



Date October 6, 2014

RESOLUTION HOLDING HEARING ON REQUEST FROM QUIK TRIP CORPORATION (OWNER/LESSEE), REPRESENTED BY MATT BROOKS (OFFICER), TO REZONE PROPERTY LOCATED AT 2428 AND 2426 HUBBELL AVENUE AND 2401 EASTON BOULEVARD FROM "C-1" NEIGHBORHOOD RETAIL COMMERCIAL DISTRICT, LIMITED "M-1" LIGHT INDUSTRIAL DISTRICT AND "M-1" LIGHT INDUSTRIAL DISTRICT TO LIMITED "C-2" GENERAL RETAIL AND HIGHWAY ORIENTED COMMERCIAL DISTRICT

WHEREAS, on September 22, 2014, by Roll Call No. 14-1465, the City Council received and filed the recommendation from the City Plan and Zoning Commission, by a vote of its members of 13-0, to APPROVE a request from Quik Trip Corporation (owner/lessee), represented by Matt Brooks (officer), to rezone real property locally known as 2428 and 2426 Hubbell Avenue and 2401 Easton Boulevard ("Property") from "C-1" Neighborhood Retail Commercial District, Limited "M-1" Light Industrial District and "M-1" Light Industrial District to Limited "C-2" General Retail and Highway Oriented Commercial District for redevelopment of the Property with construction of a new gas station/convenience store and pump island canopy, subject to the owners agreeing to the following conditions:

1. Prohibition of the following uses upon the Property:
 - i. Adult entertainment businesses.
 - ii. Delayed deposit services.
 - iii. Off-premises advertising signs.
 - iv. Pawnbrokers.
 - v. Taverns and nightclubs.
 - vi. Vehicle display lots.
2. Any structure upon the Property shall be constructed with a design that includes architectural features on all façades of the structure, to the satisfaction of the City's Community Development Department Director; and

WHEREAS, on September 22, 2014, by Roll Call No. 14-1465, it was duly resolved by the City Council that the application of Quik Trip Corporation (owner/lessee) to rezone the Property, as legally described below, be set down for hearing on October 6, 2014 at 5:00 P.M., in the Council Chamber at City Hall; and

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposed amendment to the Zoning Ordinance; and

WHEREAS, in accordance with said notice, those interested in said proposed rezoning, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council; and

WHEREAS, the Legal Department has prepared an amendment to the Zoning Ordinance of the City of Des Moines to rezone the Property located at 2428 and 2426 Hubbell Avenue and 2401 Easton Boulevard, legally described as:



Roll Call Number

Agenda Item Number

35

Date October 6, 2014

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Lots 79, 80, 81, 82, 83, 84, 85, 91, 92, 93, 94 and 95; and all that part of vacated 16-foot alley Right-Of-Way lying between the southeasterly extension of the west line of said Lot 95 and the northwesterly extension of the east lot line of said Lot 85; and all that part of the northwesterly one-half of vacated alley Right-Of-Way lying between the northwesterly extension of the east line of said Lot 85 and the northeasterly extension of the north line of said Lot 91; all in HUBBELL AVENUE ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa.

from "C-1" Neighborhood Retail Commercial District, Limited "M-1" Light Industrial District and "M-1" Light Industrial District to Limited "C-2" General Retail and Highway Oriented Commercial District for redevelopment of the Property with construction of a new gas station/convenience store and pump island canopy, subject to the conditions stated above as agreed to and accepted by execution of an Acceptance of Rezoning Ordinance in writing by the owners of the Property, which is binding upon the owners and each owner's successors, heirs and assigns.

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

1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, the objections to the proposed rezoning of the Property to Limited "C-2" General Retail and Highway Oriented Commercial District with conditions as set forth above are hereby overruled, and the hearing is closed.
2. The proposed rezoning of the Property to Limited "C-2" General Retail and Highway Oriented Commercial District with conditions as set forth above is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED by _____ to adopt.

