
ABSENT: Francis Boggus, Jacqueline Easley, Lisa Howard, Rocky Sposato and Greg Wattier.

STAFF PRESENT: Erik Lundy, Glenna Frank and Tyler Hall.

John “Jack” Hilmes made a motion to approve the February 7, 2019 Plan and Zoning Commission meeting minutes. Motion Carried 6-0-3 (Mike Simonson, David Courard-Hauri and Carolyn Jenison abstained as they were not present for the February 7, 2019 meeting).

Jann Freed noted that the applicant for item #4 has agreed to the staff recommendations. She asked if any members of the audience or the Commission requested to speak regarding moving the item to the consent agenda. None were present or requested to speak.

David Courard-Hauri made a motion to move item #4 to the consent agenda. Motion Carried 9-0.

Greg Jones made a motion to approve Consent Agenda items #1, #2, #3 and #4 per the staff recommendations. Motion Carried 9-0.

Jann Freed noted that the applicant for item #5 had requested a continuance to the March 7, 2019 Plan and Zoning Commission meeting. She asked if any members of the audience or the Commission requested to speak regarding continuance of the item. None requested to speak.

David Courard-Hauri made a motion to continue item #5 to the March 7, 2019 Plan and Zoning Commission meeting. Motion carried 9-0.

Jann Freed noted that the applicant for item #6 had requested a continuance to the March 7, 2019 Plan and Zoning Commission meeting. She asked if any members of the audience or the Commission requested to speak regarding continuance of the item. None requested to speak.

David Courard-Hauri made a motion to continue item #5 to the March 7, 2019 Plan and Zoning Commission meeting. Motion carried 8-0-1 (John “Jack” Hilmes abstained).

CONSENT AGENDA PUBLIC HEARING ITEMS

Item 1

Request from Des Moines Area Community College (owner) 1144 7th Street, represented by Robert Denson (officer) for vacation of a 50-foot wide by 60-foot long segment of 8th Street west of and adjoining the subject property, to allow for
assemblage with the subject property for construction of a student life center.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. Purpose of Request: The requested vacation would allow the Right-of-Way (ROW) to be assembled with the adjoining properties. The resulting parcel would be redeveloped with a new student life center building on the DMACC Urban Campus.

2. Size of Site: 50 feet by 60 feet (3,000 square feet).

3. Existing Zoning (site): “R-4” Multiple-Family Residential District, “C-1” Neighborhood Retail Commercial District, “C-2” General Retail and Highway-Oriented Commercial District, “FSO” Freestanding Signs Overlay District, and “GGP” Gambling Games Prohibition Overlay District.

4. Existing Land Use (site): The subject ROW contains a segment of 8th Street located at the eastern terminus of a dead-end segment of Enos Avenue. This segment of 8th Street ROW is the only remaining segment of 8th Street ROW in this area, as the segments both to the north and to the south have been vacated and assembled with the DMACC campus. However, the portion of vacated 8th Street ROW located to the north of the requested ROW still contains former 8th Street, which provides a connection between the eastern terminus of Enos Avenue and University Avenue.

5. Adjacent Land Use and Zoning:

   North – “C-1” & “C-2”; Use is vacated 8th Street ROW and off-street parking associated with DMACC.

   South – “R-4”; Use is off-street parking associated with DMACC.

6. General Neighborhood/Area Land Uses: The requested ROW is located within an area that contains the DMACC Urban Campus and the United Way office building.

7. Applicable Recognized Neighborhood(s): The subject property is in the Cheatom Park Neighborhood. This neighborhood was notified of the Commission meeting by mailing of the Preliminary Agenda on February 1, 2019. Additionally, separate notifications of the hearing for this specific item were mailed on February 11, 2019 (10 days prior to the hearing) to the Cheatom Park Neighborhood and to the primary titleholder on file with the Polk County Assessor for each property adjacent to the subject ROW. A final agenda was mailed on February 15, 2019.

   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 Cheatom Park Neighborhood notices were mailed to Susan Wells, 1157 14th Place, Des Moines, IA 50314.

8. **Relevant Zoning History**: None.

9. **PlanDSM Land Use Plan Designation**: The proposed project area is designated as “Public/Semi-Public” on the Future Land Use Map.

10. **Applicable Regulations**: The Commission, considering the criteria set forth in Chapter 18B of the Iowa Code, 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.

II. **ADDITIONAL APPLICABLE INFORMATION**

1. **Utilities**: There are existing water and sewer lines within the requested Right-of-Way. Easements must be reserved for any existing utilities until such time that they are abandoned or relocated at the applicant’s expense.

2. **Traffic & Transportation**: The subject right is located at the eastern terminus of a dead-end segment of Enos Avenue. This dead-end segment of Enos Avenue provides access to parking lots for both the United Way and DMACC. Staff recommends that any vacation be subject to provision of an access easement from the eastern terminus of Enos Avenue to either University Avenue or to 7th Street in order to allow vehicular and pedestrian access.

3. **Site Plan Requirements**: Any development that incorporates the subject ROW would be required to comply with all Site Plan requirements.

III. **STAFF RECOMMENDATION**

Staff recommends approval of the requested vacation of Right-of-Way, subject to the following conditions:

1. Reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated at the applicant’s expense.

2. Provision of an access easement from the eastern terminus of Enos Avenue to either University Avenue or to 7th Street.

3. Any development that incorporates the subject Right-of-Way shall comply with all Site Plan requirements.

**SUMMARY OF DISCUSSION**

Jann Freed 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:

Greg Jones made a motion for approval of the requested vacation of Right-of-Way, subject to the following conditions:

1. Reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated at the applicant’s expense.

2. Provision of an access easement from the eastern terminus of Enos Avenue to either University Avenue or to 7th Street.

3. Any development that incorporates the subject Right-of-Way shall comply with all Site Plan requirements.

THE VOTE: 9-0

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Item 2

Request from Luther Memorial Church of Des Moines, Iowa (purchaser) represented by Lowell Jacobson (officer) to rezone property at 1101 Grandview Avenue. The subject property is owned by Grand View University.

A) Determination as to whether the proposed rezoning is in conformance with the existing PlanDSM Creating Our Tomorrow future land use classification.

B) Rezone property from “PUD” Planned Unit Development to “R-3” Multiple-Family Residential District, to allow for the expansion of the existing church at 1201 Grandview Avenue. (ZON2019-00005)

C) Amend the Grand View University West PUD Conceptual Plan to remove the subject property from the PUD in order to assemble it with property to the east at 1201 Grandview Avenue for expansion of the existing church.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. Purpose of Request: The proposed rezoning would allow for a 45.7-foot wide portion of a parcel on Grand View University’s campus to be assembled with the adjoining parcel that is owned by Luther Memorial Church. The church would use the additional land to construct a building addition to the west façade of its building.
Any expansion of the church would be required to be in compliance with a Site Plan reviewed and approved by the City’s Permit & Development Center. This Site Plan must comply with all requirements, including the pertaining to zoning, stormwater, landscaping, and parking. This includes provision a 35-foot building setback from any property line and provision of at least one (1) off-street parking space per 80 square feet of principal auditorium unless the Zoning Board of Adjustment grants waiver of such.

2. **Size of Site**: 45.7 feet by 150 feet (6,855 square feet).

3. **Existing Zoning (site)**: Grand View University West “PUD” Planned Unit Development District.

4. **Existing Land Use (site)**: Open space and off-street parking.

5. **Adjacent Land Use and Zoning**:
   - **North** – “PUD”, Use is Grand View University.
   - **South** – “R1-60”, Use is single-family residential.
   - **East** – “R-3”, Use is Luther Memorial Church.
   - **West** – “PUD”, Use is Grand View University.

6. **General Neighborhood/Area Land Uses**: The subject property is located along the edge of the Grand View University campus, in an area that transitions from educational uses to low-density residential uses.

7. **Applicable Recognized Neighborhood(s)**: The subject property is in the Union Park Neighborhood and within 250 feet of the Highland Park Neighborhood. These neighborhoods were notified of the Commission meeting by mailing of the Preliminary Agenda on February 1, 2019. Additionally, separate notifications of the hearing for this specific item were mailed on February 1, 2019 (20 days prior to the hearing) and on February 11, 2019 (10 days prior to the hearing) to the Union Park Neighborhood, Highland Park Neighborhood, and to the primary titleholder on file with the Polk County Assessor for each property adjacent to the subject Right-of-Way. A final agenda was mailed on February 15, 2019.

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 Union Park Neighborhood notices were mailed to Jack Daugherty, P.O. Box 16113, Des Moines, IA 50316, and the Highland Park Neighborhood notices were mailed to Drew Kelso, 815 East Seneca Avenue, Des Moines, IA 50316.

The applicant is required to hold a neighborhood meeting as part of the rezoning process. They will be available to provide a summary of that meeting at the public
hearing.

