

★ Roll Call Number

Agenda Item Number

18A

Date..... July 11, 2011.....

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on July 7 2011, its members voted 12-0-1 in support of a motion to recommend **APPROVAL** of a request from St. Ambrose Cathedral and Roman Catholic Diocese of Des Moines, 607 and 623 High Street represented by Chris Pose (counsel), for vacation of the north/south alley between 6th Avenue and 7th Street running from Watson Powell Jr. Way to High Street. Additional adjoining property is owned by Principal Mutual Life Insurance Group.

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

FORM APPROVED:


 Michael F. Kelley
 Assistant City Attorney

(11-2011-1.09)

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

Date _____

Agenda Item 18A

Roll Call # _____

July 8, 2011

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 July 7, 2011, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 12-0-1 as follows:

Commission Action:	Yes	Nays	Pass	Absent
JoAnne Corigliano	X			
Shirley Daniels	X			
Jacqueline Easley				X
Tim Fitzgerald	X			
Dann Flaherty	X			
John "Jack" Hilmes	X			
Joel Huston	X			
Ted Irvine	X			
Greg Jones	X			
William Page	X			
Christine Pardee	X			
Mike Simonson			X	
Kent Sovern	X			
CJ Stephens	X			

APPROVAL of a request from St. Ambrose Cathedral and Roman Catholic Diocese of Des Moines, 607 and 623 High Street represented by Chris Pose (counsel), and additional adjoining property is owned by Principal Mutual Life Insurance Group for vacation of the requested alley rights-of-way subject to the following conditions:

1. Reservation of easements for all utilities in place until such time that they are abandoned or relocated at the applicant's expense.
2. Reservation of a public access easement over the entire vacated alley to allow use for access to adjoining loading and off-street parking.
3. Provision of a recorded covenant that requires any interim or permanent use on the requested right-of-way or adjoining properties to be in conformance with a development plan approved by the City Council.

11-2011-1.09

Written Responses

- 2 In Favor
- 0 In Opposition



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 RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval for vacation of the requested alley rights-of-way subject to the following conditions:

1. Reservation of easements for all utilities in place until such time that they are abandoned or relocated at the applicant's expense.
2. Reservation of a public access easement over the entire vacated alley to allow use for access to adjoining loading and off-street parking.
3. Provision of a recorded covenant that requires any interim or permanent use on the requested right-of-way or adjoining properties to be in conformance with a development plan approved by the City Council.

STAFF REPORT

I. GENERAL INFORMATION

1. **Purpose of Request:** The requested vacation is sought to assemble the southern portion of the block for the St. Ambrose Cathedral. The applicant is developing off-street parking on adjoining land at the southwest corner of the block previously used for a bank.
2. **Size of Site:** Requested right-of-way measures 16.5 feet by 260 feet (4,290 square feet).
3. **Existing Zoning (site):** "C-3" Central Business District Commercial District.
4. **Existing Land Use (site):** Paved alley right-of-way.
5. **Adjacent Land Use and Zoning:**

 East – "C-3", Uses are the St. Ambrose Cathedral and an off-street parking lot.

 West – "C-3", Uses are vacant land from recently demolished bank and office buildings for Principal Financial Group.
6. **General Neighborhood/Area Land Uses:** The subject property is located in the northern portion of downtown to the north of the Grand Avenue corridor and west of the 6th Avenue corridor at the eastern edge of the Principal Financial Group campus.
7. **Applicable Recognized Neighborhood(s):** Downtown Des Moines Neighborhood.
8. **Relevant Zoning History:** N/A.
9. **2020 Community Character Land Use Plan Designation:** Downtown High Amenity Office/Institutional.

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:** There are existing underground Century Link communications conduit and underground MidAmerican Energy gas and electrical facilities within the alley right-of-way. Easements must be maintained for all utilities in place unless other arrangements are approved by the affected utility.
2. **Access/Traffic:** The vacation of the alley will require that access be kept open for vehicular access to loading and off-street parking on adjoining parcels owned by both the applicant and Principal Financial Group.

SUMMARY OF DISCUSSION

There was no discussion.

CHAIRPERSON OPENED THE PUBLIC HEARING

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

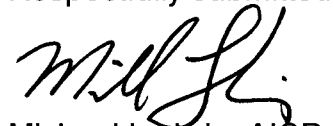
COMMISSION ACTION

Greg Jones moved staff recommendation to approve the vacation of the requested alley rights-of-way subject to the following conditions:

1. Reservation of easements for all utilities in place until such time that they are abandoned or relocated at the applicant's expense.
2. Reservation of a public access easement over the entire vacated alley to allow use for access to adjoining loading and off-street parking.
3. Provision of a recorded covenant that requires any interim or permanent use on the requested right-of-way or adjoining properties to be in conformance with a development plan approved by the City Council.

