

Date July 27, 2014

**HOLD HEARING FOR VACATION OF CITY-OWNED RIGHT-OF-WAY FOR THE  
SOUTHEAST CONNECTOR PROJECT – SE 9TH STREET TO SE 15TH STREET**

**WHEREAS**, the City of Des Moines Engineering Department initiated a request for vacation of various portions of City street and alley right-of-way located north of Scott Avenue between SE 9<sup>th</sup> Street and SE 15<sup>th</sup> Street originally acquired for the Southeast Connector – SE 9<sup>th</sup> Street to SE 15<sup>th</sup> Street Project; and

**WHEREAS**, on June 18, 2015, the City of Des Moines Plan and Zoning Commission voted to recommend approval of the City-initiated request to vacate various street and alley right-of-way adjoining the Southeast Connector between Southeast 9<sup>th</sup> Street and Southeast 15<sup>th</sup> Street in order to allow for the dedication of the next segment of the East Martin Luther King, Jr. Parkway and to allow the right-of-way to be assembled and sold for future redevelopment, and on July 13, 2015, the City Council of the City of Des Moines, by Roll Call No. 15-1141, received and filed a communication relating to said recommendation from the City of Des Moines Plan and Zoning Commission; and

**WHEREAS**, on November 5, 2012, the City Council of the City of Des Moines passed Ordinance No. 15,141, vacating a portion of the north/south alley between SE 14th Street and SE 14th Court, south of East Market Street; a portion of SE 14th Court south of East Market Street and north of Scott Avenue; a portion of the north/south alley between SE 14th Court and SE 15th Street, south of East Market Street; and a portion of SE 15th Street south of East Market Street and north of vacated Raccoon Street; and

**WHEREAS**, there is no known current or future public need or benefit for the right-of-way proposed to be vacated and the City will not be inconvenienced by the vacation of said right-of-way, subject to reservation of easements for any existing utilities currently located within the right-of-way; and

**WHEREAS**, on July 13, 2015, by Roll Call No. 15-1140, it was duly resolved by the City Council that the proposed adoption of an ordinance repealing Ordinance No. 15,141, and the vacation of such right-of-way, as described above, be set down for hearing on July 27, 2015, at 5:00 p.m., in the Council Chamber; and

**WHEREAS**, due notice of said proposal to repeal Ordinance No. 15,141, and to vacate public right-of-way was given as provided by law, setting forth the time and place for hearing on said proposal; and

**WHEREAS**, in accordance with said notice, those interested in said proposed ordinance repeal and vacation, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Des Moines, Iowa:

1. Upon due consideration of the facts and statements of interested persons, any objections to said proposed ordinance repeal and vacation of public right-of-way, as described below, are hereby overruled and the hearing is closed.

Date July 27, 2014

- 2. Ordinance No. 15,141 is hereby repealed.
- 3. There is no public need for or benefit from the right-of-way proposed to be vacated, and the City would not be inconvenienced by reason of the vacation of the following City-owned right-of-way, said vacation is hereby approved subject to reservation of easements for all existing utilities currently located therein:
  - 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 the 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. 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.
  - K) A portion of SE 15th Street south of East Market Street and north of vacated Raccoon Street;

all legally described as follows:

PART A:

A PORTION OF THE NORTH/SOUTH ALLEY ADJOINING LOTS 1, 2, 3, 8, 9 AND 10 OF BLOCK 39, TOWN OF DEMOINE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE NORTH 74°47'34" EAST, 20.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 10; THENCE SOUTH 14°50'11" EAST, 149.16 FEET ON THE WEST LINE OF SAID LOTS 8, 9, AND 10; THENCE SOUTH 74°58'37" WEST, 20.00 FEET TO THE EAST LINE OF SAID LOTS 1, 2, AND 3; THENCE NORTH 14°50'11" WEST, 149.09 FEET ON SAID EAST LINE TO THE POINT OF BEGINNING, CONTAINING 0.07 ACRES MORE OR LESS;

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PART B:

THAT PART OF SOUTHEAST 11TH STREET LYING EAST OF AND ADJOINING LOTS 8 AND 9, OF BLOCK 1, AND LYING WEST OF AND ADJOINING LOTS 2 AND 3, BLOCK 14, BOTH IN ALLEN'S SECOND ADDITION TO DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS;

REFERRING TO THE NORTHEAST CORNER OF LOT 10, OF SAID BLOCK 1; THENCE SOUTH 14°(DEGREES) 43'(MINUTES) 24"(SECONDS) EAST, 58.53 FEET ON THE EAST LINE OF SAID BLOCK TO THE POINT OF BEGINNING; THENCE NORTH 75°16'36" EAST, 60.35 FEET; THENCE NORTHEASTERLY 19.99 FEET ON A 62.50 FOOT RADIUS CURVE TO THE LEFT WITH A CHORD BEARING OF NORTH 66°06'53" EAST, 19.90 FEET TO THE WEST LINE OF SAID BLOCK 14; THENCE SOUTH 14°43'24" EAST, 92.08 FEET ON SAID WEST LINE; THENCE SOUTH 74°50'43" WEST, 80.00 FEET TO THE EAST LINE OF SAID BLOCK 1; THENCE NORTH 14°43'24" WEST, 89.51 FEET ON SAID EAST LINE TO THE POINT OF BEGINNING CONTAINING 0.16 ACRES MORE OR LESS;

PART C:

THAT PART OF SOUTHEAST 12TH STREET LYING SOUTH OF THE SOUTHERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, AND LYING EAST OF AND ADJOINING LOTS 9 AND 10, OF BLOCK 14, AND LYING WEST OF BLOCK 22, BOTH IN ALLEN'S SECOND ADDITION TO DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF LOT 10 OF SAID BLOCK 14; THENCE NORTH 14°(DEGREES) 42'(MINUTES) 00"(SECONDS) WEST, 45.68 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD; THENCE SOUTH 83°22'03" EAST, 85.89 FEET ON SAID LINE; THENCE SOUTH 14°42'00" EAST, 125.06 FEET ON THE WEST LINE OF SAID BLOCK 22 AND ITS NORTHERLY EXTENSION THEREOF; THENCE SOUTHWESTERLY 81.68 FEET ON A 116.17 FOOT RADIUS NON TANGENT CURVE TO THE LEFT WITH A CHORD BEARING OF SOUTH 74°19'39" WEST, 80.01 FEET TO THE EAST LINE OF SAID BLOCK 14; THENCE NORTH 14°42'00" WEST, 111.98 FEET ON SAID LINE TO THE POINT OF BEGINNING, CONTAINING 0.25 ACRES MORE OR LESS;

PART D:

THAT PART OF ALLEN STREET LYING NORTH OF BLOCK 2 ALLEN'S SECOND ADDITION TO DES MOINES, AN OFFICIAL PLAT, AND LYING NORTH OF SOUTHEAST 11TH STREET, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS;

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BEGINNING AT THE NORTHWEST CORNER OF LOT 1, OF SAID BLOCK 2; THENCE NORTH 14°(DEGREES) 44'(MINUTES) 22"(SECONDS) WEST, 49.72 FEET; THENCE NORTH 74°58'37" EAST, 365.65 FEET; THENCE NORTH 77°32'25" EAST, 14.10 FEET; THENCE SOUTH 14°43'24" EAST, 48.69 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 13, SAID ALLEN'S SECOND ADDITION TO DES MOINES; THENCE SOUTH 74°55'03" WEST, 80.00 FEET TO THE NORTHEAST CORNER OF LOT 10 OF SAID BLOCK 2; THENCE SOUTH 74°54'59" WEST, 299.73 FEET ON THE NORTH LINE OF SAID BLOCK 2 TO THE POINT OF BEGINNING, CONTAINING 0.43 ACRES MORE OR LESS;

PART E:

THE NORTH/SOUTH ALLEY LYING NORTH OF SCOTT STREET (AVENUE), SOUTH OF ALLEN STREET, AND ADJOINING LOTS 1 THRU 5 AND 6 THRU 10 OF BLOCK 2, ALLEN'S SECOND ADDITION TO DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, CONTAINING 0.13 ACRES MORE OR LESS;

PART F:

THAT PART OF SOUTHEAST 11TH STREET LYING SOUTH OF ALLEN STREET AND ADJOINING LOTS 1 AND 2 OF BLOCK 13, AND ADJOINING LOTS 9 AND 10, BLOCK 2, ALL IN ALLEN'S SECOND ADDITION TO DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, CONTAINING 0.21 ACRES MORE OR LESS;

PART G:

THAT PART OF THE NORTH/SOUTH ALLEY LYING SOUTH OF ALLEN STREET AND ADJOINING LOTS 1, 2, 3, 8, 9 AND 10, OF BLOCK 13, ALLEN'S SECOND ADDITION TO DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, CONTAINING 0.08 ACRES MORE OR LESS;

PART H:

THAT PART OF THE NORTH/SOUTH ALLEY LYING EAST OF AND ADJOINING LOTS 25 THRU 32, AND LYING WEST OF AND ADJOINING LOTS 17 THRU 24, BENNETT PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 32 THENCE NORTH 89°06'38" EAST, 14.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 17; THENCE SOUTH 00°10'02" EAST, 326.64 FEET ON THE EAST LINE OF SAID ALLEY TO THE SOUTHWEST CORNER OF SAID LOT 24; THENCE NORTH 89°46'39" WEST, 14.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 25; THENCE NORTH 00°10'02" WEST, 326.36 FEET ON THE WEST LINE OF SAID ALLEY TO THE POINT OF BEGINNING, CONTAINING 0.10 ACRES MORE OR LESS;

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PART I:

THAT PART OF SOUTHEAST 14TH COURT LYING EAST OF AND ADJOINING LOTS 17 THRU 24, AND LYING WEST OF AND ADJOINING LOTS 9 THRU 16, BENNETT PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 17; THENCE NORTH 89°06'38" EAST, 50.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 16; THENCE SOUTH 00°05'26" EAST, 330.26 FEET ON THE EAST LINE OF SAID SOUTHEAST 14TH COURT TO THE SOUTHWEST CORNER OF SAID LOT 9; THENCE NORTH 89°46'39" WEST, 50.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 24; THENCE NORTH 00°05'26" WEST, 329.29 FEET ON THE WEST LINE OF SAID SOUTHEAST 14TH COURT TO THE POINT OF BEGINNING, CONTAINING 0.38 ACRES MORE OR LESS;

PART J:

THAT PART OF THE NORTH/SOUTH ALLEY LYING EAST OF AND ADJOINING LOTS 9 THRU 16, AND LYING WEST OF AND ADJOINING LOTS 1 THRU 8, BENNETT PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 16; THENCE NORTH 89°06'38" EAST, 14.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 00°00'48" EAST, 333.18 FEET ON THE EAST LINE OF SAID ALLEY TO THE SOUTHWEST CORNER OF SAID LOT 8; THENCE NORTH 89°46'39" WEST, 14.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 9; THENCE NORTH 00°00'48" WEST, 332.91 FEET ON THE WEST LINE OF SAID ALLEY TO THE POINT OF BEGINNING, CONTAINING 0.11 ACRES MORE OR LESS.

