



Date March 10, 2014

RESOLUTION APPROVING AMENDMENT TO THE DES MOINES 2020 COMMUNITY CHARACTER LAND USE PLAN FOR PROPERTY IN THE VICINITY OF 2125 HIGH STREET

WHEREAS, on August 7, 2000, by Roll Call No. 00-3381 the City Council adopted the Des Moines 2020 Community Character Land Use Plan; and

WHEREAS, the City Plan and Zoning Commission has advised in the attached letter that at a public hearing held February 6, 2014, the members voted 9-0 to recommend APPROVAL of a request from Freedom Financial Bank (owner) represented by Jeff Payne (officer) to amend the Des Moines 2020 Community Character Land Use Plan future land use designation from Low-Density Residential and Park/Open Space to Commercial: Pedestrian-Oriented, Commercial Corridor for property in the vicinity of 2125 High Street as more specifically shown on the accompanying map.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the proposed amendment to the Des Moines 2020 Community Character Land Use Plan described above, is hereby approved.

MOVED by _____ to adopt and approve the proposed amendment.

FORM APPROVED:

Roger K. Brown
Roger K. Brown
Assistant City Attorney

(21-2013-4.25)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRAY, HENSLEY, MAHAFFEY, MOORE, GATTO, and TOTAL.

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.

MOTION CARRIED APPROVED

Mayor

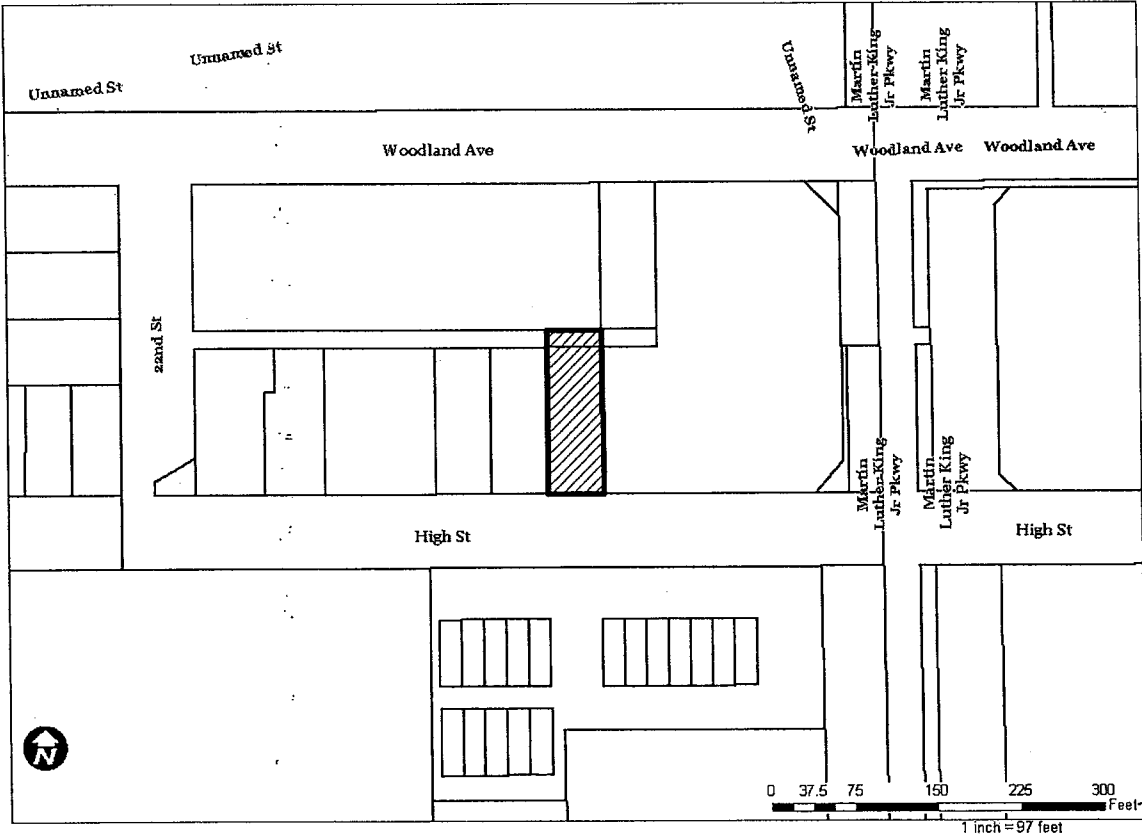
City Clerk

36A

Freedom Financial Bank (owner) represented by Jeff Payne (officer) located at 2125 High Street.		File #	
		21-2013-4.25	
Description of Action	Amend the Des Moines' 2020 Community Character Plan future land use designation from Low-Density Residential and Park/Open Space to Commercial: Pedestrian-Oriented, Commercial Corridor.		
2020 Community Character Plan	Park/Open Space and Low Density Residential. (current) Commercial: Pedestrian-Oriented, Commercial Corridor (proposed)		
Horizon 2035 Transportation Plan	No Planned Improvements.		
Current Zoning District	"R-2A" General Residential District.		
Proposed Zoning District	"C-1" Neighborhood Retail Commercial District..		
Consent Card Responses	In Favor	Not In Favor	Undetermined
Inside Area			
Outside Area			
Plan and Zoning Commission Action	Approval		Required 6/7 Vote of the City Council
	Denial		
			Yes
			No

