



Roll Call Number

20-1077

Agenda Item Number

80

Date June 22, 2020

RESOLUTION HOLDING HEARING AND APPROVING THE DESIGNATION OF THE VARSITY THEATRE LOCATED AT 1207 25th STREET AS A LOCAL LANDMARK.

WHEREAS, the City of Des Moines has received an application from Denise Mahon (Owner), to designate the Varsity Theatre (the “Varsity Theatre”), located at 1207 25th Street, as a Local Landmark; and

WHEREAS, the property is Legally Described as follows:

N 40 F LOT 63 UNIVERSITY PLACE

WHEREAS, the application submitted contains detailed references to the historical nature of the “Varsity Theatre” as being significant in American recreation and culture; and

WHEREAS, on May 5, 2020, the Landmark Review Board unanimously approved the recommendation that the “Varsity Theatre” be designated a Local Landmark; and

WHEREAS on May 21, 2020, the Plan and Zoning Commission, by a vote of 12-0, recommended to the Council **APPROVAL** of the said application; and

WHEREAS, the Des Moines Municipal Code Section 58-60 requires a public hearing be held to consider the application;

WHEREAS on June 8, 2020, by Roll Call No. 20-0907, it was duly resolved by the City Council that the communication from the Plan and Zoning Commission be received and filed, and that the application from Denise Mahon for Declaration of a Local Landmark be set down for hearing on June 22, 2020 at 5:00 p.m., by electronic means in accordance with the Governor’s and Mayor’s Proclamations and the current prohibition on gatherings of ten or more persons during the COVID19 outbreak; 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 Declaration of Local Landmark; and

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

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 Declaration of Local Landmark for the Property, “Varsity Theatre” are hereby overruled, and the hearing is closed.



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- 2. The Varsity Theatre meets the requirements of Des Moines Municipal Code section 58-58 to be designated as a local landmark because the structure:
 - i. Is significant in American history, architecture, archeology, and culture.
- 3. The City Council accepts the recommendation of the Landmark Review Board and the Plan and Zoning Commission and grants the application of the Owner to have the Varsity Theatre designated a local landmark.
- 4. The City Clerk is directed to file the designation and description of the Varsity Theatre with the Community Development Department and record this resolution as the designation and description of Varsity Theatre in the office of the county recorder.

MOVED BY Gray to grant the application for the Designation of the Varsity Theatre as a local landmark.

(Council Communication No. 20- 288)

APPROVED AS TO FORM:

Judy K. Parks-Kruse
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

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.

J. M. Franklin Cownie Mayor

P. Kay Cmelik City Clerk