

20

Date June 25, 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 City Council initiated request represented by City Engineer, Jeb Brewer, to vacate a segment of Southeast 20<sup>th</sup> Street from East Market Street to a dead end point approximately 80 feet north of Raccoon Street, in furtherance of the Southeast Connector project, subject to the following conditions:

1. Reservation of easements for all utilities in place until such time that they are abandoned or relocated.
2. Provision of an access easement for 445 SE 20<sup>th</sup> Street until such time that access to Scott Avenue via SE 20<sup>th</sup> Street in not necessary.

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

FORM APPROVED:

  
 Michael F. Kelley  
 Assistant City Attorney

(11-2012-1.08)

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 25, 2012

June 12, 2012

Agenda Item 20

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 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

**APPROVAL** of a City Council initiated request represented by City Engineer, Jeb Brewer, to vacate a segment of Southeast 20<sup>th</sup> Street from East Market Street to a dead end point approximately 80 feet north of Raccoon Street, in furtherance of the Southeast Connector project, subject to the following conditions: (11-2012-1.08)

1. Reservation of easements for all utilities in place until such time that they are abandoned or relocated.
2. Provision of an access easement for 445 SE 20<sup>th</sup> Street until such time that access to Scott Avenue via SE 20<sup>th</sup> Street is not necessary.

**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.



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

2. Provision of an access easement for 445 SE 20<sup>th</sup> Street until such time that access to Scott Avenue via SE 20<sup>th</sup> Street is not necessary.

## STAFF REPORT

### I. GENERAL INFORMATION

1. **Purpose of Request:** The subject segment of SE 20<sup>th</sup> Street will become a dead-end after the Southeast Connector is constructed. The vacation of SE 20<sup>th</sup> 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 20<sup>th</sup> Street is semi-developed and only used for local traffic.
3. **Access:** The property located on the southeast corner of the SE 20<sup>th</sup> 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 20<sup>th</sup> 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 20<sup>th</sup> 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**

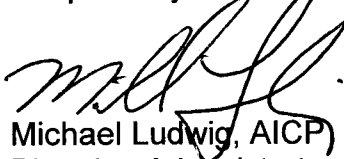
**COMMISSION ACTION:**

JoAnne Corigliano 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.
2. Provision of an access easement for 445 SE 20<sup>th</sup> Street until such time that access to Scott Avenue via SE 20<sup>th</sup> Street is not necessary.

Motion passed 9-0.

Respectfully submitted,



Michael Ludwig, AICP  
Planning Administrator

MGL:clw

Attachment

City Council initiated request represented by City Engineer, Jeb Brewer, to vacate a segment of Southeast 20 <sup>th</sup> Street from East Market Street to a dead end point approximately 80 feet north of Raccoon Street.				<b>File #</b>	
				11-2012-1.08	
<b>Description of Action</b>	Review and approval to vacate a segment of Southeast 20 <sup>th</sup> Street from East Market Street to a dead end point approximately 80 feet north of Raccoon Street, in furtherance of the Southeast Connector project.				
<b>2020 Community Character Plan</b>	General Industrial				
<b>Horizon 2035 Transportation Plan</b>	Southeast Connector from E 14 <sup>th</sup> Street to west of E 30 <sup>th</sup> Street to add 4 lanes divided				
<b>Current Zoning District</b>	"M-1" Light Industrial District and "M-2" Heavy Industrial District				
<b>Proposed Zoning District</b>	"M-1" Light Industrial District and "M-2" Heavy Industrial 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	9-0	<b>Required 6/7 Vote of the City Council</b>	Yes	
	Denial			No	X

City of Des Moines (Engineering Department) - 11-2012-1.08  
 Vacation of SE 20th St from Market St South to New SE Connector

