



Date May 9, 2022

**RESOLUTION HOLDING HEARING ON REQUEST FROM ANGEL GROFF TO AMEND
PLANDSM FUTURE LAND USE DESIGNATION AND TO REZONE PROPERTY
LOCATED AT 2200 EASTON BOULEVARD**

WHEREAS, on April 4, 2022, by Roll call No. 22-0532, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on March 17, 2022, its members voted 10-0 in support of a motion to recommend **DENIAL** of a request from Angel Groff (Owner), to amend the PlanDSM Creating Our Tomorrow Comprehensive Future Land use designation for real property locally known as 2200 Easton Boulevard (“Property”) from Low Density Residential to Industrial to allow rezoning to “I1” Industrial District to allow use of the property for “Vehicular Maintenance and Repair- Major” use; and

WHEREAS, on April 4, 2022, by Roll call No. 22-0532, the City Council received a further communication from the City Plan and Zoning Commission advising that at a public hearing held on March 17, 2022, its members voted 10-0 in support of a motion to recommend **DENIAL** of a request from Angel Groff (Owner), to rezone the Property from ‘N3a’ Neighborhood District to ‘I1’ Industrial District for the above-stated purpose; and

WHEREAS, on April 4, 2022, by Roll Call No. 22-0532, it was duly resolved by the City Council that the request for approval of the proposed PlanDSM Comprehensive Future Land Use Plan amendment and rezoning of the Property, legally described as follows, be set down for hearing on April 18, 2022 at 5:00 P.M., in the Council Chamber at City Hall; and

WHEREAS, the Property is legally described as follows:

LOTS 16 AND 17 IN BLOCK 16 EASTON PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA.

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposed land use amendment and rezoning; and

WHEREAS, on April 18, 2022, by Roll Call No. 22- 0633, the City Council opened and continued said hearing to 5:00 p.m. on May 9, 2022, at the Council Chambers, upon personal appearance of and request by the Applicant for additional time; and

WHEREAS, in accordance with said notice, those interested in said proposed rezoning, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council; and

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

Date May 9, 2022

Upon due consideration of the facts and any statements of interested persons and arguments of counsel, any and all comments for and against the proposed rezoning of the Property to "I1" Industrial District, to allow use of the property for "Vehicular Maintenance and Repair - Major" use, are hereby received and filed, and the hearing is closed.

Alternative A

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

- a. The City Plan and Zoning Commission voted 10-0 to recommend denial of the requested amendment of the PlanDSM Comprehensive Future Land Use Plan from Low Density Residential to Industrial and the requested rezoning of the Property to "I1" Industrial Mixed Use District, to allow use of the property for "Vehicular Maintenance and Repair - Major" use.
- b. The PlanDSM: Creating Our Tomorrow Plan future land use designation of the Property is Low Density Residential, which is not in conformance with the proposed Industrial District for Permitted Use of the Property as stated above, as Industrial Districts are intended to accommodate industrial development and limited supporting commercial uses, which would have a large impact on adjoining properties and the environment.
- c. The subject property is located along a portion of Easton Boulevard that contains low-density residential uses and religious assembly uses, and industrial uses could have a negative impact on adjoining properties and could produce byproducts that require environmental mitigation.
- d. The Property is small site not within a business park setting and is not suitable for Industrial zoning as it is located within close proximity to residential uses.
- e. If the application of the existing zoning regulations has the effect of denying the owner all economic use of the Property, then the appropriate remedy is to seek relief from the Zoning Board of Adjustment.

Alternative B

MOVED by _____ and Seconded by _____ to continue the public hearing until May 23, 2022, at 5:00 p.m. in the Council Chambers at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, and to direct the City Manager and Legal Department to prepare the necessary legislation to **APPROVE** the proposed PlanDSM Comprehensive Future Land Use Plan amendment from Low Density Residential to Industrial and **APPROVE** the proposed rezoning from



Roll Call Number

Agenda Item Number

53

Date May 9, 2022

'N3a' Neighborhood District to 'I1' Industrial District, subject to conditions acceptable to the City and the owner.

NOTE: Six affirmative votes are required to approve the proposed rezoning due to the Plan and Zoning Commission's recommendation for denial. Des Moines City Code §134-6.3.9.B.1.

APPROVED AS TO FORM:

Judy K Parks-Kruse

Judy K. Parks-Kruse
Assistant City Attorney

(ZONG2022-000013; ZONG2022-000014)

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

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

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

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

City Clerk

March 29, 2022

Communication from the City Plan and Zoning Commission advising that at their March 17, 2022 meeting, the following action was taken regarding a request from Angel Groff (owner) to rezone property located at 2200 Easton Boulevard from “N3a” Neighborhood District to “I1” Industrial District, to allow use of the property for “Vehicle Maintenance and Repair – Major” use.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 10-0 as follows:

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

APPROVAL of Part A) Approval of finding the requested rezoning not in conformance with PlanDSM: Creating Our Tomorrow Plan, which designates the property as “Low Density Residential”.

Part B) **Denial** of an amendment to the PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification for the subject property from “Low Density Residential” to “Industrial Use”.

Part C) **Denial** of the requested rezoning of the property from “N3a” Neighborhood District to “I1” Industrial District. (ZONG-2022-000013)

Written Responses

0 in Favor

2 in opposition

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends that the Commission find the requested rezoning is not in conformance with PlanDSM: Creating Our Tomorrow Plan, which designates the property as “Low Density Residential”.

Part B) Staff recommends denial of an amendment to the PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification for the subject property from “Low Density Residential” to “Industrial Use”.

Part C) Staff recommends denial of the requested rezoning of the property from “N3a” Neighborhood District to “I1” Industrial District.

