CITY PLAN AND ZONING COMMISSION
*****AGENDA*****
for the meeting scheduled on
October 15, 2020 at 6:00 P.M.

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 Mayor Cownie’s September 9, 2020 Proclamation Amendment extending the closure of City buildings during the COVID19 outbreak; and given Section One Hundred Thirty of the Governor’s September 18, 2020 extension of the Proclamation suspending the regulatory provisions of Iowa Code §§ 21.8, 26.12, and 414.12, or any other statute imposing a requirement to hold a public meeting or hearing; this Plan and Zoning Commission meeting shall be conducted electronically with the public allowed to attend per the instructions on this agenda. 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 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. October 14, 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/j/94604936285?pwd=eWdpK3ZFZHB0S1lzOVQzNW92cWZ2UT09

Webinar ID: 946 0493 6285
Passcode: 467886

To join the meeting with one-tap dialing, (using mobile device with internet access):
Tel://+13126266799,,94604936285#

To join the ZOOM webinar by telephone.

+1 312 626 6799 US (Chicago)
+1 720 928 9299 US (Denver)
877 853 5257 US Toll-free
833 548 0276 US Toll-free

Webinar ID: 946 0493 6285
Passcode: 467886

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

To find local numbers available: https://dmgov-org.zoom.us/u/aev4SMINbu

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 your 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 October 1, 2020

CONSENT PUBLIC HEARING ITEMS

1. Request from Lin Investments, LLC d/b/a Teriyaki House Japanese Grill (owner) represented by Ye “Ken” Lin (officer) for review and approval of a Public Hearing Site Plan “Teriyaki Grille” 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 1014 East 14th Street to allow reconstruction of the existing on-site parking lot, within the front yard where required to be in the rear or side yard per Section 135-2.7.3.A.8, for a Restaurant use within a General Building Type in the “RX1” Mixed Use District. (10-2020-7.122)

2. Request from Blank Park Zoo Foundation, Inc. represented by Anne Shimerdla (officer) for review and approval of the following for the Blank Park Zoo located in the vicinity of 7401 Southwest 9th Street:

A) 3rd Amendment to the Blank Park Zoo PUD Conceptual Plan to allow for addition of a new restroom and concession building with plaza within the Area “A”. (ZON2020-00122)

B) PUD Final Development Plan for “GoGo Plaza” to allow development of a 1,504-square foot concession and restroom building and surrounding plaza area. (10-2021-7.19)
3. Request from Wendell Day (owner) for review and approval of a Public Hearing Site Plan Alternate Design Documentation 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 416 East Park Avenue, in order to allow retention of an existing deck constructed within the front yard area that would be 41 feet less than the minimum required 47-foot calculated average front yard for a House Type C in the “N3b” Neighborhood District per Chapter 135 Section 135-2.15.3.A.3. (BLD2020-01392)

4. Request from Highland Park Apartments, LLC (owner) represented by Tim Bratvold (officer) for the following regarding the property at 622 Euclid Avenue:

   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 Low Medium Density Residential within a Neighborhood Node to High Density Residential within a Neighborhood Node. (21-2020-4.22)

   C) Rezone property from “NX1” Neighborhood Mix District to “NX2” Neighborhood Mix District to allow the existing multiple-household dwelling to be used for 10 household living units. (ZON2020-00117)

5. Request from Fareway Stores, Inc. (owner) represented by Koby Pritchard (officer) for the following regarding the property at 2716 Beaver Avenue:

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

   B) Rezone property from “MX1” Mixed Use District to “MX3” Mixed Use District to allow redevelopment of the property with a 7,759-square foot Retail Sales, Limited use with the ability to request a Conditional Use for a business that sells alcoholic liquor. (ZON2020-00118)

6. Request from Des Moines Cold Storage (owner) represented by CJ Morton (officer) for review and approval of an amendment to the previously approved PUD Final Development Plan for “Phase IA of Des Moines Cold Storage” for property located at 3805 Vandalia Road, to allow a 62,680-square foot addition to the existing refrigerated warehouse building, with waiver of the previously approved installation of public sidewalk along the Vandalia Road frontage. (10-2021-7.24)
PUBLIC HEARING ITEMS

Item #7 is continued from the August 20, 2020 and September 17, 2020 meetings.

