



**Date** June 27, 2022

**RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM QUIKTRIP CORP. (OWNER), REPRESENTED BY JASON ACORD (OFFICER) FOR PROPERTY LOCATED IN THE VICINITY OF 1200 KEOSAUQUA WAY TO REZONE THE PROPERTY FROM “MX2” MIXED-USE DISTRICT AND “MX3” MIXED-USE DISTRICT TO “DXR” DOWNTOWN DISTRICT, TO ALLOW DEVELOPMENT OF TOWNHOMES**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on June 16, 2022, its members voted 11-0-1 in support of a motion to recommend **APPROVAL** of a request from QuikTrip Corp. (owner), represented by Jason Acord (officer), to rezone the property from “MX2” mixed-use district and “MX3” mixed-use district to “DXR” downtown district, to allow development of townhomes and determined the requested rezoning is in conformance with the PlanDSM: Creating Our Tomorrow Comprehensive Plan; and

**WHEREAS**, the Property is legally described as follows:

Lot 6, except those parts conveyed to the City of Des Moines, Iowa by Quit Claim Deed recorded in Book 10801, Page 439, and Special Warranty Deed recorded in Book 16273, Page 696 in Oakridge Plat 3, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa; and Lot 5 in Oakridge Plat 3, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, except that part deeded to the City of Des Moines by Warranty Deed filed August 31, 2004 in Book 10712, Page 157.

And

A parcel of land being a part of the City of Des Moines vacated public right-of-way adjacent to Lot 6 of Oakridge Plat 3, an Official Plat, included in and forming a part of the City of Des Moines, Polk County, Iowa being more particularly described as follows:

Commencing at the southwest corner of said Lot 6; thence along the south line of said Lot 6 S89°32'59"E, 65.51 feet to the point of beginning; thence continuing S89°32'59"E, 60.57 feet; thence 66.24 feet along a 49.00 foot radius curve, concave northwest, chord bearing N51°45'43"E, 61.31 feet; thence N13°06'34"E, 28.31 feet to the southeasterly line of said Lot 6; thence along said southeasterly line S45°07'54"W, 67.57 feet; thence along said southeasterly line S75°31'00"W, 69.46 feet to the point of beginning.

All together containing 1.61 acres, more or less.

**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.



**Roll Call Number**

22-0996

**Agenda Item Number**

25

**Date** June 27, 2022

- 2. That the meeting of the City Council at which the proposed rezoning are to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposals, shall be held at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on July 18, 2022, at which time the City Council will hear both those who oppose and those who favor the proposals.
- 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 Gatto TO ADOPT. SECOND BY Boesen

**FORM APPROVED:**

/s/ Lisa A. Wieland  
Lisa A. Wieland  
Assistant City Attorney

(ZONG-2022-000055)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
SHEUMAKER				✓
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1

MOTION CARRIED

APPROVED

J. M. Franklin Cownie Mayor

**CERTIFICATE**

I, LAURA BAUMGARTNER, Acting 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.

Laura Baumgartner

Acting City Clerk

