRICT, TO ALLOW USE OF THE PROPERTY FOR A LIMITED FOOD SALES ESTABLISHMENT SELLING ALCOHOLIC LIQUOR WHEREBY SALES OF LIQUOR, WINE, BEER, AND TOBACCO PRODUCTS DO NOT EXCEED 40% OF GROSS REVENUES**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 4, 2014, its members voted 11-0 in support of a motion to recommend **DENIAL** of a request from Khanna Family Investments, Inc. (owner), represented by Rehka Khanna (officer) and doing business as The Oasis, to rezone property locally known as 2917 Payne Road (“Property”) from “C-1” Neighborhood Retail Commercial District to “C-2” General Retail and Highway Oriented Commercial District, to allow use of the Property for a Limited Food Sales Establishment selling alcoholic liquor whereby sales of liquor, wine, beer, and tobacco products do not exceed 40% of gross revenues; and

WHEREAS, the Property is legally described as follows:

West 104 Feet of Lot 42; all in ARNOLD’S PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa.

**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 shall be held in the Council Chambers, City Hall, Des Moines, Iowa, at 5:00 p.m. on October 6, 2014, 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 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.



Roll Call Number

Agenda Item Number

22

Date September 22, 2014

-2-

MOVED by \_\_\_\_\_ to adopt.

FORM APPROVED:

*Glenna K. Frank*

Glenna K. Frank  
Assistant City Attorney

(ZON2014-00148)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

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



September 16, 2014

Honorable Mayor and City Council  
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held September 4, 2014, the following action was taken regarding a request from Khanna Family Investments, Inc. (owner) represented by Rehka Khanna (officer) to rezone the property located at 2917 Payne Road.

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 11-0 as follows:

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

**APPROVAL** of staff recommendation that the requested rezoning be found not in conformance with the existing Des Moines' 2020 Community Character Plan designation of Low Density Residential.

By separate motion Commissioners recommended 11-0 as follows:

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

**APPROVAL** of staff recommendation to deny the request to amend the Des Moines' 2020 Community Character Plan to revise the future land use designation from Low Density Residential to Commercial: Auto-Oriented Small-Scale Strip Development. (21-2014-4.10)

By separate motion Commissioners recommended 11-0 as follows:

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

**APPROVAL** of staff recommendation to deny the request to rezone the property from "C-1" Neighborhood Retail Commercial District to "C-2" General Retail and Highway Oriented Commercial District.

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

Part A) Staff recommends that the proposed rezoning be found not in conformance with the existing Des Moines' 2020 Community Character Plan designation of Low Density Residential.

Part B) Staff recommends denial of request to amend the Des Moines' 2020 Community Character Plan to revise the future land use designation from Low Density Residential to Commercial: Auto-Oriented Small-Scale Strip Development

Part C) Staff recommends denial of the request to rezone the property from "C-1" Neighborhood Retail Commercial District to "C-2" General Retail and Highway Oriented Commercial District.

#### Written Responses

- 1 In Favor
- 12 In Opposition

### STAFF REPORT TO THE PLANNING COMMISSION

#### I. GENERAL INFORMATION

1. **Purpose of Request:** The proposed rezoning to "C-2" District would allow the property to file an application for consideration by the City's Zoning Board of Adjustment for a Conditional Use Permit for either a liquor store or for a Limited Food/Retail Sales Establishment selling alcoholic liquor, wine, and/or beer. The property's current "C-1" District designation only allows them to seek a Conditional Use Permit for a Limited Food/Retail Sales Establishment selling wine and/or beer.
2. **Size of Site:** 120 feet by 104 feet (12,548 square feet or 0.29 acres).
3. **Existing Zoning (site):** "C-1" Neighborhood Retail Commercial District and "FSO" Freestanding Signs Overlay District.
4. **Existing Land Use (site):** The site includes a 2,604-square foot commercial building occupied by a Limited Food/Retail Sales Establishment known as "The Oasis".
5. **Adjacent Land Use and Zoning:**
  - North* – "C-1"; Use is a multiple-family residential use with 30 dwelling units.
  - South* – "R1-60"; Use is single-family residential.
  - East* – "C-1"; Use is a garage that is accessory to the multiple-family residential use to the north.
  - West* – "C-1"; Use is an office (Adventures in Advertising).
6. **General Neighborhood/Area Land Uses:** The subject property is located in a neighborhood commercial node at the intersection of 30<sup>th</sup> Street and Payne Road/Leado Avenue. This node contains two commercial structures and two multiple-family residential uses. The area surrounding this node is predominantly single-family residential.

- 7. Applicable Recognized Neighborhood(s):** The subject property is within the Prospect Park Neighborhood and within 250 feet of the Beaverdale Neighborhood. All recognized neighborhoods were notified of the meeting by mailing of the Preliminary Agenda on August 15, 2014. Additionally, separate notifications of the hearing for this specific item were mailed on August 15, 2014 (20 days prior) and August 25, 2014 (10 days prior to the scheduled hearing) to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. A Final Agenda for the meeting was mailed to all the recognized neighborhood associations on August 29, 2014.

All agendas and notices are mailed to the primary contact designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Prospect Park Neighborhood Association notices were mailed to Karen Tigges, 2721 Ashby Avenue, Des Moines, IA 50310, and the Beaverdale Neighborhood Association notices were mailed to Mike Tiedens, 2520 45<sup>th</sup> Street, Des Moines, IA 50310.

The applicant held their required neighborhood meeting on August 28, 2014. They will be available to present a summary of the neighborhood meeting at the Plan & Zoning Commission hearing.

- 8. Relevant Zoning History: Relevant Zoning History:** The applicant has filed an application with the Zoning Board of Adjustment for a Conditional Use Permit for Limited Food/Retail Sales Establishment selling wine and/or beer. On August 27, 2014, the Board continued its public hearing on the matter until November 19, 2014 so that this pending rezoning request can be acted upon.
- 9. 2020 Community Character Land Use Plan Designation:** Low Density Residential.
- 10. Applicable Regulations:** The Commission reviews all proposals to amend zoning regulations or zoning district boundaries within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in §414.3 of the Iowa Code. The Commission may recommend that certain conditions be applied to the subject property if the property owner agrees in writing, prior to the City Council Hearing. The recommendation of the Commission will be forwarded to the City Council.

## **II. ADDITIONAL APPLICABLE INFORMATION**

- 1. Liquor License & Beer/Wine Permit Requirements:** The current business (The Oasis) has been operating as a Limited Food Sales Establishment and has been permitted to sell liquor, beer, wine, and tobacco products so long as no more than 40 percent of the gross receipts from sales on the premises were derived from the sale of liquor, wine, beer, and tobacco products. The initial liquor license for the property was issued on August 22, 2006, for a grocery store.

The Zoning Ordinance was amended by Ordinance No. 14,980 on December 6, 2010, to require existing businesses to obtain a Conditional Use Permit prior to issuance of any liquor license, wine permit or beer permit after December 31, 2013. At such time a Conditional Use Permit is considered, the business is required to comply with all Conditional Use Permit requirements, exclusive of any changed separation

requirements if the business has continuously held an alcoholic liquor license or a wine or beer permit since July 1, 2012.

Since the property is zoned "C-1" District, the applicant is currently only eligible to seek a Conditional Use Permit for Limited Food/Retail Sales Establishment selling beer and wine. As a Limited Food/Retail Sales Establishment, no more than 40% of gross receipts from sales on the premises may be derived from the sale of wine, beer, and tobacco products.

The proposed rezoning to "C-2" District would allow the appellant to seek a Conditional Use Permit to also allow the sale of alcoholic liquor, either as Limited Food/Retail Sales establishment or as a liquor store, where more than 40% of gross receipts from sales on the premises could be derived from the sale of alcoholic liquor, wine, beer, and tobacco products.

- 2020 Community Character Land Use Plan Designation:** The Des Moines' 2020 Community Character Plan currently designates the property and surrounding area as Low Density Residential, which is described as "area developed with exclusively single-family and duplex legal as of December 31, 1996, up to 6 units per net acre". The proposed "C-2" General Retail and Highway-Oriented Commercial District would require the Land Use Plan designation to be amended to Commercial: Auto-Oriented Small-Scale Strip Development, which is described as "commercial in which the site orientation is primarily focused on the needs and convenience of the motorist". Staff does not believe this designation is appropriate for this site given its location in a predominantly residential area. Furthermore, the "C-2" District is generally reserved for commercial development located along major arterials or commercial corridors, whereas 30<sup>th</sup> Street is considered a collector street and Payne Road is considered a local street.

## SUMMARY OF DISCUSSION

*Dann Flaherty left the meeting*

Bert Drost presented the staff report and recommendation.

Branden Brown Attorney with the Parrish Law Firm 2910 Grand Avenue stated the applicant is seeking C-2 zoning in order to pursue a conditional use permit which is currently on the Zoning Board of Adjustment agenda in November. He stated that in order to comply with the vision and satisfy the neighborhood residents they recognize a number of changes. They met with the Prospect Park Neighborhood Association and also convened a meeting with those individuals who reside within 250 feet of the area along with others who were interested. In that meeting the neighbors voiced their concerns regarding the frequent noise, loitering during the late night and evening hours, littering, complaints regarding people going in between the applicant's building and the adjacent garage engaging in whatever acts they are engaging in in the late night hours. So the applicant erected a fence to prevent any of those activities. They also, as a suggestion by the City of Des Moines, have signs posted saying no loud music and no loitering. Brighter lighting and surveillance have been included both inside and outside of the structure along with a private security guard who is in uniform and carries a firearm and is there from 9:00 p.m. until closing. Positive feedback has been received in the two weeks the private security

guard has been there. Any noise and loitering issues have been completely resolved. The applicant's intent is to continue to employ the private security staff. The City of Des Moines has also been contacted and asked to make various trips to this location, which they agreed they would. The applicant is rebranding their store by renaming it and by removing a lot of the signs that advertise alcohol. They want to start serving hot foods such as pizzas and subs. These changes will cost a great deal which is why the applicant is asking to continue to sale the beer, wine and liquor to help fund these changes. The applicant's goal is not to run a liquor store but a profitable business. In the mean time they are working on constructing a separate room for the liquor. He showed pictures and police calls to the location of 2917 Payne but is unsure if any was related to this location. He ask that the information be received and filed. They ask that the Commission approve their request with conditions.

Jann Freed asked if the petition for opposition was signed before or after all the changes he spoke of.

Branden Brown stated he is not sure when they were signed but he speculates the petition for opposition was signed before the changes. He pointed out that he also circulated a petition and they have obtained 34 signatures in support of their request for the conditional use permit understanding that they have and will be making a number of changes. At the last neighborhood meeting there were concerns that since there were these other petitions floating around that perhaps neighbors were confused and signed the applicant's petition thinking they were opposing it. So a letter was sent to all of those individuals who signed their petition confirming or retracting that they had signed it. He sent a self-addressed envelope with an opt out form asking them to check it off and send it back to him so he knows. However, the 14 day time limit on response has not expired yet. He has looked at the petition opposing their request and only saw two signatures that appear to exist on both the opposing and supporting petition.

Christine Pardee commended the business owner on the improvements made. She asked if the neighborhood association submitted a formal statement of their position.

Branden Brown stated he has not seen a formal statement.

Tim Fitzgerald asked if the fact that this is a high crime area due to the applicant's business.

Branden Brown stated through some individuals that live in the area he has heard there are low income and section 8 housing units in and around it and that might be bringing some of it. He does not know for sure. He also believes this area is not a high crime area with just 5 or 6 trips in a year.

## **CHAIRPERSON OPENED THE PUBLIC HEARING**

Kathy Bradshaw 15212 Holcomb Circle in Clive stated she owns the buildings next to the Oasis at 2805 30<sup>th</sup> Street and 2910 Arnold stated she has owned these apartment buildings for the past 23 years. These apartments are located behind and to the east of the Oasis Wine and Spirit store. Prior to this liquor store being opened she never encountered



any abnormal problems at or near her properties. Since the opening of the store there have been many problems such as:

- A man found dead in SUV behind Oasis between Payne and Arnold Road November 19, 2010.
- Three men robbed three teenage boys at gunpoint at Oasis Convenient Store on Payne November 15, 2010.
- Man 24 killed by gunshot wound to head, first Des Moines homicide of 2011 30<sup>th</sup> & Boston March 3, 2011.
- Urbandale man shot and wounded in parking lot at 2805 30<sup>th</sup> Street behind the Oasis Liquor and Convenient Store November 15, 2010.
- Shooting case Des Moines man shot in neck April 11, 2014.
- Police were called to an apartment building at 2805 30<sup>th</sup> Street just before 6 a.m. Officers found two bullet holes in the first floor hallway of the building after the shooter chased the man through the security doors into the building.

The first one she mentioned was in her parking lot and the last one was a shooting in her keyed security building. The people who are coming to and from the Oasis and around the Oasis manage to penetrate her building. In the last few months she has gone to her buildings around 10 a.m. to find people curled up asleep in the corridor outside of the security doors. Lying on the floor terrifying both herself and her residents. They are urinating and defecating on the walls and carpet. She has personally witnessed drug dealings behind the Oasis using her driveway as an entrance and exit point. The police have been called many times in an attempt to remove the Oasis patrons from her properties. On a daily basis there are broken liquor bottles, beer bottles and other trash dumped on her properties. The Oasis is attracting some undesirable people that look and act pretty scary. There are unknown cars with people sitting in them with their cars running between her garages walking through her parking lots going to the Oasis and back. She is concerned about the safety of children in the neighborhood since it is a residential area. She has no doubt that the applicants are very nice people but running a liquor store she believes is the reason for the crime in this area. Also, since the applicant has put security on the outside of their store the people are now hiding in her parking lots around her garages under her decks and in her hallways. She submitted a petition to be received and filed of opposition of the applicant's request. She asked that the Plan and Zoning Commission deny the applicant's request.

Christine Pardee asked how long the current owners have owned the property.

Kathy Bradshaw stated the current owners are better than the previous owners. Even though they maintain the landscaping and make it look nice, it is just the nature of what it is. She believes they have been the owners since 2009.

Christine Pardee asked if the changes they are proposing to their business model might impact the crime.

Kathy Bradshaw stated was no.

Jacqueline Easley asked would an abandoned building be a more positive improvement in the neighborhood.

Kathy Bradshaw stated yes an abandoned building would be a more positive improvement in the neighborhood. The reason she says yes is over the past 23 years there have been times when it was empty. They did not encounter these types of problems in this neighborhood.

Ted Irvine asked if there is anything the owners could propose to her that would cause her to support what they want to do.

Kathy Bradshaw stated no.

*John "Jack" Hilmes left the meeting*

Rita Mason 2744 Arnold Road stated she has lived there for 23 years. Since the inception of the Oasis there has been a dramatic change in the neighborhood. There is now high turnover rates and high criminal activities. They constantly deal with burglaries, assaults, drug trafficking, shootings and two murders all near the Oasis. Last week after the neighborhood meeting with the attorney she went to the Oasis and on the counter were fish bowls of condoms, rolling paper, electronic cigarettes and weighing scales underneath the counter and it smells of incense because they have incense burning as soon as you walk in the door. After mentioning this to Mr. Brown it was changed the next day. She pointed out during the last couple of years on her block alone she knows of at least three burglaries, one of them being of her property. She has been told that they frequent those apartments by the Oasis. This weekend on 30<sup>th</sup> & Arnold which is adjacent to the Oasis there were two altercations with police officers. At 1:30 a.m. Sunday morning she heard what she believed to be two rounds of automatic fire from a high powered weapon. She believes the drug traffickers walk up and down her street and go to the Oasis as a meeting point. They openly smoke blunts. She has grandchildren that will be going to the schools and passing that. She does not want any establishment in the neighborhood to have alcohol, drug paraphernalia, or tobacco products. Although it may not come directly from the Oasis it brings in an element that is detrimental to their neighborhood.

Christine Pardee asked if things have improved with the security person on duty now.

Rita Mason stated she does not believe that any place that sells liquor, drug paraphernalia and tobacco products is going to make any change no matter if the signs are changed or if they put a few shrubs up. Also she asked if the owners are the Khanna Family Investments then why does Kyle Krudenier show up as the principal in all the legal documents.

Erik Lundy stated Kyle Krudenier is the registered agent.

Jacqueline Easley stated she is still not convinced it is the actual business itself.

Rita Mason stated the Oasis attracts the wrong element.

Josh Buettner 2818 Payne Road stated he is concerned with speeding and a lot of it is people going to and from the Oasis all hours of the night. Child safety is also a concern and he and others with children in the neighborhood do not allow them near the Oasis. He has heard gun shots and witnessed someone speed out of the Oasis parking lot about 2:00 a.m. and fire their gun up in the air while they were driving down the street. His opinion is that would not happen if there was not a liquor store there. Also, he believes that it does not matter if the applicant changes their name. Once it is a known place to get liquor, beer, tobacco those people will still go back. He believes the security guard is a positive attempt, but would rather see an off duty police officer. He is still concerned that if this rezoning goes forward what assurance the neighbors have that some of these changes the applicant is doing and proposing will stay in place.

Mike Moum 2732 Arnold Road stated he has witnessed drug dealing in the house next door and around him using the Oasis as a meeting place. He would like the Khanna family or someone representing them to address a couple of questions he has. The first question is that one of the people in the neighborhood said they were talking to Mrs. Khanna and he saw her in a Subway behind the counter and he asked her why she was there and not at the Oasis. She said they are leasing the property. He also heard that someone else spoke to Mrs. Khanna about the mortgage and Mrs. Khanna said there is a \$1 million note out on the property, so he is wondering why something that is assessed \$105,000 would have a \$1 million mortgage on it. He suspects it is for the liquor license and if that is the case he does not see any way for them to make enough money to pay off that kind of a loan by just selling grocery products and reduced liquor. In the evening when he walks his dog by the Oasis he notices the parking lot is full and he recognizes that they are all from outside of the neighborhood. He took petition around his neighborhood and virtually everyone he talked to on Arnold Road, Payne Road and Prospect Road was opposed to the zoning change and conditional use permit. He would prefer that no liquor be sold in this neighborhood.

Nancy English 2901 Payne Road state she is about two doors away from the Oasis and has lived there for 18 years. She has an agreement and disagreement with both sides. She does not want an abandoned building two doors away from her because she believes that everything that the previous people are talking about has happened throughout the history of her being there for 18 years. It does not matter if it is a vacant building, an Oasis or anything in between. She lived in a neighborhood in Beaverdale and the people in the other half of her duplex were dealing drugs and a narcotic cop was two blocks away and a Dahl's was down the street and the same issues existed. She would rather not see liquor as the first thing when she walks in the door but rather see family oriented things. She likes the changes that are being presented. She and the neighbor that is one door away believe the security guard is great. She believes the Oasis is not the reason for the problems in the neighborhood and would like to see the plans they presented tonight implemented.

Mike Bisbee 2905 Arnold Road where he lives and he owns Adventures and Advertisement across the street. He has been on Arnold Road since 1986 and agrees with everyone here. He lets the security guard park in his driveway. He asked where the security guard had been the last few nights. Each week when he mows he is constantly picking up countless little vodka bottles because there is now a bus stop there as well. Tuesday he picked up about seven little liquor bottles when he mowed. So when did they quit selling the little liquor. Also the security guard told him their agreement is a month to month agreement.

Deirdre Moun 2732 Arnold Road stated they started a neighborhood watch in July partly because of the ongoing drug problems. The Easter Seal Society have a lot of people with mental limitations in this neighborhood along with our own children who are vulnerable. She does not mind having a store there but she does not believe it would work as long as there any alcohol or tobacco is being sold there.

### *Rebuttal*

Branden Brown stated he believes the ones that are raising the question about the name Krudenier is because his law firm's second name is Krudenier referring to the late Elizabeth Krudenier who was married to David Krudenier who were both big community activists. They are no way affiliated with the Khanna Family Investments or any registered agents. The rolling paper has all been taking care of and removed from the counter along with the condoms. He believes this is an example of how the Khanna Family wants to and is working with the community to make sure that any of the items and the products are all consistent with what the community wants to see. He gave a brief overview of who the Khanna Family is. If the neighborhood is concerned about the private security guard only being temporary this could be a condition along with limiting the hours. They want to help and do what they can and they are asking for approval to allow them to do so.

Jacqueline Easley asked specifically what proactive measures that he is aware of have been taken with the police department.

Branden Brown stated he has included some letters and email exchanges he has had with the Des Moines Police Department which is in the binder that he has asked to be received and filed. They are indicating that they are rebranding and remarketing the store. They want to get away from the reputation that it has unfortunately has and change it to something they all want to see, so they are inviting the Police to come in and have a presence and the security guard will be there. In regards to the questions about the Khanna Family leasing the property, they are owners he is not sure about the amount of the note but he could supplement it if it is relevant. These are two hard working parents and community members who have a receptive attitude.

### **CHAIRPERSON CLOSED THE PUBLIC HEARING**

Ted Irvine asked if the Plan and Zoning Commission being asked for a zoning change which will allow them to have a liquor license.

Mike Ludwig stated the requested "C-2" zoning would allow them to go to the Zoning Board of Adjustment for a conditional use permit to sell liquor in addition to beer and wine.

Ted Irvine asked if the Plan and Zoning Commission doesn't agree to rezone the property can they still go and get relief for a liquor license.

Mike Ludwig stated there are a couple of options. The "C-1" District does allow beer and wine sales. So if there is no change to the zoning they still could go and get a liquor license to continue their beer and wine sales. If they are denied zoning they could seek a use variance to the "C-1" zoning District to have beer, wine and liquor sales. In the staff report it was indicated that a use variance would not be supported by staff.

Ted Irvine asked is this relative to the standards of the percentage of sales?

