



Roll Call Number

21-1280

Agenda Item Number

60

Date August 9, 2021

**RESOLUTION HOLDING 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 for 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 Landmark Review Board has advised that at its public meeting held on June 22, 2021, that body 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**, on July 19, 2021, by Roll call number 21-1106, it was duly resolved by the City Council that the request for approval of the Certificate of Appropriateness be set down for hearing on August 9, 2021, at 5:00 p.m., in the Council Chambers; 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 Certificate of Appropriateness; and

**WHEREAS**, in accordance with said notice, those interested in said proposed Certificate of Appropriateness, 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



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arguments of counsel, any objections to the proposed approval of the Certificate of Appropriateness for the exterior alterations to the Varsity Theater are hereby overruled, and the hearing is closed.

2. The proposed Certificate of Appropriateness for the exterior alterations to the Varsity Theater is hereby approved.

Moved by Gray to adopt.

APPROVED AS TO FORM:

Judy K. Parks-Kruse
Assistant City Attorney

(20-2021-4.02)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, and TOTAL (7).

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