



Date October 19, 2020

RESOLUTION HOLDING HEARING ON REQUEST FROM PLYMOUTH CHURCH OF DES MOINES (OWNER) FOR REVIEW AND APPROVAL OF A PROPOSED 4TH AMENDMENT TO THE PLYMOUTH CONGREGATIONAL CHURCH PUD CONCEPTUAL PLAN FOR PROPERTY LOCATED IN THE VICINITY OF 4126 INGERSOLL AVENUE TO ALLOW ROOF MOUNTED SOLAR PANELS ON THE CHURCH BUILDING

WHEREAS, on October 5, 2020, by Roll Call No. 20-1564, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on September 17, 2020, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from Plymouth Church of Des Moines (owner) represented by Emily Tripp (officer), regarding property located in the vicinity of 4126 Ingersoll Avenue, to allow approval of a 4th Amendment to the Plymouth Congregational Church PUD Conceptual Plan, to allow roof-mounted solar panels on the church building.

WHEREAS, the property is legally described as follows:

-EXCEPT THE NORTH 17.5 FEET-, THE NORTH HALF OF LOTS 4, 5, AND 8, GREENWOOD PARK, AN OFFICIAL PLAT; AND

-EXCEPT THE NORTH 17.5 FEET-, ALL THAT PART OF THE VACATED 41ST STREET RIGHT OF WAY LYING EAST OF AND ADJOINING THE NORTH HALF OF SAID LOT 5; AND

THE WEST 66.3 FEET OF THE SOUTH 67.5 FEET OF THE NORTH 85 FEET OF LOT 9, IN SAID GREENWOOD PARK; AND

THE NORTH 150 FEET OF THE SOUTH 450 FEET OF SAID LOT 9; AND

-EXCEPT THE WEST 66.3 FEET-, THE SOUTH 67.5 FEET OF THE NORTH 85 FEET OF SAID LOT 9; AND

THE NORTH 65 FEET OF THE SOUTH 515 FEET OF SAID LOT 9;

ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

WHEREAS, pursuant to that communication, it was duly resolved by the City Council that the request for approval of the proposed 4th Amendment to the PUD Conceptual Development Plan be set down for hearing on October 19, 2020 at 5:00 p.m., by electronic means to encourage and maintain social distancing to curb the spread of COVID19 in the community; and

Date October 19, 2020

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposed 4th Amendment to the PUD Conceptual Development Plan; and

WHEREAS, in accordance with said notice, those interested in said proposed 4th Amendment to the PUD Conceptual Development Plan, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

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

1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed 4th Amendment to the PUD Conceptual Development Plan "Plymouth Congregational Church" are hereby overruled, and the hearing is closed.
2. The proposed PUD Conceptual Development Plan "Plymouth Congregational Church", as on file in the Development Services Department, is hereby found to be in conformance with PlanDSM: Creating Our Tomorrow Plan and is hereby approved, subject to revision and conditions stated above.

MOVED BY _____ TO ADOPT.

APPROVED AS TO FORM:

(ZON2020-00107)

Judy K. Parks-Kruse
 Judy K. Parks-Kruse, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

 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.

 City Clerk



Date October 19, 2020

Agenda Item 50

Roll Call # _____

September 29, 2020

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their September 17, 2020 meeting, the following action was taken regarding a request from Plymouth Church of Des Moines (owner) represented by Emily Tripp (officer) for a 4th Amendment to the Plymouth Congregational Church PUD Conceptual Plan for property located in the vicinity of 4126 Ingersoll Avenue, to allow roof-mounted solar panels on the church building.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 11-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus				X
Dory Briles	X			
Abby Chungath	X			
Kayla Berkson	X			
Jann Freed	X			
Johnny Alcivar	X			
Lisa Howard	X			
Carolyn Jenison	X			
Greg Jones	X			
William Page	X			
Rocky Sposato				X
Steve Wallace	X			
Greg Wattier				X
Emily Webb	X			

APPROVAL of the proposed amendment to the Plymouth Congregational Church PUD Conceptual Plan subject to the provision of a note that states that any building-mounted solar panel shall comply with Section 135-2.22.4E of the Planning and Design Ordinance to the satisfaction of the Planning Administrator. (ZON2020-00107)

