 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	December 9, 2013
	Agenda Item No.	45
	Roll Call No.	<u>13-1932</u>
	Communication No.	<u>13-593</u>
	Submitted by:	Jeb E. Brewer, P.E., City Engineer

AGENDA HEADING:

Hold hearing for vacation of 6th Avenue and Grand Avenue right-of-way and of air space over Grand Avenue and 6th Avenue right-of-way adjoining 505 6th Avenue, and for conveyance of easements to the Young Men’s Christian Association of Greater Des Moines (YMCA) for \$1,000.

SYNOPSIS:

Recommend approval for vacation and conveyance of such easements to YMCA, Vernon Delpesce, President/CEO, 101 Locust Street, Des Moines, Iowa 50309, for the construction of a structural support column and the development of an Olympic swimming pool arena building, as part of the improvements to convert the former Polk County Convention Complex at 505 6th Avenue into the Downtown YMCA recreational facility. There is no known current or future public need for the easement areas to be vacated and conveyed. This action is required by Iowa law prior to making a final determination on the proposed sale by resolution.

FISCAL IMPACT:

Amount: \$1,000 (Revenue)

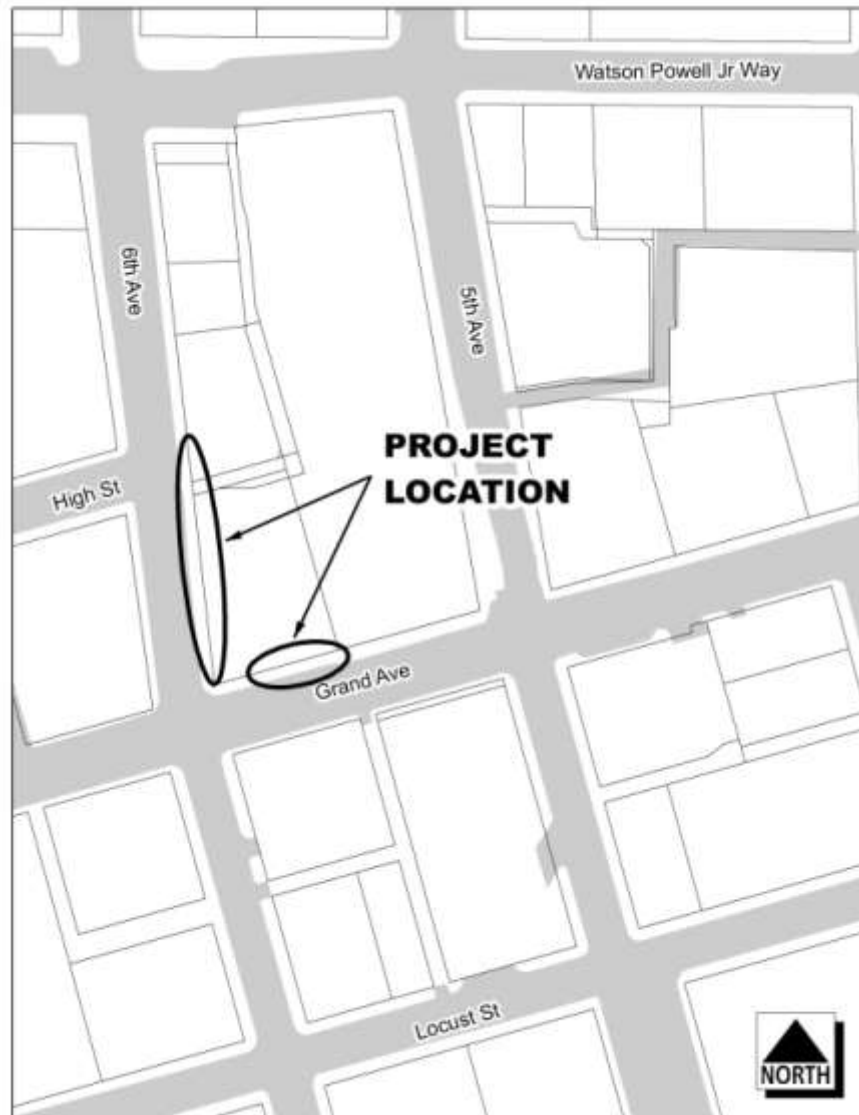
Funding Source: Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090

ADDITIONAL INFORMATION:

YMCA is converting the former Polk County Convention Complex into the Downtown YMCA recreational facility. On November 18, 2013, by Roll Call No. 13-1792, the City Council received a recommendation from the City Plan and Zoning Commission that a portion of the air space over Grand Avenue and 6th Avenue rights-of-way adjoining 505 6th Avenue, and a portion of Grand Avenue and 6th Avenue rights-of-way adjoining 505 6th Avenue, be vacated to allow for the construction of a structural support column and the development of an Olympic swimming pool arena building as part of the conversion to the Downtown YMCA recreational facility. The Plan and Zoning Commission recommendation is subject to the following conditions:

- 1) Coordination of the design for any addition with any affected utilities and public improvements to ensure necessary protection or relocation of those facilities within the right-of-way; and
- 2) Compliance with comments by the Urban Design Review Board for any portions of the proposed project that will affect the adjoining rights-of-way.

YMCA has offered to the City of Des Moines the purchase price of \$1,000 for the vacation and purchase of an Encroachment Easement interest consisting of 684 square feet in the Grand Avenue and 6th Avenue rights-of-way, and an Air Space Easement interest consisting of 3,800 square feet in portions of Grand Avenue and 6th Avenue rights-of-way. The purchase price reflects the restricted use fair market value of the easement as currently estimated by the City's Real Estate Division. The vacation and conveyance of the above described easements shall be subject to the City Plan and Zoning Commission's recommendation, including the conditions listed above.



PREVIOUS COUNCIL ACTION(S):

Date: November 18, 2013

Roll Call Number: [13-1791](#)

Action: [On](#) vacation of 6th Avenue and Grand Avenue right-of-way and of air space over Grand Avenue, and 6th Avenue right-of-way adjoining 505 6th Avenue and for conveyance of easements to

the Young Men's Christian Association (YMCA) of Greater Des Moines, \$1,000, (12-9-13). Moved by Coleman to adopt. Motion Carried 6-0.

Date: November 18, 2013

Roll Call Number: [13-1792](#)

Action: [Recommendation](#) from Plan and Zoning Commission. Moved by Coleman to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 6-0.

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: November 7, 2013

Resolution Number: 11-2013-1.17

Action: Request from YMCA of Greater Des Moines (owner), 505 6th Avenue, represented by Vernon Delpesce (officer) for vacation of air rights over the Grand Avenue and 6th Avenue rights-of-way adjoining the subject property for vacation of a portion of the north side of Grand Avenue right-of-way adjoining the subject right-of-way. This would allow for development of an Olympic swimming pool arena building with portions that would cantilever over both street rights-of-way to include a support column that would be located on the north side of Grand Avenue outside of the travelled portion of the street. The project is proposed as part of improvements to convert the former Polk County Convention Complex for the Downtown YMCA recreational facility. (11-2013-1.17)

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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