



Roll Call Number

Agenda Item Number

21

Date December 4, 2017

**RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION
REGARDING CITY-INITIATED REQUEST FOR VACATION OF A SEGMENT OF
FALCON DRIVE ADJOINING 1514 WALNUT STREET**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 16, 2017, its members voted 11-0 to recommend **APPROVAL** of a City-initiated request for vacation of a segment of Falcon Drive between 15th Street and 16th Street, south of Walnut Street, adjoining the property locally known as 1514 Walnut Street, to allow for assemblage with the existing Exile Brewing site, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or 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

(11-2017-1.16)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
TOTAL				
MOTION CARRIED		APPROVED		

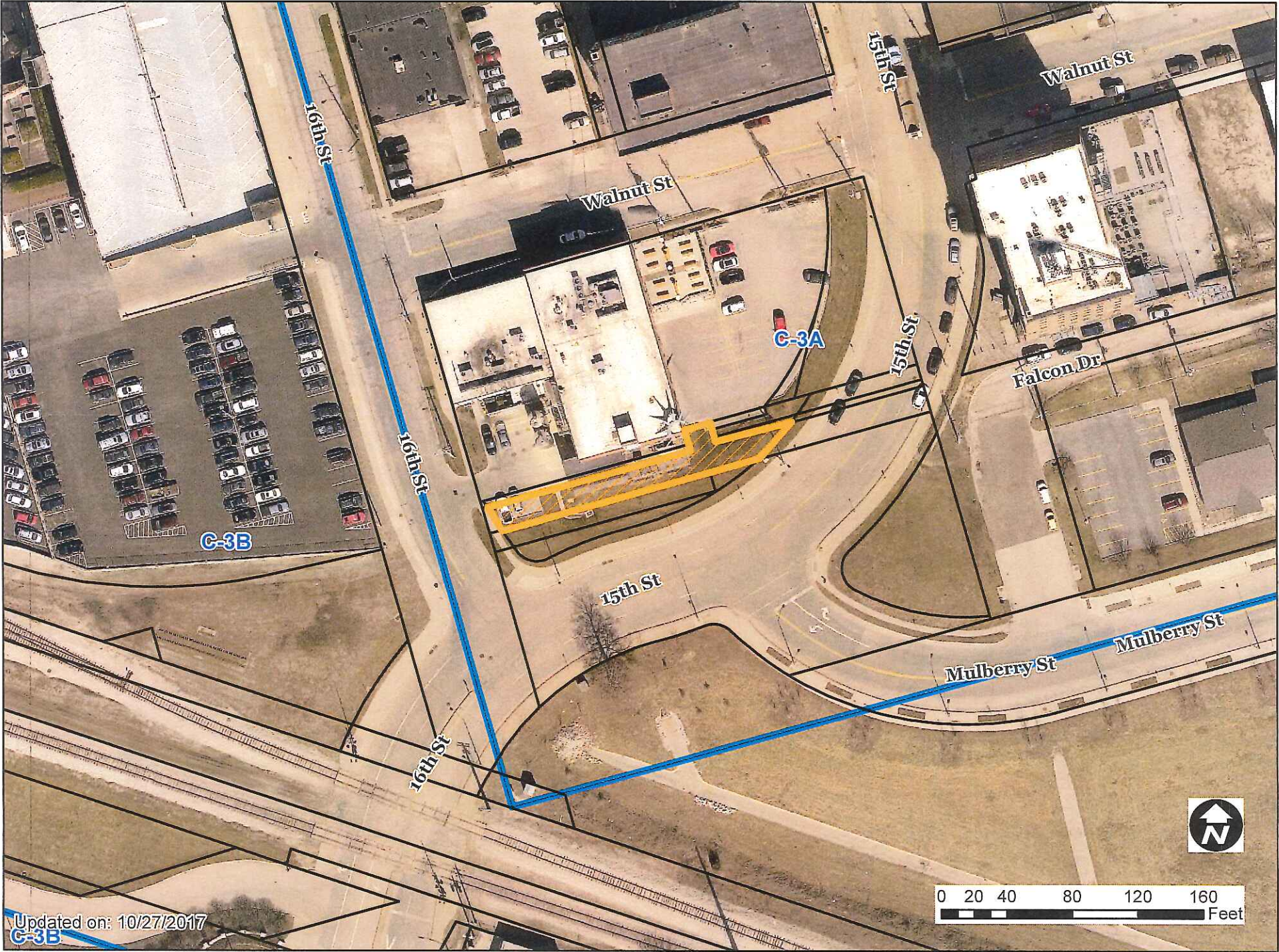
Mayor

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



November 22, 2017

Agenda Item 21

Honorable Mayor and City Council
City of Des Moines, Iowa

Roll Call # _____

Members:

