



Date March 6, 2017

**RESOLUTION SETTING HEARING ON REQUEST FROM  
TIGER KNIGHT, LLC TO REZONE PROPERTY LOCATED AT 1210 ARMY POST ROAD**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on February 16, 2017, its members voted 11-1 in support of a motion to recommend **DENIAL** of a request from Tiger Knight, LLC (owner), represented by Barry Nelson (officer), to rezone property located at 1210 Army Post Road ("Property") from "C-2" General Retail and Highway Oriented Commercial District to Limited "M-1" Light Industrial District, to allow reuse of the building for warehouse and bowling pin refurbishing; and

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

LOTS 1, 2, AND 3, EXCEPT THE NORTH 10 FEET AND LOT 392, EXCEPT THE NORTH 10 FEET AND SOUTH 142 FEET, DAVID MC KEE PLACE, AN OFFICIAL PLAT, 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 at the Richard A. Clark Municipal Service Center (MSC), located at 1551 E. Martin Luther King, Jr. Parkway, Des Moines, Iowa, at 5:00 p.m. on March 20, 2017, 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.

FORM APPROVED:

*Glenna K. Frank*  
Glenna K. Frank, Assistant City Attorney

MOVED BY \_\_\_\_\_ TO ADOPT.

(ZON2016-00220)

