



Date November 9, 2020

RESOLUTION SETTING HEARING ON REQUEST FROM QUIK TRIP CORPORATION TO REZONE PROPERTY LOCATED AT 1421 INGERSOLL AVENUE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on October 15, 2020, its members voted 12-1 in support of a motion to recommend **DENIAL** of a request from Quik Trip Corporation (lessee), represented by Jessica Glava (officer), to rezone the real property locally known as 1421 Ingersoll Avenue (“Property”), owned by Humphrey’s Fund I REIT, LLC, from ‘MX2’ Mixed Use District to ‘MX3’ Mixed Use District to allow the existing 4,008-square foot Fuel Station with 10 fueling locations the ability to request a Conditional Use for a business that sells alcoholic liquor, subject to the following conditions:

1. The only Permitted and Conditional Uses shall be sales of packaged alcoholic liquor subject to approval of a Conditional Use from the Zoning Board of Adjustment and those Permitted and Conditional Uses in common with the “MX2” Mixed Use District and as limited in the “MX2” Mixed Use District; and
2. Accessory structures shall be limited to those permitted in the “MX2” Mixed Use District per Table 135-2.22-1;
and

WHEREAS, the Property is legally described as follows:

THE WEST 15 FEET OF LOT 5; ALL OF LOTS 6 AND 7; ALL THAT PART OF THE EAST AND WEST ALLEY LYING BETWEEN THE INGERSOLL AVENUE EXTENSION AND HIGH STREET EXTENDING EAST FROM FIFTEENTH STREET; AND ALSO ALL THAT PART OF LOTS 8 AND 9 LYING WITHIN THE FOLLOWING DESCRIBED LINES: BEGINNING AT A POINT WHERE THE NORTH LINE OF SAID EAST AND WEST ALLEY INTERSECTS A STRAIGHT LINE 12 FEET NORTHERLY FROM AND PARALLEL TO THE NORTHERLY LINE OF THE 100 FOOT RIGHT-OF-WAY OF THE INGERSOLL AVENUE EXTENSION; THENCE SOUTHWESTERLY ALONG SAID STRAIGHT LINE 12 FEET NORTHERLY FROM AND PARALLEL TO SAID NORTHERLY LINE OF SAID 100 FOOT RIGHT-OF-WAY OF SAID INGERSOLL AVENUE EXTENSION A DISTANCE OF 119 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE ON AND ALONG SAID CURVE TO THE RIGHT HAVING A RADIUS OF 25 FEET, MORE OR LESS, TO A POINT ON THE EAST LINE OF FIFTEENTH STREET WHICH IS 20 FEET SOUTH OF THE SOUTH LINE OF SAID EAST AND WEST ALLEY; THENCE NORTH ALONG THE EAST LINE OF FIFTEENTH STREET A DISTANCE OF 36 FEET TO THE NORTH LINE OF SAID EAST AND WEST ALLEY; THENCE EAST ALONG THE NORTH LINE OF SAID EAST AND WEST ALLEY A DISTANCE OF 142 FEET (MORE OR LESS) TO THE POINT OF BEGINNING; ALL IN BLOCK 4 IN THE SUBDIVISION OF LOT 5 OF PURSLEY'S ADDITION TO FORT DES MOINES, ALSO KNOWN AS GRIFFITH'S SUBDIVISION OF LOT 5 OF 13.04 ACRES OF THE PURSLEY ESTATE, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA.
AND

Date November 9, 2020

LOTS 3, 4 AND THE EAST 45 FEET OF LOT 5 OF BLOCK 4 OF THE SUBDIVISION OF LOT 5 OF PURSLEY ADDITION TO FORT DES MOINES, LYING NORTH OF INGERSOLL AVENUE, AS PRESENTLY ESTABLISHED, ALL NOW BEING IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING .45 ACRES, MORE OR LESS.

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

1. That the attached communication from the Plan and Zoning Commission is hereby received and filed.
2. That the meeting of the City Council at which the proposed zoning is to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposals, shall be held at 5:00 p.m. on November 23, 2020, by electronic means to encourage and maintain social distancing to curb the spread of COVID19 in the community, without public access to the meeting location.
3. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code. The City Clerk is instructed to provide this notice including information about participation in the electronic meeting as indicated above.

MOVED BY _____ TO ADOPT.

FORM APPROVED:

Judy K. Parks-Kruse
Judy K. Parks-Kruse, Assistant City Attorney

(ZON2020-00113)

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

MOTION CARRIED APPROVED

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.

Mayor

City Clerk



Date November 9, 2020
 Agenda Item 19
 Roll Call # _____

November 3, 2020

Honorable Mayor and City Council
 City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their October 15, 2020 meeting, the following action was taken regarding a request from Quik Trip Corporation (lessee) represented by Jessica Glava (officer) to rezone property located at 1421 Ingersoll Avenue from “MX2” Mixed Use District to “MX3” Mixed Use District to allow the existing 4,008-square foot Fuel Station with 10 fueling location the ability to request a Conditional Use for a business that sells alcoholic liquor.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 12-1 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Dory Briles	X			
Abby Chungath	X			
Kayla Berkson	X			
Jann Freed	X			
Johnny Alcivar	X			
Lisa Howard	X			
Carolyn Jenison	X			
Greg Jones	X			
William Page				X
Rocky Sposato		X		
Steve Wallace	X			
Greg Wattier	X			
Emily Webb	X			

DENIAL of Part A) the proposed rezoning to “MX3” Mixed Use District be found in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Downtown Mixed Use and Part B) **DENIAL** of rezoning the subject property from “MX2” Mixed Use District to “MX3” Mixed-Use District. (ZON2020-00113)

Written Responses

0 in Favor

30 in opposition

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends that the proposed rezoning to “MX3” Mixed Use District be found in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Downtown Mixed Use so long as the zoning is limited as described in Part B of the Staff Recommendation.

Part B) Staff recommends approval of rezoning the subject property from “MX2” Mixed Use District to “MX3” Mixed-Use District subject to the following conditions:

1. The only Permitted and Conditional Uses shall be sales of packaged alcoholic liquor subject to approval of a Conditional Use from the Zoning Board of Adjustment and those Permitted and Conditional Uses in common with the “MX2” Mixed Use District and as limited in the “MX2” Mixed Use District.
2. Accessory structures shall be limited to those permitted in the “MX2” Mixed Use District per Table 135-2.22-1.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to add alcoholic liquor sales to their existing convenience store business. The proposed rezoning is necessary for them to be able to request Conditional Use approval for alcoholic liquor sales from the Zoning Board of Adjustment.
2. **Size of Site:** 39,606 square feet.
3. **Existing Zoning (site):** “MX2” Mixed Use District.
4. **Existing Land Use (site):** Convenience store with fuel sales.
5. **Adjacent Land Use and Zoning:**
 - North** – “MX2”; Use is a surface parking lot utilized for the Methodist Medical Campus.
 - South** – “DX2”; Use is an office building.
 - East** – “DX1”; Use is an office building.
 - West** – “MX2”; Uses are surface parking and an office building.
6. **General Neighborhood/Area Land Uses:** The subject property is in the northwest part of the downtown at the edge of the Sherman Hill Neighborhood and the Methodist Medical Campus. The site is bound by High Street to the north, Ingersoll Avenue to the east and south, and 15th Street to the west.

- 7. Applicable Recognized Neighborhood(s):** The subject property is in the Downtown Des Moines Neighborhood and within 250 feet of the Sherman Hill Neighborhood. The neighborhood associations were notified of the hearing by mailing of the Preliminary Agenda on September 25, 2020 and by mailing of the Final Agenda on October 9, 2020. Additionally, separate notifications of the hearing for this specific item were mailed September 25, 2020 (20 days prior to the hearing) and October 5, 2020 (10 days prior to the hearing) to the Downtown Neighborhood Association, the Sherman Hill Neighborhood Association 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 Development Division on the date of the mailing. The Downtown Des Moines Neighborhood Association mailings were sent to Sebastian Hamirani, 1400 Walnut Street #413, Des Moines, IA 50309. The Sherman Hill Association mailings were sent to Ryan Howell, 831 16th Street, Des Moines, IA 50314.

- 8. Relevant Zoning History:** N/A.

- 9. PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation:** Downtown 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 property is designated as “Downtown Mixed Use” on the Future Land Use Map. Plan DSM describes this designation as follows:

Downtown Mixed Use: Allows mixed-use, high density residential uses, and compact combinations of pedestrian-oriented retail, office, residential, and parking in downtown. Should include active uses (e.g. retail) on the ground floor, particularly at key intersections.

The subject property is currently zoned “MX2” District. The Zoning Ordinance describes this district as “intended for mixed-use, regional-scale nodes and corridors within the city, where residents and visitors may access multiple uses by walking.” Building types allowed in this district by Chapter 135 include the Storefront, Civic Building and Principal-Use Parking Structure.

The “MX2” District does not allow the subject use to have liquor sales. The applicant has requested rezoning to the “MX3” District, which would allow them

to request Conditional Use approval of the sale of alcoholic liquor from the Zoning Board of Adjustment. The Zoning Ordinance describes the “MX3” District as “intended for mixed-use nodes and corridors within the city, where residents and visitors may access multiple uses by walking and automobile.” This district accommodates higher intensity commercial use at a smaller scale.” Building types allowed in this district by Chapter 135 include the Storefront, Commercial Cottage, Commercial Center, Principal-Use Parking Structure, and Civic Building.

