

Date..... February 12, 2007

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on February 1, 2007, its members voted 12-0 in support of a motion to recommend approval of a request from ResCare, Inc., represented by William Dodds (officer), for vacation and conveyance of the air rights within 2' of the south and west facades of the existing building on the property it owns at 600 East Grand Avenue, starting at 15' above grade, to allow for installation of four 2nd floor bay windows similar to those that were historically part of the building, subject to the windows being installed in substantial compliance with the submitted historical photos.

MOVED by _____ to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures.

FORM APPROVED:

Roger K. Brown
 Roger K. Brown
 Assistant City Attorney

(11-2007-1.02)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED	APPROVED			

CERTIFICATE

I, DIANE RAUH, 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.

 Mayor

 City Clerk

Request from ResCare, Inc. (owner), 602 East Grand Avenue, represented by William Dodds (officer), for vacation and conveyance of air rights.			File #	
			11-2007-1.02	
Description of Action	Vacate and convey air rights beginning 15' above grade for a segment East Grand Avenue adjoining the south of the subject property, to allow for installation of second floor bay windows designed similar to those that were historically part of the building.			
2020 Community Character Plan	Downtown: Retail/Office Core/Core Fringe			
Horizon 2025 Transportation Plan	E 6 th Street from I-235 to E Walnut Street convert to one way			
Current Zoning District	"C-3" Central Business District Commercial			
Proposed Zoning District	N/A			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area	4	0	0	N/A
Plan and Zoning Commission Action	Approval	12-0	Required 6/7 Vote of the City Council	Yes
	Denial			No

ResCare, Inc - 602 E Grand Avenue

11-2007-1.02



February 12, 2007

Agenda Item 29

Roll Call # _____

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held February 1, 2007, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 12-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
David Cupp	X			
Shirley Daniels	X			
Dann Flaherty				X
Bruce Heilman	X			
Jeffrey Johannsen	X			
Greg Jones	X			
Frances Koontz	X			
Kaye Lozier	X			
Brian Meyer	X			
Brian Millard	X			
Brook Rosenberg	X			
Mike Simonson				X
Kent Sovern	X			
Tim Urban				X
Marc Wallace	X			

APPROVAL of a request from ResCare, Inc., represented by William Dodds (officer), for vacation and conveyance of the air rights within 2' of the south and west facades of the existing building on the property it owns at 600 East Grand Avenue, starting at 15' above grade, to allow for installation of four 2nd floor bay windows similar to those that were historically part of the building, subject to the windows being installed in substantial compliance with the submitted historical photos. (11-2007-1.02)

Written Responses

4 In Favor
0 In Opposition

STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Staff recommends approval of the requested vacation and conveyance of the air rights within 2' of the south and west facades of the structure at 600 East Grand Avenue starting at 15' above grade so long as the windows are installed in accordance with the submitted historical photos.



CITY PLAN AND ZONING COMMISSION
ARMORY BUILDING
602 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309 -1881
(515) 283-4182

ALL-AMERICA CITY
1949, 1976, 1981
2003

STAFF REPORT

I. GENERAL INFORMATION

- 1. **Purpose of Request:** The requested vacation and conveyance of air rights would allow installation of four 2nd story bay windows designed similar to those that were historically part of the building. These windows are shown in several historic photos circa 1950. The exterior of the 2-story mixed-use structure at 600 East Grand Avenue is currently being restored to reflect it's original design. Two bay windows would be installed on second floor of the south facade above the East Grand Avenue right-of-way and two bay windows would be on the west facade above the East 6th Street right-of-way. Each window would be 13'-wide by 11'-tall and extend no more than 2' from the structure.
- 2. **Size of Site:** The requested 2'-wide strips of right-of-way adjoin a corner parcel measuring 53' x 150'.
- 3. **Existing Zoning (site):** "C-3" Central Business District Commercial, Capitol Dominance Overlay, Pedestrian Oriented Sign Overlay and Gambling Games Prohibition Overlay District.
- 4. **Existing Land Use (site):** Air space above the East Grand Avenue and the East 6th Street right-of-way.
- 5. **Adjacent Land Use and Zoning:**
 - North & East* – "C-3", Use is the 2-story mixed-use structure undergoing exterior modifications.
 - South* – "C-3", Uses are East Grand Avenue and the State Historical Building.
 - West* – "C-3", Uses are East 6th Street and a 2-story mixed-use structure.
- 6. **General Neighborhood/Area Land Uses:** The subject property is located in the east portion of downtown in a mixed-use residential and commercial area known as East Village.
- 7. **Applicable Recognized Neighborhood(s):** East Village Neighborhood Association.
- 8. **Relevant Zoning History:** N/A.
- 9. **2020 Community Character Land Use Plan Designation:** Downtown Retail/ Office Core/ Core Fringe.
- 10. **Applicable Regulations:** The Commission reviews all proposals to vacate land dedicated for a specific public purpose, such as for streets and parks, to determine whether the land is still needed for such purpose or may be released (vacated) for other use. The recommendation of the Commission is forwarded to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

