

Date April 19, 2021

**RESOLUTION SETTING HEARING ON REQUEST FROM FAREWAY STORES, INC. TO AMEND  
PLANDSM FUTURE LAND USE CLASSIFICATION AND TO REZONE 2723 41ST PLACE**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on April 1, 2021, its members voted 11-2 in support of a motion to recommend **DENIAL** of a request from Fareway Stores, Inc. (purchaser), represented by Matt Heath (officer), to amend the PlanDSM: Creating Our Tomorrow comprehensive plan future land use classification for real property locally known as 2723 41st Place (“Property”) from Low Density Residential within a Neighborhood Node to Community Mixed-Use within a Neighborhood Node, and to rezone the Property from N4 Neighborhood District to Limited MX3 Mixed-Use District, to accommodate an ingress/egress drive from 41st Place to route traffic from Urbandale Avenue to the adjoining lot, at 2716 Beaver Avenue, being redeveloped for a Limited Retail Sales use including a new 7,759-square foot retail store with a specialty meat counter and other neighborhood grocery needs; and

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

LOT B OF GRASSMERE NO. 2, AN OFFICIAL PLAT, 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 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 future land use classification and the proposed rezoning are 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 May 10, 2021, 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 proposals 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.

FORM APPROVED:

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

/s/ Glenna K. Frank  
Glenna K. Frank, Assistant City Attorney

(21-2021-4.08)  
(ZON2021-00118)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
<b>TOTAL</b>				

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 April 19, 2021

RESOLUTION SETTING HEARING ON REQUEST FROM OSCAR AND ENRIQUE ZENTENO TO AMEND PLANDSM FUTURE LAND USE CLASSIFICATION AND TO REZONE 2354 EAST GRAND AVENUE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 1, 2021, its members voted 9-4 in support of a motion to recommend DENIAL of a request from Oscar and Enrique Zenteno (owners) to amend the PlanDSM: Creating Our Tomorrow comprehensive plan future land use classification for real property locally known as 2354 East Grand Avenue ("Property") from Neighborhood Mixed Use to Community Mixed Use, and to rezone the Property from MX1 Mixed Use District to MX3 Mixed Use District to allow the ongoing operation of a Minor Vehicle/Maintenance Repair use on the Property; and

WHEREAS, the Property is legally described as follows:

LOTS 74, 75 AND 76 OF CENTRAL PARK, AN OFFICIAL PLAT, 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 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 future land use classification and the proposed rezoning are 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 May 10, 2021, 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 proposals 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.

FORM APPROVED:

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

/s/ Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

(ZON2021-00021)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and 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



April 13, 2021

Date April 19, 2021

Agenda Item 16

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 April 1, 2021 meeting, the following action was taken regarding a request from Fareway Stores, Inc (purchaser) represented by Matt Heath (officer) to rezone the property located at 2723 41<sup>st</sup> Place from “N4” Neighborhood District to “MX3” Mixed Use District, to allow off-site parking and access to be developed in conjunction with a Limited Retail Sales use redevelopment of property at 2716 Beaver Avenue. The subject property is owned by Melvin and Connie Wood.

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 11-2 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			

**APPROVAL** of Part A) the proposed rezoning to “MX3” Mixed Use District is **not** in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Low Density Residential within a Neighborhood Node.

Part B) Approval of the requested amendment to the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation from Low Density Residential within a Neighborhood Node to Community Mixed Use within a Neighborhood Node.

THE VOTE: 2-11 (Lisa Howard, Kayla Berkson, Jann Freed, Dory Briles, Emily Webb, Johnny Alcivar, Will Page, Abby Chungath, Carolyn Jension, Greg Jones and Steve Wallace voted in opposition).

Part C) Approval of rezoning the subject property from “N4” Neighborhood District to a Limited “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 by Zoning Board of Adjustment and those Permitted and Conditional Uses in common with the “MX1” Mixed Use District and as limited in the “MX1” Mixed Use District.
- 2) Accessory structures shall be limited to Drive-Through Facility and those permitted in the “MX1” Mixed Use District per Table 135-2.22-1.
- 3) Commercial truck traffic is prohibited from using 41st Place to enter or exit the site.
- 4) Parking shall not extend further west than the west façade of the house on the adjoining lot to the south.

