



**Date** August 19, 2024

**RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM JSG PROPERTIES, LLC (OWNER), REPRESENTED BY GARY JONES (OFFICER), FOR THE FOLLOWING REGARDING PROPERTY LOCATED AT 3001 MCKINLEY AVENUE, TO AMEND PLANDSM CREATING OUR TOMORROW PLAN TO REVISE THE FUTURE LAND USE CLASSIFICATION FROM BUSINESS PARK TO INDUSTRIAL, AND TO REZONE THE PROPERTY FROM “EX” MIXED USE DISTRICT TO LIMITED “I1” INDUSTRIAL DISTRICT**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on July 18, 2024, its members voted 11-2 in support of a motion to recommend **APPROVAL** of a request from JSG Properties, LLC (Owner), represented by Gary Jones (Officer), for the proposed rezoning from “EX” Mixed Use District to Limited “I1” Industrial District be found not in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Business Park; and

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on July 18, 2024, its members voted 11-2 in support of a motion to recommend **APPROVAL** of a request from JSG Properties, LLC (Owner), represented by Gary Jones (Officer), to amend the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Business Park to Industrial; and

**WHEREAS**, the City Plan and Zoning Commission has further advised that at a public hearing held on July 18, 2024, its members voted 11-2 in support of a motion to recommend **APPROVAL** of a request from JSG Properties, LLC (Owner), represented by Gary Jones (Officer), to rezone the Property from “EX” Mixed Use District to Limited “I1” Industrial District, to allow the expansion of an existing industrial and warehousing use, to allow the expansion of an existing industrial and warehousing use, subject to the following conditions:

1. Use of the property shall be limited to the following:
  - A. Any use as permitted and limited in the “EX” District.
  - B. A Fabrication and Production – General use with outdoor storage.; and
2. Any outdoor storage shall only be accessory to a Fabrication and Production – General use, so long as outdoor storage is placed and screened to the satisfaction of the Planning and Design Administrator.; and
3. All outdoor refuse and recycling areas shall be located in a position and screened to the satisfaction of the Planning and Design Administrator.; and
4. Any expansion of use shall require the entire property to be brought into conformance with the Planning and Design Ordinance (Chapter 135 of City Code).; and



Date August 19, 2024

WHEREAS, the Property is legally described as follows:

**PARCEL 1:**

**LOT TEN (10), IN SERENDIPITY PLAT NO. 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EXCEPT THAT PART CONVEYED TO THE CITY OF DES MOINES BY WARRANTY DEED RECORDED IN BOOK 8566 AT PAGE 690, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST COMER OF SAID LOT 10; THENCE NORTH 0°11'35" EAST ALONG THE WEST LINE OF SAID LOT 10, A DISTANCE OF 20.17 FEET; THENCE SOUTHEAST ALONG A 772.50 FOOT RADIUS CURVE CONCAVE NORTHEAST WITH A CENTRAL ANGLE OF 8°30'37", A CHORD DISTANCE OF 114.63 FEET, A CHORD BEARING OF SOUTH 85°31'23" EAST, FOR AN ARC DISTANCE OF 114.74 FEET; THENCE SOUTH 89°32'45" EAST, 100.10 FEET; THENCE SOUTH 0°27'15" WEST, 11.62 FEET; THENCE NORTH 89°40'53" WEST ALONG THE SOUTH LINE OF SAID LOT 10, A DISTANCE OF 214.36 FEET TO THE POINT OF BEGINNING, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. AND**

**PARCEL 2:**

**THE WEST 200 FEET OF LOT ELEVEN (11) (EXCLUDING STREET), IN SERENDIPITY PLAT NO. 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. AND**

**PARCEL 3:**

**PARCEL "A" OF LOT FOURTEEN (14), IN SERENDIPITY PLAT NO. 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AS SHOWN IN PLAT OF SURVEY RECORDED IN BOOK 8527 AT PAGE 895 IN THE OFFICE OF THE RECORDER OF POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE SOUTH 195.16 FEET OF THE WEST 200.00 FEET OF LOT 14, SERENDIPITY PLAT TWO, AN AUDITORS PLAT, DES MOINES, POLK COUNTY, IOWA.; and**

WHEREAS, on August 5, 2024, by Roll Call No. 24-1063, it was duly resolved by the City Council that the request for approval of the proposed amendment and rezoning be set down for hearing on August 19, 2024, at 5:00 p.m., at the City Council Chambers; and

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 proposals; and



**Roll Call Number**

**Agenda Item Number**

41

**Date** August 19, 2024

**WHEREAS**, in accordance with said notice, those interested in said proposals, 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:

1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed amendment and rezoning are hereby overruled, and the hearing is closed.
2. The proposed amendment to PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification for the Property from Business Park to Industrial is hereby approved.
3. The proposed rezoning of the Property, as legally described above, from “EX” Mixed Use District to Limited “I1” Industrial District, to allow the expansion of an existing industrial and warehousing use, subject to the conditions set forth above, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

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

FORM APPROVED:

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

(ZONG-2024-000020) (COMP-2024-000015)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

**CERTIFICATE**

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

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

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

Date Aug. 19, 2024  
 Agenda Item 41  
 Roll Call # \_\_\_\_\_

July 22, 2024

Communication from the City Plan and Zoning Commission advising that at their July 18, 2024 meeting, the following action was taken on request from JSG Properties, LLC (owner), represented by Gary Jones (officer), for the following regarding property located at 3001 McKinley Avenue:

- A) Determination as to whether the requested rezoning is in conformance with the PlanDSM: Creating Our Tomorrow Comprehensive Plan.
- B) Amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification of the property from Business Park to Industrial.
- C) Rezone property from “EX” Mixed Use District to “I1” Industrial District, to allow the expansion of an existing industrial and warehousing use.

