

16

Date.....October 7, 2013.....

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 19, 2013, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from the Des Moines Public Schools (owner), 2425 Bell Avenue, represented by Bill Good (officer) for vacation of a dead end segment of Southwest 11th Street from Kirkwood Avenue to a point approximately 137 feet south of Kirkwood Avenue subject to provision of any necessary easements for all existing utilities until such time that they are relocated.

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

FORM APPROVED:



 Michael F. Kelley
 Assistant City Attorney

(11-2013-1.13)

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

October 7, 2013

September 24, 2013

Agenda Item 16

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 September 19, 2013, the following action was taken regarding a request from the Des Moines Public Schools (owner), 2425 Bell Avenue, represented by Bill Good (officer) for vacation of a dead end segment of Southwest 11th Street from Kirkwood Avenue to a point approximately 137 feet south of Kirkwood Avenue.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 10-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Dory Briles	X			
JoAnne Corigliano	X			
Shirley Daniels	X			
Jacqueline Easley				X
Tim Fitzgerald	X			
Jann Freed	X			
Dann Flaherty	X			
John "Jack" Hilmes	X			
Ted Irvine				X
Greg Jones	X			
William Page				X
Christine Pardee				X
CJ Stephens	X			
Vicki Stogdill				X
Greg Wattier	X			

APPROVAL for vacation of the requested segment of right-of-way subject to provision of any necessary easements for all existing utilities until such time that they are relocated. (11-2013-1.13)

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval for Vacation of the requested segment of right-of-way subject to provision of any necessary easements for all existing utilities until such time that they are 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 would allow Des Moines Public Schools to assemble the undeveloped segment of right-of-way with the adjoining parcel that contains Lincoln High School's Hutchens Stadium. A portion of the stadium's bleachers currently encroach onto the subject right-of-way.
2. **Size of Site:** 50 feet by 137 feet (6,850 square feet).
3. **Existing Zoning (site):** "R1-60" One-Family Low-Density Residential District.
4. **Existing Land Use (site):** Undeveloped street right-of-way, which contains a portion of Hutchens Stadium's bleachers.
5. **Adjacent Land Use and Zoning:**
 - East* – "R1-60"; Use is open space.
 - West* – "R1-60"; Use is the Hutchens Stadium.
6. **General Neighborhood/Area Land Uses:** The subject right-of-way protrudes into the parcel containing Hutchens Stadium. The surrounding area is a single-family residential neighborhood.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Gray's Lake Neighborhood. This neighborhood association was notified of the meeting by mailing of the Preliminary Agenda to all recognized neighborhood associations on August 30, 2013. Additionally, separate notifications of the hearing for this specific item were mailed on September 9, 2013 (10 days prior to the hearing) to the Gray's Lake Neighborhood Association and to the primary titleholder on file with the Polk County Assessor for each property adjacent to the request right-of-way. A Final Agenda for the meeting was mailed to all the recognized neighborhood associations on September 13, 2013.

All agendas and notices are mailed to the primary contact person designated to the City of Des Moines Neighborhood Development Division by the recognized neighborhood association. The Gray's Lake Neighborhood notices were mailed to Evan Shaw, 2615 Druid Hill Drive, Des Moines, IA 50315.
8. **Relevant Zoning History:** None.
9. **2020 Community Character Land Use Plan Designation:** Public/Semi-Public.
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. No utilities have been identified at this time.
- 2. **Street System/Access:** The requested vacation of undeveloped right-of-way would not adversely impact the existing surrounding street network.

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:

Dory Briles moved staff recommendation to approve the vacation of a dead end segment of Southwest 11th Street from Kirkwood Avenue to a point approximately 137 feet south of Kirkwood Avenue subject to provision of any necessary easements for all existing utilities until such time that they are relocated.

Motion passed 10-0.

Respectfully submitted,


 Michael Ludwig, AICP
 Planning Administrator

MGL:clw
Attachment

Request from Des Moines Public Schools (owner), 2425 Bell Avenue, represented by Bill Good (officer) for vacation of a dead end segment of Southwest 11 th Street from Kirkwood Avenue to a point approximately 137 feet south of Kirkwood Avenue.			File # 11-2013-1.13	
Description of Action	Approval for vacation of a dead end segment of Southwest 11 th Street from Kirkwood Avenue to a point approximately 137 feet south of Kirkwood Avenue subject to provision of any necessary easements for all existing utilities until such time that they are relocated.			
2020 Community Character Plan	Low-Density Residential (current & no change proposed)			
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				
Outside Area				
Plan and Zoning Commission Action	Approval	10-0	Required 6/7 Vote of the City Council	Yes
	Denial			No

Des Moines Public Schools (Lincoln High School) -
Vacate SW 11th Street south of Kirkwood Avenue

11-2013-1.13

