

★ **Roll Call Number**

Agenda Item Number

17

.....
November 20, 2006

Date

WHEREAS, the City Plan and Zoning Commission has advised in the attached letter that at a public hearing held November 2, 2006, the members recommended by a vote of 12-0 for **APPROVAL** of a request from Matthew and Stephanie Wruck, owners of the dwelling at 115 Davis Avenue, for vacation and conveyance of the adjoining east/west alley between Davis Avenue and Olinda Avenue, extending from Highland Street to SW 1st Street, subject to the reservation of easements 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

Roger K. Brown
Assistant City Attorney

(11-2006-1.36)

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

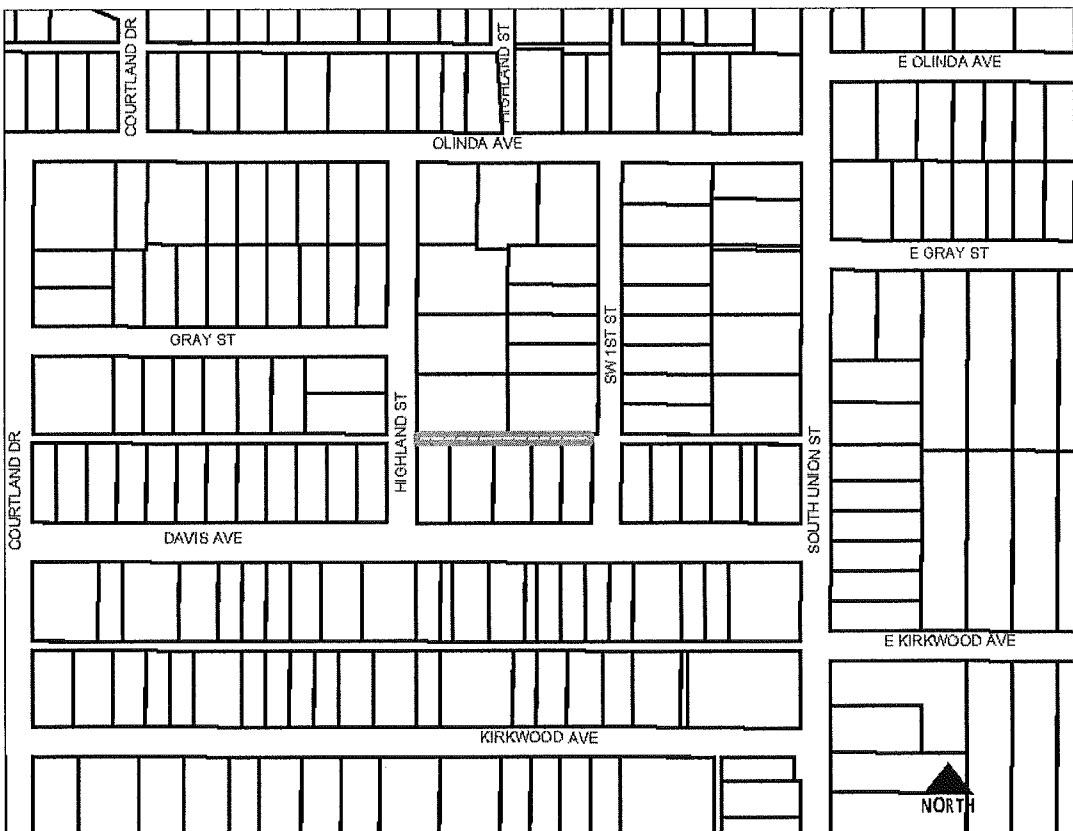
City Clerk

17

Request from Matthew and Stephanie Wruck (owners), 115 Davis Avenue, for vacation and conveyance of alley right-of-way.				File #	
				11-2006-1.36	
Description of Action	Vacate and convey the east/west alley between Davis Avenue and Olinda Avenue from Highland Street to SW 1 st Street.				
2020 Community Character Plan	Low-Density Residential.				
Horizon 2025 Transportation Plan	No Planned Improvements.				
Current Zoning District	"R1-60" One-Family Low-Density Residential District.				
Proposed Zoning District	N/A.				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area					
Outside Area	2	0	0	N/A	
Plan and Zoning Commission Action	Approval	12-0	Required 6/7 Vote of the City Council	Yes	
	Denial			No	N/A

Matthew Wruck - 115 Davis Avenue

11-2006-1.36



November 20, 2006

Date _____

Agenda Item 17

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Honorable Mayor and City Council
City of Des Moines, Iowa

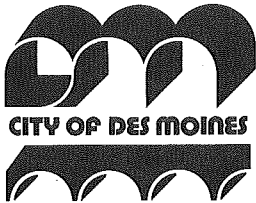
Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held November 2, 2006, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 12-0 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 and Stephanie Wruck, owners of the dwelling at 115 Davis Avenue, for vacation and conveyance of the adjoining east/west alley between Davis Avenue and Olinda Avenue, extending from Highland Street to SW 1st Street, subject to the reservation of easements for all existing utilities. (11-2006-1.36)

Written Responses

2 In Favor
0 In Opposition

STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Staff recommends approval of the requested vacation and conveyance subject to the provision of easements for all existing utilities.

STAFF REPORT

I. GENERAL INFORMATION

- Purpose of Request:** The applicant requests the vacation and conveyance of the subject alley in order to combine it with their property.
- Size of Site:** 16' x 290' (4,640 sq. ft.).

3. **Existing Zoning (site):** "R1-60" Single-Family Residential and Gambling Games Prohibition Overlay District.

4. **Existing Land Use (site):** Gravel alley.

5. **Adjacent Land Use and Zoning:**

North – "R1-60", Uses are single-family residential.

South – "R1-60", Uses are small scale commercial.

6. **General Neighborhood/Area Land Uses:** The surrounding area consists primarily of single-family residential uses.

7. **Applicable Recognized Neighborhood(s):** Indianola Hill 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:** The alley contains Qwest pole & cable facilities. An easement will need to be provided to allow for the continued operation of these facilities.

2. **Traffic/ Access:** The alley is adjoined by seven properties, none of which use the alley for driveway access.

SUMMARY OF DISCUSSION

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

Fran Koontz moved for approval of the requested vacation and conveyance subject to the provision of easements for all existing utilities. Motion passed 12-0.

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:dfa

Attachment

Item 11-2006-1.36

Date OCT 28, 2006

17

I (am) (am not) in favor of the request.

(Circle One)

RECEIVED

OCT 31 2006

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name BRIAN + SUSAN APPEGATE

Signature Susan B Applegate

Address 2245 HIGHLAND ST

Reason for opposing or approving this request may be listed below:

IT WILL STOP CARS AND OFF ROAD ~~THE~~ VEHICLE SPEEDING THRU FROM 1ST ST SW TO COURTLAND WITHOUT STOPPING OR ~~SLOW~~ SLOWING DOWN AT HIGHLAND ST.

Item 11-2006-1.36

Date 11-20-06

I (am) (am not) in favor of the request.

(Circle One)

RECEIVED

OCT 31 2006

COMMUNITY DEVELOPMENT DEPARTMENT

Print Name Stephanie R Obory Wruck

Signature Stephanie R Obory Wruck

Address 115 Davis Ave.

Reason for opposing or approving this request may be listed below:

The alley has not been maintained or kept up for a long time. Our yard is small so I would like to buy it to make my yard bigger so I can make a garden.