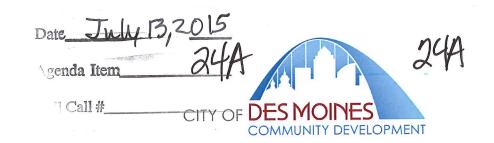
Roll Ca	II Nun	nber	·•·		Agenda l	Item Number 34A
Date July 13.	2015					
	EQUES	T TO V	ACAT	E STRI	FROM THE PLAN AND ZONING COMMISS EET AND ALLEY RIGHTS-OF-WAY AS EXO ST CONNECTOR PROJECT	
2015, its member to vacate the following reservation of a subandoned or an A). The Street B) Sour C) Sour Part D). The Sour E). The Street F) Sour G). The Street H). The M.I. I). Sour the J). The J.	ers voted lowing sony neces any neces are relocated to East the set to East the set to East the set to Scotthe set to Scotthe set to Scotthe set to a per north/so the set to a per north/so the set to a per north/so the north/	I 11-0 ir segment sary east ted: outh allo st M.L. 1th Street Street pproximate and the Street outh allo outh allo outh allo outh allo fr. Parky 1th Court outh allo fr. Parky 1th Court outh allo fr. Parky 1th Court outh allo outh allo fr. Parky 1th Court outh allo outh allo outh allo outh allo outh allo fr. Parky 1th Court outh allo o	ey betweet from a sey betweet sey	rt of a m ht-of-wa for all e een Sou Parkwa Raccoon the Burl O feet of een Sou ttely 168 een Sou point a East M.	ssion has advised that at a public hearing held on action to recommend <b>APPROVAL</b> of a City-initial sy as excess from the Southeast Connector project existing utilities in place until such time that they are theast 9 <sup>th</sup> Street and Southeast 10 <sup>th</sup> Street from Rangy.  Street to East M.L. King Jr. Parkway.  Ington Northern Santa Fe Railroad to East M.L. Kong Street from Southeast 10 <sup>th</sup> Street to east side theast 10 <sup>th</sup> Street and Southeast 11 <sup>th</sup> Street from Angreet to a point approximately 112 feet to the south theast 11 <sup>th</sup> Street and Southeast 12 <sup>th</sup> Street from Angreet to the south.  The street and Southeast 14 <sup>th</sup> Court from Eapproximately 327 feet to the north.  L. King Jr. Parkway to a point approximately 330 theast 14 <sup>th</sup> Court and Southeast 15 <sup>th</sup> Street from Eapproximately 333 feet to the north.	ated request s, subject to are ccoon sing Jr. de of llen s. llen ast feet to
MOVED by and Zoning Cor	nmission	ı, and re	efer to the		receive and file the attached communication from the the deering Department, Real Estate Division.	1 the Plan
FORM APPRO	C. FN	ant City	Attorn	ey	(1	1-2015-1.09)
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT	CERTIFICATE	
COWNIE					I DIANE DAILI City Clork of said	City homoby
GATTO GRAY					I, DIANE RAUH, City Clerk of said certify that at a meeting of the City Co City of Des Moines, held on the above other proceedings the above was adop	uncil of said date, among
HENSLEY MAHAFFEY MOORE					IN WITNESS WHEREOF, I have here hand and affixed my seal the day as above written.	
TOTAL					az or e matecali	
IOTION CARRIED			API	ROVED		

\_ Mayor

\_City Clerk



July 2, 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 June 18, 2015, the following action was taken regarding a City initiated request to vacate street and alley rights-of-way as excess from the southeast connector project.

#### **COMMISSION RECOMMENDATION:**

After public hearing, the members voted 11-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Dory Briles	Χ			
JoAnne Corigliano	Χ			
Jacqueline Easley				X
Tim Fitzgerald	Χ			200
Jann Freed				X
John "Jack" Hilmes	Χ			
Greg Jones	X			
Sasha Kamper				X
William Page	Χ			
Jonathan Rosenbloom	Χ			
Mike Simonson	X			
CJ Stephens	X			
Vicki Stogdill	Χ			
Greg Wattier	X			

**APPROVAL** of the requested vacation of the following segments of right-of-way as excess from the Southeast Connector project, subject to reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or are relocated. (11-2015-1.09)

- A) The north/south alley between Southeast 9th Street and Southeast 10th Street from Raccoon Street to East M.L. King Jr. Parkway.
- B) Southeast 11th Street from Raccoon Street to East M.L. King Jr. Parkway.

