

★ Roll Call Number
12-1910

Agenda Item Number
41

Date December 17, 2012

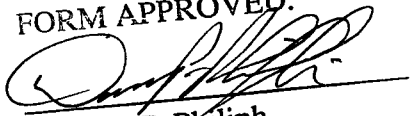
Be it resolved by the City Council of the City of Des Moines, Iowa.

That the following application is hereby submitted for consideration to the Iowa Alcoholic Beverages Division of the Iowa Department of Commerce:

Ingersoll, 3711 Ingersoll Avenue, Class C Liquor License. **Zoning Department recommends denial.**

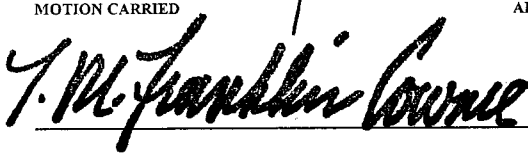
Moved by Hensley to deny the renewal for the following reasons:

1. The property in question lacks the required parking for the business on the property and is in violation of Section 134-1377(a)(23) of the Municipal Code.
2. The property is also in violations of additional zoning ordinances in Chapter 134 of the Municipal Code concerning but not limited to:
 - (a) Failure to screen existing parking from residential uses
 - (b) Failure to enclose the dumpster
 - (c) Failure to provide a site plan for review
3. Applicant has also failed to show that its food sales are at least 50% of its gross receipts and therefore applicant is in violation of Section 134-954 of the Municipal code.

FORM APPROVED:

Douglas P. Philip
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
GRIESS	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

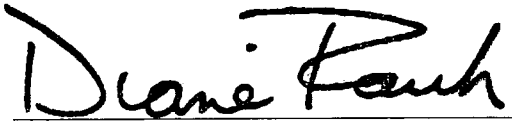
MOTION CARRIED 7 APPROVED

 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.

 City Clerk