



**Roll Call Number**

**Agenda Item Number**

61 ✓

**Date** March 21, 2022

**RESOLUTION HOLDING HEARING ON REQUESTS FROM THE OAKS ON FLEUR, LLC TO AMEND THE EXISTING PLAN DSM: CREATING OUR TOMORROW PLAN FUTURE LAND USE DESIGNATION AND REZONE PROPERTY LOCATED AT 3010 FLEUR DRIVE AND 3020 FLEUR DRIVE**

**WHEREAS**, on February 7, 2022, by Roll Call No. 22-0174, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on January 20, 2022, the City Plan and Zoning Commission voted 14-0 in support of a motion finding that the proposed zoning was not consistent with PlandDSM future land use map; and

**WHEREAS**, on February 7, 2002, Roll Call No 22-0174, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on January 20, 2022, its members voted 9-5 in support of a motion to recommend **DENIAL** of a request by The Oaks on Fleur, LLC (owner), represented by Adam Sieren (officer), to amend the existing PlanDSM: Creating Our Tomorrow Comprehensive Future Land Use Plan designation for real property locally known as 3010 Fleur Drive and 3020 Fleur Drive (collectively "Property") from Low Density Residential to Medium Density Residential; and

**WHEREAS**, on February 7, 2022, by Roll Call No. 22-0174, the City Council received a communication from the City Plan and Zoning Commission further advising that at a public hearing held on January 20, 2022, its members voted 9-5 in support of a motion to recommend **DENIAL** of a request by The Oaks on Fleur, LLC (owner), represented by Adam Sieren (officer), to rezone 2 parcels comprising the Property from 'N3a' Neighborhood District to Limited 'NX1' Neighborhood District for the above-stated purpose, subject to the following conditions:

1. Drive approaches to the site from Fleur Drive are prohibited;
  2. No more than 15 household units shall be developed;
  3. All primary buildings shall front a public street; and
  4. Any building that fronts Willowmere Drive shall not exceed 2 stories or 24 feet above grade in total height;
- and

**WHEREAS**, on February 7, 2022, by Roll Call No. 22-0174, it was duly resolved by the City Council that the request for approval of the proposed PlanDSM Comprehensive Future Land Use Plan amendment and rezoning of the Property, legally described as follows, be set down for hearing on February 21, 2022 at 5:00 P.M., in the Council Chamber at City Hall:

"LOT 2 (EXCEPT THE EAST 4 FEET) AND THE SOUTH 3 FEET OF THE WEST 193 FEET OF THE EAST 200 FEET OF LOT 1 (EXCEPT THE WEST 4 FEET OF THE EAST 11 FEET OF THE SOUTH 3 FEET) IN WILLOWMERE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

LOT THREE (3) EXCEPT THE EAST 4.00 FEET THEREOF (AS MEASURED PERPENDICULAR TO THE EAST LINE OF LOT 3) IN WILLOWMERE, AN OFFICIAL PLAT,

.....  
**Date** March 21, 2022

NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.”

**WHEREAS**, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposed amendment to the Zoning Ordinance and PlanDSM Comprehensive Future Land Use Plan amendment; and

**WHEREAS**, on February 21, 2022, by Roll Call No. 22-0263, the City Council opened and continued said hearing to 5:00 p.m. on March 21, 2022, upon request by the applicants’ representative for additional time for review and evaluation of the proposed rezoning conditions and to address neighborhood questions; and

**WHEREAS**, in accordance with said notice, those interested in said proposed Comprehensive Future Land Use Plan amendment and rezoning and, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Des Moines, Iowa, as follows:

Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed amendment to the PlanDSM: Creating Our Tomorrow Comprehensive Future Land Use Plan designation for 3010 Fleur Drive and 3020 Fleur Drive, or the proposed rezoning of the Property to Limited ‘NX1’ Neighborhood District, subject to the conditions stated above, are hereby received and filed, and the hearing is closed.

**Alternative A**

MOVED by \_\_\_\_\_ and Seconded by \_\_\_\_\_ to adopt and **DENY** the proposed amendment to the PlanDSM: Creating Our Tomorrow Comprehensive Future Land Use Plan designation and rezoning, and to make the following findings of fact regarding the proposed land use plan amendment and rezoning:

- a. That the Plan and Zoning Commission voted 9-5 to DENY the proposed comprehensive plan amendment and the Plan and Zoning Commission voted 9-5 to DENY the proposed rezoning of the Property.
- b. If the proposed amendment to the PlanDSM future land use designation of the Property to Medium Density is not approved, then the proposed rezoning is inapplicable due to nonconformance of Limited “NX1” with the PlanDSM designation of Low Density Residential.
- c. That the City Clerk received and filed a signed protest from owners of 20% or more of the property located within 200 feet of the exterior boundaries of the area included in the proposed zoning map amendment area, at or before the City Council hearing on the proposed zoning map amendment.
- d. The PlanDSM: Creating Our Tomorrow Comprehensive Future Land Use Plan designation of the Property is Low Density Residential, which is not in conformance with the proposed Medium Density Residential designation or proposed use of the Property as stated above as the higher density use does not fit with the Low Density designation nor with existing zoning and development in the vicinity.