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 11-2 as follows.

Commission Action:	Yes	Nays	Pass	Abstain	Absent
Francis Boggus		X			
Leah Rudolphi					X
Abby Chungath	X				
Kayla Berkson	X				
Chris Draper		X			
Laura Kessel	X				
Todd Garner	X				
Johnny Alcivar	X				
Justyn Lewis	X				
Carolyn Jenison	X				
William Page	X				
Andrew Lorentzen	X				
Emily Webb	X				
Katie Gillette					X
Rick Trower	X				

**Approval** of the requested Part A) rezoning be found not in conformance with PlanDSM: Creating Our Tomorrow Comprehensive Plan.

Part B) Approval of the request to amend the PlanDSM: Creating Our Tomorrow Plan Future Land Use Map designation from Business Park to Industrial.

Part C) Approval of the request to rezone the subject property from “EX” Mixed Use District to “I1” Industrial District, subject to the following conditions:

1. Use of the property shall be limited to the following:
  - A. Any use as permitted and limited in the “EX” District.
  - B. A Fabrication and Production – General use with outdoor storage.
2. Any outdoor storage shall only be accessory to a Fabrication and Production – General use, so long as outdoor storage is placed and screened to the satisfaction of the Planning and Design Administrator.
3. All outdoor refuse and recycling areas shall be located in a position and screened to the satisfaction of the Planning and Design Administrator.
4. Any expansion of use shall require the entire property to be brought into conformance with the Planning and Design Ordinance (Chapter 135 of City Code).

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

Part A) Staff recommends that the requested rezoning be found not in conformance with PlanDSM: Creating Our Tomorrow Comprehensive Plan.

Part B) Staff recommends approval of the request to amend the PlanDSM: Creating Our Tomorrow Plan Future Land Use Map designation from Business Park to Industrial.

Part C) Staff recommends approval of the request to rezone the subject property from “EX” Mixed Use District to “I1” Industrial District, subject to the following conditions:

1. Use of the property shall be limited to the following:
  - A. Any use as permitted and limited in the “EX” District.
  - B. A Fabrication and Production – General use with outdoor storage.
2. Any outdoor storage shall only be accessory to a Fabrication and Production – General use, so long as outdoor storage is placed and screened to the satisfaction of the Planning and Design Administrator.
3. All outdoor refuse and recycling areas shall be located in a position and screened to the satisfaction of the Planning and Design Administrator.
4. Any expansion of use shall require the entire property to be brought into conformance with the Planning and Design Ordinance (Chapter 135 of City Code).

## STAFF REPORT TO THE PLANNING COMMISSION

### I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing the expansion of an existing light industrial warehousing business on the property. The business falls under Fabrication and Production – General use type. This business has operated on the subject property for 11 years. The proposed expansion includes a building addition to the north of the existing structure, replacement of the existing paved parking area, and other site improvements as required by City Code. There is currently outdoor storage of vehicles and equipment used for business operations. A rezoning from “EX” District to “I1” District is necessary to allow outdoor storage associated with the proposed business and bring the Fabrication and Production - General use to compliance with the Zoning Code.

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

2. **Size of Site:** 10 acres (436,693 sq. ft.).
3. **Existing Zoning (site):** “EX” Mixed-Use District.
4. **Existing Land Use (site):** Warehouse building with parking lot.
5. **Adjacent Land Use and Zoning:**
  - North* – “N3a”; Uses are one-household residential.
  - South* – “P2”; Uses are the Des Moines International Airport campus.
  - East* – “P2”, “N2b”; Uses are Federal Aviation Administration office and one-household residential.
  - West* – “N3a”; Uses are one-household residential.
6. **General Neighborhood/Area Land Uses:** The subject property consists of a warehouse building, outdoor storage, and parking area. The site is located on McKinley Avenue, directly north of the Des Moines International Airport property.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Southwestern Hills Neighborhood. All neighborhood associations were notified of the public hearing by emailing of the Preliminary Agenda on June 28, 2024, and the Final Agenda on July 12, 2024. Additionally, separate notifications of the hearing for this specific item were mailed on June 28, 2024 (20 days prior to the public hearing) and July 8, 2024 (10 days prior to the public hearing) to the Neighborhood Associations and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site.

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 on the date of the mailing. The Southwestern Hills Neighborhood Association mailings were sent to George Davis, 3124 Southwest 29<sup>th</sup> Street, Des Moines, IA 50321.

The applicant can provide a summary of their neighborhood outreach meeting at the public hearing.