THE VOTE: 6-7 (Lisa Howard, Kayla Berkson, Jann Freed, Johnny Alcivar, Will Page, Abby Chungath and Greg Jones voted in opposition).

Jann Freed made a motion for **DENIAL** of Part B) the requested to amend PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation from Low Density Residential within a Neighborhood Node to Community Mixed Use within a Neighborhood Node, and Part C) the request to rezone the subject property from “N4” Neighborhood District to a Limited “MX3” Mixed Use District. (ZON2021-00018)

#### Written Responses

5 in Favor

4 in opposition

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

Part A) Staff recommends that the proposed rezoning to “MX3” Mixed Use District be found not in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Low Density Residential within a Neighborhood Node.

Part B) Staff recommends approval of the requested amendment to the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation from Low Density Residential within a Neighborhood Node to Community Mixed Use within a Neighborhood Node.

Part C) Staff recommends approval of rezoning the subject property from “N4” Neighborhood District to a Limited “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 by Zoning Board of Adjustment and those Permitted and Conditional Uses in common with the “MX1” Mixed Use District and as limited in the “MX1” Mixed Use District.
- 2) Accessory structures shall be limited to Drive-Through Facility and those permitted in the “MX1” 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 seeking to rezone additional land to incorporate with previously rezoned property for redevelopment for a Limited Retail Sales use. The proposed development would include a new 7,759-square foot retail store with a specialty meat counter and other neighborhood grocery needs. The proposed business model includes sale of packaged liquor, wine and beer. The additional land requested currently for rezoning would accommodate an ingress/egress drive from 41<sup>st</sup> Place that would facilitate traffic trips coming east bound from Urbandale Avenue and leaving westbound on Urbandale Avenue.
2. **Size of Site:** The area of the proposed rezoning is 5,850 square feet, which would increase the total area for the retail site to 24,209 square feet (0.556 acres).
3. **Existing Zoning (site):** “N4” Neighborhood District.
4. **Existing Land Use (site):** One Household Living dwelling.
5. **Adjacent Land Use and Zoning:**
  - North** – “MX1”; Uses are Limited Retail Sales and a Restaurant.
  - South** – “N4”; Uses are One Household Living dwellings.
  - East** – “MX3”; Use is vacant building formerly occupied with a Financial Service use.
  - West** – “N4”; Uses are One Household Living dwellings.
6. **General Neighborhood/Area Land Uses:** The subject property is located at the periphery of a commercial node located at the intersection of Beaver Avenue and Urbandale Avenue.
7. **Applicable Recognized Neighborhood(s):** The subject property is in the Beaverdale Neighborhood. The neighborhood association was notified of the hearing by mailing of the Preliminary Agenda on March 12, 2021 and by mailing of the Final Agenda on March 26, 2021. Additionally, separate notifications of the hearing for this specific item were mailed March 12, 2021 (20 days prior to the hearing) and March 22, 2021 (10 days prior to the hearing) to the Beaverdale 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 Beaverdale Neighborhood Association notices were mailed to Marcus Coenen, PO Box 30175, Des Moines, IA 50310.

The applicant will be available to provide a summary of their required neighborhood outreach at the public hearing.

- 8. Relevant Zoning History:** The subject property was zoned to “N4” Neighborhood District as part of the citywide Zoning Ordinance and Map update effective on December 16, 2019.

On November 22, 2020 by Ordinance No. 15,946, the City Council rezoned the property to the east of the subject property from “MX1” Mixed Use District to Limited “MX3” Mixed Use District to accommodate the proposed Limited Retail Sales use and allow the owner to have the ability to request a Conditional Use approval for package sales and service of liquor, wine and beer. 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 by Zoning Board of Adjustment and those Permitted and Conditional Uses in common with the “MX1” Mixed Use District and as limited in the “MX1” Mixed Use District.
- 2) Accessory structures shall be limited to Drive-Through Facility and those permitted in the “MX1” Mixed Use District per Table 135-2.22-1.

On January 27, 2021 by Docket No. ZON2020-00168 the Zoning Board of Adjustment approved a Conditional Use for property located at 2716 Beaver Avenue to allow a Limited Retail Sales use with the sale of packaged liquor, wine and beer for off-premises consumption.

- 9. PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation:** Low Density Residential within a Neighborhood Node.