- C) Southeast 12th Street from the Burlington Northern Santa Fe Railroad to East M.L. King Jr. Parkway.
- D) The south approximately 50 feet of Allen Street from Southeast 10th Street to east side of Southeast 11th Street.
- E) The north/south alley between Southeast 10th Street and Southeast 11th Street from Allen Street to Scott Avenue.
- F) Southeast 11th Street from Allen Street to a point approximately 112 feet to the south.
- G) The north/south alley between Southeast 11th Street and Southeast 12th Street from Allen Street to a point approximately 168 feet to the south.
- H) The north/south alley between Southeast 14th Street and Southeast 14th Court from East M.L. King Jr. Parkway to a point approximately 327 feet to the north.:
- I) Southeast 14th Court from East M. L. King Jr. Parkway to a point approximately 330 feet to the north.
- J) The north/south alley between Southeast 14th Court and Southeast 15th Street from East M. L. King Jr. Parkway to a point approximately 333 feet to the north.

### STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the requested vacation of street and alley rights-of-way subject to reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or are relocated.

#### STAFF REPORT TO THE PLANNING COMMISSION

#### I. GENERAL INFORMATION

- 1. Purpose of Request: The proposed vacation of various street and alley right-of-ways adjoining the Southeast Connector between Southeast 9<sup>th</sup> Street and Southeast 15<sup>th</sup> Street would allow dedication of the next segment of the East Martin Luther King, Jr. Parkway. The vacation would also allow assembly of excess parcels for future redevelopment use.
- 2. Existing Zoning (site): Part A, D, F, G "R-2A". General Residential District, "CDO", Capitol Dominance Overlay District, "D-O", Downtown Overlay District, "GGP", Gambling Games Prohibition and "FSO", Free-Standing Sign Overlay District.
  - Part B, C "M-1". Light Industrial District, "CDO", Capitol Dominance Overlay District, "D-O", Downtown Overlay District, "GGP", Gambling Games Prohibition and "FSO", Free-Standing Sign Overlay District.
  - Part E "R-2A". General Residential District, "D-O", Downtown Overlay District, "GGP", Gambling Games Prohibition and "FSO", Free-Standing Sign Overlay District.
  - Part H, I, J "M-1". Light Industrial District and "FSO", Free-Standing Sign Overlay District
- **3. Existing Land Use (site):** Part A, E, G, H, J Undeveloped alley. Part B, C, D, F, I Undeveloped street right-of-way.
- 4. General Neighborhood/Area Land Uses: The surrounding area is generally vacant open space and is near the east end of East Martin Luther King, Jr. Parkway. It is

adjacent to the southeast industrial area and the Southeast 14<sup>th</sup> Street commercial corridor.



5. Applicable Recognized Neighborhood(s): The subject property for segments A - G are located in Historic East Village Neighborhood. The subject property for segments H – J are not located in a recognized neighborhood. The Historic East Village neighborhood association was notified of the meeting by mailing of the Preliminary Agenda to all recognized neighborhood associations on June 1, 2015. Additionally, separate notifications of the hearing for this specific item were mailed on June 8, 2015 (10 days prior) to the Historic East Village neighborhood association and to the primary titleholder on file with the Polk County Assessor for each property adjacent to the requested segments of right-of-way. A Final Agenda was mailed to all recognized neighborhood associations on June 12, 2015.

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 Historic East Village Neighborhood Association notices were mailed to Colleen MacRae, PO Box 93904, Des Moines, IA 50393.

- 6. Relevant Zoning History: None.
- 7. 2020 Community Character Land Use Plan Designation: General Industrial and Support Commercial.
- 8. 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: The subject rights-of-way described in parts A, C, E, G, H, I, J have no identified utilities at this time. The subject rights-of-way described in part B and part F contain a 16-inch Des Moines Water Works (DMWW) water main. The subject right-of-way described in part D contains both a 6-inch DMWW water main and a 10-inch public sanitary sewer main. The subject right-of-ways also contain overhead utilities in some places. Easements must be reserved for any existing utilities until such time that they may be abandoned or are relocated.
- 2. Street System/Access: The Engineering Department is in the process of assembling land for the construction of the next segment of East Martin Luther King, Jr. Parkway east of Southeast 15<sup>th</sup> Street. The subject request will allow for the finalization and dedication of the Southeast Connector project from Southeast 8<sup>th</sup> Street to Southeast 15<sup>th</sup> Street. The subject segments of street and alley rights-of-way are largely undeveloped and generally not accessible to regular vehicular traffic.
- 3. Access: The proposed vacation does not affect or impede any existing public vehicular access or access to any private properties.
- 4. Future Use: The proposed segments of street and alley right-of-way segments will be dedicated for the next segment of Martin Luther King, Jr. Parkway. The excess land is

proposed to be assembled with excess parcels for future redevelopment and will require an approved development/Site Plan by the Engineering Department prior to conveyance of the disposition parcels.

