

36A

Date March 14, 2011

An Ordinance entitled "AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of 5830 and 5832 Southeast 14th Street from the C-2 District to the PUD Planned Unit Development District classification",

presented.

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)


 Michael F. Kelley
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

MOTION CARRIED

APPROVED

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 Mayor

 City Clerk

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Prepared by: Michael F. Kelley, Assistant City Attorney, 400 Robert D. Ray Drive,
Des Moines, IA 50309 515/283-4124

Return Address: City Clerk - City Hall, 400 Robert D. Ray Dr., Des Moines, IA 50309

Title of Document: City of Des Moines, Ordinance No. _____

Grantor/Grantee: City of Des Moines, Iowa

Legal Description: See page 1, below.

ORDINANCE NO. _____

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of 5830 and 5832 Southeast 14th Street from the C-2 District to the PUD Planned Unit Development District classification.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, be and the same is hereby amended by rezoning and changing the district classification of certain property located in the vicinity of 5830 and 5832 Southeast 14th Street, more fully described as follows:

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NW1/4 SE1/4) OF SECTION 27, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., DES MOINES, POLK COUNTY, IOWA.

ALSO PART OF LOT 1, BOWLARAMA PLACE, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NW1/4 SE1/4); THENCE S89°04'35"E, 59.87 FEET TO THE POINT OF BEGINNING; THENCE ON THE WESTERLY RIGHT OF WAY LINE OF SOUTHEAST 14TH STREET, S00°07'25"E, 285.71 FEET; THENCE CONTINUING ON SAID WESTERLY RIGHT OF WAY LINE, S45°04'47"W, 10.68 FEET TO A POINT INTERSECTING THE RIGHT OF WAY LINES OF SOUTHEAST 14TH STREET AND EAST DIEHL AVENUE; THENCE ON THE NORTHERLY RIGHT OF WAY LINE OF EAST DIEHL AVENUE, N89°27'52"W, 143.15 FEET; THENCE CONTINUING ON SAID NORTHERLY RIGHT OF WAY LINE, S88°27'11"W, 159.60 FEET; THENCE N00°00'26"E, 75.36 FEET; THENCE N39°24'40"E, 31.74 FEET; THENCE N00°00'26"E, 199.31 FEET TO THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NW1/4 SE1/4); THENCE ON SAID NORTH LINE, N89°24'44"W, 289.46 FEET TO THE POINT OF BEGINNING, CONTAINING 2.00 ACRES MORE OR LESS.

from the C-2 District to the PUD Planned Unit Development District classification.

Sec. 2. This ordinance shall be in full force and effect from and after the later of its passage and publication as provided by law.

Sec. 3. That the City Clerk is hereby authorized and directed to cause certified copies of the vicinity map, this ordinance, and proof of publication of this ordinance to be properly filed in the office of the Polk County Recorder.

FORM APPROVED:



Michael F. Kelley
Assistant City Attorney

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Request from Kum & Go, LC represented by Charles Campbell (officer) to rezone property located at 5830 and 5832 Southeast 14 th Street. The subject property is owned by ND 20 SE 14 th LLC represented by Jake Christensen.		File # ZON2011-00012			
<p>B) Rezone property from "C-2" General Retail and Highway-Oriented Commercial District to "PUD" Planned Unit Development.</p> <p>C) Approval of a PUD Conceptual Plan for Kum & Go #573 to allow development of a two acre site with a gas station having 20 fueling locations and a 4,958 square-foot convenience store.</p>					
Description of Action	Review and approval of rezoning property located at 5830 and 5832 Southeast 14 th Street and review and approval of a PUD Conceptual Plan for Kum & Go #573				
2020 Community Character Plan	Commercial: Auto-Oriented Community Commercial				
Horizon 2035 Transportation Plan	SE 14 th Street from Watrous Avenue to Army Post Road to widen from 4 lanes divided to 6 lanes divided				
Current Zoning District	"C-2" General Retail and Highway-Oriented Commercial District				
Proposed Zoning District	"PUD" Planned Unit Development.				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area	6	0			
Outside Area					
Plan and Zoning Commission Action	Approval	9-0-2	Required 6/7 Vote of the City Council	Yes	
	Denial			No	X

Kum & Go LC - 5830 and 5832 Southeast 14th Street

ZON2011-00012