If the application of the existing zoning regulations has the effect of denying the owner all economic use of the



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Property, then the appropriate remedy is to seek relief from the Zoning Board of Adjustment.

**Alternative B**

MOVED by \_\_\_\_\_ and Seconded by \_\_\_\_\_ to  
to continue the public hearing until April 4, 2022, at 5:00 p.m. in the Council Chambers at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, and to direct the City Manager and Legal Department to prepare the necessary legislation to **APPROVE** the proposed PlanDSM Comprehensive Future Land Use Plan amendment from Low Density Residential to Medium Density Residential and **APPROVE** the proposed rezoning from 'N3a' Neighborhood District to Limited 'NX1' Neighborhood District, subject to conditions acceptable to the City and the owner(s).

*NOTE: Affirmative votes of three-fourths of the council members who are not disqualified by reason of a conflict of interest are required to approve the proposed rezoning due to the Protest filed by 20% or more of the Property Owners located within 200 feet of the exterior boundaries of the area included within the proposed zoning map amendment area. Des Moines City Code §134-6.3.10 & Iowa Code §362.6 .*

APPROVED AS TO FORM:

Judy K. Parks-Kruse  
Assistant City Attorney

(ZONG2021-000051)  
(ZONG2021-000052)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

**CERTIFICATE**

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

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

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

Date March 21, 2022

Agenda Item 601

Roll Call # \_\_\_\_\_

February 22, 2022

Communication from the City Plan and Zoning Commission advising that at their February 17, 2022 meeting, the following action was taken regarding a request from Mark Lile & Karen Lile (owners) to rezone property located at 1100 Army Post Road from "RX1" Mixed Use District to "I1" Industrial District, to allow use of the property for outdoor storage.

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 12-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Leah Rudolphi	X			
Dory Briles	X			
Abby Chungath	X			
Kayla Berkson	X			
Chris Draper	X			
Jann Freed	X			
Todd Garner				X
Johnny Alcivar				X
Lisa Howard	X			
Carolyn Jenison	X			
William Page	X			
Andrew Lorentzen	X			
Greg Wattier				X
Emily Webb	X			

**APPROVAL** of Part A) The requested rezoning be found **not** in conformance with the existing PlanDSM future land use designation of Community Mixed Use.

Part B) **Denial** of the requested amendment to the PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Community Mixed Use to Industrial, since the Industrial designation should be focused in areas of the City that are already designated for those types of uses and not within areas that comprise primarily small-scale commercial and residential uses.

Part C) **Denial** of the requested rezoning from “RX1” Mixed Use District to “I1” Industrial District, since the “I1” District is not in conformance with the existing PlanDSM Future land use designation of Community Mixed Use. (ZONG-2022-000001)

Written Responses

1 in Favor

0 in opposition

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

Part A) Staff recommends that the requested rezoning be found not in conformance with the existing PlanDSM future land use designation of Community Mixed Use.

Part B) Staff recommends denial of the requested amendment to the PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Community Mixed Use to Industrial, since the Industrial designation should be focused in areas of the City that are already designated for those types of uses and not within areas that comprise primarily small-scale commercial and residential uses.

Part C) Staff recommends denial of the requested rezoning from “RX1” Mixed Use District to “I1” Industrial District, since the “I1” District is not in conformance with the existing PlanDSM Future land use designation of Community Mixed Use.

**STAFF REPORT TO THE PLANNING COMMISSION**

**I. GENERAL INFORMATION**

1. **Purpose of Request:** The rezoning is being requested to allow outdoor storage of equipment and trailers within the property. The City’s Zoning Ordinance only allows outdoor storage to be located within an “I1” Industrial District or “I2” Industrial District.
2. **Size of Site:** 50 feet by 154 feet (7,700 square feet).
3. **Existing Zoning (site):** “RX1” Mixed-Use District.
4. **Existing Land Use (site):** The subject property contains two garages and a continuous paved driveway fronting Southwest 11<sup>th</sup> Street. There is no access to the property from Army Post Road. The area to the south of the garages is fenced off and currently used for outdoor storage.

**5. Adjacent Land Use and Zoning:**

**North** – “RX1”; Use is a strip commercial center, with retail, restaurant, and bar uses.

**South** – “N3b”; Uses are single-household residential.

**East** – “RX1”; Use is a repair and maintenance shop.

**West** – “RX1”; Use is an office use.

6. **General Neighborhood/Area Land Uses:** The subject property is located on the southwest corner of Army Post Road and Southwest 11<sup>th</sup> Street. The uses immediately adjacent to the Army Post Road corridor are generally commercial in nature with one-household residential uses to the south.
7. **Applicable Recognized Neighborhood(s):** The subject property is located within 250 feet of the Watrous South Neighborhood Association. All neighborhoods were notified of the public hearing by mailing of the Preliminary Agenda on January 28, 2022. Additionally, separate notifications of the hearing for this specific item were mailed on January 28, 2022 (20 days prior to the hearing) and February 7, 2022 (10 days prior to the hearing) to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. Additionally, a Final Agenda for the hearing will be mailed to all recognized neighborhoods on February 11, 2022.

