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 March 17, 2020 Proclamation, as amended, prohibiting indoor gatherings of ten or more persons on public property, and the Governor’s Proclamation, as amended, strongly encouraging vulnerable Iowans to limit participation in gatherings of any size and any purpose during the COVID-19 outbreak and its authorization of electronic meetings, and the City Manager’s decision on November 6, 2020 to delay the opening of City buildings to the public until February 1, 2021 due to the positive trend upward of COVID-19 cases in Polk County and the need to maintain safety, it is impossible and impractical to have physical public access to the meeting location and the meeting will be conducted electronically with electronic public access to the meeting location as set forth below. 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).

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. December 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/83238630335?pwd=L29JMWt3Rnk3YklaeERDQ1pOMVQxZz09

Webinar ID: 832 3863 0335
Passcode: 561124

To join the ZOOM webinar by telephone dial one of the following numbers:

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

Webinar ID: 832 3863 0335
Passcode: 561124

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

To find other numbers available for your location: https://dmgov-org.zoom.us/u/kdDbFgpC

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 note 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 December 3, 2020

CONSENT PUBLIC HEARING ITEMS

PUBLIC HEARING ITEMS

Item #1 is continued from the December 3, 2020 meeting of the Commission.

1. Request from Wesley Retirement Services, Inc. (owner) represented by Rob Kretzinger (officer) for review and approval of an amendment to the Wesley Acres PUD Conceptual Plan on property located at 3520 Grand Avenue and 401 37th Street, to allow building additions for the north and west entries with reconfiguration of the adjacent parking lot areas including extension of parking to the north toward Grand Avenue, a building addition for resident swimming pool and auditorium use on the west, a terrace/pond landscape feature in the north side of the site, expansion of the existing parking lot within the front yard area along 37th Street, renovation of the central courtyard area, expansion of beer, wine and liquor service within the Chamberlain Mansion and within all other dining service areas, and removal of the Children’s Garden and Preschool use previously a permitted use within the campus. (ZON2020-00141)
Item #2 is continued from the December 3, 2020 meeting of the Commission.

2. Request from Pridecraft Custom Homes (owner) represented by Jason Juran (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 1416 East 36th Court, to allow waiver of public sidewalk installation required for a new household living dwelling required by Chapter 135 Section 135-8.5.2.  (BLD2020-02862)

The public hearing on Item #3B of this request can only be opened on December 17, 2020 if the City Council approves the pending rezoning of the property from “PUD”, “RX1”, & “N5” Districts to “P2” District and the Zoning Board of Adjustment approves a Conditional Use for an Assembly & Entertainment, Large use in a “P2” District prior to December 17, 2020.

3. Request from Des Moines Public Schools (owner) represented by Darrell Gierstorf (officer) for the following items related to the stadium project proposed for 2450 Forest Avenue:

   A) Review and approval of a Preliminary Plat “Drake Community Stadium at Drake University Plat 1” for subdivision of a 4.609 acre lot for the stadium. (13-2021-1.12)

   B) Review and approval of a Public Hearing Site Plan for the following Type 2 Design Alternatives in accordance with Chapter 135 Sections 135-9.2.4.B and 135-9.3.1.B Public Hearing Site Plan “Drake Community Stadium at Drake University” to allow construction of a 4,000 seat outdoor multipurpose stadium reviewed as a Civic Building Type in a “P-2” District:  (10-2021-7.27)

   1) Allow impervious surface in excess of the maximum allowed area of 70% per Section 135-2.10.3.A.7. As proposed, the site area would be 96.1% impervious.

   2) Allow 15 less than the minimum required 15 feet of setback from non-primary frontage per Section 135-2.10.3.A.4. The structures located within 0 feet of the east property line and within 4.5 feet of the north property line.

   3) Allow less than the minimum 12% transparency per each story and any half story per Section 135-2.10.3.D.17.

4. Request from Campbell’s Holdings, LLC (owner) represented by Eric Campbell (officer) for the following regarding the property at 3104 East Court Avenue:

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

   B) Rezone property from “N5” Neighborhood District to “I1” Industrial District to allow the property to be used for industrial uses such as outdoor storage.  (ZON2020-00150)
5. Request from James Andrew and Nancy Albright-Andrew (owners) for the following regarding the property at 3900 Southeast 34th 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 Park and Open Space with Development Control Zone overlay to Low Density Residential. (21-2020-4.28)

C) Rezone property from “F” Flood District to “N2b” Neighborhood District to allow the property to be filled and developed with a One Household Living Dwelling use. (ZON2020-00151)

6. Request from Kruse Construction, LLC (owner) represented by Dan Kruse (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 5702 Wolcott Circle, to allow the construction of a House Type A with a 25-foot wide paved driveway with an impervious coverage for the front yard area of 663.00 square feet (39.36%) which is greater than the maximum 25% (422.20 square feet) of the front yard area allowed per Chapter 135 Section 135-2.13.3.E.1. (BLD2020-01806)

7. Request from February 30th Properties dba South Des Moines Vet Center (Contract Buyers) represented by Jeremy Beyer (officer) for the following regarding the property at 601 Army Post Road and 6302 Southwest 6th Street. The subject property titleholders are Joseph and Deborah Madonia:

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. (21-2020-4.29)

C) Rezone property from “N3a” Neighborhood District and “MX2” Mixed Use District to “MX3” Mixed Use District allow the property to be developed for Animal Service, Veterinary and Boarding uses. (ZON2020-00152)

8. Request from Kristine McVicker (owner) for review and approval of a Public Hearing Site Plan 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 3848 River Oaks Drive, to allow for construction of a new House Type B dwelling. (BLD2020-02926)

A) Waiver of public sidewalk installation required by Section 135-8.5.2.

B) Allow the story height (floor to floor) of the upper story to be 11 feet, which is 2 feet over the maximum allowable story height of 9 feet per Section 135-2.14.3.B.14 and Section 135-9.2.3.A.5.
9. Request from HJT, Inc. (owner) represented by Jack Houghton (officer) for the following regarding the property at 2101 Dixon Street:

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

   B) Rezone property from “I1” Industrial District to the “I2” District, to allow the property with existing Warehouse use to request a Conditional Use for the premise to be used additionally for transfer of hazardous and flammable materials defined as Fabrication and Production, Intensive. (ZON2020-00156)

OTHER ITEMS

10. Committee and Director’s Reports.