

★ **Roll Call Number**

..... 22-0465

**Agenda Item Number**

\_\_\_\_\_ 66A

**Date** March 21, 2022

**RESOLUTION HOLDING HEARING ON REQUEST FROM SHIVE-HATTERY FOR A  
CERTIFICATE OF APPROPRIATENESS FOR “THE WAVELAND TROLLEY LOOP”  
COMMEMORATIVE SCULPTURE AND INTERPRETIVE SITE  
IN THE 4900 BLOCK OF UNIVERSTIY AVENUE**

**WHEREAS**, on August 14, 2017, by roll call number 17- 1428, the City Council of the City of Des Moines, Iowa, approved the application of Des Moines Streetcar Friends, represented by Earl Short for the designation of The Trolley Loop, located in the 4900 block of University Avenue, Des Moines, Iowa, as a local landmark “The Trolley Loop”; and

**WHEREAS**, the local landmark “The Trolley Loop” has become locally known as and will hereinafter be referred to as “The Waveland Trolley Loop”; and

**WHEREAS**, Shive-Hattery (consultant) represented by Emily Naylor subsequently developed plans for a commemorative sculpture and interpretive site, and made application for the required Certificate of Appropriateness before commencement of alteration or construction of that landmark, pursuant to Des Moines Municipal Code Section 58-62; and

**WHEREAS**, when an application for a Certificate of Appropriateness is made, it receives consideration of the Landmark Review Board, which may recommend approval of the application; recommend approval with modification; or recommendation disapproval of the application, all pursuant to the authority set forth in Des Moines Municipal Code Section Section 58-62(f); and

**WHEREAS**, on October 19, 2021, the Landmark Review Board met to consider this application and by a vote of 11-0 recommended **APPROVAL** of a Certificate of Appropriateness for the proposed renovation of “The Waveland Trolley Loop”; and

**WHEREAS**, a lease agreement has been approved with the Des Moines Historical Society regarding this location and for the proposed commemorative sculpture and interpretive site to be placed there, so it is now timely to proceed with the steps for consideration of a Certificate of Appropriateness; and

**WHEREAS**, Des Moines Municipal Code Section 58-62(f) provides that the recommendation of the Landmark Review Board is to be heard and considered in a public hearing before the City Council, to be set upon reasonable notice and with the opportunity for those interested both for and against to be heard; and

**WHEREAS**, on March 7, 2022, by Roll call number 22-0326, it was duly resolved by the City Council that the request for approval of the Certificate of Appropriateness be set down for hearing on March 21, 2022, at 5:00 p.m., in the 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 proposed Certificate of Appropriateness; and



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WHEREAS, in accordance with said notice, those interested in said proposed Certificate of Appropriateness, 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 approval of the Certificate of Appropriateness for the the proposed commemorative sculpture and interpretive site for "The Waveland Trolley Loop" are hereby overruled, and the hearing is closed.
2. The proposed Certificate of Appropriateness for the proposed commemorative sculpture and interpretive site for "The Waveland Trolley Loop" is hereby approved.

(Council Communication No. 22-128)

MOVED BY Voso TO ADOPT- SECONDED BY Mandelbaum

APPROVED AS TO FORM:

Judy K. Parks-Kruse

Judy K. Parks-Kruse Assistant City Attorney

(20-2021-4.03)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
SHEUMAKER	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

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.

J. M. Franklin Cownie Mayor

P. Kay Cmelik

City Clerk