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Date March 10, 2008

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on February 21, 2008, its members voted 11-0 in support of a motion to recommend **APPROVAL** of request from the Iowa State Fair Board of Directors for vacation and conveyance of the following segments of right-of-way in the vicinity of 3001 Logan Street for incorporation to the Iowa State Fairground:

- A) East 30<sup>th</sup> Court from Dean Avenue to a point 166' north of Logan Street.
- B) Logan Street from East 30<sup>th</sup> Street to East 30<sup>th</sup> Court.
- C) East/West Alley between Walnut Street and Logan Street from East 30<sup>th</sup> Street to a point 96.5' east of East of 30<sup>th</sup> Street.
- D) East/West Alley between Logan Street and Dean Avenue from East 30<sup>th</sup> Street to East 30<sup>th</sup> Court.

Subject to the following conditions:

- 1. Reservation of easements for all public utilities in place.
- 2. Provision of proper turnaround maneuvering for all dead-end segments of street or alley that are to remain.

MOVED by \_\_\_\_\_ to receive and file, and refer to the City Manager for implementation in accordance with the City's standard property disposition procedures.

FORM APPROVED:

  
 Roger K. Brown  
 Assistant City Attorney

(11-2008-1.01)

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

MOTION CARRIED APPROVED

.....  
 Mayor

**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.

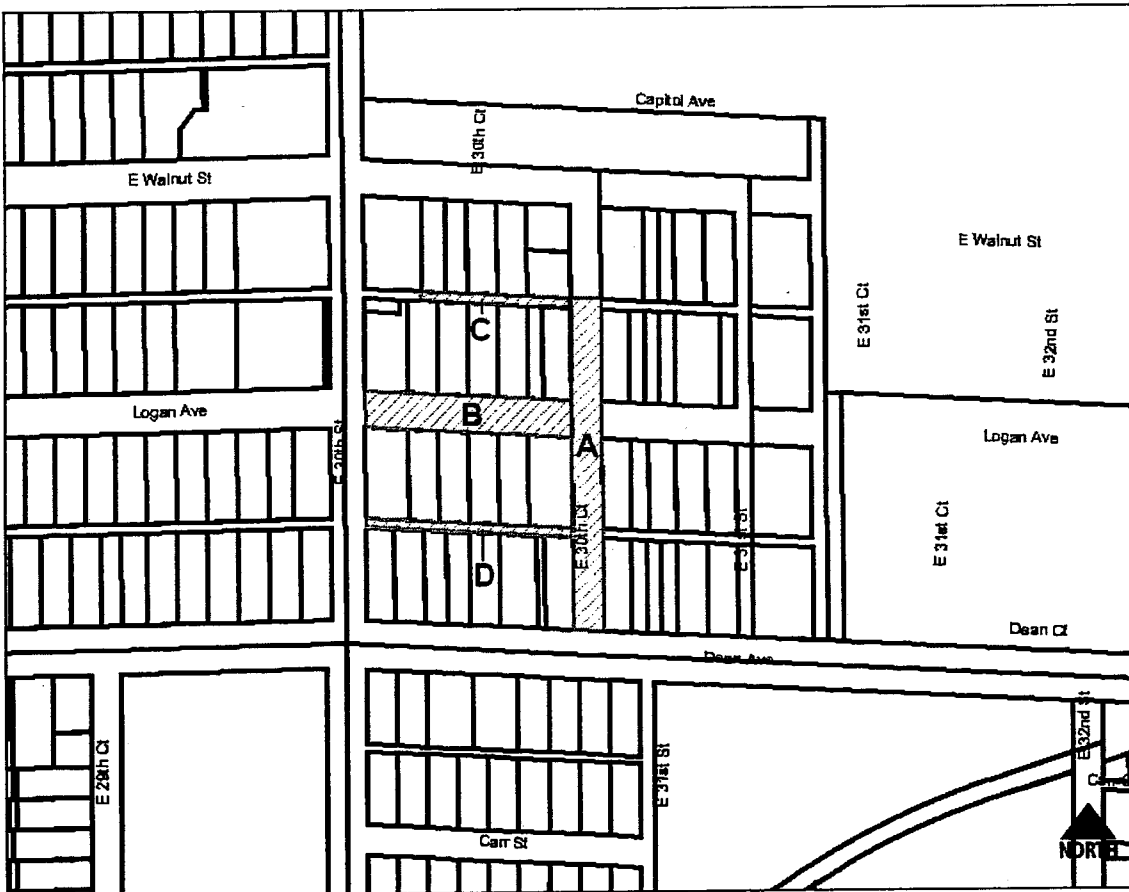
\_\_\_\_\_  
 City Clerk

24

Request from the Iowa State Fair Board of Directors for vacation and conveyance in the vicinity of 3001 Logan Street.				File #	
				11-2008-1.01	
<b>Description of Action</b>		Vacate and convey segments of right-of-way in the vicinity of 3001 Logan Street for incorporation to the Iowa State Fairground.			
<b>2020 Community Character Plan</b>		Public/Semi-Public			
<b>Horizon 2025 Transportation Plan</b>		No Planned Improvements			
<b>Current Zoning District</b>		"R1-60" One-Family Low-Density Residential District, "C-1" Neighborhood Retail Commercial District, "C-2" General Retail and Highway-Oriented Commercial District			
<b>Proposed Zoning District</b>		N/A			
<b>Consent Card Responses</b>		In Favor	Not In Favor	Undetermined	% Opposition
Inside Area		0			
Outside Area		0			
<b>Plan and Zoning Commission Action</b>		Approval	X	<b>Required 6/7 Vote of the City Council</b>	
		Denial		Yes	
				No	X

