

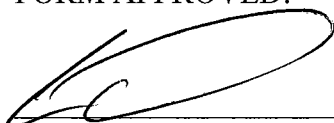
Date December 7, 2015

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING REQUEST FROM BEVERLY WALLACE, 1700 ALLISON AVENUE, FOR VACATION OF A SEGMENT OF THE EAST/WEST ALLEY BETWEEN ALLISON AVENUE AND FRANKLIN AVENUE EAST OF 18TH STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 19, 2015, its members voted 8-0 in support of a motion to recommend **APPROVAL** of a request from Beverly Wallace (owner), 1700 Allison Avenue, for vacation of the east/west segment of alley between Allison Avenue and Franklin Avenue from a point 150 feet east of 18th Street to the dead end 250 feet east of 18th Street subject to provision of any necessary easements for all existing utilities 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:



 Lawrence R. McDowell
 Deputy City Attorney

(11-2015-1.25)

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

December 1, 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 November 19, 2015, the following action was taken regarding a request from Beverly Wallace (owner), 1700 Allison Avenue, for vacation of the east/west segment of alley between Allison Avenue and Franklin Avenue from a point 150 feet east of 18th Street to the dead end 250 feet east of 18th Street.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 8-0 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 requested vacation subject to provision of any necessary easements for all existing utilities until such time that they are abandoned or are relocated.

(11-2015-1.25)

STAFF RECOMMENDATION TO THE P&Z COMMISSION

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

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant wishes to acquire the alley segment adjoining the rear (south) property line and combine it with the property addressed 1700 Allison Avenue. The submitted application includes consent information from two property owners abutting the south side of the alley at 1625 and 1707 Franklin Avenue and at the north of the alley at 1624 Allison Avenue.
2. **Size of Site:** 100 feet by 16 feet (1,600 square feet) alley segment.
3. **Existing Zoning (site):** "R1-60" One-Family, Low-Density Residential District, "GGP" Gambling Games Prohibition Overlay District and "FSO" Free standing Sign Overlay District.
4. **Existing Land Use (site):** Gravel, semi-improved alley.
5. **Adjacent Land Use and Zoning:**
 - North** – "R1-60" Use is single-family residential.
 - South** – "R1-60", Use is single-family residential.
6. **General Neighborhood/Area Land Uses:** The subject property is located near Casady Alternative School in an area that consists predominantly of single-family dwellings.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in Mondamin Presidential Neighborhood. The neighborhood association was notified of the meeting by mailing of the Preliminary Agenda to all recognized neighborhood associations on October 30, 2015 and by mailing of the Final Agenda on November 13, 2015. Additionally, separate notifications of the hearing for this specific item were mailed on November 9, 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 alley segment.

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 Mondamin Presidential Neighborhood Association mailings were sent to Valerie Allen, 1934 Jefferson Avenue, Des Moines, IA 50314.
8. **Relevant Zoning History:** On September 28, 2015 by Ordinance No. 15,414 the City Council vacated a portion of the east/west alley right-of-way adjoining 1619 Franklin Avenue, subject to reservation of an easement for the continued use of and maintenance of any utilities in place at the time of the vacation.
9. **2020 Community Character Land Use Plan Designation:** Low 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 impact the surrounding street network. The subject dead-end alley segment does not serve as access way for the adjoining properties. The alley segment to the east of the subject site was previously vacated.

SUMMARY OF DISCUSSION

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

COMMISSION ACTION:

Dory Briles moved staff recommendation for approval of the requested vacation subject to provision of any necessary easements for all existing utilities until such time that they are abandoned or are relocated.

Motion passed 8-0 (Jacqueline Easley and John "Jack" Hilmes were not yet present).

