



Roll Call Number

Agenda Item Number

19

Date September 29, 2025

**RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION
REGARDING REQUEST FROM BEAVERDALE POST NO 9127 VFW (OWNER),
REPRESENTED BY TODD EIPPERLE (OFFICER), REGARDING VACATION OF
APPROXIMATELY 91 SQUARE FEET OF SURFACE RIGHT-OF-WAY, ADJOINING THE
PROPERTY AT 4029 URBANDALE AVENUE, TO ALLOW ADDITIONAL PATIO SPACE IN
FRONT OF THE BUILDING**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 4, 2025, its members voted 10-0 to recommend **APPROVAL** of a request from Beaverdale Post No 9127 VFW (Owner), represented by Todd Eipperle (Officer) regarding vacation of approximately 91 square feet of surface right-of-way, adjoining the property at 4029 Urbandale Avenue, to allow additional patio space in front of the building, 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-2025-000011)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT	<div>CERTIFICATE</div> <div>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.</div> <div>IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.</div>
BOESEN					
SIMONSON					
VOSS					
COLEMAN					
WESTERGAARD					
MANDELBAUM					
GATTO					
TOTAL					
MOTION CARRIED					
APPROVED					
<div>_____ Mayor</div>					

<div>_____ City Clerk</div>

September 9, 2025

Communication from the City Plan and Zoning Commission advising that at their September 4, 2025 meeting, the following action was taken on request from Beaverdale Post No 9127 VFW (owner), represented by Todd Eipperle (officer), regarding vacation of approximately 91 square feet of surface right-of-way, adjoining the property at 4029 Urbandale Avenue, to allow additional patio space in front of the building.

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
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 vacation of right-of-way, subject to the reservation of any necessary easements for 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 vacation of right-of-way, subject to the reservation of any necessary easements for 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 applicant is proposing minor site improvements to the existing building, including the construction of a new outdoor patio space. The proposed vacation of surface right-of-way would allow the encroachment of the patio space fronting the building and along Urbandale Avenue.
2. **Size of Site:** The requested area for vacation of surface right-of-way is approximately 91 square feet in area.
3. **Existing Zoning (site):** “MX1” Mixed-Use District.
4. **Existing Land Use (site):** The property includes an existing VFW Post No 9127 building and surface parking lot.
5. **Adjacent Land Use and Zoning:**
North – “MX1”, “N4”; Uses are a surface parking lot and one household residential.
South – “MX1”; Uses are 1-story commercial buildings and surface parking lot.
East – “P2”; Uses are USPS building and surface parking lot.
West – “MX1”; Uses are a 1-story commercial building and surface parking lot.
6. **General Neighborhood/Area Land Uses:** The subject site is located along the north side of Urbandale Avenue within a Neighborhood Node with several commercial uses at the intersection of Urbandale Avenue and Beaver Avenue. Lower-density residential uses and one-household dwelling units characterize the neighborhood to the north of this site and beyond the immediate vicinity of the Node.
7. **Applicable Recognized Neighborhood(s):** The subject property is in the Beavertdale Neighborhood Association. All neighborhood associations were notified of the public hearing by emailing of the Preliminary Agenda on August 15, 2025, and Final Agenda on August 29, 2025. Additionally, separate notifications of the hearing for this specific item were mailed on August 25, 2025 (10 days prior to the public hearing) to the primary titleholder on file with the Polk County Assessor for each property adjacent to the request right-of-way.

All agendas and notifications are mailed to the primary contact person designated to the City of Des Moines Neighborhood Services Department by the recognized neighborhood association.
8. **Relevant Zoning History:** N/A.
9. **PlanDSM: Creating Our Tomorrow Land Use Plan Designation:** Community Mixed Use, within a Neighborhood Node.
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:** Existing utilities have been identified within the Urbandale Avenue 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. **Conditional Use Approval:** A Conditional Use Approval from the Zoning Board of Adjustment is required to allow alcohol for on premise consumption within the additional proposed patio area if it is open to the general public.

III. STAFF RECOMMENDATION

Staff recommends approval of the requested vacation of right-of-way, subject to the reservation of any necessary easements for existing utilities until such time that they are abandoned or relocated at the applicant's expense.

SUMMARY OF DISCUSSION

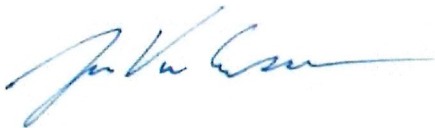
Francis Boggus asked if any member of the public or commission desired to speak on the item. No one requested to speak.

COMMISSION ACTION

Emily Webb made a motion for approval of the requested vacation of right-of-way, subject to the reservation of any necessary easements for existing utilities until such time that they are abandoned or relocated at the applicant's expense.

