

Date March 7, 2022

RESOLUTION HOLDING HEARING ON REQUEST FROM EASTGATE PLAZA, LLC FOR APPROVAL OF A PROPOSED 7TH AMENDMENT TO THE EASTGATE PLAZA PUD CONCEPTUAL PLAN ON PROPERTY LOCATED IN THE VICINITY OF 1534 EAST EUCLID AVENUE

WHEREAS, on February 21, 2022, by Roll Call No. 22-0240, the City Council received a communication from the City Plan and Zoning Commission advising that on February 3, 2022, the Commission voted 11-1 to **APPROVE** a request from Eastgate Plaza, LLC (owner), represented by Norman S. Weinstein (officer), to review and approve a proposed 7th Amendment to the Eastgate Plaza Planned Unit Development (PUD) Conceptual Plan on property located in the vicinity of 1534 East Euclid Avenue (“Property”) to allow a 1.28-acre interior portion of the Property to be developed with a 7,145 square-foot medical office building, subject to the following revisions to the Plan:

- 1) Provision of a note stating that the north/south drive (to east of the building) shall be constructed to appear to be a street, with features such as trees on both sides, parallel parking stalls, and sidewalk to the satisfaction of the City’s Planning Administrator.
- 2) Provision of a note stating that that pedestrian access to the adjoining parcels shall be provided in anticipation of future pedestrian connectivity and that all crosswalks across access drives shall be clearly striped as a pedestrian path.
- 3) Provision of a note stating that bike rack quantity, placement, and design shall be provided in accordance with Des Moines Municipal Code Chapter 135, Planning and Design Ordinance.
- 4) Provision of a note stating that landscaping shall be provided in accordance with Des Moines Municipal Code Chapter 135, Planning and Design Ordinance.
- 5) Provision of a note stating that the building shall be sided with materials that comply with Des Moines Municipal Code Chapter 135, Planning and Design Ordinance to the satisfaction of the City’s Planning Administrator.
- 6) Provision of a note stating that windows and doors shall be provided that comply with the relevant transparency, transmittance and reflectance factors found Des Moines Municipal Code Chapter 135, Planning and Design Ordinance to the satisfaction of the City’s Planning Administrator.
- 7) Provision of a note stating that that all mechanical equipment, roof top units, condensers, meters, transformers, or other such equipment shall be provided in accordance with Des Moines Municipal Code Chapter 135, Planning and Design Ordinance.
- 8) Provision of a note stating that all electric lines, telephone lines and similar utility transmission systems shall be buried underground.
- 9) Provision of a note stating that all site and building mounted lighting shall be provided in accordance with Des Moines Municipal Code Chapter 135, Planning and Design Ordinance.
- 10) Provision of a note stating that any refuse collection container will be within an enclosure constructed of masonry walls that match the primary building and steel gate with a pedestrian entrance.
- 11) Provision of a note stating that any freestanding signage shall be a monument sign having a minimum 2-foot-tall masonry base to match the structure and shall not exceed 8 feet in height. Freestanding pole signs are prohibited; and



Date March 7, 2022

WHEREAS, the Property is legally described as follows:

PART OF LOT 13, BROWN’S LOWLAND PLACE, LOCATED IN THE SOUTH HALF OF SECTION 24 AND THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF DES MOINES, POLK COUNTY, IOWA: SAID PARCEL DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF PARCEL “D” PLAT OF SURVEY FOR PARCEL “D” KUM & GO STORE #534 RECORDED IN THE POLK COUNTY CLERK AND RECORDERS OFFICE IN BOOK 15007, PAGE 206, MONUMENTED WITH A #5 REBAR WITH RED PLASTIC CAP STAMPED “LS 19440”; THENCE N00°09'16"W, A DISTANCE OF 173.71 FEET ON THE EAST LINE OF THAT PARCEL RECORDED IN THE POLK COUNTY CLERK AND RECORDERS OFFICE AS PARCEL “C” OF THE PLAT OF SURVEY BOOK 12044, PAGE 733, MONUMENTED WITH A 24” #5 REBAR WITH 2-1/2” ALUMINUM CAP STAMPED “LS 15439”; THENCE N52°21'10"E, A DISTANCE OF 32.91 FEET; THENCE N89°49'41"E, A DISTANCE OF 262.33 FEET; THENCE S00°10'09"E, A DISTANCE OF 195.64 FEET TO THE NORTH LINE OF SAID PARCEL “D”; THENCE N89°47'36"W, A DISTANCE OF 288.50 FEET ON SAID NORTH LINE TO THE POINT OF BEGINNING. PARCEL CONTAINS 55,899 SQUARE FEET OR 1.283 ACRES; and

