



Date April 22, 2013

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 4, 2013, its members voted 10-1-1 in support of a motion to recommend **APPROVAL** of a request from Hy-Vee, Inc. (lessee) represented by John Brehm (officer) to amend the Southgate C-4 Development Plan to allow a gas station/convenience store use at the northwest corner of the site for property located at 3221 Southeast 14<sup>th</sup> Street subject to the following conditions:

1. Compliance with all administrative review comments by the Permit and Development Administrator.
2. Extension of the proposed fueling area median to eliminate the western-most access point near the SE 14<sup>th</sup> Street drive approach.
3. The "C-4" Development Plan and the Site Plan shall be updated to reflect the parking calculations identified in the staff report.
4. Compliance with the minimum open space requirement by the installation of additional parking lot islands along the western north/south drive aisle as approved by the Planning Director.
5. Relocation of the proposed ice chest and propane exchange unit to the area east of the convenience store building.
6. Provision of transom windows on the west and north facades that utilize clear or lightly tinted glass as approved by the Planning Administrator.
7. Provision of a note on the Building Elevations and Site Plan that states all rooftop mechanical equipment shall be screened from street view.
8. All utility meters shall be located on the east side of the convenience store building.
9. Fuel canopy columns shall be completely wrapped with masonry material that matches the primary building.
10. Identification of any proposed areas for outdoor display of seasonal merchandise.
11. Provision of a Site Plan note that states any free-standing sign shall be a monument type.
12. Provision of a Site Plan note that states "all lighting installed under the fuel canopy shall be recessed or flush-mounted with the canopy ceiling to prevent light spillover to adjoining properties.



Date April 22, 2013

The subject property is more specifically described as follows:

SOUTHGATE SHOPPING CENTER LOT 1; LOT 2 (EXCEPT THE NORTH 195.00 FEET OF THE EAST 131.40 FEET THEREOF); THE NORTH 330.00 FEET OF LOT 16; LOT 17; AND LOT 18 ALL IN THE OFFICIAL PLAT OF THE NORTHWEST QUARTER OF SECTION TWENTY-THREE (23), TOWNSHIP SEVENTY-EIGHT (78), RANGE TWENTY-FOUR (24) WEST OF THE 5TH P.M., DES MOINES, POLK COUNTY, IOWA; EXCEPT THE FOLLOWING:

THE NORTH 330.00 FEET OF THE EAST 215.00 FEET OF LOT 16, AND THE SOUTH 70.00 FEET OF THE EAST 375.00 FEET OF LOT 16 EXCEPT THE EAST 215 FEET THEREOF, OF THE OFFICIAL PLAT OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 78, RANGE 24 WEST OF THE 5TH P.M., DES MOINES, POLK COUNTY, IOWA.

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 C-4 Plan amendment is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on May 6, 2013, 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

(ZON2013-00035)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL.

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.

MOTION CARRIED APPROVED

Mayor

City Clerk

Revised April 22, 2013

April 15, 2013

Date April 22, 2013

Agenda Item 23

Honorable Mayor and City Council  
City of Des Moines, Iowa

Roll Call # \_\_\_\_\_

**Members:**

Communication from the City Plan and Zoning Commission advising that at their meeting held April 4, 2013, the following action was taken regarding a request from Hy-Vee, Inc. (lessee) represented by John Brehm (officer) to amend the Southgate C-4 Development Plan for property at 3221 Southeast 14<sup>th</sup> Street.

**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) to find the proposed rezoning is in conformance with the Des Moines' 2020 Community Character Plan.

By separate motion Commissioners recommended 10-1-1 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			



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

Commission Action:	Yes	Nays	Pass	Absent
Christine Pardee	X			
Mike Simonson				X
CJ Stephens	X			
Vicki Stogdill				X
Greg Wattier				X

**APPROVAL** of Part B & C) to approve the proposed amendment to the Southgate "C-4" Development Plan and the submitted Site Plan subject to the following conditions:  
(ZON2013-00035 & 10-2013-7.89)

1. Compliance with all administrative review comments by the Permit and Development Administrator.
2. Extension of the proposed fueling area median to eliminate the western most access point near the SE 14<sup>th</sup> Street drive approach.
3. The "C-4" Development Plan and the Site Plan shall be updated to reflect the parking calculations identified in the staff report.
4. Compliance with the minimum open space requirement by the installation of additional parking lot islands along the western north/south drive aisle as approved by the Planning Director.
5. Relocation of the proposed ice chest and propane exchange unit to the area east of the convenience store building.
6. Provision of transom windows on the west and north facades that utilize clear or lightly tinted glass as approved by the Planning Administrator.
7. Provision of a note on the Building Elevations and Site Plan that states all rooftop mechanical equipment shall be screened from street view.
8. All utility meters shall be located on the east side of the convenience store building.
9. Fuel canopy columns shall be completely wrapped with masonry material that matches the primary building.
10. Identification of any proposed areas for outdoor display of seasonal merchandise.
11. Provision of a Site Plan note that states any free standing sign shall be a monument type.
12. Provision of a Site Plan note that states "all lighting installed under the fuel canopy shall be recessed or flush-mounted with the canopy ceiling to prevent light spillover to adjoining properties."

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

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

Part B & C) Staff recommends approval of the proposed amendment to the Southgate "C-4" Development Plan and the submitted Site Plan subject to the following conditions:

1. Compliance with all administrative review comments by the Permit and Development Administrator.
2. Extension of the proposed fueling area median to eliminate the western most access point near the SE 14<sup>th</sup> Street drive approach.
3. The "C-4" Development Plan and the Site Plan shall be updated to reflect the parking calculations identified in the staff report.
4. Compliance with the minimum open space requirement by the installation of additional parking lot islands along the western north/south drive aisle as approved by the Planning Director.
5. Relocation of the proposed ice chest and propane exchange unit to the area east of the convenience store building.
6. Provision of transom windows on the west and north facades that utilize clear or lightly tinted glass as approved by the Planning Administrator.
7. Provision of a note on the Building Elevations and Site Plan that states all rooftop mechanical equipment shall be screened from street view.
8. All utility meters shall be located on the east side of the convenience store building.
9. Fuel canopy columns shall be completely wrapped with masonry material that matches the primary building.
10. Identification of any proposed areas for outdoor display of seasonal merchandise.
11. Provision of a Site Plan note that states any free standing sign shall be a monument type.
12. Provision of a Site Plan note that states "all lighting installed under the fuel canopy shall be recessed or flush-mounted with the canopy ceiling to prevent light spillover to adjoining properties.

Written Responses

2 In Favor

0 In Opposition

**STAFF REPORT**

**I. GENERAL INFORMATION**

1. **Purpose of Request:** The applicant is proposing to construct a convenience store with fuel sales on the southeast corner of the SE 14<sup>th</sup> Street and East Park Avenue intersection. This area currently consists of surface parking for the Southgate Shopping Center.

2. **Size of Site:** The entire site measures 16.37 acres. The c-store site measures 40,331 square feet or 0.93 acres.
3. **Existing Zoning (site):** "C-4" Shopping Center Commercial District.
4. **Existing Land Use (site):** Commercial strip center consisting of a Hy-Vee Foods Store anchor tenant with eight additional commercial bays. The site also contains a 2,600 free standing restaurant on a pad site along the SE 14<sup>th</sup> Street frontage.

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

**North** – "C-2" & "R1-60", Uses are commercial and single-family residential.

**South** – "C-2", "C-1" & "Southern Brooke Green PUD", Uses are commercial, multiple-family residential and single-family residential.

**East** – "R1-80" & "Southern Brooke Green PUD", Uses are single-family and multiple-family residential.

**West** – "C-2", Uses are commercial.

6. **General Neighborhood/Area Land Uses:** The subject site is located along the SE 14<sup>th</sup> Street commercial corridor at the East Park Avenue intersection. This area generally consists of highway oriented commercial development.
7. **Applicable Recognized Neighborhood(s):** The subject property is within the Pioneer Park Neighborhood Association and within 250 feet of the Indianola Hills, Ewing Woods-Evergreen and Watrous South Neighborhood Associations. These neighborhoods were notified of the meeting by mailing of the Preliminary Agenda to all recognized neighborhoods on March 15, 2013. Additionally, separate notifications of the hearing for this specific item were mailed on March 15, 2013 (20 days prior) and March 25, 2013 (10 days prior to the scheduled hearing) to the Pioneer Park, Indianola Hills, Ewing Woods-Evergreen and Watrous South Neighborhood Associations and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. A Final Agenda was mailed to the neighborhood associations on March 25, 2013.

All agendas and notices are mailed to the primary contact person designated to the City of Des Moines Neighborhood Development Division by the recognized neighborhood association. The Pioneer Park Neighborhood Association notices were mailed to Carole Jones, 1603 Pioneer Rd, Des Moines, IA 50320. The Indianola Hills Neighborhood Association notices were mailed to Nancy Watson, 326 E. Broad St., Des Moines, IA 50315. The Ewing Woods-Evergreen notices were mailed to Lisa Treptow, 3600 SE 19th Street, Des Moines, IA 50320. The Watrous South Neighborhood Association mailings were sent to James Spiller, PO Box 35845, Des Moines, IA 50315.

