

★ Roll Call Number

14-1899

Agenda Item Number

65 ✓

Date December 8, 2014

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

**WHEREAS**, on October 20, 2014, by Roll Call No. 14-1629, the City Council received and filed the recommendation from the City Plan and Zoning Commission, by a vote of its members of 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 15<sup>th</sup> 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**, 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**, 304 15<sup>th</sup> Street, LLC and Exile Brewing Company representatives have requested a further continuation of the public hearing to the January 26, 2015 Council meeting.

**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 15<sup>th</sup> Street to remove the "D-O" Downtown Overlay District and remove the prohibition of off-premises advertising signs, be and is hereby opened and continued to January 26, 2015 at 5:00 p.m. in the City Council Chambers.

( continued )

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Moved by Hensley to adopt.

(Council Communication No. 14-577)

FORM APPROVED:

Glenna K. Frank  
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 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