



Date March 6, 2017

**RESOLUTION HOLDING PUBLIC HEARING ON APPEAL BY
QUIK TRIP CORPORATION OF THE CONDITIONS OF A SITE PLAN
FOR PROPERTY LOCATED AT 1501 EAST GRAND AVENUE**

WHEREAS, on February 20, 2017, by Roll Call No. 17-0269, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on February 2, 2017, its members voted 14-0 to recommend **APPROVAL** of a request from Quik Trip Corporation (owner), represented by Mike Talcott (officer), for approval of an amendment to Site Plan “Quik Trip No. 0535” for property located at 1501 East Grand Avenue under design guidelines for gas stations/convenience stores, subject to the following conditions:

- (1) The “urban edge” along East Grand Avenue shall incorporate piers and trellis elements.
- (2) The Site Plan is subject to compliance with all administrative review comments including, but not limited to:
 - a. Providing an amount of open space on the site that is no less than the amount of open space identified on the site plan presented to the Plan and Zoning Commission by Case Number 10-2017-7.19 on September 15, 2016.
 - b. Providing minimum buffer yard plantings as required by the City’s Landscaping Standards, to the extent and in the locations discussed at the Plan and Zoning Commission meeting (Case No. 10-2017-7.77, February 2, 2017).
 - c. Providing the minimum pavement perimeter setback distance (10 feet along street right-of-way).
 - d. Providing the minimum landscape perimeter plantings along Capitol Avenue.
 - e. Providing a special landscape treatment at the intersection corner of East Grand Avenue and East 15th Street as defined by the City’s design guidelines for gas stations/convenience stores.
 - f. Providing a pedestrian route to East 15th Street from the building.
 - g. Providing lighting coverage that complies with City of Des Moines lighting standards.
 - h. Complying with the City’s design guidelines for gas stations/convenience stores maximum fuel canopy height provisions.
 - i. Providing sidewalk and planter bed details on the site plan.
 - j. Utilizing cut-off light fixtures for all building mounted lighting.
 - k. Providing consistent architectural detail on all sides of the building including porcelain elements and cornices on the rear façade that match the other three facades.
 - l. Removal of the commercial access drive on to Capitol Avenue; and

WHEREAS, Quik Trip Corporation has timely appealed to the City Council pursuant to Municipal Code Section 82-210, seeking to have the conditions set forth above as determined by the Plan and Zoning Commission overturned and/or modified; and

WHEREAS, on February 20, 2017, by Roll Call No. 17-0269, it was duly resolved by the City Council that the appeal be set down for hearing on March 6, 2017 at 5:00 P.M. in the Council Chamber at the Municipal Services Center (MSC); and



Date March 6, 2017

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place of hearing on said appeal; and

WHEREAS, in accordance with said notice, those interested in said appeal and the proposed site plan, 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, Section 82-210 of the Des Moines Municipal Code provides that upon appeal from the Plan and Zoning Commission, a majority vote of the City Council shall be necessary to overturn the action of the Plan and Zoning Commission regarding a site plan.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that upon due consideration of the facts and any statements of interested persons and arguments of counsel, any and all arguments and objections to the Plan and Zoning Commission approval of an amendment to Site Plan "Quik Trip No. 0535" from Quik Trip Corporation for property located at 1501 East Grand Avenue under design guidelines for gas/stations/convenience stores are hereby received, and the public hearing on the appeal and proposed site plan is closed.

MOVED by _____ to **APPROVE** the site plan, subject to the following conditions:

- (1) The "urban edge" along East Grand Avenue shall incorporate piers and trellis elements.
- (2) The Site Plan is subject to compliance with all administrative review comments including, but not limited to:
 - a. Providing an amount of open space on the site that is no less than the amount of open space identified on the site plan presented to the Plan and Zoning Commission by Case Number 10-2017-7.19 on September 15, 2016.
 - b. Providing minimum buffer yard plantings as required by the City's Landscaping Standards, to the extent and in the locations discussed at the Plan and Zoning Commission meeting (Case No. 10-2017-7.77, February 2, 2017).
 - c. Providing the minimum pavement perimeter setback distance (10 feet along street right-of-way).
 - d. Providing the minimum landscape perimeter plantings along Capitol Avenue.
 - e. Providing a special landscape treatment at the intersection corner of East Grand Avenue and East 15th Street as defined by the City's design guidelines for gas stations/convenience stores.
 - f. Providing a pedestrian route to East 15th Street from the building.
 - g. Providing lighting coverage that complies with City of Des Moines lighting standards.
 - h. Complying with the City's design guidelines for gas stations/convenience stores maximum fuel canopy height provisions.
 - i. Providing sidewalk and planter bed details on the site plan.
 - j. Utilizing cut-off light fixtures for all building mounted lighting.

Date March 6, 2017

- k. Providing consistent architectural detail on all sides of the building including porcelain elements and cornices on the rear façade that match the other three facades.
- l. Removal of the commercial access drive on to Capitol Avenue.

