

★ **Roll Call Number**

Agenda Item Number

24

Date..... October 13, 2008.

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on October 2, 2008, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from the City Engineer for vacation and conveyance of East Granger Avenue between Vandalia Road and the Burlington Northern Santa Fe Railroad from Southeast 35th Street to Southeast 36th Street, adjoining property located at 1602 Southeast 36th Street and 1601 Southeast 35th Street.

MOVED by _____ to receive, file, and forward recommendation to the Engineering Department, Real Estate Division.

FORM APPROVED:


 Michael F. Kelley
 Assistant City Attorney

(11-2008-1.14)

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.

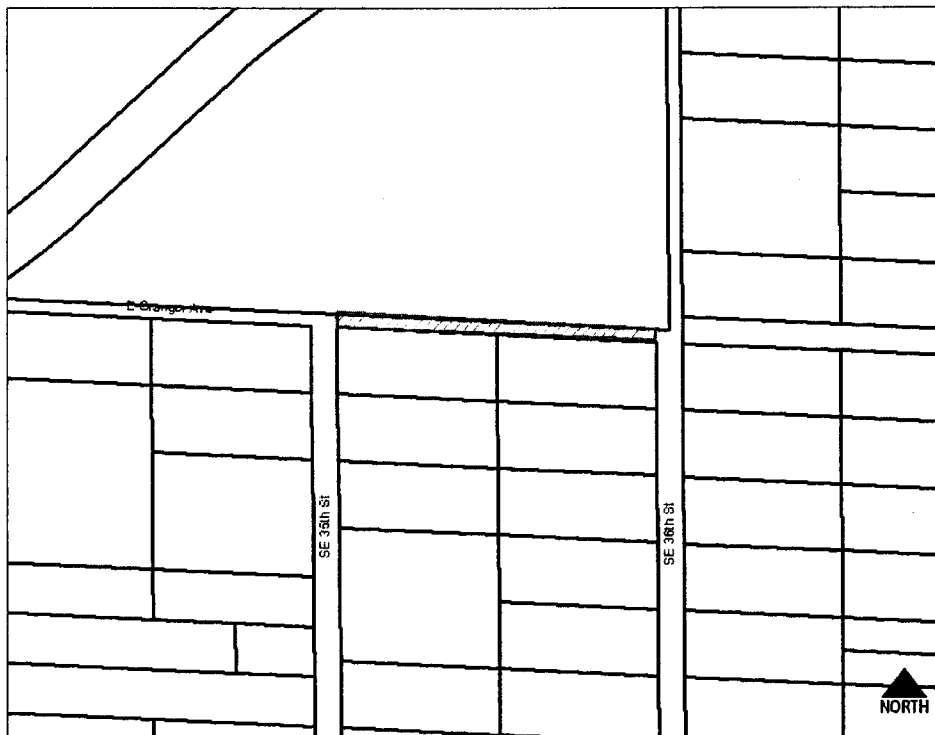
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 City Clerk

24

Request from the City Engineer for vacation and conveyance of East Granger Avenue between Vandalia Road and the Burlington Northern Santa Fe Railroad from Southeast 35 th Street to Southeast 36 th Street, adjoining property located at 1602 Southeast 36 th Street and 1601 Southeast 35 th Street.			File # 11-2008-1.14	
Description of Action	Vacation and conveyance of East Granger Avenue between Vandalia Road and the Burlington Northern Santa Fe Railroad from Southeast 35 th Street to Southeast 36 th Street, adjoining property located at 1602 Southeast 36 th Street and 1601 Southeast 35 th Street.			
2020 Community Character Plan	General Industrial			
Horizon 2025 Transportation Plan	Possible SE Diagonal (ROW yet to be determined)			
Current Zoning District	"M-1" Light Industrial District and "M-2" Heavy Industrial District			
Proposed Zoning District	"M-1" Light Industrial District and "M-2" Heavy Industrial District			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area				
Plan and Zoning Commission Action	Approval	11-0	Required 6/7 Vote of the City Council	Yes
	Denial			No

City of Des Moines, Engineering Dept, Real Estate Div - E 36th & Granger 11-2008-1.14



October 3, 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 October 2, 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			
JoAnne Corigliano	X			
Shirley Daniels	X			
Jacqueline Easley	X			
Dann Flaherty	X			
Bruce Heilman				X
Ted Irvine	X			
Jeffrey Johannsen				X
Greg Jones	X			
Frances Koontz				X
Jim Martin	X			
Brian Millard	X			
Mike Simonson	X			
Kent Sovern	X			

APPROVAL for City Council initiated request for vacation and conveyance of East Granger Avenue between Vandalia Road and the Burlington Northern Santa Fe Railroad from Southeast 35th Street to southeast 36th Street, adjoining property located at 1602 Southeast 36th Street and 1601 Southeast 35th Street. 11-2008-1.14

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the requested vacation and conveyance subject to the provision of easements for any existing utilities.

STAFF REPORT

I. GENERAL INFORMATION

1. **Purpose of Request:** The City has been assembling land in the surrounding area, including multiple right-of-ways, for redevelopment in accordance with the Second Amendment to the SE AgriBusiness Urban Renewal Plan. The proposed vacation will also allow the City to barricade the subject street to discourage illegal dumping until the area is redeveloped.

2. **Size of Site:** 25 feet by 608 feet or 15,200 square feet (0.35 acre).



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

3. **Existing Zoning (site):** “M-1” Light Industrial and “M-2” Heavy Industrial Districts.
4. **Existing Land Use (site):** Semi-developed and undeveloped streets.
5. **Adjacent Land Use and Zoning:**
 - North* – “M-2”, Use is undeveloped land.
 - South* – “M-1”, Uses are vacant land and buildings leased to Beals Brothers Manufacturing by the City. (The lease expires September 30, 2008.)
6. **General Neighborhood/Area Land Uses:** This area is generally characterized by vacant land and salvage yards.
7. **Applicable Recognized Neighborhood(s):** None.
8. **Relevant Zoning History:** On March 1, 2007, the Plan and Zoning Commission approved a recommendation to vacate multiple streets within the Agrimergent Business Park. The subject right-of-way was excluded at that time since Beals Bros. Manufacturing at 1601 SE 35th Street utilized this right-of-way for access. The City purchased the property in July of 2007 and has since been leasing the property to Beals Bros. Manufacturing. The lease expires September 30, 2008 and the business on this property will cease operations at that time.
9. **2020 Community Character Land Use Plan Designation:** Planned Business Park.
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:** Easements must be provided for all existing utilities. Staff is not aware of any utilities at this time.
2. **Street System/ Access:** The only property that utilizes the requested right-of-way is located at 1601 SE 35th Street. The City purchased the property in July of 2007 and has since been leasing the property to Beals Bros. Manufacturing. The lease expires September 30, 2008 and the business on this property will cease operations at that time.

SUMMARY OF DISCUSSION

CHAIRPERSON OPENED THE PUBLIC HEARING

There was no one in the audience to speak on this item. No discussion was held by the Commission.

CHAIRPERSON CLOSED THE PUBLIC HEARING

Motion passed 11-0.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M. Ludwig".

Michael Ludwig, AICP
Planning Administrator

MGL:cw

Attachment