FORM APPROVED:



Glenna K. Frank, Assistant City Attorney

(ZON2014-00131)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
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

Date _____

Agenda Item 35

Roll Call # _____



September 16, 2014

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 September 4, 2014, the following action was taken regarding a request from Quik Trip Corporation (owner) represented by Matt Brooks (officer) for the following actions on property located at 2428 and 2426 Hubbell Avenue and 2401 Easton Boulevard.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 13-0 as follows:

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

APPROVAL of staff recommendation that the requested rezoning be found in conformance with the Des Moines' 2020 Community Character Plan's future land use designation of Commercial: Auto-Oriented, Community Commercial; **APPROVAL** of the requested

rezoning to “C-2” General Retail and Highway-Oriented Commercial District subject to the owner agreeing to the following conditions:

1. Prohibition of the following uses upon the property:
 - i. Adult entertainment businesses.
 - ii. Delayed deposit services.
 - iii. Off-premises advertising signs.
 - iv. Pawnbrokers.
 - v. Taverns and nightclubs.
 - vi. Vehicle display lots.
2. Any structure shall be constructed with a design that includes architectural features on all façades of the structure, to the satisfaction of the City’s Community Development Department Director.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends that the proposed rezoning be found in conformance with the Des Moines’ 2020 Community Character Plan’s future land use designation of Commercial: Auto-Oriented, Community Commercial.

Part B) Staff recommends approval of the requested rezoning to “C-2” General Retail and Highway-Oriented Commercial District subject to the owner agreeing to the following conditions:

1. Prohibition of the following uses upon the property:
 - i. Adult entertainment businesses.
 - ii. Delayed deposit services.
 - iii. Off-premises advertising signs.
 - iv. Pawnbrokers.
 - v. Taverns and nightclubs.
 - vi. Vehicle display lots.
2. Any structure shall be constructed with a design that includes architectural features on all façades of the structure, to the satisfaction of the City’s Community Development Department Director.

Written Responses

4 In Favor

0 In Opposition

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The proposed rezoning and site plan would allow redevelopment of the site with the construction of a 5,858-square foot gas station/convenience store and a pump island canopy with 12 fuelling locations. The rezoning is necessary since a

portion of the site is zoned "C-1" Neighborhood Retail Commercial District, which limits gas stations to no more than six (6) fueling locations.

2. **Size of Site:** 84,234 square feet or 1.93 acres.
3. **Existing Zoning (site):** "C-1" Neighborhood Retail Commercial District and, Limited "M-1" Light Industrial District, and "M-1" Light Industrial District. The site is also within the "FSO" Freestanding Signs Overlay District.
4. **Existing Land Use (site):** The site is comprised of three (3) parcels, including an existing QuikTrip Gas Station/Convenience Store, a vacant bank, and a vacant commercial building.

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

North – "C-2", Use is Payday Express' financial office use.

South – "M-1", Uses are East 24th Street and Standard Bearings' warehouse use.

East – "PUD", Use is Marel/Townsend's industrial use.

West – "C-1", Uses are single-family dwellings and Easton Place United Methodist Church.

6. **General Neighborhood/Area Land Uses:** The subject property is located between Hubbell Avenue and Easton Boulevard to the east of East 24th Street. The site is located in an area that includes a mix of commercial, industrial, and residential uses.
7. **Applicable Recognized Neighborhood(s):** The subject property is not located within a recognized neighborhood but is within 250 feet of both the Fairmont Park Neighborhood and the ACCENT Neighborhood. These neighborhoods were notified of the August 21 Commission meeting by mailing of the Preliminary Agenda on August 1, 2014. Additionally, separate notifications for these specific items were mailed on August 1, 2014 (20 days prior) and August 11, 2014 (10 days prior) to the originally scheduled hearing on August 21, 2014. A Final Agenda was mailed to the neighborhood associations on August 15, 2014 for the August 21, 2014 Commission and on August 29, 2014 for the September 4, 2014 Commission meeting. 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 Fairmont Park Neighborhood Association notices were mailed to John Thomas, 2658 Boyd Street, Des Moines IA, 50317. The ACCENT Neighborhood mailing were sent to Marian Wynn, 2413 Elizabeth Avenue, Des Moines, IA 50317.