Communication from the City Plan and Zoning Commission advising that at their November 16, 2017 meeting, the following action was taken regarding a City initiated request for vacation of a segment of Falcon Drive between 15th Street and 16th Street south of Walnut Street, adjoining the property at 1514 Walnut Street. This would allow the property to be assembled with the existing Exile Brewing site.

COMMISSION RECOMMENDATION:

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

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Dory Briles	X			
JoAnne Corigliano				X
David Courard-Hauri	X			
Jacqueline Easley	X			
Jann Freed				X
John "Jack" Hilmes	X			
Lisa Howard	X			
Carolyn Jenison	X			
Greg Jones	X			
William Page	X			
Mike Simonson	X			
Rocky Sposato	X			
Steve Wallace				X
Greg Wattier				X

APPROVAL of vacation of a segment of Falcon Drive between 15th Street and 16th Street south of Walnut Street, adjoining the property at 1514 Walnut Street. This would allow the property to be assembled with the existing Exile Brewing site. (11-2017-1.16)

Written Responses

0 in Favor

0 in opposition

RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the requested vacation 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 vacation would allow the property to be assembled with the existing Exile Brewing site.
2. **Size of Site:** The subject property is 3,200 square feet (0.073 acres).
3. **Existing Zoning (site):** "C-3A" Central Business District Support, "D-O" Downtown Overlay District, and "FSO" Freestanding Sign Overlay District.
4. **Existing Land Use (site):** Primarily vacant land adjacent to Exile Brewing and an unused segment of Falcon Drive Right-of-Way.
5. **Adjacent Land Use and Zoning:**
 - East** - "C-3A"; Use is 15th Street Right-of-Way.
 - West** - "C-3B"; Uses are 16th Street Right-of-Way and a Meredith Corporation surface parking lot.
 - North** - "C-3A"; Use is Exile Brewing.
 - South** - "C-3A"; Use is 15th Street Right-of-Way.
6. **General Neighborhood/Area Land Uses:** The subject property is located in Downtown Des Moines to the north and west of 15th Street and to the east of 16th Street. The surrounding area consists of a mix of surface parking, commercial, residential, and office building uses.
7. **Applicable Recognized Neighborhood(s):** The subject property is located within the Downtown Des Moines Neighborhood. All neighborhood associations were notified of the meeting by mailing of the Preliminary Agenda on October 27, 2017. Additionally, separate notifications of the hearing for this specific item were mailed on November 6, 2017 (10 days prior to the hearing) to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the requested rezoning and to the applicable neighborhood association contact. A Final Agenda for the meetings were mailed to all the recognized neighborhood associations on November 9, 2017. The Downtown Des Moines Neighborhood mailings were sent to Tony Filippini, 1719 Grand Avenue #210, Des Moines, IA 50309.
8. **Relevant Zoning History:** None.
9. **PlanDSM Land Use Plan Designation:** The proposed project area is designated as "Downtown Mixed Use" on the Future Land Use Map.

10. Applicable Regulations: In consideration of the criteria set forth in Chapter 18B of the Iowa Code, the Commission 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

- 1. Utilities:** A 12-inch Des Moines Water Works water main is located along the southwestern edge of the subject property. Easements must be reserved for any existing utilities until such time that they are abandoned or relocated.
- 2. Street System/Access:** The requested vacations would have no impact on the public's ability to use the 15th Street and 16th Street roadways or sidewalks.

SUMMARY OF DISCUSSION

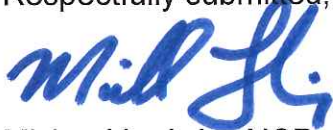
Jacqueline Easley asked if anyone was present to speak on this item. None were present or requested to speak.

