



Date August 4, 2025

**SET HEARING FOR VACATION OF THE NORTH/SOUTH ALLEY RIGHT-OF WAY
LOCATED EAST OF AND ADJOINING 715, 719, 723 AND 729 SW 63RD STREET AND
CONVEYANCE TO D. WRIGHT PROPERTIES, LLC FOR \$28,500**

WHEREAS, on May 19, 2025, by Roll Call No. 25-0732, the City Council of the City of Des Moines, Iowa voted to receive and file a communication from the City Plan and Zoning Commission to vacate approximately 3,817 square feet of the north/south 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 (hereinafter “Property”), subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated at no cost to the City; and

WHEREAS, D. Wright Properties, LLC, owner of 715, 719, 723 and 729 SW 63rd Street, Des Moines, Iowa, has offered to the City of Des Moines (“City”) the purchase price of \$28,500.00 for the Property to allow for assemblage with their adjoining properties, subject to the reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated, which price reflects the fair market value of the City Property as determined by the City’s Real Estate Division; and

WHEREAS, there is no known current or future public need for the Property proposed to be vacated and sold, and the City will not be inconvenienced by the vacation and sale of said Property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

1. That the City Council of the City of Des Moines, Iowa, shall consider adoption of an ordinance permanently vacating the north/south alley right-of-way located east of and adjoining 715, 719, 723 and 729 SW 63rd Street, Des Moines, Iowa, legally described as follows:

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

2. The City Council of the City of Des Moines, Iowa, further proposes to sell the vacated alley right-of-way, located east of and adjoining 715, 719, 723 and 729 SW 63rd Street, Des Moines, Iowa, as legally described below, to D. Wright Properties, LLC for \$28,500.00, subject to reservation of easements therein:

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THE VACATED 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

3. That the meeting of the City Council at which the adoption of said ordinance and the sale and conveyance of such right-of-way is to be considered shall be on August 18, 2025, said meeting to be held at 5:00 p.m., in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa. At that time the City Council will consider the above-described proposal, and any other(s) submitted prior to or during the public hearing. Persons interested in the proposal will be given the opportunity to express their views at that hearing.
4. The City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached all in accordance with §362.3 of the Iowa Code.
5. Non-project related land sale proceeds are used to support general operating budget expenses: Org – EG064090.

Moved by _____ to adopt. Second by _____.

APPROVED AS TO FORM:

/s/ Grant Hyland
Grant Hyland, Assistant City Attorney

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

MOTION CARRIED

APPROVED

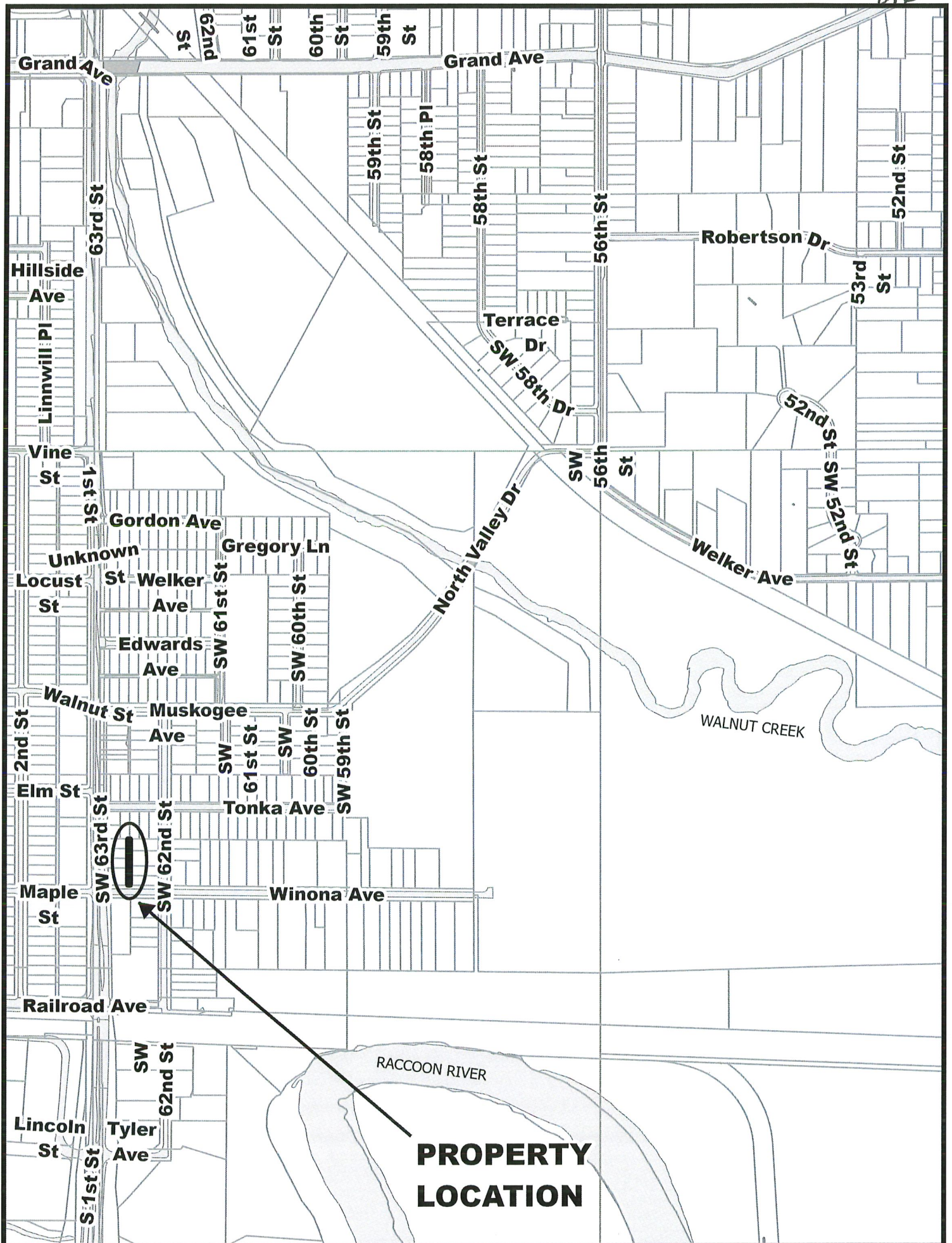
Mayor

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.

