

Date March 11, 2013

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on February 28, 2013, its members voted 11-0-1 in support of a motion to recommend **APPROVAL** of a request from Quik Trip Corporation (developer) represented by Michael Talcott (officer) for vacation of the east/west and north/south segments of alley south of University Avenue between 6th Avenue and 7th Street for property located at 614 University Avenue subject to the following:

1. Provision of necessary easements for the existing public storm and sanitary sewers within the alley in accordance with requirements of the Public Works Department.
2. Dedication of additional 4.5 feet of right-of-way along University Avenue west of the drive entrance and along 6th Avenue so that there is a minimum of 12 feet right-of-way from the street curb to the property line along that street side.

MOVED by _____ to receive and file and refer to the Engineering Department, Real Estate Division.

FORM APPROVED:



Michael F. Kelley
Assistant City Attorney

(11-2013-1.02)

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

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.

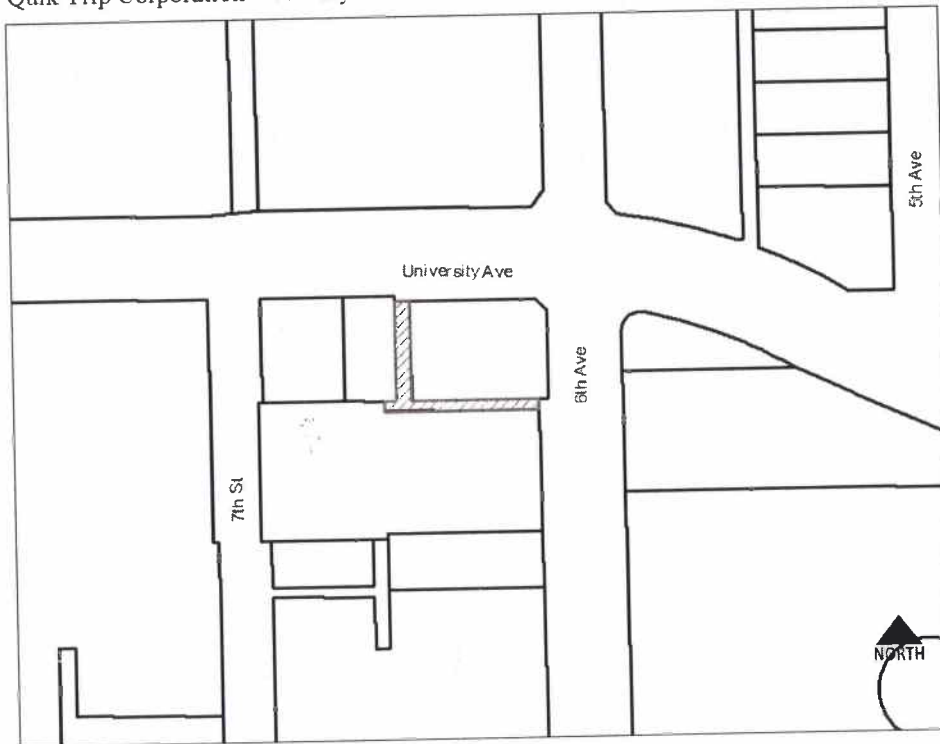
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ City Clerk

