

★ Roll Call Number

18-0450

Agenda Item Number

17

Date March 19, 2018

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING REQUEST FROM NEWBURY PROPERTY MANAGEMENT FOR VACATION OF AIR RIGHTS WITHIN EAST MARTIN LUTHER KING, JR. PARKWAY ADJOINING 401 SOUTHEAST 6<sup>TH</sup> STREET/400 SOUTHEAST 7<sup>TH</sup> STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on March 1, 2018, its members voted 9-0 to recommend APPROVAL of a request from Newbury Property Management (developer), represented by Frank Levy (officer), for vacation of air rights within the north 1 foot of East Martin Luther King, Jr. Parkway adjoining 401 Southeast 6<sup>th</sup> Street and 400 Southeast 7<sup>th</sup> Street, to allow for encroachment of upper story balconies for a multiple-family residential development.

MOVED by Matto 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

(11-2018-1.01)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin 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