



Roll Call Number

16-1519

Agenda Item Number

42

Date September 12, 2016

RESOLUTION SETTING HEARING ON REQUEST FROM 4000 INGERSOLL PARK HOUSES, L.P. TO REZONE PROPERTY LOCATED AT 550 AND 536 40TH STREET, AND TO AMEND THE PLYMOUTH CONGREGATIONAL CHURCH PUD CONCEPTUAL PLAN

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 1, 2016, its members voted 8-0 in support of a motion to recommend APPROVAL of a request from 4000 Ingersoll Park Houses, L.P. (developer), represented by Frank Levy (officer), to rezone property located at 550 and 536 40th Street (collectively "Rezoned Property") from "R-3" Multiple-Family Residential District to "PUD" Planned Unit Development District, and to approve the 2nd Amendment to the Plymouth Congregational Church PUD Conceptual Plan to include the Rezoned Property and property located at 4016-4126 Ingersoll Avenue, 526-550 40th Street, and 527-535 41st Street (collectively "PUD Conceptual Plan Property"), expanding the PUD area by 18,283 square feet and allowing for demolition of single-family residences at 550 and 536 40th Street, for redevelopment with a three-story mixed use building with indoor parking and 2,284-square feet of office space on the ground floor and 24 dwelling units on the upper floors and the expansion of the existing 40th Street surface parking lot and renovation of 3 historic structures, subject to revisions to the PUD Conceptual Plan as set forth in the Plan and Zoning Commission recommendation; and

WHEREAS, the Rezoned Property is legally described as follows:

Rezoning Area Description (550 and 536 40th Street)

EXCEPT THE WEST 66.3 FEET OF THE SOUTH 67.5 FEET NORTH 85 FEET LOT 9; THE NORTH 65 FEET SOUTH 515 FEET LOT 9; ALL IN GREENWOOD PARK; and

WHEREAS, the PUD Conceptual Plan Property is legally described as follows:

New PUD Conceptual Plan Area Description (4016-4126 Ingersoll Avenue, 526-550 40th Street, and 527-535 41st Street)

EXCEPT THE NORTH 17.5 FEET OF THE NORTH HALF OF LOTS 4, 5, AND 8; THE WEST 66.3 FEET OF THE SOUTH 67.5 FEET OF THE NORTH 85 FEET OF LOT 9; THE NORTH 150 FEET OF THE SOUTH 450 FEET OF LOT 9; ALL IN GREENWOOD PARK; AND THE VACATED STREET RIGHT OF WAY ADJACENT TO THE ABOVER DESCRIBED LAND;

AND

EXCEPT THE WEST 66.3 FEET OF THE SOUTH 67.5 FEET NORTH 85 FEET LOT 9; THE NORTH 65 FEET SOUTH 515 FEET LOT 9; ALL IN GREENWOOD PARK.

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

- 1. That the attached communication from the Plan and Zoning Commission is hereby received and filed.
2. That the meeting of the City Council at which the proposed rezoning and the proposed 2nd Amendment to the Plymouth Congregational Church PUD Conceptual Plan are to be considered shall be held at the Richard A. Clark Municipal Service Center (MSC), located at 1551 E. Martin Luther King, Jr. Parkway, Des

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Moines, Iowa, at 5:00 p.m. on September 26, 2016, at which time the City Council will hear both those who oppose and those who favor the proposals.

- 3. That the City Clerk is hereby authorized and directed to cause notice of said proposals in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

MOVED BY Hensley TO change the Hearing date to 10-10-16 at 5:00 PM. Refer to the City Manager to review the Plan and Zoning Commission communication and to make the video of the Plan and Zoning Commission meeting available as soon as possible.

FORM APPROVED:

Glenna K. Frank
 Glenna K. Frank, Assistant City Attorney

(ZON2016-00153)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED			APPROVED	

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.

Diane Rauh
 City Clerk

T. McFranklin
 Mayor