



Roll Call Number

Agenda Item Number

15

Date May 19, 2025

**RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION
REGARDING REQUEST FROM D. WRIGHT PROPERTIES, LLC (OWNER), REPRESENTED BY
DANE WRIGHT (OFFICER), FOR VACATION OF APPROXIMATELY 3,817 SQUARE FEET OF A
NORTH/SOUTH DEAD END ALLEY RIGHT-OF-WAY IN THE VICINITY OF 729 SOUTHWEST 63RD
STREET, WHICH IS WITHIN THE BLOCK BOUNDED BY WINONA AVENUE TO THE SOUTH AND
TONKA AVENUE TO THE NORTH**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on May 1, 2025, its members voted 10-0 to recommend **APPROVAL** of a request from D. Wright Properties, LLC (Owner), represented by Dane Wright (Officer), for vacation of approximately 3,817 square feet of a north/south dead end alley right-of-way in the vicinity of 729 Southwest 63rd Street, which is within the block bounded by Winona Avenue to the south and Tonka Avenue to the north, 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 _____ to receive and file the attached communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division.

SECOND BY _____.

APPROVED AS TO FORM:

/s/ Chas M. Cahill

Chas M. Cahill

Assistant City Attorney

(ROWV-2025-000002)

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

MOTION CARRIED

APPROVED

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.

City Clerk

Date May 19, 2025

Agenda Item 15

Roll Call # _____

May 6, 2025

Communication from the City Plan and Zoning Commission advising that at their May 1, 2025 meeting, the following action was taken on a request from D Wright Properties, LLC (owner), represented by Dane Wright (officer), for vacation of approximately 3,817 square feet of a north/south dead end alley right-of-way in the vicinity of 729 Southwest 63rd Street, which is within the block bounded by Winona Avenue to the south and Tonka Avenue to the north, to allow the vacated area to be assembled and maintained for private use.

COMMISSION RECOMMENDATION: 10-0

After public hearing, the members voted as follows:

Commission Action:	Yes	Nays	Pass	Abstain	Absent
Francis Boggus	X				
Leah Rudolphi	X				
Kayla Berkson	X				
Chris Draper	X				
Laura Kessel	X				
Todd Garner					X
Johnny Alcivar					X
Carolyn Jenison	X				
William Page	X				
Andrew Lorentzen					X
Emily Webb					X
Katie Gillette	X				
Rick Trower	X				
Jane Rongerude	X				

Approval of the requested right-of-way vacation, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense, as well as provision of any necessary no-build easements.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the requested right-of-way vacation, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense, as well as provision of any necessary no-build easements.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The proposed vacation would enable the adjoining property owner to assemble a north/south dead-end alley right-of-way, with their properties. This includes multiple parcels adjacent to the west of the right-of-way. The applicant intends to combine the parcels and the vacated right-of-way, to develop the property for a future vehicle rental business. Staff notes that any commercial use of the adjoining property would be subject to a future rezoning.
2. **Size of Site:** 16 feet by 238 feet (3,817 square feet).
3. **Existing Zoning (site):** "N3b" Neighborhood District.
4. **Existing Land Use (site):** The subject area consists of undeveloped all right-of-way.
5. **Adjacent Land Use and Zoning:**
 - North* – "N3b" and "N3a"; Use is one-household residential.
 - South* – "N3b" and "MX3", Uses are one-household residential and an auto parts store.
 - East* – "N3b"; Use is one-household residential.
 - West* – "N3b", Use is undeveloped land, that was formerly State right-of-way.
6. **General Neighborhood/Area Land Uses:** The applicant's property consists of six (6) undeveloped vacant parcels fronting Southwest 63rd Street. The surrounding area consists of predominantly residential uses with a few auto oriented commercial uses at the intersection of Southwest 63rd Street and Winona Avenue.
7. **Applicable Recognized Neighborhood(s):** The subject property is not within 250 feet of a designated Neighborhood Association. All neighborhood associations were notified of the public hearing by emailing of the Preliminary Agenda on April 11, 2025, and of the Final Agenda on April 25, 2025. Additionally, separate notifications of the hearing for this specific item were mailed on April 11, 2025 (20 days prior to the public hearing) and April 21, 2025 (10 days prior to the public hearing) to the Neighborhood Association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site.

All notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Services Department on the date of the mailing.
8. **Relevant Zoning History:** None.
9. **PlanDSM: Creating Our Tomorrow Land Use Plan Designation:** Low Density Residential.

