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Date February 20, 2023

RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM 4820 INGERSOLL PROPCO, LLC (OWNER) REPRESENTED BY JOHN MANFREDY (OFFICER) REGARDING PROPERTY IN THE VICINITY OF 4820 INGERSOLL AVENUE, DES MOINES, IOWA TO AMEND PLANDSM TO REVISE THE FUTURE LAND USE DESIGNATION FROM MEDIUM DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on January 19, 2023, its members voted 14-0 in support of a motion to recommend **APPROVAL** of a request from 4820 Ingersoll Propco, LLC (Owner) represented by John Manfredy (Officer), to amend the PlanDSM: Creating Our Tomorrow future land use designation from Medium Density Residential to High Density Residential to allow redevelopment of the property with a density greater than 17 dwelling units per acre; and

WHEREAS, the Property is legally described as follows:

LOTS 10, 11, 12, 13, 14 AND “A” IN PEASE PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

WHEREAS, on February 6, 2023, by Roll Call No. 23-0158, it was duly resolved by the City Council that the request for approval of the proposed amendment to the comprehensive plan future land use designation be set down for hearing on February 20, 2023, at 5:00 p.m., at the City Council Chambers; 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 proposals; and

WHEREAS, in accordance with said notice, those interested in said proposals, 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 amendment to the comprehensive plan future land use designation are hereby overruled, and the hearing is closed.
2. The proposed amendment to PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification for the Property from Medium Density Residential to High Density Residential is hereby approved.



Roll Call Number

Agenda Item Number

49

Date February 20, 2023

MOVED BY _____ TO ADOPT. SECOND BY _____.

FORM APPROVED:

/s/ Chas M. Cahill
Chas M. Cahill
Assistant City Attorney

(COMP-2022-000003)

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

MOTION CARRIED APPROVED

Mayor

CERTIFICATE

I, LAURA BAUMGARTNER, 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 February 20, 2023

Agenda Item 49

Roll Call # _____

January 31, 2023

Communication from the City Plan and Zoning Commission advising that at their January 19, 2023 meeting, the following action was taken regarding a request from 4820 Ingersoll Propco, LLC (owner), represented by John Manfredy (officer), regarding property in the vicinity of 4820 Ingersoll Avenue to amend PlanDSM Creating Our Tomorrow Comprehensive Plan to revise the future land use designation from Medium Density Residential to High Density Residential, to allow redevelopment of the property with a density greater than 17 dwelling units per acre.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 14-0 as follows.

<u>Commission Action:</u>	<u>Yes</u>	<u>Nays</u>	<u>Pass</u>	<u>Absent</u>
Francis Boggus	X			
Dan Drendel	X			
Leah Rudolphi	X			
Carol Maher	X			
Abby Chungath	X			
Kayla Berkson	X			
Chris Draper				X
Todd Garner	X			
Johnny Alcivar	X			
Justyn Lewis	X			
Carolyn Jenison	X			
William Page	X			
Andrew Lorentzen	X			
Emily Webb	X			
Katie Gillette	X			

APPROVAL of the request to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use designation for the subject property from Medium Density Residential to High Density Residential.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the request to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use designation for the subject property from Medium Density Residential to High Density Residential.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to amend the future land use designation from Medium Density Residential to High Density Residential, to allow redevelopment of the property with a density greater than 17 dwelling units per acre. The site sketch submitted with the application demonstrates the existing 6-unit building would be demolished and replaced with four (4) rowhome buildings each containing four (4) dwelling units. The resulting 16 dwelling units on 0.087-acre of land represents a net density of 18.39 dwelling units per acre.

This Land Use Plan amendment request would allow any future site plan for the subject properties with 16 dwelling units to be found in conformance with PlanDSM: Creating Our Tomorrow comprehensive plan.

2. **Size of Site:** 37,906 square feet (0.87 acre).
3. **Existing Zoning (site):** "NX2" Neighborhood Mix District.
4. **Existing Land Use (site):** The subject property is comprised of five (5) parcels that contain a multiple-household residential building with six (6) dwelling units, a graveled parking lot, and undeveloped land.

5. **Adjacent Land Use and Zoning:**

North – "N1a" and "N5"; Uses are Ingersoll Avenue and one-household dwellings.

South – "N1b"; Uses are one-household dwellings.

