

Date November 8, 2010

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on August 5, 2010, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from the Public Works Director William Stowe for vacation of the following segments of right-of-way for use as a lease area for the Metro Waste Authority Compost Facility, subject to provision of easements for any existing utilities until such time that they are relocated:

- A) The east/west alley south of Vale Street, north of Garver Street from Southeast 15th Street to Southeast 16th Street.
- B) Garver Street from Southeast 15th Street to Southeast 16th Street.
- C) Railroad Street from Southeast 15th Street to Southeast 16th Street
- D) The east/west alley south of Railroad Street, north of Harriett Street from Southeast 15th Street to Southeast 16th Street.
- E) Harriett Street from Southeast 15th Street to Southeast 16th Street.

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

FORM APPROVED:


 Michael F. Kelley
 Assistant City Attorney

(11-2010-1.06)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

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.

MOTION CARRIED APPROVED

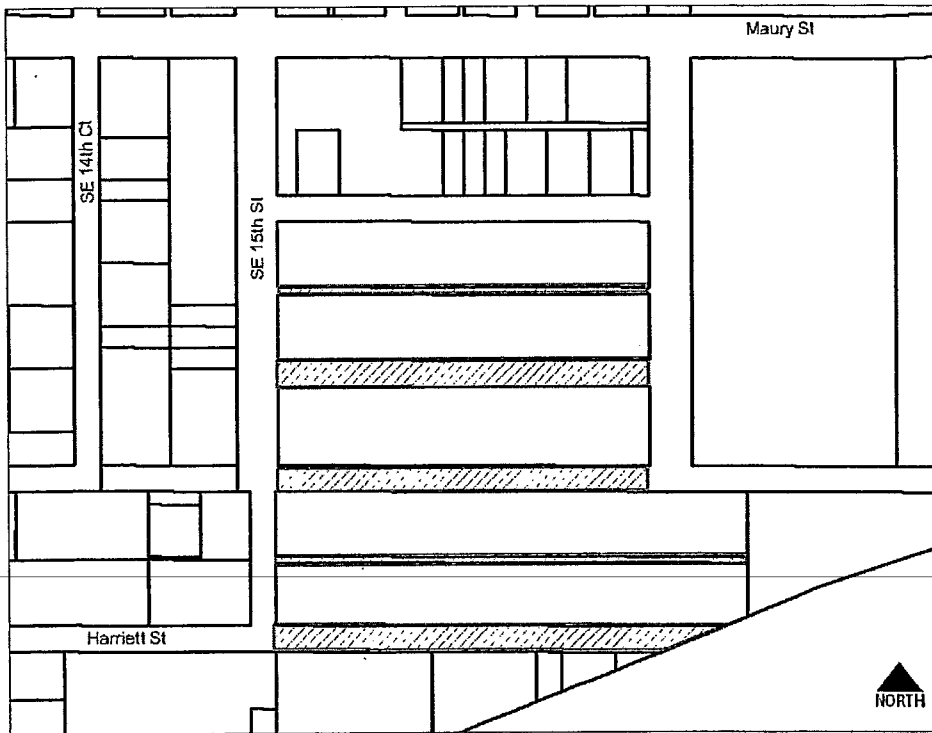
 Mayor

 City Clerk

Request from the Public Works Director William Stowe for vacation of the following segments of right-of-way for use as part of lease area for the Metro Waste Authority Compost Facility:				File #	
				11-2010-1.06	
Description of Action	Vacation of the following segments of right-of-way for use as part of lease area for the Metro Waste Authority Compost Facility: A) The east/west alley south of Vale Street, north of Garver Street from Southeast 15 th Street to Southeast 16 th Street. B) Garver Street from Southeast 15 th Street to Southeast 16 th Street. C) Railroad Street from Southeast 15 th Street to Southeast 16 th Street D) The east/west alley south of Railroad Street, north of Harriett Street from Southeast 15 th Street to Southeast 16 th Street. E) Harriett Street from Southeast 15 th Street to Southeast 16 th Street.				
2020 Community Character Plan	General Industrial				
Horizon 2035 Transportation Plan	SE 15 th Street from North of Court Avenue to South of Hartford Avenue add 3 lanes one-way				
Current Zoning District	"M-1" Light Industrial District				
Proposed Zoning District	"M-1" Light Industrial District				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area					
Outside Area					
Plan and Zoning Commission Action	Approval	10-0	Required 6/7 Vote of the City Council	Yes	
	Denial			No	X

