

★ Roll Call Number
15-1775

Agenda Item Number
16

Date October 26, 2015

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING REQUEST FROM HUBBELL TOWER II, LLC FOR VACATION OF AIR RIGHTS ADJOINING 915 MULBERRY STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on October 15, 2015, its members voted 13-0 in support of a motion to recommend **APPROVAL** of a request from Hubbell Tower II, LLC (owner), represented by Steve Niebuhr (officer), for vacation of air rights adjoining 915 Mulberry Street within the adjoining north 3.73-feet of Mulberry Street for a second floor canopy and a first floor awning, within the west 1.8-feet of 9th Street for light canopies, and within a 12-foot by 16.5 foot segment of the adjoining east/west alley for a pedestrian air bridge within the east/west alley, insofar as any proposed structure is constructed in compliance with the approved Site Plan.

MOVED by Hensley to receive and file the attached communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division.

FORM APPROVED:

Glenna K. Frank
 Glenna K. Frank
 Assistant City Attorney

(11-2015-1.19)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY				✓
MOORE	✓			
TOTAL	6			1
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.

Y. M. Franklin Mayor

Diane Rauh City Clerk