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 March 11, 2021 to delay the opening of City buildings to the public until June 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. April 14, 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/87848101764?pwd=VGhYaW1VSUtjQUo3SD82VlqUU4rUT09

Webinar ID: 878 4810 1764
Passcode: 805462

One-Tap Dialing on iPhone
+13126266799,86405809363# US (Chicago)

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

Webinar ID: 878 4810 1764
Passcode: 805462

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

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 Development Services 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. Once 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 April 1, 2021

CONSENT PUBLIC HEARING ITEMS

1. Request from Nickolas Van Patten (owner), 6020 Southwest McKinley Avenue, for vacation of an approximately 48.76-foot wide irregular-shaped segment of Southwest McKinley Avenue adjoining the entire frontage of the subject property to allow it to be maintained with the existing front yard area. (11-2021-1.04)

2. Request from Aust Real Estate, LLC (owner), 1201 Keosauqua Way, represented by Mindy Aust for vacation of various adjoining surface/subsurface rights. (11-2021-1.05)
   A) A 6-foot wide by 30-foot long segment of adjoining Crocker Street for surface rights to allow door swings for proposed trash enclosures.
   B) A 5-foot by 5-foot segment of adjoining Crocker Street for surface/subsurface rights for a door swing and landing.
   C) A 5-foot by 5-foot segment of adjoining 12th Street for surface/subsurface rights for a door swing and landing.
   D) A 5-foot by 69.13-foot long segment of adjoining Keosauqua Way for surface/subsurface rights to accommodate four (4) door swings and landings.
   E) A 3-foot by 126.54-foot long segment of adjoining Keosauqua Way for subsurface encroachment of the exiting building.
   F) A 1-foot by 172.25-foot long segment of adjoining 12th Street for subsurface encroachment of the exiting building.
3. Request from Michael and Dorothy Mauro (owners) for review and approval of a Public Hearing Site Plan for the following Type 2 Design Alternative in accordance with City Code Sections 135-9.2.4(B) and 135-9.3.1(B), for property located at 4325 Southwest 31st Street, to allow construction of an 672-square foot addition to a House B Building Type in an “N3a” Neighborhood District, where the addition would be 30 feet from Southwest 31st Street which is 20 feet less than the minimum 50-foot calculated average front yard setback required by Section 135-2.14.3(A)(3) and Section 135-3.4.3.  

(BLD2021-00314)

4. Request from R.M. Madden Construction, Inc. (owners) 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 City Code Sections 135-9.2.4(B) and 135-9.3.1(B), for property located at 2625 Easton Boulevard, to allow construction of a new House C Building Type with an attached front-facing garage in an “NX1” Neighborhood MIx District.  

(BLD2021-00335)

A) Allow an attached garage entrance on the front façade when only permitted to located on the side or rear façade per Section 135-2.15.3(A)(10).

B) Allow parking within the front 20-foot depth of the ground story of the house when only allowed within a basement or to the rear of the required occupied space per Section 135-2.15.3(C)(16 & 17).

5. Request from 217 E Second, LC (owner) represented by Jake Christensen (officer) for review and approval of a Public Hearing Site Plan "217 E. 2nd Street Site Improvements" 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 217 East 2nd Street and 200 East Court Avenue, to allow renovation to the existing Downtown General Type building.  

(10-2021-7.54)

A) Allow a primary frontage coverage that is currently only 132 feet of the 280 feet (47.14%) of East 2nd Street frontage which is 42.86% less than the minimum required 90% frontage coverage required per Section 135-2.4.3(A)(2).

B) Allow a non-primary build to zone that would be 148' from East Court Avenue which is 133 feet more than the 0-15 feet required per Section 135-2.4.3(A)(4).

C) Allow on-site surface parking and maneuvering in the front yard when parking is limited to being located fully within the basement or to the rear of the occupied space of the principal building per Section 135-2.4.3(C)(17).

6. Request from Lil' Brother Construction, LLC (owner) represented by Jean Jones (officer) for review and approval of a Public Hearing Site Plan "Lil' Brother Construction-Phase I" 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 2025 East Grand Avenue, to allow renovations and change of occupancy for a contractor Professional Office use with update of on-site parking and site landscaping, with waiver of the requirement to underground the existing overhead utility lines required per Section 135-9.2.1(E) and maintain existing overhead lines in the Rights-Of-Way (ROW).  

(10-2021-7.67)
PUBLIC HEARING ITEMS

Item #7 is continued from the April 1, 2021 meeting of the Commission.

7. Request from Hubbell Realty Company (owner) represented by Steve Mosely (officer) for review and approval of a 10th Amendment to the Riverwoods Legacy PUD Conceptual Plan, for property in the vicinity of Riverwoods Road and River Ridge Avenue, to revise areas F, G, and H by eliminating the extension of River Ridge Road and reducing the length of the Grand River Drive cul-de-sac and increasing the open space/conservation area. Also, to add the allowance for 50-foot lot width minimums and additional house typical designs. (ZON2021-00028)

8. Request from University Avenue Storage, LLC (owner) represented by Will Matthews (officer) for the following regarding the property located at 1960 Claypool 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 to revise the future land use classification from Business Park to Industrial. (21-2021-4.11)
   C) Rezone property from “RX1” Mixed Use District to “I1” Industrial District, to allow redevelopment of the property with Self-Service Storage. (ZON2021-00034)

9. Request from Landmark Missionary Baptist Church of Surrounded Hill (owner) represented by Stan Haigwood (trustee), for review and approval of a Public Hearing Site Plan “Landmark Missionary Baptist Church Parking Lot Improvements” for the following Type 2 Design Alternatives in accordance with City Code Sections 135-9.2.4(B) and 135-9.3.1(B), for property located at 5840 University Avenue, to allow site improvements for a Civic Building occupied by an Assembly, Place of Worship use. (10-2021-7.69)
   A) Allow surface on-site parking in the front yard where surface parking is only allowed in the rear yard or limited interior side yard per Section 135-2.10.3(A)(8).
   B) Waiver of the requirement to underground the existing overhead utility lines required per Section 135-9.2.1(E).
   C) Waiver of the required fence as part of the fence frontage buffer required along University Avenue per Section 135-7.7.2(B).

10. Request from J Larson Homes, LLC (owner) represented by John Larson (officer) for review and approval of a Preliminary Plat Amendment “Three Lakes Estates Phase II” for 84.97 acres of property in the vicinity of the 3001 block of East Army Post Road, to allow remaining property in the Three Lakes Estates Phase II Legacy PUD to be divided into 218 One Household Living Lots and 64 Lots for Semi-Detached One Household Living. (13-2021-1.28)

OTHER ITEMS

11. Committee and Director's Reports.