Freedom Financial Bank, Vicinity of 2125 High Street

21-2013-4.25



36A

CITY OF DES MOINES PLAN & ZONING COMMISSION
STAFF REPORT AND RECOMMENDATION
Thursday, February 6, 2014

AGENDA ITEMS #5A – 5D 11-2013-1.19, 21-2013-4.25 & ZON2013-00199

Applicant: Request from Freedom Financial Bank (owner) represented by Jeff Payne (officer).
Location: 2125 High Street.
Requested Action: Part A) Vacation of a dead-end segment of east/west alley directly adjoining the subject property, in the block bound by High Street, 22nd Street, Woodland Avenue, and M. L. King Jr. Parkway.
Part B) Determination as to whether the proposed rezoning is in conformance with the Des Moines' 2020 Community Character Plan.
Part C) Amend the Des Moines' 2020 Community Character Plan future land use designation from Low-Density Residential and Park/Open Space to Commercial: Pedestrian-Oriented, Commercial Corridor.
Part D) Rezone from "R-2A" General Residential District to "C-1" Neighborhood Retail Commercial, to allow expansion of the existing, adjoining financial institution site by modifying the drive-up service area exit driveway onto the subject property and alleyway requested for vacation.

This item is continued from the January 16, 2014 meeting of the Commission. The applicant requested continuance to allow time for a neighborhood meeting to be held. The applicant has indicated they held their meeting on January 15, 2014.

I. GENERAL INFORMATION

- 1. Purpose of Request:** The applicant has purchased the subject property and wishes to assemble it and the adjoining segment of alley with their site to the east. The additional land area will allow a wider drive to be constructed for access to their drive-thru teller lanes. The current drive is narrow and includes a sharp curve. This configuration in conjunction with the sloping grade in the area causes difficulty for drivers during inclement weather. The alley currently dead-ends into the bank site with vehicles having the ability pass through the parking lot to access Woodland Avenue. The applicant is proposing to maintain this arrangement.
- 2. Size of Site:** Rezoning – 6,600 square feet. Alley vacation – 800 square feet.
- 3. Existing Zoning (site):** "R-2A" General Residential District.
- 4. Existing Land Use (site):** Vacant lot and alley.

5. Adjacent Land Use and Zoning:

North – “R-2A”; Use is Chamberlain Park.

South – “C-2”; Use is a rowhouse development.

East – “C-1”; Use is the Freedom Financial Bank.

West – “R-2A”; Use is a single-family dwelling.

6. General Neighborhood/Area Land Uses: The immediate area is characterized by residential properties with commercial uses along the Martin Luther King Jr. Parkway and Ingersoll Avenue corridors.

7. Applicable Recognized Neighborhood(s): The subject property is located in the Woodland Heights Neighborhood. This neighborhood association was notified of the public hearing by mailing of the Preliminary Agenda on December 30, 2013 and a Final Agenda on January 10, 2014. Additionally, separate notifications of the hearing for this specific item were mailed on December 27, 2013 (20 days prior to the public hearing) and on January 6, 2014 (10 days prior to the public hearing) to the Woodland Heights 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 Woodland Heights Neighborhood Association notices were mailed to Dan Robbins, 733 26th Street, Des Moines, IA 50312. The applicant has indicated they held a neighborhood meeting on January 15, 2014.

8. Zoning History: On August 20, 2007, the City Council approved Ordinance Number 14,695 rezoning the western portion of the existing bank site from “R-2A” District to “C-1” District. A 50-foot segment of the alley was also vacated and incorporated into the bank site. This vacation and rezoning allowed the bank to add the drive-thru teller area and renovate the building. The building had previously been occupied by an art store.

9. 2020 Community Character Land Use Plan Designation: Low-Density Residential and Park/Open Space. The land use designations run along the centerline of the alley. Therefore, the north half of the alley is designated “Park/Open Space” along with the balance of Chamberlain Park to the north. Land use designations and zoning boundaries are commonly set at the center line of right-of-way.

10. Applicable Regulations: The Commission reviews all proposals to vacate land dedicated for a specific public purpose, such as for streets and parks, to determine

whether the land is still needed for such purpose or may be released (vacated) for other use. The recommendation of the Commission is forwarded to the City Council.

The Commission also reviews all proposals to amend zoning regulations or zoning district boundaries within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in §414.3 of the Iowa Code. The Commission may recommend that certain conditions be applied to the subject property if the property owner agrees in writing, prior to the City Council Hearing. The recommendation of the Commission will be forwarded to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

1. Site Plan Review: The applicant must demonstrate compliance with the City's storm water management, tree mitigation, landscaping and buffering requirements during the site plan review process. The City's Landscaping Standards for "C-1" Districts generally require the following:

- 20% open space with a minimum of 1 overstory deciduous tree, 1 evergreen tree and 1 shrub for every 2,500 square feet of required open space.
- 10-foot wide bufferyards along property lines that adjoin a "R" District or residential use with a 6-foot tall, 75% opaque fence or wall, and 2 overstory trees and 6 evergreen trees per 100 lineal feet of property line.
- 1 overstory tree and 3 shrubs must be proved along the perimeter of parking lots for every 50 lineal feet of frontage.

