

.....
Date August 27, 2012

SET HEARING FOR VACATION OF THE NORTH/SOUTH ALLEY RIGHT-OF-WAY LYING SOUTH OF RACCOON STREET BETWEEN SOUTHEAST 18TH STREET AND SOUTHEAST 19TH STREET

WHEREAS, the Engineering Department of the City of Des Moines has requested vacation of the north/south alley right-of-way lying south of Raccoon Street between Southeast 18th Street and Southeast 19th Street to allow for staging of the Southeast Connector Project; and

WHEREAS, on August 13, 2012, by Roll Call No. 12-1246, the City Council of the City of Des Moines received a recommendation from the City Plan and Zoning Commission that the requested vacation of the north/south alley right-of-way lying south of Raccoon Street between Southeast 18th Street and Southeast 19th be approved, subject to reservation of easements for all utilities in place until such time that they are abandoned or relocated; and

WHEREAS, there is no known current or future public need for the right-of-way proposed to be vacated and the City will not be inconvenienced by the vacation of said right-of-way.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, as follows:

1. That the City Council of the City of Des Moines shall consider adoption of an ordinance permanently vacating the north/south alley right-of-way lying south of Raccoon Street between Southeast 18th Street and Southeast 19th Street to allow for staging of the Southeast Connector Project, more specifically described as follows:

ALL THAT PART OF THE NORTH/SOUTH ALLEY RIGHT-OF-WAY LYING WEST OF AND ADJOINING LOTS 43 THRU 47, IN CHARTER OAK ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

2. That the meeting of the City Council at which the adoption of said ordinance is to be considered shall be on September 10, 2012, said meeting to be held at 5:00 p.m., in the Council Chamber.

3. That the City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached all in accordance with Section 362.3 of the Iowa Code.

★ Roll Call Number

Agenda Item Number

16

Date August 27, 2012

Page 2

Moved by _____ to adopt.

APPROVED AS TO FORM:

Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

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

E Market St

SE 18th St

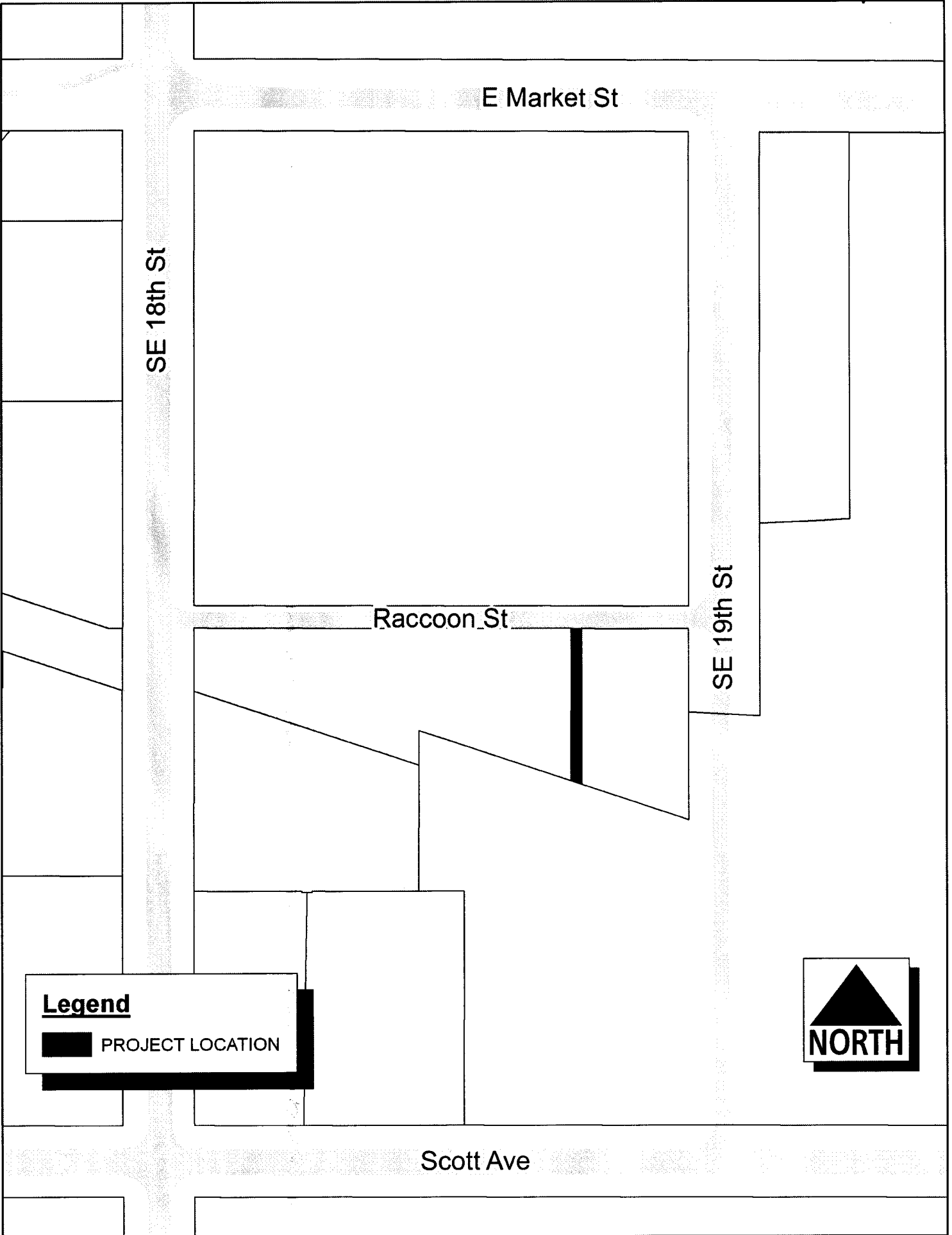
Raccoon St

SE 19th St

Scott Ave

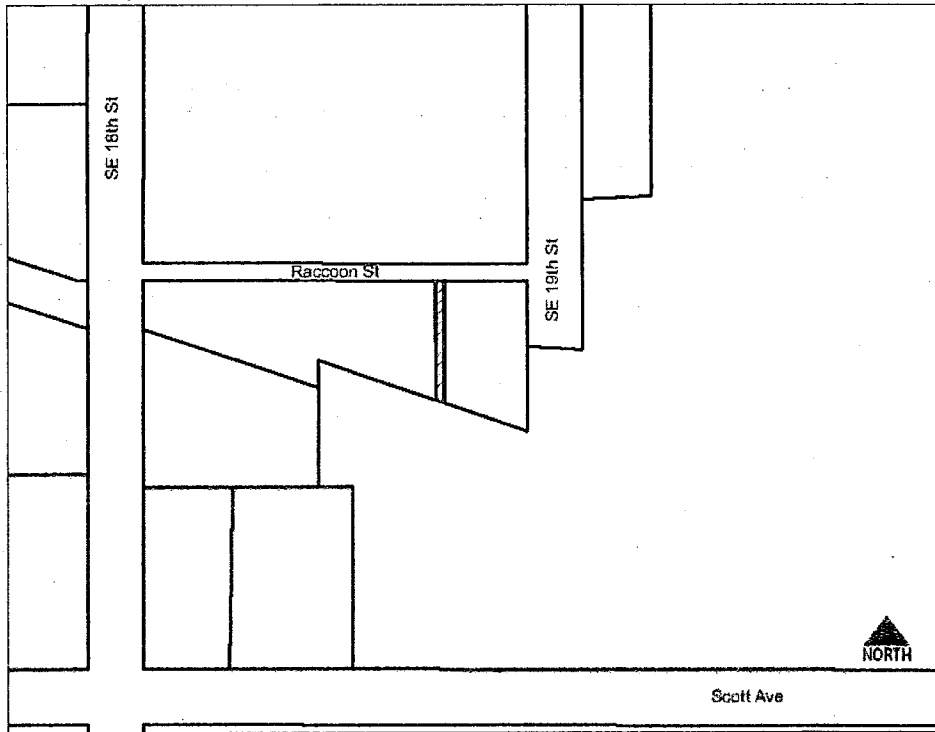
Legend

 PROJECT LOCATION



Request from the City Engineer, Jeb Brewer to vacate the north/south alley lying south of Raccoon Street between Southeast 18 th Street and Southeast 19 th Street.		File # 11-2012-1.12		
Description of Action	Approval of the requested vacation subject to reservation of easements for all utilities in place until such time that they are abandoned or relocated.			
2020 Community Character Plan	General Industrial			
Horizon 2035 Transportation Plan	Southeast Connector from E 14 th Street to west of E 30 th Street to add 4 lanes divided			
Current Zoning District	"M-1" Light Industrial District			
Proposed Zoning District	"M-1" Light Industrial District			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area				
Plan and Zoning Commission Action	Approval	12-0	Required 6/7 Vote of the City Council	Yes
	Denial			No