The “MX3” District allows some industrial uses, and vehicle sales and service uses by right that are prohibited or are conditional uses in the “MX2” and “DX” Districts. These types of uses were not intended to be allowed by right in the downtown and must be prohibited for the proposed rezoning to be found in conformance with the “Downtown Mixed Use” future land use map designation.

Staff recommends that any rezoning to the “MX3” District only allow the ability to request a Conditional Use to allow sale of packaged alcoholic liquor plus the same Permitted and Conditional Uses in common with the “MX2” District as restricted by the “MX2” District. Also, Staff recommends that accessory structures should only be those allowed in the “MX2” District.

2. **Separation Requirements:** Table 134-3.1-2 of the Zoning Ordinance require fuel stations with alcoholic liquor sales that are zoned “MX3” District to be separated by at least 500 feet from the property line of the lot where any church, school, public park or licensed child care facility are located. They are also required to be separated by at least 1320 feet from any other controlled use engaged in the sale of alcoholic liquor. The subject property is within 485 feet of the Pappajohn Sculpture Park. Therefore, the applicant must obtain a Variance of this requirement from the Zoning Board of Adjustment before the Board can consider a Conditional Use application.
3. **Conditional Use Criteria:** Should the property be rezoned, the applicant would be required to obtain Conditional Use approval from the Zoning Board of Adjustment. The following criteria from Section 134-3.8.1.B of the Zoning Ordinance is the basis for the Board’s review.

Conditional use approval is required for the use of a premises for the sale of alcoholic liquor, wine or beer, under the circumstances identified in indicated in Table 3.1-2 of this article. The board of adjustment is authorized to grant conditional use approval for such uses only when the business, operated in conformance with such reasonable conditions as may be imposed by the board, satisfies the following criteria:

1. *The business conforms with the conditions identified in indicated in Table 3.1-2 of Chapter 134 of the City Code.*
2. *The proposed location, design, construction and operation of the particular use adequately safeguards the health, safety and general welfare of persons residing in the adjoining or surrounding residential area.*
3. *The business is sufficiently separated from the adjoining residential area by distance, landscaping, walls or structures to prevent any noise, vibration or light generated by the business from having a significant detrimental impact*

upon the adjoining residential uses.

- 4. The business will not unduly increase congestion on the streets in the adjoining residential area.*
- 5. The operation of the business will not constitute a nuisance.*

In addition, these general standards from Section 134-3.8.1.C apply to any Conditional Use for the sale of alcoholic liquor, wine and/or beer granted by the Board.

General Conditions. Any conditional use approval granted by the board of adjustment for the use of a premises for the sale of alcoholic liquor, wine and beer is subject to the following general conditions, together with such additional special conditions as may be reasonably required by the board of adjustment to ensure that the conditional use review approval criteria of paragraph B of this subsection, are satisfied:

- 1. Any parking area provided for the use of customers of the business must be illuminated at an intensity of at least one footcandle of light on the parking surface at all times. The entire site must be landscaped and illuminated so as to minimize hiding places for possible criminal activity.*
- 2. The business shall comply with the noise control regulations of article IV of chapter 42 of this code. Outside speakers and amplified sound is prohibited except when used in compliance with a type E sound permit.*
- 3. Any such business must comply with the following requirements:*
 - a. Every limited retail sales establishment, Fuel Station and tobacco store shall display alcoholic liquor only in a locked case or behind a counter accessible only to employees. Any other business selling alcoholic liquor for off premises consumption shall either:*
 - i. Display alcoholic liquor only in a locked case or behind a counter accessible only to employees;*
 - ii. Employ an electronic security cap or tag system on all containers of alcoholic liquor on display; or*
 - iii. Have more than one employee on duty at all times the business is open to the public.*
 - b. Conspicuously post 24-hour contact information for a manager or owner of the business near the main public entrance.*
 - c. Institute a strict no loitering policy, conspicuously post one or more "No Loitering" signs, and cooperate with police in addressing loitering on the premises.*
 - d. Not dispense alcoholic beverages from a drive-through window.*
- 4. Litter and trash receptacles shall be located at convenient locations inside and outside the premises, and operators of such business shall remove all trash and debris from the premises and adjoining public areas on a daily basis.*
- 5. The conditional use approval is subject to amendment or revocation if the operation of the business becomes a nuisance or exhibits a pattern of violating the conditions of the conditional use approval.*
- 6. If the zoning enforcement officer determines at any time that the operation of such a business exhibits a pattern of violating the conditions of the conditional use approval, the zoning enforcement officer may apply to the board of adjustment to reconsider conditional use approval for such business. A copy of such application and notice of the hearing before the board on such application shall be provided to the owner of such business at least 30 days in advance and shall also be provided to all owners of record of property within 250 feet of the subject property. If the board of adjustment finds that the operation of such business exhibits a pattern of violating the*

conditions of the conditional use, the board shall have the authority to amend or revoke the conditional use approval.

- 4. Planning and Design Ordinance:** Any development must comply with all applicable Site Plan and Design regulations of the Chapter 135 Planning and Design Ordinance. Staff is not aware of any anticipated site improvements or exterior alterations associated with this proposal. Staff support of the proposed rezoning should not be construed as support for future variance or conditional use applications to the Zoning Board of Adjustment.

SUMMARY OF DISCUSSION

Jason Van Essen presented the staff report and recommendation. There is currently opposition by owners of 40% of the land area with 250 feet of the rezoning so a 6/7th vote of the City Council will be required regardless of the Plan and Zoning Commission's recommendation.

Ben Bruner 699 Walnut Street representing Dickinson Law Firm stated this location is one Quick Trip is excited for in the short term and long term. Quick Trip is currently reviewing the potential of remodeling and upgrading this site to a new modern store design. The decision to invest millions of dollars into a store would also require more internal financial review and profitability levels as the current pandemic has decreased fuel and retail sales throughout the City and the County. Tonight, is the first step of many. If the rezoning is approved, a conditional use permit will be reviewed by the Zoning Board of Adjustment. They do invite and encourage input from all neighbors and surrounding business so they are able to have productive conversation and address any concerns that are raised. They are a corporate citizen that wants to make sure they are doing the right thing for the neighborhood, employees and customers. Their track record should serve as evidence in their company's commitment for safe and responsible operations and liquor sales. With other competitors granted a conditional use to sell liquor, they would ask for similar allowance from the City.

CHAIRPERSON OPENED THE PUBLIC HEARING

Ryan Howell 831 16th Street stated while this is a zoning issue right now, the only reason they are asking for the rezoning is for the ability to sell liquor. This request is going to do nothing but prey on the most vulnerable members of our community. This location is close to the homeless shelter and long standing homeless camps which frequently visit this Quick Trip. He asks for the commission to consider all the letters received from surrounding neighbors and business owners stating the inconsistency with the surrounding area and this rezoning being inconsistent with anything currently around it. The new gas stations built along Keo Way made the decision not to sell liquor because they recognized the negative impact it would have on the area.

Scott Selix 1525 High Street Owner of Lua Brewing stated the biggest challenge they've had to face since opening the brewery is walking female bartenders to their cars at time of close because of the harassment they receive from the homeless community. This request would only fuel the fire that Sherman Hill has tried so hard to get rid of. Dialog should have taken place with neighbors and surrounding business before this request was submitted

just like they did before opening Lua Brewing, where not a single person was opposed to the request because of the dialog they had with the Sherman Hill Neighborhood.

James Wine 700 Walnut Street representing Unity Point stated it is unusual for Unity Point to be involved in zoning disputes but there was no hesitation when it came to this request. In 2019 Unity Point had 198 documented cases where security had to respond to situations involving vagrancy, people drunk, passed out and drug use in their South parking lot. There is a unique coalition of people opposed to this request which is the residents of Sherman Hill, the hospital, surrounding business and social services that serve the homeless community. He believes this will only do good for Quick Trip and highly encourages the commission to deny the rezoning request.

Jack Porter 815 18th Street stated he has been a resident of Sherman Hill for 40 years and objects to this rezoning request. This isn't just a rezoning request, this is a significant social impact of the neighborhood. He isn't aware of Quick Trip making any effort to contact anyone in the neighborhood which is an unfortunate development by Quick Trip. Quick Trip may be a good corporate citizen but they have not done anything for the Sherman Hill Neighborhood.

Carol Maher 1510 Center Street stated Quick Trip should look into providing funds for a social worker to help with the issues involving the homeless community in the area. She is confused about what type of remodeling would require a rezoning.

CHAIRPERSON CLOSED THE PUBLIC HEARING

Ben Bruner stated they would be willing to have discussion around what Quick Trip can do with providing funds for outreach or social workers. Stating they want to have a conversation doesn't mean lip service, they gave notice to the listing provided by the City and provided their contact information. Being zoned MX2 currently, they would need to rezone to MX3 so no conditional use permit is needed for fuel sales.

Jann Freed stated she rented an office for several years across the street from this Quick Trip location and can say the issues raised tonight are accurate based on the encounters she had with the homeless community in the area.

Greg Wattier asked what the changed in zoning would allow the applicant to do?

Jason Van Essen stated in MX2, fuel sales are a conditional use. Should they clear the site and redevelop or invest more than 50% of the value they would be required to seek a conditional use approval from the Zoning Board of Adjustment. Also, they don't have the ability to seek a conditional use permit for liquor sales in MX2 and MX3 would allow them to seek the conditional use permit for liquor sales.