8. **Relevant Zoning History:** On May 5, 2023, a Notice of Violation was sent to the applicant regarding several violation(s), including non-compliance with the approved site plan 10-12-7.68\_01.
9. **PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation:** Business Park.
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 area 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 applicant is requesting that the future land use designation for the property be revised from “Business Park” to “Industrial”. PlanDSM describes these designations as follows:

*Business Park: Accommodates light industrial, office and employment uses along with limited complementary retail uses. Industrial uses in this category would produce little or no noise, odor, vibration, glare, or other objectionable influences, and would have little or no adverse effect on surrounding properties.*

*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 subject property is currently zoned “EX” District. The Zoning Ordinance describes “EX” district as, “intended for locations and corridors with a mix of light industrial and heavier commercial uses, accommodating higher levels of vehicular traffic than MX districts and a predominance of mid-scale employment uses, such as office, low intensity industrial, and warehouse spaces associated with offices.”

The applicant is proposing to rezone the subject property to “I1” District. The Zoning Ordinance describes “I1” district as, “intended for general industrial uses, warehousing, and transportation terminals.”

Staff believes that the proposed land use amendment and proposed rezoning would be consistent with the existing character of the surrounding area so long as any

development is constructed in accordance with the recommended conditions of approval.

Furthermore, the uses along McKinley Avenue are generally commercial and light industrial in nature. They serve to provide a buffer to the residential areas to the north from the Airport activities and allows a transition from higher intensity to lower intensity uses.

- 2. Planning and Design Ordinance:** Any future construction or development of the site must comply with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of City Code). Should the rezoning be approved, the applicant would be required to prepare a site plan and building elevations for any proposed additions or modifications.

Due to proximity of the subject property to residences to the north and east, the neighborhood has concerns on the proposed location of the trash dumpsters. The business is a window and glass manufacturing facility that routinely disposes glass shards into the trash dumpsters during the business hours. This process has historically generated ambient noise which has been a concern for neighbors. Staff has been working with the applicant to address this issue through design mitigation which would be fleshed out during the Site Planning process. Some of the options being explored include the placement of the trash containers by moving them further south, and to completely enclose them as required by City Code. Additionally, a heavy landscape buffer along the northern boundary of the site with evergreen plantings can help mitigate the impact of the sound to the neighbors to the north.

## **SUMMARY OF DISCUSSION**

Sreyoshi Chakraborty presented the staff report and recommendation.

Chris Draper asked where the nearest I1 zoned property was located.

Sreyoshi Chakraborty stated there is not anything in close proximity that is zoned I1. If the rezoning is approved, it would be a Limited I1 subject to conditions.

Jason Van Essen stated the proposed zoning conditions would limit use of the property to the applicant's use plus anything allowed in the EX District.

Chris Draper questioned staff's approach and wondered if denial of the rezoning and a subsequent use variance would be a better solution.

Jason Van Essen stated in this case staff believes that a conditional rezoning is appropriate given the nature of the proposal.

Johnny Alcivar asked if the site would have to be brought up to compliance with site plan requirements.

Sreyoshi Chakraborty stated that is correct.



Chris Draper asked if staff thought the area to the north of the airport might become more industrial in the future.

Jason Van Essen stated this is a borderline area and is already zoned EX. The subject use is similar to uses found in EX with their outdoor storage needs being the exception. Staff does not support a blanket rezoning of the area to I1 but is open to considering requests on a case-by-case basis.

Sreyoshi Chakraborty pointed out that the need to change the zoning was based on their outdoor storage needs.

Chris Draper stated that he fully supported this sort of business and believed this is the right location. He would like to have further talks on strategies for EX zoning.

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

Nick Wittkop, Larson Engineering, 1001 Office Park Road, West Des Moines stated they have worked to address the concerns expressed at the neighborhood meeting by moving dumpster locations to the south of the building to reduce noise impacts. They are adding additional fence and landscaping screening to the northeast. They will add down cast lighting so as not to shine directly on to neighboring properties. They have done their best to address the concerns of the neighboring properties.

Chris Draper asked if they had restricted hours of operation.

Nick Wittkop stated that they do have back log of demand that may impact normal hours of operation, but currently the hours are 7am-6pm. He noted with the expansion that they would be adding 20-25 new positions.

Chris Draper asked if he knew if they were going to have a third overnight shift. Also questioned if the glass dumping violated a noise ordinance.

Nick Wittkop stated he was not aware that they were planning on an overnight shift, but there is nothing that prevents them from doing so. He was also not aware of any noise violations.

John Breed , 2820 Emma Avenue, spoke in opposition of the project. He stated that the noise is very loud and alarming. They are constantly picking up trash in their yards that blows over from the applicant's dumpsters. They would like lighting not to shine directly into their homes and they would like privacy concerns addressed with large, mature evergreen trees.

Charlie Crivaro, 2818 Emma Avenue, stated that his home is located directly behind the dumpster area. Explained how noisy it is with forklifts dumping broken glass. It rattles their home. He also has concerns with trash blowing in his yard.

Will Page asked how often trash is collected and the frequency of the glass dumping.

John Breed responded these are large roll off dumpsters and it is frequent throughout the day. He also noted that the planned tree additions will help, but if they do only saplings, it is not going to do that much to correct the noise issue immediately.