FORM APPROVED:


 Glenna K. Frank, Assistant City Attorney

(10-2017-7.77)

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



February 15, 2017

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held February 2, 2017, a request from Quik Trip Corporation (owner) represented by Mike Talcott (officer), for review and approval of an amendment to the Site Plan "Quik Trip No. 0535" under design guidelines for gas stations/convenience stores, on property at 1501 East Grand Avenue, to allow for modification of the approved "urban edge" requirement on the north streetscape of East Grand Avenue and waiver of additional Site Plan design guidelines. (10-2017-7.77)

COMMISSION RECOMMENDATION:

After public hearing, the members voted 14-0 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			
Lisa Howard	X			
Carolyn Jenison				X
Greg Jones	X			
William Page	X			
Mike Simonson	X			
Rocky Sposato	X			
Steve Wallace	X			
Greg Wattier	X			

APPROVAL of the Site Plan subject to the following conditions:

1. The "urban edge" along East Grand Avenue shall incorporate piers and trellis elements.

11. Deficiency in identification of all building mounted light fixtures as cut-off.
12. Deficiency in all sides of the building showing consistent architectural character (porcelain elements should be provided on the rear façade along with cornice design to match the other three facades).
13. Traffic and Transportation Division's request to remove the commercial access on Capitol Avenue has not been satisfied.

Any approval of the Site Plan in its present form (or modified form), requires specific waiver of any design deficiencies that are not satisfied.

Should the Plan and Zoning Commission recommend denial of the Site Plan as submitted or recommend approval of the Site Plan with conditions, the applicant may appeal the decision to the City Council.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to replace the existing convenience store with their new store prototype. The applicant seeks to amend the Site Plan previously approved by the Plan and Zoning Commission to revise the design of the "urban edge" feature on East Grand Avenue. The applicant also seeks waiver of specific design guidelines in the Site Plan Ordinance.
2. **Size of Site:** 77,078 square feet or 1.77 acres.
3. **Existing Zoning (site):** "C-2" General Retail and Highway-Oriented Commercial District, Limited "C-2" General Retail and Highway-Oriented Commercial District, and "FSO" Freestanding Signs Overlay District.
4. **Existing Land Use (site):** Paved parking lot, paved access drive from the alley, and a single-family dwelling. The remaining portion of the redevelopment site contains the existing 4,146-square foot Quik Trip convenience and a pump island canopy with 10 fueling locations.
5. **Adjacent Land Use and Zoning:**

North – "NPC"; Uses are pedestrian-oriented commercial center, Lathrop's carpet cleaning service, and vacant land.

South – "R1-60"; Use is the Capitol View Elementary School property.

East – "C-2" & "R1-60"; Uses are commercial building with bakery and photography studio tenants and single-family dwellings.

West – "C-2"; Uses are a furniture store and single-family dwellings.
6. **General Neighborhood/Area Land Uses:** The subject site is located at the East 15th Street and East Grand Avenue intersection and is a part of the East Grand Avenue commercial corridor. The adjoining segment of East Grand Avenue corridor predominately consists of a traditional, walkable commercial district. Most buildings

District and to rezoning a portion of 1515 East Grand Avenue from Limited "C-2" General Retail and Highway-Oriented Commercial District to revise the conditions to remove the condition prohibiting the commercial site development to access Capitol Avenue.

On October 10, 2016, by Ordinance No. 15,520, the City Council rezoned 1522 Capitol Avenue from "R1-60" One-Family Low-Density Residential District to "C-2" General Retail and Highway-Oriented Commercial District and rezoned a portion of 1515 East Grand Avenue from Limited "C-2" General Retail and Highway-Oriented Commercial District to revise the conditions to remove the condition prohibiting the commercial site development to access Capitol Avenue, subject to the following:

- A. *The public alley within the Property shall not be truncated and shall be connected to Capitol Avenue; and*
- B. *The applicant shall work with City staff to create an urban edge for the north streetscape (Grand Avenue frontage), to the approval of the Planning Administrator.*

9. PlanDSM Creating Our Tomorrow: The subject site is designated as "Community Mixed Use" all within a "Neighborhood Node".

10. Applicable Regulations: In consideration of the criteria set forth in Chapter 18B of the Iowa Code, any Site Plan application which includes property used as a gas station or convenience store and for extension of parking 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. Section 82-206(b)(2)(c) in the Site Plan Ordinance also requires that review of any Site Plan by the City shall consider the City's Comprehensive Plan.

II. ADDITIONAL APPLICABLE INFORMATION

1. PlanDSM Creating Our Tomorrow: The site is designated as "Community Mixed Use." The entire site is located within the East Grand Avenue and East 15th Street "Neighborhood Node" on the Future Land Use Map. The following land use designation descriptions are from Page 18 and Page 20 of PlanDSM: Creating Our Tomorrow.

Community Mixed Use: Small- to medium-scale mixed use development, located on high capacity transit corridors or at the intersection of transportation corridors. Community mixed use areas include both a mix of medium density residential and a mix of retail and services establishment designed to attract customers from a large service area encompassing multiple neighborhood and may include specialty retail that attracts regional customers.

Node Overlay: Three overlay districts are also identified on the Future Land Use Map representing neighborhood, community and regional nodes. Not all characteristics of nodes exist today, but these areas represent opportunities to develop a mixture of uses to provide a variety of housing types, employment opportunities and services at greater concentrations than the surrounding area. Nodes are focal points in the community and do not represent a specific spatial area. Nodes exist today. However, they are largely auto-oriented places. Neighborhood, Community, and Regional nodes represent opportunities over time for the City to create mixed use areas that provide for increased

The submitted Site Plan shows two driveways to East Grand Avenue, one driveway to East 15th Street and one driveway to Capitol Avenue. The Site Plan proposes to remove the existing access drive that provides ingress/egress from the west end of the alley to Capitol Avenue and relocate it further to the east. This would comply with the approved zoning condition.

