

★ Roll Call Number

Agenda Item Number

61B

.....
Date September 24, 2007
.....

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 6, 2007, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a City Council initiated request for vacation and conveyance of Mattern Avenue between Dixon Street and De Wolf Street, and East 18th Street between Mattern Avenue and East Jefferson Avenue, subject to the following conditions:

1. Reservation of easements for all utilities in place.
2. Provision of access or ingress/egress easements for the property at 1822 East 18th Street based on existing access and for the adjoining property proposed for disposition and redevelopment.

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

Roger K. Brown
Assistant City Attorney

(11-2007-1.18)

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

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September 24, 2007

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 September 6, 2007, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 13-0 as follows:

<u>Commission Action:</u>	<u>Yes</u>	<u>Nays</u>	<u>Pass</u>	<u>Absent</u>
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			
Jim Martin	X			
Brian Millard	X			
Mike Simonson	X			
Kent Sovern	X			
Tim Urban				X
Marc Wallace	X			

APPROVAL of a City Council initiated request for vacation and conveyance of Mattern Avenue between Dixon Street and De Wolf Street, and East 18th Street between Mattern Avenue and East Jefferson Avenue, subject to the following conditions: (11-2007-1.18)

1. Reservation of easements for all utilities in place.
2. Provision of access or ingress/egress easements for the property at 1822 East 18th Street based on existing access and for the adjoining property proposed for disposition and redevelopment.

Written Responses

1 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

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STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Staff recommends approval of the initiated vacation and conveyance subject to the following:

- 1. Reservation of easements for all utilities in place.
- 2. Provision of access or ingress/egress easements for the property at 1822 East 18th Street based on existing access and for the adjoining property proposed for disposition and redevelopment.

STAFF REPORT

- 1. **Purpose of Request:** On August 6, 2007 the City Council initiated the requested vacation as part of a development agreement and disposition of City land for redevelopment in the Guthrie Avenue Business Park Urban Renewal Area.
- 2. **Size of Site:** 1.29 acres (56,100 square feet) of right-of-way requested for vacation.
- 3. **Existing Zoning (site):** "M-1" Light Industrial District and "GGP" Gambling Games Prohibition Overlay District.
- 4. **Existing Land Use (site):** Undeveloped street right-of-way.
- 5. **Adjacent Land Use and Zoning:**

North – "M-1", Use is Archival Products warehouse and distribution.

South – "M-1", Uses are Holm's Radiator Service and Smitty's Auto Parts/salvage yard.

East – "M-1", Use is vacant land.

West – "M-1", Uses are Dickman Supply building materials warehouse and distribution, and vacant Ruan Transportation service garage.

- 6. **General Neighborhood/Area Land Uses:** The subject property is part of the Guthrie Avenue Business Park light industrial complex within the northeast quadrant of the City along Guthrie Avenue west of Interstate 235.
- 7. **Applicable Recognized Neighborhood(s):** N/A.
- 8. **Relevant Zoning History:** N/A
- 9. **2020 Community Character Land Use Plan Designation:** General Industrial.
- 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:** There are currently an 8" public water main, overhead electrical lines, buried gas main and a public sanitary sewer within East 18th Street. There are also an 8" public water

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main, overhead utilities, buried gas main and buried Qwest telecommunications cable within Mattern Avenue. All utilities in place must have easements reserved to allow for access and maintenance unless the developer negotiates their abandonment or relocation.

- 2. **Access or Parking:** The subject right-of-way is intended to provide access to future redevelopment. There are currently secondary accesses used onto both East 18th Street and Mattern Avenue from the existing building materials company located at 1822 East 18th Street. Primary access to this property is from Dixon Street. In order to preserve the existing used access, staff recommends that access easements be reserved for both the property proposed for redevelopment and for the property at 1822 East 18th Street.

SUMMARY OF DISCUSSION


There was no discussion on this item.

Bruce Heilman: Moved for approval of the initiated vacation and conveyance subject to the following:

- 1. Reservation of easements for all utilities in place.
- 2. Provision of access or ingress/egress easements for the property at 1822 East 18th Street based on existing access and for the adjoining property proposed for disposition and redevelopment.

Motion passed 13-0.