In addition to these requirements staff believes a dense row of shrubs or other buffering element should be provided along the southern perimeter of the existing and proposed drive-thru lane. The elevation of this area is substantially higher than the grade to the south including the rowhouse development to the south. Typical plantings in close proximity to the south property line will not shield the residential units from vehicle headlights.

- 2. Utilities:** Easements must be provided for any utilities that may exist within the subject alley right-of-way. No utilities have been identified at this time.
- 3. Street System:** The subject alley dead ends into the existing commercial site. Access to the alley is provided though the existing drives on the subject site. The applicant is proposing to vacate an additional 50 feet of alley. The submitted site sketch indicates that traffic would still be able to access the eastern end of the alley though the applicant's property.
- 4. Access or Parking:** The submitted site sketch indicates the parking lot and drive-thru teller lanes would continue to be accessed from the existing driveway to Woodland Avenue.

III. STAFF RECOMMENDATION

Part A) Staff recommends approval of the proposed vacation of alley right-of-way subject to the provision of easements for any existing utilities.

Part B) Staff recommends the proposed rezoning be found not in conformance with the existing Des Moines' 2020 Community Character Plan.

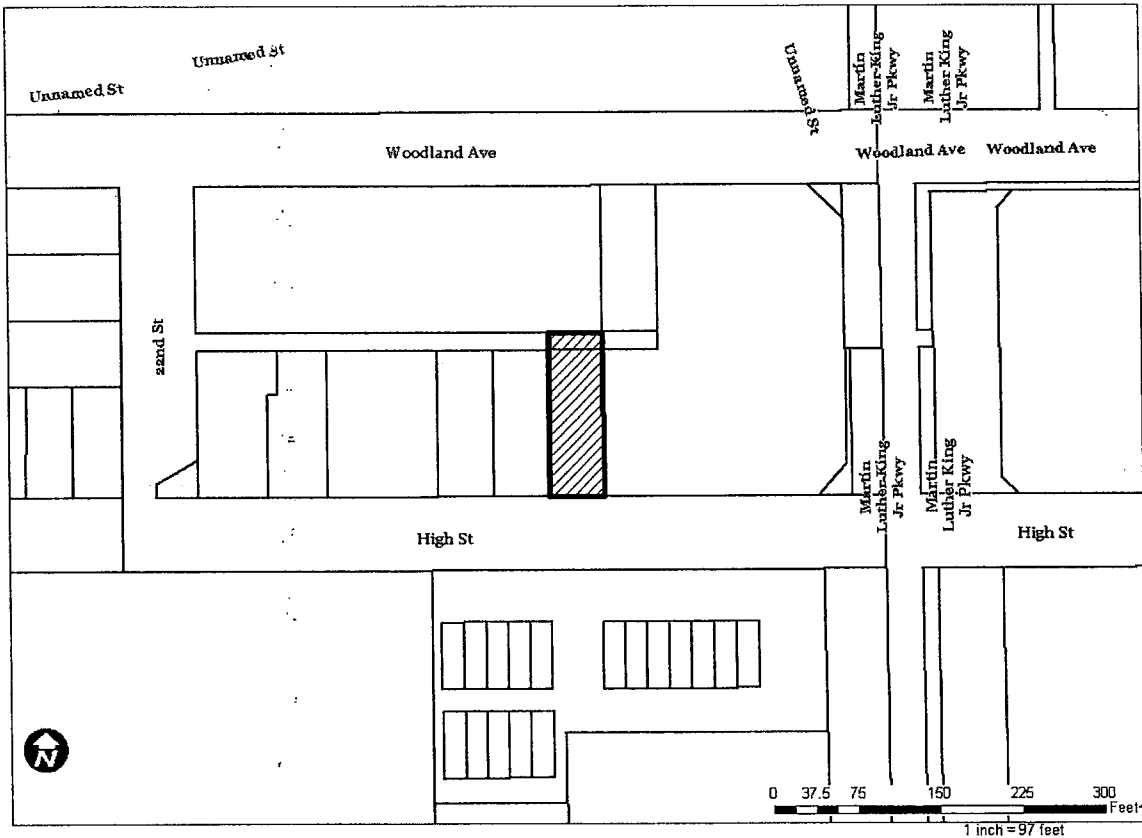
Part C) Staff recommends approval of the proposed amendment to the Des Moines' 2020 Community Character Plan to revise the future land use designation from Low-Density Residential and Park/Open Space to Commercial: Pedestrian-Oriented, Commercial Corridor.

Part D) Staff recommends approval of the proposed rezoning subject to the provision of a dense shrub screen along the southern perimeter of the drive-thru or other similar buffer treatment as approved by the Planning Administrator.

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Freedom Financial Bank, Vicinity of 2125 High Street

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Freedom Financial Bank, Vicinity of 2125 High Street

ZON2013-00199

