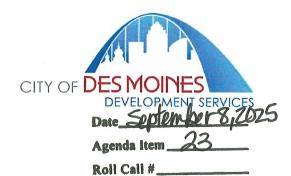
★ Ro		l Num				Agenda Item Number
Date	Septe	mber 8,	2025			
REGARDING ACRES OF SOUTHEAS	THE C	A CB & Q I STRE	CITY STREE ET, A	INITIAT ET RIGH ND IN TH MBLED	FION FROM THE PLAN AND ZON ED REQUEST FOR VACATION O IT OF WAY BETWEEN SOUTHEA HE VICINITY OF 2901 CB & Q STE FOR EXPANSION OF A WASTEW THORITY FACILITY	OF APPROXIMATELY 4.3 AST 25TH COURT AND REET, TO ALLOW THE
21, 2025, its approximate 30th Street, expansion o	s memberly 4.3 a and in f a Was	ers vote cres of the vicin stewater	d 9-0 to the CB nity of Reclar	o recomm & Q Stre 2901 CB mation Au	nmission has advised that at a public hat an advised that at a public hat an advised that at a public hat an advised APPROVAL of a City initiated at the right of way between Southeast 25th & Q Street, to allow the vacated area athority facility, subject to the reservation time that they are abandoned or relocations.	request for vacation of th Court and Southeast as to be assembled for ation of any necessary
<b>MOVED</b> by and Zoning	Commis	ssion, an	d refer	to r	receive and file the attached communications gineering Department, Real Estate Divi	ation from the Plan ision.
		SE	COND	BY		
APPROVE	D AS T	ГО ГОГ	RM:			
/s/ Chas M. Chas M. Ca Assistant C	hill	orney			(ROWV-	2025-000010)
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT	CERTIFICA	 .TE
BOESEN SIMONSON VOSS COLEMAN WESTERGAARD					I, LAURA BAUMGARTNER City hereby certify that at a Council of said City of Des above date, among other prwas adopted.	meeting of the City Moines, held on the
MANDELBAUM GATTO TOTAL					IN WITNESS WHEREOF, I have hereunto set hand and affixed my seal the day and year above written.	

Mayor City Clerk

APPROVED

TOTAL MOTION CARRIED



August 29, 2025

Communication from the City Plan and Zoning Commission advising that at their August 21, 2025 meeting, the following action was taken on a City initiated request for vacation of approximately 4.3 acres of the CB & Q Street right-of-way between Southeast 25th Court and Southeast 30th Street, and in the vicinity of 2901 CB & Q Street, to allow the vacated areas to be assembled for expansion of the Wastewater Reclamation Authority facility.

## **COMMISSION RECOMMENDATION: 9-0**

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 requested right-of-way vacation, 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 vacation, 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 vacation would allow the area to be assembled for an expansion project for the Des Moines Wastewater Reclamation Authority (WRA). The existing facility is to the south of the proposed vacation. Many of the parcels adjoining the proposed vacation area have already been acquired by the WRA. Additionally, there is an active railroad spur running along the northern boundary of the vacation area which is expected to continue to operate as usual.
- **2. Size of Site:** The requested segment of right-of-way comprises approximately 4.3 acres (187,308 square feet).
- 3. Existing Zoning (site): "11" and "12" Industrial Districts.
- **4. Existing Land Use (site):** The requested segment is a gravelled street right-of-way in an area generally bounded by Southeast 25<sup>th</sup> Court to the west, lowa Interstate Railroad to the north, Southeast 30<sup>th</sup> street to the east, and undeveloped WRA land to the north and south.

## 5. Adjacent Land Use and Zoning:

North – "I1"; Norfolk Southern Interstate Railroad right-of-way and undeveloped WRA land.

South - "I2"; Uses are undeveloped WRA land.

East – "Limited I2"; Uses are heavy industrial and Southeast 30th Street right-of-way.

West – "I2", Uses are Norfolk Southern and Burlington Norther Santa Fe Interstate Railroad right-of-ways.

- **6. General Neighborhood/Area Land Uses:** The surrounding area is mostly heavy industrial with a few scattered private residential and miscellaneous uses. The existing WRA facility is immediately south of this area.
- 7. Applicable Recognized Neighborhood(s): The subject property is not located within a designated Neighborhood Association. All recognized neighborhood associations were notified of the meeting by emailing of the Preliminary Agenda on August 1, 2025, and by emailing of the Final Agenda on August 15, 2025. Additionally, separate notifications of the hearing for this specific item were mailed on August 11, 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: Industrial.