PART K:

THAT PART OF SOUTHEAST 15TH STREET LYING EAST OF AND ADJOINING LOTS 1 AND 2, BENNETT PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS;

REFERRING TO THE SOUTHEAST CORNER OF LOT 8, SAID BENNETT PLACE; THENCE NORTH 00°03'46" EAST, 264.55 FEET ON THE EAST LINE OF SAID BENNETT PLACE TO THE POINT OF BEGINNING; THENCE CONTINUING ON SAID EAST LINE NORTH 00°03'46" EAST, 59.02 FEET; THENCE NORTH 57°58'31" EAST, 94.42 FEET TO THE EAST RIGHT OF WAY LINE OF SAID SOUTHEAST 15TH STREET; THENCE SOUTH 00°03'46" WEST, 59.02 FEET ON SAID EAST LINE; THENCE SOUTH 57°58'31" WEST, 94.42 FEET TO THE POINT OF BEGINNING, CONTAINING 0.11 ACRES MORE OR LESS.

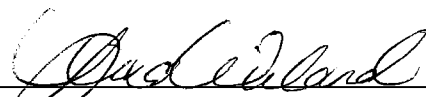
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Date July 27, 2014

4. Upon final passage of an ordinance vacating said right-of-way and approval by resolution of this City Council, the City Clerk is authorized and directed to forward a certified copy of this resolution and of the affidavit of publication of the notice of this hearing to the Polk County Recorder's Office for the purpose of causing said documents to be recorded.

Moved by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:

  
 Lisa A. Wieland, Assistant City Attorney

*rm*

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

MOTION CARRIED APPROVED  
 \_\_\_\_\_ Mayor

**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.

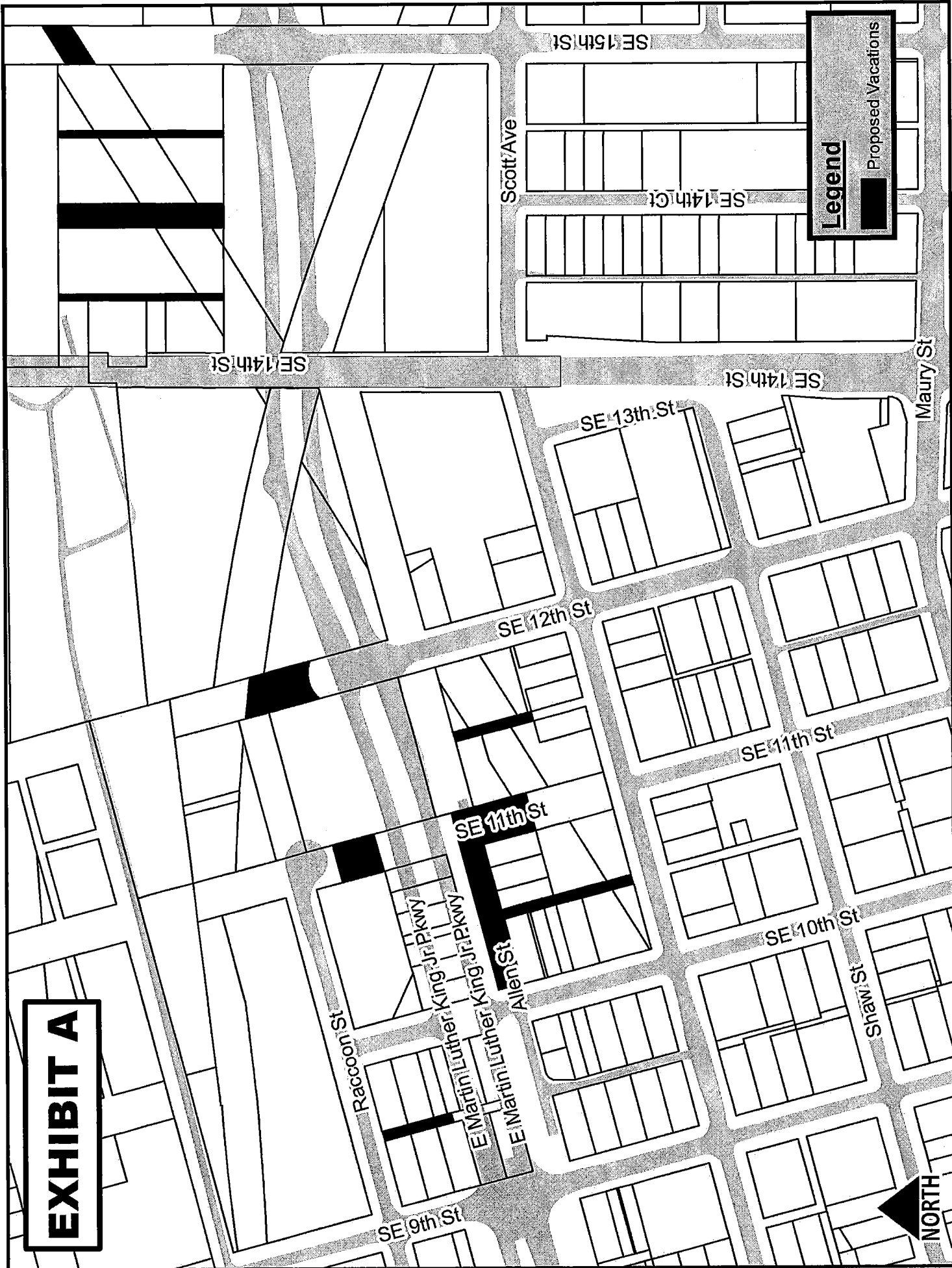
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

