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Date.....March 26, 2012.....

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on March 15, 2012, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from MDI Limited Partnership #86 (owner) 1440 Walnut Street, represented by Lawrence Olson (partner) for vacation and conveyance of an irregular segment of 15<sup>th</sup> Street right-of-way adjoining the subject property for incorporation into the Crane Artist Lofts site subject to the reservation of easements for any utilities in place until such time that they are abandoned or relocated.

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

FORM APPROVED:

  
 Michael F. Kelley  
 Assistant City Attorney

(11-2012-1.04)

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

**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.

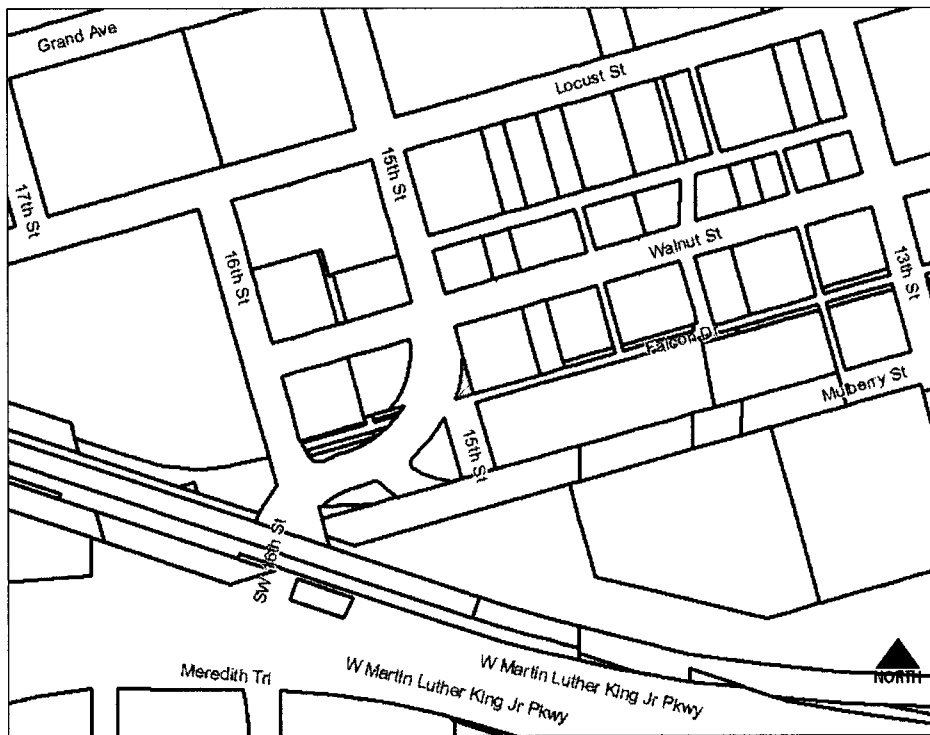
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_ Mayor

\_\_\_\_\_ City Clerk

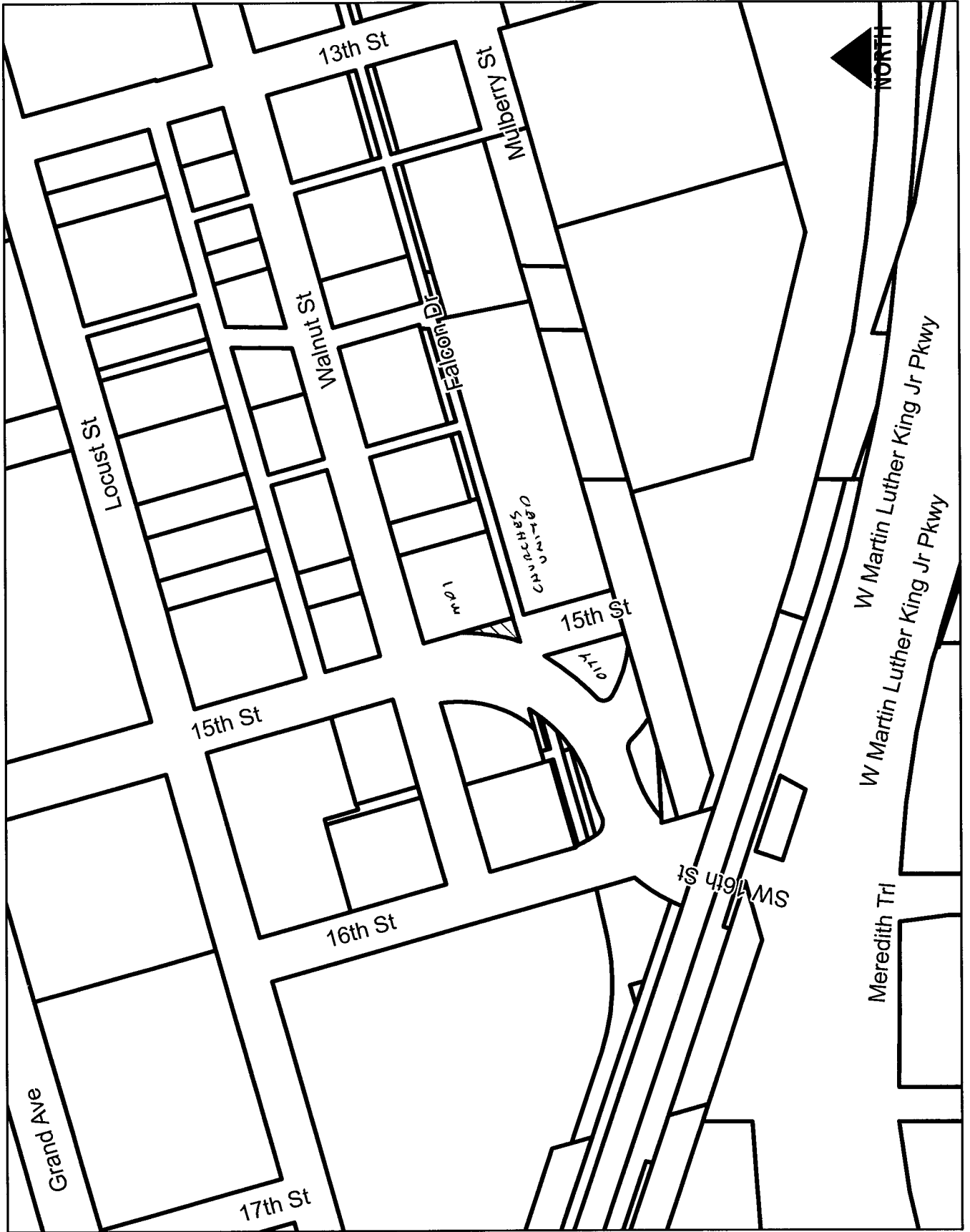
Request from MDI Limited Partnership #86 (owner) 1440 Walnut Street, represented by Lawrence Olson (partner) for vacation and conveyance of an irregular segment of 15 <sup>th</sup> Street right-of-way adjoining the subject property for incorporation into the Crane Artist Lofts site.				<b>File #</b> 11-2012-1.04	
<b>Description of Action</b>	Review and approval for vacation and conveyance of an irregular segment of 15 <sup>th</sup> Street right-of-way adjoining the subject property for incorporation into the Crane Artist Lofts site.				
<b>2020 Community Character Plan</b>	Downtown: Support Commercial				
<b>Horizon 2035 Transportation Plan</b>	No Planned Improvements				
<b>Current Zoning District</b>	"C-3A" Central Business District Support Commercial District				
<b>Proposed Zoning District</b>	"C-3A" Central Business District Support Commercial District				
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area					
Outside Area					
<b>Plan and Zoning Commission Action</b>	Approval	10-0	<b>Required 6/7 Vote of the City Council</b>	Yes	
	Denial			No	X

