



Roll Call Number

20-1864

Agenda Item Number

14

Date November 23, 2020

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING REQUEST FROM MIDAMERICAN ENERGY FOR VACATION OF SEGMENTS OF GARVER STREET RIGHT-OF-WAY, SOUTHEAST 16TH STREET RIGHT-OF-WAY, AND EAST/WEST ALLEY RIGHT-OF-WAY, IN THE VICINITY OF THE 900 BLOCK OF SOUTHEAST 15TH STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 5, 2020, its members voted 13-0 to recommend APPROVAL of a request from MidAmerican Energy (purchaser), represented by Tyler Gartenberg (agent), to vacate the following segments of street and alley right-of-way in the vicinity of the 900 block of Southeast 15th Street for development of an electrical substation:

- Garver Street from Southeast 15th Street to Southeast 16th Street;
Southeast 16th Street from the north side of the east/west alley between Garver Street and Vale Street to a point 94.5 feet south of Garver Street; and
The east/west alley between Garver Street and Vale Street from Southeast 15th Street and Southeast 16th Street;

Subject to the following conditions:

- Reservation of easements for any existing utilities until such time that they are abandoned or relocated at the expense of the City's successor in ownership of the vacated right-of-way;
Any major utilities and public service facilities use on the proposed vacated right-of-way shall be in accordance with a Conditional Use approval if granted by the Board of Adjustment; and
Any construction on the proposed vacated right-of-way shall be in accordance with all administrative comments as part of the Site Plan review.

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:

/s/ Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

(11-2020-1.14)

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

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.

MOTION CARRIED APPROVED

J. M. Franklin Cownie Mayor

P. Kay Cmelik City Clerk