The proposed site layout consists of a standard, auto-oriented design. In order to comply with approved conditions, the amended plan proposes decorative fencing with low-level masonry columns and a pedestrian bench along East Grand Avenue. Staff does not believe this meets the intent of the conditions approved by the Commission as part of the recent rezoning and Site Plan approval. It does not support the existing pedestrian-oriented character of the East Grand Avenue corridor, nor does it comply with the goals of the City's Comprehensive Plan as listed above. The Commission spoke to needing an "urban edge" feature with more substantial elements such as brick piers and a trellis and made it subject to approval by the Planning Administrator. Staff believes the submitted amendment does not provide these elements as discussed by the Commission at the hearing where the Site Plan was approved. The piers should be more substantial in height and girth as they are creating an edge in lieu of bringing the building to the street. No trellis element was proposed. Staff believes this would be appropriate on the private property side at the street where the accessible pedestrian route meets with East Grand Avenue. This may require sacrifice of a parking space to achieve.

2. Design Guidelines for Gas Station/Convenience Stores: Redevelopment of the site requires the consideration of the submitted Site Plan and building elevations for review by the Plan and Zoning Commission in accordance with the Design Guidelines for Gas Stations/Convenience Stores (Sec. 82-214.08).

1. Site Design.

A. The optimal layout of any individual site requires an in-depth understanding of local context and a thorough site analysis. The components of a gas station and convenience store to be considered in site design include, but are not limited to:

- (i) Primary structure/retail sales building/single or multiple tenant;
- (ii) Pump island, canopy structure, and lighting;
- (iii) Refuse, service and storage area;
- (iii) Circulation systems and parking;
- (iv) Service bays;
- (v) Ancillary uses such as car washes, drive through uses, ATMs and telephones.

The adjoining segment of East Grand Avenue corridor predominately consists of a traditional, walkable commercial district. Most buildings have minimal setbacks from the street. The building stock is a mix of historic commercial buildings and modern infill construction. The proposed layout consists of a standard, auto-oriented design with the building centered at the east, rear of the site centered between East Grand Avenue and Capitol Avenue. This configuration would not support the existing pedestrian-oriented character of the East Grand Avenue corridor, nor would it comply with the goals of the City's Comprehensive Plan. The Commission would need to waive this guideline to approve the amendment.

- (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 proposed air compressor station is located near the intersection within the front yard setback. This should be relocated to an area of the site tucked away from the street front yard setbacks. The proposed can crusher and refuse container enclosure is located right at the minimum setback along Capitol Avenue. To meet the intent of this provision it should be relocated more interior to the Site.

- 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.**

While the proposed Site Plan shows accessible routes to both East Grand Avenue and Capitol Avenue, the proposed overall layout consists of a standard, auto-oriented design. It does not show a pedestrian route to sidewalk in East 15th Street. Waiver of this guideline would be necessary to approve the Site Plan as proposed.

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 north, west and south facades of the proposed building would be sided with brick and porcelain tile and would have aluminum cornices and entrance canopies. The east rear façade would be sided with brick. Because of the site elevation, the rear side of the building will have exposure to westbound traffic on East Grand Avenue. Staff recommends that the elevations demonstrate significant architectural detailing on all four facades.

- 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.**

range from 15 feet to 19 feet. The grading plan indicates there would only be two-feet of grade difference across the extent of the canopy. This would not justify a canopy height greater than 20 feet overall when adjusting for the grade situation. Staff recommends that the overall height of the canopy be limited to 20 feet maximum. This should be sufficient for a 2-foot change in cross slope proposed for the canopy area based on the typical 18-foot maximum height. Waiver of this guideline would be necessary to approve the Site Plan as proposed.

- 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.

There are not display areas shown.

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.

The submitted Site Plan is deficient of plant material and screen fencing required for bufferyard minimums from the residential property directly to the east. Waiver of this guideline would be necessary to approve the Site Plan as proposed.

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.

The Site Plan is deficient of plant material to screen and buffer these areas from the residential property directly to the east and from the public street views. Waiver of this guideline would be necessary to approve the Site Plan as proposed.

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.

Staff does not believe the landscaping shown at the intersection locations of the site represent the intent of this provision. Specifically, a greater variety of plant materiel should be used and should integrate into the proposed monument signs at those locations. Waiver of this guideline would be necessary to approve the Site Plan as proposed.

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 site plan proposes two monument sign locations, one at the northwest corner of the site at the intersection of East 15th Street and East Grand Avenue and one at the southwest corner of the site at the intersection of East 15th Street and Capitol Avenue. All freestanding signs are subject to the following regulations when permits are requested by licensed sign contractors:

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.

4). Lighting.

4. **Access & Traffic:** A traffic study was prepared and submitted for review by the City's Traffic and Transportation Division. Traffic Engineering has reviewed the submitted traffic study and has made the following comments related to development of the site:

- A) The existing east/west alley that runs between Capitol Avenue and East 16th Street is proposed to include a dead end just east of the site. Design accommodation should be made to maintain this connection.