10. Applicable Regulations: Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission reviews all proposals to vacate land dedicated for a specific public purpose, such as for streets and parks, to determine whether the land is still needed for such purpose or may be released (vacated) for other use. The recommendation of the Commission is forwarded to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

- 1. Utilities:** There is an existing sanitary sewer line within the requested right-of-way. Easements must be reserved for any existing utilities until such time that they are abandoned or relocated at the applicant's expense.
- 2. Traffic/Access:** The requested vacation would not negatively impact access to private properties or traffic patterns.
- 3. Zoning and Land Use:** The current zoning of the property including the parcels and the alley right-of-way is "N3b" Neighborhood District. Any future commercial use of the property will require a rezoning to the appropriate zoning district. A concurrent amendment to PlanDSM's future land use map will also be necessary.

SUMMARY OF DISCUSSION

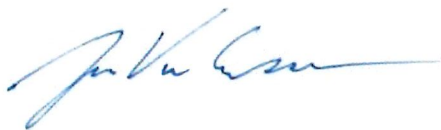
Leah Rudolphi asked if any member of the public or commission desired to speak on the item. No one requested to speak.

COMMISSION ACTION

Carolyn Jenison made a motion for approval of the requested right-of-way vacation, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense, as well as provision of any necessary no-build easements.

