



Council Communication

Office of the City Manager

Date

February 25, 2008

Agenda Item No. 51

Roll Call No. 08-

Communication No. 08-083

Submitted by: Larry D. Hulse, Community
Development Director

AGENDA HEADING:

Continuation of hearing on Appeal from Trafalgar Holdings, L.C. regarding the Denial of a Certificate of Appropriateness for the construction of a two-car garage at 1520 Center Street in the Sherman Hill Historic District.

SYNOPSIS:

Trafalgar Holdings, L.C. (1212 Euclid Avenue, Suite 2, Des Moines, Glen Jesse, Officer) has requested that this item be continued to the April 21, 2008 City Council meeting to allow time for the requisite land transaction to be completed.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

On October 8, 2007, Council held a public hearing on an appeal from the Sherman Hill Association and other parties regarding the conditional approval of a Certificate of Appropriateness for Trafalgar Holdings, L.C. to construct a detached garage at 1520 Center Street. The proposed garage would have been located in the side yard with a driveway from 16th Street. By roll call 07-1967, Council voted 6-0 to remand the request for a Certificate of Appropriateness to the Historic Preservation Commission for reconsideration.

On November 28, 2007, the Historic Preservation Commission reversed its previous decision and denied the request to build the garage in the side yard at 1520 Center Street.

With the assistance of the Sherman Hill Association, Trafalgar Holdings, L.C. subsequently reached agreement with the owner of 751 16th Street (Brian Ellingson) to purchase a 30' x 56.3' segment of land for construction of a garage for 1520 Center with alley access. The agreement was subject to Mr. Ellingson's obtainment of necessary relief from the Zoning Board of Adjustment for reduced parking spaces and lot area.

Trafalgar Holdings, L.C. also filed an appeal of the Historic Preservation Commission's November 28, 2007 decision with the City Council in case its agreement with the adjoining property owner could not be executed. The City Council set a public hearing on the appeal from Trafalgar Holdings, L.C. for February 25, 2008.

On January 23, 2008, the Board of Adjustment approved Mr. Ellingson's requests for reduced parking spaces and lot area by a vote of 7-0 subject to the following conditions:

1. Review and approval of a Plat of Survey by the Permit and Development Center.
2. The 30' x 56.3' parcel is combined with the parcel to the north known as 1520 Center Street.

On February 5, 2008, Council received an update regarding this issue via a letter sent by the City Manager's Office. At that time, staff anticipated that on February 20, 2008, the Historic Preservation Commission would consider a request from Trafalgar Holdings, L.C. for a Certificate of Appropriateness. Trafalgar Holdings, L.C., however, did not request to be on the February 20th Commission agenda as documents regarding the land transaction have not been finalized.

Trafalgar Holdings, L.C. has requested the continuance to allow time for the land transaction to be completed.

PREVIOUS COUNCIL ACTION(S):

Date: October 8, 2007

Roll Call Number: 07-1967

Action: Remanded the item back to the Historic Preservation Commission to review when the full Commission is present. Moved by Hensley to adopt. Motion Carried 6-0. Council Member Kiernan declares a conflict of interest and abstains from voting.

Date: September 24, 2007

Roll Call Number: 07-1876

Action: Continue the hearing on appeal of Historic Preservation Commission decision regarding 1520 Center Street, (10-8-07). Moved by Hensley to adopt. Motion Carried 6-0. Council Member Kiernan declares a conflict of interest and abstains from voting.

Date: September 10, 2007

Roll Call Number: 07-1759

Action: Continue the hearing on appeal of Historic Preservation Commission decision regarding 1520 Center Street, (9-24-07). Moved by Hensley to adopt. Motion Carried 6-0. Council Member Kiernan declares a conflict of interest and abstains from voting.

Date: August 20, 2007

Roll Call Number: 07-1647

Action: Continue the hearing on appeal of Historic Preservation Commission decision regarding 1520 Center Street, (9-10-07). Moved by Hensley to adopt. Motion Carried 6-0. Council Member Kiernan declares a conflict of interest and abstains from voting.

Date: August 6, 2007

Roll Call Number: 07-1558

Action: [Setting](#) Date of Hearing on appeal of Historic Preservation Commission decision regarding 1520 Center Street, (8-20-07). Moved by Hensley to adopt. Motion Carried 6-0. Council Member Kiernan declares a conflict of interest and abstains from voting.

BOARD/COMMISSION ACTION(S):

Date: January 23, 2008

Roll Call Number: N/A

Action: Zoning Board of Adjustment approved relief necessary for reduced parking spaces and lot area for property owner at 751 16th Street.

Date: November 28, 2007

Roll Call Number: N/A

Action: Historic Preservation Commission voted 6-2 to deny the requested Certificate of Appropriateness.

Date: July 18, 2007

Roll Call Number: N/A

Action: Historic Preservation Commission voted 4-2 to approve a Certificate of Appropriateness with conditions.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Historic Preservation Commission review of request for Certificate of Appropriateness by Trafalgar Holdings, L.C.