



**Roll Call Number**

21-1106

**Agenda Item Number**

22

**Date** July 19, 2021

**RESOLUTION SETTING HEARING ON REQUEST FROM DES MOINES FILM FOR A CERTIFICATE OF APPROPRIATENESS FOR PROPOSED EXTERIOR ALTERATIONS TO THE VARSITY THEATER LOCATED AT 1207 25<sup>TH</sup> STREET**

**WHEREAS**, on June 22, 2020, by roll call number 20- 1077, the City Council of the City of Des Moines, Iowa, approved the application of Denise Mahon (Owner) for the designation of the Varsity Theater, located at 1207 25<sup>th</sup> Street (“Property”), Des Moines, Iowa, as a local landmark “Varsity Theatre”; and

**WHEREAS**, the Property is legally described as follows:

N 40 F LOT 63 UNIVERSITY PLACE NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA; and

**WHEREAS**, Des Moines Film (Contract Buyer), represented by Ben Godar (director) subsequently developed a plan of restoration of that premises, and made application for the required Certificate of Appropriateness before commencement of alteration or construction of that landmark, pursuant to Des Moines Municipal Code Section 58-62; and

**WHEREAS**, the application for a Certificate of Appropriateness receives consideration of the Landmark Review Board, which may recommend approval of the application; recommend approval with modification; or recommendation disapproval of the application, all pursuant to the authority set forth in Des Moines Municipal Code Section Section 58-62(f); and

**WHEREAS**, on June 22, 2021, the Landmark Review Board met to consider this application and by a vote of 12-0 recommended **APPROVAL** of a Certificate of Appropriateness for the proposed exterior alterations to the Varsity Theater; and

**WHEREAS**, Des Moines Municipal Code Section 58-62(f) provides that the recommendation of the Landmark Review Board is to be heard and considered in a public hearing before the City Council, to be set upon reasonable notice and with the opportunity for those interested both for and against to be heard; and

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

1. That the attached communications from the Landmark Review Board are hereby received and filed.
2. That the meeting of the City Council at which proposed application for a Certificate of Appropriateness for the proposed exterior alterations to the Varsity Theater is to be



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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 August 9, 2021, at the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.

- 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.

Moved by Gatto to adopt.

**APPROVED AS TO FORM:**

Judy K Parks-Kruse  
 Judy K. Parks-Kruse  
 Assistant City Attorney

(20-2021-4.02)

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

MOTION CARRIED APPROVED  
J. M. Franklin 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