

★ Roll Call Number

16-0161

Agenda Item Number

52A

WITHDRAWN

Date January 25, 2016

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

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-square 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, notice of the hearing has been provided to the applicant's representative, and published in the Des Moines Register on December 31, 2015; and,

WHEREAS, on January 11, 2016, by Roll Call No. 16-0065, the City Council continued the hearing to January 25, 2016, at 5:00 p.m., at QuikTrip's request; and,

WHEREAS, all persons appearing at the hearing and desiring to be heard regarding the said appeal have been given the opportunity to be heard.

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

1. The public hearing on the appeal by QuikTrip Corporation is hereby closed.
2. The City Council hereby makes the following findings of fact:
 - a) A standalone convenience store with fuel sales at this site is not consistent with the "What's Next, Downtown?" Plan, which envisions a dense and pedestrian friendly downtown, and indicates that this site should be redeveloped in a mixed-use, pedestrian friendly manner that integrates the area with the rest of the downtown.
 - b) The Downtown Overlay District Design Guidelines identify that the site should be redeveloped with a 3-story building set at the right-of-way line.
 - c) The proposed site plan is not pedestrian friendly. There is one private sidewalk from the Keosauqua Way sidewalk to the parking lot. There should be marked pedestrian routes from each of the adjoining public sidewalks to the building.

(continued)

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- d) The site plan does not conform to the required landscape standards.
 - e) The driveway to 12th Street does not satisfy the required separation from the Center Street intersection with Keosauqua Way.
 - f) The proposed vacation of a portion of the Center Street right-of-way for this low-density auto oriented use is not in conformance with the City's adopted land use plans for the area.
 - g) Although there are two auto-oriented convenience stores (Git-N-Go and Kum & Go) already existing northwest of this site along the Keosauqua Way corridor, those sites are further removed from the downtown core. This site is in close proximity to the established urban development pattern of the downtown core, and any redevelopment of this site and the adjoining sites should continue that pattern and not reinforce the underutilization of land that occurs further north on the corridor.
 - h) The proposed convenience store will generate a high volume of in-and-out traffic that will exacerbate the existing traffic congestion and deficiencies at the 12th Street intersections with Keosauqua Way and Center Streets.
3. The appeal by QuikTrip Corporation is hereby denied.
 4. The Engineering Department, Real Estate Division, is hereby directed to take no further action on the proposed vacation of a segment of Center Street adjoining the site until further notice.

MOVED by _____ to adopt.

FORM APPROVED:

Roger K. Brown

Roger K. Brown, Assistant City Attorney

(Council Communication No. 16-054)

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

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.

City Clerk