

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: January 14, 2013
	Agenda Item No. [] Roll Call No. [] Communication No. <u>13-019</u> Submitted by: Phillip Delafield, Community Development Director

AGENDA HEADING:

Receive and file communication from the Plan and Zoning Commission regarding a request from Union Pacific Railroad (owner) for vacation of the following four (4) segments of street right-of-way where the railroad right-of-way intersects:

- Hull Avenue between Delaware Avenue and Dixon Street
- Scott Avenue between Southeast 20th Street and Southeast 22nd Street
- Southeast 34th Street between Scott Avenue and East Court Avenue
- Southeast 36th Street at a point north of Scott Avenue

SYNOPSIS:

Vacation of these segments of street right-of-ways would result in the termination of the public street on either side of the railroad, thereby closing it to through traffic. Staff recommends that the City Council only receive and file the Plan and Zoning Commission’s communication. Staff does not recommend that a date of public hearing be set by the City Council regarding this matter at this time. Staff desires to meet with representatives of the Union Pacific Railroad to determine if additional options and improvements can be considered to mitigate the proposed closures. Staff will report back to the full City Council regarding the results of these discussions.

FISCAL IMPACT:

Amount: To be determined.

Funding Source: To be determined.

ADDITIONAL INFORMATION:

On January 3, 2013 the Plan and Zoning Commission held a public hearing regarding the request to vacate the noted sections of the public street right-of-way. A motion to approve the requested right-of-way vacations failed by a vote of 5-8. No additional motions were made by the Commission. Staff desires to meet with representatives of the Union Pacific Railroad to determine if additional options and improvements can be considered to mitigate the proposed closures based upon comments received at the Plan and Zoning Commission hearing.

PREVIOUS COUNCIL ACTION(S): NONE

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: January 3, 2013

Resolution Number: 11-2012-1.21; 11-2012-1.22; 11-2012-1.23; and 11-2012-1.24

Action: A motion to approve the requested vacation of public right-of-ways failed by a vote of 5-8. No further motions were made.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Receive report from City Staff regarding additional discussions with the Union Pacific Railroad. Then schedule and hold a public hearing to consider the requested vacation of public right-of-ways.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the first floor of City Hall, 400 Robert D. Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to cityclerk@dmgov.org.