8. **Relevant Zoning History:** The subject property was rezoned from “R-3” District to “PUD” District on January 21, 2007, by Ordinance 14,624.

9. **PlanDSM Future Land Use Plan Designation:** Public/Semi-Public.

10. **Applicable Regulations:** The Commission, considering the criteria set forth in Chapter 18B of the Iowa Code, 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.

II. **ADDITIONAL APPLICABLE INFORMATION**

1. **PlanDSM:** The subject site is designated as “Public/Semi-Public” on the Future Land Use Map. The proposed “R-3” District would comply with this designation so long as any use of the property is limited to a church or university use.

2. **Site Plan Requirements:** Any expansion of the church would be required to be in compliance with a Site Plan reviewed and approved by the City’s Permit & Development Center. This Site Plan must comply with all requirements, including those pertaining to zoning, stormwater, landscaping, and parking. This includes provision a 35-foot building setback from any property line and provision of at least one (1) off-street parking space per 80 square feet of principal auditorium unless the Zoning Board of Adjustment would grant relief of such requirements.

III. **STAFF RECOMMENDATION**

Part A) Staff recommends that the Commission find the proposed rezoning in conformance with the existing PlanDSM Creating Our Tomorrow future land use designation of Public/Semi-Public.

Part B) Staff recommends approval of the request to rezone property from “PUD” Planned Unit Development to “R-3” Multiple-Family Residential District, subject to the following conditions:

1. Any use of the property shall be limited to a church or university use.

2. Any construction on the property be in compliance with a Site Plan as reviewed and approved by the City’s Permit & Development Center.

Part C) Staff recommends approval of the request to amend the Grand View University West PUD Conceptual Plan to remove the subject property from the PUD in order to assemble it with property to the east at 1201 Grandview Avenue.
SUMMARY OF DISCUSSION

Jann Freed 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:

Greg Jones made a motion for APPROVAL of Part A) the Commission find the proposed rezoning in conformance with the existing PlanDSM Creating Our Tomorrow future land use designation of Public/Semi-Public, Part B) APPROVAL of the request to rezone property from “PUD” Planned Unit Development to “R-3” Multiple-Family Residential District, subject to the following conditions:

1. Any use of the property shall be limited to a church or university use.

2. Any construction on the property be in compliance with a Site Plan as reviewed and approved by the City’s Permit & Development Center.

Part C) APPROVAL of the request to amend the Grand View University West PUD Conceptual Plan to remove the subject property from the PUD in order to assemble it with property to the east at 1201 Grandview Avenue.

THE VOTE: 9-0

Item 3

Request from Cityview 34, LLC (owner) represented by Nick Jensen (officer) for review of the following for property located at 938 12th Street.

A) Review and approval of a Site Plan “Cityview 49” under design guidelines for multiple-family residential dwellings, to allow development of 14 three-story row dwellings with ground level entry attached garages. (10-2019-7.78)

B) Review and approval of a minor Preliminary Plat “Cityview 49”, to allow the property to be subdivided into 14 lots for row dwellings within a commonly owned lot. (13-2019-1.34)

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. Purpose of Request: The proposed Site Plan would allow the construction of 14 rowhouse units. The preliminary plat facilitates the division of the site into rowhouse
parcels and a commonly owned parcel. This proposal is a continuation of the rowhouse development under construction on the adjoining parcel to the west, previously titled Cityview 35.

2. **Size of Site:** 29,596 square feet or 0.679 acres.


4. **Existing Land Use (site):** Vacant.

5. **Adjacent Land Use and Zoning:**
   
   - **North** – “M-1” & “R-3”: Uses are an office and the Interstate 235 corridor.
   - **South** - “M-1”: Use is commercial.
   - **East** - “R-4”: Uses are multiple-family and single-family residential.
   - **West** - “R-3”: Use is a rowhouse development currently under construction.

6. **General Neighborhood/Area Land Uses:** The site is located at the northern periphery of downtown. The immediate area consists of a mix of commercial and residential uses.

7. **Applicable Recognized Neighborhood(s):** The subject property is not located in or within 250 feet of a recognized neighborhood association. All neighborhood associations were notified of the Commission meeting by mailing of the Preliminary Agenda on February 1, 2019 and the Final Agenda on February 15, 2019.
   Additionally, separate notifications of the hearing for the site plan were mailed on February 11, 2019 (10 days prior to the hearing) to the primary titleholder on file with the Polk County Assessor for every owner of property or condominium within 250 feet of the site.

8. **Relevant Zoning History:** On January 14, 2019, by Roll Call 19-0039, the Des Moines City Council rezoned the subject property from “M-1” Light Industrial District to “NPC” Neighborhood Pedestrian Commercial District, to allow the property to be redeveloped with 14 row townhome dwellings, subject to:
   
   1. All units that front 12th Street shall have an entry presence to the satisfaction of the Planning Administrator. This may consist of a second set of steps to a front porch, a corner entrance or other comparable technique.
   
   2. Review and approval of the finalized building elevations and materials by the Planning Administrator.
3. Any development shall be in accordance with a Site Plan under the Design Guidelines applicable to the “NPC” District.

4. The following uses shall be prohibited on the property:
   a. Taverns and nightclubs;
   b. Billiard parlors/game rooms;
   c. Communication towers/antennas (excluding an extension of 20 feet or less from an existing structure);
   d. Delayed deposit services;
   e. Pawn brokers;
   f. Gas stations/convenience stores;
   g. Off premises advertising signs; and,
   h. Liquor stores.

9. PlanDSM Creating Our Tomorrow Future Land Use Plan Designation:
   Downtown Mixed Use.

10. **Applicable Regulations:** The Commission shall determine if the preliminary plat conforms to the standards and requirements outlined in Chapter 354 of the Iowa Code and consider the criteria set forth in Chapter 18B of the Iowa Code. The Commission shall also determine if it conforms to the City Subdivision Ordinance and shall approve, conditionally approve or reject such plat within 45 days after the date of submission to the City Permit and Development Center. Unless the applicant agrees in writing to an extension of time, the preliminary plat shall be deemed approved if the Commission does not act within such 45-day period. The Commission's action for approval or conditional approval shall be null and void unless the final plat is submitted to the City Permit and Development Center within 270 days after the date of such action; provided, however, that the Permit and Development Administrator may grant, upon written request of the applicant, up to a 90-day extension for submittal of the final plat to the City Permit and Development Center.

The Plan and Zoning Commission reviews and approves site plans for multiple family dwellings, boarding houses or rooming-houses in accordance with the design standards in section 82-213 of the City Code, which are in consideration of the criteria set forth in Chapter 18B of the Iowa Code. The decision to approve, approve subject to conditions, or disapprove a proposed site plan shall be based upon the conformance of the site plan with the following design standards.

1) **Architectural character.** New developments and alterations to existing development in or adjacent to existing developed areas shall be compatible with the existing architectural character of such areas by using a compatible design. Compatibility may be achieved through techniques such as the repetition of roof lines, the use of similar proportions in building mass and outdoor spaces, similar relationships to the street, similar window and door patterns, and/or the use of building materials that have color shades and textures similar to those existing in the immediate area of the proposed development. Brick and stone masonry shall be considered compatible with wood framing and other materials.
The proposed rowhouses would be 3-stories tall and would have masonry and cement fiberboard siding. The ground level of each unit would contain garage space. The units would have a parapet style roof.

Two (2) of the proposed 14 units would front 12th Street. Street-facing doors are not proposed for these units. The provided elevations do not show any windows on the street-facing facades of either building. Entrances and windows must be provided on both units fronting on 12th Street for the development to comply with the Zoning conditions listed in Section I, subparagraph 8 of this report.

The building elevations submitted with the site plan show minimal windows on the rear façade of the buildings. As both buildings are setback and buffered from Interstate 235 by adjoining properties, staff believes that the rear façades of each building should have glazing identical to those proposed for Building 3 on the adjoining property to the west.

2) **Building height and mass.** Buildings shall be either similar in size and height, or if larger, shall be articulated, setback or subdivided into massing that is proportional to the mass and scale of other structures on the same block and adjoining blocks. Articulation may be achieved through variation of roof lines, setbacks, patterns of door and window placement, and the use of characteristic entry features. To the maximum extent feasible, the height, setback and width of new buildings and alterations to existing buildings should be similar to those of existing buildings on the same block. Taller buildings or portions of buildings should be located interior to the site. Buildings at the ends of blocks should be of similar height to buildings on the adjoining blocks.

The proposed rowhouses would be 3-stories tall and arranged in groups of 7 units.

3) **Building orientation.** To the maximum extent feasible, primary facades and entries shall face the adjacent public street. A main entrance should face a connecting walkway with a direct pedestrian connection to the public street without requiring all pedestrians to walk through parking lots or across driveways.