Greg Wattier stated he is in support of small convenience stores in the City but does find it more disturbing there was no engagement with the neighborhood.

Rocky Sposato stated Quick Trip isn't the reason for problems in our community, the people that want to buy liquor will find another place to buy it. Security should be very important in this area if they are pushing to sale liquor.

COMMISSION ACTION:

Francis Boggus made a motion for **DENIAL** of Part A) the proposed rezoning to "MX3" Mixed Use District be found in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Downtown Mixed Use and Part B) **DENIAL** of rezoning the subject property from "MX2" Mixed Use District to "MX3" Mixed-Use District.

Motion passed: 12-1

Respectfully submitted,



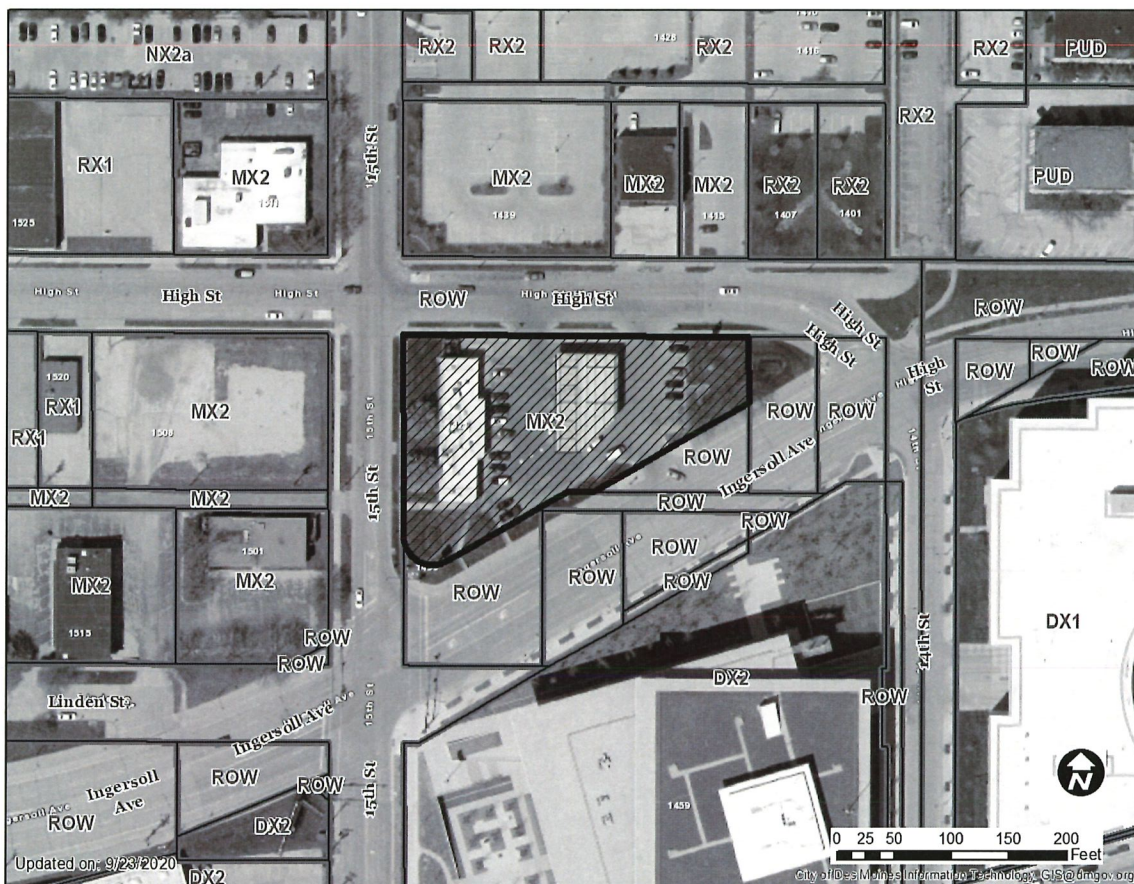
Michael Ludwig, AICP
Planning Administrator

MGL:tjh

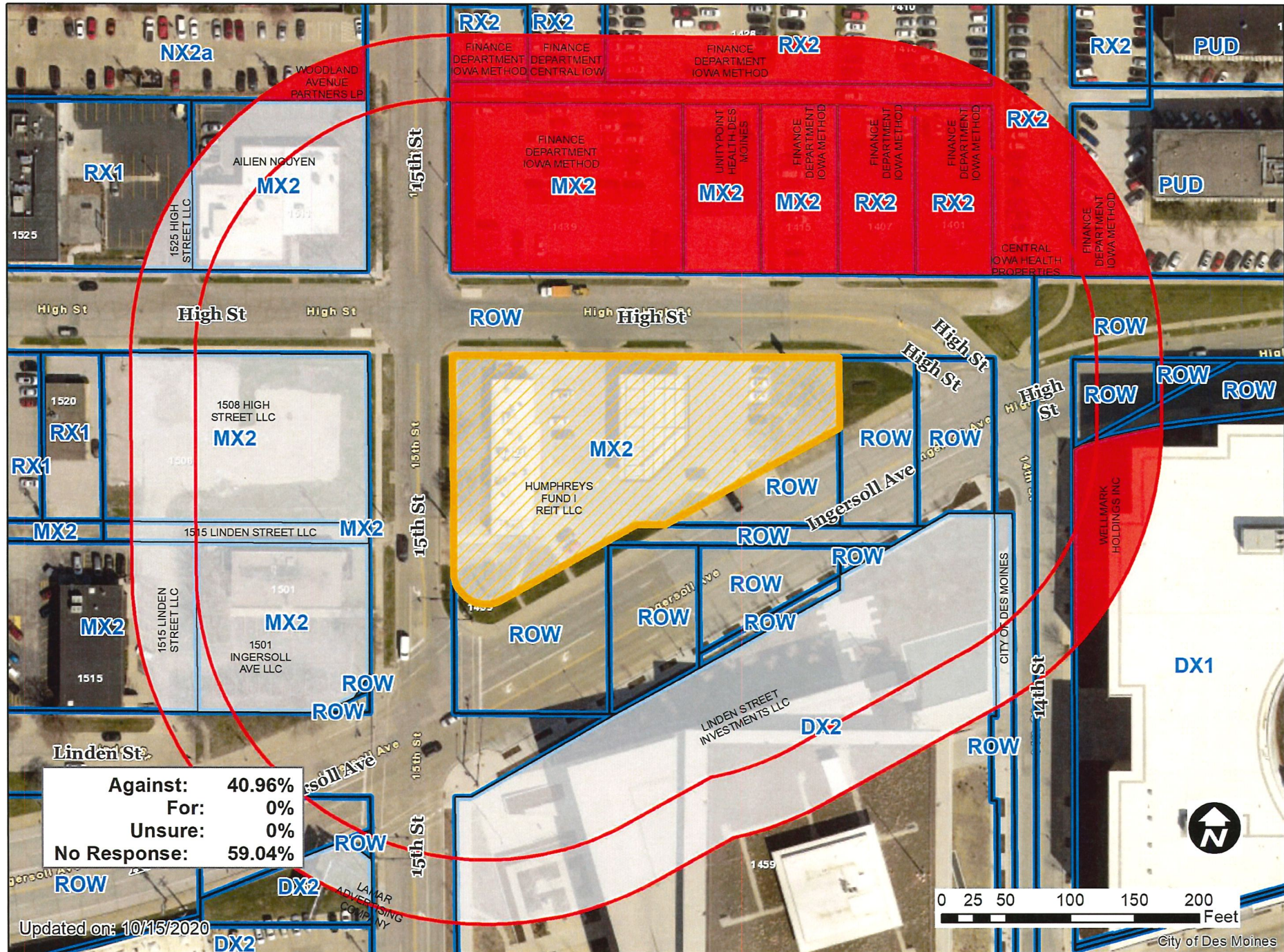
Request from Quik Trip Corporation (lessee) represented by Jessica Glava (officer) property at 1421 Ingersoll Avenue.			File #		
			ZON2020-00113		
Description of Action	Rezone property from "MX2" Mixed Use District to "MX3" Mixed Use District to allow the existing 4,008-square foot Fuel Station with 10 fueling location the ability to request a Conditional Use for a business that sells alcoholic liquor.				
PlanDSM Future Land Use	Current: Downtown Mixed Use. Proposed: N/A.				
Mobilizing Tomorrow Transportation Plan	No planned improvements.				
Current Zoning District	"MX2" Mixed Use District				
Proposed Zoning District	"MX3" Mixed Use District				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Outside Area (200 feet)	0	30		40.96	
Within Subject Property					
Plan and Zoning Commission Action	Approval		Required 6/7 Vote of the City Council	Yes	X
	Denial	X		No	

Quik Trip Corporation, 1421 Ingersoll Avenue

ZON2020-00113



1 inch = 99 feet



Item: ZON2020-00113 Date: 10/9/20 19

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

(Circle One)

Print Name: Ed Massman

Signature: [Handwritten Signature]

Address: _____

RECEIVED
COMMUNITY DEVELOPMENT
OCT 13 2020

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

I DON'T BELIEVE ^{7 PACKAGED} LITIGOR SHOULD BE SO ACCESSIBLE
IN WHAT IS ESPECIALLY THE CENTRAL BUSINESS DISTRICT

I BELIEVE IT WILL BE DIFFICULT TO DENY OTHERS
SIMILAR TREATMENT IF ALLOWED IN THIS ~~CASE~~
CASE

Item: ZON2020-00113 Date: 10-9-2020

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

(Circle One)

Print Name: James Grant Wellmark BCBS

Signature: [Handwritten Signature]

Address: 1331 Grand Ave, Om, IA

RECEIVED
COMMUNITY DEVELOPMENT
OCT 13 2020

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

Not in the Best Interest of the Community.



