



Date September 26, 2016

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

WHEREAS, on September 12, 2016, by Roll Call No. 16-1521, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on September 1, 2016, its members voted 8-0 in support of a motion to recommend **APPROVAL** of an amendment to Section 82-214.8 of the Site Plan Ordinance relating to gas station/convenience store site plan design guidelines, to clarify reference to the City's comprehensive plan, PlanDSM: Creating Our Tomorrow, and all documents incorporated therein by Council resolution; and

WHEREAS, on September 12, 2016, by Roll Call No. 16-1521, it was duly resolved by the City Council that the proposed amendment to the Site Plan Ordinance be set down for hearing on September 26, 2016 at 5:00 P.M., in the Council Chamber at the Municipal Service Center; 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 amendment to the Site Plan Ordinance; and

WHEREAS, in accordance with said notice, those interested in said proposed amendment, 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 statements of interested persons and arguments of counsel, any and all objections to the proposed amendment to Section 82-214.8 of the Des Moines Municipal Code are hereby overruled, and the hearing is closed.
2. The proposed amendment to Sections 82-214.8 of the Site Plan Ordinance relating to gas station/convenience store site plan design guidelines are hereby approved, subject to final passage of an ordinance amending said Section as set forth herein.

★ Roll Call Number

Agenda Item Number

66

Date September 26, 2016

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MOVED by _____ to adopt.

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ 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

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

Any site plan application which includes property used as a gas station or convenience store shall be approved by the plan and zoning commission if the proposed site plan conforms with the design regulations in section 82-213 and the following additional design guidelines, unless the commission determines that the construction and use of the site will have a significant detrimental impact on the use and enjoyment of adjoining residential uses:

....

2. *Architecture.*

....

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

66



September 9, 2016

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held September 1, 2016 the following action was taken regarding City initiated request for an amendment to the Site Plan Ordinance text in Chapter 82 Section 82-214.8 to revise design guideline requirements for gas stations/convenience stores to require building design to be consistent with adopted plans including the comprehensive plan.

COMMISSION RECOMMENDATION:

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

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

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

STAFF RECOMMENDATION TO THE P&Z COMMISSION

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

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

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

SUMMARY OF DISCUSSION


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

COMMISSION ACTION:

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

Motion passed 8-0.

Respectfully submitted,


Erik Lundy, AICP
Senior City Planner

EML:clw

cc: File

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