Representatives of the developer held neighborhood meetings on July 8, 2014 and July 15, 2014. They will be available to present a summary of the meetings at the Plan and Zoning Commission's hearing.

8. **Relevant Zoning History:** On July 23, 2014, the Zoning Board of Adjustment granted a Variance of the provision that requires any Gas Station/Convenience Store selling wine and beer to provide at least 150 feet of separation from any church, school, public park, or licensed childcare facility, to allow redevelopment of the site with a new 5,858-square foot structure for a Gas Station/Convenience Store selling wine and beer, where the site is within 65 feet of a church use at 2412 Easton Boulevard.

On April 4, 1988, a portion of the property was rezoned to a Limited "M-1", with the condition that any use of the property be limited to any use permitted in the "C-1" District or contractor's equipment storage, provided such storage is completely inside a building.

9. **2020 Community Character Land Use Plan Designation:** Commercial: Auto-Oriented Commercial Corridor.

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

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.

II. ADDITIONAL APPLICABLE INFORMATION

1. **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. Because the site is over one acre, the project must also comply with the City's water quality detention provisions and a Stormwater Pollution Protection Plan (SWPPP). The applicant is proposing to use a combination of surface and underground stormwater detention on site to meet these requirements.
2. **Utilities:** The subject site has access to all necessary public utilities. Sanitary sewer is proposed to access a sewer main in Easton Boulevard right-of-way. Storm sewer is proposed to access intakes in both Hubbell Avenue and Easton Boulevard. Natural gas and electrical service is proposed to access service available in Hubbell Avenue.

3. **Landscaping & Buffering:** The project is subject to providing landscaping in accordance with standards for "C-2" Districts, which requires open space, perimeter lot and interior lot landscaping. The proposed Site Plan exceeds the minimum open space and plantings requirements.
4. **Access/Parking:** The proposed Site Plan proposes two (2) access drives from the Hubbell Avenue frontage, two (2) access drives from the Easton Boulevard frontage, and one (1) access drive from the East 24th Street frontage.

The Site Plan dedicates an additional 7.5 feet of Right-of-Way for East 24th Street, which allows the existing street to be widened and allows for a 5-foot wide public sidewalk with the right-of-way. The City will either purchase or enter into a lease agreement with the applicant for the additional street right-of-way, and the applicant will be responsible for construction of the street widening and the sidewalk.

The Site Plan proposes 56 off-street parking spaces in addition to the twelve (12) fueling stations. The Zoning Ordinance requires a minimum of one parking space per 300 square feet of the gas station/convenience store, which would calculate to 20 spaces minimum for the proposed 5,858-square foot store. The developer indicates that their proposed parking demand will be more characteristic of a restaurant, which would be required to have a minimum of one space per 150 square feet or 40 spaces.

5. **Community Character Land Use Plan:** The City of Des Moines' 2020 Community Character Land Use Plan designates the site as Commercial: Auto-Oriented Commercial Corridor. The proposed "C-2" District is in conformance with this designation. However, because of proximity to surrounding residential uses, staff recommends prohibition of the following uses otherwise permitted in "C-2" Districts: adult entertainment businesses, delayed deposit services, off-premises advertising signs, pawnbrokers, taverns and nightclubs, and vehicle display lots.
6. **Urban Design:** The subject property is unique in that it has frontage on three sides. Therefore, staff recommends a zoning condition that any structure shall be constructed with a design that includes features on all façades of the structure, to the satisfaction of the City's Community Development Director. The building elevations submitted with the Site Plan would satisfy such a zoning condition, as the proposed elevations demonstrate significant architectural detailing the three (3) facades that contain customer entrances and appropriate detailing (four vertical expanses of porcelain tile) on the fourth façade that would function as the rear of the building.
7. **Design Guidelines for Gas Station/Convenience Stores:** The following design guidelines are applicable for any site plan for a gas station/convenience store:
 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;

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

Staff believes the Site Plan satisfies this design guideline. The proposed building includes customer entrances on three of the building's facades, as well as adequate pedestrian circulation within the site.