- 10. Applicable Regulations:** Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission reviews all proposals to amend zoning boundaries or regulations within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in 414.3 of the Iowa Code. The Commission may make recommendations to the City Council on conditions to be made in addition to the existing regulations so long as the subject property owner agrees to them in writing. The recommendation of the Commission will be forwarded to the City Council.

## II. ADDITIONAL APPLICABLE INFORMATION

1. **PlanDSM Creating Our Tomorrow:** The subject property is designated “Low Density Residential” within a Neighborhood Node. Plan DSM describes this designation as follows:

Low Density Residential

*Areas developed with primarily single family and two family residential units with up to 6 dwelling units per net acre.*

The requested amendment would be to the “Community Mixed Use” within a Neighborhood Node.

Community Mixed Use

*Small- to medium-scale mixed use development, located on high capacity transit corridors or at the intersection of transportation corridors. Community mixed use areas include both a mix of medium density residential and a mix of retail and service establishments designed to attract customers from a large service area encompassing multiple neighborhoods and may include specialty retail that attracts regional customers.*

Based on these designations, the proposed “MX3” Mixed Use District zoning would be found not in conformance with the Comprehensive Plan unless the requested amendment were to be approved. Staff believes the proposed rezoning is appropriate given the incorporation of the land to over proposed redevelopment site.

2. **Traffic:** The applicant’s rezoning request is motivated by the need for an alternate solution to facilitate trips to and from the site that would come from and return to the area west on Urbandale Avenue. The developer initially proposed a median cut in Urbandale Avenue to align with a proposed driveway onto Urbandale Avenue from the northwest corner of the existing “MX3” zoned property. Based on the Traffic Study report for the project, Traffic Engineering staff were not supportive of allowing the median cut due to safety concerns.

Therefore, the alternate solution with the proposed rezoning would be to allow traffic from the site onto 41<sup>st</sup> Place to move north at the intersection with Urbandale Avenue where there is an existing median cut allowing traffic to turn westbound onto Urbandale Avenue from 41<sup>st</sup> Place. Traffic Engineering staff were also not favorable to the alternative of closing the median opening in Urbandale Avenue at 41<sup>st</sup> Place in order to allow the proposed median cut coming from the subject site as that would restrict existing neighborhood traffic from moving onto Urbandale Avenue. The obvious concern of neighbors living in the immediate block on 41<sup>st</sup> Place, is that this proposal would put undue trips southbound onto 41<sup>st</sup> Place through the neighborhood. Additionally, the concern would be that traffic coming from the site would also restrict the neighbors traffic movement onto Urbandale Avenue.

Traffic Engineering staff have indicted that the added driveway off of 41<sup>st</sup> Place would not be a major concern because it is a residential street and the expectation on residential streets would be higher driveway density than a street like Urbandale Avenue. In practice, the driveway onto 41<sup>st</sup> Place would primarily serve trips exiting to

head westbound on Urbandale Avenue, with the possibility of a few exiting to move south and west. Also, it is anticipated that the count for entering vehicles at this location would be low, with a majority of trips entering the site from Urbandale Avenue or Beaver Avenue.

3. **Permit and Development Center Comments:** Any redevelopment of the property for a Limited Retail Sales use must comply with all applicable Building Codes and Site Plan and Design regulations of the Chapter 135 Planning and Design Ordinance, with approval of a Site Plan and issuance of all necessary permits.
4. **Staff Rationale:** Staff believes that the proposed future land use designation amendment and rezoning are appropriate. The land necessary for a drive ingress/egress onto 41<sup>st</sup> Place is the safer solution to accommodate traffic movement onto westbound Urbandale Avenue with little anticipated negative impacts to the adjoining neighborhood to the west.

For consistency and ease of enforcement, Staff would recommend that the same conditions be added to the proposed "MX3" Mixed Use District that were approved on the balance of the proposed site with approved Limited "MX3" Mixed Use District.

## **SUMMARY OF DISCUSSION**

Erik Lundy presented staff report and recommendation.

Koby Pritchard, 715 8<sup>th</sup> Street, Boone, IA, representing Fareway Stores, stated he would like to thank city staff and the Beavercdale Neighborhood Association for their cooperation as they navigate through this process. He, along with Tim West with Snyder and Associates, are available for any questions.