East – "NX2"; Uses include a one-household dwelling and a multiple-household dwelling with seven (7) dwelling units.

West – "NX2"; Use is an apartment complex with 38 dwellings units within five (5) buildings.

6. **General Neighborhood/Area Land Uses:** The site is located along the south side of Ingersoll Avenue to the west of Polk Boulevard. The area consists of a mix of one-household residential, multiple-household residential, and park/open space.
7. **Applicable Recognized Neighborhood(s):** The site is located within the Waterbury neighborhood and within 250 feet of Westwood and Ingersoll Parks neighborhoods. All neighborhood associations were notified of the public hearing by emailing of the Preliminary Agenda on January 3, 2023 and by emailing of the Final Agenda on January 13, 2023. The agendas for Waterbury Neighborhood were sent to Kelsey Knight.
8. **Relevant Zoning History:** None.
9. **PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation:** Medium Density Residential.

10. Applicable Regulations: Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission reviews all proposals to amend the future land use map within the City of Des Moines' Comprehensive Land Use Plan. The recommendation of the Commission will be forwarded to the City Council.

In accordance with City Code Section 135-9.1.1, any future Site Plan for the property must be in accordance with the City's Comprehensive Land Use Plan, including conformance with the density of use allowed per the City's future land use map.

II. ADDITIONAL APPLICABLE INFORMATION

1. PlanDSM: Creating Our Tomorrow: The applicant is requesting that the future land use designation for the property be amended from "Medium Density Residential" to "High Density Residential." Plan DSM describes these designations as follows:

Medium Density Residential: Areas developed with mix of single family, two family and multi-family residential up to 17 dwelling units per net acre.

High Density Residential: Areas developed with primarily higher intensity multi-family housing with a minimum density over 17 dwelling units per net acre.

The parcels that comprise the subject property are currently zoned "NX2" Neighborhood Mix District. The Zoning Ordinance describes this district as "intended for a mix of single-household houses with appropriately scaled and detailed multiple-household building types in the same neighborhood."

Staff believes that the subject site would be an appropriate location for multiple-household development given the site's location along a transit bus route (DART) and since Ingersoll Avenue is a high-capacity roadway. The site is also within an area that includes a mix of multiple-household uses. PlanDSM's Land Use Goal #2 states, "Direct new growth and redevelopment to areas with existing infrastructure and nodes and corridors based on proximity to transit, shopping, services, and public amenities." Furthermore, Land Use Goal #13 states, "Encourage high-density housing in identified nodes and along corridors that provide convenient access to public transit, public amenities and services, schools and open space, and are in close proximity to job centers."

- 2. Grading & Storm Water Management:** Any future grading is subject to an approved grading permit and soil erosion control plan, as well as a Stormwater Pollution Protection Plan (SWPPP) approved by the Iowa DNR.
- 3. Nature Features:** The subject properties contain several mature trees and scrub trees. Any redevelopment of the site must comply with the Tree Removal and Mitigation Ordinance contained in Chapter 42, Article X, of the City Code.
- 4. Utilities:** Stormwater and sanitary sewers are located in Ingersoll Avenue and 48th Street rights-of-way.

5. **Traffic/Street System:** The site is located along a transit bus line (DART).
6. **Planning and Design Ordinance:** Any future redevelopment must comply with all applicable site plan and design regulations of the Planning and Design Ordinance (City Code Chapter 135). As such, the applicant would be required to prepare a Site Plan and building elevations for review before the property can be occupied by the proposed use.

SUMMARY OF DISCUSSION

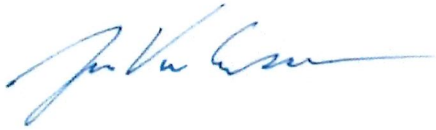
Emily Webb asked if any member of the public or commission desired to speak on the item. No one requested to speak.

COMMISSION ACTION:

Francis Boggus made a motion for approval of the request to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use designation for the subject property from Medium Density Residential to High Density Residential.