All agendas and notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Services Department The Watrous South Neighborhood Association mailings were sent to James Spiller, PO Box 35845, Des Moines, IA 50315.

The applicant will provide a summary of the neighborhood meeting at the public hearing.

8. **Relevant Zoning History:** On November 10, 2021, the applicant was sent a Notice of Violation, which states the following: *Upon inspection there was found to be inoperable, unsafe, and/or unlicensed vehicle(s), vehicular component parts, and/or miscellaneous junk and debris stored outside.* The applicant subsequently applied for a rezoning in order to mitigate the violation.
9. **PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation:** Community Mixed Use.
10. **Applicable Regulations:** Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission reviews all proposals to amend zoning boundaries or regulations within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in 414.3 of the Iowa Code. The Commission may make recommendations to the City Council on conditions to be made in addition to the existing regulations so long as the subject property owner agrees to them in writing. The recommendation of the Commission will be forwarded to the City Council.

## II. ADDITIONAL APPLICABLE INFORMATION

1. **PlanDSM Creating Our Tomorrow:** The subject property is designated as "Community Mixed Use" on the Future Land Use Map and also located within a "Community Node" centered at the intersection of Army Post Road and Southwest 9<sup>th</sup> Street. PlanDSM describes these designations as follows:

### COMMUNITY MIXED USE

*Small- to medium-scale mixed use development, located on high capacity transit corridors or at the intersection of transportation corridors. Community mixed use areas*

*include both a mix of medium density residential and a mix of retail and service establishments designed to attract customers from a large service area encompassing multiple neighborhoods and may include specialty retail that attracts regional customers.*

#### COMMUNITY NODE

*Mid-sized centers providing a range of daily needs and specialized services within a larger neighborhood context. Consist of a mix of housing, retail and offices serving a larger population and geographical area than a neighborhood node. May include a shopping district including a grocery and drug store. Residential development including medium and high densities may occur.*

The proposed "I1" District zoning requires the "Industrial" designation on the Future Land Use Map in order to find the proposed rezoning in conformance with PlanDSM and will require the Future Land Use Map to be amended to the "Industrial" designation which is currently designated as Community Mixed Use.

Industrial is described as follows:

#### INDUSTRIAL

*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.*

The Zoning Ordinance states that "I1" Industrial District is intended for general industrial uses, warehousing, and transportation terminals." Building types allowed in this district include the Storefront, Commercial Cottage, General Building, Workshop/Warehouse, Civic Building and Principal-Use Parking Structure.

The applicant has proposed the "I1" Industrial District in order to continue to do outdoor storage of small business equipment at the site, which are activities that are defined under the Zoning Ordinance as Equipment & Material Storage, Outdoor use.

Staff believes that industrial development should be focused in areas of the City that are already designated for those types of uses. The subject property is located along Army Post Road in an area that is primarily small scale commercial and retail uses that back up to residential uses. Accommodating industrial uses could have a large impact on adjoining properties and the environment. Furthermore, the property is surrounded to the immediate south and to the north of Army Post Road by predominantly Low Density Residential on the Future Land Use Map, thereby not being compatible to the character and industrial uses in the area.

Should the rezoning be denied, the applicant would have up to one (1) year following that denial to seek a Use Variance from the Zoning Board of Adjustment to allow use of the property for a specific commercial use. Such a Use Variance would not require an amendment to the PlanDSM Creating Our Tomorrow future land use plan.

- 2. Planning and Design Ordinance:** Any development must comply with all applicable site plan and design regulations of the Planning and Design Ordinance. Should the rezoning be approved, the applicant would be required to prepare a Site Plan and

building elevations for any proposed additions or modifications for review before the property can be occupied by the proposed use.

- 3. Grading & Storm Water Management:** Any grading is subject to an approved grading permit and soil erosion control plan, as well as a Stormwater Pollution Protection Plan (SWPPP) approved by the Iowa DNR. Tree removal and mitigation calculations must be submitted with any site plan in accordance with Section 42-550 of the Municipal Code.

## SUMMARY OF DISCUSSION

Sreyoshi Chakraborty presented the staff report and recommendation.

Chris Draper asked if the property is rezoned to industrial, would inoperable cars and parts be allowed to be stored onsite.

Sreyoshi Chakraborty stated outdoor storage is only allowed in I1 or I2 industrial districts so the owner could legally have outdoor storage.

Chris Draper asked if the inoperability is out the window at the point its zoned industrial.

Jason Van Essen stated there is a fine line between a junkyard and outdoor storage. What was stated in the staff report was quoted from a section of city code that is used in the neighborhood enforcement division.

Abby Chungath asked if there are specification around fence types for outdoor storage.

Jason Van Essen stated there are outdoor storage performance measures. If this was approved, the applicant would need to provide a site plan and bring the site into conformance.

Abby Chungath stated in regard to the material of the fence, could it be chain link.

