


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 10-0-1 in support of a motion to recommend **APPROVAL** of a request from St. Anthony's Church of Des Moines (owner), represented by Msgr. Frank Chiodo, 1815 Southwest 1st Street for vacation and conveyance of the north/south alley between SW 1st Street and Indianola Avenue from Edison Avenue to Indianola Avenue 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

(11-2008-1.17)

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 St. Anthony's Church of Des Moines (owner) 1815 Southwest 1 st Street, represented by Msgr. Frank Chiodo for vacation and conveyance of the north/south alley between SW 1 st Street and Indianola Avenue from Edison Avenue to Indianola Avenue.				File # 11-2008-1.17	
Description of Action		Vacation and conveyance of the north/south alley between SW 1 st Street and Indianola Avenue from Edison Avenue to Indianola Avenue.			
2020 Community Character Plan		Medium-Density Residential			
Horizon 2025 Transportation Plan		No Planned Improvements.			
Current Zoning District		"R-3" Multiple-Family Residential District			
Proposed Zoning District		"R-3" Multiple-Family Residential District			
Consent Card Responses		In Favor	Not In Favor	Undetermined	% Opposition
Inside Area		1			N/A
Outside Area					
Plan and Zoning Commission Action		Approval	10-0-1	Required 6/7 Vote of the City Council	
		Denial		Yes	N/A
				No	N/A

St. Anthony's Church - 15 Indianola Avenue

11-2008-1.17



Date Nov. 24, 2008

Agenda Item 13

Roll Call # _____

November 21, 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 November 6, 2008, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 10-0-1 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 the north/south alley between SW 1st Street and Indianola Avenue from Edison Avenue to Indianola Avenue subject to the following conditions: (11-2008-1.17)

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

Written Responses

1 In Favor
0 In Opposition

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 wishes to assemble the city block that contains the subject alley and develop a grotto and open space for the St. Anthony's Church. The block is comprised of four parcels. The Church owns two of the parcels, each of which contains a single-family dwelling. The remaining two parcels are excess land from the Indianola Avenue extension project and are owned by the City.
2. **Size of Site:** The subject alley segment is approximately 104 feet in length.
3. **Existing Zoning (site):** "R-3" Multiple Family Residential District.
4. **Existing Land Use (site):** Unimproved alley right-of-way.
5. **Adjacent Land Use and Zoning:**
 - North* – "R-3", Use are vacant land and single-family dwellings.
 - South* – "R-3", Use is the St. Anthony's Church.
 - East* – "R-3", Use is vacant land.
 - West* – "R-3", Uses are single-family dwellings.
6. **General Neighborhood/Area Land Uses:** The subject property is located in a transitional area south of the downtown that includes industrial, commercial and single-family residential uses.
7. **Applicable Recognized Neighborhood(s):** Columbus Park/McKinley School.
8. **Relevant Zoning History:** N/A.
9. **2020 Community Character Land Use Plan Designation:** Medium-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:** Mid American Energy has electrical service lines and a gas main along the north side of the Edison Avenue right-of-way that may partially extend into the subject alley right-of-way. An access easement must be provided for these utilities if they are found to extend into the alley.
2. **Access/Street System:** The subject alley is not developed or used for access by any of the adjoining properties.
3. **Additional Information:** The block that contains the subject alley was identified as a church expansion area in the recent 2 Rivers District Plan.

Any development of the site will require a site plan and/or permit depending on the nature of the development.

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 the north/south alley between SW 1st Street and Indianola Avenue from Edison Avenue to Indianola Avenue 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 10-0-1 (Brian Millard abstained).

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:clw

Attachment

Item 11-2008-1.17

Date _____

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

RECEIVED

Print Name MARC PARIS / St Anthony's

OCT 30 2008

Signature [Signature]

**COMMUNITY DEVELOPMENT
DEPARTMENT**

Address 15 Indiana Ave

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

St. Anthony's is the only adjoining
property owner. It is favor of the
request.