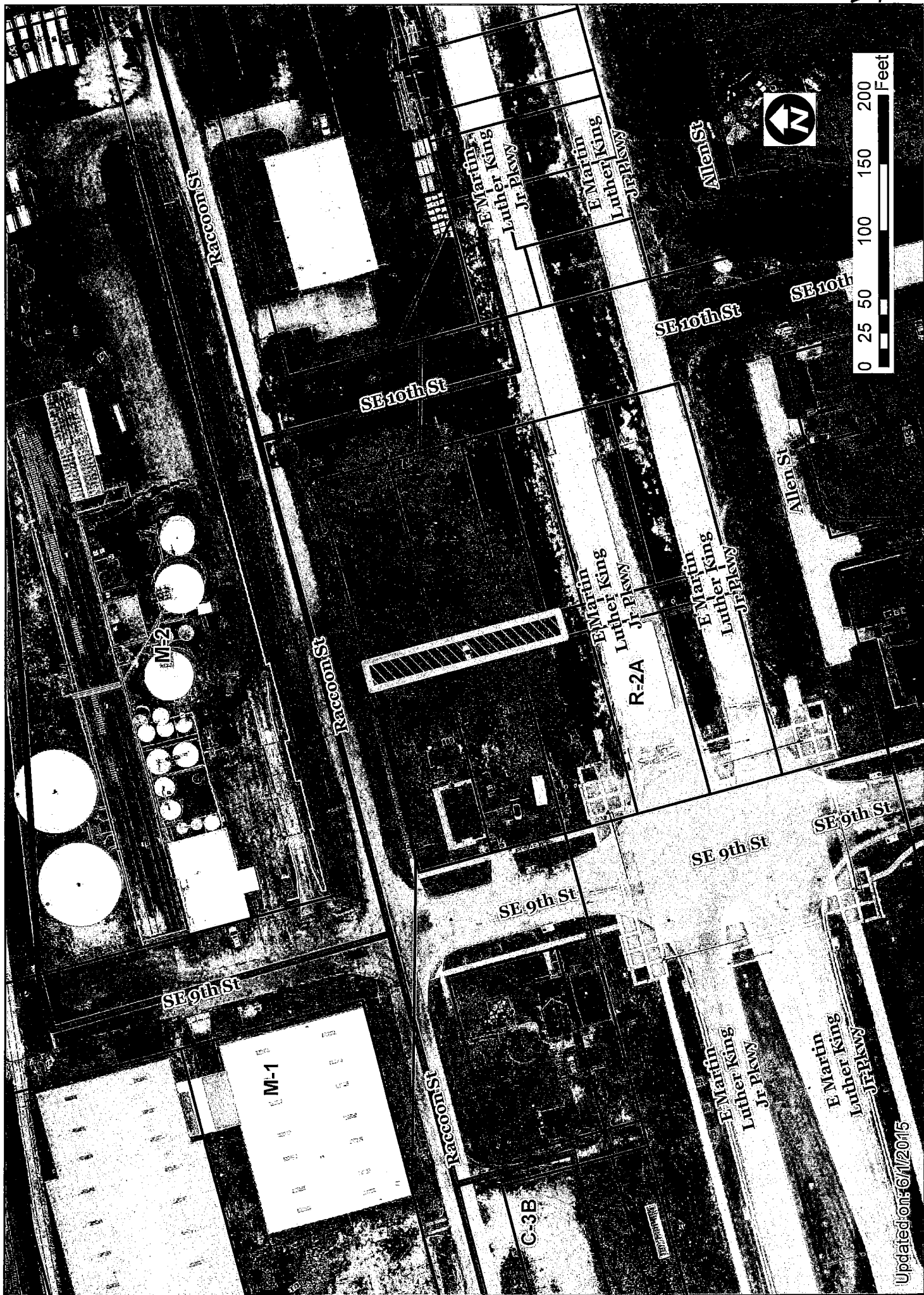
\_\_\_\_\_ City Clerk

**Legend**

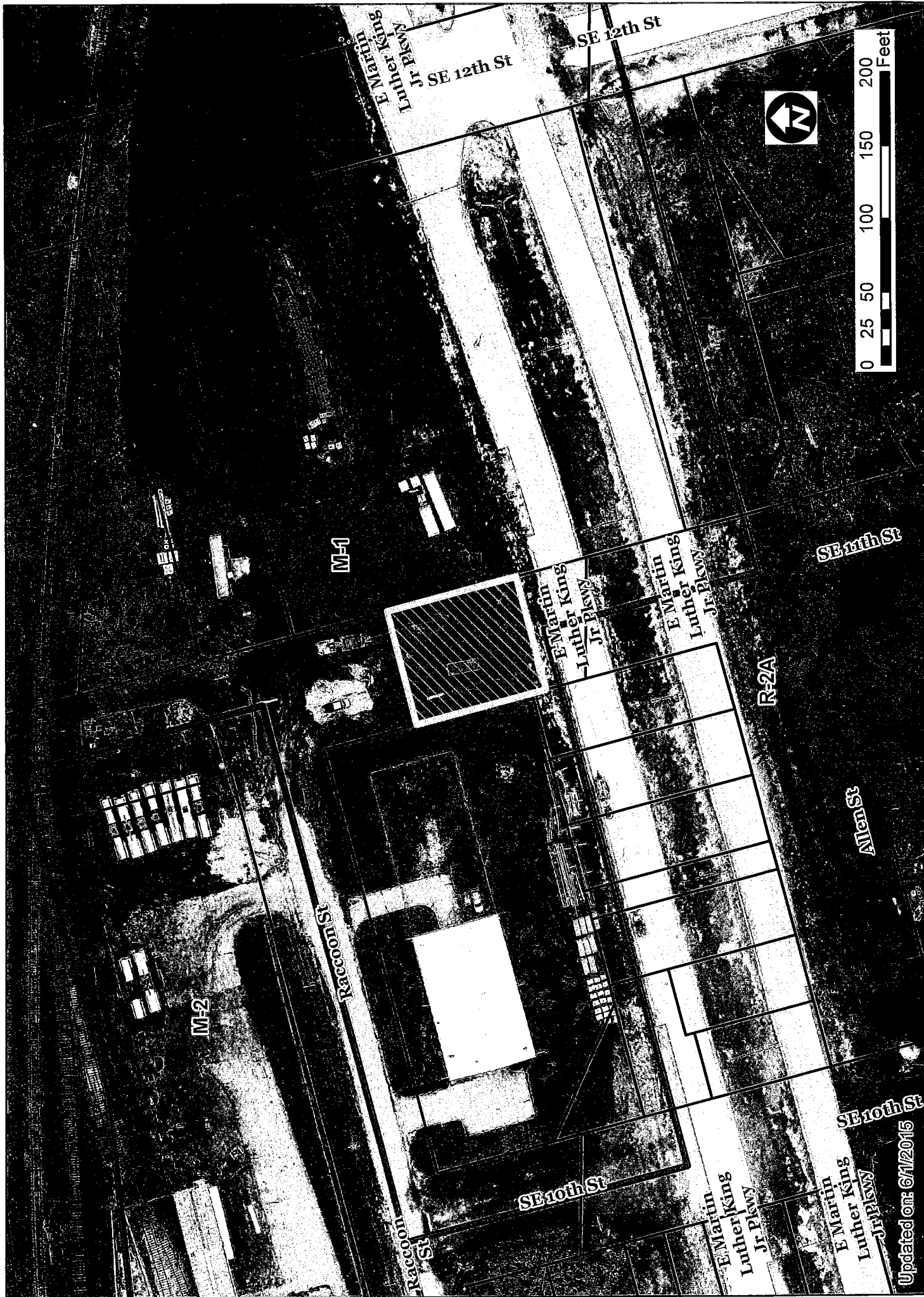
Proposed Vacations

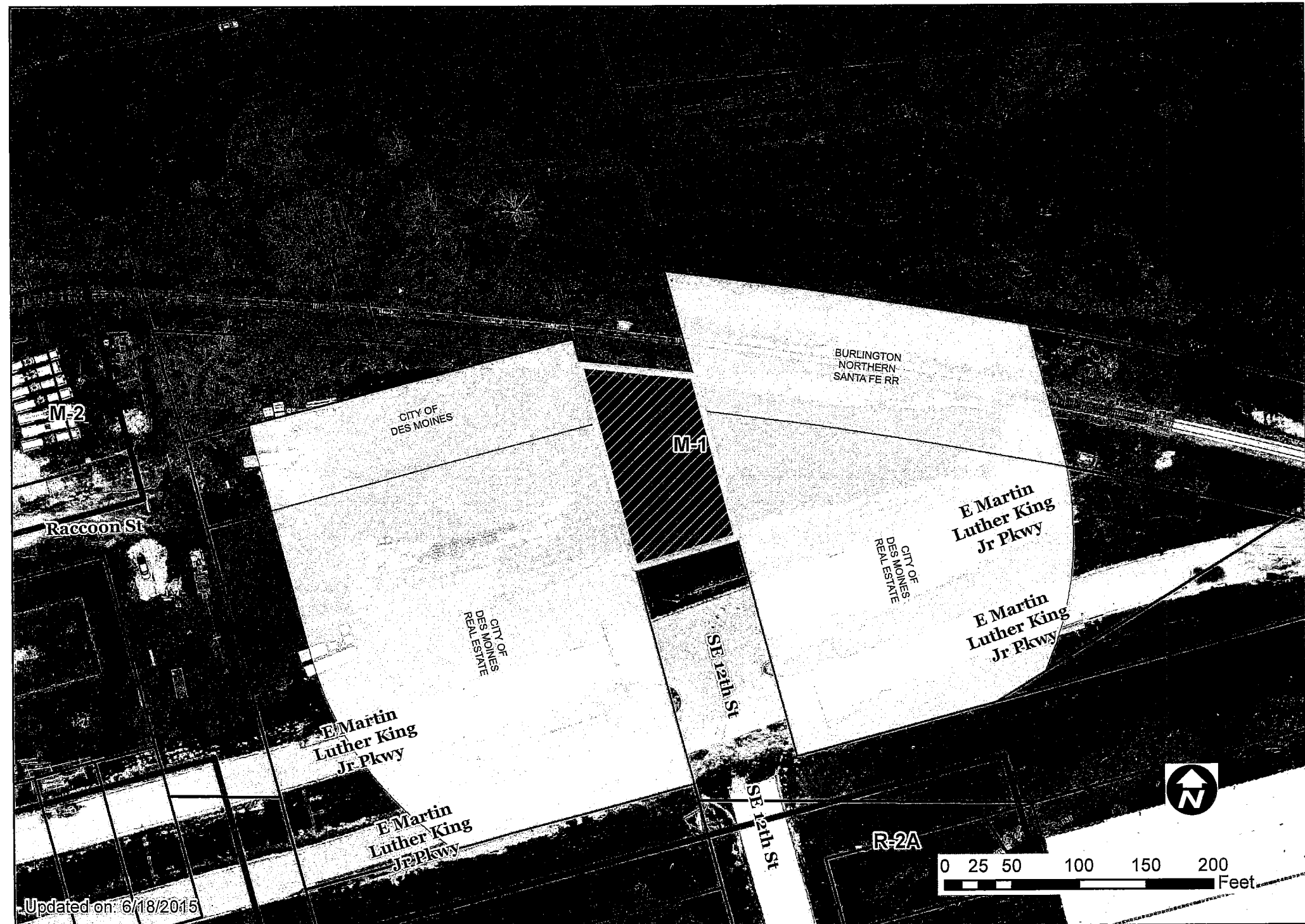
**EXHIBIT A**





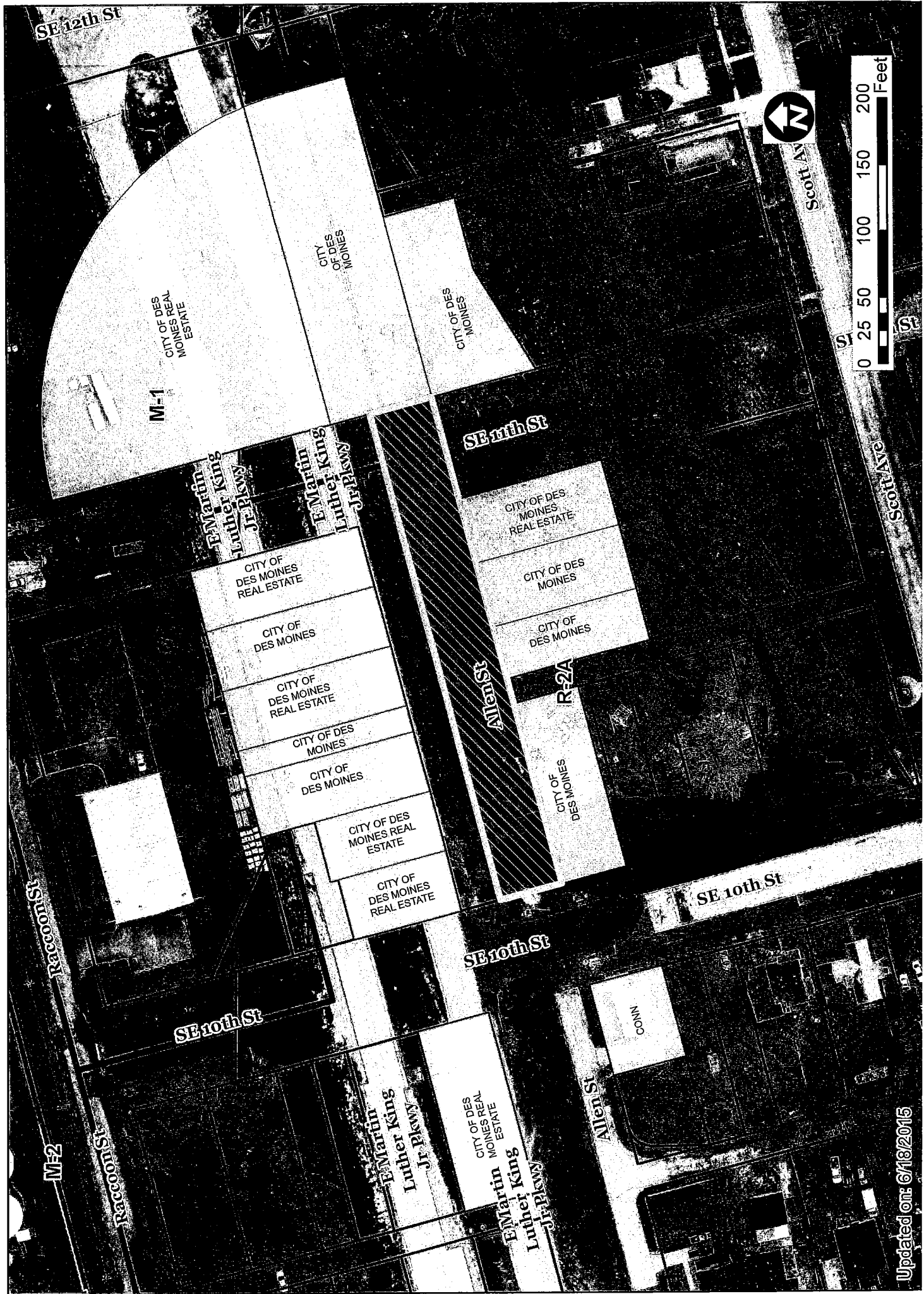