8. **Relevant Zoning History:** N/A.
9. **2020 Community Character Land Use Plan Designation:** Commercial: Auto-Oriented, Small-Scale Strip Development.

**10. Applicable Regulations:** In accordance with Section 134-1052 the Commission shall review the conformity of the proposed development plan with the standards of the comprehensive plan, and with the recognized principles of civic design, land use planning, and landscape architecture. The commission may approve the plan as submitted or, before approval, may require that the applicant modify, alter, adjust, or amend the plan as the commission deems necessary to the end that it preserve the intent and purpose of this chapter to promote public health, safety, morals, and general welfare. The development plan as approved by the commission shall then be reported to the city council, whereupon the city council may approve or disapprove the plan as reported or may require such changes thereto as it deems necessary to effectuate the intent and purpose of this chapter. Section 134-1055 states that any proposed change, except minor changes as set forth in division 8 of article II of this chapter (Section 134-247), in the shopping center plan, after approval by the council, shall be resubmitted and considered in the same manner as the original proposal.

## **II. ADDITIONAL APPLICABLE INFORMATION**

- 1. 2020 Community Character Plan:** The 2020 Community Character Plan Future Land Use designation for the subject property is Commercial: Auto-Oriented, Small-Scale Strip Development. The following is the description of this designation as it appears on the Future Land Use Map.

*Commercial: Auto-Oriented*

*Commercial in which the site orientation is primarily focused on the needs and convenience of the motorist. In the future, developments will have a strong orientation to motorists with necessary accommodations on site for pedestrians.*

*Small-Scale Strip Development*

*Small-to-moderate commercial in a linear pattern that services the passing motorist. Individual buildings may be over 35,000 square feet with individual modules from 2,000 to 20,000 square feet.*

Staff believes the proposed amendment to the Southgate "C-4" Development Plan is in conformance with the Des Moines' 2020 Community Character Plan.

- 2. Drainage/Grading:** All grading is subject to an approved grading permit and soil erosion control plan. The applicant is required to demonstrate compliance with the City's Stormwater Management requirements to the satisfaction of the City's Permit and Development Center. The applicant is proposing stormwater detention basin to the north of the convenience store building that would control the release of storm water in the East Park Avenue storm sewer.
- 3. Street System & Access:** The convenience store would be located at the southeast corner of the SE 14<sup>th</sup> Street and East Park Avenue intersection. The existing western driveway along East Park Avenue and northern driveway along SE 14<sup>th</sup> Street would be maintained and utilized for direct access to the site from the street network. The applicant's engineer has prepared a trip generation and distribution analysis for the proposed convenience store. The City's Traffic and Transportation Division has reviewed the information and determined that the existing street system can support the proposed development.

The proposed circulation pattern within the site is generally appropriate. However, staff is concerned with the access point proposed near the SE 14<sup>th</sup> Street drive approach. The close proximity of this access point to the drive approach will likely cause some issues as vehicles waiting to exit onto SE 14th could block an entering vehicle from making the left turn into the convenience store site and then stop someone from turning off the street. Staff believes the proposed median should be extended west to eliminate this drive. It appears that fuel delivery trucks would be able to enter and exit the site from East Park Avenue.

4. **Parking:** The proposed 3,000-square foot convenience store requires 10 off-street parking spaces (1 per 300 sq. ft.). The existing buildings consist of a 2,600-square foot restaurant building and the 160,091-square foot strip commercial building. Seventeen spaces (1 per 150 sq. ft.) are required for the restaurant building and 800 spaces (1 per 200 sq. ft.) are required for the main building. The total required parking spaces for the site with the addition of the convenience store is 827 spaces. The proposed amendment shows a total of 1,008 spaces with 738 spaces located in the front lot and 270 spaces located in the rear lot. This site currently has a total of 1,063 parking spaces. The proposed amendment reduces the total number of spaces by 55. The proposed "C-4" Development Plan amendment exceeds the minimum required number of off-street parking spaces.
5. **Gas Station/C-Store 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 c-store site measures 0.93 acres and would contain 16 fueling locations. A minimum of 16,000 square feet of open space is required to meet this guideline. The submitted Site Plan shows that the c-store site would have a total of 10,783 square feet (26.7%) of open space, which does not comply with guideline "C". Staff believes this guideline should be addressed by installing additional parking islands along the western north/south drive aisle for the Southgate Shopping Center. Most of the Southgate parking lot is not landscaped. The applicant is not required to*



*bring the entire site into conformance with the current standards. However, staff believes that providing some additional parking lot islands would be a more appropriate design solution than requiring additional open space around the convenience store.*

- 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 convenience store would share drive approaches and drive aisles with the existing Southgate development.*

- 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.

*The dumpster enclosure would be located to the east of the building to obscure it from view. The applicant is proposing to place an ice chest and propane exchange unit to the west of the building along SE 14<sup>th</sup> Street. Staff believes this should be moved to the east side of the building also.*

- 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.

*A direct pedestrian connection to the entrance would be provided from the SE 14th Street sidewalk. The adjoining portion of East Park Avenue does not contain a sidewalk. Most of East Park Avenue to the east of SE 14th Street does not have sidewalks. The Traffic and Transportation Division has indicated that a City constructed sidewalk is planned for the north side of East Park Avenue. A sidewalk along the south side of the street is not planned given the narrow width of the right-of-way.*

## 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 proposed building would be constructed of masonry with columns and soldier course to create visual interest. The building would have a metal canopy over the main entrance on the south façade. The south façade would contain a significant amount of windows. Spandrel glass is proposed on the west and north facades to give the appearance of windows facing SE 14<sup>th</sup> Street and East Park Avenue. Staff believes that clear or lightly tinted transom windows should be provided approximately 8 to 10 feet above the floor on these facades in place of the spandrel glass. This would accommodate stacking in storage areas while allowing daylight to enter the building. This would give the building a stronger presence along SE 14<sup>th</sup> Street and East Park Avenue.*

- 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 with the lower two-thirds of the columns wrapped with brick. Staff believes that the entire columns should be wrapped with brick in order to comply with this guideline.*

- (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 proposed canopy would have a total height of 19'-6". Staff believes the proposed height is acceptable give its location along SE 14<sup>th</sup> Street.*

- 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.

*The Site Plan does not identify any outdoor display area for seasonal items. Outdoor display will be prohibited unless it is identified on the Site Plan.*

#### 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.

*The applicant is required to provide a minimum of 11 overstory trees, 4 evergreen trees and 25 shrubs to comply with the "C" District Landscaping Standards. An additional 2 overstory trees are required as mitigation for 2 existing trees that would be removed. The submitted Site Plan complies with these requirements. Additional perennials and ornamental grasses are also proposed*

- E. Proper maintenance and timely replacement of plant material is required and will be enforced based on the approved site plan.

*The Site Plan includes a note that states "the required landscaping shall be maintained for the life of the certificate of occupancy."*

- F. Monument signs are encouraged and are required when the site adjoins a residential district.

*The submitted information identifies only building and canopy mounted signage. Staff recommends that any free standing signs be limited to monument style signs.*

### 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 Site Plan includes a note that states "lighting must be low-glare cut off type fixtures to reduce the glare of light pollution on surrounding properties." The submitted photometric plan indicates that lighting levels around the convenience store site would not exceed 1.3 footcandles at the property lines. The submitted information does not address canopy lighting. Staff recommends that a note be added to the Site Plan that states "all lighting installed under the fuel canopy shall be recessed or flush-mounted with the canopy ceiling to prevent light spillover to adjoining properties."*

## **SUMMARY OF DISCUSSION**

Jason Van Essen presented the staff report and recommendation.

David Bailie 5820 Westown Parkway with Hy-Vee representing the applicant stated that they have been at this site since 1994 and is coming up on the end of their 20 year lease. This gave them the opportunity to approach their landlord with this plan for a convenience store at this location. The hours of operation would be 5:00 a.m. to 11:00 p.m. with a option of 24 hour pay at the pump if it is allowed by the City of Des Moines. They would offer the typical items that many of the other convenience stores offer. However, they will be offering something more. The fuel saver program is designed to reward their loyal customers. Therefore, the majority of the traffic stopping at our store will be the already existing traffic.

On March 21, 2013 they did hold a neighborhood meeting. They sent out 42 invitations and only 4 households were represented at the meeting. The concerns that were raised were the operation, condition and age of the grocery store. They agreed that the store is old and in need of remodeling. However, they pointed out that there has been some remodeling done to the store that the neighbors may have not been aware of, such as the customer service department. They added a postal substation, all new checkout lanes, new cash register system, new kitchen dining area, updated the lighting throughout the store, painted the interior walls on the sale floors, purchased 250 new carts and have added a dietitian to their staff. They also increased the fresh food offering and put a brand new roof on the store. They believe this demonstrates the intent of staying in this location and continue to invest in this property. They have updated the camera system and plan to install an underground cart containment system that will keep carts onsite. This request for a convenience store is a very important part of Hy-Vee. Subject to approval from the City of Des Moines remodeling of the grocery store would be scheduled for 2014.