Bert Drost pointed out the "C-1" District would only allow them to apply for conditional use permit for a limited food and retail sales establishment. Meaning they could only derive up to 40% of their sales from beer, wine or tobacco. If the "C-2" is granted that would allow them to apply for a conditional use permit for a liquor store which would allow them to exceed 40% of sales from alcohol and tobacco.

CJ Stephens asked for clarification of how long the current owners have owned this business.

Bert Drost stated according to the assessor's page there was a contract sale to the Khanna's since April 29, 2011.

Greg Wattier stated he lives in a neighborhood with a store that sells liquor, tobacco etc. and they don't have the problems discussed tonight. He believes steps need to be made. He urged the applicant to try to get the neighborhood's support.

Jacqueline Easley stated she is supporting staff recommendation to deny the rezoning mainly because she works for a healthcare provider and for ethical reasons. She agrees with her colleague that there are neighborhood problems and it would be great if perhaps this issue could rise to the level that there is discussion in this neighborhood about how to address some of those issues without pointing fingers.

Will Page stated he wanted to extend a salute to the neighbors who have gone to all of this effort to express their opinions. Clearly, this is a neighborhood with problems and here are people that are willing to stay in their neighborhood and to address the problems that they all know that they have.

Ted Irvine stated alcohol is legal to sell but the Commission's task is with the zoning. The community does not want these little liquor stores in the neighborhoods and when the opportunity comes to change that is what is occurring here. Changing the zoning to allow this to become a liquor store is counter to the zoning the City Council has set forth. He is supportive of staff recommendation and agrees the applicant should get the support of the neighborhood.

### **COMMISSION ACTION:**

Will Page moved staff recommendation that the proposed rezoning be found not in conformance with the existing Des Moines' 2020 Community Character Plan designation of Low Density Residential.

Motion passed 11-0.

Jann Freed moved staff recommendation for denial of a request to amend the Des Moines' 2020 Community Character Plan to revise the future land use designation from Low Density Residential to Commercial: Auto-Oriented Small-Scale Strip Development

Motion passed 11-0.

Ted Irvine moved staff recommendation for denial of the request to rezone the property from "C-1" Neighborhood Retail Commercial District to "C-2" General Retail and Highway Oriented Commercial District.

Motion passed 11-0.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "M.G. Ludwig".

Michael G. Ludwig, AICP  
Planning Administrator

MGL:clw

Attachment

Request from Khanna Family Investments, Inc. (owner) represented by Rehka Khanna (officer) on property located at 2917 Payne Road				<b>File #</b> 21-2014-4.10	
<b>Description of Action</b>	Denial of request to amend the Des Moines' 2020 Community Character Plan to revise the existing designation for future land use from Low Density Residential to Commercial: Auto-Oriented Small-Scale Strip Development.				
<b>2020 Community Character Plan</b>	Current: Low-Density Residential. Proposed: Commercial:Auto Oriented Small Scale Strip Development.				
<b>Horizon 2035 Transportation Plan</b>	No planned improvements.				
<b>Current Zoning District</b>	"C-1" Neighborhood Retail Commercial District.				
<b>Proposed Zoning District</b>	"C-2" General Retail and Highway Oriented Commercial District.				
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area	1	12			
Outside Area					
<b>Plan and Zoning Commission Action</b>	Approval		<b>Required 6/7 Vote of the City Council</b>	Yes	X
	Denial	11-0		No	

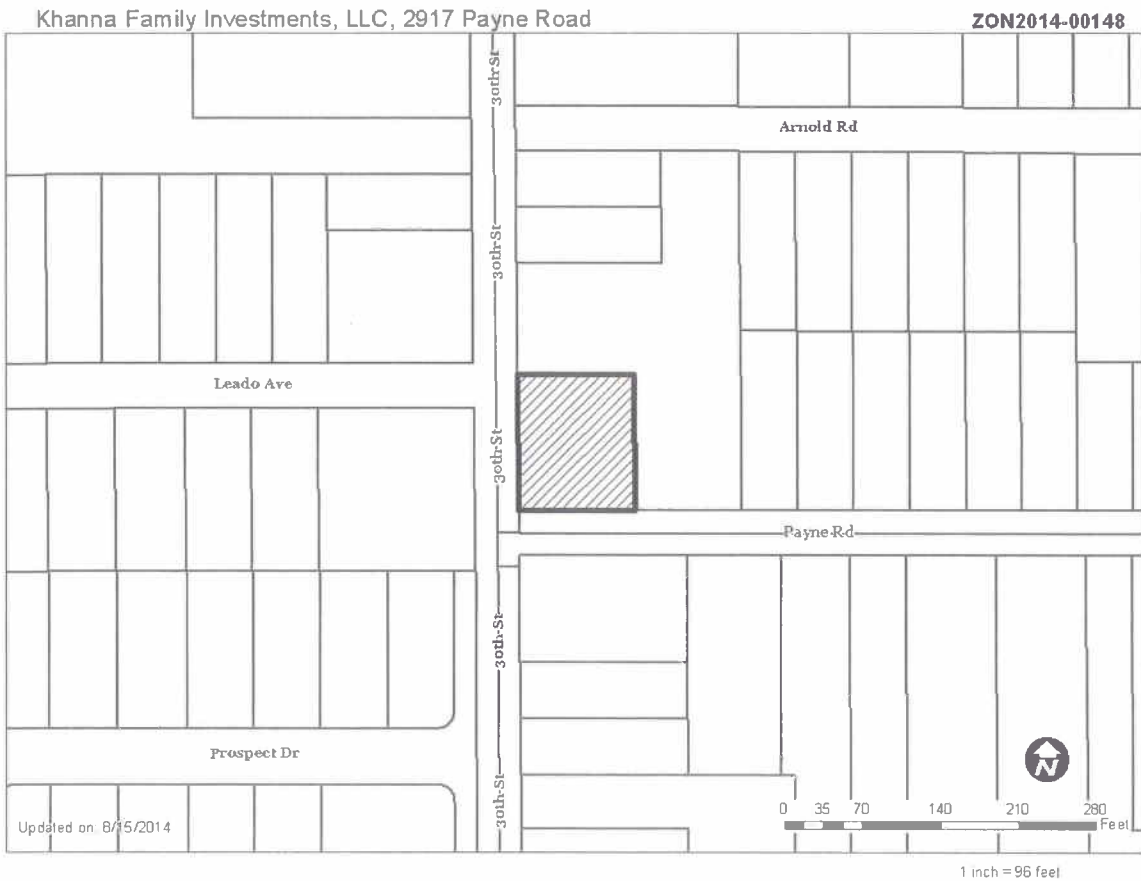
Khanna Family Investments, LLC, 2917 Payne Road

21-2014-4.10



1 inch = 96 feet

Request from Khanna Family Investments, Inc. (owner) represented by Rehka Khanna (officer) on property located at 2917 Payne Road.			<b>File #</b> ZON2014-00148		
<b>Description of Action</b>	Denial of request to rezone property from "C-1" Neighborhood Retail Commercial District to "C-2" General Retail and Highway Oriented Commercial District, to allow use of the property for a Limited Food Sales Establishment selling alcoholic liquor whereby sales of liquor, wine, beer, and tobacco products does not exceed 40% of gross revenues.				
<b>2020 Community Character Plan</b>	Current: Low-Density Residential. Proposed: Commercial:Auto Oriented Small Scale Strip Development.				
<b>Horizon 2035 Transportation Plan</b>	No planned improvements.				
<b>Current Zoning District</b>	"C-1" Neighborhood Retail Commercial District.				
<b>Proposed Zoning District</b>	"C-2" General Retail and Highway Oriented Commercial District.				
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area	1	12			
Outside Area					
<b>Plan and Zoning Commission Action</b>	Approval		<b>Required 6/7 Vote of the City Council</b>	Yes	X
	Denial	11-0		No	





PETITION – OPPOSED TO REZONING TO ALLOW BEAR, WINE, HARD LIQUOR, AND TOBACCO

RE: ZON2014-00148 – Request from Khanna Family Investments, Inc to rezone property located at 2917 Payne Road from “C-1” Neighborhood Retail Commercial District to “C-2” General Retail and Highway Oriented Commercial District, to allow use of the property for a Limited Food Sales Establishment selling alcoholic liquor whereby sale of liquor, wine, beer, and tobacco products does not exceed 40% of the gross revenues.

The residents signing below OPPOSE the zoning change for the following reasons.

1. Increase of sale of alcohol is not wanted in our neighborhood with families and young children because of the traffic this establishment already brings.
2. This establishment already is extremely noisy and congested because of the customers, particularly late at night and on the weekends, to the point that our windows rattle because of the loud music.
3. The establishment generates a lot of litter in the neighborhood, and customers toss their empty glass bottles, which break, along with cans and other containers.

NAME	ADDRESS	SIGNATURE
Corissa Franken	3101 Prospect Dr	Corissa Franken
John Dewey	3118 Prospect Dr	John Dewey
Connie B. Fanslow	3108 Prospect Dr.	Connie B. Fanslow
MICHAEL + HENDI EDDY	3117 PROSPECT DRIVE	Michael + Hendi Eddy
Dianna Mathews	3013 Prospect Dr	Dianna Mathews
Troy Harkin	3107 prospect Dr	Troy Harkin
Mike Vogt	3119 Prospect Dr.	Mike Vogt
Maggi Harlow-Vogt	3119 Prospect Dr	Maggi Harlow-Vogt
Joshua Findlay	3114 Prospect Dr	Joshua Findlay
Christine Findlay	3114 Prospect. Dr.	Christine Findlay
Shaw Long	2820 27th St	Shaw Long
Beth E. E.	2740 30th St DSM, IA	Beth E. E.
Sandy Shiner	1351 Arthur DSMIA	Sandy Shiner
Karole Dyer	2740 30th St	Karole Dyer
Mike Bisbee	2740 30th	Mike Bisbee
Mike Bisbee	2905 Arnold Rd	Mike Bisbee
Jane Turner	2701-Arnold Rd	Jane Turner

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NAME	ADDRESS	SIGNATURE
• Mary Ann Marshall	2908 Payne	M Marshall
Thomas O. Boil	2901 Payne	T.C. Boil
• Nancy English	2901 Payne	Nancy J. English
• Jada Mytari	2905 PAYNE RD	Jada Mytari
• RAJET MITTARI	2905 PAYNE RD	Rajet Mytari
• Target Evans	2818 Payne Rd.	Jane Evans
• Lee Carwith	2904 Payne RD	Lee Carwith
• Sandra & David Stanley	2823 Payne Rd. Din	Sandra & David Stanley
Jeanette M Sperling	2736 Payne Rd	Jeanette M Sperling
Tiffany Goetzman	2745 Payne Rd	Tiffany Goetzman
Joyce Marshall	3113 Prospect Dr	Joyce Marshall
JAN OVERTON	2714 PAYNE RD	Jan Overton
JOE McGinnity	2714 Payne Rd	Joe McGinnity
Jeffrey V Anderson	2800 27 <sup>th</sup> St	Jeffrey V Anderson
Lynette Fadden	2722 Payne Rd	Lynette Fadden
Chad Ryan	2805 Payne Rd	Chad Ryan



PETITION

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NAME	ADDRESS	SIGNATURE
Scott Gardner	2729 Payne Rd	
Unicea Barajas	2608 Payne Rd	
Bob Muhm	2810 PAYNE Rd.	
Maullinn Jamb	2823 30 <sup>th</sup> St.	
K. Lamb	2823 30 <sup>th</sup> St	
Jana	2729 Payne Rd	
Doris Hartley	2810 - 27th	
Jose A. Esquivel	2725 Arnold Rd	
Teresa Rios Hernandez	2725 Arnold Rd	
Michael Moum	2732 Arnold Road	
RITA MASON	2744 ARNOLD Rd	
Miguel Carrasco	2804 Arnold Rd	
<del>Christine Moran</del>	<del>2823 Arnold Rd</del>	<del>Christine Moran</del>
Christine Moran	2823 Arnold Rd	
Bryan J. Moran	2823 Arnold Rd	
PAT BAUER	2809 Arnold Rd.	
Jeff Miller	2526 Arnold Rd.	
Tiffany Bandow	2904 Arnold Rd.	
Deirdre Moum	2732 Arnold Rd	

TO: Des Moines City Council and Board of Adjustment

I am opposed to the granting of the rezoning from a C-1 to a C-2 or any Conditional Use Permits of the property located at 2917 Payne Road to the Khanna Family Investments, Inc.

The "Oasis Wine & Spirits" store does not fit in the neighborhood. It disturbs the use and enjoyment of our residence with the crime, loitering, trespassing and the continual problem of trash and liquor bottles being thrown in our yards. This location is a detriment to our neighborhood.

- Kathy Bradshaw 2805 30th St.
- Nancy English 2901 Payne Rd
- Wendy Spivey 2817 Payne Rd.
- Carrae Kluger 2815 Payne RD
- Glenn Jones 2803 Payne Rd
- Ronald H. Maske 2908 PAYNE Rd.
- Maggie Boggs 2731 30th St
- Donna Howard 2731 30th Street
- Lee VanWick 2904 Payne Rd.
- Adventures in Advertising 2740 30th St.
- Nancy & Min 2819 30th St.
- Kevin D. Haffke 2805 30th #33
- Wally Boh 2905 Arnold Rd
- Carlyne R 2805 30th St #14
- Sham Dose 2805 30th St #12
- Aracely de Qmaya 2805 30th St 26
- Medina Velic 2805 30th St 23
- Makaelina Adez 2805 30th St 22

Zyad Fourn  
 Dick Pava  
 Julius Chibul  
 Hector Manzan  
 Fernando Wadwa  
 Mr Martinez  
 Adon Conde  
 Mohan J. Jibul  
 Ana Dessi  
 \_\_\_\_\_  
 Geradi Galados  
 Mayli Rouz  
 J. Alvar  
 Maria Luceo  
 Edy Rodriguez  
 Nestor Mung  
 Zahra Rodriguez  
 Mimi Jacobs

2841 Palmer Rd  
 2805 30th St #11  
 2805 30th St #32  
 2910 Arnold Rd  
 2910 Arnold Rd #34  
 2910 Arnold Rd 12  
 2910 Arnold Rd 14  
 2805 30th St #35  
 2805 30th St #36  
 2805 30th St #13  
 2805 30th St #14  
 2805 30th 21  
 2805 30th #15  
 2805 30th #24  
 2805 30th 31  
 2910 Arnold #32  
 2910 Arnold Rd 21  
 2805 30th #25

\_\_\_\_\_  
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22

I have owned the apartment building located at 2805 30<sup>th</sup> St. and 2910 Arnold Rd. for 23 years. They are located behind and to the east side of The Oasis Wine and Spirits Store. Prior to this liquor store being opened, I had never encountered any abnormal problems at or near my property. Since the opening of this store, there have been many problems, just to name a few:

**Man Found Dead in SUV behind Oasis between Payne and Arnold Rd. – November 19, 2010**

**Three Men Rob Three Teenage Boy's at Gunpoint at Oasis Convenience Store on Payne Rd. – November 15, 2010**

**Man, 24, killed by gunshot wound to head; first Des Moines homicide of 2011 30<sup>th</sup> and Boston – March 3, 2011**

**Urbandale man shot and wounded in a parking lot at 2805 30<sup>th</sup> St. behind the Oasis Liquor and Convenience Store. – November 15, 2010**

**Shooting Case: Des Moines Man Shot in Neck – April 11, 2014**

Police were called to an apartment building at 2805 30<sup>th</sup> St. just before 6:00 a.m. Man says, he heard a gunshot and felt a hot sensation on his neck around 2:00 a.m. but passed out before he could call police. OFFICERS FOUND TWO BULLET HOLES IN THE 1<sup>ST</sup> FLOOR HALLWAY OF THE BUILDING AFTER THE SHOOTER CHASED HIM THROUGH THE SECURITY DOORS INTO THE BUILDING.

This first one mentioned was in my parking lot and this last one was a shooting in my building. This is a security keyed building that the patrons of the Oasis manage to penetrate. Just in the last few months, I have gone to my buildings around 10:00 a.m. to find people curled up asleep in my corridor outside of the security doors lying on the floor and terrifying myself and my tenants.

I have personally witnessed drug dealing behind the Oasis using my driveway as the entrance and exit point for this drug dealing. The police have been called many times in an attempt to remove their patrons from my property. There are consistently on a daily basis broken liquor and beer bottles and other trash dumped on my property. The Oasis is attracting very undesirable people that look and act pretty darn scary into this neighborhood. I, myself have become scared to go to my own property. There are unknown cars with people sitting in them with their cars running sitting between my garages, scary people walking through my parking lot going to and from the Oasis Liquor Store and derelicts sleeping in my corridors and urinating and defecating on my walls and carpet while at the same time children are being picked up and dropped off from school buses and traversing back and forth to their homes.

Since this establishment opened, it has significantly effected the enjoyment, use and safety of my residents and neighborhood that are primarily families with children. The Oasis is unquestionably a detriment and nuisance to this neighborhood and it shouldn't even be here.

This has reached a point where something desperately needs to be done for the safety and well being of the residents of this neighborhood.

I understand people want to make money, but I will never understand how the owners of this business can sleep at night knowing the effect they are having on other law abiding citizens and I assure you they are not living and exposing their families to this kind of trash.

It is in the best interest of this neighborhood for this honorable Commission to deny their request.

Thank you for your time and consideration.

22



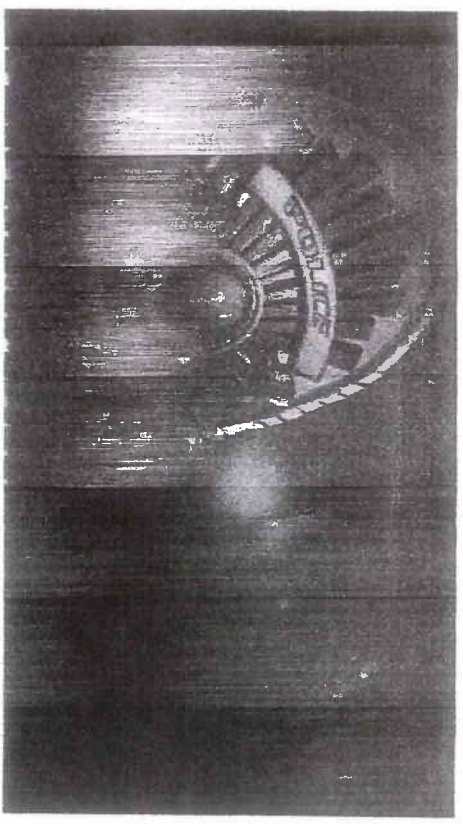
# SHOOTING CASE: Des Moines Man Shot In Neck

POSTED 11:35 AM, APRIL 11, 2014, BY STAFF WRITER

Des Moines police are investigating an early Friday morning shooting.

Police were called to an apartment building at 2805 30th Street just before 6:00 a.m. Twenty-seven-

year-old Kazmond Mead told officers he was outside of the building when





· he heard a gunshot and felt a hot sensation on his neck.

A woman living in the apartment told police she knew he was shot, but didn't see blood when he came inside, so she didn't think it was a big deal.

Mead told officers he was shot around 2:00 a.m., but he passed out before he could call police. Paramedics took Mead to the hospital, his condition is not known.

Officers found two bullet holes in the building, but have not announced any suspects or arrests in the case.

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# Homicide victim identified; 3rd violent act in area in 10 da

7:26 PM, Nov 18, 2010 | by Daniel Finney | Comments

Categories: News

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AA

Thursday's sunrise brought a dark discovery to a north Des Moines neighborhood besieged by violence in recent days.

A passerby spotted LaCarlton Dewan Henderson motionless at 7:22 a.m. behind the wheel of a parked, idling black SUV in a parking lot between Payne and Arnold roads, just east of 30th Street. Police discovered the 36-year-old man dead with a gunshot wound to the head.



**LaCarlton Henderson,**  
**36,**  
**was**  
**found**  
**dead**  
**with**  
**a**  
**gunshot**  
**wound**  
**to**  
**the**  
**head**  
**Thursday,**  
**police**  
**said.**  
**POLK**  
**COUNTY**  
**JAIL**  
**PHOTO**

the left arm and in the upper thighs of both legs, according to a police report. Hospital officials said Smith was treated and released. Smith did not want detectives to continue the investigation, Smith said.

On Nov. 8, three teenagers reported being kidnapped from the parking lot of the Oasis. They were robbed and eventually were released at a south side apartment complex. One of the teens reportedly stopped to buy cigarettes. Two men jumped in the teens' vehicle and forced them at gunpoint to drive. The gunmen were joined by a third man. None of the teenagers were injured, but as one of them later told a reporter, "I was just scared out of my mind."

*Register* police reporters Tom Alex and Daniel P. Finney reported and wrote this post.

**Tags:** arnold road, breaking news, Cully Payne, homicide, lacarlon dewan henderson, oasis liquor store

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# Man, 24, killed by gunshot wound to head; first Des Moines homicide of 2011

3:54 AM, Mar 3, 2011 | by Daniel Finney |

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Categories: [Crime & Courts](#)

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AA

The first Des Moines homicide victim of 2011 died from a gunshot wound to the head shortly after midnight Thursday.

Des Moines police responded to two 911 calls of a shooting near 30th Street and Boston Avenue on the capital city's northwest side.

The calls came in to dispatchers at 12:03 a.m. Thursday.

Officers found a 24-year-old male dead on the leaf-strewn sidewalk

between two buildings in the Oakview Terrace apartment complex.

The area is a few blocks north of where LaCarlton Henderson, 36, was shot and killed in November. He was found dead behind the wheel of a running SUV in a parking lot on 30th Street between Payne and Arnold roads.

