

Date January 11, 2021

**RESOLUTION SETTING HEARING ON REQUEST FROM CAMPBELL'S HOLDINGS, LLC TO REZONE PROPERTY LOCATED AT 3104 EAST COURT AVENUE**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on December 17, 2020, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from Campbell's Holdings, LLC (owner), represented by Eric Campbell (officer), to rezone the real property locally known as 3104 East Court Avenue ("Property") from 'N5' Neighborhood District to 'I1' Industrial District, to allow the property to be used for industrial uses such as outdoor storage, subject to the following condition:

1. That there shall be no residential use upon the Property; and

WHEREAS, the Property is legally described as follows:

THE WEST 419.4 FEET OF LOT TWO (2) OF THE OFFICIAL PLAT OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 6, TOWNSHIP 78 NORTH, RANGE 23, WEST OF THE 5TH P.M., 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 January 25, 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 Gatto TO ADOPT.

FORM APPROVED: Judy K. Parks-Kruse (ZON2020-00150)  
 Judy K. Parks-Kruse, Assistant City Attorney

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

MOTION CARRIED APPROVED

J. M. Frankin 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