


Date June 11, 2012

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 7, 2012, its members voted 9-0 in support of a motion to recommend **APPROVAL** of a request from the Cathedral Church of St. Paul of the City of Des Moines, Iowa (owner), 815 High Street, represented by Al Geiger (officer), for vacation of the north/south alley between 8th Street and 9th Street from High Street to Pleasant Street, to allow development of a pedestrian plaza on the east side of the existing cathedral, 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. 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.

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

FORM APPROVED:


 Michael F. Kelley
 Assistant City Attorney

(11-2012-1.07)

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

June 8, 2012

Agenda Item 21
RSJ 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 June 7, 2012, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 9-0 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



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

APPROVAL of a request from the Cathedral Church of St. Paul of the City of Des Moines, Iowa (owner), 815 High Street, represented by Al Geiger (officer), for vacation of the north/south alley between 8th Street and 9th Street from High Street to Pleasant Street, to allow development of a pedestrian plaza on the east side of the existing cathedral, subject to the following conditions: (11-2012-1.07)

1. Reservation of easements for all utilities in place until such time that they are abandoned or relocated at the applicant's expense.
2. 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 RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval for vacation of the requested alley right-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. 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 subject segment of SE 20th Street will become a dead-end after the Southeast Connector is constructed. The vacation of SE 20th Street from the proposed north right-of-way line of the Southeast Connector to the south right-of-way line of East Market Street would eliminate the need for a turnaround. The proposed vacation would allow the right-of-way to be assembled with adjoining city-owned property for future redevelopment.
2. **Existing Zoning (site):** "M-2" Heavy Industrial District and "M-1" Light Industrial District.
3. **Existing Land Use (site):** Semi-developed street right-of-way.
4. **General Neighborhood/Area Land Uses:** The area contains a mix of industrial and undeveloped land.
5. **Applicable Recognized Neighborhood(s):** N/A.
6. **Relevant Zoning History:** N/A.
7. **2020 Community Character Land Use Plan Designation:** General Industrial.
8. **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:** The subject right-of-way contains overhead utilities. Easements must be provided for all utilities in place unless they are abandoned or relocated.
2. **Traffic/Street System:** The Engineering Department is in the process of assembling land for the construction of the SE Connector roadway. The Connector is planned to run along Raccoon Street in this area. The subject segments of SE 20th Street is semi-developed and only used for local traffic.
3. **Access:** The property located on the southeast corner of the SE 20th Street and East Market Street intersection currently is accessed from East Market Street. The proposed

vacation will eliminate the need for a turnaround to be constructed on SE 20th Street. It is staffs understanding that future purchase of the property would occur for industrial redevelopment. Staff recommends that a public access easement be provided to 445 SE 20th Street until such time that it is no longer necessary.

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 for vacation of the requested alley right-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. 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 9-0.

Respectfully submitted,


 Michael Ludwig, AICP
 Planning Administrator

MGL:clw

Attachment

The Cathedral Church of St Paul -

Alley vacation 8th to 9th Streets & High to Pleasant Streets

11-2012-1.07