Laura Baumgartner, City Clerk



Date August 4, 2025

Agenda Item 26

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

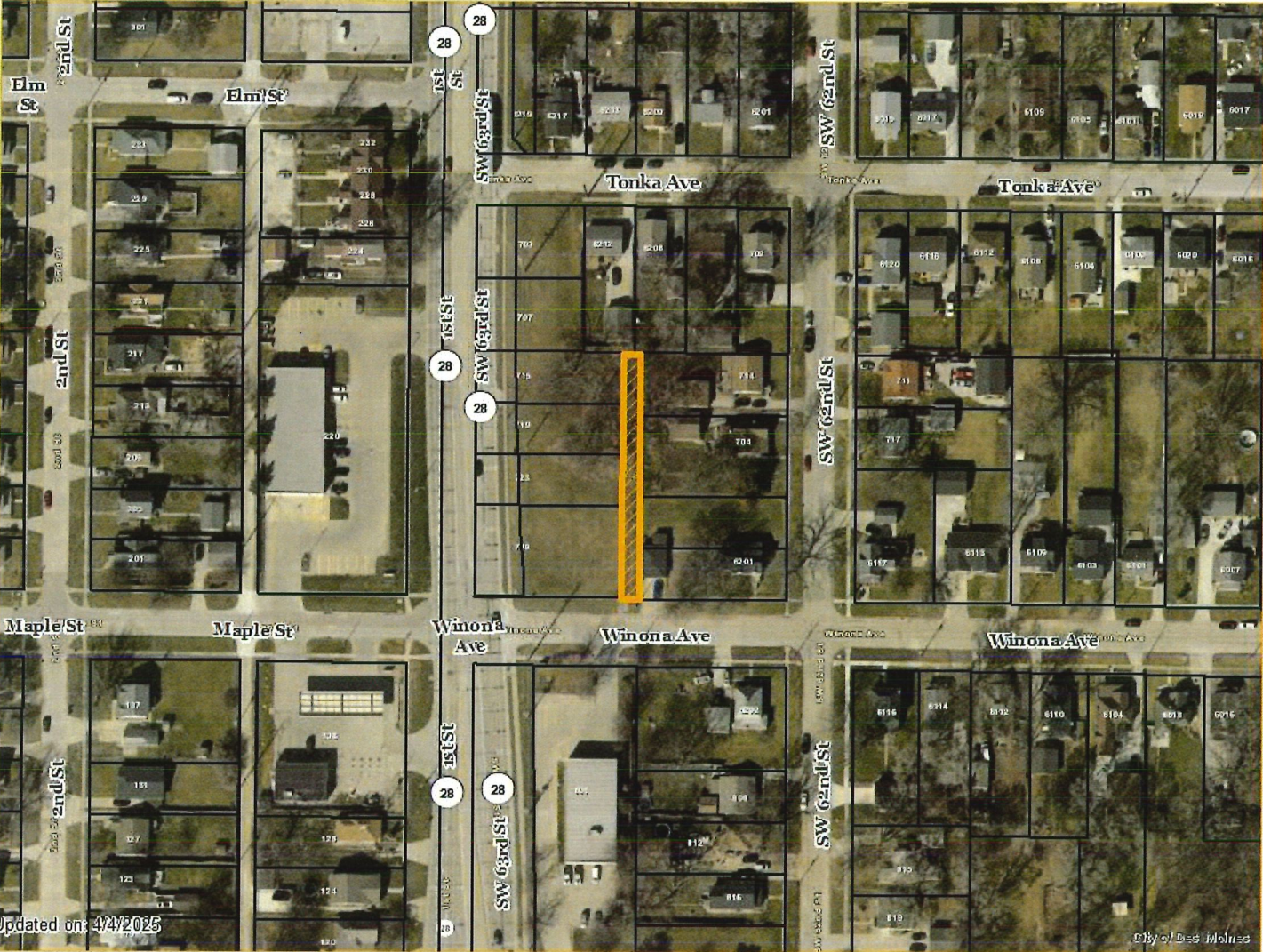
Respectfully submitted,



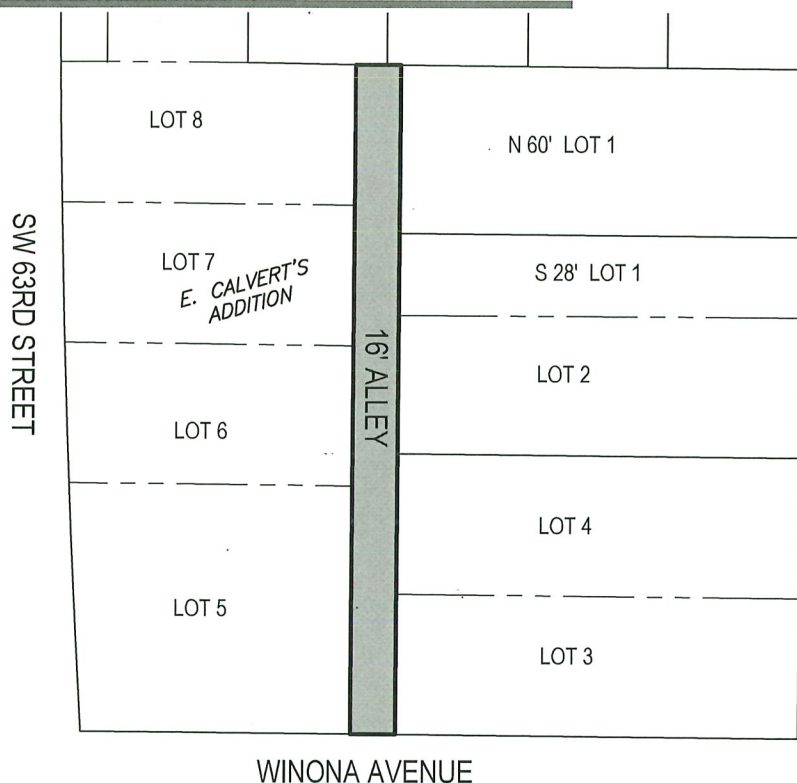
Jason Van Essen

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

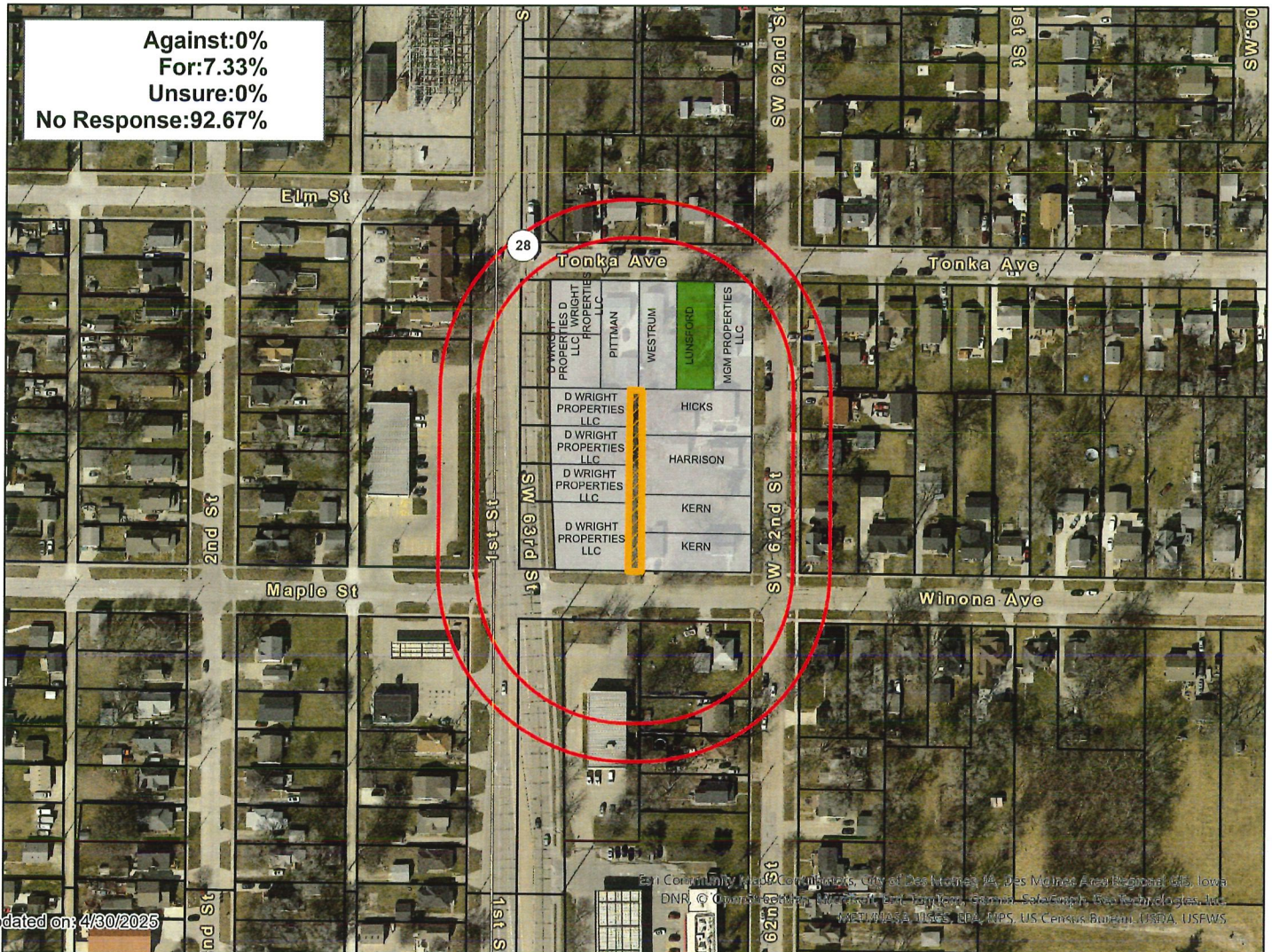
Titleholder Signature: Idol K. Smith

Name/Business: _____

Impacted Address: 10206 TONKA - DSMComments: Asset for the neighborhood

D Wright Construction LLC Vicinity of 729 SW 63rd Street

ROWV-2025-000002



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 Council Bluffs Iowa
(business or personal)

Date: 3/18/25
50047

Signature: _____
Address: _____
(business or personal)

Date: _____