Jason Van Essen stated it would need to be a solid material to buffer from the residential use.

Abby Chungath asked if that would still apply if the applicant sought a use variance.

Jason Van Essen stated conditions of a use variance could be negotiated.

Andrew Lorentzen asked in relation to this property, where is the nearest I1 zoning.

Jason Van Essen stated it would be a long ways away.

Emily Webb asked if the applicant could have outdoor storage if he was to seek a use variance.

Sreyoshi Chakraborty stated if the Zoning Board of Adjustment was to grant the use variance, yes.

Jason Van Essen stated the applicant would need to demonstrate financial hardship to be allowed a use variance.

Mark Lile, 1100 Army Post Road stated he has owned the property for 5 years and wouldn't be building or changing anything from what he is currently doing. The neighbors he was able to speak with have no problem with the outdoor storage as everything is in good working condition, no junk has or will be stored.

Chris Draper asked how he arrived at making a request for rezoning.

Mark Lile stated he received notice of violation from the city for outside storage and signage issues.

Chris Draper asked if he was advised to seek a rezoning rather than a use variance.

Jason Van Essen stated you cannot seek a use variance until denied a rezoning.

Will Page asked for staff to explain the use variance.

Jason Van Essen stated the applicant doesn't have legal nonconforming rights or grandfathering rights for outdoor storage. A violation was issued from the neighborhood enforcement division and this rezoning process is an option to rectify the violation. City Council would ultimately decide to rezone the property with a recommendation from the Plan and Zoning Commission. Zoning runs with the land so if he were to sale the property, that next owner would acquire the same zoning designation.

Mark Lile stated he was told zoning conditions could be recommended.

Jason Van Essen stated the Plan and Zoning Commission has the ability to recommend zoning conditions that the owner and ultimately the City Council would need to agree with. The other option would be a use variance, which would allow you relief from the current zoning, without completely rezoning the property. A use variance can have a lot of limitations, such as a particular use or timeframe.

Judy Parks-Kruse stated a use variance is almost never allowed due to the stipulations set by state and city code. The Zoning Board of Adjustment must find that a piece of land could not be used for anything else. This is why applicants need to be denied rezoning before seeking a use variance.

Emily Webb asked if this rezoning was approved, the applicant would need to replace the existing fence.

Jason Van Essen stated the next step would be submitting a site plan that would bring the site into conformance with the new use.

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

Carol Maher, 701 Polk Blvd stated within Chapter 135 it states the fence would need to be screened, have a 25-foot setback from the street, 10-foot setback from all lot lines and has to be paved.

Mark Lile stated he is aware of the struggles he will have to bring the site into compliance if approved the rezoning tonight.

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

Chris Draper stated he would like to approve staff recommendation as it would open up negotiations for a use variance that would provide meaningful operation to continue rather than changing this small piece of property to an industrial use.

### **COMMISSION ACTION:**

Chris Draper made a motion for:

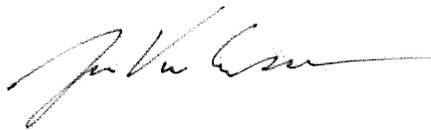
Part A) The requested rezoning be found not in conformance with the existing PlanDSM future land use designation of Community Mixed Use.

Part B) Denial of the requested amendment to the PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Community Mixed Use to Industrial, since the Industrial designation should be focused in areas of the City that are already designated for those types of uses and not within areas that comprise primarily small-scale commercial and residential uses.

Part C) Denial of the requested rezoning from "RX1" Mixed Use District to "I1" Industrial District, since the "I1" District is not in conformance with the existing PlanDSM Future land use designation of Community Mixed Use.

Motion passed: 12-0

Respectfully submitted,



Jason Van Essen, AICP  
Planning & Urban Design Administrator

JMV:tjh

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Mark & Karen Lile, 1100 Army Post Road

ZONG-2022-000001



1 inch = 93 feet



107



Google

101









**Archived:** Wednesday, February 16, 2022 3:20:33 PM

**From:** [karen lile](#)

**Mail received time:** Tue, 8 Feb 2022 02:35:55

**Sent:** Mon, 7 Feb 2022 20:35:35

**To:** [Chakraborty, Sreyoshi](#)

**Subject:** Re: 1100 Army Post Rezoning

**Importance:** Normal

**Sensitivity:** None

**Attachments:**

image001.png;

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

### **Neighborhood Meeting Summary**

**Attached is the letter we mailed out for our neighborhood rezoning meeting. We had 2 addresses represented with 3 people (in person, no emails or phone calls). One was concerned with the process of rezoning (as he is also having to go to rezoning for his property) but had no concerns about our rezoning request. The other two were confused with another piece of property that went to rezoning on February 3, 2022. We explained what we were trying to do with the outside storage and trailer parking. They did not care about the outside storage or trailer parking because they have 3 trailers on their property as well.**

**I did talk to Des Moines Heating and Cooling. Craig said he didn't care what we do on our property.**

**I did talk to the neighbor to the South. Konner, he used to work for me, and he also does not care about the outside storage or trailers. We also talked about the property line and what he wanted to do in the spring on his property.**