Should the rezoning be denied, the applicant would have up to one (1) year following that denial to seek a Use Variance from the Zoning Board of Adjustment to allow use of the property for a specific use not permitted in the “N3a” Neighborhood District.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

- 1. Purpose of Request:** The requested rezoning would allow use of the property for a autobody repair use, which is considered to be a Vehicle Maintenance and Repair, Major use that requires an “I1” Industrial zoning classification. Use of the property is currently limited to an office use, a retail use, or a tire repair shop business in accordance with a Use Variance of permitted uses in the “R1-60” District, as granted by the Board of Adjustment on July 25, 2018.

Should the rezoning be denied, the applicant would have up to one (1) year following that denial to seek a new Use Variance of permitted uses in the “N3a” District from the Board of Adjustment to allow use of the property for a specific use.

- 2. Size of Site:** 10,500 square feet (0.24 acre).
- 3. Existing Zoning (site):** “N3a” Neighborhood District.
- 4. Existing Land Use (site):** The subject property contains a 28-foot by 56-foot (1,568 square feet) building, a 24-foot by 30-foot (855 square feet) building, and a 6,500 square foot parking lot.
- 5. Adjacent Land Use and Zoning:**

North – “N3a”; Uses are an undeveloped lot and one- household residential.

South – “NX1”; Uses are Easton Boulevard and one-household residential.

East – “N3a”; Use is one- household residential.

West – “P2”; Uses are East 22nd Street and religious assembly.

6. **General Neighborhood/Area Land Uses:** The subject property is located along the north side of Easton Boulevard, just to the east of the I-235. The area primarily consists of one-household residential uses with low-intensity commercial uses scattered along Easton Boulevard.
7. **Applicable Recognized Neighborhood(s):** The subject property is in the Fairmont Park Neighborhood and within 250 feet of ACCENT Neighborhood. All neighborhoods were notified of the Commission meeting by mailing of the Preliminary Agendas for the March 3, 2022 Plan and Zoning Commission meeting on February 11, 2022. A Final Agenda for the March 3, 2022 Plan and Zoning Commission meeting was mailed to the neighborhood associations on February 25, 2022 and a Final Agenda for the March 17, 2022 Plan and Zoning Commission meeting was mailed to the neighborhood associations on March 11, 2022. Additionally, separate notifications of the hearing for this specific item were mailed on February 11, 2022 (20 days prior to the March 3, 2022 hearing) and on February 21, 2022 (10 days prior to the March 3, 2022 hearing) to the 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 designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Fairmont Park Neighborhood Association notices were mailed to Jeff Witte, 2501 Morton Avenue, Des Moines, IA 50317. The ACCENT Neighborhood Association notices were mailed to Kevin Marken, 2109 East 28th Street, Des Moines, IA 50317.

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

8. **Relevant Zoning History:** Prior to 2012, the subject property contained a vehicle display lot that had legal non-conforming rights to operate in the “R1-60” One-Family Low-Density Residential District. On June 27, 2012, the Zoning Board of Adjustment considered appeals that would have allowed for the expansion of the vehicle display lot on that property. At that time, the Board denied the Variance to allow expansion of a legal non-conforming use in the “R1-60” One-Family Low-Density Residential District and a Variance of 10 feet less than the minimum required ten (10) feet of setback for off-street parking and loading from a property line adjoining a residential district. However, the Board did grant an amended appeal for a Variance of 27.5 feet less than the minimum required 30 feet of setback for off-street parking and loading from street right-of-way property lines in a Residential district, that allowed them to retain paving within 2.5 feet of the front property lines, subject to the following conditions:

1. Provision of a 2.5-foot paving setback along both Easton Boulevard and East 22nd Street, which shall be landscaped with ornamental trees and shrubs in

accordance with a landscaping plan as approved by the Permit & Development Center.

2. All barbed or razor wire on the site shall be removed.
3. All paving encroaching into the public right-of-way, except that necessary for any drive approach or sidewalk, shall be removed, with restoration of the area with sod and curbing.
4. If the preceding conditions are not satisfied prior to November 1, 2012, the site shall be required to provide the otherwise required 30-foot paving setbacks along both Easton Boulevard and East 22nd Street.

On November 3, 2017, the Zoning Enforcement Officer sent a letter to the appellant letting them know that the legal non-conforming rights for a vehicle display lot use on the property ceased since it was determined that the property had been vacant since March 1, 2015. On December 22, 2017, the appellant appealed that determination, but on January 24, 2018, the Zoning Board of Adjustment upheld the determination (ZON2017-00219) that the legal non-conforming rights had ceased.

On April 5, 2018, the City Council denied a request to rezone the property to "C-2" General Retail and Highway-Oriented Commercial District (Roll Call 18-0621).

On May 23, 2018, the Zoning Board of Adjustment, by Docket ZON2018-00073, granted a Variance of the permitted uses in an "R1-60" One-Family Low-Density Residential District (Use Variance) and a Variance of 27.5 feet less than the minimum 30 feet of setback required for off-street parking and loading from a front property line in a Residential District Use of the property for tire repair shop and retention of an off-street parking lot that is within 2.5 feet of the front property lines along Easton Boulevard and East 22nd Street. The approval was subject to the following conditions:

1. Any commercial use of the property shall be limited to a tire repair shop business and shall not occur until a Certificate of Occupancy has been issued for such.
2. Any use of the property for a tire repair shop business shall be in accordance with a Site Plan as approved by the Permit and Development Center.
3. Any use of the existing buildings shall be in accordance with all Building Codes and Fire Codes, with issuance of all necessary permits by the City's Permit and Development Center.
4. There shall be no outdoor storage of any equipment or materials, including but not limited to new or used tires, barrels, or tools.
5. No vehicle shall be kept on the premise for more than 48 consecutive hours.
6. Display of vehicles for sale is prohibited.
7. Outdoor repair and servicing of vehicles is prohibited.
8. Outdoor display of automobile accessories or tires is prohibited.
9. All refuse and trash disposal containers are contained within an enclosure that complies with all Zoning and Site Plan regulations.
10. Automobiles shall only be parked in marked parking spaces in accordance with the approved Site Plan.
11. All landscaping required on the approved Site Plan shall be continuously maintained for the life of the Certificate of Occupancy.
12. Any signage for the business shall be limited to a wall-mounted sign that complies with the sign regulations applicable in a "C-1" District.