Motion passed 12-0-1 (Mike Simonson abstained)

Respectfully submitted,


Michael Ludwig, AICP
Planning Administrator

MGL:clw

Attachment

Item 11-2011-1.09 Date 7-5-11

I (am) (am not) in favor of the request.
(Circle One)

RECEIVED

COMMUNITY DEVELOPMENT
Print Name

MICHAEL RILEY

JUL 07 2011
Signature

Michael Riley

DEPARTMENT

601 GRAND AVE

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

Item 11-2011-1.09 Date 7-5-11

I (am) (am not) in favor of the request.
(Circle One)

RECEIVED

COMMUNITY DEVELOPMENT
Print Name

REV JOHN BERTOGLI

JUL 07 2011
Signature

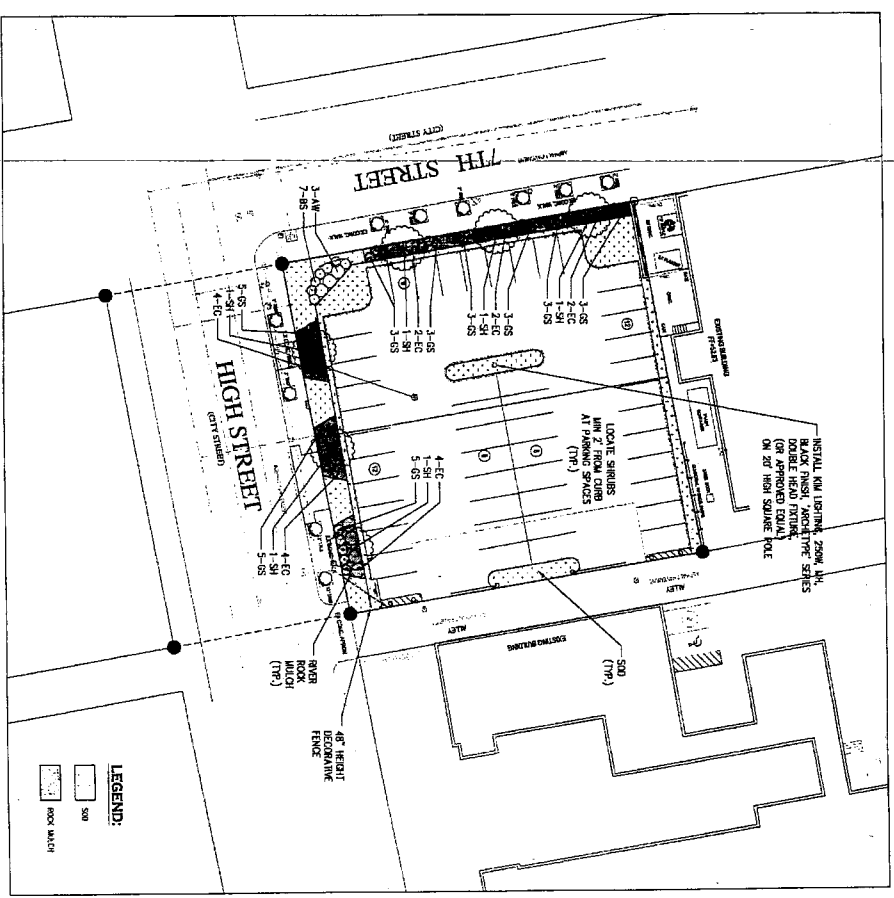
John Bertogli

DEPARTMENT

607 HIGH ST.

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





PLANT SCHEDULE:

NO.	SYM.	COMMON NAME	RECOMMENDATION	SIZE	QUANTITY	DATE
1	1-1	SHRUB (SPECIFIC)	1. QUALITY & HEALTHY	3\"/>		

LANDSCAPE SUMMARY:

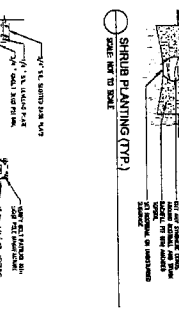
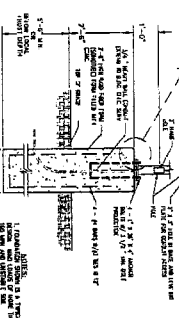
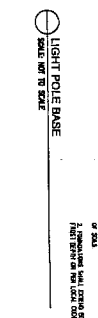
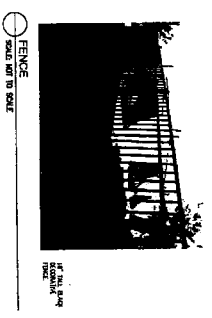
1. ALL PLANTINGS SHALL BE INSTALLED BY THE CONTRACTOR.

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4. ALL PLANTINGS SHALL BE INSTALLED BY THE CONTRACTOR.

5. ALL PLANTINGS SHALL BE INSTALLED BY THE CONTRACTOR.



LANDSCAPE NOTES:

1. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DES MOINES AND THE IOWA DEPARTMENT OF TRANSPORTATION.
2. ALL PLANTINGS SHALL BE INSTALLED BY THE CONTRACTOR.
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TREE MITIGATION SUMMARY:

DESCRIPTION	APPROXIMATE NO.	OFF. REMOVAL	OFF. REPLACEMENT
12\"/>			

DESIGNER: SIMONSON & ASSOCIATES ARCHITECTS LLC

DATE: 03-29-2011

PROJECT: LIGHTING & LANDSCAPE PLAN FOR ST. AMBROSE CATHEDRAL PARKING LOT AT 623 HIGH STREET, DES MOINES, IOWA

simonson

simonson & associates architects llc
1500 10th Street, Des Moines, IA 50319
515.281.1111

LIGHTING & LANDSCAPE PLAN FOR ST. AMBROSE CATHEDRAL PARKING LOT AT 623 HIGH STREET, DES MOINES, IOWA

DESIGNER: SIMONSON & ASSOCIATES ARCHITECTS LLC

DATE: 03-29-2011

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