- 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 1.93 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 satisfies this guideline. It provides 18,420 square feet of open space, which represents 22.8% of the site. This also represents 1,535 square feet of open space per fueling location.

- 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 Site Plan satisfies this design guideline. It eliminates one existing drive approach from each of the Hubbell Avenue and Easton Boulevard frontages. Also, the Site Plan establishes a curb along East 24th Street, which is currently predominantly one large drive approach two to the two vacant properties. Furthermore, the Site Plan demonstrates appropriate traffic circulation throughout the site.

- 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.

There are no proposed auto repair bays or drive-through windows.

The proposed trash enclosure would be constructed of masonry material with polymer mesh opaque gates. Staff recommends that the gates be revised to be solid metal gates.

The submitted photometric plan demonstrates that the site lighting would not be invasive to surrounding residential uses.

- 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.

The submitted Site Plan provides 5-foot wide sidewalks along Hubbell Avenue, Easton Boulevard, and East 24th Street. It also proposes a direct pedestrian connection from Easton Boulevard to the building, and a pedestrian connection from Hubbell Avenue to the building that would be marked with colored concrete when it cross the vehicular access drive.

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 elevations indicate the use of 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.

- 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.

- D. 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.

The proposed building is comprised primarily of brick and porcelain tile on all facades. The proposed elevations demonstrate significant architectural detailing the three (3) facades that contain customer entrances and appropriate detailing (four vertical expanses of porcelain tile) on the other façade that would function as the rear of the building

- E. Walls, pump island canopies and other outdoor covered areas should be compatible with the building, using similar material, color and detailing.

The canopy structure is proposed with brick wrapped columns and aluminum fascia to match the principal structure.

- F. To encourage visually interesting roofs, variations in the roof line and treatments such as extended eaves and parapet walls with cornice treatments are encouraged.

The proposed structure would have a flat roof with parapets that have aluminum cornices on all three street facing facades. There is considerable articulation proposed in the roofline.

- G. 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.
 - (v) Subtle changes in material color and texture.
 - (vi) Variation in roof forms.
 - (vii) Covered pedestrian frontages and recessed entries.
 - (viii) Deeply set windows with mullions.

The proposed design uses contrasting color horizontal brick soldier coursing and aluminum cantilevered awnings to divide of the vertical height of the building. Metal roof cornices are proposed to define the parapets.

- H. 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.
- (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 applicant is proposing to wrap canopy columns in brick to match the principal building. Sheet C110 indicates that the bottom of the canopy would be 15 feet above grade at its lowest point, which is needed to accommodate fueling truck

clearance. The overall canopy height would vary from 18.5 feet to 19.87 feet. Staff believes the proposed canopy generally meets the intent of this guideline, as the variation in height is due to a change in grade on the site.

- I. 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 submitted Site Plan identifies two small areas along the front (east) façade of the building for outdoor display of merchandise. The Site Plan also identifies two (2) tables for outdoor seating, as well as a kiosk located along the south (side) façade of the building.

3. 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, and decorative sign foundations and housing.
- E. Proper maintenance and timely replacement of plant material is required and will be enforced based on the approved Site Plan.

The proposed Site Plan satisfies these guidelines. The landscaping plan demonstrates significant landscaping throughout the site and provides numeral shrubs to minimize the impact of the dumpster enclosure and transformer box.