Last fall was violent in the northwest Des Moines neighborhood near Beaverdale Park. Another man was shot and wounded in a parking lot at 2805 30th St. behind the Oasis liquor and convenience store.

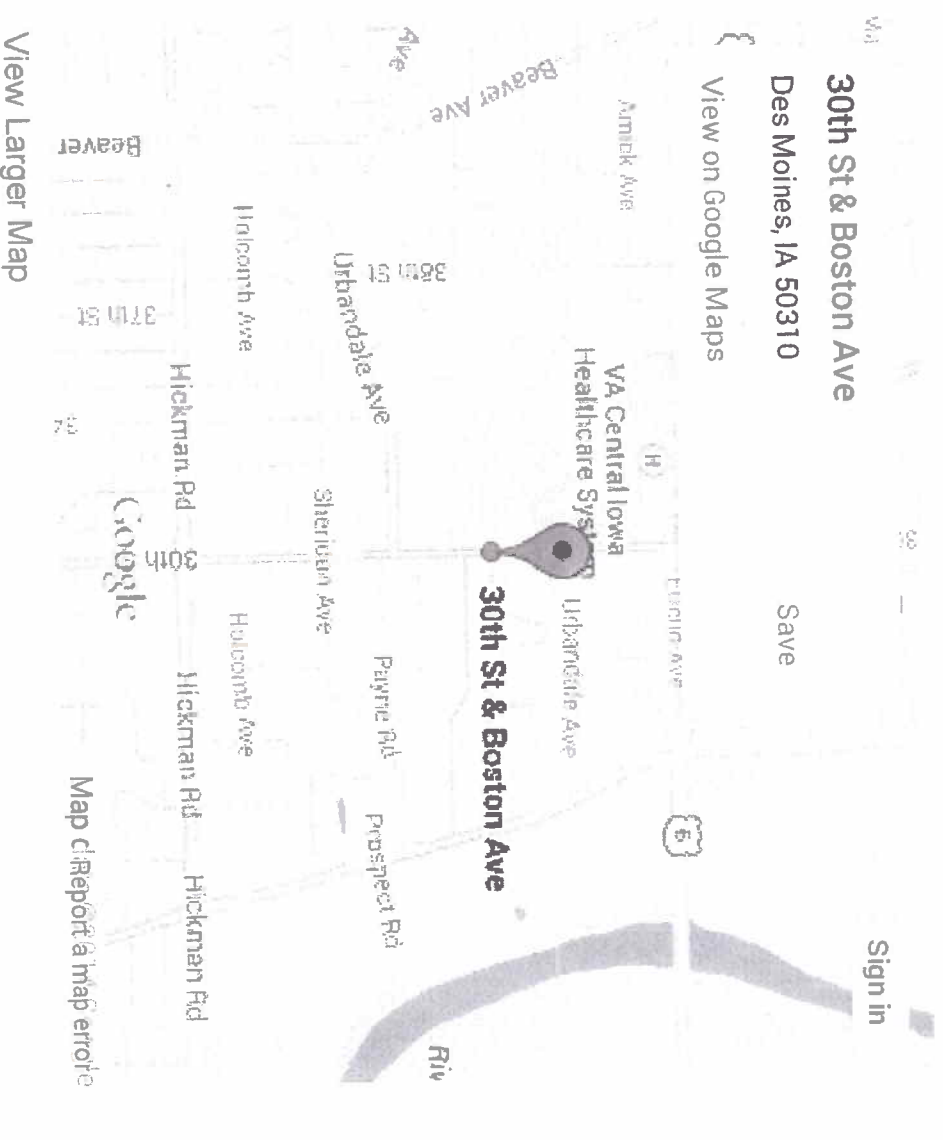
Also last fall, three teenagers reported being kidnapped from the Oasis store at 2917 Payne Road, driven to the south side of Des Moines and later robbed. The teenagers later admitted they lied about being abducted, but police believe the robbery was legitimate.

Early Thursday, police scanned the dimly lit walkways and muddy parking areas with flashlights into the early morning hours Thursday. Crime scene identification technicians used a metal detector to scan for shell casings possibly used in the fatal shooting.

Downtown, detectives interviewed a handful of witnesses on the third floor of Des Moines police headquarters in an effort to suss out what led to the killing.

Police released few details about the victim early Thursday pending notification of the victim's family and further investigation of the crime.

Check back with [DesMoinesRegister.com](http://DesMoinesRegister.com) throughout the day for updates on this breaking news story.



**Tags:** 24-year-old male victim, 30th Street and Boston Avenue, breaking news, des moines homicide, gunshot wound to the head, shooting

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An error has occurred, wh feed is down. Try again la



Item ZON2014-00148

Date 9-2-14

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

RECEIVED  
COMMUNITY DEVELOPMENT

(Circle One)

SEP 05 2014

DEPARTMENT

Print Name JOSHUA E. BUETTNER

Signature [Handwritten Signature]

Address 2818 PAYNE RD.

Reason for opposing or approving this request may be listed below. <sup>LOOK AT CRIME REPORTS IN VICINITY PAST 5 YEARS.</sup>

THIS STORE HAS BROUGHT A BAD ELEMENT INTO THE NEIGHBORHOOD. OASIS HAS ADDED A SECURITY GUARD, BUT WHAT ASSURANCE DO WE HAVE THAT IF YOU ARE ALLOWED TO CONTINUE OPERATING, THAT YOU WILL KEEP EMPLOYING SECURITY? SPEEDING ON PAYNE, MOSTLY. CUSTOMERS TO AND FROM OASIS, IS ALSO A BIG PROBLEM.

Item ZON2014-00148 Date 9-2-14 22

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

RECEIVED  
(Circle One)

COMMUNITY DEVELOPMENT Print Name Nancy Conrad

SEP 05 2014 Signature Nancy Conrad

DEPARTMENT Address 2822 Arnold Rd De in IA 50310

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

This neighborhood used to be nice family neighborhood. In the years since Oasis moved in, fighting, drug-dealing & shootings have drastically increased. Easily obtained alcohol as well as convenient drug haven has dramatically changed this neighborhood.

Item ZON2014-00148 Date Spt 2nd

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

RECEIVED  
(Circle One)

COMMUNITY DEVELOPMENT Print Name Mike Biske

SEP 05 2014 Signature Mike Biske

DEPARTMENT Address 2905 Arnold Rd.

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

Traffic Congestion: UNSAFE conditions  
Declining Property value  
criminal activities around the store  
litter all around the neighborhood  
We do not want an "urban" LIQUOR STORE

Item ZON2014-00148

Date 8-29-14

28

I  (am not) in favor of the request.

(Circle One)

RECEIVED  
COMMUNITY DEVELOPMENT

Print Name DAVID E. MUIR, JR.

Signature David E. Muir Jr.

Address 2819 30th St

SEP 08 2014

DEPARTMENT

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

EVERY MORNING I GO OUT AND CLEAN UP PAPER & BOTTLES, TRASH TO MUCH ALCOHOL SOLD OVER THERE. ONE DRUNK CAME OUT OF THERE AND HIT HEAD ON WITH ANOTHER CAR. IT WAS HIS FAULT HE WAS DRUNK NO LIGHTS ON

Item ZON2014-00148

Date 8/29/14

I  (am not) in favor of the request.

(Circle One)

RECEIVED  
COMMUNITY DEVELOPMENT

Print Name Jeff & Diane Sherman

Signature Jeff Sherman Diane Sherman

Address 2817 Payne Rd Des Moines, IA

SEP 02 2014

DEPARTMENT

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

There are already too many cars flying by the neighborhood going to Oasis. Along with the fact they throw bottles out the windows. Not to mention the City bus stops right at that corner to pick up and drop off school kids. With a stopped bus the amount of traffic & the cars in & out of Oasis that don't look, some child is going to be hit. This is a residential area.

Item ZON2014-00148

Date

09/05/2014

22

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

(Circle One)

SEP 08 4 14

DEPARTMENT

Print Name

Dixie D Burchfield

Signature

Dixie Burchfield

Address

3004 Prospect Drive

Des Moines Iowa 50310-5218

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Item ZON2014-00148

Date

8-30-14

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

(Circle One)

RECEIVED  
COMMUNITY DEVELOPMENT

SEP 03 2014

DEPARTMENT

Print Name

JAMES BENSON

Signature

James Benson

Address

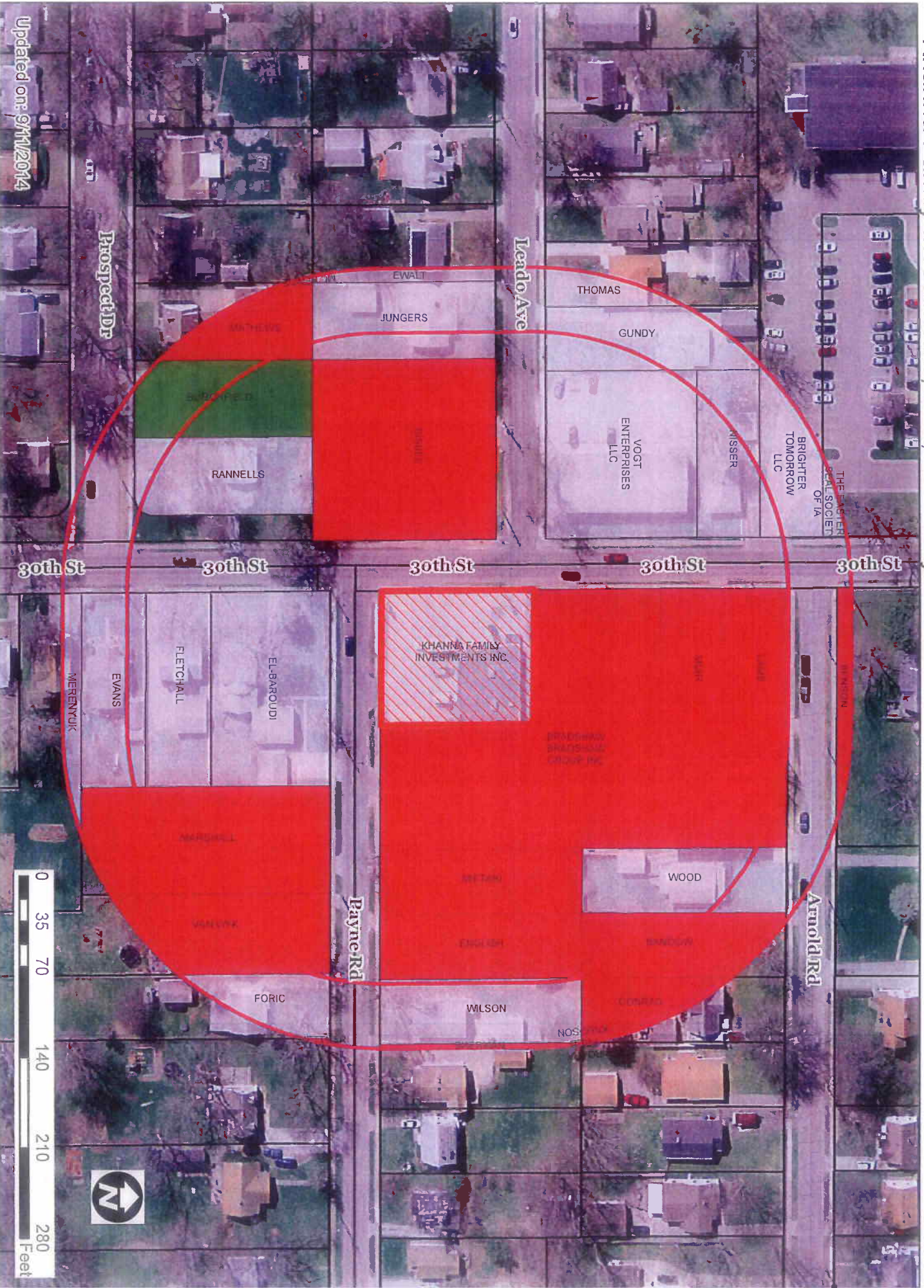
2901 30th St

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

We dont need a liquor store in this  
neighborhood, Place is a hangout for  
Riff Raff. liquor bottles on my land, Garbage,  
litter Etc Etc, Magnet FOR CRIME!  
Parking lot is Drug Store, CRIME-CRIME-  
Murder, Rape, Drugs! Dont need this Business!!!

Khanna Family Investments, LLC, 2917 Payne Road

ZON2014-0014:



