

Date..... February 14, 2011

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on January 20, 2011, its members voted 11-0 support of a motion to recommend **APPROVAL** of a request from Git-N-Go Convenience Stores, Inc. (owner), to rezone property located at 9536 County Line Road from Limited "C-2" General Retail and Highway-Oriented Commercial District to "PUD" Planned Unit Development, and additional property owned by West Lakes Properties, LC. from "A-1" Agricultural District to "PUD" Planned Unit Development.

The subject property is more specifically described as follows:

**"A-1" to "PUD" Area**

A PARCEL OF LAND IN THE EAST 1/2 OF SECTION 4, TOWNSHIP 77 NORTH, RANGE 24 WEST OF THE 5TH P.M., WARREN COUNTY, IOWA, THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST 1/4 CORNER OF SAID SECTION 4; THENCE S89°36'23"E, 1308.50' ALONG THE SOUTH LINE OF THE NE 1/4 OF SAID SECTION 4; THENCE N00°56'49"W, 90.00 FEET TO A POINT; THENCE S89°53'46"E, 1308.50' FEET TO A POINT ON THE EAST LINE OF SAID SECTION 4; THENCE S00°04'28"E, 90.00 FEET ALONG THE EAST LINE OF SAID SECTION 4 TO THE POINT BEGINNING.

**"C-2" to "PUD"**

A PARCEL OF LAND IN THE EAST 1/2 OF SECTION 4, TOWNSHIP 77 NORTH, RANGE 24 WEST OF THE 5TH P.M., WARREN COUNTY, IOWA, THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 4; THENCE S00°07'58"E, 40.00 FEET ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 4 TO THE POINT OF BEGINNING; THENCE CONTINUING S00°07'58"E, 176.03 FEET ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 4 TO A POINT; THENCE S89°58'59"E, 225.33 FEET TO A POINT; THENCE N00°10'46"E, 175.69 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF COUNTYLINE ROAD; THENCE N89°53'48"W, 225.19 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING AND CONTAINING 0.91 ACRES MORE OR LESS.

**Existing PUD with areas to be rezoned PUD added**

A PARCEL OF LAND IN THE EAST 1/2 OF SECTION 4, TOWNSHIP 77 NORTH, RANGE 24 WEST OF THE 5TH P.M., WARREN COUNTY, IOWA, THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

February 14, 2011

Date

-2-

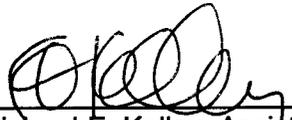
BEGINNING AT THE EAST 1/4 CORNER OF SAID SECTION 4; THENCE S89°36'23"E, 1308.50' ALONG THE SOUTH LINE OF THE NE 1/4 OF SAID SECTION 4; THENCE N00°56'49"W, 645.18 FEET TO THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 4; THENCE S89°45'16"W, 1318.40 FEET ALONG THE NORTH LINE OF SAID SOUTH 1/2 TO A POINT ON THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 4; THENCE N00°07'58"W, 1946.66 FEET ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 4 TO A POINT; THENCE S89°53'48"E, 2197.95 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF COUNTYLINE ROAD TO A POINT; THENCE S00°07'32"E, 800.00 FEET TO A POINT; THENCE S89°53'46"E, 440.00 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 4; THENCE S00°04'28"E, 1790.32 FEET ALONG THE EAST LINE OF SAID SECTION 4 TO THE POINT BEGINNING AND CONTAINING 128.97 ACRES MORE OR LESS.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. That the meeting of the City Council at which the proposed rezoning is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on February 28, 2011, at which time the City Council will hear both those who oppose and those who favor the proposal.
2. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

FORM APPROVED:

MOVED by \_\_\_\_\_ to adopt.

  
 Michael F. Kelley, Assistant City Attorney

(ZON2010-00228)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED			APPROVED	

