

Date.....December 3, 2012

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 15, 2012, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from St. Joseph's Catholic Church (owner) 2214 East 34th Street, represented by Bill Konnath (officer), for vacation of the east 12 feet of East 33rd Street from vacated Thompson Avenue to a point 282 feet to the north subject to provision of easements for any existing utilities until such time that they are relocated at the applicant's expense.

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

FORM APPROVED:



 Michael F. Kelley
 Assistant City Attorney

(11-2012-1.20)

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

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.

MOTION CARRIED

APPROVED

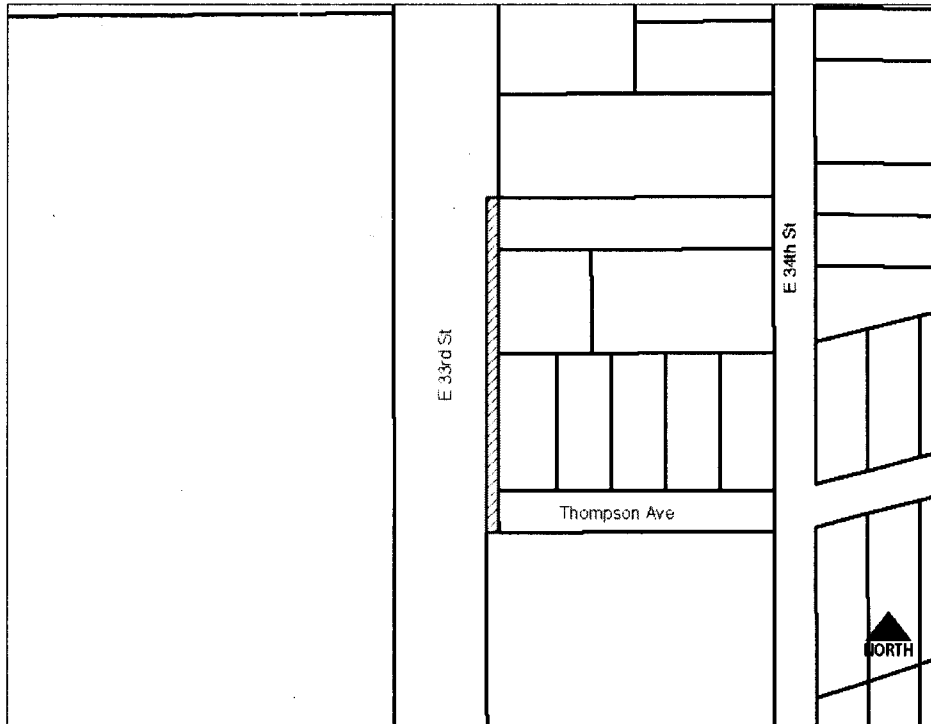
 Mayor

 City Clerk

Request from St. Joseph's Catholic Church (owner) 2214 East 34 th Street, represented by Bill Konnath (officer), for vacation of the east 12 feet of East 33 rd Street from vacated Thompson Avenue to a point 282 feet to the north.			File # 11-2012-1.20		
Description of Action	Approval of the requested vacation of undeveloped East 33 rd Street right-of-way subject to provision of easements for any existing utilities until such time that they are relocated at the applicant's expense.				
2020 Community Character Plan	Low-Density Residential and Public/Semi-Public				
Horizon 2035 Transportation Plan	No Planned Improvements				
Current Zoning District	"R1-60" One-Family Low-Density Residential District				
Proposed Zoning District	"R1-60" One-Family Low-Density Residential District				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area	1	0			
Outside Area					
Plan and Zoning Commission Action	Approval	12-0	Required 6/7 Vote of the City Council	Yes	N/A
	Denial			No	

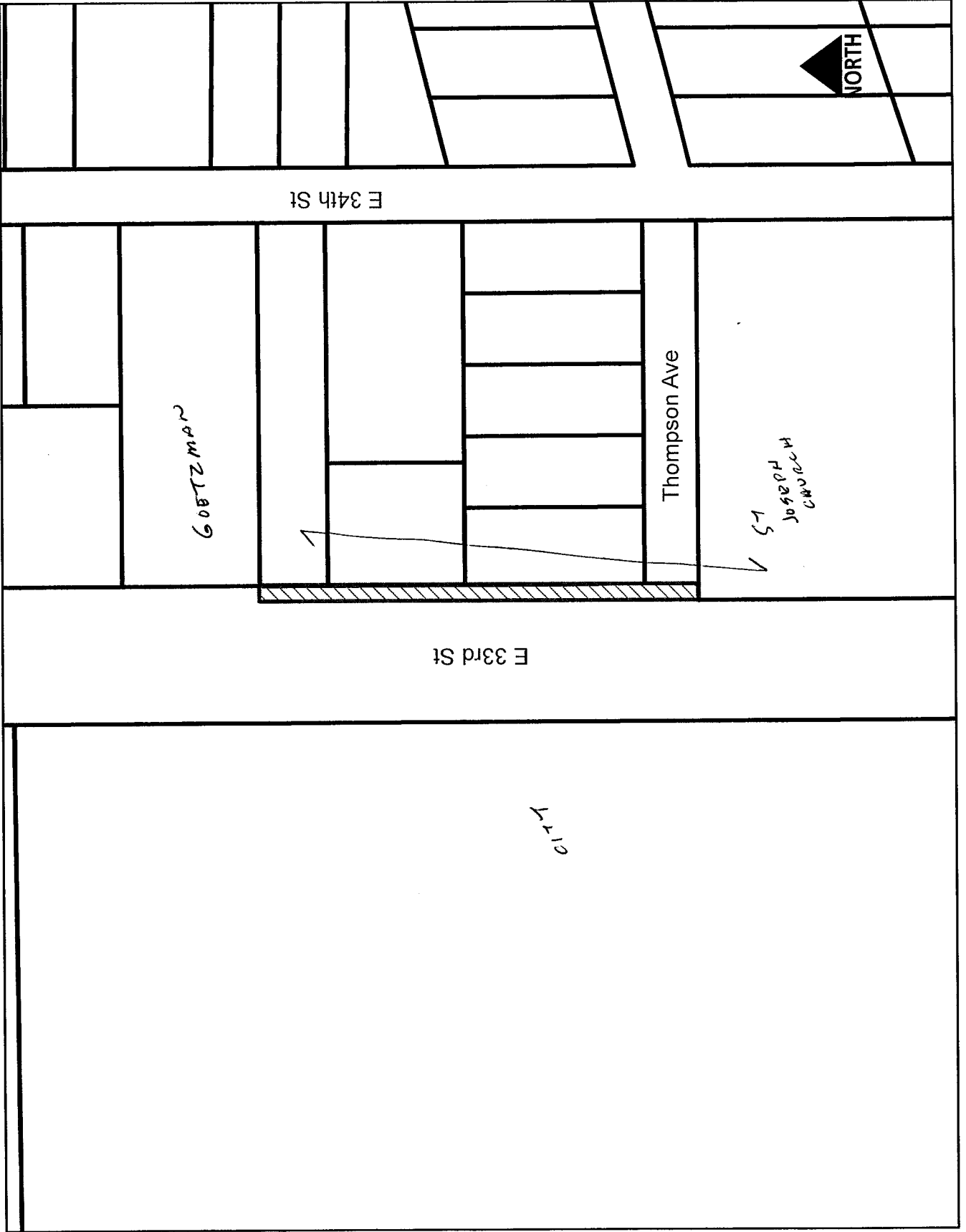
St Joseph's Catholic Church - vicinity of 2214 E 34th Street

