



Roll Call Number

16-1084

Agenda Item Number

59

Date June 27, 2016

**RESOLUTION HOLDING HEARING ON REQUEST FROM
NEIGHBORHOOD INVESTMENT CORPORATION, INC. FOR THE FIRST AMENDMENT
TO THE SHERMAN HILL PUD CONCEPTUAL PLAN ON PROPERTY LOCATED AT
1620 PLEASANT STREET AND 701-711 16TH STREET**

WHEREAS, on June 13, 2016, by Roll Call No. 16-0954, the City Council received and filed a communication from the City Plan and Zoning Commission advising that at a public hearing held on June 2, 2016, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from Neighborhood Investment Corporation, Inc. (owner), represented by Jack Porter (officer), for the First Amendment to the Sherman Hill PUD Conceptual Plan on property located at 1620 Pleasant Street and 701-711 16th Street to revise permitted uses to allow twenty percent (20%) of the gross floor area of the Mickle Center, 1620 Pleasant Street, to be used for a business incubator for entrepreneurial uses consistent with the community character including a community commercial kitchen, subject to the Amendment's land use notes for the property reading as follows:

1. Public purpose uses as approved by the owner and the City of Des Moines.
2. Community center activities for neighborhood organizations, operated by the owner.
3. Artist co-op studios.
4. Local cultural display center.
5. Office suites and meeting rooms for not-for-profit entities engaged in charitable, educational, and community activities.
6. Business incubator to encourage development of entrepreneurial businesses consistent with the community character, including but not limited to a shared-use community kitchen. No more than twenty percent (20%) of the gross floor area of the existing building shall be dedicated to incubator use.
7. Dine-in and take-out food sales from the premises is prohibited.
8. Commercial vehicle parking is limited to the hours of operation.
9. Alterations to the structure or site are subject to the building setback, bulk and area requirements of the "R-HD" Residential Historic District Zoning Classification; and

WHEREAS, on June 13, 2016, by Roll Call No. 16-0954, it was duly resolved by the City Council that the application of Neighborhood Investment Corporation, Inc. for review and approval of the proposed First Amendment to the Sherman Hill PUD Conceptual Plan for the Property, as legally described below, be set down for hearing on June 27, 2016, at 5:00 p.m. in the City Council Chambers at the Municipal Services Center; and

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 amendment to the approved Sherman Hill PUD Conceptual Plan; and

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

(continued)



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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 statements of interested persons and arguments of counsel, any and all objections to the proposed First Amendment to the Sherman Hill PUD Conceptual Plan for the Property, locally known as 1620 Pleasant Street and 701-711 16th Street and legally described as follows, are hereby overruled, and the hearing is closed:

Lots 1, 2, 3 and 8 and the West 48.0 feet of the East 73.0 feet Lots 4 and 5, BOSCOBEL ADDITION, an Official Plat; and Lots 18 through 21 and the South 11.0 feet Lot 17 and the vacated alley lying South of and adjoining Lot 18, Marshes Subdivision of Lot 2 PURSLEY ESTATE, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

- 2. The proposed First Amendment to the Sherman Hill PUD Conceptual Plan, as on file in the Community Development Department, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Plan and is hereby approved.

MOVED BY Hensley TO ADOPT.

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

(ZON2016-00090)

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, and TOTAL (7). Includes MOTION CARRIED and APPROVED labels.

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.

Y. M. Franklin Council Mayor

Diane Rauh City Clerk