

★ Roll Call Number

14-0850

Agenda Item Number

24

Date June 9, 2014

COMMUNICATION FROM THE PLAN AND ZONING COMMISSION
REGARDING A REQUEST FROM 505 EAST GRAND, LLC,
REPRESENTED BY JAKE CHRISTENSEN, FOR THE VACATION OF AIR
RIGHTS OVER PORTIONS OF E. 5TH STREET AND E. GRAND AVENUE
ADJOINING THE PROPERTY AT 505 EAST GRAND AVENUE TO
ALLOW FOR BUILDING EXTENSIONS OVER THE RIGHTS-OF-WAY

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on May 15, 2014, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from 505 East Grand, LLC, represented by Jake Christensen, for the vacation of air rights over portions of E. 5th Street and E. Grand Avenue adjoining the property at 505 E. Grand Avenue, and more specifically described as follows:

The East 7 feet of the E. 5th Street right-of-way lying West of and adjoining the North 65 feet of Lot 5; and the South 5 feet of the E. Grand Avenue right-of-way lying North of and adjoining the East 20 feet of Lot 4, in East Fort Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

to allow for projections of a proposed two-story building to over the public sidewalks in East 5th Street and East Grand Avenue at a height above 10 feet above grade, subject to the following conditions:

1. Any overhang elements shall generally be in accordance with the submitted building elevations and site sketch
2. Compliance with comments by the Urban Design Review Board for any portions of the proposed project that will affect the adjoining rights-of-way.
3. Compliance with street tree planting specifications approved by the Permit and Development Center through a revised landscaping plan. Tatarian Maple trees shall be placed in planter beds at the approved locations.

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

(continued)



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FORM APPROVED:

Roger K Brown
Roger K. Brown
Assistant City Attorney

(11-2014-1.03)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MAHAFFEY, MOORE, and 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.

Y. M. Franklin Council Mayor

Diane Rauh City Clerk