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

The Site Plan satisfies this requirement, as the proposed freestanding signs along Hubbell Avenue and Easton Boulevard would both be monument signs.

4. 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.

Based on existing adjoining commercial zoning, lumens outside the property lines should not exceed 2.0 footcandles adjoining commercial zoning and 0.5 footcandles adjoining residential zoning. The submitted photometric plan demonstrates that the site lighting would comply with these requirements.

- 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.

The submitted information does indicate that the canopy light fixtures will be completely recessed.

- 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'.

The proposed pole mounted lights comply with these guidelines.

- 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 applicant is proposing to use cut-off sconces to comply with this provision.

SUMMARY OF DISCUSSION

Bert Drost presented the staff report and recommendation.

CJ Stephens stated QuikTrip has been before the Commission previously and explained why a steel gate would not be feasible so the Commission has made an exception to allow QuikTrip to use the mesh material because they are so prompt in keeping it clean/repared within 24 hours. Therefore, she does not see any reason to require them to have a steel gate in this location.

Bert Drost explained staff has consistently recommended use of steel gates. The Commission can waive the steel gate requirement and allow the mesh material.

Larry James 801 Grand Avenue representing QuikTrip. He stated the applicant's intent to rebuild at 2428 Hubbell in the same way they have rebuilt other locations. He gave a PowerPoint presentation showing the site and what the building will look like when it is completed. The reason QuikTrip is before the Commission is because they wish to expand its food and beverage options. This store will only serve beer and wine. They did receive a variance from the Zoning Board of Adjustment due to proximity of the Easton Place United Methodist Church. The Easton Place United Methodist Church is in support of the applicant's request. The applicant's plan is to keep the old store in operation until the new store is completed and then tear the old store down. They met with the Fairmont Park Neighborhood Association on July 8, 2014 and had unanimous support from them. They met with the Accent Neighborhood Association on July 15, 2014 and also got unanimous support from them along with several calls and emails with Easton Place United Methodist Church in support of the applicant's proposal. The applicant asked that staff recommendation for Part C condition 2 be removed. Otherwise the applicant is in agreement with the rest of the conditions.

Greg Wattier asked for the rationale of wanting the mesh on the gates versus the steel since he was not present at the other meetings where the reason was given.

Larry James explained that the steel gates are very heavy. QuikTrip has found that when the wind catches the steel gate with the steel front it can knock the employees down. It is more of a safety thing.

CJ Stephens asked what the applicant is doing as far as building green infrastructure.

Larry James stated the stores themselves are not LEED certified but the fact is the stores that are being replaced were built some times 30 years ago much less energy efficient than the current stores. All of the exterior lighting are LED and their refrigeration is high efficiency.

CHAIRPERSON OPENED THE PUBLIC HEARING

There was no one to speak in favor or in opposition of the applicant's request.

CHAIRPERSON CLOSED THE PUBLIC HEARING

COMMISSION ACTION:

Dann Flaherty moved staff recommendation that the proposed rezoning be found in conformance with the Des Moines' 2020 Community Character Plan's future land use designation of Commercial: Auto-Oriented, Community Commercial; **APPROVAL** of the requested rezoning to "C-2" General Retail and Highway-Oriented Commercial District subject to the owner agreeing to the following conditions:

1. Prohibition of the following uses upon the property:
 - i. Adult entertainment businesses.

- ii. Delayed deposit services.
- iii. Off-premises advertising signs.
- iv. Pawnbrokers.
- v. Taverns and nightclubs.
- vi. Vehicle display lots.

- 2. Any structure shall be constructed with a design that includes architectural features on all façades of the structure, to the satisfaction of the City's Community Development Department Director.

Motion passed 13-0.