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

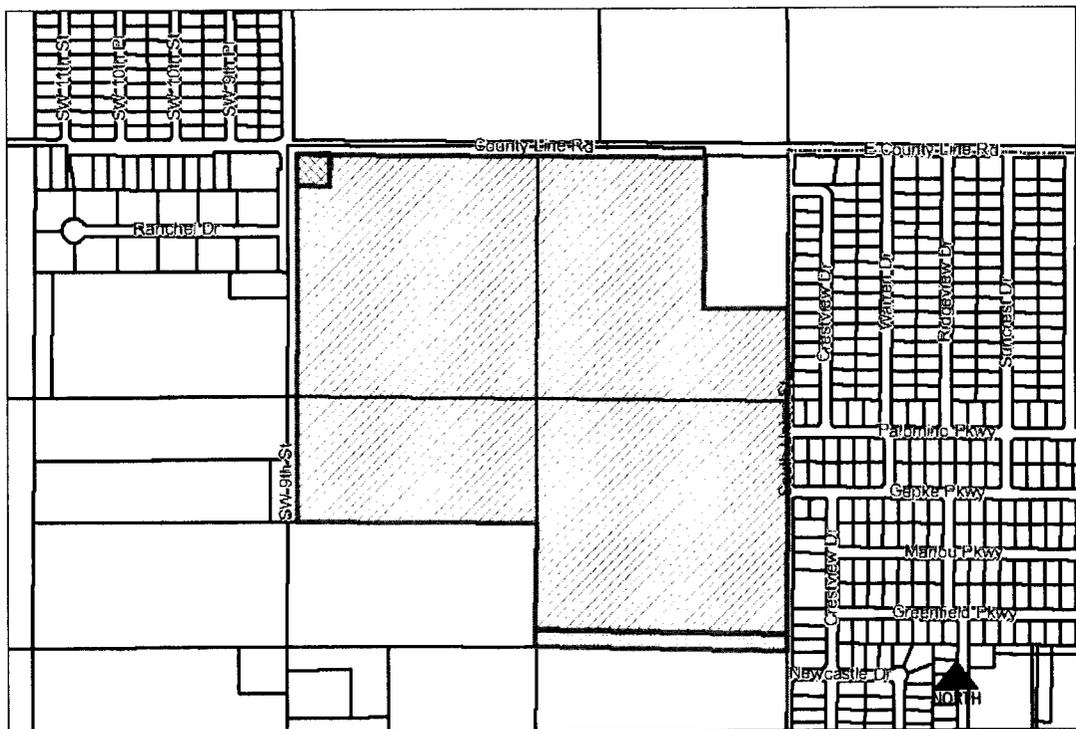
\_\_\_\_\_  
 Mayor

\_\_\_\_\_  
 City Clerk

Request from Git-N-Go Convenience Stores, Inc. (developer) represented by Peter Klindt (officer) to rezone property located at 9536 County Line Road.		<b>File #</b> ZON2010-00228		
<p>B) Rezone property from Limited "C-2" General Retail and Highway-Oriented Commercial District to "PUD" Planned Unit Development and additional property owned by West Lakes Properties, LC. from "A-1" Agricultural District to "PUD" Planned Unit Development.</p> <p>C) Amend the Southern Ridge PUD Conceptual Plan to incorporate the property at 9536 County Line Road and allow the existing convenience store site to be redeveloped with a 3,000 square foot convenience store building and 12 fueling locations.</p>				
<b>Description of Action</b>	Review and approval of rezoning property located at 9536 County Line Road and review and approval of an amendment to the Southern Ridge PUD Conceptual Plan.			
<b>2020 Community Character Plan</b>	Low-Density Residential, Low/Medium Density Residential, Park/Open Space, Commercial: Auto-Oriented Small-Scale Strip Development			
<b>Horizon 2035 Transportation Plan</b>	No Planned Improvements			
<b>Current Zoning District</b>	"A-1" Agricultural District , "C-2" General Retail and Highway-Oriented Commercial District and "PUD" Planned Unit Development District			
<b>Proposed Zoning District</b>	"PUD" Planned Unit Development District			
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area	5	3		
Outside Area				
<b>Plan and Zoning Commission Action</b>	Approval	11-0	<b>Required 6/7 Vote of the City Council</b>	Yes
	Denial			No

Git-N-Go/Southern Ridge Rezoning & PUD Amendment - 9536 SW 9th St

ZON2010-00228



"C-2" Area to be rezoned to "PUD"
  "A-1" Area to be rezoned to "PUD"
  Existing "PUD" to be amended

January 27, 2011

Agenda Item

35

Roll Call #

Honorable Mayor and City Council  
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held January 20, 2011, the following action was taken:

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 11-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
JoAnne Corigliano	X			
Shirley Daniels	X			
Jacqueline Easley	X			
Dann Flaherty	X			
Joel Huston				X
Ted Irvine	X			
Greg Jones	X			
Jim Martin				X
Brian Millard	X			
William Page	X			
Mike Simonson	X			
Kent Sovern	X			



CITY PLAN AND ZONING COMMISSION  
 ARMORY BUILDING  
 602 ROBERT D. RAY DRIVE  
 DES MOINES, IOWA 50309 -1881  
 (515) 283-4182

