



Roll Call Number

22-0421

Agenda Item Number

33

Date March 21, 2022

RESOLUTION SETTING HEARING ON REQUEST FROM HOM INVESTMENTS 6, LLC TO REZONE PROPERTY LOCATED AT 740 18TH STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on March 3, 2022, its members voted 11-2 in support of a motion to recommend **APPROVAL** of a request from HOM Investments 6, LLC (owner), represented by Danny Heggen (officer), to rezone real property locally known as 740 18th Street ("Property") from NX2a Neighborhood Mix District to Limited MX1 Mixed Use District, to allow adaptive reuse of the existing building as a restaurant, brewery, and private office space, subject to the following conditions:

1. The maximum space allocated within the building on the Property for eating and drinking areas, excluding circulation space, restrooms, and kitchen, shall not exceed 1,650 square feet.
2. The hours of operation of businesses on the Property shall end no later than 10:00 p.m. each Sunday, Monday, Tuesday, Wednesday, and Thursday, and no later than 12:00 a.m. each Friday and Saturday; and

WHEREAS, the Property is legally described as follows:

Lots 44 and 45 in T.E. BROWN'S ADDITION TO DES MOINES, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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

1. That the attached communication from the Plan and Zoning Commission is hereby received and filed.
2. That the meeting of the City Council at which the proposed rezoning of the Property is to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposal, shall be held at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on April 4, 2022.
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 Boesen TO ADOPT.
Second by Gatto.

FORM APPROVED:

/s/Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

(ZONG-2022-000007)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
SHEUMAKER	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
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