



# Council Communication

Office of the City Manager

Date April 21, 2008

Agenda Item No. 56  
Roll Call No. 08-  
Communication No. 08-223  
Submitted by: Larry D. Hulse, AICP  
Community Development  
Director

## AGENDA HEADING:

Continuation of Hearing on Appeal from Trafalgar Holdings, LC 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:

Recommend continuation of hearing on appeal from Trafalgar Holdings, LC, 1212 Euclid Avenue, Suite 2, Des Moines, Glen Jesse, Officer, regarding the denial of a Certificate of Appropriateness for the construction of a garage at 1520 Center Street. Trafalgar Holdings, LC has requested that this item be continued to the May 19, 2008 City Council meeting to allow time for the requisite land transaction to be completed.

## FISCAL IMPACT: NONE

Amount: N/A.

Funding Source: N/A.

## ADDITIONAL INFORMATION:

On July 18, 2007, the Historic Preservation Commission conditionally approved COA #20-2008-5.04, which allowed the construction of a garage at 1520 Center Street oriented to 16th Street. This decision was appealed to the City Council by the Sherman Hill Association, Inc. On October 8, 2007 the City Council, roll call 07-1967, remanded the issue back to the Historic Preservation Commission for additional consideration. On November 28, 2007, the Historic Preservation Commission denied the request from Trafalgar Holdings, LC.

During the appeal process, the Sherman Hill Association and Trafalgar Holdings LC discussed a compromise that involved the sale of land from an adjoining neighbor (Brian Ellingson - 751 16<sup>th</sup> Street) to Trafalgar Holdings LC; this sale would allow the garage to be built with alley access. Since the November 28<sup>th</sup> Historic Preservation Commission meeting, the two parties have agreed to terms and have worked towards implementation of the agreement.

On January 23, 2008, the Zoning Board of Adjustment granted the relief necessary for the sale of the land to take place. On February 25, 2008, the City Council continued the hearing on the appeal to April 21, 2008, as requested by Trafalgar Holdings LC to allow time for the land transaction to be completed.

The land transaction, however, is still in progress and Trafalgar Holdings LC has requested that the hearing be continued to May 19, 2008 to allow for the completion of the transaction.

**PREVIOUS COUNCIL ACTION(S):**

Date: February 25, 2008

Roll Call Number: 08-344

Action: [On](#) appeal by Trafalgar Properties, L.C. of Historic Preservation Commission Ruling for denial of Certificate of Appropriateness for proposed new garage at 1520 Center Street, ([Council Communication No. 08-083](#)) Moved by Hensley to continue the public hearing until April 21, 2008 at 5:00 P.M. Motion Carried 7-0.

Date: January 7, 2008

Roll Call Number: 08-037

Action: Setting Date of Hearing on appeal of Historic Preservation Commission decision to deny a Certificate of Appropriateness for proposed new garage at 1520 Center Street. Moved by Vlassis to adopt. Motion Carried 7-0.

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.

**BOARD/COMMISSION ACTION(S):**

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: NONE**

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