

Date May 19, 2008

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on May 1, 2008, its members voted 6-3 in support of a motion to recommend **APPROVAL** of a request from Kathleen Kirschbaum (owner) to rezone property located at 2713 Martin Luther King Jr. Parkway from Limited "C-2" General Retail and Highway Oriented Commercial District and "M-3" Limited Industrial to Limited "M-1" Light Industrial District subject to the owner of the property agreeing to accept the following conditions:

1. Prohibit the use of the property for adult entertainment business, package goods liquor stores, pawn shops, financial institutions whereby a majority of loans are made based on collateral of future payroll or vehicle titles, off-premises advertising signs, taverns and night clubs, and any "M-1" District permitted use that is not conducted completely within the confines of a building.
2. Any change of use, alteration, or improvement to the existing buildings or use of the property (including legitimizing current non-conforming uses) shall cause it to come into conformance with all applicable building codes, with issuance of a Certificate of Occupancy, and shall cause it to come into conformance with the Des Moines' Landscape Standards as they are applied to "C-2" Districts in accordance with an approved Site Plan.
3. Any expansion, alteration, or improvement to the existing vehicle display lot use of the property shall cause it to conform to a Site Plan reviewed by the Plan and Zoning Commission under the prevailing design guidelines for vehicle display lots.
4. Conformance to the current C-2 standards for auto lot use on the front portion of the property.
5. Removal of the billboard based upon the terms of the lease.
6. Provision of perimeter striping to indicate where the vehicles can be parked.
7. Provision of a significant barrier on the south such as chains and bollards or other barriers as approved by the Community Development Director that would prevent parking in the grass.

(Continued)

★ **Roll Call Number**

Agenda Item Number

24

Date May 19, 2008

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The subject property is more specifically described as follows:

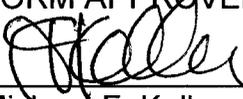
(except the West 7 feet) Lot 3, Lambert Place, all now included in and forming a part of the City of Des Moines, Polk County, Iowa

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

1. That the meeting of the City Council at which the proposed rezoning is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on June 9, 2008, at which time the City Council will hear both those who oppose and those who favor the proposal.
2. 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.

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

FORM APPROVED:



Michael F. Kelley  
Assistant City Attorney

(ZON2008-00042)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
<b>TOTAL</b>				

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

Request from Kathleen Kirschbaum (owner) to rezone property located at 2713 Martin Luther King Jr. Parkway from "C-2" General Retail and Highway Oriented Commercial District and "M-3" Limited Industrial to "M-1" Light Industrial District.				<b>File #</b>	
				<b>ZON2008-00042</b>	
<b>Description of Action</b>	Rezone property from Limited "C-2" General Retail and Highway Oriented Commercial District and "M-3" Limited Industrial to "M-1" Light Industrial District.				
<b>2020 Community Character Plan</b>	Commercial: Auto-Oriented Small-Scale Strip Development				
<b>Horizon 2025 Transportation Plan</b>	M.L. King Jr. Parkway from 19 <sup>th</sup> Street to Euclid Avenue to widen from 4 lane undivided to 4 lane divided				
<b>Current Zoning District</b>	Limited "C-2" General Retail and Highway Oriented Commercial District and "M-3" Limited Industrial District				
<b>Proposed Zoning District</b>	"M-1" Light Industrial District				
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area					
Outside Area	2	1	0	<20%	
<b>Plan and Zoning Commission Action</b>	<b>Approval</b>	6-3	<b>Required 6/7 Vote of the City Council</b>	Yes	
	<b>Denial</b>			No	X

Kathleen Kirshbaum - 2713 ML King Jr. Parkway

ZON2008-00042



Date \_\_\_\_\_

May 19, 2008

Agenda Item 24

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

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 May 1, 2008, the following action was taken:

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 6-3 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Leisha Barcus	X			
JoAnne Corigliano		X		
David Cupp		X		
Shirley Daniels				X
Dann Flaherty		X		
Bruce Heilman				X
Jeffrey Johannsen	X			
Greg Jones	X			
Frances Koontz				X
Kaye Lozier				X
Brian Millard	X			
Mike Simonson				X
Kent Sovern				X
Tim Urban	X			
Marc Wallace	X			

**APPROVAL** of a request from Kathleen Kirschbaum (owner) to amend the Des Moines' 2020 Community Character Plan to revise the future land use designation from Commercial: Auto-Oriented, Small-Scale Strip Development to General Industrial for property located at 2713 Martin Luther King Jr. Parkway.

