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 February 3, 2021 to delay the opening of City buildings to the public until April 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. February 17, 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/84056216153?pwd=WkFFaUNXRGFPRnFHM1NvNUdZZXhOd20

Webinar ID: 840 5621 6153
Passcode: 588180

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: 840 5621 6153
Passcode: 588180

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

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 February 4, 2021

CONSENT PUBLIC HEARING ITEMS

1. City initiated request for amendment to the text of Chapter 134 of the City Code, to make revisions allowing for minor expansion of legal non-conforming one and two household residential uses and to allow new detached accessory structures associated with those uses. (10-2021-5.01)

2. Request from Calvin Park Mixed-Use Condominiums (owner) represented by Carl Koedam (officer) for review and approval of a 1st Amendment to the “Calvin Community” Legacy PUD Conceptual Plan, on property located at 4326 Hickman Road, to allow revision to reduce the number of units on the mixed-use building from 42 to 36 units with elimination of a 5th floor, elimination of a propose skybridge connection to the main campus on the east, modification of the north drive access to 44th Street, addition of directional signs, elimination of access gates to the row townhomes, and addition of utility meters to the west façade of the row townhomes. Additional property owners include Calvin Community Corporation and Calvin Park Townhomes Condominiums. (ZON2021-00012)
PUBLIC HEARING ITEMS

3. 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):

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)

C) Review and approval of a Public Hearing Site Plan for considering 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 for “2510 Ingersoll Avenue Coffee Shop” to allow reuse of the existing restaurant for a coffee restaurant with an accessory drive-through. The titleholder is Noah & Sara Ann Lacona Revocable Trust. (10-2021-7.01)

   1) Allowance of drive-through facility on the front façade of the building when limited to an interior side or rear façade per Section 135-2.22.3.D.
   2) Allowance of on-site parking and maneuvering in the front yard when limited to interior side and rear yards per Section 135-2.5.3.A.8.
   3) Waiver of the requirement of a primary entrance on the primary frontage façade per Section 135-2.5.3.D.20.

4. Request from Meier Family, LLC (owner) represented by Charles Meier (officer) for the following regarding the property located at 1324 and 1348 East Euclid 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 “RX2” Mixed Use District, to allow the property to be redeveloped with ground floor Multiple Household Living use. (ZON2021-00010)

5. Request from Hilltop Housing, LLC (owner) represented by J.B. Conlin (officer) for property located at 3722 Hubbell Avenue, 3726 Hubbell Avenue, 3680 Kennedy Drive, and 3688 Kennedy Drive. Additional property owners include Hilltop Senior, LP; Hilltop I, LP; and Hilltop II, 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 Medium Density Residential within a Community Node to High Density Residential within a Community Node. (21-2021-4.04)

   C) 1st Amendment to the to the “Hilltop Apartments” Legacy PUD Conceptual Plan to allow construction of two 42-unit household dwellings in place of the approved dwelling units within a 30-unit household dwelling, a 36-unt household dwelling, and several two-household dwellings. The amendment would not alter the total number of dwelling units (254) allowed within the development. (ZON2021-00011)
6. Request from RM Madden Construction, Inc. (owner) represented by Michael Madden (officer) for review and approval of a Public Hearing Site Plan for the following denied Type 1 Design Alternative and 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 147 East Marion Street, to allow construction of a new House Type B in an “N3a” Neighborhood District.

   (BLD2020-03143)

   A) Allow 12% less than the minimum 12% of transparency on the primary façade as calculated per Section 135-2.14.3.D.18.
   B) Waive the requirement for installation of public sidewalk along street frontages required per Section 135-8.5.2.
   C) Waive the 4 street trees less than the required 5 street trees calculated per requirement per Section 135-7.5.C. (denied Type 1)
   D) Allow Vinyl material as a major façade material where not allowed by Table 135-4.1-1 and by Section 135-4.3.11. (denied Type 1)

7. Request from Nickolas Van Patten (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 6020 McKinley Avenue, to allow an 1,540-square foot addition to the existing house with waiver of the requirement for installation of public sidewalk along street frontages required per Section 135-8.5.2.

   (BLD2020-03181)

8. Request from Orlando Domiguez (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 2925 4th Street, to allow a 390-square foot addition to the front of the existing House Type D within 11 feet of the west front property line that would have 10 feet less than the minimum required 21 foot average front yard setback required calculated per Section 135-2.16.3.A.3.

   (BLD2020-03336)

9. Request from Casey’s Marketing Company (developer) represented by Erik Nikkel for review and approval of a Public Hearing Site Plan “Casey’s General Store, 3121 Forest Avenue” 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 3121 Forest Avenue to allow development of a 3,588-square foot Commercial Cottage Building Type for Retail Sales, Limited use. The subject property is owned by Neighborhood Development Corporation.

   (10-2021-7.39)

   A) Allow a Commercial Cottage Type building that is 26 feet over the 60-foot maximum width required per Section 135-2.6.3.A.2.
   B) Allow a total of 15,603 square feet of impervious surface (85%) which is 3,669 square feet (20%) over the 11,934-square foot (65%) maximum allowed per Section 135-2.6.3.A.7.
   C) Allow waiver of the required stormwater management improvements per Section 135-8.3.2.
   D) Allow an access drive tandem to the north/south alley from Forest Avenue where only a single access drive is permitted from a non-primary street with an unimproved alley per Section 135-2.6.3.A.9. (denied Type 1)
   E) Allow waiver of a required 7' landscaping setback- fence frontage buffer along Forest Avenue south of the loading are where required per Section 135-7.7.2 and Figure 135-7.7-A. (denied Type 1)
F) Allow waiver of the required interior lot landscape island at the east terminal end of the on-site parking spaces adjacent to the building per Section 135-7.9.2.A.1. (denied Type 1)

10. Request from P&A Investments, LLC (purchaser) represented by Sara Hopkins (officer) for review and approval of a Public Hearing Site Plan “Hopkins Development” 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 3720 6th Avenue, to allow renovations to the existing Storefront Type building triggering compliance with Site Plan review. Contract Buyer of Record is RS Intl, LLC. Titleholder of Record is S&D Enterprises, LLC. (10-2021-7.43)

A) Waiver of 5 less than the minimum required 5 on-site parking spaces per Section 135-6.4.2.A and Table 135-6.4-1. (denied Type 1)
B) Waiver of 1 bike rack less than the 1 bike rack required per Section 135-6.3.1 and Table 135-6.3-1. (denied Type 1)
C) Waiver of all required site trees at a minimum 15% canopy coverage per Section 135-7.4.1. (denied Type 1)
D) Waiver of all required streetscape including full pavement with tree beds to include Class A sidewalk with 2 tree beds required along 6th Avenue and 2 tree beds required along Douglas Avenue per Section 135-7.5.3.C and Section 135-7.6.3.B. (denied Type 1)
E) Waiver of undergrounding of utilities requesting to maintain overhead lines in the Rights-Of-Way (ROW) per Section 135-9.2.1.E.
F) Waiver of required screening of roof top mechanical equipment screening from the west per Section 135-4.5.5.

11. Request from RM Madden Construction, Inc. (owner) represented by Michael Madden (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 1124 Herold Avenue, to allow construction of a new House Type D in an “N5” Neighborhood District. (BLD2021-00065)

A) Allow an attached garage with entrance location on the front façade where only allowed on the side or rear façade, per 135-2.16.3.A.10.
B) Waive the requirement for installation of public sidewalk along street frontages required, per Section 135-8.5.2.

OTHER ITEMS

12. Committee and Director’s Reports.