The proposed design would comply with this by proposing relocation of the outlet to the east.

- B) Traffic Engineering does not support the addition of an access point on Capitol Avenue. The submitted report states that the proposed access point on Capitol would be very low usage and primarily in place for local neighborhood traffic. The report also stated that the majority of the trips to and from the site would be vehicular and that the number of pedestrians/cyclists/transit trip ends was considered negligible and would have no outcome on the proposed development.

Due to the proximity of the Capitol View Elementary School, as well as current neighborhood planning efforts, Traffic Engineering disagrees with this statement and believes that introducing a commercial access point on Capitol Avenue would be contrary to efforts to prioritize walkability in the vicinity of schools in Des Moines. Capitol Avenue is on the designated school walk route for Capitol View Elementary and is used by parents, students, and school buses to access the school.

A sidewalk connection from the new QT to Capitol Avenue should be provided.

The Commission previously approved the Site Plan allowing the drive connection from the site to Capitol Avenue. The same connection is proposed. An accessible pedestrian route is shown to Capitol Avenue but not a segregated walk.

Additional response from Traffic Engineering to the submitted traffic study included:

- A) The report recommended investigating the addition of traffic signal heads for the northbound approach of East 15th Street and East Grand Avenue to potentially address crash trends at the intersection. The City will investigate further.
- B) The report included a discussion about the crashes happening along East Grand Avenue, east of East 15th Street and suggested that a center turn lane may help to address the left turn and failure to yield from driveway crashes. There were only two reported crashes in the studied time period that may have involved motorists exiting the QT site on East Grand Avenue, therefore no significant trend currently exists that would necessitate immediate changes in association with the site redevelopment. The City will investigate the possibility of a center left turn lane on East Grand Avenue in conjunction with the results of the Walkability Study later in 2017.

walk from this direction. For these reason, she cannot support allowing the commercial driveway to exit on to Capitol Avenue.

John "Jack" Hilmes asked Jennifer McCoy to explain the traffic controls currently in place at 15th Street and Capitol Avenue.

Jennifer McCoy stated that currently students are asked to walk up to East Grand where there are two crossing guards that can assist with getting children across 15th Street. There is no traffic light or stop sign on 15th to turn on to Capitol Avenue. A cross walk runs north and south, but not east and west.

Jaqueline Easley asked if the presence of East High School complicates the traffic circulation.

Jennifer McCoy said it was possible, but as they stagger times with the elementary schools, she didn't see it as much as an impact to this area.

Will Page asked if it there is currently access to the convenience store from Capitol Avenue.

Jennifer McCoy stated currently there is not a commercial driveway on Capitol Avenue. There is one driveway on 15th Street and then two accesses on East Grand Avenue.

Jason Van Essen asked if there were any additional questions regarding the rest of the staff recommendations.

Greg Jones asked what discussion, if any, had happened at City Council regarding the "urban edge".

Mike Ludwig answered that City Council had approved it as stated and did not require them to move the building. The only thing they were left with was to determine the "urban edge". Staff requests for compliance with basic c-store design guidelines and landscape standards have been rebuked by Quik Trip to date. Quik Trip submitted a new site plan and now staff is trying to get guidance from the Commission to see if the urban edge complies with the Commission's original intent.

Jason Van Essen clarified the two zoning conditions for the property. One requires the alley to be continued and connected to Capitol Avenue. The second requires the applicant to work with staff to create an urban edge along the north streetscape to the approval of the Planning Administrator.

Mike Ludwig noted that because the Commission's motion didn't specifically say to meet normal site plan standards the applicant believes their site plan has been approved and that staff cannot request those things. Staff believes that when the Commission approved the previous site plan, it was their intent to maintain normal standards for a C-Store.

Ben Bruner, Dickenson Law Firm, 699 Walnut Street. Stated he wanted to focus on why they are back here today. There was a site plan submitted with the re-zoning and the site plan has been approved. This includes the access on to Capitol Avenue. The deficiencies on the site plan have been addressed administratively and now this is coming in as an amendment to a site plan that has already been approved. The true discord with the

Ben Bruner stated originally it was around 18% and after addressing the alley connection in the back of the store to Capitol Avenue as requested, it lowered this percentage. They did what you asked and this is the result of that change.

Jann Freed asked to continue going line by line stating that if some of these things have been resolved, the Commission needs to know that.

Ben Bruner stated that many of these things get solved pre and post submittal of the site plan.

Mike Ludwig noted that these deficiencies were provided in staff comments prior to the last site plan presented to the Commission. Staff recommended denial of the site plan as part of the rezoning. The discussion focused on the location of the store and then creating an "urban edge" along Grand Avenue. A motion was made without being specific that the Commission also expected them to comply with administrative review comments. When staff has requested modifications to address those review comments. The applicant claims they already had approval of the site plan and are not willing to address staff's comments.

Will Page asked if the previous site plan was approved per staff with the exception of adding an "urban edge".

Mike Ludwig stated the motion had two conditions as shown earlier in the staff report regarding the "urban edge" and the alley connection. The applicant subsequently elected to file a new site plan so the old site plan is no longer valid and the City can require them to address these deficiencies. This is a new application.

Glenna Frank stated that the applicant had two choices in the process. Comply with the rezoning conditions on the first site plan or apply for a site plan amendment which reopens everything. The applicant chose to submit a site plan amendment and that is why we are here today.