13. A copy of the Board's Decision and Order shall be recorded at the appellant's expense to ensure that any future property owners are aware of these conditions.
14. The Zoning Enforcement Officer shall bring the Use Variance back to the Zoning Board of Adjustment for reconsideration at any time that the use becomes a nuisance to surrounding properties or violates the conditions of approval.

After the May 23, 2018 approval, the potential tire repair business decided to locate elsewhere so the appellant filed a new application requesting that Docket ZON2018-00073 be amended to allow for additional commercial uses to market the property for more than just a tire repair business use.

On July 25, 2018, the Zoning Board of Adjustment, by Docket ZON2018-00120, granted an amendment to the Variance of the permitted uses in an "R1-60" One-Family Low-Density Residential District and an amendment to the Variance of 27.5 feet less than the minimum 30 feet of setback required for off-street parking and loading from a front property line in a Residential District, subject to the following conditions:

1. Any commercial use of the property shall be limited to an office use, retail use, or tire repair shop business and shall not occur until a Certificate of Occupancy has been issued for such.
2. Any use of the property for an office use, retail use, or tire repair shop business shall be in accordance with a Site Plan as approved by the Permit and Development Center.
3. Any use of the existing buildings shall be in accordance with all Building Codes and Fire Codes, with issuance of all necessary permits by the City's Permit and Development Center.
4. There shall be no outdoor storage of any equipment or materials, including but not limited to new or used tires, barrels, or tools.
5. No vehicle shall be kept on the premise for more than 48 consecutive hours.
6. Display of vehicles for sale is prohibited.
7. Outdoor repair and servicing of vehicles is prohibited.
8. Outdoor display of automobile accessories or tires is prohibited.
9. All refuse and trash disposal containers are contained within an enclosure that complies with all Zoning and Site Plan regulations.
10. Automobiles shall only be parked in marked parking spaces in accordance with the approved Site Plan.
11. All landscaping required on the approved Site Plan shall be continuously maintained for the life of the Certificate of Occupancy.
12. Any signage for the business shall be limited to a wall-mounted sign that complies with the sign regulations applicable in a "C-1" District.
13. A copy of the Board's Decision and Order shall be recorded at the appellant's expense to ensure that any future property owners are aware of these conditions.
14. The Zoning Enforcement Officer shall bring the Use Variance back to the Zoning Board of Adjustment for reconsideration at any time that the use becomes a nuisance to surrounding properties or violates the conditions approval.

After the July 25, 2018 approval, the appellant identified a potential tenant that would use the property for the repair of vehicles that would be sold at a different location. Therefore, the appellant filed another application seeking to revise the conditions that currently prohibit such a use.

On September 26, 2018, the Zoning Board of Adjustment, by Docket ZON2018-00177, denied an amendment to the Variance of the permitted uses in an “R1-60” One-Family Low-Density Residential District and an amendment to the Variance of 27.5 feet less than the minimum 30 feet of setback required for off-street parking and loading from a front property line in a Residential District, to allow use of the property for the repair of vehicles that would be sold at a different location and retention of an off-street parking lot that is within 2.5 feet of the front property lines along Easton Boulevard and East 22nd Street.

On October 23, 2019, the applicant filed an appeal to amend the Variance of the permitted uses in an “R1-60” One-Family Low-Density Residential District to allow use of the property for the repair of vehicles that would be sold at a different location. The Board found that the conditions, facts, and/or circumstances present at the time of the Board’s previous decision within the past 2 years had not changed. Therefore, the appeal was not considered by the Board.

On December 16, 2019, the subject property was rezoned from “R1-60” One-Family Low-Density Residential District to “N3a” Neighborhood District, as part of the Citywide rezoning established by Ordinance 15,818.

On January 11, 2021, the City Council denied a request to rezone the property from “N3a” Neighborhood District to “MX3” Mixed Use District. Therefore, the applicant was able to submit an application to the Board of Adjustment for a Use Variance, requesting that allowed commercial use of the property be expanded to include a “Vehicle Maintenance/Repair, Minor” use.

On February 24, 2021, the Board of Adjustment, by Docket ZON2021-00006, denied an appeal for a Variance (per City Code Section 134-6.7) of the permitted uses in an “N3a” Neighborhood District, to expand commercial use of the property to include a “Vehicle Maintenance/Repair, Minor” use.

Therefore, the only commercial uses currently allowed on the property are those permitted in accordance with the Use Variance (Docket ZON2018-00120) granted by the Board of Adjustment on July 25, 2018, so long as that use does not change or lapse for a period of at least 6 months.

9. PlanDSM Future Land Use Plan Designation: Low-Density Residential.

- 10. Applicable Regulations:** Taking into the consideration of 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 Future Land Use Plan Designation:** The subject property is designated as Low Density Residential, which is described as “areas developed with primarily single-family and two-family residential units with up to 6 dwelling units per net acre”. The proposed “I1” Industrial District would require the land use designation to be amended to Industrial Use, which is described as “Accommodates industrial development and limited supporting commercial uses. Development in this classification could have a large impact on adjoining properties and the environment which would need to be mitigated.”

Staff does not believe that this is an appropriate location for the Industrial land use designation. The subject property is located along a portion of Easton Boulevard that contains low-density residential and religious assembly uses. Industrial uses could have a negative impact on adjoining properties and could produce byproducts that require environmental mitigation. The Industrial land use designation is typically located within business park environments not located in close proximity to residential uses. Therefore, Staff recommends denial of both the land use plan amendment and the rezoning.

- 2. Site Plan Requirements:** Should the property be rezoned, any change in the commercial use of the property must be in compliance with a Site Plan. This Site Plan must comply with all regulations, including those pertaining to landscaping and stormwater management. Furthermore, any Site Plan to allow vehicle sales or display would also be subject to the design guidelines for vehicle display. These guidelines require that any site used for vehicle display should be at least 0.50 acre in area, which this 0.24-acre site would not satisfy.

