



Date February 24, 2014

RESOLUTION SCHEDULING HEARING ON APPEAL BY QUIKTRIP CORPORATION FROM A DECISION BY THE BUILDING OFFICIAL TO DENY RECONSTRUCTION OF A DRIVEWAY APPROACH IN THE VICINITY OF 2945 E. UNIVERSITY AVENUE

WHEREAS, QuikTrip Corporation is seeking to redevelop and expand its existing convenience store/gas station at the southwest corner of E. University Avenue and E. 30th Street, and seeks to rebuild an existing driveway approach onto E. University Avenue that is located in close proximity to the intersection with E. 30th Street; and;

WHEREAS, QuikTrip's request to rebuild the driveway approach at its current location has been denied by the Building Official, upon recommendation from the Traffic Engineer, based upon their determination that the close proximity of the approach to the intersection creates a traffic hazard; and,

WHEREAS, QuikTrip has appealed the decision of the Building Official to the City Council as permitted by Section 102-360 of the City Code.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

- 1. The City Council shall consider the appeal by QuikTrip Corporation at a public hearing to be held on March 10, 2014, at 5:00 p.m., in the Council Chambers at City Hall, at which time the City Council will hear both those in support and those in opposition to the appeal by QuikTrip.
2. The City Clerk is hereby authorized and directed to cause notice of the appeal and hearing to be given in the accompanying form by publication in the Des Moines Register on February 27, 2014.

MOVED by \_\_\_\_\_ to adopt.

FORM APPROVED:

[Signature of Roger K. Brown]

Roger K. Brown, Assistant City Attorney

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

CERTIFICATE

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

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

MOTION CARRIED

APPROVED

Mayor

City Clerk

47E

FaegreBD.com

**FAEGRE BAKER  
DANIELS**

USA • UK • CHINA

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February 14, 2014

Des Moines City Council  
City of Des Moines  
400 Robert D. Ray Drive  
Des Moines, IA 50309

Re: QuikTrip Store 534R – Appeal of Building Official’s decision

Mayor Cownie and Des Moines City Councilmembers:

Pursuant to City of Des Moines Ordinance 102-360, QuikTrip Corporation (“QuikTrip”) respectfully appeals the decision of the Building Official for the City of Des Moines to deny a building permit to reconstruct an existing driveway at its 2945 E. University Ave. location.

The driveway, shown on the attached site plan as Exhibit “A”, has been in use at the location since the store opened over twenty years ago. With the reconstruction of the convenience store, QuikTrip proposes to convert the existing driveway to a single right-in, entrance-only lane to preserve the access its customers have had for two decades while improving traffic safety at the intersection of E. 30<sup>th</sup> St. and University Ave.

In response to discussions with City Staff, QuikTrip modified the design to tighten the turning radius from University to make it difficult for vehicles to exit the driveway and has committed to maintaining “entrance only” signage and striping. This should dramatically reduce the number of drivers attempting to exit at that location, which appears to be the primary concern of the City’s Traffic Engineer.

Additionally, allowing QuikTrip to keep the existing driveway will help maintain safety on-site by limiting traffic conflicts. The redesign of the location will largely separate customers purchasing gasoline and diesel from those only entering the convenience store for other purchases. Closing the driveway would only create traffic issues on-site by increasing the numbers of cars crossing the parking lot in front of the store to get to the fuel pumps.

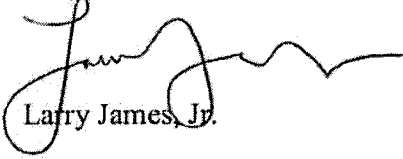
I would welcome the opportunity to discuss this matter with you further and will follow up with each of you in the coming weeks. Please feel free to contact me if you have any questions or concerns.

Des Moines City Council

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February 14, 2014

Very truly yours,



Larry James, Jr.