WHEREAS, on February 21, 2022, by Roll Call No. 22-0240, it was duly resolved by the City Council that the request for approval of the 7th Amendment to the PUD Conceptual Plan be set down for hearing on March 7, 2022, at 5:00 p.m., at the City Council Chambers; 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 7th Amendment to the PUD Conceptual Plan; and

WHEREAS, in accordance with said notice, those interested in said proposed 7th Amendment to the 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 and all statements of interested persons and arguments of counsel, any objections to the proposed 7th Amendment to the Eastgate Plaza Planned Unit Development (PUD) Conceptual Plan are hereby overruled, and the hearing is closed.
2. The proposed 7th Amendment to the Eastgate Plaza Planned Unit Development (PUD) Conceptual Plan, as on file in the Development Services Department, is hereby found to be in conformance with PlanDSM: Creating Our Tomorrow Plan and is hereby approved as stated above, subject to revisions to the Plan as set forth above.



Roll Call Number

Agenda Item Number

61

Date March 7, 2022

MOVED BY _____ TO ADOPT.

SECONDED BY _____.

FORM APPROVED:

/s/ Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

(ZON2021-000049)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

CERTIFICATE

I, P. Kay Cmelik, 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

March 7
Meeting



Date March 7, 2022

Agenda Item 101

Roll Call # _____

February 8, 2022

Communication from the City Plan and Zoning Commission advising that at their February 3, 2022 meeting, the following action was taken regarding a request from Eastgate Plaza, LLC (owner), represented by Norman S. Weinstein (officer), for review and approval of a 7th amendment to the Eastgate Plaza PUD Conceptual Plan on the property located in the vicinity of 1534 East Euclid Avenue, to allow development of a 7,500-square-foot medical office building.

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			
Kayla Berkson	X			
Chris Draper	X			
Jann Freed				X
Todd Garner	X			
Johnny Alcivar	X			
Lisa Howard	X			
Carolyn Jenison	X			
William Page				X
Andrew Lorentzen	X			
Greg Wattier				X
Emily Webb	X			

APPROVAL of the proposed amendment to the Eastgate Plaza PUD Conceptual Plan, subject to the following modifications:

- 1) Provision of a note that states the north/south drive (to east of the building) shall be constructed to appear to be a street, with features such as trees on both sides, parallel parking stalls, and sidewalk to the satisfaction of the City's Planning and Urban Design Administrator.

- 2) Provision of a note that states pedestrian access to the adjoining parcels shall be provided in anticipation of future pedestrian connectivity and that all crosswalks across access drives shall be clearly striped as a pedestrian path.
- 3) Provision of a note that states bike rack quantity, placement, and design shall be provided in accordance with Chapter 135: Planning and Design Ordinance.
- 4) Provision of a note that states landscaping shall be provided in accordance with Chapter 135: Planning and Design Ordinance.
- 5) Provision of a note that states the building shall be sided with materials that comply with Chapter 135: Planning and Design Ordinance to the satisfaction of the City's Planning and Urban Design Administrator.
- 6) Provision of a note that states windows and doors shall be provided that comply with the relevant transparency, transmittance and reflectance factors found Chapter 135: Planning and Design Ordinance to the satisfaction of the City's Planning and Urban Design Administrator.
- 7) Provision of a note that states that all mechanical equipment, roof top units, condensers, meters, transformers, or other such equipment shall be provided in accordance with Chapter 135: Planning and Design Ordinance.
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- 9) Provision of a note that states that all site and building mounted lighting shall be provided in accordance with Chapter 135: Planning and Design Ordinance.
- 10) Provision of a note that states that any refuse collection container will be within an enclosure constructed of masonry walls that match the primary building and steel gate with a pedestrian entrance.
- 11) Provision of a note that states that any freestanding signage shall be a monument sign having a minimum 2-foot-tall masonry base to match the structure and shall not exceed 8 feet in height. Freestanding pole signs are prohibited. (ZONG-2021-000059)