Randy Downs with Hy-Vee Engineering Department 5820 Westown Parkway in West Des Moines went over the site plan. They worked with staff and agree to all of staff's recommendations. However, he would like to some clarification of condition #6 regarding the windows. Originally, at the site plan meeting staff told them that windows were required on street frontage. Asked if this requirement was an architectural guideline for a c-store or a requirement for tax abatement. He went on to explain the type of windows they are proposing that are double glass, sealed with argon gas, they paint the backside and then a drywall or plywood wall goes over that. Then the coolers are constructed along those windows inside the store.

Mike Ludwig explained that is a tax abatement standard for the windows to be on the street side and the additional information proposed at this meeting will be taken into consideration.

Will Page asked if Hy-Vee is proposing to implement only one sign as shown on the south building elevation and not on the north, west, or east elevations.

Randy Downs stated they have a new layout that they have worked on with their sign vendor and operation team and their understanding through staff that the signage is a separate permit process. If allowable by code they would like to put a fuel pricing sign on the west end of the north building elevation.

Mike Ludwig explained that the signage is through a separate permit process. They earn signage based on their frontage along a public street and they have two street frontages. He believes they would be able to have a fuel signage on the north.

Will Page asked what about signage on the east and the west. The reason he asked is that lately the Commission has seen requests for signs on every square inch of the property.

Randy Downs stated nothing is proposed at this time.

## CHAIRPERSON OPENED THE PUBLIC HEARING

*The following spoke in opposition of the applicant's request*

Carole Jones 1603 Pioneer Road, Pioneer Park President stated she did not know whether or not to get up to speak in favor or in opposition of the applicant's request because Pioneer Park have tried very hard to support the businesses in the area whether they are expanding, renovating or a new business moving in. The SE 14<sup>th</sup> corridor is in need of these type of things very badly so they are always very excited when they hear a businesses want to expand. However there are some concerns with the overall maintenance of the Hy-Vee grocery store. The condition of the parking lot, it needs to be resurfaced and restriped and is always full of litter and there are carts everywhere. The can and bottle redemption area is filthy and it smells. She has spoken to many of their members and members of surrounding neighborhood associations and the consensus was they believe that this project is a good idea. However they are concerned with the traffic and Park Avenue and SE 14<sup>th</sup> Street is already a busy intersection. The traffic on Park Avenue backs up now. If this expansion is added plus the CVS store that is going up across the street what will this do to traffic. The southbound access to the driveway access on SE 14<sup>th</sup> Street will not work, it does not work now. People will pull out and block two lanes of traffic. She would like a traffic study done. Another concern is what will happen with the mature trees that are in the area of the new store and gas pumps. This question was asked at the neighborhood meeting but they felt they did not get a clear answer. The overall concern is if this store will be properly maintained versus the way they have kept their grocery store.

Christine Pardee stated that there have been a lot of improvements in this store. She does agree with the concerns about the parking lot which sometimes is very scary. She asked if the neighborhood association has taken a formal position on this project and whether or not the neighborhood association sent any form of communication to Hy-Vee management to address their concerns with the upkeep of the property.

Carole Jones stated the neighborhood association wants to support this project and they have not sent any form of communication to Hy-Vee management to address their concerns. A while back she talked to the general manager. However she found out this week that there is a new general manager which could sometimes make all the difference. They hope that this will be a great improvement for an area that needs improvement and want to support it and also have their concerns heard.

Jim Bollard 4007 SE 26<sup>th</sup> Street, Easter Lake Area Neighborhood Association stated they have not had a meeting so he is not representing the neighborhood association. The Easter Lake Area Neighborhood Association was not invited to the meeting that was held even though the border is along Evergreen the north edge of this proposal. He has a couple of concerns, one being the signage relative to monument signage that looks nice. He is concerned about general maintenance. Going in the south door is very smelly. The traffic is a large concern at this intersection. It is one of the 10 worst accident intersection in the city. He would have liked to hear a possibility of putting in an extra turn lane, which he believes would keep the accidents down. He would like them to consider putting a sidewalk on the south side of Park Avenue.

Debbie Jorgenson 5500 SE 1<sup>st</sup> Court stated she has concern about the fuel trucks that are supposed to be entering and exiting on Park Avenue. She believes this is not possible. She also believes that sidewalks should be required on the south side of Park Avenue.

Tim Fitzgerald stated he had recused himself from consideration of this item as a P&Z Commissioner and was speaking as a neighborhood leader. He noted that while sidewalks are going in on the north side of Park Avenue going east and west, he would like for the conditions be amended to include a sidewalk on the south side of Park Avenue. There is a school just a block to the west and an apartment complex behind the store where children will use that side of the street. He believes that a sidewalk is very important and asked that Hy-Vee consider putting a sidewalk on the south side of Park Avenue.

Dann Flaherty asked if a traffic study been done in this area.

Jason Van Essen stated the applicant did submit a trip generation model that was reviewed by the Traffic and Transportation Division. The Traffic and Transportation Division indicated that a City constructed sidewalk is planned for the north side of East Park Avenue. A sidewalk along the south side of the street is not planned given the narrow width of the right-of-way. A consideration may be when Hy-Vee remodels the grocery store and the major part of the site that they have a sidewalk connection within the site.

Dann Flaherty asked if Mr. Fitzgerald also has a concern with the traffic situation.

Tim Fitzgerald stated yes, he still believes that something could be done in order to have the traffic flow better on Park Avenue. He also believes that the mature trees would not have to be removed but have the sidewalk go around them as in other areas that he has seen.

Dann Flaherty stated SE 14<sup>th</sup> is also a concern.

Tim Fitzgerald suggested that the City Engineer time the lights at this intersection during rush hour in order to understand their concern with safety in this area.

CJ Stephens stated she supports the staff in regards to installing sidewalk within the Hy-Vee property when the grocery store is remodeled. The mature trees along the south side of Park Avenue appear healthy and it would not be a good idea to remove them. She suggested that the neighborhood association work with Hy-Vee to put the sidewalk inside the Hy-Vee property versus taking out mature trees.

#### *Rebuttal*

Randy Downs stated they looked at the fuel truck and traffic concerns which is why they were reluctant in agreeing to the condition to close the access to the SE 14<sup>th</sup> Street driveway. In regards to the invitation to the neighborhood association meeting it was recommended but not required to invite the other three neighborhood associations because this is an existing commercial use. They apologize that they did not invite the other neighborhoods but it was also confusing as to the charter versus designation.

Dann Flaherty asked if there were any considerations to moving the c-store more to the center of the shopping center to avoid all of the problems that is going to be raised on Park and SE 14<sup>th</sup> Street.

Randy Downs pointed out that Hy-Vee have lease requirements only in certain areas. The landlord is working on getting another business in the area towards the center.

### **CHAIRPERSON CLOSED THE PUBLIC HEARING**

Mike Ludwig drew the Commission's attention to the staff report that the applicant's engineer did prepare a trip generation and distribution analysis for the proposed convenience store. The City's Traffic and Transportation Division has reviewed the information and determined that the existing street system can support the proposed development. On the site plan he believes that the applicant is not changing any of the existing access point to the commercial center. This allows them to utilize the existing driveways. He pointed out that Park Avenue is not the only access to the site. There are there is at least one on SE 14<sup>th</sup> Street and one on the south from Indianola Avenue. Traffic and Transportation concern was to not have cars entering the site from SE 14<sup>th</sup> trying to make an immediate left into the c-store site as it could cause backups onto SE 14<sup>th</sup> Street. In regards to the sidewalk staff pointed out that staff recommendation noted that there is a sidewalk planned for the north side of East Park Avenue. There are no plans for a sidewalk for the south side because of the narrow width of the right-of-way.

JoAnne Corigliano asked staff if there was any thought to restricting access from SE 14<sup>th</sup> Street to only northbound traffic.

Jason Van Essen suggested that staff share the traffic concerns they have heard tonight with the Traffic and Transportation Division.

Dann Flaherty is concerned by putting in 16 pump station there. It will be an increase in activity and increase with traffic. He will not support this request for the reason of human life.

### **COMMISSION ACTION:**

Ted Irvine moved Part A) to find the requested amendment to the C-4 Concept Plan in conformance with the Des Moines' 2020 Community Character Plan.

Motion passed 11-0-1 (Tim Fitzgerald abstained)

Ted Irvine moved staff recommendation Part B & C) to approve the proposed amendment to the Southgate "C-4" Development Plan and the submitted Site Plan subject to the following conditions:

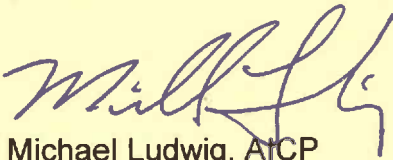
1. Compliance with all administrative review comments by the Permit and Development Administrator.
2. Extension of the proposed fueling area median to eliminate the western most access point near the SE 14<sup>th</sup> Street drive approach.
3. The "C-4" Development Plan and the Site Plan shall be updated to reflect the parking calculations identified in the staff report.
4. Compliance with the minimum open space requirement by the installation of additional parking lot islands along the western north/south drive aisle as approved by the Planning Director.