ISA

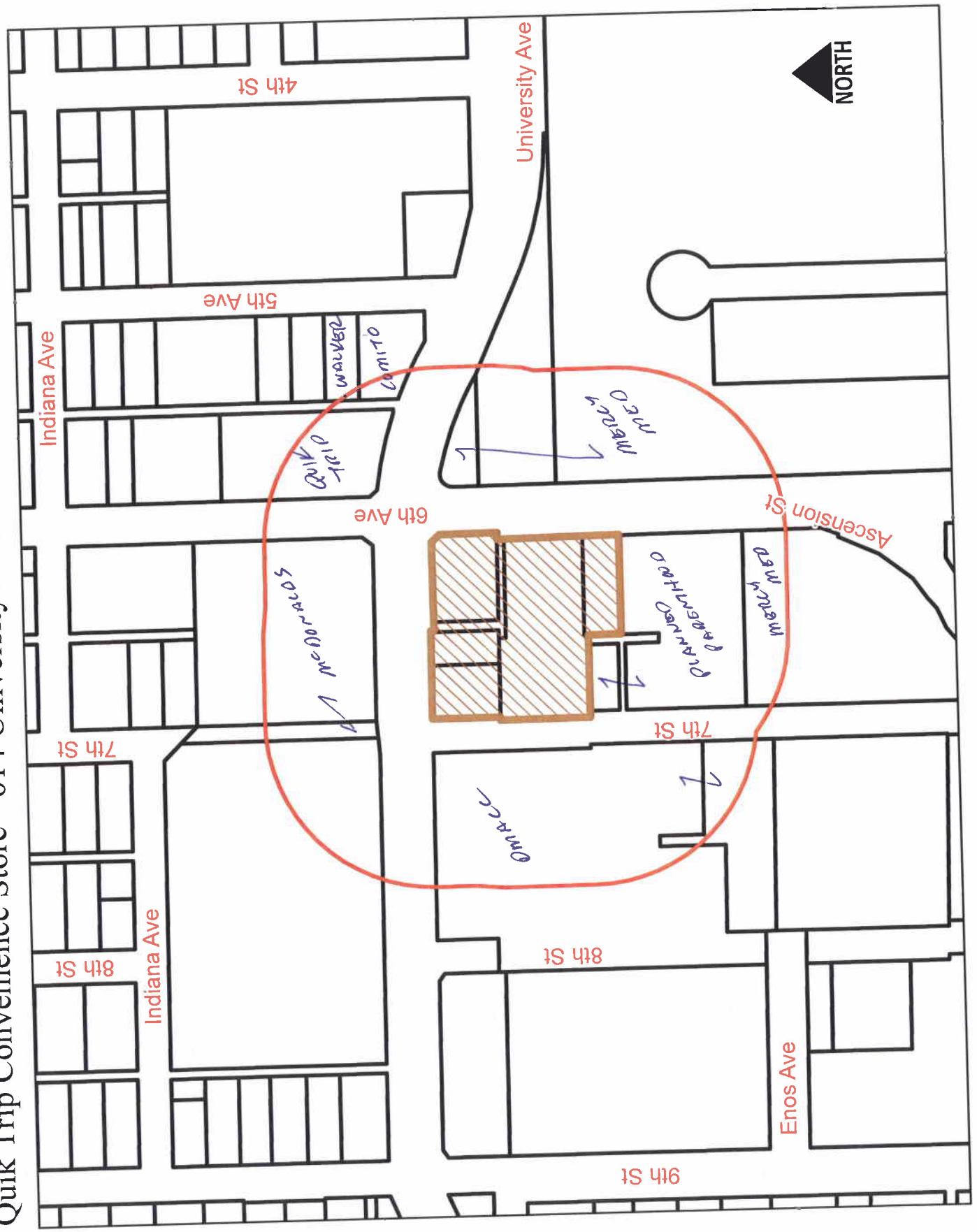
Request from Quik Trip Corporation (developer) represented by Michael Talcott (officer) for vacation of the east/west and north/south segments of alley south of University Avenue between 6 th Avenue and 7 th Street.				File # 11-2013-1.02	
Description of Action	Approval) for vacation of the east/west and north/south segments of alley south of University Avenue between 6 th Avenue and 7 th Street subject to conditions.				
2020 Community Character Plan	Commercial: Pedestrian-Oriented Commercial Corridor				
Horizon 2035 Transportation Plan	No Planned Improvements				
Current Zoning District	"C-2" General Retail and Highway Oriented Commercial District				
Proposed Zoning District	"C-2" General Retail and Highway Oriented Commercial District				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area					
Outside Area					
Plan and Zoning Commission Action	Approval	11-0-1	Required 6/7 Vote of the City Council	Yes	N/A
	Denial			No	

Quik Trip Corporation - Vicinity of 6th Ave and University Ave 11-2013-1.02



10-2013-7.64

Quik Trip Convenience Store - 614 University Ave



Date _____

Agenda Item 15A

Roll Call # _____

March 6, 2013

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 February 28, 2013, the following action was taken regarding a request from Quik Trip Corporation (developer) represented by Michael Talcott (officer) for the following items related to development of property located at 614 University Avenue. The subject property is owned by Mercy Hospital Medical Center.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 11-0-1 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Dory Briles				X
JoAnne Corigliano	X			
Shirley Daniels	X			
Jacqueline Easley			X	
Tim Fitzgerald	X			
Dann Flaherty	X			
John "Jack" Hilmes	X			
Ted Irvine	X			
Greg Jones	X			
William Page				X
Christine Pardee	X			
Mike Simonson	X			
CJ Stephens	X			
Vicki Stogdill	X			
Greg Wattier				X

APPROVAL of Part A) the requested vacation subject to the following:
(11-2013-1.02)

1. Provision of necessary easements for the existing public storm and sanitary sewers within the alley in accordance with requirements of the Public Works Department.
2. Dedication of additional 4.5 feet of right-of-way along University Avenue west of the drive entrance and along 6th Avenue so that there is a minimum of 12 feet right-of-way from the street curb to the property line along that street side.

