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 Nine of the Governor’s October 16, 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/s/86910052731?pwd=cFZ4VS9pb0RFdEpGQW9HTnRwUmhlZz09
Webinar ID: 869 1005 2731
Passcode: 571439

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

Tel://+13126266799,86910052731#

To join the ZOOM webinar by telephone.

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

Webinar ID: 869 1005 2731
Passcode: 571439

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

To find local numbers available: https://dmgov-org.zoom.us/u/kch1xuoqlvUse

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 October 15, 2020**

**CONSENT PUBLIC HEARING ITEMS**

1. Request from Mundo Pequenito, LLC (owner), 1922 Southwest 1st Street, represented by Guadalupe Castillo (officer) for vacation of the west 6 feet of Southwest 1st Street between Columbus Avenue and Indianola Road. (11-2020-1.13)

2. Request from MidAmerican Energy (purchaser) represented by Tyler Gartenberg (agent) for vacation of the following segments of street Right-Of-Way in the vicinity of the 900 Block of Southeast 15th Street, to assemble property for development of an electrical substation. Adjoining property is owned by the City of Des Moines. (11-2020-1.14)

   A) Garver Street from Southeast 15th Street to Southeast 16th Street.
   B) Southeast 16th Street from the north side of the east/west alley between Garver Street and Vale Street to a point 94.5 feet south of Garver Street.
   C) The east/west alley between Garver Street and Vale Street from Southeast 15th Street and Southeast 16th Street.
3. Request from Stephanie Swartz (owner) for review and approval of a Public Hearing Site Plan 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 5816 Pleasant Drive, to allow construction of an 820-square foot garage and bedroom addition to the east side of the existing house that would be 5 feet less than the minimum required 10 feet of side yard for a House Type A in an “N1a” Neighborhood District per Section 135-2.13.3.A.5. (BLD2020-02603)

4. City initiated request for review and approval of a Public Hearing Site Plan “Des Moines Animal Control Facility” 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 1441 Harriet Street to allow development of 1-story 16,905-square foot Workshop/Warehouse Type Building with on-site parking lot for municipal animal control. (10-2021-7.15)

   A) Allow on-site parking area within the front yard of a Workshop Warehouse Building Type where only permitted in the rear of side yard area per Section 135-2.9.3.A.8.
   B) Allow garage entrance locations to be located on the front façade where only permitted on rear or interior side facades per Section 135-2.9.3.A.8.
   C) Waiver of the minimum 15-foot primary frontage ground story height for Workshop/Warehouse Building Type per Section 135-2.9.3.B.12.

PUBLIC HEARING ITEMS

Item #5 is continued from the August 20, 2020, September 17, 2020 and October 15, 2020 meetings of the Commission.

5. 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 request for 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)

   E) Developer initiated request for review and approval of a Preliminary Plat “The Market District” covering a 10-block area. (13-2021-1.06)
F) 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 and “P2” Public, Civic and Institutional to “DX1” Downtown District.  (ZON2020-00085)

Item #6 is continued from the October 15, 2020 meeting of the Commission.

6. 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 Mixed Use within a Community Node.  (21-2020-4.24)

C) Rezone property from “RX1” Neighborhood Mix District to “MX3” Mixed Use District to allow the existing commercial building to be used for a greater variety of permitted mixed uses.  (ZON2020-00120)

7. Request from K-H Partners (owner) represented by Rick Hickman (partner) for review and approval of a Public Hearing Site Plan 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 1804 27th Street, to allow construction of an 480-square foot 1-story garage addition to the north of the existing 2-story house with a 15.9-foot front yard setback from Witmer Street that would be 21.6 feet less than the minimum 37.5-foot average requirement per Section 135-2.16.3.A.3.  (BLD2020-01925)

8. Request from Adam Shaver (owner) for review and approval of a Public Hearing Site Plan 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 3824 Lower Beaver Road, to allow construction of an 384-square foot detached garage for a House Type B in an “N3a” Neighborhood District, to allow waiver of the access drive pavement requirement per Section 135-6.6.2 and Section 135-6.8.6.  (BLD2020-01933)

9. Request from Laverne and Maxine Anderson (owners) for the following regarding the property at 1100 East Marion Street:

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

B) Rezone property from “N3a” Neighborhood District to a Limited “NX2” Neighborhood Mix District to allow the existing Household Living dwelling to be used for a Correctional Placement Residence use.  (ZON2020-00128)
10. Request from Morgan Maurer (owner) for the following regarding the property at 2104 East 21st 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 Industrial to Low Density Residential. (21-2020-4.25)

   C) Rezone property from “I1” Industrial District to “N3a” Neighborhood District to allow the existing Household Living use to be extended with addition of a new accessory detached garage use. (ZON2020-00131)

11. Request from RM Madden Construction, Inc. (owner) represented by Michael Madden (officer) for review and approval of a Public Hearing Site Plan 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 3423 Wright Street, to allow construction of a new House Type D in an “N5” Neighborhood District with waiver of the minimum garage requirement per Section 135-2.16.3.E.5. (BLD2020-02579)

OTHER ITEMS

12. Committee and Director’s Reports.