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

MOTION CARRIED APPROVED

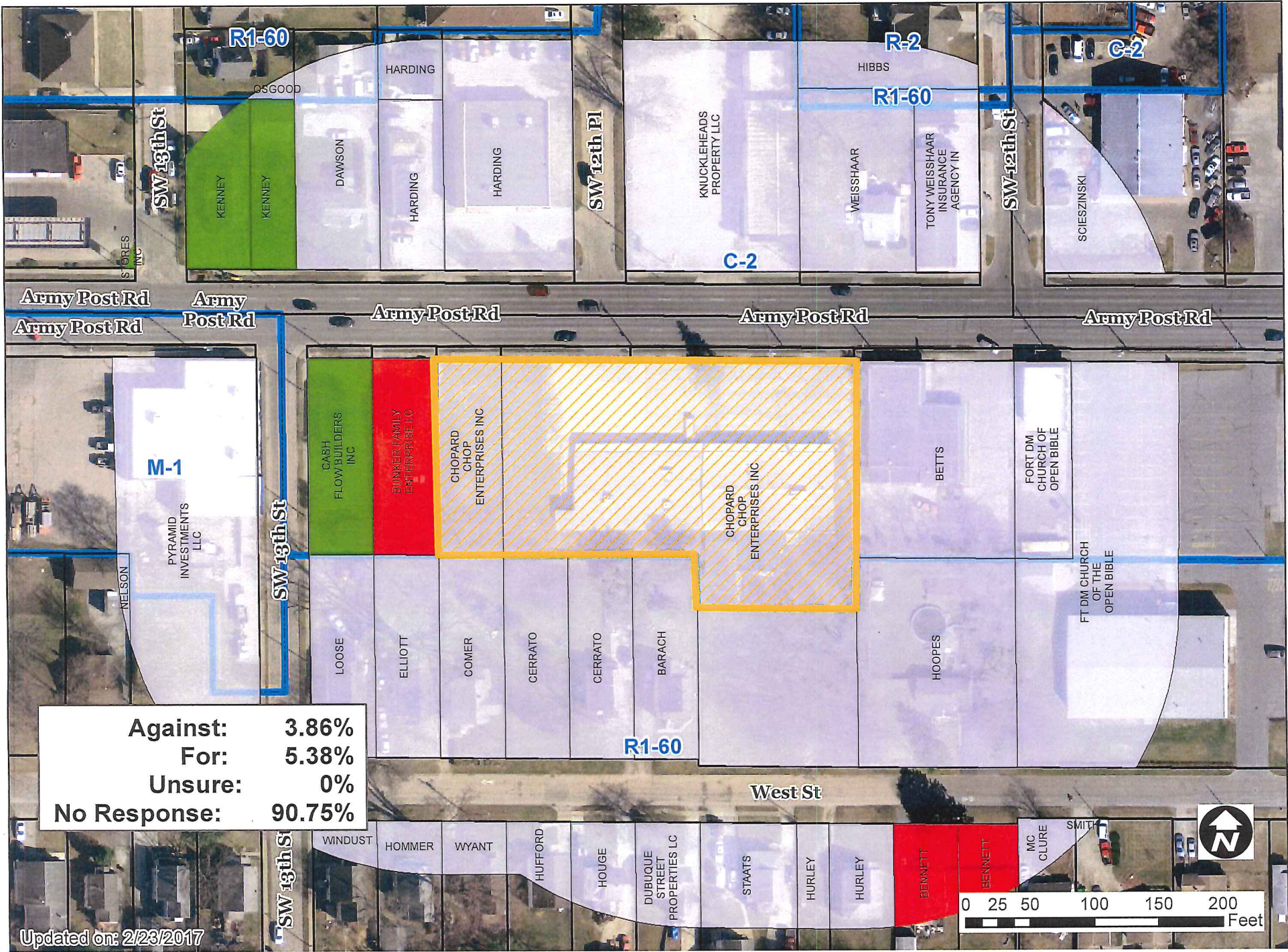
\_\_\_\_\_  
Mayor

**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.

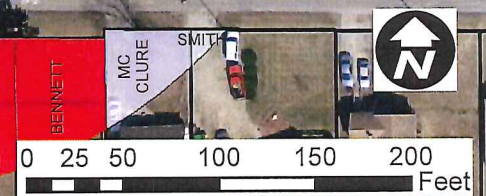
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

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



Against:	3.86%
For:	5.38%
Unsure:	0%
No Response:	90.75%

Updated on: 2/23/2017



25

25



February 24, 2017

Honorable Mayor and City Council  
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held February 16, 2017, the following action was taken regarding a request from Tiger Knight, LLC (owner) represented by Barry Nelson (officer) to rezone property located at 1210 Army Post Road.

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 11-1 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Dory Briles	X			
JoAnne Corigliano				X
David Courard-Hauri	X			
Jacqueline Easley	X			
Jann Freed				X
John "Jack" Hilmes	X			
Lisa Howard	X			
Carolyn Jenison	X			
Greg Jones		X		
William Page	X			
Mike Simonson	X			
Rocky Sposato	X			
Steve Wallace				X
Greg Wattier	X			

**APPROVAL** of Part A) to find the requested "M-1" zoning not in conformance, **denial** of Part B) the request to amend the existing PlanDSM: Creating Our Tomorrow future land use designation from Community Mixed Use and Low Density Residential within a Community Node to Industrial within a Community Node and **denial** of Part C) the request to rezone the property to "M-1" Light Industrial District: (21-2016-4.18 & ZON2016-00220)

## Written Responses

3 in Favor

4 in Opposition

### **STAFF RECOMMENDATION**

Part A) Staff recommends that the Commission find the requested "M-1" zoning not in conformance with the PlanDSM; Creating Our Tomorrow Plan.

Part B) Staff recommends denial of the request to amend the existing PlanDSM: Creating Our Tomorrow future land use designation from Community Mixed Use and Low Density Residential within a Community Node to Industrial within a Community Node.

Part C) Staff recommends denial of the request to rezoning the property to "M-1" Light Industrial District. Light industrial uses, including warehousing, auto body repair, and bowling pin refurbishing, should be focused in the areas the City has already designated for those types of uses. Light industrial uses typically create higher levels of noise, sound and visual impacts on adjoining areas than commercial development and require greater separation from residential uses. The adjoining portion of Army Post Road is predominantly designated for commercial development to support the residential uses in the area.

Should the Commission be inclined to support the rezoning, Staff recommends the following conditions of approval:

1. The only permitted uses of the Property shall be warehouse distribution or those permitted in the "C-2" District, except for the following:
  - a. Adult entertainment businesses.
  - b. Vehicle display lots.
  - c. Taverns or nightclubs.
  - d. Liquor stores.
  - e. Off-premises advertising signs.
  - f. Pawn brokers.
  - g. Delayed deposit services.
2. Any commercial use of the property shall be in accordance with a Site Plan as reviewed and approved by the Permit and Development Center.
3. Any Site Plan for the property shall comply with the City's Landscaping Standards as applicable in the "C-2" General Retail and Highway Oriented Commercial District.

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

This item was continued from the January 19, 2017 Plan & Zoning Commission meeting to allow the applicant to propose zoning conditions that might make the rezoning more palatable. The applicant has since proposed the following zoning conditions:

1. The only uses of the Property shall be those permitted in the "C-2" District and warehouse distribution; automotive repair and painting; and bowling pin refurbishing;
2. The following uses shall be prohibited:
  - a. Adult entertainment businesses;

- b. Automobile establishments for display, hire, rental, and sales;
  - c. Used car sales lots;
  - d. Junk yards;
  - e. Off-premises advertising signs;
  - f. Pawn brokerages;
  - g. Delayed deposit services;
3. Any warehouse distribution shall be in conformance with a Site Plan approved by the Permit and Development Center in accordance with requirements for warehouse distribution including adequate screen fencing and of a height sufficient to fully screen any equipment or vehicles stored on the property from adjacent residential uses;
  4. Any automotive repair and painting shall be fully contained within the building with no outside storage of vehicles in repair;
  5. Conformance with landscape standards as applicable in “C-2” Districts is required prior to use of the Property for warehouse distribution or automotive repair and painting;
  6. Any use of existing or proposed truck loading docks shall provide a proper drive access from Army Post Road, in accordance with Traffic Engineering requirements as part of an approved Site Plan.

