



Date October 3, 2022

SET HEARING FOR APPROVAL OF DOCUMENTS FOR THE VACATION OF PORTIONS OF SOUTHEAST 2ND STREET AND SOUTHEAST 4TH STREET RIGHT-OF-WAY LOCATED SOUTH OF SCOTT AVENUE AND ADJOINING 303 SCOTT AVENUE

WHEREAS, on June 13, 2022, by Roll Call No. 22-0870, the City Council of the City of Des Moines voted to receive and file a communication from the Plan and Zoning Commission regarding a request from Earl J. Crouch to vacate the southernmost 265 lineal feet of Southeast 2nd Street and southernmost 178 lineal feet of Southeast 4th Street, south of Scott Avenue, in the vicinity of 303 Scott Avenue., as legally described below, subject to the reservation of any necessary easements for all existing utilities in place until such time as they may be abandoned or relocated; 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 the reservation of any necessary easements for all existing utilities in place until such time as they may be abandoned or relocated.

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

1. That the City Council of the City of Des Moines, Iowa, shall consider adoption of an ordinance permanently vacating all of the Southeast 2nd Street right-of-way lying south of Scott Avenue and west of and adjoining 303 Scott Avenue, and all of the Southeast 4th Street right-of-way lying south of Scott Avenue and east of and adjoining 303 Scott Avenue, Des Moines, Iowa, legally described as follows, subject to the reservation of any necessary easements for all existing utilities in place until such time as they may be abandoned or relocated:

ALL OF THE SOUTHEAST 2ND STREET RIGHT OF WAY LYING SOUTH OF THE RIGHT OF WAY LINE OF SCOTT AVENUE AND LYING NORTH OF THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 14, BLOCK 80, ALL IN TOWN OF DE MOINE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.40 ACRES (17,628 SQUARE FEET).

AND

ALL OF THE SOUTHEAST 4TH STREET RIGHT OF WAY LYING SOUTH OF THE RIGHT OF WAY LINE OF SCOTT AVENUE AND LYING NORTH OF THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 12, BLOCK 80, ALL IN TOWN OF DE MOINE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.35 ACRES (15,215 SQUARE FEET).

2. That the meeting of the City Council at which the proposed vacation of said right-of-way and adoption of said ordinance are to be considered shall be on October 24, 2022, said hearing to be held at 5:00 p.m.,

.....
Date October 3, 2022

in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa. Persons interested in the proposal will be given the opportunity to express their views at that hearing.

In addition, the City Council shall receive written views, comments, objections and arguments from any resident or taxpayer of the City that are received by the City Clerk prior to 5:00 p.m. October 18, 2022 (City Clerk’s Office, Des Moines City Hall, 400 Robert D. Ray Drive, 1st Floor, Des Moines, IA 50309; Email cityclerk@dmgov.org).

Please check the posted agenda in advance of the October 24, 2022 meeting for any update on the manner in which the public hearing will be conducted to comply with COVID-19 social distancing and safety guidelines.

3. That the City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached all in accordance with §362.3 of the Iowa Code.

Moved by _____ to adopt. Second by _____.

APPROVED AS TO FORM:

/s/ Mackenzie L. Moreno
 Mackenzie L. Moreno, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

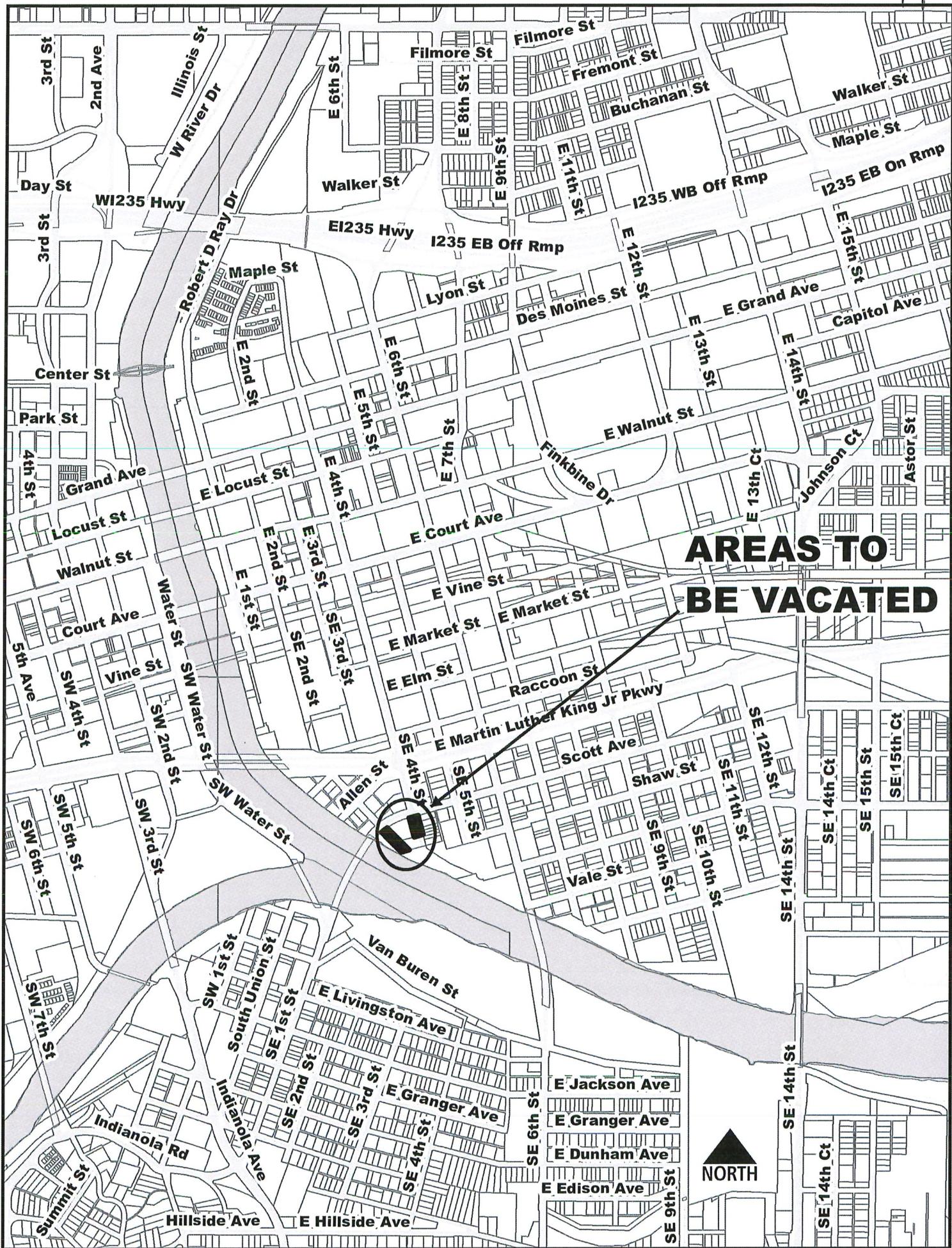
 Mayor

CERTIFICATE

I, Laura Baumgartner, 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.

 Laura Baumgartner, City Clerk





Date October 3, 2022

Agenda Item 19

Roll Call # _____

June 7, 2022

Communication from the City Plan and Zoning Commission advising that at their June 2, 2022 meeting, the following action was taken regarding a request from Earl J. Crouch (owner), for vacation of the southernmost 265 lineal feet of Southeast 2nd Street right-of-way and the southernmost 178 lineal feet of Southeast 4th Street right-of-way, south of Scott Avenue, in the vicinity of 303 Scott Avenue.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 10-0 as follows

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus				X
Dan Drendel	X			
Leah Rudolphi	X			
Dory Briles	X			
Abby Chungath	X			
Kayla Berkson	X			
Chris Draper	X			
Todd Garner	X			
Johnny Alcivar				X
Justyn Lewis				X
Carolyn Jenison				X
William Page	X			
Andrew Lorentzen	X			
Emily Webb	X			

APPROVAL of the requested vacation, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the requested vacation, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense.

