


Date November 24, 2008

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 6, 2008, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from R.M. Madden Construction, Inc. (owner), represented by Rick Madden (officer), 938 24th Street for vacation and conveyance of a segment of the east/west alley and a segment of the north/south alley between 24th Street and 25th Street, north of Rollins Avenue and south of Interstate 235 subject to the following conditions:

1. Provision of easements for any existing utilities.
2. Compliance with the building code and site plan regulations for development of the property.

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

FORM APPROVED:


 Michael F. Kelley
 Assistant City Attorney

(11-2008-1.18)

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

MOTION CARRIED

APPROVED

Mayor

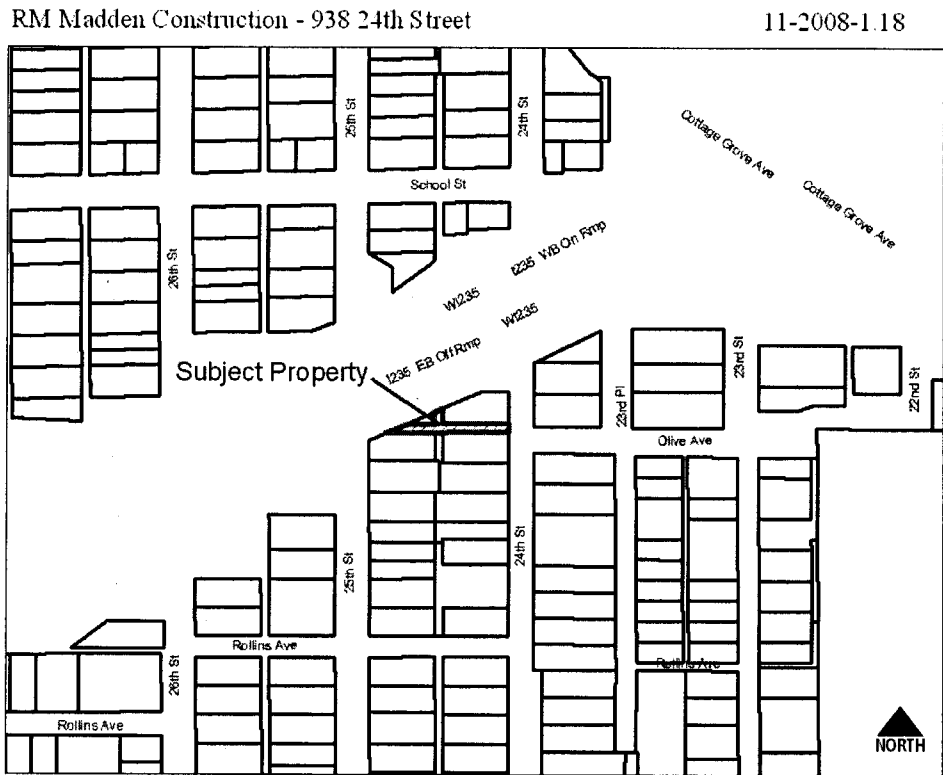
CERTIFICATE

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

Request from R.M. Madden Construction, Inc. (Owner) 938 24 th Street, represented by Rick Madden (officer) for vacation and conveyance of a segment of the east/west alley and a segment of the north/south alley between 24 th Street and 25 th Street, north of Rollins Avenue and south of Interstate 235.				File # 11-2008-1.18	
Description of Action	Vacation and conveyance of a segment of the east/west alley and a segment of the north/south alley between 24 th Street and 25 th Street, north of Rollins Avenue and south of Interstate 235.				
2020 Community Character Plan	Low-Density Residential				
Horizon 2025 Transportation Plan	No Planned Improvements.				
Current Zoning District	"R1-60" One-Family Low-Density Residential District				
Proposed Zoning District	"R1-60" One-Family Low-Density Residential District				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area				N/A	
Outside Area					
Plan and Zoning Commission Action	Approval	11-1	Required 6/7 Vote of the City Council	Yes	N/A
	Denial			No	N/A



Nov. 24, 2008

November 21, 2008

Agenda Item 12

Roll Call # _____

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 6, 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 of the request to vacate and convey a segment of the east/west alley and a segment of the north/south alley between 24th Street and 25th Street, north of Rollins Avenue and south of Interstate 235 subject to the following conditions:
(11-2008-1.18)

1. Provision of easements for any existing utilities.
2. Compliance with the building code and site plan regulations for development of the property.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

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

1. Provision of easements for any existing utilities.
2. Compliance with the building code and site plan regulations for development of the property.



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 requests the vacation and conveyance of the subject alley in order to combine a portion of it with their property to increase the allowed building envelope.
2. **Size of Site:** The east/west portion measures 16 feet by approximately 200 feet (approximately 3,200 square feet) and the north/south portion measures 16 feet by 30 feet (480 square feet).
3. **Existing Zoning (site):** "R1-60" Single-Family Residential District.
4. **Existing Land Use (site):** Unimproved alley right-of-way.
5. **Adjacent Land Use and Zoning:**
 - North** – "R1-60"; Use is Interstate 235.
 - South** – "R1-60"; Uses consist of a vacant lot owned by RM Madden (applicant) and a vacant lot owned by Polk County.
6. **General Neighborhood/Area Land Uses:** The subject alley is located in a low-density residential area just south of Interstate 235.
7. **Applicable Recognized Neighborhood(s):** Woodland Heights Neighborhood.
8. **Relevant Zoning History:** N/A.
9. **2020 Community Character Land Use Plan Designation:** Low-Density 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:** No existing utilities have been identified at this time. Easements must be provided any existing utilities should they be identified.
2. **Traffic/ Access:** The requested vacation of right-of-way will not impact the surrounding street network since the segments of right-of-way dead end at Interstate 235 right-of-way. No properties utilize the right-of-way for access.

SUMMARY OF DISCUSSION

CHAIRPERSON OPENED THE PUBLIC HEARING

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

CHAIRPERSON CLOSED THE PUBLIC HEARING

Jacqueline Easley moved staff recommendation to approve the requested vacation and conveyance of a segment of the east/west alley and a segment of the north/south alley between 24th Street and 25th Street, north of Rollins Avenue and south of Interstate 235 subject to the following conditions:

1. Provision of easements for any existing utilities.
2. Compliance with the building code and site plan regulations for development of the property.

Motion passed 11-0.

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:clw

Attachment