5. Relocation of the proposed ice chest and propane exchange unit to the area east of the convenience store building.
6. Provision of transom windows on the west and north facades that utilize clear or lightly tinted glass as approved by the Planning Administrator.
7. Provision of a note on the Building Elevations and Site Plan that states all rooftop mechanical equipment shall be screened from street view.
8. All utility meters shall be located on the east side of the convenience store building.
9. Fuel canopy columns shall be completely wrapped with masonry material that matches the primary building.
10. Identification of any proposed areas for outdoor display of seasonal merchandise.
11. Provision of a Site Plan note that states any free standing sign shall be a monument type.
12. Provision of a Site Plan note that states "all lighting installed under the fuel canopy shall be recessed or flush-mounted with the canopy ceiling to prevent light spillover to adjoining properties."

Motion passed 10-1-1 (Dann Flaherty voted in opposition and Tim Fitzgerald abstained).

Respectfully submitted,



Michael Ludwig, ATCP  
Planning Administrator

MGL:clw

Attachment



March 28<sup>th</sup>, 2013

**Jason Mathes  
Shive Hattery, Inc.  
1601 48<sup>th</sup> Street, Suite 200  
West Des Moines, IA 50266**

RE: 3215 SE 14<sup>th</sup> Street, Hy-Vee Convenience Store

10-13-7.89

Dear Jason:

We have reviewed the first (1st) submittal of the site plan for the Hy-Vee Convenience Store SE 14<sup>th</sup> Street, located at 3215 SE 14th Street in Des Moines, and have determined that the following conditions must be satisfied before plan approval can be granted.

**Engineering**

1. Show and identify the roof drainage outlet locations on the proposed building.
2. Show the size of the existing public sanitary sewer in E. Park Avenue.
3. Show and properly locate the existing public storm sewer easement at the north end of the site.
4. The proposed HDPE storm sewer pipe material from the canopy to the proposed area intake as well as from under the sidewalk will most likely not meet Plumbing Code. These pipes do not have to meet Plumbing Code if they can outlet to daylight in the basin since this would not be a direct connection to our public storm sewer system.
5. The 15-inch RCP storm sewer exiting the proposed area intake seems to be a bit oversized.
6. The certification statement on the storm water management plan must be signed and dated.
7. Reference the orifice plate detail from Sheet C5.01 on Sheet C3.01 by the INT1.1 flag note.

8. Detail 8/C5.02 appears to be mislabeled "OPEN-SIDED AREA INTAKE".

9. Apply for a Grading Permit and pay the applicable fee in conformance with Code. Be sure to include a detailed approximate construction time schedule on the plans.

### **Traffic**

10. The configuration of the curbed islands, one ways and entrance into the proposed store at the SE 14<sup>th</sup> Street driveway may result in some circulation problems. A vehicle or two waiting to existing onto SE 14<sup>th</sup> Street could block an entering vehicle from making the left turn into the store site and then stop someone from turning off the street. One option might be to close that entrance to the store by extending the curb/island west or some reconfiguration of that area to improve circulation.

### **Planning**

11. A project address of 3215 SE 14<sup>th</sup> Street has been assigned to this project. Show the project address on the site plan (ensure that all sheets with an address shown are corrected).

12. Add the "E" (east) prefix to the Park Avenue street name shown on the plan, as this portion of street is officially named E. Park Avenue.

13. The layout and landscape plans can be difficult to read with the gray scale existing site conditions layer shown. Is it possible to remove or change the scale or line weight of the existing conditions to make the plan less confusing?

14. Show the zoning of surrounding properties on the site plan or vicinity map.

15. Reference C-4 Development Plan amendment number ZON2013-00035 on the site plan.

16. Show site boundary dimensions on the site plan.

17. Note the minimum required building setbacks on the site plan.

18. Note the total building height on the site plan.

19. Dimension the proposed building and fuel canopy on the site plan. Show the sq. ft. of the proposed structure on the Sheet C1.01.

20. Dimension the proposed parking lot paving setback from SE 14<sup>th</sup> Street on the site plan.

21. Will an additional pole or monument sign be added to the site as a result of this development? A location of ground-mounted or pole sign was not found on the site plan.

22. The proposed fuel canopy appears to exceed the maximum height guideline listed in the Convenience Store Design Guidelines by 1' 6". Waiver of this guideline may be requested to the Plan and Zoning Commission.

23. Brick-wrap the entire length of the canopy pole.

24. It is noted that the applicant intends to seek a waiver of the required open space design guideline. Based on the number of fueling locations provided, a total of 16,000 sq. ft. of open space should be provided. Your calculations show a total of 10,783 sq. ft. for a deficiency of 5,217 sq. ft.

25. Indicate seasonal or outside merchandise and display areas on the site plan.

26. No additional light pole fixtures were indicated on the site plan, but if new pole light fixtures are proposed, show the location on the site plan. Provide a product cut-sheet detail on the site plan, and indicate the height of the pole. The fixtures shall not be taller than 20 ft. (including base).

27. Identify the existing trees (generic species and caliper size) on site that are to be counted towards fulfilling the landscape standards.

28. Add additional shrub plantings around the north and east sides of the trash enclosure.

29. Add one additional overstory tree to the turf grass area NE of the building.

30. Move the detail sheets showing protective fencing and tree protection during construction measures to the demo plan. This is the sheet where it may be most applicable to contractors in the field.

31. Add the following notes to the site plan:

- All lighting installed under the fuel canopies shall be recessed or flush-mounted with the canopy ceiling to prevent light spillover to adjoining properties.
- Any new rooftop mechanical equipment must be screened from street level view.

32. All new exterior signs are reviewed separately and must be approved with Zoning Enforcement (237-1412) before sign permits can be issued. This note is for your information only and requires no formal addressing on the future submittal.

33. The final copy of the landscape plan will need to be signed and dated by an architect, landscape architect, or certified nurseryman. The final copy of the site plan must have the preparer's certification statement signed and dated.

34. Will commercial tax abatement be sought on this project? If so, the applicant should complete the Tax Abatement Intent and Acknowledgement Form found at the following link, so that staff can review the project against the applicable design standards: <http://www.dmgov.org/Departments/CommunityDevelopment/PDF/Commercial%20Tax%20Abatement%20Acknowledgment%20Letter.pdf>

35.A reminder that all new water services 2 inches in diameter or larger require SEPARATE submittals for review by the Des Moines Water Works Engineering Department.


36. Provide the following note on the site plan pertaining to Plan and Zoning Commission review: "Site plan approved by the Plan and Zoning Commission on April \_\_\_\_ (fill in the applicable date), 2013, and in conformance with Convenience Store Design Guidelines".

37. Ensure that the photometric lighting plan is included with the final (mylar) copy of the site plan. The photometric plan appears to satisfy the design guidelines for convenience stores.

Please submit **three (3) review copies** of the revised plan satisfying the above listed items. Failure to resubmit such amended plan within 90 days from the date of this letter shall cause the application to lapse, and will require the payment of a new application fee to resume the application process.

If you have any questions contact Ryan Moffatt @ **283-4975** or email him @ [rlmoffatt@dmgov.org](mailto:rlmoffatt@dmgov.org).

