



Date September 14, 2015

RESOLUTION HOLDING HEARING ON REQUEST FROM KUM & GO, LC FOR AMENDMENT TO THE KUM & GO STORE #120 PUD CONCEPTUAL PLAN ON PROPERTY LOCATED AT 6304 SOUTHWEST 9TH STREET

WHEREAS, on July 23, 2012, by Roll Call No. 12-1193, the City Council adopted Ordinance No. 15,122, to rezone real property located in the vicinity of 6304 Southwest 9th Street (“Property”) from “C-2” General Retail and Highway Oriented Commercial District and “R1-60” One-Family Low-Density Residential District to “PUD” Planned Unit Development District classification for the Kum & Go Store #120 PUD District; and

WHEREAS, on August 24, 2015, by Roll Call No. 15-1433, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on August 6, 2015, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from Kum & Go, LC (owner), represented by Nick Halfhill (officer), for review and approval of the Second Amendment to the Kum & Go Store #120 PUD Conceptual Plan to allow an approved 6,321 square foot convenience store, with 16 fueling locations, to have a reconfigured site layout and a revised store and canopy design to fit the current corporate prototype, subject to revisions set forth in said communication from the Commission; and

WHEREAS, on August 24, 2015, by Roll Call No. 15-1433, it was duly resolved by the City Council that the request from Kum & Go, LC for approval of the Second Amendment to the Kum & Go Store #120 PUD Conceptual Plan for the Property as legally described below, be set down for hearing on September 14, 2015 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 Kum & Go Store #120 PUD Conceptual Plan; and

WHEREAS, in accordance with said notice, those interested in said proposed amendment to the approved Kum & Go Store #120 PUD Conceptual Plan, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

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 statements of interested persons and arguments of counsel, any and all objections to the proposed Second Amendment to the Kum & Go Store #120 PUD Conceptual Plan for the Property, locally known as 6304 Southwest 9th Street and legally described as follows, are hereby overruled, and the hearing is closed:

PARCEL "A" AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 14052 AT PAGE 229 OF LOTS 1, 2, 21, & 22 IN LANGDON PLACE, AN OFFICIAL PLAT, NOW IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.



Roll Call Number

Agenda Item Number

63

Date September 14, 2015

2. The proposed Second Amendment to the Kum & Go Store #120 PUD Conceptual Plan, as on file in the Community Development Department, is hereby found to be in conformance with the Des Moines' 2020 Community Character Land Use Plan and is hereby approved, subject to the revisions identified in the communication from the Plan and Zoning Commission received by the City Council by this Roll Call, and subject to the Community Development Director finding that such revisions have been satisfied by amendments to the Plan.

MOVED BY _____ TO ADOPT.

FORM APPROVED:

Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

(ZON2015-00128)

NOTE: Six affirmative votes are required to approve the proposed amendment, due to the written protest against the amendment as signed and submitted by owners of twenty percent or more of the property which is located within 200 feet of the exterior boundaries of the property proposed for change. Des Moines City Code §134-700.

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

MOTION CARRIED APPROVED

CERTIFICATE

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

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

_____ Mayor

_____ City Clerk



August 18, 2015

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 August 6, 2015, the following action was taken regarding a request from Kum & Go, LC (owner) represented by Nick Halfhill (officer) for amendment to the Kum & Go Store #120 PUD Conceptual Plan on property located at 6304 Southwest 9th Street.

COMMISSION RECOMMENDATION:

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

Commission Action:	Yes	Nays	Pass	Absent
Dory Briles	X			
JoAnne Corigliano	X			
Jacqueline Easley	X			
Tim Fitzgerald	X			
Jann Freed				X
John "Jack" Hilmes				X
Greg Jones	X			
Sasha Kamper	X			
Brian Millard	X			
William Page	X			
Jonathan Rosenbloom	X			
Mike Simonson	X			
CJ Stephens				X
Greg Wattier	X			

APPROVAL of a the proposed Conceptual Plan amendment to allow an approved 6,321-square foot convenience store with 16 fueling locations to have a reconfigured site layout and a revised store and canopy design to fit the current corporate prototype subject to the following conditions: (ZON2015-00128)

1. All pump island canopy columns shall be wrapped with a masonry or other similar product as approved by the Planning Administrator.

2. Any dumpster enclosure shall be constructed with masonry or precast concrete walls and steel gates as approved by the Planning Administrator.
3. Any monument sign shall have a maximum height of 8 feet.
4. Any monument sign shall have a solid opaque base constructed of brick, stone, concrete block or other durable material that is no less than 2 feet in height as approved by the Planning Administrator. The base shall extend from grade to the bottom of the sign face across the entire width of the sign face.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the proposed Conceptual Plan amendment subject to the following conditions:

1. All pump island canopy columns shall be wrapped with a masonry or other similar product as approved by the Planning Administrator.
2. Any dumpster enclosure shall be constructed with masonry or precast concrete walls and steel gates as approved by the Planning Administrator.
3. Any monument sign shall have a maximum height of 8 feet.
4. Any monument sign shall have a solid opaque base constructed of brick, stone, concrete block or other durable material that is no less than 2 feet in height as approved by the Planning Administrator. The base shall extend from grade to the bottom of the sign face across the entire width of the sign face.

Written Responses

- 3 In Favor
- 2 In Opposition

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The proposed amendment would allow a reconfigured site layout and a revised store, pump island canopy and monument sign design to fit the current corporate prototype. The following chart highlights the primary changes between the approved PUD Concept Plan and the proposed amendment.

