

CITY PLAN AND ZONING COMMISSION

*****AGENDA*****

for the meeting scheduled on

January 20, 2022 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/>
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6:00 ROLL CALL & APPROVAL OF MINUTES

CONSENT PUBLIC HEARING ITEMS

1. Request from Iowa Power & Light Company (owner), represented by Ryan Stansbury (officer), for vacation of a roadway easement for undeveloped north/south Southeast 25th Street along the east side of the property at 2351 East County Line Road.
(ROWV-2021-000006)
2. Request from Community Foundation of Greater Des Moines (owner), represented by Karla Jones-Weber (officer), for vacation of a portion of the public right-of-way adjoining the property at 1910 Ingersoll Avenue and to grant easement for this vacated portion of the roadway.
(ROWV-2021-000007)

3. Request from Christensen Development, LLC (owner), represented by Jake Christensen (officer), for the following regarding the property at 600 E 14th Street:
 - A) Determination as to whether the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.
 - B) Amendment to the PlanDSM Creating Our Tomorrow Plan future land use classification from Public/Semi-Public to Community Mixed Use.
(ZONG-2021-000057)
 - C) Rezone property from “P2” Public, Civic, and Institutional District to “MX3” Mixed Use District, to allow the property to be developed as a convenience store with fueling stations.
(ZONG-2021-000056)
4. Request from ABC Partners, LP (owner), represented by Ronald L. Daniels (officer), for review and approval of a 2nd amendment to the Airport Business Park Phase II PUD Conceptual Plan on the property located at 7404 SW 37th Street, to update descriptions for permitted uses on Lots 1 and 2 of the PUD and to replace the requirement of a 10-foot wide bicycle path with a 5-foot wide sidewalk.
(ZONG-2021-000058)
5. Request from Invest DSM (owner), represented by Christopher Civitate (officer), for review and approval of a Public Hearing Site Plan for property located at 1085 26th Street, 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 allow construction of a 595-square foot addition with a 10-foot rear yard setback, which is 20 feet less than the required 30-foot rear yard setback, per City Code Section 135-2.16.3[A][6]
(BLDR-2021-000910)
6. Request from U-Haul Real Estate Company (owner), represented by Randy Bowlby (officer), for the review and approval of a Public Hearing Site Plan for the following Type 2 Design Alternatives in accordance with City Code Sections 135-9.2.4(B) and 135-9.3.1(B) regarding the property located at 101 63rd Street:
(10-2021-7.173)
 - A) Waive the requirement for the primary frontage entryway to be recessed between 3 feet and 8 feet, per City Code Section 135-4.3.6.
 - B) Waive the requirement to underground all electric, phone, cable television, and transmission systems, per City Code Section 135-9.2.1.E.
7. Request from Drake University (owner), represented by Michelle Huggins (officer), for review and approval of a Public Hearing Site Plan “Broadlawns Clinic at Drake University” for property located at 2970 University Avenue, and for the following Type 2 Design Alternatives in accordance with City Code Sections 135-9.2.4(B) and 135-9.3.1(B):
 - A) Reduction of the minimum overall height requirement from 3 stories to 1 story, per City Code Section 135-2.5.3.B.10.
 - B) Allow a ground story that is approximately 5 feet above the adjacent sidewalk elevation along University Avenue. At least 80% of entrances and the ground story must be within 1.5 feet vertically of all adjacent sidewalk elevations, per City Code Section 135-2.5.3.D.22.
 - C) Allow a primary frontage build-to-zone of approximately 8-15 feet, which is 3-10 feet beyond the maximum build-to threshold of 5 feet, per City Code Section 135-2.5.3.A.3.

- D) Allow a primary frontage coverage of approximately 30%, which is 60% below the minimum of 90% required, per City Code Section 135-2.5.3.A.2.
- E) Allow the construction of a surface parking lot within a side yard when surface parking is only permitted within the rear and limited-side yards, per City Code Section 135-2.5.3.A.8. (SITE-2021-000039)

PUBLIC HEARING ITEMS

- 8. Determination as to whether the proposed Carpenter Urban Renewal Plan is in conformance with the PlanDSM Creating Our Tomorrow Plan. (10-2021-5.05)

Item 9 is continued from the December 2, 2021 meeting of the Commission.

- 9. 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)

Item 10 is continued from the December 16, 2021 meeting of the Commission.