**I went to the Watrous South Neighborhood meeting in January. Talked to Mitch Harris about the rezoning of my property and he had no concerns about it. He was going to send you an email, his phone number is 515-565-4567.**

**At the neighborhood meeting I spoke with SuAnn Donovan. Explained what was going on with the rezoning. We talked about 10 minutes. She told me she was going to check into it. I gave her my email and phone number. I have not heard back from her. I reach out to her one more time with no return response.**

**I cannot find the Deed to the property, I called Polk County for the legal description, and this is what they sent.**

**Archived:** Wednesday, February 16, 2022 3:20:38 PM  
**From:** Watrous South Neighborhood Association  
**Mail received time:** Tue, 8 Feb 2022 13:20:32  
**Sent:** Tue, 8 Feb 2022 13:20:25  
**To:** Drost, Bert A., Chakraborty, Sreyoshi  
**Subject:** 1100 Army Post Road - request for zoning change  
**Importance:** Normal  
**Sensitivity:** None

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

I wanted to let you both know that we have been in contact with Mark Lile who currently owns the property at 1100 Army Post Road. We are not always current with the cards that are mailed out, so please use this as our response to his request.

Mr. Lile is requesting a zoning change to accommodate his needs as a property owner at that location.

His address is not within any designated Neighborhood Association but does boarder with ours.

Watrous South Neighborhood Association has no opposition to his change and hope the City will entertain his request.

If you have any questions, please feel free to contact me.

Thank you.