Written Responses

0 in Favor

0 in opposition

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

- 1. Purpose of Request:** The developer is proposing to convert the existing auto repair shop at 303 Scott Avenue to a brewery/taproom with an outdoor patio. Portions of the requested vacations would be assembled with the property at 303 Scott Avenue to provide space for the outdoor patio and ensure adequate off-street parking. The developer indicated that the site would be designed in coordination with any pending levee and trail system alterations.

Should the Commission recommend approval of the requested vacations, the City Council would review the request. The City Council would decide whether to forward the request to the City of Des Moines Real Estate Division to process any sale or use agreements.

- 2. Size of Site:** The requested right-of-way segments consist of approximately 32,600 square feet of area combined.
- 3. Existing Zoning (site):** "DX2" Downtown District.
- 4. Existing Land Use (site):** The subject area consists of public street rights-of-way.
- 5. Adjacent Land Use and Zoning:**

North – "DX2", Use is Scott Avenue public right-of-way.

East – "DX2", Use is undeveloped land.

South – "DX2"; Uses are City of Des Moines Stormwater Pump Station, the Des Moines River levee system, and the John Pat Dorrian Trail.

West – "DX2"; Uses are the Des Moines River confluence, the Des Moines River levee system, and the John Pat Dorrian Trail.

- 6. General Neighborhood/Area Land Uses:** The subject properties are located south of Scott Avenue, west of the Southeast 4th Street and Scott Avenue intersection, and east of the Des Moines River confluence. It is located within an area consisting of one-household residential, vacant, and light industrial uses.
- 7. Applicable Recognized Neighborhood(s):** The subject properties are within 250 feet of Historic East Village Neighborhood Association. The neighborhood associations were notified of the public hearing by mailing of the Preliminary Agenda on May 13, 2022, and by mailing of the Final Agenda on May 27, 2022. Additionally, separate notifications of the hearing for this specific item were mailed on May 23, 2022 (10 days

prior to the public hearing) to the primary titleholder on file with the Polk County Assessor for each property adjacent to the request right-of-way.

All agendas are mailed to the primary contact person designated to the City of Des Moines Neighborhood Development Division by the recognized neighborhood association. The Historic East Village mailings were sent to Luke Dickens, P.O. Box 93904, Des Moines, IA, 50393.

- 8. Relevant Zoning History:** On April 27, 2011, by Docket No. ZON2011-00039, the Zoning Board of Adjustment granted a Variance to the definition of "accessory structure", which specifically states semi trailers, cannot be used as accessory structures and a Variance of 25 feet less than the minimum 25-foot setback required since the site adjoins a Residential zoning district. The relief granted by the Board is subject to a two-year period to expire May 3, 2013.

The Zoning Board of Adjustment denied a Variance of the provision that prohibits outdoor storage of any and all materials, junk, and debris in the "M-1" District and a Variance of 5 feet over the maximum allowed 3 feet of height for a solid fence within a front yard setback to allow construction of an 8-foot tall solid wood fence along the east front property line.

On March 28, 2013, by Docket No. ZON2012-00013, the Zoning Board of Adjustment granted a Variance of the provision that prohibits outdoor storage of any and all materials, junk, and debris in the "M-1" District, a Variance of 25 feet less than the minimum required 25-foot front yard setback from the property line adjoining Southeast 4th Street right-of-way, and a Variance of 5 feet over the maximum allowed 3 feet of height for a solid fence within a front yard setback, to allow retention of outdoor storage of materials, equipment, and tires on racks along the east side of the building that are within the minimum required 25-foot setback area along Southeast 4th Street right-of-way in an area screened by an 8-foot tall solid wood fence, are granted subject to the following conditions:

1. Any outdoor storage shall be limited to the existing storage area, which is no closer to the east and south property lines than the existing building.
2. Any outdoor storage shall be immediately screened by an 8-foot tall solid wood fence that may be topped with up to 3 strands of barbed wire (no razor wire).

On November 20, 2013, by Docket Number ZON 2013-00179 the Board granted a Variance of 10 feet less than the minimum required 25-foot setback from the north front property line (Scott Ave.) and an Exception of 25 feet less than the minimum required 25-foot setback from the east front property line (SE 4th St.) to allow the construction of the proposed additions. The relief granted by the Board is subject to the following conditions.

1. Any addition shall be constructed in conformance with all applicable Building Codes with issuance of all necessary permits by the Permit and Development Center.
2. Any addition shall have a 3-foot tall masonry wainscot along all exterior facades.
3. Any overhead door shall consist of a color that blends with the primary color of the siding and shall have a row of windows.

On January 22, 2014, by Docket Number ZON 2013-00209 the Board granted a Variance of the provision that states no vehicle shall encroach into a required setback, a Variance of 20 feet less than the minimum 25 feet of paving setback required when adjoining a "R" Residential District, and a Variance of the provision that requires a 6-foot tall solid screen when a parking lot adjoins a "R" Residential District, to allow construction of a paved parking lot within 5 feet of the south side property line and without the required 6-foot tall screen. The relief granted by the Board is subject to the following conditions.

1. Any site improvement shall be constructed in conformance with all applicable Building Codes with issuance of all necessary permits by the Permit and Development Center.
2. Any site improvement shall be constructed in conformance with all applicable Site Plan Ordinance and Policy requirements including, but not limited to, the provision of parking lot perimeter and buffering plant material requirements.

On February 25, 2015 by Docket Number ZON 2015-00021, the Board granted an Exception of 25 feet less than the minimum required 25-foot setback from the east front property line along East 4th Street for the building addition that is underway. The relief was subject to the following conditions:

1. Any site improvements shall be in conformance with all applicable Site Plan policies, including the "D-O" Downtown Overlay District Design Guidelines in accordance with an approved Site Plan by the Permit and Development Center.
2. Any addition shall be constructed in conformance with all applicable Building and Fire Codes, with issuance of all necessary permits by the Permit and Development Center.
3. Any addition shall have a 4-foot tall masonry wainscot along all exterior facades.
4. All outdoor storage on the premise shall cease within 90 days of the issuance of the Certificate of Occupancy required to utilize the building addition.

On June 24, 2015, by Docket Number ZON2015-00094 the Board granted an Exception of 25 feet less than the minimum required 25-foot setback from the east front property line along East 4th Street to eliminate a previous condition of approval requiring a 4-foot tall masonry wainscot along all exterior facades of the 27-foot by 54-foot addition. All other conditions from the previous decision were left in effect.

On May 28, 2016, by Docket No. ZON2016-00087, the Zoning Board of Adjustment granted a Variance of 5 feet less than the minimum required 5 feet of landscaped, permeable setback for off-street parking in an Industrial zoning district, to allow retention of paving to the north of the structure that is within 0 feet of the north front property line along Scott Avenue, is granted subject to the following conditions:

1. Any construction shall be in compliance with all applicable Building Codes and Site Plan policies, with issuance of all necessary permits by the Permit and Development Center.
2. The segment of Scott Avenue right-of-way that adjoins subject pavement shall be restored to a turf condition by July 31, 2016.

9. PlanDSM: Creating Our Tomorrow Land Use Plan Designation: Downtown Mixed Use.

- 10. Applicable Regulations:** Taking into consideration 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:** Within the Southeast 2nd Street requested vacation, staff has identified a Wastewater Reclamation Authority sanitary sewer located in the northeastern portion of the Southeast 2nd Street, a City-owned sanitary sewer extending from the northwestern property line to the southeastern corner, and a City-owned 30-inch feeder main extending through the northern portion. Within the Southeast 4th Street requested vacation, staff has identified a City-owned storm sewer extending north/south approximately 30 feet east of the west property line, a City-owned storm sewer through the southwestern corner, and a City-owned 12-inch distribution main extending north/south approximately 55 feet east of the west property line.