10. Applicable Regulations: Taking into consideration the criteria set forth in Chapter 18B of the lowa 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 sanitary sewer conduit and sanitary sewer manholes. Easements must be reserved for any existing utilities until such time that they are abandoned or relocated.
- 2. Traffic/Access: The requested vacations would not negatively impact access to private properties or traffic patterns.

#### **III. STAFF RECOMMENDATION**

Staff recommends approval of the requested right-of-way vacation, 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

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

# **COMMISSION ACTION**

<u>Johnny Alcivar</u> made a motion for approval of the requested right-of-way vacation, 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: 9-0

Respectfully submitted,

Jason Van Essen, AICP

Planning & Urban Design Administrator

JMV:mrw

City of Des Moines, Vicinity of 2901 CB & Q Street

# ROWV-2025-000010





# VACATION EXHIBIT OF PUBLIC RIGHT OF WAY

SERVICE PROVIDED FOR: CITY OF DES MOINES/DES MOINES METRO WASTEWATER RECLAMATION AUTHORITY

LOCATED:

PART OF LOT 8 AND OF THE OFFICIAL PLAT OF SECTION 12-T78-R24 INCLUDING LOTS 1 AND 2 OF MARGARET TURNER ESTATE, CB&Q STREET IN THE OFFICIAL PLAT OF CHESTERFIELD AND CB&Q STREET IN THE OFFICIAL PLAT OF LARISON PLACE

RECORD TITLEHOLDER: CITY OF DES MOINES

BASIS OF BEARINGS: IOWA STATE PLANE COORDINATE SYSTEM (NAD83) SOUTH ZONE

PROPERTY ADDRESS: N/A

VACATION DESCRIPTION

A PART OF LOTS 8 AND 10 OF THE OFFICIAL PLAT OF SECTION 12—T78—R24 INCLUDING LOTS 1 AND 2 OF MARGARET TURNER ESTATE AND CB&Q STREET IN THE OFFICIAL PLAT OF CHESTERFIELD AND CB&Q STREET IN THE OFFICIAL PLAT OF LARISON PLACE, ALL INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 5, FREDREGILL AN OFFICIAL PLAT; THENCE SOUTH 00"11'44" EAST, 66.00 FEET; THENCE NORTH 89"56'32" WEST ALONG THE SOUTH RIGHT OF WAY LINE OF CB&Q STREET, 2825.55 FEET TO THE NORTH RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD; THENCE NORTH 69"43'17" WEST ALONG SAID NORTH RIGHT OF WAY LINE, 57.09 FEET TO THE SOUTH EXTENSION OF THE EAST RIGHT OF WAY LINE OF SE 25TH COURT; THENCE NORTH 00"13'10" WEST ALONG SAID SOUTH EXTENSION OF THE EAST RIGHT OF WAY LINE, 30.27 FEET TO THE SOUTHWEST CORNER OF LOT 10 IN BLOCK 4 OF CHESTERFIELD; THENCE SOUTH 89"56'32" EAST ALONG THE NORTH RIGHT OF WAY LINE OF CB&Q STREET AND THIS LINE IS ALSO THE SOUTH LINE OF BLOCK 4 OF CHESTERFIELD, 454.17 FEET TO THE SOUTHWEST CORNER OF LOT 1 IN BLOCK 4 OF CHESTERFIELD; THENCE NORTH 00"03'28" EAST ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 16.00 FEET TO THE SOUTHWEST CORNER OF THE ALLEY IN BLOCK 6 OF LARISON PLACE; THENCE SOUTH 89"56'32" EAST ALONG THE NORTH RIGHT OF WAY LINE OF CB&Q STREET AND THIS LINE IS ALSO THE SOUTH LINE OF BLOCKS 6, 7, 14, 15, 22 OF LARISON PLACE AND THE SOUTH LINE OF SAID LOT 5, FREDREGILL, 2424.80 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.18 ACRES (182,221 SQUARE FEET MORE OR LESS) THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

#### NOTES:

- \* THIS EXHIBIT IS A VACATION OF PUBLIC RIGHT OF WAY BY THE CITY OF DES MOINES.
- \* NO DISTANCE SHOULD BE ASSUMED BY SCALING.

J:\2024\2402009\Survey\Dwg\2402009\_Exhibit Vacation.dwg

ESS 7-21-25

HORIZ. SO	-	DATE: 06/13/25			
VERT. SC N/A	ALE:	SUBMITTAL:			
ML			CHK. BY:		
	PROJECT NO. 2402009				
SHEET NO.					



VACATION
EXHIBIT
CB&Q STREET
DES MOINES, IA



5525 MERLE HAY ROAD JOHNSTON, IOWA 50131 PHONE 515-278-2913 www.hrgreen.com

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