

★ **Roll Call Number**

Agenda Item Number

21

Date May 7, 2012

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 19, 2012, its members voted 8-0 in support of a motion to recommend **APPROVAL** of a request from MDI Limited Partnership #86, (owner) 1440 Walnut Street, represented by Lawrence Olson (sole member) for vacation of the subsurface of a 129-foot by 12-foot segment of Walnut Street adjoining the subject property subject to the reservation of easements for any impacted utilities.

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

FORM APPROVED:



 Michael F. Kelley
 Assistant City Attorney

(11-2012-1.05)

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

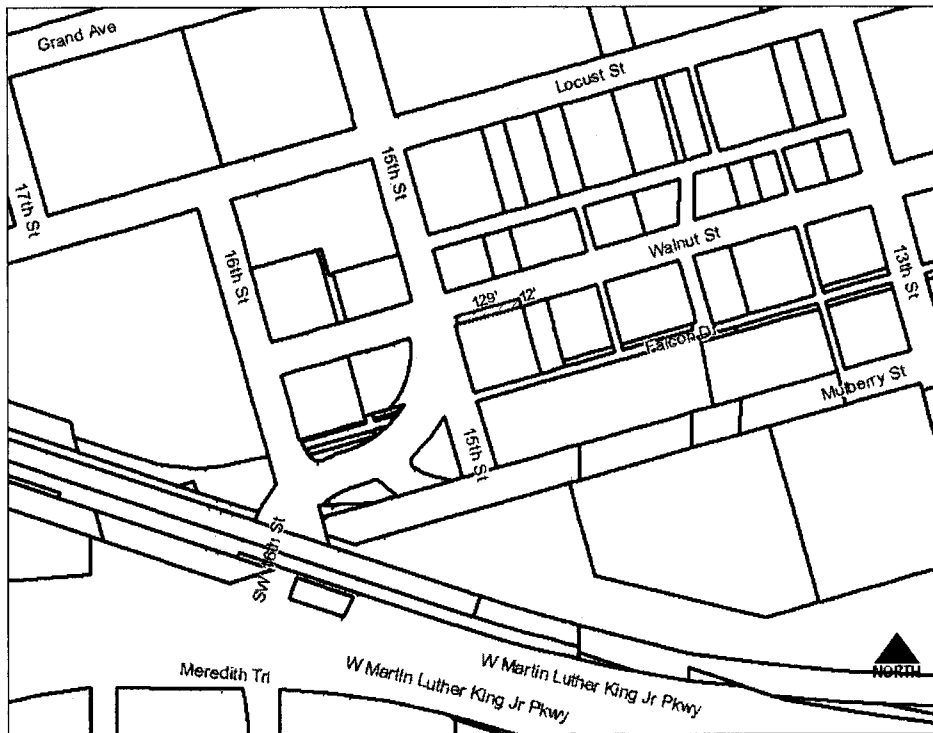
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ City Clerk

Request from MDI Limited Partnership #86 (owner) 1440 Walnut Street, represented by Lawrence Olson (sole member) for vacation of the subsurface of a 129-foot by 12-foot segment of Walnut Street adjoining the subject property.				File # 11-2012-1.05	
Description of Action	Review and approval for vacation of the subsurface of a 129-foot by 12-foot segment of Walnut Street adjoining the subject property.				
2020 Community Character Plan	Downtown: Support Commercial				
Horizon 2035 Transportation Plan	No Planned Improvements				
Current Zoning District	"C-3A" Central Business District Support Commercial District				
Proposed Zoning District	"C-3A" Central Business District Support Commercial District				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area	1				
Outside Area					
Plan and Zoning Commission Action	Approval	8-0	Required 6/7 Vote of the City Council	Yes	
	Denial			No	X