(21-2008-4.08)

By separate motion and vote, Commissioners recommended **APPROVAL** of a request to rezone subject property from Limited "C-2" General Retail and Highway Oriented Commercial District and "M-3" Limited Industrial to Limited "M-1" Light Industrial District subject to the owner of the property agreeing to accept the following conditions: (ZON2008-00042)

1. Prohibit the use of the property for adult entertainment business, package goods liquor stores, pawn shops, financial institutions whereby a majority of loans are made based on collateral of future payroll or vehicle titles, off-premises advertising signs, taverns and night clubs, and any "M-1" District permitted use that is not conducted completely within the confines of a building.



CITY PLAN AND ZONING COMMISSION  
ARMORY BUILDING  
602 ROBERT D. RAY DRIVE  
DES MOINES, IOWA 50309 -1881  
(515) 283-4182

ALL-AMERICA CITY  
1949, 1976, 1981  
2003

2. Any change of use, alteration, or improvement to the existing buildings or use of the property (including legitimizing current non-conforming uses) shall cause it to come into conformance with all applicable building codes, with issuance of a Certificate of Occupancy, and shall cause it to come into conformance with the Des Moines' Landscape Standards as they are applied to "C-2" Districts in accordance with an approved Site Plan.
3. Any expansion, alteration, or improvement to the existing vehicle display lot use of the property shall cause it to conform to a Site Plan reviewed by the Plan and Zoning Commission under the prevailing design guidelines for vehicle display lots.
4. Conformance to the current C-2 standards for auto lot use on the front portion of the property.
5. Removal of the billboard based upon the terms of the lease.
6. Provision of perimeter striping to indicate where the vehicles can be parked.
7. Provision of a significant barrier on the south such as chains and bollards or other barriers as approved by the Community Development Director that would prevent parking in the grass.

Written Responses

1 In Favor

0 In Opposition

*This item will not require a 6/7 vote of City Council.*

**STAFF RECOMMENDATION AND BASIS FOR APPROVAL**

Part A) Staff recommends that the requested rezoning be found not in conformance with the Des Moines' 2020 Community Character Plan.

Part B) Staff recommends approval of the requested amendment to the Des Moines' 2020 Community Character Plan to revise the future land use from Commercial: Auto-Oriented, Small-Scale Strip Development to General Industrial.

Part C) Staff recommends approval of the requested rezoning to "M-1" Light Industrial District subject to the owner of the property agreeing to accept the following conditions:

1. Prohibit the use of the property for adult entertainment business, package goods liquor stores, pawn shops, financial institutions whereby a majority of loans are made based on collateral of future payroll or vehicle titles, off-premises advertising signs, taverns and night clubs, any "M-1" District permitted use that is not conducted completely within the confines of a building.
2. Any change of use, alteration, or improvement to the existing buildings or use of the property (including legitimizing current non-conforming uses) shall cause it to come into conformance with all applicable building codes with issuance of Certificate of Occupancy and shall cause it to come into conformance with the Des Moines' Landscape Standards as they are applied to "C-2" Districts in accordance with an approved Site Plan.
3. Any expansion, alteration, or improvement to the existing vehicle display lot use of the property shall cause it to conform to a Site Plan reviewed by the Plan and Zoning Commission under the prevailing design guidelines for vehicle display lots.