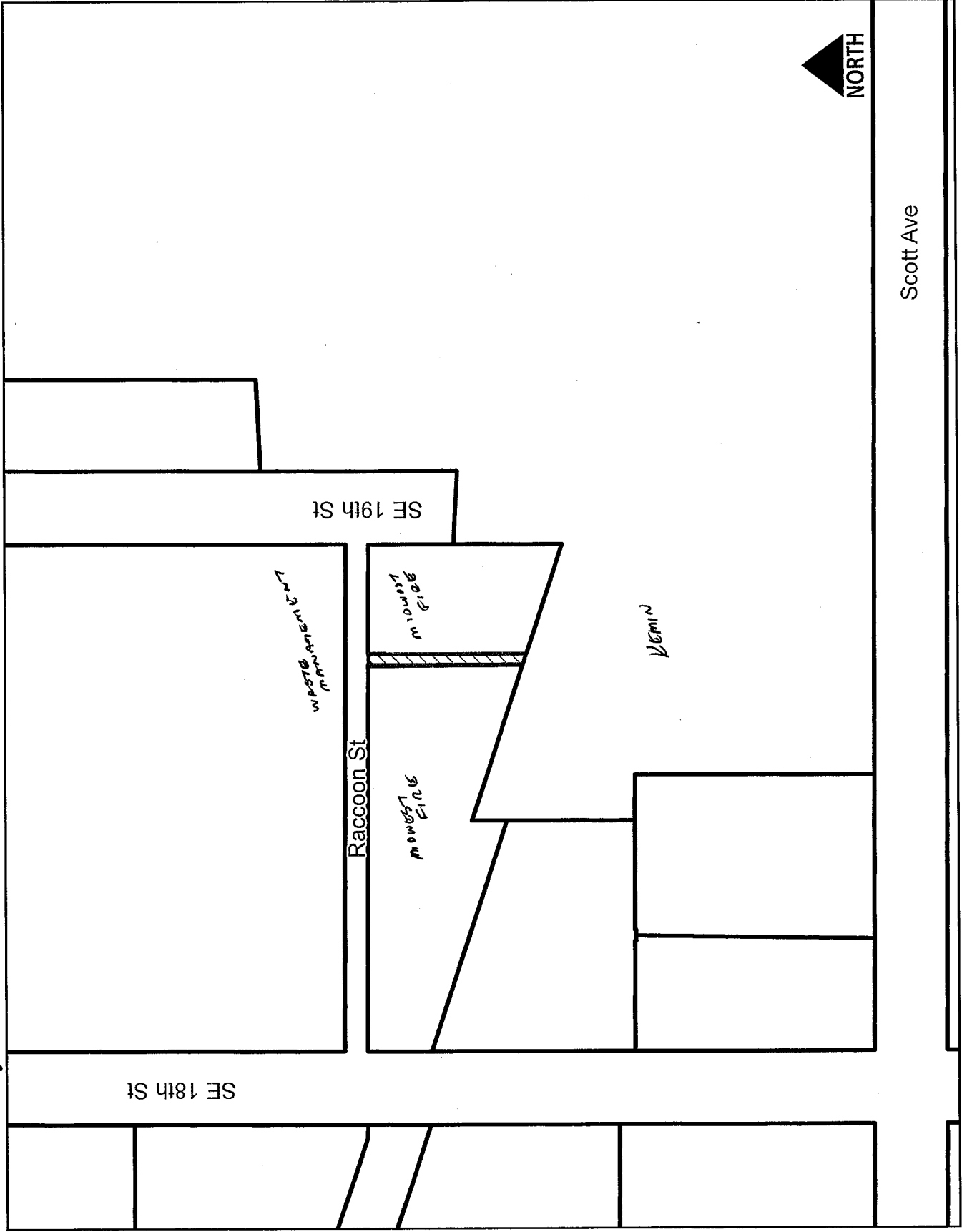
City Engineering Dept - 11-2012-1.12
 Vacate alley between SE 18th St and SE 19th St South of Raccoon St



City Engineering Dept -

Vacate alley between SE 18th St and SE 19th St South of Raccoon St

11-2012-1.12



Scott Ave

August 8, 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 August 2, 2012, the following action was taken regarding a request from the City Engineer, Jeb Brewer to vacate the north/south alley lying south of Raccoon Street between Southeast 18th Street and Southeast 19th Street.

COMMISSION RECOMMENDATION:

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

<u>Commission Action:</u>	<u>Yes</u>	<u>Nays</u>	<u>Pass</u>	<u>Absent</u>
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 the request to vacate the alley for staging of the Southeast Connector project, subject to reservation of easements for all utilities in place until such time that they are abandoned or relocated. (11-2012-1.12)

STAFF RECOMMENDATION TO THE P&Z COMMISSION

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

STAFF REPORT



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

I. GENERAL INFORMATION

- 1. Purpose of Request:** The proposed vacation will allow the alley right-of-way to be utilized as part of property acquisition agreements with Kemin Industries and Midwest Auto Fire Sprinkler Company for the SE Connector project.
- 2. Existing Zoning (site):** "M-1" Light Industrial District.
- 3. Existing Land Use (site):** Undeveloped alley right-of-way.
- 4. General Neighborhood/Area Land Uses:** The area contains a mix of industrial and undeveloped land.
- 5. Applicable Recognized Neighborhood(s):** The subject property is not located within a recognized neighborhood. An official public notice of the hearing for this specific item was mailed on July 27, 2012 to the primary titleholder on file with the Polk County Assessor for each property adjoining and across public streets from the site.
- 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:** 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 alley right-of-way is undeveloped and not accessible to traffic.
- 3. Access:** The subject alley right-of-way is located south of Raccoon River between SE 18th Street and SE 19th Street and is undeveloped. Therefore, it is not accessible from Raccoon Street. It is staffs understanding Kemin Industries is in the process of purchasing this property for assemblage into the redevelopment expansion. The vacation would allow the City to move forward with the construction of the SE Connector Project in the interim.

SUMMARY OF DISCUSSION

There was no discussion.

CHAIRPERSON OPENED THE PUBLIC HEARING

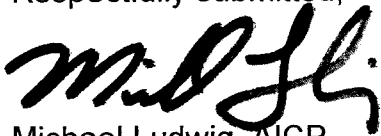
There was no one to speak in favor or in opposition of the applicant's request.

COMMISSION ACTION:

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

Motion passed 12-0.

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:clw

Attachment