Written Responses

3 in Favor

0 in opposition

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the proposed amendment to the Plymouth Congregational Church PUD Conceptual Plan subject to the provision of a note that states that any building-mounted solar panel shall comply with Section 135-2.22.4E of the Planning and Design Ordinance to the satisfaction of the Planning Administrator.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The proposed PUD Conceptual Plan amendment would allow roof-mounted solar panels to be installed on the south facing portion of the roof on the southernmost wing of the church building.
2. **Size of Site:** 5.11 acres.
3. **Existing Zoning (site):** Plymouth Congregational Church PUD District.
4. **Existing Land Use (site):** The subject property within the PUD contains the Plymouth Congregational Church campus. The balance of the PUD contains two single-household dwellings, and one duplex dwelling and a multiple-household building.
5. **Adjacent Land Use and Zoning:**
 - East** - "PUD"; Uses are residential.
 - West** - "NX1"; Uses are residential and office.
 - North** - "NX3"; Use is a multiple-household building.
 - South** - "P2"; Uses are the St. Augustin's Church campus.
6. **General Neighborhood/Area Land Uses:** The subject property is located on the southeast corner of the Ingersoll Avenue and 42nd Street intersection. The area contains a mix of residential, institutional and office uses.
7. **Applicable Recognized Neighborhood(s):** The subject property is in the North of Grand Neighborhood and within 250 feet of the Ingersoll Park Neighborhood and Salisbury Oaks Neighborhood. All neighborhood associations were notified of the meeting by mailing of the Preliminary Agenda on August 28, 2020. Additionally, separate notifications of the hearing for this specific item were mailed on August 28, 2020 (20 days prior to the hearing) and September 4, 2020 (10 days prior to the hearing) to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the requested rezoning and to the neighborhood contracts for the three neighborhood associations. A Final Agenda for the meetings were mailed to all the recognized neighborhood associations on September 11, 2020.

The North of Grand Neighborhood mailings were sent to Jason Norris, 647 34th Street, Des Moines, IA 50312. The Ingersoll Park Neighborhood mailings were sent to Ann Schmid, 4244 Harwood Drive, Des Moines, IA 50312. The Salisbury Oaks Neighborhood mailings were sent to Jenn Kirke, 409 43rd Street, Des Moines, IA 50312.

8. **Relevant Zoning History:** The Plymouth Congregational Church "PUD" was originally approved by the City Council on August 20, 2001, by Roll Call Number 01-2583 and Ordinance Number 13,981. The second amendment was approved by the City Council on October 24, 2016, by Roll Call Number 16-1846 and Ordinance Number 15,522. The third amendment was approved by the City Council on October 9, 2017, by Roll Call Number 17-1783.
9. **PlanDSM Land Use Plan Designation:** The western half of the Plymouth Congregational Church "PUD" is designated as "Medium Density Residential" on the Future Land Use Map. This includes the proposed project area. The eastern half of the PUD is designated as "Community Mixed-Use" on the Future Land Use Map.
10. **Applicable Regulations:** Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission reviews all proposals to amend zoning boundaries or regulations within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in 414.3 of the Iowa Code. The Commission may make recommendations to the City Council on conditions to be made in addition to the existing regulations so long as the subject property owner agrees to them in writing. The recommendation of the Commission will be forwarded to the City Council.

The application, accompanying evidence and "PUD" Conceptual Plan shall be considered by the Plan and Zoning commission at a public hearing. The Commission shall review the conformity of the proposed development with the standards of the City Code and with recognized principles of civic design, land use planning, and landscape architecture. At the conclusion of the hearing, the Commission may vote to recommend either approval or disapproval of the amended "PUD" Conceptual Plan as submitted, or to recommend that the developer amend the plan or request to preserve the intent and purpose of this chapter to promote public health, safety, morals and general welfare. The recommendations of the Commission shall be referred to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

1. **PUD Standards:** The existing PUD Conceptual Plan does not provide guidance on, or allow the installation of solar panels. As a result, the proposed Conceptual Plan amendment is necessary for the project to move forward. Staff believes that the standards for building mounted solar systems found in the Planning and Design Ordinance should be used as the basis for review of this project. The following language is from Section 135-2.22.4E of the code.

E. Solar - Building-Mounted. A solar energy system that is affixed to or an integral part of a principal or accessory building, including but not limited to photo-voltaic or hot water solar energy systems which are contained within roofing materials, windows, skylights, and awnings.