Written Responses

0 in Favor

0 in opposition

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the proposed amendment to the Eastgate Plaza PUD Conceptual Plan, subject to the following modifications:

- 1) Provision of a note that states the north/south drive (to east of the building) shall be constructed to appear to be a street, with features such as trees on both sides, parallel parking stalls, and sidewalk to the satisfaction of the City's Planning and Urban Design Administrator.
- 2) Provision of a note that states pedestrian access to the adjoining parcels shall be provided in anticipation of future pedestrian connectivity and that all crosswalks across access drives shall be clearly striped as a pedestrian path.
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STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The proposed amendment to the Eastgate PUD Conceptual Plan would allow a 1.28-acre interior portion of the PUD to be developed with a 7,145-square foot medical office building. The proposed Conceptual Plan demonstrates that the medical office building would be located north of an existing Quick Trip building (E. Euclid Ave) and east of an existing Eastgate Shops building (E. 14th St). The site would have access through an internal driveway to both East 14th Street and East Euclid Avenue.

The development of this site must be in accordance with a PUD Development Plan that complies with the requirements established in the PUD Conceptual Plan and with the review processes outlined in Chapter 135 of the Municipal Code.

2. **Size of Site:** The proposed amendment area measures 55,925 square feet (1.28 acres) in area.

3. **Existing Zoning (site):** "PUD" Planned Unit Development District.

4. **Existing Land Use (site):** The property includes vacant pad sites with some paved area in disrepair that previously served as off-street parking.

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

North – "PUD"; Use is vacant land (formerly the Eastgate Plaza commercial center).

South – "PUD"; Use is a fuel station with convenience store (Quik Trip).

East – "PUD"; Use is vacant land (formerly the Eastgate Plaza commercial center).

West – "PUD"; Use is a multi-tenant commercial building.

6. **General Neighborhood/Area Land Uses:** The site is located at the northeast corner of the intersection of East Euclid Avenue and East 14th Street. Both of these streets are major commercial corridors.

7. **Applicable Recognized Neighborhood(s):** The subject property is within the Highland Park Neighborhood. This neighborhood association was notified of the meeting by mailing of the Preliminary Agenda to all recognized neighborhoods on January 14, 2022. Additionally, separate notifications of the hearing for this specific item were mailed on January 14, 2022 (20 days prior) and January 24, 2022 (10 days prior to the scheduled hearing) to the Highland Park Neighborhood Association, and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site.

All agendas and notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Highland Park Neighborhood Association mailings was sent to Sherri Rosener, 1206 Oak Park Ave, Des Moines, IA 50313.

The applicant is responsible for conducting a neighborhood meeting, inviting representatives of the Highland Park Neighborhood Association and surrounding property owners within 250 feet. The applicant will provide a summary of the meeting at the public hearing.

- 8. **Relevant Zoning History:** The subject property was rezoned to "PUD" on April 20, 1998, at which time a general "PUD" Conceptual Plan was adopted. It has since been amended six (6) times. The most recent amendment was approved by City Council on September 13, 2021, to allow development of a 2.09-acre parcel with a restaurant building with a drive-up window and a multiple-tenant commercial building.
- 9. **PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation:** Community Mixed Use.
- 10. **Applicable Regulations:** Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, 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. 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.

The application, accompanying evidence and "PUD" 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 the City Code 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 amended "PUD" Conceptual Plan 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:** Future construction must comply with the City's storm water management, soil erosion protection and grading requirements, as approved by the City's Permit and Development Center's engineering staff during the PUD Development Plan (site plan) review process.
- 2. **Utilities:** The subject property has access to all necessary utilities. There are public storm and sanitary sewers that cross the site within easements. These sewers impact where the proposed building can be placed.