**STAFF REPORT**

## I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant requests rezoning in order to allow light industrial use of the property. There are currently enforcement actions regarding vehicle repair use of the property that do not conform with the current zoning of the property.
2. **Size of Site:** 0.85 acres (37,026 square feet).
3. **Existing Zoning (site):** "C-2" General Retail and Highway Oriented Commercial District and "M-3" Limited Industrial.
4. **Existing Land Use (site):** The subject property is used for automobile display with sales office and repair functions. There is also a wireless communications tower with antennas and warehousing on the subject property.
5. **Adjacent Land Use and Zoning:**
  - North* – "M-3", Uses are Gus Farms wholesale food distribution with accessory offices and accessory retail grocery.
  - South* – "M-3", Uses are open space and Rainsoft home water treatment systems sales office and distribution warehouse.
  - East* – "U-1", Uses are off-street parking for Des Moines Public Schools bus drivers and Prospect Park.
  - West* – "C-2", Use is vacant land.
6. **General Neighborhood/Area Land Uses:** The subject property is on the Martin Luther King Jr. Parkway commercial corridor between Euclid Avenue and Hickman Road with a mix of light industrial, commercial and office uses.
7. **Applicable Recognized Neighborhood(s):** N/A.
8. **Relevant Zoning History:** The western portion of the subject property was rezoned to "C-2" for a vehicle display lot use on September 27, 1999 subject to the following conditions:
  - A) The entire area upon the Property used for parking, loading and vehicle storage shall be paved.
  - B) Any use of the Property for motor vehicle display or sales shall comply with the requirements applicable to the creation of a new automobile display or sales operation under the "C-2" District regulations, including landscape setbacks and wheel barriers where necessary. *note: this was prior to 2001 adoption of design guidelines for Site Plan review of vehicle display lots*

Since 2004, there have been several code violation cases initiated by inspection staff regarding illegal use of the property for auto repair, body and fender work, and storage of inoperable vehicles, all of which are not permitted in the "M-3" zoned portion of the property. The body and fender work and storage of inoperable vehicles would also be prohibited on the "C-2" District zoned portion of the property, although there is no indication in the enforcement cases that this has occurred.

9. **2020 Community Character Land Use Plan Designation:** Commercial: Auto-Oriented, Small-Scale Strip Development.

10. **Applicable Regulations:** The Commission reviews all proposals to amend zoning regulations or zoning district boundaries within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in §414.3 of the Iowa Code. The Commission may recommend that certain conditions be applied to the subject property if the property owner agrees in writing, in addition to the existing regulations. The recommendation of the Commission will be forwarded to the City Council.

## II. ADDITIONAL APPLICABLE INFORMATION

1. **Drainage/Grading:** The eastern portion of the property sits at a lower grade than the western portion which drains toward Martin Luther King, Jr. Parkway. The eastern portion of the property drains towards the park and Des Moines River to the east.
2. **Landscaping & Buffering:** The western portion of the site is a vehicle display lot which was approved prior to adoption of current site plan requirements for display lots. The property does not appear to conform to the current adopted Des Moines Landscape Standards in terms of setbacks and overall open space and landscaping requirements.

Staff recommends that as a condition of rezoning, that any change of use for the property or any expansion, alteration, or improvement to the existing vehicle display lot shall require that the site come into conformance with the minimum landscaping requirements. This would primarily include provision of adequate landscape perimeters and open space with required plantings. Although the property is not a designated enhancement corridor, staff believes that its high visibility warrants the application of the Landscape Standards as they would be applied to "C-2" Districts.

3. **2020 Community Character Plan:** In order for the requested rezoning to be found in conformance with the Des Moines' 2020 Community Character Plan, the applicant has requested amendment of the Plan to revise future land use from Commercial: Auto-Oriented, Small-Scale Strip Development to General Industrial. There are other Industrial designations further to the north along Martin Luther King Jr. Parkway. These areas are north of the intervening Des Moines Public Schools bus facility. Staff does not believe that it is inappropriate to designate the property for General Industrial use, so long as there are use limitations with any rezoning of the property.

The portion of the property that is zoned "M-3" can be used for warehousing but cannot be used for vehicle repair because of the narrow use limitations of that District which were actually intended for industrial development near the airport. The subject property and surrounding properties are within the only "M-3" District Area in the City that is not in the vicinity of the Des Moines International Airport. Rezoning the entire property to "M-1" will allow for the current combination of uses, vehicle sales, warehousing and auto repair.

While staff finds that the surrounding area has a land use character of light industrial uses such as warehousing, storage, and school bus storage/maintenance facilities; there are other uses in the "M-1" District that may not be appropriate along a corridor with high visibility, to include off-premises advertising, adult business, and industrial uses that occur outside of a building.