19

City of Des Moines
Plan & Zoning Commission
602 Robert D. Ray Drive
Des Moines, IA 50309

RECEIVED
COMMUNITY DEVELOPMENT
OCT 19 2020

Re: Item 6, ZON 2020-00113
QuikTrip Corporation Liquor Sale Request at 1421 Ingersoll Avenue

Members of the Plan and Zoning Commission:

As the Executive Director of Hoyt Sherman Place, I am writing today to oppose Item 6, ZON 2020-00113: QuikTrip Corporate Liquor Sale Request at 1421 Ingersoll.

Hoyt Sherman Place welcomes more than 100,000 visitors annually with concerts, meetings, receptions, dance recitals, school events and more. Our audiences regularly step outside during events to take phone calls or get a breath of fresh air. School groups often lunch on the grass. With COVID-19 keeping our capacities limited, the members of the Des Moines Women's Club have been enjoying picnic lunches in the parking lot. We also love to see the neighbors walking their dogs, playing Frisbee or reading a book on our expansive front lawn, which was the first city park in Des Moines.

However, in the last several months, all activities have slowed considerably as we have observed more transient individuals on and around the property. Employees regularly keep all doors of the facility locked for fear of unknown individuals entering the buildings. Further, we believe the neighbors who normally use the grounds for recreation have noticed these individuals as well, and can only surmise that they no longer feel safe enjoying our lawn.

This week we discovered destruction of our property: electrical outlets melted beyond use after their covers were completely broken off. This kind of damage could have easily started a fire in our new building – one that our donors and visitors haven't been able to enjoy due to the global pandemic. We fear this may only be the start.

We repeatedly find trash, clothing, shoes, blankets and other property left behind on all sides of our property. Recently installed cameras gathered footage of people trying to open locked doors. We've also found discarded purses, bags and other items we fear may have been stolen from neighborhood residents. There is also evidence of people defecating in our bushes, flowers and trees.

While QT cannot be blamed for these issues, we believe that the sale of liquor at this location will exacerbate the problems we already encounter daily.

We strongly encourage that you deny the zoning request from QuikTrip Corporation that will allow the sale of liquor on the property located at 1421 Ingersoll Avenue.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Warren", is written over a horizontal line.

Robert Warren
warren@hoytsherman.org



October 15, 2020

City of Des Moines
Plan and Zoning Commission
Armory Building
Des Moines, Iowa

Transmitted via email: Planning@dmgov.org

Re: Request from Quik Trip Corporation to Rezone Property at 1421 Ingersoll from MX-2 to MX-3

Dear Commissioners:

Wellmark, Inc. owns and operates its Iowa headquarters building located at 1331 Grand Avenue in Des Moines, which sits across the street from the Quik Trip Corporation (“QT”) gas station and convenience store at 1421 Ingersoll. Wellmark recently learned QT has requested a rezoning of the 1421 Ingersoll property from MX-2 to MX-3—for the purpose of being allowed to sell hard liquor alcoholic beverages from that location. Wellmark asks that the Commission deny QT’s request as both a violation of QT’s 2012 agreement with the City, and, more importantly, because it will cause immediate harm to the surrounding neighborhood, community and many vulnerable individuals living in and around the area. In short, QT’s request is a bad idea and should be denied.

Wellmark has reviewed and agrees with in all respects the October 13, 2020 letter submitted to this Commission by the Sherman Hill Association (“SHA”). We commend SHA for a thoughtful, thorough, and compelling submission. Wellmark joins in and fully supports the sentiments and concerns submitted by our neighbors in the Sherman Hill area.

Wellmark also joins and supports the zoning analysis and community concerns submitted to the Commission by our neighbors at UnityPoint Health. We will not restate UnityPoint Health’s analysis here. However, Wellmark agrees that there is no compelling justification for the QT property at issue to be treated differently—with a MX-3 designation—than nearly all of its commercial neighbors, including the growing Ingersoll commercial district. This conclusion is as true now—if not more so—than when the Commission last took up this issue in 2012. Over the last eight-plus years, the development of the area surrounding the QT location at issue has created a bright example of how the western edge of downtown Des Moines, the Sherman Hill district and the Ingersoll corridor have become great destinations for dining, shopping, housing, health care and business, in addition to cultural and family events. Allowing the sale of hard liquor on an island in the middle of this multipurposed and historic area would be a terrible mistake. Wellmark urges the Commission to deny the QT rezoning request for these reasons.

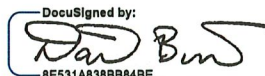
Wellmark Blue Cross and Blue Shield of Iowa, Wellmark Health Plan of Iowa, Inc., Wellmark Value Health Plan, Inc. and Wellmark Blue Cross and Blue Shield of South Dakota are independent licensees of the Blue Cross and Blue Shield Association.



Wellmark urges the Commission to protect the viability and safety of the western downtown, Sherman Hill, and Ingersoll corridor community as a whole. If the Commission analyzes QT's request in this manner, there is only one appropriate decision available. The request should be denied.

Thank you for your consideration and for your service to our community.

Sincerely,

DocuSigned by:


8E531A638B848E...
David S. Brown
Executive Vice President
Chief Financial Officer & Treasurer



David A. Stark
President and CEO

1200 Pleasant Street
Des Moines, Iowa 50309
Phone: (515) 241-6396
Fax: (515) 241-5994
david.stark@unitypoint.org

October 14, 2020

City Plan and Zoning Commission
City of Des Moines
Armory Building
Des Moines, Iowa

Re: Request from Quik Trip Corporation to Rezone Property at 1421 Ingersoll from MX-2 to MX-3

Dear Commissioners:

UnityPoint Health and its affiliates ("UnityPoint") own and operate Iowa Methodist Medical Center ("IMMC") which is directly across the street from the Quik Trip Corporation ("QT") gas station and convenience store at 1421 Ingersoll. We understand that QT has requested a rezoning of its Ingersoll property from MX-2 to MX-3. UnityPoint opposes this request.

This request must be considered in the context of the surrounding neighborhood, which has a balance of commercial, residential and public uses. Immediately to the west and north of the QT property is a historic residential neighborhood. IMMC, across the street from the QT property, is a high-quality regional medical facility, in which UnityPoint has made a significant and ongoing investment. IMMC draws patients and their visiting families and friends from around the state and the country. Immediately south of the QT property is a premier office corridor, the Pappajohn Sculpture Park, a significant attraction for all ages of residents and visitors; the Des Moines Public Library is also south of QT and attracts residents of all ages. Only slightly further south is Central Iowa Shelter & Services which plays an important role in serving the City's homeless population.

The impact of the QT request on all of these uses must be carefully considered. The existing MX-2 zoning classification, which applies both to QT and to numerous surrounding properties including substantially all of the Ingersoll commercial corridor, is intended for mixed use regional scale nodes and corridors and is appropriate for the QT site. The MX-3 District accommodates "higher intensity commercial uses," including, in this case, the possible sale of alcoholic liquor for off-premises consumption. UnityPoint urges the City of Des Moines and the Commission to retain the existing MX-2 zoning for this site. There is no persuasive reason to allow the MX-3 zoning as an "island" in this location. Approval of the rezoning request will result in "spot zoning."

We believe the potential sale of hard alcohol at this location will be detrimental to the surrounding neighborhood in terms of public safety. IMMC has had continuing issues with persons on its south parking lots that are unconscious, passed out, lying on the ground in an intoxicated state, under the influence of illegal drugs, or in a similar state. In 2019, IMMC records indicate that there were 158 cases of such individuals in the south parking lots of IMMC. Through September 2020, there were 105 such cases. While not all of those cases can be linked to the QT property, it does indicate that there is already an issue with vagrancy and irresponsible use of alcohol and drugs in this location. The QT property appears to be a hub for some of these irresponsible or dangerous activities.

UnityPoint operates the Powell Chemical Dependency Center and has long been active in issues relating to drug and alcohol abuse. UnityPoint has a serious concern that the expansion of sales at the QT property to hard liquor will only heighten the existing issues at the QT property, and the resulting effect on neighboring properties, as described in this letter.

In summary, UnityPoint believes that approval of this rezoning request will have a negative effect on the surrounding neighborhood. We thank you for consideration of our concerns.

Very truly yours,

A handwritten signature in blue ink that reads "David Stark". The signature is written in a cursive style with a large initial "D".

David Stark
President & CEO

A handwritten signature in blue ink that reads "Thomas P. Mathews". The signature is written in a cursive style with a large initial "T".

Thomas P. Mathews
Chief Financial Officer

October 14, 2020

City of Des Moines
Planning and Zoning Commission

To Whom It May Concern,

It is my understanding that Quik Trip Corporation is requesting a Conditional Use for a business that sells alcoholic liquor, specifically at their 1421 Ingersoll Avenue location. As an officer representing both Gateway Dental Group (1540 High Street, Suite 201, Des Moines, IA 50309) and Medical and Professional Properties (5530 NW Beaver Dr # 100, Johnston, IA 50131), I strongly encourage the Planning and Zoning Commission to deny this request.

