



Roll Call Number

20-0420

Agenda Item Number

18

Date March 9, 2020

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING REQUEST FROM NEIGHBORHOOD DEVELOPMENT CORPORATION FOR VACATION OF SEGMENTS OF RIGHT-OF-WAY ADJOINING PROPERTY AT 2331 UNIVERSITY AVENUE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on February 20, 2020, its members voted 8-0 to recommend APPROVAL of a request from Neighborhood Development Corporation (owner), represented by Abbey Gilroy (officer), to vacate the below listed segments of public right-of-way, all adjoining property at 2331 University Avenue:

- 1. A 3-foot by 3.5-foot segment of University Avenue, to allow for an exterior door swing;
2. A 43.73-foot long by 0.40-foot segment of University Avenue to accommodate existing building encroachment;
3. Two 7.5-foot by 5-foot segments of University Avenue air rights to allow for canopies; and
4. A 46.77-foot by 0.90-foot segment of 24th Street to allow for existing building encroachment,

subject to the following conditions:

- 1. Reservation of any existing utilities until such time that they are abandoned or relocated at the applicant's expense.
2. Provision of bolsters or planters to both sides of the 3-foot by 3.5-foot proposed vacation into the public right-of-way on University Avenue as approved by the Planning Administrator.

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

FORM APPROVED:

Judy K. Parks-Kruse
Judy K. Parks-Kruse, Assistant City Attorney

(11-2020-1.01)

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

CERTIFICATE

I, P. Kay Cmelik, 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.

J. M. Franklin Cownie Mayor

P. Kay Cmelik City Clerk