Sincerely,

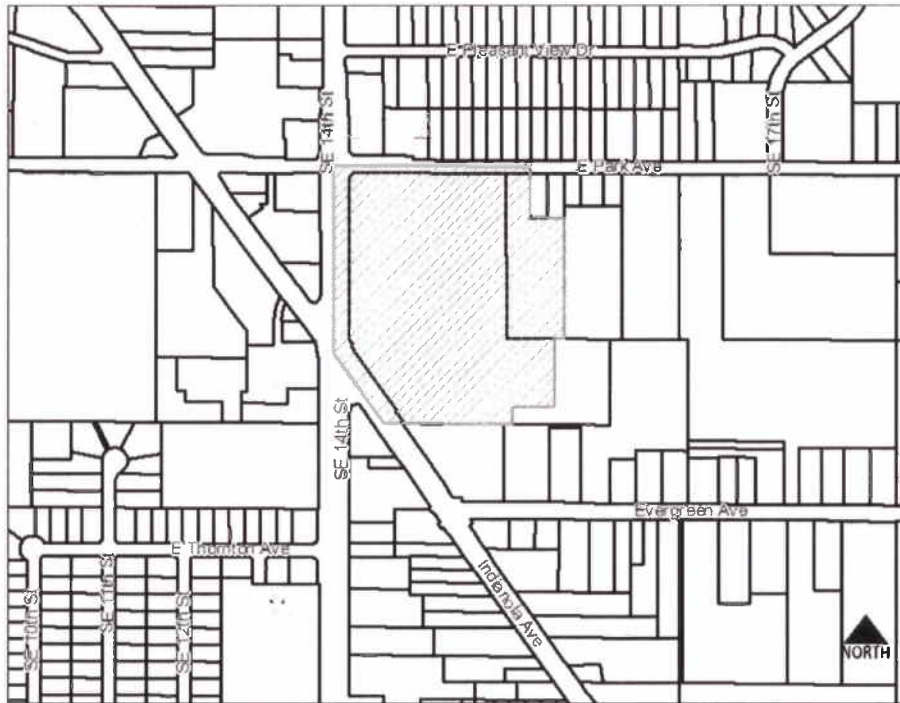


Phil Delafield  
Permit & Development Administrator

Request from Hy-Vee, Inc. (lessee) represented by John Brehm (officer) to amend the Southgate C-4 Development Plan on property located at 3221 Southeast 14 <sup>th</sup> Street.			<b>File #</b> ZON2013-00035		
<b>Description of Action</b>	Approval of an amendment to the Southgate C-4 Development Plan to allow a gas station/convenience store use at the northwest corner of the site subject to conditions.				
<b>2020 Community Character Plan</b>	Commercial: Auto-Oriented Small-Scale Strip Development (current & no change proposed)				
<b>Horizon 2035 Transportation Plan</b>	No Planned Improvements				
<b>Current Zoning District</b>	"C-4" Shopping Center Commercial District				
<b>Proposed Zoning District</b>	"C-4" Shopping Center Commercial District				
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area	2				
Outside Area					
<b>Plan and Zoning Commission Action</b>	Approval	<b>10-1-1</b>	<b>Required 6/7 Vote of the City Council</b>	Yes	<b>N/A</b>
	Denial			No	

HyVee, Inc. - 3221 Southeast 14th Street

ZON2013-00035



Item ZON2013-00035

Date 4/2/2013

23

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

(Circle One)



Print Name John Biggs

Signature [Handwritten Signature]

Address 1502 Evington Ave.

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

Four horizontal lines for writing reasons.

Item ZON2013-00035

Date 3/28/13

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

(Circle One)

SEE COMMENTS?

Print Name CAROLE M. JONES

Signature Carole M. Jones

Address 1603 Pioneer Rd.

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

Pres. Pioneer Park Neighborhood Assoc

We will be represented @ the 4/4 meeting.

Item ZON2013-00035

Date 4/11/2013

23

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

(Circle One)

Print Name South Park Neighborhood

Signature [Signature] (Andy Clark)

Address 5800 SE 8th

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

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

SOUTH PARK NEIGHBORHOOD ASSOCIATION

Item ZON2013-00035

Date 3-27-13

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

(Circle One)

Print Name EDWIN JILES

Signature [Signature]

Address 1522 E. PARK AVE.

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

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



23



JoAnne Corigliano &lt;joc2611@gmail.com&gt;

---

**Fwd: HY-VEE PROPOSED EXPANSION, SE 14TH & PARK**

1 message

---

mrwhite@q.com <mrwhite@q.com>

Mon, Apr 1, 2013 at 3:10 PM

---

**From:** "Nancy Watson" <watson.nancy@yahoo.com>  
**To:** mrwhite@q.com  
**Sent:** Monday, April 1, 2013 2:40:22 PM  
**Subject:** Re: HY-VEE PROPOSED EXPANSION, SE 14TH & PARK

Please go ahead and send this out

---

**From:** cjones1578@hotmail.com  
**To:** dehelm@msn.com; jbollard2@mchsi.com; jspost@mchsi.com; president.spna@gmail.com; melpins69@msn.com; queenshakenbake@gmail.com  
**CC:** loffredo.aubrey@principal.com; ponyexpress5@mchsi.com; pioneerpark@yahoo.com; badrost@dmgov.org  
**Subject:** HY-VEE PROPOSED EXPANSION, SE 14TH & PARK  
**Date:** Sat, 30 Mar 2013 12:53:33 -0500

Neighborhood Presidents,

Last week Pioneer Park Neighborhood Association was invited to a presentation given by Hy-Vee Vice-President, David Bailie to show a proposed convenience store and 16 gas pumps on the NW corner of South Gate Shopping Center. I sent an email after this meeting to several of you and I appreciate the feedback that was received. This expansion goes before the Planning and Zoning Board on April 4th @ 6pm. This project does not require rezoning as it is already zoned C-4, but will need to have the site plan approved by the city.

PPNA has maintained a position of working with businesses to help build, or in some cases rebuild, the SE 14th Street Corridor and that is true of this project also. We believe that any time we can support or encourage new business along this main artery of the city will be beneficial to all of our neighborhoods. Having said that, we believe this is an excellent opportunity to let Hy-Vee and the property owners know about our concerns. This Hy-Vee is scheduled to have a remodel start in the Fall of 2014 and will take several months to complete. The C-store and gas station

construction will start as soon as the city approves the site plan.

Our concerns are as follows:

Hy-Vee Store:

1. Lack of cleanliness in all areas of the store
2. Can & Bottle Redemption area is filthy and smells
3. Shopping carts are all over the surrounding area & not picked up on regular basis
4. Semi's (not delivering to Hy-Vee) are allowed to park over the weekend - bothers neighbors
5. Lack of security in parking lot - most cameras do not work
6. Lighting bothers neighbors across Park Ave
7. Traffic congestion already at this intersection (CVS going in this Fall at same intersection)
8. Hy-Vee still plans on having lawn & garden area in summer - will there be a lack of parking spaces?
9. What will happen to mature trees that are in the area of new store & gas pumps?

Concerns about shopping center overall:

1. Owners are based in New York and do not invest in upkeep, security or maintenance of property
2. Old restaurant needs to be demolished
3. Parking lot needs to be resurfaced and relined

Again, we are not opposed to this expansion, but we do feel that we all deserve to have a clean, safe store to shop at and there is much room for improvement at this location. What I have been told is that it would be very helpful if some of the other neighborhood leaders would either attend this P & Z meeting on April 4th or send a letter to Bert Drost at [badrost@dmgov.org](mailto:badrost@dmgov.org). Hy-Vee didn't give us much notice, so unfortunately this needs to be done in the next couple of days.

PPNA will appreciate your support.

Thank You,

Carole Jones  
PPNA President



Drost, Bert &lt;badrost@dmgov.org&gt;

## HyVee Proposed Expansion

1 message

rajandllj@aol.com <rajandllj@aol.com>  
To: badrost@dmgov.org

Wed, Apr 3, 2013 at 2:06 PM

Mr. Drost:

We are members of the Indianola Hills Neighborhood Association and are in receipt of an e-mail concerning the possible building of a new HyVee convenience store with gas station at SE 14th & Park. We would like to share our concerns about that project.

Our primary concern is the traffic congestion at SE 14th and Park. It is already very difficult to exit from HyVee onto Park, and with the opening of the CVS store this fall, one can only assume that the congestion will be greatly increased.

We also question the desirability of yet another convenience store/gas station in the area. In the approximately 1 1/2 mile stretch from Southridge Mall to Park Avenue, we counted 8 convenience store/gas stations.\* Soon there will be as many of this type of store as there are used car lots on SE 14th Street.

We also share many of the other concerns expressed in the e-mail that we received with regard to the HyVee store and the shopping center. Of particular concern is the lack of cleanliness in both the store and the can and bottle redemption area and the condition of the parking lot. Hopefully someone has shared this information with the management of HyVee. The cleanliness of the can and bottle redemption area will become an even bigger problem if the proposed bill allowing redemption of plastic bottles is passed.

Thank you for giving us the opportunity to share our concerns.

Bob and Lois Johnson  
408 E. Gray Street  
rajandllj@aol.com

\*Git n Go convenience/gas station immediately south of Army Post  
HyVee convenience/gas station on Army Post at Southridge  
BP gas station on SE 14th & Army Post  
Kum & Go convenience/gas station on SE 14th & Diehl  
QT convenience/gas station at SE 14th & Watrous  
Kum & Go convenience/gas station on Indianola Road  
Casey's convenience/gas station on Park and Evergreen  
Git & Go convenience/gas station by Fareway on Park



Drost, Bert &lt;badrost@dmgov.org&gt;

---

## Proposed Hy-Vee expansion

1 message

---

**RICK PHILLIPS** <rphill2306@aol.com>

Tue, Apr 2, 2013 at 6:46 PM

To: badrost@dmgov.org, watson.nancy@yahoo.com, mrwhite@q.com

I shop at the Hy-Vee on E 14th and Park almost every day and I have to agree that there is considerable room for improvement at that particular location. In addition to the concerns listed in the Pioneer Park association communication (such as cleanliness, clutter, can redemption area), parking lot security could be improved as well. It is a regular occurrence for me to be approached by panhandlers in the lot. Often times they are within twenty feet of the entrance doors and I have even had them knock on my window after I enter my car. When I have reported these occurrences to Hy-Vee management, the response has been less than what I would have expected.