ALL-AMERICA CITY  
 1949, 1976, 1981  
 2003

**APPROVAL** of a recommendation that the request from Git-N-Go Convenience Stores, Inc. (owner), Additional property owned by West Lakes Properties, LC property located at 9536 County Line Road be found in conformance with the Des Moines' 2020 Community Character Plan; and to **approve** the requested rezoning and Conceptual Plan amendment, subject to the following conditions: ZON2010-00228

- 1) Any gas station/convenience store shall be developed in compliance with the City's Gas Station/Convenience Store Site Plan Design Guidelines (Section 82-214.8) as demonstrated at the Development Plan stage.
- 2) Provision of cross-access easements for the adjoining neighborhood commercial properties.
- 3) Provision of sidewalk connections to Parcel 13 and 14.
- 4) Fuel canopy columns shall be wrapped with masonry material that matches the primary building.
- 5) All roof top mechanical equipment shall be screened by the building's parapet wall or other material as approved by the Community Development Director.
- 6) Compliance with the City's Landscape and Buffering Standards as applicable in the "C-2" District to the satisfaction of the Community Development Director.

- 7) All display items for sale, excluding seasonal items (i.e., sand, salt, pop, firewood) shall be located within the main building. All outdoor display of seasonal items shall be identified on the Development Plan and be located outside of any required setbacks. No display of seasonal items shall exceed 5' in height.

### Written Responses

- 5 In Favor
- 3 In Opposition

### **STAFF RECOMMENDATION TO THE P&Z COMMISSION**

Part A) Staff recommends the Plan and Zoning Commission find the requested rezoning in conformance with the existing Des Moines' 2020 Community Character Plan.

Parts B & C) Staff recommends approval of the proposed rezoning and Conceptual Plan amendment, subject to the following conditions:

- 1) Any gas station/convenience store shall be developed in compliance with the City's Gas Station/Convenience Store Site Plan Design Guidelines (Section 82-214.8) as demonstrated at the Development Plan stage.
- 2) Provision of cross-access easements for the adjoining neighborhood commercial properties.
- 3) Provision of sidewalk connections to Parcel 13 and 14.
- 4) Fuel canopy columns shall be wrapped with masonry material that matches the primary building.
- 5) All roof top mechanical equipment shall be screened by the building's parapet wall or other material as approved by the Community Development Director.
- 6) Compliance with the City's Landscape and Buffering Standards as applicable in the "C-2" District to the satisfaction of the Community Development Director.
- 7) All display items for sale, excluding seasonal items (i.e., sand, salt, pop, firewood) shall be located within the main building. All outdoor display of seasonal items shall be identified on the Development Plan and be located outside of any required setbacks. No display of seasonal items shall exceed 5' in height.

### **STAFF REPORT**

#### **I. GENERAL INFORMATION**

1. **Purpose of Request:** The applicant currently operates a convenience store at this location and wishes to redevelop the site with a new store and fueling area. To accommodate this they need to acquire additional land from the adjoining property owner. The adjoining property owner, West Lakes Properties, LC, owns approximately 128 acres of undeveloped land that was rezoned to the Southern Ridge "PUD" in 2007. The Southern Ridge "PUD" Concept Plan includes a neighborhood commercial area generally around the existing convenience store site.

The southernmost 90 feet of land owned by West Lakes Properties, L.C. is zoned "A-1" District even though the property is shown in the Southern Ridge "PUD" Concept Plan. At the time the Southern Ridge "PUD" was approved this area was not within the City Limits. In accordance with the State Code, the property was automatically zoned "A-1" Agricultural District at the time of annexation in 2009. For the approved street and the

single-family lot layout to work in the approved Concept Plan to be realized, the “A-1” strip needs to be rezoned to “PUD.”

No additional changes to the design, layout or standards of the areas currently included in the Southern Ridge PUD are proposed.

2. **Size of Site:** Approximately 129 acres.

3. **Existing Zoning (site):** Limited “C-2” District, “PUD” District, and “A-1” District.

4. **Existing Land Use (site):** Convenience store and undeveloped land.

5. **Adjacent Land Use and Zoning:**

*North* – “R1-80”; Use is the Blank Park Golf Course.

*South* – “PUD”; Use is undeveloped land.

*East* – “PUD”; Use is undeveloped land

*West* – “A-1”; Uses consist of undeveloped land and single-family residential.

6. **General Neighborhood/Area Land Uses:** The proposed development is located in the southwest portion of the City in an area that transitions from urban development to agricultural uses along the City’s southern corporate limits. The site is located at the southeast corner of County Line Road and SW 9<sup>th</sup> Street.