Updated on: 9/11/2014

Prospect Dr

Leado Ave

30th St

30th St

30th St

30th St

30th St

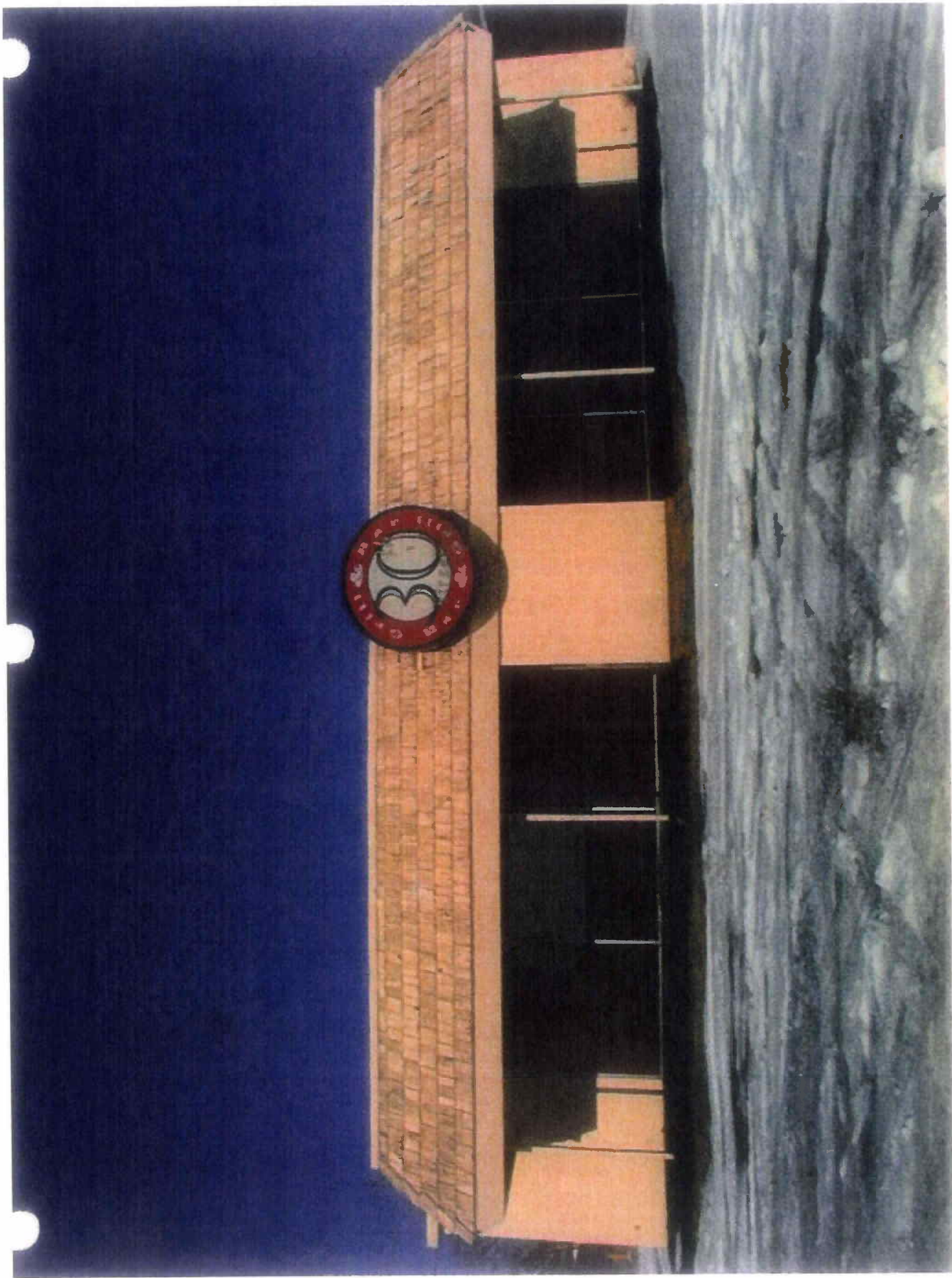
Payne Rd

Arnold Rd

0 35 70 140 210 280 Feet



2917 Payne Road  
Through the Years  
1999-2010

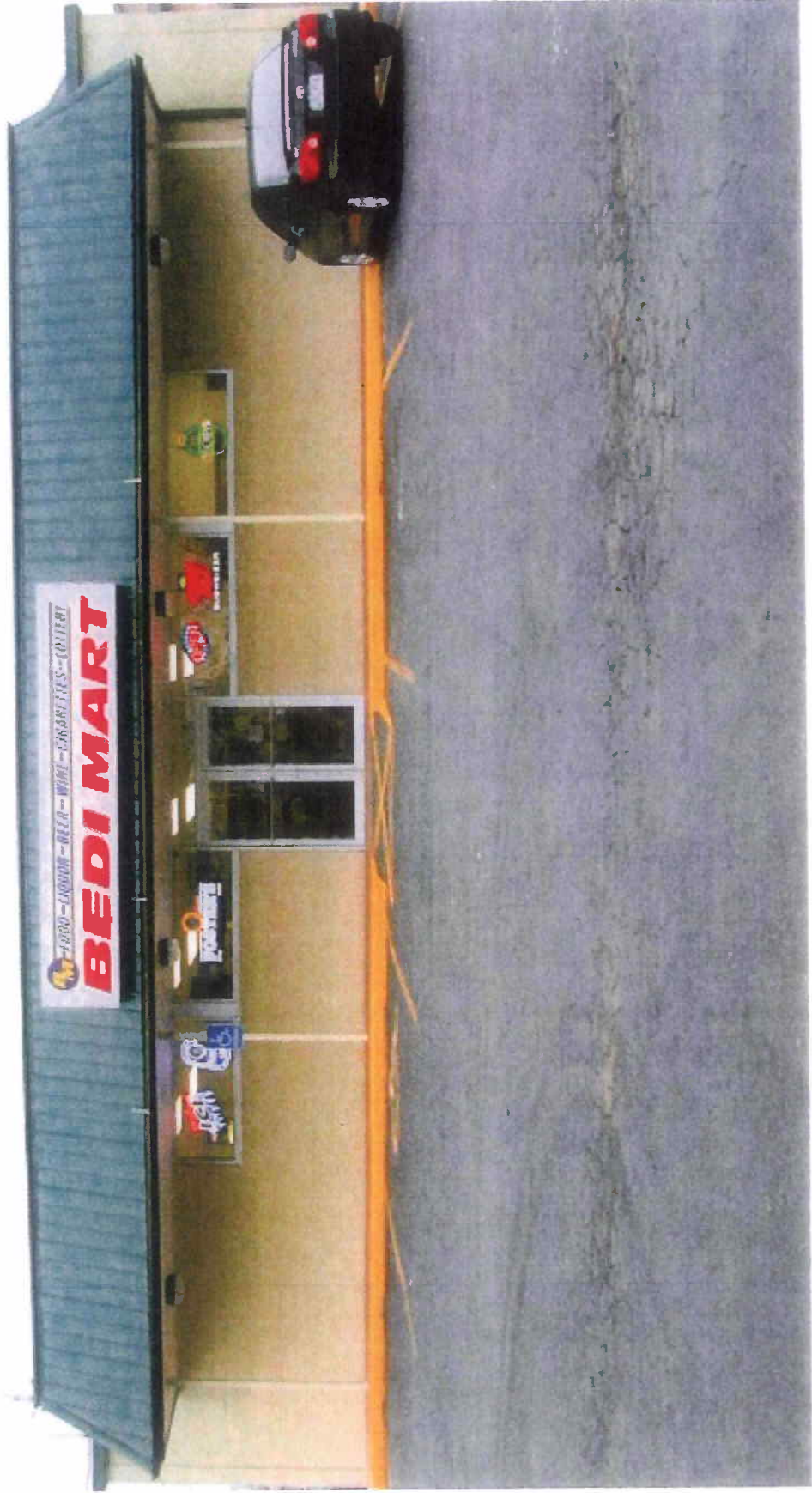


1999

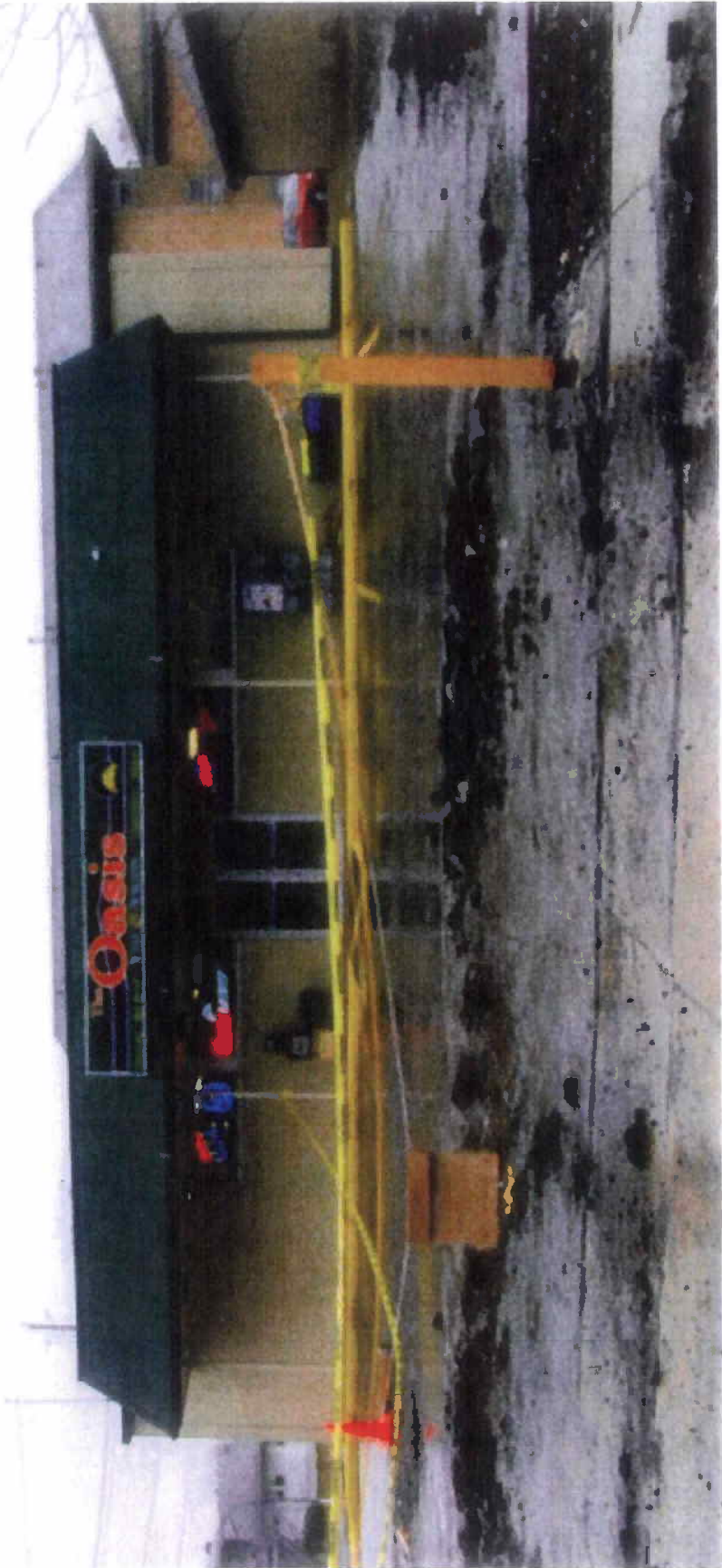


2006





2007

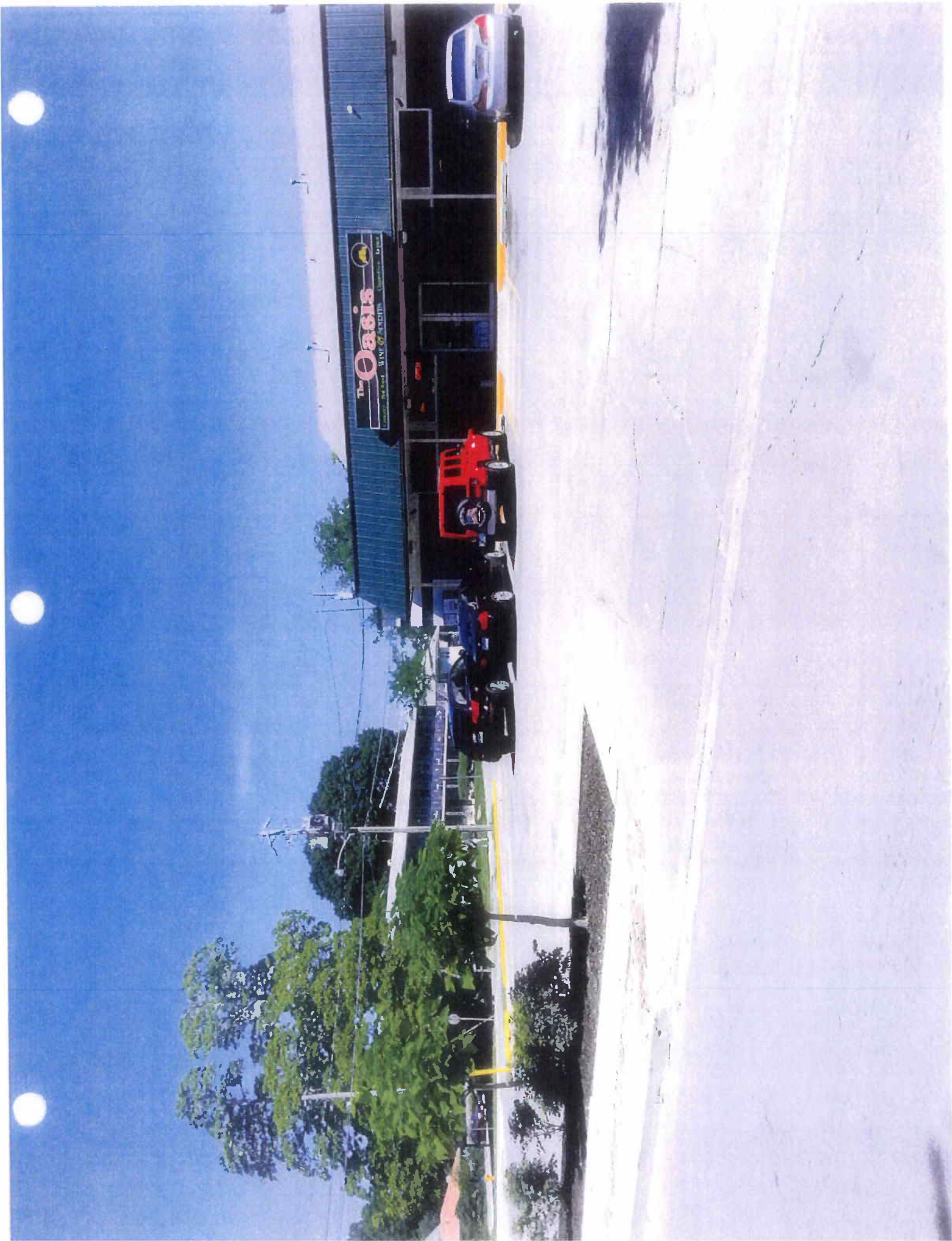


2008

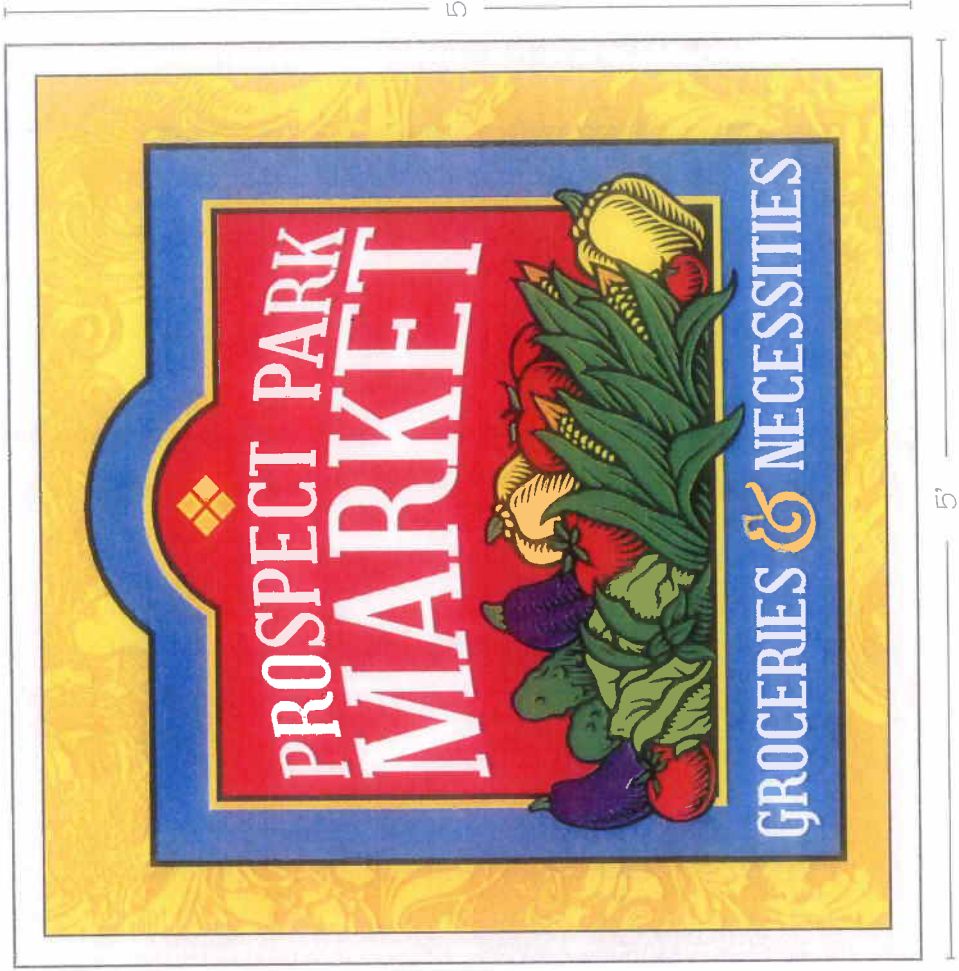


2010





# Proposed Signage



POLE SIGN REPLACEMENT FACES Fabricate and install (2) flat replacement faces for existing pole sign measuring approximately 5'x5'. Graphics to be full color digitally printed applied to white polycarbonate faces to read "PROSPECT PLACE MARKET Groceries & Necessities". Quote includes cost for survey to confirm face size. No electrical service/repair is included in this quote but can be done while on site if requested at additional cost on a Time & Materials basis.

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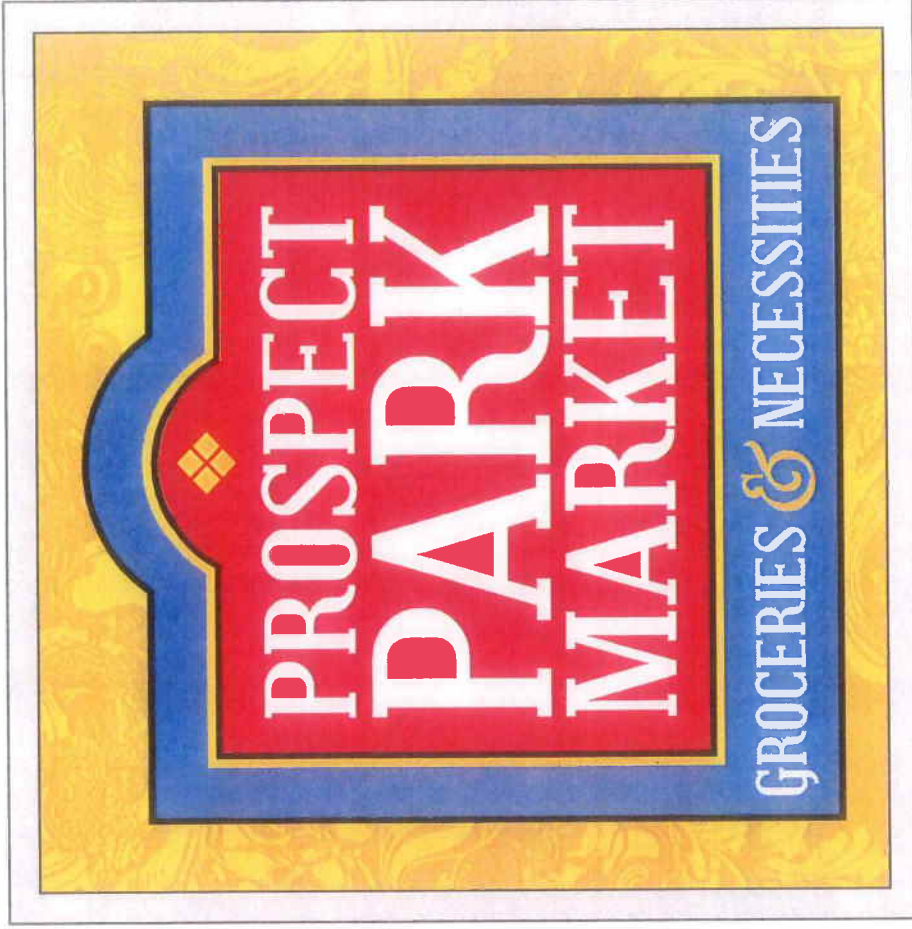
SCALE: 1" = 1' | DESIGNER: CH  
REVISIONS: -----

NAME: Oasis/Prospect Park Market - Des Moines, IA  
SKETCH #: 0814-17162-01 Oasis/Prospect Place Market

APPROVAL: X DATE: X

5130 PARK AVENUE  
DES MOINES, IA 50321  
515-243-5663 • FAX: 515-243-5313  
TOLL FREE: 800-307-8186  
www.eaglesign.net





5

5

POLE SIGN REPLACEMENT FACES Fabricate and install (2) flat replacement faces for existing pole sign measuring approximately 5'x5'. Graphics to be full color digitally printed applied to white polycarbonate faces to read "PROSPECT PLACE MARKET Groceries & Necessities". Quote includes cost for survey to confirm face size. No electrical service/repair is included in this quote but can be done while on site if requested at additional cost on a Time & Materials basis.



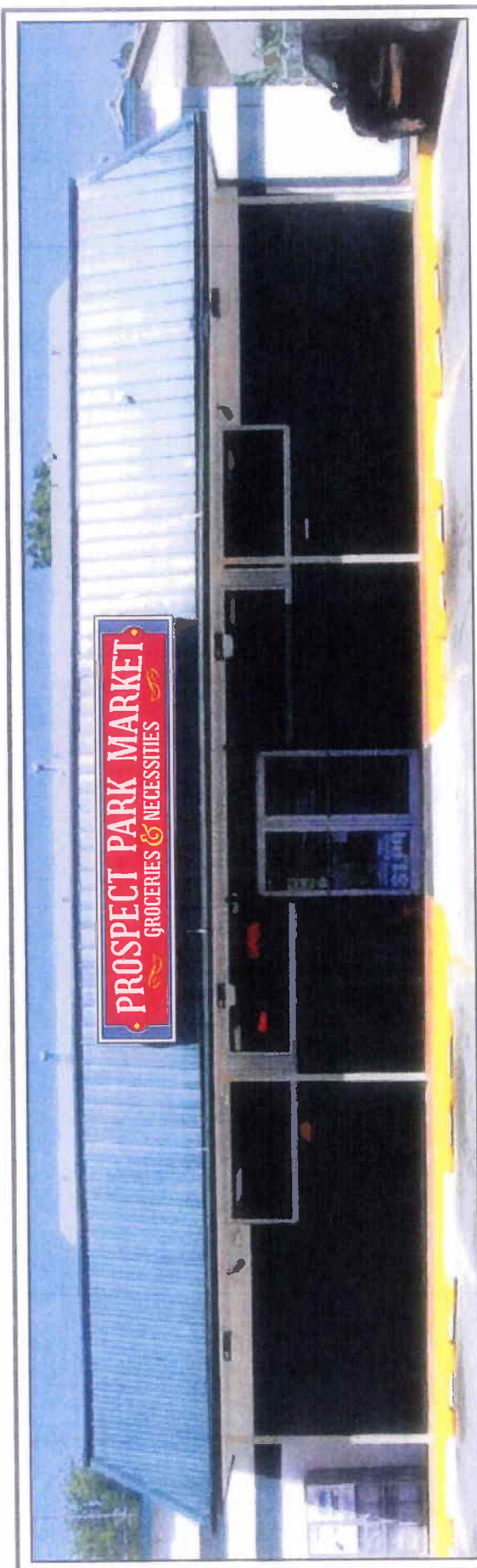
5130 PARK AVENUE  
DES MOINES, IA 50321  
515-243-5663 • FAX: 515-243-5313  
TOLL FREE: 800-307-8186  
[www.eaglesign.net](http://www.eaglesign.net)

**NAME:** Oasis/Prospect Park Market - Des Moines, IA  
**SKETCH #:** 0814-17162-02 Oasis/Prospect Place Market  
**APPROVAL:**  **DATE:**

**SCALE:** 1" = 1' | **DESIGNER:** CH  
**REVISIONS:**  
.....

THIS IS A CONCEPTUAL  
DRAWING. FINAL PRODUCT  
MAY VARY. THIS ARTWORK  
IS PROPERTY OF  
**EAGLE SIGN CO.** AND  
MAY NOT BE REPRODUCED





BUILDING SIGN REPLACEMENT FACES Fabricate and install (1) flat replacement face for existing building sign measuring approximately 3'x16'3". Graphics to be full color digitally printed graphics applied to white polycarbonate face to read "PROSPECT PLACE MARKET Groceries & Necessities". Quote includes cost for survey to confirm face size. No electrical service/repair is included in this quote but can be done while on site if requested at additional cost on a Time & Materials basis.



THIS IS A CONCEPTUAL DRAWING. FINAL PRODUCT MAY VARY. THIS ARTWORK IS PROPERTY OF EAGLE SIGN CO. AND MAY NOT BE REPRODUCED

SCALE: 1/2" = 1' | DESIGNER: CH  
REVISOR: \*\*\*\*\*

NAME: Oasis/Prospect Park Market - Des Moines, IA  
SKETCH #: 0814-17163-01 Oasis/Prospect Place Market  
APPROVAL:  DATE:

5130 PARK AVENUE  
DES MOINES, IA 50321  
515-243-5663 • FAX: 515-243-5313  
TOLL FREE: 800-307-8186  
www.eaglesign.net



# Current Updates



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## AN OVERVIEW

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The story of **Noble Roman's Pizza** is the story of dedication to quality taste, operational simplicity, and economic performance. The concept was created in the demanding environment of the campus at Indiana University way back in 1972. Our obsession from the outset was to constantly create a pizza that was higher in quality and better tasting than our competitors'. This dedication, and our single-minded determination to accomplish our mission within the context of strict controls on food cost, has led to over 32 years of continuous success. Plus, from the outset we have operated full-service pizzerias ourselves. This experience gives us a unique advantage over virtually everyone else – gain confidence from the fact that we know first hand how to win with pizza-focused foodservice!

Superior quality your customers can taste – that is the hallmark of **Noble Roman's**. You will find that every ingredient and process has been developed in such a way as to produce superior results. Here are a few of the differences that make our concept exceptional:

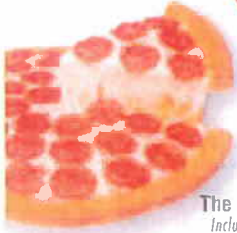
- Crusts made with only specially milled flour with above average protein and yeast
- Fresh-packed, un-condensed sauce made with secret spices, Parmesan cheese and vine-ripened tomatoes
- 100% real cheese blended from Mozzarella and Muenster, with no soy additives or extenders
- 100% real meat toppings, again with no additives or extenders – a real departure from the average pizza concept
- Vegetable and mushroom toppings that are sliced and delivered fresh, never canned
- An extended product line that includes breadsticks, pasta, baked sandwiches, salads, wings & a complete line of breakfast products

Consider a case study on the **Noble Roman's** difference. The number one topping sold on pizza in the US today is pepperoni; and by now, it will be no surprise to learn that our pepperoni is special! Unlike the pepperoni on many other pizzas, **Noble Roman's** pepperoni does not curl up when it bakes – we utilize a special curing process and a thicker slice to ensure the highest quality. And what about the puddles of red grease you see on so many other pepperoni pizzas? Not on a **Noble Roman's** pepperoni pizza. Our pepperoni is made to our strictest standards with quality meats and a blend of secret spices we have perfected over the many years of our experience. These are very real differences you – and your customers - can see and taste!

In summary, **Noble Roman's Pizza** is a franchise concept which allows you to have an actual pizzeria custom designed to work inside your facility, be it large or small. Featuring a full line of **Noble Roman's** great tasting products, our concept is extremely simple to operate, requires minimal space, requires a low initial investment and has great margins on the sale of the menu items. The products come to you fully prepared, and we train on-site the simple process of assembling, baking and serving them to your guests.

Hopefully now we have left you with a better understanding of why we are truly "**The Better Pizza People**", and why we are the only real choice when it comes to partnering for pizza-focused foodservice solutions. For more information and to discuss how we can help with your foodservice requirements, call us today at **1-800-585-0669**.

# Noble Roman's® Pizza



## 14" LARGE PIZZA

Cheese.....	\$9.99
1-Topping.....	\$10.99
Specialty Pizza.....	\$12.99
<i>Out-of-the ordinary, specialty topped pizzas. Ask for details.</i>	
The "Works".....	\$14.99
<i>Includes pepperoni, sausage, mushroom, onion, green pepper, and bacon.</i>	
Additional Toppings.....	\$1.00

## 7" INDIVIDUAL PIZZA

Cheese.....	\$3.59
1-Topping.....	\$3.79
Specialty Pizza.....	\$3.99
<i>Out-of-the ordinary, specialty topped pizzas. Ask for details.</i>	
The "Works".....	\$4.29
<i>Includes pepperoni, sausage, mushroom, onion, green pepper, and bacon.</i>	
Additional Toppings.....	\$0.50



## Topping Selection

Pepperoni • Sausage • Bacon • Ham • Onion • Mushroom  
Canadian Bacon • Ground Beef • Green Pepper • Green Olive • Black Olive  
Jalapeno Peppers • Pineapple



## BAKED SUBS

Stromboli.....	\$4.59
Ham & Cheese.....	\$4.59
Italian Roast Beef.....	\$4.59

## CHICKEN WRAP

Grilled Chicken Wrap.....\$2.99



## BREADSTICKS & SPICY CHEESE DIP

Tangy Tomato or Buttery Garlic may be substituted for Spicy Cheese Dip.