## **I. GENERAL INFORMATION**

1. **Purpose of Request:** The applicant is proposing to reuse the vacant print shop building for a mix of industrial uses, including warehouse, automobile painting, and bowling pin refurbishment. The existing “C-2” General Retail and Highway Oriented Commercial District designation does not allow for a warehouse use and only allows for vehicle painting use if it is touch up painting related to general motor vehicle repair. Therefore, the applicant is requesting to rezone the property to “M-1” Light Industrial District. The submitted site sketch demonstrates that the existing parking lot would be brought into conformance with the current requirements, including provision of a 5-foot paving setback along Army Post Road and provision of landscaping materials. The sketch also demonstrates that the applicant would construct an addition to the rear (south) side of the structure in order accommodate a loading dock for the warehouse use. Staff notes that this addition would likely be subject to the Zoning Board of Adjustment granting an appeal of the minimum 25-foot building setback required from the “R” Residential District adjoining to the east.

The south 124 feet of the subject property is zoned “R1-60” One-Family Residential District and contains open space along West Street frontage. This area is not included in the proposed rezoning.

2. **Size of Site:** 1.25 acres.
3. **Existing Zoning (site):** “C-2” General Retail and Highway-Oriented Commercial District and “FSO” Freestanding Sign Overlay District. The southern portion of the site is zoned “R1-60” One-Family Low-Density Residential District.
4. **Existing Land Use (site):** The subject property contains a 13,475-square foot commercial building, large paved surface parking lot, and a loading dock area at the rear of the building.

## 5. Adjacent Land Use and Zoning:

**North** – “C-2”, Uses are an automotive repair business (Super Low Price Auto Glass).

**South** - “R1-60”, Uses are single-family dwellings.

**East** – “C-2” and “R1-60”, Uses are retail (Betts’ Military Surplus) and single-family dwellings.

**West** – “C-2” and “R1-60”, Uses are single-family dwellings.

6. **General Neighborhood/Area Land Uses:** The subject property is located along the Army Post Road major commercial corridor. The sites adjoins a single-family residential neighborhood to the south.

7. **Applicable Recognized Neighborhood(s):** The subject property is located within 250 feet of the Watrous South Neighborhood. This neighborhood was notified of the original public hearing by mailing of the Preliminary Agenda to all recognized neighborhood on December 29, 2016. Additionally, separate notifications of the original hearing for this specific item were mailed on December 30, 2016 (20 days prior to the January 18, 2017 hearing) and January 9, 2017 (10 days prior to the January 18, 2017 hearing) to the neighborhood association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. The 10-day notice was resent on January 10, 2017 in order to correct an error on the map on the notice.

All agendas and notices are mailed to the primary contact person designated to the City of Des Moines Neighborhood Development Division by the recognized neighborhood association. The Watrous South Neighborhood Association mailings were sent to James Spiller, P.O. Box 35845, Des Moines, IA 50315. A Final Agenda for the meeting to which the hearing was continued was mailed to all the recognized neighborhood associations on both January 13, 2017 and February 10, 2017.

The applicant held their neighborhood meeting on January 11, 2017. The applicant will be available to provide a summary of the neighborhood meeting at the hearing.

8. **Relevant Zoning History:** On July 21, 2010, the previous property owner (Steven J. Chopard) was notified that the property had lost its legal nonconforming rights to be used as a print shop since it had been vacant for more than six (6) months. On September 22, 2014, a notice of zoning violation was sent to a previous contract buyer (Salvador Gonzaelez) citing that the property was being used for religious assembly without bringing the site and building into compliance with current Site Plan Regulations and Building Codes. That use then ceased and the building has been vacant since.

9. **PlanDSM Future Land Use Plan Designation:** Community Mixed Use and Low Density Residential within a Community Node. This Community Node is centered at the intersection of Army Post Road and Southwest 9<sup>th</sup> Street.

10. **Applicable Regulations:** Taking into the consideration of the criteria set forth in Chapter 18B of the Iowa Code, the Commission reviews all proposals to amend zoning boundaries or regulations within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria

in 414.3 of the Iowa Code. The Commission may make recommendations to the City Council on conditions to be made in addition to the existing regulations so long as the subject property owner agrees to them in writing. The recommendation of the Commission will be forwarded to the City Council.