THE VOTE: 10-0

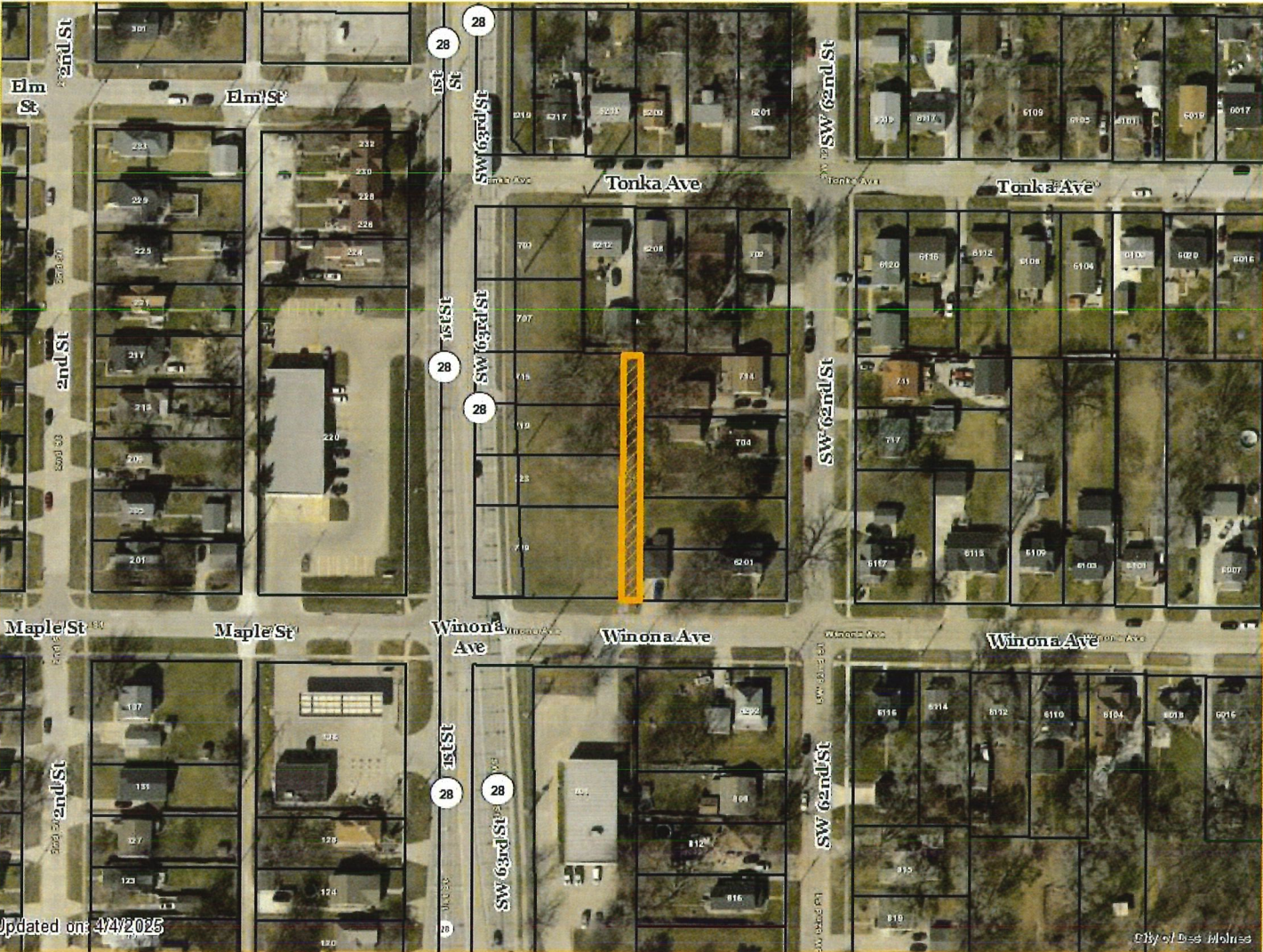
Respectfully submitted,



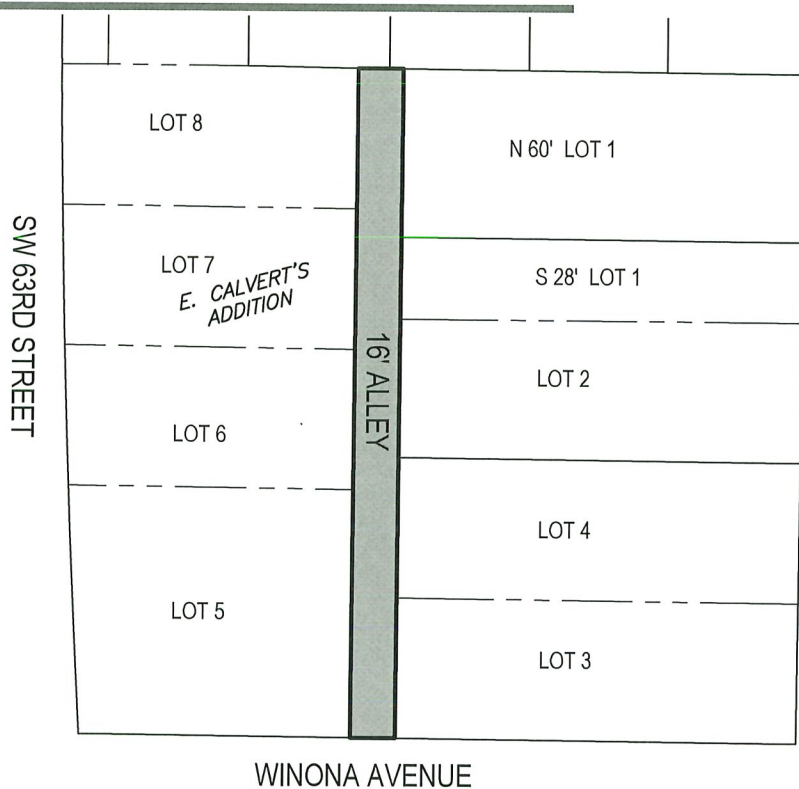
Jason Van Essen

Planning & Urban Design Administrator

JMV:mrw



VACATION EXHIBIT



PROPERTY DESCRIPTION:
THE NORTH/SOUTH 16 FOOT ALLEY EAST OF AND
ADJACENT TO LOTS 5-8 OF E. CALVERT'S ADDITION TO
THE CITY OF DES MOINES, POLK COUNTY, IOWA
CONTAINING 3817 SQUARE FEET

OWNER:
CITY OF DES MOINES

PREPARED FOR:
DANE WRIGHT
D. WRIGHT PROPERTIES, LLC,
325 GARFIELD STREET,
CARLISLE, IOWA 50047



VACATION EXHIBIT
729 SW 63RD STREET
DES MOINES, IOWA

REFERENCE NUMBER:

DRAWN BY:
JPN

PROJECT NUMBER:
240157







Item: ROWV-2025-000002

Date: _____

Please mark one of the following:

☒ I support the request

☒ ~~I am undecided~~

☐ I oppose the request

RECEIVED
DEVELOPMENT SERVICES

APR 29 2023

Titleholder Signature: Idal R. ...