7. Review and approval of items regarding the Market District 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) City initiated 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) City initiated amendment to Section 135-2.18 of the City Code to revise regulations regarding applicability of Design Alternatives for maximum height requirements within the Capitol Dominance Area. (10-2020-5.03)

C) Determination as to whether the developer initiated Large Scale Development plan and city initiated rezoning are in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.

D) Developer initiated 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)

E) City initiated request to 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 Drake University (owner) represented by Michelle Huggins (officer) for the following in the vicinity of 2421 Forest Avenue.

A) Vacation of 25th Street between Clark Street and Forest Avenue and the north/south alley in the block bounded by Clark Street, 24th Street, Forest Avenue and 25th Street. (11-2020-1.12)

B) Determination as to whether the requested rezoning and amendment to the Drake University Recreation PUD Conceptual Plan is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.

C) Amend the PlanDSM Creating Our Tomorrow Comprehensive Plan future land use designation from Neighborhood Mixed Use and Low Density Residential to Public/Semi-Public. (21-2020-4.23)

D) Amend the Drake University Recreation PUD Conceptual Plan to remove approximately 2.84 acres to be rezoned to “P2” Public, Institutional and Civic District.

E) Rezone property from “PUD” Planned Unit Development District, “RX1” Mixed Use District and “N5” Neighborhood District to “P2” Public, Institutional and Civic District to allow for development of a 4,000-seat multi-purpose stadium to be jointly operated for the Des Moines Public Schools use for athletic competition. (ZON2020-00119)
9. Request from First Baptist Church of Urbandale, Iowa, Inc. (owner) represented by Pastor Daniel McCoy (officer) for review and approval of a Public Hearing Site Plan “First Baptist Church” 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 3020 East 38th Street to allow construction of a Workshop/Warehouse Building Type in the “P2” Public, Institutional, and Civic District for office and accessory bus garage functions to a proposed Place of Worship principal use of the site, and on-site parking expansion within the east front yard of the existing Civic Building used for Place of Worship: (10-2020-7.132)

   A) Allow expansion of the existing on-site parking lot, within the front yard where required to be in the rear or side yard for a Civic Building Type per Section 135-2.10.3.A.8.

   B) Waiver of the requirement of a primary entrance on the primary frontage façade along Hull Avenue per Sec. 135-2.9.3.D.18.

10. Request from Quik Trip Corporation (lessee) represented by Jessica Glava (officer) for the following regarding the property at 1421 Ingersoll Avenue. The subject property is owned by Humphrey’s Fund I REIT, LLC:

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

   B) Rezone property from “MX2” Mixed Use District to “MX3” Mixed Use District to allow the existing 4,008-square foot Fuel Station with 10 fueling location the ability to request a Conditional Use for a business that sells alcoholic liquor. (ZON2020-00113)

11. Request from Quik Trip Corporation (lessee) represented by Jessica Glava (officer) for the following regarding the property at 614 University Avenue. The subject property is owned by Vosburgh Family, LP:

   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 Neighborhood Mixed Use within a Community Node to Community Mixed Use within a Community Node. (21-2020-4.21)

   C) Rezone property from “MX2” Mixed Use District to “MX3” Mixed Use District to allow the existing 5,590-square foot Fuel Station with 12 fueling location the ability to request a Conditional Use for a business that sells alcoholic liquor. (ZON2020-00114)
12. Request from Tiger Knight, LLC (owner) represented by Barry Nelson (officer) for the following regarding the property at 1210 and 1220 Army Post Road:

   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 Low Density Residential within a Community Node to Community Commercial within a Community Node. (21-2020-4.24)

   C) Rezone property from “RX1” Neighborhood Mix District to “MX1” Mixed Use District to allow the existing commercial building to be used for a greater variety of permitted mixed uses. (ZON2020-00120)

OTHER ITEMS

13. Approval of the 2021 Meeting Calendar for the Commission.

14. Committee and Director’s Reports.