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 January 5, 2021 to delay the opening of City buildings to the public until March 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).

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. January 20, 2021 (Community Development Department, Armory Building, 602 Robert D. Ray Drive, Des Moines, IA 50309; Email Planning@dmgov.org).

**Join from a PC, Mac, iPad, iPhone or Android device:**
Please click this URL to join.
https://dmgov-org.zoom.us/s/88941154910?pwd=aUJEc2tEVWPShNC92aWZCZ1pCM0Q2UT09

Webinar ID: 889 4115 4910  
Passcode: 405370

**Or join by phone:**

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

Webinar ID: 889 4115 4910  
Passcode: 405370

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

**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.
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 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: The hearings will begin at 6:00 P.M. following the scheduled early informational session.

5:30 Central Iowa Water Trails Project

6:00 ROLL CALL & APPROVAL OF MINUTES FROM December 17, 2020

CONSENT PUBLIC HEARING ITEMS

Item #1 is continued from the December 17, 2020 meeting of the Commission.

1. 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 an existing “Warehouse” use to request a Conditional Use for the premise to be used additionally for transfer of hazardous and flammable materials, which is defined as a “Fabrication and Production, Intensive” use. (ZON2020-00156)
2. Request from Polk County Conservation Board (applicant) represented by Richard Leopold (officer), for the vacation of the following segments of public street in the vicinity of 3546 East Sheridan Avenue, for purposes of a project to remove the roadways and restore the area for incorporation into the Lower Fourmile Creek Greenway. Adjoining land is owned by Polk County.

A) East Sheridan Avenue from East 35th Street to East 36th Street.
B) East 35th Street from Hull Avenue to Arthur Avenue.
C) East 39th Street from East Jefferson Avenue to Four Mile Drive.
D) Osceola Avenue from East 40th Street to East 41st Street.
E) East 40th Street from Osceola Avenue to East Washington Avenue Right-of-Way developed with the Gay Lea Wilson Trail.
F) East 41st Street from Osceola Avenue to Indianapolis Avenue.

3. Request from Porter Hardware, Inc. (owner), represented by David Porter (officer), for the following regarding the property at 4207 Hubbell Avenue:

A) Determination as to whether the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.
B) Rezone property from “MX3” Mixed Use District to “CX” Mixed Use District, to allow the property with an existing Retail Sales, General and Vehicle Sales and Rental (Equipment) use to expand to a “Retail Sales, Large Format with the additional Warehouse and Accessory Outdoor Storage use, which would allow for outdoor storage of materials and equipment on the property.

4. Request from Jerry’s Homes, Inc. (owner) represented by Jay Cowan (officer), for review and approval of a 2nd Amendment to the Pearl Lake PUD Conceptual Plan, on property located at 3009 East Payton Avenue and in the vicinity of the 3001 block of East Payton Avenue, to allow revision to the street layout, change the property on the East Army Post Road frontage to large-lot One House Hold lots from previously approved Townhomes, and reduce the minimum lot sizes for specified lots to have a minimum 70-foot width and minimum 9,600-square foot area. Additional subject property is owned by Janet Bainter and City of Des Moines.

5. Request from City of Des Moines (owner) represented by Pamela Cooksey (Assistant City Manager), for the following regarding the property in the vicinity of 1501 Harriet 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 Park/Open Space.
C) Rezone property from “I1” Industrial District to “P2” Public, Civic, & Institutional District, to allow the property to be developed with public recreation area use.
6. Request from Catholic Health Initiatives – Iowa Corporation d/b/a Mercy Medical Center Des Moines (owner) represented by Diane Cummings (officer) for review and approval of a proposed 7th Amendment to the Mercy Medical Center PUD Conceptual Plan on property located in the vicinity of 1111 6th Avenue, to allow construction of a canopy on the building known as 411 Laurel Street and revision of the campus sign plan. (ZON2020-00165)

7. Request from JOPPA, LLC (owner) represented by Curtis Carlson (officer), for the following regarding the property in the vicinity of 1010 13th 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 Low Density Residential to Low-Medium Density Residential. (21-2021-4.01)