	CURRENT	PROPOSED
BLDG SIZE	6,321 sq. ft.	4,958 sq. ft.
FUELING LOCATIONS	20	16
PARKING	41 stalls	33 stalls

OPEN SPACE	30,661 sq. ft.	38,429 sq. ft.
BUILDING MATERIALS	Masonry with metal awnings	Nichiha fiber cement panels with precast concrete base and metal accent on the front facade
CANOPY MATERIALS	Aluminum fascia with masonry column veneer	Metal fascia and column veneer with Nichiha fiber cement panel accents
MONUMENT SIGN	Primary material is masonry Height – 12'-6"	Primary material is metal Height – 12'
OUTDOOR SEATING	None	Patio and seating

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

3. **Existing Zoning (site):** "Kum & Go Store #120" PUD District.

4. **Existing Land Use (site):** Development site.

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

North – "C-2" & "R1-60"; Uses are single-family dwellings and religious based community center.

South – "C-2"; Use is a Hardee's Restaurant.

East – "C-2"; Uses are a veterinarian clinic and a church.

West – "R1-60"; Uses are single-family dwellings.

6. **General Neighborhood/Area Land Uses:** The proposed development is located along the Southwest 9th Street commercial corridor just north of the Army Post Road intersection.

7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Watrous South Neighborhood and within 250 feet of the Fort Des Moines Neighborhood. These neighborhood associations were notified of the meeting by mailing of the Preliminary Agenda to all recognized neighborhood associations on July 17, 2017. Additionally, separate notifications of the hearing for this specific item were mailed on July 17, 2015 (20 days prior to the hearing) and on July 27, 2015 (10 days prior to the hearing) to the 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 for the meeting was mailed to all the recognized neighborhood associations on July 31, 2015.

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 Watrous South Neighborhood notices were mailed to James Spiller, P.O. Box 35845, Des Moines, IA 50315. The Fort Des Moines Neighborhood notices were mailed to Jim Cox, 6018 SW 7th Street, Des Moines, IA 50315.

8. **Relevant Zoning History:** The subject site was zoned “PUD” District by the City Council on July 23, 2012 by Ordinance Number 15,122. The “PUD” Concept Plan was amended on September 9, 2014 by Roll Call Number 13-1326 to allow the height of the pump island canopy to be increased from a maximum of 19 feet, 6 inches to 20 feet, 10-inches and to allow for canopy signage to match other newer store locations in the area.
9. **2020 Community Character Land Use Plan Designation:** Commercial: Auto-Oriented Community Commercial.
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, and taking into consideration the criteria set forth in Chapter 18B of the Iowa Code. The Commission may recommend that certain conditions be applied to the subject property if the property owner agrees in writing, in addition to the existing regulations. The recommendation of the Commission will be forwarded to the City Council.

The application, accompanying evidence and Conceptual Plan shall be considered by the Plan and Zoning commission at a public hearing. The Commission shall review the conformity of the proposed development with the standards of this division and with recognized principles of civic design, land use planning, and landscape architecture. At the conclusion of the hearing, the Commission may vote to recommend either approval or disapproval of the Conceptual Plan and request for rezoning as submitted, or to recommend that the developer amend the plan or request to preserve the intent and purpose of this chapter to promote public health, safety, morals and general welfare. The recommendations of the commission shall be referred to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

1. **Drainage/Grading:** A stormwater detention basin exists in the western portion of the site. This facility was constructed with the Hardee’s redevelopment to the south and was designed to have enough capacity for both developments.
2. **Parking:** The City’s standard off-street parking requirement for retail uses with fuel sales is 1 parking space per 300 square feet. This would require a minimum of 17 spaces for a 4,958-square foot building. A total of 33 parking spaces are proposed.
3. **Urban Design:** The Conceptual Plan includes a note that states the proposed convenience store project will be developed in accordance with the City’s Gas Station/Convenience Store Site Plan Design Guidelines. The following are the guidelines as listed in Chapter 82 of the City Code (Section 82-214.8) with staff comments as appropriate in italics.

Site Design

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

The site measures 2 acres and would contain 16 fueling locations. A minimum of 17,424 square feet of open space is required to meet this guideline. The submitted Concept Plan shows that the site would have at least 38,429 square feet (44.2% of site) of open space. This meets and exceeds this guideline.

- D. All development proposals should show evidence of coordination with the site plan as well as arrangement of buildings and planning elements of neighboring properties by:
- (i) Responding to local development patterns and the streetscape by use of consistent building setbacks, orientation and relationship of structures to the street and linkages to pedestrian facilities;
 - (ii) Seeking shared-access with adjoining commercial uses where feasible to minimize curb cuts and enhance pedestrian and vehicular circulation;
 - (iii) Minimizing cross traffic conflicts within parking areas.

The Conceptual Plan contains a note that states "cross access easements will be provided to the north and south as determined at the Development Plan stage."

- E. The site plan shall mitigate the negative impacts from site activities on adjoining uses as follows:
- (i) Service areas, storage areas and refuse enclosures should be oriented away from public view and screened from adjacent sites;
 - (ii) Drive-through windows, menu boards and associated stacking lanes should be oriented away from residential areas or screened from public view;
 - (iii) Auto repair bay openings and car-wash openings should be oriented away from residential uses;
 - (iv) Lighting should be non-invasive to adjoining residential use.

