



Roll Call Number

Agenda Item Number

29

Date July 24, 2017

RESOLUTION SCHEDULING HEARING ON THE DESIGNATION OF THE TROLLEY LOOP AT 49th & UNIVERSITY, LOCATED IN THE 4900 BLOCK OF UNIVERSITY AVENUE AS A LOCAL LANDMARK.

WHEREAS, the City of Des Moines has received an application from Des Moines Streetcar Friends, represented by Earl Short, to designate The Trolley Loop at 49th & University, located in the 4900 block of University Avenue as a local landmark; and,

WHEREAS, on June 13, 2017, the Landmark Review Board unanimously recommend to the Plan and Zoning Commission that the application be approved; and,

WHEREAS, on July 10, 2017, the Plan and Zoning Commission, by a vote of 13-0, recommended to the Council approval of the application; and

WHEREAS, the Des Moines Municipal Code section 58-60 requires a public hearing be held to consider the application.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

- 1. That the City Council consider approving the application for the designation of a Local Landmark to The Trolley Loop at 49th & University, located in the 4900 block of University Avenue at a hearing to be held in the City Council Chamber, Richard A. Cark Municipal Service Center, 1551 E. Martin Luther King Jr. Parkway, Des Moines, Iowa at 5:00 p.m. on August 14, 2017, at which time the City Council will hear both those who oppose and those who favor the proposal.
2. That notice of said proposal shall be given by publication once, not less than four nor more than 20 days before the date of hearing, as required by Iowa Code sections 386.3(4) and 362.3.
3. That notice referred to above shall be in the form attached hereto as Exhibit "A", which contains that information required by Iowa Code section 386.4(5).

MOVED by _____ to adopt.

FORM APPROVED: Thomas G. Fisher Jr., Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, and TOTAL.

MOTION CARRIED APPROVED Mayor

CERTIFICATE

I, DIANE RAUH, 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.

City Clerk



Date July 24, 2017

Agenda Item 29

Roll Call # _____

July 10, 2017

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from Des Moines Streetcar Friends represented by Earl Short to designate the "Trolley Loop at 49th & University" as a Landmark. The subject property is owned by the City of Des Moines.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 13-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Dory Briles	X			
JoAnne Corigliano	X			
David Courard-Hauri	X			
Jacqueline Easley	X			
Jann Freed	X			
John "Jack" Hilmes				X
Lisa Howard	X			
Carolyn Jenison	X			
Greg Jones	X			
William Page				X
Mike Simonson	X			
Rocky Sposato	X			
Steve Wallace	X			
Greg Wattier	X			

APPROVAL of the "Trolley Loop at 49th & University" be designated as a Local Landmark.
(20-2017-4.03)

STAFF RECOMMENDATION

Staff recommends that the "Trolley Loop at 49th & University" be designated as a Local Landmark.

The Landmark Review Board and the Plan and Zoning Commission recommendations will be forwarded to the City Council for review in accordance with Chapter 58-60 and Chapter 82-40 of the City Code.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

- 1. **Case Overview:** The subject property is located on the south side of University Avenue immediately east of the entrance to the Waveland Golf Course. It contains the remnants of the 49th & University trolley turnaround that was a part of the Line #3 route that ran in the years from 1901 to 1947. According to the support documentation submitted with the nomination, this turnaround was situated by the Waveland Golf Course intentionally to facilitate use of the course. In a news article printed on February 2, 1902, the Waveland Golf Course was noted as being the third municipal golf course to be established in the United States. Detroit and Boston were the first and second cities to establish golf courses.

The Des Moines Streetcar Friends organization in partnership with the Des Moines Historic Society are seeking Landmark designation for the turnaround in recognition of its historical value to Des Moines. Their long term plans include raising funds to allow the installation of an interpretive element that would help identify the turnaround and tell the story of the streetcar in Des Moines.

