



Roll Call Number

Agenda Item Number

20

Date July 14, 2025

**RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION
REGARDING CITY INITIATED REQUEST FOR VACATION OF MULTIPLE SEGMENTS OF RIGHT-
OF-WAY IN THE VICINITY OF 201 SOUTHEAST 7TH STREET**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 26, 2025, its members voted 13-0 to recommend **APPROVAL** of a City initiated request for vacation multiple segments of right-of-way in the vicinity of 201 Southeast 7th Street, for purposes of a project to remove the roadways for incorporation into a naturalized detention park on the eastern portion of the Market District, 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 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-2025-000008)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT	<div>CERTIFICATE</div> <div>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.</div> <div>IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.</div>
BOESEN					
SIMONSON					
VOSS					
COLEMAN					
WESTERGAARD					
MANDELBAUM					
GATTO					
TOTAL					
MOTION CARRIED					
APPROVED					
<div></div> <div>_____ Mayor</div>					

<div></div> <div>_____ City Clerk</div>

Date July 14, 2025

Agenda Item 20

Roll Call # _____

June 30, 2025

Communication from the City Plan and Zoning Commission advising that at their June 26, 2025 meeting, the following action was taken on a City initiated request for vacation of multiple segments of right-of-way in the vicinity of 201 Southeast 7th Street, for purposes of a project to remove the roadways for incorporation into a naturalized detention park on the eastern portion of the Market District.

COMMISSION RECOMMENDATION: 13-0

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				
John Erpelding	X				

Approval of the requested right-of-way vacations, 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.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the requested right-of-way vacations, 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.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The proposed vacations would be assembled with a larger area on the eastern side of the Market District for a naturalized park that is primarily for helping manage stormwater.

The Market District Plan describes the proposed park as a subtle bowl shape in the ground surrounded by Iowa-native plants will help with containing stormwater and outflow under Southeast 9th Street. The largest for the Market District neighborhood, it will go from the Southeast 14th Street bridge to East 7th Street and will be bordered to the north by the walking trail from Red Bridge and MLK Jr Pkwy on the south.

2. **Size of Site:** The requested segments of right-of-way comprise approximately 6.64 acres (289,290.271 square feet).
3. **Existing Zoning (site):** "DX2" and "DXR" Downtown Districts.
4. **Existing Land Use (site):** The requested segment are undeveloped street and alley rights-of-way in an area generally bounded by Southeast 7th Street to the west, Iowa Interstate Railroad to the north, Southeast 14th Street bridge to the east, and East Elm Street/BNSF Railroad right-of-way to the south.
5. **Adjacent Land Use and Zoning:**
 - North** – "DXR", "DX2"; Vacant undeveloped land and Iowa Interstate Railroad right-of-way.
 - South** – "DXR", "DX2"; Uses are heavy industrial, warehousing and BNSF Railroad right-of-way.
 - East** – "DX2"; Uses are undeveloped vacant land and Iowa Interstate Railroad right-of-way.
 - West** – "DX2", Uses are multiple-household residential.
6. **General Neighborhood/Area Land Uses:** The subject area consists of multiple segments of street and alley right-of-way that are in the eastern portion of the Market District. The surrounding area is transitioning from industrial to mixed use. It currently contains a mix of downtown focused residential, open undeveloped land, miscellaneous industrial, and other railroad focused uses.

