

★ Roll Call Number  
21-0457

Agenda Item Number  
14A

Date March 22, 2021

**RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION  
 REGARDING REQUEST FROM URBAN CAMPUS APARTMENTS LLLP FOR VACATION OF  
 AIR AND SUBSURFACE RIGHTS WITHIN 6<sup>TH</sup> AVENUE ADJOINING 1230 6<sup>TH</sup> AVENUE**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on March 4, 2021, its members voted 10-0 to recommend **APPROVAL** of a request from Urban Campus Apartments LLLP (owner), represented by Jack Hatch (partner), to vacate air and subsurface rights within the west three feet of 6<sup>th</sup> Avenue adjoining 1230 6<sup>th</sup> Avenue, to allow for encroachment of building structural footings and roof overhang elements for the “6<sup>th</sup> Avenue Flats” building being developed on said adjoining property.

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

(11-2021-1.03)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED		APPROVED		

J. M. Frank  
 Mayor

**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.

P. Kay Cmelik  
 City Clerk