



Date January 11, 2016

RESOLUTION CONTINUING HEARING ON APPEAL BY QUIKTRIP CORPORATION SEEKING APPROVAL OF A SITE PLAN FOR A CONVENIENCE STORE AT 1200 KEOSAUQUA WAY AND 1201 CENTER STREET

WHEREAS, on November 19, 2015, the City Plan and Zoning Commission voted to deny an application by QuikTrip Corporation (purchaser) represented by Matt Brooks (officer), for approval of a Site Plan titled "QuikTrip No. 0526" under design guidelines for gas stations/convenience stores, on property located at 1200 Keosauqua Way and 1201 Center Street, to allow development of a 5,773-sqaure foot convenience store with a pump island canopy for 12 fueling locations; and,

WHEREAS, QuikTrip has timely appealed to the City Council pursuant to §82-210 of the Des Moines Municipal Code, seeking to have the Commission's decision reversed.

WHEREAS, on December 21, 2015, by Roll Call No. 15-2119, the City Council scheduled a public hearing on the appeal, to be held on January 11, 2016, at 5:00 p.m., in the Council Chambers; and,

WHEREAS, QuikTrip Corporation has requested that the hearing be continued until January 25, 2016, to allow additional time for ongoing discussions with the City staff.

MOVED by _____ to continue the public hearing on this matter until January 25, 2016, at 5:00 p.m. in the Council Chambers.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, 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



DICKINSONLAW
Dickinson Mackaman Tyler & Hagen P.C.

Benjamin D. Bruner
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January 7, 2016

Via Regular and Certified Mail

Mayor Cownie and City of Des Moines City
Council
400 Robert D. Ray Drive
Des Moines, Iowa 50309

**Re: Request for Continuance of Hearing on QuikTrip Corporation's Appeal of the November 19, 2015 Planning and Zoning Commission Denial Decision (QuikTrip Corporation - ROW Vacation and Site Plan Approval related to 1200 Keosauqua Way, Des Moines, IA)
Our File No.: 2015-4577**

Dear Mayor Cownie and Councilmembers:

The undersigned, on behalf of QuikTrip Corporation, hereby respectfully requests that the hearing scheduled for January 11, 2016 (on the appeal by Quiktrip of the above-referenced Planning and Zoning Commission Denial of the Site Plan titled "QuikTrip No. 0526" and the related vacation of right-of-way request) be continued until the next council meeting scheduled for January 25, 2016. Copies of the resolutions originally setting the hearing for January 11, 2016 are attached hereto for reference.

Any and all questions or concerns can be submitted to the undersigned. Please acknowledge receipt of this notice/appeal in the space provided below. The undersigned would again respectfully request that the appeal hearing be continued to the January 25, 2016 council meeting. Thanks in advance for your time and attention to this matter.

Very truly yours,

Benjamin D. Bruner

BDB/rn
Enclosures

Cc: Des Moines Community Development Department (Attn: Mike Ludwig - VIA EMAIL)
MGLudwig@dmgov.org

Des Moines - Legal Department (Attn: Roger Brown - VIA EMAIL) rkbrown@dmgov.org