**II. ADDITIONAL APPLICABLE INFORMATION**

- 1. **PlanDSM:** The proposed rezoning to the “M-1” Light Industrial District is not compatible with the Community Mixed Use future land use designation. Therefore, the applicant has requested that the future land use designation be amended to Industrial, which is defined as: “Accommodates industrial development and limited supporting commercial uses. Development in this classification could have a large impact on adjoining properties and the environment, which would need to be mitigated.” Staff does not believe that this industrial designation is appropriate for this property since it should be focused in the areas the City has already designated for those types of uses or in areas that provide greater separation from residential uses.

Furthermore, light industrial uses, such as those proposed, typically create higher levels of noise, sound and visual impacts on adjoining areas than commercial development and require greater separation from residential uses. The adjoining portion of Army Post Road is designated for commercial development to support the residential uses in the area. The submitted site sketch demonstrates that a loading dock would be constructed at the southeast corner of the structure, which is in close proximity to a residential property. Given the size of the site, Staff does not believe that adequate buffering could be provided to ensure that trucks accessing the loading dock do not have a detrimental impact on the adjoining property.

If the rezoning is denied by the City Council, the applicant would have the ability to request a Use Variance from the Zoning Board of Adjustment. A Use Variance request can only be considered by the Board within one (1) year after a rezoning has been denied.

- 2. **Permit and Development Center Comments:** Any reuse of the property from this point forward, regardless of approval of the requested rezoning, will require an administrative Site Plan review by the Permit and Development Center. This Site Plan must demonstrate compliance with existing commercial off-street parking and storage yard setbacks, screening, and dimensions as well as landscaping standards.

A Building Code review by the Permit and Development Center will also be required to ensure the intended occupancy of the previous print shop does not trigger a change in occupancy type. The site must be brought into conformance with an approved Site Plan before a final Certificate of Zoning Compliance can be issued.

- 3. **Drainage/Grading:** Unless the applicant or their successor would provide replacement paving or new building area in an aggregate amount over 10,000 square feet, no storm water management measures would be required as part of any Site Plan.

**SUMMARY OF DISCUSSION**

Erik Lundy presented the staff report and recommendation.

Will Page asked if the applicant read the letters from the Ft. Des Moines Neighborhood Association and the Somerset Neighborhood Association.

Erik Lundy stated the applicant has had a chance to read the letters from the neighborhood association.

Ed Arp Civil Engineering Consultants, Inc. 2400 86<sup>th</sup> Street stated he is representing the applicant. He talked about the applicant's previous request. Mr. Nelson (officer) had a user that needed a warehouse space, which is allowed. However, they also needed distribution from the warehouse space. "C-2" does not allow that. It was recommended by staff to go to an "M-1" zoning to be restricted to the uses they wanted. Because there are so many things under "M-1", the applicant believed he needed to be more descriptive of the uses they wanted, which are the following:

- Automotive repair and painting.
- Refurbishing bowling pins.

He noted there is enough space in the warehouse to contain any automobiles brought there for repair and paint. No automobiles will be parked outside. Also Mr. Nelson wants to bring his bowling pin refurbishing business to Des Moines.

Currently, there is a loading dock behind the building that Mr. Nelson would like to use and another loading dock at the west end of the building. He would do improvements to the back of the building through a site plan process, reconfiguring the building and moving the loading dock at the west end of the building to the east end. They have specific ideas for the use of this building. "They want to restrict the "C-2" because they don't need those uses. A neighborhood meeting was held with the immediate neighborhood and no one came. They then went to the association to the north across the street, Watrous South, and had a very good meeting with them. Their response was they did not have any problem with what the applicant was proposing. The applicant understands the Ft. Des Moines Neighborhood Association and the Somerset Neighborhood Association's concerns. The real emphasis is the building is vacant and has lost all grandfathered use of a printing facility. Mr. Nelson would like to make this property his home base: redo the parking lots, do the landscaping that would typically be seen in a "C-2" facility and get the property looking nice again. He believes Mr. Nelson is a good fit and can get the property up and running.

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

No one was present to speak in favor of or in opposition of the applicant's request.

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

Erik Lundy clarified the zoning on this property currently is "C-2" which still allows a print shop. He is not sure if there are legal non-conforming aspects to the site. Warehousing by itself is not permitted in "C-2". Warehousing is allowed as an accessory component to other uses and "C-2" also allows the mini warehousing, i.e. self-storage.



Mike Simonson stated he believes it is too bad the auto paint and repair is part of this project. If it wasn't he could probably support the applicant's request. He moves staff recommendation.

Jacqueline Easley asked for more clarification because of the different parts of this request.

Greg Jones stated he agrees with Commissioner Simonson that if the paint and repair of automobiles were not part of it, he would support the rezoning. He asked the applicant would they be willing to subtract the auto repair and painting.