3 Breadsticks & Dip.....	\$1.99
Extra Dip.....	\$0.50

## PIZZA STUFFER

Pepperoni and Sausage Stuffed Pizza Pocket

Stuffer.....	\$3.79
--------------	--------



## BUFFALO WINGS

Hot-N-Spicy and Bar-B-Que Served with Dipping Sauce

6 Wings.....	\$4.79
12 Wings.....	\$9.59
24 Wings.....	\$19.19
48 Wings.....	\$38.39



## OVEN BAKED PASTA

Meaty Lasagna.....	\$4.99
Fettuccine Alfredo.....	\$4.99
Spaghetti with Meat Sauce.....	\$4.99



## SIDE SALAD BOWL

Side Salad.....	\$2.39
-----------------	--------

## VALUE MEALS

1. 7" 1-Topping Pizza, Breadsticks or Side Salad, and a Regular drink.....\$5.79
2. 7" Works Pizza, Breadsticks or Side Salad, a Reg. drink.....\$5.99
3. Any Oven Baked Pasta, Breadsticks or Side Salad and a Regular drink.....\$6.49
4. Pizza Stuffer, Breadsticks or Side Salad, and a Reg. drink.....\$5.79
5. Side Salad, Breadsticks and a Regular drink.....\$4.49
6. 14" 1-Topping Pizza, 2 orders of Breadsticks and Dip, 2-Liter Beverage.....\$12.99



## BREAKFAST

Sausage Biscuit Sandwich.....	\$1.89
Sausage, Egg & Cheese Biscuit Sandwich.....	\$2.29
Bacon, Egg & Cheese Biscuit Sandwich.....	\$2.29
Breakfast Burrito.....	\$2.29
Breakfast Omelete.....	\$2.29
Biscuits and Gravy.....	\$2.99
Cinnamon Biscuit.....	\$1.79

## BREAKFAST DEAL

2 Biscuit Sandwiches with Coffee.....	\$4.29
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Prices subject to change without notice. Copyright ©2009 Noble Roman's, Inc. All Rights Reserved.

Located Inside

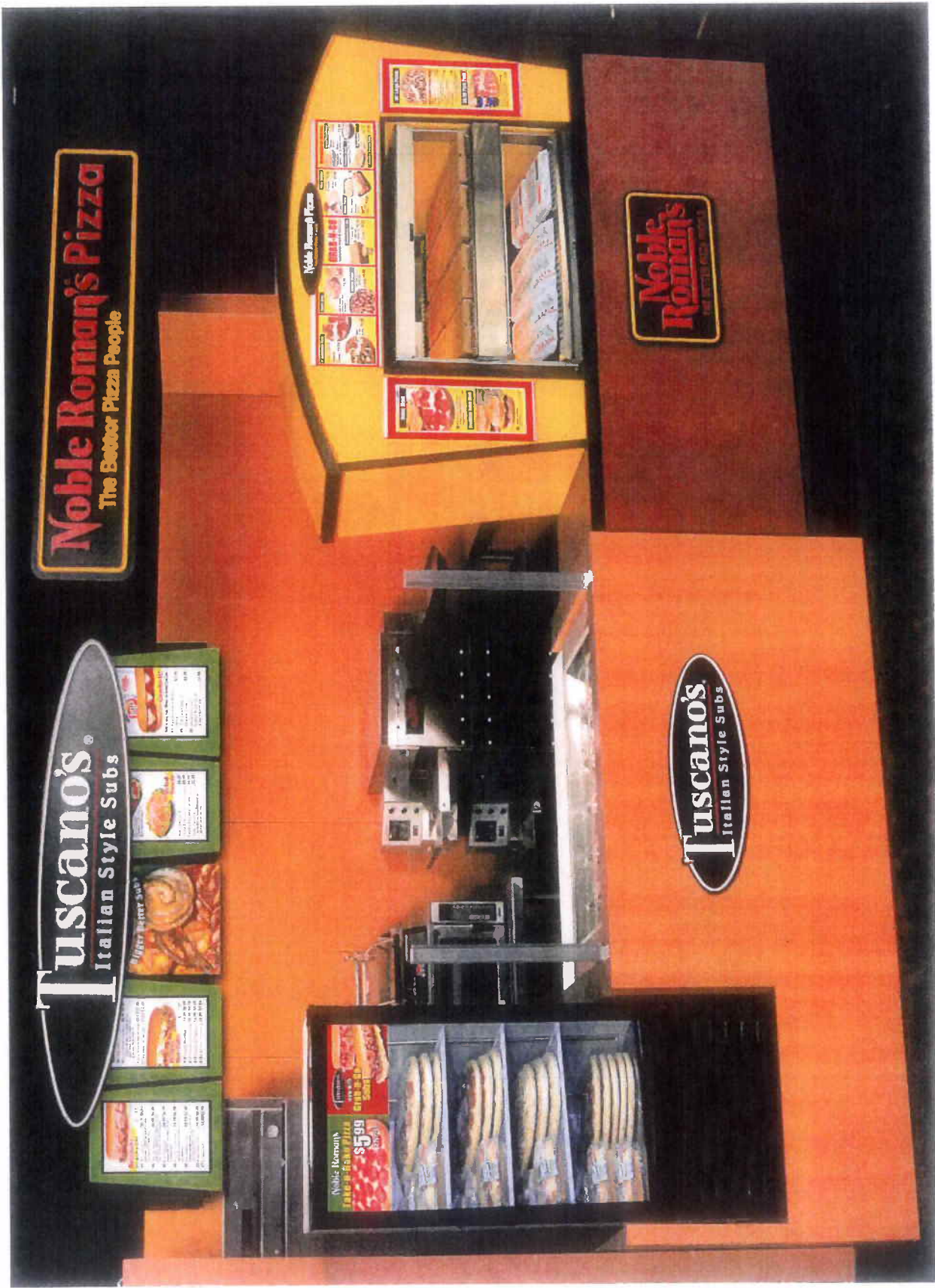
# Your Name Here

Call Ahead for Carry-Out Service:

# 000-000-0000

Your Address and City/State Here

**As Seen at the Trade Show!**



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081209-C

# NEW!

## Take-n-Bake Pizza & Grab-n-Go Subs

### Custom Display Cooler with Graphics



**Now Included  
with all new  
Noble Roman's &  
Tuscano's  
Franchises!**

**Noble Roman's®**  
FASTER FRESHER PIZZA

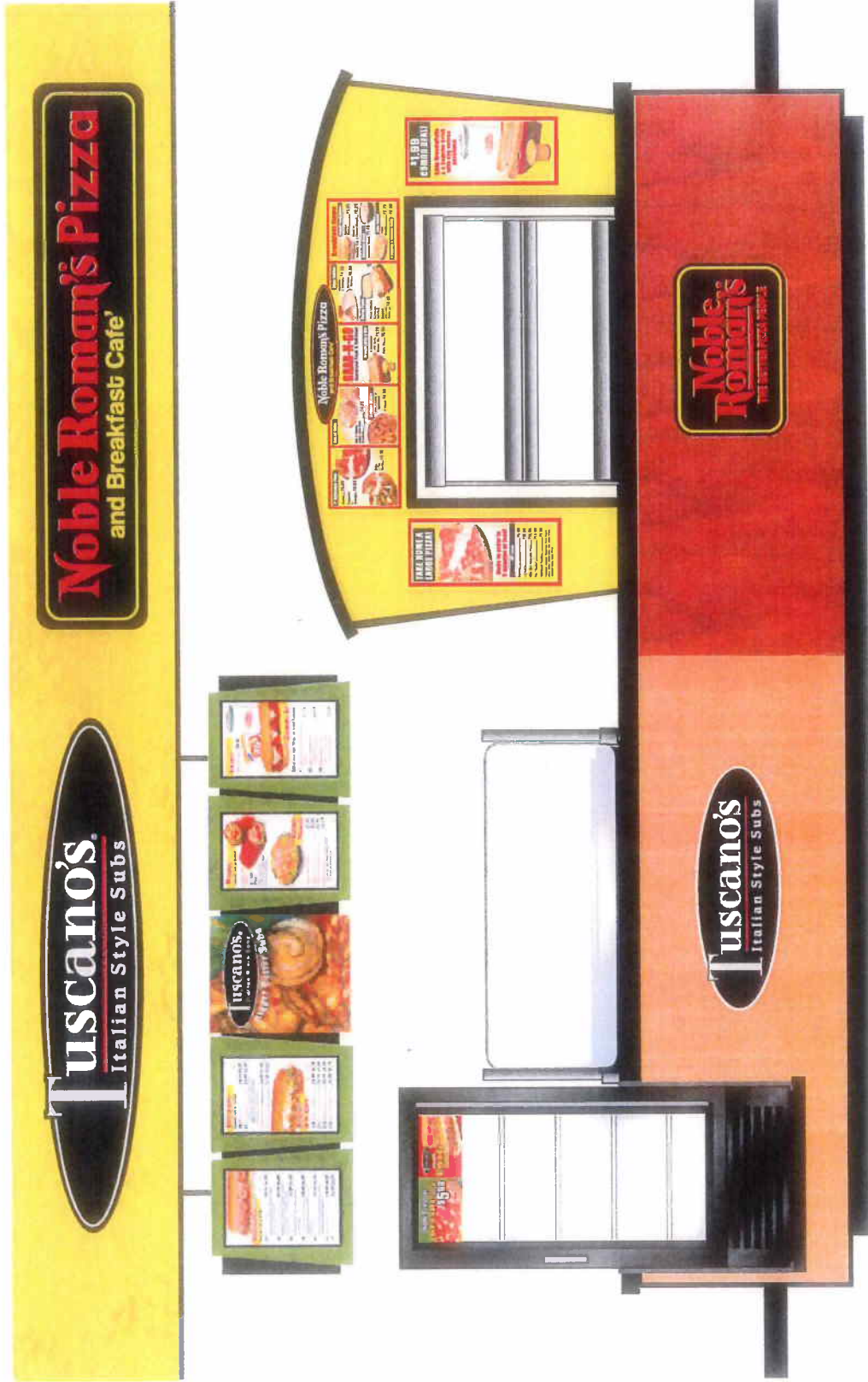
**Tuscano's®**  
Italian Style Subs  
Bigger Better Subs

**Call: 1-800-585-0669**

**Noble Roman's**  
THE BETTER PIZZA PEOPLE

**Tuscanos**  
Italian Style Subs  
Bigger Better Subs

**Counter Design**



**Tuscano's**  
 Italian Style Subs  
**BIGGER BETTER SUBS**



Cold & Grilled Subs



Heapin' Hot Subs



Tomato Basil Wraps



Salad Bowls

**Noble Roman's Pizza**



Large & Medium Pizzas



Specialty Pizzas



Individual-Size Pizzas



Breadsticks & Dip



Baked Subs & Wraps



Pizza Stuffers®



Buffalo Wings



Baked Pasta

**Breakfast Items**



Biscuit Sandwiches



Cinnamon Pastry



Biscuits & Sausage Gravy



Pizza Omelet



Breakfast Burritos

One Virginia Ave., Suite #300 • Indianapolis, IN 46204  
 Toll Free: 800-585-0669 • Local: 317-634-3377 • [www.nobleromans.com](http://www.nobleromans.com)





## Noble Roman's Pizza

<b>Standard Equipment Package, includes:</b>	\$ 19,090
<ul style="list-style-type: none"> <li>Dual-Stacked Conveyor Ovens</li> <li>48" Refrigerated Customized Make Table</li> <li>Take-n-Bake/Grab-n-Go Cooler with 5 Shelves</li> <li>27" Stainless Steel Cut-top Refrigerator</li> <li>Proprietary Lit Warmer Wrap &amp; Menu Panels</li> <li>36" Grab-n-Go Pizza Warming Display</li> <li>Rolling Rack for Pizzas &amp; Breadsticks</li> <li>Cheese Pump for Breadsticks</li> <li>Take-n-Bake Shrink Wrap Machine</li> </ul>	
<b>Standard Smallwares Package, includes:</b>	\$ 1,054
Includes all of the operational items needed such as pans, ladles, etc.	
<b>Signage &amp; Merchandising Package, includes:</b>	\$ 2,845
<ul style="list-style-type: none"> <li>3' x 6' Single Face Lit Box Sign</li> <li>Neon Window Sign</li> <li>Noble Roman's Logo Header Sign &amp; Counter Logo Decal</li> </ul>	
<b>Franchise Fee</b>	\$ 6,000
<b>Total Noble Roman's</b>	<b>\$ 28,989</b>

## Tuscano's Subs (when acquired with Noble Roman's Pizza franchise)

<b>Additional Equipment Package, includes:</b>	\$ 1,792
<ul style="list-style-type: none"> <li>Sneeze Guard for Make Table</li> <li>Stainless Steel Work Table</li> <li>Sandwich Panini Grill with Integrated Timer</li> <li>Commercial Grade Microwave</li> </ul>	
<b>Additional Smallwares Package, includes:</b>	\$ 113
Includes all of the operational items needed such as bread trays, pans, ladles, sauce bottles, etc.	
<b>Additional Signage &amp; Merchandising Package, includes:</b>	\$ 2,567
<ul style="list-style-type: none"> <li>Signage Upgrade to Combo 4'x8' Lit Box Sign</li> <li>5-Panel Menu Board &amp; Full Color Menu Inserts</li> <li>Tuscano's Logo Header Sign &amp; Counter Logo Decal</li> <li>Neon Window Sign</li> </ul>	
<b>Discounted Franchise Fee (Regularly \$6,000 when acquired separately)</b>	\$ 4,000
<b>Total Tuscano's</b>	<b>\$ 8,472</b>

**Grand Total Noble Roman's & Tuscano's\*** **\$ 37,461**

*\* You will also need to acquire a merchandising kit and your opening food and operating supplies, which we will help you customize for your specific location. This illustration does not include site specific costs you might incur such as counters, electrical, plumbing, construction, shelving, refrigeration, sinks, nor does it include shipping, sales tax or installation. Prices may change without notice based on market conditions.*



## An Overview

**Tuscano's Italian Style Subs** - exactly the sub concept you would create if you put 32 years worth of foodservice experience to work designing the best program in the business! Special distinction has been engineered into every component key to the operator, from the delicious food, to the simple-to-operate systems, to the productivity of the investment itself. With its Italian theme setting it apart, Tuscano's offers brand name authority with the marketing power of distinctiveness.

On the one hand Tuscano's was designed to be comfortably familiar. From a customer's perspective, Tuscano's functions in similar fashion to other brand-name sub concepts. Customers select menu items at the start of the counter line, then choose toppings and sauces according to their preferences until they reach the cash-out point. However, distinctive features create value added differences at every point. For example, we offer the added sales potential and operational simplicity of grab-n-go subs in addition to the ability to make subs to order. Our menu selection is graphically pleasing and simple to read, our meat portions are both more generous and cost efficient, and our sauces and spreads reflect higher quality and greater variety. And unlike others, your customers will appreciate the quality Italian theme that flavors the concept and gives it spice!

With Tuscano's...quality, simplicity and cost effectiveness have been woven together by design. Take our premium quality meats. Tuscano's roast beef, for example, is hand trimmed for full, rich flavor rather than pressed or formed. But unlike more complicated and costly systems to operate, our meats come to you pre-sliced and ready-to-use. The advantages ripple through every aspect of the operation and its economics:

- Speed of service means happier customers and less labor
- Precise portioning means reliable quality and predictable food cost
- No slicers mean less investment and less insurance risk
- Eliminating slice work reduces prep labor and increases product yields
- Pre-sliced meats means you can hire workers of all ages
- Smaller, fresh-pack packaging ensures freshness and storage control
- Pre-sliced meats in re-sealable packaging means reduced health risks

The point is simply this – Tuscano's was engineered from top to bottom around three constants at every point of consideration: perceived customer quality, operator simplicity, and efficient economics.

This principle is never more in evidence than when you consider the development of the Tuscano's menu – diverse yet strictly controlled, offering variety but with operational simplicity in mind. The appearance and effectiveness is one of significant variety for the valued repeat customer. For the operator, the menu is driven from a core of surprisingly few "carriers" and ingredients. The carriers include 2 breads, a tortilla wrap and premium lettuce mix. The ingredients have been combined in creative ways to create unique "Italian themed" selections that are portioned in exactly identical fashion on each carrier. The ingredients in "The Tuscany", for example, are great whether on a grilled Deli Sub, stuffed in a Tortilla Wrap or sliced on a Supremo Salad. The result – significant menu variety for the customer, but with amazing simplicity for the operator!

Combine all this with the incredible low investment required to own a Tuscano's, and we think you will agree that our 32 years of experience has been put to good use! Plus, our full host of corporate services including space planning, equipment selection and procurement, menu structure and pricing advice, advertising planning and graphic design, employee training and grand opening assistance as well as continuing support are all part of the business relationship we offer.

Give us a call today at 1-800-585-0669 or 317-634-3377 to determine if locations are still available in your area.

### 6" Subs and Wraps

**The Tuscany**.....\$8.00  
Prosciutto, ham, provolone, lettuce, tomato, pepperoni, mushrooms, onions, and Italian dressing.

**The Million**.....\$8.00  
Cajun chicken, pepperoni, ham, provolone, mushrooms, onions, and Italian dressing.

**The Veggie**.....\$8.00  
Pepperoni, mushrooms, onions, lettuce, tomato, and Italian dressing.

**The All American**.....\$8.00  
Sausage, pepperoni, ham, provolone, mushrooms, onions, and Italian dressing.

**The Italian One**.....\$8.00  
Prosciutto, ham, provolone, lettuce, tomato, pepperoni, mushrooms, onions, and Italian dressing.

**Prosciutto Ham Beef**.....\$8.00  
Prosciutto, ham, provolone, lettuce, tomato, pepperoni, mushrooms, onions, and Italian dressing.

**Roasted Turkey**.....\$8.00  
Roasted turkey, provolone, lettuce, tomato, pepperoni, mushrooms, onions, and Italian dressing.

### 6" Subs and Wraps

**Stuffed Bun**.....\$8.00  
Crispy chicken, provolone, lettuce, tomato, pepperoni, mushrooms, onions, and Italian dressing.

**Incredible Veggie**.....\$8.00  
Crispy chicken, provolone, lettuce, tomato, pepperoni, mushrooms, onions, and Italian dressing.

**6" Reapin' Hot Subs**

**Italian Roast**.....\$8.00  
Roasted turkey, provolone, lettuce, tomato, pepperoni, mushrooms, onions, and Italian dressing.

**Lean Chicken Cheddar**.....\$8.00  
Crispy chicken, cheddar, provolone, lettuce, tomato, pepperoni, mushrooms, onions, and Italian dressing.

**Steak & Cheese**.....\$8.00  
Crispy chicken, steak, cheddar, provolone, lettuce, tomato, pepperoni, mushrooms, onions, and Italian dressing.

**Chicken Teriyaki**.....\$8.00  
Crispy chicken, teriyaki, provolone, lettuce, tomato, pepperoni, mushrooms, onions, and Italian dressing.