7. **Applicable Recognized Neighborhood(s):** None.

8. **Relevant Zoning History:** On December 19, 2005, the City Council approved Ordinance Number 14,526 rezoning the existing convenience store site to a Limited “C-2” District subject to the prohibition of the following uses.

- 1) Adult Entertainment Business.
- 2) Off-premises advertising.
- 3) Taverns and nightclubs.
- 4) Vehicle display lots.

On August 20, 2007 the City Council approved Ordinance Number 14,697 rezoning the land owned by West Lakes Properties, LC. to “PUD” and approved the Southern Ridge PUD Concept Plan.

9. **2020 Community Character Land Use Plan Designation:** Commercial” Auto-Oriented Small-Scale Strip Development, Low/Medium Density Residential, Low-Density Residential and Park/Open Space.

10. **Applicable Regulations:** The Commission reviews all proposals to amend zoning regulations or zoning district boundaries within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in §414.3 of the Iowa Code. The Commission may recommend that certain conditions be applied to the subject property if the property

owner agrees in writing, in addition to the existing regulations. The recommendation of the Commission will be forwarded to the City Council.

## **II. ADDITIONAL APPLICABLE INFORMATION**

- 1. Drainage/Grading:** The applicant must comply with the City's storm water management, soil erosion protection and grading requirements as approved by the City's Permit and Development Center's engineering staff during the Development Plan (site plan) and platting stages.
- 2. 2020 Community Character Plan:** The proposed rezoning conforms to the Des Moines' 2020 Community Character Plan Future Land Use designation of Commercial: Auto-Oriented Small-Scale Strip Development and Low-Density Residential.
- 3. Traffic/Street System:** The site would have a driveway to SW 9<sup>th</sup> Street to the west and a driveway to County Line Road to the north. The Conceptual Plan also shows drives to the planned commercial property to the east and south for future internal circulation. The City's Traffic and Transportation Division has reviewed the proposed layout and approved the location of the driveways and cross access points.
- 4. Parking:** The City's standard off-street parking requirement for retail uses with fuel sales is 1 parking space per 300 square feet. This would require a minimum of 10 spaces for a 3,000-square foot building. The submitted Concept Plan includes 16 spaces. Staff believes that this is an appropriate number of stalls.
- 5. Urban Design:** Staff believes that the proposed convenience store project should be developed in accordance with the City's Gas Station/Convenience Store Site Plan Design Guidelines. The following are the guidelines as listed in Chapter 82 of the City Code (Section 82-214.8) with staff comments as appropriate in italics.

### Site Design

- A. The optimal layout of any individual site requires an in-depth understanding of local context and a thorough site analysis. The components of a gas station and convenience store to be considered in site design include, but are not limited to:
  - (i) Primary structure/retail sales building/single or multiple tenant;
  - (ii) Pump island, canopy structure, and lighting;
  - (iii) Refuse, service and storage area;
  - (iv) Circulation systems and parking;
  - (v) Service bays;
  - (vi) Ancillary uses such as car washes, drive through uses, ATMs and telephones.
- B. Maximum size of site should not exceed two (2) acres without a rezoning to a PUD Planned Unit Development pursuant to Chapter 134, Division 13 of the Municipal Code of the City of Des Moines and site review under a Conceptual Plan approved by the Plan and Zoning Commission and City Council.
- C. Minimum open space should be 20% of the site or 1,000 square feet per vehicle fueling location, whichever is greater.

*The site measures 1.39 acres or 60,548 square feet and would contain 12 fueling locations. A minimum of 12,110 square feet of open space is required to meet this*

*guideline. The submitted Concept Plan shows that the site would have approximately 17,000 square feet of open space, which meets this guideline.*

D. All development proposals should show evidence of coordination with the site plan as well as arrangement of buildings and planning elements of neighboring properties by:

- (i) Responding to local development patterns and the streetscape by use of consistent building setbacks, orientation and relationship of structures to the street and linkages to pedestrian facilities;
- (ii) Seeking shared-access with adjoining commercial uses where feasible to minimize curb cuts and enhance pedestrian and vehicular circulation;
- (iii) Minimizing cross traffic conflicts within parking areas.