Ed Arp stated the auto repair and paint is not their number one thing. If that is not part of the uses, they are fine with that. They would like the distribution because it is a large enough building that could be used for that very easily. Mr. Nelson does have the bowling pin business which is currently located in northeast Iowa. He would like to bring it to Des Moines. It is a viable business.

Mike Simonson stated he would like to withdraw his motion.

Erik Lundy explained that if the Commission decides to approve the rezoning, then staff's recommendation would be that it be limited. He also pointed out that staff's alternative recommendation did not include the bowling pins refurbishing.

Greg Jones moved **approval** of Part A) the Commission find the requested "M-1" zoning not in conformance, **approval** of Part B) the request to amend the existing PlanDSM: Creating Our Tomorrow future land use designation from Community Mixed Use and Low Density Residential within a Community Node to Industrial within a Community Node and **approval** of Part C) the request to rezoning the property to "M-1" Light Industrial District. Light industrial uses, including warehousing, auto body repair, and bowling pin refurbishing.

1. The only permitted uses of the Property shall be warehouse distribution and bowling pin refurbishing or those permitted in the "C-2" District, except for the following:
  - a. Adult entertainment businesses.
  - b. Vehicle display lots.
  - c. Taverns or nightclubs.
  - d. Liquor stores.
  - e. Off-premises advertising signs.
  - f. Pawn brokers.
  - g. Delayed deposit services.
2. Any commercial use of the property shall be in accordance with a Site Plan as reviewed and approved by the Permit and Development Center.
3. Any Site Plan for the property shall comply with the City's Landscaping Standards as applicable in the "C-2" General Retail and Highway Oriented Commercial District

Rocky Sposato commended the City staff and stated what a wonderful job they have done on Army Post Road. They have cleaned it up and made it a nice throughway of the south side of Des Moines. After reading the feedback from the neighbors, everyone is in opposition of the rezoning. He understands why. The Ramada is being remodeled and a new Casey is going up on the corner. He believes there is a demand for "C-2" in that area and that is what the neighbors are asking for. The demand is growing because the

throughway is cleaned up and getting better. Because of the feedback from the neighbors, he will not be in support of the request to rezone.

David Courard-Hauri stated he agrees with Commissioner Sposato that “M-1” zoning is not appropriate there. He agrees with staff that there are places to do that. He also is opposed to the motion for approval of rezoning.

Greg Wattier asked if staff has visited with the applicant for doing a Special Permitted Use or going to the Zoning Board of Adjustment.

Erik Lundy stated there wasn’t an option for a Special Permit category that fits this type of use. During the Pre-Application process, there was an indication if the rezoning was denied they would still have the remedy to seek a “Use Variance”.

**Motion failed 2-10** (Greg Jones and John “Jack” Hilmes voted in favor and Francis Boggus, Dory Briles, David Courard-Hauri, Jacqueline Easley, Lisa Howard, Carolyn Jenison, Will Page, Mike Simonson, Rocky Sposato and Greg Wattier voted in opposition)

#### **COMMISSION ACTION:**

Rocky Sposato moved staff recommendation for **approval** of Part A) to find the requested “M-1” zoning not in conformance, **denial** of Part B) the request to amend the existing PlanDSM: Creating Our Tomorrow future land use designation from Community Mixed Use and Low Density Residential within a Community Node to Industrial within a Community Node and **denial** of Part C) the request to rezone the property to “M-1” Light Industrial District.

Motion carried 11-1. (Greg Jones voted in opposition).

Respectfully submitted,

  
Erik Lundy, AICP  
Senior Planner

EML:clw

Attachment

Tiger Knight, LLC (owner) represented by Barry Nelson (officer) for property located at 1210 Army Post Road. The subject property is owned by Artcraft, Inc.			File # ZON2016-00220		
Description of Action	Denial of request to rezone property from "C-2" General Retail and Highway Oriented Commercial District to "M-1" Light Industrial District, to allow reuse of the building for warehouse; major automobile repair and painting; and bowling pin refurbishing.				
PlanDSM Future Land Use	Current: Community Mixed Use and Low Density Residential. Proposed: Industrial.				
Mobilizing Tomorrow Transportation Plan	No planned improvements.				
Current Zoning District	"C-2" General Retail and Highway-Oriented Commercial District and "FSO" Freestanding Signs Overlay District.				
Proposed Zoning District	"M-1" Light Industrial District and "FSO" Freestanding Signs Overlay District.				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area	3	4			
Outside Area					
Plan and Zoning Commission Action	Approval		Required 6/7 Vote of the City Council	Yes	X
	Denial	11-1		No	