Respectfully submitted,


 Michael Ludwig, AICP
 Planning Administrator

MGL:dfa

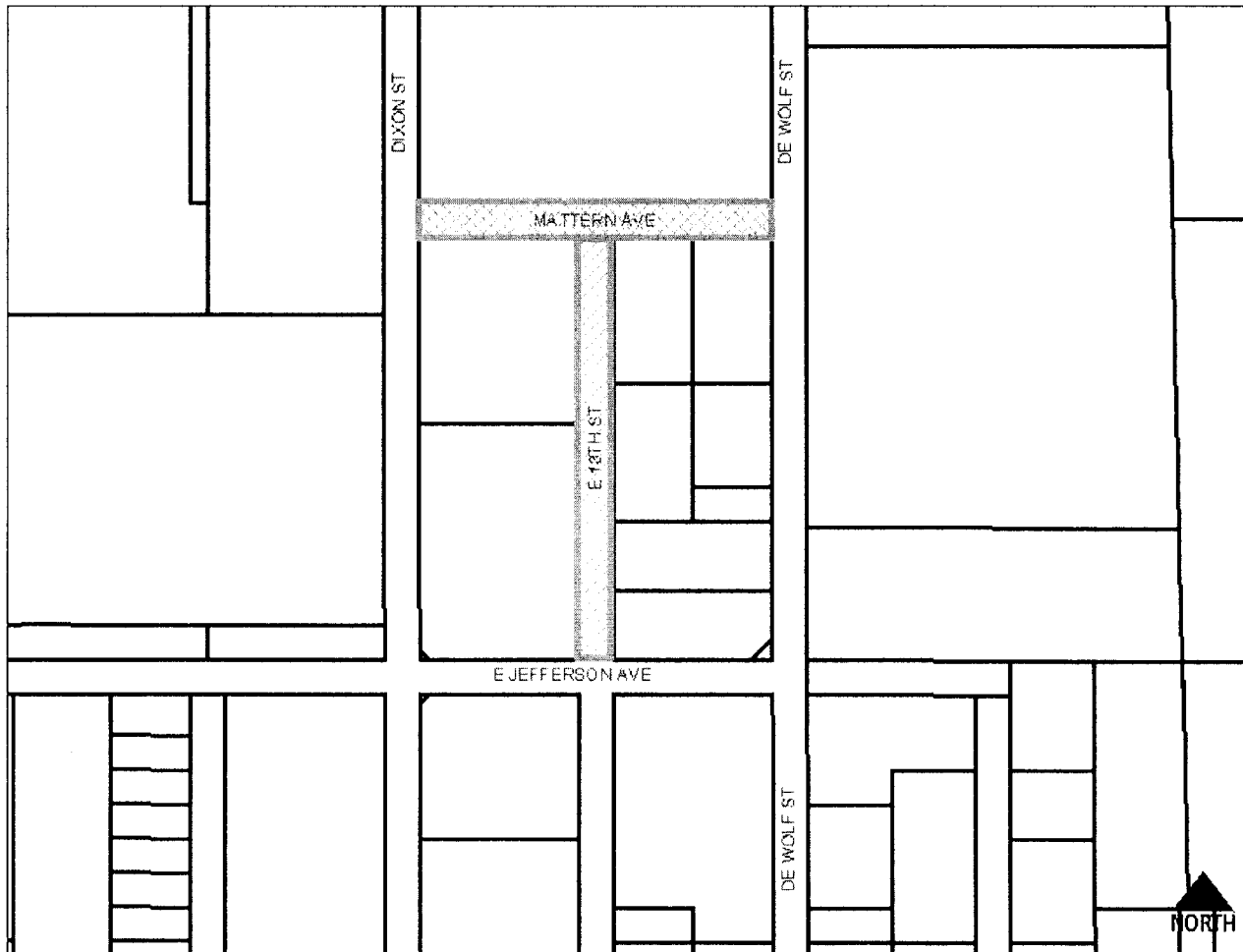
Attachment

613

City Council initiated request for vacation and conveyance.				File #	
				11-2007-1.18	
Description of Action	Vacate and convey Mattern Avenue between Dixon Street and De Wolf Street and East 18 th Street between Mattern Avenue and East Jefferson Avenue.				
2020 Community Character Plan	General Industrial.				
Horizon 2025 Transportation Plan	No Planned Improvements.				
Current Zoning District	"M-1" Light Industrial District and "M-2" Heavy Industrial 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	13-0	Required 6/7 Vote of the City Council	Yes	
	Denial			No	N/A

City Council Initiated - E 18th Street & E Mattern Avenue

11-2007-1.18



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Item 11-2007-1.18

Date aug 27, 2007

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

(Circle One)

RECEIVED

AUG 28 2007

**COMMUNITY DEVELOPMENT
DEPARTMENT**

Print Name FRITZ JAMES

Signature *Fritz James*

Address 180 Thompson

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

LIBRARY BINNING SERVICES