7. **Applicable Recognized Neighborhood(s):** The subject properties are located within the Historic East Village Neighborhood Association. All recognized neighborhood associations were notified of the meeting by emailing of the Preliminary Agenda on June 6, 2025, and by emailing of the Final Agenda on June 20, 2025. Additionally, separate notifications of the hearing for this specific item were mailed on June 16, 2025 (10 days prior) to the applicable neighborhood associations and to the primary titleholder on file with the Polk County Assessor for each property adjoining the requested public Right-of-Way.
8. **Relevant Zoning History:** None.
9. **PlanDSM: Creating Our Tomorrow Land Use Plan Designation:** Downtown Mixed Use.
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:** Identified utilities located in or near the impacted area include water valves, water hydrants, distribution water mains, sanitary sewer conduit, sanitary sewer manholes, and non-City-owned streetlights. 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 vacations would not negatively impact access to private properties or traffic patterns.
3. **Market District Plan:** The City's Market District Plan envisions this formerly industrial area at the edge of downtown as a mix of housing, office, retail, hospitality and entertainment. This 10 block, 39-acre area is rapidly transitioning with future redevelopment projects in the pipeline and seeks to make the area highly walkable. One of the key features proposed on the eastern corner of the District is a naturalized park that is primarily for managing stormwater. A subtle bowl shape in the ground surrounded by Iowa-native plants will help with containing stormwater and outflow under Southeast 9th Street. The western edge will be like a town square with a pavilion, playground, and large lawn. The other plan for this park is to include boardwalks and shared paths for walking, running, and bicycling.

III. STAFF RECOMMENDATION

Staff recommends approval of the requested right-of-way vacations, 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.

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 Jennison made a motion for approval of the requested right-of-way vacations, 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.

THE VOTE: 13-0

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jason Van Essen", written in a cursive style.