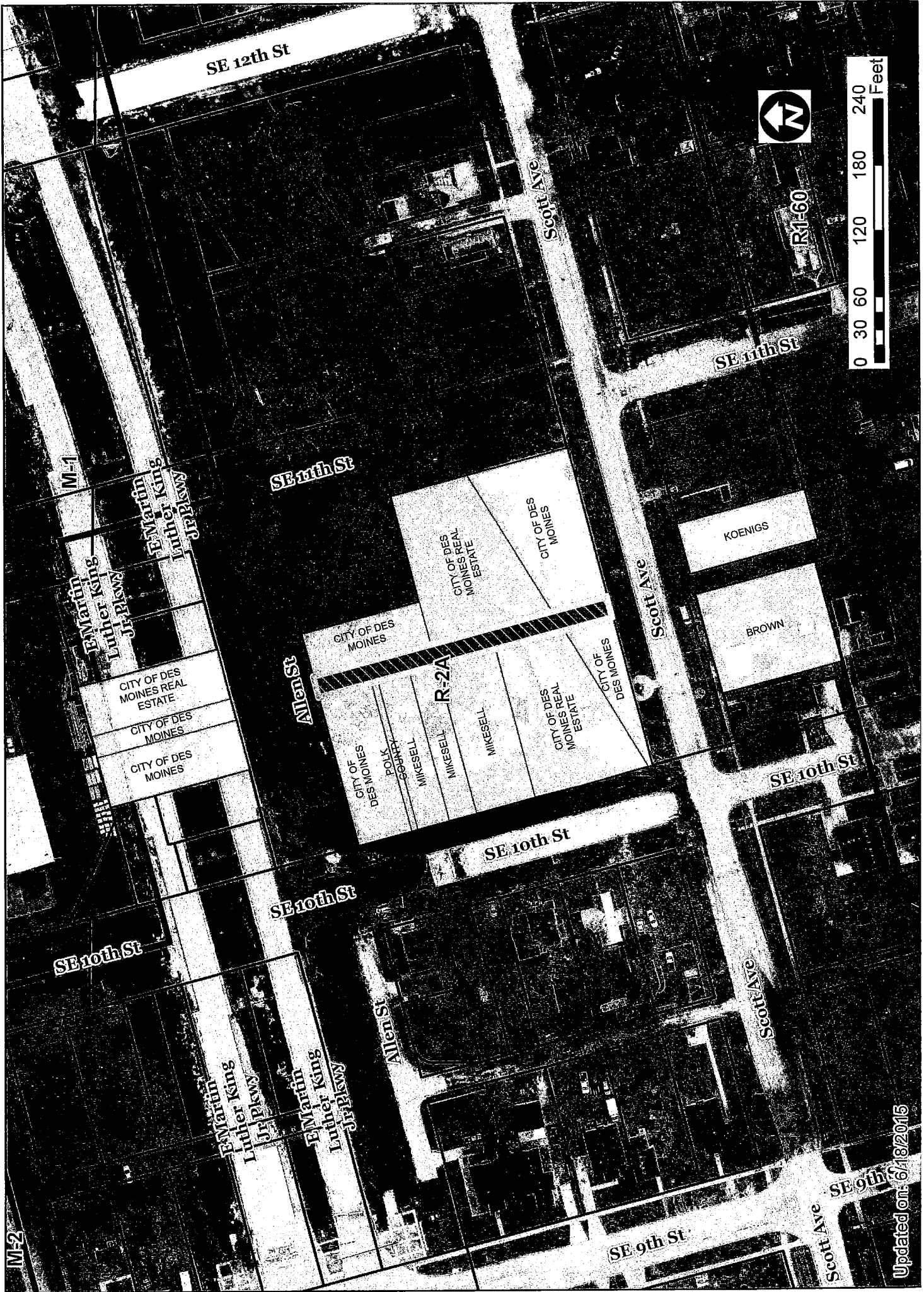


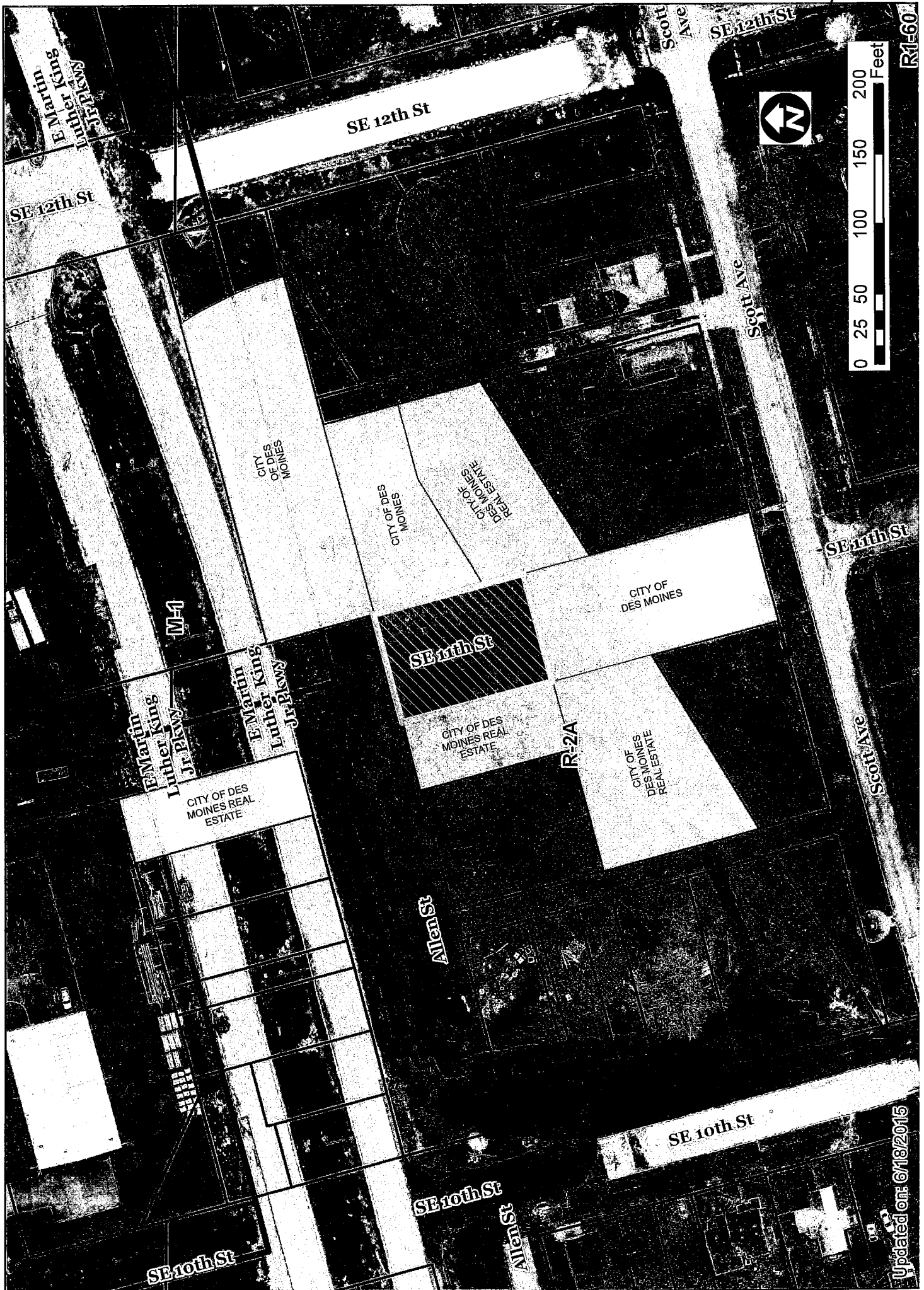


Updated on: 6/18/2015

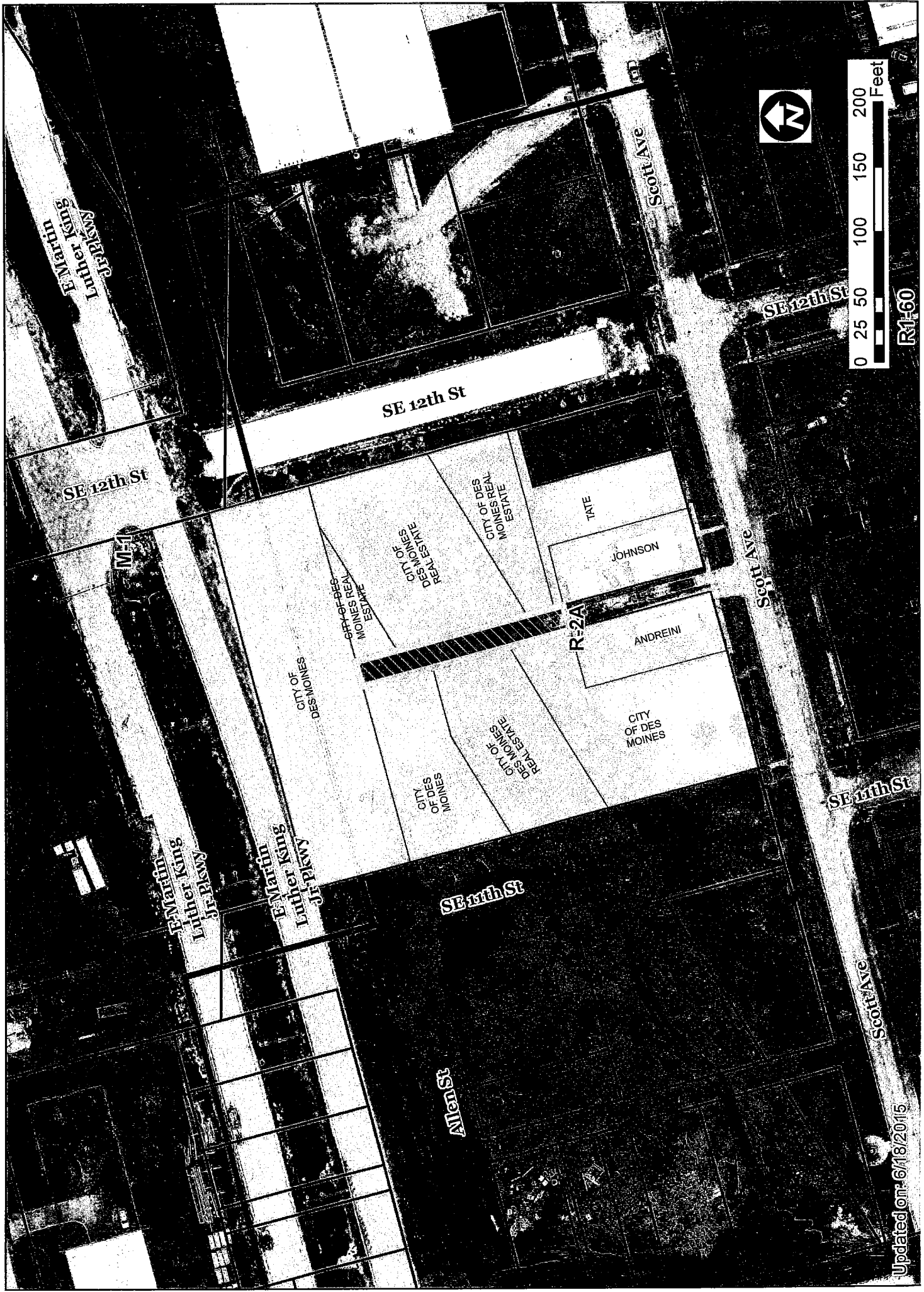
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City Initiated, Vicinity of Southeast Connector