Respectfully submitted,



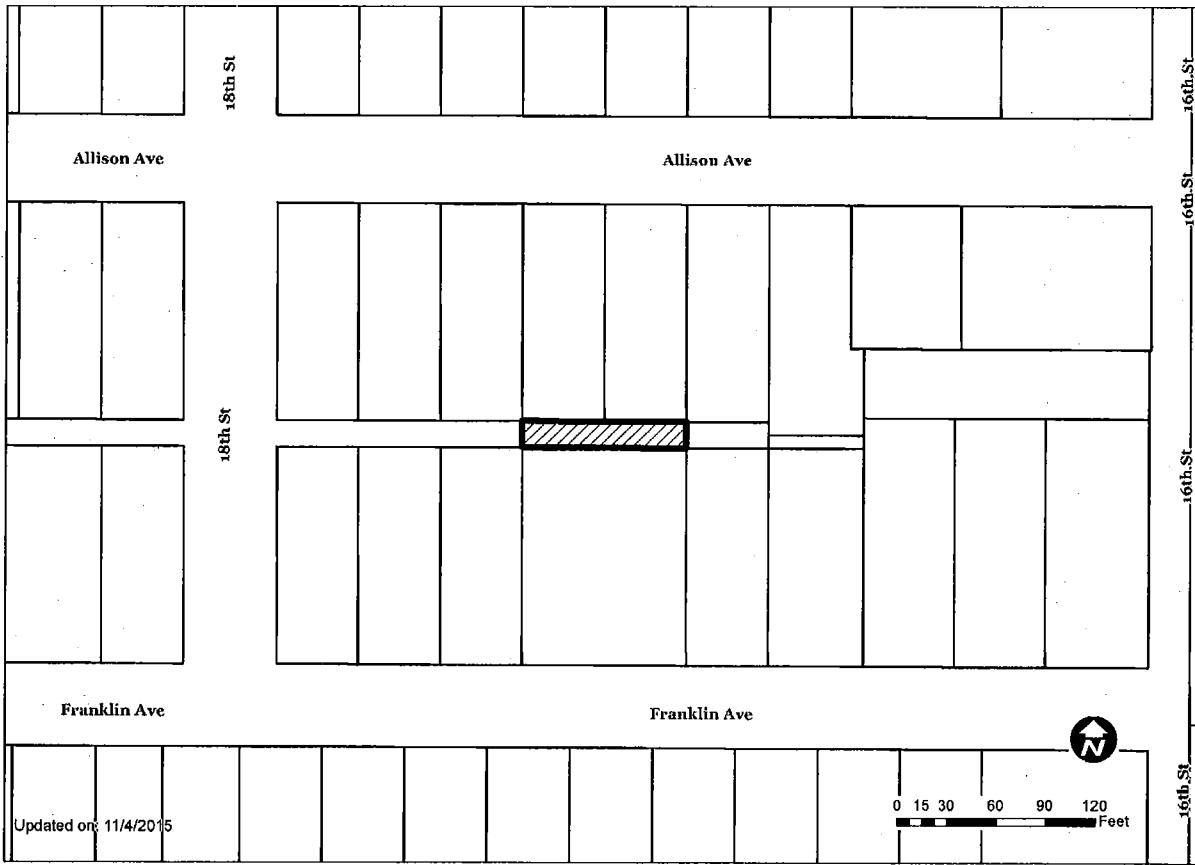
Michael Ludwig, AICP
Planning Administrator

MGL:clw
Attachment

Beverly Wallace (owner) 1700 Allison Avenue.		File #	
		11-2015-1.25	
Description of Action	Approval of the requested vacation of the east/west segment of alley between Allison Avenue and Franklin Avenue from a point 150 feet east of 18th Street to the dead end 250 feet east of 18th Street subject to provision of any necessary easements for all existing utilities until such time that they are abandoned or they are relocated.		
2020 Community Character Plan	Current: Low Density Residential. Proposed: N/A/		
Mobilizing Tomorrow Transportation Plan	N/A.		
Current Zoning District	"R1-60" One-Family Low-Density Residential 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
Inside Area			
Outside Area			
Plan and Zoning Commission Action	Approval	8-0	Required 6/7 Vote of the City Council
	Denial		Yes
			No
			X