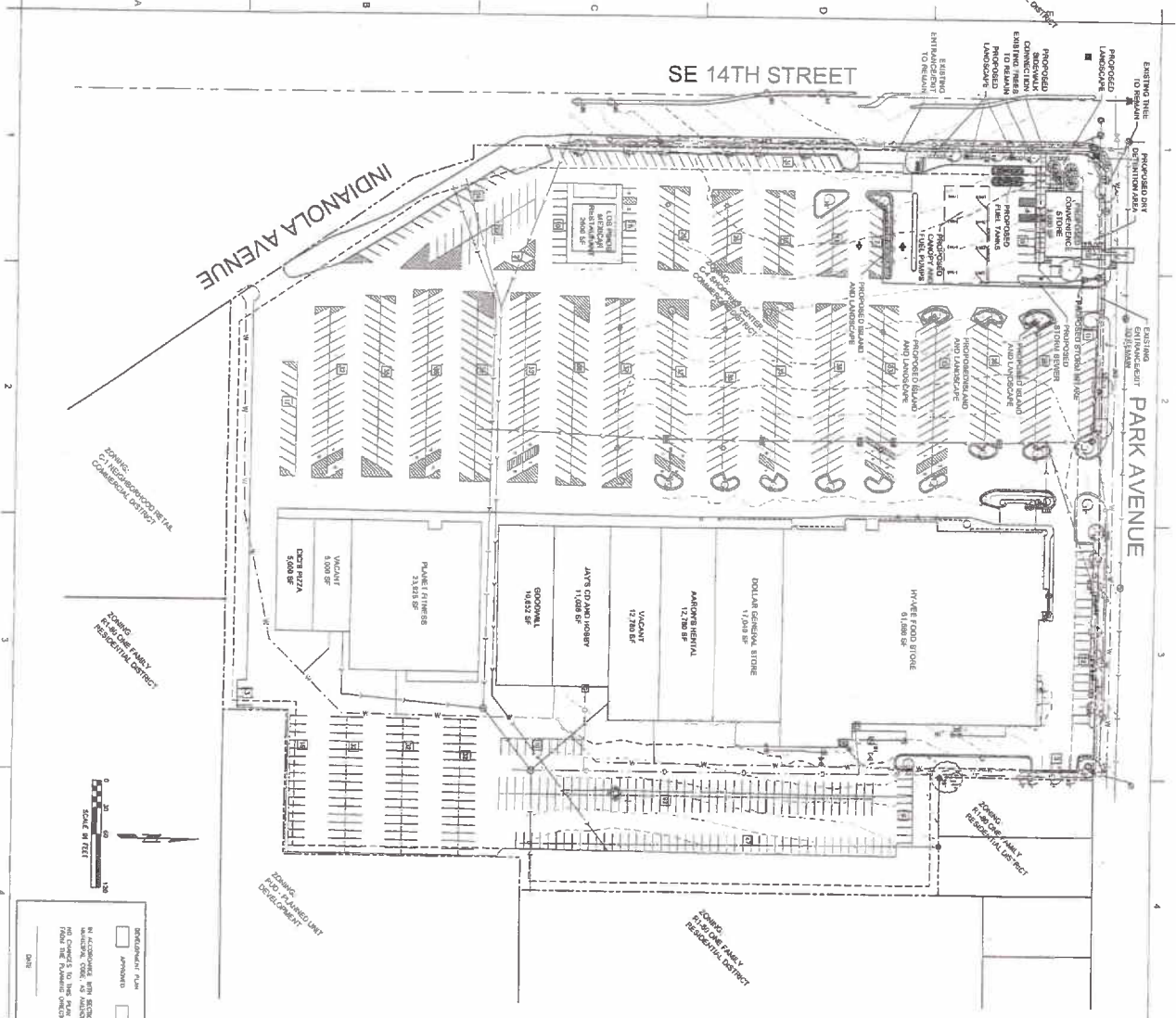
By adding a gas station the lot will shrink and the congestion will increase. I hope that the city is getting some assurances that the safety and security of shoppers will be the top priority.

Rick Phillips  
2705 SE 5th St  
Des Moines, Ia 50315

HyVee, Inc. - 3221 Southeast 14th Street

ZON2013-00035





**DEVELOPER / TENANT:**  
 AVYRE INC.  
 500 WEST DOWN PARKWAY  
 NEW YORK, NY 10119  
 PH: 212 644 6031

**OWNER:**  
 CATERMAY VAN BUREN INC.  
 489 LEWIS AVENUE #200  
 NEW YORK, NY 10170

**SITE ADDRESS:**  
 321 SE 14TH STREET  
 DES MOINES, IOWA 50309

**ZONING:**  
 C-4 SHOPPING CENTER COMMERCIAL DISTRICT

**ENGINEER:**  
 SHIVEHATTERY ARCHITECTURE  
 1001 6TH AVENUE SUITE 200  
 NEW YORK, NY 10108  
 PH: (212) 323 1822

**SETBACKS:**  
 FRONT YARD - 2'  
 SIDE YARD - 10'  
 REAR YARD - 10'

**PARKING REQUIREMENTS:**  
 1 SPACE PER 200 SF FLOOR SPACE  
 TOTAL BUILDING AREA: 114,416 SF  
 REQUIRED PARKING: 182,145 SPACES • 417 PARKING SPACES PROVIDED