4. **Permit and Development Comments:** Any conversion of the building for new uses will require a review under the Building Codes for a change in occupancy. This may result in necessary modifications to the property to bring it into conformance with current codes and could require issuance of necessary permits. This could include current uses that have not

been legitimized. Expansion of use that would require conformance with Des Moines Landscaping Standards will require a Site Plan review by the Permit and Development Center. Staff recommends that any expansion, alteration, or improvement of the existing vehicle display lot shall require a Site Plan review by the Plan and Zoning Commission under the design guidelines for vehicle display.

## **SUMMARY OF DISCUSSION**

Mike Ludwig: Presented staff report and recommendation

Brian Millard: Asked why M-1 zoning.

Mike Ludwig: Deferred to the applicant, but explained there was some repair use at the back that would require M-1 zoning.

Brian Millard: Noted there are past violations.

Mike Ludwig: Deferred to the applicant relative to violations.

Brian Millard: Asked about landscaping.

Mike Ludwig: Noted the Commission can ask for conditions and the applicant has to agree to them in writing prior to the City Council hearing.

Kathleen Kirschbaum, 2713 Martin Luther King: Noted she is in agreement with staff recommendation and conditions. Explained she was seeking M-1 zoning because that's what Zoning officials suggested. Before she purchased the property she spoke with people in Economic Development and Community Development and they told her they felt the area was underdeveloped and they wanted to bring new businesses in and would have to change the zoning because M-3 was not compatible. She does not own the business, but leases to them and she will work with them to be sure they understand the guidelines and what the expectations are and she's certain they will conform. She will work with them on the violations. Did not understand why the billboard was a concern.

Mike Ludwig: Noted the proposed condition is that those uses would be prohibited under the new zoning, but the existing sign would be legal non-conforming so it can remain, but once it is destroyed beyond a certain percentage there could be no further billboard on the property.

Brian Millard: Asked if the applicant is anticipating other uses.

Kathleen Kirschbaum: Noted the front half is all that is being used. Marble Masters used to be there years ago but that type of business was no longer operating on the property.

Brian Millard: Asked about the current violations ongoing and expressed concern about compliance. He noted normally rezoning a car lot requires chains and bollards along the grass be installed to get them to quit parking on the grass, and striping the pavement for parking to prevent parking in the drive aisles. He asked if she would be amenable to those things.

Kathleen Kirschbaum: Would be amenable to that. Thought since she owns the property she would be responsible for paying any fines for violation. Noted when she bought the property she put a new sidewalk in and took out the blacktop and put new lawn in and the car blockers to get the business going and get a certificate of occupancy.

Brian Millard: Suggested C-2 with the proposed use restrictions and that chains and bollards be placed along the south edge and striping on the parking to show where they can park. Asked staff to show her what she would be losing with M zoning.

Mike Ludwig: Explained a body repair shop on the back of the lot would require M-1 zoning. .

Kathleen Kirschbaum: Indicated she could envision a body repair in the back lot.

Mike Ludwig: Explained the requirement of "M-1" zoning is that everything has to be within the building. If anything on the lot is changed they would have to be brought into compliance with the site plan regulations.

Kathleen Kirschbaum: Suggested other car lots that are in place are being held to the same standard. If she did something to expand the operation they would go by the new standards.

JoAnne Corigliano: Asked if the car lot would be expanded and if the operator of the business would be operating out of the rear.

Kathleen Kirschbaum: Indicated the operator's agreement is strictly for the front property and do not have any rights to do anything else on the property. At this time there is no one wanting to use the rear lot, but she would like to be able to use it for storage and do light body conditioning such as tire repairs and oil changes, but anyone who came in would have to follow the guidelines.

Tim Urban: Asked if she was aware of the current standards that are required for used car lots that may go beyond what she has already done to the property.

Kathleen Kirschbaum: Indicated she was not aware of those standards.