11-2015-1.09H

R4

C-3A

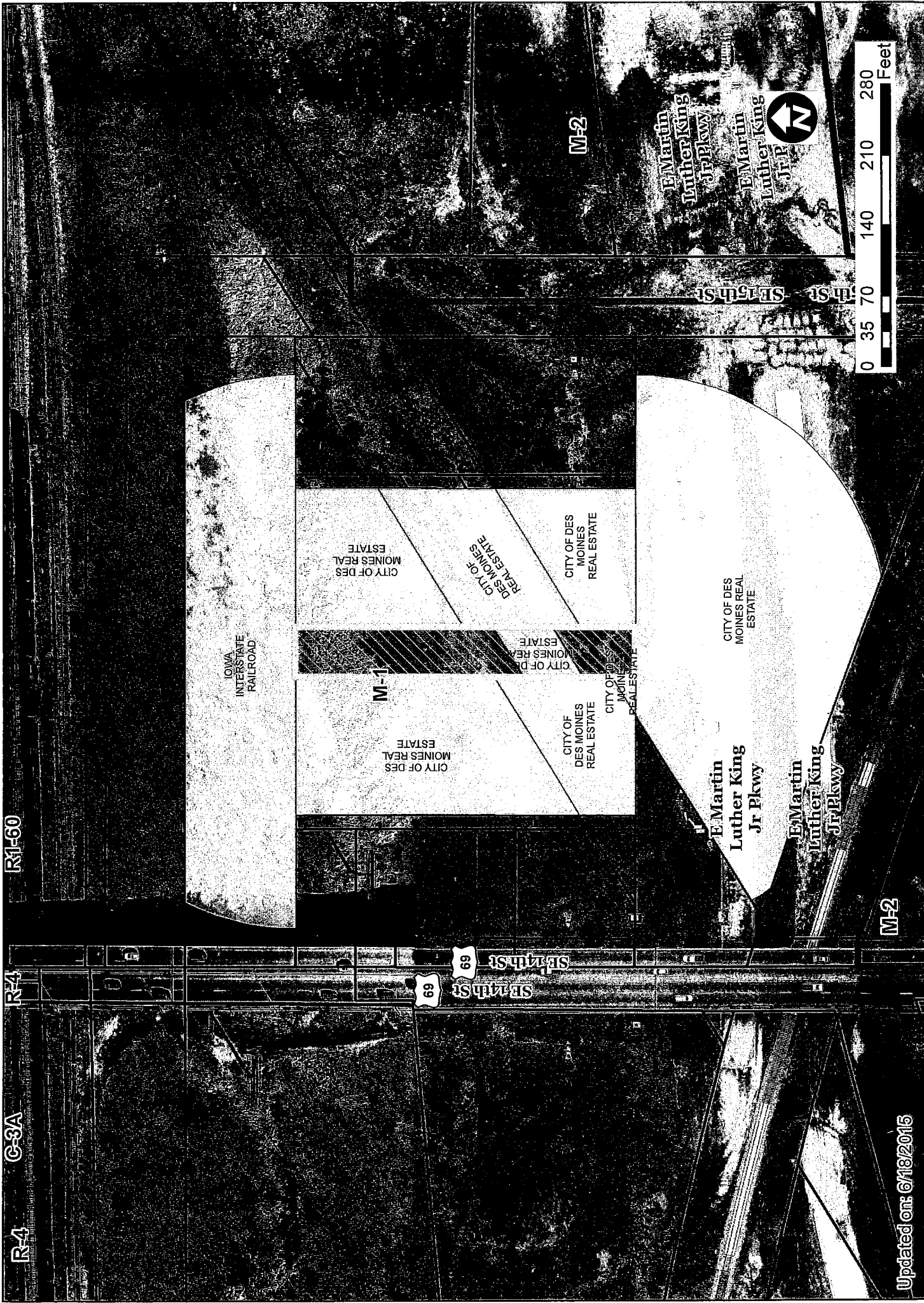
R4

R1-60



City Initiated, Vicinity of Southeast Connector

11-2015-1.09I



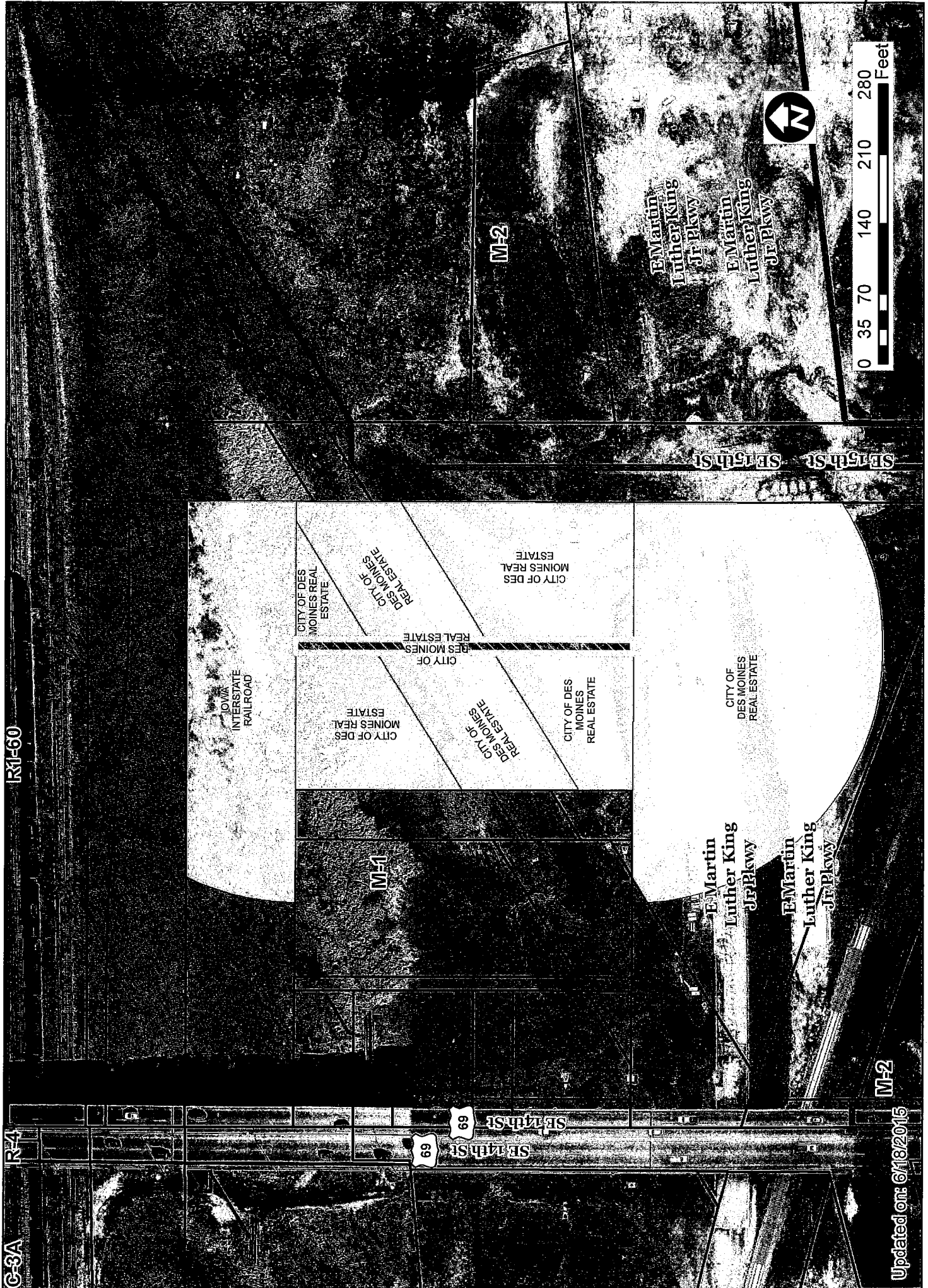
Updated on: 6/18/2016



City Initiated, Vicinity of Southeast Connector

11-2015-1.09J

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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	X			
JoAnne Corigliano	X			
Jacqueline Easley				X
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 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**

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

## **COMMISSION ACTION:**

Greg Wattier 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

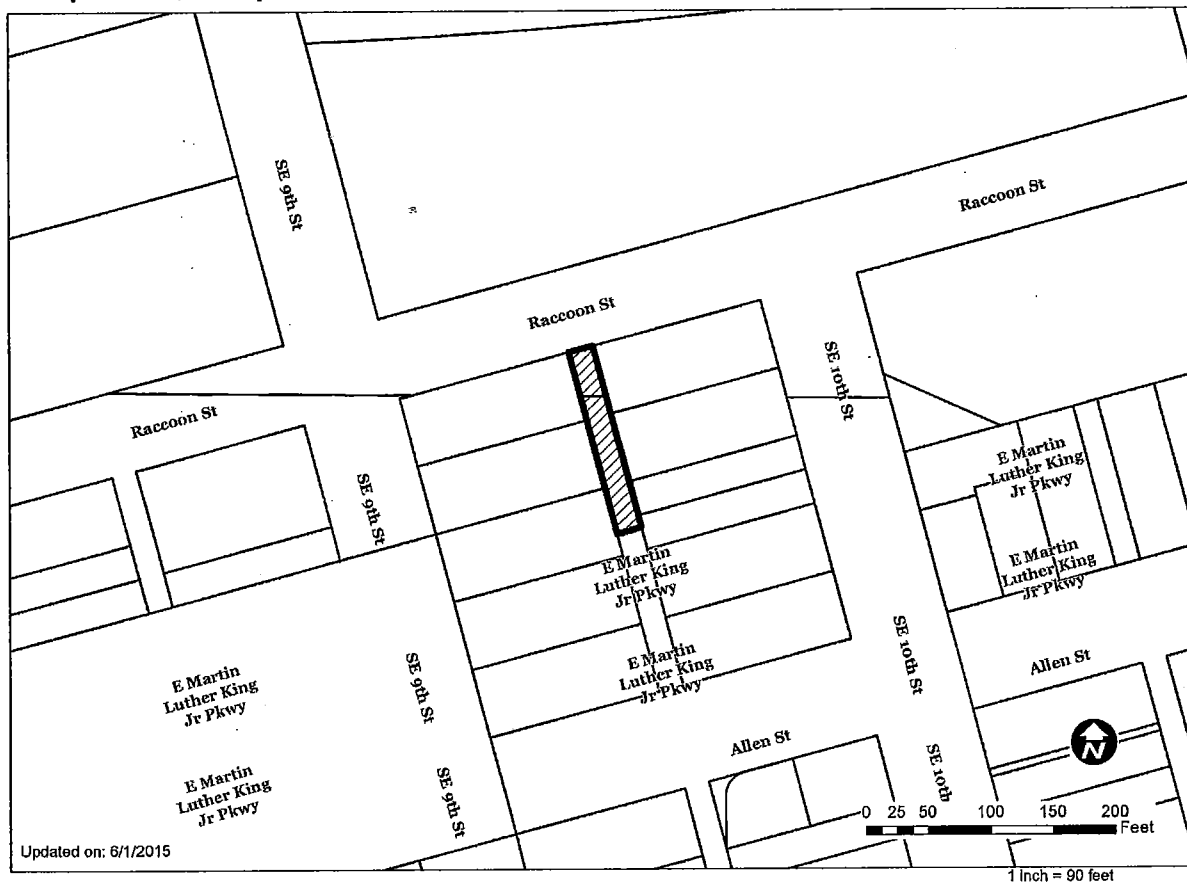
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Attachment

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City initiated.		File #		
		11-2015-1.09		
<b>Description of Action</b>	Approval of request to Vacate 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.			
<b>2020 Community Character Plan</b>	Current: General Industrial. Proposed: N/A.			
<b>Mobilizing Tomorrow Transportation Plan</b>	SE Connector: New Roadway Connection.			
<b>Current Zoning District</b>	"R-2A" General Residential District, "GGP" Gambling Games Overlay District, "D-O" Downtown Overlay District, and "FSO" Freestanding Sign Overlay District.			
<b>Proposed Zoning District</b>	N/A.			
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area				
<b>Plan and Zoning Commission Action</b>	Approval	11-0	<b>Required 6/7 Vote of the City Council</b>	Yes
	Denial			No
				X

