



Roll Call Number

Agenda Item Number

12

Date June 22, 2015

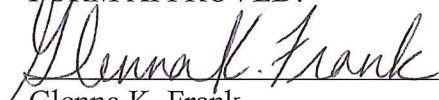
RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING REQUEST TO VACATE SEGMENT OF EAST/WEST ALLEY BETWEEN WOODLAND AVENUE AND HIGH STREET ADJOINING 615 16TH STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 4, 2015, its members voted 9-0 in support of a motion to recommend **APPROVAL** of a request from Traci Giles for vacation of a segment of east/west alley between Woodland Avenue and High Street from 16th Street to a point approximately 99 feet to the east, adjoining Ms. Giles' property at 615 16th Street, subject to the following conditions:

1. Provision of any necessary easements for all existing utilities until such time that they are abandoned or are relocated.
2. Amendment of the Woodland Brickstone Site Plan (1500 Woodland Avenue) removing the requirement of alley access and identifying any site modifications such as the creation of additional parking spaces or other site changes.

MOVED by _____ to receive and file the attached communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division.

FORM APPROVED:



 Glenna K. Frank
 Assistant City Attorney

(11-2015-1.08)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				

MOTION CARRIED APPROVED

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.

Mayor

City Clerk



Updated on: 6/4/2015

Date _____

Agenda Item 12

Roll Call # _____



June 11, 2015

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 7, 2015, the following action was taken regarding a request from Traci Giles (owner) 615 16th Street for vacation of a segment of east/west alley between Woodland Avenue and High Street from 16th Street to a point approximately 99 feet to the east.

COMMISSION RECOMMENDATION:

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

Commission Action:	Yes	Nays	Pass	Absent
Dory Briles	X			
JoAnne Corigliano				X
Jacqueline Easley				
Tim Fitzgerald	X			
Jann Freed	X			
John "Jack" Hilmes	X			
Greg Jones	X			
Sasha Kamper	X			
William Page	X			
Jonathan Rosenbloom	X			
Mike Simonson				X
CJ Stephens				X
Vicki Stogdill				X
Greg Wattier	X			

APPROVAL of the requested vacation subject to the following conditions: (11-2015-1.08)

1. Provision of any necessary easements for all existing utilities until such time that they are abandoned or are relocated.
2. Amendment of the Woodland Brickstone Site Plan (1500 Woodland Avenue) removing the requirement of alley access and identifying any site modifications such as the creation of additional parking spaces or other site changes



STAFF RECOMMENDATION TO THE P&Z COMMISSION

12

Staff recommends approval of the requested vacation subject to the following conditions:

1. Provision of any necessary easements for all existing utilities until such time that they are abandoned or are relocated.
2. Amendment of the Woodland Brickstone Site Plan (1500 Woodland Avenue) removing the requirement of alley access and identifying any site modifications such as the creation of additional parking spaces or other site changes.

Written Responses

3 In Favor

0 In Opposition

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant and the owners of the properties at 1530 Woodland Avenue wish to acquire the alley segment which adjoins their properties. The application includes the signatures of the other property owners who abut the alley (615 16th Street and 1500 Woodland Avenue).

The alley is located in the Sherman Hill Local Historic District. Vacation requests for right-of-way located in a local historic district are routed to the Historic Preservation Commission (HPC) for comment. On May 20, 2015, the HPC approved a motion in support of the proposed alley vacation. A letter of support for the requested vacation was submitted by the Sherman Hill Association.

2. **Size of Site:** 1,386 square feet (0.032 acre).
3. **Existing Zoning (site):** "R-HD" Residential Historic District, "C-2" General Retail and Highway-Oriented Commercial District, "D-O" Downtown Overlay District and "GGP" Gambling Games Prohibition Overlay District.
4. **Existing Land Use (site):** Gravel, semi-improved alley.

5. **Adjacent Land Use and Zoning:**

North – "R-HD". Uses are single-family and multi-family residential.

East – "NPC" & "C-2". Use is multi-family residential.

South – "C-2". Use is multi-family residential.

West – "R-HD" & "C-2", Use is parking lot.