AND



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 Part B) the requested Site Plan subject to the following:

10-2013-7.64

1. Compliance with all administrative review comments by the Permit and Development Administrator. Except for allowing mesh material as presented on the trash enclosure gates.
2. Provision of a minimum 12,000 square feet of open space, requiring a waiver of the provision to provide 20%, subject to installing the 6th Avenue streetscape improvements at a future time when the design is determined.
3. Provision of identifiable pedestrian access routes from adjoining public sidewalks on University Avenue and 6th Avenue through the site to the primary entrances to the gas station/convenience store.
4. Provision of a note on the building elevations that states that the mechanical equipment screening mesh is a minimum of 75% opaque.
5. Demonstration that the canopies generally conform to the intent of a 18-foot maximum height design guideline with the understanding that there is a variation based on finished grade, but that no portion of any canopy shall be greater than 23 feet above grade.
6. Add a provision that all free standing signs be ground mounted or monument type signs.
7. Provision of perimeter lot setbacks to extent that they do not allow vehicles to encroach less than five (5) feet from any street property line but also maximized to the extent possible given the need to provide additional right-of-way on 6th Avenue.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends approval of the requested vacation of alley rights-of-way subject to the following:

1. Provision of necessary easements for the existing public storm and sanitary sewers within the alley in accordance with requirements of the Public Works Department.
2. Dedication of additional 4.5 feet of right-of-way along University Avenue west of the drive entrance and along 6th Avenue so that there is a minimum of 12 feet right-of-way from the street curb to the property line along that street side.

Part B) Staff recommends approval of the requested Site Plan subject to the following:

1. Compliance with all administrative review comments by the Permit and Development Administrator.

2. Provision of a minimum 12,000 square feet of open space, requiring a waiver of the provision to provide 20%, subject to installing the 6th Avenue streetscape improvements at a future time when the design is determined.
3. Provision of identifiable pedestrian access routes from adjoining public sidewalks on University Avenue and 6th Avenue through the site to the primary entrances to the gas station/convenience store.
4. Provision of a note on the building elevations that states that the mechanical equipment screening mesh is a minimum of 75% opaque.
5. Demonstration that the canopies generally conform to the intent of a 18-foot maximum height design guideline with the understanding that there is a variation based on finished grade, but that no portion of any canopy shall be greater than 23 feet above grade.
6. Add a provision that all free standing signs be ground mounted or monument type signs.
7. Provision of perimeter lot setbacks to extent that they do not allow vehicles to encroach less than five (5) feet from any street property line but also maximized to the extent possible given the need to provide additional right-of-way on 6th Avenue.

STAFF REPORT

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to construct a 5,858-square foot gas station/convenience store with 12 vehicle fueling locations.
2. **Size of Site:** 1.55 acres (67,625 square feet).
3. **Existing Zoning (site):** "C-2" General Retail and Highway-Oriented Commercial District and "GGP" Gambling Games Prohibition Overlay District.
4. **Existing Land Use (site):** Medical supply retail store, hospital grounds maintenance facility, and vacant land.

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

North – "PUD", Use is McDonald's drive-thru restaurant.

South – "C-2", Offices and clinic for Planned Parenthood of Greater Iowa.

East – "PUD", Use is Mercy Medical Center campus.

West – "C-2", Use is off-street parking lot for Des Moines Area Community College campus.

- 6. General Neighborhood/Area Land Uses:** The subject property is located at a major commercial node southwest of the intersection of University Avenue and 6th Avenue.
- 7. Applicable Recognized Neighborhood(s):** The subject property is located in the Cheatom Park Neighborhood and is within 250 feet of the River Bend Neighborhood. These neighborhoods were notified of the Commission meeting by mailing of the Preliminary Agenda on February 1, 2013. Additionally, separate notifications of the original February 7, 2013 hearing for this specific item were mailed on January 28, 2013 (10 days) prior to the hearing. A Final Agenda was mailed to the neighborhood associations on February 15, 2013. All agendas and notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Cheatom Park Neighborhood Association notices were mailed to Don Curry, 1189 10th Street. The River Bend Neighborhood notices were mailed to Mike Hildebrand, 410 Franklin Avenue.