SUMMARY OF DISCUSSION

Sreyoshi Chakraborty presented staff report and recommendation.

Johnny Alcivar asked if this request is denied would the applicant still be able to use the property for the same uses that were approved by the Zoning Board of Adjustment a few years ago.

Sreyoshi Chakraborty stated yes. The Zoning Board of Adjustment granted a variance that allows some commercial use of the property, limited to office use, retail use or a tire shop business.

Angel Groff, 2200 Easton Boulevard stated she was approved for a tire shop before, but the tenant went out business. She has somebody interested in using the property for a mechanic shop, body shop or detail shop. She believes this business would be good for the area and she will do everything to make the property look nice for the neighborhood.

CHAIRPERSON OPENED THE PUBLIC HEARING

Vincent Berardi, 922 Caulder Avenue stated he is here to represent Angel Groff's request to rezone for a mechanic shop so she can pay for insurance, property tax and remodel.

The neighborhood is close to the interstate, it's noisy and only has a few residential houses in that area. A minor mechanic shop or detail shop would be great for this location.

Angel Groff stated approval of a body shop or minor mechanical would really help so she could have money to pay for property tax, insurance, and remodeling.

Chris Draper asked if the building to the east is a residential house or another business.

Jason Van Essen stated 2220 Easton Blvd shows as a single-family residence on the Polk County Assessors website.

CHAIRPERSON CLOSED THE PUBLIC HEARING

Will Page stated this property has been approved for a variance by the Zoning Board of Adjustment to allow some commercial uses. There are other opportunities rather than one that would be inimical to the character of the neighborhood. The neighborhood association is opposed, and the applicant would have the opportunity to return to the Zoning Board of Adjustment for a new variance request if the rezoning is denied. Indicated he supports the staff recommendation.

COMMISSION ACTION:

Will Page made a motion for:

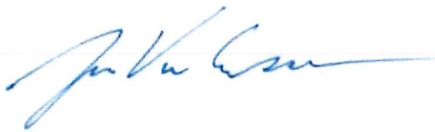
Part A) Approval of finding the requested rezoning not in conformance with PlanDSM: Creating Our Tomorrow Plan, which designates the property as "Low Density Residential".

Part B) Denial of an amendment to the PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification for the subject property from "Low Density Residential" to "Industrial Use".

Part C) Denial of the requested rezoning of the property from "N3a" Neighborhood District to "I1" Industrial District.