#### **SUMMARY OF DISCUSSION**

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

### **COMMISSION ACTION:**

<u>Greg Wattier</u> moved staff recommendation for approval of the requested vacation of street and alley rights-of-way subject to reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or are relocated.

Motion passed 11-0.

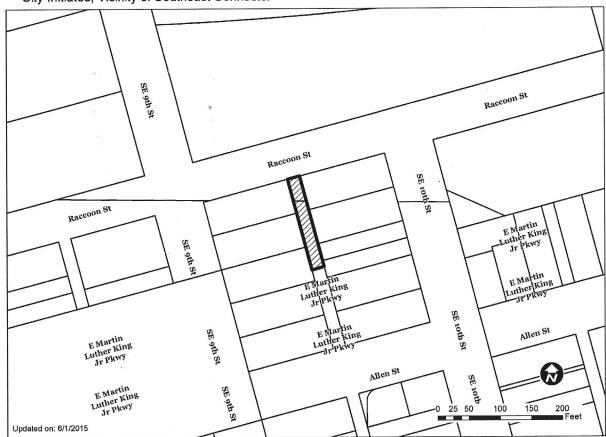
Respectfully submitted,

Michael G. Ludwig, AICP Planning Administrator

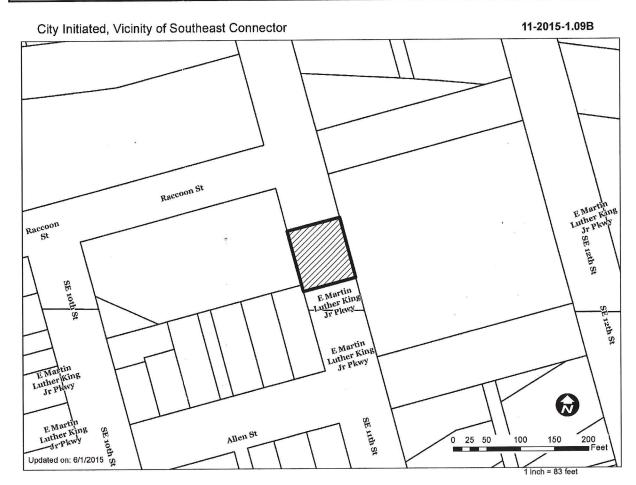
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City initiated.							File#			
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Description of Action	Connector pr	oject, sul	oject to rese	gments of right-of-w ervation of any nece e abandoned or are	essary easen	s from tl nents fo	he Southeast r all existing utilities in			
2020 Commun Character Plan	The state of the s		Current: General Industrial. Proposed: N/A.							
Mobilizing Tor Transportation		SE Connector: New Roadway Connection.								
Current Zonin	g District	"R-2A" "D-O" [	"R-2A" General Residential District, "GGP" Gambling Games Overlay District, "D-0" Downtown Overlay District, and "FSO" Freestanding Sign Overlay District.							
Proposed Zon	ing District	N/A.	N/A.							
Consent Card Inside Outside	Area	In	Favor	Not In Favor	Undetern	nined	% Opposition			
Plan and Zoni Commission A	oval	11-0	Required 6/7 the City Cour		Yes No	X				

11-2015-1.09A



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Description of Action	Connecto	r project, sub	ject to rese	ervatio	ts of right-of-won of any nece andoned or are	ssary easen	s from the nents fo	he Sou r all ex	itheast isting utilities in		
2020 Commun Character Plan		Current Propose		n Sup	port Commerc	cial.					
Mobilizing Tor Transportation		SE Con	SE Connector: New Roadway Connection								
Current Zonin	g District	"M-1" Li Downto	"M-1" Light Industrial District, "GGP" Gambling Games Overlay District, "D-O" Downtown Overlay District, and "FSO" Freestanding Sign Overlay District.								
Proposed Zon	ing Distric	t N/A.	N/A.								
Consent Card Inside Outside	Area	s In F	In Favor		ot In Favor	Undetern	nined	9,	% Opposition		
Plan and Zoni Commission A	Action	Approval Denial	11-0		Required 6/7 the City Cour		Yes No		X		