Alcohol and illicit drug use amongst our city's homeless population is rampant. As a downtown property owner and business owner, I have witnessed this first-hand. On multiple occasions, I have encountered homeless persons on my property who are intoxicated or under the influence of illicit drugs. I have had to call the Des Moines Police to assist me in getting incoherent or unresponsive individuals removed from my property. I have found litter consisting of empty beer cans, beer bottles, hypodermic needles, used food containers, and abandoned clothing on my property. I have witnessed inebriated individuals urinating on the properties adjacent to my own. On one occasion, I found human excrement under my fire escape. It is my assessment that most (if not all) of these behaviors are the result of illicit drug or alcohol use.

By honoring Quik Trip's request to sell alcoholic liquor, the Planning and Zoning Commission would be worsening an existing problem. The businesses, business owners, properties, property owners, and residents who surround the Quik Trip at 1421 Ingersoll Avenue would all pay the price for the Commission's affirmative decision. The city's increased tax revenue from the sale of liquor at this location could never justify the effects that the liquor would have on the immediate community. I ask that the Commission deny Quik Trip's request.

Thank you.

Sincerely,



Dr. Stephen J. Burds
Owner, Gateway Dental Group
Owner, Medical and Professional Properties
515-971-9826
steveburds@gmail.com

October 13, 2020

To: City of Des Moines
Plan & Zoning Commission
602 Robert D. Ray Drive
Des Moines, IA 50309

Re: Item 6, ZON 2020-00113
Quik Trip Corporation's Liquor Sale Request at 1421 Ingersoll Avenue

Dear Members of the Plan and Zoning Commission,

I write on behalf of the Sherman Hill Association ("SHA") to oppose the Quik Trip Corporation ("QT")'s request to rezone and receive a conditional use permit to sell liquor. This issue was addressed in 2012. In response to overwhelming opposition to liquor sales at this QT, QT reached an agreement with the City to not sell liquor. Apparently, QT has decided to ignore or break their prior agreement and representations to the neighbors and City. We generally appreciate the efforts of QT to address prior concerns and be a good neighbor. However, the same facts and circumstances that caused concern in 2012 still exist today. Liquor sales at this QT will have a negative impact on the people who live, work, and visit the surrounding area. SHA asks that the Commission deny QT's request.

First, there are two other gas stations in the vicinity which are located on Keo Way (Kum & Go and Git N' Go). Surely those gas stations would also prefer additional revenue from liquor. However, neither location sells liquor and that is not by accident. This is important to the health, safety, and stability of our community. Please consider the unique location of this QT; proximity to the largest concentration of homeless in the community, a crown jewel of our city, and residential neighborhood warrant careful consideration.

Second, this QT location already struggles with loitering, public intoxication, and disorderly conduct occurrences. DMPD provided the following statistics regarding the QT: 160 police calls for service since May 1, 2020; at least, 58 of those calls indicate intoxication was involved. However, it must be noted that this QT is one of the few locations in the City that require an off-duty police officer to keep the peace and protect QT's store. Converting this QT to a liquor store will not have a positive impact on safety in this area. And unfortunately, the rest of the neighbors and neighborhood cannot afford to hire a police officer to protect their homes, businesses, and family members. The QT will sell liquor to a high percentage of customers on foot or bike; QT will protect its store and employees with an officer, ensuring that the liquor consumption and consequences take place off their property – in our neighborhood and the surrounding area. QT will profit and everyone else will deal with the consequences.

Third, we support our neighbors, including the Central Iowa Men's Shelter, YMCA Men's Housing, Unity Point, Polk County Medical Society, Burds Dental, and others, who will be directly impacted by this decision. The damage to the vulnerable populations in the homeless camps and shelters impacts the overall health of the community. I have spoken with the leaders of these entities and they oppose liquor sales at the QT; they know how this decision will negatively impact the populations they serve and their efforts to fight the consequences of addiction. This is an entirely avoidable situation that will hurt businesses, slow investment, and ruin lives.

Finally, a tremendous amount of resources have been invested in the Pappajohn Sculpture Garden. The Sculpture Garden and Western Gateway are one of the premier destinations in our community. Why would we as a community make an exception to allow a liquor store less than 500 feet from our City's premier park and tourist attraction? With the proximity of the homeless camps and men's shelters to the south of the park, QT is asking to sell liquor just north of the park. The negative impact on the safety and atmosphere at the park is very easy to anticipate. No one wants a liquor store in this area.

Numerous people, businesses, and the City have worked for years to eliminate crime and nuisances in this area. After significant investments of time and resource, Sherman Hill is a vibrant, healthy neighborhood that has attracted young families with small children, as well as new businesses. The presence of a liquor store will reverse these strides, give the area a negative perception, and be detrimental to the overall stability of the area.

Please ask yourself who benefits from liquor sales at this QT location? Not the neighbors, not the Sculpture Park, not the nonprofits fighting addiction and homelessness, not the hospital, not police and fire departments, not the residents, not the community. The only positive impact is on QT's revenue. Everyone else is left to deal with the negative externalities which are real. You can prevent this. SHA respectfully requests that QT's request be denied.

Thank you for your time and consideration.

Sincerely,

Ryan P. Howell

Ryan P. Howell

President, Sherman Hill Association

October 14, 2020

City of Des Moines
Planning & Zoning Commission
602 Robert D. Ray Drive
Des Moines, IA 50309

Re: Item 6, ZON 2020-00113
Quik Trip Corporation's Liquor Sale Request at 1421 Ingersoll Avenue

Dear Members of the Planning and Zoning Commission,

I write today in opposition of the Quik Trip (QT) request to rezone and receive a conditional use permit to sell liquor. As a neighbor four blocks to the south at the Des Moines Area Religious Council, I have concerns about the impacts allowing liquor sales will have for the cleanliness, health and stability of the neighborhood.

Across the street from us is Central Iowa Shelter and Services who provides assistance to more homeless lowans than any other organization - hundreds each day. They do a tremendous job in working with those in need of their assistance to understand the barriers they face to housing and challenges they are facing in their lives. All too common in that equation is facing substance addiction – frequently alcoholism.


We see this on our own property in the form of scuttled tall boy beer cans and bottles, often accompanied by QT branded snack packaging or bags. We see it in too common interactions with individuals on our property who have had too much and chosen to lay down, rest, and in some cases even pass out in our yard. There is nothing quite as jarring as walking up to a complete stranger who appears to be asleep in your yard and hoping above all hope they are still alive.

I have grave concerns that with much easier access to products with higher concentrations of alcohol, this problem and these occurrences – which we've been able to feasibly, but carefully manage to this point – would become untenable. At what point do we cross a line between our social responsibility to provide for a healthy and safe environment for all included in it and the capacity to improve profit margins for a company? Do we not feel any responsibility to set up one of our most vulnerable populations – where we know they are in highest concentration – with the opportunity for success? Or do we lead them directly into temptation where we know too many will fail?

In my opinion, and in my view, a "liquor store" is not a missing necessity in this neighborhood and only presents the likelihood for additional negative consequences for this neighborhood, and see no positives beyond additional revenue for QT. As such, I respectfully request the Commission deny this request.

I appreciate your consideration in this matter.

Sincerely,



Matt Unger
CEO, DMARC

Van Essen, Jason M.

From: Susan Clements <smclements@hotmail.com>
Sent: Thursday, October 15, 2020 9:23 PM
To: Planning
Subject: Please Deny Quik Trip Liquor request on the 10-15-2020 agenda

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.

Dear Commissioners,

My name is Susan Clements, my husband, Robert and I own and live in our home in the 700 block of 17th Street, just north of the Quick Trip.

Our neighborhood, Sherman Hill, is a wonderful and diverse mixture of single and multi-family residential and commercial properties. Such a mix dictates the need to keep a healthy balance between vibrant businesses and a safe neighborhood for our families.

I buy my gas and sundries at our neighborhood QT at 15th and High Streets. I appreciate their presence in our neighborhood. They keep a clean outside and inside facility and have kind and helpful employees - they add value to our neighborhood. I am however very opposed to their selling hard liquor at this location, which would not add value to our neighborhood and in fact would have a negative impact in our neighborhood.

Quite simply it is not a neighborhood-friendly thing to do and would likely result in more homeless traffic coming in, increases in petty crime and pan-handling, and the number of individuals hanging around with nowhere else to go either drinking or sleeping off the effects of drinking would likely increase. A few weeks ago we came home from work and such an individual was sleeping on our deck. We woke him up, made sure he had water to hydrate and asked him to move on. We are not sure if he was drunk, sick or simply homeless. It is not an unusual occurrence in our neighborhood, although it is one we would like to see reduced.

As a homeowner in the neighborhood I am against this request. I ask that you vote to deny the Quik Trip request for hard liquor sales at 15th and High. A vote to deny the license is a vote for maintaining the safe and healthy balance between residential and commercial that keeps our neighborhood and our city unique.

Respectfully Submitted,
Susan Clements
744 17th Street
Des Moines, IA

Van Essen, Jason M.

From: Ryan Galloway <ryan@perennialproperties.com>
Sent: Thursday, October 15, 2020 2:27 PM
To: Planning
Cc: ryanphowell@gmail.com
Subject: QuikTrip Liquor License - 1421 Ingersoll

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.