3. **Traffic/Connectivity:** The development would utilize the easterly north/south drive and the northern east/west drive for site access. The PUD Conceptual Plan provides cross-access through the property along the north and east perimeters to provide connectivity throughout the overall Eastgate Plaza PUD. See Section III of this report for recommended conditions of approval.
4. **Off-Street Parking:** The City's standard off-street parking requirement for an office building is 1 parking space per 400 square feet of building area. This would require a minimum of 19 parking spaces for a 7,145-square building. The submitted Conceptual Plan provides 31 parking spaces and 4 ADA parking spaces, for a total of 35 spaces. It also includes a note that states bicycle parking shall be provided at a rate of 1 space per 50,000 square feet of office space. This complies with the bicycle parking standards found in Chapter 135 of the Municipal Code.
5. **Landscaping:** The proposed PUD Conceptual Plan demonstrates that landscaping and plantings are to be provided throughout the site and along the perimeters. Staff recommends that landscaping to be provided in accordance with Chapter 135: Planning and Design Ordinance. See Section III of this report for recommended conditions of approval.
6. **Urban Design:** The proposed building would be sided with a mix of stucco with elastomeric finish (EIFS) and split-face concrete masonry units (CMU). Brick would be used as an accent material. EIFS is typically limited to the third floor or higher in commercial buildings (Section 135-4). Staff believes that the building should primarily be sided with materials that are classified as "Major Façade Materials" by Chapter 135 of the Municipal Code. In addition, the amount of transparency (windows) and the transmittance factor of the windows should be comparable to what is required by Chapter 135. To allow flexibility for the applicant and staff to work on design solutions during the development of the PUD Development Plan, staff recommends a general condition that points back to the standards found in Chapter 135.

Staff recommends provision of a note stating that all mechanical equipment, roof top units, condensers, meters, transformers or other such equipment shall be provided in accordance with Chapter 135: Planning and Design Ordinance.

7. **Lighting:** The proposed PUD Conceptual Plan demonstrates that a mixture of canopy, building-mounted, LED light bands, and pole lighting would be installed. Lighting 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. Staff recommends provision of a note stating that all lighting shall be provided in accordance with Chapter 135: Planning and Design Ordinance.
8. **Trash Enclosure:** The proposed PUD Conceptual Plan indicates that the trash enclosure shall be made of 8-foot tall, CMU walls with a stucco skim coat painted to match the building, with steel gates. Staff recommends provision of a note stating that any refuse collection container will be within an enclosure constructed of masonry walls that match the primary building and steel gate with a pedestrian entrance.

- 9. **Signage:** The proposed PUD Conceptual Plan allows for multiple building-mounted signage. Staff recommends that any freestanding signage shall be a monument sign having a minimum 2-foot-tall masonry base to match the structure and shall not exceed 8 feet in height.

SUMMARY OF DISCUSSION

Emily Webb asked if any member of the public or commission desired to speak on the item. No one requested to speak.

COMMISSION ACTION:

Francis Boggus made a motion for approval of the proposed amendment to the Eastgate Plaza PUD Conceptual Plan, subject to the following modifications:

- 1) Provision of a note that states the north/south drive (to east of the building) shall be constructed to appear to be a street, with features such as trees on both sides, parallel parking stalls, and sidewalk to the satisfaction of the City’s Planning and Urban Design Administrator.
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Motion passed: 11-0

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jason Van Essen".

