



Roll Call Number

Agenda Item Number

18

Date September 28, 2015

**RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING  
COMMISSION REGARDING VACATION OF A 14-FOOT WIDE SEGMENT OF  
NORTH/SOUTH ALLEYWAY WEST OF 6TH AVENUE  
FROM CORNING AVENUE TO A POINT 50 FEET NORTH**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on September 17, 2015, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a City-initiated request for vacation of a 14-foot wide segment of north/south alleyway west of 6th Avenue from Corning Avenue to a point 50 feet north, to allow assembly of land for development of a Polk County Community Center with Food Pantry, subject to reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or are relocated.

**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

(11-2015-1.16)

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

Date September 28, 2015

Agenda Item 18

Roll Call # \_\_\_\_\_

September 22, 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 September 17, 2015, the following action was taken regarding a City initiated request to vacate a 14-foot wide segment of north/south alleyway west of 6th Avenue from Corning Avenue to a point 50 feet north, to allow assembly of land for development of a Polk County Community Center with Food Pantry.

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 12-0 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			
Brian Millard	X			
William Page	X			
Jonathan Rosenbloom	X			
Mike Simonson				X
CJ Stephens	X			
Greg Wattier				X

**APPROVAL** of the request to vacate the requested alley segment subject to reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or are relocated. (11-2015-1.16)

## STAFF RECOMMENDATION TO THE P&Z COMMISSION

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

### Written Responses

- 0 In Favor
- 1 In Opposition

## STAFF REPORT TO THE PLANNING COMMISSION

### I. GENERAL INFORMATION

1. **Purpose of Request:** The proposed vacation will allow assembly of the alley segment with adjoining parcels required for development of a Polk County Community Center with food pantry. The applicant currently owns the adjoining west and north parcels of the requested vacation.
2. **Size of Site:** 14 feet by 50 feet (700 square feet).
3. **Existing Zoning (site):** "M-1" Light Industrial District, "FSO" Freestanding Sign Overlay District, and "GGP" Gambling Games Prohibition District.
4. **Existing Land Use (site):** Unimproved alley.
5. **Adjacent Land Use and Zoning:**
  - North** – "M-1", Use is vacated, city-owned alleyway segment.
  - South** – "M-1", Use is Corning Avenue and a warehouse (JHMG LLC).
  - East** – "M-1", Use is a city-owned vacant lot.
  - West** – "M-1", Use is a city-owned vacant surface parking lot.
6. **General Neighborhood/Area Land Uses:** The subject alleyway segment is located between Riverview Park and 6<sup>th</sup> Avenue commercial corridor, in an area north of North High School Stadium. The surrounding area contains a mix of commercial, industrial and residential uses.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Oak Park Neighborhood. The neighborhood association was notified of the meeting by mailing of the Preliminary Agenda to all recognized neighborhood associations on August 28, 2015 and by mailing of the Final Agenda on September 11, 2015. Additionally, separate notifications of the hearing for this specific item were mailed on September 4, 2015 (10 days prior to the original public hearing) to the neighborhood associations and to the primary titleholder on file with the Polk County Assessor for each property adjacent to the requested alley vacation.
8. All agendas and notices are mailed to the primary contact designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development



**9. 2020 Community Character Land Use Plan Designation: Park/Open Space.**

**10. Applicable Regulations:** The Commission, considering the criteria set forth in Chapter 18B of the Iowa Code, 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**

**Utilities:** There are no existing sewer, water, and electrical facilities within the requested alley segment. Easements must be reserved for any existing utilities until such time that they may be abandoned or are relocated.

**Street System/Access:** The requested alley segment is the last remaining, piece of an alley between Corning and Boston Avenues that was previously vacated. The requested segment does not provide public access to any property. Any vacation of the requested alley way segment will not impact the existing street pattern, access or traffic in the neighborhood.

**SUMMARY OF DISCUSSION**

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

**COMMISSION ACTION:**

Jacqueline Easley moved approval for vacation of the requested alley segment 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 12-0.