Greg Wattier asked how delivery trucks would navigate to and from the building.

Koby Pritchard stated the alley will accommodate commercial trucks and keep that type of traffic off the residential streets. There will not be full sized semis delivering to this store, they will be using a smaller delivery truck.

Greg Wattier asked if the commission were to memorialize no commercial traffic on 41<sup>st</sup> Place, would that be done now or during the site plan review?

Jason Van Essen stated he would recommend that it be a zoning condition.

## **CHAIRPERSON OPENED THE PUBLIC HEARING**

David DeBord, 2700 41<sup>st</sup> Place, stated its interesting to him that the previous plans were to use the existing parking with some addition to the West and more in the existing bank lot. The newly proposed parking lot will increase traffic on 41<sup>st</sup> Place and when it comes to commercial vehicles, those drivers will take the shortest route home or to their next stop. The house they are buying is a 1938 Beavercdale Brick with the current owner living there since 1966. The old plan is the right plan for this neighborhood, not the new plan.



Liz Seiser, 4600 Crestmoor Drive, stated her objection is to the new access point onto 41<sup>st</sup> Place, which is a very small residential street. She was in support of the previous plan as there was minimal impact to the neighborhood. If there is going to be a meat market in this area, the access points should be limited to Urbandale Avenue and Beaver Avenue.

Brindusa Velica, 2721 41<sup>st</sup> Place, stated she shares the concerns of Liz and David. She is afraid there will be no remedy for their concerns once this site is developed and those concerns come to life.

Koby Pritchard stated they went through every other exercise possible before entertaining the idea of another property. As they were going through the site plan review process, parking stalls were starting to be eliminated. With reduced access and parking, they started to ask if it made sense to move forward. The next step was to incorporate that next piece, which would add more parking and access off 41<sup>st</sup> Place. They plan to buffer the immediate neighbors by adding extra trees, bushes or berms.

Tim West, 2727 SW Snyder Blvd, representing Snyder and Associates stated they are including a significant amount of landscaping and ornamental fencing along the street right-of-way to screen parking stalls from public view. They have also added 3 trees along the frontage area between the parking and street with other landscaping along the perimeter of the parking lot.

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

Greg Jones stated this is a leap too far and was already iffy with the drive through on the previous plans. Fareway has enough drawl and doesn't need access off 41<sup>st</sup> Place. driving around the block is something people are used to when visiting the Beavertdale neighborhood.

Will Page stated when people visit Beavertdale, they know it is going to take some time to park and get back onto the street when leaving. He is concerned with the impact on 41<sup>st</sup> Place and the increase of speed throughout the neighborhood with this proposal.

Abby Chungath stated this is not conducive to the character of the neighborhood and not a commercial hub that needs to be expanding into a residential area.

Rocky Sposato stated the applicant and City Staff have worked hard to make this project work for everyone and would be in support of staff recommendation.

Greg Wattier offered an amendment to staff recommendation. 1) Commercial truck traffic is prohibited from using 41st Place to enter or exit the site. 2) Parking shall not extend further west than the west façade of the house on the adjoining lot to the south.

#### **COMMISSION ACTION:**

Rocky Sposato made a motion for Part A) the proposed rezoning to "MX3" Mixed Use District is **not** in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Low Density Residential within a Neighborhood Node.

#### **THE VOTE: 13-0**

Part B) Approval of the requested amendment to the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation from Low Density Residential within a Neighborhood Node to Community Mixed Use within a Neighborhood Node.

THE VOTE: 2-11 (Lisa Howard, Kayla Berkson, Jann Freed, Dory Briles, Emily Webb, Johnny Alcivar, Will Page, Abby Chungath, Carolyn Jension, Greg Jones and Steve Wallace voted in opposition).

Part C) Approval of rezoning the subject property from “N4” Neighborhood District to a Limited “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 by Zoning Board of Adjustment and those Permitted and Conditional Uses in common with the “MX1” Mixed Use District and as limited in the “MX1” Mixed Use District.
- 2) Accessory structures shall be limited to Drive-Through Facility and those permitted in the “MX1” Mixed Use District per Table 135-2.22-1.
- 3) Commercial truck traffic is prohibited from using 41st Place to enter or exit the site.
- 4) Parking shall not extend further west than the west façade of the house on the adjoining lot to the south.