### 6" Subs and Wraps

**Side Salad Bowls**

**Side Salad Bowl**.....\$8.00  
Lettuce, tomatoes, cucumbers, onions, and Italian dressing.

**Salad Bowl**.....\$8.00  
Lettuce, tomatoes, cucumbers, onions, and Italian dressing.

**Grilled Chicken Caesar**.....\$8.00  
Grilled chicken, romaine lettuce, parmesan cheese, and Italian dressing.

**Crab Supreme**.....\$8.00  
Crab, lettuce, tomatoes, cucumbers, onions, and Italian dressing.

**Hot Meal**.....\$8.00  
Lettuce, tomatoes, cucumbers, onions, and Italian dressing.

### Italian Style Subs

**Bigger Better Subs**

**Assorted Chips**

**Bag of Chips**.....\$8.00  
On any size sub.

**Beverages**

**Regular Fountain Drink**.....\$2.00  
Large 32oz. Fountain Drink.....\$3.00  
2-liter.....\$4.00

### Combo It! \$0.00

**Regular Drink + 1 Side**

**Monster Size It! \$0.00**

**Add 2 Sticks & a Bigger Drink**



# New Landscaping





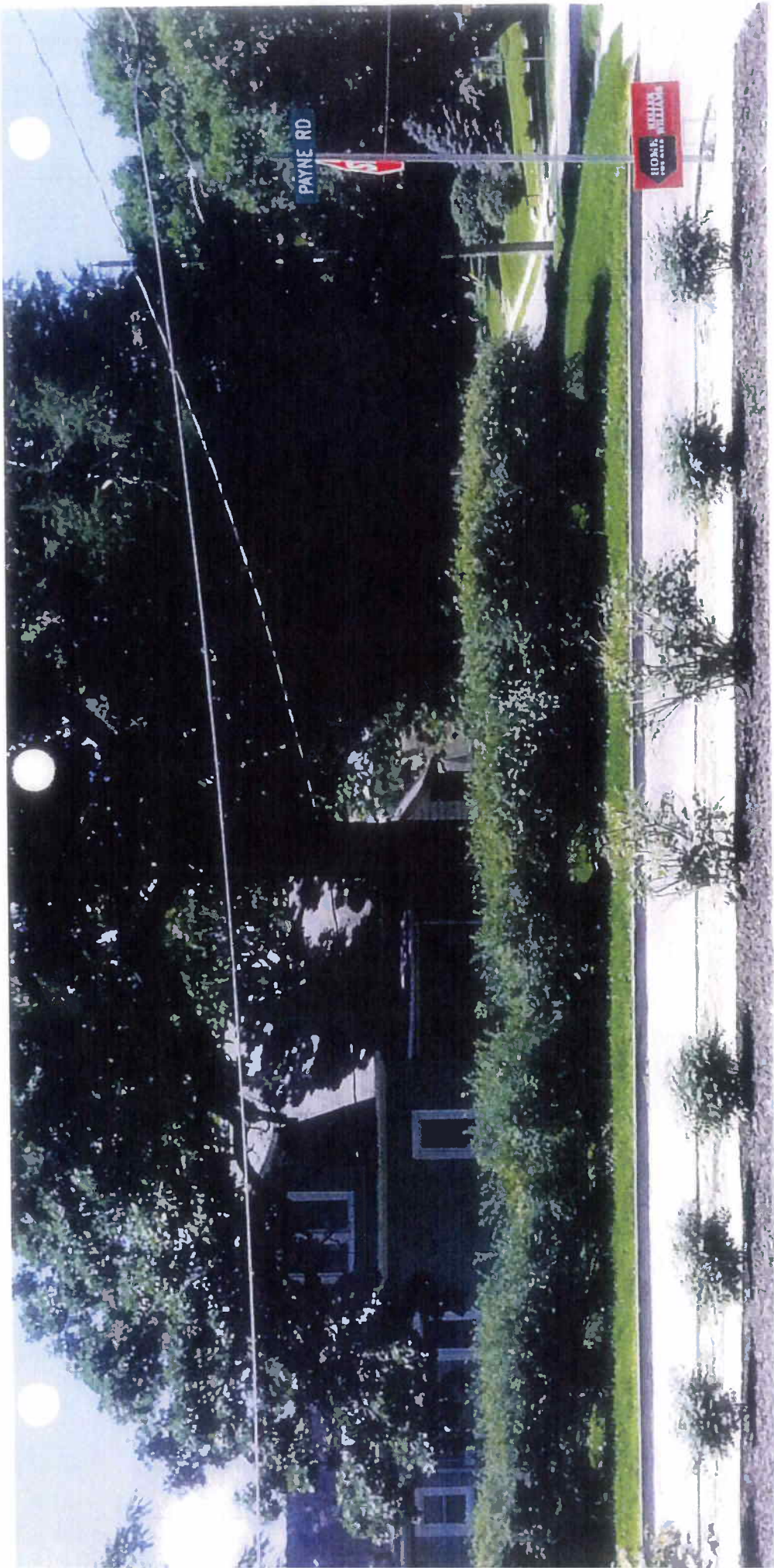


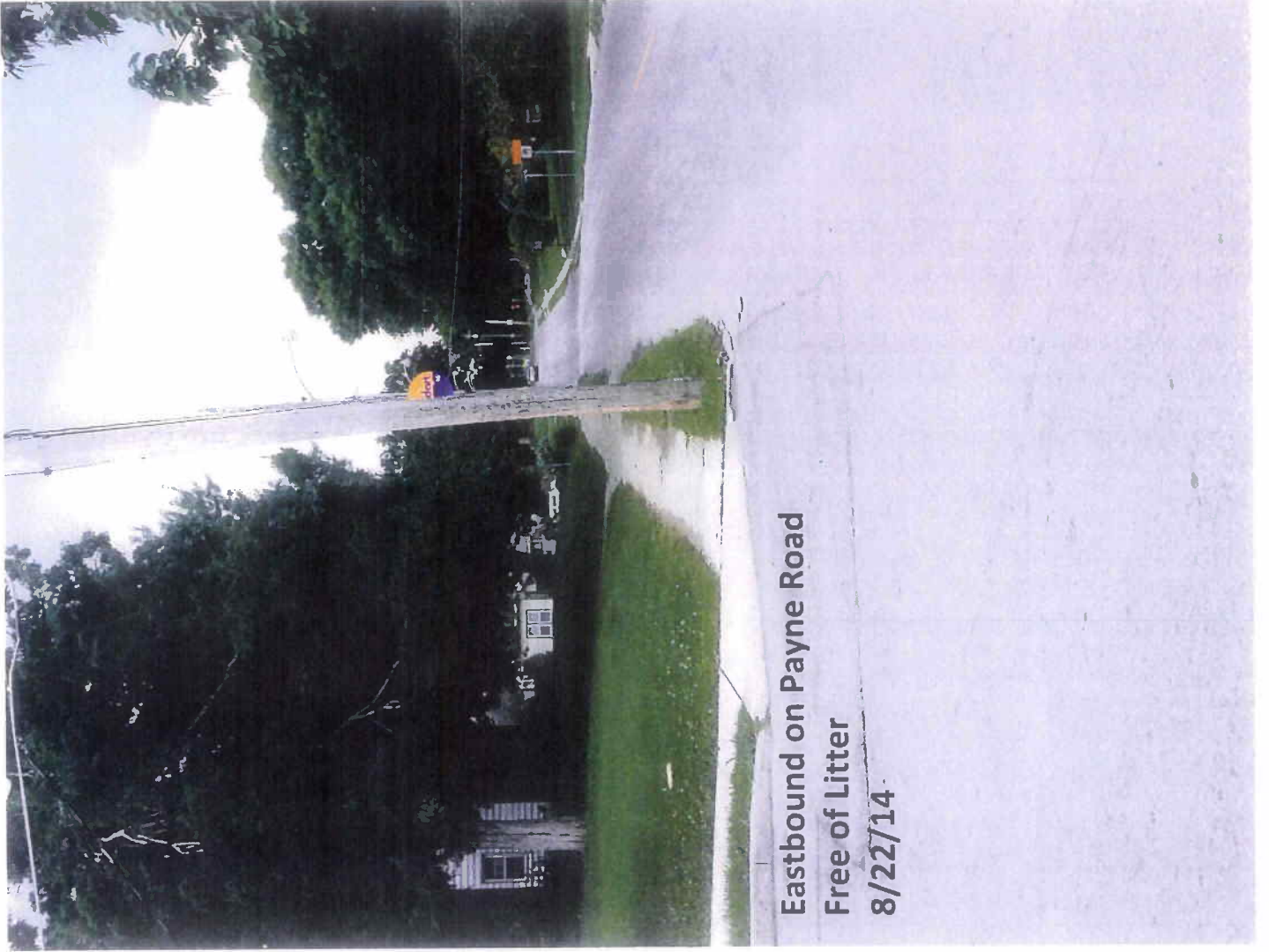












**Eastbound on Payne Road**

**Free of Litter**

**8/22/14**

**Street and  
Sidewalk  
Clear of Litter  
8/22/14**





**North View on 30th Street  
Free of Litter**



Eastbound from corner of 30th and Payne

No Litter

8/22/14

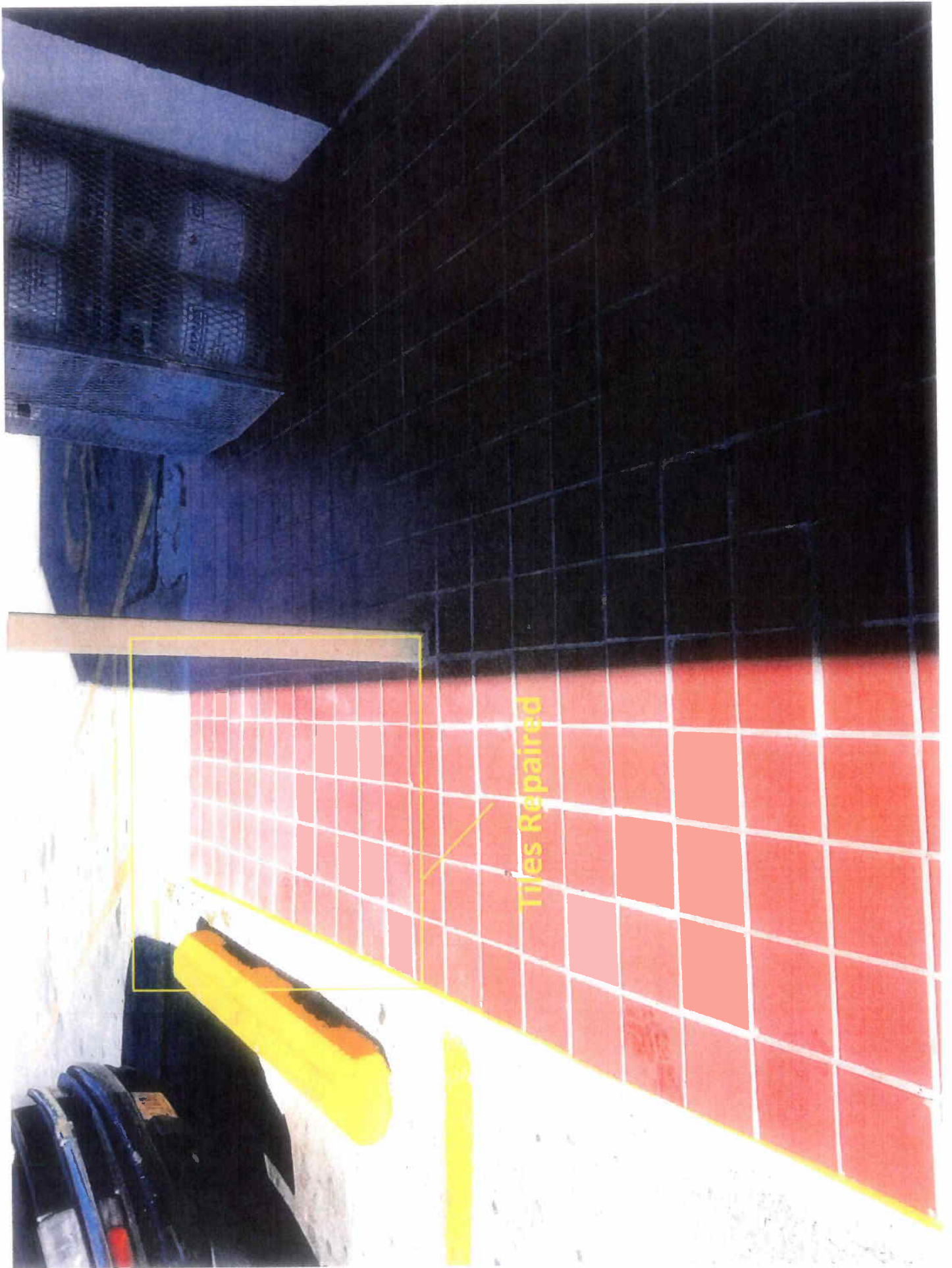


West View from Parking Lot  
Landscape free of litter  
8/22/14



# Parking Lot Updates





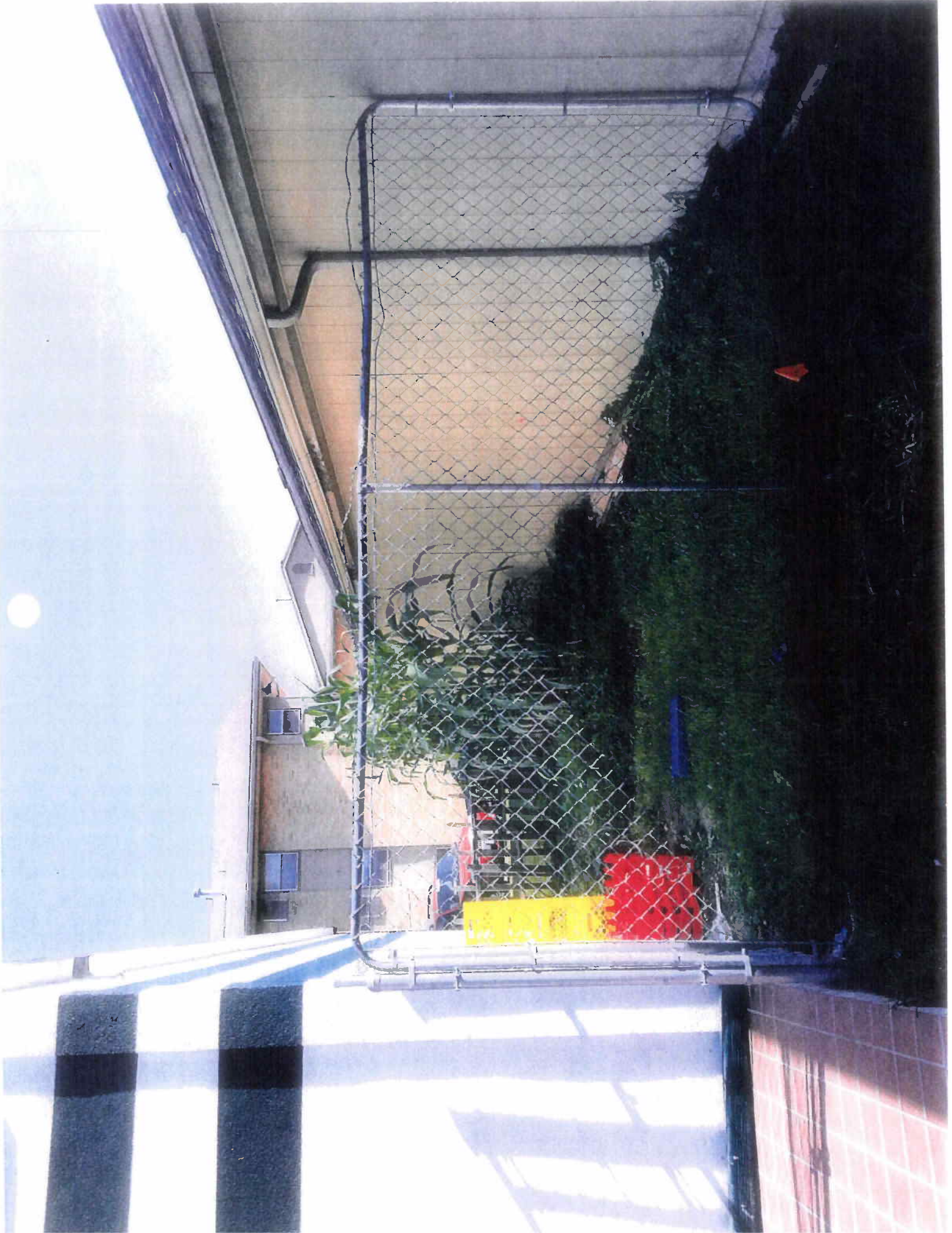
Tiles Repaired

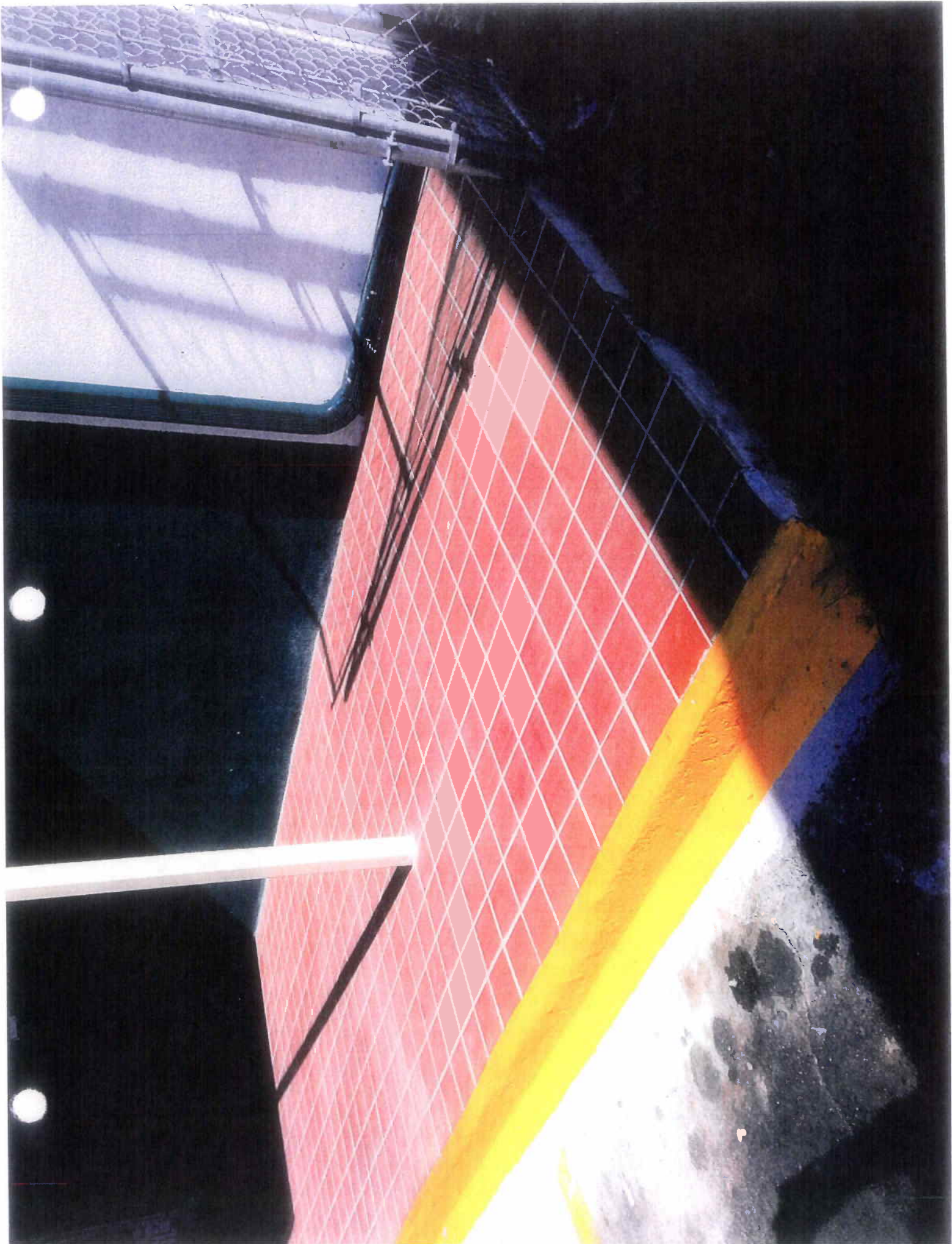






Fence erected to prevent people from traversing/loitering between buildings







# Updated Exterior



Large alcohol signs removed





**New Signs on East Side of Entrance  
Exterior Surveillance**

**Exterior Surveillance**



**Please no  
music  
in parking  
lot**

**No  
Loitering**

**Recently added signs near entrance**

**PRIVATE  
PROPERTY  
NO TRESPASSING**



PRIVATE  
PROPERTY

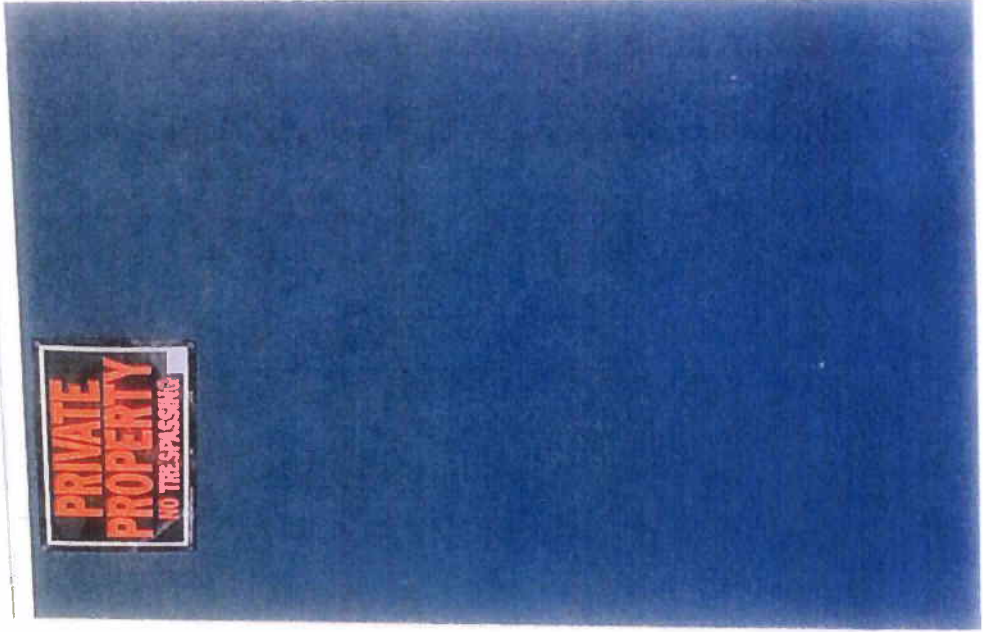
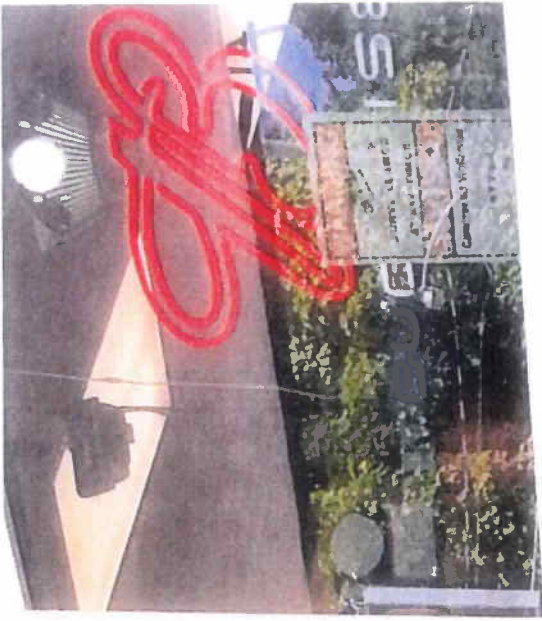