The request to designate the turnaround as a Landmark was received by the City Council on January 9, 2017. The City Council approved Roll Call Number 17-0063 referring the matter to staff to start the designation process. On June 13, 2017, the Landmark Review Board unanimously approved the recommendation that the "Trolley Loop at 49th & University" be designated a local landmark. The Board is comprised of the Historic Preservation Commission and the Urban Design Review Board. The Board meets as needed to review nominations and proposed alternations to landmarks not located within a local historic district.

The Landmark Review Board and the Plan and Zoning Commission recommendations will be forwarded to the City Council for review in accordance with Chapter 58-60 and Chapter 82-40 of the City Code. If the site is designated as a Landmark then any alteration, new construction, or demolition would be subject to review by the Landmark Review Board and require approval by the City Council.

- 2. **Size of Site:** The site is irregularly shaped. It generally measures 157 feet by 65 feet.
- 3. **Existing Zoning (site):** "R1-80" One Family Residential District.
- 4. **Adjacent Land Use and Zoning:**
 - North** – "R1-60"; Use is the Glendale Cemetery.
 - South** – "R1-80"; Use is the Waveland Golf Course.
 - East** – "R1-80" & "C-1"; Use is an office building and associated surface parking.

West – “R1-80”; Use is the Waveland Golf Course.

- 5. **Applicable Recognized Neighborhood(s):** The subject property is within the Waveland Park Neighborhood. All recognized neighborhoods were notified of the meeting by mailing of the Preliminary Agenda on June 16, 2017 and the Final Agenda on June 30, 2017. All agendas are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Waveland Park Neighborhood Association mailings were sent to Charles D. Chedester, 1238 46th Street, Des Moines, IA 50311.
- 6. **PlanDSM Land Use Plan Designation:** The subject site is designated as “Park Open Space” on the Future Land Use Map.
- 7. **Applicable Regulations:** Pursuant to Chapter 82-40(a) of the City Code, the Plan and Zoning Commission is an advisory body to the City Council and is a key factor in the growth and development of the city. Therefore, the Commission reviews all local Landmark and Historic District nominations in accordance with the Historic Preservation Ordinance and for compliance with the City’s Comprehensive Plan and forwards a recommendation to the City Council.

Section 58-56 of the Historic Preservation Ordinance contains the landmark purpose statement. Section 58-58 contains the criteria for the designation of a landmark and Section 58-60 establishes the nomination process.

II. APPLICABLE SECTIONS OF THE CITY CODE

Section 58-56 of the Historic Preservation Ordinance contains the landmark purpose statement. Section 58-58 contains the criteria for the designation of a landmark and Section 58-60 establishes the nomination process.

Sec. 58-56. Purpose.

It is declared as a matter of public policy that the protection, enhancement, perpetuation and use of improvements of special character or special historical or aesthetic interest or value is a public necessity and is required in the interest of health, prosperity, safety and welfare of the people. The purpose of this article is to:

- (1) Effect and accomplish the protection, enhancement and perpetuation of such improvements which represent or reflect elements of the city's cultural, social, economic, political and architectural history;
- (2) Safeguard the city's historic, aesthetic and cultural heritage, as embodied and reflected in such improvements;
- (3) Stabilize and improve property values;
- (4) Foster civic pride in the beauty and accomplishments of the past;
- (5) Protect and enhance the city's attractions to residents, tourists, and visitors and serve as a support and stimulus to business and industry;
- (6) Strengthen the economy of the city; and

(7) Promote the use of landmarks for the education, pleasure and welfare of the people of the city.

Sec. 58-58. Designation criteria.

- (a) For purpose of this article, a landmark or landmark site designation may be placed on any site, natural or improved, including any building, improvement or structure located thereon that possesses integrity of location, design, setting, materials, workmanship, feeling and association and that:
- (1) Is significant in American history, architecture, archaeology and culture;
 - (2) Is associated with events that have made a significant contribution to the broad patterns of our history;
 - (3) Is associated with the lives of persons significant in our past;
 - (4) Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
 - (5) Has yielded or may be likely to yield information important in prehistory or history.

