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Date May 20, 2013

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on May 2, 2013, its members voted 9-0 in support of a motion to recommend **APPROVAL** of a request from Kemin Holdings, LC (owner) represented by Elizabeth Nelson to vacate the north 12 feet of Scott Avenue adjoining the properties at 1830, 1900, 1916, and 1920 Scott Avenue between a point approximately 300 feet east of Southeast 18<sup>th</sup> Street to Southeast 20<sup>th</sup> Street subject to reservation of easements for any existing utilities currently located within the right-of-way.

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

FORM APPROVED:

  
 \_\_\_\_\_  
 Michael F. Kelley  
 Assistant City Attorney

(11-2013-1.07)

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

May 7, 2013

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 May 2, 2013, the following action was taken regarding a request from Kemin Holdings, LC (owner) represented by Elizabeth Nelson to vacate the north 12 feet of Scott Avenue adjoining the properties at 1830, 1900, 1916, and 1920 Scott Avenue between a point approximately 300 feet east of Southeast 18<sup>th</sup> Street to Southeast 20<sup>th</sup> Street.

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 9-0 as follows:

<u>Commission Action:</u>	<u>Yes</u>	<u>Nays</u>	<u>Pass</u>	<u>Absent</u>
Dory Briles	X			
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			
Greg Wattier				X

**APPROVAL** for vacation of a portion of Scott Avenue, subject to reservation of easements for any existing utilities currently located within the right-of-way. (11-2013-1.07)

**STAFF RECOMMENDATION TO THE P&Z COMMISSION**

Staff recommends approval of the requested vacation of a portion of Scott Avenue, subject to reservation of easements for any existing utilities currently located within the right-of-way.



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 applicant to install a freestanding monument type sign identifying the main campus and other directional signage in closer proximity to Scott Avenue. The intent is to provide better visibility and wayfinding for the employees, vendors, and visitors arriving at the new main campus for Kemin Industries that is currently under development.
- 2. **Size of Site:** 6,603 square feet.
- 3. **Existing Zoning (site):** "M-1" Light Industrial District & "M-2" Heavy Industrial District.
- 4. **Existing Land Use (site):** Scott Avenue right-of-way.
- 5. **Adjacent Land Use and Zoning:**
  - North* – "M-1" & M-2"; Uses are a warehouse land under development for the Kemin Industries main campus.
  - South* – "M-2"; Use is the Darling National, animal rendering facility.
- 6. **General Neighborhood/Area Land Uses:** The subject right-of-way is within an industrial area.
- 7. **Applicable Recognized Neighborhood(s):** The subject property is not within a recognized neighborhood area, nor within 250 feet of any recognized neighborhood association. Notifications of the hearing for this specific item were mailed on April 22, 2013 (10 days prior to the scheduled hearing) to the primary titleholder on file with the Polk County Assessor for each property adjoining the site.
- 8. **Relevant Zoning History:** None.
- 9. **2020 Community Character Land Use Plan Designation:** General Industrial.
- 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:** Easements must be provided for any existing utilities in place until such time that they may be relocated. There are Mid-American Energy aerial electrical utility lines that have been identified within the requested right-of-way for which an easement will need to be reserved.
- 2. **Street System/ Access:** It is not anticipated that the requested right-of-way will affect the function of Scott Avenue or any access to the adjoining properties. There is

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currently approximately 24 feet of unimproved right-of-way width north of the improved portion of Scott Avenue. Traffic Engineering staff have indicated that a minimum of 12 feet of this width adjoining the paved width of Scott Avenue would need to be preserved as public right-of-way. The applicant has requested that the remainder of the right-of-way width north of the paved street be vacated.

- 3. **Development Requirements:** Any signs must be installed by a sign contractor licensed with the City in accordance with permits issued by the Permit and Development Center.

**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 to approve the requested vacation of a portion of Scott Avenue, subject to reservation of easements for any existing utilities currently located within the right-of-way.

Motion passed 9-0.

Respectfully submitted,

  
 Michael Ludwig, AICP  
 Planning Administrator

MGL:clw  
Attachment

Request from Kemin Holdings, LC (owner) represented by Elizabeth Nelson to vacate the north 12 feet of Scott Avenue adjoining the properties at 1830, 1900, 1916, and 1920 Scott Avenue between a point approximately 300 feet east of Southeast 18 <sup>th</sup> Street to Southeast 20 <sup>th</sup> Street.				<b>File #</b>	
				11-2013-1.07	
<b>Description of Action</b>	Approval to vacate the north 12 feet of Scott Avenue adjoining the properties at 1830, 1900, 1916, and 1920 Scott Avenue between a point approximately 300 feet east of Southeast 18 <sup>th</sup> Street to Southeast 20 <sup>th</sup> Street subject to reservation of easements for any existing utilities currently located within the right-of-way.				
<b>2020 Community Character Plan</b>	General Industrial				
<b>Horizon 2035 Transportation Plan</b>	No Planned Improvements				
<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	N/A
	Denial			No	

Kemin Industries - Vicinity of SE 20th Street & Scott Avenue

11-2013-1.07