*The proposed setbacks and site orientation is within the anticipated character of the future commercial development to the south and east as well as the likely development pattern of the vacant "C-1" zoned property to the west.*

*The submitted Conceptual Plan includes drive connection points to the undeveloped commercial sites to the east and south. Staff believes that sidewalks should also be extended to the property lines to provide pedestrian connection points to adjoining commercial and residential areas.*

E. The site plan shall mitigate the negative impacts from site activities on adjoining uses as follows:

- (i) Service areas, storage areas and refuse enclosures should be oriented away from public view and screened from adjacent sites;
- (ii) Drive-through windows, menu boards and associated stacking lanes should be oriented away from residential areas or screened from public view;
- (iii) Auto repair bay openings and car-wash openings should be oriented away from residential uses;
- (iv) Lighting should be non-invasive to adjoining residential use.

F. The site plan shall provide identifiable pedestrian access from adjoining public pedestrian routes through the site to the primary building and from accessory functions within the site. This can be accomplished by use of special paving colors or textures and appropriately scaled lighting.

### Architecture

- A. The following architectural guidelines encourage creative response to local and regional context and contribute to the aesthetic identity of the community.
- B. Building design should consider the unique qualities and character of the surrounding area and be consistent with the city's 2020 Character Area Plans. Where character is not defined by 2020 Community Character Plan, building design should be of a high quality with primary use of durable materials such as masonry, block, or stone.
- C. A facility occupying a pad or portion of a building within a larger commercial center should be designed to reflect the design elements of that center.
- D. Drive-through elements should be integrated into the building rather than appear to be applied or "stuck-on" to the building.

- E. All sides of a building should express consistent architectural detail and character, with a primary use of durable materials such as brick, masonry block, or in special instances a predominant material found in the surrounding commercial area. Columns should be designed to minimize visual impact.
- F. Walls, pump island canopies and other outdoor covered areas should be compatible with the building, using similar material, color and detailing.
- G. To encourage visually interesting roofs, variations in the roof line and treatments such as extended eaves and parapet walls with cornice treatments are encouraged.
- H. Perceived height and bulk should be reduced by dividing the building mass into smaller-scaled components. Examples of treatments that could be used to avoid excessive bulk and height include:
  - (i) Low-scale planters and site walls.
  - (ii) Wainscot treatment.
  - (iii) Clearly pronounced eaves or cornices.
  - (iv) Subtle changes in material color and texture.
  - (v) Variation in roof forms.
  - (vi) Covered pedestrian frontages and recessed entries.
  - (vii) Deeply set windows with mullions.

*The Southern Ridge PUD includes additional commercial area to the south and east of the proposed convenience store site. The existing Concept Plan does not identify a design for these areas but it does include the following architectural requirements for commercial development.*

*“Buildings shall have a traditional architectural style and the predominant building material shall be architectural block and/or brick emulating stone products. Shopping center buildings shall have a arcade front design to protect pedestrians from the elements and encourage patronage of multiple businesses, unless determined to be unnecessary for such purposes by reason of the building’s design or tenancy or inappropriate for the architectural style. Side and rear elevations shall be comprised of the same materials and reasonably similar in character and quality unless screened from public street and residential areas by topographic differences, plan materials, or other screening devices, in which case building materials may be painted concrete block or tilt-up concrete panels. Colors shall be restricted to muted shades except for signage and architectural accents. Structures built after the initial structure shall repeat the building shapes, forms, materials, color and architectural features found in nearby buildings, while at the same time allowing individual expression by the architect.”*

*“Other wall materials and colors may be approved for the initial building if appropriate to a particular architectural theme which is appropriate to this neighborhood, that is, a traditional design portraying an image of conservative quality and durability. Standardized architecture conveying a corporate identity such as that commonly associated with fast-food chains, convenience stores and service stations, or any architectural style or treatment that could be considered faddish or stylish is discouraged unless appropriate to the overall architectural theme. Metal panels shall not be permitted.”*

*The proposed building would be sided with brick on all facades and would include two soldier course rows to visually break up the building. The building would have a canopy over the front to provide a covered pedestrian area. Staff believes that the proposed design meets these guidelines and the Southern Ridge Concept Plan architectural standards.*

I. Canopies:

- (i) Integration of materials on canopies that are similar or compatible to those used on the building or site walls is desirable (e.g., wrap the canopy columns with brick that matches the building). Multiple canopies or canopies that express differing masses are encouraged.

*The proposed canopy would be sided with a metal material and supported by metal columns. Staff believes that the columns need to be wrapped in masonry that matches the building for this guideline to be met.*

- (ii) Canopy height should not be less than 13'- 9" as measured from the finished grade to the lowest point on the canopy fascia. The overall height of canopies should not exceed 18'.

*The submitted information does not address this guideline. Staff recommends that approval be subject to meeting this guideline.*

- J. All display items for sale, excluding seasonal items (i.e., sand, salt, pop, firewood) should be located within the main building. All outdoor display of seasonal items shall be identified on the site plan and be located outside of any required setbacks. No display of seasonal items should exceed 5' in height.

