


Date June 5, 2006

WHEREAS, the City Plan and Zoning Commission has advised in the attached letter that at a public hearing held May 18, 2006, the members recommended by a vote of 10-0 for **APPROVAL** of a request from Matthew Grohe (owner), 1 Lincoln Place Drive, for vacation and conveyance of a segment of Mahaska Parkway between Lincoln Place Drive and the Norfolk Southern Railway and a portion of Lincoln Place Drive north of John Lynde Road and adjoining the applicant's property, subject to the reservation of easement for all existing utilities.

MOVED by _____ to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures.

FORM APPROVED:


 Roger K. Brown
 Assistant City Attorney

(11-2006-1.11)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
KIERNAN				
HENSLEY				
MAHAFFEY				
VLISSIS				
TOTAL				
MOTION CARRIED			APPROVED	

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.

 Mayor

 City Clerk

Request from Matthew Grohe (owner) 1 Lincoln Place Drive, for vacation and conveyance of public right-of-way			File #	
			11-2006-1.11	
Description of Action	Vacate and convey a segment of Mahaska Parkway between Lincoln Place Drive and the Norfolk Southern Railway and a portion of Lincoln Place Drive north of John Lynde Road and adjoining the applicant's property.			
2020 Community Character Plan	Low-Density Residential.			
Horizon 2025 Transportation Plan	No Planned Improvements.			
Current Zoning District	"R1-80" One-Family Residential District.			
Proposed Zoning District	N/A.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area	0	0	0	N/A
Plan and Zoning Commission Action	Approval	10-0	Required 6/7 Vote of the City Council	Yes
	Denial			No
				N/A

Matthew Grohe - ROW adjacent to 1 Lincoln Place Drive

11-2006-1.11



June 5, 2006

Date _____

Agenda Item 20

Roll Call # _____

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 May 18, 2006, the following action was taken:

COMMISSION RECOMMENDATION:

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

Commission Action:	Yes	Nays	Pass	Absent
David Cupp				X
Shirley Daniels	X			
Dann Flaherty	X			
Bruce Heilman	X			
Jeffrey Johannsen				X
Greg Jones	X			
Frances Koontz				X
Kaye Lozier	X			
Brian Meyer	X			
Brian Millard	X			
Brook Rosenberg	X			
Mike Simonson	X			
Kent Sovern				X
Tim Urban				X
Marc Wallace	X			



CITY PLAN AND ZONING COMMISSION
 ARMORY BUILDING
 602 ROBERT D. RAY DRIVE
 DES MOINES, IOWA 50309-1881
 (515) 283-4182

ALL-AMERICA CITY
 1949, 1976, 1981
 2003

APPROVAL of a request from Matthew Grohe (owner), 1 Lincoln Place Drive, for vacation and conveyance of a segment of Mahaska Parkway between Lincoln Place Drive and the Norfolk Southern Railway and a portion of Lincoln Place Drive north of John Lynde Road and adjoining the applicant's property, subject to the reservation of easement for all existing utilities. (11-2006-1.11)

Written Responses

0 In Favor
0 In Opposition

This item would not require a 6/7 vote by City Council.

STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Staff recommends approval of the requested right-of-way subject to the reservation of easement for all existing utilities.

STAFF REPORT

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is requesting to acquire and assemble an undeveloped segment of street right-of-way as part of the adjoining single-family residential property.
2. **Size of Site:** The subject right-of-way is irregular shaped and is generally 300' in length.
3. **Existing Zoning (site):** "R1-80" One-Family Low-Density Residential District.
4. **Existing Land Use (site):** Undeveloped right-of-way.
5. **Adjacent Land Use and Zoning:**
 - North* – "R1-80" Use is single-family dwelling.
 - South* – "R1-80", Use is railroad right-of-way.
 - East* – "R1-80", Use is single-family dwelling.
 - West* – "R1-80", Use is single-family dwelling.
6. **General Neighborhood/Area Land Uses:** The subject right-of-way is in a predominantly single-family neighborhood south of Grand Avenue.
7. **Applicable Recognized Neighborhood(s):** Greenwood Historic Neighborhood.
8. **Relevant Zoning History:** N/A.
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, 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. **Natural Site Features:** The subject right-of-way is wooded and appears as part of the applicant's yard.
2. **Utilities:** Staff is not aware of any utilities located in the subject right-of-way. Staff recommends that an easement be maintained if any utilities are identified.
3. **Access or Parking:** The subject right-of-way is not utilized for access or parking.

SUMMARY OF DISCUSSION

Bruce Heilman moved for approval the requested right-of-way subject to the reservation of easement for all existing utilities.

Motion passed 10-0.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Ludwig". The signature is stylized and cursive.

Michael Ludwig, AICP
Planning Administrator

MGL:dfa

Attachment