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

The Conceptual Plan shows a marked pedestrian route that connects the proposed building to the Hardee's building to the south. From this point a pedestrian can take marked routes to the SW 9th Street or Army Post Road sidewalks. A pedestrian route is also provided from the store to SW 9th Street along the north perimeter of the site.

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 and trash enclosure would consist of a precast concrete base with Nichiha Fiber Cement Panel siding on the upper portions. A metal sided feature is proposed on the front façade of the building. Staff believes the proposed trash enclosure walls should be constructed of precast concrete or masonry and steel gates to ensure the enclosure's long term durability and appearance.

- 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 columns wrapped in metal cladding. Staff believes the columns should be wrapped in a masonry or precast concrete product.

- (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 primary canopy structure would not exceed 18 feet in height including signage. The revised design includes two ornamental elements consisting of Nichiha Fiber Cement Panels that would sit on top of the canopy. The height of the canopy as measured at the Nichiha element would be 21'-6". Staff believes that the proposed height is appropriate given that the primary canopy structure does not exceed 18 feet and that the taller portion consists of an ornamental element that provides visual interest to the canopy.

- 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 Conceptual Plan includes a note that addresses this guideline.

Landscape Design

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

The Conceptual Plan shows a mix of trees and shrubs throughout the site with an 8-foot tall fence along the west property line to buffer the adjoining single-family dwellings except for along the property line that abuts 6217 SW 10th Street and 6219 SW 10th

Street. During the rezoning process the owners of these properties requested that no fence be constructed along their properties.

The Conceptual Plan includes a note that states “the required landscaping shall be maintained for the life of the certificate of occupancy or certificate of zoning compliance.”

The submitted Conceptual Plan includes one monument style sign along SW 9th Street. The face of the sign would be 11 feet, 2 inches wide and 12 feet tall. The sign would include a 9.166-foot by 4.666-foot (42.77 square feet) component, a 2-foot by 11.166-foot (22.33 square feet) component, and a 2.833-foot by 11.166-foot (31.63 square feet) component. The 31.63-square foot component consists of an electronic sign for fuel price display. All additional signage would be mounted to the building and canopy.

The currently approved monument sign design consist predominately of masonry and has an overall sign face measurement of 11 feet, 4 inches (width) by 12 feet, 4 inches (height). Since this was approved, the City has adopted the “FSO” Freestanding Sign Overlay District and amended the monument sign design requirements. Below are the relevant portions of Section 134-1276 and Section 134-3 of the Zoning Ordinance.

Sec. 134-1276. General regulations.

(p) *Sign exceptions.* The regulations applicable to signage in this chapter, including the district regulations, shall be subject to the following exceptions:

(4) *FSO Freestanding sign overlay district.* The intent of the FSO freestanding sign overlay district is to decrease visual clutter along city corridors, streetscapes, and throughout the entirety of the city by requiring height restrictions for freestanding signs and encouraging the use of monument signs. The FSO freestanding sign overlay district applies to all land within the city or hereafter annexed into the city. The following regulations supersede any less restrictive regulations established in the district regulations:

(a) Pole signs are prohibited.

(b) Any on-premises advertising sign that is a freestanding sign shall be a monument sign, and shall comply with the following height restrictions measured from grade to the highest point on the sign:

(1) If located at or within 25 feet from the front lot line, the sign shall be no more than 8 feet in height.

(2) If located more than 25 feet from the front lot line, the sign shall be no more than 15 feet in height.

Sec. 134-3. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Sign, freestanding means a sign not attached to any building and is further defined as follows:

(2) *Sign, monument* means a sign affixed to a structure built on grade, having a **solid opaque base, constructed of brick, stone, concrete block or other durable material matching the exterior of the primary building and extending from grade to the bottom of the sign face across the entire width**

of the sign face. The height of the sign base must be not less than the larger of 2 feet or 25 percent of the total sign height. Monument signs are sometimes referred to in this chapter as monumental signs.

Staff believes the proposed monument sign should be no taller than 8 feet and have a solid opaque base, constructed of brick, stone, concrete block or other durable material that is no less than 2 feet in height. The base should extend from grade to the bottom of the sign face across the entire width of the sign face.

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 Conceptual Plan includes a note that states "all site lighting will be in compliance with the lighting standards of City Code Section 82-214.8 to the satisfaction of the Community Development Director." Lighting would be reviewed in detail during the Development Plan phase.

- 4, 2020 Community Character Plan:** Staff believes that the proposed amendment to the PUD Conceptual Plan conforms to the Des Moines' 2020 Community Character Plan Future Land Use designation of Commercial: Auto-Oriented Commercial Corridor.

SUMMARY OF DISCUSSION

Erik Lundy presented the staff report and recommendation.

Nick Halfhill Kum & Go 6400 Westown Parkway, West Des Moines stated this is an item that was before the Commission a few times previously. They put it on pause in order to

work on their current prototype building. They had a neighborhood meeting and only 6 people attended. They had a positive discussion. The biggest change is the façade is a little different and the building is deeper. There is a patio on that side that brings it out which is 112 or 115 foot wide. They modified the site to fit that area. The biggest difference is they went from 10 fuel pumps to 8 fuel pumps. The open space increased in back because the density was reduced. They are in agreement with staff's recommendation and are willing to work with staff for a solution to canopy materials.

CHAIRPERSON OPENED THE PUBLIC HEARING

Greg Jones asked if anyone was present to speak on this item. None were present or requested to speak.

