



Roll Call Number

16-0678

Agenda Item Number

28

Date April 25, 2016

RESOLUTION SETTING HEARING ON REQUEST FROM QUIK TRIP CORPORATION TO REZONE PROPERTY LOCATED AT 4021 FLEUR DRIVE FROM "C-2" GENERAL RETAIL AND HIGHWAY-ORIENTED COMMERCIAL DISTRICT TO "PUD" PLANNED UNIT DEVELOPMENT DISTRICT

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 7, 2016, its members voted 9-2-1 in support of a motion to recommend APPROVAL of a request from Quik Trip Corporation (purchaser), represented by Mike Talcott (officer), to rezone real property located at 4021 Fleur Drive ("Property") from "C-2" General Retail and Highway-Oriented Commercial District to "PUD" Planned Unit Development District to allow development of a 5,858-square foot convenience store and pump island canopy with 16 fueling locations, and to approve the proposed PUD Conceptual Plan for "Quik Trip No. 0559R", subject to conditions set forth in the communication from the Commission; and

WHEREAS, the Property is legally described as follows:

THAT PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS 33 FEET SOUTH AND 50 FEET EAST OF THE CENTER OF SAID SECTION; THENCE EAST ALONG THE SOUTH LINE OF WATROUS AVENUE, 490 FEET; THENCE SOUTH AND PARALLEL TO THE EAST LINE OF SOUTHWEST 21ST STREET, 235 FEET; THENCE WEST 490 FEET; THENCE NORTH TO BEGINNING; EXCEPT THAT PART DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS 33 FEET SOUTH AND 50 FEET EAST OF THE CENTER OF SAID SECTION; THENCE SOUTH 120 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF FLEUR DRIVE; THENCE EAST 2.0 FEET; THENCE NORTH 110.0 FEET TO A POINT 2.0 FEET EAST OF SAID RIGHT-OF-WAY LINE; THENCE NORTHEASTERLY TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF WATROUS AVENUE WHICH IS 60 FEET EAST OF THE CENTER OF SAID SECTION; THENCE WEST ALONG SAID RIGHT OF WAY LINE 10 FEET TO POINT OF BEGINNING.

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 rezoning and PUD Conceptual Plan are to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa, at 5:00 p.m. on May 9, 2016, 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.

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MOVED BY Hensley TO ADOPT.

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

(ZON2016-00047)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin 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.

Diane Rauh

City Clerk