Ben Bruner stated that this was news to him that this was an amendment to a site plan that had already been approved. He asked if it was now treated as a new site plan and asked for an explanation from Glenna Frank on the process.

Glenna Frank explained that when the site plan had been approved at this level, it could have been appealed at City Council. The second option was to have an amendment to the site plan, which triggers the whole process over again. There is no allowance in our code for staff to approve a site plan that is not in compliance. So the options were to come in compliance or to submit an amended site plan and this is what Quik Trip chose to do.

Jann Freed asked if we were bound to anything or is this an open discussion.

Glenna Frank agreed it's an open discussion.

Will Page asked about the first time the applicant had come before the Commission that he thought the footprint of the building was pushed considerably forward to 15th Street.

Mike Ludwig said that was incorrect and that the building location has not been changed. Clarified that staff requested as part of the rezoning that the building be moved closer to East Grand.

- 2) Deficiency in minimum buffer yard plantings in the proper location.

Noted this was in regards to a privacy fence along the alley way and they agree to add more plants.

Mike Simonson made comment regarding turning in site plans and stated he believes Quik Trip does an excellent job in their operations and that they have a good civil engineer, but they need to include counts on their site plans. There is almost never a count of number of trees, shrubs, and definition of buffer. These need to be included when submitting and quit making staff count all these things and define these. The applicant knows what the requirements are and they should be doing it.

Mike Talcott

- 3) Deficiency in the minimum perimeter setback distance (10 feet along street ROW required).

Agreed to provide the 10' setback.

- 4) Deficiency in the location of plant material for the perimeter setback along Capitol Avenue.

Showed the site plan and asked where he was going to fit additional trees. But was certain it was nothing that they couldn't overcome. Agreed to provide the plant material.

Mike Simonson noted that the request to have a 10' set back between the curb and the internal parking will provide additional room for trees and shrubs.

Mike Talcott

- 5) Deficiency in providing special landscape treatment at the intersection corner.

Agreed to provide some kind of low rising plants to go around the sign.

- 6) Deficiency in the optimal layout in the locational placement of refuse, service, and storage areas and ancillary uses (in this case the trash enclosure, can crushers, and air station).

Stated they comply with the required zoning setback and gave reasons to keep it located where proposed.

Mike Simonson offered his opinion as to why the trash enclosure was fine where it is currently proposed. Trash enclosures are masonry and very solid. It is in line with the house to the east and is much more efficient for a garbage truck to go straight in and straight out.

Mike Talcott

- 7) Deficiency in pedestrian route to East 15th Street from the building.

school and the members had no problem whatsoever with this exit going on to Capitol Avenue.

Jann Freed stated that we had listened to a different opinion tonight that brings new details of the impact.

Mike Talcott stated he had heard the concerns and if their study had shown that it would hurt anyone, they would not have proposed it. The study shows that it will not make a negative impact.

Greg Wattier asked what the truck delivery in and out of the building will be.

Mike Talcott stated much like truck traffic is today, most of them come in from East Grand or 15th Street and pull to the back of the store. They also exit from these points. Given that it is a narrower in and out access point on to Capitol Avenue, he does not feel that this will change.

Greg Wattier asked Mike Ludwig if there was a way to regulate that on Capitol Avenue.

Mike Ludwig stated that they could put in "no truck" traffic signage, but in the end trucks will go where they go and it's not likely that they would always be caught. The best way to control this is to not have a driveway on to Capitol Avenue.

Jann Freed asked to hear from Jennifer McCoy again regarding traffic.

Jennifer McCoy stated she has a different take on the history of the issue regarding the access point to Capitol Avenue. The traffic analysis that was done for this was prepared by an engineer that Quik Trip hired.

Their engineer reached out to City staff and showed the initial site plan before the traffic study was complete. City staff expressed concerns about the Capitol Avenue access point from the start. But, Quik Trip's engineer went forward with the study and stated that the usage would be minimal to that area. Usage is only a small part of the picture in this case, as this creates a whole other access point.

Traffic studies are based on estimates and there could still be a truck going through this area or someone speeding as they get their donut and coffee in the morning not thinking about children. The 36' wide driveway also brings concerns. Staff made these comments from the start and have been consistent in our concerns.

As far as a truck route, trucks can come in on a truck route and have to go back on the route, so going down Capitol Avenue would be in violation of the ordinance and they would need to leave on East Grand Avenue or 15th Street. That doesn't necessarily stop them from going down this way, but at least it could be enforced when caught.

John "Jack" Hilmes asked if it would be less of a problem if it was less than 36' wide.

Jennifer McCoy stated no. It is the extra traffic and conflict possibility of the access point. The extra width causes greater concern, but it is the access point itself.

CHAIRPERSON OPENED THE PUBLIC HEARING

No one was present to speak in favor or in opposition of the applicant’s request.

CHAIRPERSON CLOSED THE PUBLIC HEARING

John “Jack” Hilmes asked if there was a compromise about the drive way access on Capitol Avenue and are we to the point that we don’t need it.

Mike Talcott stated they still wanted it but are happy to narrow it.

Rocky Sposato asked how many people had shown up for the neighborhood meeting in this area and if he had shown the site plan with the driveway access.