**Mitch**  
*Mitch Harris, Vice President*  
*Board of Directors*



**Neighborhood Association**  
PO Box 35845  
Des Moines, Iowa 50315  
515-865-4567 (Cell)

Item: ZONG-2022-000001 Date: 02-09-2022

Please mark one of the following

I am in favor of the request

I am not in favor of the request

Signature: Howard Town

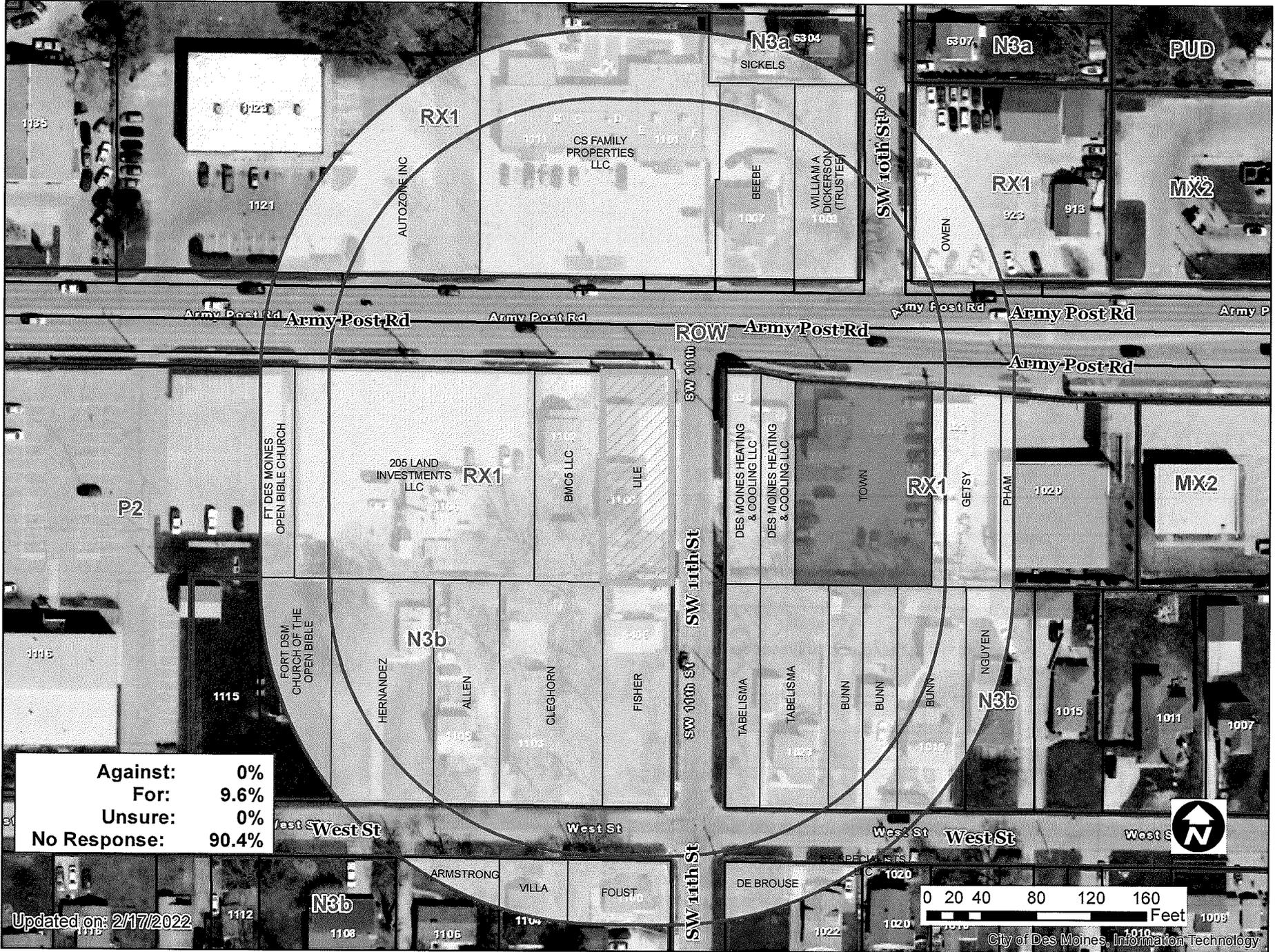
Name: Howard Town

Address: 1024 Army Post Rd

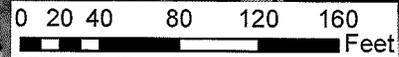
Staff Use Only  
**RECEIVED**  
COMMUNITY DEVELOPMENT  
**FEB 15 2022**

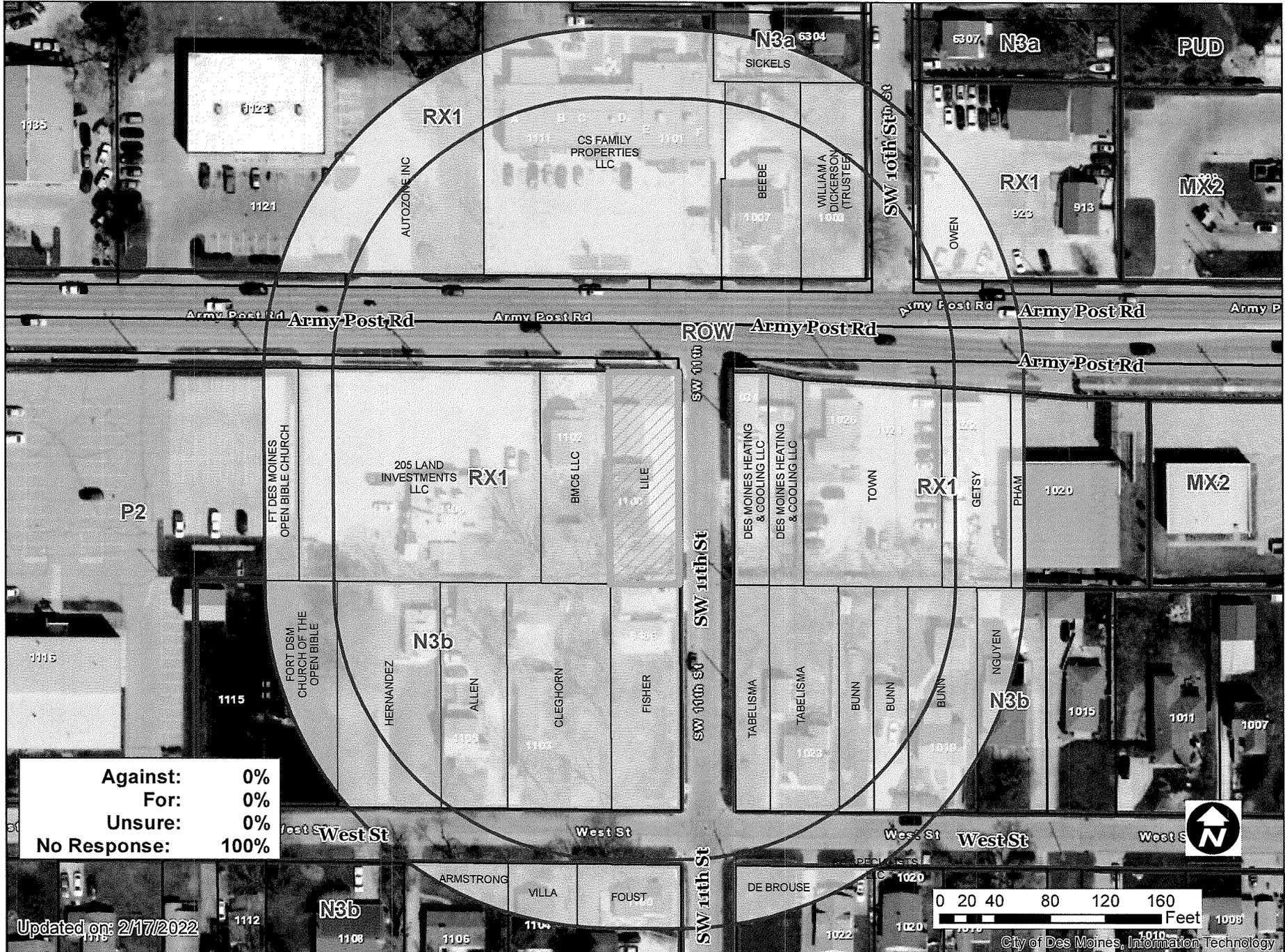
Reason for opposing or approving this request may be listed below:

I believe they are adding value to the  
City of DSM. Anything that adds value should  
be promoted not hindered.



