

★ Roll Call Number

24-1568

Agenda Item Number

20

Date November 18, 2024

RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM 36 ON 6TH, LLC (OWNER), REPRESENTED BY TIM BRATVOLD (OFFICER), FOR PROPERTY LOCATED AT 3614 6TH AVENUE AND 3612 6TH AVENUE, TO REZONE THE PROPERTY FROM “MX1” MIXED USE DISTRICT TO “MX2” MIXED USE DISTRICT, TO ALLOW AN EXISTING BUILDING TO BE USED FOR AN “EATING AND DRINKING PLACES – BAR” USE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 7, 2024, its members voted 11-0-1 in support of a motion to recommend **APPROVAL** of a request from 36 on 6th, LLC (Owner), represented by Tim Bratvold (Officer), for property located at 3614 6th Avenue and 3612 6th Avenue, to rezone the property from “MX1” Mixed Use District to “MX2” Mixed Use District, to allow an existing building to be used for an “Eating and Drinking Places – Bar” use 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:

THE SOUTH 61.5 FEET OF THE NORTH 107 FEET OF LOTS 1 AND 2 AND 3 (EXCEPT THE SOUTH 25 OF THE EAST 10 FEET THEREOF) ALL IN BLOCK 2 IN OAK PARK, 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 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 December 9, 2024, at which time the City Council will hear both those who oppose and those who favor the proposal.
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.



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MOVED BY Gatto TO ADOPT.

SECOND BY Voss

FORM APPROVED:

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

(ZONG-2024-000035)

*Council Member Simonson declares a conflict of interest and abstains from voting.

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include BOESEN, SIMONSON, VOSS, COLEMAN, WESTERGAARD, MANDELBAUM, GATTO, and TOTAL.

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.

MOTION CARRIED APPROVED

Connie Breeser Mayor

Laura Baumgartner City Clerk