Mike Talcott believed there were 12 to 13 people that came to their meeting and they were shown a plan without the alley connecting to Capitol Avenue, but the driveway access point was there. There were no complaints.

Jann Freed wanted to clarify that of the 13 items presented in the staff recommendation that other than not moving the trash storage area (#6), that (#13) removing the driveway access to Capitol Avenue was the only thing he was not agreeing to.

Mike Talcott stated that was correct, but he was willing to narrow the driveway as narrow as 24’ in width once he meets with his engineers.

David Courard-Hauri made motion for approval of the Site Plan subject to the following conditions:

1. The “urban edge” along East Grand Avenue shall incorporate piers and trellis elements.
2. Providing an amount of open space on the site that is no less than the amount of open space identified on the site plan presented to the Plan and Zoning Commission by Case Number 10-2017-7.19 on September 15, 2016.
3. Providing minimum buffer yard plantings as required by the City’s Landscaping Standards to the extent and in the locations discussed at the Plan and Zoning Commission meeting (February 2, 2017).
4. Providing the minimum pavement perimeter setback distance (10 feet along street ROW required).
5. Providing the minimum landscape perimeter plantings along Capitol Avenue.
6. Providing a special landscape treatment at the intersection corner as defined by the City’s design guidelines for gas stations/convenience stores.
7. Providing a pedestrian route to East 15th Street from the building.
8. Providing lighting coverage that complies with City of Des Moines lighting standards for roadways.
9. Complying with the City’s design guidelines for gas stations/convenience stores maximum fuel canopy height provisions.
10. Providing sidewalk and planter bed details on the Site Plan.
11. Utilizing cut-off light fixtures for all building mounted lighting.

3. Providing minimum buffer yard plantings as required by the City's Landscaping Standards, to the extent and in the locations discussed at the Plan and Zoning Commission meeting (February 2, 2017).
4. Providing the minimum pavement perimeter setback distance (10 feet along street ROW required).
5. Providing the minimum landscape perimeter plantings along Capitol Avenue.
6. Providing a special landscape treatment at the intersection corner as defined by the City's design guidelines for gas stations/convenience stores.
7. Providing a pedestrian route to East 15th Street from the building.
8. Providing lighting coverage that complies with City of Des Moines lighting standards.
9. Complying with the City's design guidelines for gas stations/convenience stores maximum fuel canopy height provisions.
10. Providing sidewalk and planter bed details on the Site Plan.
11. Utilizing cut-off light fixtures for all building mounted lighting.
12. Providing consistent architectural detail on all sides of the building including porcelain elements and cornices on the rear façade that match the other three façades.
13. Removal of the commercial access drive on to Capitol Avenue.

Motion passed 14-0.

Respectfully submitted,



Jason Van Essen, AICP
Senior City Planner

JMV:clw

cc: Quik Trip Corporation
McClure Engineering
Dickinson Law Firm



January 26, 2017

**Randy Zerr
McClure Engineering
1360 NW 121st Street
Clive, Iowa 50325**

RE: 1501 E. Grand Avenue, Quik Trip on E. Grand
10-17-7.77

Dear Randy:

We have reviewed the first (1st) submittal of the amended site plan for the Quik Trip on E. Grand project, located at 1501 E. Grand Avenue in Des Moines, and have determined that the following conditions must be satisfied before plan approval can be granted.

Engineering

1. Please note that additional comments in regard to the public improvements were sent to Randy Zerr via e-mail on 1/4/17 – no action required at this time.
2. As previously acknowledged, a completed SWPPP and Grading Permit will be submitted prior to commencement of site work – no action required at this time.
3. The east approach on E Grand Ave should be shifted at least 6-7 feet west such that the radius on the east side of the approach does not cross the property line (if property line was extended to the curb). This requirement is directly out of City Code Section 102-374. "Practical site design and operational needs" still need to meet City Code requirements.
4. Along with submitting one signed paper copy, please e-mail a PDF copy of the Stormwater Management Report for this project to: apprilipp@dmgov.org
5. Call out the proposed access easement and identify the width of said easement on Sheet 3.
6. The proposed access easement description should be modified as follows:
 - Add "TO THE NORTHEAST CORNER OF LOT 6" to the description in the appropriate location of line 3.
 - Omit the final sentence that references the Quik Trip project number.

Traffic

7. Staff acknowledges that this item as presented was previously discussed and approved at the Plan and Zoning Commission pending no further action under review of outstanding design related items. Traffic and Transportation does not support the proposed new driveway approach on Capitol Avenue for the reasons stated previously after review of the traffic impact analysis report.
8. A photometric plan for this site's lighting was submitted. We need the street lighting layout and an evaluation of the lighting levels at least for E Grand Avenue where the street light pole relocation is shown.

Planning

9. Previous comment pending Real Estate approval of easement. Staff acknowledges that you have moved the access drive, off of the alley, east. Within the 10-foot bufferyard, 2 overstory trees and 6 evergreen trees per 100 lineal feet are required. These must be shown on the landscape plan and calculated accordingly. As the access drive will require an easement please the attached instructions for an "Easement from a developer to the City of Des Moines" and proceed with submittal to Sara Henry at sbhenry@dmgov.org. Verification that this process has begun is required upon submittal.

