



Roll Call Number

Agenda Item Number

17

Date August 18, 2025

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING CITY INITIATED REQUEST FOR THE VACATION OF THE FOLLOWING SEGMENTS OF ALLEY AND STREET RIGHT-OF-WAY TO ALLOW THEM TO BE ASSEMBLED INTO ASHFIELD PARK-A) UNDEVELOPED RIGHT-OF-WAY ALONG THE NORTH, EAST AND SOUTH PERIMETERS OF ASHFIELD PARK, INCLUDING GEO-PARCEL NUMBERS 782402205008, 782402620055, AND 782402205019 AND B) THE SEGMENT OF EAST 19TH STREET LOCATED BETWEEN HUBBELL AVENUE AND MAPLE STREET, AND AN ALLEYWAY EXTENDING SOUTHEAST FROM SAID STREET SEGMENT TO HUBBELL AVENUE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on August 7, 2025, its members voted 12-0 to recommend APPROVAL of a City initiated request vacation of the following segments of alley and street right-of-way to allow them to be assembled into Ashfield Park-A) Undeveloped right-of-way along the north, east and south perimeters of Ashfield Park, including Geo-Parcel Numbers 782402205008, 782402620055, and 782402205019 and B) The segment of East 19th Street located between Hubbell Avenue and Maple Street, and an alleyway extending southeast from said street segment to Hubbell 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-2025-000009)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include BOESEN, SIMONSON, VOSS, COLEMAN, WESTERGAARD, MANDELBAUM, GATTO, and TOTAL. A summary row indicates MOTION CARRIED and APPROVED.

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.

Mayor

City Clerk

Date August 18, 2025
Agenda Item 17
Roll Call # _____

August 11, 2025

Communication from the City Plan and Zoning Commission advising that at their August 7, 2025 meeting, the following action was taken on a City initiated request for the vacation of the following segments of alley and street right-of-way to allow them to be assembled into Ashfield Park:

- A) Undeveloped right-of-way along the north, east and south perimeters of Ashfield Park, including Geo-Parcel Numbers 782402205008, 782402620055, and 782402205019.
- B) The segment of East 19th Street located between Hubbell Avenue and Maple Street, and an alleyway extending southeast from said street segment to Hubbel Avenue.

COMMISSION RECOMMENDATION: 12-0

After public hearing, the members voted as follows:

Commission Action:	Yes	Nays	Pass	Abstain	Absent
Francis Boggus	X				
Leah Rudolphi	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 following:

Part A) Approval of the request subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated.

Part B) Approval of the request, subject to the following conditions:

1. Reservation of easements for any existing utilities until such time that they are abandoned or relocated.
2. Provision of an easement providing access to the driveway for the property located at 1901 Burson Street.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends approval of the request subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated.

Part B) Staff recommends approval of the request, subject to the following conditions:

1. Reservation of easements for any existing utilities until such time that they are abandoned or relocated.
2. Provision of an easement providing access to the driveway for the property located at 1901 Burson Street.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The primary purpose of the vacations around the north, east and south perimeters of Ashfield Park is to enable the City to clean up the area adjoining the park by updating the 'paper streets' or proposed streets designated as right-of-way but never constructed as such, combine the lots, and make it consistent with the park boundaries that fall within the right-of-way area.

Additionally, there is a proposal to vacate East 19th Street between Maple Street and Hubbell Avenue and the alleyway between East 19th Street and Hubbell Avenue. The vacation of East 19th Street would provide additional space for parking and circulation associated with the park while also addressing emergency services access. Currently, East 19th Street encourages illegal cut-through traffic through the neighborhood and access on to the highway ramp of Interstate 235 towards East University Avenue, which is signed for emergency vehicles only. The vacation of the alley between East 19th Street and Hubbell Avenue is proposed to address an existing driveway encroachment and to also not create a dead-end right-of-way as a result of the vacation. An access easement will be necessary to allow the property at 1901 Burson Street to continue to use their existing driveway off East 19th Street.

