

Date March 8, 2021

RESOLUTION SETTING HEARING ON REQUEST FROM WOODSONIA ACQUISITIONS, LLC, TO REZONE PROPERTY LOCATED AT 2510 INGERSOLL AVENUE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on February 18, 2021, its members voted 14-0 support of a motion to recommend **APPROVAL** of a request from Woodsonia Acquisitions, LLC, (purchaser), represented by Jeff Elliot (officer), to rezone the real property locally known as 2510 Ingersoll Avenue ("Property"), which is owned by the Noah L. and Sara Ann Lacona Revocable Trust (owner), represented by Antoinette Lacona-Erickson (trustee), from 'MX2' Mixed Use District to Limited 'MX3' Mixed Use District, to allow use of the property for a Restaurant with a drive-through component, subject to the condition as follows:

1. That Permitted and Conditional Uses are limited to a restaurant with a drive-through component and to those in common with the 'MX2' Mixed Use District and as limited in the 'MX2' Mixed Use District; and

WHEREAS, the Property is legally described as follows:

LOT 4 OF J BAMPF PLACE, 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, and at which time the City Council will hear both those who oppose and those who favor the proposal, shall be held at 5:00 p.m. on March 22, 2021, by electronic means to encourage and maintain social distancing to curb the spread of COVID19 in the community, without public access to the meeting location.
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. The City Clerk is instructed to provide this notice including information about participation in the electronic meeting as indicated above.

MOVED BY Voss TO ADOPT.

FORM APPROVED: Judy K. Parks-Kruse
 Judy K. Parks-Kruse, Assistant City Attorney

(ZON2020-00166)

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

MOTION CARRIED APPROVED

J. M. Franklin Cownie Mayor

CERTIFICATE

I, P. Kay Cmelik, 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.

P. Kay Cmelik City Clerk