

★ **Roll Call Number**

Agenda Item Number

13

.....
November 6, 2006

Date

WHEREAS, the City Plan and Zoning Commission has advised in the attached letter that at a public hearing held October 19, 2006, the members recommended by a vote of 13-0 for **APPROVAL** of a request from D. Lance Cooper (owner), 1063 14th Place, for vacation and conveyance of the adjoining portion of 14th Place from Ascension Street to Keosauqua Way along with an irregular portion of non-active Keosauqua Way and Ascension Street immediately west of and adjoining 14th Place, subject to the following conditions:

1. Reservation of easements for all utilities in place.
2. No vehicular access shall be allowed between the property and Keosauqua Way.

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
Roger K. Brown
Assistant City Attorney

(11-2006-1.34)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
VLASSIS				
TOTAL				

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.

MOTION CARRIED APPROVED

_____ Mayor

_____ City Clerk

B

Request from D. Lance Cooper (owner) 1063 14 th Place for vacation and conveyance of right-of-way.		File #	
		11-2006-1.34	
Description of Action	Vacate and convey 14 th Place from Ascension Street to Keosauqua Way along with an irregular portion of non-active Keosauqua Way and Ascension Street immediately west of and adjoining 14 th Place.		
2020 Community Character Plan	Low-Density Residential.		
Horizon 2025 Transportation Plan	No Planned Improvements.		
Current Zoning District	"R-2" One and Two-Family Residential District & C-2" General Retail and Highway-Oriented Commercial District.		
Proposed Zoning District	N/A.		
Consent Card Responses	In Favor	Not In Favor	Undetermined
Inside Area			
Outside Area	0	0	0
Plan and Zoning Commission Action	Approval	13-0	Required 6/7 Vote of the City Council
	Denial		Yes
			No
			N/A

Information Tools Inc. - Street Vacation - 14th Place South of Ascension St 11-2006-1.34



November 6, 2006

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 October 19, 2006, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 13-0 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 D. Lance Cooper (owner), 1063 14th Place, for vacation and conveyance of the adjoining portion of 14th Place from Ascension Street to Keosauqua Way along with an irregular portion of non-active Keosauqua Way and Ascension Street immediately west of and adjoining 14th Place, subject to the following conditions: (11-2006-1.34)

1. Reservation of easements for all utilities in place.
2. No vehicular access shall be allowed between the property and Keosauqua Way.

Written Responses

0 In Favor
 0 In Opposition

STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Staff recommends approval of the requested vacation and conveyance subject to the following conditions:

1. Reservation of easements for all utilities in place.
2. No access shall be provided to the property from Keosauqua Way.

STAFF REPORT

13

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is seeking to vacate the right-of-way for inclusion with the adjoining property to the east. The requested vacation would eliminate the dead end stub of 14th Place south of Ascension Place and create an "L"-shaped intersection of 14th Place and Ascension Street. Any commercial use of the vacated property would be subject to review and approval of a site plan by the City's Permit and Development Center.
2. **Size of Site:** Irregular-shaped area generally containing 28,000 square feet (0.64 acre).
3. **Existing Zoning (site):** "C-2" General Retail and Highway-Oriented Commercial District.
4. **Existing Land Use (site):** Dead end segment of 14th Place and undeveloped excess Keosauqua Way right-of-way.
5. **Adjacent Land Use and Zoning:**
 - North* – "C-2", Use undeveloped land.
 - East* – "C-2", Use is office and parking lot for MEYCON Construction.
 - Southwest* – "C-2", Use is Keosauqua Way.
6. **General Neighborhood/Area Land Uses:** The subject right-of-way is along the Keosauqua Way corridor just north of I-235. A single-family residential neighborhood is located to the north and to the east.
7. **Applicable Recognized Neighborhood(s):** Cheatom Park 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. **Utilities:** Easements must be provided for all existing utilities in place until such time they are relocated at the applicant's expense. Both sanitary and storm sewers are located within the subject right-of-way.
2. **Access/Parking:** No access shall be provided to the property from Keosauqua Way due to the close proximity to the interchange with I-235.
3. **Traffic/Street System:** The City's Traffic and Transportation Division has indicated that the requested segments of right-of-way are no longer needed. The requested segment of 14th Place is no longer necessary since recent improvements to Keosauqua Way eliminated the 14th Street connection to Keosauqua Way. No modifications to the surrounding street network would be made necessary by the requested vacation of east/west alley right-of-way.

SUMMARY OF DISCUSSION

13

There was no one in the audience to speak on this item and there was no discussion.

Kent Sovern: Moved for approval of the requested vacation and conveyance subject to the following conditions:

1. Reservation of easements for all utilities in place.
2. No access shall be provided to the property from Keosauqua Way.

Motion passed 13-0.

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:dfa

Attachment