*Staff recommends that meeting this guideline be a condition of approval.*

Landscape Design

- A. Landscaping is integral to the overall design concept and should be carefully planned to enhance the overall appearance and function of the site.
- B. Landscape buffers with screen fencing should mask the site from adjacent residential uses. Plantings that exceed the minimum Des Moines Landscaping Standards may be required.
- C. Dense landscaping or architectural treatments should be provided to screen unattractive views and features such as storage areas, trash enclosures, utility cabinets and other similar elements.
- D. A site design for projects located at a street intersection should provide special landscape treatments, including by way of example perennial plant beds, site walls, native grasses, decorative sign foundations and housing.
- E. Proper maintenance and timely replacement of plant material is required and will be enforced based on the approved site plan.
- F. Monument signs are encouraged and are required when the site adjoins a residential district.

*The submitted Concept Plan does not identify landscaping or fencing. Staff believes there is adequate area shown on the Concept Plan to provide space for landscape and screening material. Staff recommends approval be subject to the site being developed in compliance these guidelines as well as the City's Landscape Standards for the "C-2" District.*

*The submitted Concept Plan includes a single monument sign for the proposed convenience store. The sign would measure 9.08 feet by 12 feet.*

## Lighting

- A. Lighting of gas stations and convenience stores should enhance safety and provide light levels appropriate to the visual task with minimal glare, light trespass and excess site brightness. Lighting should not be a nuisance or a hazard.
- B. Direct light trespass beyond property lines is prohibited. The maximum horizontal illuminance at grade and the maximum vertical illuminance at five feet above grade measured at the property line should not exceed Illuminating Engineering Society of North America (IESNA) recommended practices for light trespass. (0.5 footcandles for residential, 2.0 footcandles for commercial). The site plan must contain illuminance models showing light levels throughout the site.
- C. Light fixtures mounted under canopies should be completely recessed into the canopy with flat lenses that are translucent and completely flush with the bottom surface (ceiling) of the canopy. Generally, lights shall not be mounted on the top or sides (fascias) of the canopy and internally illuminated/entirely translucent canopies should be prohibited. However, accent lighting on the sides (fascias) of the canopy may be permitted.
- D. Parking Lot and Site Lighting:
  - (i) All luminaries should be of full cut-off design, aimed downward and away from the property line;
  - (ii) Maximum pole heights should not exceed 20'.
- F. Building-Mounted Lighting:
  - (i) All luminaries should be a full cut-off design and aimed downward.
  - (ii) All luminaries should be recessed or shielded so the light source is not directly visible from the property line.

*The submitted information does not address lighting. Staff recommends that meeting these guidelines be a condition of approval.*

## **SUMMARY OF DISCUSSION**

Jason Van Essen presented the staff report and recommendation.

Brian Millard asked about the parapet wall

JoAnne Corigliano asked about the pumping station and if the building going to be a masonry.

Jason Van Essen confirmed the design in the PUD document the applicant submitted includes masonry materials and shows soldier coursing and accent blocks on the corners.

JoAnne Corigliano asked is this building going to get any landscape screening.

Jason Van Essen confirmed that at the development plan stage, staff is recommending that the applicant be required to follow not only the landscaping requirements that are in the gas station and convenient store design guidelines but also to meet the typical C-2 landscaping standards.

Dann Flaherty asked about the proximity of this development to the Highway-5 planning area.

Mike Ludwig stated the PUD was forwarded to the consultants that were working on Highway 5 project and asked for their input on the street layouts and land use to make sure it worked with what they were proposing.

Dann Flaherty expressed concern about the sight lines. Is this building going to affect the sight lines at the intersection of SW 9<sup>th</sup> and County Line Road?

Jason Van Essen stated he talked to traffic and transportation staff about the location and how the site was laid out. Traffic approved the location of driveways and felt the distances from the corner are appropriate. The future right-of-way was accounted for during platting of the property.

Caleb Smith 8101 Birchwood Court, Johnston, IA stated that the applicant is in agreement with staff recommendation.

### **CHAIRPERSON OPENED THE PUBLIC HEARING**

*There was no one to speak in opposition of applicant's request*

Celia Backstrom 8069 Crestview Drive asked if there will be any cost to the present residents in Greenfield Plaza right now in regards to the sanitary sewer or any other cost for the new home addition.

