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 Mayor’s announcement on April 13, 2021 that the opening of City buildings for Boards and Commissions meetings would not occur until August 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. June 2, 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/86300728757?pwd=aHdWalBjN3l1U0FmU2xqL2daRUI0QT09

Webinar ID: 863 0072 8757
Passcode: 675981

**One-Tap Dialing on iPhone**
+13126266799,86300728757# 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: 863 0072 8757
Passcode: 675981

International numbers available: https://dmgov-org.zoom.us/u/klDqG6HxlQ

**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 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 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 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 May 20, 2021

CONSENT PUBLIC HEARING ITEMS

1. Request from State of Iowa (owner) represented by Cheri Myers (officer) for vacation of the following segments of street Right-Of-Way adjoining property located at 524 4th Street occupied by of the Iowa Department for the Blind. (11-2021-1.07)

   A) A 6.5-foot by 43.0-foot segment of surface rights from the south edge of Watson Powell Jr. Way to allow for accessible entrance ramp to the north entrance of the building.

   B) An 11.0-foot by 9.75-foot segment of subsurface rights from the south edge of Watson Powell, Jr. Way to allow for existing basement encroachment.
2. Request from Greater Des Moines Habitat for Humanity (owner) represented by Tami Kreykes (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 4110 Southwest 5th Street, to allow construction of a House D Building Type with in an “N5” Neighborhood District. (BLD2021-00610)

A) Allow a 12.25-foot street side setback along Leach Avenue which is 37.75 feet less than calculated average 50-foot street side yard setback per Section 135-2.16.3(A)(4).

B) Waiver of the required garage with provision of a 120-square foot storage shed per Section 135-2.16.3(E)(5).

3. Request from R M 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 City Code Sections 135-9.2.4(B) and 135-9.3.1(B), for property located at 2390 Herold Avenue, to allow construction of a 2-story House B Building Type with in an “N3a” Neighborhood District. (BLD2021-01187)

A) Allow transparency of 6% transparency on the first-floor primary frontage façade, which is 50% less than the 12% minimum per Section 135-2.14.3(A)(18).

B) Allow a 16.33-foot wide attached garage door that is 51.6% of the front façade width, which is greater than the 30% maximum required by Section 135-2.14.3(A)(10).

4. City Initiated request for the following regarding the property located at 2014 & 2016 East Ovid Avenue. The subject property is owned by C M Real Estate, LLC.

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

B) Rezone property from “P1” Public, Civic and Institutional District to “I1” Industrial District, to allow the existing buildings to be brought into compliance with their existing Professional Office and Warehouse uses. (ZON2021-00060)

5. Request from Legacy Park, LLC (owner) represented by Russ Frazier (officer) for the following regarding the property located at 1315-1325 9th Street and 1322-1332 8th Street.

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 “N5-2” Neighborhood District, to allow a two-household dwelling at 1323/1325 9th Street to be rebuilt after destruction by fire, and to allow the other existing two-household living uses on the subject property to be brought into compliance. (ZON2021-00062)
6. Request from Flummerfelt Eagle Pointe, LLC (owner) represented by Mike Flummerfelt (officer) for the following regarding the property located at 1985 East Army Post Road.

A) Determination as to whether the requested rezoning and Large-Scale Development Plan 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 Medium Density Residential to Business Park for a portion of property to the north of the requested rezoning area. (21-2021-4.14)

C) Review and approval of a Large-Scale Development Plan for the site redevelopment of 18.50 acres for a Mobile Home Park expansion.

D) Rezone property from “EX” Mixed Use District to “NM” Neighborhood District, to allow use of the property for expansion of the Mobile Home Park currently under construction under adjoining expansion. (ZON2021-00059)

7. Petition from Angela Young, 935 24th Street, to name a segment of Washington Avenue between Martin Luther King, Jr. Parkway and 16th Street with an honorary name “Dr. Bobby Young Avenue”. (11-2021-1.08)

PUBLIC HEARING ITEMS

8. A public hearing regarding proposed amendments to the Zoning Ordinance (Municipal Code Chapter 134) and Planning and Design Ordinance (Municipal Code Chapter 135).

A) Determination as to whether the proposed amendments to the Zoning Ordinance and Planning and Design Ordinance are in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.

B) Adoption of the proposed amendments to the Zoning Ordinance and Planning and Design Ordinance. (10-2021-5.02)

Items #9, 10 and 11 are continued from May 20, 2021 meetings of the Commission.

