

★ Roll Call Number

14-1731

Agenda Item Number

39

Date November 3, 2014

RESOLUTION CONTINUING HEARING ON REQUEST FROM 304 15TH STREET, LLC (OWNER), REPRESENTED BY JAKE CHRISTENSEN (OFFICER), TO REZONE PROPERTY LOCATED AT 304 15TH STREET TO REMOVE THE "D-O" DOWNTOWN OVERLAY DISTRICT DESIGNATION AND REMOVE THE PROHIBITION OF OFF-PREMISES ADVERTISING SIGNS

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on October 2, 2014, its members voted 7-2-1 to recommend DENIAL of a request from 304 15th Street, LLC (owner), represented by Jake Christensen (officer), to rezone property located at 304 15th Street ("Property") to remove the "D-O" Downtown Overlay District and remove the prohibition of off-premises advertising signs, to allow Board of Adjustment consideration of a 30-foot by 30-foot (900 square feet) painted wall sign on the north side of the building located on the Property to advertise for off-premise business Exile Brewing Company, which is located at 1514 Walnut Street; and

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) to rezone the Property, legally described as follows, be set down for hearing on November 3, 2014 at 5:00 p.m. in the Council Chamber at City Hall:

The South 10 feet of Lot 5 and all of Lot 8 of Block 43, LYON'S ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa; 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 proposed amendment to the Zoning Ordinance; and

WHEREAS, Exile Brewing Company representatives and City staff have agreed to a continuation of the public hearing to the December 8, 2014 Council meeting, in order to continue reviewing alternative options in relation to the proposed signage.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the public hearing regarding rezoning of property locally known as 304 15th Street to remove the "D-O" Downtown Overly District and remove the prohibition of off-premises advertising signs, be and is hereby continued to December 8, 2014 at 5:00 p.m. in the City Council Chambers.

Moved by Hensley to adopt.

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

(ZON2014-00174)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin Council 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.

Diane Rauh City Clerk