

★ Roll Call Number

Agenda Item Number

35A


May 7, 2007

Date

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 19, 2007, its members voted 12-0-1 in support of a motion to recommend approval of a request from Principal Life Insurance Company (owner) 801 Center Street, represented by Ted Brackett (officer), for vacation and conveyance of an irregular shaped segment right-of-way on the east edge of 9th Street running approximately 133.5' north of Center Street, subject to reservation of easements for utilities in place.

MOVED by _____ to receive and file

FORM APPROVED:


 Roger K. Brown
 Assistant City Attorney

(11-2007-1.07)

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

SSA

Request from Principal Life Insurance Company (owner) 801 Center Street, represented by Ted Brackett (officer), for vacation and conveyance.			File #	
			11-2007-1.07	
Description of Action	Vacate and convey an irregular shaped segment right-of-way on the east edge of 9 th Street running approximately 133.5' north of Center Street.			
2020 Community Character Plan	Downtown: High Density Residential/Limited Commercial.			
Horizon 2025 Transportation Plan	No Planned Improvements.			
Current Zoning District	"PUD" Planned Unit Development District.			
Proposed Zoning District	N/A.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area	1	0	0	N/A
Plan and Zoning Commission Action	Approval	12-0-1	Required 6/7 Vote of the City Council	Yes
	Denial			No
				N/A

Principal Life Insurance Co. - 9th and Center Streets

11-2007-1.07



May 7, 2007

SSA

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 April 19, 2007, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 12-0-1 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			
Jim Martin				X
Brian Millard	X			
Brook Rosenberg			X	
Mike Simonson	X			
Kent Sovern	X			
Tim Urban	X			
Marc Wallace	X			

APPROVAL of a request from Principal Life Insurance Company (owner) 801 Center Street, represented by Ted Brackett (officer), for vacation and conveyance of an irregular shaped segment right-of-way on the east edge of 9th Street running approximately 133.5' north of Center Street, subject to reservation of easements for utilities in place. (11-2007-1.07)

Written Responses

1 In Favor
0 In Opposition

STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Staff recommends approval of the requested vacation and conveyance subject to reservation of easements for utilities in place.



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 applicant is requesting vacation and conveyance of the excess right-of-way to assemble with adjoining property for redevelopment as a surface off-street parking lot.

2. **Size of Site:** 2,752 square feet.

3. **Existing Zoning (site):** "PUD" Planned Unit Development.

4. **Existing Land Use (site):** Open space.

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

North – "PUD", Uses are off-street parking and vacant land.

South – "C-3A", Use is off-street parking.

East – "PUD", Use is off-street parking.

West – "C-2", Use is Premier Credit Union.

6. **General Neighborhood/Area Land Uses:** The subject property is located at the northern edge of the Downtown Central Business District core, north of the Principal campus.

7. **Applicable Recognized Neighborhood(s):** Downtown Neighborhood Association.

8. **Relevant Zoning History:** Rezoned to "PUD" for "Hillside" Development on September 26, 1994. Amended to allow for surface off-street parking on December 17, 2001.

9. **2020 Community Character Land Use Plan Designation:** Downtown High Density Residential/Limited Commercial.

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:** Mid-American has identified underground electrical facilities for street lighting with the segment of right-of-way. There is also public storm sewer within the segment of right-of-way. Staff recommends reservation of easements for all utilities in place.

2. **Traffic/Street System:** The subject segment is an excess portion of 9th Street remaining after the reconfiguration of the intersection at 9th Street and Center Street.

SUMMARY OF DISCUSSION

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

Tim Urban: Moved, as part of the Consent Agenda, to approve the requested vacation and conveyance subject to reservation of easements for utilities in place.

Motion passed 12-0-1 (Brook Rosenberg abstained).

SSA

Respectfully submitted,



Erik Lundy, AICP
Senior Planner

EML:dfa

Attachment

SSA

Item 11-2007-1.07

Date _____

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

RECEIVED

Print Name Principal Life Insurance Company

APR 17 2007

Signature TBrow Ted Brackett - 2nd VP

COMMUNITY DEVELOPMENT DEPARTMENT Address Lot located between Crocker St., 8th St, Center St., and 9th St.

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