Tiger Knight, LLC, 1210 Army Post Road

ZON2016-00220

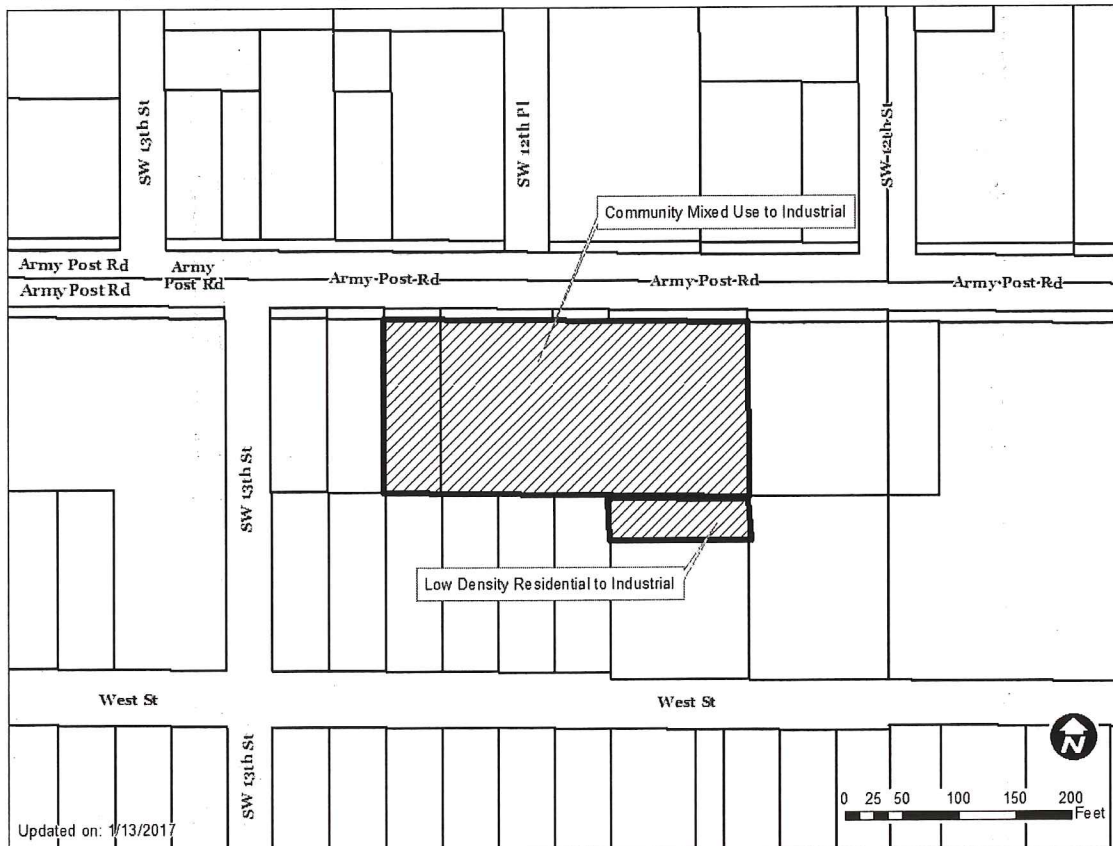


1 inch = 100 feet

Tiger Knight, LLC (owner) represented by Barry Nelson (officer) for property located at 1210 Army Post Road.			File #		
			21-2016-4.18		
<b>Description of Action</b>	Denial of the requested amendment the existing PlanDSM: Creating Our Tomorrow future land use designation from Community Mixed Use and Low Density Residential within a Community Node to Industrial within a Community Node.				
<b>PlanDSM Future Land Use</b>	Current: Community Mixed Use and Low Density Residential. Proposed: Industrial.				
<b>Mobilizing Tomorrow Transportation Plan</b>	No planned improvements.				
<b>Current Zoning District</b>	"C-2" General Retail and Highway-Oriented Commercial District and "FSO" Freestanding Signs Overlay District.				
<b>Proposed Zoning District</b>	"M-1" Light Industrial District and "FSO" Freestanding Signs Overlay District.				
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition	
<b>Inside Area</b>					
<b>Outside Area</b>					
<b>Plan and Zoning Commission Action</b>	Approval		<b>Required 6/7 Vote of the City Council</b>	Yes	X
	Denial	11-1		No	

Tiger Knight, LLC, 1210 Army Post Road

21-2016-4.18



1 inch = 100 feet

ZON2016-00220

Item

Date 1-12-17

CORRECTED NOTICE

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

(Circle One)

Print Name Caleb Fritzer

Signature [Signature]

Address 1228 Army Post Rd

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

ZON2016-00220

Item

Date JAN. 13. 2017

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

(Circle One)

Print Name LELAND KENNEY

Signature Leland Kenney

Address 1225 ARMY POST RD

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

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

ZON2016-00220

Item

Date 1/13/17

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

(Circle One)

Print Name Git-N-Go Stores, Inc.  
Dennis Flora

Signature Dennis Flora, Pres.

