CITY PLAN AND ZONING COMMISSION
*****AGENDA*****
for the meeting scheduled on
June 17, 2021 at 5:30 P.M.

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 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 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 16, 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/87088209097?pwd=UzlLbEtWczI1RFI3dFkxajg3OGdPdz09

Webinar ID: 870 8820 9097
Passcode: 776420

One-Tap Dialing on iPhone
+13126266799,87088209097# 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: 870 8820 9097
Passcode: 776420

International numbers available: https://dmgov-org.zoom.us/u/kbEWegAQA3

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 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 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: The hearings will begin at 6:00 PM following the scheduled early session.

5:30 Presentation by InvestDSM- Amber Lynch

6:00 ROLL CALL & APPROVAL OF MINUTES FROM JUNE 3, 2021

CONSENT PUBLIC HEARING ITEMS

1. Request from 3524 6th Avenue, LLC (owner), represented by Joseph Cordaro (officer), for vacation of a 5.50-foot by 50.61-foot segment of Air Rights along the west side of 6th Avenue adjoining property located at 3524 6th Avenue, to allow continued encroachment of existing 2nd and 3rd Floor bay window projections with the renovation of the building. (11-2021-1.09)

2. Request from Des Moines Climate Controlled Self Storage, LLC (owner), represented by Mark Bockenstadt (officer), for vacation of the north/south segment of alley Right-Of-Way east of, and adjoining, the property located at 1106 Scott Avenue in the block bounded by East M.L. King Jr. Parkway on the north, Scott Avenue on the south, Southeast 12th Street on the east, and Southeast 10th Street on the west, to allow the property to be assembled with adjoining property for purposes of commercial redevelopment. (11-2021-1.10)
3. Request from JOPPA Cheatom Park, LLC (owner), represented by Joe Stevens (officer), for vacation of the north/south segment of alley Right-of-Way west of, and adjoining, the property at 1010 13th Street, running north from Interstate 235/MacVicar Freeway to the east/west alley in the block bounded by Laurel Street on the north, Interstate 235/MacVicar Freeway on the south, 13th Street on the east, and 14th Street on the west, to allow the property to be assembled with adjoining parcels owned by the applicant. (11-2021-1.11)

4. 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 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 1027 Pennsylvania Avenue, to allow construction of a House D Building Type with in an “NX1” Neighborhood Mix District, to allow waiver of the required garage with provision of a 120-square foot storage shed per Section 135-2.16.3(E)(5). (BLD2021-00611)

5. Request from Todd Albracht and Sarah Fiscus-Albracht (owners) for review and approval of a Public Hearing Site Plan 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 1506 45th Street, to allow construction of a 20-foot by 20-foot detached garage within the front yard of the existing single-household dwelling in an “N5” Neighborhood District where not allowed per Section 135-2.22.1(D)(1). (BLD2021-01330)

6. Request from MidAmerican Energy Company (successor to Iowa Power & Light Company) (owner), represented by Ryan Stansbury (officer), for the following regarding property located at 2399 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 Business Park to Industrial. (21-2021-4.18)

C) Review and approval of a Large-Scale Development Plan for the 15.45 acres for Vehicle Maintenance use and Repair and Outdoor Equipment and Materials Storage use.

D) Rezone property from “EX-V” Mixed Use District to “I2” Industrial District to allow modification of the existing electrical utility service center and to allow for request of a Conditional Use from the Zoning Board of Adjustment for above-ground storage of flammable liquids, which is interpreted as an Intensive Fabrication and Production use, and for a Junk and Salvage Yard use. (ZON2021-00069)

7. Request from Larson Enterprises (owner) represented by John Fitzgerald (officer) for the following regarding the property located at 1600 East Army Post 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 Business Park to Community Mixed Use. (21-2021-4.19)

C) Rezone property from “EX” Mixed Use District to “CX” Mixed Use District, to allow an expansion of the existing Large Format Retail use. (ZON2021-00071)
PUBLIC HEARING ITEMS

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

8. Request from Zaccary Miller and Mason Terwilliger (owners) 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 846 East Broad Street, to retain a detached garage with the rear yard that was built with metal exterior material along with an existing gravel driveway in addition to a second paved driveway added in conjunction with the garage.

A) 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)

B) Allow a detached garage with metal siding and roof material that does not match the existing exterior materials of the principal dwelling per Section 135-2.22.1(D)(7).

9. Request from JP Morgan Chase Bank N.A. (purchaser), represented by Kenneth Collander (officer), for review and approval of a Public Hearing Site Plan "Chase Bank on Ingersoll" 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 3101 Ingersoll Avenue and 608 31st Street, to allow new construction of a Storefront building type for a Financial Service use. The subject property owner is 3101 Ingersoll, LLC (owner) represented by Ronald Daniels (officer). (10-2021-7.87)

A) Allow for a primary frontage setback of 13 ft. where the primary frontage build-to-zone is 0-5 ft. per Section 135-2.5.3.A.3.

B) Allow for a 2-story building where the minimum building height is three (3) stories per Section 135-2.5.3.B.10.

C) Allow for a primary frontage entryway that is not recessed where the primary frontage entryway is required to be recessed between 3 ft. and 8 ft. from the portion of the primary frontage façade closest to the street per Section 135-2.5.3.D.21.

D) Allow for two driveway accesses off the non-primary street where one driveway off each non-primary street is allowed per Section 135-2.5.3.A.9. (Denied Type 1).

10. Request from Flummerfelt Eagle Pointe, LLC (owner), represented by Mike Flummerfelt (officer), for review and approval of a Public Hearing Site Plan with alternative design documentation 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 7002 Indianola Avenue, to allow development of the previously approved Site Plan for a Mobile Home Park with the waiver of the requirement for street trees per Section 135-7.6.4(A). (10-2021-7.124)

OTHER ITEMS

11. Committee and Director’s Reports.