City Initiated, Vicinity of Southeast Connector

11-2015-1.09A

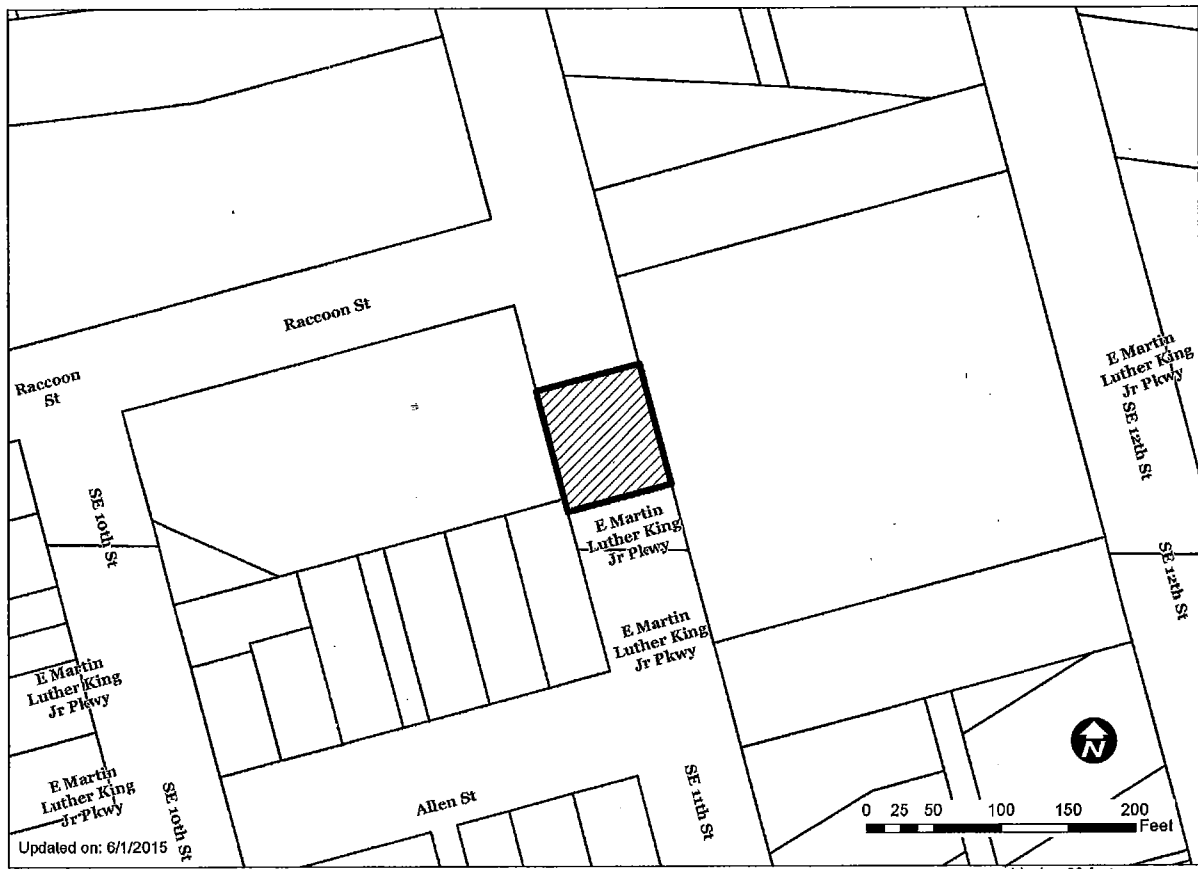


1 Inch = 90 feet

City initiated.		File #		
		11-2015-1.09		
<b>Description of Action</b>	Approval of request to Vacate 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.			
<b>2020 Community Character Plan</b>	Current: Downtown Support Commercial. Proposed: N/A.			
<b>Mobilizing Tomorrow Transportation Plan</b>	SE Connector: New Roadway Connection			
<b>Current Zoning District</b>	"M-1" Light Industrial District, "GGP" Gambling Games Overlay District, "D-O" Downtown Overlay District, and "FSO" Freestanding Sign Overlay District.			
<b>Proposed Zoning District</b>	N/A.			
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area				
<b>Plan and Zoning Commission Action</b>	Approval	11-0	<b>Required 6/7 Vote of the City Council</b>	Yes
	Denial			No
				X

City Initiated, Vicinity of Southeast Connector

11-2015-1.09B

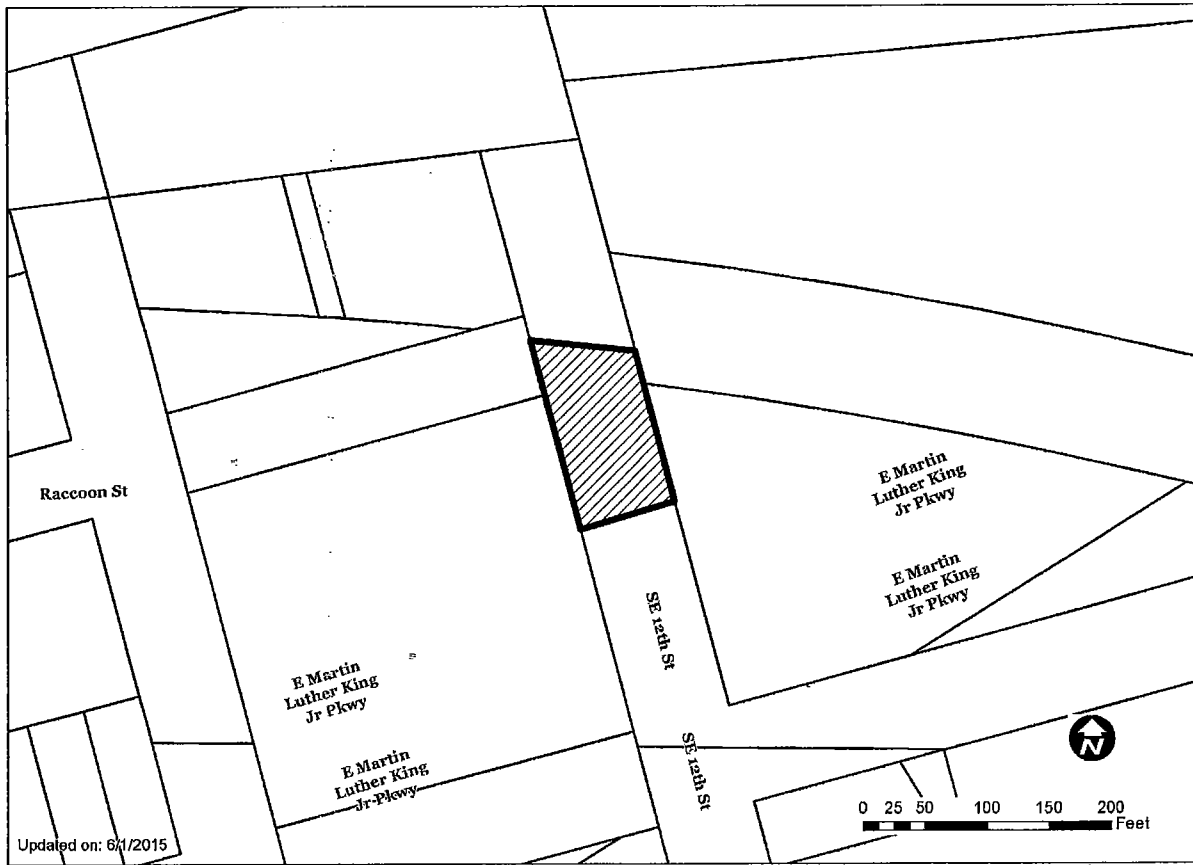


1 Inch = 83 feet

City initiated.		File #		
		11-2015-1.09		
<b>Description of Action</b>	Approval of request to Vacate 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.			
<b>2020 Community Character Plan</b>	Current: Downtown Support Commercial. Proposed: N/A.			
<b>Mobilizing Tomorrow Transportation Plan</b>	SE Connector: New Roadway Connection			
<b>Current Zoning District</b>	"M-1" Light Industrial District, "GGP" Gambling Games Overlay District, "D-O" Downtown Overlay District, and "FSO" Freestanding Sign Overlay District.			
<b>Proposed Zoning District</b>	N/A.			
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area				
<b>Plan and Zoning Commission Action</b>	Approval	11-0	<b>Required 6/7 Vote of the City Council</b>	Yes
	Denial			No

City Initiated, Vicinity of Southeast Connector

11-2015-1.09C



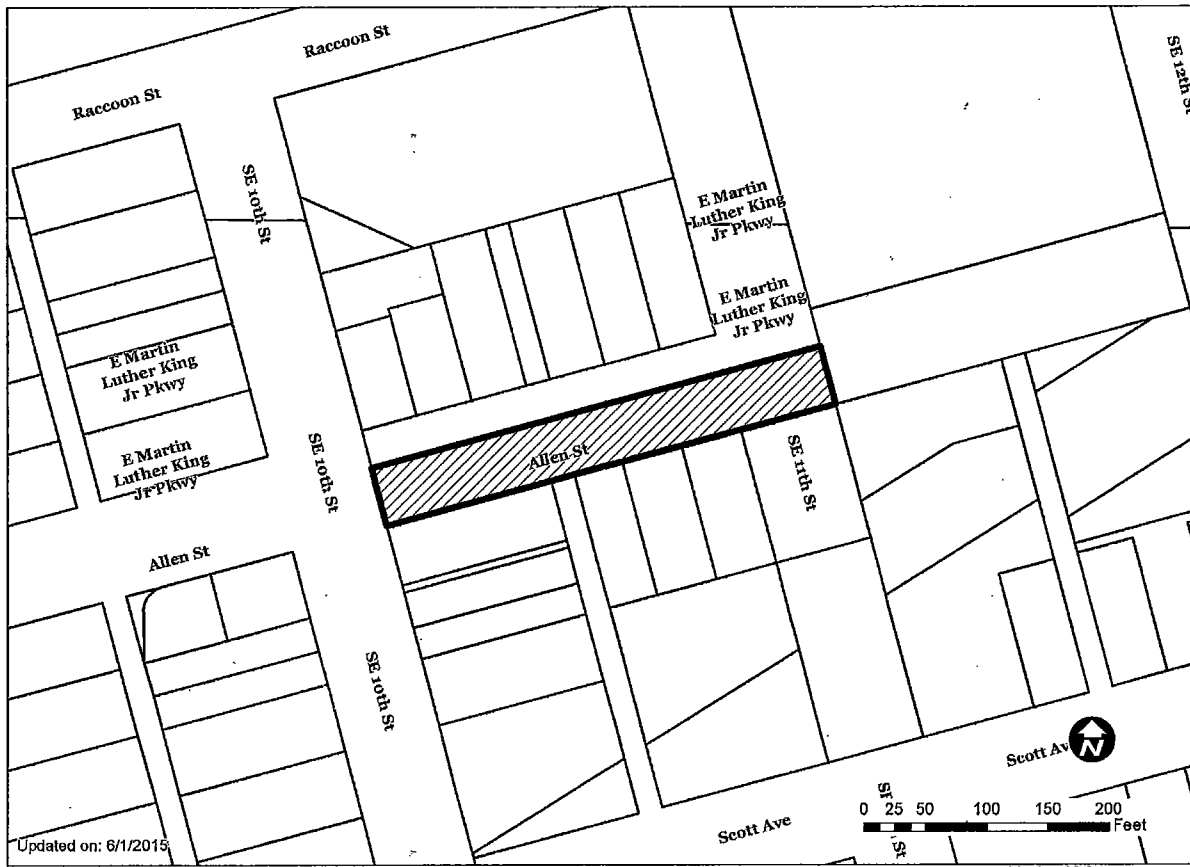
1 inch = 91 feet



City initiated.		File #		
		11-2015-1.09		
<b>Description of Action</b>	Approval of request to vacate 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.			
<b>2020 Community Character Plan</b>	Current: General Industrial and Downtown Support Commercial. Proposed: N/A.			
<b>Mobilizing Tomorrow Transportation Plan</b>	SE Connector: New Roadway Connection			
<b>Current Zoning District</b>	"R-2A" General Residential District, "M-1" Light Industrial District, "GGP" Gambling Games Overlay District, "D-O" Downtown Overlay District, and "FSO" Freestanding Sign Overlay District.			
<b>Proposed Zoning District</b>	N/A.			
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area				
<b>Plan and Zoning Commission Action</b>	Approval	11-0	<b>Required 6/7 Vote of the City Council</b>	Yes
	Denial			No