1. Quantity. The total square footage may not exceed the total area of roof surface of the structure to which the system is attached.
2. Flush Mounted System. The bottom of the system should be four Inches or less from the roof surface whenever possible.
3. Height
 - a. Systems shall not extend beyond three feet parallel to the roof surface of a pitched roof.
 - b. Systems shall not extend beyond six feet parallel to the roof surface of a flat roof.
 - c. Systems shall not extend more than five feet above the highest peak of a pitched roof.
4. Location on Structure. Allowed on the following:
 - a. Any roof face.
 - b. Side and rear building facades.
 - c. Roof of any parking canopy.
5. Projection. The system may project off a roof edge or building facade as follows:
 - a. May project laterally from a building façade or roof edge a maximum of seven feet.
 - b. May project into an interior side or interior rear setback; but shall be no closer than five feet to the interior side or interior rear property line.
6. Signs, Signage or writing of any kind is not permitted on any portion of system, other than required manufacturer plates, installer plate, and safety labeling.

The submitted design information appears to comply with these standards. Staff recommends that a note be added to the Conceptual Plan that references these standards. This will assist in reviewing the project as it moves forward.

SUMMARY OF DISCUSSION

Jann Freed asked if any member of the public or the commission desired to speak on the item. No one requested to speak.

COMMISSION ACTION:

Emily Webb made a motion for approval of the proposed amendment to the Plymouth Congregational Church PUD Conceptual Plan subject to the provision of a note that states that any building-mounted solar panel shall comply with Section 135-2.22.4E of the Planning and Design Ordinance to the satisfaction of the Planning Administrator.

Motion passed: 11-0

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Ludwig". The signature is fluid and cursive, with the first name "Michael" and last name "Ludwig" clearly distinguishable.

Michael Ludwig, AICP
Planning Administrator

MGL:tjh

Request from Plymouth Church of Des Moines (owner) represented by Emily Tripp (officer) for property located in the vicinity of 4126 Ingersoll Avenue.			File #	
			ZON2020-00107	
Description of Action	4 th Amendment to the Plymouth Congregational Church PUD Conceptual Plan to allow roof-mounted solar panels on the church building.			
PlanDSM Future Land Use	Current: Medium Density Residential and Community Mixed Use within a Community Node. Proposed: N/A.			
Mobilizing Tomorrow Transportation Plan	No planned improvements.			
Current Zoning District	Plymouth Congregational Church Legacy "PUD" Planned Unit Development.			
Proposed Zoning District	N/A			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
	Outside Area (200 feet)	3	0	
Within Subject Property				
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council	Yes
	Denial			No

Plymouth Church of Des Moines, Vicinity of 4126 Ingersoll Avenue

ZON2020-00107



1 inch = 148 feet

ZON2020-00107

Item: _____ Date: 9/11/2020

I (am) (am not) in favor of the request:

(Circle One)

Print Name: Michael J. O'Keefe

RECEIVED
COMMUNITY DEVELOPMENT

Signature: Michael J. O'Keefe

SEP 16 2020

Address: 605 41st Street

Reason for opposing or approving this request may be listed below:

Item: ZON2020-00107 Date: 9/10/20

I (am) (am not) in favor of the request:

(Circle One)

Print Name: Sally Pederson

RECEIVED
COMMUNITY DEVELOPMENT

Signature: Sally Pederson

SEP 11 2020

Address: 607 41st Street

Reason for opposing or approving this request may be listed below:

In favor of solar energy to
preserve environment. The
installation is attractive and
enhances neighborhood

ZON2020-00107

Item: _____ Date: 9-8-20

I (am) (am not) in favor of the request:

(Circle One)

Print Name: Jon Krieg for Friends House

RECEIVED
COMMUNITY DEVELOPMENT

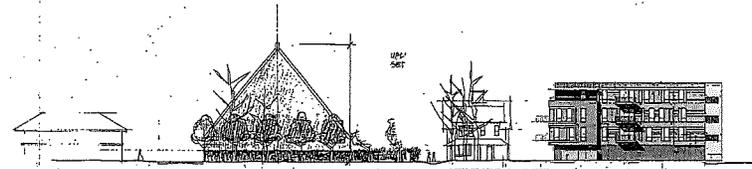
Signature: Jon Krieg

SEP 11 2020

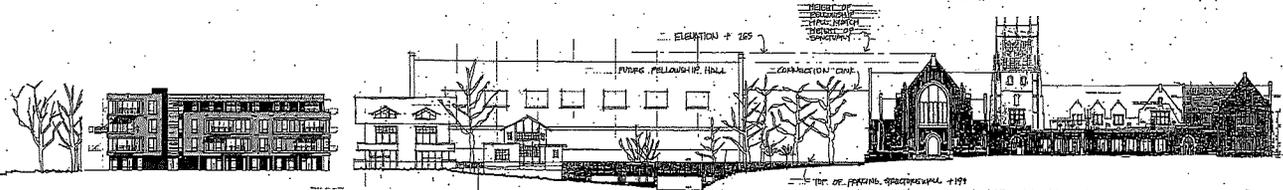
Address: 4211 Grand Ave, Am 50312

Reason for opposing or approving this request may be listed below:

Plymouth has been an excellent
neighbor and we all need to use more
so lar energy.