Representatives of the developer have met with the affected neighborhood associations in a series of meetings where the Site Plan was presented. On January 17, 2013 they met with the Cheatom Park Association and on January 14, 2013 with River Bend Association. They have also met with leadership of these organizations on separate occasions as well as with leadership of the 6th Avenue Corridor organization. All three of these entities have taken official action to indicate their support for the project.

8. Relevant Zoning History: N/A.

9. 2020 Community Character Land Use Plan Designation: Commercial: Auto-Oriented, Small-Scale Strip Development.

10. Applicable Regulations: Any Site Plan application which includes property used as a gas station or convenience store shall be approved by the Plan and Zoning Commission if the proposed Site Plan conforms with the design regulations in Section 82-213 and the following additional design guidelines in Section 82-214.08 of the City Code, unless the commission determines that the construction and use of the site will have a significant detrimental impact on the use and enjoyment of adjoining residential uses:

1. 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;
 - (iii) Circulation systems and parking;
 - (iv) Service bays;
 - (v) Ancillary uses such as car washes, drive through uses, ATMs and telephones.

Staff has determined that there needs to be improved internal routes which are identifiable by the pedestrian to ensure safety negotiating through and around the

fueling area to the entrances. There are no marked routes through the vehicular circulation areas to identify the safest and most direct route for customers to take to the store entrances from off-site or from within the site. Additionally, staff recommends better linkage for pedestrians to the adjoining public sidewalk system. There is currently only one separate pedestrian connection shown east of the north driveway entrance.

- 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.

The subject property is 1.55 acres and would not be eligible for rezoning to PUD.

- C. Minimum open space should be 20 percent (20%) of the site or 1,000 square feet per vehicle fueling location, whichever is greater.

The Site Plan proposes 12 fueling locations. Twenty percent of the proposed site is equivalent to 13,525 square feet, which is more than the 12,000 square feet required for the proposed fueling locations. The proposed Site Plan provides, 12,267 square feet, for a net deficiency of this design guideline minimum of 1,258 square feet. The Commission would need to grant a waiver of this design guideline as part of an action to approve the Site Plan. Staff believes that given the site constraint of property width from west to east along with grade differential, that achieving a 1,000-square foot per fueling location open space amount will meet the intent of this design guideline. Staff would recommend that the 1,258-square foot deficiency be waived by the Commission based on that determination. This is based on the fact that the necessary right-of-way for 6th Avenue streetscape improvements will be provided.

- 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 submitted plan indicates a pedestrian connection to University Avenue and to 6th Avenue. The one from 6th Avenue requires steps due to the grade differential. A connection from 7th Street is not practical due to the grade differential.

- 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;
- (iii) Lighting should be non-invasive to adjoining residential use.

Staff believes the existing site and the proposed addition generally conform to these provisions. There are no proposed auto repair bays or drive-through windows. The trash enclosure is constructed of masonry material with durable polymer opaque gates. This meets the intent of the standard.

The lighting photometric plan complies with the maximum footcandle levels permitted by the Convenience Store Guidelines, which is 2.0 footcandles along commercial property lines, at points along the west frontage of the lot.

- 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.

Public sidewalk exists along 7th Street, University Avenue and 6th Avenue. There are pedestrian links from within the proposed site to the public sidewalk on 6th Avenue and University Avenue. The Site Plan needs to be revised to identify the internal pedestrian route to the entrances.

2. Architecture.

The following architectural guidelines encourage creative response to local and regional context and contribute to the aesthetic identity of the community.

- A. 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.

The submitted elevation indicates using brick and porcelain tile on all facades of the principal building. There are aluminum cornices on street oriented facades and opaque polymer mesh screening material on the south roof to screen rooftop mechanical equipment from street level views. Staff would recommend that it be shown on the Site Plan as a minimum 75% opaque material.

- B. 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.

N/A.

- C. Drive-through elements should be integrated into the building rather than appear to be applied or "stuck-on" to the building.

N/A.