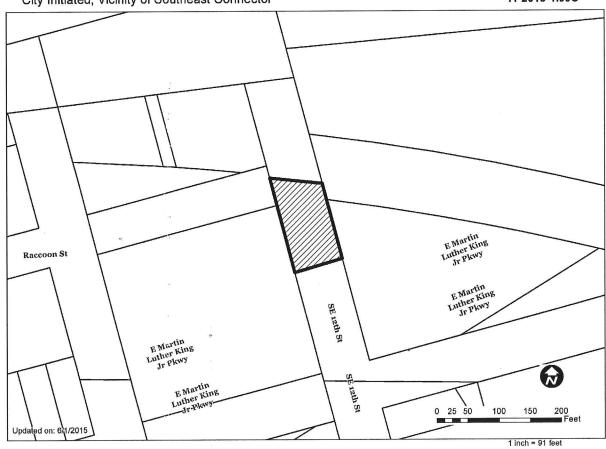


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Description of Action	Conne	ctor pr	oject, suk	ject to res	ervation	ts of right-of-w on of any nece ndoned or are	ssary easen	s from the	he Sou r all ex	utheast kisting utilities in		
2020 CommunityCurrent: Downtown Support Commercial.Character PlanProposed: N/A.												
Mobilizing To			SE Cor	SE Connector: New Roadway Connection								
Current Zonin	g Distric	t	"M-1" L Downto	"M-1" Light Industrial District, "GGP" Gambling Games Overlay District, "D-0" Downtown Overlay District, and "FSO" Freestanding Sign Overlay District.								
Proposed Zor	ing Dist	rict	N/A.									
Consent Card Inside Outside	Area	ses	In Favor		N	ot In Favor	Undetern	nined	(	% Opposition		
Plan and Zoning Commission Action Den		oval al	11-0		Required 6/7 the City Cour		Yes No		X			

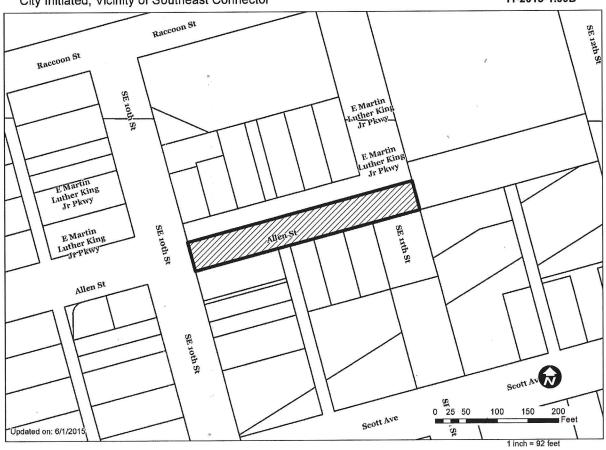
City Initiated, Vicinity of Southeast Connector

11-2015-1.09C



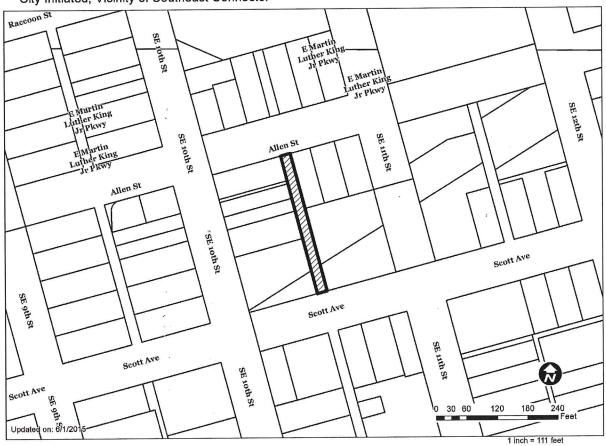
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Description of Action	Connector p	roject, subject	to reserv	ents of right-of-wation of any nece bandoned or are	ssary easen	s from th nents for	e Southeast all existing utilities in				
<b>2020 Community</b> Character Plan  Current: General Industrial and Downtown Support Commercial.  Proposed: N/A.											
Mobilizing Tor Transportation		SE Connec	SE Connector: New Roadway Connection								
Current Zonin	g District	Gambling G	"R-2A" General Residential District, "M-1" Light Industrial District, "GGP" Gambling Games Overlay District, "D-0" Downtown Overlay District, and "FSO" Freestanding Sign Overlay District.								
Proposed Zon	ing District	N/A.									
Consent Card Inside Outside	Area	In Favor		Not In Favor	Undetern	nined	% Opposition				
Plan and Zoning App Commission Action Den		oval 11-0		Required 6/7 the City Cour		Yes No	x				