10. Same comment. As discussed at the Plan and Zoning Commission meeting, a stronger pedestrian oriented presence along E. Grand Avenue extending from the building to the sidewalk is required. The walkway should incorporate landscaping and a trellis / brick piers on both sides of the maneuvering aisle with appropriate pathway denotation on the pavement. This may require the removal of a couple stalls and differentiating building materials for the walk way. See the NPC development on the other side of grand which incorporated a mixture of lighting fixtures, planters, and pavers to enhance the pedestrian interest. This shall be so designed to City satisfaction.

Same comment, sufficient detail to identify satisfactory dimensions on the plans must be provided. In addition, the proposed urban edge should be consistent with the NPC corridor along E. Grand Avenue. This will require a 6-foot Class "A" sidewalk, street trees every 30 lineal feet in 5-foot by 15-foot planters, 1-foot back of curb. The relocated light pole should not be located within 15 feet of any street tree or in the walk and a street lighting design plan shall be submitted for Traffic review.

11. Same comment as this was not waived at the Plan and Zoning Commission meeting. Minimum open space should be 20 percent of the site or 1,000 square feet per vehicle fueling location, whichever is greater. Currently you are not meeting the 20 percent minimum and pavement needs to be reduced to meet this requirement. Additional open space may also be obtained by expanding planting islands throughout the site.

12. Same comment as these items were not waived at the Plan and Zoning Commission meeting. Currently portions of the required landscaping (open space, parking perimeter, interior lot, and bufferyard) are shown within the right-of-way which does not comply. These landscaping requirements must be satisfied on the private property. A landscape plan must be submitted and must meet the following landscape requirements:

- Provide a 10' Bufferyard where adjacent to R use along the east property line. Minimum planting requirements are two (2) overstory tree and six (6) evergreen trees per 100

lineal feet of property line, in addition to the 6-foot screen. There is approximately 130 lineal feet of required bufferyard along the east property line.

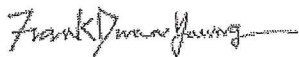
- Parking Perimeter plantings must be located within the required minimum 10-foot paving setback along all street side property lines (specifically more representative along E. Grand Avenue). Currently the setback is shown at 5.5' along some portions of Capitol Avenue and 7.93' along portions of E. Grand Avenue and does not comply. Revise all setbacks to have a minimum 10-foot setback.
- Parkway planting requirements call for one overstory tree per 30 lineal feet within the right-of-way in 5' X 15' Planters, 1 foot back of curb within the sidewalk along E. Grand Avenue, with a 6-foot walk. Planters provided but inadequate details for Class "A" dimensions.
- Shrubs along E. Grand Avenue encroach into the R.O.W. and must be maintained on private property.
- The privacy fence along the east property line should drop down to 3 feet within the required 25-foot front yard setback.

13. Same comment. At the request of the City Arborist, replace all proposed maples from the site plan with a different overstory species, and limit a single genus of tree species to no more than 20% of the trees proposed on site. This will minimize the future impact a tree specific disease outbreak or insect invasion may have on the trees on site. There are too many Oak trees proposed and there should be an increase in tree diversity as stated to being no more than 20% of one species.

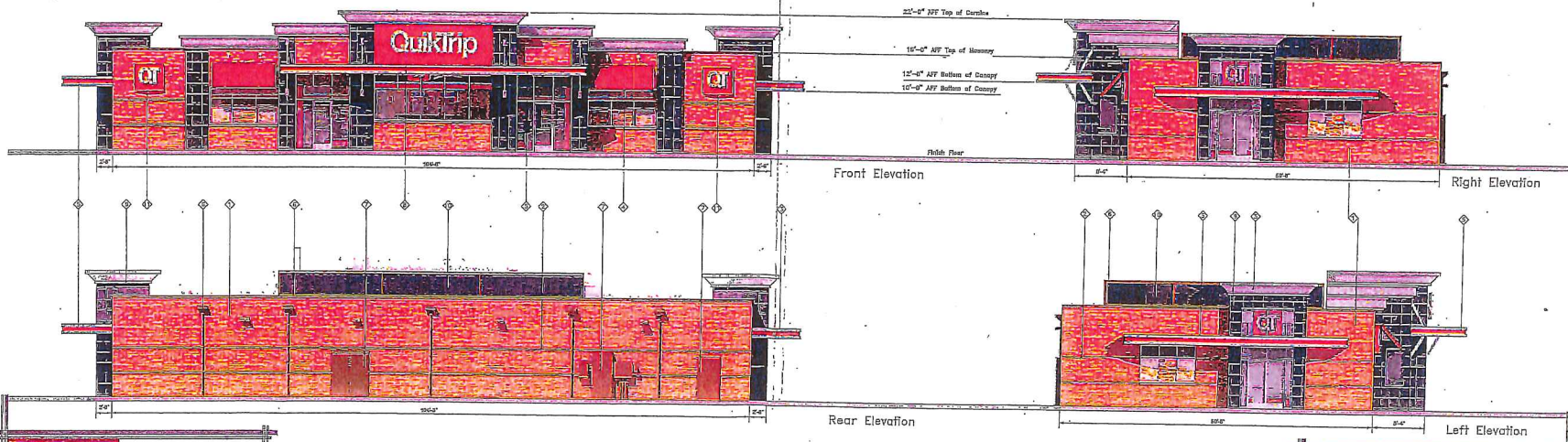
Please submit **three (3) review copies** of the revised plan satisfying the above listed items. Failure to resubmit such amended plan within 90 days from the date of this letter shall cause the application to lapse, and will require the payment of a new application fee to resume the application process.

