



Roll Call Number

17-0372

Agenda Item Number

27

Date March 6, 2017

**RESOLUTION SETTING HEARING ON REQUEST FROM
QUIK TRIP CORPORATION FOR REVIEW AND APPROVAL OF A
1ST AMENDMENT TO THE QUIK TRIP NO. 0518 PUD CONCEPTUAL PLAN
ON PROPERTY LOCATED AT 1930 INDIANOLA AVENUE**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on February 16, 2017, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from Quik Trip Corporation (owner), represented by Michael Talcott (owner), for a 1st Amendment to the Quik Trip No. 0518 PUD Conceptual Plan on property locally known as 1930 Indianola Avenue ("Property") to allow reconfiguration of the proposed pump island canopy, subject to conditions stated in the Commission's communication; and

WHEREAS, the Property is legally described as follows:

LOTS 8, 9, 10, 11 AND 12 IN FIRST PLAT OF CLIFTON HEIGHTS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, EXCEPT THAT PART OF SAID LOTS WHICH IS NOW INCLUDED IN INDIANOLA AVENUE

LOTS 6 AND 7 IN FIRST PLAT OF CLIFTON HEIGHTS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA

LOT 13 IN FIRST PLAT OF CLIFTON HEIGHTS (EXCEPT THAT PART DEEDED TO THE CITY OF DES MOINES BY QUIT CLAIM DEED RECORDED IN BOOK 852 AT PAGE 52) AND THAT PART OF LOT 4 LYING SOUTH OF AND ABUTTING INDIANOLA AVENUE OF OFFICIAL PLAT OF THE WEST 1/2 OF SECTION 10, TOWNSHIP 78 NORTH, RANGE 24, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA

LOT 1 AND THE EAST 1/2 OF THE NORTH/SOUTH ALLEY RIGHT-OF-WAY LYING WEST OF AND ADJOINING LOT 1 IN FIRST PLAT OF CLIFTON HEIGHTS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, (EXCEPT PART DEEDED TO CITY OF DES MOINES, AS RECORDED IN BOOK 814, PAGE 290)

AND

AN IRREGULAR PART OF LOTS 4 & 5, FIRST PLAT OF CLIFTON HEIGHTS, AN OFFICIAL PLAT, DESCRIBED AS BEGINNING AT A POINT 16.64 FEET WEST OF THE NORTHEAST CORNER OF LOT 5 THENCE WESTERLY ALONG THE NORTH LINE OF LOT 5 A DISTANCE OF 100 FEET, THENCE SOUTHERLY TO A POINT ON THE SOUTH LINE OF LOT 4 WHICH POINT IS 117.8 FEET WEST OF THE SOUTHEAST CORNER OF LOT 4 THENCE EASTERLY ALONG THE SOUTH LINE OF LOT 4 A DISTANCE OF 100 FEET, THENCE NORTHERLY TO A POINT ON THE NORTH LINE OF LOT 4 WHICH POINT IS 16.83 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT 4, THENCE CONTINUING NORTH TO THE POINT OF BEGINNING, ALL INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA. PARCELS A AND C OF THE PLAT OF SURVEY FILED NOVEMBER 5, 2003: PARCELS A AND C OF THE PLAT OF SURVEY FILED IN THE OFFICE OF THE RECORDER OF POLK COUNTY, IOWA, ON NOVEMBER 5, 2003 AND RECORDED IN BOOK 10252 PAGE 873, SAID PARCELS BEING A PART OF LOT 4 OF THE OFFICIAL PLAT OF THE WEST HALF OF SECTION 10, TOWNSHIP 78 NORTH, RANGE 24 WEST



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OF THE 5TH P.M., AND BEING PART OF THE SW ¼ OF THE SW ¼ OF SECTION 10, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., AND BEING A PART OF THE SE ¼ OF THE SE ¼ OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., AND BEING PART OF LOTS 8, 9, 10, 11, 12, 13 AND 14 OF FIRST PLAT OF CLIFTON HEIGHTS, AN OFFICIAL PLAT, ALL NOW INCLUDED 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 amendment to the PUD Conceptual Plan is to be considered shall be held at the Richard A. Clark Municipal Service Center (MSC), located at 1551 E. Martin Luther King, Jr. Parkway, Des Moines, Iowa, at 5:00 p.m. on March 20, 2017, 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.

MOVED BY Hensley TO ADOPT.

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

(ZON2017-00004)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, 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.

T. M. Franklin Council Mayor

Diane Rauh City Clerk