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 on July 25, 2020, extending temporary suspension of open meetings requirements, allowing for electronic meetings in lieu of standard public meeting requirements, the City Manager has determined that to encourage and maintain social distancing to curb the spread of COVID19 in the community, the meeting will be conducted electronically with no public access to the meeting location. 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 webinar via internet or by telephone, the City’s Community Development 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 Community Development 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 Community Development Department either by email or by U.S. Mail prior to 4:00 p.m. September 16, 2020 (Community Development Department, Armory Building, 602 Robert D. Ray Drive, Des Moines, IA 50309; Email Planning@dmgov.org).

To join the ZOOM webinar using internet access, go to the following link:

https://dmgov-org.zoom.us/s/93252512882?pwd=YW0zS3RIV01QOGY3YjiRMTU4z0xpQT09

Webinar ID: 932 5251 2882
Passcode: 778791

To join the meeting with one-tap dialing, (using mobile device with internet access):

Tel://+13126266799,,93252512882#

To join the ZOOM webinar by telephone.

+1 312 626 6799 or
+1 720 928 9299 or
833 548 0276 (Toll Free) or
877 853 5257 (Toll Free)

Use *6 to unmute and mute once you are on the call

Webinar ID: 932 5251 2882
Passcode: 778791

International numbers available: https://dmgov-org.zoom.us/u/acu19xWpHq

*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.
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 Community Development Department staff (515) 689-9485 for details on Council hearings.

2. Applicant will be given 10 minutes to present the request. If applicant’s 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. One permission to speak is given, to unmute and mute dial *6 on you phone. You will be required to give your 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 September 3, 2020

CONSENT PUBLIC HEARING ITEMS

1. Request from Plymouth Church of Des Moines (owner) represented by Emily Tripp (officer) for a 4th Amendment to the Plymouth Congregational Church PUD Conceptual Plan for property located in the vicinity of 4126 Ingersoll Avenue, to allow roof-mounted solar panels on the church building. (ZON2020-00107)

Item #2 is continued from the September 3, 2020 meeting of the Commission.

2. Request from Brown Dog Realty, LLC (owner) represented by David Kriens (officer) to rezone property at 2110 Wakonda View Drive.

   A) Determination as to whether the proposed rezoning is in conformance with the existing PlanDSM Creating Our Tomorrow.

   B) Amendment to the PlanDSM Creating Our Tomorrow Plan future land use classification from Community Mixed Use to Industrial. (21-2020-4.19)

   C) Rezone property from “MX2” Mixed Use District to “I1” Industrial District, to allow expansion of an existing plumbing and mechanical shop site improvements. (ZON2020-00100)
3. Request from Adam Hawxby (owner), for review and approval of a Public Hearing Site Plan for the following Type 2 Design Alternative in accordance with Chapter 135 Sections 135-9.2.4.B and 135-9.3.1.B, for property located at 2939 East Douglas Avenue, in order to allow expansion of an attached garage on a House Type A in an “N1b” Neighborhood District where the west interior side yard width of 6-feet 8-inches. This would be 3-feet 4-inches (33.3%) less than the minimum required 10 feet side yard on one side required per Section 135-2.13.3.A.5. The proposed total side yard width is 44-feet 9-inches.

(BLD2020-01499)

4. Request from Rally Cap, LLC (owner) represented by Ryan Francois (officer), for review and approval of a Public Hearing Site Plan for the following Type 2 Design Alternative in accordance with Chapter 135 Sections 135-9.2.4.B and 135-9.3.1.B, for property located at 1115 35th Street, in order to allow construction to be completed of a 16-foot by 22-foot detached garage within the rear yard area for a House Type D in an “N5” Neighborhood District, where the garage would be within 3 feet of both the south and east property lines. This would be 2 feet (40%) less than the minimum required 5 feet of setback from side and rear property lines per Section 135-2.22.1.D.3

(BLD2020-02180)

5. Request from Richard S. Miller (owner), for review and approval of a Public Hearing Site Plan “Electric Pump” for a Type 2 Design Alternative in accordance with Chapter 135 Sections 135-9.2.4.B and 135-9.3.1.B, for property located at 4260 E 14th Street, to allow construction of a 7,200-square foot Workshop/Warehouse Type Building in an “I1” Industrial District with on-site parking within the front yard area when only permitted in the side or rear yard area per Section 135-2.9.3.A.8.

(10-2020-7.107)

Item #6 is continued from the September 3, 2020 meeting of the Commission.