Sec. 58-60. Procedures.

- (a) The historic preservation commission shall consider the nomination of landmarks and landmark sites located within historic districts, and make a report and recommendation on such nomination to the city plan and zoning commission and city council as provided below. The landmark review board shall consider the nomination of landmarks and landmark sites located outside historic districts and make a report and recommendation on such nomination to the city plan and zoning commission and city council as provided below.
- (b) Notice that an application for designation of a landmark or landmark site is being considered shall be given to the owner of the parcel on which the proposed landmark is situated or which is part of the proposed landmark site in accordance with the following:
- (1) Such notice shall be served by certified mail, addressed to the owner at his or her last known address as such appears in the records of the county treasurer's office, or if there is no name on such records, such notice may be served by regular mail addressed to "owner" at the street address of the property in question.
 - (2) Such owner shall have the right to confer with the historic preservation commission or landmark review board, as applicable, prior to final action by the commission or board on the application.
 - (3) The historic preservation commission or landmark review board, as applicable, may, in addition, hold the public hearing of the proposed designation by giving notice as required by law.
- (c) After such investigation by the historic preservation commission or landmark review board as is deemed necessary, but in no case more than 60 days after the receipt of the complete application, the application for designation shall be recommended for approval or disapproval. Such recommendation shall be in writing and signed by the chair of the historic preservation commission or landmark review board, as applicable, and shall state the reasons for recommending approval or disapproval. The recommendation may limit itself to the proposed landmark or landmark site as described in the application or may include modifications thereof. Such recommendation shall be forwarded to and filed with the plan and zoning commission, within five days after making such recommendation.
- (d) Upon receipt of such recommendation, the plan and zoning commission shall schedule a public hearing at a specific place, date and time, not more than 30 days after such receipt, by giving notice as required by law.

- (e) Within 30 days after the public hearing, the plan and zoning commission shall forward such application to the city council, together with the recommendation of the historic preservation commission or landmark review board. The plan and zoning commission may adopt the recommendation of the historic preservation commission or landmark review board as its own or may prepare a written recommendation of its own. The plan and zoning commission may limit itself to the proposed landmark or landmark site or may include modifications thereof. If the modification requires an additional public hearing, the plan and zoning commission shall hold such hearing before forwarding the application to the city council.
- (f) Upon receipt of such recommendation, the council shall schedule a public hearing to consider the recommendation at a specific place, date and time, not more than 30 days after such receipt, by giving notice as required by law.
- (g) The city council, after public hearing, may approve, approve with modification, or disapprove the recommendation of the plan and zoning commission by a majority vote of its membership. If the plan and zoning commission shall have failed to act within the time limit set forth in this section, the city council may, nevertheless, approve, approve with modification, or disapprove the proposed landmark or landmark site as originally proposed or modified by a majority vote of its membership.

II. ANALYSIS

1. **Landmark Nomination Criteria:** A nomination must demonstrate that the subject building or site possesses integrity of location, design, setting, materials, workmanship, feeling and association and meets one or more of the following criterion.
 - (1) Is significant in American history, architecture, archaeology and culture;
 - (2) Is associated with events that have made a significant contribution to the broad patterns of our history;
 - (3) Is associated with the lives of persons significant in our past;
 - (4) Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
 - (5) Has yielded or may be likely to yield information important in prehistory or history.

Streetcar lines played a significant role in the development of Des Moines. Prior to the streetcar era, Des Moines was a relatively compact city as walking and horses were the primary means of mobility. The streetcar allowed for development to occur further away from the center of the city. This phenomenon is discussed in the *Des Moines Community Preservation Plan*, which was adopted by the City Council in 1995. The following excerpt is from page 42 of that plan.

Even with automobiles on the rise, streetcar service still controlled the pattern of residential development. In the late twenties, the *1927 Comprehensive Plan* listed 17 separate car lines, 80 percent of which service the northern half of the city.

