 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: May 6, 2013
	Agenda Item No. 13 Roll Call No. [] Communication No. <u>13-218</u> Submitted by: Jeb E. Brewer, P.E., City Engineer and Phillip Delafield, Community Development Director

AGENDA HEADING:

City Council initiated request for vacation of the dead end north/south alley lying between Raccoon Street and E. Martin Luther King, Jr. Parkway and between S.E. 5th Street and S.E. 6th Street.

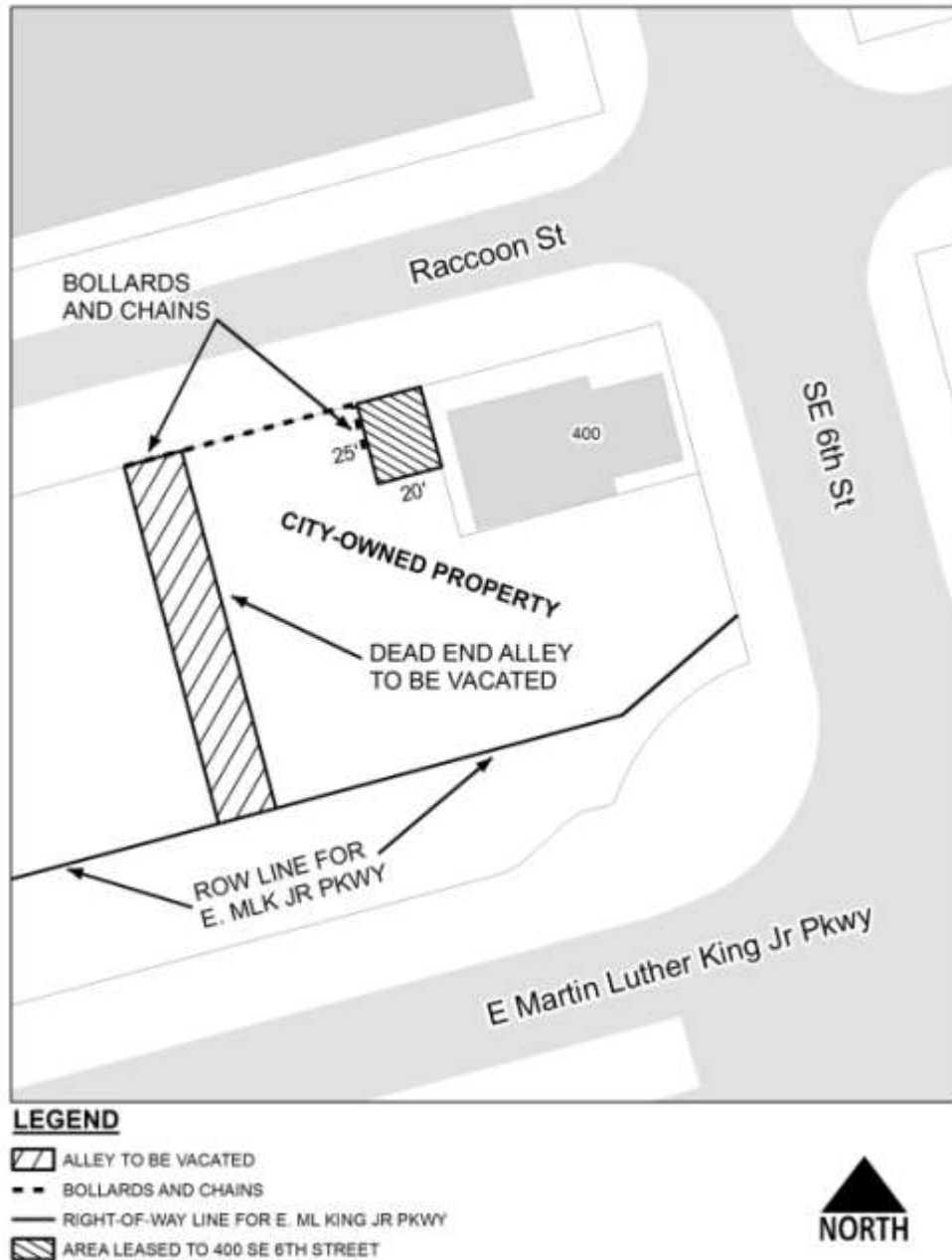
SYNOPSIS:

Recommend approval for receive and file of the City’s intent to vacate the above described alley and refer this matter to the Plan and Zoning Commission and City staff for review and recommendation to Council for further action. Vacation of the alley will allow for assemblage with the adjoining City-owned property for future lease or sale of the properties.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

The owner of the property at 400 S.E. 6th Street, Prospero Investments, LLC, Tayna Suarez-Tigner, President, has requested the purchase or lease of adjoining City-owned land for construction of a parking lot to serve their Capital Pub and Hot Dog business. Said request has been pending submittal and approval of a site plan for development of a parking lot since June 2012. Prospero Investments has indicated that they will be submitting the site plan soon, and vacation of the alley is required by Iowa Law prior to leasing or selling the alley in conjunction with the parking lot project. In the event the City Council elects to vacate and lease the alley, it is recommended that execution of said lease be conditioned upon full compliance with applicable site plan, zoning and building regulations for the properties located at 400 SE 6th Street and 400 SE 5th Street.



PREVIOUS COUNCIL ACTION(S):

Date: June 25, 2012

Roll Call Number: [12-1020](#)

Action: [From](#) Council Member Brian Meyer to speak regarding proposed sale of excess City-owned property adjoining 400 S.E. 6th Street, to Prospero Investments, LLC, Brian and Tanya Tigner. Moved by Meyer to refer to the City Manager for review and recommendation regarding sale of property to Prospero Investments, LLC. Ms. Tigner will provide a site plan on new restaurant. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Receive Plan and Zoning Commission recommendation for vacation of alley; set and hold hearing and ordinance readings for vacation of alley; approval of sale or lease of City-owned property.

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.