6. Request to Mundo Pequenito, LLC (owner) represented by Guadalupe Castillo (officer) for the following regarding the property at 1922 Southwest 1st 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 Medium Density Residential to Community Mixed Use.

(21-2020-4.18)

C) Rezone property from “NX2” Neighborhood Mix District to “RX1” Mixed Use District to allow expansion of the existing non-conforming Day Care use.

(ZON2020-00099)
PUBLIC HEARING ITEMS

Item #7 is continued from the August 20, 2020 meeting of the Commission.

7. City-initiated request to rezone property in the vicinity of Southeast 4th Street and East Market Street, generally from the Des Moines River on the west to Southeast 5th Street on the east, and from East Vine Street on the north to East Martin Luther King Jr. Parkway on the south.

A) Vacation of Raccoon Street from Southeast 4th Street to Southeast 5th Street, and the north/south segment of alley between Southeast 4th Street to Southeast 5th Street from Raccoon Street to East Martin Luther King, Jr. Parkway. (11-2020-1.09)

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

C) Review and approval of a Large-Scale Development Plan for the area, and where its adoption would be a revision to the Market District of the East Village Master Plan element of PlanDSM Creating Our Tomorrow Comprehensive Plan. (21-2020-4.16)

D) Rezone property in the area west of Southeast 2nd Street from “DX2” Downtown District to “DXR” Downtown District, and rezone the property in the area east of Southeast 2nd Street from “DX2” Downtown District to “DX1” Downtown District. (ZON2020-00085)

8. Request from Greater Des Moines Habitat for Humanity, Inc. (owner) represented by Tami Kreykes (officer) for a Public Hearing Site Plan to allow appeal of the administrative denial of a Type 1 Design Alternative in accordance with Chapter 135 Section 135-9.2.4.B and 135-9.3.1.B, for property located at 1911 Franklin Avenue, to allow a One Household House Type D dwelling in an “N5” Neighborhood District to be constructed on the property without the required garage per Section 135-2.16.3.E.5. (BLD2020-01086)

9. Request from Peter Cherkas (owner), for review and approval of a Public Hearing Site Plan for the following Type 2 Design Alternatives and denied Type 1 Design Alternatives in accordance with Chapter 135 Sections 135-9.2.4.B and 135-9.3.1.B, for property located at 5327 Southeast 40th Street, in order to allow expansion of a House Type D in an “A” Agricultural District. (BLD2020-02167)

A) Allow a principal entrance on a non-street facing front façade as required per Section 135-2.1.6.A.3.

B) Waiver of required public sidewalk installation on adjoining public streets required per Section 135-8.5.2.
10. Request from Karl Bolser (owner) for review and approval of a Public Hearing Site Plan for the following Type 2 Design Alternative in accordance with Chapter 135 Sections 135-9.2.4.B and 135-9.3.1.B, for property located at 1417 44th Street, in order to allow construction of a 21.5-foot by 21.5-foot detached garage within the rear yard area for a House Type D in an “N5” Neighborhood District, where the garage would be within 1 foot of the north side lot line and within 2.75 feet of the east rear property line. This would be 4 feet (80%) less from the north and 2.25 feet (45%) less from the east than the minimum required 5 feet of setback from side and rear property lines per Section 135-2.22.1.D.3. (BLD2020-02288)

11. Request from JD Des Moines, LLC (owner) represented by James Milton Johnson (officer), for review and approval of a Public Hearing Site Plan “Community Based Outpatient Clinic” for the following Type 2 Design Alternatives in accordance with Chapter 135 Sections 135-9.2.4.B and 135-9.3.1.B, for property located at 1211 East Army Post Road in order to allow a renovation and canopy addition to an existing Storefront Type building within an “MX3” Mixed Use District building for a community based outpatient clinic. (10-2020-7.128)

A) Allow a newly constructed primary entry which is not recessed between 3 and 8 feet per Section 135-2.5.3.D.21.

B) Allow the maximum impervious surface area to exceed 80 per Section 135-2.5.3.A.7.

C) Allow an interior parking lot landscaping which does not meet the minimum landscape island within every 9th parking space Section 135-7.9.2.A. (Denied Type 1)

D) Allow parking lot lighting poles with fixtures which exceed the maximum 20’ height requirement per Section 135-8.2.1.E.

E) Allow rooftop mechanical equipment which would not to be screened per Section 135-4.5.5.

OTHER ITEMS

12. Committee and Director’s Reports.