



Roll Call Number

22-1001

Agenda Item Number

30

Date June 27, 2022

RESOLUTION SETTING HEARING REGARDING REQUEST FROM STONEY POINTE CAR WASH, LLC (OWNER), REPRESENTED BY LLOYD D. LINN (OFFICER), FOR REVIEW AND APPROVAL OF A 2ND AMENDMENT TO THE STONEY POINTE PUD CONCEPTUAL PLAN, ON PROPERTY LOCATED AT 5901 SOUTHEAST 14TH STREET, TO ALLOW A RESTAURANT WITH A DRIVE THROUGH USE

WHEREAS, on June 16, 2022, the City Plan and Zoning Commission considered a request from Stoney Point Car Wash, LLC (owner), represented by Lloyd D. Linn (officer), for review and approval of a 2nd amendment to the Stoney Pointe PUD Conceptual Plan, on property located at 5901 Southeast 14th Street, to allow a restaurant with drive through use; and

WHEREAS, the City Plan and Zoning Commission voted 12-0 to **APPROVE** the a 2nd amendment to the Stoney Pointe PUD Conceptual Plan, on property located at 5901 Southeast 14th Street, to allow a restaurant with drive through use, subject to the following conditions:

1. Reduction in the building setback from SE 14th Street to the satisfaction of the Planning & Urban Design Administrator.
2. Any proposed signage shall comply with the requirements for the MX3 District.
3. Addition of the following notes on the “PUD” Conceptual Plan:
 - a) Development of the site must comply with the Tree Removal and Mitigation Ordinance contained in Chapter 42, Article X, of the City Code.
 - b) Any grading is subject to an approved grading permit and soil erosion control plan, as well as a Stormwater Pollution Protection Plan (SWPPP) approved by the Iowa DNR.

WHEREAS, the Property is legally described as follows:

LOT 1 IN STONEY POINTE, AN OFFICIAL PLAT, 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 2nd amendment to the Stoney Pointe PUD Conceptual Plan is to be considered, shall be held at 5:00 p.m. on July 18, 2022, in the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, 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



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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 Sections 362.3 and 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-2022-000049)

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

