

★ Roll Call Number

Agenda Item Number  
56A

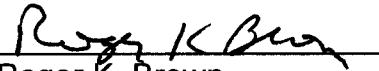
.....  
May 7, 2007

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 Park Street, represented by Ted Brackett (officer), for vacation and conveyance of 8<sup>th</sup> Street between Center Street and Park Street, subject to reservation of easements for all public utilities in place.

MOVED by \_\_\_\_\_ to receive and file,

FORM APPROVED:

  
Roger K. Brown  
Assistant City Attorney

(11-2007-1.08)

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

56A

Request from Principal Life Insurance Company (owner) 801 Park Street, represented by Ted Brackett (officer), for vacation and conveyance.			File # 11-2007-1.08	
<b>Description of Action</b>	Vacate and convey 8 <sup>th</sup> Street between Center Street and Park Street.			
<b>2020 Community Character Plan</b>	Downtown: Intensive, Mixed-Use Office/Residential.			
<b>Horizon 2025 Transportation Plan</b>	No Planned Improvements.			
<b>Current Zoning District</b>	"C-2" General Retail and Highway-Oriented Commercial, "C-3A" Central Business District Support Commercial			
<b>Proposed Zoning District</b>	N/A.			
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area	1	0	0	N/A
<b>Plan and Zoning Commission Action</b>	<b>Approval</b>	12-0-1	<b>Required 6/7 Vote of the City Council</b>	Yes
	<b>Denial</b>			No

Principal Life Insurance Co. - 8th St from Park St to Center St

11-2007-1.08



May 7, 2007

SGA

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			



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

**APPROVAL** of a request from Principal Life Insurance Company (owner) 801 Park Street, represented by Ted Brackett (officer), for vacation and conveyance of 8<sup>th</sup> Street between Center Street and Park Street, subject to reservation of easements for all public utilities in place. (11-2007-1.08)

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 all public utilities in place.

## STAFF REPORT

### I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is seeking to assemble the street right-of-way to provide for access to off-street parking and loading for redevelopment of the adjoining property to the west for an early childhood daycare facility.
2. **Size of Site:** 21,779 square feet (0.5 acres)
3. **Existing Zoning (site):** "C-2" General Retail and Highway Oriented Commercial District and "C-3A" Central Business District Support Commercial District.
4. **Existing Land Use (site):** Public street right-of-way.
5. **Adjacent Land Use and Zoning:**
  - North** – "PUD" Use is public street right-of-way and off-street parking lots.
  - South** – "C-3", Use is Principal "Z" office building.
  - East** – "C-2", Use is off-street parking lot.
  - West** – "C-3A", Use is off-street parking lot.
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:** N/A
9. **2020 Community Character Land Use Plan Designation:** Downtown Intensive, Mixed Use Office/Residential.
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 Energy has identified gas main and electrical utilities within the right-of-way. There is a public sanitary sewer running the length of the requested segment. Staff recommends that easements be reserved for all utilities in place.
2. **Traffic/Street System:** This street segment does not provide a significant traffic link within the area. Traffic Engineering staff have indicated that 7<sup>th</sup> and 9<sup>th</sup> Streets provide adequate north/south capacity to serve the area.
3. **Access or Parking:** The applicant plans to close the north end of the street segment, but keep the remaining paving in place for private use.

### 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 all public utilities in place.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Erik M Lundy". The signature is fluid and cursive, with the first name "Erik" being the most prominent.

Erik Lundy, AICP  
Senior Planner

EML:dfa

Attachment

56A

Item 11-2007-1.08

Date \_\_\_\_\_

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

RECEIVED

APR 17 2007

Print Name Principal Life Insurance Company

Signature [Signature]  
Ted Brookitt - 2nd VP

Address 707 8th Street, Des Moines, Iowa

COMMUNITY DEVELOPMENT  
DEPARTMENT

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_