CHAIRPERSON CLOSED THE PUBLIC HEARING

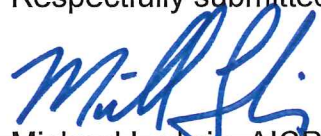
COMMISSION ACTION:

Mike Simonson moved staff recommendation for approval of the proposed Conceptual Plan amendment subject to the following conditions:

1. All pump island canopy columns shall be wrapped with a masonry or other similar product as approved by the Planning Administrator.
2. Any dumpster enclosure shall be constructed with masonry or precast concrete walls and steel gates as approved by the Planning Administrator.
3. Any monument sign shall have a maximum height of 8 feet.
4. Any monument sign shall have a solid opaque base constructed of brick, stone, concrete block or other durable material that is no less than 2 feet in height as approved by the Planning Administrator. The base shall extend from grade to the bottom of the sign face across the entire width of the sign face.

Motion passed 11-0.

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:clw
Attachment

Kum & Go, LC (owner) represented by Nick Halfhill (officer) for property located at 6304 Southwest 9th Street.				File # ZON2015-00128	
Description of Action		Approval of request to amend the Kum & Go Store #120 PUD Conceptual Plan, to allow an approved 6,321-square foot convenience store, with 16 fueling locations, to have a reconfigured site layout and a revised store and canopy design to fit the current corporate prototype subject to conditions.			
2020 Community Character Plan		Current: Commercial, Auto-Oriented Small-Scale Strip Development. Proposed: N/A.			
Mobilizing Tomorrow Transportation Plan		2035-2050 SW 9 th Street Widening 4 to 5 lanes.			
Current Zoning District		"PUD" Planned Unit Development District and "FSO" Freestanding Sign Overlay District.			
Proposed Zoning District		N/A.			
Consent Card Responses		In Favor	Not In Favor	Undetermined	% Opposition
Inside Area		3	2		
Outside Area					
Plan and Zoning Commission Action		Approval	11-0	Required 6/7 Vote of the City Council	
		Denial		Yes	
				No	X

Kum & Go, LC, 6304 Southwest 9th Street

ZON2015-00128



1 inch = 129 feet

Item ZON2015-00128 Date 7-29-15

I (am) in favor of the request.

COMMUNITY DEVELOPMENT

AUG 03 2015

DEPARTMENT

Print Name WILLIAM A. DICKERSON

Signature William A Dickerson

Address 1003 ARMY POST RD
DES MOINES IA.

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

DONT HAVE ANY REASON TO OPOSE

Item ZON2015-00128 Date 7-29-15

I (am) in favor of the request.

COMMUNITY DEVELOPMENT

AUG 03 2015

DEPARTMENT

Print Name Dan Owen

Signature Dan Owen

Address 923 Army Post Rd

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

Item ZON2015-00128

Date 7/31/15

I (am) in favor of the request.

COMMUNITY DEVELOPMENT

AUG 04 2015

DEPARTMENT

Print Name Rebecca Prarak

Signature Rebecca Prarak

Address 6307 SW 10th St DSM

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

Turned Go will be a nice addition
to corner in question. All concerns
will be addressed to my satisfaction

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Item ZON2015-00128

Date 7-30-15

I (am) in favor of the request.

COMMUNITY DEVELOPMENT

Print Name Fort Des Moines UMC

AUG 04 2015

Signature Tim Pherigo

DEPARTMENT

Address 6209 S.W. 9th

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

will cause traffic problems at busy intersection and trash blowing around neighborhood. Do not have need for additional gas station in area.

Item ZON2015-00128

Date 7-31-15

I (am) in favor of the request.