Staff notes that a City of Des Moines Stormwater Pump Station is located at 626 Southeast 4th Street which is accessed via the requested Southeast 4th Street vacation. The developer has indicated that they will work with the City to ensure access to public facilities and amenities remains unencumbered. It is likely that the City will retain ownership of some of the subject rights-of-way.

- 2. Traffic/Access:** The requested vacations would not negatively impact access to the surrounding public and private properties or existing traffic patterns.

The John Pat Dorrian Trail is located within the City-owned property adjoining the western property line and traverses the southwestern corner of the Southeast 2nd Street right-of-way. The Southeast 4th Street right-of-way provides access to a Wastewater Reclamation Authority Stormwater Pump Station. The developer has indicated that they will work with the City to ensure access to public facilities and amenities remains unencumbered.

Any portions of the requested vacations determined suitable by the Real Estate Division for sale or lease to the developer would require easements to be obtained prior to final processing. It is likely that the City will retain ownership of some of the subject rights-of-way.

SUMMARY OF DISCUSSION

Emily Webb asked if any member of the public or commission desired to speak on the item. No one requested to speak.

COMMISSION ACTION:

Todd Garner made a motion for approval of the requested vacation, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense.

Motion passed: 10-0

Respectfully submitted,

Bert Drost

Bert Drost, AICP
Planning & Urban Design Administrator

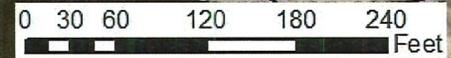
BAD:tjh

Earl J. Crouch, 303 Scott Avenue

ROWV-2022-000013



Updated on: 5/16/2022



City of Des Moines, Information Technology

1 inch = 122 feet

Jun 2, 2022 11:05



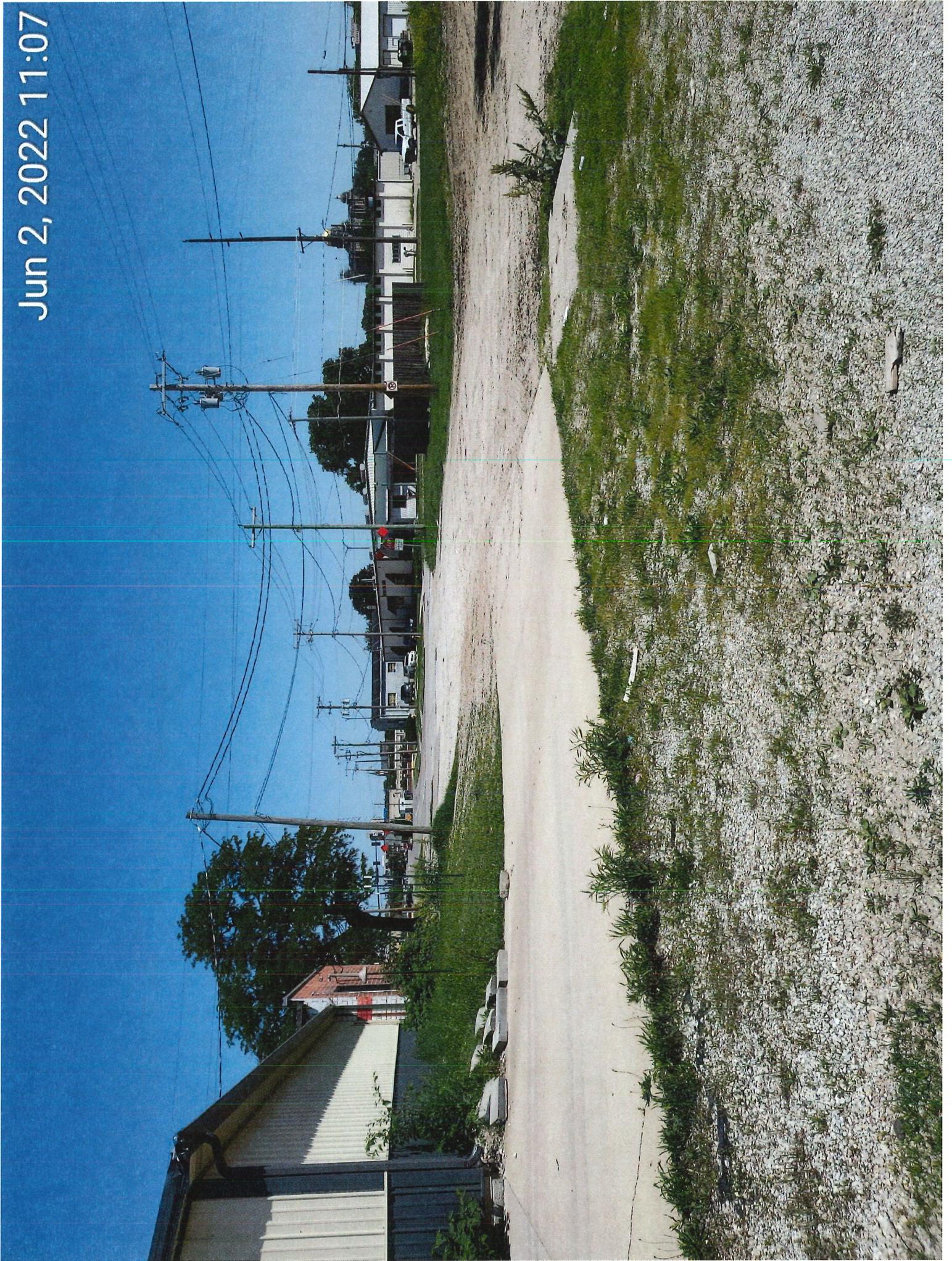
Jun 2, 2022 11:06

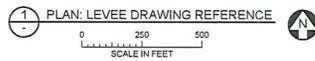
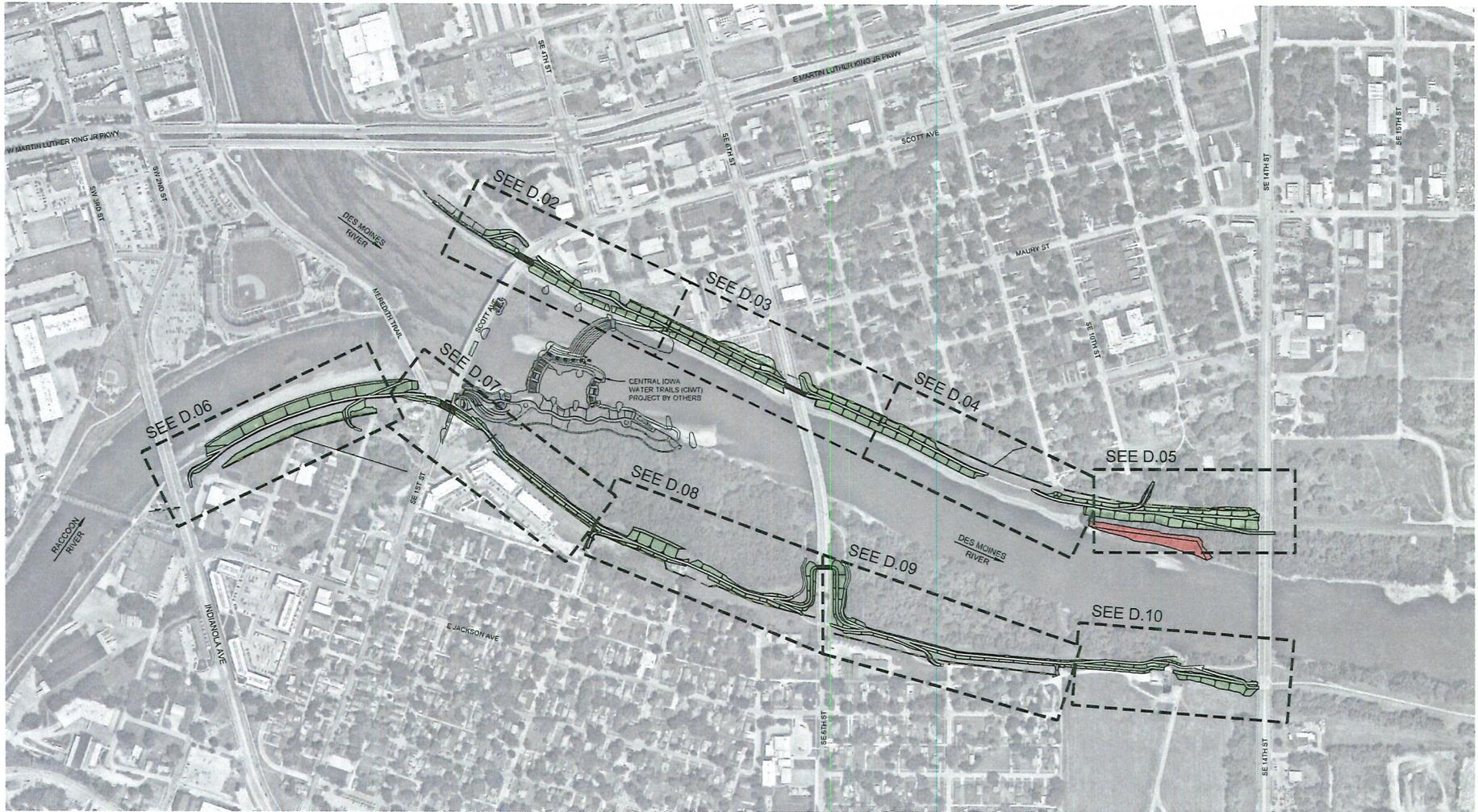