Motion passed: 14-0

Respectfully submitted,



Jason Van Essen, AICP
Planning & Urban Design Administrator

JMV:tjh



Updated on: 12/28/2022

1 inch = 115 feet

Jan 17, 2023 14:28



Jan 17, 2023 14:28



Jan 17, 2023 14:29



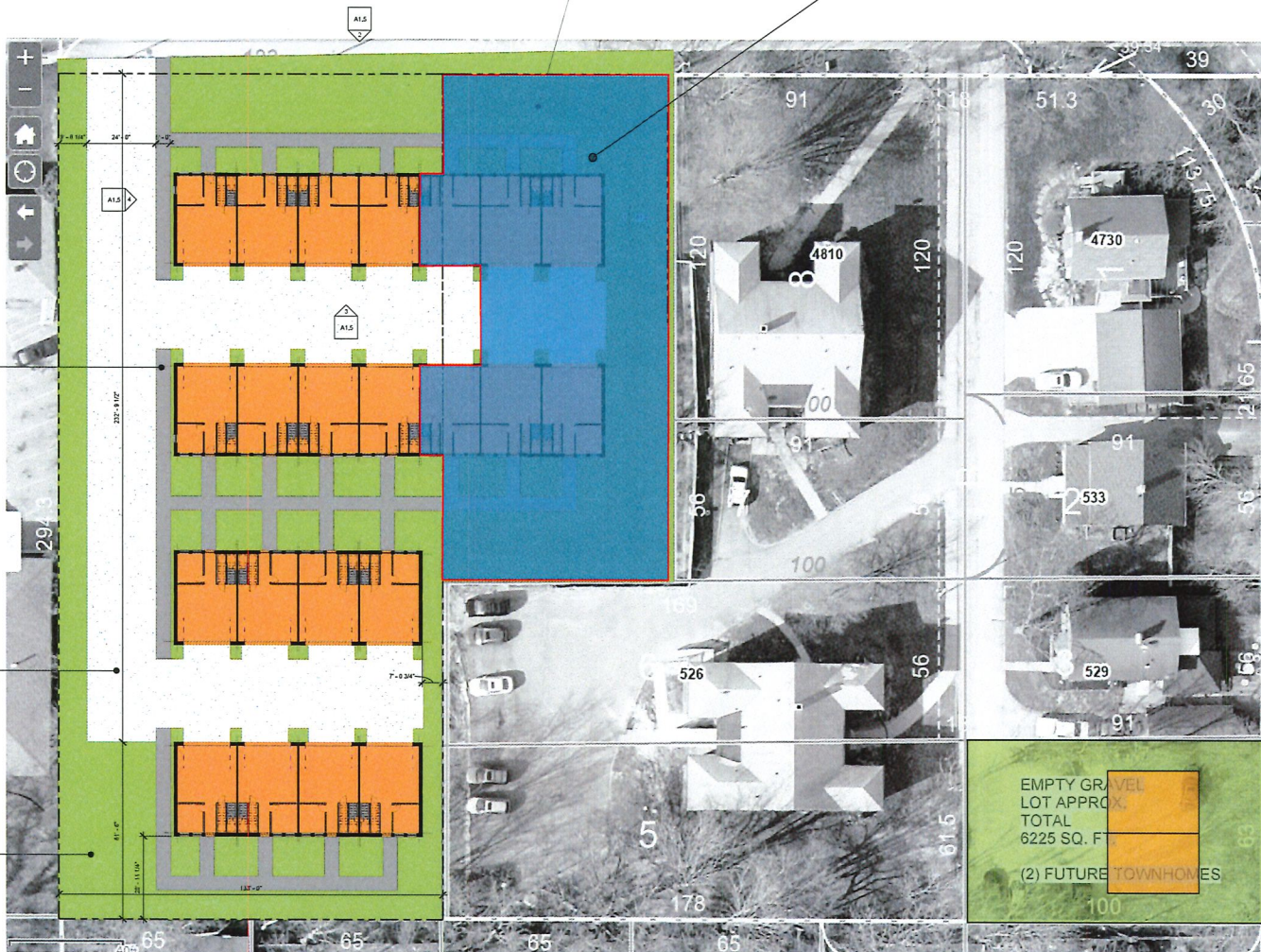
ADDITIONAL
PARCEL
TOTAL
13,728 SQ. FT.

AREA NOT INCLUDED IN
PROPOSAL

COMBINED
WALKWAYS
TOTAL
4388 SQ. FT.

COMBINED
DRIVEWAY
TOTAL
13,465 SQ. FT.

COMBINED
PARCELS
TOTAL
38,614 SQ. FT.