COMMUNITY DEVELOPMENT

Print Name CELEBRATION CHRISTIAN CENTER

AUG 04 2015

Signature Pastor Randall Johnson

DEPARTMENT

Address 6204 SW 9th DSM

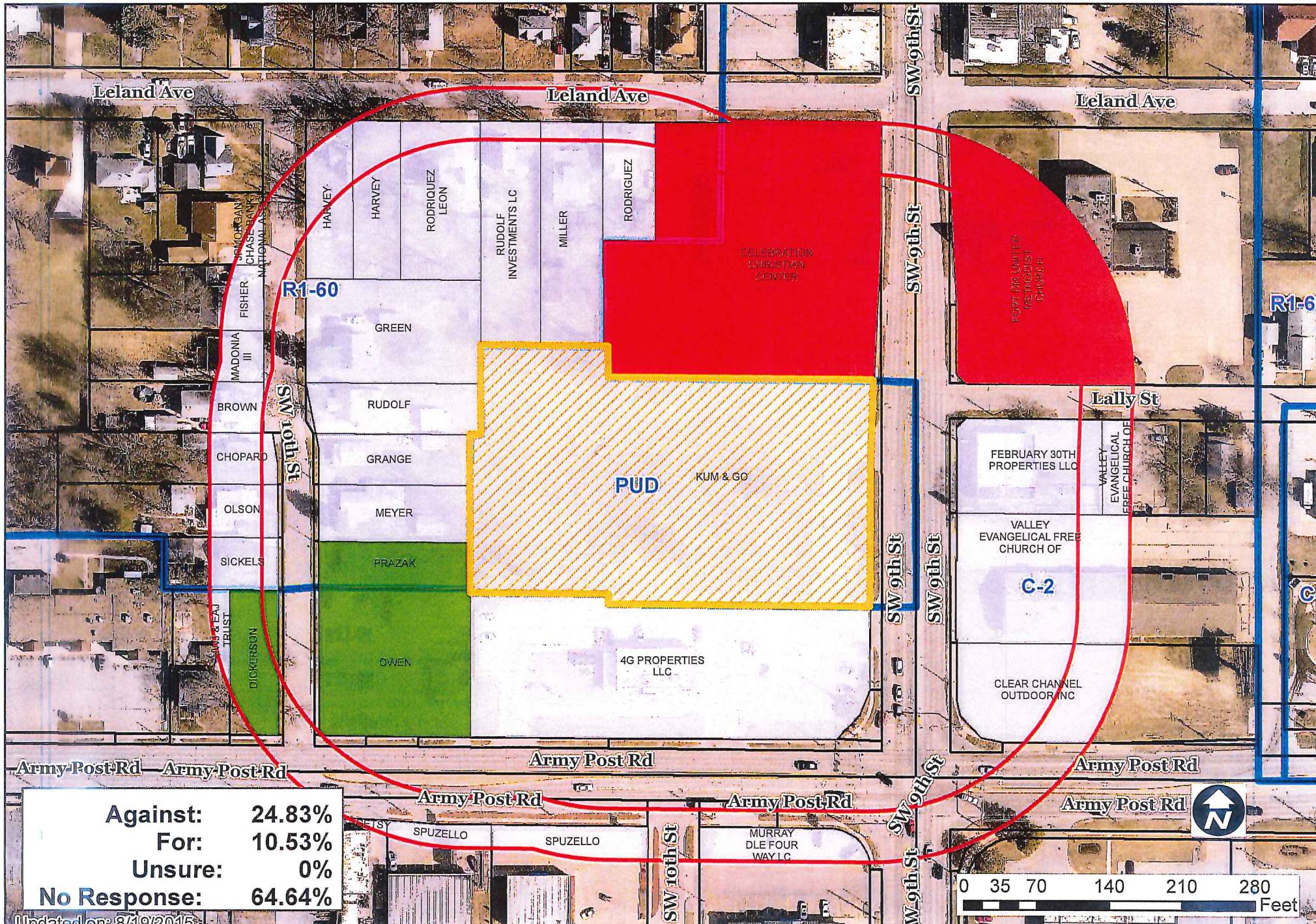
Reason for opposing or approving this request may be listed below:

TRAFFIC / SAFETY ISSUES, CHILDREN

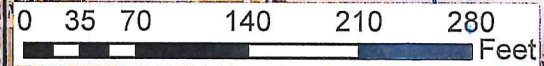
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Kum & Go, LC, 6304 Southwest 9th Street

ZON2015-00128



Against:	24.83%
For:	10.53%
Unsure:	0%
No Response:	64.64%



Updated on 8/19/2015

PROJECT TEAM:
DEVELOPER/APPLICANT:
 KUM & GO L.C.
 8400 WESTOWN PARKWAY
 WEST DES MOINES, IA 50268
 CONTACT: NICK HALFHILL
 PH: (515)457.8290

ENGINEER:
 OLSSON ASSOCIATES
 7157 VISTA DRIVE
 WEST DES MOINES, IA 50266
 CONTACT: JEREMY SHEPHERD
 PH: (515)331.8517

OWNER:
 KUM & GO L.C.
 8400 WESTOWN PARKWAY
 WEST DES MOINES, IA 50268
 CONTACT: NICK HALFHILL
 PH: (515)457.8290

LANDSCAPE ARCHITECT:
 OLSSON ASSOCIATES
 7157 VISTA DRIVE
 WEST DES MOINES, IA 50266
 CONTACT: JOSEPH STOBBERL
 PH: (515)331.8517

PUD BOUNDARY:

PARCEL "A" AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 14052 AT PAGE 229 OF LOTS 1, 2, 21, & 22 IN LANGDON PLACE, AN OFFICIAL PLAT, NOW IN FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

A PARCEL OF LAND THAT IS A PART OF LOT ONE (1) EXCEPT THE SOUTH 10 FEET THEREOF, IN LANGDON PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EXCEPT THAT PART DEED TO THE STATE OF IOWA BY WARRANTY DEED RECORDED IN BOOK 4986, PAGE 219, AND EXCEPT THAT PART DEED TO THE CITY OF DES MOINES, IOWA BY WARRANTY DEED RECORDED IN BOOK 4986, PAGE 222;

AND PART OF LOT TWO (2), IN LANGDON PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA;

AND PART OF LOT TWENTY-ONE (21), IN LANGDON PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EXCEPT THAT PART DEED TO THE CITY OF DES MOINES, IOWA BY DEED RECORDED IN BOOK 4986, PAGE 222;

AND PART OF LOT TWENTY-TWO (22), IN LANGDON PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EXCEPT THAT PART DEED TO THE CITY OF DES MOINES, IOWA BY DEED RECORDED IN BOOK 4986, PAGE 222;

MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT THE NW CORNER OF SAID LOT 21; THENCE N 0117'07" E, A DISTANCE OF 30.26 FEET TO THE NE CORNER OF SAID LOT 2; THENCE N 89°45'33" W, A DISTANCE OF 122.27 FEET TO THE NW CORNER OF SAID LOT 2; THENCE S 001°17'17" W, A DISTANCE OF 87.81 FEET; THENCE S 89°58'53" W, A DISTANCE OF 10.62 FEET; THENCE S 001°7'50" E, A DISTANCE OF 154.82 FEET; THENCE S 89°47'48" E, A DISTANCE OF 132.80 FEET; THENCE S 001°18'33" E, A DISTANCE OF 10.00 FEET; THENCE S 89°47'48" E, A DISTANCE OF 250.80 FEET TO A POINT ON THE WEST R.O.W. OF SW 9TH ST.; THENCE N 00°09'50" W, A DISTANCE OF 139.73 FEET ALONG SAID R.O.W.; THENCE N 02°38'07" E, A DISTANCE OF 81.60 FEET ALONG SAID R.O.W.; THENCE N 89°33'35" W, A DISTANCE OF 255.18' ALONG THE NORTH LINE OF SAID LOT 21 TO THE POINT OF BEGINNING, AND CONTAINING 2.00 ACRES MORE OR LESS, AND SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

BENCHMARKS:

BENCHMARK #1
 5/8" REBAR W/ CAP ON THE NORTH WEST CORNER OF ARMY POST ROAD AND 9TH STREET.
 ELEV=955.17 (NAVD 88)

BENCHMARK #2
 5/8" REBAR W/ CAP ON THE WEST SIDE OF HARDER'S ENTRANCE.
 ELEV=958.98 (NAVD 88)

FLOOD ZONE:

PROPERTY IS IN FLOOD ZONE "X" AREA DETERMINED TO BE OUTSIDE THE 100-YEAR FLOOD CHANCE FLOODPLAIN MAP NUMBER=1902220009E EFFECTIVE DATE=JULY 15, 1988

NOTE:
 THIS DOCUMENT HAS BEEN RELEASED BY OLSSON ASSOCIATES FOR REVIEW BY REGULATORY AGENCIES AND OTHER PROFESSIONALS, AND IS SUBJECT TO CHANGE. THIS DOCUMENT IS NOT TO BE USED FOR CONSTRUCTION.

**KUM & GO STORE #120 PUD (2ND AMENDMENT)
 A PLANNED UNIT DEVELOPMENT IN THE CITY OF
 DES MOINES, COUNTY OF POLK, STATE OF IOWA
 6304 SW 9TH STREET
 DES MOINES, IA**



VICINITY MAP
 SCALE: 1"=2000'

SHEET INDEX

COVER SHEET-TEXT	1 OF 5
CONCEPT PLAN MAP	2 OF 5
BUILDING EXTERIOR ELEVATIONS	3 OF 5
CANOPY ELEVATIONS	4 OF 5
SIGNAGE AND TRASH ENCLOSURE	5 OF 5

PUD APPROVAL SUMMARY

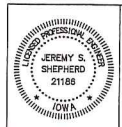
VERSION	DATE APPROVED	DESCRIPTION	CASE NUMBER	ROLL CALL	ORDINANCE NUMBER
ORIGINAL	7/23/2012		ZON2012-00089	12-1187	15,122
1st AMENDMENT	9/9/2013	REVISED CANOPY HEIGHT LANGUAGE AND ELEVATIONS	ZON2013-00093	13-1328	-
2nd AMENDMENT	XX/XX/XXXX	REVISED TO NEW KUM & GO DESIGN			

CONCEPTUAL PUD PLAN

APPROVED APPROVED WITH CONDITION SEE 'EXHIBIT A' ATTACHED HERETO

IN ACCORDANCE WITH SECTION 134-695 2000 DES MOINES MUNICIPAL CODE AS AMENDED. NO CHANGES TO THIS PLAN UNLESS APPROVED IN WRITING FROM THE PLANNING DIRECTOR OR NEW AMENDED DATED PLAN.

DATE _____ PLANNING DIRECTOR _____



I HEREBY CERTIFY THAT THE ENGINEERING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWA.

SIGNATURE: _____ DATE: _____
 NAME: JEREMY S. SHEPHERD
 LICENSE NUMBER 21188
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2015
 PAGES OR SHEETS COVERED BY THIS SEAL: 1 & 2

PUD STANDARDS:

- NEW CONSTRUCTION OF A B PUMP CANOPY AND AN ASSOCIATED 8,321 SF BUILDING. DEVELOPMENT WILL CONSIST OF 44,234 OPEN SPACES WITH 33 PARKING STALLS AT THE CORNER OF SOUTHWEST 8TH STREET AND ARMY POST ROAD.
- LAND USES: THE LAND USE SHALL CONSIST OF A FUEL CANOPY AND AN ASSOCIATED CONVENIENCE STORE WHICH MAY INCLUDE THE SALE OF BEER AND WINE AS AN ACCESSORY USE TO THE CONVENIENCE STORE SUBJECT TO THE FOLLOWING LIMITATIONS:
 - A CLASS E LIQUOR LICENSE IS PROHIBITED.
 - ANY SALE OF WINE AND/OR BEER SHALL BE ACCESSORY TO A GAS STATION/CONVENIENCE STORE, WHERE NO MORE THAN 40% OF THE BUSINESS' GROSS REVENUE IS DERIVED FROM THE SALE OF TOBACCO PRODUCTS, ALCOHOLIC LIQUOR, WINE, AND/OR BEER.
 - ANY SALE OF WINE AND/OR BEER SHALL BE IN ACCORDANCE WITH PROPER LICENSE OBTAINED THROUGH THE OFFICE OF THE CITY CLERK AS APPROVED BY THE CITY COUNCIL.
 - ANY PARKING AREA PROVIDED FOR THE USE OF CUSTOMERS OF THE BUSINESS SHALL BE ILLUMINATED AT AN INTENSITY OF AT LEAST ONE FOOTCANDLE OF LIGHT ON THE PARKING SURFACE AT ALL TIMES.
 - THE BUSINESS SHALL COMPLY WITH ARTICLE IV OF CHAPTER 43 OF THIS CODE PERTAINING TO NOISE CONTROL.
 - NO SALE OF ALCOHOLIC BEVERAGES SHALL BE MADE FROM A DRIVE-THROUGH WINDOW.
 - LITTER AND TRASH RECEPTACLES SHALL BE LOCATED AT CONVENIENT LOCATIONS INSIDE AND OUTSIDE THE PREMISES, AND OPERATORS OF SUCH BUSINESS SHALL REMOVE ALL TRASH AND DEBRIS FROM THE PREMISES AND ADJOINING PUBLIC AREAS ON A DAILY BASIS.
 - THE PUD CONCEPTUAL PLAN SHALL BE SUBJECT TO A LEGISLATIVE AMENDMENT TO PRECLUDE THE SALE OF ALCOHOLIC LIQUOR IF THE ZONING ENFORCEMENT OFFICER DETERMINES THAT THE OPERATION OF THE BUSINESS BECOMES A NUISANCE OR EXHIBITS A PATTERN OF VIOLATING THE CONDITIONS OF APPROVAL.