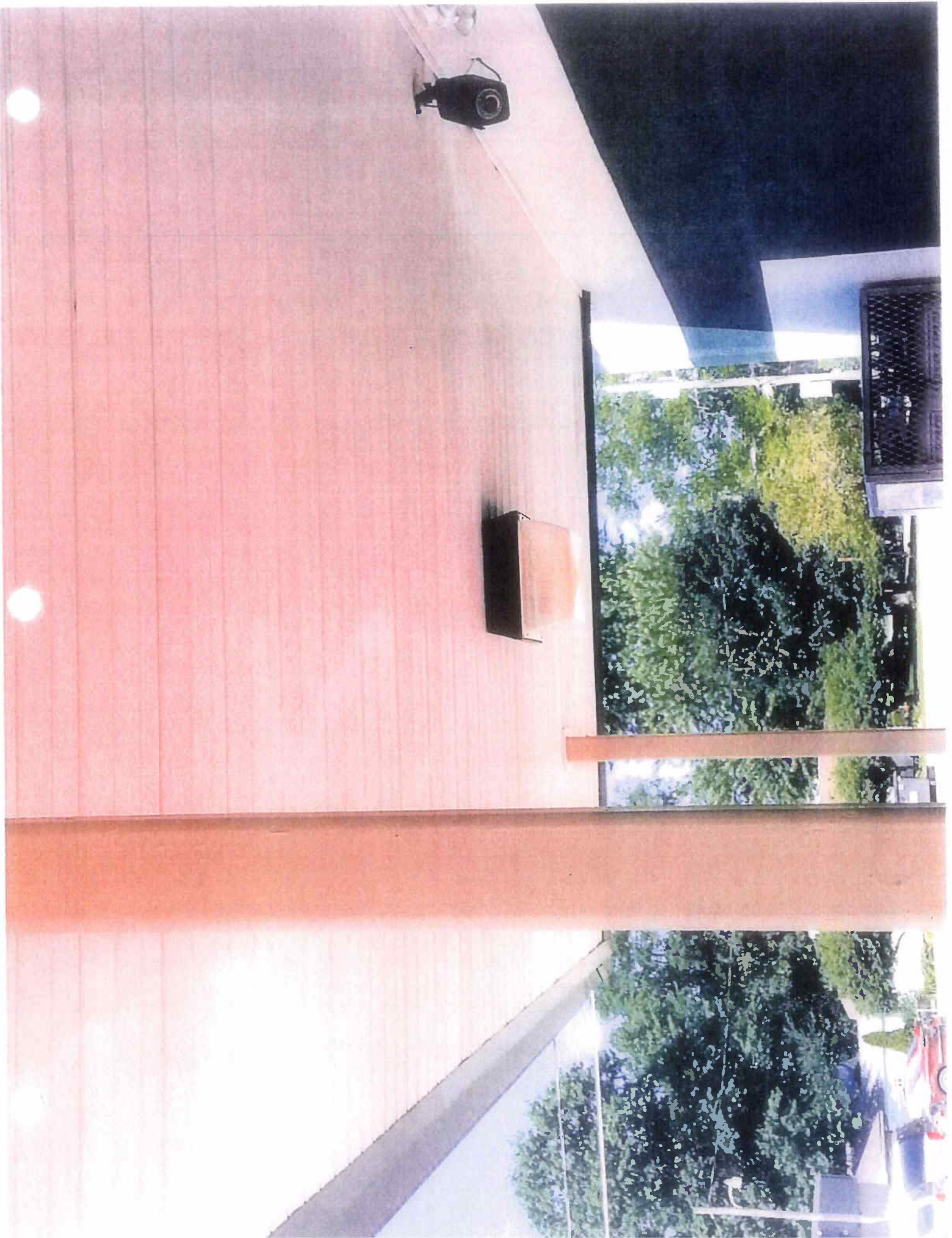
**Alcohol Signs Removed**



THANK YOU

















No Loitering Sign



Small white sign with black text



**No  
Loitering**

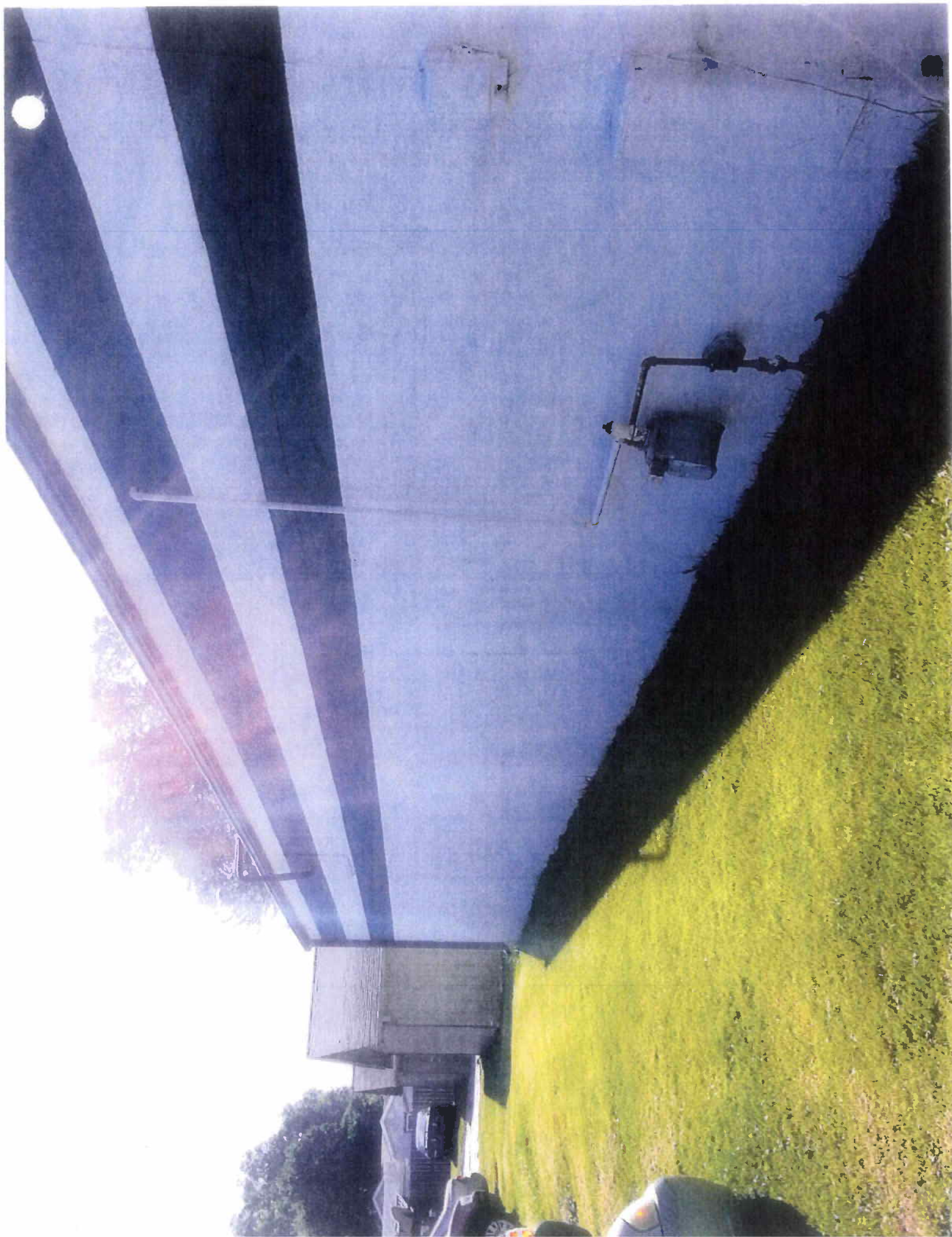
**PRIVATE  
PROPERTY**  
NO TRESPASSING











Interior

Alcohol displays removed including those depicted



Removed





Removed

Removed

Removed

**Best Deal**  
**BARGAIN**  
**\$4.67**

5597  
5488  
5532  
blu









Individual Liquor bottle display removed



Newly Added Fresh  
Produce and  
Repositioned Frozen  
Dessert Chest







Express  
Fresh Taste  
Great Choices

ANZANO

DIGIORNO

RISIN

Banquet  
CRISPER  
NEEDLES

ty  
zza

Tolnos  
Pizza  
Rolls

Tolnos  
Pizza  
Rolls

Price tag with handwritten numbers and a barcode.

Small label at the bottom of the refrigerator.