Elevation Looking West From 40th Street



Elevation Looking South From Ingersoll Avenue

PHASE 3

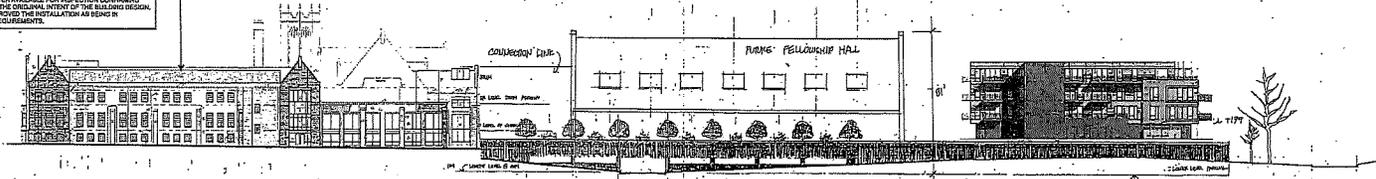
TWO ROWS OF 46 TOTAL OF 88 PHOTOVOLTAIC SOLAR PANELS ARRANGED IN A SINGLE RECTANGULAR ARRAY MEASURING 120 FEET X 11 FEET. THE UPPER EDGE OF THE ARRAY IS 3 FEET FROM THE ROOF RIDGE WITH THE BOTTOM EDGE SITUATED 8 FEET ABOVE THE ROOF EAVE. THERE ARE NO ROOF OPENINGS OR FLASHING ASSEMBLIES WITHIN THE AREA OF THE ARRAY.

THE SOLAR PANELS ARE FLAT BLACK IN COLOR AND INSTALLED ON BLACK ANODIZED ALUMINUM SUPPORT RAILS MOUNTED 4 INCHES ABOVE, AND PARALLEL WITH THE ROOF SURFACE.

THE EXISTING ROOFING SYSTEM IS RUBBER MEMBRANE SLATE SHINGLES WITH A CLASS II ROOF COVERING CLASSIFICATION. THIS MEETS THE REQUIREMENTS OF THE TYPE III A CONSTRUCTION CLASSIFICATION AT THE TIME OF THE BUILDING CONSTRUCTION. THE INTERNATIONAL BUILDING CODE EQUIVALENT CONSTRUCTION TYPE III AND TYPE III-B WHICH ALSO ALLOWED CLASS II ROOF COVERING. THE PROPOSED SOLAR PANELS AND SUPPORT STRUCTURE HAVE BEEN TESTED PER UL 1741 IN ACCORDANCE WITH IBC 601.2 PER MANUFACTURER'S TESTS AND ACHIEVED A CLASS II OR BETTER ROOF COVERING CLASSIFICATION WHEN INSTALLED PER MANUFACTURER'S INSTRUCTIONS.

THE INSTALLATION FULFILLS CURRENT BUILDING AND FIRE CODE REQUIREMENTS AND THE CITY OF DES MOINES HISTORICAL CODE.

THE BUILDING ARCHITECT, OSWALD AS WELLS, AIA, HAS PROVIDED A LETTER AVAILABLE FOR INSPECTION CONFIRMING THAT THIS SOLAR PANEL INSTALLATION WILL NOT BE DETRIMENTAL TO THE ORIGINAL INTENT OF THE BUILDING DESIGN. THE STATE OF IOWA HISTORIC PRESERVATION OFFICE (SHPO) HAS APPROVED THE INSTALLATION AS BEING IN ACCORDANCE WITH THE HISTORICAL BUILDING AND NEIGHBORHOOD REQUIREMENTS.



Elevation Looking North From South Property Line

Exterior Elevations

PROJECT NO.	0012
DATE PLOTTED	
REVISION	
TITLE	ELEVATIONS
SHEET	2
OF 2	