THE VOTE: 6-7 (Lisa Howard, Kayla Berkson, Jann Freed, Johnny Alcivar, Will Page, Abby Chungath and Greg Jones voted in opposition).

Jann Freed made a motion for **DENIAL** of Part B) the requested to amend PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation from Low Density Residential within a Neighborhood Node to Community Mixed Use within a Neighborhood Node, and Part C) the request to rezone the subject property from “N4” Neighborhood District to a Limited “MX3” Mixed Use District.

Motion passed: 11-2

Respectfully submitted,



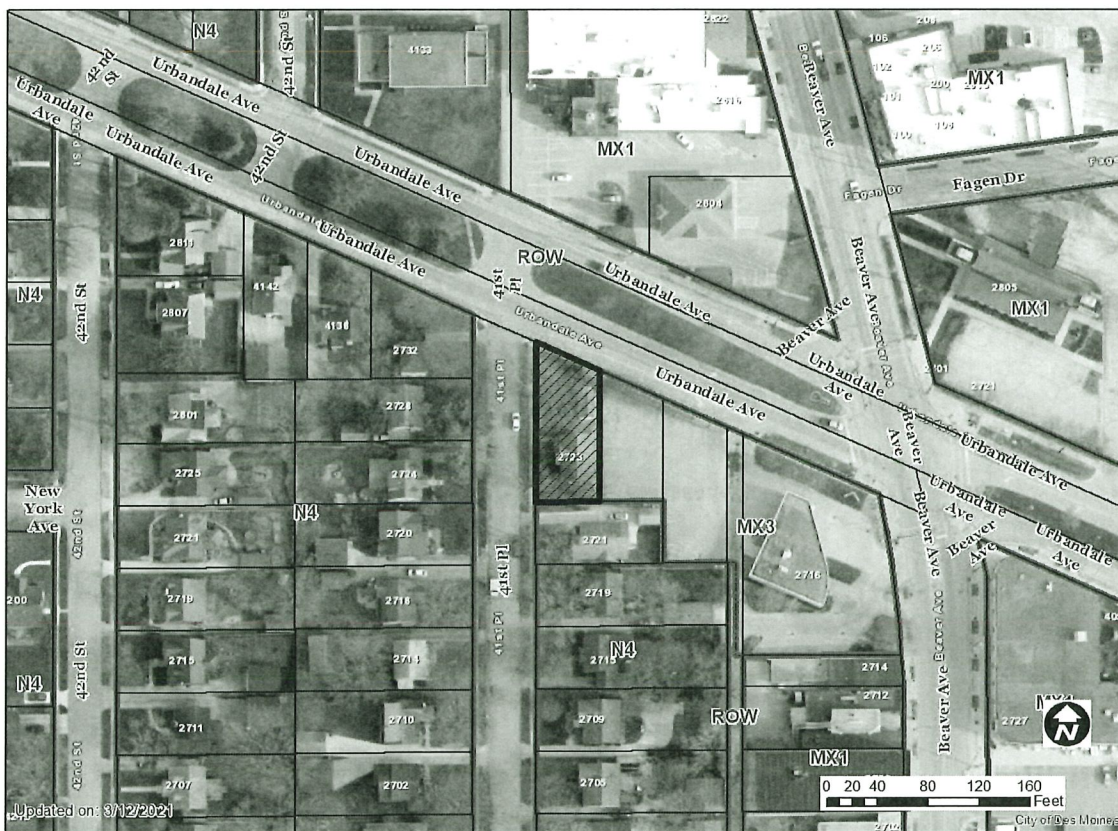
Jason Van Essen, AICP  
Planning & Urban Design Administrator

JMV:tjh

Request from Fareway Stores, Inc (purchaser) represented by Matt Heath (officer) for the property located at 2723 41 <sup>st</sup> Place. The subject property is owned by Melvin and Connie Wood.				File #	
				21-2021-4.08	
Description of Action	Amendment to the PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Low Density Residential within a Neighborhood Node to Community Mixed-Use within a Neighborhood Node.				
PlanDSM Future Land Use	Current: Low Density Residential in a Neighborhood Node. Proposed: Community Mixed-Use within a Neighborhood Node.				
Mobilizing Tomorrow Transportation Plan	No planned improvements.				
Current Zoning District	"N4" Neighborhood District				
Proposed Zoning District	"MX3" Mixed Use District				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Outside Area (200 feet)	0	0			
Within Subject Property					
Plan and Zoning Commission Action	Approval		Required 6/7 Vote of the City Council	Yes	X
	Denial	X		No	

