Iowa Code Section 21.4 requires that each Plan and Zoning Commission meeting shall be held at a place reasonably accessible to the public and at a time reasonably convenient to the public, unless for good cause such a place or time is impossible or impracticable. Given the Governor's Proclamation, as amended, strongly encouraging vulnerable Iowans to limit participation in gatherings of any size and any purpose during the COVID-19 outbreak and its authorization of electronic meetings, it is impossible and impractical to have physical public access to the meeting location and the meeting will be conducted electronically with electronic public access to the meeting location as set forth below. Meeting minutes will continue to be provided per the City's normal course of business. You may contact the City Staff at (515) 689-9485 or check the meeting agenda on the City's website (www.dsm.city). To participate in the electronic meeting, access is available via the internet or telephonically (details below).

If you intend to participate in the virtual Zoom meeting via internet or by telephone, the City's Development Services Department requests that you please send an email to Planning@dmgov.org or call (515) 689-9485 at least 24 hours prior to the start of the scheduled meeting, to alert the meeting's moderator that you intend to address the Plan and Zoning Commission. When sending an email or leaving a voice-mail message, please include your name, address, telephone number and the item number that you wish to speak on, state whether you wish to speak in support or in opposition, and attach or identify any evidence (photos, documents, etc.) that you would like the Plan and Zoning Commission members to review. Participants will be allowed to join the virtual Zoom meeting via internet or by telephone at the scheduled time of the meeting, whether or not such prior notice is given to the Development Services Department.

The Plan and Zoning Commission shall receive written views, comments, objections and arguments from any resident or taxpayer of the City that are received by City Staff in the Development Services Department either by email or by U.S. Mail prior to 4:00 p.m. May 19, 2021 (Development Services Department, Armory Building, 602 Robert D. Ray Drive, Des Moines, IA 50309; Email Planning@dmgov.org).

The City Plan and Zoning Commission will hold a public meeting by teleconference only on July 15, 2021, at 6 p.m., regarding the items contained in this agenda.

Webinar ID: 827 8175 8175
Passcode: 520460

Join from a PC, Mac, iPad, iPhone or Android device:
Please click this URL to join.
https://dmgov-org.zoom.us/s/82781758175?pwd=R0dTUm5HT3BGK1B3UXFjMzNKcUc1UT09

One-Tap Dialing on iPhone
+13126266799,,82781758175# US (Chicago)

Or join by phone:
US: +1 312 626 6799 or
+1 720 928 9299 or
833 548 0276 or 877 853 5257 (Toll Free)

International numbers available: https://dmgov-org.zoom.us/u/kfohRtYlo

Hearing date is subject to change. Please see https://www.DSM.city/covid19 and scroll down to the “Public Meetings” link under the heading “City of Des Moines Services impact” or call (515) 689-9485 for the most current information public hearings and public meetings.
PLAN AND ZONING COMMISSION RULES AND PROCEDURES

1. The Plan and Zoning Commission is generally an advisory body to the City Council. The City Council will hold a public hearing and make the final decision on all matters before the Commission other than Site Plans and Subdivision Plats, unless denials or conditional approvals thereof are appealed. Please contact the City Clerk or Development Services Department staff (515) 689-9485 for details on Council hearings.

2. Applicant will be given 10 minutes to present the request. If applicants wish to share materials not already submitted with the application, please email them to Planning@dmgov.org so a staff host may be able to share them on the screen when you present.

3. Proponents and then opponents from the public are then allowed to speak in that order, with each speaker allowed a maximum of 5 minutes. Staff has attempted to compile a list of people who would like to speak on each item. Staff will first call on these people and then will open it up to anyone else who wishes to speak. To request to speak during the hearing, please use the "raise hand" function on ZOOM Webinar via internet or dial *9 on your phone. Once permission to speak is given, to unmute and mute dial *6 on your phone. You will be required to give your legal name and address for the record prior to speaking. Also, we ask that you keep your microphones and phones on "mute" unless you’ve been given the chance to address the Commission by the Chair.

4. Applicant is then allowed five (5) minutes for a rebuttal if any opponents spoke.

5. All comments are to be germane to the item under consideration and speakers are to maintain a courteous manner.

6. The hearing will then be closed and the Commission will discuss and vote on the issue.

7. Items listed on the consent portion of the agenda will not be individually discussed and will be considered for approval in accordance with the recommendation in the staff report unless an individual present or member of the Commission requests that the item be removed from the consent agenda and considered separately under the public hearing agenda.

