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 the Governor's proclamation on July 25, 2020, extending temporary suspension of open meetings requirements, allowing for electronic meetings in lieu of standard public meeting requirements, the City Manager has determined that to encourage and maintain social distancing to curb the spread of COVID19 in the community, the meeting will be conducted electronically with no public access to the meeting location. 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 meeting 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. August 19, 2020 (Community Development Department, Armory Building, 602 Robert D. Ray Drive, Des Moines, IA 50309; Email Planning@dmgov.org).

To join the Zoom meeting using internet access, go to the following link:

https://zoom.us/s/97877517183?pwd=QzZPMFo5VVpuUGt4ak9ZdDFCeWVKdz09

Webinar ID: 978 7751 7183
Passcode: 571278

To join by one-tap phone:

+13126266799,,97877517183#

To join the Zoom meeting by telephone.

US: +1 312 626 6799 or
877 853 5257 (Toll Free) or
833 548 0276 (Toll Free)

Webinar ID: 978 7751 7183
Passcode: 571278

Find your local number: https://zoom.us/u/abrT5xK5c1

**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. 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 August 6, 2020**

**CONSENT PUBLIC HEARING ITEMS**

1. Request from Bell Avenue Properties, Inc. (owner) represented by Guy Gast (officer) for review and approval of a Preliminary Plat "Airport Industrial Park Plat 3", for property located at 6200 Scout Trail, to define a 27.27-acre development parcel for previous Outlots X and Y in Airport Industrial Park Plat 2, to provide turnaround Right-Of-Way (ROW) for Scout Trail, and to provide ROW to realign Southwest McKinley Avenue.

   (13-2021-1.03)

2. Request from Hotel Francis, LLC (owner), represented by Michael Nelson (officer), for vacation of a 4-foot by 4-foot segment of the south edge of University Avenue adjoining property at 2650 University Avenue, to allow for a door swing and landing for emergency egress only from a restaurant tenant space within the hotel building.

   (11-2020-1.08)
3. Request from RLBR Holdings, LLC (Owner) represented by Robert Bierma (officer) for review and approval of an amendment to a major Preliminary Plat “McKinley Acres” on properties located at 3359 and 3365 McKinley Avenue, to remove the restriction requiring one drive approach access per two lots fronting McKinley Avenue to allow a separate access for each property at 3359 and 3365 McKinley Avenue. (13-2021-1.07)

4. City-initiated request for a Public Hearing Site Plan for a City-owned property located at 1300 Scott Avenue within a “DX2” Downtown District, for request of the following Type 2 Design Alternatives in accordance with Chapter 135 Section 135-9.2.4.C and 135-9.3.1.B, in order to allow reuse of the existing building (Downtown General Building Type) on the property by the City of Des Moines, and to include a surface parking lot with 38 spaces. (10-2021-7.04)
   A) Allow additional on-site surface parking when parking is only permitted within a building, per Section 135-2.4.3.C.17.
   B) Allow 2 additional driveway accesses, for a total of 3, onto Southeast 12 Street, when only 1 driveway access is permitted onto a non-primary street, per Section 135-2.4.3.A.9.

5. Request from 3801 Grand Associates LP (owner), represented by Frank Levy (officer), for review and approval of a “PUD” Final Development Site Plan “3801 Grand Avenue” for property located at 3801 and 3721 Grand Avenue, to allow development of a 4-story independent senior living apartment building in accordance with the 3801 Grand Avenue “PUD” Conceptual Plan requirements. (10-2020-7.126)

6. Request from Lil Brother Construction, LLC (purchaser), represented by Jean Jones (officer), for the following, regarding property located at 2025 East Grand Avenue. The subject property is owned by Cypress Properties, LLC.
   A) Determination as to whether the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.
   B) Amend the PlanDSM Creating Our Tomorrow Comprehensive Plan to revise the future land use designation from Low Density Residential to Industrial. (21-2020-4.17)
   C) Rezone property from “RX1” Mixed Use District to “I1” Industrial District to allow reuse and expansion of the existing building and site for “Office, Business and Industrial Service, Light” uses for a construction and home repair contractor business. (ZON2020-00088)
PUBLIC HEARING ITEMS

7. Request from Menard Inc. (owner), represented by Theron Berg (officer), for the properties located at 6000 Southeast 14th Street; 5907, 5911, and 5917 Southeast 8th Street; and 801 Hart Avenue. Additional subject property is owned by Nicholas Dingeman, Barbara Orr, Kimberly Howland and Carol Shields.

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

B) Amend PlanDSM Creating Our Tomorrow Comprehensive Plan the revise the future land use classification from Low Density Residential within a Regional Node to Community Mixed Use within a Regional Node. (21-2020-4.15)

C) Review and approval of a Large-Scale Development Plan for expansion to existing 20.8-acre site for Retail Sales, Large-Format use.

D) Rezone property from “N3a” Neighborhood District and “MX3-V” Mixed Use District to “CX-V” Mixed Use District to allow the expansion of the existing Menard’s home improvement center Retail Sales, Large Format use with an additional 30,855-square foot warehouse (ZON2020-00084)

8. City-initiated request to rezone property in the vicinity of Southeast 4th Street and East Market Street, generally from the Des Moines River on the west to Southeast 5th Street on the east, and from East Vine Street on the north to East Martin Luther King Jr. Parkway on the south.

A) Vacation of Raccoon Street from Southeast 4th Street to Southeast 5th Street, and the north/south segment of alley between Southeast 4th Street to Southeast 5th Street from Raccoon Street to East Martin Luther King, Jr. Parkway. (11-2020-1.09)

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

C) Review and approval of a Large-Scale Development Plan for the area, and where its adoption would be a revision to the Market District of the East Village Master Plan element of PlanDSM Creating Our Tomorrow Comprehensive Plan. (21-2020-4.16)

D) Rezone property in the area west of Southeast 2nd Street from “DX2” Downtown District to “DXR” Downtown District, and rezone the property in the area east of Southeast 2nd Street from “DX2” Downtown District to “DX1” Downtown District. (ZON2020-00085)
9. Request from Aust Real Estate (owner), represented by Matt Aust (officer), for review and approval of a Site Plan “1201 Keosauqua Way” requiring 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 1201 Keosauqua Way, in order to allow redevelopment of the existing building and site.

(10-2020-7.108)

A) Waiver of the 12-foot wide sidewalk standard that would require the 12th Street curb line to be shifted to the east per Section 135-8.5.

B) Waiver of the sidewalk bump-out standard for the Keosauqua Way and 12th Street intersection per Section 135-8.5.

C) Waiver of the trash enclosure standards that require a pedestrian entrance, a landscape buffer, and space on the property for the gates to swing open without extending into any public right-of-way per 135-7.10.4.

D) Waiver of the minimum number of required off-street parking spaces per Section 135-6.4

E) Waiver of the standard that requires the overhead utilities along Crocker Street to be undergrounded per Section 135-9.2.E.

OTHER ITEMS

10. Committee and Director's Reports.