

★ Roll Call Number

23-1758

Agenda Item Number

26

Date December 18, 2023

**RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING REQUEST FROM MERGE, LLC (OWNER), REPRESENTED BY BRENT DAHLSTROM (OFFICER) FOR PROPERTY IN THE VICINITY OF 1236 24<sup>TH</sup> STREET, FOR VACATION OF AIR RIGHT-OF-WAY WITHIN THE 25<sup>TH</sup> STREET RIGHT-OF-WAY AND VACATION OF SUBSURFACE RIGHT-OF-WAY WITHIN THE CARPENTER AVENUE RIGHT-OF-WAY**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on December 7, 2023, its members voted 12-0 to recommend **APPROVAL** of a request from Merge, LLC (owner), represented by Brent Dahlstrom (officer), for property in the vicinity of 1236 24<sup>th</sup> Street, for vacation of approximately 95 square feet of air right-of-way within the 25th Street right-of-way, to allow the encroachment of a proposed building awning, and for vacation of approximately 16.5 square feet of subsurface right-of-way within the Carpenter Avenue right-of-way to allow the encroachment of proposed building footings, 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 Boesen

APPROVED AS TO FORM:

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

(ROWV-2023-000018)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			0

MOTION CARRIED

APPROVED

T.M. Franklin Cownie Mayor

**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.

Laura Baumgartner City Clerk