Fareway Stores, Inc., 2723 41st Place

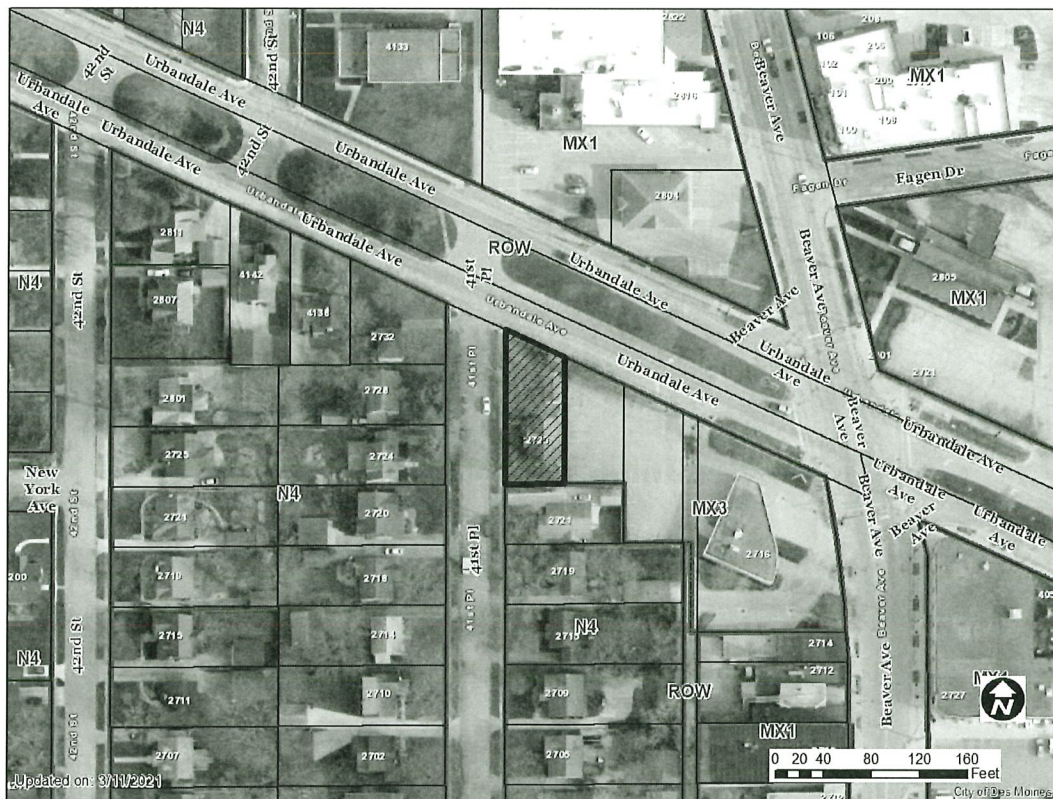
21-2021-4.08



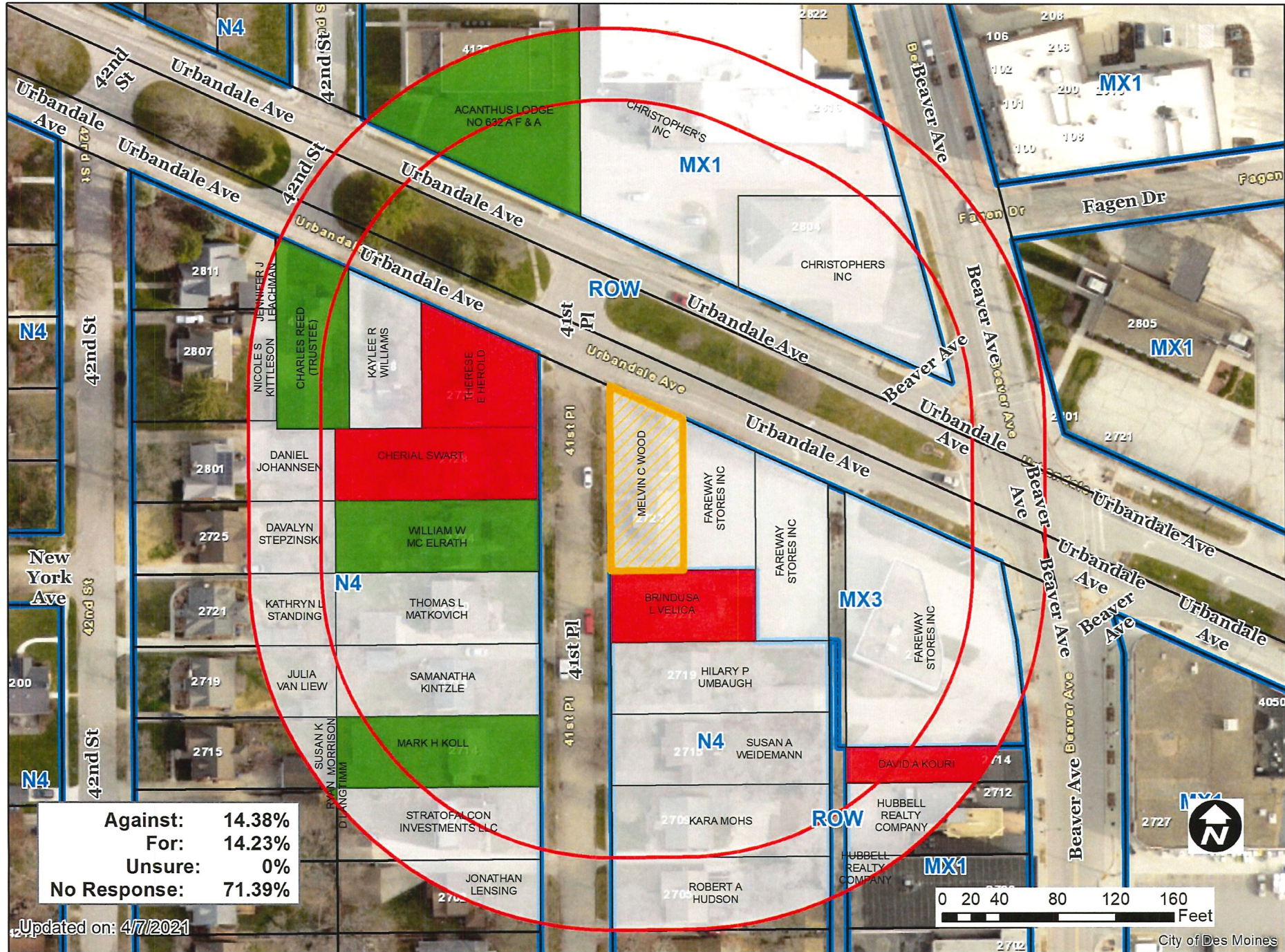
Request from Fareway Stores, Inc (purchaser) represented by Matt Heath (officer) for the property located at 2723 41 <sup>st</sup> Place. The subject property is owned by Melvin and Connie Wood.				File #	
				ZON2021-00018	
Description of Action	Rezone property from "N4" Neighborhood District to "MX3" Mixed Use District, to allow off-site parking and access to be developed in conjunction with a Limited Retail Sales use redevelopment of property at 2716 Beaver Avenue.				
PlanDSM Future Land Use	Current: Low Density Residential in a Neighborhood Node. Proposed: Community Mixed-Use within a Neighborhood Node.				
Mobilizing Tomorrow Transportation Plan	No planned improvements.				
Current Zoning District	"N4" Neighborhood District				
Proposed Zoning District	"MX3" Mixed Use District				
Consent Card Responses Outside Area (200 feet)	In Favor	Not In Favor	Undetermined	% Opposition	
Within Subject Property	5	4			
Plan and Zoning Commission Action	Approval		Required 6/7 Vote of the City Council	Yes	X
	Denial	X		No	