Mike Ludwig stated that Greenfield Plaza is still in the county, it was not annexed. Therefore, it has a private sanitary sewer system that serves that development. This project will not be utilizing that sanitary sewer system. Greenfield Plaza will remain on its own system. The developer of this project will be responsible for extending sewer to and through their own project.

### **COMMISSION ACTION**

Brian Millard moved staff recommendation Part A) To find the requested rezoning in conformance with the existing Des Moines' 2020 Community Character Plan.

Parts B & C) To approve the proposed rezoning and Conceptual Plan amendment, subject to the following conditions:

- 1) Any gas station/convenience store shall be developed in compliance with the City's Gas Station/Convenience Store Site Plan Design Guidelines (Section 82-214.8) as demonstrated at the Development Plan stage.
- 2) Provision of cross-access easements for the adjoining neighborhood commercial properties.
- 3) Provision of sidewalk connections to Parcel 13 and 14.
- 4) Fuel canopy columns shall be wrapped with masonry material that matches the primary building.
- 5) All roof top mechanical equipment shall be screened by the building's parapet wall or other material as approved by the Community Development Director.
- 6) Compliance with the City's Landscape and Buffering Standards as applicable in the "C-2" District to the satisfaction of the Community Development Director.

- 7) All display items for sale, excluding seasonal items (i.e., sand, salt, pop, firewood) shall be located within the main building. All outdoor display of seasonal items shall be identified on the Development Plan and be located outside of any required setbacks. No display of seasonal items shall exceed 5' in height.

Motion passed 11-0.

Respectfully submitted,



Michael Ludwig, AICP  
Planning Administrator

MGL:clw

Attachment

Item 2010-228 Date 1-13-11

I (am) (am not) in favor of the request.

(Circle One) **RECEIVED** Print Name Darin Dueling  
**COMMUNITY DEVELOPMENT** Signature Darin Dueling  
JAN 24 2011 Address 110 Geppke Pkwy Dsm IA 50320

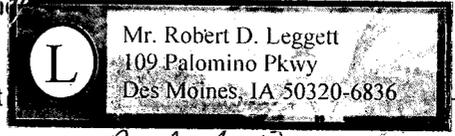
Reason for **DEPARTMENT** approving this request may be listed below:

I do not want low income housing next to me.  
Why build new homes when housing market has not  
recovered. Use in Des Moines still has not recovered.

Item 2010-00228 Date \_\_\_\_\_  
2010-228

I (am) [redacted] in favor of the request.

(Circle One) **RECEIVED** Print [redacted]  
**COMMUNITY DEVELOPMENT** Signature Robert D Leggett  
JAN 18 2011 Address \_\_\_\_\_



Reason for opposing or approving this request may be listed below:

City County Service will get  
for income - taxes and other  
government charge will be greatly  
increased

Item 2010-00228 Date 1-17-11

I (am)  (am not) in favor of the request.

**RECEIVED**  
**COMMUNITY DEVELOPMENT**

JAN 25 2011

Name MARCINE BRAND

Signature Marcine Brand

Address 7907 SW 9th Pl

Reason for opposing or approving this request may be listed below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Item 2010-00228 Date 1-18-11

I (am)  (am not) in favor of the request.

**RECEIVED**  
**COMMUNITY DEVELOPMENT**

JAN 21 2011

Name Fred Duffield

Signature Fred Duffield

Address 8038 Crestview Dr SW In some

Reason for opposing or approving this request may be listed below:

It will just make more  
traffic for an already busy area.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Item 2010-00228 Date 1-17-11

35

(am) (am not) in favor of the request.

39

**RECEIVED**  
COMMUNITY DEVELOPMENT  
Print Name Keith McELDERRY

JAN 21 2011 Signature [Signature]

DEPARTMENT Address 8062 CRESTVIEW DR. DMIA50320

Reason for opposing or approving this request may be listed below:

I use the GITE60 SEVERAL TIMES A MONTH &  
FIND IT PREFERABLE TO DRIVING INTO DM PROPER.

Item 2010-00228 Date 1-17-11

(am) (am not) in favor of the request.

**RECEIVED**  
COMMUNITY DEVELOPMENT  
Print Name Bill Knapp II

JAN 21 2011 Signature [Signature]

DEPARTMENT Address 4949 West Atterbury, SE200  
West Palm Beach, FL 33411

Reason for opposing or approving this request may be listed below:

SUBJECT PROPERTY

Item 2010-00228

Date 1-13-11

35

I  (am) (am not) in favor of the request.