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 all redevelopment of the existing vacant Storefront Type Building for Financial Service use and existing One Household Living dwelling for a 7,759-squarefoot Storefront Type Building for Limited Retail Sales use. (10-2021-7.48)

1) 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).

2) 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 IPE1031 REV353, LLC (owner) represented by Blake Pagliai (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)

11. 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)

12. Request from Storage Five Des Moines, LLC (owner) represented by Chris Catania (officer) for review and approval of a Public Hearing Site Plan “334 SW 8th Street” for a Type 2 Design Alternative in accordance with City Code Sections 135-9.2.4(B) and 135-9.3.1(B), for property at 334 Southwest 8th Street, to allow renovation and conversion of the existing Downtown General building for 708 self-service storage units with waiver of undergrounding the existing overhead utility lines required per Section 135-9.2.1(E). (10-2021-7.88)
13. Request from DUUNTO LLC (owner) represented by Adam Sieren (officer) and Ryan Andreini (owner) for the following items regarding property at 524 Indianola Road, 711 Monona Avenue, and 713 Monona Avenue to be readdressed 550 Indianola Road:

A) Review and approval of a Preliminary Plat “Monona Townhomes” for subdivision of 0.84 acres of property into 18 Row Type Building lots and an Outlot.(13-2021-1.40)

B) Review and approval of a Public Hearing Site Plan “Monona Townhomes” for the following Type 2 Design Alternatives in accordance with Chapter 135 Sections 135-9.2.4(B) and 135-9.3.1(B) to allow construction of an 18-unit Household Living development with three Row Type buildings in the “RX1” Mixed Use District and “NX1” Neighborhood Mix District: (10-2021-7.93)

1) Allow a 39.69-foot front setback along Indianola Road that is 14.69 feet over the front build-to-zone which is between 12 and 25 feet for the “RX1” Mixed Use District per Section 135-2.12.3(A)(4).

2) Allow a 10-foot street-side setback from Monona Avenue for the southern and middle Row Type buildings which is 17 feet less than the required street-side build-to-zone within 5 of the 32-foot front setback averaging for the “NX1” Neighborhood Mix District per Section 135-2.12.3(A)(5).

3) Allow a 43-foot street-side setback from Monona Avenue for the northern Row Type building which is 28 feet over the street-side build-to-zone which is 10 to 15 feet per for the “RX1” Mixed Use District per Section 135-2.12.3(A)(5).

4) Allow a 7-foot setback from the south rear property line which is 23 feet less than the minimum required 30-foot rear setback per Section 135-2.12.3(A)(5).

5) Allow garages to be located on the front façades where the allowed garage entrance location is the rear or side façade only per Section 135-2.12.3(A)(7).

6) Waive the required minimum 20’ depth of occupied space on all full floors of the front façade required per Section 135-2.12.3(C)(17).

7) Allow parking in front portion of the building where parking within the principal building is only permitted fully in any basement and rear of all other stories behind required occupied space per Section 135-2.12.3(C)(18).

8) Reduce the required minimum transparency per each full story to 0% where a minimum 15% is required per Section 135-2.12.3(D)(19).

9) Allow EIFS as a major material on the 2nd and 3rd stories of the east and north façades and on the 2nd story of the south and west facades where allowed as a minor material only on 3rd story or higher of non-street facades with a maximum amount of 40% on any façade per Table 135-4.1-5. (Denied Type 1)

10)Waiver of undergrounding the existing overhead utility lines required per Section 135-9.2.1(E) and of providing galvanized metal street light pole and matching fixtures in the adjoining street rights-of-way.
14. Request from Zuleyma Mendez and Luis Garcia (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 1640 East University Avenue, to allow construction of a 140-square foot Gazebo Accessory Building Type and a 80-square foot Outbuilding Accessory Building Type without a principal structure on the property as required per Section 135-2.22.2(C). (10-2021-7.106)

15. Request from Granite Castle, LLC (Owner) represented by Ana Lisia Romo (officer) for review and approval of a Public Hearing Site Plan Amendment for a 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 4552 E 50th Street to remove the public sidewalk shown on the approved Site Plan and allow issuance of Final Certificate of Occupancy for a Fabrication and Production facility with waiver of the required public sidewalk installation per Section 135-8.5.2. (10-2021-7.114)

OTHER ITEMS

16. Committee and Director's Reports.