Jason Van Essen

Planning & Urban Design Administrator

JMV:mrw

City of Des Moines, Vicinity of 201 Southeast 7th Street

ROWV-2025-000008

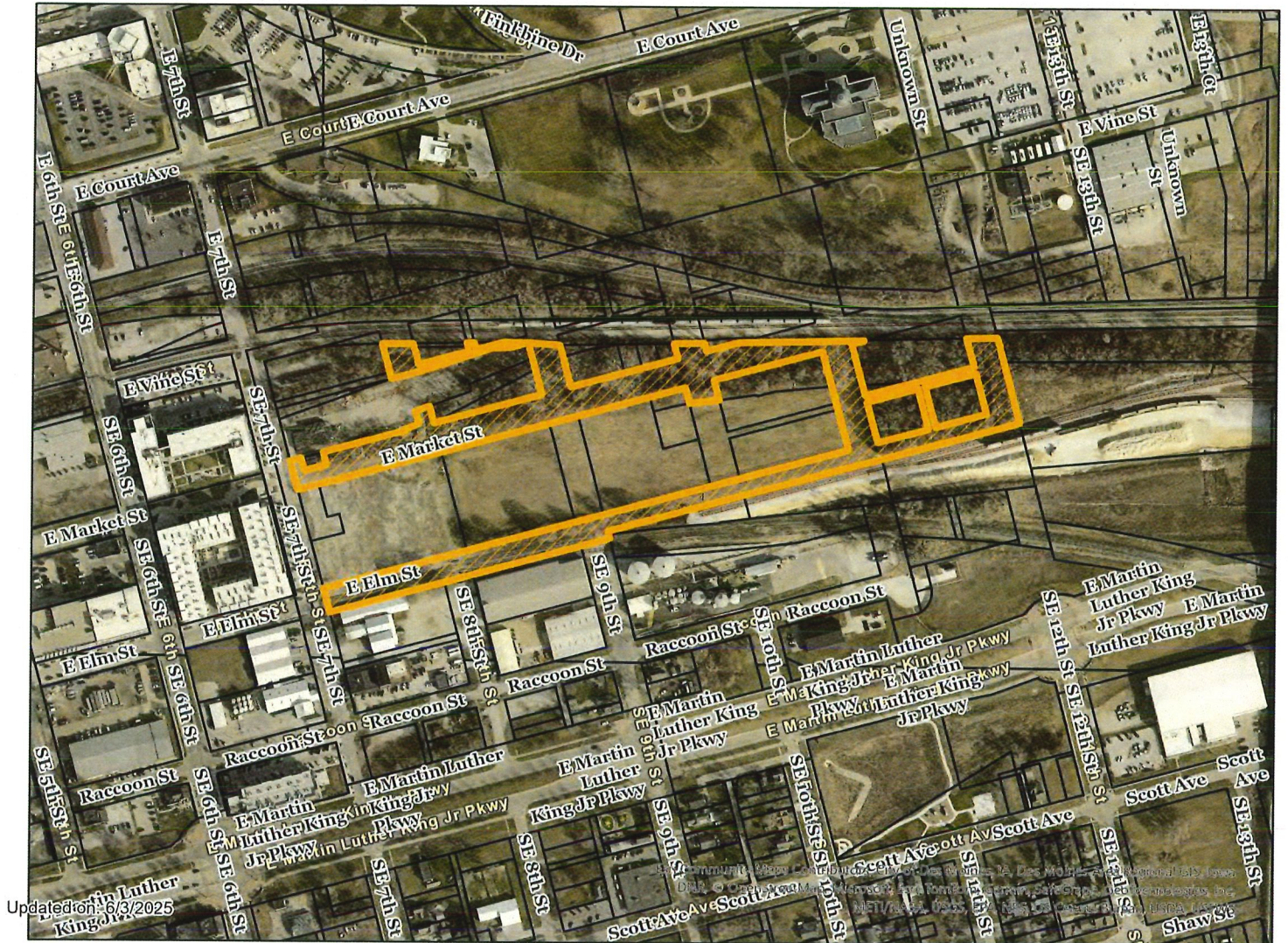