Development occurred along linear routes, leaving parcels of empty land between lines. Many of the residential developments before 1920 were on flat land as the street car lines followed the most gentle grade. This tended to leave

the hilly neighborhoods for development later in the 1920s when the automobile became more popular.

A classic example of the impact of the streetcar on development is a proposed interurban route to Perry. This particular route to Perry was never built because of inability to acquire land for the route beyond the City of Urbandale. The existing track built by the company became the Urbandale streetcar line with the interurban company platting and selling off these lots in northwest Des Moines between 1910 and 1920. This caused development to "leap frog," leaving areas of vacant land to be built on later into the 1920s and 1930s. The map, *Des Moines' Development History*, illustrates the leapfrogging development of this time period.

New housing sprang up along these streetcar routes. The interurban service to Fort Des Moines encouraged new development in south Des Moines. As existing street lines were extended further, residential development stretched almost to the city limits: University Avenue lines extended from 29th Street to 48th Street, the Ingersoll line from Polk Boulevard to Valley Junction.

As additional car lines were added, some patches of empty land were filled in with Craftsman houses and bungalows. A patch of empty land existed south of Drake University between Ingersoll and University Avenue lines that developed during this time. Eventually an additional car line, the Crocker, was built to accommodate the new neighborhoods hidden behind Woodland Cemetery.

Early streetcar lines also defined commercial neighborhoods. Early shopping districts along the Crocker, University, East 9th Street and Army Post Road routes were the first commercial districts located away from the downtown. Branch post offices, libraries, movie theaters and grocery stores were prominent attractions along these routes.

Staff believes that the subject site possesses the integrity necessary to be designated a Landmark. The primary layout of the turnaround area is intact and made visible by the paved route that was installed to facilitate the switch from rail based cars to curbliners (a/k/a trolley buses), which utilized rubber tires. Pavement deterioration on the site and on University Avenue suggest that some of the rails are still in place under the pavement. It may be possible for rail remnants to be exposed at a later date to further identify the original nature of the site. The streetcar system clearly made a significant contribution to the broad patterns of our history as noted by the *City's Community Preservation Plan*. Most of the system has been demolished and/or covered by pavement. The 49th & University Trolley Loop is one of the few remaining elements of this once extensive system.

2. **PlanDSM Creating Our Tomorrow:** The PlanDSM Comprehensive Plan was approved on April 25, 2016. The future land use designation for the portion of the property proposed for rezoning is Community Mixed Use, which is defined as areas developed primarily with small-to medium-scale mixed use development, located on high capacity transit corridors or at the intersection of transportation corridors. Community mixed use areas include both a mix of medium density residential and a mix of retail and service establishments designed to attract customers from a large service area encompassing

multiple neighborhoods and may include specialty retail that attracts regional customers. The nomination is supported by numerous PlanDSM Goals and Policies including:

Land Use Goal 6

Recognize the value of Des Moines' historic building stock and landscapes and ensure their preservation

LU 35: Encourage expansion and establishment of National Historic Districts, local historic districts, and local landmarks.

Community Character and Neighborhood Goal 1

Embrace the distinct character offered in each of Des Moines' neighborhoods.

CCN1: Celebrate the City's culture and diversity through the creation of vibrant neighborhood nodes and corridors.

Community Character and Neighborhood Goal 4

Protect Des Moines' historic and cultural assets that contribute to neighborhood and community identity.

CCN25: Partner with the historic preservation community to promote Des Moines' rich history through education and outreach on historic structures, districts, and landscapes.

SUMMARY OF DISCUSSION

Jacqueline Easley asked if anyone was present to speak on this item. None were present or requested to speak.

COMMISSION ACTION:

Jann Freed moved staff recommendation to approve the "Trolley Loop at 49th & University" be designated as a Local Landmark.

Motion carried 13-0.

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:clw
Attachment