

Date.....November 23, 2009

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 5, 2009, its members voted 9-2 in support of a motion to recommend **APPROVAL** of a request from the Parks and Recreation Director to close the remaining portion of the park road known as West River Drive from 400 feet north of 2nd Avenue to Illinois Street.

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

FORM APPROVED:



Michael F. Kelley
Assistant City Attorney

(11-2009-1.15)

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

MOTION CARRIED APPROVED

.....
Mayor

CERTIFICATE

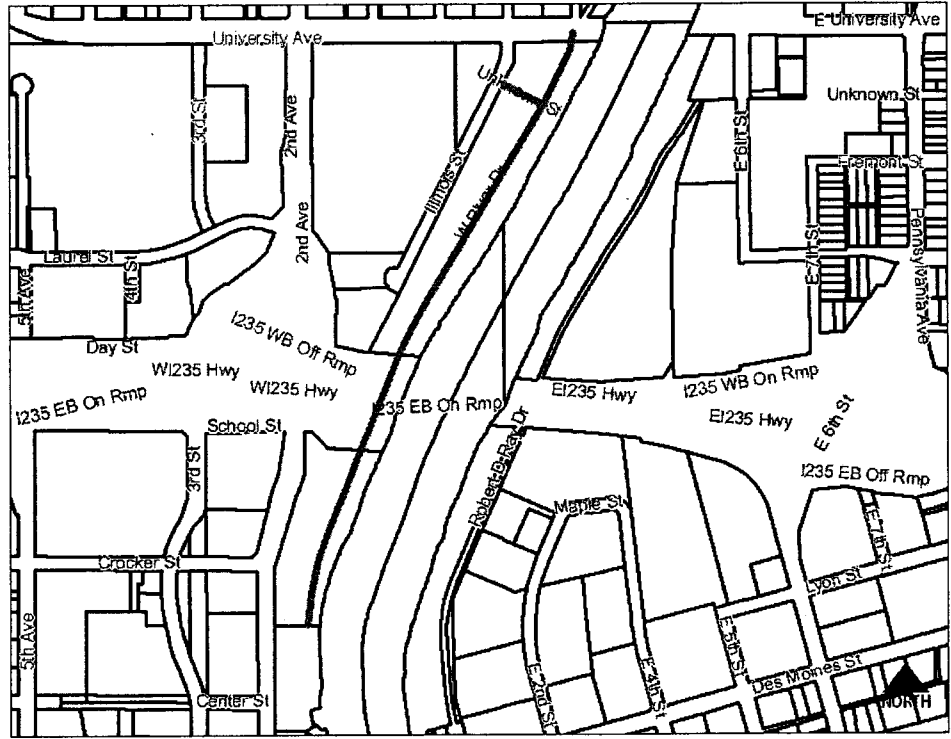
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

City Clerk

| | | | | | |
|--|--|--------------|--|--------------|---|
| Request from the Parks and Recreation Director to close the remaining portion of the park road known as West River Drive from 400 feet north of 2 nd Avenue to Illinois Street. | | | | File # | |
| | | | | 11-2009-1.15 | |
| Description of Action | Vacation of the remaining portion of the park road known as West River Drive from 400 feet north of 2 nd Avenue to Illinois Street. | | | | |
| 2020 Community Character Plan | Park/Open Space | | | | |
| Horizon 2025 Transportation Plan | No Planned Improvements | | | | |
| Current Zoning District | "D-R" Downtown Riverfront District | | | | |
| Proposed Zoning District | "D-R" Downtown Riverfront District | | | | |
| Consent Card Responses | In Favor | Not In Favor | Undetermined | % Opposition | |
| Inside Area | 2 | | | | |
| Outside Area | | | | | |
| Plan and Zoning Commission Action | Approval | 9-2 | Required 6/7 Vote of the City Council | Yes | |
| | Denial | | | No | X |

City of Des Moines - West River Drive remaining unvacated portion 11-2009-1.15



November 6, 2009

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 November 5, 2009, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 9-2 as follows:

| Commission Action: | Yes | Nays | Pass | Absent |
|--------------------|-----|------|------|--------|
| Leisha Barcus | X | | | |
| JoAnne Corigliano | X | | | |
| Shirley Daniels | X | | | |
| Jacqueline Easley | X | | | |
| Dann Flaherty | X | | | |
| Ted Irvine | X | | | |
| Jeffrey Johannsen | | | | X |
| Greg Jones | X | | | |
| Jim Martin | | X | | |
| Brian Millard | | X | | |
| William Page | | | | X |
| Mike Simonson | X | | | |
| Kent Sovern | X | | | |

APPROVAL of the request from the Parks and Recreation Director to close the remaining portion on the park road known as West River Drive from 400 feet north of 2nd Avenue to Illinois Street. 11-2009-1.15

Written Responses

- 2 In Favor
- 0 In Opposition

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the elimination of the remaining segment of West River Drive.

