



Roll Call Number

17-0188

Agenda Item Number

22

Date February 6, 2017

RESOLUTION SETTING HEARING ON REQUEST FROM 4000 INGERSOLL PARK HOUSES, L.P. TO AMEND THE PLYMOUTH CONGREGATIONAL CHURCH PUD CONCEPTUAL PLAN FOR PROPERTY LOCATED AT 4016-4126 INGERSOLL AVENUE, 526-550 40TH STREET, AND 527-535 41ST STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on January 19, 2017, its members voted 12-0-1 in support of a motion to recommend **APPROVAL** of a request from 4000 Ingersoll Park Houses, L.P. (developer), represented by Frank Levy (officer), regarding property located at 4016-4126 Ingersoll Avenue, 526-550 40th Street, and 527-535 41st Street (collectively "Property"), to allow approval of a 3rd Amendment to the Plymouth Congregational Church PUD Conceptual Plan to remove the proposed 2,284-square feet of office space on the ground floor of the building on the Property and to increase the number of dwelling units within the building from 24 units to 26 units, subject to the following revisions to the plan amendment:

- 1) Provision of a note that states "contextually appropriate Ingersoll Avenue Streetscape improvements shall be provided to the satisfaction of the Planning Administrator."
- 2) Provision of a note that states "any changes proposed for the three historic building not shown on the PUD Conceptual Plan shall comply with the US Secretary of the Interiors' Standards for Rehabilitation. In addition, the applicant shall apply for designation of the Stockdale House (4018/4020 Ingersoll) as a Local Landmark with support of the current property owner and North of Grand Neighborhood Association."
- 3) All references to "C-1" signage shall be deleted. Signage shall be allowed pursuant to "R-3" District standards.
- 4) Provision of a note that states "the North of Grand Neighborhood Association shall be notified of any proposed minor plan amendments (typically subject to administrative review) or major plan amendments (subject to Plan and Zoning Commission and Council review)."
- 5) Provision of all necessary cross access easements and a formal shared parking agreement to the satisfaction of the Planning Administrator.
- 6) Provision of a note that the existing garage for the double house at 4018/4020 Ingersoll Avenue shall be retained.
- 7) Provision of a note that pervious paving materials shall be used for the patios.
- 8) Shared parking spaces will be specifically identified on the PUD Conceptual Plan and within the shared parking agreement by Plymouth Congregational Church and 4000 Ingersoll Park Houses, L.P.
- 9) Provision of a note that a tree mitigation plan shall be submitted for review and approval by the Planning Administrator.
- 10) Provision of a note that the landmark application for the Stockdale House (4018/4020 Ingersoll) shall be submitted with the consent of Plymouth Congregational Church and 4000 Ingersoll Park Houses, L.P./Newbury Development.
- 11) A copy of the private covenants created for the use of the patios shall be provided for reference to the North of Grand Neighborhood Association President; and

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

(continued)

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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.

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 3rd Amendment to the Plymouth Congregational Church PUD Conceptual Plan is 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 Moines, Iowa, at 5:00 p.m. on February 20, 2017, at which time the City Council will hear both those who oppose and those who favor the proposal.
3. That the City Clerk is hereby authorized and directed to cause notice of said proposal 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 ADOPT.

FORM APPROVED:

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

(ZON2016-00221)

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

MOTION CARRIED

APPROVED

T. M. Franklin
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.

Diane Rauh

City Clerk