Beverly Wallace, 1700 Allison Avenue

11-2015-1.25

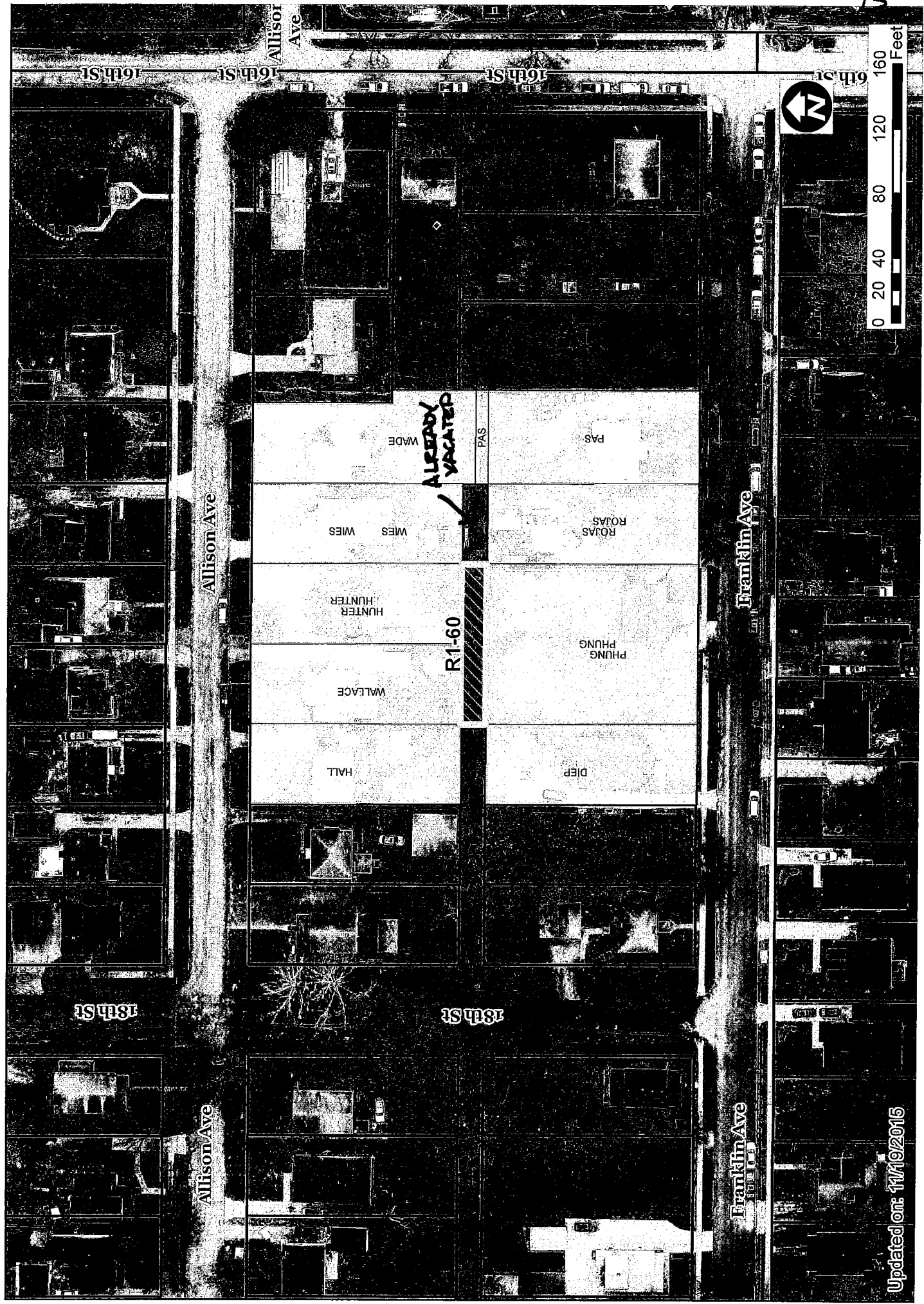


1 inch = 68 feet

15

Beverly Wallace, 1700 Allison Avenue

11-2015-1.25



Updated on: 11/19/2015

0 20 40 80 120 160 Feet