If you have any questions contact me @ **283-4743** or by email @ fadunnyoung@dmgov.org.

Sincerely,



Frank Dunn-Young
Senior City Planner



QuikTrip
 4725 South 120th East Ave.
 Tulsa, OK 74119-7223
 P.O. Box 3372
 Tulsa, OK 74119-3372
 (918) 475-7700

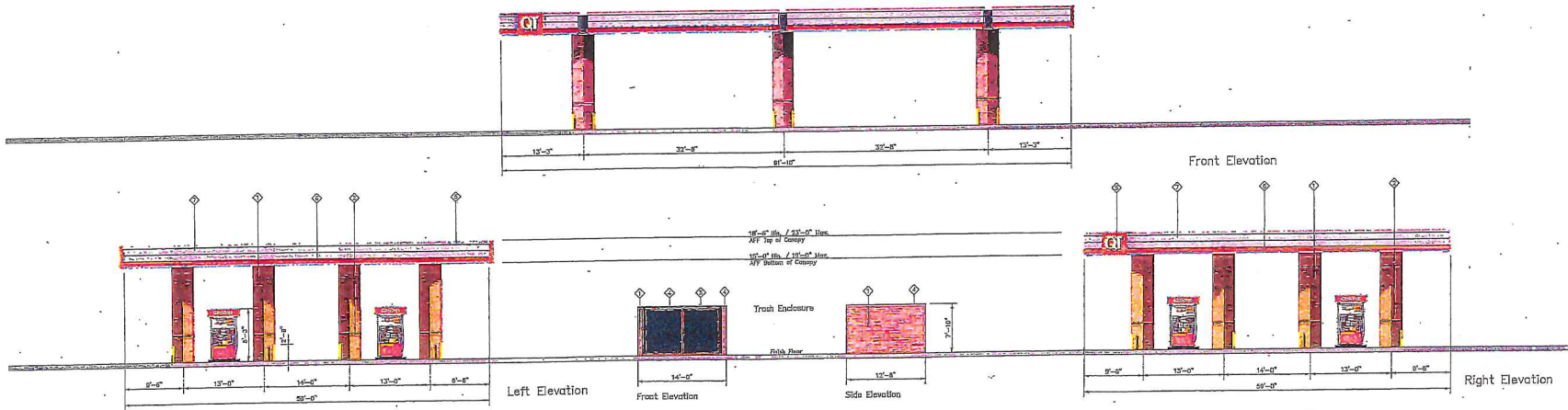
Store # 0535 Flat Entry Building Elevations
 Serial # 04-0535-BFTI
 Scale: 1/8"=1'-0"
 Issue Date: 05.10.16

Address: 1501 E Grand Ave
 City, State: Des Moines, IA
 Drawn By: JK
 Rev/Notes:

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FINISH	MANUFACTURER	SPECIFICATION
1. INTERIORS	GENERAL BUILDING	SEE SPECIFICATIONS
2. EXTERIORS	GENERAL BUILDING	SEE SPECIFICATIONS
3. ROOFING	GENERAL BUILDING	SEE SPECIFICATIONS
4. FLOORING	GENERAL BUILDING	SEE SPECIFICATIONS
5. PAINTS	GENERAL BUILDING	SEE SPECIFICATIONS
6. GLASS	GENERAL BUILDING	SEE SPECIFICATIONS
7. METALS	GENERAL BUILDING	SEE SPECIFICATIONS
8. FINISHES	GENERAL BUILDING	SEE SPECIFICATIONS
9. FINISHES	GENERAL BUILDING	SEE SPECIFICATIONS
10. FINISHES	GENERAL BUILDING	SEE SPECIFICATIONS

69



4705 South 1300, East Ave.
Tulsa, OK 74116-7008
Tulsa, OK 74101-2475
(918) 616-7700

Store # 0535 Double Stack 6 Canopy Elevations
Serial # 04-0535-GD06
Scale: 1/8" = 1'-0"
Issue Date: 05.10.16

Address: 1501 E Grand Ave
City, State: Des Moines, IA
Drawn By: JK
Rev/Notes:

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Q	FINISH	MANUFACTURER	SPECIFICATION
1	STRUCTURE	BRIDGESTONE	ALUMINUM STRUCTURE
2	STRUCTURE	BRIDGESTONE	ALUMINUM STRUCTURE
3	STRUCTURE	BRIDGESTONE	ALUMINUM STRUCTURE
4	STRUCTURE	BRIDGESTONE	ALUMINUM STRUCTURE
5	STRUCTURE	BRIDGESTONE	ALUMINUM STRUCTURE
6	STRUCTURE	BRIDGESTONE	ALUMINUM STRUCTURE
7	STRUCTURE	BRIDGESTONE	ALUMINUM STRUCTURE

10



QuikTrip. Store 0535 Des Moines, IA

BFTI-0535

Date: 12.16.16

By:TRC



QuikTrip. Store 0535 Des Moines, IA

BFTI-0535

Date: 12.16.16

By:TRC



QuikTrip.

Store 0535 Des Moines, IA

BFTT-0535

Date: 12.16.16

By:TRC