City Initiated, Vicinity of Southeast Connector

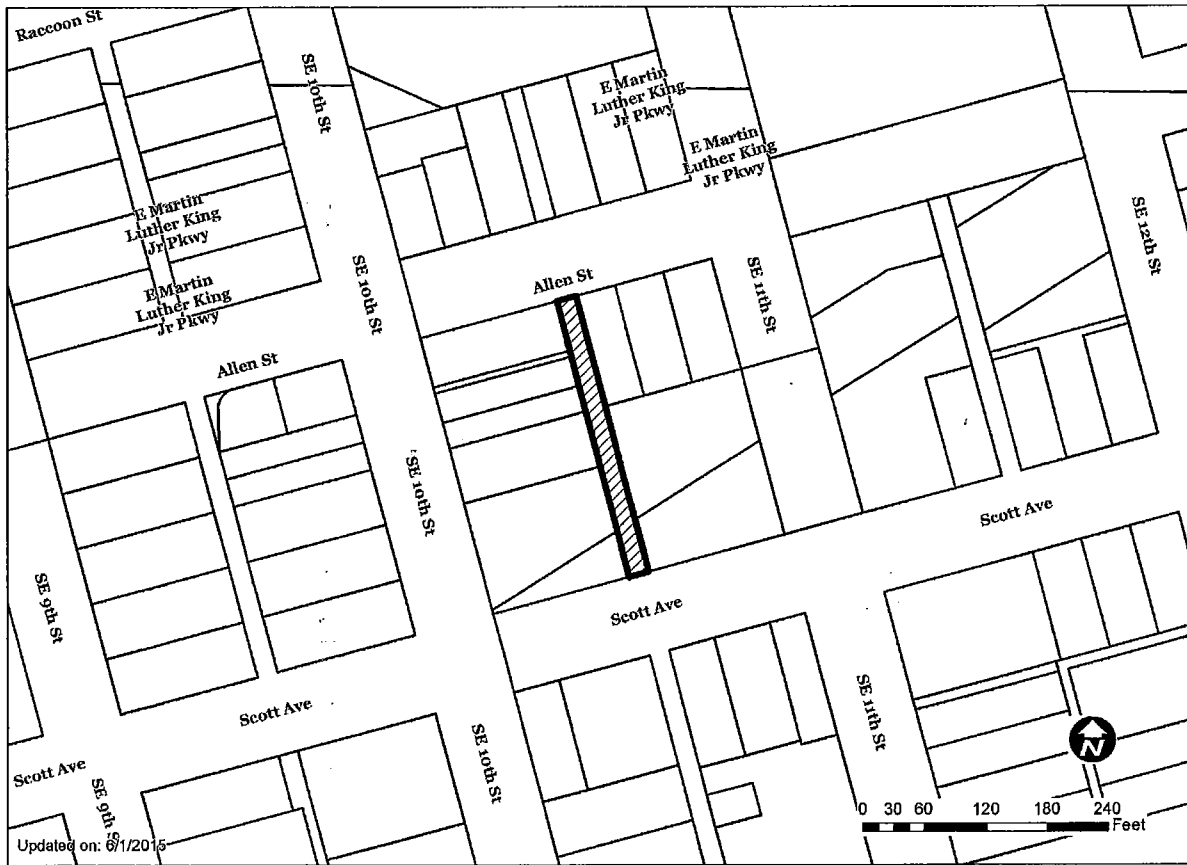
11-2015-1.09D



City initiated.		File #		
		11-2015-1.09		
<b>Description of Action</b>	Approval of request to Vacate 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.			
<b>2020 Community Character Plan</b>	Current: General Industrial. Proposed: N/A.			
<b>Mobilizing Tomorrow Transportation Plan</b>	SE Connector: New Roadway Connection			
<b>Current Zoning District</b>	"R-2A" General Residential District, "GGP" Gambling Games Overlay District, "D-O" Downtown Overlay District, and "FSO" Freestanding Sign Overlay District.			
<b>Proposed Zoning District</b>	N/A.			
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area				
<b>Plan and Zoning Commission Action</b>	Approval	11-0	<b>Required 6/7 Vote of the City Council</b>	Yes
	Denial			No
				X

City Initiated, Vicinity of Southeast Connector

11-2015-1.09E

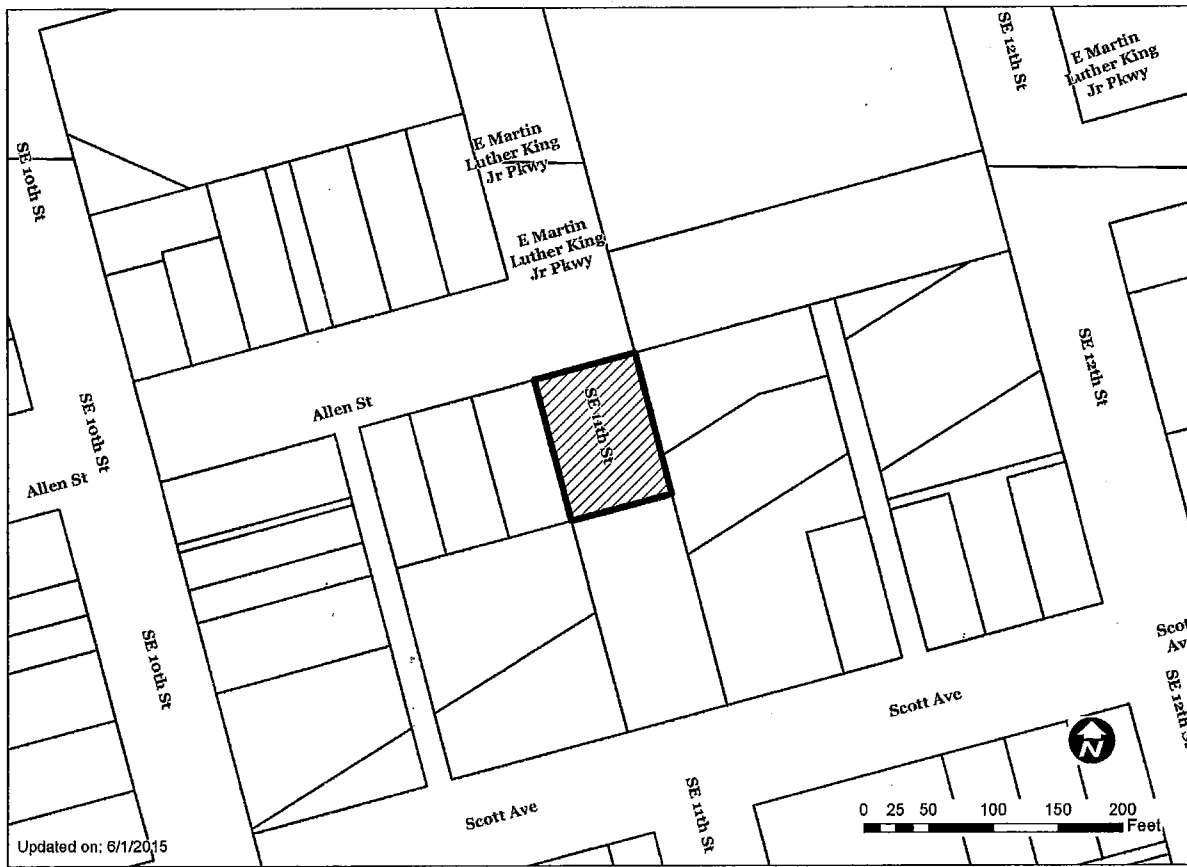


1 Inch = 111 feet

City initiated.		File #		
		11-2015-1.09		
<b>Description of Action</b>	Approval of request to Vacate 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.			
<b>2020 Community Character Plan</b>	Current: General Industrial and Downtown Support Commercial. Proposed: N/A.			
<b>Mobilizing Tomorrow Transportation Plan</b>	SE Connector: New Roadway Connection			
<b>Current Zoning District</b>	"R2-A" General Residential District, "GGP" Gambling Games Overlay District, "D-O" Downtown Overlay District, and "FSO" Freestanding Sign Overlay District.			
<b>Proposed Zoning District</b>	N/A.			
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area				
<b>Plan and Zoning Commission Action</b>	Approval	11-0	<b>Required 6/7 Vote of the City Council</b>	
	Denial		Yes	X
			No	