Jun 2, 2022 11:07



Jun 2, 2022 11:07





- NOTES:**
1. REFER TO SHEET J.01 SITE ACCESS AND STAGING PLAN.
 2. REFER TO SHEET Q.19 GEOTECHNICAL INSTRUMENTATION PLAN FOR REQUIREMENTS TO PROTECT EXISTING UTILITIES AND FEATURES.

PROJECT DATUM AND COORDINATE SYSTEM:
 HORIZONTAL: IOWA STATE PLANE, SOUTH ZONE, NAD83, US SURVEY FT
 VERTICAL: CITY OF DES MOINES VERTICAL DATUM
 TO CONVERT TO NAVD83, ADD 773.94 FEET

NO.	BY	CHK	APP	DATE	REVISION DESCRIPTION

CLIENT	11/20/11	11/20/11	06/20/11	01/10/11	12/10/11
AGENCY					
BID					
CONSTRUCTION					
RELEASED TO/FOR	A	B	C	D	0 1 2
DATE RELEASED					

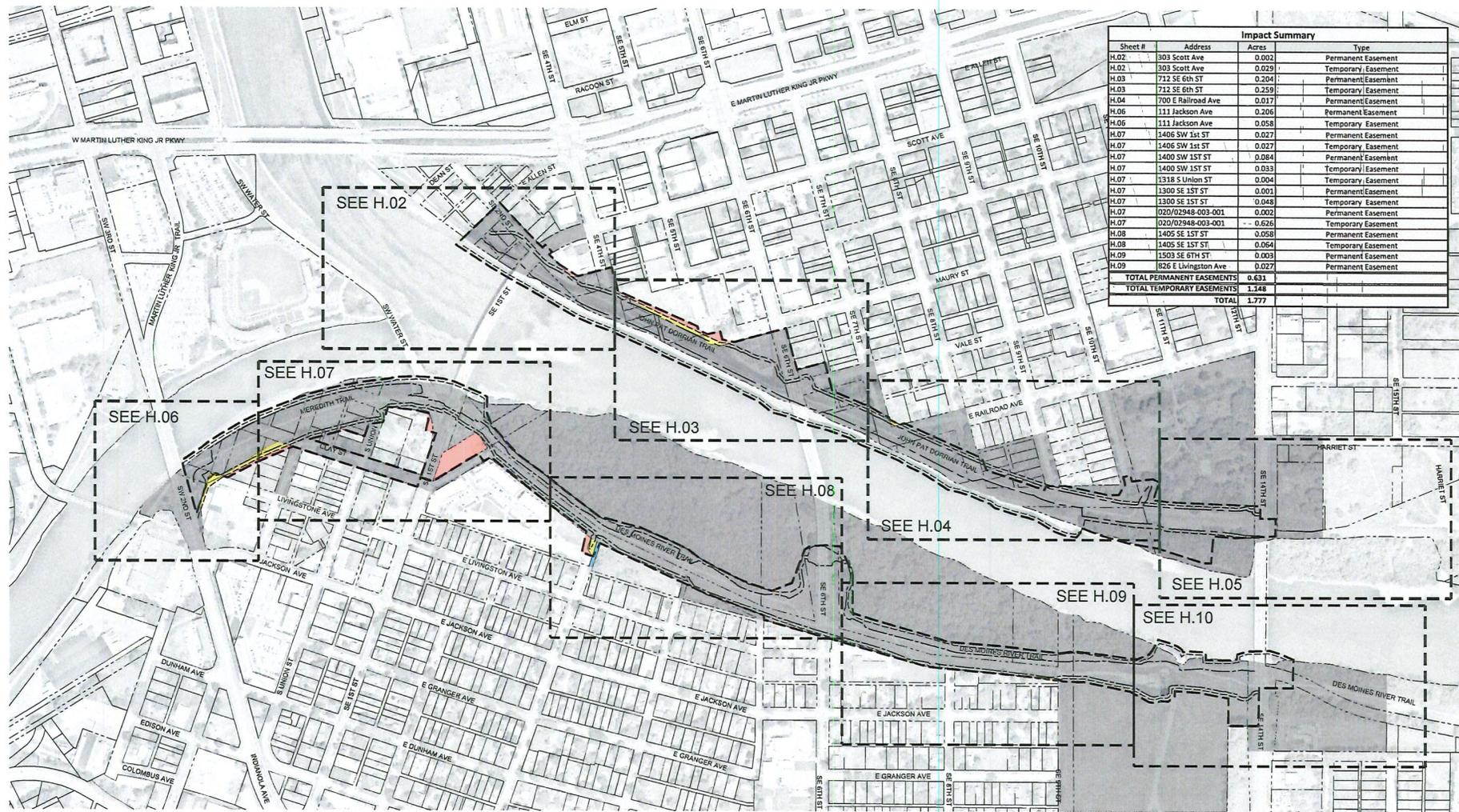
BARR Engineering Co.
 Project Office:
 BARR ENGINEERING CO.
 4300 MARKETPOINTE DRIVE
 SUITE 200
 MINNEAPOLIS, MN 55435
 Corporate Headquarters:
 Minneapolis, Minnesota
 Ph: 1-800-432-2277
 Fax: (612) 322-2001
 www.barr.com

Scale	AS SHOWN
Date	10/11/16
Drawn	MJJ
Checked	MRM
Designed	ZJN
Approved	

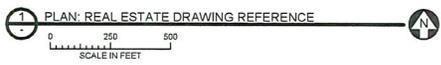
CITY OF DES MOINES
 DES MOINES, IOWA

DES MOINES LEVEE ALTERATIONS PHASE C	
LEVEE PLAN AND PROFILE DRAWING REFERENCE	
BARR PROJECT No. 15771008.00	FILE NO. 638-241
DWG. No. D_01	REV. No. 0

