CITY PLAN AND ZONING COMMISSION

*****AGENDA*****

for the meeting scheduled on
December 2, 2021 at 6:00 P.M.

RICHARD A. CLARK MUNICIPAL SERVICE CENTER
1551 EAST M.L. KING JR. PKWY
2ND FLOOR MSC BOARD ROOM

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/

Note: There is not a scheduled early session.

6:00 ROLL CALL & APPROVAL OF MINUTES

CONSENT PUBLIC HEARING ITEMS

1. Determination as to whether the proposed amendment to Des Moines Municipal Code Section 135-8.3.2, relating to stormwater management, is in conformance with PlanDSM: Creating Our Tomorrow comprehensive plan. (ZONG-2021-000047)

2. Request from Angel Tellez and Cristina Ramirez De Tellez (contract buyers) for review and approval of a Public Hearing Site Plan “Current Situation Lounge” for property located at 111 Army Post Road, and for a Type 2 Design Alternative in accordance with City Code Sections 135-9.2.4(B) and 135-9.3.1(B), to waive the requirement to underground existing overhead utility lines, per City Code Section 135-9.2.1(E). (SITE-2021-000032)
3. Request from Merle Hay Anchors, LLC (owner), represented by Jim Sutphen (officer), for review and approval of a Preliminary Plat “Merle Hay Anchors, LLC Subdivision”, for property in the vicinity of 4000 Merle Hay Road, to divide the property into three (3) development lots. (13-2021-1.31)

PUBLIC HEARING ITEMS

4. Request from Yessica Segovia & Jesus Segovia Carrasco (owners), for the following regarding property located at 341 East Titus 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 Parks and Open Space to Low Density Residential. (ZONG-2021-000041)

   C) Rezone property from “N3a” Neighborhood District and “F” Flood District to “N3a” Neighborhood District, to allow expansion of the existing one-household residential dwelling to include a deck and swimming pool. (ZONG-2021-000040)

5. Request from Mid-Eastern Council on Chemical Abuse (owner), represented by Michelle De La Riva (officer), for the following regarding property located at 3451 Easton Boulevard:

   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 Neighborhood Mixed Use. (ZONG-2021-000045)

   C) Rezone property from “N3a” Neighborhood District to “RX1” Mixed Use District, to allow the expansion of an existing outpatient rehabilitation facility (“Group Living” use). (ZONG-2021-000042)

6. Request from Capital City Real Estate, Inc. (owner), represented by Bruce Fillman (officer), for review and approval of a Preliminary Plat “Fillman Preliminary Plat” on 1.74 acres of property in the vicinity of 1415 East 38th Street, for development of seven (7) one-household residential lots along a new cul-de-sac from East 38th Street. (13-2021-1.82)

7. Request from Genesis Health Club Sports Complex SE, LLC (owner), represented by Rodney Steven II (officer), for review and approval of Public Hearing Site Plan “Genesis Health Club Southridge Mall” for property at 1111 East Army Post Road, and for further consideration of the following Type 1 Design Alternatives in accordance with City Code Sections 135-9.2.4(B) and 135-9.2.1(B):

   A) Waiver of the Interior Parking Lot Landscaping requirements found in Section 135-7.9 that require an additional 87 islands with 94 shade trees.

   B) Waiver of the Berm Frontage Buffer requirements found in Section 135-7.7 that require a 12’-wide buffer area that contains a berm or retaining wall, 321 shrubs/grasses and 17 additional shade trees along the mall ring road.
C) Waiver of the 15% Tree Canopy requirement found in Section 135-7.4 that requires an additional 54 trees. (note: trees provided to meet other requirements are counted towards this requirement)

OTHER ITEMS

Committee and Director’s Reports.