



**Roll Call Number**

**Agenda Item Number**

22

**Date** August 4, 2025

**RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING REQUEST FROM LINETTE QUINTANILLA (OWNER), FOR VACATION OF APPROXIMATELY 2,758 SQUARE FEET OF AN EAST/WEST ALLEY RIGHT-OF-WAY IN THE VICINITY OF 232 EAST 16<sup>TH</sup> COURT, WHICH IS WITHIN THE BLOCK BOUNDED BY EAST 16<sup>TH</sup> COURT TO THE EAST AND A NORTH/SOUTH ALLEYWAY BETWEEN DEAN AVENUE AND EAST COURT AVENUE**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on July 17, 2025, its members voted 11-0 to recommend **APPROVAL** of a request from Linette Quintanilla (Owner), for vacation of approximately 2,758 square feet of an east/west alley right-of-way in the vicinity of 232 East 16<sup>th</sup> Court, which is within the block bounded by East 16<sup>th</sup> Court to the east and a north/south alleyway between Dean Avenue and East Court Avenue, 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-2025-000006)

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

July 18, 2025

Communication from the City Plan and Zoning Commission advising that at their July 17, 2025 meeting, the following action was taken on a request from Linette Quintanilla (owner), for vacation of approximately 2,758 square feet of an east/west alley right-of-way in the vicinity of 232 East 16<sup>th</sup> Court, which is within the block bounded by East 16<sup>th</sup> Court to the east and a north/south alleyway between Dean Avenue and East Court Avenue, to allow the vacated area to be assembled and maintained for private use.

**COMMISSION RECOMMENDATION: 11-0**

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 alley Right-of-Way vacation, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated and subject to provision of any necessary no-build easements.

## **STAFF RECOMMENDATION TO THE P&Z COMMISSION**

Staff recommends approval of the requested alley Right-of-Way vacation, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated and subject to provision of any necessary no-build easements.

## **STAFF REPORT TO THE PLANNING COMMISSION**

1. **Purpose of Request:** The proposed vacation would enable the Right-of-Way to be assembled with the adjoining property and maintained for private residential use.
2. **Size of Site:** 16 feet by 172 feet (2,758 square feet).
3. **Existing Zoning (site):** "N3c" Neighborhood District.
4. **Existing Land Use (site):** The subject area is undeveloped alley Right-of-Way.
5. **Adjacent Land Use and Zoning:**

North – "N3c"; Uses are one-household residential dwelling units.

South – "N3c"; Use is a one-household residential dwelling.
6. **General Neighborhood/Area Land Uses:** The applicant owns the parcel adjacent to the south of the alley Right-of-Way. The undeveloped alley Right-of-Way extends from East 16<sup>th</sup> Court to the east to a north/south alley between Dean Avenue and East Court Avenue. The surrounding area consists of predominantly low density residential with heavy industrial uses to the east.
7. **Applicable Recognized Neighborhood(s):** The subject property is within the Capitol East Neighborhood Association. All neighborhood associations were notified of the public hearing by emailing of the Preliminary Agenda on June 27, 2025, and of the Final Agenda on July 11, 2025. Additionally, separate notifications of the hearing for this specific item were mailed on June 27, 2025 (20 days prior to the public hearing) and July 7, 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:** No existing utilities have been identified within the subject Right-of-Way. Easements must be reserved for any existing utilities until such time that they are abandoned or relocated.
2. **Traffic/Access:** The requested vacation would not negatively impact access to private properties or impact traffic patterns.

## **III. STAFF RECOMMENDATION**

Staff recommends approval of the requested alley Right-of-Way vacation, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated and subject to provision of any necessary no-build easements.

## **SUMMARY OF DISCUSSION**

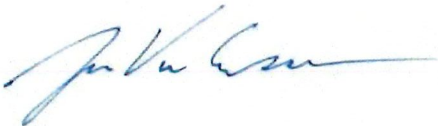
Leah Rudolphi asked if any member of the public or commission desired to speak on the item. No one requested to speak.

## **COMMISSION ACTION**

Francis Boggus made a motion for approval of the requested alley Right-of-Way vacation, subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated and subject to provision of any necessary no-build easements.