Iowa State Fair Board - E 30th Court and Logan Street

11-2008-1.01



March 10, 2008

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 21, 2008, the following action was taken:

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 11-0 as follows:

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

APPROVAL of request from the Iowa State Fair Board of Directors for vacation and conveyance of the following segments of right-of-way in the vicinity of 3001 Logan Street for incorporation to the Iowa State Fairground (11-2008-1.01)

- A) East 30<sup>th</sup> Court from Dean Avenue to a point 166' north of Logan Street.
- B) Logan Street from East 30<sup>th</sup> Street to East 30<sup>th</sup> Court.
- C) East/West Alley between Walnut Street and Logan Street from East 30<sup>th</sup> Street to a point 96.5' east of East of 30<sup>th</sup> Street.
- D) East/West Alley between Logan Street and Dean Avenue from East 30<sup>th</sup> Street to East 30<sup>th</sup> Court.

Subject to the following conditions:

- 1. Reservation of easements for all public utilities in place.
- 2. Provision of proper turnaround maneuvering for all dead-end segments of street or alley that are to remain.

Written Responses

0 In Favor

0 In Opposition



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 RECOMMENDATION AND BASIS FOR APPROVAL

Staff recommends approval of the requested vacation and conveyance of rights-of-way subject to the following conditions:

3. Reservation of easements for all public utilities in place.
4. Provision of proper turnaround maneuvering for all dead-end segments of street or alley that are to remain.

## STAFF REPORT

### I. GENERAL INFORMATION

1. **Purpose of Request:** The Iowa State Fair Board is looking to expand the Fairground with an off-street parking lot and has acquired most of the properties between East Walnut Street and Dean Avenue from East 30<sup>th</sup> Street to East 30<sup>th</sup> Court. This application is a requesting for most of the intervening street and alley rights-of-way surrounding these properties.

2. **Size of Site:** Approximately 1.23 acres of right-of-way (53,612 square feet)

3. **Existing Zoning (site):** "R1-60" One-Family Low-Density Residential District, Limited "C-2" General Retail and Highway Oriented Commercial District (only permitted use is tire repair and sales), and "C-1" Neighborhood Retail Commercial District.

4. **Existing Land Use (site):** Unpaved street and alley right-of-way.

5. **Adjacent Land Use and Zoning:**

**North** – "R1-60", Use is Iowa State Fairground.

**South** – "R1-60", Uses are

**East** – "R1-60", Use is Iowa State Fairground.

**West** – Limited "C-2", "C-1", Uses are retail commercial buildings and State fair volunteer headquarters on the east side of East 30<sup>th</sup> Street and Gerri's Tavern, S&H Electric, used car dealership, and Fairground Hardware on the west side of East 30<sup>th</sup> Street.

6. **General Neighborhood/Area Land Uses:** The subject property is located within an area previously developed with low density residential use between the State Fairground and the former State Highway 46 commercial corridor (East 30<sup>th</sup> Street).

7. **Applicable Recognized Neighborhood(s):** Fairground Neighborhood, Laurel Hill Neighborhood.

8. **Relevant Zoning History:** Property located at 221 East 30<sup>th</sup> Street was zoned to a Limited "C-2" on October 17, 1988 only permitting "C-1" permitted uses and a use vehicle display lot. Property located at 229 East 30<sup>th</sup> Street was zoned to a Limited "C-2" on June 22, 1987 with the only permitted use as a tire repair and sales business.

9. **2020 Community Character Land Use Plan Designation:** Public/Semi-Public.

10. **Applicable Regulations:** The Commission reviews all proposals to vacate land or air rights dedicated for a specific public purpose, such as for streets and parks, to determine whether the land or air rights are 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

- a. **Drainage/Grading:** Any off-street parking area developed on the subject property is subject to meeting post construction run-off requirements for any drainage that will enter the City's public storm sewer system.
- b. **Utilities:** Des Moines Waterworks indicates that there is an 8" water main in the subject portion of Logan Street. They request that any vacation be subject to reservation of utility and access easements.

Mid-American Energy indicates that there is overhead three-phase electrical along with poles and lighting within the requested portions of Logan Street and East 30<sup>th</sup> Court. Also there is 2" buried gas main within the requested portion of Logan Street. They are requesting easement comparable to the existing right-of-way for the operation and maintenance of the utilities.

Public Works indicates that there are sanitary sewer mains in the requested segments of East Walnut Street, Logan Street, and East 30<sup>th</sup> Court. Public Works staff recommends that the City reserve easements for all of the sanitary sewers within these rights-of-way. Overtime as the sewers serve only facilities for the Fairground, the State may request abandonment of those sewers and take over their maintenance. The 21" sanitary sewer in East 30<sup>th</sup> Court will have to be maintained for public purposes outside the Fairground property.

1. **Traffic/Street System:** Traffic Engineering staff did not believe removal of the street and alley rights-of-way will negatively impact the surrounding street network. Public street and alley access is being preserved for all existing private property owners that will remain. The applicant has agreed to develop the proper turnarounds for remaining segments of East Walnut Street and the east-west alley between East Walnut Street and Logan Street.

## SUMMARY OF DISCUSSION

*There was no one in the audience to speak on this item.*

Fran Koontz: Moved to approve the requested vacation and conveyance of rights-of-way subject to the following conditions:

1. Reservation of easements for all public utilities in place.
2. Provision of proper turnaround maneuvering for all dead-end segments of street or alley that are to remain.

Motion passed 11-0.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M.G. Ludwig". The signature is stylized and cursive.

Michael G. Ludwig, AICP  
Planning Administrator

MGL:clw

cc: File