



Date October 14, 2019

RESOLUTION SETTING HEARING ON REQUEST FROM GREATER IOWA CREDIT UNION TO REZONE PROPERTY LOCATED AT 2944 DES MOINES STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 19, 2019, its members voted 11-0 in support of a motion to recommend APPROVAL of a request from Greater Iowa Credit Union (owner), represented by Scott Zahnle (officer), to rezone property located at 2944 Des Moines Street ("Property") from "R1-60" One-Family Low-Density Residential District to Limited "C-2" General Retail and Highway-Oriented Commercial District, to allow for expansion of the existing branch financial institution with additional off-street parking, an addition to the existing building and a drive-up canopy area, subject to the following conditions:

- 1. The following uses of the property permitted in the "C-2" District shall be prohibited: a) Adult Business b) Businesses Selling Liquor, Wine or Beer c) Communication Towers and Antennas d) Delayed Deposit Services e) Off-Premise Advertising Signs f) Pawnbrokers g) Taverns and Night Clubs h) Vehicle Display Lots
2. Any redevelopment of the property shall be in conformance with all Building Codes and Site Plan Regulations with all necessary permits issued by the Permit and Development Center; and

WHEREAS, the Property is legally described as follows:

LOT 4 OF BLOCK 2 IN ELLIOTT'S ADDITION, AN OFFICIAL PLAT, ALL BEING IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

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

- 1. That the 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 rezoning is to be considered shall be held at the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on November 4, 2019, at which time the City Council will 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 seven (7) days and not more



Roll Call Number

Agenda Item Number

24

Date October 14, 2019

than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

MOVED BY _____ TO ADOPT.

FORM APPROVED:

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

(ZON2019-00166)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, and TOTAL.

MOTION CARRIED APPROVED

Mayor

CERTIFICATE

I, Laura Baumgartner, Acting 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.

Acting City Clerk



Date October 14, 2019
 Agenda Item 24
 Roll Call # _____

October 1, 2019

Honorable Mayor and City Council
 City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their September 19, 2019 meeting, the following action was taken regarding a request from Greater Iowa Credit Union (owner) represented by Scott Zahnle (officer) to rezone property located at 2944 Des Moines Street from "R1-60" One-Family Low-Density Residential District to "C-2" General Retail and Highway-Oriented Commercial District to allow expansion of the existing branch financial services site with an addition to the existing building and additional off-street parking.

COMMISSION RECOMMENDATION:

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

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus				X
Dory Briles				X
Abby Chungath	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			
Rocky Sposato	X			
Steve Wallace	X			
Greg Wattier	X			
Emily Webb	X			

In addition to the approval of Right-of-Way, the commission recommended **APPROVAL** of Part B) the Commission find the requested rezoning **not** in conformance with the future land use designation of Low Density Residential in PlanDSM Creating Our Tomorrow, Part

C) **APPROVAL** of an amendment to the PlanDSM Creating Our Tomorrow future land use map from Low Density Residential to Community Mixed Use and Part D) **APPROVAL** of the requested rezoning to “C-2” General Retail and Highway Oriented Commercial District subject to the following conditions:

1. The following uses of the property permitted in the “C-2” District shall be prohibited:

- a) Adult Business
- b) Businesses Selling Liquor, Wine or Beer
- c) Communication Towers and Antennas
- d) Delayed Deposit Services
- e) Off-Premise Advertising Signs
- f) Pawnbrokers
- g) Taverns and Night Clubs
- h) Vehicle Display Lots

2. Any redevelopment of the property shall be in conformance with all Building Codes and Site Plan Regulations with all necessary permits issued by the Permit and Development Center.

(21-2019-4.18) & (ZON2019-00166)

Written Responses

2 in Favor

0 in Opposition

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part B) Staff recommends that the Commission find the requested rezoning not in conformance with the future land use designation of Low Density Residential in PlanDSM Creating Our Tomorrow.

Part C) Staff recommends approval of an amendment to the PlanDSM Creating Our Tomorrow future land use map from Low Density Residential to Community Mixed Use.