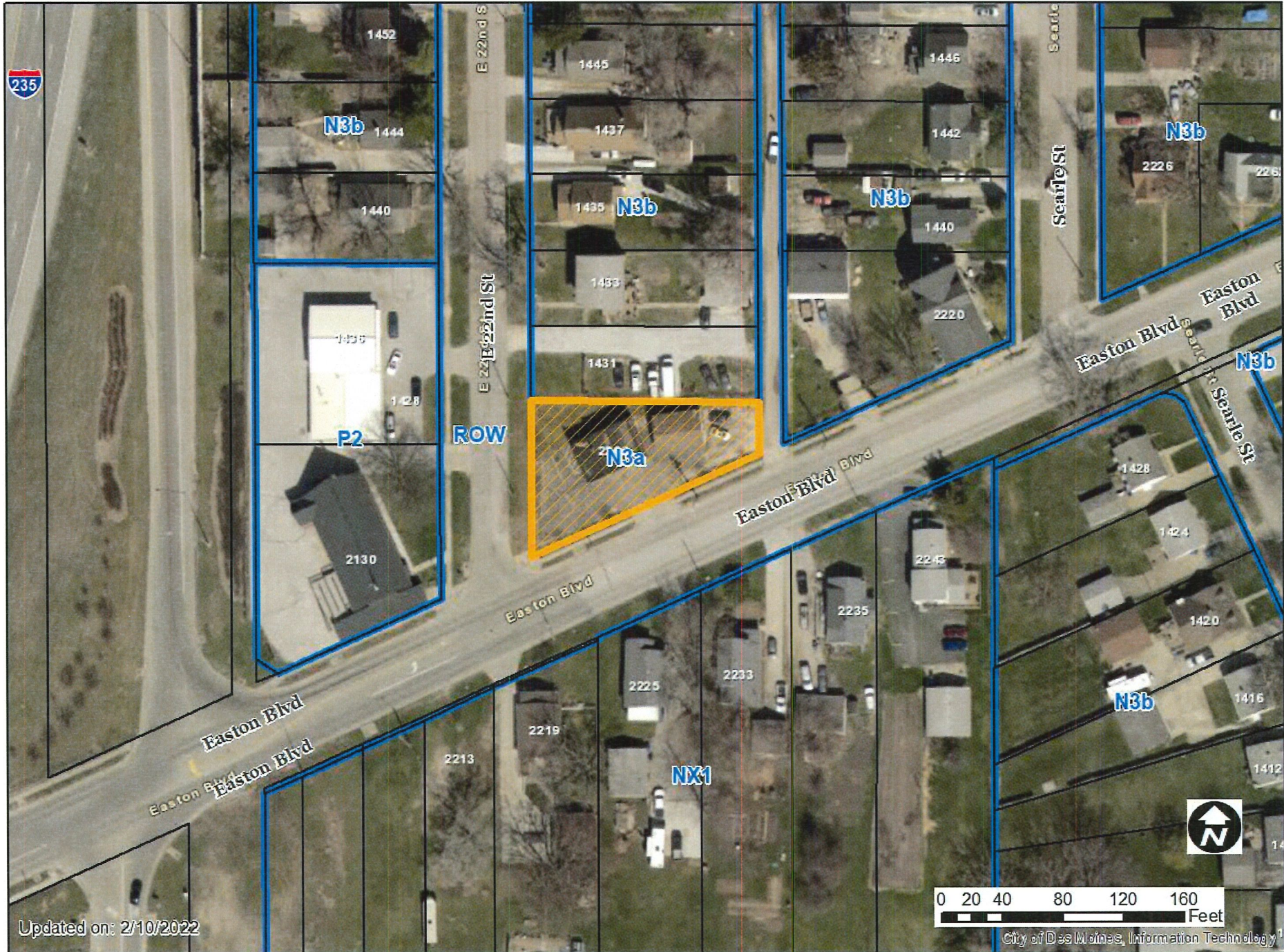
Motion passed: 10-0

Respectfully submitted,

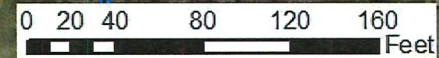


Jason Van Essen, AICP
Planning & Urban Design Administrator

JMV:tjh



Updated on: 2/10/2022



City of Des Moines, Information Technology

1 inch = 84 feet









PRELIMINARY- NOT FOR CONSTRUCTION

53

NOTES:

- ALL WORK DONE WITHIN CITY RIGHT-OF-WAY SHALL BE DONE IN ACCORDANCE WITH SUDAS AND CITY OF DES MOINES GENERAL SUPPLEMENTAL SPECIFICATIONS EFFECTIVE AT THE TIME OF PLAN APPROVAL.
- ALL PARKING LOT LIGHTING SHALL BE PEDESTRIAN IN SCALE HAVING POLES NO TALLER THAN 20 FEET WITH FULL CUT-OFF DOWN DIRECTIONAL LIGHT FIXTURES.
- REQUIRED LANDSCAPING (BOTH EXISTING AND PROPOSED) SHALL BE MAINTAINED FOR THE LIFE OF THE CERTIFICATE OF OCCUPANCY.
- ALL LANDSCAPE PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE URBAN STANDARD SPECIFICATIONS, UNLESS SPECIFIED OTHERWISE.
- SEED ALL DISTURBED AREAS WITHIN THE CONTRACT LIMITS, UNLESS NOTED OTHERWISE.
- PLANT QUANTITIES ARE FOR CONTRACTORS CONSIDERANCE. THE DRAWINGS SHALL PREVAIL IN A CONFLICT OCCURS.
- ALL PLANT MATERIAL SHALL CONFORM TO THE LATEST EDITION AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1).
- CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE YEAR FROM THE DATE OF ACCEPTANCE.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO REMOVE IDENTIFICATION TAGS AND CORDS ON ALL PLANT MATERIAL PRIOR TO THE COMPLETION OF THE CONTRACT.
- CONTRACTOR SHALL PLACE SRECHED HIDEWOOD MULCH AROUND ALL TREES, SHRUBS AND GROUND COVER BEDS TO A DEPTH OF 3 INCHES, UNLESS NOTED.
- THE LANDSCAPING CONTRACTOR SHALL HAVE ALL UTILITIES LOCATED BEFORE STARTING ANY SITE WORK OR PLANTING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES.
- NO LANDSCAPE MATERIAL SHALL BE SUBSTITUTED WITHOUT THE AUTHORIZATION OF THE LANDSCAPE ARCHITECT.
- LAYOUT SHOWN FOR REFERENCE ONLY. NO SURVEY HAS BEEN COMPLETED AND ALL ELEMENTS MUST BE FIELD VERIFIED PRIOR TO INSTALLATION.

LANDSCAPE REQUIREMENTS:

PARKING LOT SCREENING
 TOTAL PARKING LOT PERIMETER - 3 LOCATIONS @ 65' EACH
 TOTAL REQUIRED PER LOCATION: 1 ORN / 3 SHRUBS PER 50 LF
 TOTAL PLANTS PER LOCATION
 ORNAMENTAL TREES - 45 LF / 50 LF = 1.3 X 1 2 TREES
 SHRUBS - 65 LF / 50 LF = 1.3 X 3 4 SHRUBS
 TOTAL TREES REQUIRED (2 PER LANDSCAPE UNIT) 6
 TOTAL SHRUBS REQUIRED (2 PER LANDSCAPE UNIT) 12
 NOTE: LANDSCAPING SHOWN BASED ON PRIOR APPROVED LANDSCAPE PLAN

LEGAL DESCRIPTION

LOTS 16 & 17, BLOCK 16 EASTON PLACE (PER POLK COUNTY ASSESSOR)

CITY BENCHMARK

ID# 1410: 2350 HUBBELL AVENUE, TRIANGLE CUT IN SW CORNER OF SIGN BASE. ELEVATION: 49.99'

PROPERTY ZONING

R140 (ONE FAMILY LOW DENSITY RESIDENTIAL DISTRICT)

PARKING CALCULATIONS

TOTAL BUILDING AREA (BOTH STRUCTURES) 1701 SF
 REQUIRED PARKING: 1000 SF TOTAL, 3 STALLS TOTAL
 4 CUSTOMER STALLS
 (3 STANDING, 1 ACCESSIBLE)
 3 EMPLOYEE STALLS
 7 STALLS
 TOTAL PARKING PROVIDED 7 STALLS

OPEN SPACE CALCULATIONS

TOTAL LOT AREA (PER ASSESSOR) 10,500 SF
 TOTAL BUILDING FOOTPRINT 1701 SF
 TOTAL IMPERVIOUS SURFACE (APPROX.) 5744 SF
 TOTAL OPEN SPACE (APPROX.) = 28.14%

ADAAG GUIDELINES

ALL ACCESSIBLE PARKING STALLS, ACCESS AISLES, TRAVEL ROUTES, LANDINGS, RAMPS, ETC SHALL BE CONSTRUCTED TO MEET ALL APPLICABLE ADAAG GUIDELINES.