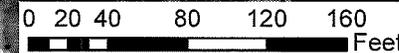
Updated on: 2/17/2022





Against:	0%
For:	0%
Unsure:	0%
No Response:	100%

Updated on: 2/17/2022



City of Des Moines, Information Technology

1 inch = 93 feet

let

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Tina Rayburn

Phone # 515-285-1720

Address 11112 Army Post Rd  
DSM IA 50315

Signature Tina Rayburn date 2-10-22

1

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61

REGISTER ORDER NO.11831 ROLL CALL LEGAL BULLETIN BOARD FOLLOW UP

NOTICE OF PUBLIC HEARING ON REZONING AND LAND USE AMENDMENT

NOTICE IS HEREBY GIVEN that the City Council of the City of Des Moines, Iowa, has adopted a resolution concerning a request from Mark Lile and Karen Lile (owners) to amend PlanDSM: Creating Our Tomorrow future land use designation for real property located at 1100 Army Post Road, Des Moines, Iowa, legally described as follows, from Community Mixed Use to Industrial and to rezone from 'MX1' Mixed Use District to 'I1' Industrial District to allow use of the property for outdoor storage:

The East 50 feet of the North 164 feet (except the North 10 feet thereof) of Lot 13 in Block 1 in Rodgers Place, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa.

A map of the subject property is on file and available for public inspection in the office of the City Clerk, or by sending an email to [Planning@dmgov.org](mailto:Planning@dmgov.org) or calling (515) 689-9485.

NOTICE IS FURTHER GIVEN that the City Council will consider the proposed amendment to future land use designation and proposed rezoning after a public hearing to be held at 5:00 p.m. on March 21, 2022, in the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa. At the hearing, opportunity to be heard will be given to proponents and opponents of the proposed amendment to future land use designation and proposed rezoning. Any person or organization desiring to submit written material regarding this matter may direct such written material to the Office of the City Clerk, City Hall, 400 Robert D. Ray, Des Moines, Iowa 50309, or by e-mailing [cityclerk@dmgov.org](mailto:cityclerk@dmgov.org) prior to 4:00 p.m. on March 21, 2022.

CITY OF DES MOINES, IOWA

By: T.M. Franklin Cownie, Mayor  
ATTEST: P. Kay Cmelik, City Clerk

Published in the Des Moines Register on March 9, 2022.

SETTING DATE OF HEARING

31

1. On request from Mark Lile and Karen Lile to amend the PlanDSM: Creating Our Tomorrow future land use designation for property located at 1100 Army Post Road from Community Mixed Use to Industrial to allow rezoning from RX1 - Mixed Use District to I1 – Industrial District to allow for outdoor storage, (3-21-22).

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Konner Fisher

Phone # 515-777-0053

Address 6406 SW 17<sup>th</sup> St  
Des Moines

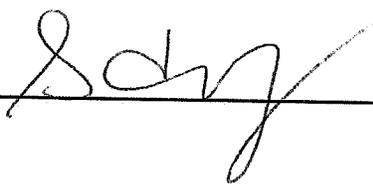
Signature  date 02/08/2022

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name May Beverly

Phone # 515 282-7086

Address 1034 Army Post Rd  
Pm IA 50315

Signature  date \_\_\_\_\_

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Joe Thomas

Phone # \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Signature JT date 02/10/22

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Courtney Cano

Phone # 515 505 6155

Address 1024 Army Post Road

Signature 

date

2-10-22

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name William Villa

Phone # 515 603-2284

Address 1104 West Street  
DSM, IA 50315

Signature William Villa date 2/10/22

6

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name \_\_\_\_\_

Phone # \_\_\_\_\_

Address 1022 West St

\_\_\_\_\_

Signature J DeBruin date 2-10-22

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name \_\_\_\_\_

Phone # \_\_\_\_\_

Address 1103 West St  
\_\_\_\_\_

Signature D Cooper date 2/16/2025

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Rebecca D. Allen

Phone # 515 238 0915

Address 1105 West Street

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Signature Rebecca Allen date 2-10-22

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Michael & Sandra Schuster

Phone # 515-422-4212

Address 1027 6EIL AVE

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Signature [Handwritten Signature] date 2/10/2022

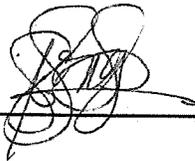
This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name JEANNIE SONG

Phone # 702-695-8957

Address 1204 WADE ST.