- 1. **Utilities:** The requested vacation and conveyance of air space would not impact any public utilities.
- 2. **Street System:** The applicant is requesting the vacation and conveyance of a 2'-wide strip of air-rights adjoining the structure at 600 East Grand Avenue starting 15' above the grade of the sidewalk along both East Grand Avenue and East 6th Street. The Traffic & Transportation Division has indicated that 15' is adequate clearance above the sidewalks.

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3. Urban Design: The request would allow for installation of four bay windows that replicate previously removed windows. These windows are shown in several historic photos circa 1950.

SUMMARY OF DISCUSSION

There was no one in the audience to speak on this item and there was no discussion.

Fran Koontz moved for approval of the requested vacation and conveyance of the air rights within 2' of the south and west facades of the structure at 600 East Grand Avenue starting at 15' above grade so long as the windows are installed in accordance with the submitted historical photos.

Motion passed 12-0.

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:dfa

Attachment

Item 11-2007 1 02

Date 1-24-07 29

(am) (am not) in favor of the request.
(Circle One)

RECEIVED ✓

Print Name Jerry Bassman

JAN 29 2007

Signature

COMMUNITY DEVELOPMENT DEPARTMENT

Address 511 E. 6th St., Ste. B, Dm IA 50309

Reason for opposing or approving this request may be listed below:

It will be a nice addition to the area to have the building restored as it was.

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Date

(am) (am not) in favor of the request.
(Circle One)

RECEIVED ✓

Print Name Iowa State Bank

JAN 25 2007

Print Name John C. Burgeson

Signature

COMMUNITY DEVELOPMENT DEPARTMENT

Address 627 E Locust

Reason for opposing or approving this request may be listed below:

In favor !!! Project should go forward.
Jrants

Item 11-2007 1 02

Date 1/28/07

I (am) (am not) in favor of the request.

(Circle One)

RECEIVED

JAN 30 2007 ✓

**COMMUNITY DEVELOPMENT
DEPARTMENT**

the house of Bricks 29

Print Name

JC WILSON

Signature

[Signature]

Address

525 E. Grand

Reason for opposing or approving this request may be listed below:

Sounds like a great improvement to
the neighborhood!

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Date 29 JAN 07

I (am) (am not) in favor of the request.

(Circle One)

RECEIVED

JAN 25 2007 ✓

**COMMUNITY DEVELOPMENT
DEPARTMENT**

Print Name

FEH REALTY

Signature

[Signature]

Address

604 E GRAND

Reason for opposing or approving this request may be listed below:

WE ARE IN SUPPORT OF THIS PROJECT

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Date Jan. 26, 2007

I (am) (am not) in favor of the request.
(Circle One)

SUBJECT PROPERTY

RECEIVED
JAN 29 2007
COMMUNITY DEVELOPMENT
DEPARTMENT

Print Name LUCILE A. JOHNSON

Signature Lucile A Johnson

Address 12918 Timberlane Dr.

Reason for opposing or approving this request may be listed below:

As the past owner of the property at 602 E. Grand, I feel that the bay windows would be a terrific addition to the building. Bringing the building to its historic look will blend with the building across the street ^{to the} west & help the East ^{William}