G:\DWGFILES\16167_Plan\16167.dwg PLOT SCALE: 1"=50' DATE: 10/11/16 12:28 PM



Impact Summary			
Sheet #	Address	Acres	Type
H.02	303 Scott Ave	0.002	Permanent Easement
H.02	303 Scott Ave	0.029	Temporary Easement
H.03	712 SE 6th St	0.204	Permanent Easement
H.03	712 SE 6th St	0.259	Temporary Easement
H.04	700 E Railroad Ave	0.017	Permanent Easement
H.06	111 Jackson Ave	0.206	Permanent Easement
H.06	111 Jackson Ave	0.058	Temporary Easement
H.07	1406 SW 1st St	0.027	Permanent Easement
H.07	1406 SW 1st St	0.027	Temporary Easement
H.07	1400 SW 1st St	0.084	Permanent Easement
H.07	1400 SW 1st St	0.033	Temporary Easement
H.07	1318 S Union St	0.004	Permanent Easement
H.07	1300 SE 1st St	0.001	Permanent Easement
H.07	1300 SE 1st St	0.048	Temporary Easement
H.07	020/02948-003-001	0.002	Permanent Easement
H.07	020/02948-003-001	0.626	Temporary Easement
H.08	1405 SE 1st St	0.058	Permanent Easement
H.08	1405 SE 1st St	0.064	Temporary Easement
H.09	1503 SE 6th St	0.003	Permanent Easement
H.09	826 E Livingston Ave	0.027	Permanent Easement
TOTAL PERMANENT EASEMENTS		0.631	
TOTAL TEMPORARY EASEMENTS		1.148	
TOTAL		1.777	



LEGEND	
--- (dashed line)	LIMITS OF CONSTRUCTION
--- (dotted line)	PARCEL LINES
--- (long dashed line)	15' PERMANENT CLEAR LIMITS
--- (short dashed line)	GRADING & CRT LIMITS
--- (yellow fill)	PERMANENT LEVEE EASEMENT
--- (red fill)	TEMPORARY CONSTRUCTION EASEMENT
--- (blue fill)	EXISTING PERMANENT EASEMENT
--- (grey fill)	DES MOINES OWNED REAL ESTATE & R.O.W.

PROJECT DATUM AND COORDINATE SYSTEM:
 HORIZONTAL: IOWA STATE PLANE, SOUTH ZONE, NAD83, US SURVEY FT
 VERTICAL: CITY OF DES MOINES VERTICAL DATUM
 TO CONVERT TO NAVD83, ADD 773.84 FEET

NO.	BY	CHK.	APP.	DATE	REVISION DESCRIPTION

CLIENT	1/21/19	01/06/20	01/12/21
AGENCY	BB	CONSTRUCTION	
RELEASED TO/FOR	A	B	C
DATE RELEASED	0	1	2

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whks

Scale	AS SHOWN
Date	12/10/21
Drawn	JRD
Checked	ACK
Designed	JRD
Approved	

CITY OF DES MOINES
 DES MOINES, IOWA

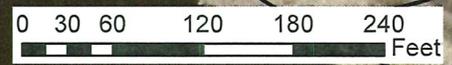
DES MOINES LEVEE ALTERATIONS PHASE C REAL ESTATE OVERVIEW	
BARR PROJECT No.	15771008.00
FILE NO.	638-277
DWG. No.	H.01
REV. No.	0

Earl J. Crouch, 303 Scott Avenue

ROWV-2022-000013



Against:	0%
For:	0%
Unsure:	0%
No Response:	100%



Updated on: 6/2/2022

City of Des Moines, Information Technology

1 inch = 122 feet

From: [Hall, Tyler J.](#)
To: [Dostart, Katherine E.](#)
Subject: FW: 06/02 P&Z Early Agenda
Date: Tuesday, May 17, 2022 12:27:44 PM
Attachments: [D.01-D.02.pdf](#)
[H.01-H.02.pdf](#)

Another comment received for your item on the June 2nd agenda.

From: Bogenreif, Corey D. <CDBogenreif@dmgov.org>
Sent: Tuesday, May 17, 2022 12:13 PM
To: Hall, Tyler J. <TJHall@dmgov.org>
Cc: Davis, John A. <JADavis@dmgov.org>; Wiggins, Jeff P. <JPWiggins@dmgov.org>; Bianchetta, Stephen M. <SMBianchetta@dmgov.org>; Van Essen, Jason M. <JMVanessen@dmgov.org>; Fangman, Colby J. <CJFangman@dmgov.org>
Subject: RE: 06/02 P&Z Early Agenda

Tyler,

The Engineer Department has one comment on the 6/2 P&Z agenda:

Item 1: This may have been brought to your attention by the Parks Department but the Engineering Department has a Levee Alteration project that will realign the John Pat Dorrian Trail near this site. This will likely impact the vacation SE 2nd Street. I've attached the plan/profile and ROW sheets from the plan set for your reference.

Thanks,

COREY BOGENREIF, P.E. | CITY OF DES MOINES
Principal Traffic Engineer | Traffic & Transportation Division
Engineering Department
(515) 283-4014 | m: (515) 208-4014
[DSM.city](#) | 400 Robert D. Ray Drive | Des Moines, Iowa 50309

From: Hall, Tyler J. <[TJHall@dmgov.org](#)>
Sent: Monday, May 16, 2022 4:05 PM
To: Baethke, Whitney L. <[WLBaethke@dmgov.org](#)>; Beane, Patrick A. <[PABeane@dmgov.org](#)>; Beardsley, Jack R. <[JRBeardsley@dmgov.org](#)>; Bryan M. Belt (DSM) <[BMBelt@dsmairport.com](#)>; Berk, Terry W. <[TWBerk@dmgov.org](#)>; Bianchetta, Stephen M. <[SMBianchetta@dmgov.org](#)>; Biddle, Candace L. <[CLBiddle@dmgov.org](#)>; Bishop, Brian D. <[BDBishop@dmgov.org](#)>; Bogenreif, Corey D. <[CDBogenreif@dmgov.org](#)>; Pollpeter, Bryan (work) <[bpollpet@dmww.com](#)>; Calvert, Daniel J. <[DJCalvert@dmgov.org](#)>; Canney, Tammy L. <[TLCanney@dmgov.org](#)>; Carl Saxon <[csaxon@ridedart.com](#)>; Chakraborty, Sreyoshi <[SChakraborty@dmgov.org](#)>; Christensen, Cody J. <[CJChristensen@dmgov.org](#)>; Cindy Carter <[cynthia.k.carter@centurylink.com](#)>; Colvig, David J. <[DJColvig@dmgov.org](#)>; Corvera, Joebany <[JCorvera@dmgov.org](#)>; Couppee, Jacob T. <[JTCouppee@dmgov.org](#)>; Davis, Bryan L. <[BLDavis@dmgov.org](#)>; Davis, John A.