PROPERTY OWNER / APPLICANT

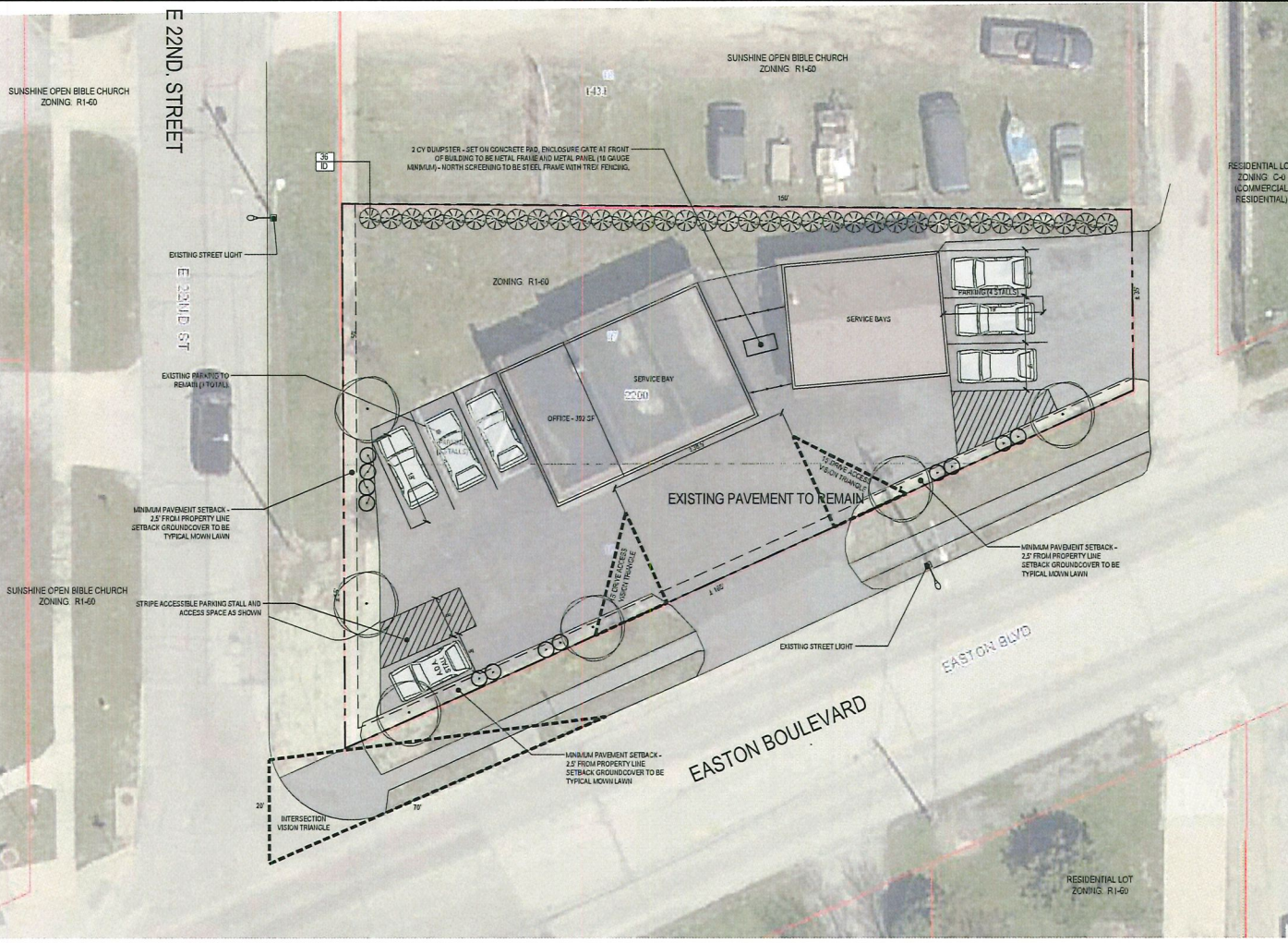
ANSEL GRIFF
 2721 SHOREVIEW CIRCLE
 DES MOINES, IA 50329
 515-266-5771

ZONING BOARD INFORMATION

ZBOA Date (May 23, 2018), Docket number(ZO2018-0037), and Conditions of approval as follows:
 WHEREFORE, IT IS ORDERED that the appeals for a Variance of the permitted uses in an "R140" One-Family Low-Density Residential District and a Variance of 2.5 feet less than the minimum 30 feet of setback required for off-street parking and loading from a front property line in a Residential District, to allow use of the property for the repair shop and allow retention of an off-street parking lot that is within 2.5 feet of the front property lines along Easton Boulevard and East 22nd Street, are granted subject to the following conditions:
 1. Any commercial use of the property shall be limited to the repair shop business and shall not occur under a Certificate of Occupancy has been issued for such.
 2. Any use of the property for the repair shop business shall be in accordance with a Site Plan as approved by the Permit and Development Center.
 3. Any use of the existing buildings shall be in accordance with all Building Codes and Fire Codes, with issuance of all necessary permits by the City's Permit and Development Center.
 4. There shall be no outdoor storage of any equipment or materials, including but not limited to new or used tires, barrels, or tools.
 5. No vehicles shall be kept on the premises for more than 48 consecutive hours.
 6. Display of vehicles for sale is prohibited.
 7. Outdoor repair and servicing of vehicles is prohibited.
 8. Outdoor display of automobile accessories or tires is prohibited.
 9. All refuse and trash disposal containers are contained within an enclosure that complies with all Zoning and Site Plan regulations.
 10. Automobiles shall only be parked in marked parking spaces in accordance with the approved Site Plan.
 11. All landscapes required on the approved Site Plan shall be continuously maintained for the life of the Certificate of Occupancy.
 12. Any signage for the business shall be limited to a wall-mounted sign that complies with the sign regulations applicable in a "C1" District.
 13. A copy of the Board's Decision and Order shall be recorded at the applicant's expense to ensure that any future property owners are aware of these conditions.
 14. The Zoning Enforcement Officer shall bring the Use Variance back to the Zoning Board of Adjustment for reconsideration at any time that the use becomes a nuisance to surrounding properties or violates the conditions of approval.