Mike Ludwig: Explained the key difference would be the C-2 landscape standards. Noted if she leaves the zoning C-2 and the zoning doesn't change on the property she wouldn't have to change anything. She is seeking M-1 on the rear, but there is no obligation to change anything on the front if she leaves it C-2. As proposed in the conditions, any change to the development would trigger compliance with the site plan standards. The Commission could grant her M-1 on the entire parcel and require she meet the C-2 standards on the front portion of the property to conform to current auto display lot requirements if she concurred in writing prior to the City Council meeting.

Dann Flaherty: Asked about putting an M-1 use next to a floodway (U-1) so cars can be repaired on the site with limited restrictions and expressed concern that the heavy metals would end up in the waterways.

Mike Ludwig: Explained those uses would be required to be inside a building.

Kathleen Kirschbaum: Noted there are drains.

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

*There was no one in the audience to speak on this item.*

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

Tim Urban: Moved to approve staff recommendation with the additional requirement that the applicant conform to the current C-2 standards for auto lot use on the front portion of the property and that the billboard be removed if she's amenable, otherwise he would not move for approval of the zoning.

Brian Millard: Offered a friendly amendment that the applicant include perimeter striping where the vehicles would be parked and a significant barrier on the south such as chains and bollards or other barriers as approved by the Community Development Director, that would prevent parking in the grass.

Tim Urban: Accepted the friendly amendment.

David Cupp: Expressed concern for the body shop having drains going into the sanitary sewer system.

Mike Ludwig: Noted if the Commission recommends denying the zoning, it would take a 6/7 vote of the City Council to overturn the Commission's recommendation in order to approve the zoning. If the Commission recommends approval with conditions, the Legal department would send a letter to the applicant with the conditions the Commission recommended and the applicant could either sign or cross out the conditions and it would be presented to the City Council to make a determination of whether they want to approve the zoning or not based on the Commission's conditions and any additions or deletions the applicant chooses.

Tim Urban: Noted historically the Commission has asked the applicant to verbally accept the conditions so if they make any changes before it goes to City Council they are held accountable.

David Cupp: Asked if the property sits higher than the floodway.

Mike Ludwig: Affirmed the entire area drains to the Des Moines River.

JoAnne Corigliano: Asked if the property was being rezoned with the use being unknown and expressed concern with car repair waste and was hesitant to agree to the zoning.

Mike Ludwig: Noted that the City's zoning districts allow many uses.

JoAnne Corigliano: Expressed concern for groundwater pollution.

Larry Hulse: Noted whatever use is present will have to follow all the rules and regulations of the DNR and the City, and as a body shop they will have to ensure they have oil separation into their plumbing. There are a lot of controls that they would have to comply with. Explained if the Commission feels the uses allowed on the property are improper they can recommend against it.

Brian Millard: Explained if there is anything coming out of the building it will be addressed. The use will have to come into compliance with the new regulations if they add anything that would go into the sewer. Noted the car lot is an eyesore. If it is not rezoned it will stay the same and there will not be restriping and it will come under the 2001 regulations. He would like to see something happen at the site and was in favor of the motion.

David Cupp: Asked why they would be expected to conform to the zoning if they don't comply with current zoning.

Brian Millard: Noted it would be required for them to get a Certificate of Occupancy. Asked how long they have to bring the existing car lot into compliance with a new site plan.

Mike Ludwig: Noted it would be whatever timeframe the City Council decides.

Tim Urban: Noted if the Commission feels any car repair shop that discharges fluids could pollute groundwater in an adjoining site and they want to vote against, it is acceptable. Explained the purpose of his motion was as a trade-off opportunity to accept the outcome in return for getting the

property owner to make a commitment that would be enforceable. He felt getting the billboard removed and the barriers put up and the additional improvements on the C-2 section in return for allowing the auto repair operation to be conducted entirely within the building on the back of the property would be a fair trade.

David Cupp: Expressed concern that the owner has tried to work with the operator with little success.

Kathleen Kirschbaum: Noted she has talked to the operator about when they purchase a car and take it to the back half, which is not C-2. She suggested she needs to impress upon the individual the seriousness of what they are doing and explain they need to conform to the rules and regulations. Explained she just told them early today that they cannot park anything to the side to block the entrance. Noted they are hardworking people, they just need to understand what the regulations are. Would get information from staff and sit with the operator; did not think they realized they were in violation. She did not think she could remove the billboard because she signed a contract with the owner of it and it was written that it would be their decision to remove it. She thought the lease to be 15 years.