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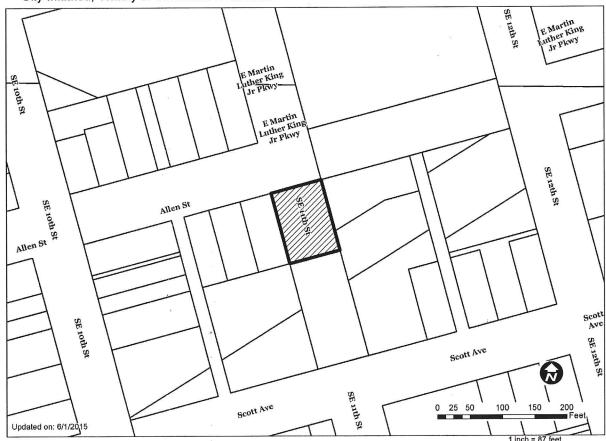
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2020 Community Character Plan			Current: General Industrial. Proposed: N/A.								
Mobilizing Tomo		SE Con	SE Connector: New Roadway Connection								
Current Zoning D	District	"R-2A" General Residential District, "GGP" Gambling Games Overlay District, "D-O" Downtown Overlay District, and "FSO" Freestanding Sign Overlay District.									
Proposed Zoning	District	N/A.	i i								
Consent Card Re Inside Are Outside A	ea	In Favor			Not In Favor	Undetern	nined		% Opposition		
Plan and Zoning Commission Act	ion Appr				Required 6/7 the City Cour		Yes		X		

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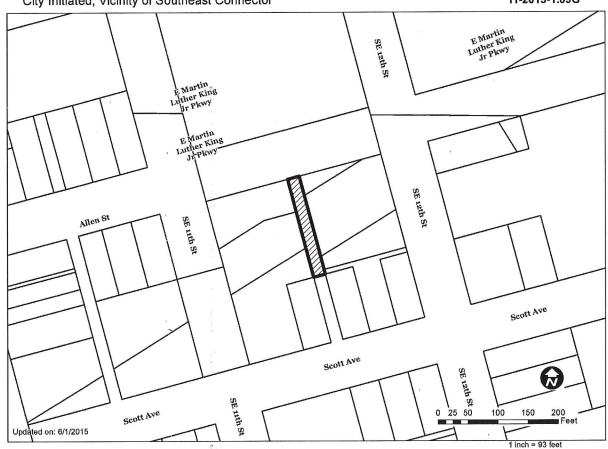
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Description of Action	Connector pro	oject, subject to r	segments of right-of-w eservation of any nece are abandoned or are	essary easements for	the Southeast or all existing utilities in					
<b>2020 Community</b> Character Plan  Current: General Industrial and Downtown Support Commercial.  Proposed: N/A.										
Mobilizing Tor Transportation		SE Connector: New Roadway Connection								
Current Zonin	g District	"R2-A" General Residential District, "GGP" Gambling Games Overlay District, "D-O" Downtown Overlay District, and "FSO" Freestanding Sign Overlay District.								
Proposed Zon	ning District	N/A.								
Consent Card Inside Outside	Area	In Favor	Not In Favor	Undetermined	% Opposition					
Plan and Zoni Commission			Required 6/7 the City Cou		X					

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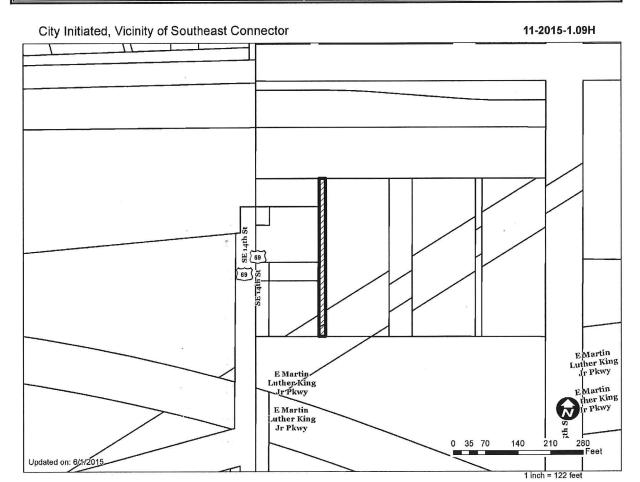


