

★ Roll Call Number

15-1433

Agenda Item Number

30

Date August 24, 2015

RESOLUTION SETTING HEARING ON REQUEST FROM KUM & GO, LC FOR AMENDMENT TO THE KUM & GO STORE #120 PUD CONCEPTUAL PLAN ON PROPERTY LOCATED AT 6304 SOUTHWEST 9TH STREET

WHEREAS, on July 23, 2012, by Roll Call No. 12-1193, the City Council adopted Ordinance No. 15,122, to rezone real property located in the vicinity of 6304 Southwest 9th Street ("Property") from "C-2" General Retail and Highway Oriented Commercial District and "R1-60" One-Family Low-Density Residential District to "PUD" Planned Unit Development District classification for the Kum & Go Store #120 PUD District; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on August 6, 2015, its members voted 11-0 in support of a motion to recommend APPROVAL of a request from Kum & Go, LC (owner), represented by Nick Halfhill (officer), for review and approval of the Second Amendment to the Kum & Go Store #120 PUD Conceptual Plan to allow an approved 6,321 square foot convenience store, with 16 fueling locations, to have a reconfigured site layout and a revised store and canopy design to fit the current corporate prototype, subject to revisions set forth in the attached communication from the Commission; and

WHEREAS, the Property is legally described as follows:

PARCEL "A" AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 14052 AT PAGE 229 OF LOTS 1, 2, 21, & 22 IN LANGDON PLACE, AN OFFICIAL PLAT, NOW IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

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

- 1. That the attached communication from the Plan and Zoning Commission is hereby received and filed.
2. That the meeting of the City Council at which the proposed Second Amendment to the Kum & Go Store #120 PUD Conceptual Plan is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa, at 5:00 p.m. on September 14, 2015, at which time the City Council will hear both those who oppose and those who favor the proposal.
3. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

MOVED BY Hensley TO ADOPT.

(ZON2015-00128)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MAHAFFEY, MOORE, and TOTAL. The TOTAL row shows 7 yeas and 0 nays.

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.

Diane Rauh

MOTION CARRIED APPROVED