2. **Size of Site:** The requested segments of right-of-way, comprise a total of approximately 1.58 acres (69,087 square feet).
3. **Existing Zoning (site):** "P1" and "P2" Public, Civic and Institutional District, and "RX1" Mixed Use Districts.

4. **Existing Land Use (site):** The requested segments are undeveloped street and alley rights-of-way around the existing Ashfield Park and residential uses.
5. **Adjacent Land Use and Zoning:**
 - North** – “RX1”, “P1”, “P2”; Uses are one-household residential and park parking lot.
 - South** – “RX1”, “ROW”; Uses are one-household residential and Hubbell Avenue right-of-way.
 - East** – “RX1”; Uses are one-household residential.
 - West** – “RX1”, “P2”, Uses are one-household residential and church.
6. **General Neighborhood/Area Land Uses:** The subject area consists of multiple segments of ‘paper street and alley rights-of-way’ that are around Ashfield Park. The surrounding area is immediately south of Interstate 235 and includes a mix of residential, and highway oriented commercial and industrial uses.
7. **Applicable Recognized Neighborhood(s):** The subject properties are located within the Capitol East Neighborhood. All recognized neighborhood associations were notified of the meeting by emailing of the Preliminary Agenda on July 18, 2025, and by emailing of the Final Agenda on August 1, 2025. Additionally, separate notifications of the hearing for this specific item were mailed on July 28, 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:** Parks and Open Space, Business Park, Community 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 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. However, the vacation of East 19th Street will impact the property at 1901 Burson Street that has an existing driveway off East 19th Street. Should this street be vacated, an access easement should be reserved to allow access to this property.

III. STAFF RECOMMENDATION

Part A) Staff recommends approval of the request subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated.

Part B) Staff recommends approval of the request, subject to the following conditions:

1. Reservation of easements for any existing utilities until such time that they are abandoned or relocated.
2. Provision of an easement providing access to the driveway for the property located at 1901 Burson Street.

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

Johnny Alcivar made a motion for approval the following:

Part A) Approval of the request subject to the reservation of easements for any existing utilities until such time that they are abandoned or relocated.

Part B) Approval of the request, subject to the following conditions:

1. Reservation of easements for any existing utilities until such time that they are abandoned or relocated.
2. Provision of an easement providing access to the driveway for the property located at 1901 Burson Street.

