

★ Roll Call Number  
11-0675

Agenda Item Number  
24

Date April 25, 2011

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 7, 2011, its members voted 12-0 in support of a motion to recommend **APPROVAL** of request from Dale Jones (owner) for property located at 1520 Maury Street to vacate the north/south alley between Southeast 15<sup>th</sup> Court and Southeast Astor Street from Shaw Street to Maury subject to the following conditions:

1. The requested right-of-way should be leased to the applicant until the plan for the City's proposed Municipal Services Park (MSP) is completed. If it is determined the right-of-way is not needed for the MSP, the City could then consider selling it to the applicant.
2. Construction of any driveway on the requested right-of-way shall be in compliance with all requirements of the City's Permit & Development Center.
3. The adjacent salvage yard permitted on Lots 1 through 6 of Block 5 of Hawthorne Grove Addition shall be screened on all sides by an opaque fence to the satisfaction of the City's Planning Director. This fence shall be maintained in good condition for the duration of the salvage yard.
4. There shall be no storage or parking of vehicles on the requested right-of-way unless it is rezoned to "M-2" Heavy Industrial District and the Zoning Board of Adjustment has granted a Conditional Use Permit that would allow for salvage yard use.
5. Provision of easements for any existing utilities until such time that they are relocated at the applicant's expense.

MOVED by Hensley to receive and file and refer to the Engineering Department, Real Estate Division.

FORM APPROVED:

[Signature]  
 Michael F. Kelley  
 Assistant City Attorney

(11-2011-1.02)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			
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.

[Signature]  
 Mayor

[Signature]  
 City Clerk