Respectfully submitted,

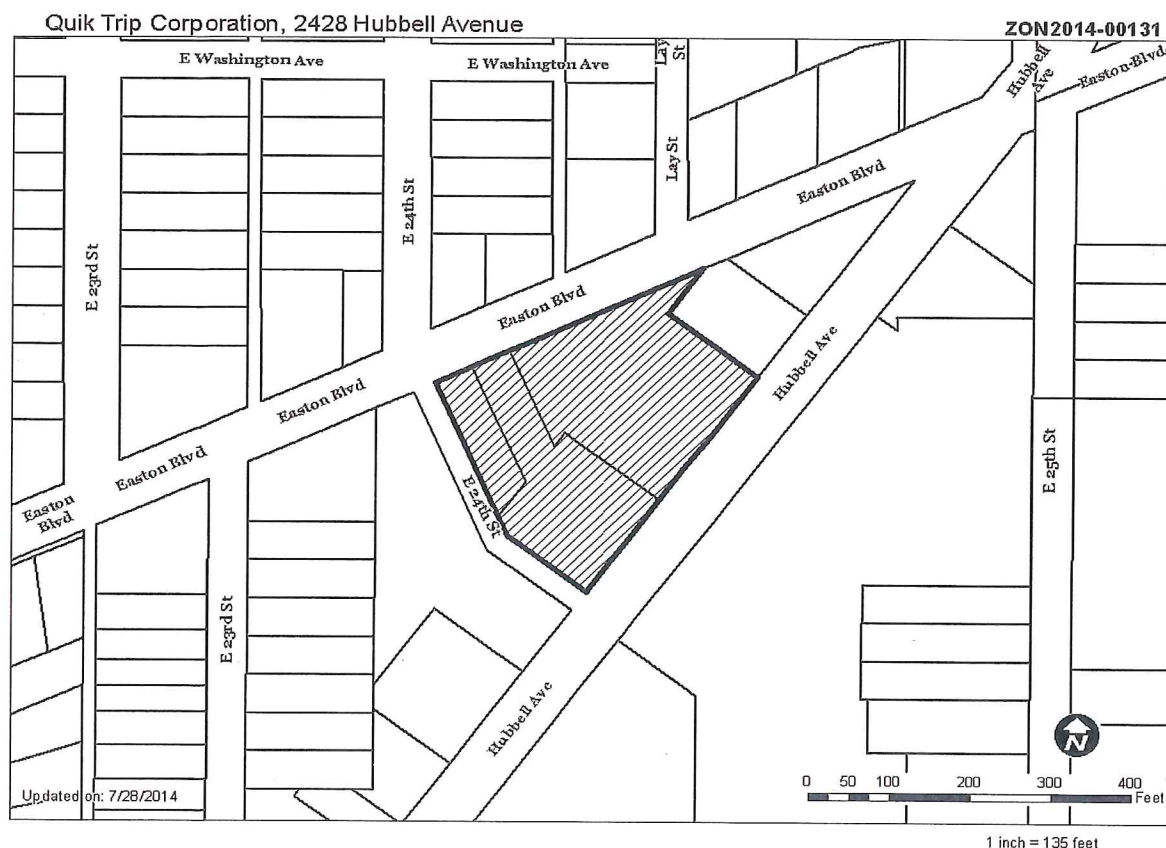


Michael G. Ludwig, AICP
Planning Administrator

MGL:clw

Attachment

Request from Quik Trip Corporation (owner) represented by Matt Brooks (officer) on property located at 2428 and 2426 Hubbell Avenue and 2401 Easton Boulevard.				File # ZON2014-00131	
Description of Action		Approval of request to rezone property from "C-1" Neighborhood Retail Commercial District, Limited "M-1" Light Industrial District and "M-1" Light Industrial District to "C-2" General Retail and Highway Oriented Commercial District subject to conditions.			
2020 Community Character Plan		Current: Auto-Oriented Commercial Small-Scale Strip Development. Proposed: N/A.			
Horizon 2035 Transportation Plan		No Planned Improvements.			
Current Zoning District		"C-1" Neighborhood Retail Commercial District. Limited "M-1" Light Industrial District. "M-1" Light Industrial 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		4	0		
Outside Area					
Plan and Zoning Commission Action		Approval	13-0	Required 6/7 Vote of the City Council	Yes
		Denial			No



