CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: October 31, 2016

ITEM: Fuel Pump Island Canopies – Amend Title 9, Zoning, Chapter 14, Accessory Structures to Revise Regulations for Fuel Pump Canopy Materials – City Initiated – AO-003237-2016

Ordinance: Approval of First Reading

FINANCIAL IMPACT: Undetermined.

BACKGROUND: Staff requests an amendment to City Code, Title 9, Zoning, Chapter 14 Accessory Structures to revise the language related to materials to be used on the canopy support columns.

Plan and Zoning Commission Action:
Vote: 7-0 approval
Date: October 24, 2016
Motion: Adopt a resolution recommending the City Council approve the ordinance amendment.

OUTSTANDING ISSUES: There are no outstanding issues. The following items of interest are noted in the attached Plan and Zoning Commission report (see Exhibit I):

- Request
- City Council Subcommittee *(Development & Planning, October 17, 2016)*
- Staff Review and Comments
  - *Current Ordinance*
  - *Proposed Ordinance Changes*
- Comprehensive Plan Consistency
- Noticing Information
- Staff Recommendations and Conditions of Approval

RECOMMENDATION: Based upon the preceding review and a finding of consistency with the Comprehensive Plan, the Plan and Zoning Commission recommends the City Council approve the first reading to amend City Code to regulate fuel pump canopy materials, subject to the applicant meeting all City Code requirements.

Lead Staff Member: Kara Tragesser

STAFF REVIEWS:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	RTG

PUBLICATION(S) (if applicable)

Published In	*Des Moines Register*	
Date(s) Published	October 14, 2016	
Letter sent to surrounding property owners		N/A

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development and Planning		
Date Reviewed	October 17, 2016		
Recommendation	Yes ☒	No ☐	Split ☐

ATTACHMENTS:

Exhibit I - Plan and Zoning Communication
- Exhibit A - Plan and Zoning Commission Resolution
- Exhibit B - Proposed Rezoning Ordinance *(now Exhibit II)*

Exhibit II - Proposed Rezoning Ordinance

EXHIBIT I

CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION

Meeting Date: October 26, 2016

Item: Fuel Pump Island Canopies – Amend Title 9, Zoning, Chapter 14, Accessory Structures to Revise Regulations for Fuel Pump Canopy Materials – City Initiated – AO-003237-2016

Request Action: Approval of an amendment to the City Code

Case Advisor: Kara Tragesser, AICP

Applicant's Request: Staff requests an amendment to City Code, Title 9, Zoning, Chapter 14 Accessory Structures to revise the language related to materials to be used on the canopy support columns.

City Council Subcommittee: This item was discussed at the October 17, 2016, Development and Planning City Council Subcommittee. Staff noted that an ordinance amendment will be proposed to modify the language of the ordinance to reflect more flexibility in cladding the support columns, while maintaining the durability of the materials, especially at the base of the columns.

Staff Review and Comment: There are no outstanding issues.

Current Ordinance: In September 2015, the City adopted an ordinance that made several changes to the regulations of fuel canopies, number of pumps, setbacks, etc. As part of that ordinance, the materials to clad the support columns of the canopies were specifically identified as brick, stone, or split face masonry and that the materials would extend the full height of the support columns.

Since the ordinance, the City has approved two convenience stores with fuel canopies where the materials used where not brick, stone, or split face masonry, but alternate materials such as a concrete composite material and another composite material (Nichiha). The alternate materials were recommended for approval as the design met the intent of the ordinance provision which was to have a durable hard material at the base where impacts like door dings, bumps from cars, and other hazards would be less noticeable and last longer and that the columns higher than the height of the fuel pumps was not susceptible to these hazards, but provided a cladding of the same visual weight that is greater than a steel-only pole or column. Also, the City has approved the support columns where the alternate materials reach the height of the fuel pumps and then changes to another material for the rest of the height of the column. When the City has found that other materials and designs are acceptable to clad the support columns it signals that the code provisions should be adjusted to meet the new expectations.

Proposed Ordinance Changes: The proposed changes to the ordinance focus on the intent for cladding the support columns in a durable material without dictating what that material is. Also, the material is indicated to be consistent with the material used on the principal structure, which is not included in the current regulations. This language is intended to not be prescriptive regarding materials, but to regulate that the materials need to be consistent with the materials on the primary structure and to be durable materials that can withstand minor impacts, such as door dings that could otherwise mar the surfaces. Finally, the proposed changes include provisions for the use of more than one material on the canopy support, so long as the more durable material is used on the bottom of the support to a height equal to the fuel pump height. This allows for a less costly material to be used on part of the support column that doesn't suffer from abuse and is above pedestrian height when using the pump.

Comprehensive Plan Consistency: The project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

Noticing Information: On October 14, 2016, notice of the October 24, 2016, Plan and Zoning Commission public hearing for this project was published in the *Des Moines Register*.

