

16

Date September 24, 2012

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 6, 2012, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from the City Engineer, Jeb Brewer, to vacate the east/west and north/south alleys located in the block bounded by East 1st Street, East Court Avenue, East 2nd Street, and the Norfolk Southern Railway, to allow an expansion project for the Police Department Evidence Storage Facility located at 25 East First Street.

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

FORM APPROVED:


 Michael F. Kelley
 Assistant City Attorney

(11-2012-1.14)

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

Date September 24, 2012

Agenda Item 16

Roll Call # _____

September 18, 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 September 6, 2012, the following action was taken regarding a request from the City Engineer, Jeb Brewer, to vacate the east/west and north/south alleys located in the block bounded by East 1st Street, East Court Avenue, East 2nd Street, and the Norfolk Southern Railway, to allow an expansion project for the Police Department Evidence Storage Facility located at 25 East First Street.

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			
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 subject reservation of easements for all utilities in place until such time that they are abandoned or relocated.

(11-2012-1.14)

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.



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 proposed vacation will allow the alley right-of-ways to be utilized as part of the expansion for the Police Department Evidence Storage Facility – Phase II Project.
2. **Existing Zoning (site):** “D-R” Downtown Riverfront District, Downtown Overlay District, “CDO” Capitol Dominance Overlay District, “GGP” Gambling Games Prohibition Overlay District, and “PSO” Pedestrian Oriented Sign Overlay District.
3. **Existing Land Use (site):** Developed alley right-of-ways.
4. **General Neighborhood/Area Land Uses:** The surrounding area generally contains a mix of civic, commercial and residential uses in the eastern portion of the downtown area.
5. **Applicable Recognized Neighborhood(s):** The subject property is located in the Historic East Village Neighborhood. This neighborhood was notified of the Commission meeting by mailing of the Preliminary Agenda on August 21, 2012. A Final Agenda was mailed to the neighborhood associations on August 31, 2012. All agendas and notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Historic East Village Neighborhood Association notices were mailed to Allyn Dixon, c/o Dickinson Law Firm, 699 Walnut St, Suite 1600, Des Moines, IA 50309. The applicant is not required to hold a neighborhood meeting since the request is not for a rezoning. Additionally, separate notifications of the hearing for this item were mailed to the primary titleholder on file with the Polk County Assessor for each property adjoining and across public streets from the site on August 27, 2012.
6. **Relevant Zoning History:** N/A.
7. **2020 Community Character Land Use Plan Designation:** Public/Semi Public.
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 Police Department Evidence Storage Facility – Phase II Project. The subject alley right-of-ways are developed and not accessible to traffic.

They are located completely within the parcels that contain the Police Department buildings and off-street parking area.

- 3. **Access:** The subject alley right-of-ways are located south of East Court Avenue between East 1st Street and East 2nd Street within the existing Police Department buildings and off-street parking area. The general public does not utilize the alley right-of-ways. The vacation would allow the City to move forward with the construction of Police Department Evidence Storage Facility – Phase II Project.

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:

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

Motion passed 10-0.

