

★ Roll Call Number
24-0734

Agenda Item Number
18

Date May 20, 2027

Page 1

**SET HEARING FOR VACATION OF ALLEN STREET LYING SOUTHEAST OF
466 SE 2ND STREET AND APPROVAL OF A LEASE AGREEMENT WITH SINGLESPEED
DES MOINES, INC. FOR \$1,000**

WHEREAS, on April 24, 2024, the City of Des Moines Zoning Board of Adjustment approved redevelopment of a 9,678 square foot vacant lot to be used for a non-accessory parking lot; and

WHEREAS, the proposed use of the lot is for public parking and 21 additional overflow vehicle parking spaces for SingleSpeed Brewing Co. located at 303 Scott Avenue, Des Moines, Iowa, as set forth in this Agreement; and

WHEREAS, the City's Real Estate Division has negotiated a Lease Agreement with SingleSpeed Des Moines, Inc., for the lease of vacated Allen Street right-of-way lying southeast of 466 SE 2nd Street and City-owned property located on the southwest corner of Allen Street and SE 2nd Street (hereinafter Leased Premises), which Agreement will include, among other terms, a three-year lease term, a one-time rent payment of \$1,000.00 and additional consideration including the following:

- A) Provide a constructed paved surface, in accordance with all ordinances and regulations of the City of Des Moines, a City approved site plan, and Paragraph 20.1 of the Lease Agreement;
- B) Provide decorative plantings and other beautification efforts, in accordance with all ordinances and regulations of the City of Des Moines, a City approved site plan, and Paragraph 20.1 of the Lease Agreement.
- C) Provide a number of public parking spaces on the Leased Premises in accordance with all ordinances and regulations of the City of Des Moines, a City approved site plan. Said parking spaces shall remain open to the public 24 hours a day, 7 days a week, with priority for customers and staff of SingleSpeed Des Moines, Inc.; and

Which amounts reflect the fair market value of the leased area as determined by the City's Real Estate Division; and

WHEREAS, there is no known current or future public need for the portion of Allen Street right-of-way proposed to be vacated and leased, and the City-owned property proposed to be leased, and the City will not be inconvenienced by the vacation and lease of said property.

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



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1. That the City Council of the City of Des Moines, Iowa, shall consider adoption of an ordinance permanently vacating a portion of Allen Street right-of-way lying southeast of 466 SE 2nd Street, legally described as follows:

ALL OF THE 66-FOOT WIDE PUBLIC RIGHT-OF-WAY OF ALLEN STREET LYING NORTHWESTERLY OF AND ADJOINING LOTS 1 AND 2 IN BLOCK 9 OF SCOTT AND DEAN'S ADDITION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. CONTAINING 7,524 SQUARE FEET, MORE OR LESS.

2. The City Council of the City of Des Moines, Iowa, further proposes to lease the vacated Allen Street right-of-way lying southeast of 466 SE 2nd Street and the City-owned property located on the southwest corner of Allen Street and SE 2nd Street, as legally described and to the Lessee and for the consideration identified below, subject to reservation of easements therein:

Grantee: SingleSpeed Des Moines, Inc

Consideration: \$1,000.00

Legal Description:

PART OF LOTS 1 AND 2 IN BLOCK 9 OF SCOTT AND DEAN'S ADDITION, AN OFFICIAL PLAT; AND PART OF VACATED ALLEN STREET RIGHT-OF-WAY LYING NORTHWESTERLY OF AND ADJOINING SAID LOTS 1 AND 2 IN BLOCK 9 OF SCOTT AND DEAN'S ADDITION, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 1 IN BLOCK 'O' OF SAID SCOTT AND DEAN'S ADDITION, A CORNER OF THE SAID VACATED ALLEN STREET RIGHT-OF-WAY ON THE WEST LINE OF SE 2ND STREET; THENCE SOUTH 44°(DEGREES) 08'(MINUTES) 54'(SECONDS) EAST, 162.06 FEET ALONG THE WEST LINE OF SE 2ND STREET AND EAST LINE OF SAID LOT 1 IN BLOCK 9 OF SCOTT AND DEAN'S ADDITION; THENCE SOUTH 89°04'22" WEST, 87.47 FEET; THENCE NORTH 57°44'07" WEST, 105.02 FEET TO THE NORTH LINE OF SAID VACATED ALLEN STREET RIGHT-OF-WAY ALSO BEING THE SOUTH LINE OF SAID LOT 1 IN BLOCK 'O' OF SAID SCOTT AND DEAN'S ADDITION; THENCE NORTH 45°47'50" EAST, 88.41 FEET ALONG THE NORTH LINE OF SAID VACATED ALLEN STREET RIGHT-OF-WAY TO THE POINT OF BEGINNING. CONTAINING 9,678 SQUARE FEET (0.22 ACRES).

3. That the meeting of the City Council at which the adoption of said ordinance and the approval of such lease of the vacated right-of-way is to be considered shall be on June 3, 2024, said meeting to be held at 5:00 p.m., in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.

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 3:00 p.m. May



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31, 2024 (City Clerk’s Office, Des Moines City Hall, 400 Robert D. Ray Drive, 1st Floor, Des Moines, IA 50309; Email cityclerk@dmgov.org).

4. 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.

5. Non-project related land sale and lease proceeds are used to support general operating budget expenses: Org – EG064090.

Moved by Gatto to adopt. Second by Voss.

APPROVED AS TO FORM:

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

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include BOESEN, SIMONSON, VOSS, COLEMAN, WESTERGAARD, MANDELBAUM, GATTO, and TOTAL.

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.

Mayor signature: Connie Boesen

City Clerk signature: Laura Baumgartner