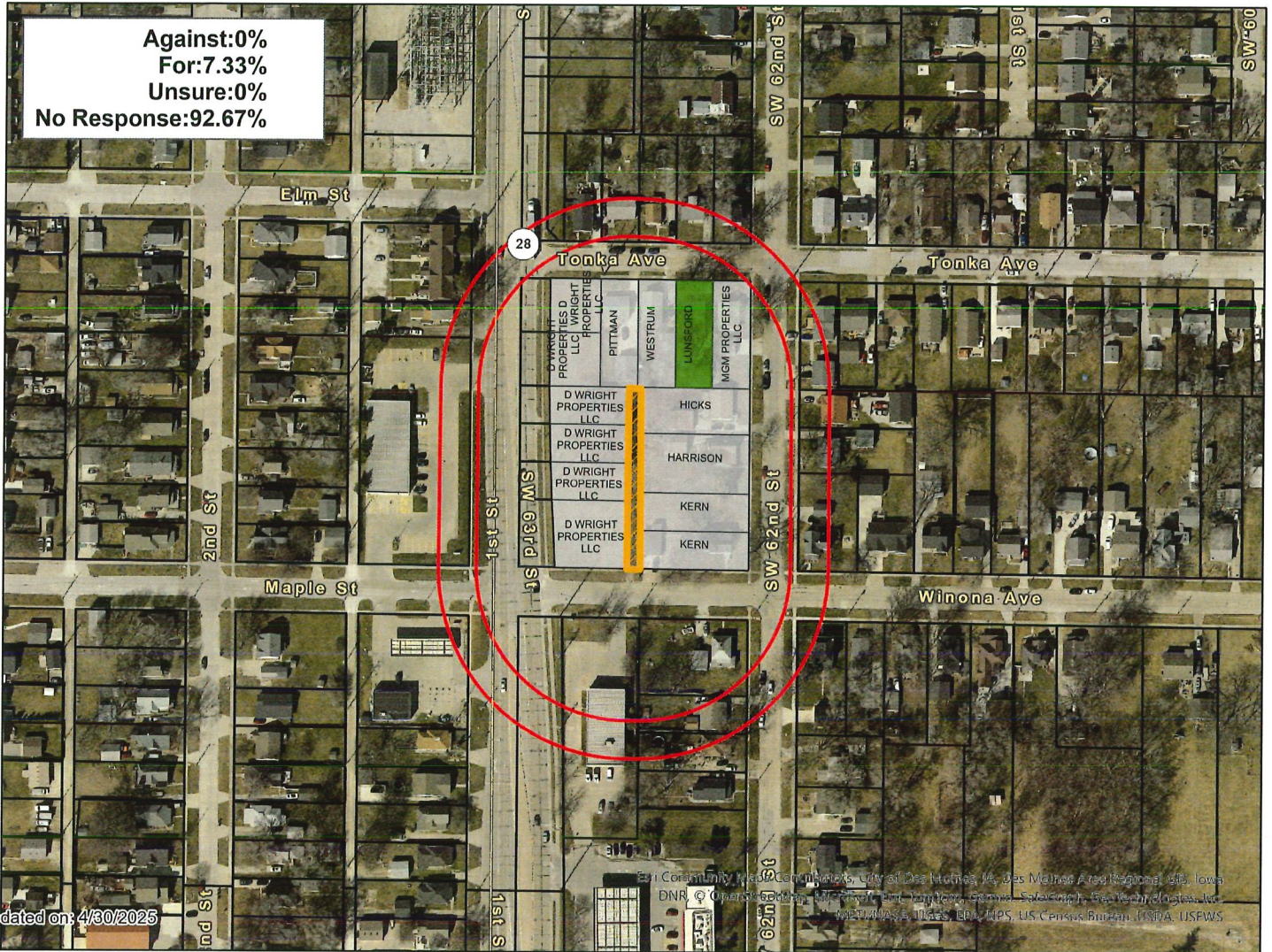
Name/Business: _____

Impacted Address: 16206 TONKA - DSM

Comments: Asset for the neighborhood

D Wright Construction LLC Vicinity of 729 SW 63rd Street

ROWV-2025-000002



Updated on: 4/30/2025

OWNER AFFIDAVIT



The City of Des Moines requires Property Owner's Consent for each development application. A completed and signed copy of this form is required to be included with every application request. For property with more than one owner/titleholder, each owner/titleholder must sign a copy of this form. If the owner/titleholder of the property is an organization/entity, proof of signature authority on behalf of the organization/entity must be attached to this form.

I D. Wright Properties am the Titleholder(s)/Owner(s), or authorized representative of
(printed name)

the Titleholder(s)/Owner(s), of the property located at 729 SW 63rd Street
(address)

in Des Moines, Iowa.

I hereby give consent to the submittal and consideration of the following application regarding my property:

- ☐ Zoning Map Amendment (Rezoning)
- ☐ Land Use Plan Amendment
- ☐ PUD Amendment
- ☒ Right-of-Way Vacation
- ☐ Conditional Use Approval
- ☐ Zoning Exception
- ☐ Zoning Variance
- ☐ Site Plan
- ☐ Plat of Survey
- ☐ Preliminary Plat
- ☐ Large-Scale Development Plan
- ☐ Type 2 Design Alternative
- ☐ Other (write in): _____

I am authorized to submit this application on behalf of the Titleholder/Owner. I certify under penalty of perjury and according to the laws of the State of Iowa that the foregoing is true and correct.

Signature: _____
Address: Box 550 Central Iowa
(business or personal)

Date: 3/18/25
50047

Signature: _____
Address: _____
(business or personal)

Date: _____