The development would have frontage on 12th Street. Two (2) of the proposed 14 units would front 12th Street. Street-facing doors are not proposed for these units. The provided elevations do not show any windows on the street-facing facades of either building. Entrances and windows must be provided on both units fronting on 12th Street for the development to comply with the Zoning conditions listed in Section I, subparagraph 8 of this report.

4) **Garage access/location.** If the prominent character of garage access and/or location is located to the rear of the properties in the surrounding neighborhood, then new construction should be compatible with such character.
All garage doors would be oriented to a service drive.

5) **Rooftop/second story additions.** A rooftop or second floor addition, including but not limited to stairs and emergency egress, should not overhang the front or sidewalls of the existing building.

N/A.

6) **Emergency egress.** All stairs and means of emergency egress extending more than 15 feet above grade and visible from the adjoining street should be completely enclosed with materials compatible in color and texture with the balance of the building.

All stairways and means of egress would be internal to the building.

7) **Parking.** Parking lots containing more than eight parking spaces should comply with the adopted landscape standards applicable to commercial development in the C-1 district.

See subparagraph 4 of Section II for landscaping information.

In acting upon any site plan application for development of property located within the Downtown Overlay District, the community development director (or plan and zoning commission if applicable) shall apply the regulations and design guidelines in Section 82-213 of the City Code, which are in consideration of the criteria set forth in Chapter 18B of the Iowa Code. The decision to approve, approve subject to conditions or disapprove a proposed site plan shall be based upon the conformance of the site plan with such design regulations and the following guidelines. These guidelines shall be applied to the entire site when a new building is constructed or when an existing building is cumulatively expanded by more than 50% of its gross floor area as of the time it became part of the downtown overlay district. If a building is cumulatively expanded by less than 50% of its gross floor area as of the time it became part of the downtown overlay district, then these guidelines shall apply only to the expansion of the building.

A) Projects should demonstrate understanding of the micro and macro context for the project by offering place specific solutions for materiality, massing, uses, fabric and climate that are consistent with the vision of the "What’s Next Downtown Plan". In most cases, corporate prototype architecture may not be an acceptable design.

The proposed rowhouses would be 3-stories tall and are arranged in groups of 7 units. The ground level of each unit would contain garage space. The units would have a parapet style roof and have brick and fiber cement board siding.

The development would have frontage on 12th Street. Two (2) of the proposed 14 units would front 12th Street. Street-facing doors are not proposed for these units. The provided elevations do not show any windows on the street-facing facades
of either building. Entrances and windows must be provided on both units fronting on 12th Street for the development to comply with the Zoning conditions listed in Section I, subparagraph 8 of this report.

The building elevations submitted with the site plan show minimal windows on the rear façade of the buildings. As both buildings are setback and buffered from Interstate 235 by adjoining properties, staff believes that the rear façades of each building should have glazing identical to those proposed for Building 3 on the adjoining property to the west.

B) Low impact development techniques should be utilized which implement site water quality control solutions, using materials which are locally available and creating projects which minimize energy consumption.

Staff is not aware of any proposed low impact development techniques being utilized.

C) Connectivity between adjacent properties should be provided or demonstrated for both pedestrian and vehicular circulation.

Vehicular access to the site would come from a driveway to 12th Street and through the rest of the subdivision with a single driveway to Keosauqua Way. A sidewalk would extend from the site to the public walk along the street. Internal pedestrian and vehicle connections with the adjacent parcels are not practical due to grade and the layout of those properties.

D) The incorporation of ‘soft (green) spaces’ on site is encouraged.

E) Where feasible, projects should provide outdoor spaces for people gathering.

The site would include a sufficient amount of green space for a downtown project due to the irregular shape of the site. Each unit would include a balcony and a driveway area that would provide outdoor space. A standalone community gathering space is not proposed. Staff believes that providing one is not necessary given the number of units and the ample open space that would be provided.

F) If feasible, connections to adjoining bike paths or on-street bike facilities and on-site bike racks should be provided in close proximity to building entrances.

It appears that bike racks have been provided adjacent to Unit 1 on the site plan, though they are not clearly identified. Staff recommends that providing bike racks be a condition of approval.

G) Building heights. Minimum height for all uses should be the lesser of 36 feet or three stories.
The units would be 3-stories tall with a total height of 33.34 feet. The proposal complies with this standard.

H) Bulk standards, building setbacks, orientation, frontage and residential access:

1. All buildings with river frontage should orient towards the river and have building entrances that are oriented to the river and primary street(s).

2. All buildings without river frontage should have entrances oriented toward primary street(s).

3. All buildings should have frontage on principal street(s) of not less than 70 percent of the lot.

The subject property has 132 feet of frontage along 12th Street. The proposed buildings would occupy 44% of that frontage, which does not comply with this condition. The service drive necessary to access the units would occupy 30% of that frontage. It would not be practical to line the entire street frontage with units if vehicular access could not be provided. While the building frontage along 12th Street is substantially short of the 70% standard, staff believes the proposed building and service drive orientation is a reasonable solution given site constraints.

4. For commercial and mixed-use buildings, at least 70 percent of the building frontage should be within one foot of the property line.

N/A.

5. At least one building entrance for residential uses should directly access the street when a residential use is located above street-level retail or commercial uses.

Two (2) of the proposed 14 units would front 12th Street. Street-facing doors are not proposed for these units. The provided elevations do not show any windows on the street-facing facades of either building. Entrances and windows must be provided on both units fronting on 12th Street for the development to comply with the Zoning conditions listed in Section I, subparagraph 8 of this report.

6. For residential buildings, a maximum setback of 15 feet from the public right-of-way is permitted unless superseded by bulk regulations of the underlying zoning district (i.e. R-HD Residential Historic District, R1-60 Low Density Residential District, etc.).

The units that front 12th Street would be setback 15 feet from the right-of-way.
I) Storage of all materials and equipment should take place within completely enclosed buildings.

*No outdoor storage of materials and equipment is proposed.*

J) All refuse collection containers and dumpsters should be enclosed on all sides by the use of a permanent wall of wood, brick or masonry and steel gates which are compatible in design with the principal structure.

*Trash enclosures are not proposed.*

K) All open areas not used for off-street loading or parking should be landscaped in accordance with the Des Moines Landscape Standards for C-3 districts.

*See subparagraph 4 of Section II for landscaping information.*

L) Access doors for any warehouse use and any loading docks should not front on any public street.

*N/A.*

M) Gas stations/convenience stores should be limited to no more than six pumps and allow no more than 12 vehicles to be fueled at one time.

*N/A.*

N) Gas station / convenience stores and canopies, drive-thru facilities for restaurants, banks, parking garages and other auto-dominant uses should not front or have vehicular access on or to a pedestrian corridor as designated in the downtown pedestrian corridor map on file in the office of the city clerk as approved by city council resolution.

*N/A.*

O) Existing curb cuts should be consolidated to the minimum number necessary and be located as directed by the city traffic engineer and community development director.

*Staff believes that the proposed curb cut is the minimum number necessary to adequately serve the development.*

P) Parcels proposed for development that are greater than two acres should be rezoned to a planned unit development (PUD) zoning classification.

*The site measures 0.679 acres and is adjacent to a commonly owned site that measures 2.44 acres with nearly identical development patterns and styles. The proposal is subject to several sets of design guidelines (“D-O” District and*
Multiple-Family Residential) that provide a level of review similar to “PUD” zoning.

Q) Auto-dominant uses as described in guideline “N” above should be located in a mixed use commercial center and with buildings possessing a unified commercial design.

N/A.

R) Parking ramps should either include ground floor retail or commercial space, be designed for conversion to retail or commercial space, or have significant architectural detail.

N/A.

II. ADDITIONAL APPLICABLE INFORMATION

1. Natural Site Features: Development of the site shall be in compliance with the City’s Tree Removal and Mitigation Ordinance (Section 42-550 of the City Code).

2. Drainage/Grading: All grading is subject to an approved grading permit and soil erosion control plan. The applicant is required to demonstrate compliance with the City’s Stormwater Management requirements to the satisfaction of the City’s Permit and Development Center.

3. Parking: The “NPC” District requires 1 off-street parking space per row dwelling unit. Each unit would have a two-car garage. Additionally, street parking is allowed on both sides of 12th Street.

4. Landscaping: The landscaping standards typically applicable to a project of this nature include the following:

   • 1 overstory street tree per 30 lineal feet of frontage.
   • 1 overstory tree and 10 shrubs per 40 lineal feet of parking lot perimeter.
   • 1 overstory tree and 3 shrubs per 25 parking stalls of parking lot interior.
   • 1 overstory tree, 1 evergreen tree and 1 shrub per 2,500 square feet of required open space.

Staff recommends that approval be subject to review of the finalize landscaping plan by the Planning Administrator to allow staff to work with the applicant on landscaping.

