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 Cowne’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 Mayor’s announcement on April 13, 2021 that the opening of City buildings for Boards and Commissions meetings would not occur until July 1, 2021 due to the continued 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 Development Services 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 Development Services 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 Development Services Department either by email or by U.S. Mail prior to 4:00 p.m. May 19, 2021 (Development Services 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/89868331779?pwd=YTdobUFmOUFwcDU3VERZRWxkNDM3UT09

Webinar ID: 898 6833 1779
Passcode: 550628

One-Tap Dialing on iPhone
+13126266799,,89868331779# 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: 898 6833 1779
Passcode: 550628

International numbers available: https://dmgov-org.zoom.us/u/kezdNNU03c

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 applicants 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 legal 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: Hearings will begin a 6:00 P.M. immediately following the early informational session.

5:30 Presentation of Proposed Text Changes to Chapter 134 and 135

6:00 ROLL CALL & APPROVAL OF MINUTES FROM May 6, 2021

CONSENT PUBLIC HEARING ITEMS

1. Request from ILEX Group, Inc. (owner) represented by Ben Schultes (officer) for the following on property located in the vicinity of 4600 East 14th Street.

   A) Review and approval of a Preliminary Plat “Northridge 80/35 Business Park”, to allow 59.57 acres of property to be divided into 5 Lots for business park development.
   (13-2021-1.28)

   B) Review and approval of a PUD Final Development Plan “Northridge 80/35 Business Park - Plat 1”, to allow development of two Warehouse/Flex Buildings totalling 822,053 square feet (18.87 acres) with associated parking and loading areas.
   (10-2021-7.72)
2. Request from Zion Capitol Group, LLC (owner) represented by Ryan Campos (officer) for the following regarding the property located at 2453 East Grand 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 to revise the future land use classification from Low Density Residential to Neighborhood Mixed Use.

       (21-2021-4.12)

   C) Rezone property from "N3c" Neighborhood District to “RX1” Mixed Use District, to allow reuse of the existing building for mixed residential and commercial use.

       (ZON2021-00023)

3. Request from Joe Harrison (owner) 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 2500 Thornton Avenue, to allow an existing unimproved driveway to remain in addition to a driveway required as part of a permitted attached garage in an "N3a" Neighborhood District where only one driveway is permitted per Section 135-2.14.3(A)(11).

       (SAP2021-00061)

4. Request from Zaccary Miller and Mason Terwilliger (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 846 East Broad Street, to allow a second driveway in an "N3a" Neighborhood District for a House Type B where only one driveway is permitted per Section 135-2.14.3(A)(11).

       (SAP2021-00097)

5. Request from Terrace Hill I, LLC (owner) represented by Doug Saltsgaver (officer) for the following regarding the property located at 2525 Grand Avenue.

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

   B) Rezone property from “RX2” Mixed Use District to “MX3” Mixed Use District, to allow the existing building to be considered for a Conditional Use approval by the Zoning Board of Adjustment for a Bar associated with reuse of the property for a Hotel.

       (ZON2021-00048)

6. Request from Damian Jacinto Sanchez (owner) represented by Jason Juran (builder) 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 1416 East 36th Court, to allow 575 square feet of impervious area within the front yard area as part of a new House B Building Type in an "N3b" Neighborhood District which is 37 square feet (10%) over the maximum 25% of the front yard area permitted per Section 135-2.14.3(E)(1).

       (BLD2020-02862)
7. Request from Bryan Cole (owner) 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 917 Lewis Avenue, to allow construction of a House Type D in an “N5” Neighborhood District with waiver of the required public sidewalk installation on Southwest 10th Street and Lewis Avenue frontages. 

(BLD2021-00632)

PUBLIC HEARING ITEMS

Item #8 is continued from the May 6, 2021 meeting of the Commission.

8. City initiated request for the Vacation of the following segments of street and alley Right-Of-Way in the vicinity of Southeast Astor Street and Shaw Street and the vicinity of Southeast 16th Street and Vale Street, to assemble land for the Municipal Services Center Phase II project. (11-2021-1.06)

A) North/south alley between Southeast 15th Court and Southeast Astor Street from Maury Street to Scott Avenue.
B) Southeast Astor Street from Maury Street to the Burlington Northern Santa Fe Railroad north of Shaw Street.
C) North/south alley between Southeast Astor Street and vacated Southeast 16th Street from Maury Street to the Burlington Northern Santa Fe Railroad north of Shaw Street.
D) Shaw Street from vacated Southeast 16th Street to the north/south alley west of Southeast Astor Street.
E) Southeast 16th Street from the vacated east/west alley south of Vales Street to Maury Street.
F) Vale Street from Southeast 15th Street to Soutuheast 16th Street.