<JADavis@dmgov.org>; Delp, Michael R. <MRDelp@dmgov.org>; Donovan, Ian T. <IDonovan@dmgov.org>; Donovan, SuAnn M. <SMDonovan@dmgov.org>; Dostart, Katherine E. <kedostart@dmgov.org>; Drost, Bert A. <BADrost@dmgov.org>; Dunn-Young, Frank A. <FADunnYoung@dmgov.org>; Dykstra, Todd T. <TTDykstra@dmgov.org>; Dylan Mullenix <dmullenix@dmampo.org>; Presutti, Eizabeth <epresutti@ridedart.com>; Fangman, Colby J. <CJFangman@dmgov.org>; Foley, Kevin J. <KJFoley@dsmairport.com>; Frank, Glenna K. <GKFrank@dmgov.org>; Gaul, Mike A. <MAGaul@dmgov.org>; Goudelock, Gary D. <GDGoudelock@dmgov.org>; Hall, Tyler J. <TJHall@dmgov.org>; Hamlett, Naomi A. <NAHamlett@dmgov.org>; Henry, Sara B. <sbhenry@dmgov.org>; Hernandez, Katie L. <KLHernandez@dmgov.org>; Hohensee, Jordan <jahohensee@midamerican.com>; Hutchens, Jordan S. <JSHutchens@dmgov.org>; Hutchens, Scott T. <STHutchens@DMGOV.ORG>; Hutchinson, Sara C. <SCHutchinson@dmgov.org>; Kamp, David M. <dmkamp@dmgov.org>; Larson, Kyle N. <KNLarson@dmgov.org>; Lofflin, James M. <JMLofflin@dmgov.org>; Lundy, Erik M. <EMLundy@dmgov.org>; Amber Lynch <ALynch@InvestDSM.org>; Mark McDaniel <mamcdaniel@mediacomcc.com>; Mattas, Jay M. <JMMattas@dmgov.org>; McMickle, Nanci K. <NKMcMickle@dmgov.org>; Minhas, Anuprit J. <AJMinhas@dmgov.org>; Moeckly, Paige N. <pnmoeckly@dmgov.org>; Moffatt, Ryan L. <RLMoffatt@dmgov.org>; Myers, Dwayne A. <DAMyers@dmgov.org>; Olson-Douglas, Erin <EODouglas@dmgov.org>; Page, Benjamin R. <BRPage@dmgov.org>; Parizek, Paul J. <PJParizek@dmgov.org>; Parks, Glory A. <GAParks@dmgov.org>; Paudel, Manisha <MPaudel@dmgov.org>; Phelan, Patrick J. <PJPhelan@dmgov.org>; Polk County Conservation Board <pccb_info@polkcountyiowa.gov>; Poole, Chandler M. <CMPoole@dmgov.org>; Prilipp, Adam P. <APPrilipp@dmgov.org>; Richmond, Jenny B. <JBRichmond@dmgov.org>; McQuillan, Shane D. <sdmcquillan@dmgov.org>; Smejkal, Curt R. <CRSmejkal@dmgov.org>; Smith, Adam R. <ARSmith@dmgov.org>; Sommer, Jillian L. <JLSommer@DMGOV.ORG>; Tarpey, Nicholas O. <NOTarpey@dmgov.org>; Tiernan, Jimmy B. <JBTiernan@dmgov.org>; Todd Ashby <tashby@dmampo.org>; Torres, Jesse J. <JJTorres@dmgov.org>; Tunks, Allan G. <agtunks@dmgov.org>; Van Essen, Jason M. <JMVanessen@dmgov.org>; Vlach, Thomas C. <TCVlach@dmgov.org>; Wageman, Phillip J. <PJWageman@dmgov.org>; Waymire, Steve M. <SMWaymire@dmgov.org>; Wheelock, Lee A. <LAWheelock@dmgov.org>; Wieland, Lisa A. <LAWieland@dmgov.org>; Wiggins, Jeff P. <JPWiggins@dmgov.org>; Woods, MaryLee <MLWoods@dmgov.org>

Subject: 06/02 P&Z Early Agenda

To Whom It Concerns:

At its next regularly scheduled meeting on June 2, 2022, the Plan and Zoning Commission of the City of Des Moines will hold a public hearing on the attached agenda. Please provide us with your comments no later than May 25, 2022, concerning the effect these items may have on your operations. Because we are required to prepare and distribute staff recommendations in advance of the meeting, this due date must be firm. If comments are not received by the due date, it will be assumed that you have no comment regarding the items. When providing any input please reference the case number when possible, as the order of the agenda is subject to change.

Thank you,

TYLER HALL | CITY OF DES MOINES

CSR | Development Services

(515) 237-1301

DSM.city | 602 Robert D. Ray Drive | Des Moines, Iowa 50309

From: [Dostart, Katherine E.](#)
To: [Bogenreif, Corey D.](#)
Subject: RE: SE 2nd & SE 4th vacation requests
Date: Thursday, May 26, 2022 11:20:00 AM

Thank you, Corey.

KATHERINE DRAHOS | CITY OF DES MOINES
o: 515.283.4964 | m: 515.210.4811

From: Bogenreif, Corey D. <CDBogenreif@dmgov.org>
Sent: Thursday, May 26, 2022 11:19 AM
To: Dostart, Katherine E. <kedostart@dmgov.org>
Subject: RE: SE 2nd & SE 4th vacation requests

Sure that will work. Let me know if you need anything else from Engineering. Thanks!

COREY BOGENREIF, P.E. | CITY OF DES MOINES
Principal Traffic Engineer | Traffic & Transportation Division
Engineering Department
(515) 283-4014 | m: (515) 208-4014
[DSM.city](#) | 400 Robert D. Ray Drive | Des Moines, Iowa 50309

From: Dostart, Katherine E. <KEDostart@dmgov.org>
Sent: Thursday, May 26, 2022 11:04 AM
To: Bogenreif, Corey D. <CDBogenreif@dmgov.org>
Subject: SE 2nd & SE 4th vacation requests

Hi Corey,

I've spoken with the developer requesting the vacations and they are aware of the need for easements within the area of their requested vacations. They are open to any easement paperwork that may be required.

They have indicated that they would appreciate any guidance for their architect to ensure their designs do not impact the levee and trail alterations. Would it be alright if I forward them the attachments you provided last week?

Please let me know if this alleviates concerns or if you have any additional ones.

Thanks,
Katherine.

KATHERINE DRAHOS | CITY OF DES MOINES
City Planner | Development Services
o: 515.283.4964 | m: 515.210.4811
[DSM.city](#) | 602 Robert D. Ray Drive | Des Moines, Iowa 50309

From: [Hall, Tyler J.](#)
To: [Dostart, Katherine E.](#)
Subject: FW: 06/02 P&Z Early Agenda
Date: Tuesday, May 17, 2022 8:16:16 AM
Attachments: [20220602 PZ Agenda PRELIMINARY.pdf](#)
[ROWV-2022-000013.jpg](#)

Please see email below in regards to item 1 on the June 2nd P&Z agenda.

Thank you,

From: Fangman, Colby J. <CJFangman@dmgov.org>
Sent: Monday, May 16, 2022 6:00 PM
To: Hall, Tyler J. <TJHall@dmgov.org>
Cc: Calvert, Daniel J. <DJCalvert@dmgov.org>
Subject: Re: 06/02 P&Z Early Agenda

Hello Tyler,

The Parks and Recreation Department is opposed to the vacation of the southernmost 265 lineal feet of Southeast 2nd Street proposed in Item #1. The southeast portion of that parcel includes existing city facilities such as the John Pat Dorrian Trail and flood control levee.

Regards,

Colby Fangman

Park Planner II

Des Moines Parks and Recreation

1551 E. Martin Luther King Jr. Parkway | Des Moines, Iowa 50317

Office: (515)248-6357
Cellular: (641) 330-6464

From: Hall, Tyler J. <TJHall@dmgov.org>
Sent: Monday, May 16, 2022 4:04 PM
To: Baethke, Whitney L. <WLBaethke@dmgov.org>; Beane, Patrick A. <PABeane@dmgov.org>; Beardsley, Jack R. <JRBeardsley@dmgov.org>; Bryan M. Belt (DSM) <BMBelt@dsairport.com>; Berk, Terry W. <TWBerk@dmgov.org>; Bianchetta, Stephen M. <SMBianchetta@dmgov.org>; Biddle, Candace L. <CLBiddle@dmgov.org>; Bishop, Brian D. <BDBishop@dmgov.org>; Bogenreif, Corey D. <CDBogenreif@dmgov.org>; Pollpeter, Bryan (work) <bpollpet@dmwww.com>; Calvert, Daniel J. <DJCalvert@dmgov.org>; Canney, Tammy L. <TLCanney@dmgov.org>; Carl Saxon <csaxon@ridedart.com>; Chakraborty, Sreyoshi <SChakraborty@dmgov.org>; Christensen, Cody J. <CJChristensen@dmgov.org>; Cindy Carter <cynthia.k.carter@centurylink.com>; Colvig, David J.