Item ZON2014-00131

Date Aug 14, 14

I (am) (am not) in favor of the request.
RECEIVED
COMMUNITY DEVELOPMENT
(Circle One)

AUG 20 2014

DEPARTMENT

Print Name Huyser/Zylstra LLC
Craig Zylstra

Signature Craig Zylstra

Address 206 1st St Box 303
Sully, Ia. 50251

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

Item ZON2014-00131

Date August 12, 2014

I (am) (am not) in favor of the request.
RECEIVED
COMMUNITY DEVELOPMENT
(Circle One)

AUG 14 2014

DEPARTMENT

Print Name KEITH WEST

Signature D. R. West

Address 2400 EASTON BLVD.
DSM IA 50319

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

Item ZON2014-00131Date 8-11-2014I ☒ (am) / (am not) in favor of the request.

RECEIVED
(Circle One)
COMMUNITY DEVELOPMENT

AUG 15 2014

DEPARTMENT

Print Name Gerard NixonSignature Gerard NixonAddress 2442 Hubbell Ave

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

My only concern is that trash from the
concrete store ends up on our lot - mostly
because the bus stop is in front of our
location. If the bus stop were relocated to
be in front of Quick Trip with a trash can it would
be an improvement

Item ZON2014-00131Date 8-13-14I ☒ (am) / (am not) in favor of the request.

RECEIVED
(Circle One)
COMMUNITY DEVELOPMENT

AUG 15 2014

DEPARTMENT

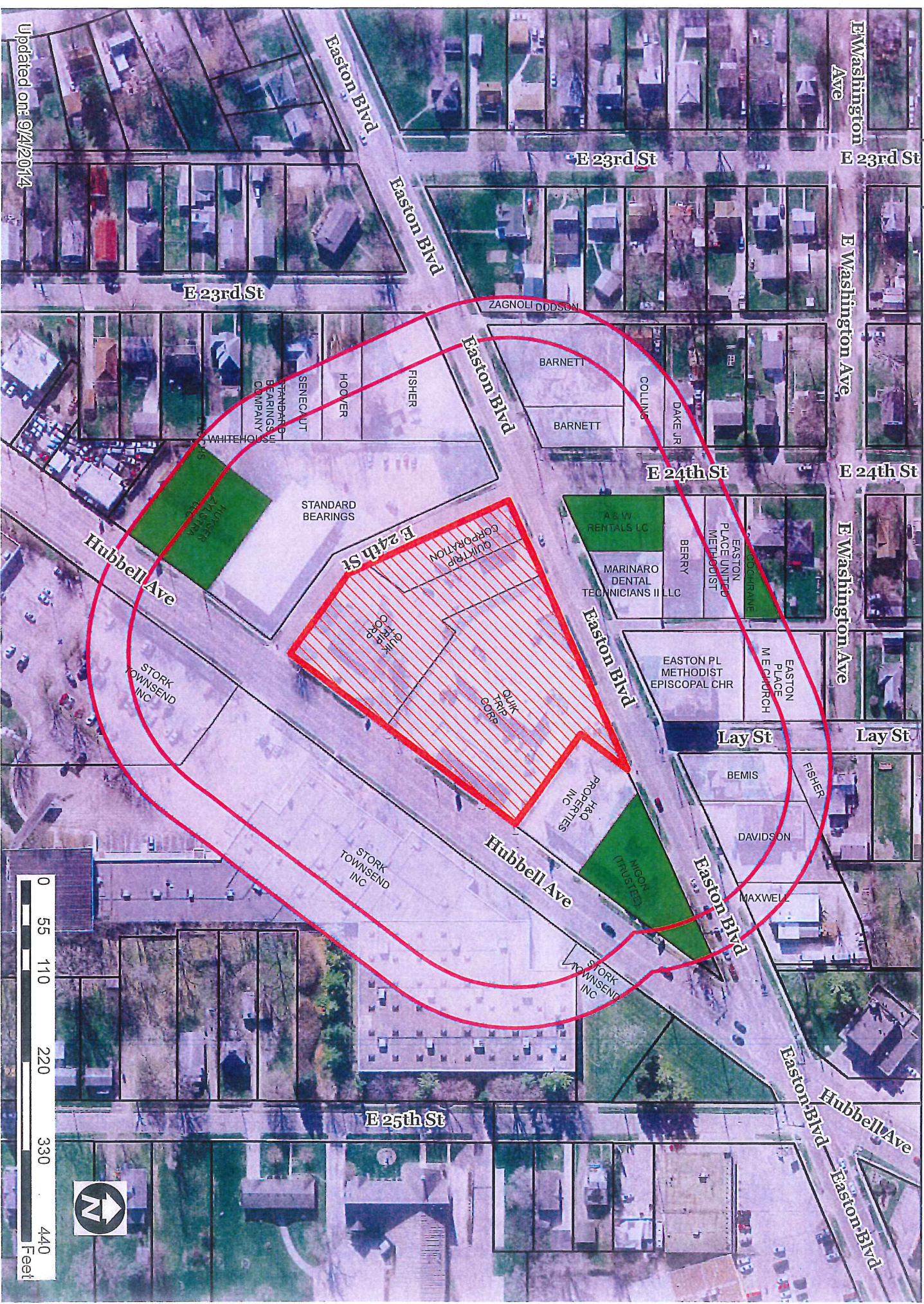
Print Name Patricia CochranSignature Patricia CochranAddress 1519 E 24th