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

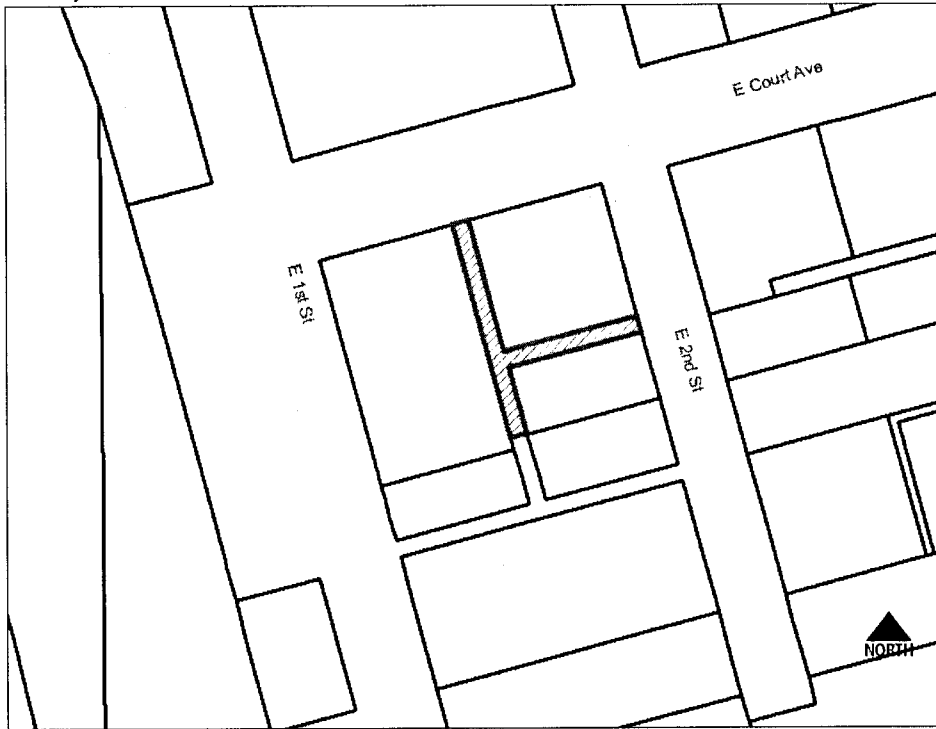
MGL:clw

Attachment

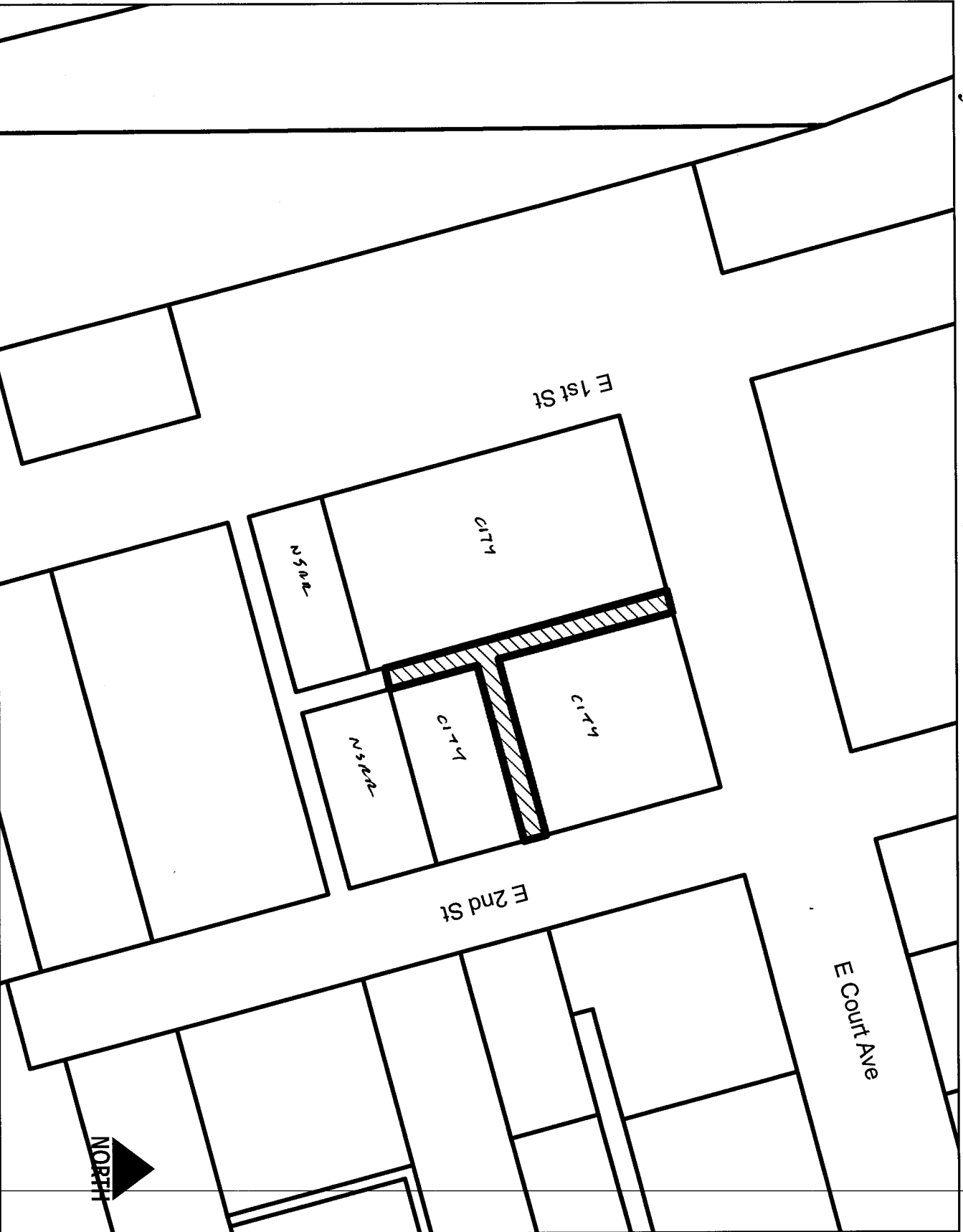
Request from the City Engineer, Jeb Brewer, to vacate the east/west and north/south alleys located in the block bounded by East 1 st Street, East Court Avenue, East 2 nd Street, and the Norfolk Southern Railway.				File #	
				11-2012-1.14	
Description of Action	Approval to vacate the east/west and north/south alleys located in the block bounded by East 1 st Street, East Court Avenue, East 2 nd Street, and the Norfolk Southern Railway, to allow an expansion project for the Police Department Evidence Storage Facility located at 25 East First Street.				
2020 Community Character Plan	Public/Semi-Public				
Horizon 2035 Transportation Plan	No Planned Improvements				
Current Zoning District	'D-R' Downtown Riverfront District				
Proposed Zoning District	'D-R' Downtown Riverfront District				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area					
Outside Area					
Plan and Zoning Commission Action	Approval	10-0	Required 6/7 Vote of the City Council	Yes	
	Denial			No	X

City of Des Moines, City Engineer -
vicinity East 1st St & East Court Avenue

11-2012-1.14



City of Des Moines, City Engineer -
vicinity East 1st St & East Court Avenue



11-2012-1.14