CITY PLAN AND ZONING COMMISSION
*****AGENDA*****
for the meeting scheduled on
January 16, 2020 at 6:00 P.M.
RICHARD A. CLARK MUNICIPAL SERVICE CENTER
1551 EAST M.L. KING JR. PKWY
2ND FLOOR MSC BOARD ROOM

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 Community Development Department staff for details on Council hearings.
2. Applicant will be given 10 minutes to present the request.
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.
4. Applicant is then allowed five (5) minutes for a rebuttal.
5. The hearing will then be closed and the Commission will discuss and vote on the issue.
6. All comments are to be germane to the item under consideration and speakers are to maintain a courteous manner.
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. Assistive Listening Devices are available for meetings in the MSC Board Room. To better serve you, when possible please notify us at least three business days in advance at 515-283-4209, should special accommodations be required.
9. Plan and Zoning Commission meetings are broadcast on Mediacom Cable Channel 7.1 or 7.2 for customers with that service.
10. Transportation for City of Des Moines meetings can be scheduled to and from DART Central Station at 620 Cherry Street. To reserve your route, please call DART On Call Scheduling at (515) 283-8136. Calls for trips will be accepted up until 5:00 PM of the day prior to the meeting. Please be sure to mention in your request that you require transportation for the City of Des Moines meetings at this location. This notice is intended to comply with accessibility requirements of the Americans with Disabilities Act.

Note: There is not a scheduled early session.

6:00 ROLL CALL & APPROVAL OF MINUTES

CONSENT PUBLIC HEARING ITEMS
1. Request from Jeff and Tonya Nicholson d/b/a P&P Small Engines (owners) for the following for property located at 905 & 909 East 27th Street and 916 & 917 East 27th Court. Additional subject property is owned by JNT Properties, LLC.
   A) Determination as to whether the requested rezoning is in conformance with PlanDSM Creating Our Tomorrow.
   B) Amend PlanDSM Creating Our Tomorrow’s future land use designation from Low Density Residential to Community Mixed Use for property at 905 East 27th Street.

      (21-2019-4.26)
C) Rezone property from “N3c” Neighborhood District to “MX3” Mixed Use District, to bring existing properties used for a small engine sales and service business into conformance with zoning regulations.  
(ZON2019-00238)

2. Request from Scot Dickerson (lessee) for the following for property located at 2415 Ingersoll Avenue. The subject property is owned by Sivi Properties, LLC.

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

B) Rezone property from “MX2” Mixed Use District to “MX3” Mixed Use District, to allow tenant space in the building to be used for animal service and for boarding for a pet day care business.  
(ZON2019-00239)

3. Request from QSL Development, LLC (owner) represented by John Larson (officer) for review and approval of a Preliminary Plat “Woodbury” on property located in the vicinity of the 3401 block of East 56th Street, to allow the property to be divided into 84 lots for one-household development, two (2) lots for multi-household development, and outlots for stormwater management and/or open space. Additional subject property is owned by J Larson Homes, LLC.  
(13-2020-1.30)

4. Request from ND Drake Multifamily, LLC (owner) represented by Michael Nelson (officer) for the following for property located at 2530 University Avenue and 1157, 1159, & 1161 26th Street.

A) Vacation of the following:  
(11-2019-1.30)

1) Adjoining north/south alley between 25th Street and 26th Street from University Avenue to a point 281 feet to the south.
2) Adjoining air rights in a 4-foot by 13-foot segment to the south side of University Avenue and a 2-foot by 28-foot segment to the east side of 26th Street.
3) Adjoining subsurface rights in the south 2 feet of University Avenue and the east 4 feet of 26th Street.

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

C) Amend PlanDSM Creating Our Tomorrow’s future land use designation from Low-Medium Density Residential to Neighborhood Mixed Use on property at 1157 26th Street.  
(21-2019-4.27)

D) Rezone property from “MX1” Mixed Use District and “N5” Neighborhood District to “MX2” Mixed Use District, to allow for a 4-story mixed used building with 136 household units and 6,000 square feet of ground floor retail/office use.  
(ZON2019-00241)
5. City initiated public hearing regarding proposed amendments to the approved Zoning Ordinance in Chapter 134 of the City Code relating to Lodging – Short-Term Commercial Rental uses, non-conforming uses, separation distance requirements for Eating and Drinking Places – Bars uses in an MX2 Mixed Use District, and regarding proposed amendments to the approved Zoning Map relating to portions of Legacy PUD Districts that are erroneously shown as Flood Districts.

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

B) Adoption of proposed amendments to the approved Zoning Ordinance and approved Zoning Map. (10-2019-5.03)

Item 6 is continued from the November 21, 2019 and December 19, 2019 meetings of the Commission.

6. Request from 2701 Ingersoll, LLC (owner) represented by Todd Millang (officer), for review and approval of a Site Plan “Millang Retail Center” under design guidelines for “NPC” Districts on property at 2701 Ingersoll Avenue, to allow development of the property with a 5,850-square foot commercial center. (10-2020-7.42)

7. Request from 301 Grand, LC (owner) represented by Kent Mauck (officer), for an appeal of a Site Plan “RDG Planning & Design Remodel” that was denied administratively for property located at 301 Grand Avenue, to allow waiver of the requirement for a street light fixture replacement with a black fixture type with banner-strength pole and proper footing, and to include reinstallation of electronic parking directional sign on 3rd Street. (10-2020-7.50)

8. Request from Hope Ministries Center for Women and Children (applicant), represented by Leon Negen (officer), for the following requests on property located at 3800 East Douglas Avenue. The subject property is owned by Experience Church of the Open Bible.

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


C) Rezone property from “R1-60” One-Family Low-Density Residential District to “PUD” Planned Unit Development District. (ZON2019-00236)

D) Approval of a PUD Conceptual Plan “Hope Ministries Center for Women and Children”, to allow the existing church to be converted to a 50-bed shelter for the homeless and 50-bed supervised group residence for only women and children. The proposed use would also include classroom, office, and daycare space.
9. Request from Newbury Living (applicant) represented by Frank Levy (officer) for the following for property located at 3801, 3721, 3707 and 3705 Grand Avenue and 3810 Ingersoll Avenue. The subject property is owned by 3801 Grand Associates, LP; Arbor Cooperative Housing Association; and Eureka Group, LLC.

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

   B) Rezone property from “R-4” Multiple-Family Residential District and “NPC” Neighborhood Pedestrian Commercial District to “PUD” Planned Unit Development District. (ZON2019-00237)

   C) Approval of a PUD Conceptual Plan “3801 Grand Avenue”, to allow development of a 4-story 55-unit independent senior living apartment building, in addition to an existing 4-story 35-unit independent senior living apartment building, an existing 3-story 55 unit assisted living apartment building, and an existing 2-story 5,720-square foot office building.

10. Request from Lucky Gal I, Inc. (owner) represented by Chris Pruisner (officer) for the following for property located at 3104 Southwest 9th Street.

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

   B) Rezone property from “RX1” Mixed Use District to “MX1” Mixed Use District, to allow use of the building for an amusement arcade (Sports and Recreation, Private/Participant - Indoor) use. (ZON2019-00240)

**OTHER ITEMS**

11. Committee and Director’s Reports.