DEVELOPMENT PROVISION: ANY GAS STATION/CONVENIENCE STORE SHALL BE DEVELOPED IN COMPLIANCE WITH THE CITY'S GAS STATION/CONVENIENCE STORE SITE PLAN DESIGN GUIDELINES (SECTION 82-214.8) AS DEMONSTRATED AT THE DEVELOPMENT PLAN STAGE, EXCEPTING THOSE PROVISIONS AMENDED HERE IN THIS PUD DOCUMENT.

BULK STANDARDS: OPEN SPACE IS LISTED IN SHEET 1 OF 5 OF THIS CONCEPTUAL PLAN SET. THE SITE HAS A REQUIREMENT OF 2000 SF OR 23.0% OPEN SPACE AND 44.2% HAS BEEN PROVIDED. THE SITE HAS THE FOLLOWING SETBACKS: BUILDING 25.0' FRONT YARD SETBACK, 0.0' SIDE YARD SETBACK, AND 10.0' REAR YARD SETBACK. THE SITE ALSO HAS A 10.0' FRONT YARD PARKING SETBACK.

CANOPY - CANOPY HEIGHT SHALL PROVIDE A MINIMUM OF 15'6" FOR VEHICLE CLEARANCE. CANOPY SHALL BE A LEVEL STRUCTURE AND ANY DIFFERENTIATION IN HEIGHT SHALL BE INCIDENTAL TO THE FINAL PROPOSED GRADE NECESSARY FOR SITE DRAINAGE. CANOPY HEIGHTS AND DIMENSIONS SHALL BE AS PROVIDED IN THE ATTACHED CANOPY ELEVATIONS.

CONSERVATION, MITIGATION AND CONSTRUCTION PROTECTION MEASURES: THE SUBJECT PROPERTY IS NOT KNOWN TO BE A WETLAND AND NO MITIGATION IS PLANNED. THIS SITE WILL HAVE CONSTRUCTION BMP'S INCLUDING BUT NOT LIMITED TO SILT FENCE, INLET PROTECTION, ENERGY DISSIPATION AND A ROCK CONSTRUCTION ENTRANCE TO REDUCE STREET TRACKING. THESE WILL BE INCORPORATED INTO THIS PROJECT'S CONSTRUCTION DOCUMENTS.

DRAINAGE: STORMWATER RUNOFF SHALL BE TREATED IN THE DETENTION/WATER QUALITY BASIN DESIGNED AS PART OF THE HARDER'S PROJECT. DRAINAGE WILL BE DESIGNED TO ADHERE TO CITY OF DES MOINES DRAINAGE STANDARDS FOR PEAK RUNOFF RATE IN POST DEVELOPMENT FLOWS.

SIGNAGE: C-2 ZONING DISTRICT STANDARDS SHALL BE USED FOR ALL OTHER MISCELLANEOUS (WINDOW SIGNS, PRIVATE DIRECTIONAL SIGNS, SIGNS ON CANOPIES, DIRECTIONAL SIGNS, SERVICE SIGN AND BUILDING) SIGN TYPES AND OTHER SPECIAL SIGN LIMITATIONS. THE SITE IS PERMITTED TO HAVE ONE FREE STANDING SIGN, WHICH SHALL BE A MONUMENT STILE SIGN.

SITE LIGHTING: ALL SITE LIGHTING WILL BE IN COMPLIANCE WITH THE LIGHTING STANDARDS OF CITY CODE SECTION 82-214.8 TO THE SATISFACTION OF THE COMMUNITY DEVELOPMENT DIRECTOR. LIGHTING SHALL CONSIST OF LOW-GLARE CUT OFF TYPE FIXTURES TO REDUCE THE CLARE OF LIGHT POLLUTION ON SURROUNDING PROPERTIES.

MECHANICAL SCREENING: ALL ROOF TOP MECHANICAL EQUIPMENT SHALL BE SCREENED BY THE BUILDING PARAPET WALL OR OTHER MATERIALS AS APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR IN ACCORDANCE WITH SECTION 134-1276(1)(2) OF THE CITY CODE.