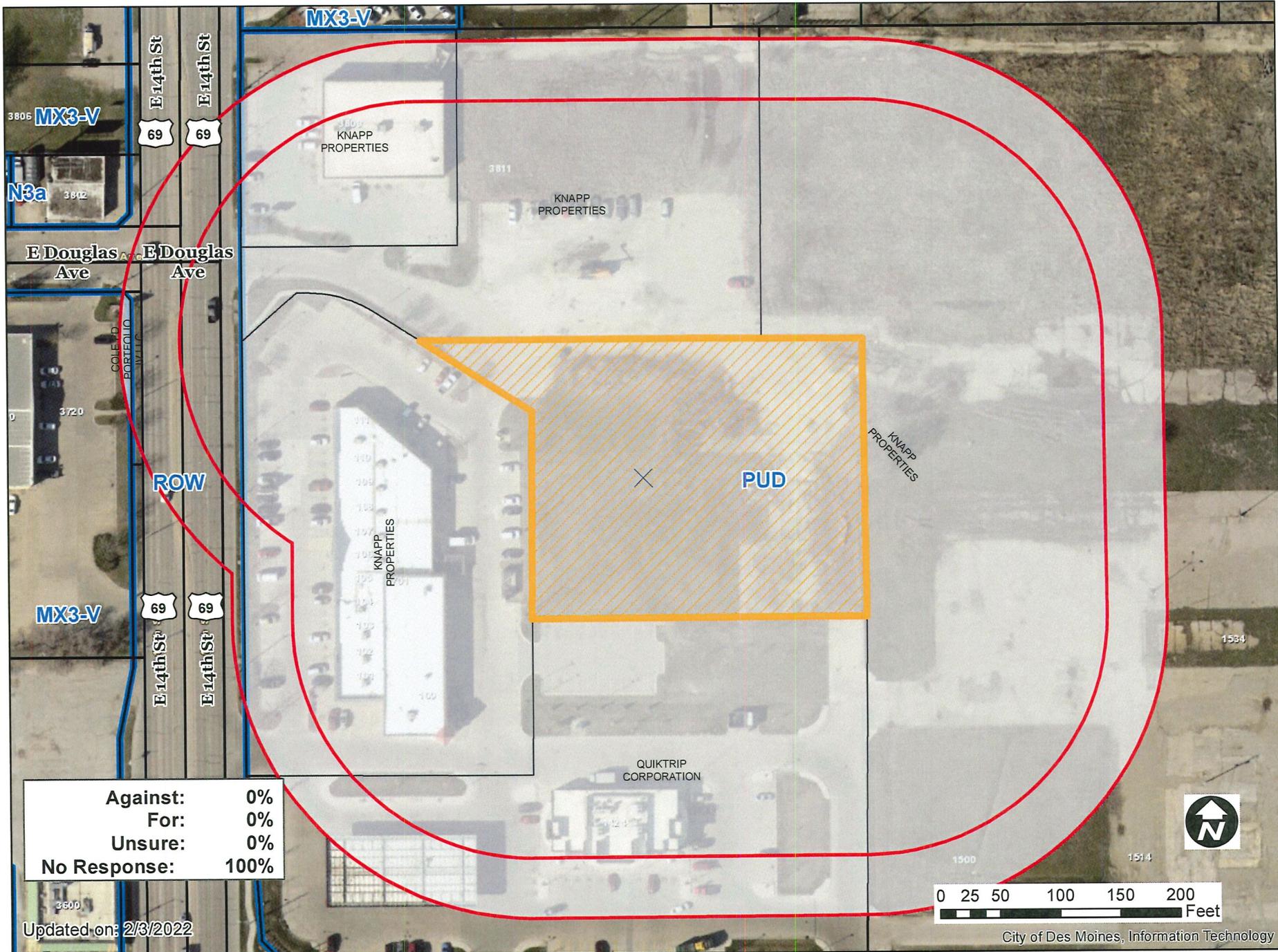
Jason Van Essen, AICP
Planning & Urban Design Administrator

JMV:tjh

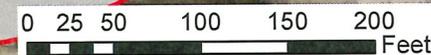
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Eastgate Plaza, LLC, 1534 East Euclid Avenue