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Description of Action	Connecto	or project, s	ubject to res	egments of right-of-w servation of any nece re abandoned or are	essary easen	s from t nents fo	he Southeast r all existing utilities in			
2020 Commun Character Plan		The state of the s	Current: Downtown Support Commercial and General Industrial. Proposed: N/A.							
Mobilizing Tor Transportation		SE Co	SE Connector: New Roadway Connection							
Current Zonin	g District	"R-2A "D-O"	"R-2A" General Residential District, "GGP" Gambling Games Overlay District, "D-0" Downtown Overlay District, and "FSO" Freestanding Sign Overlay District.							
Proposed Zon	ing Distric	t N/A.								
Consent Card Inside Outside	Area	es Ir	n Favor	Not In Favor	Undeterm	nined	% Opposition			
	Plan and Zoning App Commission Action Der		11-0	Required 6/7 the City Cou		Yes No	Х			

11-2015-1.09G

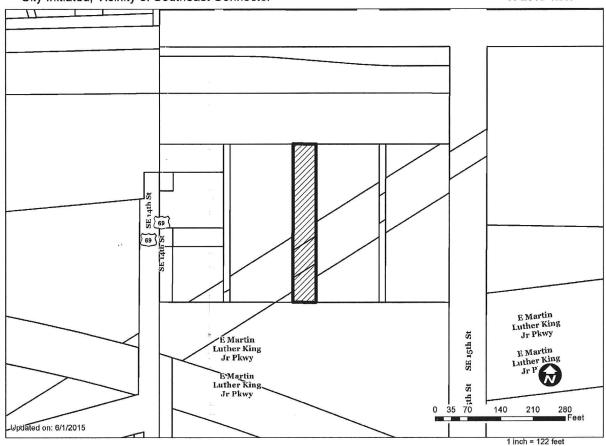


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2020 Commur Character Pla											
Mobilizing To			SE Con	SE Connector: Widen 2 to 4 Lanes							
<b>Current Zonin</b>	g Distric	t	"M-1" Light Industrial District and "FSO" Freestanding Sign Overlay District.								
Proposed Zon	ing Dist	rict	N/A.	N/A.							
Consent Card Inside Outside	ises	In Favor			Not In Favor	Undetern	nined	(	% Opposition		
Plan and Zoning App Commission Action	Appr	roval 11-0			Required 6/7		Yes				
Commission /	Action	Deni	al		the City Council		No		X		



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Description of Action	Connec	ctor pr	oject, sub	ject to res	erva	nts of right-of-w tion of any nece andoned or are	ssary easer	s from the	ne Southeast r all existing utilities in		
2020 Community Current: General Industrial. Character Plan Proposed: N/A.											
Mobilizing Ton Transportation			SE Con	SE Connector: Widen 2 to 4 Lanes							
Current Zoning	g Distric	t	"M-1" Light Industrial District and "FSO" Freestanding Sign Overlay District.								
Proposed Zon	ing Dist	rict	N/A.								
Consent Card Inside Outside	In Favor			Not In Favor	Undetern	nined	% Opposition				
Plan and Zonii Commission A				11-0	St.	Required 6/7 the City Cour		Yes No	х		

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Description of Action	Conne	ctor pr	oject, sul	oject to res	gments of right-of-w ervation of any nece e abandoned or are	essary easen		e Southeast all existing utilities in			
2020 Commur Character Pla				t: General I ed: N/A.	ndustrial.						
Mobilizing To			SE Cor	SE Connector: Widen 2 to 4 Lanes							
Current Zonin	g Distric	t	"M-1" L	"M-1" Light Industrial District and "FSO" Freestanding Sign Overlay District.							
Proposed Zon	ing Dist	rict	N/A.	N/A.							
Consent Card Inside Outside	ses	In Favor		Not In Favor	Undetern	nined	% Opposition				
Plan and Zoni Commission		Appr Deni		11-0	Required 6/7 the City Cou		Yes No	X			

11-2015-1.09J