Respectfully submitted,



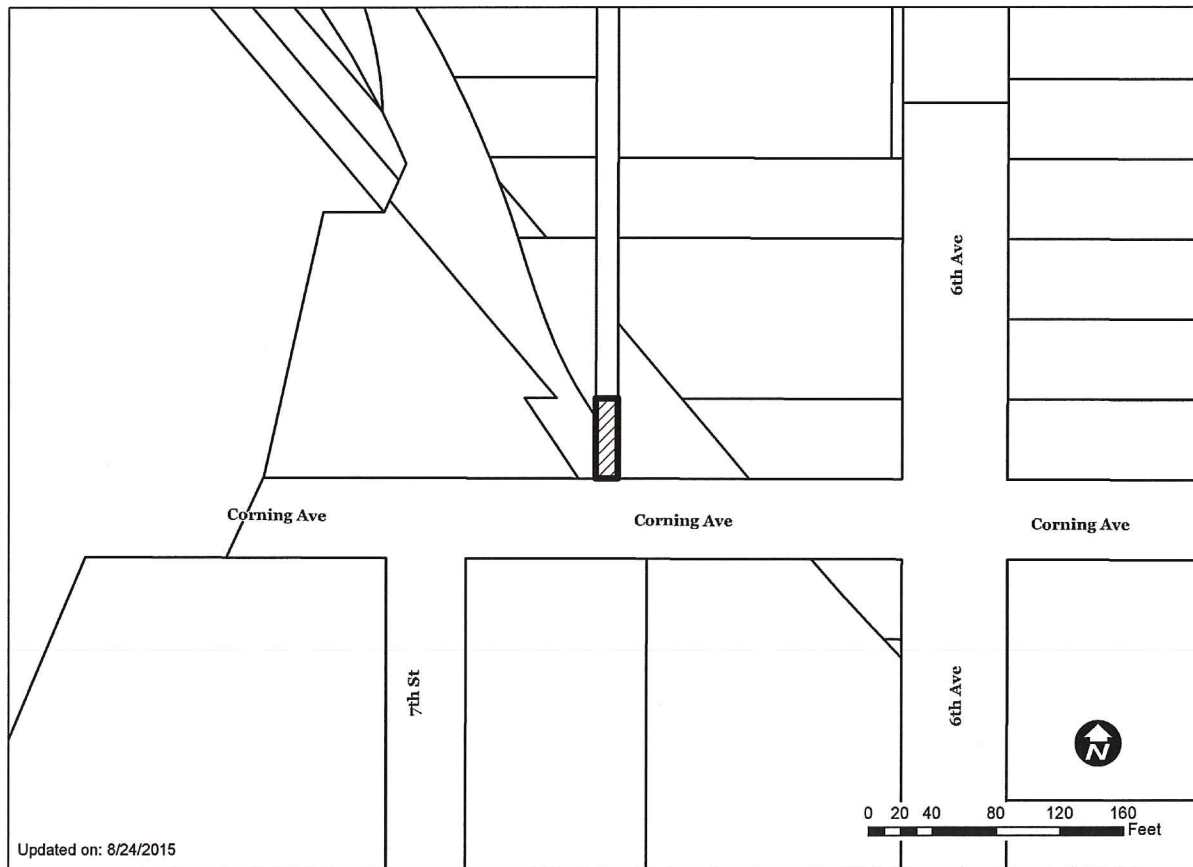
Michael Ludwig, AICP  
Planning Administrator

MGL:clw  
Attachment

City initiated request.		File #		
		11-2015-1.16		
Description of Action	Approval of request to vacate a 14-foot wide segment of north/south alleyway west of 6th Avenue from Corning Avenue to a point 50 feet north, to allow assembly of land for development of a Polk County Community Center with Food Pantry subject to reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or are relocated.			
2020 Community Character Plan	Current: Park/Open Space Proposed: N/A.			
Mobilizing Tomorrow Transportation Plan	No Planned Improvements.			
Current Zoning District	"M-1" Light Industrial District, "GGP" Gambling Games Prohibition Overlay District and "FSO" Freestanding Signs Overlay District.			
Proposed Zoning District	N/A.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area		1		
Outside Area				
Plan and Zoning Commission Action	Approval	12-0	Required 6/7 Vote of the City Council	Yes
	Denial			No X

City initiated, 600 Block Corning Avenue

11-2015-1.16



Item 11-2015-1.16

Date Sept 10, 2015

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

COMMUNITY DEVELOPMENT  
(Circle One)

SEP 15 2015

DEPARTMENT

Print Name Charles Gossman

Signature [Signature]

Address 2822 - 6<sup>th</sup> Ave, DSM 50313

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

Security of our Property.  
I plan to attend Public Hearing.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