City of Des Moines - SE 15th Street and Harriett Street Area

11-2010-1.06



August 10, 2010

Ag Item 21

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 August 5, 2010, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 10-0 as follows:

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

APPROVAL of a request from the Public Works Director William Stowe, for vacation of the following segments of right-of-way for use as part of lease area for the Metro Waste Authority Compost Facility subject to provision of easements for any existing utilities until such time that they are relocated:

11-2010-1.06

- A) The east/west alley south of Vale Street, north of Garver Street from Southeast 15th Street to Southeast 16th Street.
- B) Garver Street from Southeast 15th Street to Southeast 16th Street.
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STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the requested vacation subject to provision of easements for any existing utilities until such time that they are relocated.



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 request would allow for five strips of undeveloped right-of-way to be assembled with the adjoining parcels that are owned by the City of Des Moines. The resulting property would be leased to the Metro Waste Authority to allow expansion of the existing compost facility that is adjacent to the south. Any future expansion of the compost facility will require either rezoning the area to the "M-2" Heavy Industrial District or seeking a Special Permit from the Zoning Board of Adjustment. In addition, any expansion must be in compliance with a Site Plan approved administratively by the City's Permit & Development Center, which would require paving drive aisles and compliance with the City's tree preservation / mitigation policy.
 2. **Size of Site:** The requested strips of right-of-way each vary between 710 feet and 900 feet in length.
 3. **Existing Zoning (site):** "M-1" Light Industrial District.
 4. **Existing Land Use (site):** Undeveloped street and alley right-of-way.
 5. **Adjacent Land Use and Zoning:** "M-1" Light Industrial District.
 6. **General Neighborhood/Area Land Uses:** The subject right-of-way is within an undeveloped area just to the north of the Metro Waste Authority Compost Facility.
 7. **Applicable Recognized Neighborhood(s):** None.
 8. **Relevant Zoning History:** NA.
 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.
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II. ADDITIONAL APPLICABLE INFORMATION

1. **Utilities:** MidAmerican Energy has requested reservation of an easement for electric facilities and street lighting in the easterly ROW running from Maury Street south to Harriett Street. Staff recommends reserving easements for these utilities and any other existing facilities that may be in place at this time.
2. **Street System/ Access:** The requested vacation of right-of-way will not impact the surrounding street network since the undeveloped segments of right-of-way do not connect any developed streets or adjoin property not owned by the City of Des Moines. The requested right-of-way is not needed for the proposed Southeast Connector.

3. Development Requirements: Any future expansion of the compost facility on the adjoining property will require either rezoning the area to the "M-2" Heavy Industrial District or seeking a Special Permit from the Zoning Board of Adjustment. In addition, any expansion must be in compliance with a Site Plan approved administratively by the City's Permit & Development Center, which would require paving drive aisles and compliance with the City's tree preservation/mitigation policy.

SUMMARY OF DISCUSSION

There was no discussion.

CHAIRPERSON OPENED THE PUBLIC HEARING

There was no one to speak in opposition of applicant's request

CHAIRPERSON CLOSED THE PUBLIC HEARING

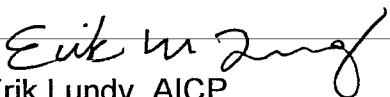
COMMISSION ACTION

Greg Jones moved staff recommendation to approve the vacation of the following segments of right-of-way for use as part of lease area for the Metro Waste Authority Compost Facility subject to provision of easements for any existing utilities until such time that they are relocated:

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Motion passed 10-0.

Respectfully submitted,


 Erik Lundy, AICP
 Senior Planner

EML:clw

Attachment