



Roll Call Number

22-0039

Agenda Item Number

26

Date January 10, 2022

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING CITY-INITIATED REQUEST FOR VACATION OF A REMAINING EAST TO WEST ALLEY SEGMENT TO THE WEST OF 6TH AVENUE IN THE BLOCK BETWEEN WALNUT STREET AND MULBERRY STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on December 16, 2021, its members voted 10-0 to recommend **APPROVAL** of a City-initiated request to vacate an east-west alley segment within the 200 block and to the west of 6th Avenue, between Walnut Street and Mulberry Street. The adjoining properties are 218 6th Street to the north (owned by ND 22 Fleming LLC), 606 Walnut Street to the west (owned by Lawmark, LP) and 206 6th Avenue to the south (owned by 206 6th Avenue LLC). Recommendation of approval is subject to the following conditions:

1. Any fencing and/or gate(s) shall be architecturally compatible with the adjoining development, to the satisfaction of the City's Planning and Urban Design Administrator; and
2. Reservation of any necessary easements for any existing utilities until such time that they are abandoned or relocated.

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

Motion by Sheumaker to receive and file. Motion Failed 1-6. Nays: Cownie, FORM APPROVED: Boesen, Gatto, Mandelbaum, Voss and Westergaard.

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

(ROWV-2021-000005)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
SHEUMAKER		✓		
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6	1		

MOTION CARRIED

APPROVED

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