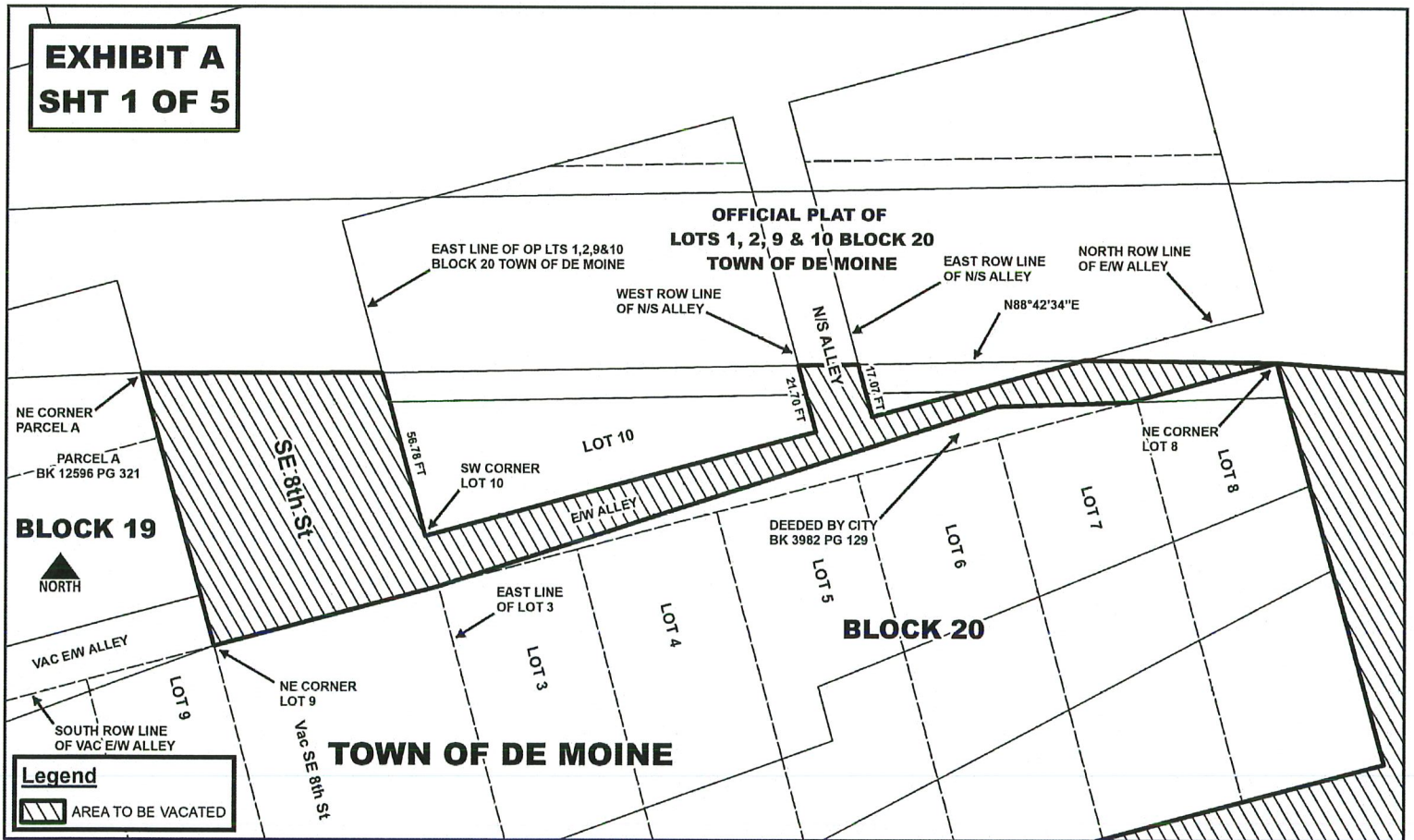
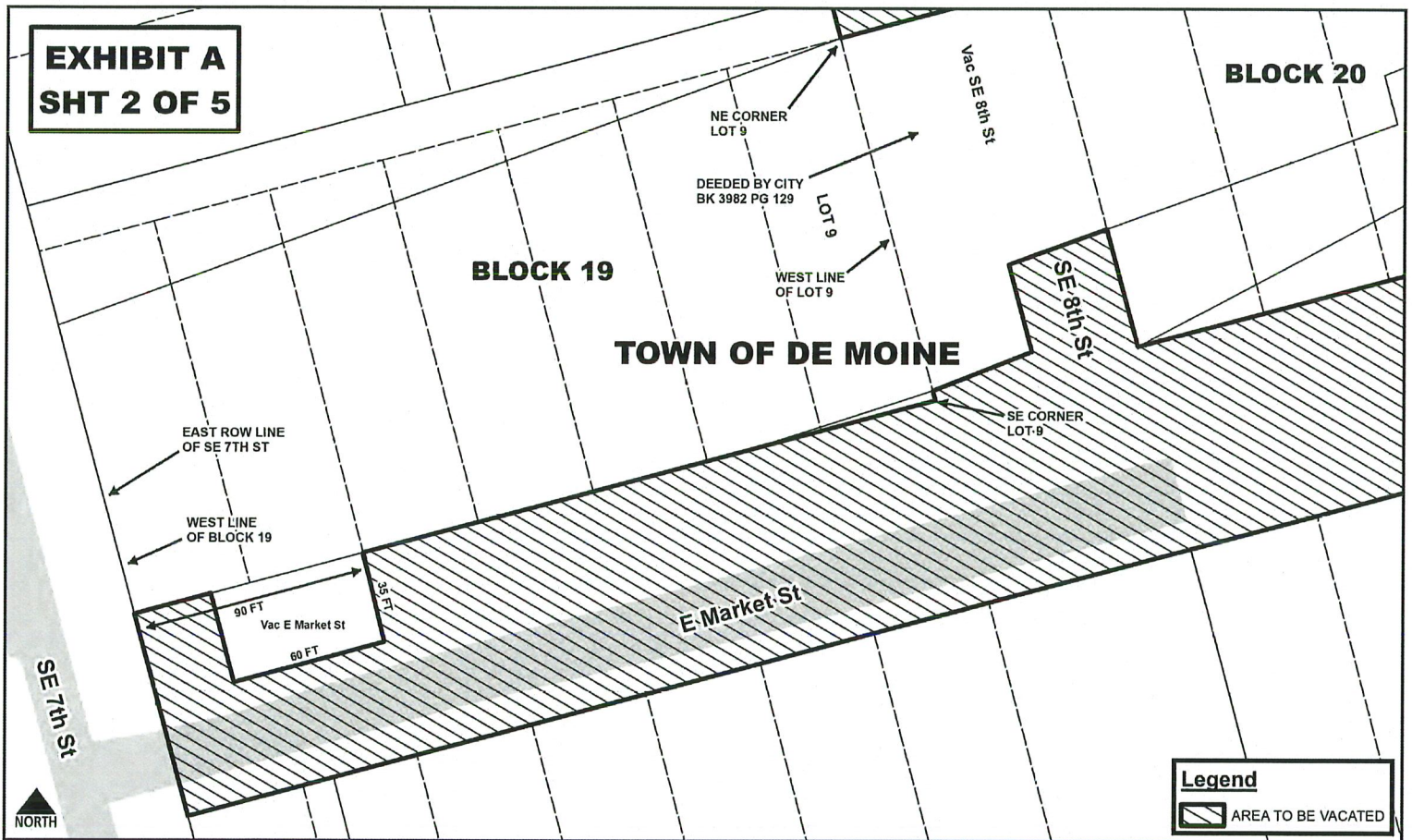