Staff Recommendation and Conditions of Approval: Staff recommends the Plan & Zoning Commission approve a resolution recommending to the City Council approval of the ordinance amendment.

Attachments:

Attachment A – Proposed Resolution

Exhibit A – Proposed Ordinance

S:___Development Projects\Ordinance Amendments\Gas Pumps and Canopies\Fuel pump canopy revised materials\AO-003237-2016_SR_Fuel Canopy Materials_PZ_10-24-2016.docx

EXHIBIT A

RESOLUTION NO. PZC-016-063

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE AN ORDINANCE TO AMEND TITLE 9 (ZONING), CHAPTER 14 (ACCESSORY STRUCTURES) TO REVISE THE DESIGN STANDARDS FOR FUEL PUMP ISLAND CANOPIES

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, and Title 10, Chapter 1 et seq, of the West Des Moines Municipal Code, staff requests an amendment to Title 9 (Zoning), Chapter 14, (Accessory Structures) Section 9 (Fuel Pump Islands and Island Canopies) to revise the Design Standards for Fuel Pump Island Canopies;

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, this Commission held a duly-noticed hearing to consider the application for an amendment to ordinance;

WHEREAS, this Commission did consider the application for an amendment to ordinance;

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings for approval in the staff report or as amended orally at the Plan and Zoning Commission public hearing are adopted.

SECTION 2. The AMENDMENT TO ORDINANCE (AO-003237-2016) to revise regulations for fuel pump canopy materials is recommended to the City Council for approval, as stated in the staff report or as amended in the attached Exhibit A.

PASSED AND ADOPTED on October 24, 2016.

Craig Erickson, Chair
Plan and Zoning Commission

ATTEST:

Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on October 24, 2016, by the following vote:

AYES: Brown, Costa, Crowley, Erickson, Hatfield, Southworth, Anderson
NAYS:
ABSTENTIONS:
ABSENT:

ATTEST:

Recording Secretary

S:___Development Projects\Ordinance Amendments\Gas Pumps and Canopies\Fuel pump canopy revised materials\AO-003237-2016_SR_Fuel Canopy Materials_PZ_10-24-2016.docx

EXHIBIT II

Prepared by: KTragesser, West Des Moines Development Services, PO Box 65320, West Des Moines, IA 50265, 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, TITLE 9 (ZONING), CHAPTER 14 (ACCESSORY STRUCTURES), SECTION 9 (FUEL PUMP ISLANDS AND ISLAND CANOPIES) TO REVISE THE DESIGN STANDARDS FOR FUEL PUMP CANOPIES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA:

Section 1. Amendment. Title 9 (Zoning), Chapter 14 (Accessory Structures), Section 9 (Fuel Pump Islands and Island Canopies), Paragraph F (Design Standards for Fuel Pump Island Canopies) is hereby amended by adding the text in bold lettering and deleting the text in strikethrough, highlighted lettering:

F. Design Standards for Fuel Pump Island Canopies: The intent of the following design standards is to promote an appealing structure that is architecturally consistent with the principal structure, provides visual interest, and balances the mass of the canopy between the elements of the structure such as the canopy and the support structure. For all fuel pump canopies the following design elements must be present:

1. ~~All pump island canopy supports shall be trimmed in brick, stone, or split face masonry consistent with the majority of material used for the primary structure. The brick, stone, or split face masonry materials shall extend up the entire height of the support column.~~

   All canopy supports shall be designed to be in proportion with the canopy size and height, and that dimension shall extend the full height of the support. Supports shall be clad with materials consistent with the materials used for the primary structure and be a hard surface material such as brick or stone that can provide durability against impacts typical of being in close proximity to vehicles. Less durable hard surface materials such as EIFS and composite materials if consistent with the primary building, may be utilized for the cladding on the upper portion of the column, above the height of the tallest fuel pump.

2. Pump island canopies one hundred (100) linear feet long or greater shall be designed to provide visual interest and break the straight line appearance of the length of the canopy by utilizing changes in massing and materials.

3. The color of the canopy shall be consistent with the color of the materials used to construct the primary structure. The color shall not be consistent with the signage colors unless considered part of the signage allowance for the primary structure as noted elsewhere in this title.

Section 2. Repealer. All ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.

Section 3. Savings Clause. If any section, provision, sentence, clause, phrase or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

Section 4. Violations and Penalties. Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in Section 1-4-1 of the City Code of the City of West Des Moines, Iowa.

Section 5. Other Remedies. In addition to the provisions set out in the Violations and Penalties Section herein, the City may proceed in law or equity against any person, firm or corporation for violation of any section or subsection of this Ordinance.

Section 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed by the City Council on the _____ day of _____, 2015, and approved this _____ day of _____, 2016.

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T Jacobson, City Clerk

The foregoing Ordinance No. _____ was adopted by the Council for the City of West Des Moines, Iowa, on _____, 2016, and was published in the Des Moines Register on _____, 2016.

_____
Ryan T. Jacobson, City Clerk