Dan and Deb Belieu, 4601 SW 31<sup>st</sup> Street, stated that they own 2.5 acres to the north of the property. Asked if the zoning change would impact their taxes.

Jason Van Essen stated staff does not expect any impact.

Deb Belieu asked what the changes would do for future development in the area and will there be restrictions on their property.

Jason Van Essen stated that the zoning of their property would remain the same as it is today.

Deb Belieu expressed concerns about water runoff and wondered if the landscaping would expand to the entire north property line.

Jason Van Essen explained if the project moves forward, the applicant will have to comply with city storm water and landscaping regulations. This includes providing a heavy landscape buffer along their north property line.

Deb Belieu stated they are constantly picking up trash and they are hoping the expansion of the neighboring business does not change the country like feel they currently have on their property.

Mark Scigliano, 2814 Emma Avenue, agreed with his neighbors on trash and noise in the area. They are supportive of the business and appreciate the changes they are offering. They have concerns that only moving the dumpster will not change the amount of trash they experience. They are hopeful that maybe a better enclosure would help. Concerns of privacy need to be addressed as the employee break area faces their homes. He would also like guarantees that if this gets passed, that there will be follow-through to complete the changes they have requested.

Sally Davis, SW 2<sup>nd</sup>, spoke in neutrality. She does not live in this area but had a similar situation with a business next to her. She advised neighbors to stay on top of the noise ordinance and report it if it is over 65 decibels to the non-emergency police number. She noted that they are required to have downcast lighting and not project onto the homes.

### *Rebuttal*

Nick Wittkop stated stormwater runoff from the site is not likely impacting the property to the northwest. Noted that they would be planting more trees, but it would be impossible to plant mature trees. Explained they would add a dumpster enclosure and would move the receptacles in an effort to address concerns. The purpose of the rezoning is to accommodate the expansion. They believe they are doing everything necessary to make improvements to the current situation.

Chris Draper asked if a berm along the back side of the property would be possible.

Nick Wittkop stated there is not enough space to construct a berm of an impactful size.

Chris Draper asked if they could do a noise study to get data on the amount of noise.

Nick Wittkop was not sure.

Chris Draper stated it is something they could do to collect data and have the information if it is an issue. He also suggested that building the dumpster with the opening facing the south rather than the north might be helpful with the noise.

Nick Wittkop stated he will pass on the suggestions to the ownership and adhere to suggestions by city staff.

Jason Van Essen asked if there were lids for these dumpsters.

Nick Wittkop stated these are 40-foot dumpsters and they do not have lids. They are large scale and are picked up by something similar to a tow truck.

Will Page asked for some clarification on trees located on the site plan.

Nick Wittkop explained the difference between new plantings and existing plantings.

Will Page asked if the company was willing to maintain the plantings.

Nick Wittkop explained he could not speak about maintenance on the applicant's behalf but did note that all the new plantings installed in the last two years have been maintained. The company is using a landscape architecture consultant, and they would work to provide a heavy buffer area in the areas requested to help mitigate the sound.

Will Page asked Jason Van Essen to confirm that staff would require Evergreen trees in this area.

Jason Van Essen stated that was correct. Indicated that the intent of conditions 2 and 3 in the staff recommendation is to limit where outdoor storage of material and dumpsters is done to account for concerns expressed. Explained that condition number 1 would limit uses in the future should the business change or the property is sold.

Will Page asked if since it notes to the satisfaction of Planning and Design Administrator, that staff would consider the requests of the neighboring properties.

Jason Van Essen stated that was correct. We will work to meet the needs of both the business and the neighbors.

## **CHAIRPERSON CLOSED THE PUBLIC HEARING**

## **COMMISSION ACTION**

Chris Draper suggested changes to the zoning code that would provide strategies to better clarify uses in the EX and I zoning districts.

Will Page made motion for approval of the following:

Part A) The requested rezoning be found not in conformance with PlanDSM: Creating Our Tomorrow Comprehensive Plan.

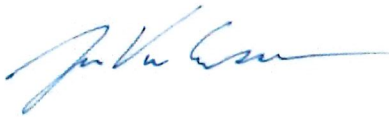
Part B) Approval of the request to amend the PlanDSM: Creating Our Tomorrow Plan Future Land Use Map designation from Business Park to Industrial.

Part C) Approval of the request to rezone the subject property from "EX" Mixed Use District to "I1" Industrial District, subject to the following conditions:

5. Use of the property shall be limited to the following:
  - C. Any use as permitted and limited in the "EX" District.
  - D. A Fabrication and Production – General use with outdoor storage.
6. Any outdoor storage shall only be accessory to a Fabrication and Production – General use, so long as outdoor storage is placed and screened to the satisfaction of the Planning and Design Administrator.
7. All outdoor refuse and recycling areas shall be located in a position and screened to the satisfaction of the Planning and Design Administrator.
8. Any expansion of use shall require the entire property to be brought into conformance with the Planning and Design Ordinance (Chapter 135 of City Code).