Brian Millard: Suggested she provide the contract to Community Development to review.

Dann Flaherty: Expressed concern for trade-offs; would not ever vote for putting any sort of auto repair place next to a floodplain where it would run into the water and pollute it.

Kathleen Kirschbaum: Explained putting a restriction on it is fine but currently it is useless and she would like a change in zoning to allow some sort of activity. Noted they are not currently doing auto body. There was that use next door before she bought the property.

*Kent Sovern left the meeting at 8:35 p.m.*

Mike Ludwig: Noted the M-1 District has performance standards that address the environmental regulations and apply to all uses and explained they state that "no use shall be permitted to be established or maintained which, because of its nature or manner of operation, is or may become hazardous, noxious, or offensive owing to the omission of odor, dust, smoke, cinders, gas fumes, noise, vibrations, refuse matter or water-carried waste."

Tim Urban: Asked the applicant if she agreed to the condition of removing the billboard if it is in her power based upon the terms of her lease.

Kathleen Kirschbaum: Agreed.

Motion passed 6-3 (Dann Flaherty, JoAnne Corigliano and David Cupp were in opposition).

*This vote was taken out of order. The amendment to the Comprehensive Plan was to have been considered first. Brian Millard made a motion to reconsider.*

Motion passed 6-0 (those in opposition cannot vote to reconsider).

Brian Millard: Moved to find the requested rezoning *not* in conformance with the Des Moines' 2020 Community Character Plan.

Motion passed 9-0 (Greg Jones, Leisha Barcus, Jeffrey Johannsen, JoAnne Corigliano, Dann Flaherty, David Cupp, Marc Wallace, Tim Urban and Brian Millard were in attendance).

Mike Ludwig: Noted 2/3 of the quorum is required to amend a comprehensive plan, thus with 9 voting, 6 affirmative votes would be required to amend it.

Brian Millard: Moved to amend the Comprehensive Plan to revise the future land use from Commercial: Auto-Oriented, Small-Scale Strip Development to General Industrial.

Motion passed 6-3 (Dann Flaherty, JoAnne Corigliano and David Cupp were in opposition).

Brian Millard: Moved for approval of the rezoning to conditional "M-1" Light Industrial District.

Motion passed 6-3 (Dann Flaherty, JoAnne Corigliano & David Cupp were in opposition).

Tim Urban: Asked that it be made known in the record that the applicant verbally agreed to accept the conditions placed on the motion.

Mike Ludwig: Noted the item will be going to City Council May 19, 2008 to set the public hearing for June 9, 2008.

Respectfully submitted,

  
Michael Ludwig, AICP  
Planning Administrator

MGL:dfa

Attachment

Item ZON 2008-00042 Date 4/21/08

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

(Circle One)  
**RECEIVED**

APR 23 2008

**COMMUNITY DEVELOPMENT  
DEPARTMENT**

Print Name A E Farms Inc  
Anderson Erickson Dairy Co

Signature By Robert H. Mahaffey

Address 2420 E. University, DSM.

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

The property has been used for this type of  
zoning for a period of time. It should be zoned  
properly.

Item ZON 2008-00042 Date 4/30/08

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

(Circle One)  
**RECEIVED**

MAY 02 2008

**COMMUNITY DEVELOPMENT  
DEPARTMENT**

Print Name DAVID & LORRAINE LONG  
8975 NW POLK CITY DR.  
ANKENY, IA 50023

Signature David Long

Address \_\_\_\_\_

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

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

Item 20N 2008-00042 Date \_\_\_\_\_

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

(Circle One)

**RECEIVED**

MAY 12 2008

**COMMUNITY DEVELOPMENT  
DEPARTMENT**

Print Name Leslie Brewer

Signature Leslie Brewer

Address 2224 Prospect Rd  
Des Moines Iowa 50310

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

NOT IN THE Neighborhoods Best  
Interest - Will allow undesirable  
Business And Customers to  
down grade current area