III. STAFF RECOMMENDATION

Part A) Staff recommends approval of the submitted Site Plan subject to the following conditions:
1. Compliance with all administrative review comments of the City’s Permit and Development Center.

2. Compliance with the City’s Tree Removal and Mitigation Ordinance (Section 42-550 of the City Code).

3. All units that front 12th Street shall have street-facing entrances to the satisfaction of the Planning Administrator.

4. All units that front 12th Street shall have street-facing windows to the satisfaction of the Planning Administrator.

5. All units shall have rear façade windows to the satisfaction of the Planning Administrator.

6. Review and approval of the finalized building elevations and materials by the Planning Administrator.

7. Review and approval of the finalized landscape plan by the Planning Administrator.

8. Provision of bike racks to the satisfaction of the Planning Administrator.

9. Any necessary street lights shall be black street light fixtures and metal poles.

10. All site lighting shall be directed downward and shielded from adjoining properties. Any pole mounted lighting along private walkways shall not exceed 15 feet in height and any pole mounted lighting in a parking area shall not exceed 20 feet in height. Private light poles and pole mounted light fixtures shall be similar in style to the selected street light fixtures or be of other similar esthetic quality as approved by the Planning Administrator.

11. All services lines to buildings and all utility lines on the property or in the adjoining right-of-way shall be located underground.

12. All rooftop mechanical equipment shall be screened with material that is architecturally compatible with the building to the satisfaction of the Planning Administrator.

13. All utility meters, transformers, ground-mounted equipment, and other utilities shall be placed along rear facades or facades that are internal to the site.

Part B) Staff recommends approval of the submitted Preliminary Plat subject to compliance with all administrative review comments of the City’s Permit and Development Center.
SUMMARY OF DISCUSSION

Jann Freed asked if any member of the audience or the commission desired to speak regarding approval of the item. None were present or requested to speak.

COMMISSION ACTION:

Greg Jones made a motion for **APPROVAL** of Part A) approval of the submitted Site Plan subject to the following conditions:

1. Compliance with all administrative review comments of the City’s Permit and Development Center.

2. Compliance with the City’s Tree Removal and Mitigation Ordinance (Section 42-550 of the City Code).

3. All units that front 12th Street shall have street-facing entrances to the satisfaction of the Planning Administrator.

4. All units that front 12th Street shall have street-facing windows to the satisfaction of the Planning Administrator.

5. All units shall have rear façade windows to the satisfaction of the Planning Administrator.

6. Review and approval of the finalized building elevations and materials by the Planning Administrator.

7. Review and approval of the finalized landscape plan by the Planning Administrator.

8. Provision of bike racks to the satisfaction of the Planning Administrator.

9. Any necessary street lights shall be black street light fixtures and metal poles.

10. All site lighting shall be directed downward and shielded from adjoining properties. Any pole mounted lighting along private walkways shall not exceed 15 feet in height and any pole mounted lighting in a parking area shall not exceed 20 feet in height. Private light poles and pole mounted light fixtures shall be similar in style to the selected street light fixtures or be of other similar esthetic quality as approved by the Planning Administrator.

11. All services lines to buildings and all utility lines on the property or in the adjoining right-of-way shall be located underground.

12. All rooftop mechanical equipment shall be screened with material that is architecturally compatible with the building to the satisfaction of the Planning Administrator.
13. All utility meters, transformers, ground-mounted equipment, and other utilities shall be placed along rear facades or facades that are internal to the site.

Part B) **APPROVAL** of the submitted Preliminary Plat subject to compliance with all administrative review comments of the City’s Permit and Development Center.

**THE VOTE:** 9-0

Item 4

Request from Git N Go Convenience Stores, Inc. (owner) represented by Dennis Flora (officer) for review and approval of a Site Plan “Git-N-Go 100 Watrous” under design guidelines for gas stations/convenience stores on property at 100 Watrous Avenue, to allow construction of a 3,080-square foot convenience store with a pump island canopy for six (6) fueling locations.

**STAFF REPORT TO THE PLANNING COMMISSION**

I. **GENERAL INFORMATION**

1. **Purpose of Request:** The applicant is proposing to demolish their existing store and redevelop the site with a new 3,080-square foot convenience store with a fuel pump island.

2. **Size of Site:** 65,526 square feet or 1.5 acres.

3. **Existing Zoning (site):** Limited “C-1” Neighborhood Commercial District and “FSO” Freestanding Signs Overlay District.

4. **Existing Land Use (site):** The property currently contains a 1-story, 3,780-square foot commercial building with a convenience store and a commercial tenant bay. There is an existing fueling island serving 4 vehicle fueling locations. There is not an existing canopy over the fueling island.

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

   - **North** – “R1-60”, Uses are single-family dwellings.
   - **South** – “R1-70”, Use is the Southside Church of the Nazarene.
   - **East** – “R1-60”, Uses are single-family dwellings.
   - **West** – “R1-70”, Uses are single-family dwellings.
6. **General Neighborhood/Area Land Uses:** The subject property is an isolated commercial property located at the intersection of the Watrous Avenue and South Union Street neighborhood collector streets. It is within a predominantly single-family residential neighborhood.

7. **Applicable Recognized Neighborhood(s):** The subject property is located within the Watrous Heights Neighborhood and within 250 feet of Magnolia Park Neighborhood. These neighborhoods were notified of the hearing by mailing of the Preliminary Agenda to all recognized neighborhoods on December 28, 2018, January 18, 2019, and on February 1, 2019. Additionally, separate notifications of the hearing for this specific item were mailed on January 7, 2019 (10 days prior to the January 17, 2019 hearing) to the neighborhood associations and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. A Final Agenda was mailed to all the recognized neighborhood associations on January 11, 2019, February 1, 2019 and February 15, 2019.

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 Watrous Heights Neighborhood Association mailings were sent to David Johnston, 604 Philip Street, Des Moines, IA 50315. The Magnolia Park Neighborhood Association mailings were sent to Webster Kranto, 310 East Emma Avenue, Des Moines, IA 50315.

8. **Relevant Zoning History:** On October 8, 2018, the City Council rezoned the subject property from “R1-70” District to a Limited “C-1” District by Ordinance Number 15,715 to allow the proposed redevelopment of the site. This rezoning was approved subject to the following conditions:

   a. Any use of the property for Multiple-Family Residential Dwellings, Department or Retail Stores over 12,000 square feet in area, Office Buildings over 12,000 square feet in area, and Upholstery Shops shall be prohibited.

   b. Any expansion of the existing building or redevelopment of the site for a gas station/convenience store is subject to review and approval of a Site Plan by the Plan and Zoning Commission under design guidelines for gas stations/convenience stores.

   c. Any expansion or conversion of the existing building or construction of new buildings are subject to compliance with all applicable Building Codes with all necessary permits and Certificate of Occupancy issued by the Permit and Development Center.

9. **PlanDSM Creating Our Tomorrow:** The subject site is designated as Community Mixed Use and Neighborhood Node on the Future Land Use Map.

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. Design Guidelines for Gas Station/Convenience Stores: The proposal must be reviewed by the Plan and Zoning Commission in accordance with the Design Guidelines for Gas Stations/Convenience Stores (Sec. 82-214.08).

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;
   (iv) Circulation systems and parking;
   (v) Service bays;
   (vi) Ancillary uses such as car washes, drive through uses, ATMs and telephones.

The site is bounded by Watrous Avenue to the north and South Union Street to the east. The building and pump island would face the intersection of these two streets with an angled orientation. A refuse container enclosure would be located to the southeast of the building. An air pump station would be located to the northwest of the building.

B. Maximum size of site should not exceed two (2) acres without a rezoning to a PUD Planned Unit Development pursuant to Chapter 134, Division 13 of the Municipal Code of the City of Des Moines and site review under a Conceptual Plan approved by the Plan and Zoning Commission and City Council.

The site measures 1.5 acres and is not eligible for PUD zoning.

C. Minimum open space should be 20% of the site or 1,000 square feet per vehicle fueling location, whichever is greater.

The site measures 65,526 square feet and would contain 6 fueling locations. A minimum of 13,105 square feet (20%) of open space is required to meet this guideline. The Site Plan identifies 39,505 square feet (60%) of open space.
D. All development proposals should show evidence of coordination with the site plan as well as arrangement of buildings and planning elements of neighboring properties by:

(i) Responding to local development patterns and the streetscape by use of consistent building setbacks, orientation and relationship of structures to the street and linkages to pedestrian facilities;

(ii) Seeking shared-access with adjoining commercial uses where feasible to minimize curb cuts and enhance pedestrian and vehicular circulation;

(iii) Minimizing cross traffic conflicts within parking areas.