**LEGAL DESCRIPTION:**  
 SOUTHGATE SHOPPING CENTER LOT 1, LOT 2 (EXCEPT THE NORTH 164.80 FEET OF THE EAST 114.41 FEET THEREOF) AND LOT 3 AND LOT 4 AND LOT 5 AND LOT 6 AND LOT 7 AND LOT 8 AND LOT 9 AND LOT 10 AND LOT 11 AND LOT 12 AND LOT 13 AND LOT 14 AND LOT 15 AND LOT 16 AND LOT 17 AND LOT 18 AND LOT 19 AND LOT 20 AND LOT 21 AND LOT 22 AND LOT 23 AND LOT 24 AND LOT 25 AND LOT 26 AND LOT 27 AND LOT 28 AND LOT 29 AND LOT 30 AND LOT 31 AND LOT 32 AND LOT 33 AND LOT 34 AND LOT 35 AND LOT 36 AND LOT 37 AND LOT 38 AND LOT 39 AND LOT 40 AND LOT 41 AND LOT 42 AND LOT 43 AND LOT 44 AND LOT 45 AND LOT 46 AND LOT 47 AND LOT 48 AND LOT 49 AND LOT 50 AND LOT 51 AND LOT 52 AND LOT 53 AND LOT 54 AND LOT 55 AND LOT 56 AND LOT 57 AND LOT 58 AND LOT 59 AND LOT 60 AND LOT 61 AND LOT 62 AND LOT 63 AND LOT 64 AND LOT 65 AND LOT 66 AND LOT 67 AND LOT 68 AND LOT 69 AND LOT 70 AND LOT 71 AND LOT 72 AND LOT 73 AND LOT 74 AND LOT 75 AND LOT 76 AND LOT 77 AND LOT 78 AND LOT 79 AND LOT 80 AND LOT 81 AND LOT 82 AND LOT 83 AND LOT 84 AND LOT 85 AND LOT 86 AND LOT 87 AND LOT 88 AND LOT 89 AND LOT 90 AND LOT 91 AND LOT 92 AND LOT 93 AND LOT 94 AND LOT 95 AND LOT 96 AND LOT 97 AND LOT 98 AND LOT 99 AND LOT 100 AND LOT 101 AND LOT 102 AND LOT 103 AND LOT 104 AND LOT 105 AND LOT 106 AND LOT 107 AND LOT 108 AND LOT 109 AND LOT 110 AND LOT 111 AND LOT 112 AND LOT 113 AND LOT 114 AND LOT 115 AND LOT 116 AND LOT 117 AND LOT 118 AND LOT 119 AND LOT 120 AND LOT 121 AND LOT 122 AND LOT 123 AND LOT 124 AND LOT 125 AND LOT 126 AND LOT 127 AND LOT 128 AND LOT 129 AND LOT 130 AND LOT 131 AND LOT 132 AND LOT 133 AND LOT 134 AND LOT 135 AND LOT 136 AND LOT 137 AND LOT 138 AND LOT 139 AND LOT 140 AND LOT 141 AND LOT 142 AND LOT 143 AND LOT 144 AND LOT 145 AND LOT 146 AND LOT 147 AND LOT 148 AND LOT 149 AND LOT 150 AND LOT 151 AND LOT 152 AND LOT 153 AND LOT 154 AND LOT 155 AND LOT 156 AND LOT 157 AND LOT 158 AND LOT 159 AND LOT 160 AND LOT 161 AND LOT 162 AND LOT 163 AND LOT 164 AND LOT 165 AND LOT 166 AND LOT 167 AND LOT 168 AND LOT 169 AND LOT 170 AND LOT 171 AND LOT 172 AND LOT 173 AND LOT 174 AND LOT 175 AND LOT 176 AND LOT 177 AND LOT 178 AND LOT 179 AND LOT 180 AND LOT 181 AND LOT 182 AND LOT 183 AND LOT 184 AND LOT 185 AND LOT 186 AND LOT 187 AND LOT 188 AND LOT 189 AND LOT 190 AND LOT 191 AND LOT 192 AND LOT 193 AND LOT 194 AND LOT 195 AND LOT 196 AND LOT 197 AND LOT 198 AND LOT 199 AND LOT 200 AND LOT 201 AND LOT 202 AND LOT 203 AND LOT 204 AND LOT 205 AND LOT 206 AND LOT 207 AND LOT 208 AND LOT 209 AND LOT 210 AND LOT 211 AND LOT 212 AND LOT 213 AND LOT 214 AND LOT 215 AND LOT 216 AND LOT 217 AND LOT 218 AND LOT 219 AND LOT 220 AND LOT 221 AND LOT 222 AND LOT 223 AND LOT 224 AND LOT 225 AND LOT 226 AND LOT 227 AND LOT 228 AND LOT 229 AND LOT 230 AND LOT 231 AND LOT 232 AND LOT 233 AND LOT 234 AND LOT 235 AND LOT 236 AND LOT 237 AND LOT 238 AND LOT 239 AND LOT 240 AND LOT 241 AND LOT 242 AND LOT 243 AND LOT 244 AND LOT 245 AND LOT 246 AND LOT 247 AND LOT 248 AND LOT 249 AND LOT 250 AND LOT 251 AND LOT 252 AND LOT 253 AND LOT 254 AND LOT 255 AND LOT 256 AND LOT 257 AND LOT 258 AND LOT 259 AND LOT 260 AND LOT 261 AND LOT 262 AND LOT 263 AND LOT 264 AND LOT 265 AND LOT 266 AND LOT 267 AND LOT 268 AND LOT 269 AND LOT 270 AND LOT 271 AND LOT 272 AND LOT 273 AND LOT 274 AND LOT 275 AND LOT 276 AND LOT 277 AND LOT 278 AND LOT 279 AND LOT 280 AND LOT 281 AND LOT 282 AND LOT 283 AND LOT 284 AND LOT 285 AND LOT 286 AND LOT 287 AND LOT 288 AND LOT 289 AND LOT 290 AND LOT 291 AND LOT 292 AND LOT 293 AND LOT 294 AND LOT 295 AND LOT 296 AND LOT 297 AND LOT 298 AND LOT 299 AND LOT 300 AND LOT 301 AND LOT 302 AND LOT 303 AND LOT 304 AND LOT 305 AND LOT 306 AND LOT 307 AND LOT 308 AND LOT 309 AND LOT 310 AND LOT 311 AND LOT 312 AND LOT 313 AND LOT 314 AND LOT 315 AND LOT 316 AND LOT 317 AND LOT 318 AND LOT 319 AND LOT 320 AND LOT 321 AND LOT 322 AND LOT 323 AND LOT 324 AND LOT 325 AND LOT 326 AND LOT 327 AND LOT 328 AND LOT 329 AND LOT 330 AND LOT 331 AND LOT 332 AND LOT 333 AND LOT 334 AND LOT 335 AND LOT 336 AND LOT 337 AND LOT 338 AND LOT 339 AND LOT 340 AND LOT 341 AND LOT 342 AND LOT 343 AND LOT 344 AND LOT 345 AND LOT 346 AND LOT 347 AND LOT 348 AND LOT 349 AND LOT 350 AND LOT 351 AND LOT 352 AND LOT 353 AND LOT 354 AND LOT 355 AND LOT 356 AND LOT 357 AND LOT 358 AND LOT 359 AND LOT 360 AND LOT 361 AND LOT 362 AND LOT 363 AND LOT 364 AND LOT 365 AND LOT 366 AND LOT 367 AND LOT 368 AND LOT 369 AND LOT 370 AND LOT 371 AND LOT 372 AND LOT 373 AND LOT 374 AND LOT 375 AND LOT 376 AND LOT 377 AND LOT 378 AND LOT 379 AND LOT 380 AND LOT 381 AND LOT 382 AND LOT 383 AND LOT 384 AND LOT 385 AND LOT 386 AND LOT 387 AND LOT 388 AND LOT 389 AND LOT 390 AND LOT 391 AND LOT 392 AND LOT 393 AND LOT 394 AND LOT 395 AND LOT 396 AND LOT 397 AND LOT 398 AND LOT 399 AND LOT 400 AND LOT 401 AND LOT 402 AND LOT 403 AND LOT 404 AND LOT 405 AND LOT 406 AND LOT 407 AND LOT 408 AND LOT 409 AND LOT 410 AND LOT 411 AND LOT 412 AND LOT 413 AND LOT 414 AND LOT 415 AND LOT 416 AND LOT 417 AND LOT 418 AND LOT 419 AND LOT 420 AND LOT 421 AND LOT 422 AND LOT 423 AND LOT 424 AND LOT 425 AND LOT 426 AND LOT 427 AND LOT 428 AND LOT 429 AND LOT 430 AND LOT 431 AND LOT 432 AND LOT 433 AND LOT 434 AND LOT 435 AND LOT 436 AND LOT 437 AND LOT 438 AND LOT 439 AND LOT 440 AND LOT 441 AND LOT 442 AND LOT 443 AND LOT 444 AND LOT 445 AND LOT 446 AND LOT 447 AND LOT 448 AND LOT 449 AND LOT 450 AND LOT 451 AND LOT 452 AND LOT 453 AND LOT 454 AND LOT 455 AND LOT 456 AND LOT 457 AND LOT 458 AND LOT 459 AND LOT 460 AND LOT 461 AND LOT 462 AND LOT 463 AND LOT 464 AND LOT 465 AND LOT 466 AND LOT 467 AND LOT 468 AND LOT 469 AND LOT 470 AND LOT 471 AND LOT 472 AND LOT 473 AND LOT 474 AND LOT 475 AND LOT 476 AND LOT 477 AND LOT 478 AND LOT 479 AND LOT 480 AND LOT 481 AND LOT 482 AND LOT 483 AND LOT 484 AND LOT 485 AND LOT 486 AND LOT 487 AND LOT 488 AND LOT 489 AND LOT 490 AND LOT 491 AND LOT 492 AND LOT 493 AND LOT 494 AND LOT 495 AND LOT 496 AND LOT 497 AND LOT 498 AND LOT 499 AND LOT 500 AND LOT 501 AND LOT 502 AND LOT 503 AND LOT 504 AND LOT 505 AND LOT 506 AND LOT 507 AND LOT 508 AND LOT 509 AND LOT 510 AND LOT 511 AND LOT 512 AND LOT 513 AND LOT 514 AND LOT 515 AND LOT 516 AND LOT 517 AND LOT 518 AND LOT 519 AND LOT 520 AND LOT 521 AND LOT 522 AND LOT 523 AND LOT 524 AND LOT 525 AND LOT 526 AND LOT 527 AND LOT 528 AND LOT 529 AND LOT 530 AND LOT 531 AND LOT 532 AND LOT 533 AND LOT 534 AND LOT 535 AND LOT 536 AND LOT 537 AND LOT 538 AND LOT 539 AND LOT 540 AND LOT 541 AND LOT 542 AND LOT 543 AND LOT 544 AND LOT 545 AND LOT 546 AND LOT 547 AND LOT 548 AND LOT 549 AND LOT 550 AND LOT 551 AND LOT 552 AND LOT 553 AND LOT 554 AND LOT 555 AND LOT 556 AND LOT 557 AND LOT 558 AND LOT 559 AND LOT 560 AND LOT 561 AND LOT 562 AND LOT 563 AND LOT 564 AND LOT 565 AND LOT 566 AND LOT 567 AND LOT 568 AND LOT 569 AND LOT 570 AND LOT 571 AND LOT 572 AND LOT 573 AND LOT 574 AND LOT 575 AND LOT 576 AND LOT 577 AND LOT 578 AND LOT 579 AND LOT 580 AND LOT 581 AND LOT 582 AND LOT 583 AND LOT 584 AND LOT 585 AND LOT 586 AND LOT 587 AND LOT 588 AND LOT 589 AND LOT 590 AND LOT 591 AND LOT 592 AND LOT 593 AND LOT 594 AND LOT 595 AND LOT 596 AND LOT 597 AND LOT 598 AND LOT 599 AND LOT 600 AND LOT 601 AND LOT 602 AND LOT 603 AND LOT 604 AND LOT 605 AND LOT 606 AND LOT 607 AND LOT 608 AND LOT 609 AND LOT 610 AND LOT 611 AND LOT 612 AND LOT 613 AND LOT 614 AND LOT 615 AND LOT 616 AND LOT 617 AND LOT 618 AND LOT 619 AND LOT 620 AND LOT 621 AND LOT 622 AND LOT 623 AND LOT 624 AND LOT 625 AND LOT 626 AND LOT 627 AND LOT 628 AND LOT 629 AND LOT 630 AND LOT 631 AND LOT 632 AND LOT 633 AND LOT 634 AND LOT 635 AND LOT 636 AND LOT 637 AND LOT 638 AND LOT 639 AND LOT 640 AND LOT 641 AND LOT 642 AND LOT 643 AND LOT 644 AND LOT 645 AND LOT 646 AND LOT 647 AND LOT 648 AND LOT 649 AND LOT 650 AND LOT 651 AND LOT 652 AND LOT 653 AND LOT 654 AND LOT 655 AND LOT 656 AND LOT 657 AND LOT 658 AND LOT 659 AND LOT 660 AND LOT 661 AND LOT 662 AND LOT 663 AND LOT 664 AND LOT 665 AND LOT 666 AND LOT 667 AND LOT 668 AND LOT 669 AND LOT 670 AND LOT 671 AND LOT 672 AND LOT 673 AND LOT 674 AND LOT 675 AND LOT 676 AND LOT 677 AND LOT 678 AND LOT 679 AND LOT 680 AND LOT 681 AND LOT 682 AND LOT 683 AND LOT 684 AND LOT 685 AND LOT 686 AND LOT 687 AND LOT 688 AND LOT 689 AND LOT 690 AND LOT 691 AND LOT 692 AND LOT 693 AND LOT 694 AND LOT 695 AND LOT 696 AND LOT 697 AND LOT 698 AND LOT 699 AND LOT 700 AND LOT 701 AND LOT 702 AND LOT 703 AND LOT 704 AND LOT 705 AND LOT 706 AND LOT 707 AND LOT 708 AND LOT 709 AND LOT 710 AND LOT 711 AND LOT 712 AND LOT 713 AND LOT 714 AND LOT 715 AND LOT 716 AND LOT 717 AND LOT 718 AND LOT 719 AND LOT 720 AND LOT 721 AND LOT 722 AND LOT 723 AND LOT 724 AND LOT 725 AND LOT 726 AND LOT 727 AND LOT 728 AND LOT 729 AND LOT 730 AND LOT 731 AND LOT 732 AND LOT 733 AND LOT 734 AND LOT 735 AND LOT 736 AND LOT 737 AND LOT 738 AND LOT 739 AND LOT 740 AND LOT 741 AND LOT 742 AND LOT 743 AND LOT 744 AND LOT 745 AND LOT 746 AND LOT 747 AND LOT 748 AND LOT 749 AND LOT 750 AND LOT 751 AND LOT 752 AND LOT 753 AND LOT 754 AND LOT 755 AND LOT 756 AND LOT 757 AND LOT 758 AND LOT 759 AND LOT 760 AND LOT 761 AND LOT 762 AND LOT 763 AND LOT 764 AND LOT 765 AND LOT 766 AND LOT 767 AND LOT 768 AND LOT 769 AND LOT 770 AND LOT 771 AND LOT 772 AND LOT 773 AND LOT 774 AND LOT 775 AND LOT 776 AND LOT 777 AND LOT 778 AND LOT 779 AND LOT 780 AND LOT 781 AND LOT 782 AND LOT 783 AND LOT 784 AND LOT 785 AND LOT 786 AND LOT 787 AND LOT 788 AND LOT 789 AND LOT 790 AND LOT 791 AND LOT 792 AND LOT 793 AND LOT 794 AND LOT 795 AND LOT 796 AND LOT 797 AND LOT 798 AND LOT 799 AND LOT 800 AND LOT 801 AND LOT 802 AND LOT 803 AND LOT 804 AND LOT 805 AND LOT 806 AND LOT 807 AND LOT 808 AND LOT 809 AND LOT 810 AND LOT 811 AND LOT 812 AND LOT 813 AND LOT 814 AND LOT 815 AND LOT 816 AND LOT 817 AND LOT 818 AND LOT 819 AND LOT 820 AND LOT 821 AND LOT 822 AND LOT 823 AND LOT 824 AND LOT 825 AND LOT 826 AND LOT 827 AND LOT 828 AND LOT 829 AND LOT 830 AND LOT 831 AND LOT 832 AND LOT 833 AND LOT 834 AND LOT 835 AND LOT 836 AND LOT 837 AND LOT 838 AND LOT 839 AND LOT 840 AND LOT 841 AND LOT 842 AND LOT 843 AND LOT 844 AND LOT 845 AND LOT 846 AND LOT 847 AND LOT 848 AND LOT 849 AND LOT 850 AND LOT 851 AND LOT 852 AND LOT 853 AND LOT 854 AND LOT 855 AND LOT 856 AND LOT 857 AND LOT 858 AND LOT 859 AND LOT 860 AND LOT 861 AND LOT 862 AND LOT 863 AND LOT 864 AND LOT 865 AND LOT 866 AND LOT 867 AND LOT 868 AND LOT 869 AND LOT 870 AND LOT 871 AND LOT 872 AND LOT 873 AND LOT 874 AND LOT 875 AND LOT 876 AND LOT 877 AND LOT 878 AND LOT 879 AND LOT 880 AND LOT 881 AND LOT 882 AND LOT 883 AND LOT 884 AND LOT 885 AND LOT 886 AND LOT 887 AND LOT 888 AND LOT 889 AND LOT 890 AND LOT 891 AND LOT 892 AND LOT 893 AND LOT 894 AND LOT 895 AND LOT 896 AND LOT 897 AND LOT 898 AND LOT 899 AND LOT 900 AND LOT 901 AND LOT 902 AND LOT 903 AND LOT 904 AND LOT 905 AND LOT 906 AND LOT 907 AND LOT 908 AND LOT 909 AND LOT 910 AND LOT 911 AND LOT 912 AND LOT 913 AND LOT 914 AND LOT 915 AND LOT 916 AND LOT 917 AND LOT 918 AND LOT 919 AND LOT 920 AND LOT 921 AND LOT 922 AND LOT 923 AND LOT 924 AND LOT 925 AND LOT 926 AND LOT 927 AND LOT 928 AND LOT 929 AND LOT 930 AND LOT 931 AND LOT 932 AND LOT 933 AND LOT 934 AND LOT 935 AND LOT 936 AND LOT 937 AND LOT 938 AND LOT 939 AND LOT 940 AND LOT 941 AND LOT 942 AND LOT 943 AND LOT 944 AND LOT 945 AND LOT 946 AND LOT 947 AND LOT 948 AND LOT 949 AND LOT 950 AND LOT 951 AND LOT 952 AND LOT 953 AND LOT 954 AND LOT 955 AND LOT 956 AND LOT 957 AND LOT 958 AND LOT 959 AND LOT 960 AND LOT 961 AND LOT 962 AND LOT 963 AND LOT 964 AND LOT 965 AND LOT 966 AND LOT 967 AND LOT 968 AND LOT 969 AND LOT 970 AND LOT 971 AND LOT 972 AND LOT 973 AND LOT 974 AND LOT 975 AND LOT 976 AND LOT 977 AND LOT 978 AND LOT 979 AND LOT 980 AND LOT 981 AND LOT 982 AND LOT 983 AND LOT 984 AND LOT 985 AND LOT 986 AND LOT 987 AND LOT 988 AND LOT 989 AND LOT 990 AND LOT 991 AND LOT 992 AND LOT 993 AND LOT 994 AND LOT 995 AND LOT 996 AND LOT 997 AND LOT 998 AND LOT 999 AND LOT 1000