Dear Planning & Zoning Members:

I am writing this letter in opposition of QuikTrip’s requested liquor license for their store at 1421 Ingersoll. I own the Murillo Flats at 611 16th Street (7-units) and am a 50% owner of the High Street Brickstone at 1711 High Street (21-units) and my company (Perennial Properties) also manages the Woodland Avenue Brickstone at 1500 Woodland (56-units) and the Stockbridge Apartments at 1815 High Street (42) units.

All of these multi-family properties are within two blocks of this QuikTrip and we face daily issues involving the homeless population that loiters in the area between the CISS shelter and the Sherman Hill Neighborhood. Many studies have shown the correlation between alcohol addiction and homelessness, and making liquor so easily available at this location will exasperate an already problematic situation.

I hope that you will consider the interests of the families that live in our properties and deny QuikTrip’s application.

Sincerely,

Ryan Galloway
CEO, Perennial Properties Management Services LLC

Ryan Galloway
Perennial Properties Management Services, LLC
Hatch Development Group, LLC
333 E. Grand Ave, Suite 101, Des Moines, IA 50309
☎ Cell: 515-314-5481
✉ ryan@perennialproperties.com
🌐 www.perennialproperties.com



Van Essen, Jason M.

From: Robert McCammon <r.mccammon@mchsi.com>
Sent: Thursday, October 15, 2020 10:10 AM
To: Planning
Subject: ZON2020-00113

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, Planning & Zoning members-

I am a resident of Sherman Hills for nearly 20 years, and I strongly oppose the QuikTrip at 1421 Ingersoll Ave being allowed to sell liquor. You can see in the surrounding area to this convenience store, the high concentration of homeless, mental illness, chemical dependency and pan handling. Adding easy access to liquor to that environment will only further those issues.

I respectfully ask that you do not allow this request by QuikTrip to move forward.

Kind regards,
Robert McCammon
801 18th St.
DSM, IA 50314
515-491-5715

Van Essen, Jason M.

From: Rachel K. Ng <rachelkunze@gmail.com>
Sent: Tuesday, October 13, 2020 5:20 PM
To: Planning
Subject: Item ZON2020-00113

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.

Hello,

Please do not allow QT to sell alcohol in our Sherman Hill neighborhood. We have very young children and live close to this site. This would undo all the hard work our community has put into making our neighborhood into a family environment. If you want to keep tax-paying families in Des Moines (not moving to the burbs), then please protect our kids' safety.

We strongly oppose allowing the sale of alcohol at this time.

Thank you,
Rachel & Tim Ng
829 16th Street
Des Moines

Van Essen, Jason M.

From: Perris King <perrisking@gmail.com>
Sent: Tuesday, October 13, 2020 3:29 PM
To: Planning
Subject: Liquor sales at QuikTrip on Ingersoll

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Hello Commissioners,

I live in the Sherman Hill neighborhood a few blocks north of the QuikTrip at 15th and Ingersoll. I have been made aware of QuikTrip's request to sell liquor out of their location.

I hope the request will be denied.

The downtown and Sherman Hill areas surrounding QuikTrip are great places for families and individuals to walk around and enjoy amenities in Des Moines such as the Sculpture Park. Having liquor sales in the QuikTrip will very likely cause increases in petty crime and public intoxication that will make the area unappealing for residents and visitors.

I regularly purchase fuel at QuikTrip and am glad they are in the neighborhood, but allowing liquor sales will be detrimental to Sherman Hill and the downtown environment.

Thank you,
Perris King
751 17th St
Des Moines, IA 50314

Van Essen, Jason M.

From: Kirsten Anderson <kirsten@kirstenanderson.org>
Sent: Tuesday, October 13, 2020 6:00 PM
To: Planning
Subject: Request to deny QT liquor license

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.

I write today to voice my concerns over granting the QT in operation at 14th and Ingersoll a license to sell hard liquor.

I have lived in the Sherman Hill neighborhood for over ten years and have seen many things come and go. I do not want to see our struggling homeless population, who already frequent the QT and linger in the neighborhood, have additional struggles with the issue of addiction. A large population of foot traffic resides daily at this convenient store and with the ability to purchase hard alcohol, I fear only negative things would result.

This very issue was up for discussion five years ago and the license was denied, as it should be again. I understand a business wanting to diversify it's sales offerings, however, the offering of providing hard alcohol is not the right thing for the neighborhood at this time.

I urge you to listen to request to deny emails and not approve this request.

Thank you,
Kirsten Anderson

Kirsten Anderson
kirstenanderson.org | [Facebook](#) | [Instagram](#) | [YouTube](#)

Van Essen, Jason M.

From: Kathy New <kathynew1@gmail.com>
Sent: Tuesday, October 13, 2020 3:11 PM
To: Planning
Subject: Hard Liquor Sales at Quick Trip

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.

My name is Kathy New and I live on Pleasant St in Sherman Hill with my husband and our two teen-aged children. We have lived here for nearly 20 years, and have watched the last stages of the reclaiming of this neighborhood from the economic downturn it had suffered in past decades. We love our neighborhood, our neighbors, and the unique quality Sherman Hill has. We are landlords, and have rented to many lovely people over that past 2 decades. We raised both of our kids here. We appreciate having the convenience of several small stores/gas stations to choose from.

Five years ago in November, Quik Trip wanted to be able to sell hard liquor at their 15th and High store. Sherman Hill Association and residents opposed it then, along with several other organizations. We said in 2015 that it was not a neighborhood-friendly thing to do and would result in more homeless traffic coming in, increases in petty crime and pan-handling/muggings, and folks hanging around with nowhere else to go imbibing or sleeping off the effects.

Understandably, QT may feel the need for more profit-centers in the time of COVID19 than five years ago, when now we generally spend less money on gasoline and convenience food than even earlier this year. Now more of us are struggling with income reduction, with greater anxiety, anger, and depression, as well as with housing and transportation insecurity. While I personally support QT with my gasoline purchases and want them to succeed, I do not want them to add fuel to the fire of the woes felt by so many of us. I agree with neighbor Cale Johnson who said, "Selling hard liquor there would be dangerous. It would hurt nearby business and property owners -- and ultimately the City at large."

Unity Point is against this request. The organizations that serve the homeless, transient, and addiction-struggling populations downtown are against this request as it would worsen the problems they face.

I ask that you vote to deny the Quik Trip request for hard liquor sales at 15th and High -- as you did in 2015.

Thank you,

Kathy New (*she, her, hers*)

Van Essen, Jason M.

From: Hatshop <hatshop@aol.com>
Sent: Wednesday, October 14, 2020 7:53 PM
To: Planning
Subject: Please Deny Quik Trip's Hard Liquor Sales Request on the 10-15-2020 agenda

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.

Dear Commissioners,

My name is Judy McClure and I live just north of Woodland on 19th Street for the last many decades. Through investment and sweat equity I took a condemned 5-plex and rehabilitated it to an asset in the Sherman Hill Historic District. I appreciate the support I have received from many City agencies, staff, and commissions over the years. The neighborhood was a red-lined hood in those early years and, as with so many other Des Moines neighborhoods, remains vulnerable to disinvestment in hard economic times and shifts in perception.

Eight years ago now, Quik Trip wanted to be able to sell hard liquor at their 15th and High store. Sherman Hill Association and residents opposed it then, along with several other organizations. We said in 2012 that it was not a neighborhood-friendly thing to do and would result in more homeless traffic coming in, increases in petty crime and pan-handling/muggings, and folks hanging around nearby with nowhere else to go, imbibing or sleeping off the effects.

Understandably, QT may feel the need for more profit-centers in the time of COVID19 than eight years ago, when now we generally spend less money on gasoline and convenience food than even earlier this year. Now more of us are struggling with income reduction, with greater anxiety, anger, and depression, as well as with housing and transportation insecurity. While I personally support QT with my gasoline purchases and want them to succeed, I do not want them to add fuel to the fire of the woes felt by so many of us. I agree with neighbor Cale Johnson who says, "Selling hard liquor there would be dangerous. It would hurt nearby business and property owners -- and ultimately the City at large."

Unity Point is against this request. The organizations that serve the homeless, transient, and addiction-struggling populations downtown are against this request as it would worsen the problems they face. The DMPD, adjacent businesses and residential neighbors are against this request.

I ask that you vote to deny the Quik Trip request for hard liquor sales at 15th and High -- as you did in 2012.

Kind regards,
Judy McClure

Van Essen, Jason M.

From: Jeremy Phillips <eclctcjp@gmail.com>
Sent: Tuesday, October 13, 2020 12:51 PM
To: Planning
Subject: Quik Trip Liquor License Request

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.

I object to this request for 2 main reasons:

- 1 Sensitivity of the Sherman Hill neighborhood.
- 2 The mental health community in the very near vicinity. Easy availability to hard liquor in this area is not a good idea.

Also, please remember that times are particularly tough right now.

Thanks,

Jeremy Phillips

804 17th St

Des Moines, IA 50314

Van Essen, Jason M.

From: Jack C. Porter <jackcporter46@gmail.com>
Sent: Tuesday, October 13, 2020 8:20 PM
To: Planning
Cc: Ryan P. Howell; Sherman Hill Neighbors
Subject: QT Liquor license

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.