**Campbell's**  
**CHUNKY**  
Classic Chicken Noodle  
NET WT 14.5 OZ (411g) 100% MEAT  
1110-2501257 BEANS

**Campbell's**  
**CHUNKY**  
Steak and Potato  
NET WT 14.5 OZ (411g) 100% MEAT  
1110-2501258 BEANS

**Dinty Moore**  
**HEART MEALS**  
Beef Stew  
NET WT 14.5 OZ (411g) 100% MEAT  
1110-2501259 BEANS

**Campbell's**  
**SPAGHETTIOS**  
Meatballs  
NET WT 14.5 OZ (411g) 100% MEAT  
1110-2501260 BEANS

**Campbell's**  
**SPAGHETTIOS**  
Original  
NET WT 14.5 OZ (411g) 100% MEAT  
1110-2501261 BEANS

**NO Preservatives**  
**ARDEE**  
Tuscan Sausage  
NET WT 14.5 OZ (411g) 100% MEAT  
1110-2501262 BEANS

3.49  
12  
1110-2501257

3.49  
12  
1110-2501258

3.49  
12  
1110-2501259

2.49  
12  
1110-2501260

1.99  
12  
1110-2501261

1.99  
12  
1110-2501262

**VanCamp's**  
**Beanee Weenee**  
NET WT 14.5 OZ (411g) 100% MEAT  
1110-2501263 BEANS

**SOYSAW**  
NET WT 14.5 OZ (411g) 100% MEAT  
1110-2501264 BEANS

**SOYSAW**  
NET WT 14.5 OZ (411g) 100% MEAT  
1110-2501265 BEANS

**BRISTLING'S**  
Drinking Sausages  
NET WT 14.5 OZ (411g) 100% MEAT  
1110-2501266 BEANS

**SPAM**  
NET WT 14.5 OZ (411g) 100% MEAT  
1110-2501267 BEANS

**SPAM**  
NET WT 14.5 OZ (411g) 100% MEAT  
1110-2501268 BEANS

**Del Monte**  
**DIPS**  
NET WT 14.5 OZ (411g) 100% MEAT  
1110-2501269 BEANS

**Del Monte**  
**DIPS**  
NET WT 14.5 OZ (411g) 100% MEAT  
1110-2501270 BEANS

**Security**

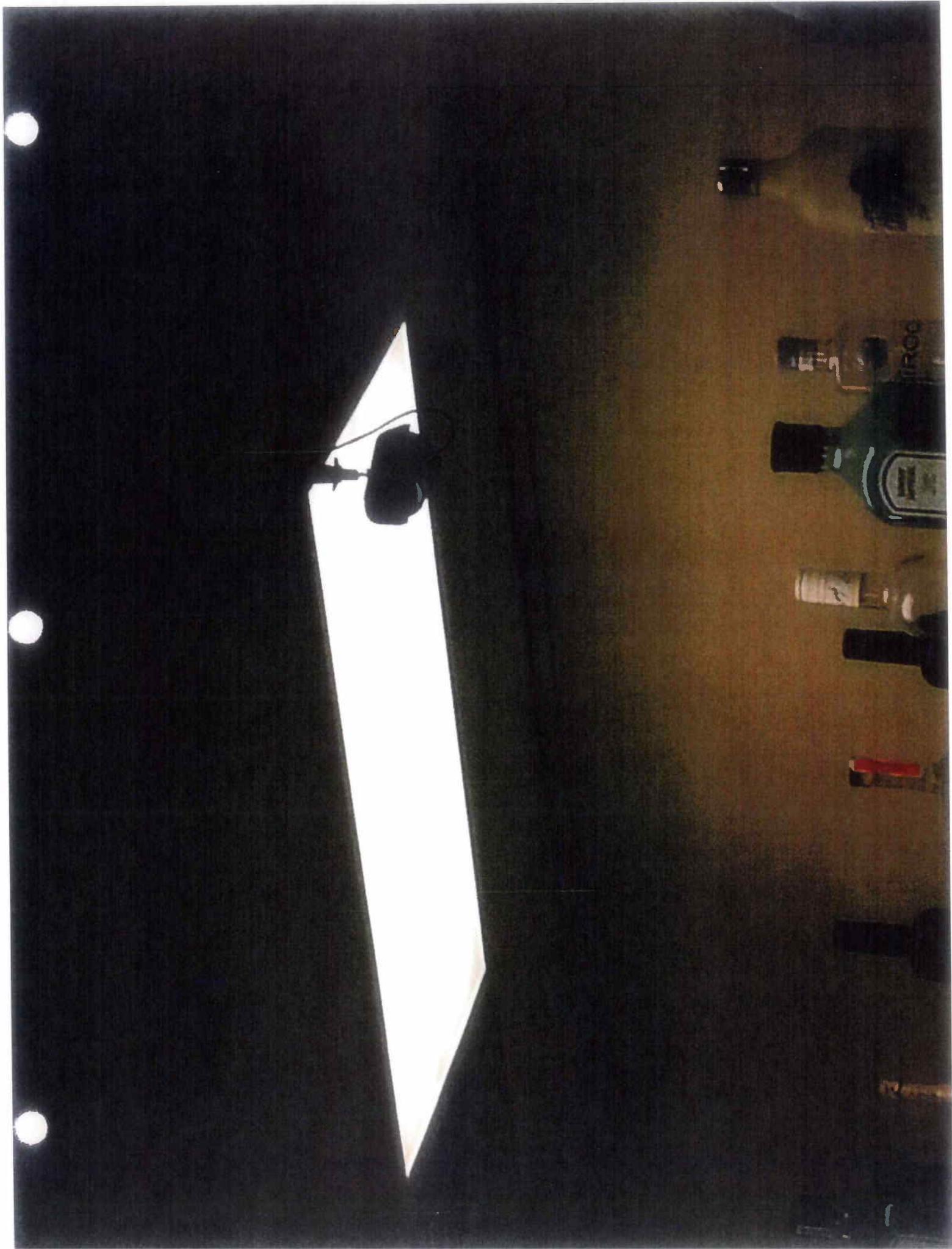


\$1.59  
\$1.69

Newman's Own  
SPECIAL PRICE  
\$6.02

SPECIAL PRICE  
\$5.26

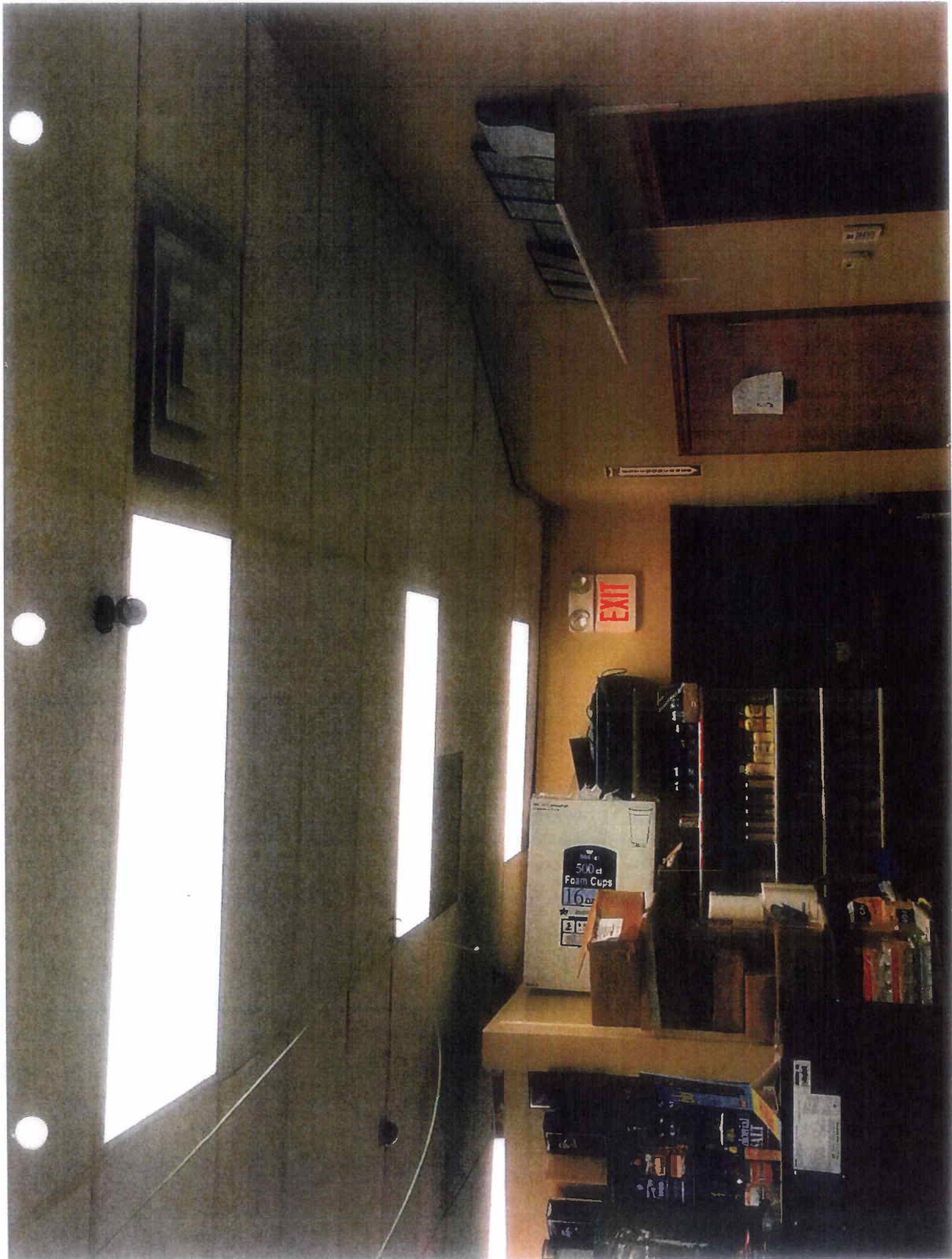
Best  
BARGAIN  
\$4.67





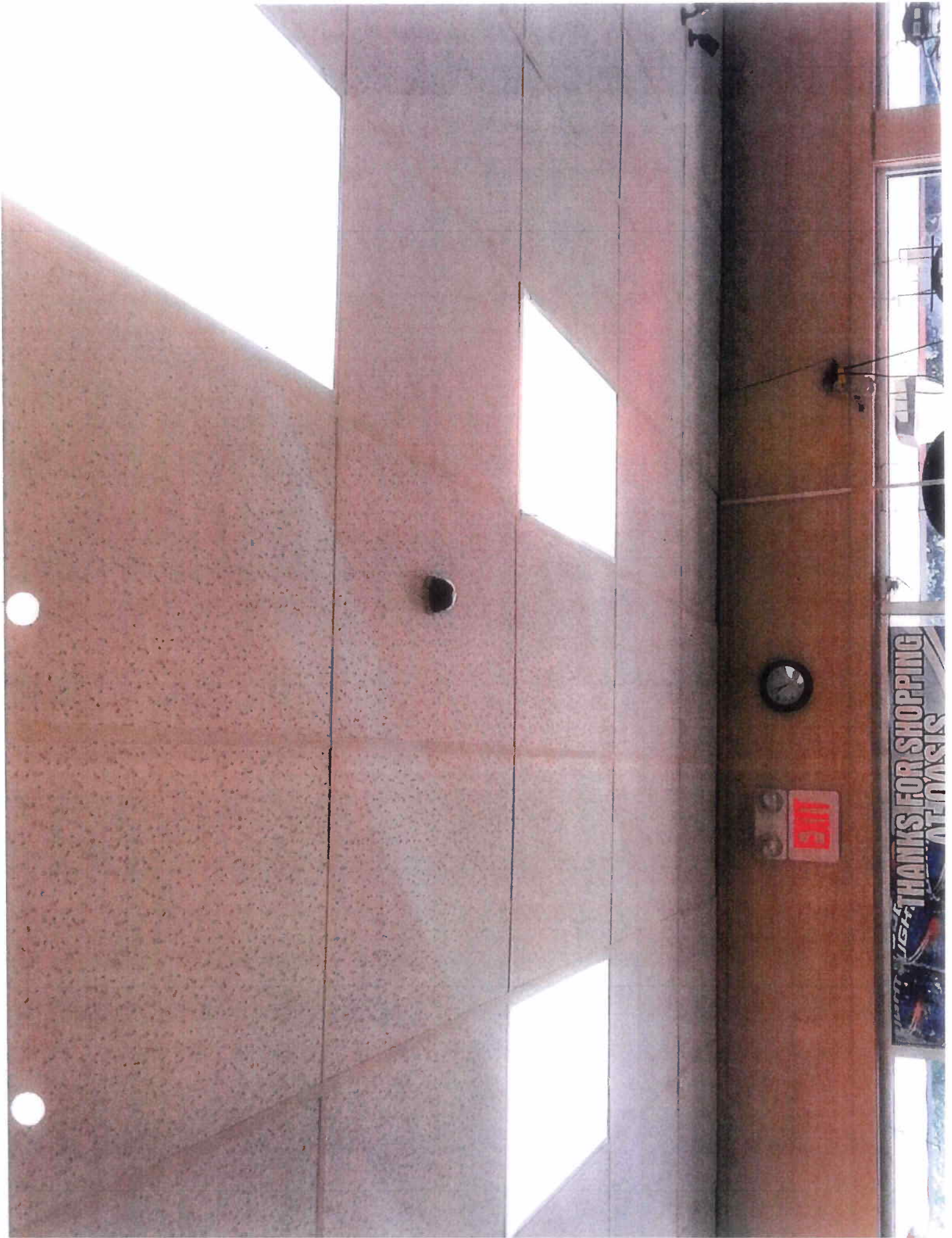
















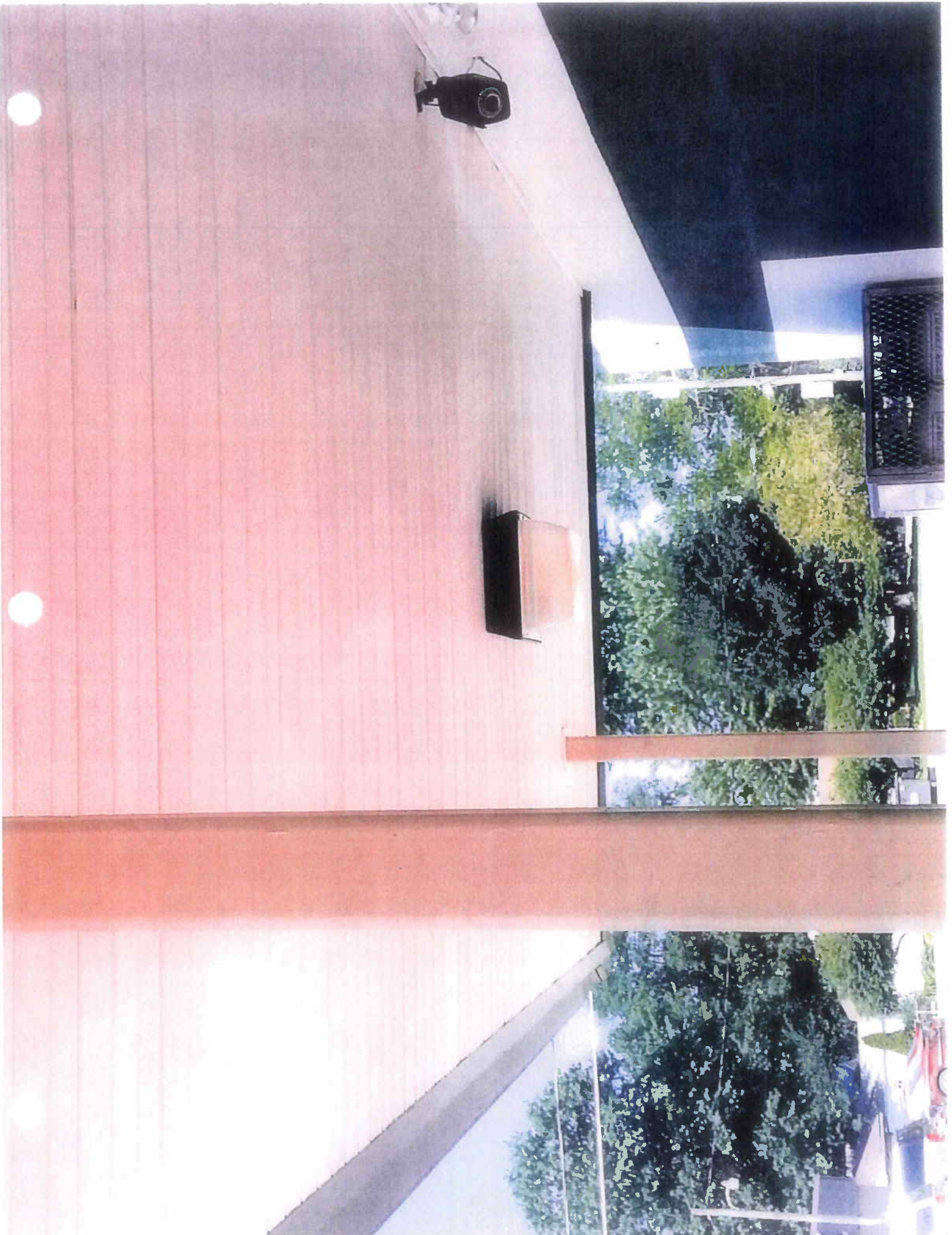
**ATM**

VISA Discover Mastercard

1-800-578-7811

**ATM**





# Police Calls



Summary Report for OFFENSE

NIBRS Desc.	Total	Chart
AGGRAVATED ASSAULT	3	<input type="text"/>
ALL OTHER OFFENSES	24	<input type="text"/>
BURGLARY	1	<input type="text"/>
DRUG VIOLATION OFFENSES	2	<input type="text"/>
DRUNKENNESS	2	<input type="text"/>
DUI	2	<input type="text"/>
FAMILY OFFENSES , NONVIOLENT	1	<input type="text"/>
FORCIBLE RAPE	1	<input type="text"/>
FRAUD OFFENSES	1	<input type="text"/>
LARCENY/THEFT OFFENSES	4	<input type="text"/>
LIQUOR LAW VIOLATIONS	1	<input type="text"/>
MOTOR VEHICLE THEFT	1	<input type="text"/>
SIMPLE ASSAULT	1	<input type="text"/>
VANDALISM	5	<input type="text"/>
<b>Grand Total</b>	<b>49</b>	

POLICE REPORTS WITHIN 500 FT ON  
2917 PATNE (PAST 12 months)

22



Detail Report for OFFENSE. (Sorted Ascending By Date.)

#	Incident #	Date	Time	Address	Offense Description	Investigator	Agency	Premise	Entry	Weapon
1	20130026749 768847	20130825	1939	2745 PAYNE RD	FOUND PROPERTY - BIKE	1918520	DMPD	RESIDENCE/HOME		
2	20130026708 768623	20130825	1843	2745 PAYNE RD	THEFT ALL OTHER-5TH DEGREE	4886	DMPD	RESIDENCE/HOME		
3	20130030737 776300	20130927	1720	2731 30TH ST	THEFT ALL OTHER-4TH DEGREE	4808	DMPD	RESIDENCE/HOME		
4	20130031142 777582	20131001	1206	2800 30TH ST	ACCIDENT (HIT AND RUN / PROPERTY DAMAGE)	8732	DMPD	HIGHWAY/ROAD/ALLEY		
5	20130031973 778712	20131004	1000	2910 ARNOLD RD	THEFT (2ND) OF MOTOR VEHICLE	4785	DMPD	RESIDENCE/HOME		
6	20130032698 780301	20131010	1600	2800 30TH ST	FRAUDULENT PRACTICE- 4TH DEGREE	4921	DMPD	RESIDENCE/HOME		
7	20130032523 779766	20131013	1723	2800 30TH ST	PUBLIC INTOXICATION- ALCOHOL OR DRUGS	4676	DMPD	RESIDENCE/HOME		
8	20130032565 779938	20131013	2000	2806 PAYNE RD	THEFT ALL OTHER-3RD DEGREE	1918620	DMPD	RESIDENCE/HOME		
9	20130032777 780690	20131016	0823	30TH ST / LEADO AVE	INFORMATION	0	DMPD	HIGHWAY/ROAD/ALLEY		
10	20130033419 781659	20131022	0151	30TH ST / LEADO AVE	VIOLATION OF NO CONTACT / PROTECTIVE ORDER	4733	DMPD	RESIDENCE/HOME		
11	20130037343 789415	20131127	1837	2731 30TH ST	FOUND PROPERTY	7422	DMPD	RESIDENCE/HOME		
12	20130037520 789666	20131130	0155	30TH ST / PAYNE RD	ELUDING/ATT. TO ELUDE (PARTICIPATING IN FELONY)	5018	DMPD	HIGHWAY/ROAD/ALLEY		
13	20130037520 789667	20131130	0155	30TH ST / PAYNE RD	DRIVING WHILE LICENSE DENIED, CANCELLED, SUSPENDED OR REVOKE	5018	DMPD	HIGHWAY/ROAD/ALLEY		
14	20130037520 789668	20131130	0155	30TH ST / PAYNE RD	OPERATING WHILE INTOXICATED - 2ND OFFENSE - OWI 2	5018	DMPD	HIGHWAY/ROAD/ALLEY		
15	20130036192 791143	20131206	1947	2917 PAYNE RD	ACCIDENT (HIT AND RUN / PROPERTY DAMAGE)	4766	DMPD	PARKING LOT/GARAGE		
16	20130038657 791955	20131211	0922	2806 PAYNE RD	LOST PROPERTY	9011	DMPD	RESIDENCE/HOME		
17	20140000148 795989	20140102	1515	30TH ST / PAYNE RD	WANTED PERSON - POLK COUNTY WARRANT	0	DMPD	HIGHWAY/ROAD/ALLEY		
18	20140006099 808500	20140306	1635	2805 30TH ST	WANTED PERSON - POLK COUNTY WARRANT	0	DMPD	RESIDENCE/HOME		
19	20140008113 813892	20140327	2014	30TH ST / LEADO AVE	DRIVING WHILE BARRED	4766	DMPD	HIGHWAY/ROAD/ALLEY		
20	20140008113 813896	20140327	2014	30TH ST / LEADO AVE	DRIVING WHILE LICENSE DENIED, CANCELLED, SUSPENDED OR REVOKE	4766	DMPD	HIGHWAY/ROAD/ALLEY		
21	20140008113 812986	20140327	2014	30TH ST / LEADO AVE	STRIKING AN ATTENDED MOTOR VEH	4766	DMPD	HIGHWAY/ROAD/ALLEY		
22	20140008113 813001	20140327	2014	30TH ST / LEADO AVE	IMPOUND - HOLD FOR TRAFFIC	4766	DMPD	HIGHWAY/ROAD/ALLEY		
23	20140009607 816020	20140411	0200	2805 30TH ST	ASSAULT USE OR DISPLAY OF	4800	DMPD	RESIDENCE/HOME		FIREARM (Type Not)



					2904 PAYNE RD	ASSAULT USE OR DISPLAY OF DANGEROUS WEAPON	4994	DMPD	RESIDENCE/HOME	Stated) FIREARM (Type Not Stated)
*	24	20140010454 817781	20140419	0030	2904 PAYNE RD	ASSAULT USE OR DISPLAY OF DANGEROUS WEAPON	4994	DMPD	RESIDENCE/HOME	Stated) FIREARM (Type Not Stated)
*	25	20140011763 820298	20140501	1600	2917 PAYNE RD	DUTY OF DRIVER, FAILURE TO YIELD TO PEDESTRIAN	5043	DMPD	PARKING LOT/GARAGE	
*	26	20140012006 870668	20140503	2040	2917 PAYNE RD	PUBLIC INTOXICATION-ALCOHOL OR DRUGS	4576	DMPD	LIQUOR STORE	
	27	20140012198 821356	20140505	1801	2805 30TH ST	ACCIDENT (HIT AND RUN / PROPERTY DAMAGE)	8732	DMPD	OTHER/UNKNOWN	
	28	20140012730 822223	20140510	0100	2800 30TH ST	SEX ABUSE 2ND DEGREE	5037	DMPD	OTHER/UNKNOWN	NONE
	29	20140013121 822991	20140514	0004	30TH ST / PAYNE RD	OPEN CONTAINER - ALCOHOL	0	DMPD	HIGHWAY/ROAD/ALLEY	
	30	20140013229 823206	20140515	0123	2800 30TH ST	ASSAULT USE OR DISPLAY OF DANGEROUS WEAPON	4941	DMPD	RESIDENCE/HOME	KNIFE/CUTTING INSTRUMENT (AX,ETC)
	31	20140013229 823207	20140515	0123	2800 30TH ST	NARCS - POSSESSION SCH I	4941	DMPD	RESIDENCE/HOME	
	32	20140013489 823702	20140517	0600	2823 PAYNE RD	CRIMINAL MISCHIEF - 5TH DEGREE ( \$0 - \$200)	4800	DMPD	PARKING LOT/GARAGE	
	33	20140013486 823695	20140517	0600	2818 ARNOLD RD	CRIMINAL MISCHIEF 5TH DEGREE - GANG RELATED (< \$200.00)	4800	DMPD	RESIDENCE/HOME	
	34	20140013487 823694	20140517	0600	2822 ARNOLD RD	CRIMINAL MISCHIEF 4TH DEGREE- GANG RELATED (\$200.01-500)	4800	DMPD	HIGHWAY/ROAD/ALLEY	
	35	20140013500 823693	20140517	0600	2804 ARNOLD RD	CRIMINAL MISCHIEF 5TH DEGREE - GANG RELATED (< \$200.00)	4800	DMPD	RESIDENCE/HOME	
	36	20140013637 823841	20140518	0200	2807 ARNOLD RD	CRIMINAL MISCHIEF - 5TH DEGREE ( \$0 - \$200)	4800	DMPD	RESIDENCE/HOME	
*	37	20140015693 827949	20140605	0406	2917 PAYNE RD	INFORMATION	7422	DMPD	OTHER/UNKNOWN	
*	38	20140015689 827950	20140605	0307	2917 PAYNE RD	BURGLARY-2ND DEGREE	4705	DMPD	RESIDENCE/HOME	WINDOW
	39	20140016439 829393	20140611	1724	2805 30TH ST	DOA - DEATH INVESTIGATION	4993	DMPD	RESIDENCE/HOME	
	40	20140016874 830121	20140614	1900	2717 30TH ST	THEFT ALL OTHER-3RD DEGREE	7422	DMPD	RESIDENCE/HOME	



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#	Incident #	Date	Time	Address	Offense Description	Investigator	Agency	Premise	Entry	Weapon
41	20140021561 839132	20140727	0202	2917 PAYNE RD	OPERATING WHILE INTOXICATED - 1ST OFFENSE - OWI 1ST	5075	DMPD	HIGHWAY/ROAD/ALLEY		
42	20140021561 839133	20140727	0202	2917 PAYNE RD	ELUDING/ATT. TO ELUDE (OWI OR DRUG VIOLATION)	5075	DMPD	HIGHWAY/ROAD/ALLEY		
43	20140021616 839216	20140727	1509	2910 ARNOLD RD	ASSAULT DOMESTIC ABUSE WITH INJURY	918110	DMPD	RESIDENCE/HOME		PERSONAL WEAPONS (HANDS, ETC)
44	20140021662 839237	20140728	0150	30TH ST / PAYNE RD	FAILURE TO KEEP REAR LAMPS IN WORKING ORDER	5017	DMPD	HIGHWAY/ROAD/ALLEY		
45	20140021662 839235	20140728	0150	30TH ST / PAYNE RD	NARCS - POSSESS W / INTENT DELIVER SCH II - CRACK COCAINE	5017	DMPD	HIGHWAY/ROAD/ALLEY		
46	20140021662 839236	20140728	0150	30TH ST / PAYNE RD	DRIVING WHILE LICENSE DENIED, CANCELLED, SUSPENDED OR REVOKE	5017	DMPD	HIGHWAY/ROAD/ALLEY		
47	20140021666 839232	20140728	0125	30TH ST / PAYNE RD	DRIVING WHILE BARRED	0	DMPD	HIGHWAY/ROAD/ALLEY		
48	20140021666 839233	20140728	0125	30TH ST / PAYNE RD	PROBATION VIOLATION	0	DMPD	HIGHWAY/ROAD/ALLEY		
49	20140021666 839234	20140728	0125	30TH ST / PAYNE RD	IMPOUND - NO HOLD	0	DMPD	HIGHWAY/ROAD/ALLEY		

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June 8, 2012



The Honorable Mayor  
and  
Members of the City Council  
City of Des Moines

Re: Item No. 6, June 11, 2012 Council Meeting Agenda  
Alcoholic Beverage License Renewal Application for Oasis Grocery & Liquor

Dear Mayor and City Council Members:

At the Council meeting on May 21, 2012, the Oasis (2917 Payne Road) was on the agenda requesting approval for renewal of the Class E liquor license. Further information was requested regarding police calls to the area of 2917 Payne Road. That information was provided and will be repeated below.

DATE	TIME	INCIDENT
June 30, 2011	9:37 PM	Domestic in a car in the parking lot
October 19, 2011	4:21 PM	Fraud report called in by an employee
October 21, 2011	3:58 PM	Dispute where a customer refused to leave after he stated the clerk gave him the wrong change
January 20, 2012	5:43 PM	Larceny of motor vehicle occurred in the parking lot
February 13, 2012	9:32 PM	Public intoxication arrest
March 18, 2012	6:19 PM	Received a call from 3330 ML King reporting a man down at the Oasis. No case was made at the Oasis address.
April 17, 2012	1:32 PM	Called to assist another agency. No indication in the trip that this involved the Oasis.
April 25, 2012	4:30 PM	Hit and run report

Subsequently, Lt. Jeff Edwards, commander of our Vice/Narcotics Section, met with Rajesh Khanna (owner of the Oasis) and discussed recommendations to insure his business operates in a way that complies with liquor license laws and makes it a better neighbor for the residents in the area. Mr. Khanna agreed to:

- a) Sign a new Des Moines Police Department trespass letter (the one currently on file is dated March, 2011)
- b) Maintain the current functioning camera system, both inside and outside the businesss
- c) Post no trespassing/loitering signs on the exterior of the building
- d) Maintain adequate exterior lighting
- e) Continue to cooperate with law enforcement
- f) Hire security, if necessary

June 8, 2012  
Page Two

- g) **Maintain his parking lot and insure it is free of litter and trash**
- h) **Refuse to sell any synthetic marijuana or other harmful synthetic substances**

In addition, **the Des Moines Police Department is conducting regular evening and late night checks on the area using unmarked cars and plain clothes officers to ensure compliance.**

**The business continues to be proactive and cooperative with law enforcement efforts in the neighborhood. We are currently investigating neighborhood concerns regarding criminal activity in this general area, but the trip history does not support that this activity is originating at the Oasis.**

Please feel free to contact me with any questions or concerns.

Sincerely,



Richard A. Clark  
City Manager

cc: Chief of Police  
City Clerk

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PARRISH KRUIDENIER DUNN BOLES  
GRIBBLE GENTRY & FISHER L.L.P.  
LAWYERS

ALFREDO PARRISH  
ANDREW J. DUNN  
MATTHEW M. BOLES  
CHARLES E. GRIBBLE  
TAMMY WESTHOFF GENTRY  
THOMAS G. FISHER JR.  
MARGARET R. STUART  
BRANDON BROWN  
BENJAMIN D. BERGMANN  
ADAM C. WITOSKY

LUKE M. DESMET  
BENJAMIN D. MATCHAN  
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2910 GRAND AVENUE · DES MOINES, IOWA 50312-4205  
(515) 284-5737 · (800) 532-1405 · FAX (515) 284-1704 · WWW.PARRISHLAW.COM

August 19, 2014

Lieutenant Larry Davey  
Des Moines Police Department  
25 E 1<sup>st</sup> Street  
Des Moines, Iowa 50309

Re: Oasis Wine & Spirits  
2917 Payne Road  
Des Moines, Iowa 50310

Dear Lieutenant Davey:

I represent what is presently known as the Oasis located at 2917 Payne Road in Des Moines. The location is undergoing a facelift and will soon be known as the Prospect Park Market. The owners of the establishment are transitioning away from being known as a liquor store and are focusing their efforts on becoming a neighborhood market. The owners have done significant work on the physical aspects of the building including new paint, security cameras, fencing, landscaping, removal of alcohol related marketing, etc.

I recently attended a neighborhood association meeting for Prospect Park and one citizen made a good suggestion to help our transition. Having additional police presence at the market throughout the day and evening will certainly help thwart loitering, outside criminal activity, and otherwise make the customers feel safe and secure. The owners have hired a private security firm to monitor the premises during the evening and night hours, however, the owners are inviting the police to stop by at any time and inspect the premises and maintain a police presence.

Upon receipt of this letter, will you kindly contact me to discuss this proposal further? I look forward to hearing from you in the near future.

Very truly yours,

PARRISH KRUIDENIER DUNN  
BOLES GRIBBLE & GENTRY LLP

BY:   
BRANDON BROWN  
[bbrown@parrishlaw.com](mailto:bbrown@parrishlaw.com)

BB/ACS

Copy to: Harry Khanna

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**Brandon Brown**

---

**From:** Davey, Larry, D. <LDDavey@dmgov.org>  
**Sent:** Thursday, August 21, 2014 3:33 PM  
**To:** Brandon Brown  
**Cc:** Guhl, Charles W.  
**Subject:** RE: Oasis - 2917 Payne Road

Brandon,

You are correct! I will pass this information to all three Watches requesting their territory cars monitor as time allows. I will also provide this Security company information.

Please let Officer Guhl or myself know if you need further assistance.

Thanks,  
Larry

**From:** Brandon Brown [<mailto:bbrown@ParrishLaw.com>]  
**Sent:** Thursday, August 21, 2014 3:26 PM  
**To:** Davey, Larry, D.  
**Cc:** Guhl, Charles W.  
**Subject:** RE: Oasis - 2917 Payne Road

Lieutenant Davey:

I am following up on our telephone conversation and emails. Harry hired On Point Security Group out of Clive. The number is 457-1211. I understand you will be contacting the watch commanders about additional officer presence. Both Harry and I understand that patrol officers often have very demanding trip requests, so any officer presence the department can provide will certainly be appreciated.

-brandon

Brandon Brown  
Attorney at Law  
Parrish Kruidenier Dunn  
Boles Gribble and Gentry, L.L.P.  
2910 Grand Avenue  
Des Moines, Iowa 50312  
(515) 284-5737  
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**From:** Davey, Larry, D. [mailto:LDavey@dmgov.org]  
**Sent:** Thursday, August 21, 2014 2:53 PM  
**To:** Brandon Brown  
**Cc:** Guhl, Charles W.  
**Subject:** Oasis - 2917 Payne Road

Mr. Brown,

I received a letter from you today informing us of the transition of the Oasis located at 2917 Payne Rd to Prospect Park Market. I attempted to call as requested but no answer and no opportunity to leave a message. Your request for additional police presence can certainly be forwarded to the Watch Commanders with a request for territory cars to monitor as time allows. With that being said, time doesn't always allow that opportunity due to patrol officers being trip responsive by dispatch so it's best to have private security for additional support.

I'm glad to hear the owners have hired a security company. If you know which company it is, it may become helpful in the future and I can pass this information to patrol as well. If you would like to call, my number is 237-1531. I will be out of the office on Friday and will return Monday. I have copied Senior Police Officer Chuck Guhl as he is our representative for NBSD.

Please let me know if we can be of any further assistance and I'll wait to receive confirmation before notifying the Patrol Section.

Thanks,  
Larry Davey  
Lieutenant  
Neighborhood Based service Delivery  
DMPD