**LEGEND**

**PROPERTY LINE**  
 ---

**RETAINING WALL**  
 ---

**ELEVATORY SEWER**  
 ---

**STORM SEWER**  
 ---

**WATER MAIN**  
 ---

**Gas MAIN**  
 ---

**FIRE OPTIC**  
 ---

**PARKING COUNTS**  
 [Symbol] 5

**DEVELOPER PLAN**  
 APPROVED  
 APPROVED WITH COMMENTS  
 IN ACCORDANCE WITH SECTION 64-130(1), 2002 DES CODES  
 AND THE CITY OF DES MOINES ZONING ORDINANCE. THE CITY ENGINEER HAS REVIEWED THIS PLAN AND FOUND THE PLAN TO BE IN ACCORDANCE WITH THE CITY OF DES MOINES ZONING ORDINANCE.  
 DATE: \_\_\_\_\_

**OWNER PLAN**  
 APPROVED WITH COMMENTS  
 IN ACCORDANCE WITH SECTION 64-130(1), 2002 DES CODES  
 AND THE CITY OF DES MOINES ZONING ORDINANCE. THE CITY ENGINEER HAS REVIEWED THIS PLAN AND FOUND THE PLAN TO BE IN ACCORDANCE WITH THE CITY OF DES MOINES ZONING ORDINANCE.  
 DATE: \_\_\_\_\_

**SCALE OF FEET**  
 0 10 20 30 40 50 60 70 80 90 100

**SHIVEHATTERY**  
 ARCHITECTURE • ENGINEERING

1401 2ND ST. SUITE 201 | NEW YORK, NY 10013  
 212.323.1822 | FAX: 212.323.1823 | WWW.SHIVEHATTERY.COM  
 Team | Shivehattery | New York

**DEVELOPMENT PLAN**  
 SOUTHGATE SHOPPING CENTER  
 HV-V-E COMMENCEMENT STORE ADDITION  
 321 SE 14TH STREET  
 DES MOINES, IOWA

**KEY PLAN**

**DEVELOPMENT PLAN**  
 C1.01