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

It's already there so making it bigger
would only be good for customers.

Quik Trip Corporation, 2428 Hubbell Avenue

ZON2014-00131



Updated on: 9/4/2014



Easton Place United Methodist Church
2412 Easton Blvd.
Des Moines, IA 50317

July 22, 2014

Erik Lundy
City of Des Moines
602 Robert D. Ray Drive
Des Moines, IA 50309

Dear Mr. Lundy:

The Administrative Council met on Sunday, July 13, 2014 to address the site plans and rezoning of the QuikTrip location on Easton Blvd., directly across the street from our building.

The Administrative Council voted to fully support these changes on the following issues:

1. Variance from the 150 foot separation requirement between QuikTrip's property and Easton Place United Methodist Church to allow QuikTrip to continue to sell beer and wine at its new location.
2. Rezoning of the property from C-1 (Commercial) & M-1(Industrial) to C-2 (Commercial).
3. Site plan for the project.

We also greatly appreciate the communication efforts of QuikTrip and value the service they provide to this community.

If you have any questions, please feel free to contact me at 515-266-8582.

Sincerely,

Reverend Daniel Jenks

Accent Neighborhood Association meet Tuesday July 15th to listen to plans presented by Mr Larry James Jr. concerning the Quik Trip in our neighborhood.

After listening to the presentation Accent members voted to support the following.

1. Variance from the 150 foot separation required between Quik Trip property (and Easton Place United Methodist Church to allow Quik Trip to sell beer and wine at the new location.
2. Rezoning of the property from C-1 (Commercial) & M-1 (Industrial) to C-2 (Commercial).
3. Site plan for the project.

Marian E Wynn President Accent Neighborhood Association

Marian.wynn@yahoo.com.

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July 8, 2014

Mr. Larry James JR.;

Tuesday July 8, 2014 the Fairmont Park Assc. Regular monthly meeting, discussed your proposal, and unanimously decided to support Quik Trips position, RE: the new store on E 24th and Hubbell.

Jeff Witte

Fairmont Park Assc.

President