Fareway Stores, Inc., 2723 41st Place

ZON2021-00018



1 inch = 88 feet



Against:	14.38%
For:	14.23%
Unsure:	0%
No Response:	71.39%

Updated on: 4/7/2021

1 inch = 88 feet

Item: ZON2021-00018

Date: 3-23-21/10

Please mark one of the following

I am in favor of the request

I am not in favor of the request

Staff Use Only  
**RECEIVED**  
COMMUNITY DEVELOPMENT  
MAR 29 2021

Signature: Mark H Koll

Name: MARK H KOLL

Address: 2714-41<sup>ST</sup> PLACE

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

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

Item: ZON2021-00018

Date: 3-25-21

Please mark one of the following

I am in favor of the request

I am not in favor of the request

Staff Use Only  
**RECEIVED**  
COMMUNITY DEVELOPMENT  
MAR 29 2021

Signature: Charles Reed

Name: Charles Reed

Address: 4142 Urbandale Ave  
3316

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

I love Faraway - they will make a wonderful  
addition to our neighborhood - I hope they will  
have prepared meats - I only live a block  
away - maybe I'll buy a grocery cart from them

Item: ZON2021-00018

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

Please mark one of the following

I am in favor of the request

I am not in favor of the request

Signature: \_\_\_\_\_

*[Handwritten Signature]*

Name: \_\_\_\_\_

*Bill McElrath*

Address: \_\_\_\_\_

*2724 41st Place*

Staff Use Only

RECEIVED  
COMMUNITY DEVELOPMENT

APR 02 2021

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

*I do hope they keep the promise of a good  
privacy berm, hedge & trees line at the end*

Item: ZON2021-00018

Date: 03/27/2021

Please mark one of the following

I am in favor of the request

I am not in favor of the request

Signature: \_\_\_\_\_

*[Handwritten Signature]*

Name: \_\_\_\_\_

*BRINDA VEHIC*

Address: \_\_\_\_\_

*2721 41st Place*

Staff Use Only

RECEIVED  
COMMUNITY DEVELOPMENT

APR 02 2021

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

*- showing up the defects of the street, from residen-  
tial to a mix of residential & commercial  
- increased traffic, noise, lower property  
values due to proximity to busy parking lot*

Item: ZON2021-00018

Date: 3/28/2021 10

Please mark one of the following

I am in favor of the request

I am not in favor of the request

Staff Use Only  
**RECEIVED**  
COMMUNITY DEVELOPMENT  
MAR 31 2021

Signature: Ryan Langtun

Name: Ryan Langtun

Address: 2711 42nd St DSM 50310

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

This will be great!

Item: ZON2021-00018

Date: 3/23/2021

Please mark one of the following

I am in favor of the request

I am not in favor of the request

Staff Use Only  
**RECEIVED**  
COMMUNITY DEVELOPMENT  
MAR 31 2021

Signature: Therese Herold

Name: Therese Herold

Address: 2732 41st Pl.

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

The rezoning of 2323 41st Pl. allows for Fareway to open 41st Pl. to the business district. 41st Pl. is not large enough to support the significant increase in traffic that will result from this opening. The proposed entry is a danger to the neighborhood



Item: ZON2021-00018

Date: 3-25-21 16

Please mark one of the following

I am in favor of the request

I am not in favor of the request

Signature:

Name:

Address:

*[Handwritten Signature]*  
MAYD ROHLFSL

4133 Urbandale Ave PM 50310

Staff Use Only  
RECEIVED  
COMMUNITY DEVELOPMENT  
MAR 29 2021

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

Welcome Fareway!

Item: ZON2021-00018

Date: 3-22-2021

Please mark one of the following

I am in favor of the request

I am not in favor of the request

Signature:

Name:

Address:

*[Handwritten Signature]*  
DAVE KOURI

2714 BEAVER AVE.

Staff Use Only  
RECEIVED  
COMMUNITY DEVELOPMENT  
MAR 29 2021

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

DOES NOT ADDRESS A BIGGER PROBLEM.  
LOSS OF PARKING ON BEAVER.  
BRING ENTRY & EXIT ON BEAVER.  
DANGER TO PEDESTRIANS AND EXCESS TRAFFIC.  
WILL CREATE BACK-UP. -

Item: ZON2021-00018

Date: 3-21-21

Please mark one of the following

I am in favor of the request

I am not in favor of the request!

Signature:

C. Swart

Name:

C. Swart

Address:

2728-41st Pl

Staff Use Only

**RECEIVED**  
COMMUNITY DEVELOPMENT

APR 02 2021

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

I do not want to exit  
on 41st Pl. It would be  
right in front of my  
house. No way!