**THE VOTE 11-2** (Franis Boggus and Chris Draper voted in opposition)

Respectfully submitted,

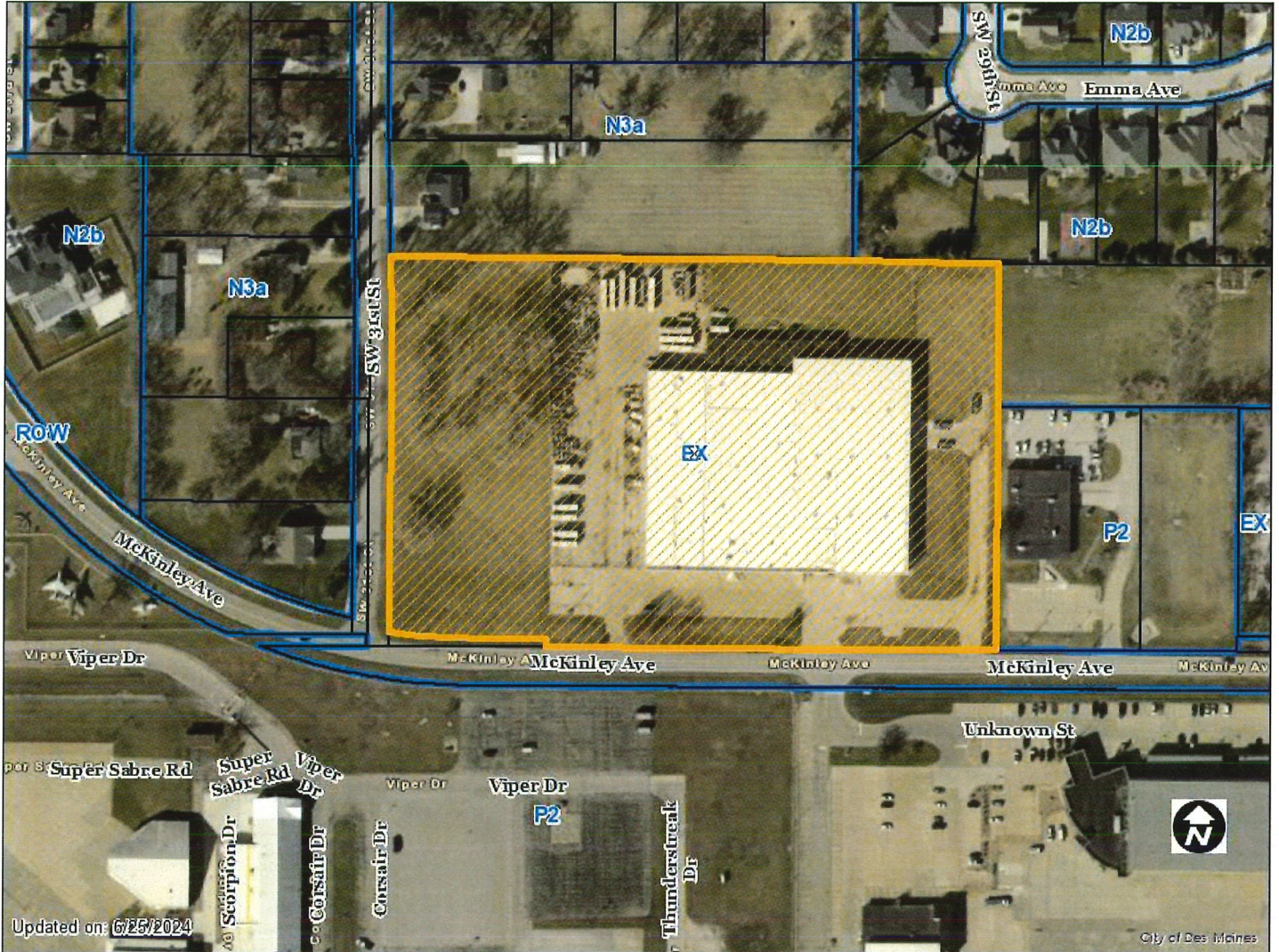


Planning & Urban Design Administrator

JMV:mrw

JSG Properties, LLC 3001 McKinley Avenue

ZONG-2024-000020



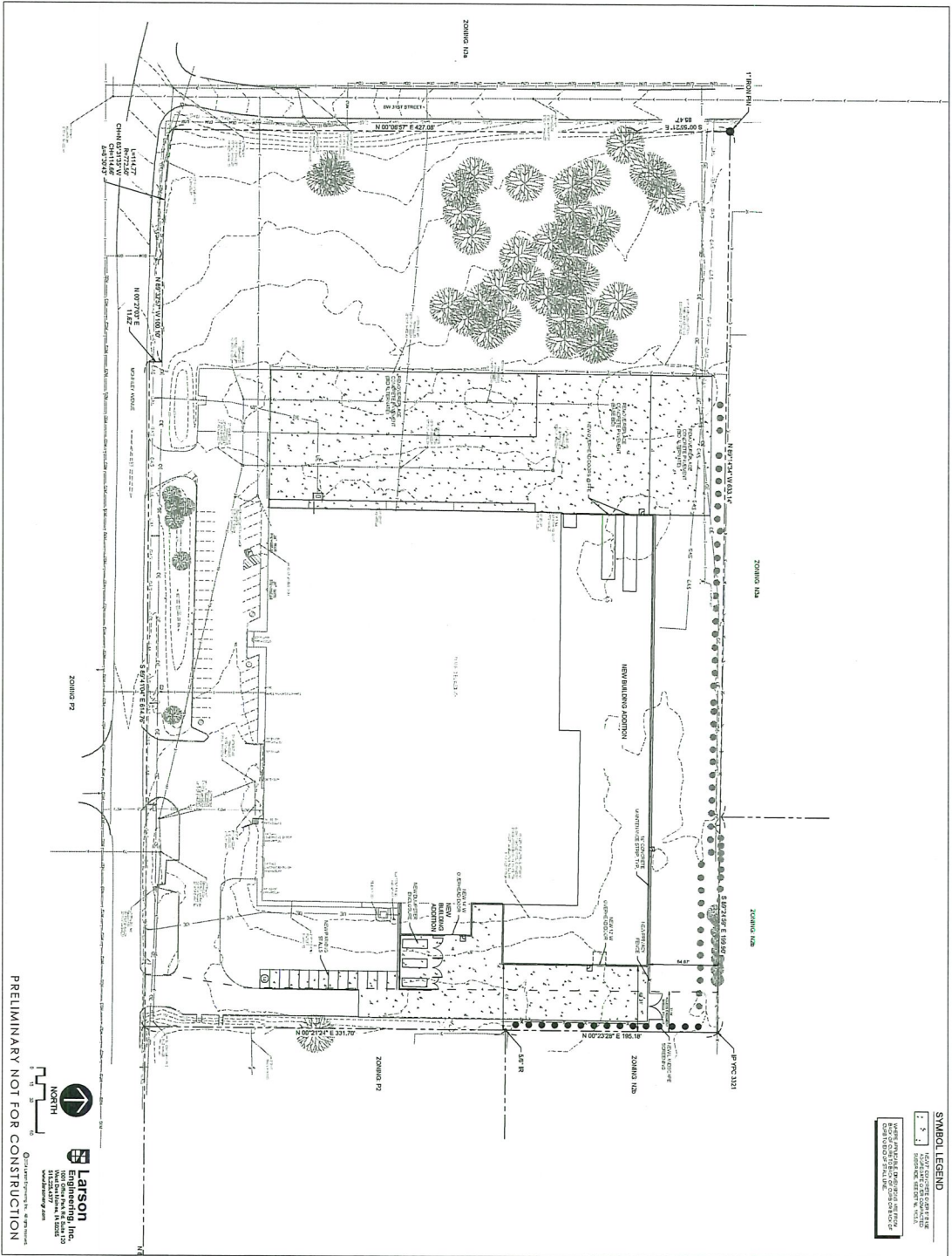












**SYMBOL LEGEND**

—	EXISTING CURB
- - -	PROPOSED CURB
—	EXISTING SIDEWALK
- - -	PROPOSED SIDEWALK
—	EXISTING DRIVE
- - -	PROPOSED DRIVE
—	EXISTING DRIVE
- - -	PROPOSED DRIVE

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**Larson Engineering, Inc.**  
1001 Office Park Rd. Suite 120  
West Des Moines, IA 50265-2509  
515.225.4377  
www.larsonengr.com



July 9, 2024

Re: Neighborhood Meeting Minutes  
Proposed Rezoning of 3001 McKinley Avenue  
JSG Properties, LLC

Manko Window Systems and its representatives held a neighborhood meeting to discuss the proposed rezoning of 3001 McKinley Avenue, Des Moines, Iowa on Monday, July 8<sup>th</sup> at 5:30pm in a conference room in Manko Window Systems located at the subject site. Property owners in the vicinity of the project site (recipients provided by the City of Des Moines) were notified via standard mail, with letters mailed to the recipients on June 20<sup>th</sup>, 2024. The following parties were in attendance for the meeting:

- Kevin Tyson - Manko Window Systems, Branch Manager
- Jordan Collins – Studio Melee, Architect
- Nick Wittkop – Larson Engineering, Civil Engineer
- Deb Belieu – 4601 SW 31<sup>st</sup> Street, Des Moines, IA 50321
- Karen Houseman – 4504 SW 31<sup>st</sup> St., Des Moines, IA 50321