Members of the Plan and Zoning Commission,

I object to the request by QT to sell liquor at their store on Ingersoll at 14th Street and request their application be denied. As we have lived in the Sherman Hill neighborhood and are frequent customers at this store, it is not hard to understand this store is also frequented by folks from the nearby homeless shelter. It is unfortunate but highly likely the access to hard liquor will be a problem for our neighborhood. If a liquor license is approved, it would seem reasonable to require QT to hire off duty uniformed police (not just security guards) to be present at the store on all hours the store is open.

jack c. porter
jc porter consulting
815 18th street
des moines, ia 50314-1102
(515) 681-2668

Van Essen, Jason M.

From: Jack Hatch <jack@hatchdevelopment.com>
Sent: Tuesday, October 13, 2020 11:02 AM
To: Planning
Cc: ryanphowell@gmail.com
Subject: 1421 Ingersoll

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.

Dear Members,

In 2012 while I was state senator representing central Des Moines, I opposed a statutory change in Iowa law allowing convenience stores to sell liquor. At that time, I mentioned the possible increase in crime to the nearby neighborhoods and the potential of selling liquor to people who clearly abuse it.

I lost that battle and today we see the direct results of an increase in unacceptable behavior directly from the sale of liquor so close to our neighborhoods. I would suggest limiting the time convenience stores could sell the liquor as to reduce some of the unacceptable behavior.

Thank you for your volunteer time in helping make Des Moines a better place.

Jack Hatch

Jack Hatch, Principal
Hatch Development Group, LLC

HDC HDC HDC
[REDACTED]



Creating housing and neighborhood development in Des Moines, Cedar Rapids, Waverly, Dubuque and Newton
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Des Moines, Iowa 50309
☎: 515. 208. 5414

✉: jack@hatchdevelopment.com
www.hatchdevelopment.com

Van Essen, Jason M.

From: Gretchen Jensen <gretchenjensen@icloud.com>
Sent: Wednesday, October 14, 2020 7:10 PM
To: Planning
Cc: historicshermanhill@googlegroups.com
Subject: Item6,ZON 2020-000113. Quick Trip Liquor Sale Request 1421 Ingersoll Ave.

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.

Dear Planning and Zoning Commission Members:

I have learned that Quik Trip has requested approval to sell liquor at its store located at 1421 Ingersoll. This was raised by Quik Trip years ago, and after strong opposition from residents, businesses and the local shelters, Quik Trip had voluntarily agreed to withdraw its application. The same concerns remain today and the application should be denied.

My husband and I have lived in Sherman Hill since 2002. We have witnessed the progress and investment Des Moines has made in the corridor from the Airport through to downtown. Many people visiting Des Moines for business travel from the airport to downtown and the areas of Grays Lake, the sculpture park and downtown are their first impressions of Des Moines. These areas are in close proximity to the local shelter at 4120 Mulberry Street. The homeless population at the shelter must leave for much of the day and walk downtown Des Moines during the day. The Quik Trip at 1421 is frequented by the homeless population from the shelter or those living outside near downtown getting food, drinks, coffee, and sometimes beer or alcoholic beverages. Many of the homeless population travel through Sherman Hill as well as they check for trash bins for cans or even travel to Eyerly Ball, which a mental health clinic located on the north side of Sherman Hill at 945 19th Street. Intoxication is already an issue for our neighborhood and the surrounding areas, but it will worsen significantly with liquor sold at Quik Trip. Other convenience stores in our area have voluntarily decided not to sell liquor for the benefit of the close surrounding community.

I am an attorney who has practiced handling Social Security disability claims for the past ten years. Many of my clients are residents of the shelter, are homeless in tents living near downtown, or have county funded housing due to their mental health disorders and live in apartments within Sherman Hill. I am very aware of the mental health conditions and struggles that many have with alcohol and addiction. I can see their battles with addiction in their medical and mental health records. Most are working hard to fight their addiction, and many are in therapy and have county appointed case workers to help them in their journey. The negative impact of having liquor available to them at the place that they frequent for food and snacks would be sizable. There is a considerable difference between intoxication from beer as compared to a bottle of liquor. The rate and severity of intoxication is much higher with hard liquor compared to beer. We will absolutely see more visibly intoxicated people in the sculpture park, downtown, at Grays Lake, and in Sherman Hill. It will greatly impact their health and their fight with addiction. Moreover, alcohol use negates the effectiveness of mental health medications and will intensify depression, anxiety, bipolar disorders, or schizophrenia. It is risk to the community not only in Sherman Hill, but the surrounding downtown areas. It further will frustrate the efforts and investment that Polk County makes through Eyerly Ball and Broadlawns Medical Center to assist these individuals with medications, therapy, housing, case workers, and health care. Liquor sales at Quik Trip will be a cruel temptation for those who struggle with addiction.

I respectfully request that Quik Trip's application be denied.

Sincerely,
Gretchen Jensen
716 19th Street
Des Moines, IA 50314

Van Essen, Jason M.

From: Hodges-Sisco, Genevieve <gsisco@spfi.com>
Sent: Wednesday, October 14, 2020 8:59 AM
To: Planning
Subject: Item ZON2020-00113

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.

October 13, 2020
To: City of Des Moines
Plan & Zoning Commission
602 Robert D. Ray Drive
Des Moines, IA 50309

Re: Item 6, ZON 2020-00113
Quik Trip Corporation’s Liquor Sale Request at 1421 Ingersoll Avenue

Dear Members of the Plan and Zoning Commission,

I write to oppose the Quik Trip Corporation (“QT”)’s request to rezone and receive a conditional use permit to sell liquor.

My husband and I, Mike Sisco, bought a home on 16th Street in Sherman Hill almost two years ago. It was our wish to relocate from the suburbs and raise our last child (then 8 year old Victoria) downtown. We have so far loved our time here. However, we have had our share of problems. We constantly have someone going through our trash and occasionally we have witnessed people urinating on our lawn and landscaping. It has been tough to help Victoria feel safe here, however our direct neighbors have helped tremendously with the feeling of community that we were envisioning for her next 10 years.

I am worried with the addition of the ability to purchase liquor so close to our neighborhood, that this could increase the behavior which leads us, and her, to feel unsafe. We want to continue to live in Sherman Hill, but would have to rethink moving to Waterbury or South of Grand if things were to get noticeably worse. Where we have the ability to be flexible with our location, many in our neighborhood do not, and they deserve to feel safe as well. Sherman Hill is unique in its mix of residents, and it would sad to see all the hard work that has been into making a successful urban neighborhood reversed by, what seems to me, to be a short sided way to make money by Quik Trip off of those who can least afford it.

Thank you for your time and consideration.
Sincerely,

Genevieve Sisco

Genevieve Hodges-Sisco | Senior Vice President, Recruiting
20 E. Thomas Road | Suite 2000
Phoenix, AZ 85012
Office: 866-946-0173 | Cell: 641-455-1403
Email: gsisco@spfi.com
Website: www.sagepointfinancial.com



Van Essen, Jason M.

From: Ed Brafford <edward.brafford@gmail.com>
Sent: Thursday, October 15, 2020 3:48 PM
To: Planning
Subject: Item6,ZON 2020-000113. Quick Trip Liquor Sale Request 1421 Ingersoll Ave.

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.

Dear Planning and Zoning Commission Members:

I am a resident of Sherman Hill and also own three properties in this neighborhood. Being a resident of over 12 years I have had interactions with intoxicated homeless on multiple occasions. Adding hard liquor to the mix would be putting gasoline on the fire. This is a safety issue for both the residents, surrounding businesses and even the homeless shelter. Please vote no to the QT liquor sale request.

Thank you,

Edward Brafford
849 16th street
515-778-4806
Eddieblazeart.com

Van Essen, Jason M.

From: Lundy, Erik M.
Sent: Monday, October 12, 2020 8:09 AM
To: Sebastian Hamirani
Cc: Planning
Subject: RE: 1421 Ingersoll Rezoning

Sebastian-

This communication will be presented to the Commission at the time of the hearing.

ERIK M. LUNDY, AICP, CPM | CITY OF DES MOINES
Senior City Planner | Development Services
(515) 283-4144
DSM.city | 602 Robert D. Ray Drive | Des Moines, Iowa 50309

From: Sebastian Hamirani [mailto:sebastianhamirani@gmail.com]
Sent: Monday, October 12, 2020 6:00 AM
To: Lundy, Erik M. <EMLundy@dmgov.org>
Subject: 1421 Ingersoll Rezoning

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 Erik,

I hope this email finds you well. The Downtown Neighborhood Association is aware that the Planning & Zoning Commission will be considering a rezoning request by the QT at 1421 Ingersoll that would enable it to sell liquor.

The board of the DNA neither supports nor opposes this request. However, we do ask the P&Z Commission consider the following in making a decision:

1. The position of entities that provide services to unsheltered or housing vulnerable people in the vicinity of this site, should they take a position on this matter.
2. The intent and ability of QT to vend responsibly.

Could you please share this with P&Z commissioners?

Best,

Sebastian Hamirani
President, Downtown Neighborhood Association
(510) 300-5873 | sebastianhamirani@gmail.com

Van Essen, Jason M.