The building and pump island would face the intersection of Watrous Avenue and South Union Street with an angled orientation. A refuse container enclosure would be located to the southeast of the building. An air pump station would be located to the northwest of the building. The site would have a single driveway to each street. The adjoining parcels do not contain uses that are appropriate for shared access.

E. The site plan shall mitigate the negative impacts from site activities on adjoining uses as follows:

(i) Service areas, storage areas and refuse enclosures should be oriented away from public view and screened from adjacent sites;

(ii) Drive-through windows, menu boards and associated stacking lanes should be oriented away from residential areas or screened from public view;

(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.

A masonry refuse container enclosure with solid metal gates is proposed in the southeast portion of the parking lot. An air pump station would be located to the northwest of the building.

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.

The Site Plan includes direct sidewalk connection to the front door of the building from the Watrous Avenue and South Union Street sidewalks.

Architecture

A. The following architectural guidelines encourage creative response to local and regional context and contribute to the aesthetic identity of the community.

B. 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.

C. 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.

D. Drive-through elements should be integrated into the building rather than appear to be applied or “stuck-on” to the building.

E. 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.

F. Walls, pump island canopies and other outdoor covered areas should be compatible with the building, using similar material, color and detailing.

G. To encourage visually interesting roofs, variations in the roof line and treatments such as extended eaves and parapet walls with cornice treatments are encouraged.

H. Perceived height and bulk should be reduced by dividing the building mass into smaller-scaled components. Examples of treatments that could be used to avoid excessive bulk and height include:

(i) Low-scale planters and site walls.
(iii) Clearly pronounced eaves or cornices.
(iv) Subtle changes in material color and texture.
(v) Variation in roof forms.
(vi) Covered pedestrian frontages and recessed entries.
(vii) Deeply set windows with mullions.

The proposed building would be sided with masonry. Soldier coursing and stone details would be used to visually break up the mass of the building. The refuse container enclosure would have a brick exterior that matches the building.

I. Canopies:

(i) Integration of materials on canopies that are similar or compatible to those used on the building or site walls is desirable (e.g., wrap the canopy columns with brick that matches the building). Multiple canopies or canopies that express differing masses are encouraged.

(ii) Canopy height should not be less than 13'-9" as measured from the finished grade to the lowest point on the canopy fascia. The overall height of canopies should not exceed 18’.

The proposed canopy would have masonry wrapped columns to match the building. The fascia of the canopy would consist of metal paneling. The canopy would have a total height of 16.5 feet with 14.5 feet of ground clearance.

J. 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.
Outdoor display areas are not identified on the Site Plan. The display of merchandise outdoors is prohibited unless it is noted on the Site Plan.

**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.

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.

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, decorative sign foundations and housing.

E. Proper maintenance and timely replacement of plant material is required and will be enforced based on the approved site plan.

The City’s Landscaping Standards for the “C-2” District that are applicable to this request include:

- 1 overstory tree and 3 evergreen trees of bufferyard plantings per 100 lineal feet of property line adjoining a “R” District or residential use. A privacy fence is also required along these perimeters.
- A minimum of 20% open space with 1 overstory tree, 1 evergreen tree and 1 shrub per 2,500 square feet of required open space.
- A 10-foot wide planter area along all street facing perimeters of the pavement with 1 overstory tree and 3 shrubs per 50 lineal feet of frontage.

The submitted Site Plan does not comply with 10-foot wide planter area requirement along the north and east perimeters of the proposed pavement, as a 5-foot setback is proposed. Bufferyard calculations associated with the west property line are missing from the Site Plan. Additionally, a perennial planter bed or other similar treatment is not proposed for the corner of the site that adjoins the street intersection.

The Plan and Zoning Commission has typically required convenience stores to provide ornamental fencing along paved areas, as well as street trees. The intent of this is to enhance the pedestrian environment of the area and to provide some offset for not having building frontage along the streets. Staff recommends that providing ornamental fencing and street trees be a condition of approval. Understory trees would need to be used, as both rights-of-way contain overhead utility lines.
F. Monument signs are encouraged and are required when the site adjoins a residential district.

All signs must comply with the Zoning Ordinance and be installed by a licensed sign contractor in accordance with a sign permit issued by the Permit and Development Center. The subject property is located in the “FSO” Freestanding Sign Overlay District, which prohibits pole signs. Any monument sign must conform to the City’s monument sign design standards. Below are the relevant portions of Section 134-1276 and Section 134-3 of the Zoning Ordinance for reference.

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.

A monument sign is shown on the Site Plan near the intersection of the adjoining streets. Staff recommends approval subject to compliance with all applicable sign regulations.

**Lighting**

A. Lighting of gas stations and convenience stores 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.

B. Direct light trespass beyond property lines is prohibited. The maximum horizontal illuminance at grade and the maximum vertical illuminance at five feet above grade measured at the property line should not exceed Illuminating Engineering Society of North America (IESNA) recommended practices for light trespass. (0.5 footcandles for residential, 2.0 footcandles for commercial). The site plan must contain illuminance models showing light levels throughout the site.

C. Light fixtures mounted under canopies should be completely recessed into the canopy with flat lenses that are translucent and completely flush with the bottom surface (ceiling) of the canopy. Generally, lights shall not be mounted on the top or sides (fascias) of the canopy and internally illuminated/entirely translucent canopies should be prohibited. However, accent lighting on the sides (fascias) of the canopy may be permitted.

D. Parking Lot and Site Lighting:
   (i) All luminaries should be of full cut-off design, aimed downward and away from the property line;
   (ii) Maximum pole heights should not exceed 20’.

F. Building-Mounted Lighting:
   (i) All luminaries should be a full cut-off design and aimed downward.
   (ii) All luminaries should be recessed or shielded so the light source is not directly visible from the property line.

The photometric plan indicates that lighting levels would comply with the 0.5 footcandle requirement at the property lines except for at the north driveway. Staff recommends approval subject to altering the lighting plan so that it complies with these guidelines.

2. **Natural Site Features**: Development of the site shall be in compliance with the City’s Tree Removal and Mitigation Ordinance (Section 42-550 of the City Code).

3. **Traffic**: The proposed redevelopment does not require a Traffic Impact Analysis study.

4. **Parking**: The City’s standard off-street parking requirement for retail uses with fuel sales is 1 parking space per 300 square feet of gross floor area. The proposed
building would have 3,080 square feet of convenience store space, which requires a total of 11 spaces. The Site Plan includes 14 spaces, which exceeds the minimum requirement.

5. **Conditional Use Permit:** On June 25, 2014, by Docket Number ZON2014-00082, the Zoning Board of Adjustment granted the applicant a Conditional Use to allow the sale of wine and beer. The permit was issued based on the existing building. Therefore, the applicant must submit an application to the Board to amend their Conditional Use Permit to allow sales in the new building if they wish to continue to sell beer and wine.

**III. STAFF RECOMMENDATION**

Staff recommends approval of the Site Plan subject to the following conditions:

1. Compliance with all administrative review comments of the City’s Permit and Development Center.

2. Compliance with the Landscaping Standards to the satisfaction of the Planning Administrator. This includes the provision of 10-foot pavement setbacks along all street frontages.

3. Provision of street trees along Watrous Avenue and South Union Street.

4. Provision of a landscape feature at the northeast corner of the property to the satisfaction of the Planning Administrator.

5. Provision of ornamental fencing along the street frontage perimeter of the pavement.

6. Review and approval of the finalized landscaping plan including the placement of fencing by the Planning Administrator.

7. Provision of bike racks to the satisfaction of the Planning Administrator.

8. A 5-foot wide sidewalk shall be provided in all adjoining segments of street rights-of-way.

9. All utility and similar service lines to the site shall be undergrounded.

10. Any rooftop mechanical equipment shall be screened with architectural quality materials as approved by the Planning Administrator.

11. Signage must comply with all applicable sign regulations including the prohibition of pole signs. All signs must be installed by a licensed sign contractor in accordance with a sign permit issued by the Permit and Development Center.
12. Compliance with the lighting standards of the Design Guidelines for Gas Station/Convenience Store to the satisfaction of the Planning Administrator.

13. Identification of any outdoor merchandise display areas on the Site Plan as reviewed and approved by the Planning Administrator.

**SUMMARY OF DISCUSSION**

Jann Freed noted that the applicant for item #4 has agreed to the staff recommendations. She asked if any members of the audience or the Commission requested to speak regarding moving the item to the consent agenda. None were present or requested to speak.

**COMMISSION ACTION:**

Greg Jones made a motion for approval of the Site Plan subject to the following conditions:

1. Compliance with all administrative review comments of the City’s Permit and Development Center.

2. Compliance with the Landscaping Standards to the satisfaction of the Planning Administrator. This includes the provision of 10-foot pavement setbacks along all street frontages.

3. Provision of street trees along Watrous Avenue and South Union Street.

4. Provision of a landscape feature at the northeast corner of the property to the satisfaction of the Planning Administrator.