ZONG-2021-000059



Updated on: 2/3/2022



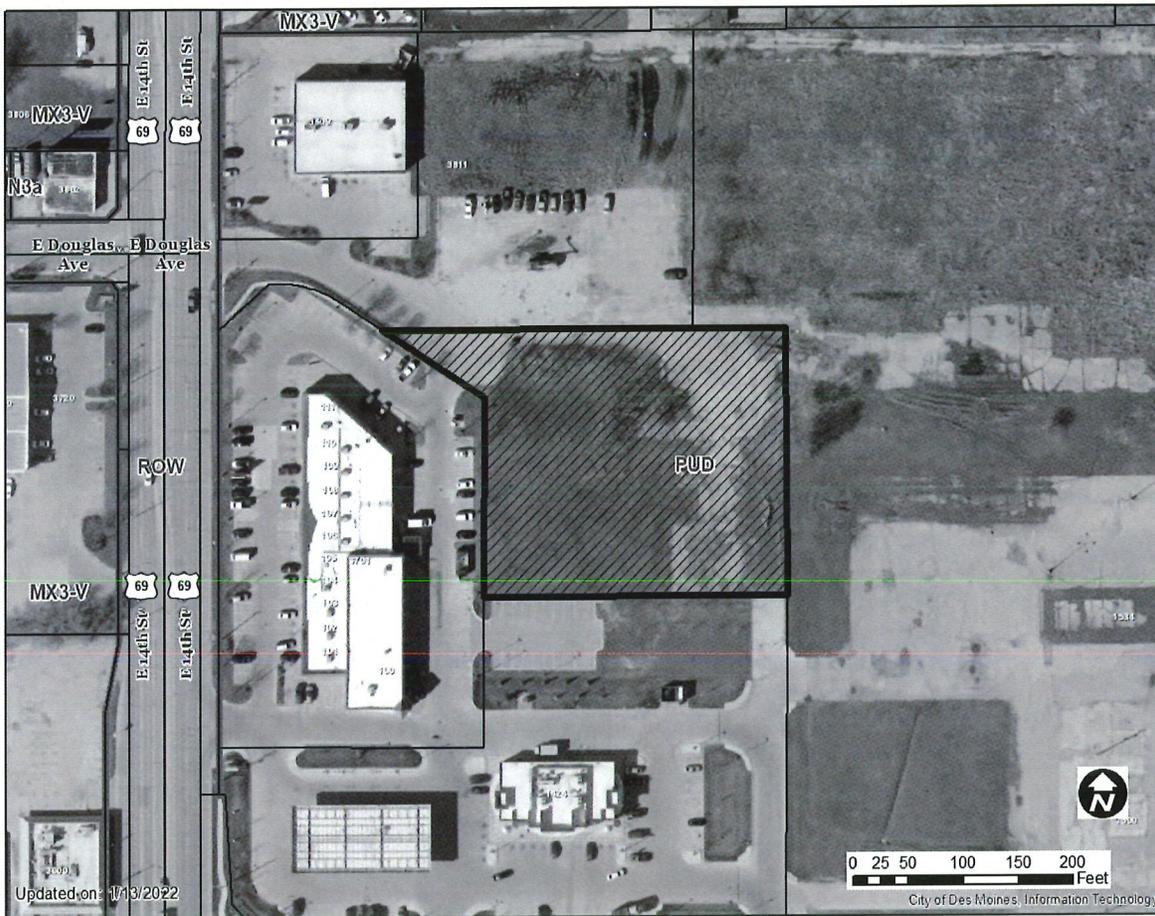
City of Des Moines, Information Technology

1 inch = 106 feet

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Eastgate Plaza, LLC, 1534 East Euclid Avenue