DSM IA 50315

Signature  date 10 FEB 2022

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Alisu Beveridge

Phone # 515 718 3261

Address 902 Army Post RD  
Dommos (manager)

Signature Alisu date 2.10.2022

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Clarissa Rowe

Phone # (515) 326 4397

Address 902 Army Post Rd (WORK)  
1327 Birch Lane (Home)

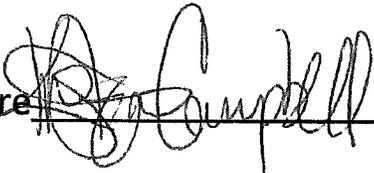
Signature Clarissa Rowe date 02/10/2022

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Kristina Campbell for US Cellular/Cellular Advantage

Phone # 515 287 0000

Address 900 Army Post RD  
DES MOINES IA

Signature  date 2-10-22

515 331 0000  
Corp

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Daniel Jones

Phone # 515 287 732

Address 923 Army Post Rd

Signature Daniel Jones date 2-10-22

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Tina Smith

Phone # 515-451-4690

Address 1101 Army Post Rd  
Des Moines IA 50315

Signature Tina Smith date 2-9-22

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name GANESH SARRAKOTI

Phone # \_\_\_\_\_

Address 1101 ARMY POST RD  
DES MOINES, IA 50315

Signature  date 02/10/22

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Tony Mussler

Phone # (515) 295-9952

Address 1201 Army Post Rd.  
Des Moines Ia 50315

Signature Jud date 2-10-22

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Miguel Vazquez

Phone # (515) 556-0498

Address 1135 Army Post rd.

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Signature Miguel date 2-10-2022

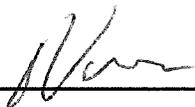
This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Noe Sanchez

Phone # 515 5593948

Address 1135 Army pos RD

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Signature  date 9-10-22

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Aimee Stier - Vintage Barn Floral

Phone # 515-953-8812

Address 1128 ~~8~~ Army Post Rd.  
Des Moines Ia 50315

Signature Aimee Stier date 2/10/22

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Barry Nelson

Phone # 515-360-0577

Address 1210 Army Post Rd  
Des Moines IA 50315

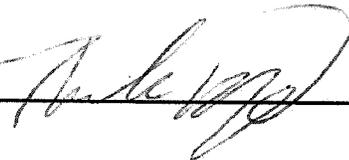
Signature Barry Nelson date 2/10/22

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Thuck Munnigamy

Phone # 515-868-4773

Address 1128 Army Post Rd  
Des Moines 50315

Signature  date \_\_\_\_\_

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Joe Brisbois

Phone # 515) ~~515) 244-2802~~

Address ~~1100~~ <sup>ST</sup> ~~1100~~ <sup>ST</sup> 1210 ARMY POST ROAD #8  
DES MOINES IA, 50315

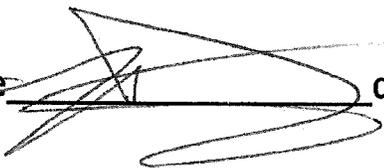
Signature  date 2-10-2022

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Unique Floors

Phone # (515) 901-9920

Address 1202 Army Post Road  
Des Moines, IA 50315

Signature  date 2/10/22

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Allan Kennedy

Phone # 515-985-9384

Address 1022 Army Post Rd

Des Moines, IA 50315

Signature  date 2-10-2022

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name John Myers

Phone # 515-494-6662

Address 1100 West St  
Des Moines Ia

Signature J Myers date 2-10-22

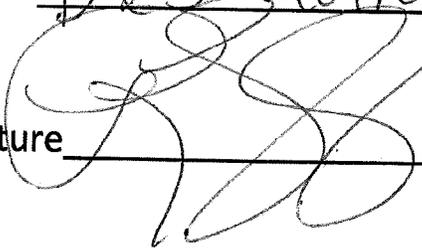
This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Rhonda Foust

Phone # 515-681-4175

Address 1100 West St

Des Moines Ia

Signature  date 2.10.22

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Cassandra Leyva R.

Phone # 515-553-71-81

Address 1101 Geil Ave, Des  
moines 50315

Signature Cassandra Leyva date 02-10-2022

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Bryan Dempsey

Phone # 515-770-3279

Address 1111 Bundy St.  
Des Moines, IA 50311

Signature Bryan Dempsey date 2-6-22

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Alicia Powers

Phone # 515 371-7681

Address 1023 Geil Ave

DES MOINES IA 50315

Signature Alicia Powers date 2-10-22

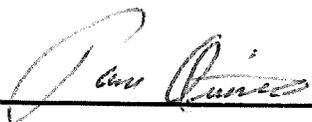
This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Paul Quick

Phone # \_\_\_\_\_

Address 1017 Gell Ave, Dm, IA.

\_\_\_\_\_

Signature  date 2-10-22

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Jarvis H. Woodard

Phone # 515-770-7403

Address 1011 Euclid Ave  
Des Moines, IA

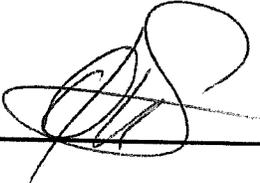
Signature Jarvis H. Woodard date 2-10-22

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name Atilio Parcedes Castro

Phone # 515.207.2267

Address Geil 1005 St West

Signature  date 2/11/2022

This letter is for the Des Moines Zoning Commission. As a neighbor to 1100 Army Post Rd. I have no concern or problem with outside storage and trailer parking.

Name \_\_\_\_\_

Phone # \_\_\_\_\_

Address 1100 Geil Av

\_\_\_\_\_

Signature JOE HASS date \_\_\_\_\_