11-2012-1 20



11-2012-1.20

St Joseph's Catholic Church - vicinity of 2214 E 34th Street



November 21, 2012

Item 13

Bill # _____

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 November 15, 2012, the following action was taken regarding a request from St. Joseph's Catholic Church (owner) 2214 East 34th Street, represented by Bill Konnath (officer), for vacation of the east 12 feet of East 33rd Street from vacated Thompson Avenue to a point 282 feet to the north.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 12-0 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 requested vacation of undeveloped East 33rd Street right-of-way subject to provision of easements for any existing utilities until such time that they are relocated at the applicant's expense. (11-2012-1.20)

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval for vacation of the requested undeveloped East 33rd Street right-of-way subject to provision of easements for any existing utilities until such time that they are relocated at the applicant's expense.

Written Responses

- 1 In Favor
- 0 In Opposition



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 seeking to acquire the undeveloped East 33rd Street right-of-way in order to construct a parking lot within the current undeveloped right-of-way and on the parcels adjacent to the east. The applicant owns all of the properties adjoining the east boundary of the undeveloped right-of-way.
2. **Size of Site:** 12 feet by 282 feet (3,384 square feet).
3. **Existing Zoning (site):** "R1-60" One-family Low-density Residential District.
4. **Existing Land Use (site):** Undeveloped East 33rd Street right-of-way.
5. **Adjacent Land Use and Zoning:**

East – "R1-60", Uses are a playground and undeveloped land all owned by St. Joseph's Roman Catholic Church.

West – "R1-60" & "R1-80", Uses are Grandview Park and East 33rd Street right-of-way.
6. **General Neighborhood/Area Land Uses:** The subject right-of-way is located in a predominantly low-density residential area immediately east of Grandview Park.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Sheridan Gardens Neighborhood. The Sheridan Gardens Neighborhood was notified of the Commission meeting by mailing of the Preliminary Agenda on October 26, 2012. Additionally, on November 5, 2012, separate notifications of the hearing were mailed to the neighborhood association contact and the primary titleholder on file with the Polk County Assessor for each property adjacent to the right-of-way. A Final Agenda was mailed to the neighborhood association on November 9, 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. All Sheridan Gardens Neighborhood Association mailings prior to November 9, 2012, were addressed to Christine Larson, PO Box 17127, Des Moines, IA 50317. The final agenda was mailed on November 9, 2012 to Kurt Lee, 3507 East 39th Court, Des Moines, IA 50317.
8. **Relevant Zoning History:** On March 23, 2009, by Roll Call No. 09-464, City Council approved the vacation of Thompson Avenue between East 33rd Street and East 34th Street, subject to working with staff to find the best possible parking configuration that balances safety and public access through the site.
9. **2020 Community Character Land Use Plan Designation:** Low-Density Residential.

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:** No utilities have been identified within the right-of-way at this time. However, easements must be provided for any existing utilities until such time they are relocated at the applicant's expense.
- 2. **Access/Traffic:** The requested vacation of undeveloped East 33rd Street right-of-way would not adversely impact the surrounding street network. The vacation is necessary in order for the adjoining properties on the east side of undeveloped East 33rd Street to be used for construction of an off-street parking lot.

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:

Shirley Daniels moved staff recommendation to approve the vacation of the requested undeveloped East 33rd Street right-of-way subject to provision of easements for any existing utilities until such time that they are relocated at the applicant's expense.

Motion passed 12-0.

Respectfully submitted,


 Michael Ludwig, AICP
 Planning Administrator

MGL:clw
Attachment

Item 11-2012-1.20

Date Nov. 12, 2012

13

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

(Circle One)

ST. JOSEPH PARISH

Print Name BILL KONNATH, BUS. MGR.

Signature Bill Konnath

Address 3300 EASTON BLVD. DES MOINES
50317

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