9. Request from Fareway Stores, Inc. (owner) represented by Garrett Piklapp (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 2716 Beaver Avenue and 2723 41st Place, to allow redevelopment of the existing vacant Storefront Type Building for Financial Service use and existing One Household Living dwelling for a 7,759-square foot Storefront Type Building for Limited Retail Sales use. (10-2021-7.48)

A) Allow one (1) entrance less than the two (2) required entrances on a primary frontage façade calculated at one entrance per 45 feet of primary frontage required per Section 135-2.5.3(D)(20).

B) Allow 41% transparency on the ground floor of the primary frontage façade which is 36.9% less than the minimum 65% of transparency required by Section 135-2.5.3(D)(18) calculated per Section 135-3.8.3.
10. Request from Kyle Estling (owner) 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 4194 John Lynde Road, to allow construction of a new House D Building Type in an "N5" Neighborhood District.

   (BLD2021-00549)

A) Allow a front yard setback of 10.3 feet, which is 14.7 feet less than the minimum required setback of 25 feet per Section 135-2.16.3(A)(3).

B) Allow a maximum building coverage of 47.6%, which is 59% greater than the maximum building coverage of 30% per Section 135-2.16.3(A)(9).

C) Allow an attached garage entrance on the street facing façade when it is required to be on the rear or side facades per Section 135-2.16.3(A)(10).

D) Allowing a clerestory roof type when it is required to have a pitched gable or hipped roof per Section 135-2.16.3(A)(22)

E) Allow a maximum front yard coverage of 60%, which is 35% greater than the maximum front yard coverage of 25% per Section 135-2.16.3(E)(2).

F) Waiver of the required public sidewalk installation per Section 135-8.5.2.

11. Request from Gorkha Brothers, Inc. (lessee) represented by Sushil Gajmer (officer) for the following regarding the property located at 2829 Easton Boulevard. The subject property is owned by ARSHI, LLC (contract buyer of record) and Sandhu Minimart, LLC (titleholder).

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 Neighborhood Mixed Use to Community Mixed Use. (21-2021-4.13)

C) Rezone property from “MX1” Mixed Use District to “MX3” Mixed Use District, to allow the existing building to be considered for a Conditional Use approval by the Zoning Board of Adjustment for a businesses selling alcoholic liquor. (ZON2021-00042)

12. Request from On Point Investments, LLC (owner) represented by Jennifer Echterling (officer) for the following regarding the property located at 2406 Woodland 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 to revise the future land use classification from Low Density Residential in a Neighborhood Node to Medium Density Residential in a Neighborhood Node. (21-2021-4.14)

C) Rezone property from “N5” Neighborhood District to “N5-2” Neighborhood District, to allow use of the property for a Two Household Living dwelling. (ZON2021-00047)
13. Request from Greg Lorang and Elissa Cirignotta (owners) for the following regarding the property located at 1235 43rd 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 Low Density Residential within a Community Node to Low-Medium Density Residential within a Community Node. (21-2021-4.15)

C) Rezone property from “N5” Neighborhood District to “N5-2” Neighborhood District, to allow use of the property for a Accessory Household Unit dwelling. (ZON2021-00049)

14. Request from IPE1031 REV353, LLC (owner) represented by Blake Paglia (officer) for the following regarding the property located at 505 Sheridan Avenue.

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 “I2” Industrial District, to allow the existing property to be considered for a Conditional Use from the Zoning Board of Adjustment for an outdoor storage yard for portable toilets interpreted as an Intensive Fabrication and Production use. (ZON2021-00050)

15. Request from MidAmerican Energy Company (owner) represented by Pam McNaughton (officer) for the following regarding the property located in the vicinity of 2400 East County Line 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 to revise the future land use classification from Low Density Residential to Industrial. (21-2021-4.16)

C) Review and approval of a Large-Scale Development Plan for the site redevelopment of 24.68 acres for Professional Offices, Vehicle Maintenance and Repair, Major Utilities and Public Service Facilities and Outdoor Equipment and Materials Storage uses.

D) Rezone property from “N2b” Neighborhood District to “I2” Industrial District, to the property to be developed for an electrical utility service center in addition to the existing electrical substation. This would allow for request of a Conditional Use from the Zoning Board of Adjustment for above ground storage of flammable liquids interpreted as an Intensive Fabrication and Production use. (ZON2021-00051)

OTHER ITEMS

16. Committee and Director’s Reports.