- Mathew Tofanelli – 3000 Stanton Ave., Des Moines, IA 50321
- Paul Kreger – 4504 SW 29<sup>th</sup> St., Des Moines, IA 50321
- John & Sue Breed – 2810 Emma Ave., Des Moines, IA 50321
- Charles & Lori Crivaro – 2818 Emma Ave., Des Moines, IA 50321
- Mark & Shari Scigliano – 2814 Emma Ave., Des Moines, IA 50321
- Jim & Jenny Cataldo – 2802 Emma Ave., Des Moines, IA 50321
- Chris Johansen & Sara Henry – 2806 Emma Ave., 50321

The purpose of the meeting was to discuss the proposed rezoning of 3001 McKinley Avenue from EX (Mixed-Use District) to I1, which is intended for general industrial uses and warehousing. This rezoning will facilitate the construction of a new building addition to the north side of the existing building located at 3001 McKinley Ave., which is currently under operation by Manko Window Systems, Inc. The items discussed in the meeting were generally as follows:

- Opening discussions including a background of the existing facility and the purpose of the proposed addition which is to allow for additional staff and manufacturing production at the facility.
- It was described that the use proposes to be a building addition to an existing structure with a warehouse/light industrial use. This project falls under the Industrial category and is most consistent with a Fabrication and Production – General use type. The Project use does not conform to what is allowed in the zoning district, so rezoning is required to allow this project to proceed. The required zoning district, I1, is intended for general industrial uses, warehousing, and transportation terminals.