Address 2716 Indianola Ave. D.M.,

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

ZON2016-00220

Item

Date 1/11/17

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

(Circle One)

Print Name Git-N-Go Stores Inc.  
Dennis Flora

Signature Dennis Flora, Pres.

Address 2716 Indianola Ave.

Reason for opposing or approving this request may be listed below: D.M., Iowa

ZON2016-00220

Item \_\_\_\_\_

Date Jan. 10, 2017

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

BUNKER FAMILY ENTERPRISES, L.C.  
NANCY J. BUNKER  
1911 69th Street  
Windsor Heights, IA 50324-5808

(Circle One)

Print Name \_\_\_\_\_

Signature \_\_\_\_\_

Address \_\_\_\_\_

Oppose

Nancy Bunker Member  
1911 - 69th St.  
Windsor Hts, Ia. 50324

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

Bunker Fam. Ent., L.C. is Titleholder on 1226  
Army Post Rd. I have a contract purchaser with  
a family there. These are affordable residential  
houses. Rezoning to Light Industrial will make  
the area less desirable for residences.

ZON2016-00220

Item \_\_\_\_\_

Date 1-11-17

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

(Circle One)

Print Name \_\_\_\_\_

Signature \_\_\_\_\_

Address \_\_\_\_\_

Caleb Fritzer  
1228 Army Post Rd

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

ZON2016-00220

Item Rezoning of 1202 Army Post road

Date 1/12/17

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

(Circle One)

Print Name \_\_\_\_\_

Signature \_\_\_\_\_

Address \_\_\_\_\_

Gracia A Bennett  
1202 West St, Des Moines, Ia 50315

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

I disapprove because it will be an eyesore  
and will possibly present a possibility for  
noise and air pollution due to paint and  
solvent fumes.

BUNKER FAMILY ENTERPRISES, L.C.  
NANCY J. BUNKER  
1911 69th Street  
Windsor Heights, IA 50324-5808

EARLY NOTICE OF PUBLIC HEARING

December 30, 2016

A request has been filed with the City of Des Moines from Tiger Knight, LLC (purchaser) represented by Barry Nelson (officer) to rezone property located at 1210 Army Post Road from "C-2" General Retail and Highway Oriented Commercial District to "M-1" Light Industrial District, to allow reuse of the building for warehouse and automobile painting uses. The subject property is owned by Artcraft, Inc.