   C) Rezone property from “N5” Neighborhood District to “N5-2” Neighborhood District, to allow the property to be developed with a Two-Household Living use (duplex). (ZON2021-00005)

8. Request from Richard Goebell (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 1539 East Bell Avenue, to allow an 1,140-square foot addition to the one-story House Type B which would be within 7 feet of the east property line and within 3 feet of the west property line by incorporation of the existing detached garage. This would be 2.7 feet less than the minimum 5.7 feet of side yard on the west and 5 feet less that the minimum 15 feet of total side yard required by Chapter 135 Section 135-10.2.2.C and Section 135-2.14.3.A.5. (BLD2020-02967)

9. Request from JP Morgan Chase Bank N.A. (purchaser) represented by Jacob Eganhouse (officer) for review and approval of a Public Hearing Site Plan “Chase Bank” 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 6150 SE 14th Street, to allow 2,464 square feet of the existing Storefront building to be reconfigured for a Financial Service use where the south façade of the building would not provide any transparency when the east 30 feet of the façade is required to have 65% based on the transparency being required to wrap around to the street side façade on a corner lot per Section 135-2.5.3.E.4. The subject property titleholder is 6150 SE 14, LLC. (10-2021-7.14)

10. Request from Covenant Construction Services, LLC dba CCS Homes (owner) represented by Alan Sprinkle (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 3915 48th Street, to allow construction of a two-story House Type B with an attached garage with doors that would be 20 feet wide and comprising 41.6% of the front façade width exceeding the maximum 30% allowed by Chapter 135 Section 135-2.14.3.A.10. (BLD2020-03121)
11. Request from Axiom Gray’s Lake, LLC dba Gray’s Lake Apartments (owner) represented by Eric Anderson (officer) 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 2800 Fleur Drive, to allow placement of new trash enclosures within the front yard area along Southwest 23rd Street where required to be outside of the front yard per Section 135-2.1.7.B.2. (10-2021-7.41)

PUBLIC HEARING ITEMS

Item #12 is continued from the December 3, 2020 and December 17, 2020 meetings of the Commission. This item has been renoticed to include a revised amendment.

12. 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, to allow a building addition for resident swimming pool and auditorium use on the west, to allow a terrace/pond landscape feature in the north side of the site, to allow expansion of the existing parking lot within the front yard area along 37th Street, to allow renovation of the central courtyard area, to allow expansion of beer, wine and liquor service within the Chamberlain Mansion and within all other dining service areas, to remove Children’s Garden and Preschool use as a permitted use, and to revise list of permitted accessory uses to include restaurant, assembly/event space, residential support service, studio or instructional service, adult daycare, and indoor sports/recreation. (ZON2020-00141)

*****ITEM 13 HAS BEEN WITHDRAWN*****

13. Request from Greater Des Moines Habitat for Humanity, Inc. (owner) represented by Lance Henning (officer), for the following regarding the property at 1535 East 19th 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 Business Park to Low Density Residential. (21-2020-4.30)

C) Rezone property from “EX” Mixed Use District to “N3a” Neighborhood District, to allow the property to be developed with a One Household Living dwelling. (ZON2020-00159)

14. Request from JC AM Group, LLC (owner) represented by John Cheng (officer) for the following regarding the property at 1503 5th 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 Density Residential to Low-Medium Density Residential. (21-2021-4.02)

C) Rezone property from “N5” Neighborhood District to “N5-2” Neighborhood District, to allow the property to be converted a Two-Household Living use (duplex). (ZON2020-00164)
15. Request from Woodsonia Acquisitions, LLC (purchaser) represented by Jeff Elliott (officer), for the following regarding the property at of 2510 Ingersoll Avenue. The subject property is owned by the Noah L & Sara Ann Lacona Revocable Trust (owner), represented by Antoinette Lacona-Erickson (trustee):

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 use of the property for a “Restaurant” use with a “Drive-Through” component as an accessory use. (ZON2020-00166)

OTHER ITEMS

16. Chair Appointment of Nominating Committee.

17. Committee and Director’s Reports.