<DJColvig@dmgov.org>; Corvera, Joebany <JCorvera@dmgov.org>; Couppee, Jacob T. <JTCouppee@dmgov.org>; Davis, Bryan L. <BLDavis@dmgov.org>; Davis, John A. <JADavis@dmgov.org>; Delp, Michael R. <MRDelp@dmgov.org>; Donovan, Ian T. <IDonovan@dmgov.org>; Donovan, SuAnn M. <SMDonovan@dmgov.org>; Dostart, Katherine E. <kedostart@dmgov.org>; Drost, Bert A. <BADrost@dmgov.org>; Dunn-Young, Frank A. <FADunnYoung@dmgov.org>; Dykstra, Todd T. <TTDykstra@dmgov.org>; Dylan Mullenix <dmullenix@dmampo.org>; Presutti, Eizabeth <epresutti@ridedart.com>; Fangman, Colby J. <CJFangman@dmgov.org>; Foley, Kevin J. <KJFoley@dsmairport.com>; Frank, Glenna K. <GKFrank@dmgov.org>; Gaul, Mike A. <MAGaul@dmgov.org>; Goudelock, Gary D. <GDGoudelock@dmgov.org>; Hall, Tyler J. <TJHall@dmgov.org>; Hamlett, Naomi A. <NAHamlett@dmgov.org>; Henry, Sara B. <sbhenry@dmgov.org>; Hernandez, Katie L. <KLHernandez@dmgov.org>; Hohensee, Jordan <jahohensee@midamerican.com>; Hutchens, Jordan S. <JSHutchens@dmgov.org>; Hutchens, Scott T. <STHutchens@DMGOV.ORG>; Hutchinson, Sara C. <SCHutchinson@dmgov.org>; Kamp, David M. <dmkamp@dmgov.org>; Larson, Kyle N. <KNLarson@dmgov.org>; Lofflin, James M. <JMLofflin@dmgov.org>; Lundy, Erik M. <EMLundy@dmgov.org>; Amber Lynch <ALynch@InvestDSM.org>; Mark McDaniel <mamcdaniel@mediacomcc.com>; Mattas, Jay M. <JMMattas@dmgov.org>; McMickle, Nanci K. <NKMcMickle@dmgov.org>; Minhas, Anuprit J. <AJMinhas@dmgov.org>; Moeckly, Paige N. <pnmoeckly@dmgov.org>; Moffatt, Ryan L. <RLMoffatt@dmgov.org>; Myers, Dwayne A. <DAMyers@dmgov.org>; Olson-Douglas, Erin <EODouglas@dmgov.org>; Page, Benjamin R. <BRPage@dmgov.org>; Parizek, Paul J. <PJParizek@dmgov.org>; Parks, Glory A. <GAParks@dmgov.org>; Paudel, Manisha <MPaudel@dmgov.org>; Phelan, Patrick J. <PJPhelan@dmgov.org>; Polk County Conservation Board <pccb_info@polkcountyiowa.gov>; Poole, Chandler M. <CMPoole@dmgov.org>; Prilipp, Adam P. <APPrilipp@dmgov.org>; Richmond, Jenny B. <JBRichmond@dmgov.org>; McQuillan, Shane D. <sdmcquillan@dmgov.org>; Smejkal, Curt R. <CRSmejkal@dmgov.org>; Smith, Adam R. <ARSmith@dmgov.org>; Sommer, Jillian L. <JLSommer@DMGOV.ORG>; Tarpey, Nicholas O. <NOTarpey@dmgov.org>; Tiernan, Jimmy B. <JBTiernan@dmgov.org>; Todd Ashby <tashby@dmampo.org>; Torres, Jesse J. <JJTorres@dmgov.org>; Tunks, Allan G. <agtunks@dmgov.org>; Van Essen, Jason M. <JMVanessen@dmgov.org>; Vlach, Thomas C. <TCVlach@dmgov.org>; Wageman, Phillip J. <PJWageman@dmgov.org>; Waymire, Steve M. <SMWaymire@dmgov.org>; Wheelock, Lee A. <LAWheelock@dmgov.org>; Wieland, Lisa A. <LAWieland@dmgov.org>; Wiggins, Jeff P. <JPWiggins@dmgov.org>; Woods, MaryLee <MLWoods@dmgov.org>

Subject: 06/02 P&Z Early Agenda

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Thank you,

TYLER HALL | CITY OF DES MOINES

CSR | Development Services

(515) 237-1301

DSM.city | 602 Robert D. Ray Drive | Des Moines, Iowa 50309

From: [Hall, Tyler J.](#)
To: [Dostart, Katherine E.](#)
Subject: FW: 06/02 P&Z Early Agenda
Date: Tuesday, May 17, 2022 3:47:18 PM
Attachments: [Permanent Easement - Style Sheet \(01368615-3xB8DF0\).pdf](#)
[Permanent Easement Agreement Standard.docx](#)

Another one...

From: Pollpeter, Bryan <bpollpet@dmww.com>
Sent: Tuesday, May 17, 2022 2:59 PM
To: Hall, Tyler J. <TJHall@dmgov.org>
Subject: RE: 06/02 P&Z Early Agenda

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Tyler,
 #1 under the Consent Public Hearing will require permanent easements with DMWW as there are water mains within the area to be vacated. The vacation of SE 2nd St will require the entire area to be vacated as an easement as there is a 30" feeder main within this area. The vacation of SE 4th St will require a 40' wide easement. I have attached the easement docs.

Thanks,

Bryan Pollpeter | Engineering Analyst
 Des Moines Water Works | **WATER YOU CAN TRUST FOR LIFE**
 2201 George Flagg Parkway | Des Moines, Iowa 50321 | www.dmww.com
 Delivery Address 412 Fleur Drive | Des Moines, Iowa 50321
 Phone: (515) 323-6204 | fax: (515) 283-8712 | e-mail: bpollpet@dmww.com
www.dmww.com | Follow us on [Facebook](#) and [Twitter](#)

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From: Hall, Tyler J. <TJHall@dmgov.org>
Sent: Monday, May 16, 2022 4:05 PM
To: Baethke, Whitney L. <WLBaethke@dmgov.org>; Beane, Patrick A. <PABeane@dmgov.org>;
 Beardsley, Jack R. <JRBeardsley@dmgov.org>; Bryan M. Belt (DSM) <BMBelt@dsmairport.com>;
 Berk, Terry W. <TWBerk@dmgov.org>; Bianchetta, Stephen M. <SMBianchetta@dmgov.org>;
 Biddle, Candace L. <CLBiddle@dmgov.org>; Bishop, Brian D. <BDBishop@dmgov.org>; Bogenreif,
 Corey D. <CDBogenreif@dmgov.org>; Pollpeter, Bryan <bpollpet@dmww.com>; Calvert, Daniel J.
 <DJCalvert@dmgov.org>; Tammy Canney <tcanney@dmgov.org>; Carl Saxon
 <csaxon@ridedart.com>; Chakraborty, Sreyoshi <SChakraborty@dmgov.org>; Christensen, Cody J.
 <CJChristensen@dmgov.org>; Cindy Carter <cynthia.k.carter@centurylink.com>; Colvig, David J.
 <DJColvig@dmgov.org>; Corvera, Joebany <JCorvera@dmgov.org>; Couppee, Jacob T.
 <JTCouppee@dmgov.org>; Davis, Bryan L. <BLDavis@dmgov.org>; Davis, John A.
 <JADavis@dmgov.org>; Delp, Michael R. <MRDelp@dmgov.org>; Donovan, Ian T.
 <IDonovan@dmgov.org>; Donovan, SuAnn M. <SMDonovan@dmgov.org>; Dostart, Katherine E.
 <kedostart@dmgov.org>; Drost, Bert A. <BADrost@dmgov.org>; Dunn-Young, Frank A.
 <FADunnYoung@dmgov.org>; Dykstra, Todd T. <TTDykstra@dmgov.org>; Dylan Mullenix

