



Roll Call Number

18-1504

Agenda Item Number

21

Date ..... September 10, 2018 .....

**RESOLUTION SETTING HEARING ON REQUEST FROM  
GIT-N-GO CONVENIENCE STORES, INC. TO REZONE  
PROPERTY IN THE VICINITY OF 100 WATROUS AVENUE**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on August 16, 2018, its members voted 9-0 in support of a motion to recommend **APPROVAL** of a request from Git-N-Go Convenience Stores, Inc. (owner), represented by Dennis Flora (officer), to rezone property in the vicinity of 100 Watrous Avenue ("Property") from "R1-70" One-Family Residential District to Limited "C-1" Neighborhood Retail Commercial District, to allow redevelopment of the Property with a new gas station/convenience store with 6 fueling locations, subject to the following rezoning conditions:

1. Any use of the Property for Multiple-Family Residential Dwellings, Department or Retail Stores over 12,000 square feet in area, Office Buildings over 12,000 square feet in area, and Upholstery Shops shall be prohibited.
2. Any expansion of the existing building on the Property or redevelopment of the Property for a gas station/convenience store is subject to review and approval of a Site Plan by the Plan and Zoning Commission under design guidelines for gas stations/convenience stores.
3. Any expansion or conversion of the existing building or construction of new buildings on the Property are subject to compliance with all applicable Building Codes and with all necessary permits and Certificate of Occupancy issued by the Permit and Development Center; and

**WHEREAS**, the Property to be rezoned is legally described as follows:

EXCEPT THE WEST 15 FEET OF THE NORTH 150 FEET, LOTS 1, 2, AND 3 SOUTHMOOR GARDENS, 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 rezoning is to be considered shall be held at the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on September 24, 2018, 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



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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.

FORM APPROVED:

Glenna K. Frank  
Glenna K. Frank, Assistant City Attorney

(ZON2018-00140)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

J. M. Franklin Cownie

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