THE VOTE: 12-0

Respectfully submitted,

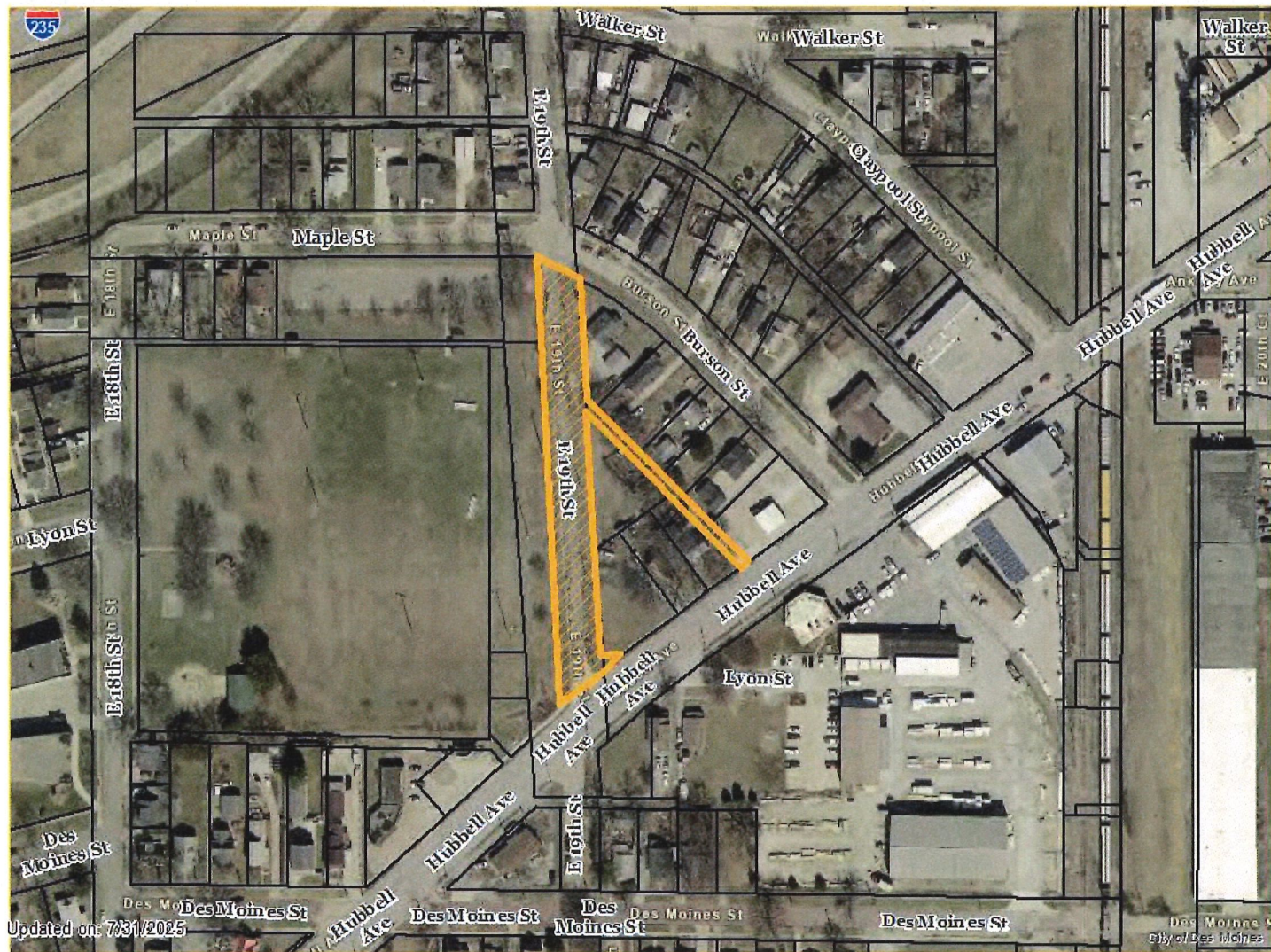