**RECEIVED**  
**COMMUNITY DEVELOPMENT**

JAN 18 2011

**DEPARTMENT**

Print Name DAVE DENNY

Signature [Signature]

Address 8066 Crestview

Reason for opposing or approving this request may be listed below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Item 2010-00228

Ronnie Carolyn Power Date 1-13-11

We are

I (am) (am not) in favor of the request.

**RECEIVED**  
**COMMUNITY DEVELOPMENT**

JAN 18 2011

**DEPARTMENT**

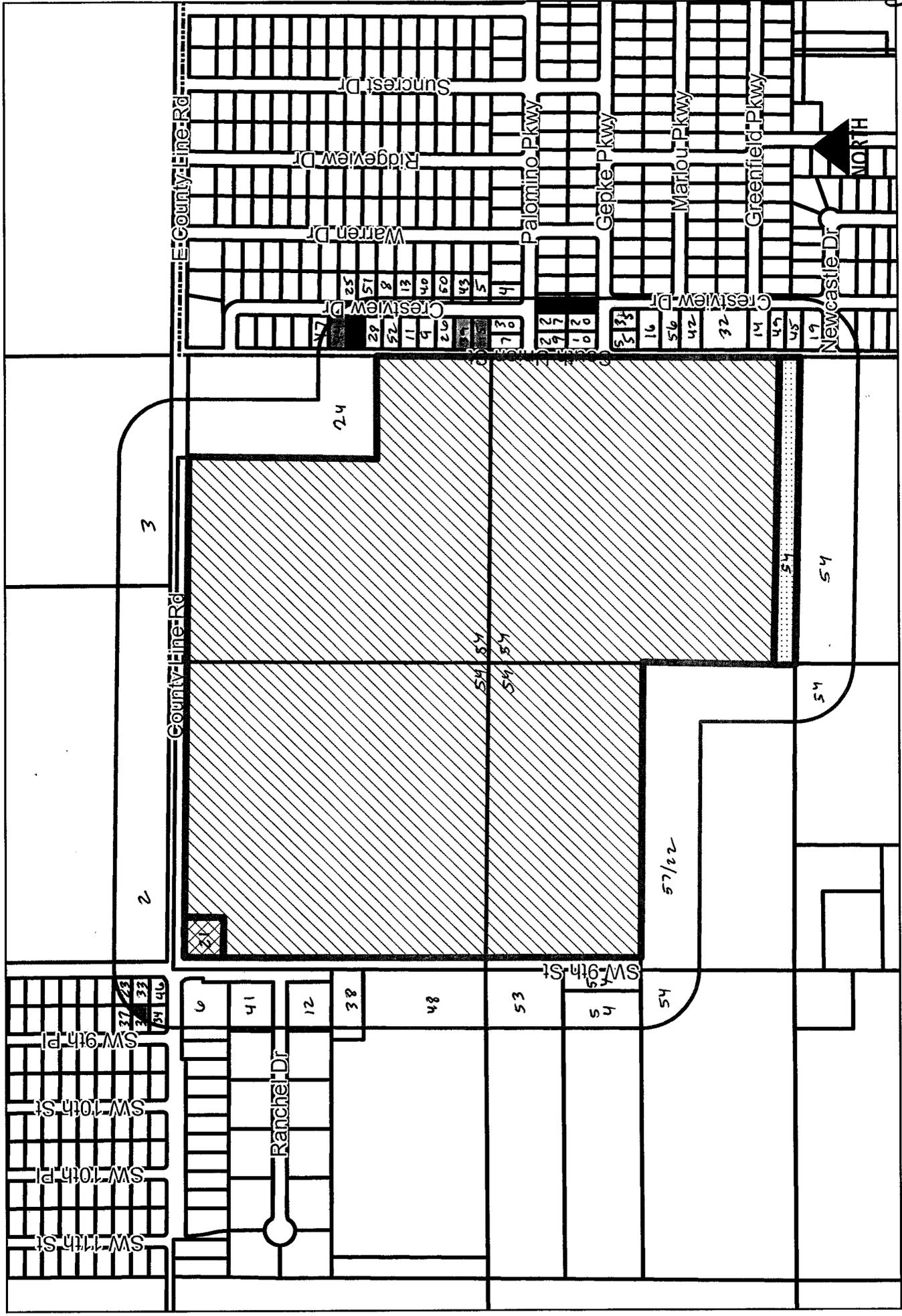
Print Name Carolyn Power

Signature [Signature]

Address 8034 Crestview Dr

Reason for opposing or approving this request may be listed below:

Needs to be updated  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



"C-2" Area to be rezoned to "PUD"



"A-1" Area to be rezoned to "PUD"



Existing "PUD" to be amended

35