



Roll Call Number

.....23-149D

Agenda Item Number

70

Date October 23, 2023

RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM 1525 HIGH STREET, LLC (OWNER), REPRESENTED BY EDWARD MASSMAN (OFFICER), TO REZONE THE PROPERTY LOCATED AT 1525 HIGH STREET FROM “RX1” MIXED USE DISTRICT TO “MX2” MIXED USE DISTRICT, TO ALLOW EXPANSION OF AN EXISTING BREWERY

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 7, 2023, its members voted 14-0 in support of a motion to recommend **APPROVAL** of a request from 1525 High Street, LLC (owner), represented by Edward Massman (officer), for property located at 1525 High Street, to rezone the property from “RX1” Mixed Use District to “MX2” Mixed Use District, to allow expansion of an existing brewery and restaurant, and determined the requested rezoning is in conformance with the PlanDSM: Creating Our Tomorrow Comprehensive Plan; and

WHEREAS, the Property is legally described as follows:

LOTS 6, 7 AND 8 IN BLOCK “E” IN SUBDIVISION OF LOT NO. 6 OF THE PURSLEY ESTATE, CONTAINING 13.06 ACRES, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.; and

WHEREAS, on October 2, 2023, by Roll Call No. 23-1326, it was duly resolved by the City Council that the request to rezone the Property be set down for hearing on October 23, 2023, 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 rezoning; and

WHEREAS, in accordance with said notice, those interested in said proposed rezoning, 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 rezoning of the Property are hereby overruled, and the hearing is closed.
2. The proposed rezoning of the Property, as legally described above, from “RX1” Mixed Use District to “MX2” Mixed Use District, to allow expansion of an existing brewery and restaurant, subject to the conditions set forth above, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.



Roll Call Number

23-1490

Agenda Item Number

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Date October 23, 2023

MOVED BY Mandelbaum TO ADOPT. SECOND BY Boesen

FORM APPROVED:

/s/ Chas M. Cahill
Chas M. Cahill
Assistant City Attorney

(ZONG-2023-000049)

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, MANDELBAUM, VOSS, WESTERGAARD, TOTAL. Includes signature of J. M. Franklin Cowme, Mayor.

CERTIFICATE

I, LAURA BAUMGARTNER, 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.

Laura Baumgartner City Clerk