- Preliminary plans were presented and a general page turn was conducted to review the proposed building elevations, preliminary site demolition plan, and preliminary site improvement plan. Additional questions and answers are provided below for documentation:

Q: Does the proposed rezoning of this property change the zoning of any surrounding properties?

A: No, the rezoning would only apply to the subject property.

Q: How close does the new addition get to the property lines?

A: The site is subject to a 60' building setback requirement. The extents of the proposed addition are intended to be approximately 65' and 60' from the north and east property lines, respectively.

Q: How long has Manko been operating at this property?

A: Approximately 11 years.

Q: How does this rezoning prevent/change requirements for this parcel moving forward?

A: This parcel would now be held to the City's requirements for an I1 District in lieu of the current EX Mixed Use District.

Q: How will the proposed improvements affect stormwater runoff? In the past, we have had some standing water on our property which required the sump pump to run for long periods of time.

A: It does not appear that any runoff from the existing impervious surfaces is discharged north off-site. As part of these improvements, stormwater management will be provided for the new additional impervious surfaces, and the site will be graded such that no additional runoff will be discharged to neighboring properties.

Q: Will the dumpsters be relocated?

A: Yes, the dumpsters are proposed to be relocated to the north near the northeast corner of the proposed addition, and a dumpster enclosure is proposed to screen the view of the dumpsters.

Q: The noise generated from dumping glass into the dumpsters is an existing concern, and moving the dumpsters further north will only increase that noise. Can anything be done to limit the noise generated at the dumpsters or can they be relocated? Is it possible to put a roof over the dumpster enclosure to limit noise generated?

A: We acknowledge this as a concern and will discuss internally to see if there are any other feasible locations for the dumpsters on site. We will also engage the City to see if they would allow the building structure to extend into the east setback to allow for additional enclosure around the dumpsters in an attempt to mitigate the noise.

Q: Will Manko hire additional employees as part of these improvements or are there plans for a future night shift? In the past there was a night shift that resulted in additional noise being generated overnight.

A: Manko would be looking to hire 20-25 additional manufacturing/production staff as a result of these improvements. Manko no longer utilizes a night shift, and there is currently no intent to add a night shift as part of these improvements.

Q: Will there be any additional landscaping provided to screen the appearance/mitigate noise?

A: Existing trees have been planted along the north property line, however they are still fairly new and have not reached maturity. The City has landscaping requirements that will have to be met during the Site Plan application process.

Q: Will there be vehicles parking/moving along the north side of the proposed addition?

A: No impervious surface is being proposed along the north side of the addition and there is no intent to park/move vehicles along the north side of the addition.

Q: Will there still be a break area for employees on the north side of the addition?

A: Manko has three designated break areas and one of them is currently on the north side of the existing building. Manko can look into adjusting the break locations to limit employees on the north side of the addition if that is an issue for neighbors. The proposed addition is also intended to provide additional break-room space inside the building.

Q: What does the proposed construction timeline look like?

A: The intent would be to begin demolition this year, have building footings complete by Thanksgiving, and erect the building in the Winter. The full construction timeline may be approximately 18 months, but the goal would be to have construction complete within 12 months.

Q: Will there be additional noise generated following construction completion?

A: The facility will not generate more noise than what they are currently generating. Additionally, the proposed addition will have increased wall/roof insulation than what is currently present.

Q: What will the material of the addition be?

A: The addition is proposed to have a metal panel exterior.

Q: What kind of lighting will be on the north side? Will additional light spill onto neighboring properties?

A: Per City requirements, all site lighting shall be directed downward and shielded from adjoining properties.

Q: Are there any loading docks proposed along the north side of the building?

A: No, the proposed loading docks will be along the west side of the building.

Q: Is this neighborhood meeting where we must voice concerns and how would we go about seeing how concerns raised at this meeting will be addressed?

Neighborhood Meeting Minutes  
Proposed Rezoning of 3001 McKinley Avenue  
July 9, 2024

A: The City has or will be sending out a separate letter that provides details on the Plan and Zoning Commission hearing date. At that time, members of the public will be allowed to comment and voice concerns for the P&Z Commission's consideration.