5. Provision of ornamental fencing along the street frontage perimeter of the pavement.

6. Review and approval of the finalized landscaping plan including the placement of fencing by the Planning Administrator.

7. Provision of bike racks to the satisfaction of the Planning Administrator.

8. A 5-foot wide sidewalk shall be provided in all adjoining segments of street rights-of-way.

9. All utility and similar service lines to the site shall be undergrounded.

10. Any rooftop mechanical equipment shall be screened with architectural quality materials as approved by the Planning Administrator.
11. Signage must comply with all applicable sign regulations including the prohibition of pole signs. All signs must be installed by a licensed sign contractor in accordance with a sign permit issued by the Permit and Development Center.

12. Compliance with the lighting standards of the Design Guidelines for Gas Station/Convenience Store to the satisfaction of the Planning Administrator.

13. Identification of any outdoor merchandise display areas on the Site Plan as reviewed and approved by the Planning Administrator.

THE VOTE: 9-0

NON-CONSENT AGENDA PUBLIC HEARING ITEMS

Item 5

Request from Bridge District II, LLC (owner) represented by Joe Pietruszynski (officer) for review and approval of the following for property located at 720 and 730 East 2nd Street. A portion of the subject property is owned by Shamrock Properties, LC.

A) Review and approval of an amendment to the Site Plan “Bridge District 3” for development of 50 three or four-story row dwelling townhomes with ground level entry attached garages. (10-2019-7.85)

B) Review and approval of a Preliminary Plat “Bridge District 3” to allow for division of the property into 50 lots for row dwelling townhomes. (13-2019-1.36)

STAFF REPORT TO THE PLANNING COMMISSION

The applicant has requested that this item be continued to the March 7, 2019 meeting of the Commission to allow time for additional information to be submitted for consideration. Drawings and a full staff report will be provided for the March 7, 2019 meeting.

I. GENERAL INFORMATION

1. Purpose of Request: The proposed amendments would allow the following changes from what was approved by the Commission on November 1, 2018:

   • Construction of 50 units instead of 49 units,
   • Alteration in lot sizes to allow for an adjustment in the unit type mix and to avoid a conflict with a utility easement, and
   • Use of an adhered stone product in place of brick on the exterior of the units.
2. **Size of Site:** 3.47 acres.


4. **Existing Land Use (site):** Office building and vacant land.

5. **General Neighborhood/Area Land Uses:** The site is located at the northern periphery of the Historic East Village Neighborhood. The immediate area consists of a mix of residential and light industrial uses as well as vacant land. It is generally bound by Interstate 235 to the north, East 4th Street to the east, Des Moines Street to the south and Robert D. Ray Drive to the west.

6. **Adjacent Land Use and Zoning:**
   - **North** – “D-R”: Use is vacant land.
   - **South** - “D-R”: Use is rowhouse development (Bridge District Phase 1).
   - **East** - “R-4”: Uses are multiple-family residential.
   - **West** - “D-R”: Uses are the Des Moines River and trail.

7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Historic East Village Neighborhood. The neighborhood was notified of the Commission meeting by mailing of the Preliminary Agenda on February 1, 2019 and the Final Agenda on February 15, 2019. Additionally, separate notifications of the hearing were mailed on February 11, 2019 (10 days prior to the hearing) to the neighborhood association and to the primary titleholder on file with the Polk County Assessor for every owner of property or condominium 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 Historic East Village Neighborhood Association mailings were sent to Taylor Frame, P.O. Box 93904, Des Moines, IA 50393.

8. **Relevant Zoning History:** November 1, 2018, the Commission conditionally approved an amendment to the Site Plan “Bridge District 3” and to the Preliminary Plat “Bridge District 3” to allow construction of 49 three-story rowhouse townhomes.

   On November 28, 2018, the Zoning Board of Adjustment granted the applicant an Exception of 4 feet less than the minimum 20 feet of width required for a driveway for two-way circulation and an Exception of 4 feet less than the minimum 24 feet of maneuvering space required for 90-degree parking stalls.

9. **PlanDSM Creating Our Tomorrow Future Land Use Plan Designation:**
   Downtown Mixed Use.
10. **Applicable Regulations:** The Commission shall determine if the preliminary plat conforms to the standards and requirements outlined in Chapter 354 of the Iowa Code and consider the criteria set forth in Chapter 18B of the Iowa Code. The Commission shall also determine if it conforms to the City Subdivision Ordinance and shall approve, conditionally approve or reject such plat within 45 days after the date of submission to the City Permit and Development Center. Unless the applicant agrees in writing to an extension of time, the preliminary plat shall be deemed approved if the Commission does not act within such 45-day period. The Commission’s action for approval or conditional approval shall be null and void unless the final plat is submitted to the City Permit and Development Center within 270 days after the date of such action; provided, however, that the Permit and Development Administrator may grant, upon written request of the applicant, up to a 90-day extension for submittal of the final plat to the City Permit and Development Center.

In acting upon any site plan application for property located within the D-R downtown riverfront district or C-3B central business mixed-use district, the plan and zoning commission shall apply the design regulations in section 82-213 of this article and the design guidelines in Section 82-214.7, which are in consideration of the criteria set forth in Chapter 18B of the Iowa Code. The decision to approve, approve subject to conditions or disapprove a proposed site plan shall be based upon the conformance of the site plan with such design regulations and the following guidelines. These guidelines shall be applied to the entire site when a new building is constructed or an existing building is expanded by more than 50 percent of its gross floor area as of the time it became part of the D-R downtown riverfront district or C-3B central business mixed-use district. If a building is expanded by less than 50 percent of its gross floor area as of the time it became part of the D-R downtown riverfront district or C-3B central business mixed-use district, then these guidelines shall apply only to the expansion of the building.

1) **Building Heights.** Minimum height for all uses that are not built integral to the levee as part of the riverwalk redevelopment, should be the lesser of 36-feet or 3-stories.

2) **Riverfront setbacks:** Riverfront setbacks for all new construction (that is not built integral to the levee and as part of a riverfront park) should be a minimum of 100 (horizontal) feet from the high water mark of the river. Redevelopment adjacent to a riverfront park (not part of the levee reconstruction) should front a continuous public right-of-way. This could be either a road built to an urban standard, or an alternative profile of a minimum 20' width that clearly delineates a public right-of-way between new private development and the riverfront park.

3) **Lighting:** All new exterior lighting upon private property should be pedestrian in scale. The use of private overhead floodlighting is discouraged.
4) **Residential building standards:** New residential buildings should also comply with the following guidelines:

a. Building front entrances should face public rights-of-ways. Those buildings with river frontage should be oriented towards the riverfront (except when located above street level retail).
b. At least one building entrance for the residential uses should directly access the street when located above street-level retail.
c. Buildings should have a building frontage on the principal street of not less than 70 percent of the lot frontage on the principal street.
d. Buildings should have a maximum setback of 15 feet from the public right-of-way.
e. Service entrances, waste disposal areas and other similar uses should be located adjacent to service lanes and away from major streets and the public right-of-way adjacent to the river.

5) **Commercial building standards:** New commercial buildings should also comply with the following guidelines:

a. Buildings should have a building frontage on the principal street of not less than 70 percent of the lot frontage on the principal street.
b. A minimum of 70 percent of the building frontage should be set within one foot of the front lot line.
c. Building entrances on new development sites that have river frontage (and are not integral to the levy), should be oriented both towards the riverfront and the primary street.
d. Service entrances, waste disposal areas and other similar uses should be located adjacent to service lanes and away from major streets and the public right-of-way adjacent to the river.
e. Restaurants may operate outdoor cafes on public sidewalks while maintaining pedestrian circulation subject to obtaining an areaway permit.

6) Storage of any and all materials and equipment should take place within completely enclosed buildings. All open areas should be paved or landscaped, properly maintained and kept free from refuse and debris. All refuse collection containers and dumpsters should be enclosed on all sides by the use of a permanent wall of wood, brick, or masonry. The enclosure, including any gates for pedestrian and/or disposal truck access, should be constructed to provide at least a 75% opaque screen of the receptacle from any street.

7) All open areas not used for off-street loading or parking should be landscaped in accordance with the Des Moines Landscape Standards.

8) Access doors for any warehouse use and any loading docks should not front on any public street. That portion of a building fronting on a public street should be used in an office or other commercial use.
The Plan and Zoning Commission reviews and approves site plans for multiple family dwellings, boarding houses or rooming-houses in accordance with the design standards in section 82-213 of the City Code, which are in consideration of the criteria set forth in Chapter 18B of the Iowa Code. The decision to approve, approve subject to conditions, or disapprove a proposed site plan shall be based upon the conformance of the site plan with the following design standards.

