Due to the increased community transmission of COVID-19 in Polk County, we have implemented a face covering requirement in City buildings. The requirement applies to both staff and the visiting public and includes attendance at Commission meetings. If you do not have a face covering, one will be provided for you.

**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 for details on Council hearings.

2. Applicant will be given 10 minutes to present the request.

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.

4. Applicant is then allowed five (5) minutes for a rebuttal.

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

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

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. Assistive Listening Devices are available for meetings in the MSC Board Room. To better serve you, when possible please notify us at least three business days in advance at 515-283-4209, should special accommodations be required.

9. Plan and Zoning Commission meetings are broadcast live on Mediacom Government Access Channel 7 or 777 (HD) for customers with that local cable service, or online through the YouTube application at the following internet link: [https://www.youtube.com/CityOfDesMoinesIowa/](https://www.youtube.com/CityOfDesMoinesIowa/)

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**Note: There is not a scheduled early session.**

**6:00 ROLL CALL & APPROVAL OF MINUTES**

**CONSENT PUBLIC HEARING ITEMS**

1. Request from Israel Chavez (owner) for the following regarding property located at 1209 East 16th Street:

   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 Comprehensive Plan to revise the future land use designation from Neighborhood Mixed Use to Low Density Residential—

   (ZONG-2021-000020)
C) Rezone property from “MX1” Mix District to “N3a” Neighborhood District to allow construction of a one-household dwelling. (ZONG-2021-000015)

2. Request from NMDP Holdings, LLC (owner), represented by Adam Petersen (president) for the following regarding property located at 3312 East Granger Avenue:

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 Comprehensive Plan to revise the future land use designation from Business Park to Industrial. (ZONG-2021-000011)

C) Rezone property from “EX” Mixed Use District to “I2” Industrial District to allow an expansion of existing operations. (ZONG-2021-000012)

Item 3 was continued from the June 17, 2021 meeting of the Commission.

3. Request from MidAmerican Energy Company (successor to Iowa Power & Light Company) (owner), represented by Ryan Stansbury (officer), for the following regarding property located at 2399 East County Line Road (along south side of East County Line Road in Warren County):

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 Comprehensive Plan to revise the future land use designation from Business Park to Industrial. (21-2021-4.18)

C) Rezone property from “EX-V” Mixed Use District to “I2” Industrial District, to allow modification of the existing electrical utility service center and to allow for request of a Conditional Use from the Zoning Board of Adjustment for above-ground storage of flammable liquids, which is interpreted as an Intensive Fabrication and Production use, and for a Junk and Salvage Yard use. (ZON2021-00069)

4. Request from MidAmerican Energy Company (owner) represented by Ryan Stansbury (officer) for the following regarding the property located in the vicinity of 2400 East County Line Road (along north side of East County Line Road in Polk County):

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 Comprehensive Plan to revise the future land use designation from Low Density Residential to Business Park. (ZONG-2021-000017)

C) Rezone a 3.49-acre portion of the property from “N2b” Neighborhood District to “EX” Mixed Use District, to allow the property to be developed for a Storage, Distribution, and Wholesaling Use (data center/warehouse) and Office use. (ZONG-2021-000018)

5. Request from Brian Mahoney (owner), for review and approval of a Public Hearing Site Plan for property located at 4100 SW 7th Street, for the following Type 2 Design Alternative in accordance with City Code Sections 135-9.2.4.B and 135-9.3.1.B: waiver of the dormer and gable design requirement for 1- and 1.5-story buildings under House D
building type, where the ridge line is parallel to the street. Section 135-2.16.3.D.23 requires at least 1 dormer or gable end for every 24 feet of continuous ridgeline. (BLDR-2021-000080)

6. Request from Sonia Nash (owner), represented by Ryan Koster (contractor), for review and approval of a Public Hearing Site Plan for property located at 5116 SW 13th Street, for the following Type 2 Design Alternative in accordance with City Code Sections 135-9.2.4.B and 135-9.3.1.B: allow a previously constructed addition to the front of the existing House B building type, where the addition would be within 14.87 feet of the east property line, which would be 10.83 feet less than the minimum required 25.67 average front yard setback required, as calculated per City Code Section 135-2.14.3.A.3. (BLDR-2021-000204)

PUBLIC HEARING ITEMS

*Item 7 is continued from the September 2, 2021, meeting of the Commission.*

7. Request from Best Food Mart Inc., represented by Natalie Carran (officer), for review and approval of a Public Hearing Site Plan “A-Mart Convenience” for the following Type 2 Design Alternatives and denied Type 1 Design Alternatives in accordance with City Code Sections 135-9.2.4(B) and 135-9.3.1(B) on property located at 4028 East 14th Street, to allow expansion of a Commercial Cottage Building Type for Retail Sales, Limited Use and Fueling Station. The subject property is owned by Bhajan Aulakh. (10-2021-7.126)

   A) Allow a primary frontage build-to-zone of approximately 72 feet, which is approximately 52 feet beyond the maximum build-to-zone threshold of 20 feet, per Section 135-2.6.3(A)(3).

   B) Allow parking and fueling station parking to be located in the front yard and side yard instead of the required rear or limited side yard, per Section 135-2.6.3(A)(8).

   C) Waive the requirement for all electric, phone, cable television, and transmission systems to be placed underground, per Section 135-9.2.1(E).

8. Request from Kenyon Hill Ridge, LLC (owner), represented by Dean Quirk (officer), for review and approval of the 1st amendment to the Ruby Rose Ridge PUD Conceptual Plan, for property located in the vicinity of 2401 East 50th Court, to allow development the 6.27-acre “Area C” with approximately 65 housing units within approximately 11 rowhouse residential structures. (ZONG-2021-000016)

9. Request from David Griffith (owner) for the following for property located at 1626 Buchanan Street:

   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 Comprehensive Plan to revise the future land use designation from Business Park Use to Low Density Residential. (ZONG-2021-000022)

   C) Rezone property from “EX” Mixed Use District to “N3a” Neighborhood District to allow construction of a one-household dwelling. (ZONG-2021-000021)
10. Request from Renee Leach (owner), for review and approval of a Public Hearing Site Plan for property located at 2504 Des Moines Street, for the following Type 2 Design Alternative in accordance with City Code Sections 135-9.2.4(B) and 135-9.3.1(B): allow retention of a 5-foot tall chain link fence within the front yard area where a fence over 3 feet in height is not permitted within a front yard, per City Code Section 135-7.11.3.A, and where chain link fence is not a fence type permitted in a front yard area, per City Code Section 135-7.11.4.C. (SITE-2021-000027)

11. Request from Simplify Iowa, LLC (owner), represented by Mark Parrish and Jim Host (officer), for review and approval of a Public Hearing Site Plan “Simplify Iowa” for property located at 4821 SW 9th Street, for the following Type 2 Design Alternatives in accordance with City Code Sections 135-9-2.4(B) and 135-9.3.1(B), to allow building and site improvements. (10-21-7.131)

A) Waiver of the requirement for all electric, phone, cable television, and transmission systems to be placed underground per Section 135-9.2.1(E).

B) Waiver of the requirement to provide street trees, per Section 135-7.5.3 (Denied Type 1 Design Alternative).

C) Waiver of parking lot landscaping requirements to replace painted terminal islands with curbed planter beds, per Section 135-7.9.2 (Denied Type 1 Design Alternative).

OTHER ITEMS

12. Committee and Director’s Reports.