From: Jeff Fleming <JFleming@desmoinesartcenter.org>
Sent: Wednesday, October 14, 2020 3:22 PM
To: Planning
Subject: letter

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October 14, 2020

Plan & Zoning Commission
City of Des Moines
602 Robert D. Ray Drive
Des Moines, IA 50309

Re: Item 6, ZON 2020-00113
Quik Trip Corporation's Liquor Sale Request at 1421 Ingersoll Avenue

Dear Members of the Plan and Zoning Commission,

I write on behalf of the Des Moines Art Center to oppose the Quik Trip Corporation's request to rezone and receive a conditional use permit to sell liquor.

The Des Moines Art Center, in conjunction with the City of Des Moines, created the Pappajohn Sculpture Park in the Western Gateway in 2009. Now in its 11th year, this urban space has transformed the educational, social, economic, and cultural landscape of the City of Des Moines. The site has become a gathering place for all segments of the community, a tourist destination, and a landmark for the Metro.

The close proximity of this Quik Trip with this public gathering space causes great concern if this establishment is allowed to sell liquor. After years of downtown redevelopment and the investment of millions of public and private dollars, we cannot allow a provisional permit to one establishment to alter the character and direction of this growth, which it surely would.

I hope you strongly consider opposing Quik Trip Corporation's request for a conditional use permit to sell liquor.

Best regards,


Director, Des Moines Art Center

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Van Essen, Jason M.

From: David Carlson <dac1942@yahoo.com>
Sent: Wednesday, October 14, 2020 2:08 PM
To: Planning
Subject: Item6,ZON 2020-000113. Quick Trip Liquor Sale Request 1421 Ingersoll Ave.

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Dear Board Members,

We are longtime residents (40years++) of the Sherman Hill Neighborhood.

We own 8 buildings with 110 residential units. Our residents shop at the store. We are very inclusive and welcoming.

Our neighborhood does not need hard liquor made more accessible, just so that an out of state company can make an extra buck. Two new convince stirs have opened nearby and are abiding to the residents wishes and NOT selling hard liquor.

If Quick Trip wishes to make more money, possibly not allowing groups to lay on the lawn and drink beer or panhandle customers for change and encouraging safe distancing would attract customers.

Please vote NO.

Sherman Hill Coop Housing
818 18th.
Des Moines, Is 50314
David Carlson
515-971-9452

Sent from my iPhone

Van Essen, Jason M.

From: D Kent <dkent0@gmail.com>
Sent: Wednesday, October 14, 2020 10:44 AM
To: Planning
Subject: Item ZON2020-00113

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To the Planning and Zoning Commission,

I've been a Sherman Hill resident since 2012 and have loved the neighborhood mix. One thing that seems it would be especially detrimental to this mix is the approval of QT's requested liquor license. I support the QuikTrip on 15th and High Street AND **I also request that you deny their request to sell hard alcohol at the store.** The availability of hard liquor (in small and large containers) would counteract efforts of nearby organizations that work hard to serve the housing-instable and addiction-struggling populations nearby.

Thanks for the valuable work you do for Des Moines,
Deborah Kent

Van Essen, Jason M.

From: Craig Crile <craig.crile@gmail.com>
Sent: Tuesday, October 13, 2020 8:56 PM
To: Planning
Subject: RE: QT Liquor License Request

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.

Dear Commissioners,

My name is Craig Crile. My wife, Bethany, and I live at 1821 High street with our two young children, just west of the Quik Trip at 15th and High.

We have enjoyed watching our edge of Sherman Hill flourish since we completed our urban in-fill project in 2014. The addition of a new restaurant/brewery, development of the Kraus Gateway Center and additions to Hoyt Sherman Place have all been exciting developments that have set our neighborhood on an upward trajectory.

However, a vote to allow Quik Trip to sell hard liquor would sadly knock that trajectory off course and add a dangerous element to the neighborhood. We already find remnants of transient traffic in our driveway on warm nights and allowing liquor sales until 2am would only risk the safety and well-being of us and our neighbors.

Not to mention, adding such easy access to small sized liquor bottles that can be purchased with pocket change so close to CISS would undermine their efforts.

In addition, the sale of hard liquor is not a needed service in the area. With several grocery stores and a liquor store within two miles of QT, sales at that location will most certainly cause more harm than good for their customers and the city.

For the safety and health of the neighborhood, the members of the community, both permanent and transient, and the larger community, please deny QT's request to sell hard liquor.

Thank you for your consideration.

Craig Crile
1821 High Street
craig.crile@gmail.com

--
Craig Crile // 515.782.4282 (mobile) // [linkedin.com/in/craigcrile](https://www.linkedin.com/in/craigcrile)

Van Essen, Jason M.

From: Cale Johnson <cale.h.johnson@gmail.com>
Sent: Tuesday, October 13, 2020 10:41 AM
To: Planning
Subject: Request you deny QT liquor license

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.

Hello,

It has come to my attention that QuikTrip is requesting a liquor license to sell liquor from 6am-2am on their property at 1421 Ingersoll.

I live in the Sherman Hill neighborhood a few blocks away.

You should deny this request.

I like QuikTrip and hope they're successful as a business -- but selling liquor there would be reckless. It is already a meeting place for the houseless community and it brings all the challenges that come with that. The Sherman Hill neighborhood has worked hard to develop our properties as a safe place for a wide range of people and incomes. It's not easy, and some days it feels like we're going backwards -- especially in these uncertain times. People are struggling.

Selling hard alcohol there would be dangerous. It would hurt nearby businesses and property owners -- and ultimately the city at large.

Please join UnityPoint, downtown homeless support organizations, and our neighborhood in denying this request, just as your board did the last time this came up.

If you'd like to talk further, call me directly at 312-841-2253.

Sincerely,
Cale Johnson

312-841-2253
cale.h.johnson@gmail.com
744 19th St.

Van Essen, Jason M.

From: Hulten, Brian C <brian.hulten@mercer.com>
Sent: Tuesday, October 13, 2020 6:30 PM
To: Planning
Subject: Deny Hard Liquor License Request for Quick Trip on Ingersoll

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To whom it may concern:

I live with my wife and two children in the Sherman Hill neighborhood. We chose to live here over the suburbs because we wanted to be a part of the incredible progress the neighborhood has made over the past few decades.

Some years ago, the same Quick Trip tried to obtain a hard liquor licenses and was denied. They are now trying again, and like I did previously, I ask that the board deny their request. There are obviously reasons this was initially denied and those have not changed. That Quick Trip location is already a gathering for the homeless, which generates some safety and security issues for our neighborhood, especially with more children than ever living in this area. Adding hard liquor to the equation will only increase the problems that will come with more inebriated people wandering our streets. It will have a ripple effect that will set back the progress my family and so many others have made toward the betterment of our neighborhood, harm local businesses, impact those enjoying the Sculpture Park and ultimately decrease our property values. And for what? Increased profits for a convenience store on the backs of homeless people who need help?

Again, I ask that your board make the appropriate decision and deny Quick Trip their wish to sell hard alcohol in our neighborhood, as your previous board has done before.

I appreciate your consideration.

Brian C. Hulten
716 19th Street

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reply to the sender via e-mail and also permanently
delete all copies of the original message together with any of its attachments
from your computer or device.

Van Essen, Jason M.

From: Brad Argo <bradargo@gmail.com>
Sent: Tuesday, October 13, 2020 10:49 AM
To: Planning
Subject: QT-15th and Ingersoll _Liquor Sales

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.

Dear Planning and Zoning Commission,

I'm against the sale of liquor at my local QT on the corner of 15th & Ingersoll. We, as a neighborhood, have expressed our opposition to this matter before and that opposition has not changed. We live in an urban area and an area that gets a fair amount of transient folks. Having a neighborhood C-store selling liquor is a bad idea for the citizens of the neighborhood and their families.

I have witnessed intoxicated people congregating around this store on multiple occasions. If liquor would be sold this close to residential it would be a recipe for disaster. Please keep our neighborhood safe and not allow liquor to be sold at this store.

Thanks,
Brad Argo
1918 Leyner St. Des Moines, IA 50314
515-577-0124

[Ricochet](#)
[Argo Adventures](#)

Van Essen, Jason M.

From: Angela Broughton-Romain <abroughtonromain@me.com>
Sent: Tuesday, October 13, 2020 10:47 PM
To: Planning
Cc: Jim Romain
Subject: QT Liquor License Request

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.

Dear Commissioners,

We oppose a liquor license for the Quick Trip at 15th and High.

Our family moved to the Sherman Hill neighborhood in 2016. We appreciate the many amenities in the area. I'm sure that the commission is quite familiar with the evolution of the neighborhood over the years into a stable community, now with many young children.

The QT on High Street is an ongoing eyesore and a concern for me as a parent, even without it having a liquor license. There are often people loitering and sometimes even sleeping on the store lawn. In addition, there often is QT litter in the blocks adjacent to the store. QT apparently makes no effort to address these issues (and as far as I know, neither does the City). Selling liquor would only make these problems worse and QT cannot handle the situation they have now. As it is, we instruct our young teens to avoid walking or biking by the QT en route to downtown, which is quite inconvenient. This is a part of our neighborhood that feels off-limits.

I understand that this issue was resolved against the issuance of a license in 2012 because of strong neighborhood opposition and am unaware of any basis for revisiting it. This has the feel of QT trying to put something over on the neighborhood during the pandemic when it is more challenging to communicate with neighbors. There is no need for a liquor license at that location. There are multiple grocery stores and at least one liquor store in the nearby area.

Sincerely,
Angela Broughton-Romain & James Romain
731 16th Street