1) **Architectural character.** New developments and alterations to existing development in or adjacent to existing developed areas shall be compatible with the existing architectural character of such areas by using a compatible design. Compatibility may be achieved through techniques such as the repetition of roof lines, the use of similar proportions in building mass and outdoor spaces, similar relationships to the street, similar window and door patterns, and/or the use of building materials that have color shades and textures similar to those existing in the immediate area of the proposed development. Brick and stone masonry shall be considered compatible with wood framing and other materials.

2) **Building height and mass.** Buildings shall be either similar in size and height, or if larger, shall be articulated, setback or subdivided into massing that is proportional to the mass and scale of other structures on the same block and adjoining blocks. Articulation may be achieved through variation of roof lines, setbacks, patterns of door and window placement, and the use of characteristic entry features. To the maximum extent feasible, the height, setback and width of new buildings and alterations to existing buildings should be similar to those of existing buildings on the same block. Taller buildings or portions of buildings should be located interior to the site. Buildings at the ends of blocks should be of similar height to buildings on the adjoining blocks.

3) **Building orientation.** To the maximum extent feasible, primary facades and entries shall face the adjacent public street. A main entrance should face a connecting walkway with a direct pedestrian connection to the public street without requiring all pedestrians to walk through parking lots or across driveways.

4) **Garage access/location.** If the prominent character of garage access and/or location is located to the rear of the properties in the surrounding neighborhood, then new construction should be compatible with such character.

5) **Rooftop/second story additions.** A rooftop or second floor addition, including but not limited to stairs and emergency egress, should not overhang the front or sidewalls of the existing building.

6) **Emergency egress.** All stairs and means of emergency egress extending more than 15 feet above grade and visible from the adjoining street should be completely enclosed with materials compatible in color and texture with the balance of the building.
7) Parking. Parking lots containing more than eight parking spaces should comply with the adopted landscape standards applicable to commercial development in the C-1 district.

In acting upon any site plan application for development of property located within the Downtown Overlay District, the community development director (or plan and zoning commission if applicable) shall apply the regulations and design guidelines in Section 82-213 of the City Code, which are in consideration of the criteria set forth in Chapter 18B of the Iowa Code. The decision to approve, approve subject to conditions or disapprove a proposed site plan shall be based upon the conformance of the site plan with such design regulations and the following guidelines. These guidelines shall be applied to the entire site when a new building is constructed or when an existing building is cumulatively expanded by more than 50% of its gross floor area as of the time it became part of the downtown overlay district. If a building is cumulatively expanded by less than 50% of its gross floor area as of the time it became part of the downtown overlay district, then these guidelines shall apply only to the expansion of the building.

H) Projects should demonstrate understanding of the micro and macro context for the project by offering place specific solutions for materiality, massing, uses, fabric and climate that are consistent with the vision of the “What’s Next Downtown Plan”. In most cases, corporate prototype architecture may not be an acceptable design.

I) Low impact development techniques should be utilized which implement site water quality control solutions, using materials which are locally available and creating projects which minimize energy consumption.

J) Connectivity between adjacent properties should be provided or demonstrated for both pedestrian and vehicular circulation.

K) The incorporation of ‘soft (green) spaces’ on site is encouraged.

L) Where feasible, projects should provide outdoor spaces for people gathering.

M) If feasible, connections to adjoining bike paths or on-street bike facilities and on-site bike racks should be provided in close proximity to building entrances.

N) Building heights. Minimum height for all uses should be the lesser of 36 feet or three stories.

H) Bulk standards, building setbacks, orientation, frontage and residential access:

1. All buildings with river frontage should orient towards the river and have building entrances that are oriented to the river and primary street(s).
2. All buildings without river frontage should have entrances oriented toward primary street(s).
3. All buildings should have frontage on principal street(s) of not less than 70 percent of the lot.
4. For commercial and mixed-use buildings, at least 70 percent of the building frontage should be within one foot of the property line.
5. At least one building entrance for residential uses should directly access the street when a residential use is located above street-level retail or commercial uses.
6. For residential buildings, a maximum setback of 15 feet from the public right-of-way is permitted unless superseded by bulk regulations of the underlying zoning district (i.e. R-HD Residential Historic District, R1-60 Low Density Residential District, etc.).

L) Storage of all materials and equipment should take place within completely enclosed buildings.

M) All refuse collection containers and dumpsters should be enclosed on all sides by the use of a permanent wall of wood, brick or masonry and steel gates which are compatible in design with the principal structure.

N) All open areas not used for off-street loading or parking should be landscaped in accordance with the Des Moines Landscape Standards for C-3 districts.

M) Access doors for any warehouse use and any loading docks should not front on any public street.

M) Gas stations/convenience stores should be limited to no more than six pumps and allow no more than 12 vehicles to be fueled at one time.

N) Gas station / convenience stores and canopies, drive-thru facilities for restaurants, banks, parking garages and other auto-dominant uses should not front or have vehicular access on or to a pedestrian corridor as designated in the downtown pedestrian corridor map on file in the office of the city clerk as approved by city council resolution.

O) Existing curb cuts should be consolidated to the minimum number necessary and be located as directed by the city traffic engineer and community development director.

P) Parcels proposed for development that are greater than two acres should be rezoned to a planned unit development (PUD) zoning classification.

Q) Auto-dominant uses as described in guideline “N” above should be located in a mixed use commercial center and with buildings possessing a unified commercial design.

R) Parking ramps should either include ground floor retail or commercial space, be designed for conversion to retail or commercial space, or have significant architectural detail.
Analysis of all applicable regulations will be provided for the March 7, 2019 meeting.

II. STAFF RECOMMENDATION

Parts A & B) Staff recommends that this item be continued to the March 7, 2019 meeting of the Commission.

SUMMARY OF DISCUSSION

Jann Freed asked if any member of the audience or the commission desired to speak regarding approval of the item. None were present or requested to speak.

COMMISSION ACTION:

David Courard-Hauri made a motion to continue the item to the March 7, 2019 Plan and Zoning Commission meeting.

THE VOTE: 9-0

Item 6

Request from Bell Avenue Properties, Inc. (owner) represented by Guy Gast (officer) for the following for property located at 6230 Scout Trail. Additional property is owned by the Mid-Iowa Council Boy Scouts of America.

A) Review and approval of a Preliminary Plat “Airport Industrial Park Plat 3” to define a 27.12-acre development parcel for previous Outlots X and Y in Airport Industrial Park Plat 2, provide turnaround Right-Of-Way (ROW) for Scout Trail, and to provide ROW to realign Southwest McKinley Avenue.

(13-2019-1.37)

B) Review and approval of a Site Plan “Waldinger Headquarters” in accordance with the conditions of Ordinance No. 15,683, to allow for development of a corporate headquarters building with two stories of office space totaling 90,000 square feet and a 113,000-square foot main level production area.

(10-2019-7.86)
I. GENERAL INFORMATION

1. Purpose of Request: The developer is seeking to assemble the subject property, relocate Southwest McKinley Avenue, and develop the site for a corporate headquarters facility to consolidate their Des Moines Metro operations. This would include accessory outside storage and required off-street parking areas. The new building would have a 2-story office component totaling 90,000 square feet and a 1-story production area totaling 113,000 square feet, for a total of a 203,000-square foot facility.

2. Size of Site: 30.45 acres.


4. Existing Land Use (site): Undeveloped land used for agricultural production.

5. Adjacent Land Use and Zoning:

   North – “Airport Industrial Park PBP”, Use is the Mid-Iowa Council of the Boy Scouts of America Headquarters.

   South – “C-2”, Uses are single-family dwellings.

   East – “R1-80”, Use is large acreage single-family dwellings.

   West – “OS” Agricultural/Open Space (West Des Moines), Use is Brown’s Woods Polk County Park.

6. General Neighborhood/Area Land Uses: The subject property is located northwest of the Des Moines International Airport along the Iowa Highway 28 (Southwest 63rd Street) corridor, which is primarily developed with light industrial uses.

7. Applicable Recognized Neighborhood(s): The subject property is located in the Southwestern Hills Neighborhood. All recognized neighborhood associations were notified of the meeting by mailing of the Preliminary Agenda on February 1, 2019. Additionally, separate notifications of the hearing for this specific item were mailed on February 11, 2019 (10 days prior) to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the subject property. A final agenda was mailed to all recognized neighborhood associations on February 15, 2019.

   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 Southwestern Hills Neighborhood Association mailings were sent to George Davis, 3124 Southwest 29th Street, Des Moines, Iowa 50321.
8. **Relevant Zoning History:** On July 9, 2018, by Ordinance No. 15,683 the City Council rezoned a majority of the property from Limited “C-2” District to a Limited “M-1” District subject to the following conditions:

   A) Overhead doors shall not face Iowa Highway 28 or any residentially developed property unless screened by another building or by earthen berms and landscaping materials.
   
   B) Provision of landscaping in accordance with the City’s standards for “C-2” Districts.
   