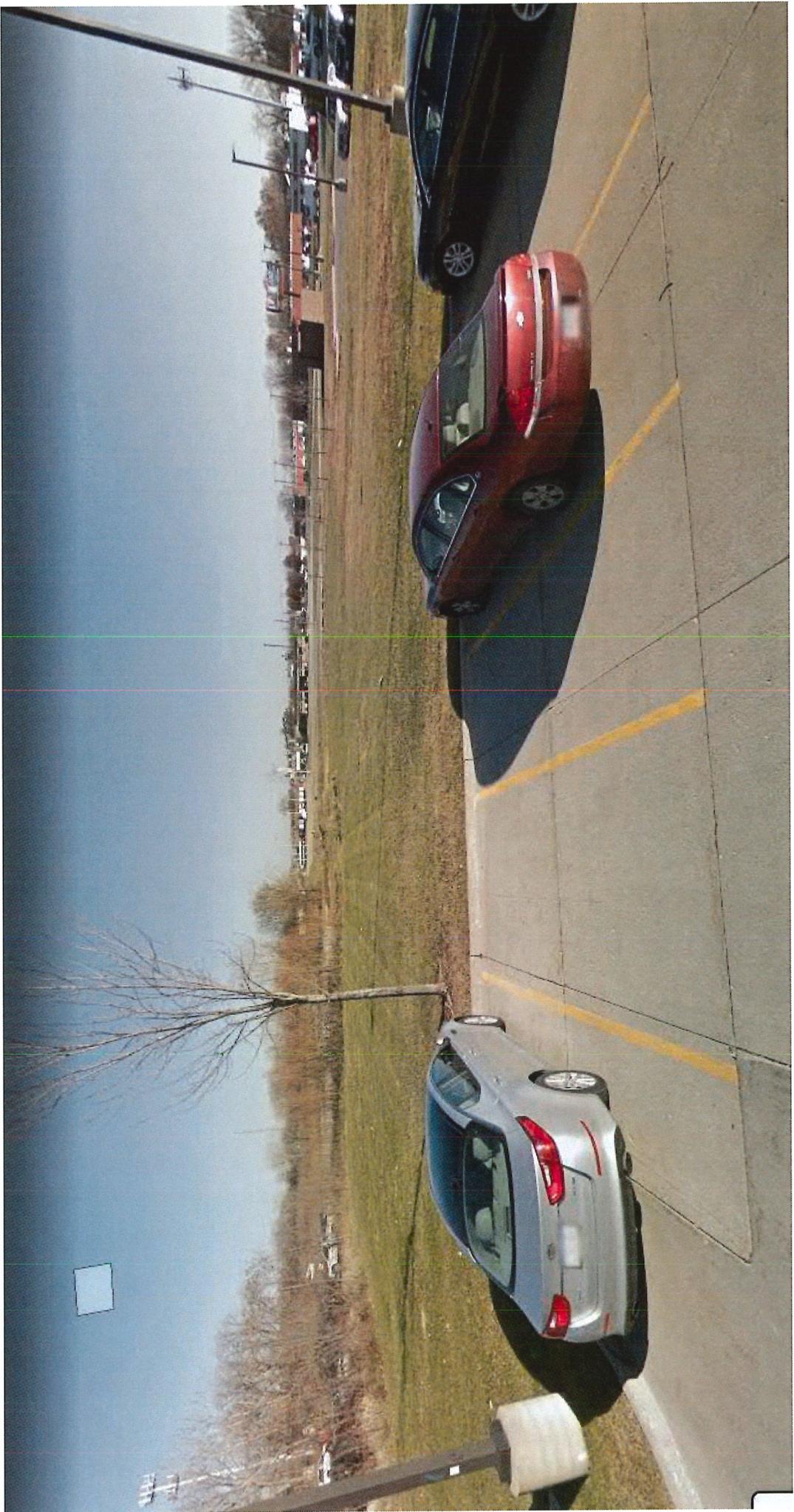
ZONG-2021-000059



1 inch = 106 feet

6/1





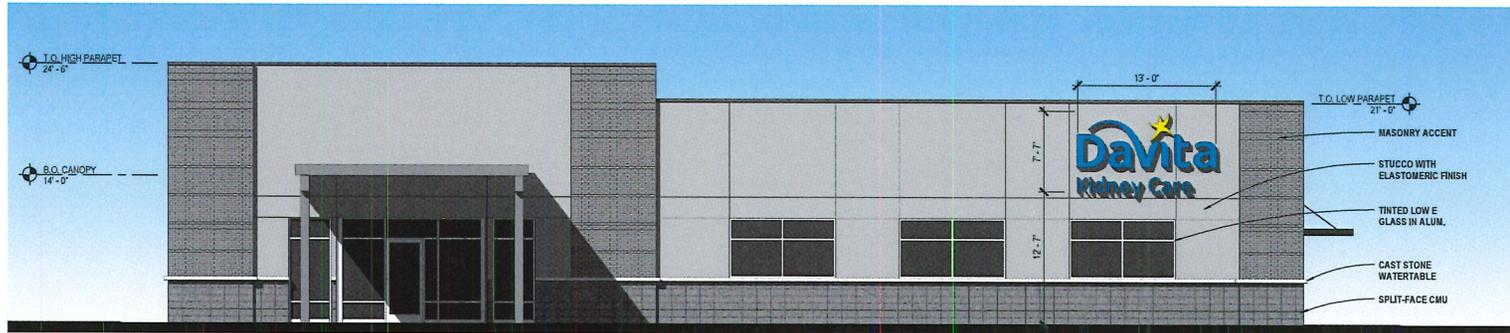
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Google

DAVITA EAST DES MOINES DIALYSIS
 AN AMENDMENT TO THE EASTGATE PLAZA P.U.D. (PLANNED UNIT DEVELOPMENT)
 CITY OF DES MOINES, COUNTY OF POLK, STATE OF IOWA
 SHEET 3 OF 3

SGI
SIKES GROUP INC
 Architects + Project Consultants
 12012 Wickchester, Suite 650
 Houston, Texas 77079
 www.sikesgroup.com
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 F: 281.759.7416



SOUTH ELEVATION (EUCLID)



NORTH ELEVATION

DAVITA EAST DES MOINES DIALYSIS
 AN AMENDMENT TO THE EASTGATE PLAZA P.U.D.
 CITY OF DES MOINES, POLK COUNTY, IOWA

1546 E EUCLID AVE
 DES MOINES, IA 50313

#	Date	Issue/Description	Int.

Project No: 2119
 Drawn By: VFB
 Checked By: GM
 Date: 10/22/2021

EXTERIOR ELEVATIONS