6. **General Neighborhood/Area Land Uses:** The subject property is located in the Sherman Hill Neighborhood, which is comprised of Victorian era single-family dwellings, small-scale multi-family dwellings and small-scale commercial uses. The majority of this neighborhood is listed on the National Register of Historic Places and is located in the Sherman Hill Local Historic District.

7. **Applicable Recognized Neighborhood(s):** The subject property is located in Sherman Hill Neighborhood. The neighborhood association was notified of the meeting by mailing of the Preliminary Agenda to all recognized neighborhood associations on May 15, 2015 and by mailing of the Final Agenda on May 29, 2015. Additionally, separate notifications of the hearing for this specific item were mailed on May 25, 2015 (10 days prior) to the neighborhood associations and to the primary titleholder on file with the Polk County Assessor for each property adjacent to the requested right-of-way.

All agendas and notices are mailed to the primary contact designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Sherman Hill Neighborhood Association mailings were sent to David Schlarmann, 1503 Center Street, Des Moines, IA 50314.

8. **Relevant Zoning History:** None.

9. **2020 Community Character Land Use Plan Designation:** Mixed Use and 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, in consideration of the criteria set forth in Chapter 18B of the Iowa Code, 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 abandoned or are relocated. No utilities have been identified at this time.

2. **Street System/Access:** The requested vacation would not significantly impact the surrounding street network. The alley segment to the east was previously vacated and incorporated into the Woodland Brickstone development. The subject alley segment provides access for the adjoining properties but not the general public. Access to the alley segment from Woodland Brickstone site was originally required for fire protect services. The Fire Department has determined that access to the subject alley segment from the Woodland Brickstone development is no longer necessary.

SUMMARY OF DISCUSSION

Greg Jones asked if anyone was present to speak on this item. None were present or requested to speak.

COMMISSION ACTION:

Will Page moved staff recommendation to approve the requested vacation subject to the following conditions:

12

1. Provision of any necessary easements for all existing utilities until such time that they are abandoned or are relocated.
2. Amendment of the Woodland Brickstone Site Plan (1500 Woodland Avenue) removing the requirement of alley access and identifying any site modifications such as the creation of additional parking spaces or other site changes.

Motion passed 9-0 (Jacqueline Easley was momentarily absent).

Respectfully submitted,



Michael G. Ludwig, AICP
Planning Administrator

MGL:clw
Attachment

Traci Giles (owner) on property at 615 16th Street.		File #		
		11-2015-1.08		
Description of Action	Approval for the vacation of a segment of east/west alley between Woodland Avenue and High Street from 16th Street to a point approximately 99 feet to the east subject to conditions.			
2020 Community Character Plan	Current: Mixed Use and Density, and Support Commercial (Sherman Hill Plan). Proposed: N/A.			
Mobilizing Tomorrow Transportation Plan	No planned improvements.			
Current Zoning District	"R-HD" Residential Historic District, "C-2" General Retail and Highway Oriented Commercial District, "GGP" Gambling Games Overlay District, "D-O" Downtown Overlay District, and "FSO" Freestanding Sign Overlay District.			
Proposed Zoning District	N/A.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area	3			
Outside Area				
Plan and Zoning Commission Action	Approval	9-0	Required 6/7 Vote of the City Council	Yes
	Denial			No

Giles, 615 16th Street

11-2015-1.08



1 Inch = 68 feet

Item 11-2015-1.08

Date May 28, 2015

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

RECEIVED

COMMUNITY DEVELOPMENT

Print Name

Traci Giles

Signature

Traci Giles

JUN 02 2015

Address

1015 16th St, 50309

DEPARTMENT

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

Item 11-2015-1.08

Date 5/27/2015

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

RECEIVED

COMMUNITY DEVELOPMENT

Print Name

Sarah Meyer

Signature

Sarah Meyer

JUN 02 2015

Address

614 Roth Ave

DEPARTMENT

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

I am fully support - the property owner
is impaired and rehabbing the location
and surrounding neighborhood.

Item 11-2015-1.08

Date

6/1/15

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

COMMUNITY DEVELOPMENT

Print Name

Recused after 6/4 P.C.Z. Hearing
David Schlemmer

Signature

Address

1503 Center

DEPARTMENT

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

Neophila
Adair

JUN 05 2015