Bert Drost

Planning & Urban Design Deputy Administrator

BAD:mrw





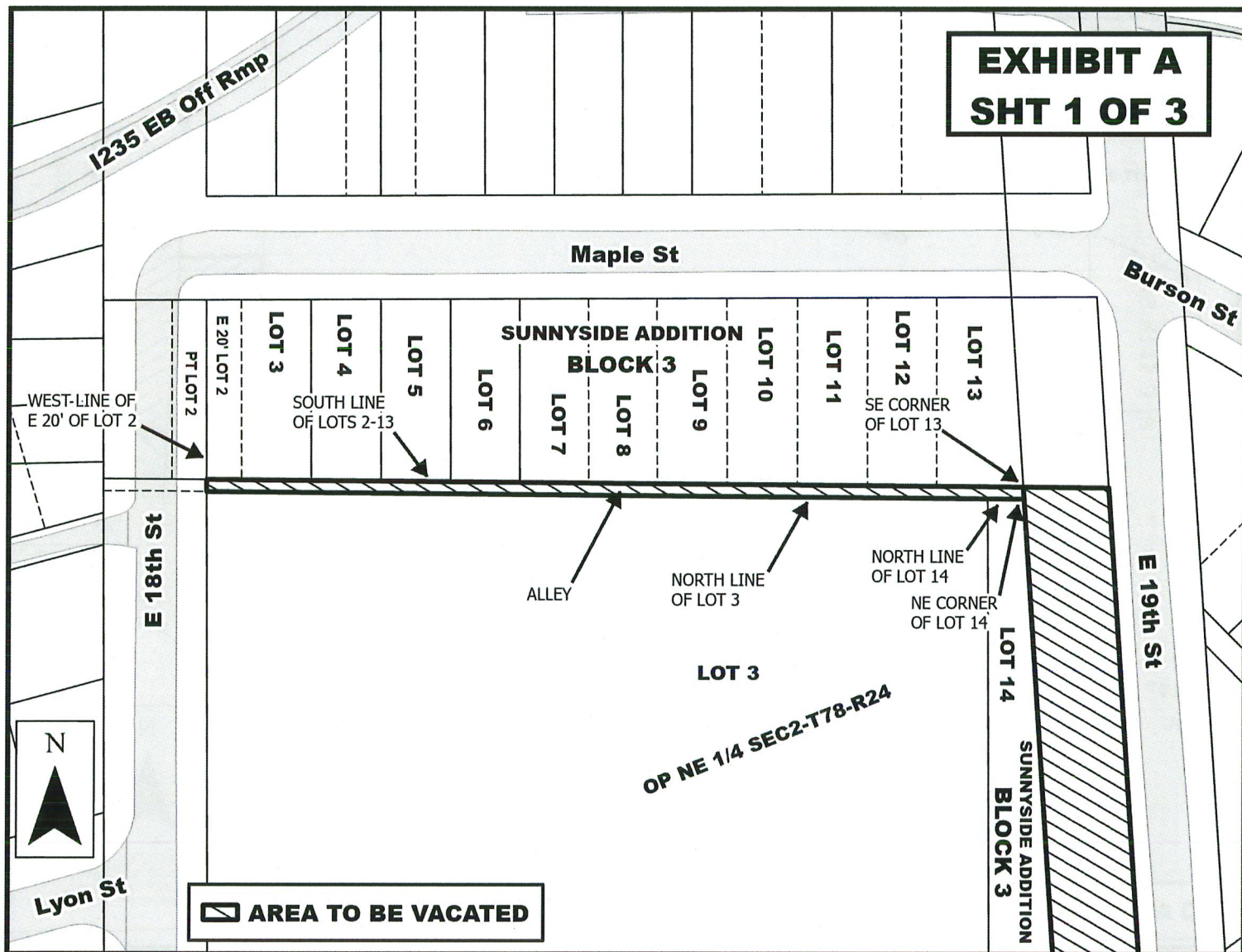
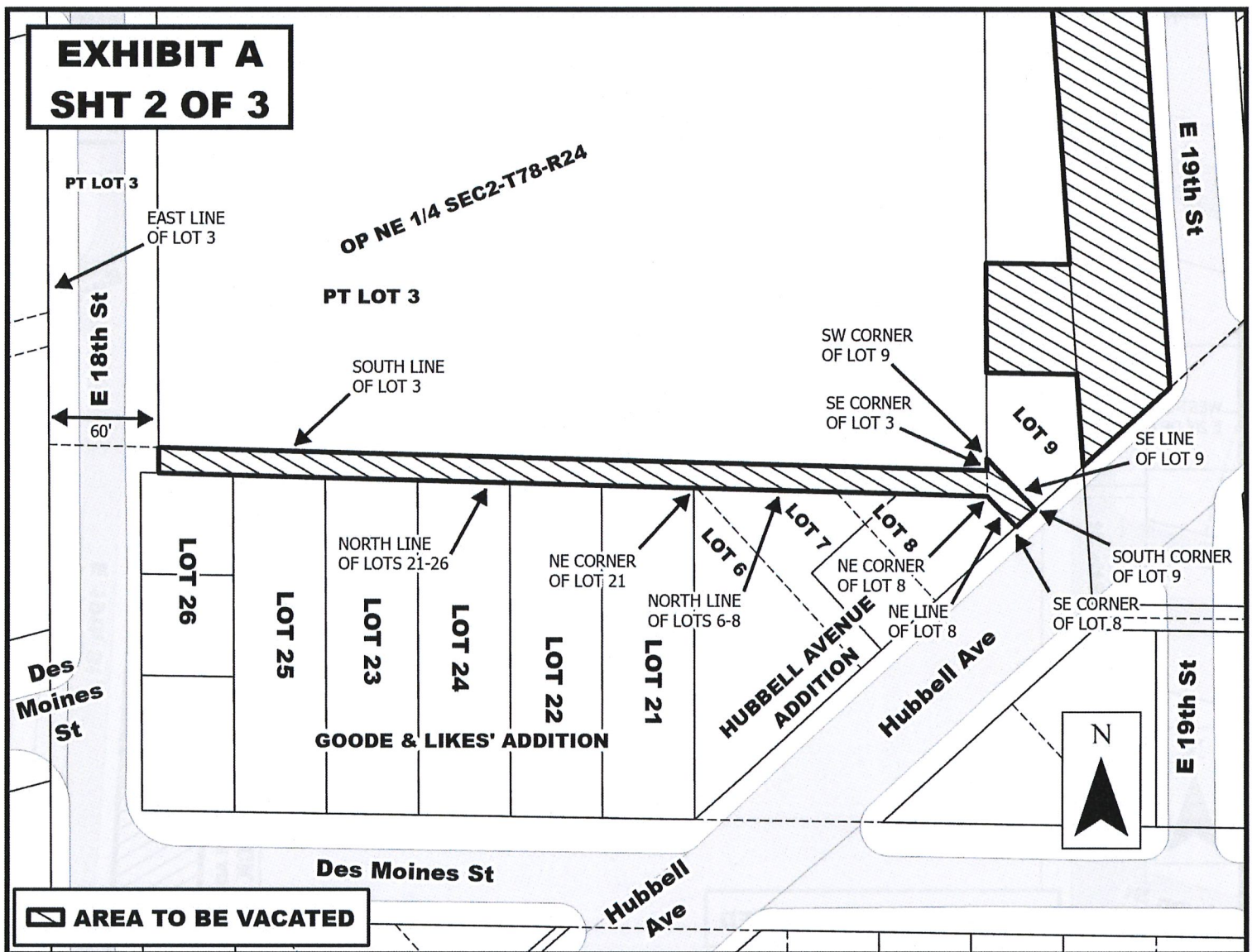