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

1. The following uses of the property permitted in the “C-2” District shall be prohibited:

- a) Adult Business
- b) Businesses Selling Liquor, Wine or Beer
- c) Communication Towers and Antennas
- d) Delayed Deposit Services
- e) Off-Premise Advertising Signs
- f) Pawnbrokers
- g) Taverns and Night Clubs
- h) Vehicle Display Lots

2. Any redevelopment of the property shall be in conformance with all Building Codes and Site Plan Regulations with all necessary permits issued by the Permit and Development Center.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The rezoning would allow the expansion of the existing branch financial institution, Greater Iowa Credit Union, onto property the applicant has acquired to the west and demolished the existing dwelling. The expansion would include additional off-street parking, an addition to the building and a drive-up canopy area. To assemble the property, the applicant is also requesting to vacated the existing north/south alley Right-Of-Way (ROW) between the existing site and property requested for rezoning.
2. **Size of Site:** Property requested for rezoning is 7,500 square feet area. The requested ROW is 2,100 square feet in area. The current financial institution site is 20,400 square feet (0.45 acres).
3. **Existing Zoning (site):** "R1-60" One-Family Low-Density Residential District and "FSO" Freestanding Signs Overlay District.
4. **Existing Land Use (site):** The subject property is vacant from the recent demolition of a single-family dwelling. The alley ROW was previously improved with asphalt paving as part of the existing financial institution site.
5. **Adjacent Land Use and Zoning:**
 - North** – "R1-60", Uses are single-family dwellings.
 - South** – "R1-60", Uses are single-family dwellings.
 - East** – "C-2", Use is Greater Iowa Credit Union branch drive-up financial institution.
 - West** – "R1-60", Uses are single-family dwellings.
6. **General Neighborhood/Area Land Uses:** The subject property is located just west of the East 30th Street commercial corridor which separates the residential Fairground Neighborhood to the west and the Iowa State Fairground to the east.
7. **Applicable Recognized Neighborhood(s):** The subject property is located within the Fairground Neighborhood and within 250 feet of the Valley High Manor Neighborhood. The neighborhoods were notified of the meeting by mailing of the Preliminary Agenda to all recognized neighborhoods on August 30, 2019. Additionally, separate notifications of the hearing for this specific item were mailed on August 30, 2019 (20 days prior to the hearing) and September 9, 2019 (10 days prior to the hearing), to the neighborhood association 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 September 13, 2016.

All agendas and applicable notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Fairground Neighborhood Association mailings were sent to Sharon Cooper, 2838 Logan Avenue, Des Moines, IA 50317. The Valley High Manor Neighborhood mailings were sent to Harlan Donaldson, 4143 Knob Hill Drive, Des Moines, IA 50317.

The applicant conducted a neighborhood meeting on September 10, 2019 and will be available to provide a summary at the public hearing.

8. Relevant Zoning History: N/A.

9. PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation: Low Density Residential. The existing site is Community Mixed Use.

10. Applicable Regulations: The Commission reviews all proposals to amend zoning boundaries or regulations 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 make recommendations to the City Council on conditions to be made in addition to the existing regulations so long as the subject property owner agrees to them in writing. The recommendation of the Commission will be forwarded to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

1. PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation: The proposed rezoning would require the Future Land Use Map to be amended to the "Community Mixed Use" designation. Plan DSM describes this designation as follows:

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 service establishments designed to attract customers from a large service area encompassing multiple neighborhoods and may include specialty retail that attracts regional customers.

Staff believes that the minimal extension of this designation from the existing site to the subject property is appropriate so long as the site redevelopment is in accordance with current Site Plan regulations and policies designed to protect adjacent residential areas.

2. Utilities: There are no public utilities identified within the subject property of the rezoning or the requested ROW.

3. Site Plan Requirements: Any redevelopment of the property must be in compliance with the City's Site Plan regulations and policies, including those regarding storm water

management; off-street parking grading and soil erosion protection; tree removal and mitigation; landscaping and buffering, pavement design; and traffic and fire access.

4. **Landscaping & Buffering:** Any development of the site would require landscaping in accordance with the City's Landscape Standards. These standards generally include open space, bufferyard, and parking lot plantings. Staff notes that any future Site Plan would be required to provide a 7-foot landscaped paving setback along the front property line a 5-foot perimeter lot landscape setback along the north alley, and a 10-foot bufferyard setback to the west.

Future development of the site would also be subject to the City's Tree Removal and Mitigation Ordinance (Section 42-550 of the City Code).

5. **Drainage/Grading:** Any additional development of the site must comply with the City's Stormwater Management requirements to the satisfaction of the City's Permit and Development Center. All grading is subject to an approved grading permit and soil erosion control plan.
6. **Access or Parking:** The site has an existing access drive to East 30th Street and drives to the north/south alley requested for vacation. With the elimination of the alley there would no longer be access to the adjoining east/west alley from the property. The access to East 30th Street would be maintained and a new access to Des Moines Street would be provided in lieu of the eliminated alley. Des Moines Street is a historic brick street and any drive new approach will be required to be sensitive and integrate to the brick street without damage.
7. **Building and Fire Codes:** Any future additions to the existing site and structure must be in accordance with all Building and Fire Codes, with issuance of all necessary permits from the City's Permit & Development Center.