City Initiated, Vicinity of Southeast Connector

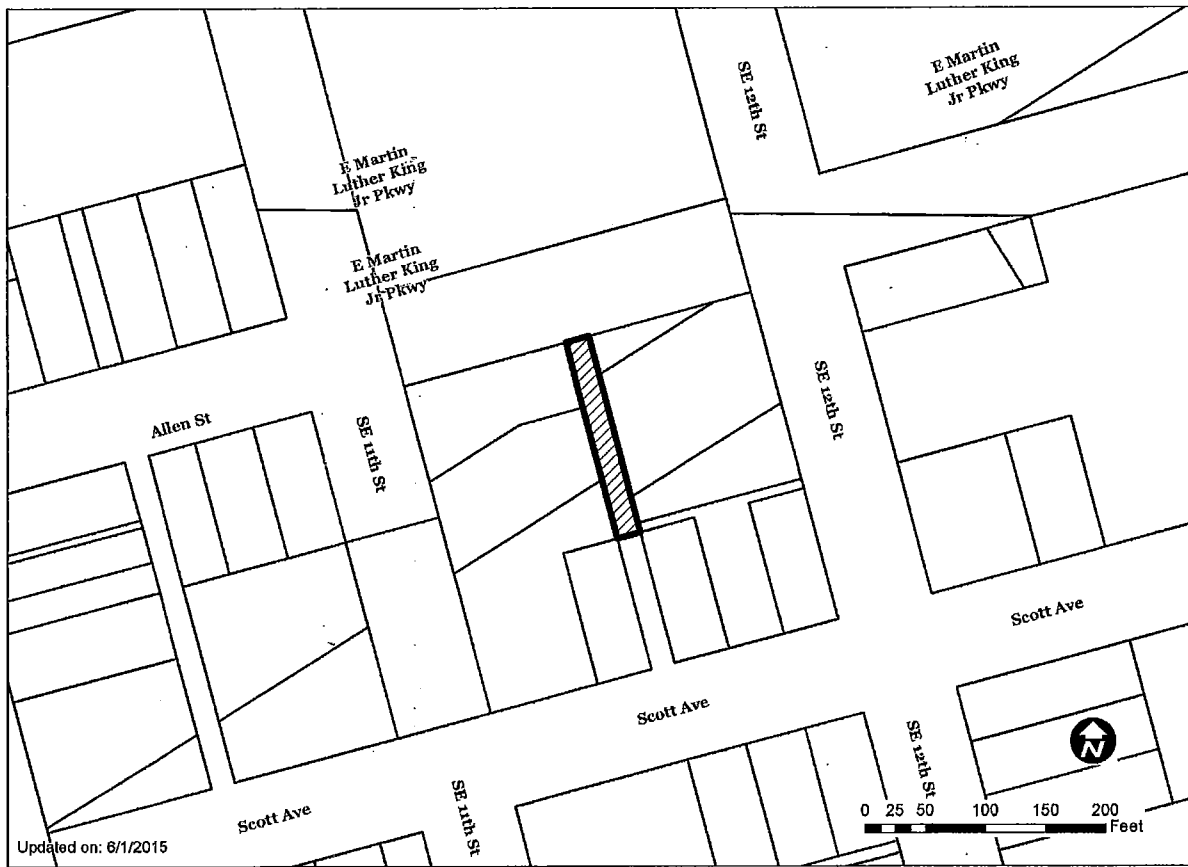
11-2015-1.09F



City initiated.		File #		
		11-2015-1.09		
<b>Description of Action</b>	Approval of request to Vacate 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.			
<b>2020 Community Character Plan</b>	Current: Downtown Support Commercial and General Industrial. Proposed: N/A.			
<b>Mobilizing Tomorrow Transportation Plan</b>	SE Connector: New Roadway Connection			
<b>Current Zoning District</b>	"R-2A" General Residential District, "GGP" Gambling Games Overlay District, "D-O" Downtown Overlay District, and "FSO" Freestanding Sign Overlay District.			
<b>Proposed Zoning District</b>	N/A.			
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area				
<b>Plan and Zoning Commission Action</b>	Approval	11-0	<b>Required 6/7 Vote of the City Council</b>	Yes
	Denial			No X

City Initiated, Vicinity of Southeast Connector

11-2015-1.09G



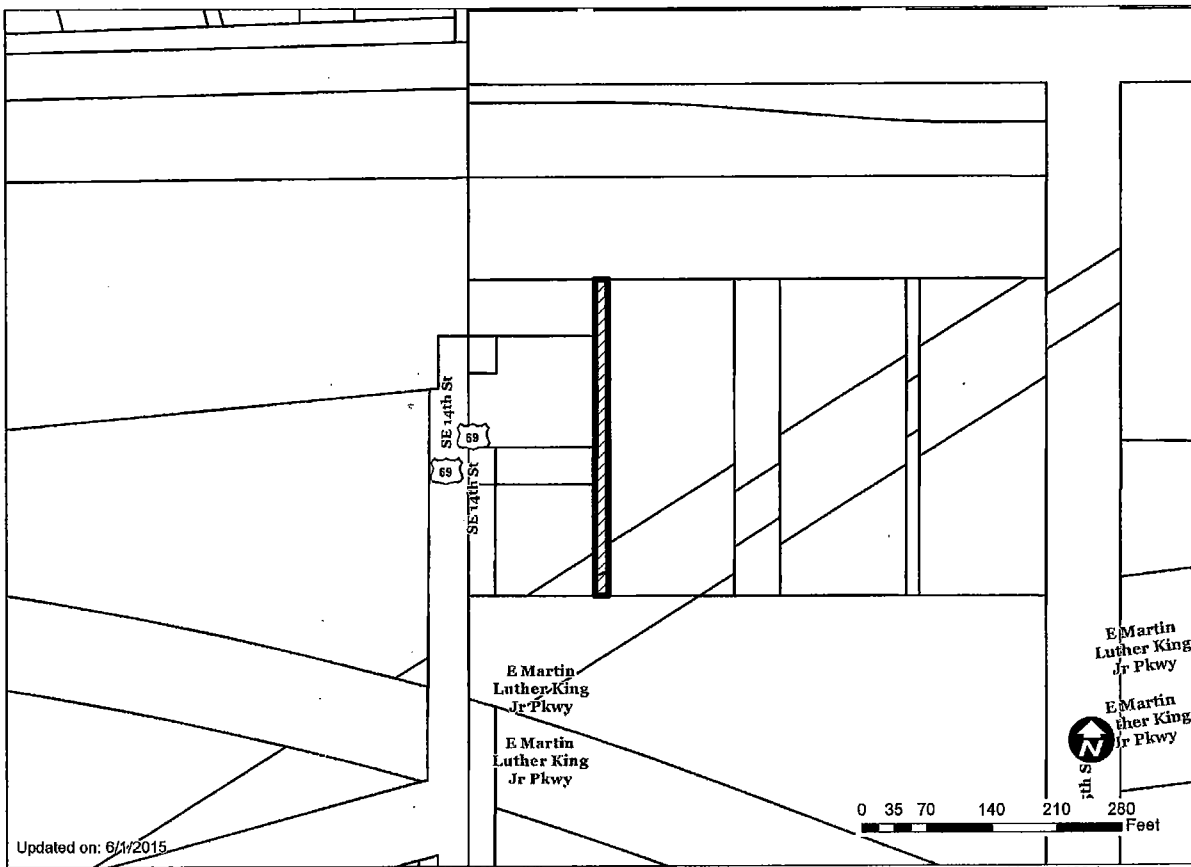
Updated on: 6/1/2015

1 Inch = 93 feet

City initiated.		<b>File #</b>		
		11-2015-1.09		
<b>Description of Action</b>	Approval of request to Vacate 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			
<b>2020 Community Character Plan</b>	Current: General Industrial. Proposed: N/A.			
<b>Mobilizing Tomorrow Transportation Plan</b>	SE Connector: Widen 2 to 4 Lanes			
<b>Current Zoning District</b>	"M-1" Light Industrial District and "FSO" Freestanding Sign Overlay District.			
<b>Proposed Zoning District</b>	N/A.			
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area				
<b>Plan and Zoning Commission Action</b>	Approval	11-0	<b>Required 6/7 Vote of the City Council</b>	Yes
	Denial			No

City Initiated, Vicinity of Southeast Connector

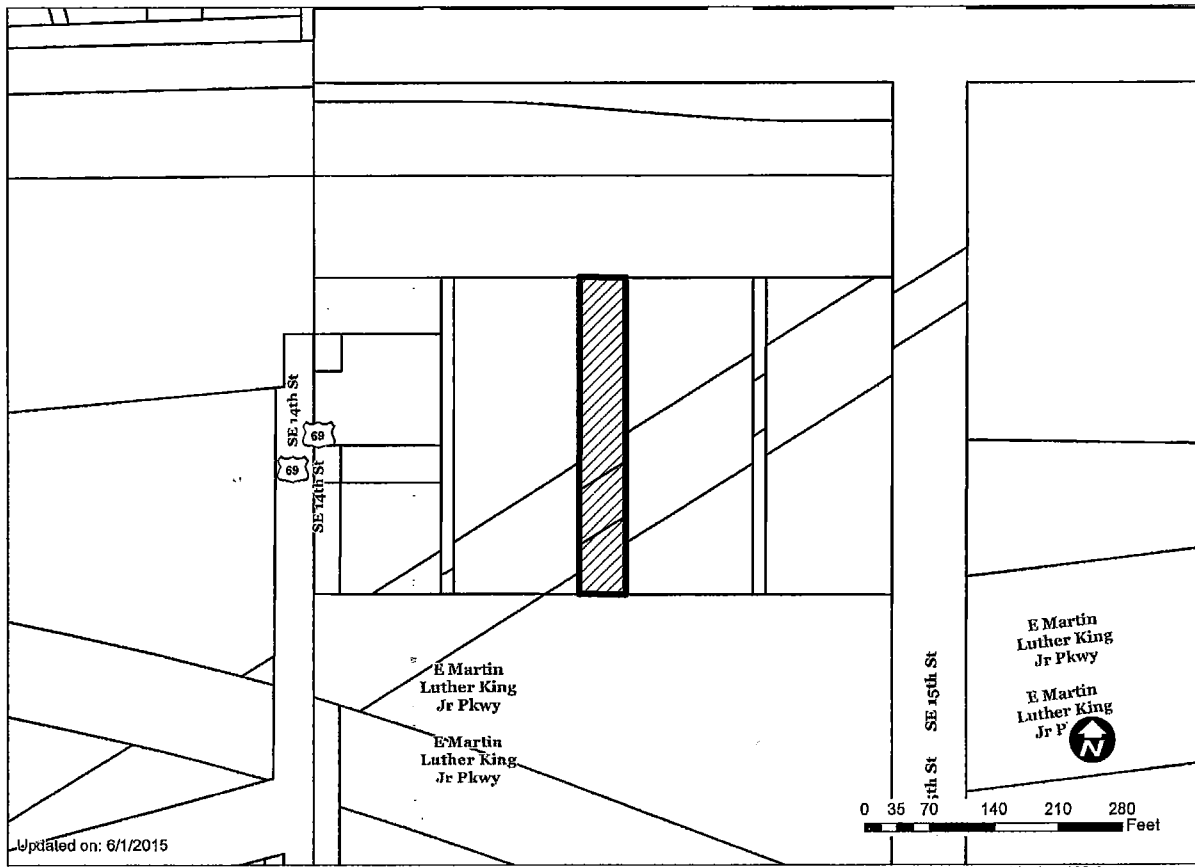
11-2015-1.09H



City initiated.		File #		
		11-2015-1.09		
<b>Description of Action</b>	Approval of request to Vacate 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.			
<b>2020 Community Character Plan</b>	Current: General Industrial. Proposed: N/A.			
<b>Mobilizing Tomorrow Transportation Plan</b>	SE Connector: Widen 2 to 4 Lanes			
<b>Current Zoning District</b>	"M-1" Light Industrial District and "FSO" Freestanding Sign Overlay District.			
<b>Proposed Zoning District</b>	N/A.			
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area				
<b>Plan and Zoning Commission Action</b>	Approval	11-0	<b>Required 6/7 Vote of the City Council</b>	Yes
	Denial			No

City Initiated, Vicinity of Southeast Connector

11-2015-1.091



1 Inch = 122 feet

City initiated.		File #		
		11-2015-1.09		
<b>Description of Action</b>	Approval of request to Vacate 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.			
<b>2020 Community Character Plan</b>	Current: General Industrial. Proposed: N/A.			
<b>Mobilizing Tomorrow Transportation Plan</b>	SE Connector: Widen 2 to 4 Lanes			
<b>Current Zoning District</b>	"M-1" Light Industrial District and "FSO" Freestanding Sign Overlay District.			
<b>Proposed Zoning District</b>	N/A.			
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area				
<b>Plan and Zoning Commission Action</b>	Approval	11-0	<b>Required 6/7 Vote of the City Council</b>	Yes
	Denial			No

City Initiated, Vicinity of Southeast Connector

11-2015-1.09J

