



Roll Call Number

Agenda Item Number

23

Date September 8, 2025

**RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION
REGARDING 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 A WASTEWATER RECLAMATION
AUTHORITY FACILITY**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on August 21, 2025, its members voted 9-0 to recommend **APPROVAL** of 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 a Wastewater Reclamation Authority facility, 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 attached 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-2025-000010)

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

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):** "I1" and "I2" Industrial Districts.
4. **Existing Land Use (site):** The requested segment is a gravelled street right-of-way in an area generally bounded by Southeast 25th Court to the west, Iowa Interstate Railroad to the north, Southeast 30th 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 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 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

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 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,

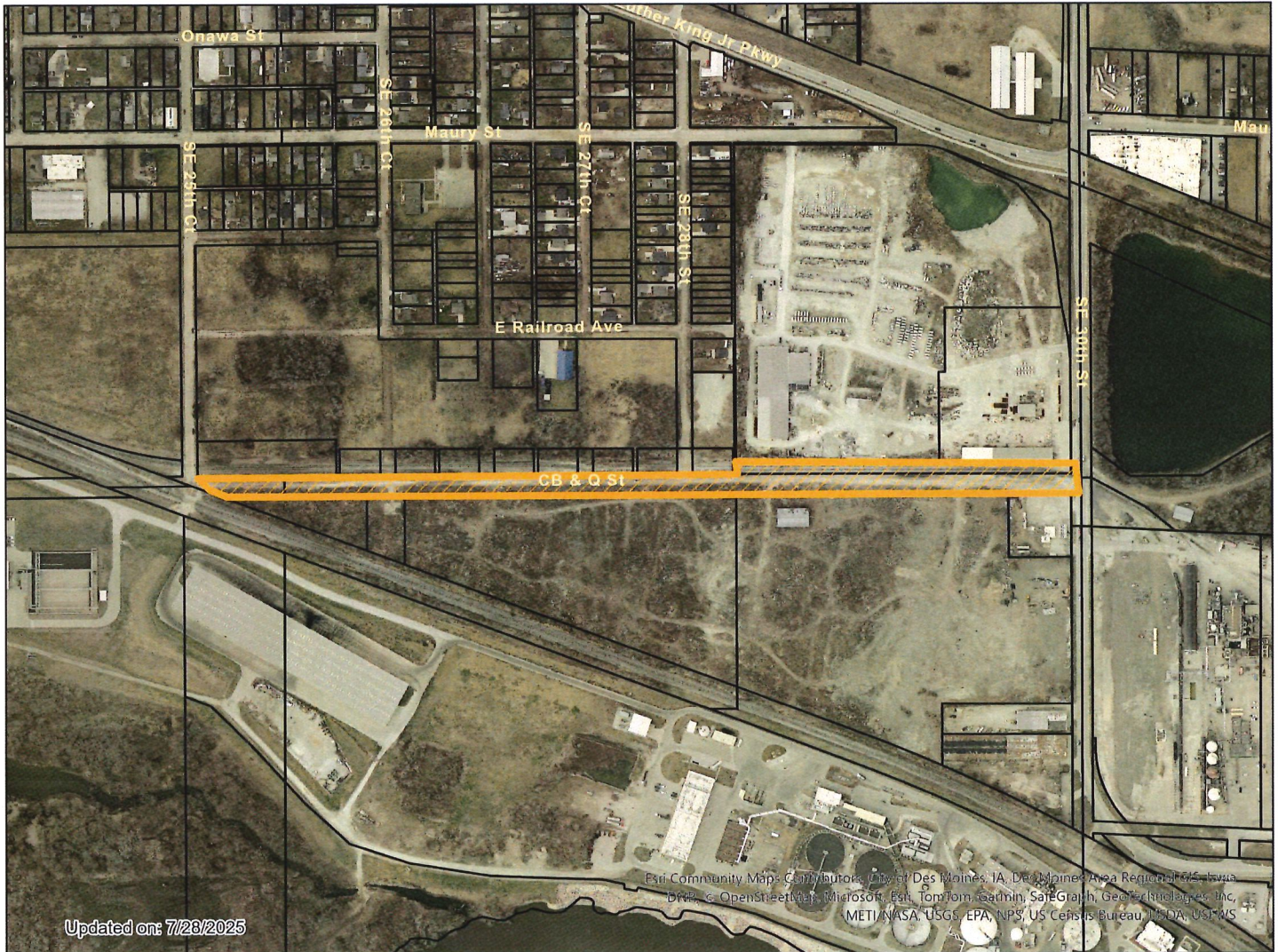


Jason Van Essen, AICP
Planning & Urban Design Administrator

JMV:mrw

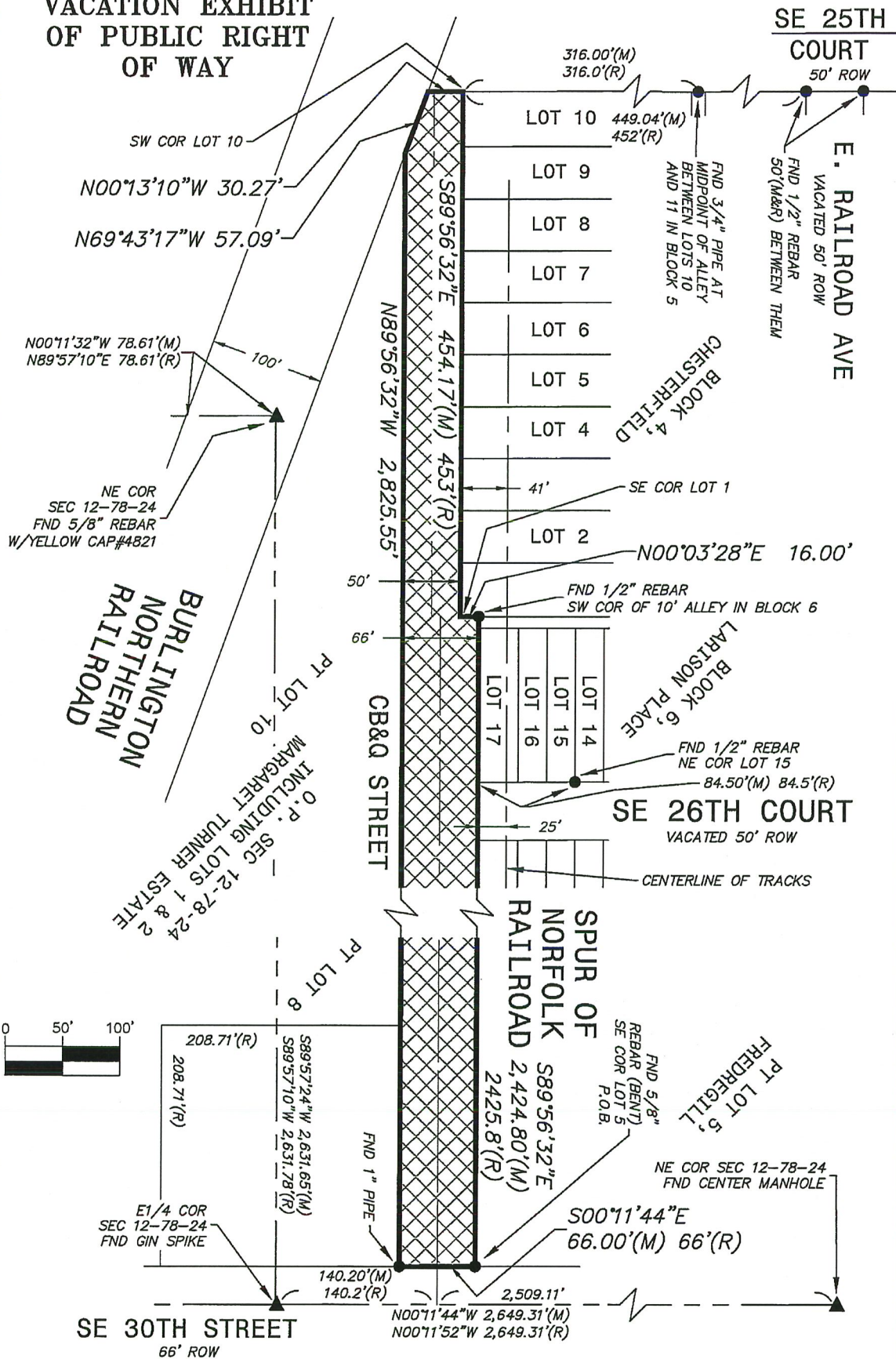
City of Des Moines, Vicinity of 2901 CB & Q Street

ROWV-2025-000010





REVISIONS			
#	DATE	BY	DESCRIPTION
1.	2025/7/21	ML	ADDRESS DESCR COMMENTS
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J: \\2024\\2402009\\Survey\\Dwg\\2402009_Exhibit Vacation.dwg

ETS 7-21-25

HORIZ. SCALE: 1"=100'		DATE: 06/13/25	
VERT. SCALE: N/A		SUBMITTAL:	
DWN. BY: ML	DSN. BY:	CHK. BY:	ML
PROJECT NO. 2402009			
SHEET NO. 2/2			



SHEET ORIENTATION

VACATION
EXHIBIT
CB&Q STREET
DES MOINES, IA



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

REVISIONS			
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