Sincerely,  
**Larson Engineering, Inc.**



Nick Wittkop, P.E.  
Civil Design Engineer

Item: ZONG-2024-000020

Date: 7-15-2024

Please mark one of the following:

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

Staff Use Only
<b>RECEIVED</b>
COMMUNITY DEVELOPMENT
JUL 16 2024

Titleholder Signature: Elizabeth McLaren / Paul Kregger

Name/Business: JKK

Impacted Address: 4504 SW 29th St, DSM IA 50321

Comments: Our Concerns: 1. Dumpsters: Noise and debris is moving closer to houses  
2. Lights: Want to ensure lights will not shine on homes.  
3. Privacy & View: Want taller trees, maintain existing chain link fence, not stone  
junk, boats, etc.. behind building and move break area to south side on Rd up privacy tree  
4. Zoning Change Concerns: New and Existing businesses.

Item: ZONG-2024-000020

Date: 7/14/2024

Please mark one of the following:

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

Staff Use Only  
**RECEIVED**  
COMMUNITY DEVELOPMENT  
JUL 16 2024

Titleholder Signature: 

Name/Business: Michael + Jenne O'Conner

Impacted Address: 2820 Emma Ave

Comments: My concerns: 1) Dumpster is noisy + flying debris moving closer to my house 2) need to be assured lights won't shine in my house at night 3) privacy/view: want taller trees, maintain existing fence, not store junk, boats ect behind building + more break area or put up privacy fence. 5) zoning change concerns (i.e. retail business in building/area).



Item: ZONG-2024-000020

Date: July 15, 2024

Please mark one of the following:

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

Staff Use Only  
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COMMUNITY DEVELOPMENT  
JUL 16 2024

Titleholder Signature: Charles Crivaro Lori Crivaro

Name/Business: Charles Crivaro Lori Crivaro

Impacted Address: 2818 Emma Ave, Des Moines, Ia 50321

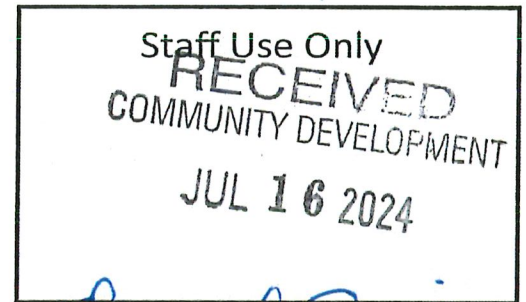
Comments: Concerns: ① Dumpsters: Noise + flying debris is moving closer to houses  
② Lights: want to ensure lights won't shine at houses  
③ Privacy + View: Taller trees, maintain existing chain link fence, not store junky  
boats, etc. behind building and move employee break area to south of building or  
put up privacy fence ④ zoning change concerns: next business?

Item: ZONG-2024-000020

Date: 7/16/2024

Please mark one of the following:

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



Titleholder Signature: Mark Scigliano Shari Scigliano

Name/Business: Mark Scigliano Shari Scigliano

Impacted Address: 2814 Emma Ave, Des Moines, IA 50321

Comments: ① Dumpsters: Noise & debris is moving closer to houses  
② Lights: Want to ensure lights won't shine at homes  
③ Privacy & View: Want taller trees, maintain existing chainlink fence, not store junk boats, etc behind building & move employee break area to south of building or put up privacy fence. ④ Zoning change concerns: next business?

Item: ZONG-2024-000020

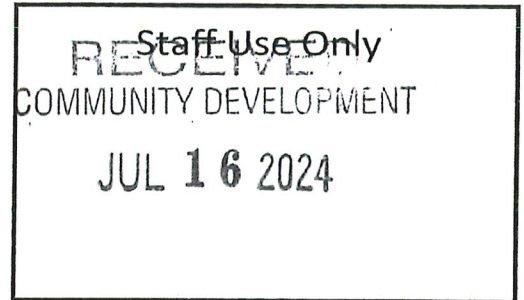
Date: July 15, 2024

Please mark one of the following:

I support the request

I am undecided

I oppose the request



Titleholder Signature: John + Susan Breed

Name/Business: John + Sue Breed

Impacted Address: 2810 Emma Ave

Comments: Our concerns: ① Dumpsters: Noise + flying debris is moving closer to houses. ② Lights: Want to ensure lights won't shine at houses. ③ Privacy + view: Want taller trees, maintain existing chain link fence, not store junk, boats, etc behind bldg + move EE break area to south of bldg or put up privacy fence. ④ Zoning chg concerns: Next bush?

ZONG-2024-000020

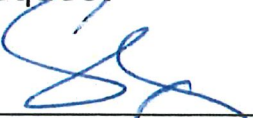
Item: \_\_\_\_\_

Date: \_\_\_\_\_

Please mark one of the following:

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

Staff Use Only  
COMMUNITY DEVELOPMENT  
JUL 16 2024

Titleholder Signature: 

Name/Business: Sarah Henry

Impacted Address: 2806 Emma Ave, Dm, IA 50321

Comments: Concerns: Dumpsters: Noise & flying debris  
close to home, Lights on back of building  
shining into yards, Black fencing and  
tree barrier needs to be higher.

ZONG-2024-000020

Item:

Date:

6-11-24

Please mark one of the following:

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

Staff Use Only  
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 COMMUNITY DEVELOPMENT  
 JUL 18 2024

Titleholder Signature:

*George Davis*

Name/Business:

SW Hills Neighborhood Assoc.

Impacted Address:

Comments:

We have had no comments regarding this issue.

George DAVIS

515-979-9291

