

★ Roll Call Number

18-0043

Agenda Item Number

22

Date January 8, 2018

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING REQUEST FROM 12TH STREET LOFTS, LLC FOR VACATION OF A PORTION OF THE NORTH/SOUTH ALLEY ADJOINING 121 12TH STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on December 21, 2017, its members voted 14-0 to recommend APPROVAL of a request from 12th Street Lofts, LLC (owner), represented by Ashley Aust (officer), for vacation of a 3.5-foot by 4-foot segment and a 5.5-foot by 12-foot segment of the surface rights within the north/south alley adjoining 121 12th Street, to allow an electrical room door and transformer enclosure access gates to encroach into the alley, subject to the following conditions:

- 1. Reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or are relocated;
2. Demonstration by the applicant that it is not feasible for the subject pedestrian door to swing inward to the satisfaction of the Planning Administrator; and
3. A window in the door shall be provided if it is determined by the Planning Administrator that the door cannot swing into the electrical room per condition #2.

MOVED by Gatto 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

(11-2017-1.19)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, and TOTAL (7).

MOTION CARRIED

APPROVED

T. M. Franklin Council Mayor

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.

Diane Rauh

City Clerk