



Roll Call Number

21-1210

Agenda Item Number

17

Date August 9, 2021

RESOLUTION SETTING HEARING ON REQUEST FROM KG STORE 543, LLC TO REZONE PROPERTY IN THE VICINITY OF 1619 INGERSOLL AND 1620 HIGH STREET, AND TO RECEIVE AND FILE REQUEST TO VACATE LINDEN STREET FROM 17TH STREET TO INGERSOLL AVENUE AND 16TH STREET FROM INGERSOLL AVENUE TO THE SOUTHERN LINE OF THE EAST-WEST ALLEY BETWEEN 15TH STREET AND 16TH STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on July 15, 2021, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from KG Store 543, LLC (Owner), represented by Gerard Haberman (officer), to rezone real property locally known as 1619 Ingersoll Avenue from ‘DX2’ Downtown District to ‘MX2’ Mixed Use District (“Property 1”) and 1620 High Street from ‘RX1’ Mixed Use District to ‘MX2’ Mixed Use District (“Property 2”) to allow the reuse of the property at 555 17th Street for a microbrewery with additional commercial uses; and

WHEREAS, the City Plan and Zoning Commission further advised that at a public hearing held on July 15, 2021, its members voted 12-0 to recommend **APPROVAL** of a request from KG Store 543, LLC (Owner), represented by Gerard Haberman (officer), to vacate Linden Street from 17th Street from Ingersoll Avenue and 16th Street from Ingersoll Avenue to the southern line of the east-west alley between 15th Street and 16th Street, to allow reuse of the property at 555 17th Street for a microbrewery with additional commercial uses, subject to reservation of any necessary easements for existing utilities until such time that utilities are abandoned or relocated at the applicant’s expense.

WHEREAS, the Property 1 and Property 2 are legally described as follows:

Property 1 – 1619 Ingersoll Avenue

AREA "A" IN THE CRESCENT CHEVROLET ALTA/ACSM LAND TITLE SURVEY FILED IN BOOK 12622, PAGE 65 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE NORTH 72 FEET OF LOT ONE (1) AND THE WEST HALF OF LOT TWO (2) IN BLOCK "D" IN SUBDIVISION OF LOT NO. 6 OF THE PURSLEY ESTATE CONTAINING 13.06 ACRES, AN OFFICIAL PLAT (EXCEPT THAT PART DEEDED TO THE CITY OF DES MOINES RECORDED IN BOOK 2583 AT PAGE 87), NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

(GeoParcel 7824-05-483-001)

S 6F VAC ST N & ADJ LTS 1 & 2 & N & ADJ W7F LT 3 BLK D SD LT 6 OF 13.06A PURSLEY ESTATE

and

Property 2 -1620 High Street



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A PORTION OF AREA "B" IN THE CRESCENT CHEVLORET ALTA/ACSM LAND TITLE SURVEY FILED IN BOOK 12622, PAGE 65 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: LOT ONE (1) AND THE WEST 1/2 OF LOT TWO (2) IN BLOCK "B" IN SUBDMSION OF LOT NO. 6 OF THE PURSLEY ESTATE CONTAINING 13.06 ACRES, AN OFFICTAL 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, with the vacation request to be referred to the Engineering Department, Real Estate Division.
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 5:00 p.m. on August 23, 2021, in 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.

FORM APPROVED: Judy K. Parks-Kruse Assistant City Attorney

(ROWV2021-00001) (ZON2021-00077)

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

MOTION CARRIED APPROVED

J. M. Franke 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