8. The City of Des Moines is pleased to provide accommodations to individuals or groups with disabilities and encourages participation in City government. Please know that typical accommodations may be limited by emergency requirements as issued by the State of Iowa and the City of Des Moines.

Note: There is not a scheduled early session.

6:00 ROLL CALL & APPROVAL OF MINUTES FROM JUNE 17, 2021

CONSENT PUBLIC HEARING ITEMS

1. Request from James Hunter and Connie Conrad-Hunter (owners) to designate the “Snookies Neon Sign” at 1810 Beaver Avenue as a local Landmark. (20-2021-4.01)

2. Request from Greater Des Moines Habitat for Humanity (owner) represented by Tami Kreykes (officer) for review and approval of a Public Hearing Site Plan for a Type 2 Design Alternatives in accordance with City Code Sections 135-9.2.4(B) and 135-9.3.1(B), for property located at 926 Kirkwood Avenue, to allow construction of a House B Building Type within a “N3b” Neighborhood District with a 120-square foot shed in place of a garage as required by Section 135-2.14.3(E)(3). (BLD2021-01174)

3. Request from Scott Bogdanski and Whitney Poston-Bogdanski (owners) for review and approval of a Public Hearing Site Plan for a Type 2 Design Alternative in accordance with City Code Sections 135-9.2.4(B) and 135-9.3.1(B), for property located at 1510 47th Street, to allow construction of a 480-square foot detached garage in the rear yard that would be within 2-feet of the north side property line, where a 5-foot minimum setback is required by Section 135-2.22.2(C)(1). (BLD2021-01313)
4. Request from Hy-Vee, Inc. (lessee) represented by John Brehm (officer) for review and approval of a Public Hearing Site Plan "Hy-Vee Aisles Online Des Moines #4" for a Type 2 Design Alternative in accordance with City Code Sections 135-9.2.4(B) and 135-9.3.1(B), for property at 4605 Fleur Drive, to allow a 970-square foot drive-through canopy addition on the north interior side façade of the existing Commercial Center Type building where it is only allowed on the rear façade in a “CX” Mixed Use District per Section 135-2.22.3(D)(1). The subject property is owned by Raccoon Valley Investment Company represented by Scott McMurray. (10-2021-7.108)

5. Request from Bakkie Properties, LLC (owner), represented by James Bakkie (officer), for the following regarding property located at 914 East Euclid Avenue:

A) Determination as to whether the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.

B) Rezone property from “MX3” Mixed Use District to “RX2” Mixed Use District to allow development of additional Multiple Household Living dwellings on the property, where the structures would contain dwelling units on the ground level. (ZON2021-00076)

6. Request from KG Store 543, LLC (owner) represented by Gerard Haberman (officer), for the following regarding property generally located at 1619 Ingersoll Avenue and 1620 High Street. A small portion of the property is owned by the City of Des Moines.

A) Vacation of Linden Street from 17th Street to Ingersoll Avenue and 16th Street from Ingersoll Avenue to the southern line of the vacated east-west alley between 15th Street and 16th Street. (ROWV-2021-000001)

B) Determination as to whether the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.

C) Rezone property in the vicinity of 1619 Ingersoll Avenue from “DX2” Downtown District to “MX2” Mixed Use District and property at 1620 High Street from “RX1” Mixed Use District to “MX2” Mixed Use District, to allow reuse of the property at 555 17th Street for a microbrewery with additional commercial uses. (ZON2021-00077)

7. Request from Oakview Terrace I LP/J.B Conlin (owner), represented by Doug Saltsgaver, for review and approval of a Public Hearing Site Plan “Oakview Terrace” for the following Type 2 Design Alternatives in accordance with City Code Sections 135-9-2.4(B) and 135-9-3.1(B), for property located at 3201 30th Street, to make various site improvements. (10-2021-7.119)

A) Allow an on-site surface parking lot within the front yard of a Flat Building Type where it is only allowed within a rear yard per Section 135-2.11.3(A)(11).

B) Waive the requirement to underground existing overhead utility lines per Section 135-9.2.1(E).
8. Request from John Washburn (owner) for review and approval of a Public Hearing Site Plan for a Type 2 Design Alternatives in accordance with City Code Sections 135-9.2.4(B) and 135-9.3.1(B), for property located at 2809 38th Street, to allow construction of a House C Building Type within a “N4” Neighborhood District with an attached garage at the front of the building within an interior side access door.  

   (BLD2021-01430)

   A) Allow parking within the front of a building where it is only allowed within a basement or in the rear of the ground story per Section 135-2.15.3(C)(17).