## **THE VOTE: 11-0**

Respectfully submitted,



Jason Van Essen

Planning & Urban Design Administrator

JMV:mrw



Linette Quintanilla, 232 East 16th Court

ROWV-2025-000006









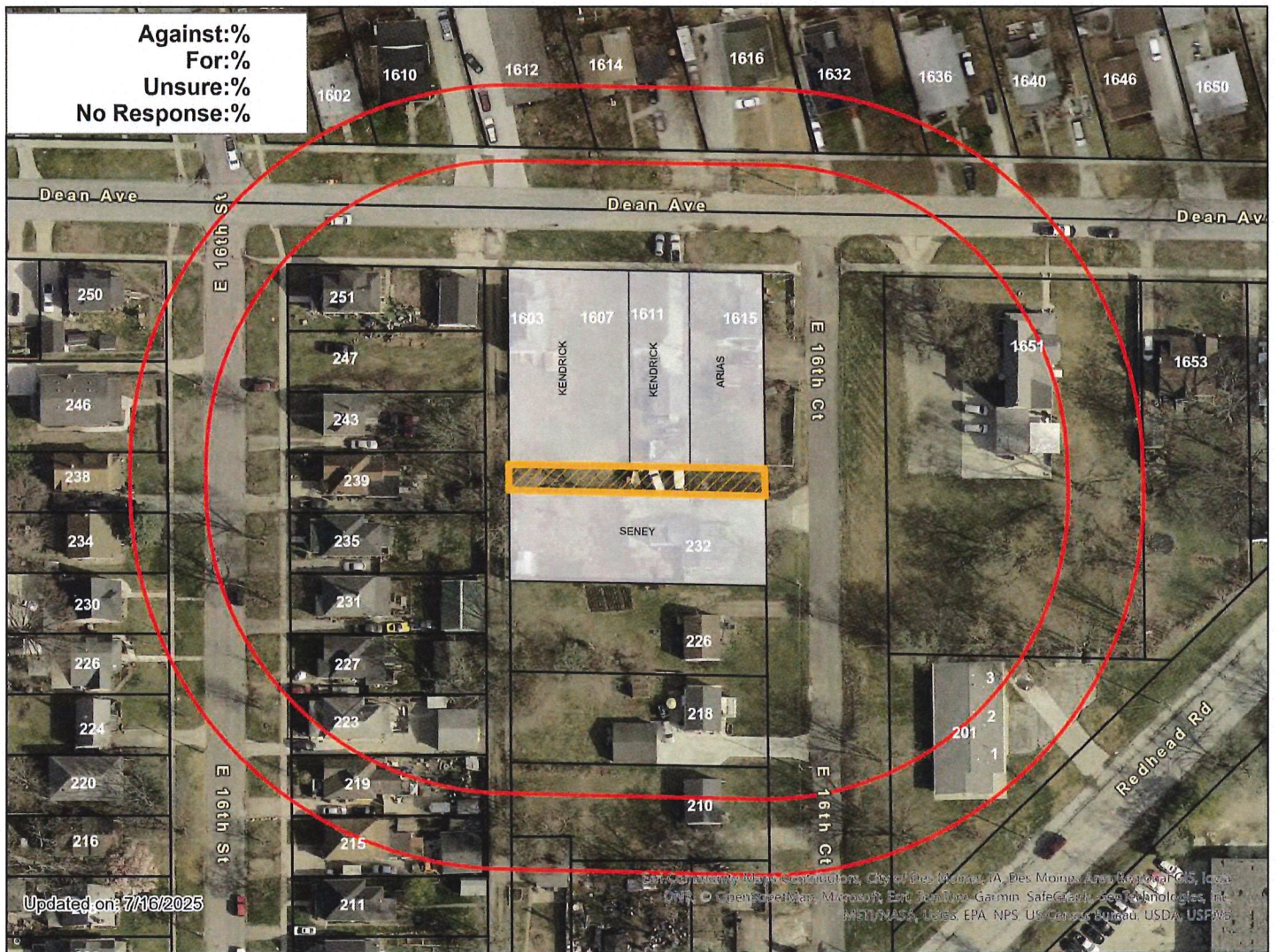








Against:%  
For:%  
Unsure:%  
No Response:%



Consent to Vacation and Sale of Alley or Street Right-of-Way

REGARDING the East/West / North/South alley or street right-of-way in the block bounded by the following Streets:

North Alleyway  
232 E 16th at DSM 50316

The undersigned owners hereby consent to the City of Des Moines vacating (closing) the alley or street described above and to the City offering such alley or street for sale to the owner(s) of the adjoining property(s).

The undersigned represent and warrant that they are the owners of property at the address identified below which adjoins such alley or street.

Date: X 5/11/25

X James Rucker  
(Signature)

\_\_\_\_\_  
(Signature of 2nd Owner)

X James Kendrick  
(Printed Name)

\_\_\_\_\_  
(Printed Name)

Address of adjoining Property:

Mailing Address-if different:

X 1603 Dean Ave & 1611 Dean Ave DSM 50316

Des Moines, IA 50316  
(Zip Code)

Legal Description of Adjoining Property (if known):  
\_\_\_\_\_  
\_\_\_\_\_

✓ Check applicable line:

☐ I/We are interested in purchasing the adjoining portion of the alley or street. This is not a commitment to purchase.

☒ I/We are not interested in purchasing the adjoining portion of the alley or street and consent to the sale of the entire alley to the owner of the property on the other side of the alley or street.

\*\*\*\*\*Community Development Department Use Only \*\*\*\*\*

Case No. 11-20 - 1.   

Received: \_\_\_\_\_

Applicant: \_\_\_\_\_



Applicant: \_\_\_\_\_

Linette Quintanilla, 232 East 16th Court

ROWV-2025-000006

