

★ Roll Call Number

Agenda Item Number

12-0183

20

Date February 13, 2012

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on January 19 2012, its members voted 10-0-1 in support of a motion to recommend **APPROVAL** of a request from Wellmark Holdings, Inc. (owner), represented by Matt Brown (officer), for vacation of a segment of Linden Street running 223.5 feet west of 14<sup>th</sup> Street, to allow for redevelopment of the eastern portion of the block for a passive recreation space with a pedestrian path circuit subject to the following conditions:

1. Reservation of easements for all utilities in place until such time that they are abandoned or relocated at the applicant's expense.
2. Provision of a turnaround at the east terminus of the remaining Linden Street OR provision of a public access drive from Linden Street to an adjoining street.
3. Provision of a public access easement for any turnaround OR access driveway provided at the east terminus of the remaining Linden Street.
4. Conversion of the remaining segment of Linden Street from one-way traffic to two-way traffic if a public access drive is not provided from Linden Street to an adjoining street.
5. Provision of a recorded covenant that requires any interim or permanent use on the requested right-of-way or adjoining properties to be in conformance with a development plan approved by the City Council.
6. Wellmark, staff and adjoining property owners work together regarding access.

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

FORM APPROVED:

  
 Michael F. Kelley  
 Assistant City Attorney

(11-2011-1.16)

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

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.

  
 T. M. Franklin Cownie  
 Mayor

  
 Diane Rauh  
 City Clerk