

Date January 26, 2015

**RESOLUTION DISMISSING PROCEEDINGS ON REQUEST FROM
304 15TH STREET, LLC (OWNER), REPRESENTED BY JAKE CHRISTENSEN (OFFICER),
TO REZONE PROPERTY LOCATED AT 304 15TH STREET**

WHEREAS, on October 20, 2014, by Roll Call No. 14-1629, it was duly resolved by the City Council that the application of 304 15th Street LLC (owner), represented by Jake Christensen (officer) and submitted on behalf of Exile Brewing Company, to rezone real property locally known as 304 15th Street ("Property") to remove the "D-O" Downtown Overlay District and remove the prohibition of off-premises advertising signs, be set down for hearing on November 3, 2014; and

WHEREAS, on November 3, 2014, by Roll Call No. 14-1731, City Council opened and continued said hearing to December 8, 2014 at 5:00 P.M., in order for Exile Brewing Company representatives and City staff to continue reviewing alternative options in relation to the proposed signage; and

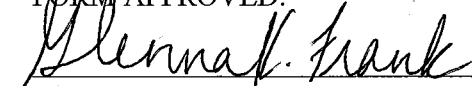
WHEREAS, on December 8, 2014, by Roll Call No. 14-1899, City Council opened and continued said hearing to January 26, 2015 at 5:00 P.M., as again requested by 304 15th Street LLC and Exile Brewing Company; and

WHEREAS, by the accompanying message, the applicant, through Exile Brewing Company, has withdrawn its application for rezoning of the Property.

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

1. The attached message, withdrawing the application for rezoning of the Property, is hereby received and filed.
2. The proceedings on the proposed rezoning of the Property are hereby dismissed.

FORM APPROVED:


Glenna K. Frank, Assistant City Attorney

(ZON2014-00174)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				

MOTION CARRIED

APPROVED

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.

_____ Mayor

_____ City Clerk

✓
49

Rauh, Diane I.

From: Ludwig, Michael G.
Sent: Friday, January 23, 2015 10:44 AM
To: Rauh, Diane I.
Subject: Fwd: City Council

Updated communication for Item 49

Thanks

Mike

Sent from my iPhone

Begin forwarded message:

From: Jake Christensen <jake@christensendevlopment.com>
Date: January 22, 2015 at 4:07:33 PM CST
To: "Michael G. Ludwig" <MGLudwig@dmgov.org>
Cc: "Glenna K. Frank" <GKFrank@dmgov.org>
Subject: Re: City Council

Thank you Mike. I do not object.

Jake

From: "Michael G. Ludwig" <MGLudwig@dmgov.org>
To: jake@christensendevlopment.com
Cc: "Glenna K. Frank" <GKFrank@dmgov.org>
Sent: Thursday, January 22, 2015 11:54:28 AM
Subject: FW: City Council

Jake,

Please see below and let me know if you, as owner of the property, object to the withdrawal of the rezoning request.

Thanks.

Mike

-----Original Message-----

From: Ludwig, Michael G.
Sent: Wednesday, January 21, 2015 11:47 AM
To: 'latinking1@qwestoffice.net'
Cc: Rauh, Diane I.; Frank, Glenna K.; Hulse, Larry D.; Delafield, Phil M.
Subject: RE: City Council

Bob,

I have received your request to withdraw the rezoning application for 304 15th Street on behalf of 3014 15th Street LLC (Jake Christensen). I will forward this request to the City Clerk so that the City Council can close the public hearing on January 26, 2015 and terminate any further proceedings regarding this application.

Please let me know if you choose to pursue one of the alternatives that staff identified to your proposed rezoning and off-premises advertising in the future (i.e. additional signage on the Exile Building, art/mural on the Fitch building that is not commercial advertising, or establishing a retail presence in the Fitch building that would earn on-premise signage).

Respectfully,

Michael Ludwig, AICP
Planning Administrator
City of Des Moines

-----Original Message-----

From: latinking1@qwestoffice.net [mailto:latinking1@qwestoffice.net]

Sent: Wednesday, January 21, 2015 10:53 AM

To: Ludwig, Michael G.

Subject: City Council

Mike,

I want to inform you that I will resend my request at this time. Requesting to put a painting on the Fitch building on 15th street is more of a challenge then I thought. I Would like to thank everybody on the City Council for there support. Working with the City Staff is a road block. Mike your suggestion at the last meeting my be the route we will take in the future.

Bob Tursi