- 10. Request for the following regarding properties generally located to the north of Vandalia Road between Southeast 30th Street to the west and the City’s corporate limits to the east:
 - 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-2021-000043)
 - C) Rezone properties from “EX” Mixed Use District to “I2” Industrial District. (ZONG-2021-000044)
- 11. Request from Jaime Villafana (owner), for the following regarding property located at 3732 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 Parks and Open space to Neighborhood Mixed Use. (ZONG-2021-000050)

- C) Rezone property from “F” Flood District and “MX1” Mixed Use District, to “MX1” Mixed Use District, to allow use of the existing building as an Office use.
(ZONG-2021-000048)
12. Request from The Oaks on Fleur, LLC (owner), represented by Adam Sieren (officer), for the following regarding property located at 3020 Fleur Drive and 3010 Fleur Drive:
- 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 Medium Density Residential.
(ZONG-2021-000051)
- C) Rezone two (2) parcels from “N3a” Neighborhood District to “NX1” Neighborhood District, to allow development of approximately 14 rowhome dwelling units.
(ZONG-2021-000052)
13. Request from Trinity Land Holdings, LC (owner), represented by Dennis Riordan (officer), for review and approval of a 1st amendment to the PAT Brokerage PUD Conceptual Plan on the property located at 4529 Douglas Avenue, to allow development of a 2.36-acre parcel along Douglas Avenue with a veterinary clinic use. (ZONG-2021-000049)
14. Request from Michael Ray (owner), for review and approval of a Public Hearing Site Plan for property located at 4410 Wakonda Parkway, 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 allow retention of a previously constructed raised pool deck that encroaches into the required side yard setback. The raised pool deck has no setback, which is 5 feet less than the required 5-foot setback, per City Code Section 135-2.22.1[D][3][b]. (POOL-2021-000010)
15. Request from Perla Roman (owner), for review and approval of a Public Hearing Site Plan for property located at 3214 Southeast 20th Street, 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 allow retention of a previously constructed 21-foot wide driveway expansion that exceeds the maximum allowed front yard impervious area (25% of front yard), per City Code Section 135-2.13.3[E][1]. (ROWP-2021-001325)
16. Request from United Properties Investment Co., LLC (owner), represented by Scott McMurray (officer), for review and approval of a major Preliminary Plat Amendment to “The Creek at Echo Valley Plat 1” for property in the vicinity of the 2900 Block of Echo Valley Drive, to allow the division of the property into one development lot with a proposed office building, and two additional outlots. (13-2021-7.189)
17. Request from Git-N-Go Convenience Stores, Inc. (owner) represented by Thomas Morford (officer), for review and approval of a Public Hearing Site Plan and 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 3765 Hubbell Ave for the development of a Storefront Type Building for Fueling Station/Limited Retail Sales use. (10-2021-7.142)
- A) Allow building to occupy only 15% total primary frontage coverage along the Hubbell Avenue, rather than the minimum 60% primary frontage coverage, required per City Code Section 135-2.5.3.A.2.

- B) Allow the primary frontage build-to-zone to be approximately 40 feet from the property line, which is approximately 35 feet beyond the maximum build-to-zone threshold of 5 feet, required per City Code Section 135-2.5.3.A.3.
- C) Allow the non-primary frontage build-to-zone to be approximately 178 feet from the property line, which is approximately 168 feet beyond the maximum build-to-zone threshold of 10 feet, required per City Code Section 135-2.5.3.4.3.
- D) Allow parking and fueling station parking to be located in the front yard area instead of the rear or limited side yard, required per City Code Section 135-2.5.3.A.8.
- E) Waive the requirement to underground all electric, phone, cable television, and transmission systems, per City Code Section 135-9.2.1.E.

18. Request from NM Holding, LC. (owner), represented by Kyle Flaming (officer), for review and approval of a Public Hearing Site Plan and 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 6250 Southeast 14th Street for the development of a Storefront Type Building for a Car Wash (Vehicle Maintenance/Repair Minor use).

(10-21-7.147)

- A) Allow building to occupy only 38% total primary frontage coverage, rather than the minimum 60% primary frontage, required per City Code Section 135-2.5.3.A.2.
- B) Allow the primary frontage build-to-zone to be approximately 68 feet which is approximately 63 feet beyond the maximum build-to-zone threshold of 5 feet, required per City Code Section 135-2.5.3.A.3.
- C) Allow for the garage/loading exit to be on the primary, street-facing façade rather than the required entrance/exit locations to be located on the rear or limited side yards, required per City Code Section 135-2.5.3.A.8.
- D) Allow the maximum overall height of the story (building) to be approximately 31 feet, which exceeds the maximum 18 feet, required per City Code Section 135-2.5.3.B.11.
- E) Allow waiver of having the first 30 feet of space at the primary frontage be occupied space, required per City Code Section 135-2.5.C.15
- F) Allow for transparency on the street-facing façade to be approximately 23% between 2 feet and 8 feet in height rather than the minimum 65%, required per City Code Section 135-2.5.D.18.

OTHER ITEMS

Election of Officers.

Committee and Director's Reports.