LEVEL 1 AND SITE
1/16" = 1'-0"

**TOWNHOUSE DEVELOPMENT CONCEPTUAL PLAN/
ELEVATION STUDY**

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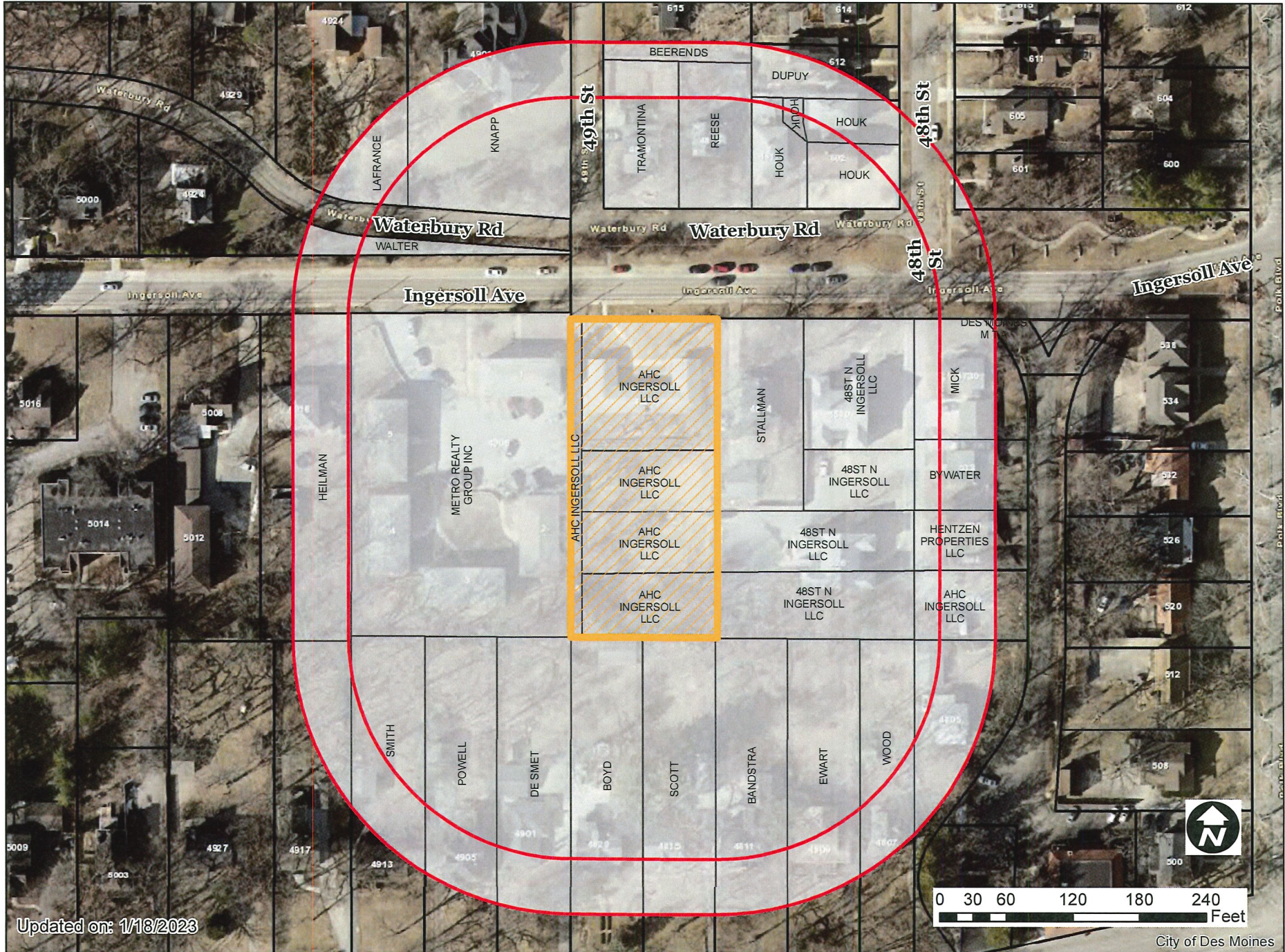
No.	Description	Date

4 AMIGOS
4820 INGERSOLL
NEW SITE PLAN

Project Number 001
Date 7/26/22
Drawn By JM
Checked By JM

A1.2

Scale 1/16" = 1'-0"



Updated on: 1/18/2023

City of Des Moines

1 inch = 115 feet