SEASONAL ITEMS: LOCATIONS HAVE BEEN IDENTIFIED ON THE PUD CONCEPTUAL PLAN ON THE EAST SIDE OF THE BUILDING; ALL OTHER DISPLAY ITEMS FOR SALE, EXCLUDING SEASONAL ITEMS (IE SAND, SALT, POP, FRESHWOOD) SHALL BE LOCATED WITHIN THE MAIN BUILDING. ALL OUTDOOR DISPLAY OF SEASONAL ITEMS SHALL BE IDENTIFIED ON THE DEVELOPMENT PLAN AND LOCATED OUTSIDE OF ANY REQUIRED SETBACKS. NO DISPLAY OF SEASONAL ITEMS SHALL EXCEED 5 FEET IN HEIGHT.

FENCES: AN 8' TALL WOOD FENCE SHALL BE INSTALLED ALONG ALL LOT LINES ABUTTING R1-80 ZONING EXCEPT THE REAR LOT LINES OF 6217 SW 10TH STREET AND 6219 SW 10TH STREET.

GRESS ACCESS EASEMENTS WILL BE PROVIDED TO THE NORTH AND SOUTH AS DETERMINED AT THE DEVELOPMENT PLAN STAGE.

THE REQUIRED LANDSCAPING SHALL BE MAINTAINED FOR THE LIFE OF THE CERTIFICATE OF OCCUPANCY OR CERTIFICATE OF ZONING COMPLIANCE.

NO MECHANICAL OR UTILITY EQUIPMENT OVER 3' IN HEIGHT SHALL BE ALLOWED IN ANY MINIMUM REQUIRED FRONT YARD SETBACK AREA.



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STORE #120 - DES MOINES, IA
 6304 SW 9TH STREET
 COVER SHEET-TEXT

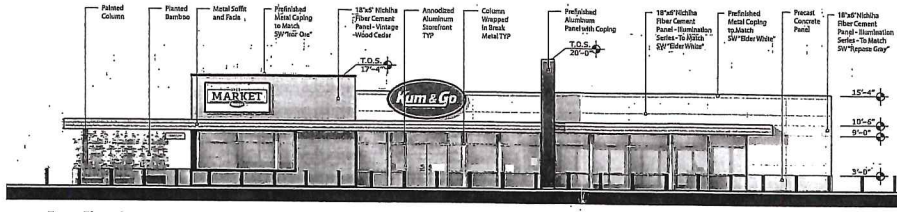
NO PROJECT TEAM:
 RDR: JSH
 SDR: NKH
 CRK: TJE

REVISION DESCRIPTION	DATE

REVISIONS

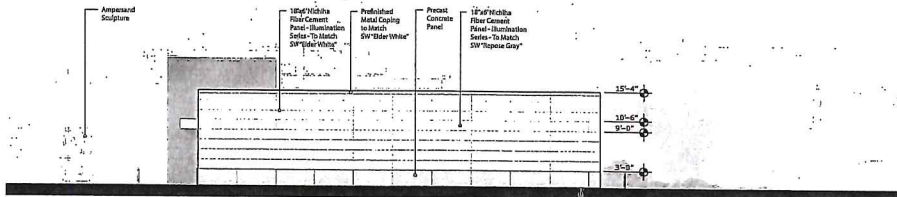
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CONCEPTUAL PLAN
 KUM & GO #120
 A PLANNED UNIT DEVELOPMENT IN THE CITY OF
 DES MOINES, COUNTY OF POLK, STATE OF IOWA
 SHEET 3 OF 5



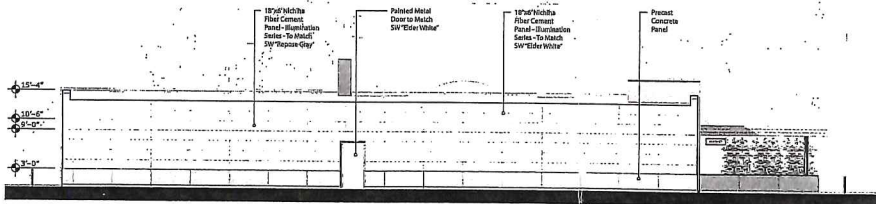
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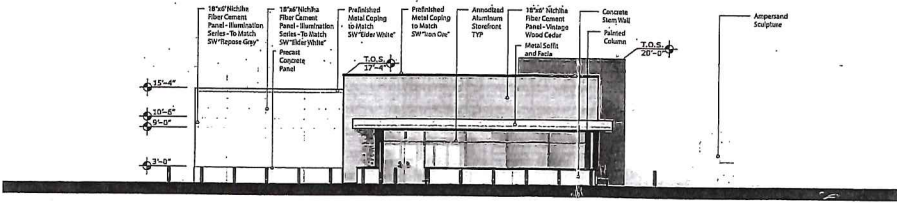
Right Elevation

Not To Scale



Front Elevation

Not To Scale



Side Elevation

Not To Scale

MOLSSON
 ASSOCIATES

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STORE #120 - DES MOINES, IA
 6304 SW 9TH STREET
 BUILDING EXTERIOR ELEVATIONS

KG PROJECT TEAM
 RDR: JKH
 SDR: NGH
 CRN: TUC

REVISION DESCRIPTION	DATE

DATE: 06/23/2015
 SHEET NUMBER:

3 OF 5



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USER: hpaterson
 DATE: Jun 25, 2015 11:42am
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