STAFF REPORT

I. GENERAL INFORMATION

1. **Purpose of Request:** The elimination of the remaining dead end segment of the park road known as West River Drive would allow future use of City owned land between University Avenue and the Center Street Dam for recreational purposes. This would be in furtherance of the "Rediscovering the Rivers" Riverfront Master Plan adopted by the City on August 25, 2003 by Roll Call No. 03-2011. The potential uses for this area include a skate park, a BMX park, a



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

playground, and a dog park. In addition, the existing street could be converted to a recreational trail.

2. **Size of Site:** Approximately 3,000-foot long segment of West River Drive.
3. **Existing Zoning (site):** "D-R" Downtown Riverfront District.
4. **Existing Land Use (site):** West River Drive.
5. **Adjacent Land Use and Zoning:** "D-R" Downtown Riverfront District: The subject street passes through an open space area between the Des Moines River and 2nd Avenue.
6. **General Neighborhood/Area Land Uses:** The subject street is located along the west bank of the Des Moines River in an area generally known as the Principal Riverwalk.
7. **Applicable Recognized Neighborhood(s):** Downtown Des Moines Neighborhood.
8. **Relevant Zoning History:** N/A.
9. **2020 Community Character Land Use Plan Designation:** Downtown Park/Open Space.
10. **Applicable Regulations:** The Commission reviews proposals to eliminate 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 for other use. The recommendation of the Commission is forwarded to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

The City's Traffic and Transportation Division does not believe the requested elimination of the park road would adversely impact the street system since the street is currently a dead end street and does not provide access to any privately owned properties. On December 22, 2008, the City Council adopted Roll Call 08-2181 approving permanent closure of the southern 400 feet of West River Drive. This action eliminated the intersection with 2nd Avenue and caused this segment of West River Drive to become a dead end street.

SUMMARY OF DISCUSSION

Brian Millard asked for a brief presentation of Item 1.

Doug Romig Park and Recreation manager gave a brief overview. He also stated that he has met with all the property owners along West River Drive and 2nd Avenue adjoining the property and they have expressed full support.

Brian Millard asked about parking for the Riverwalk project.

Doug Romig stated they are working with Traffic and Transportation and they have indicated a desire or interest to allow parking along the 2nd Avenue weekdays after 6:00 p.m. There is also a plan for a small parking lot that is currently a gravel lot near the substation. It will become a lighted parking lot for up to 10 cars with a couple of handicap stalls that would be permanently available. Finally, there will be a parking lot off of Illinois Street for about a 100 vehicles.

Jacqueline Easley stated that a person being recruited at her job mentioned that the City of Des Moines seems to be family friendly city and was thrilled when they toured our community.

CHAIRPERSON OPENED THE PUBLIC HEARING

There was no one in the audience to speak in opposition.


CHAIRPERSON CLOSED THE PUBLIC HEARING

COMMISSION ACTION

Ted Irvine moved staff recommendation to approve the elimination of the remaining segment of West River Drive.

Motion passed 9-2 (Brian Millard and Jim Martin were in opposition)

Respectfully submitted,


Michael Ludwig, AICP
Planning Administrator

MGL:clw

Attachment

Item 11-2009-1.15 Date 11/3/2009
I (am) in favor of the request.

RECEIVED
NOV 09 2009
"UNITY DEVELOP"
Print Name Stephen W. Jacobs
Signature [Signature]
Address INFORMAX Office Systems, Inc.
JACOBS REV TRUST
1010 ILLINOIS ST. 515
244-523

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

I would go along with the request to close part of the street if there is a stop light placed at Illinois St. & University - The pleasure at West River Drive diminishes our "Second" Route out and causes more congestion and safety issues at Illinois St. & University.

Item 11-2009-1.15 Date 10/29/09

I (am) in favor of the request. PANDA LLC

(Circle One)
Print Name Dennis Bennett
RECEIVED
Signature [Signature]
Address 1000 Illinois St.

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

I am in favor of closing West River Drive, however, it should be noted that the frequent evening activities ~~on~~ that street may spill onto Illinois street. We would request additional patrols from the local law enforcement to discourage activity on private property along Illinois St.

Item 11-2009-1.15 Date 10.30.09

I (am) (am not) in favor of the request. Leave it upto you.

(Circle One)
RECEIVED
NOV 05 2009
"UNITY DEVELOP"

Print Name GIAN C. SUD, GEN. PARTNER
Signature [Signature]
Address 1430 FT. JESSE RD., NORMAL, IL 61761

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

If you know, what you are doing
GC