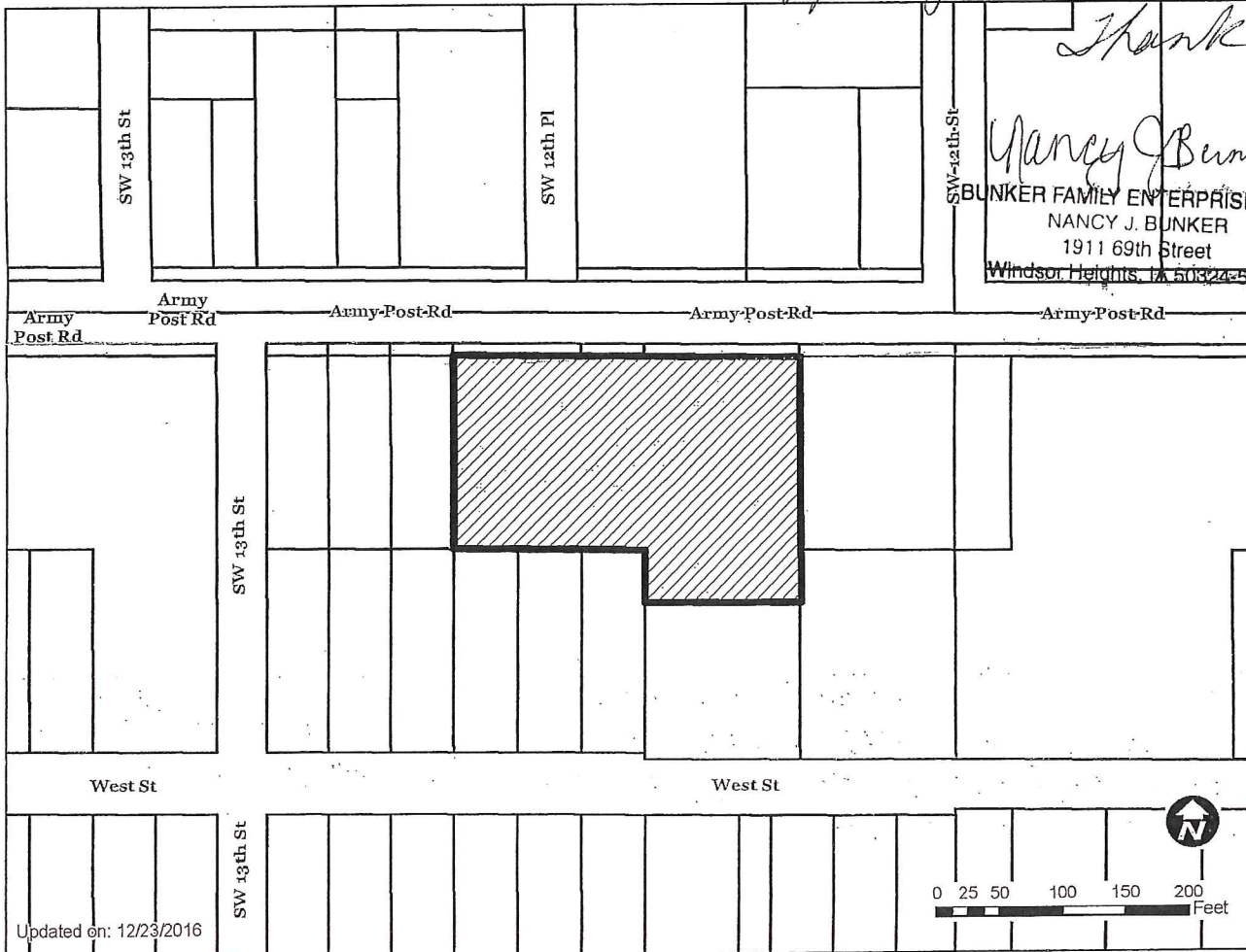
A hearing on these matters has been scheduled for 6:00 P.M. on Thursday, **January 19, 2017** at the **Richard A. Clark Municipal Service Center, 2<sup>nd</sup> Floor Meeting Room, 1551 East Martin Luther King, Jr. Parkway.** This is a revised location due to renovations in City Hall. Transportation for City of Des Moines meetings at their temporary location can be scheduled to and from DART Central Station at 620 Cherry Street. To reserve your route, please call DART On Call Scheduling at (515) 283-8136. Calls for trips will be accepted up until 5:00 PM of the day prior to the meeting. Please be sure to mention in your request that you require transportation for the City of Des Moines meetings at their temporary location. This notice is intended to comply with accessibility requirements of the Americans with Disabilities Act.

Also, ten days prior to the hearing you will be sent a formal notice with a postage paid reply card to return indicating your support or opposition. You may contact Jason Van Essen at (515) 283-4147, Bert Drost at (515) 283-4257, or Erik Lundy at (515) 283-4144, with the Community Development Department for more information.

*I am AGAINST rezoning. Area has some single-family dwellings, such as mine, and rezoning would make this address less desirable. I will respond to the post card if I can, but I wish to be on record opposing.*

Tiger Knight, LLC, 1210 Army Post Road

ZON2016-00220



*Thank you,*  
*Nancy Bunker, Member Manager*  
BUNKER FAMILY ENTERPRISES, L.C.  
NANCY J. BUNKER  
1911 69th Street  
Windsor Heights, IA 50324-5808  
278-  
1222

1 inch = 100 feet

**Drost, Bert A.**

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**From:** Watrous South <watroussouth@gmail.com>  
**Sent:** Wednesday, January 18, 2017 3:56 PM  
**To:** Drost, Bert A.  
**Subject:** Re-zoning for 1210 Army Post Road

Bert,

Please consider this email our formal notification to you regarding the re-zoning of 1210 Army Post Road.

Mr. Arp and the owner of the property made a presentation to our neighborhood association last night. Among several options, one being the majority of the space leased to Artic Glacier Ice and if that didn't work several other options including a car painting operation. The owner has moved his business also to this address so we are glad it will be owner occupied. He said he would make whatever improvements the city required as well.

Although there is some good to having the property occupied, we were concerned about the appearance of trucks, potential of cars in a state of repair waiting to get painted and potentially other issues that could come about if the property were to be re-zoned and what future owners might do with the property.

It is the official position of the members of the Watrous South Neighborhood Association to leave the determination of re-zoning to the experts at the city planning and zoning to make the determination if such action would fit into the overall plans of the city. Although we were not necessarily for it and we also were not against it. Improvements to the neighborhood are always welcome.

I am traveling today and will not be back until late Thursday evening, so not at my computer for the official signature block. Should you need to contact me, my cell is 515-865-4567.

Thank you.

Mitch Harris  
Vice President & Treasurer  
Watrous South Neighborhood Association

Sent from my iPad