   B) Allow one less than the required two dormer or gables required for a roof with a ridgeline parallel to the street per 135-2.15.3(D)(23).  (withdrawn by the applicant)

9. Request from 4005 Grand, LLC (owner), represented by Mike Simonson (officer), for review and approval of a Public Hearing Site Plan “Oak Crest Townhomes” for the following Type 2 Design Alternatives in accordance with City Code Sections 135-9.2.4(B) and 135-9.3.1(B), for property at 4005 Grand Avenue, to allow construction of a 6-unit household living Row Building type fronting Grand Avenue to the south and a 2-unit household living Row Building type fronting 40th Street to the east. The property is owned by St. Augustin’s Church of Des Moines (owner), represented by Fr. Christopher Pisut (officer).  

   (10-2021-7.110)

   A) Allow a Row Building Type with only two Household Living dwelling units where required to have multiple vertical units per Section 135-2.12.1.  (determined unnecessary by staff)

   B) Allow a street side yard setback for the 6-unit household living dwelling of 17 feet less than the calculated 41-foot average required for a Row Building type per Section 135-2.12.3(A)(5).

   C) Allow the 2-unit household living dwelling to be one unit in width less than the minimum required three units in width for a Row Building type per Section 135-2.12.3(A)(8).

   D) Allow the proposed building entrances of the 6-unit household living dwelling on the south primary frontage facade to be up to 7.5 feet more than the maximum 4.5 feet above public sidewalk required for a Row Building type per Section 135-2.12.3(D)(21).

   E) Waive the requirement to underground all electric, phone, cable television, transmission system, per Section 135-9.2.1.E.  (withdrawn by the applicant)

10. Request from Spot 5, LLC (owner) represented by William Reichardt (officer) for review and approval of a Public Hearing Site Plan “515 28th Street” for a Type 2 Design Alternative in accordance with City Code Sections 135-9.2.4(B) and 135-9.3.1(B), for property at 515 28th Street, to allow renovation of the existing building with waiver of the requirement to underground existing overhead utility lines per Section 135-9.2.1(E).  

   (10-2021-7.105)
PUBLIC HEARING ITEMS

11. Request from 3524 6th Avenue, LLC (owner) represented by Joe Cordaro (officer) for review and approval of a Public Hearing Site Plan “Highland Apartments” for a Type 2 Design Alternative in accordance with City Code Sections 135-9.2.4(B) and 135-9.3.1(B), for property at 3524 6th Avenue to allow for renovation of the existing mixed-use commercial and residential building and related site improvements with waiver of undergrounding the existing overhead utility lines required per Section 135-9.2.1(E). (10-2021-7.95)

12. Request from 3523 6th Avenue, LLC (owner) represented by Joseph Cordaro (officer) for review and approval of a Public Hearing Site Plan “Euclid Ave State Bank” for a Type 2 Design Alternative in accordance with City Code Sections 135-9.2.4(B) and 135-9.3.1(B), for property at 3517 and 3523 6th Avenue, to waive the requirement to underground all electric, phone, cable television, transmission system, per Section 135-9.2.1.E. (10-2021-7.117)

13. Request from JOPPA (owner) represented by Joe Stevens (officer), for the following regarding property generally located at 1661 County Line Road. The property is owned by the Des Moines Metro Wastewater Reclamation Authority City of Des Moines.

   A) Determination as to whether the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.

   B) Amend the PlanDSM Creating Our Tomorrow Plan to revise the future land use designation from Business Park to Neighborhood Mixed Use and Medium Density Residential. (ZONG-2021-000002)

   C) Rezone property from “EX” Mixed Use District to “RX1” Mixed Use District and “NX2” Neighborhood Mix District, to allow redevelopment of the site for a JOPPA Village for 50 units of Household Living use and Professional Office use as a transitional housing community. (ZONG-2021-000001)

14. Request from Iowa Fireworks Company, LLC. (owner) represented by Jeremiah Terhark (officer) for review and approval of a Public Hearing Site Plan “Iowa Fireworks Co” for a Type 2 Design Alternative in accordance with City Code Sections 135-9.2.4(B) and 135-9.3.1(B), for property at 1820 E Army Post Road, to allow a proposed on-site surface parking lot within the front yard of the proposed Workshop/Warehouse Building Type building where it is only allowed within a rear yard or interior side yard in an “I1” Industrial District per Section 135-2.9.3(A)(8). (10-2021-7.118)

OTHER ITEMS

15. Committee and Director’s Reports.