   C) No portion of the property within 50 feet of the public Rights-Of-Way or adjoining residentially zoned property may be used for the outside storage of materials, trailers or equipment. Any area used for the outside storage of materials or equipment shall be paved and screened from public street views and residential development by an architectural screening panel system or fencing/landscaping as approved by the Commission or Planning Administrator.
   
   D) The public street facades of any building or portion thereof located within the Property which is not blocked from view by other structures or landscaping shall be construed using exterior materials that are predominately glass, brick, masonry, architectural steel panels and other durable materials. No Exterior Insulations and Finish System (“EIFS”) shall be used below an elevation of 6 feet above grade on such facades.
   
   E) Compliance with all recommendations of the traffic study as part of any submitted subdivision or site plan.
   
   F) Any site plan for development shall be reviewed by the Plan and Zoning Commission.

9. **PlanDSM Future Land Use Plan Designation:** Business Park.

10. **Applicable Regulations:** In this instance, the review of the Site Plan by the Plan and Zoning Commission was required by condition of the Ordinance for the rezoning of the property. In consideration of the criteria set forth in Chapter 18B of the Iowa Code, in acting upon any Site Plan application the Plan and Zoning Commission shall apply the design standards in section 82-213 and ensure compliance with the conditions of the rezoning contained in Ordinance No. 15,683. The decision to approve, approve subject to conditions or disapprove a proposed Site Plan must be based upon the conformance of the Site Plan with the design standards.

II. **ADDITIONAL APPLICABLE INFORMATION**

1. **Natural Site Features:** The site is currently primarily cultivated for agricultural crop production on an annual basis. There are not any prominent natural features on the subject property. The residential property to the east has a small pond reservoir with landscaped open space. To the west are multiple acres of heavy timbered area maintained by the Polk County Conservation Board as Brown’s Woods Park. Any development of the site through platting and site planning must comply with the City’s Tree Removal and Mitigation Ordinance (Section 42-550 of the City Code). A
tree removal and mitigation plan was not submitted with either the submitted Site Plan or Preliminary Plat.

2. **Drainage/Grading**: The site has significant relief, which drains generally east and north. All grading is subject to an approved grading permit and soil erosion control plan, as well as a Stormwater Pollution Protection Plan (SWPPP) approved by the Iowa DNR. All subdivision plats and site plans must comply with the City’s Stormwater Management requirements to the satisfaction of the City’s Permit and Development Center. In this case, when a site is over 10 acres, an erosion control plan also requires the provision of temporary sedimentation basins in the design. At this time the plan for the SWPPP and erosion control plan is outstanding for both the Site Plan and the Preliminary Plat.

3. **Utilities**: The site has access to all necessary utilities within the adjoining street network. Sanitary sewer is available from Scout Trail to the north. Des Moines Water Works mains are available in Scout Trail and Southwest McKinley Avenue.

4. **Street System & Access**: The proposed rezoning and warehouse project required a traffic study per City policy. This study was completed by the City’s consultant Bolton and Menk and approved by Traffic Engineering on May 7, 2018.

   The study was based on a development concept from the applicant and the eventual planned improvement of the Southwest Connector through the site. The recent draft of the “MoveDSM Plan” contemplates the reconsideration of the Southwest Connector for this area in favor of a more localized street circulation network. This has not been formally adopted, nor has the regional transportation plan of the MPO, “Mobilizing Tomorrow”.

   The following are significant recommendations of the study affecting the applicant’s expectation for participation in the surrounding street network:

   - The southbound left turn lane at Scout Trail needs to be extended to 125 feet for the build scenarios.
   - The proposed truck-only access drive connecting to Scout Trail is beyond the required off-set from Southwest 63rd Street, but the queueing for Scout Trail westbound extends beyond the driveway for build conditions for the P.M. peak. The driveway should be reviewed by the developer for the off-set and traffic flow during the P.M. peak to avoid conflict.
   - If the Southwest Connector is constructed, any driveway to the site should be a minimum of 600 feet from Southwest 63rd Street and a relocated Southwest McKinley Drive should match up with that driveway.
   - If the Southwest Connector is not extended, Southwest McKinley should be realigned to connect to Southwest 63rd Street. Any drive from a joint access from existing residences should then be lined up with the site driveway or off-set by at least 75 feet. Both should be at least 100 feet from Southwest 63rd Street in that scenario.
• Any site access driveway should be limited to 45 feet wide per SUDAS
requirements.

With the elimination of the Southwest Connector project, the submitted Preliminary
Plat proposes the reconfiguration and relocation of Southwest McKinley Avenue to
connect to SW 63rd Street/IA Highway 28 across from Veterans Parkway in West
Des Moines. The submitted Plat proposes a phased approach, whereby the street
would be extended to the south drive access locations for the site initially, and later
the connection would be completed to the east. The City Engineer is recommending
that this project all be completed in one phase with the site development.

Separately the MoveDSM Plan and Complete Streets policy adopted by the City
Council call for sidewalks on all public street sides with any Site Plan where they
are absent. Furthermore, based on MoveDSM, a 10-foot wide multipurpose trail is
to be located on the SW 63rd Street/IA Highway 28 frontage. The City Traffic
Engineering has recommended that this be installed in lieu of the typical 5-foot wide
sidewalk that would be required with the Site Plan. There are some challenges with
grades and Des Moines Water Works easements in providing either. Engineering
staff has indicated that it could be accomplished but may require some
development on the private property side, in which public easements would need to
be provided. The developer has not provided either a 10-foot multipurpose trail or a
5-foot public sidewalk on the Southwest 63rd Street/IA Highway 28 frontage. Their
consultants have indicated that it is the developer’s intent to request temporary
waiver or deferment of this provision.

5. **Landscaping & Buffering:** The subject property has existing residential areas
directly to the east and south. It is important that any site development buffer from
these areas, particularly with regard to outside storage and the presence of
overhead doors on the facades of the building. The conditions of the zoning require
that the proposed rezoning be subject to providing landscaping in accordance with
the standards for the “C-2” District rather than only meeting the “M-1” requirements.
Additionally, the zoning conditions require outside storage areas be screened from
public street views and residential development by an architectural screening panel
system or fencing/landscaping as approved by the Commission or Planning
Administrator. Also, overhead doors shall not face Iowa Highway 28 or any
residentially developed property unless screened by another building or by earthen
berms and landscaping materials.

At this time, landscaping has been shown on the east of the proposed outdoor
storage areas. To the south there is significant landscaping and berms proposed on
the submitted plans. There is not a key to match the material shown on the plan to
the planting schedule, so that staff may determine whether these plantings are
sufficient to meet the conditions of the zoning.

While it cannot be determined yet whether the proposed landscaping would
sufficiently screen the outdoor storage area, there is also no architectural panel
screen or fence has been shown for the proposed outside storage area, and no
screen is proposed on the south side of this area.
6. **Urban Design:** The submitted elevations indicate the proposed building would be comprised primarily of pre-cast concrete walls. There would be contrasting coloration between the office and production components of the building. The office component also includes significant glass and Aluminum window panel systems. There are also galvanized steel features and Aluminum composite panel systems. The proposed zoning conditions require that the public street facades of any building or portion thereof located within the Property, which is not blocked from view by other structures or landscaping, shall be construed using exterior materials that are predominately glass, brick, masonry, architectural steel panels and other durable materials. No exterior Insulations and Finish System (“EIFS”) shall be used below an elevation of 6 feet above grade on such facades.

The submitted elevations appear to comply with this requirement. However, staff has requested specifications from the Architect on the Aluminum panel systems to determine their durability.

**III. STAFF RECOMMENDATION**

Staff has met recently with the consultants for the developer to discuss some of the deficiencies such as the SWPPP/Erosion Control Plan, compliance with landscaping and outdoor storage area screening, phasing for the relocation of Southwest McKinley Avenue, and the installation of the multipurpose trail along Southwest 63rd Street/IA Highway 28. While the developer will be asking the Commission to consider waiver or deferment of some of these requirements, additional information on the submitted Site Plan and Preliminary Plat is forthcoming and therefore staff recommends that the Commission continue the item until the March 7, 2019 meeting. Should the developer not agree to a continuance, staff recommends that the Commission deny the Site Plan and Preliminary Plan until they may be resubmitted to avoid the automatic approval of these items under provisions in Chapters 82 and 106 of the City Code.

**SUMMARY OF DISCUSSION**

Jann Freed asked if any member of the audience or the commission desired to speak regarding continuance of the item. None were present or requested to speak.

**COMMISSION ACTION:**

David Courard-Hauri made a motion to continue the item to the March 7, 2019 Plan and Zoning Commission meeting.

**THE VOTE:** 8-0-1 (John “Jack” Hilmes abstained)
Committee and Director’s Reports:

Meeting adjourned at 6:10