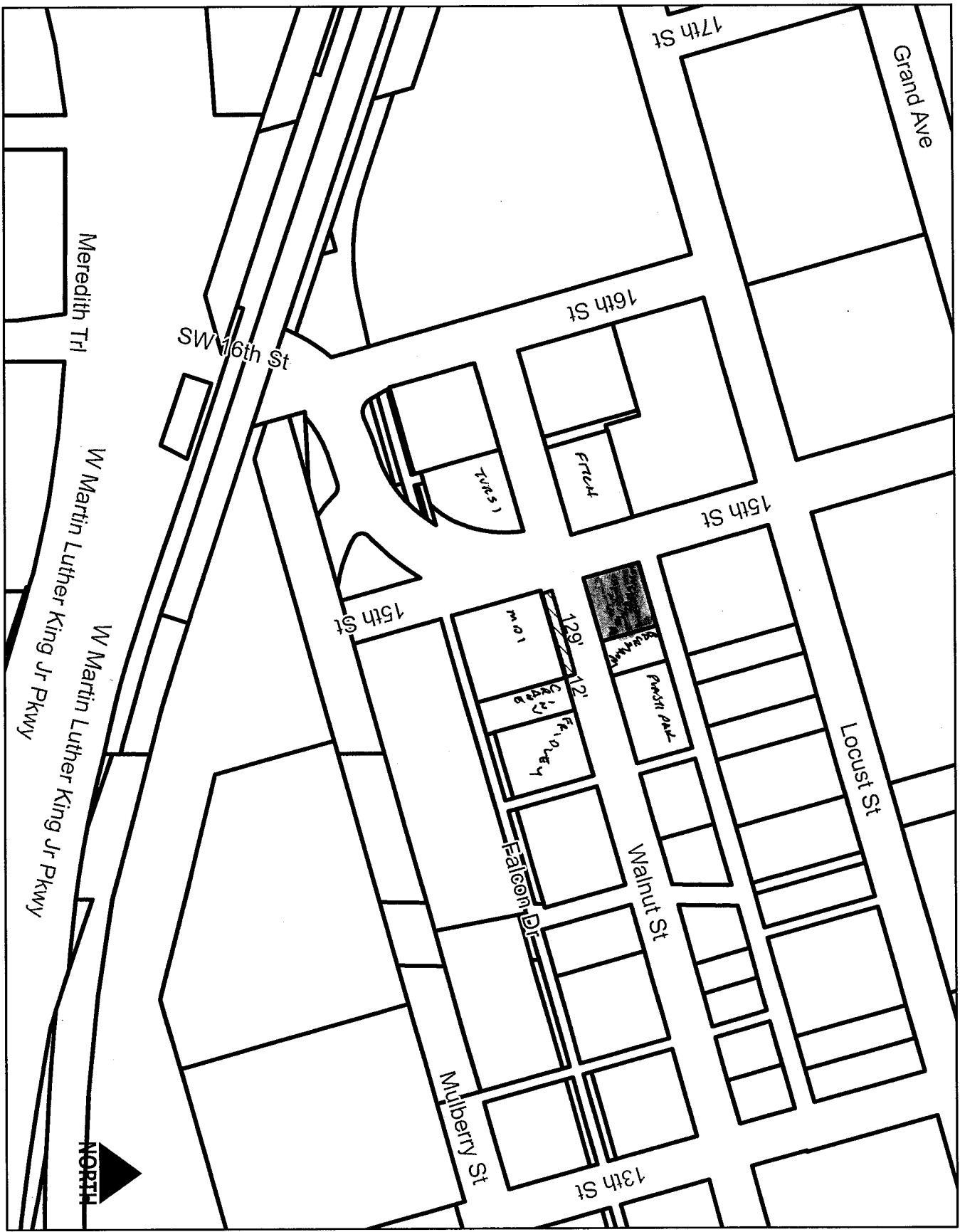
MDI Limited Partnership #86 - 1400 Block of Walnut Street

11-2012-1.05



MDI Limited Partnership #86 - 1400 Block of Walnut Street

11-2012-1.05



Date May 7, 2012

Agenda Item 21

Roll Call # _____

April 25, 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 April 19, 2012, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 8-0 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			
Ted Irvine	X			
Greg Jones	X			
William Page				X
Christine Pardee				X
Mike Simonson				X
CJ Stephens	X			
Vicki Stogdill	X			

APPROVAL of a request from MDI Limited Partnership #86, (owner) 1440 Walnut Street, represented by Lawrence Olson (sole member) for vacation of the subsurface of a 129-foot by 12-foot segment of Walnut Street adjoining the subject property subject to the reservation of easements for any impacted utilities. (11-2012-1.05)

Written Responses

- 1 In Favor
- 0 In Opposition

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the requested vacation subject to the reservation of easements for any impacted utilities..



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 is in the process of converting the adjoining Crane Building into 36 apartment units. The basement of the building extends into the Walnut Street right-of-way subgrade. The applicant wishes to utilize this space for tenant storage.
2. **Size of Site:** 1,548 square feet.
3. **Existing Zoning (site):** "C-3A" Central Business Support Commercial District and Downtown Overlay District.
4. **Existing Land Use (site):** The subject portion of right-of-way contains a sidewalk and a portion of the building's basement.
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. On March 15, 2012 the Commission reviewed the applicant's request to vacate a portion of the adjoining 15th Street right-of-way. The Commission forwarded a recommendation of approval to the City Council.
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.

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:

JoAnne Corigliano moved staff recommendation to approve the requested vacation subject to the reservation of easements for any impacted utilities.

Motion passed 8-0.

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:clw

Attachment

Item 11-2012-1.05

Date 4-16-12

21

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

RECEIVED
(Circle One)
COMMUNITY DEVELOPMENT

WINCHESTER RD.

Print Name G. M. HOLDSWORTH

APR 23 2012

Signature G. M. Holdsworth

DEPARTMENT

Address 13105 VANDERBILT DR
NAPLES, FL 34110 #608

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

NO CHANGE OUR PROPERTY @
305 - 15th DES MOINES, IA.

PER TELE-CON ERIC LUNDY
4/16/12