



**Roll Call Number**

**Agenda Item Number**

44

Date September 12, 2016

**RESOLUTION SCHEDULING PUBLIC HEARING ON PROPOSED AMENDMENT TO SITE PLAN ORDINANCE (CHAPTER 82) RELATING TO SITE PLAN DESIGN GUIDELINES**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 1, 2016, its members voted 8-0 in support of a motion to recommend **APPROVAL** of an amendment to Section 82-214.8 of the Site Plan Ordinance relating to gas station/convenience store site plan design guidelines, to clarify reference to the City's comprehensive plan, PlanDSM: Creating Our Tomorrow, and all documents incorporated therein by Council resolution.

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

1. That the attached communication from the Plan and Zoning Commission is hereby received and filed.
2. That the meeting of the City Council at which the proposed amendment to Section 82-214.8 of the Planning Ordinance is to be considered shall be held in the Council Chambers, Municipal Service Center, 1551 East Martin Luther King, Jr. Parkway, at 5:00 p.m. on September 26, 2016, at which time the City Council hear both those who oppose and those who favor the proposal.
3. 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 four (4) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 of the Iowa Code.

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

FORM APPROVED:

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

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

**Sec. 82-214.8. Gas Station/Convenience Store Site Plan Design Guidelines.**

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, 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:

....

2. *Architecture.*

....

B. Building design should consider the unique qualities and character of the surrounding area and be consistent with the city's 2020 Character Area P comprehensive plans, including all community character plans, redevelopment plans, neighborhood plans, community preservation plans, and similar documents incorporated by reference pursuant to city council resolution. Where character is not defined by 2020 Community Character Plansaid plan and all documents incorporated by reference, building design should be of a high quality with primary use of durable materials such as masonry, block, or stone.



September 9, 2016

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 1, 2016 the following action was taken regarding City initiated request for an amendment to the Site Plan Ordinance text in Chapter 82 Section 82-214.8 to revise design guideline requirements for gas stations/convenience stores to require building design to be consistent with adopted plans including the comprehensive plan.

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 8-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus				X
Dory Briles				X
JoAnne Corigliano				X
David Courard-Hauri	X			
Jacqueline Easley	X			
Jann Freed	X			
John "Jack" Hilmes				X
Carolyn Jenison	X			
Greg Jones	X			
William Page	X			
Mike Simonson				X
Rocky Sposato	X			X
CJ Stephens				X
Steve Wallace	X			
Greg Wattier				X

**APPROVAL** of the proposed amendment to Section 82-214.8 of the Municipal Code.  
 (10-2016-5.02)

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

Staff recommends approval of the proposed amendment to Section 82-214.8 of the Municipal Code.

## **STAFF REPORT TO THE PLANNING COMMISSION**

### **I. GENERAL INFORMATION**

The proposed text amendment to Section 82-214.8 is attached. The new text deletes existing code reference to the "Des Moines 2020 Community Character Plan" which was replaced by PlanDSM on April 25, 2016. The new text provides more general language requiring consistency with "the city's comprehensive plan" which includes numerous documents such as PlanDSM, neighborhood plans, community preservation plans, etc. that are incorporated by reference over time pursuant to council resolution.

### **SUMMARY OF DISCUSSION**

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

### **COMMISSION ACTION:**

David Courard-Hauri moved staff recommendation for approval of the proposed amendment to Section 82-214.8 of the Municipal Code.

Motion passed 8-0.

Respectfully submitted,



Erik Lundy, AICP  
Senior City Planner

EML:clw

cc: File

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