EXHIBIT A
SHT 2 OF 3



Maple St

EXHIBIT A
SHT 3 OF 3

Burson St

EAST LINE
OF LOT 6

SE CORNER
OF LOT 6

LOT 6

SW CORNER
OF LOT 6

OP 100FT DM&MNN RR ROW IN LTS B&C IN SD LT 2 OF OP NE 2-78-24

E 19th St

SOUTH EXTENSION
OF EAST LINE OF LOT 6

WEST LINE OF LOT 1 &
EAST LINE OF LOT 14

LOT 14

LOT 1

HUBBELL AVENUE ADDITION

LOT 10

SOUTH LINE
OF LOT 14

SE CORNER
OF LOT 14

SW CORNER
OF LOT 14

SE CORNER
OF LOT 10

NORTH LINE
OF LOT 9

NE CORNER
OF LOT 9

NW CORNER
OF LOT 9

WEST LINE OF LOT 1 &
EAST LINE OF LOT 9

SE CORNER
OF LOT 9

LOT 9

Lyon St

Hubbell Ave

E 19th St

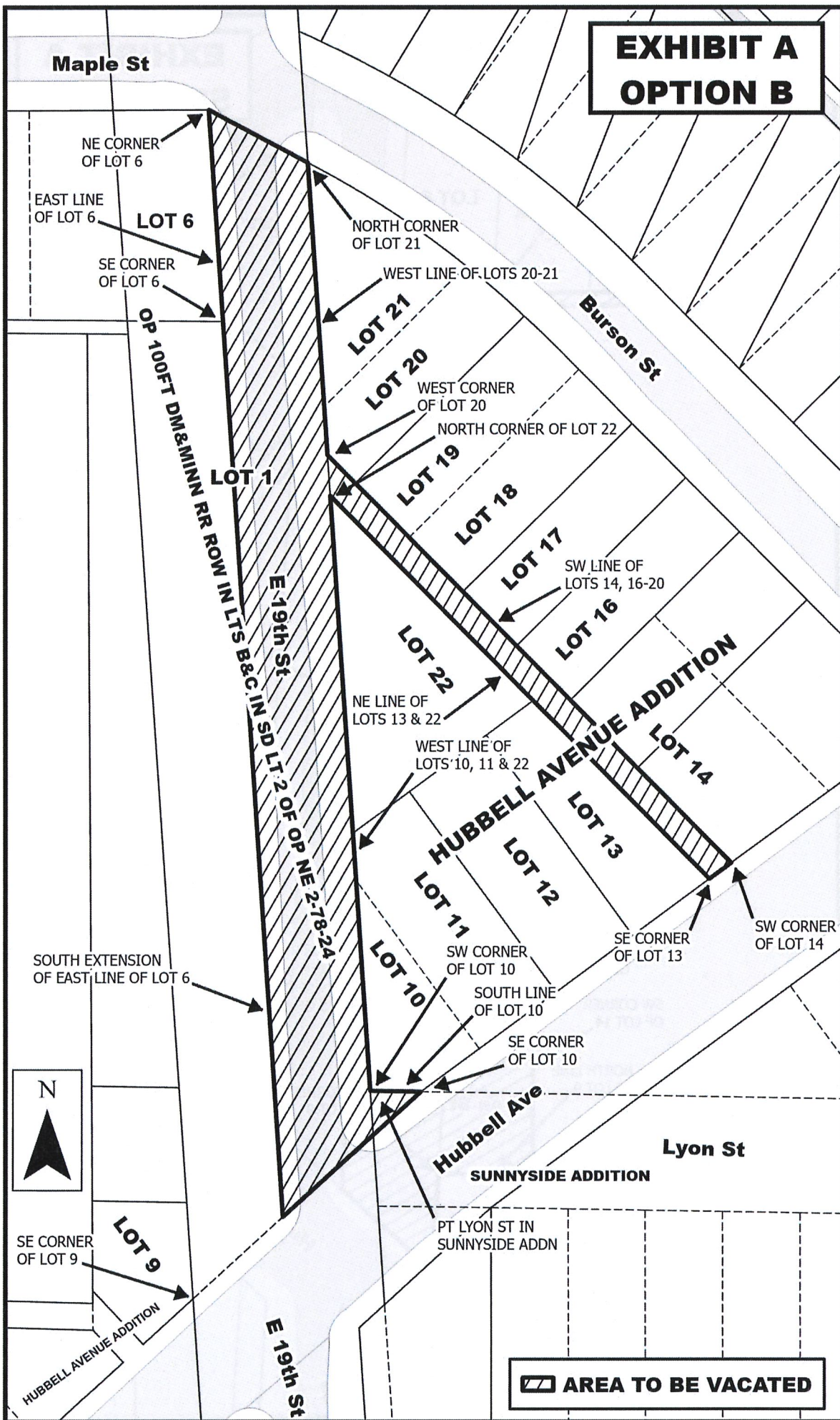
HUBBELL AVENUE
ADDITION

 **AREA TO BE VACATED**

N



**EXHIBIT A
OPTION B**











Item: ROWV-2025-000009Date: 7-30-25

Please mark one of the following:

- ☒ I support the request !
☐ I am undecided
☐ I oppose the request

Staff Use Only
RECEIVED
DEVELOPMENT SERVICES
AUG 7 2025

Titleholder Signature: JACK & Sally RoundsName/Business: Sally Rounds + Jack RoundsImpacted Address: 1812 Des Moines St ^{garage with}

Comments: Please have at it! The Trees in
alley are threatening our garage and
Parking. Thank you.

Item: ROWV-2025-000009

Date: 7-30-25

Please mark one of the following:

☒ I support the request

☒ I am undecided

☐ I oppose the request

RECEIVED
DEVELOPMENT SERVICES

AUG 7 2025

Titleholder Signature: Kathy Renslow

Name/Business: Kathy Renslow

Impacted Address: 1803 Maple St.

Comments: _____

ROWV-2025-000009

ROWV-2025-000009