COMMISSION ACTION:

Greg Jones moved staff recommendation for approval of the requested vacation 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,



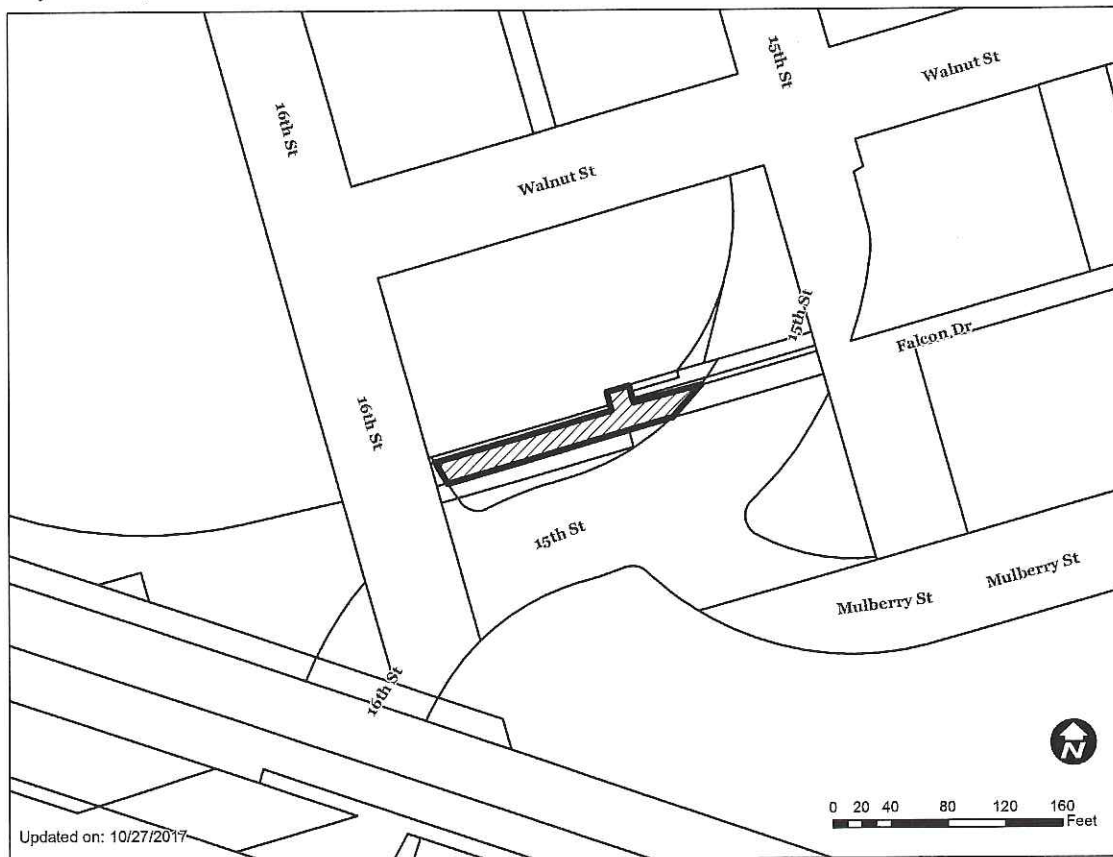
Michael Ludwig, AICP
Planning Administrator

MGL:tjh
Attachments

City initiated request for property at 1514 Walnut Street.				File #
				11-2017-1.16
Description of Action	Vacation of a segment of Falcon Drive between 15th Street and 16th Street south of Walnut Street. This would allow the property to be assembled with the existing Exile Brewing site.			
PlanDSM Future Land Use	Current: Downtown Mixed Use. Proposed: N/A.			
Mobilizing Tomorrow Transportation Plan	No planned improvements.			
Current Zoning District	"C-3A" Central Business District Support Commercial District, "GGP" Gambling Games Prohibition Overlay District, "D-O" Downtown Overlay District and "FSO" Freestanding Signs Overlay District.			
Proposed Zoning District	N/A.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Subject Property	0	0		
Outside Area (200 feet)				
Plan and Zoning Commission Action	Approval	11-0	Required 6/7 Vote of the City Council	Yes
	Denial			No X

City initiated, Falcon Drive between 15th Street and 16th Street

11-2017-1.16



Updated on: 10/27/2017

1 inch = 78 feet