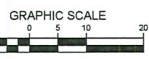
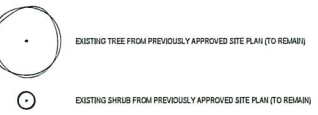
GENERAL CITY NOTES

- This site shall be maintained in compliance with all city code applicable on the date of site plan approval.
- Any new lighting mechanical equipment shall be screened from street level view.
- Transformers, junction boxes, air conditioners over 7 feet in height, or other such items may not be located in the required setback areas.
- Any amendments or changes to the project site that do not meet what is shown on the site plan need to be approved with the Permit and Development Center in accordance with the City's rules and regulations.
- Lighting must be low glare cut-off type fixtures to reduce the glare of light pollution on surrounding properties.
- All outdoor areas should be restored by seeding or sodding.



PLANTING SCHEDULE

CODE	QUAN	COMMON NAME	LATIN NAME	SIZE	ROOT	NOTES
ID	38	SANTALWOOD	CORNUS SERICEA 'SANTIT'	#5	CONT	FULL FORM - MATCHED



Bishop Engineering
 "Planning Your Successful Development"
 3501 104th Street
 Des Moines, Iowa 50329-0207
 P: 515-281-4400
 Civil Engineering & Land Surveying Established 1959

TIRE SALES CENTER
 2200 EASTON BOULEVARD
 SITE PLAN

SITE PLAN # 18-187-128

APPROVAL:

SITE PLAN
 APPROVED APPROVED WITH CONDITIONS
 SEE EXHIBIT 'A'
 IN ACCORDANCE WITH SECTION 82-207 (c.), 2000 DES MOINES MUNICIPAL CODE, AS AMENDED, NO CHANGES TO THIS PLAN UNLESS APPROVED IN WRITING FROM THE PLANNING DIRECTOR.
 DATE _____ PLANNING DIRECTOR _____

I HEREBY CERTIFY THAT THESE PLANS AND SPECIFICATIONS WERE PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF IOWA. IOWA REGISTRATION NO. 445.
 BY: MICHAEL D. GAUNT LICENSE RENEWAL DATE: JUNE 30, 2020
 SIGNED: _____ DATE: _____



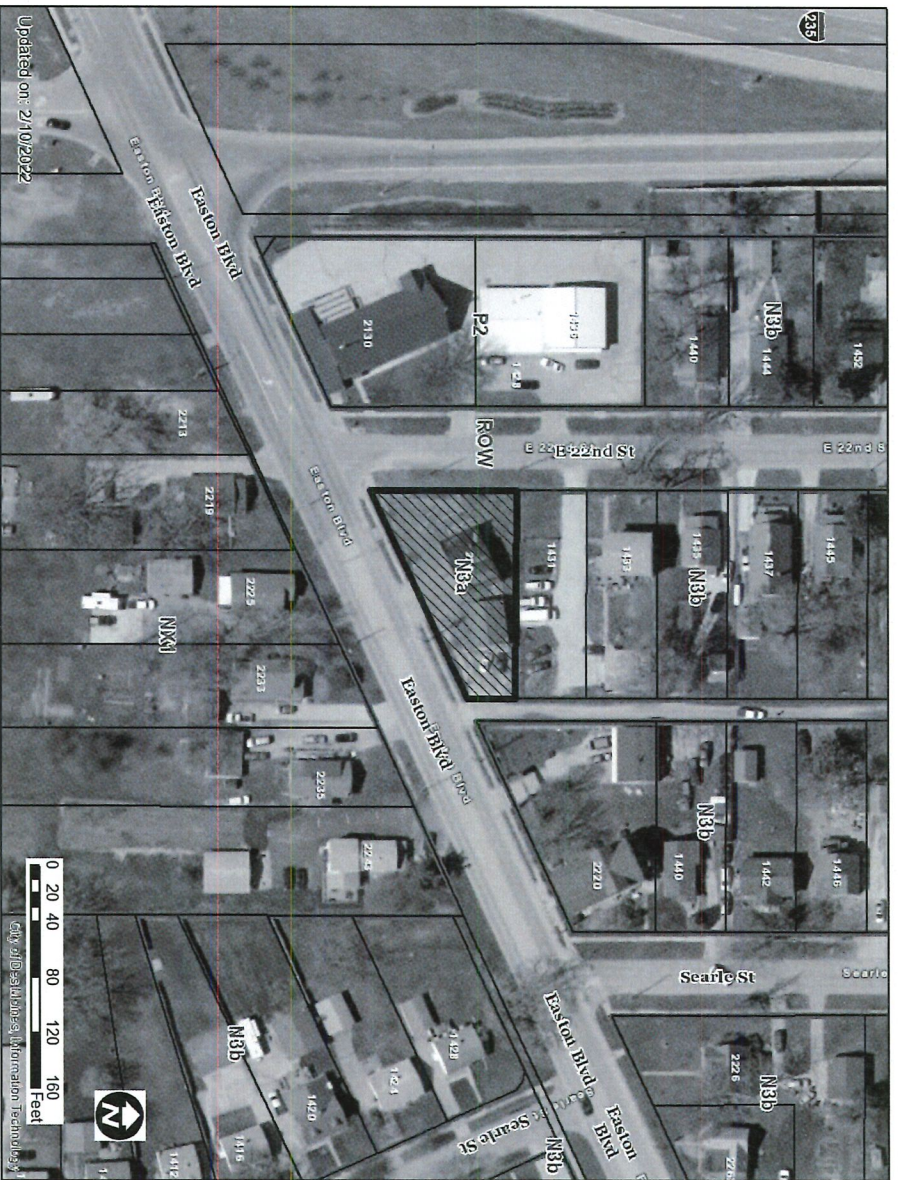
REFERENCE NUMBER:
 DRAWN BY:
 MDG
 CHECKED BY:
 MDG
 REVISION DATE:

PROJECT NUMBER:
 180329
 SHEET NUMBER:
 1 OF 1

53

Angel Group, LLC, 2200 Easton Boulevard

ZONG-2022-000013



1 inch = 84 feet

2/25/2022
I visited with Andy of Energy Personnel regarding
9200 - Carbon Blvd. I am not opposed to their
change of the property. The city needs the tax revenue,
Richard McManus

Neighborhood Fairmont Park Association

From The Desk of Jeff Witte FPNA President

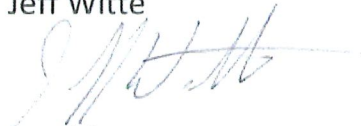
Feb 28th, 2022

Frank A Dunn-Young;

I am writing this letter to oppose the rezoning of the property to industrial from N3a at 2200 Easton Blvd. This is a neighborhood, and we feel the property has little square footage in its boundary to do industrial work. Fairmont Park Neighborhood Association feels it would be detrimental to the area.

Thank You

Jeff Witte



President

**Neighborhood
Fairmont Park
Association**

From The Desk of Jeff Witte FPNA President

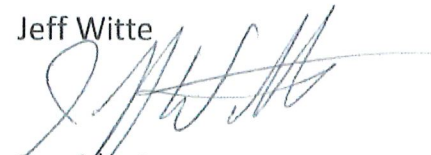
March 14, 2022

Frank A Dunn-Young;

I am writing this letter to oppose the rezoning of the property to industrial from N3a at 2200 Easton Blvd. This is a neighborhood, and we feel the property has little square footage in its boundary to be rezoned industrial. Fairmont Park Neighborhood Association feels it would be detrimental to the area.

Thank You

Jeff Witte



President

Item: ZONG-2022-000013 Date: 2-24-22

Please mark one of the following

I am in favor of the request

I am not in favor of the request

Signature: Thomas J Sharp

Name: Thomas J Sharp

Address: 2219 Easton Blvd

Staff Use Only

RECEIVED
COMMUNITY DEVELOPMENT

MAR 15 2022

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

They never take care of
place. Not good for resale on
my property. I've lived here
42 years & NEVER seen it work.

Item: ZONG-2022-000013

Date: 2-24-22

Please mark one of the following

I am in favor of the request

I am not in favor of the request

Signature: _____

Name: _____

Address: _____

Staff Use Only

RECEIVED
COMMUNITY DEVELOPMENT

FEB 28 2022

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

Fairmont Park is against rezoning this property
to industrial. This is a neighborhood and
an UBA neighborhood district.
Jeff Witte President Fairmont Park Neighbor Assoc.

Artemio Sacedo

1444 E 22nd St

Des Moines Ia 50317

515 718 9217

Is Not Problem for me to repair

Auto Repair Shop

2200 Easton Blvd

If you have any question please call me

Art

04/22/22

Detail

Amber Ford + Colton TeKolste

1452 E 22nd St

515 724 3111

DSM, IA 50317

515 724 1456

I would love to have an auto
repair shop within walking distance!

100% support this

Amber Ford

4/24/22

I am in agreement with the building @ Easton
and E. 22nd. being an auto repair shop.
I live @ 1460 E. 22nd Street. This building
has been in some type of Auto Business for
over 25 yrs. In fact, it used to be Logan
Automotive.

Kathleen M. Worley (515) 782-0093
1460 E. 22nd St. text if you need to,
Des Moines, IA. 50317

This was written April 24, 2021

4/24/22

Casey and Mary Elwood
2225 Easton Blvd
Des Moines, IA 50317
712-370-7004

We have no issues with a
car repair shop coming to the
building across the street from us.

Brian & Kathy Barber 4/24/22

2233 Easton Blvd.

515-556-2767

We've lived here 22 years & have no problem with our auto repair shop across the street, in fact would welcome it

Kathy Barber

I + J
It is ok to have Auto repair shop

500 OK

5: calibration

2220 Eastern Blvd 50217
515 500 77 40

Edna Rd

515-868-6068

515-7704849

Andrea and Michelle Rodgett 4-24-2022

1433 E 22nd St. Des Moines, Iowa

We live behind the property on E 22nd and

Easton We definitely support the
property becoming a auto repair shop

We feel that it would be good for
the area to add new businesses

Karen Bitting

1455 E 22ND ST.

West Mairies, Ia 50317

I would like to have a place
to have my car worked on in a
place that is close to my house

Karen Bitting

phone (515) 266-424

I am in favor of a car repair
shop in our neighborhood.

Ellen Klepfer

1440 E 22nd St

DM Fe 50317

Dean Bar 7243 Eastern Blvd NY
Call for a Auto Repair 262-2760

Steve Myers & Helen Myers
2235 Easton Blvd Nesquehoning Pa 82317
I agree for Auto shop But we could
Music or record sounds.

Steve Myers
641-275-4300

Sandra H. Hogesong
1435 E. 23rd St
Des Moines, Ia
50317

I approve of Auto Repair business.
Ever since I've lived here it
has had some kind of Auto Business

Sandra H. Hogesong 4/14/2022

Sandra H. Hogesong
1435 E. 23rd St
Des Moines, Ia
50317

I approve of Auto Repair business.
Ever since I've lived here it
has had some kind of Auto Business

Sandra H. Hogesong 4/14/2022

4/16/02

This is Norma Walker @ 2604 E 28th St.
I support using the building as proposed

Norma Walker

Phone # (515) 263-8244

Neighborhood Fairmont Park Association

From The Desk of Jeff Witte FPNA President

May 6th, 2022

City Council members;

I am writing this letter to oppose the fifty third item for the May 9th City Council meeting rezoning of the property to industrial from N3a at 2200 Easton Blvd. This is a neighborhood, and we feel the property has little square footage in its boundary to be rezoned industrial. Fairmont Park Neighborhood Association feels it would be detrimental to the area. The city is opposed, and Planning and Zoning denied there request.

I ask you to vote no on rezoning.

Thank You

Jeff Witte



President