

★ Roll Call Number
24-1234

Agenda Item Number
26

Date September 16, 2024

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING REQUEST FROM RALLY CAP PROPERTIES, LLC (OWNER), REPRESENTED BY RYAN FRANCOIS (OFFICER), REGARDING VACATION OF SURFACE RIGHTS-OF-WAY ADJOINING PROPERTY AT 601 24TH STREET AND 602 23RD STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on August 15, 2024 its members voted 13-1 to recommend **APPROVAL** of a request from Rally Cap Properties, LLC (Owner), represented by Ryan Francois (Officer), regarding vacation of surface rights-of-way adjoining property at 601 24th Street, and 602 23rd Street, to allow existing garden structures and a proposed perimeter fence to encroach into the right-of-way; such vacations include 8 feet along 24th Street and adjoining 601 24th Street, 6 feet along High Street and adjoining 601 24th Street, the vacated north/south alleyway, and 602 23rd Street, and 8 feet along 23rd Street and adjoining 602 23rd Street, subject to the reservation of any necessary easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense.

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.

SECOND BY Voss

APPROVED AS TO FORM:

/s/ Chas M. Cahill
Chas M. Cahill
Assistant City Attorney

(ROWV-2024-000008)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
COLEMAN	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			

CERTIFICATE

I, LAURA BAUMGARTNER, 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
Connie Boesen Mayor

Laura Baumgartner City Clerk