EXHIBIT A
SHT 1 OF 5





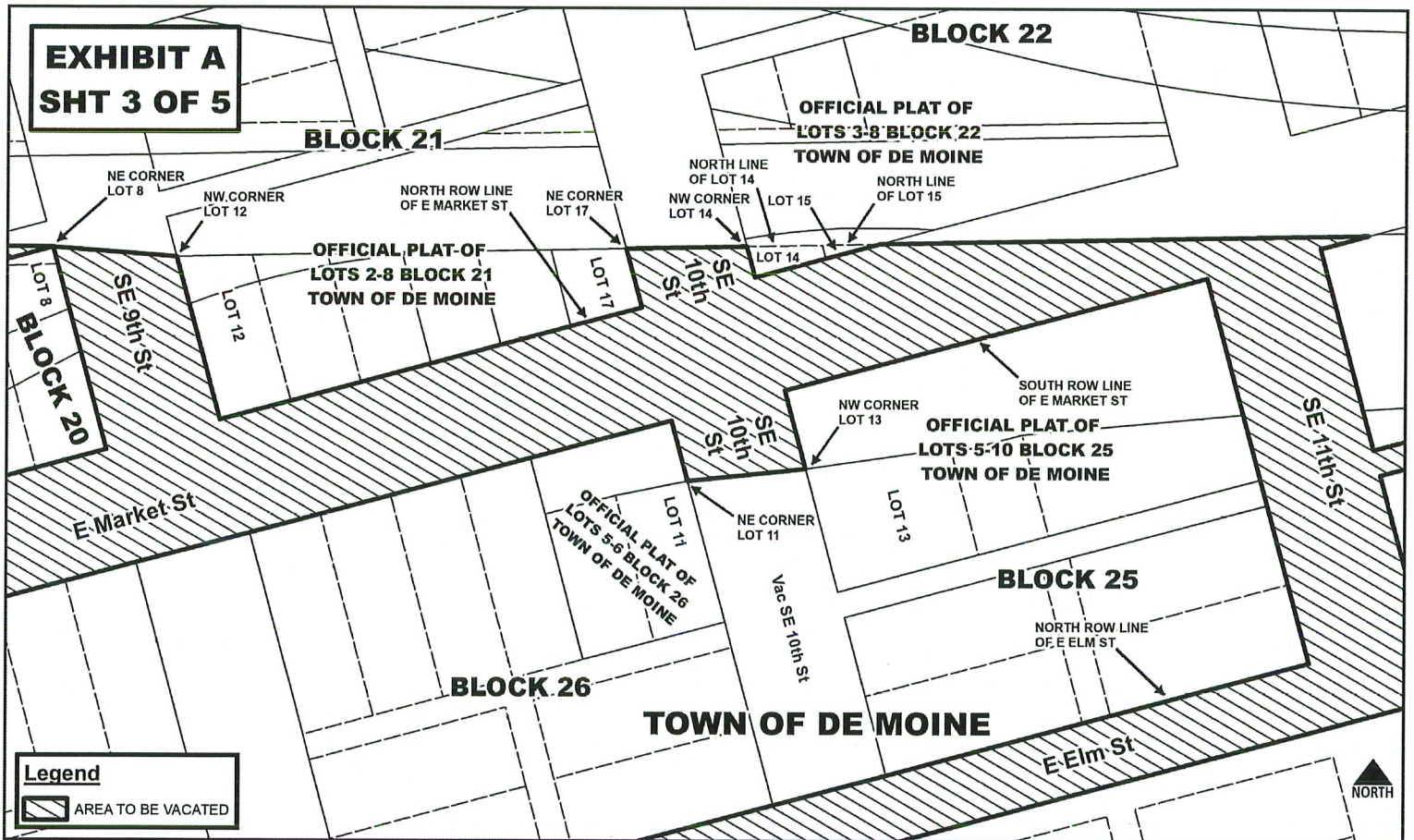
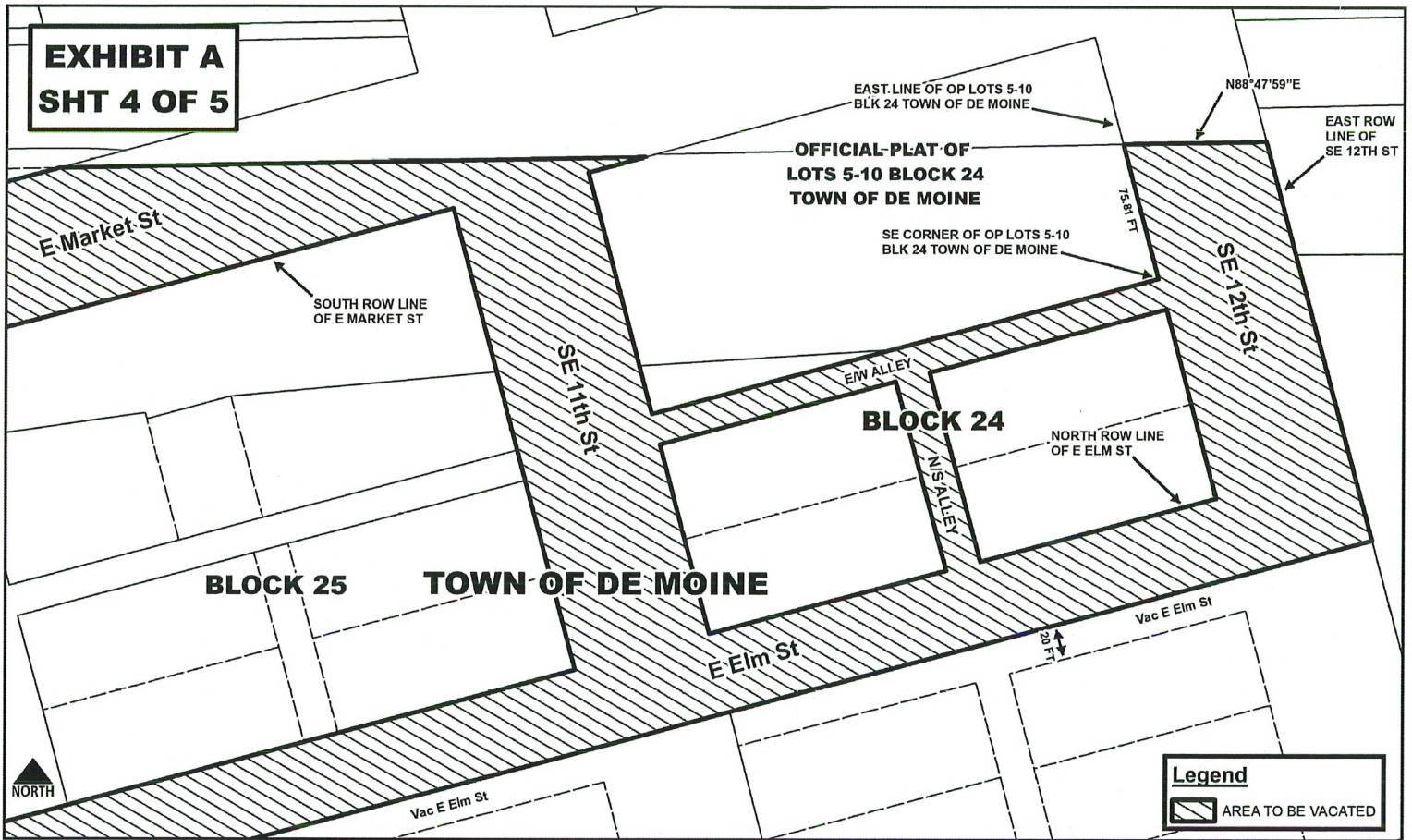
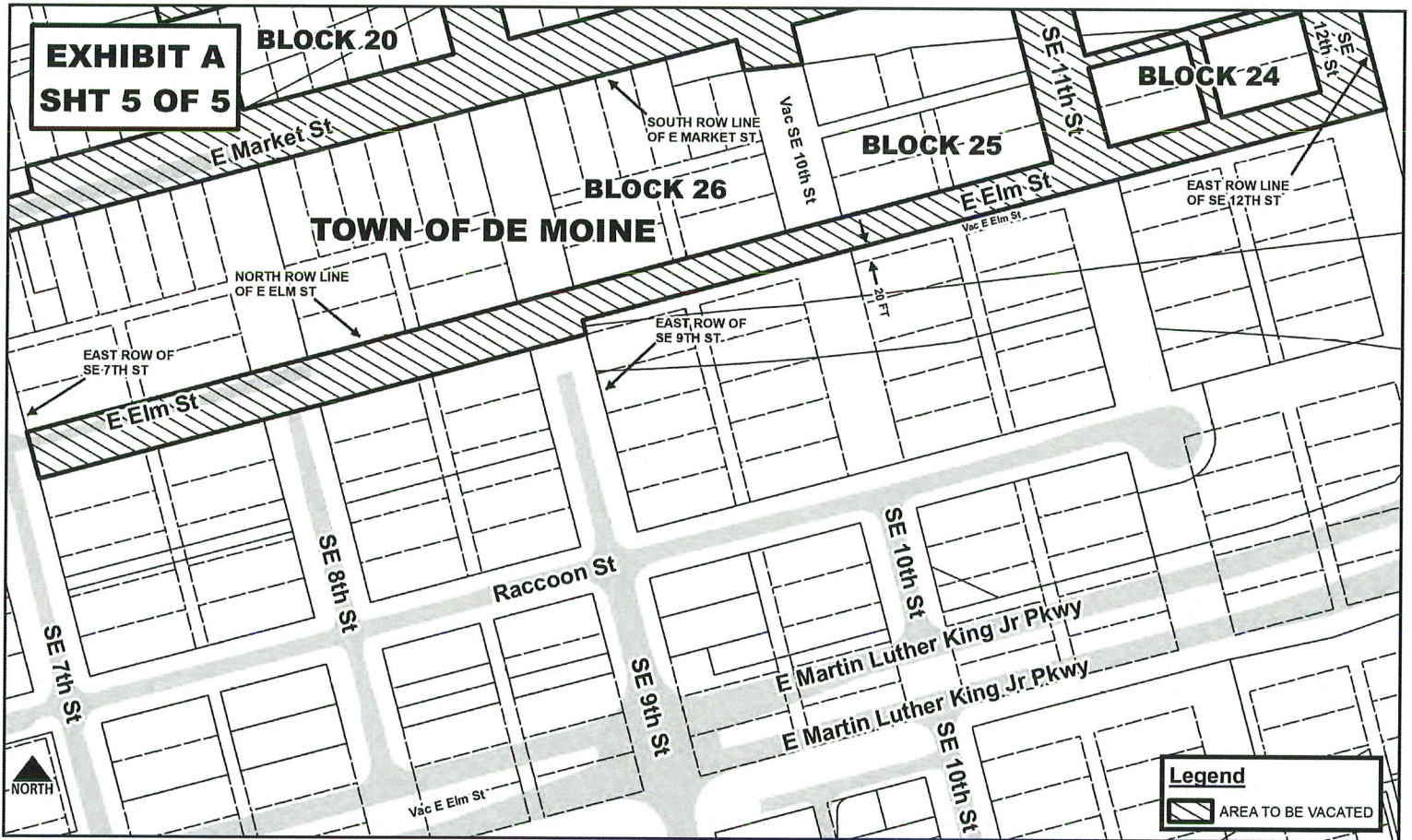


EXHIBIT A
SHT 4 OF 5





City of Des Moines, Vicinity of 201 Southeast 7th Street

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