MDI Limited Partnership #86 - 15th Street South of Walnut Street 11-2012-1.04



11-2012-1.04

MDI Limited Partnership #86 - 15th Street South of Walnut Street



March 21, 2012

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 March 15, 2012, the following action was taken:

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 10-0 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			
CJ Stephens	X			

**APPROVAL** of a request from MDI Limited Partnership #86 (owner) 1440 Walnut Street, represented by Lawrence Olson (partner) for vacation and conveyance of an irregular segment of 15<sup>th</sup> Street right-of-way adjoining the subject property for incorporation into the Crane Artist Lofts site subject to the reservation of easements for any utilities in place until such time that they are abandoned or relocated. (11-2012-1.04)

**STAFF RECOMMENDATION TO THE P&Z COMMISSION**

Staff recommends approval of the requested vacation subject to the reservation of easements for any utilities in place until such time that they are abandoned or relocated.

**STAFF REPORT**

**I. GENERAL INFORMATION**

- Purpose of Request:** The applicant is in the process of converting the adjoining Crane Building into 36 apartment units. The subject segment of right-of-way abuts the west wall of that building and is separated by grade



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

from the main portion of 15<sup>th</sup> Street right-of-way. The applicant wishes to obtain the right-of-way for access to the building.

**2. Size of Site:** 1,629 square feet.

**3. Existing Zoning (site):** "C-3A" Central Business Support Commercial District and Downtown Overlay District.

**4. Existing Land Use (site):** The requested portion of right-of-way contains a sidewalk and remnants of a loading dock area from when the Crane building was used for warehousing.

**5. Adjacent Land Use and Zoning:**

*North* – "C-3A", Uses are office and automotive repair.

*South* – "C-3A", Use is the Churches United Homeless Shelter.

*East* – "C-3A", Uses are office and warehousing.

*West* – "C-3A", Uses are office and warehousing.

**6. General Neighborhood/Area Land Uses:** The subject property is located in the central business district near the West Martin Luther King, Jr. Parkway corridor. This area generally consists of a mix of residential, office, and warehouse uses.

**7. Applicable Recognized Neighborhood(s):** Downtown Des Moines Neighborhood.

**8. Relevant Zoning History:** On October 6, 2011, the Plan & Zoning Commission conditionally approved the site plan for the Crane Artist Loft apartment project.

**9. 2020 Community Character Land Use Plan Designation:** Downtown Support Commercial.

**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:** Easements must be maintained for all utilities in place unless other arrangements are approved by the affected utility.

**2. Traffic/Street System:** The subject segment of right-of-way is substantially below the grade of the 15<sup>th</sup> Street roadway and sidewalk along 15<sup>th</sup> Street. It is developed with a mix of pavement and gravel and contains the remnants of a loading dock for the Crane Building. The requested vacation would not adversely impact the surrounding vehicle and pedestrian traffic pattern.

**SUMMARY OF DISCUSSION**

*There was no discussion.*

**CHAIRPERSON OPENED THE PUBLIC HEARING**

*There was no one to speak in favor or in opposition of the applicant's request.*

**CHAIRPERSON CLOSED THE PUBLIC HEARING**

**COMMISSION ACTION:**

Ted Irvine moved staff recommendation to approve the requested vacation subject to the reservation of easements for any utilities in place until such time that they are abandoned or relocated.

Motion passed 10-0.

Respectfully submitted,



Michael Ludwig, AICP  
Planning Administrator

MGL:clw

Attachment