<dmullenix@dmampo.org>; Presutti, Elizabeth <epresutti@ridedart.com>; Fangman, Colby J. <CJFangman@dmgov.org>; Foley, Kevin J. <KJFoley@dsmairport.com>; Frank, Glenna K. <GKFrank@dmgov.org>; Gaul, Mike A. <MAGaul@dmgov.org>; Goude-lock, Gary D. <GDGoude-lock@dmgov.org>; Hall, Tyler J. <TJHall@dmgov.org>; Hamlett, Naomi A. <NAHamlett@dmgov.org>; Henry, Sara B. <sbhenry@dmgov.org>; Hernandez, Katie L. <KLHernandez@dmgov.org>; Hohensee, Jordan <jahohensee@midamerican.com>; Hutchens, Jordan S. <JSHutchens@dmgov.org>; Hutchens, Scott T. <STHutchens@DMGOV.ORG>; Hutchinson, Sara C. <SCHutchinson@dmgov.org>; Kamp, David M. <dmkamp@dmgov.org>; Larson, Kyle N. <KNLarson@dmgov.org>; Lofflin, James M. <JMLofflin@dmgov.org>; Lundy, Erik M. <FMLundy@dmgov.org>; Amber Lynch <ALynch@InvestDSM.org>; Mark McDaniel <mamcdaniel@mediacomcc.com>; Mattas, Jay M. <JMMattas@dmgov.org>; McMickle, Nanci K. <NKMcMickle@dmgov.org>; Minhas, Anupri J. <AJMinhas@dmgov.org>; Moeckly, Paige N. <pnmoeckly@dmgov.org>; Moffatt, Ryan L. <RLMoffatt@dmgov.org>; Myers, Dwayne A. <DAMyers@dmgov.org>; Olson-Douglas, Erin <EODouglas@dmgov.org>; Page, Benjamin R. <BRPage@dmgov.org>; Parizek, Paul J. <PJParizek@dmgov.org>; Parks, Glory A. <GAParks@dmgov.org>; Paudel, Manisha <MPaudel@dmgov.org>; Phelan, Patrick J. <PJPhelan@dmgov.org>; Polk County Conservation Board <pccb_info@polkcountyiowa.gov>; Poole, Chandler M. <CMPoole@dmgov.org>; Prilipp, Adam <APPrilipp@dmgov.org>; Richmond, Jenny B. <JBRichmond@dmgov.org>; McQuillan, Shane D. <sdmcquillan@dmgov.org>; Smejkal, Curt R. <CRSmejkal@dmgov.org>; Smith, Adam R. <ARSmith@dmgov.org>; Sommer, Jillian L. <JLSommer@DMGOV.ORG>; Tarpey, Nicholas O. <NOTarpey@dmgov.org>; Tiernan, Jimmy B. <JBTiernan@dmgov.org>; Todd Ashby <tashby@dmampo.org>; Torres, Jesse J. <JJTorres@dmgov.org>; Tunks, Allan G. <agtunks@dmgov.org>; Van Essen, Jason M. <JMVanessen@dmgov.org>; Vlach, Thomas C. <TCVlach@dmgov.org>; Wageman, Phillip J. <PJWageman@dmgov.org>; Waymire, Steve M. <SMWaymire@dmgov.org>; Wheelock, Lee A. <LAWheelock@dmgov.org>; Wieland, Lisa A. <LAWieland@dmgov.org>; Wiggins, Jeff P. <JPWiggins@dmgov.org>; Woods, MaryLee <MLWoods@dmgov.org>

Subject: 06/02 P&Z Early Agenda

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Thank you,

TYLER HALL | CITY OF DES MOINES

CSR | Development Services

(515) 237-1301

DSM.city | 602 Robert D. Ray Drive | Des Moines, Iowa 50309

19

From: [Chad Rasmussen](#)
To: [Dostart, Katherine E.](#)
Cc: [Baethke, Whitney L.](#)
Subject: RE: ROW Vacation request to P&Z - Vicinity of 303 Scott Avenue
Date: Friday, May 27, 2022 8:49:29 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Yes, all is confirmed. Thank you for your assistance.

Chad Rasmussen

Vice President of Development

chad@christensendevlopment.com

215 E. 3rd Street, Suite 300

Des Moines, IA 50309

515.528.9559

www.christensendevlopment.com



From: Dostart, Katherine E. <KEDostart@dmgov.org>
Sent: Thursday, May 26, 2022 1:46 PM
To: Chad Rasmussen <chad@christensendevlopment.com>
Cc: Baethke, Whitney L. <WLBaethke@dmgov.org>
Subject: ROW Vacation request to P&Z - Vicinity of 303 Scott Avenue

Hi Chad,

Thank you for your time yesterday afternoon. To confirm per our phone conversation, you indicated that you are aware of the utilities located within your requested rights-of-way vacations and the need for easements. You've indicated your willingness to work with the City to ensure that your project and designs do not impact the pending Levee and Trail system alterations. Please let me know if you have any concerns that have arisen since our conversation.

Des Moines Water Works and City of Des Moines Engineering are requesting easements for the requested rights-of-way vacations. I've attached the paperwork Water Works provided regarding easements requests with them. Bryan Pollpeter would be your contact there: bpollpet@dmww.com. For City of Des Moines, your contact for easements will be David Colvig: DJColvig@dmgov.org. As you requested, I've attached what has been provided by Corey Bogenreif in Engineering showing the plans/profiles for the Levee and Trail system alterations.

We have your requests as Item 1 on the 6/2 P&Z agenda which is on the Consent portion. Planning staff currently does not anticipate any change to that, but as you know, a Commissioner or member

of public may ask for it to be heard at the meeting.

Please let me know if you have any other questions or comments regarding your vacation requests, Katherine.

KATHERINE DRAHOS | CITY OF DES MOINES

City Planner | Development Services

o: 515.283.4964 | m: 515.210.4811

DSM.city | 602 Robert D. Ray Drive | Des Moines, Iowa 50309

From: [Dostart, Katherine E.](#)
To: ["Pollpeter, Bryan"](#)
Subject: RE: SE 2nd & SE 4th vacation requests
Date: Thursday, May 26, 2022 11:32:00 AM

Thanks, Bryan. I will forward these to the developer.

KATHERINE DRAHOS | CITY OF DES MOINES
o: 515.283.4964 | m: 515.210.4811

From: Pollpeter, Bryan <bpollpet@dmww.com>
Sent: Thursday, May 26, 2022 11:28 AM
To: Dostart, Katherine E. <KEDostart@dmgov.org>
Subject: RE: SE 2nd & SE 4th vacation requests

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Katherine,
Please see the attached easement docs. I will need them filled out and returned along with an exhibit drawing for DMWW legal to review and approve before it is signed and recorded.

Thanks,

Bryan Pollpeter | Engineering Analyst
Des Moines Water Works | **WATER YOU CAN TRUST FOR LIFE**
2201 George Flagg Parkway | Des Moines, Iowa 50321 | www.dmww.com
Delivery Address 412 Fleur Drive | Des Moines, Iowa 50321
Phone: (515) 323-6204 | fax: (515) 283-8712 | e-mail: bpollpet@dmww.com
www.dmww.com | Follow us on [Facebook](#) and [Twitter](#)

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From: Dostart, Katherine E. <KEDostart@dmgov.org>
Sent: Thursday, May 26, 2022 11:04 AM
To: Pollpeter, Bryan <bpollpet@dmww.com>
Subject: SE 2nd & SE 4th vacation requests

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Hi Bryan,

I've spoken with the developer requesting the vacations and they are aware of the need for easements within the area of their requested vacations. They are open to any easement paperwork that may be required. I will include the paperwork you provided when I email the developer this afternoon.

Please let me know if this alleviates concerns or if you have any additional ones.

Thanks,
Katherine.

KATHERINE DRAHOS | CITY OF DES MOINES

City Planner | Development Services

o: 515.283.4964 | m: 515.210.4811

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