

**Date** March 27, 2023

**RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM WESTCO HULL, LLC (OWNER), REPRESENTED BY DEREK WEST (OFFICER) TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION AND TO REZONE THE PROPERTY LOCATED AT 2101 HULL AVENUE**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on March 2, 2023, its members voted 11-2-1 in support of a motion to recommend **APPROVAL** of a request from Westco Hull, LLC (owner), represented by Derek West (officer), for the proposed rezoning from “N3a” Neighborhood District and “I1” Industrial District to Limited “I1” Industrial District be found not in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Low Density Residential; and

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on March 27, 2023, its members voted 11-2-1 in support of a motion to recommend **APPROVAL** of a request from Westco Hull, LLC (owner), represented by Derek West (officer), for the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Low Density Residential to Industrial; and

**WHEREAS**, the City Plan and Zoning Commission has further advised that at a public hearing held on March 27, 2023, its members voted 11-2-1 in support of a motion to recommend **APPROVAL** of a request from Westco Hull, LLC (owner), represented by Derek West (officer), to rezone the Property “N3a” Neighborhood District and “I1” Industrial District to Limited “I1” Industrial District to allow use of the property for a use that includes office and industrial components subject to the following condition:

1. Subject to the prohibition of outdoor storage as a principal or accessory use.; and

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

LOTS 2, 3, AND 4 PERIN PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. ; and

**WHEREAS**, on March 6, 2023, by Roll Call No. 23-0297, it was duly resolved by the City Council that the request for approval of the proposed amendment and rezoning be set down for hearing on March 27, 2023, at 5:00 p.m., at the City Council Chambers; and

**WHEREAS**, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposals; and

**WHEREAS**, in accordance with said notice, those interested in said proposals, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

★ Roll Call Number  
23.0427

Agenda Item Number  
55

Date March 27, 2023

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed amendment and rezoning are hereby overruled, and the hearing is closed.
2. The proposed amendment to PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification for the Property from Low Density Residential to Industrial is hereby approved.
3. The proposed rezoning of the Property, as legally described above, "N3a" Neighborhood District and "I1" Industrial District to "I1" Industrial District to allow use of the property for a use that includes office and industrial components, subject to the condition set forth above, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY Westergaard TO ADOPT. SECOND BY Boesen.

FORM APPROVED:

/s/ Chas M. Cahill  
 Chas M. Cahill  
 Assistant City Attorney

(ZONG-2023-000012) (COMP-2023-000010)

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

MOTION CARRIED

APPROVED

M. Franklin Cownie Mayor

CERTIFICATE

I, LAURA BAUMGARTNER, 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 City Clerk