SUMMARY OF DISCUSSION

Jacqueline Easley asked if any member of the audience or the commission desired to speak regarding the item. None were present or requested to speak.

COMMISSION ACTION:

Emily Webb made a motion for approval of Part B) the Commission find the requested rezoning **not** in conformance with the future land use designation of Low Density Residential in PlanDSM Creating Our Tomorrow, Part C) **APPROVAL** of an amendment to the PlanDSM Creating Our Tomorrow future land use map from Low Density Residential to Community Mixed Use and Part D) **APPROVAL** of the requested rezoning to "C-2" General Retail and Highway Oriented Commercial District subject to the following conditions:

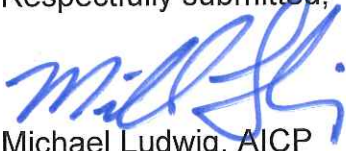
1. The following uses of the property permitted in the "C-2" District shall be prohibited:
 - a) Adult Business
 - b) Businesses Selling Liquor, Wine or Beer
 - c) Communication Towers and Antennas

- d) Delayed Deposit Services
- e) Off-Premise Advertising Signs
- f) Pawnbrokers
- g) Taverns and Night Clubs
- h) Vehicle Display Lots

2. Any redevelopment of the property shall be in conformance with all Building Codes and Site Plan Regulations with all necessary permits issued by the Permit and Development Center.

Motion Carried: 11-0

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:tjh

Greater Iowa Credit Union (owner) represented by Scott Zahnle (officer) for the property located at 2944 Des Moines Street.			File #	
			21-2019-4.18	
Description of Action	Amend the PlanDSM Creating Our Tomorrow to revise existing Future Land Use designation from Low Density Residential to Community Mixed Use.			
PlanDSM Future Land Use	Current: Low Density Residential and Community Mixed Use. Proposed: Community Mixed Use.			
Mobilizing Tomorrow Transportation Plan	No planned improvements.			
Current Zoning District	"R1-60" One-Family Low-Density Residential District, "C-2" General Retail and Highway-Oriented Commercial District and "FSO" Freestanding Signs Overlay District.			
Proposed Zoning District	"C-2" General Retail and Highway-Oriented Commercial District and "FSO" Freestanding Signs Overlay District.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Outside Area (200 feet)	0	0		
Within Subject Property				
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council	Yes
	Denial			No

Greater Iowa Credit Union, 2944 Des Moines Street

21-2019-4.18



24

Greater Iowa Credit Union (owner) represented by Scott Zahnle (officer) for the property located at 2944 Des Moines Street.			File # ZON2019-00166	
Description of Action	Rezone property from "R1-60" One-Family Low-Density Residential District to "C-2" General Retail and Highway-Oriented Commercial District to allow expansion of the existing branch financial services site with an addition to the existing building and additional off-street parking.			
PlanDSM Future Land Use	Current: Low Density Residential and Community Mixed Use. Proposed: Community Mixed Use.			
Mobilizing Tomorrow Transportation Plan	No planned improvements.			
Current Zoning District	"R1-60" One-Family Low-Density Residential District, "C-2" General Retail and Highway-Oriented Commercial District and "FSO" Freestanding Signs Overlay District.			
Proposed Zoning District	"C-2" General Retail and Highway-Oriented Commercial District and "FSO" Freestanding Signs Overlay District.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Outside Area (200 feet)	2	0		
Within Subject Property				
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council	Yes
	Denial			No

Greater Iowa Credit Union, 2944 Des Moines Street

ZON2019-00166



1 inch = 92 feet



Updated on: 8/30/2019

0 20 40 80 120 160 Feet



1 inch = 92 feet

file

Item ZON2019-00166 Date 9-11-2019

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

24

RECEIVED
COMMUNITY DEVELOPMENT

Print Name Victor Santos

SEP 16 2019

Signature Victor Santos

Address 2925 DSM ST. DSM IA 50319

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

Item ZON2019-00166 Date 9-11-19

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

RECEIVED
COMMUNITY DEVELOPMENT

Print Name Don Hansen

SEP 16 2019

Signature Don Hansen

Address 720 E. 30th St - Des Moines

IA 50317

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