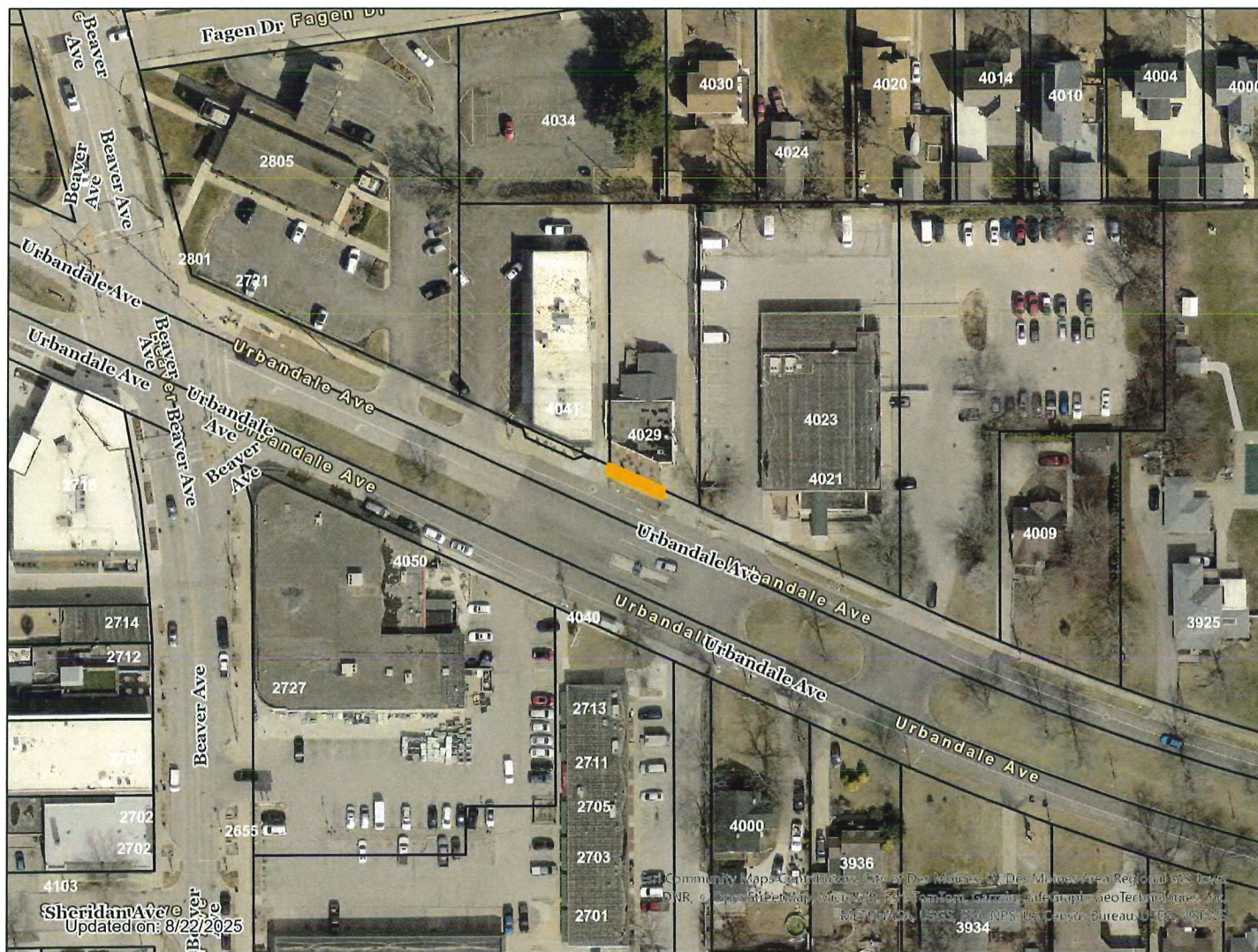
THE VOTE: 10-0

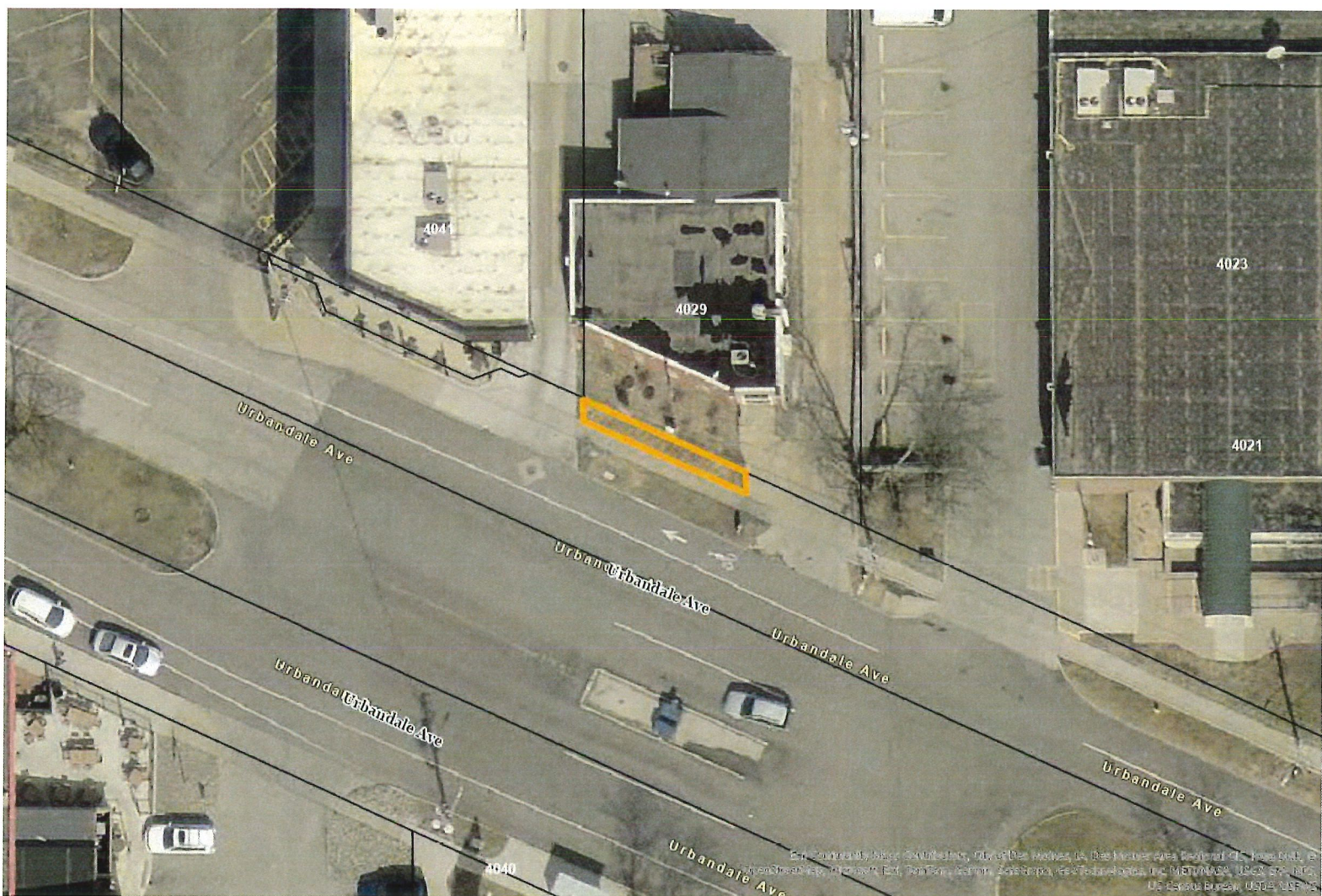
Respectfully submitted,



Jason Van Essen, AICP
Planning & Urban Design Administrator

JMV:mrw









INDEX LEGEND

SURVEYOR'S NAME / RETURN TO:
TERRY COADY
SNYDER AND ASSOCIATES, INC.
2727 SW SNYDER BOULEVARD
ANKENY, IOWA 50023
(515) 964-2020
TLCOADY@SNYDER-ASSOCIATES.COM
SERVICE PROVIDED BY:
SNYDER AND ASSOCIATES, INC.
SURVEY LOCATED:
PT. URBANDALE AVENUE STREET LOT
BEAVER GLEN
SECTION 29-79-24
REQUESTED BY:
BEAVERDALE POST NO. 9127 VFW

EASEMENT PLAT

DESCRIPTION

A PART OF URBANDALE AVENUE RIGHT-OF-WAY BEING IN THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M., IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 9, BEAVER GLEN, AN OFFICIAL PLAT; THENCE SOUTH 00°39'26" EAST, 1.52 FEET; THENCE NORTH 65°38'13" WEST, 66.15 FEET; THENCE NORTH 00°38'13" WEST, 1.52 FEET TO THE SOUTHWEST CORNER OF THE EAST 60.00 FEET OF SAID LOT 9; THENCE SOUTH 65°38'13" EAST ALONG SAID SOUTH LINE, 66.15 FEET TO THE POINT OF BEGINNING AND CONTAINING 91 S.F..

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

DATE OF SURVEY

AUGUST 6, 2025

OWNER

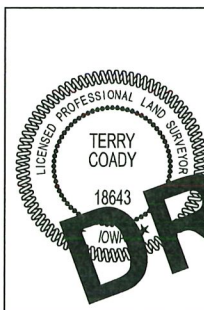
CITY OF DES MOINES REAL ESTATE
400 ROBERT D RAY DRIVE
DES MOINES, IA 60309-1813

BASIS OF BEARING

THE SOUTH LINE OF THE EAST 60 FEET OF LOT 9, BEAVER GLEN BEARS SOUTH 65°38'13" EAST FOR THE PURPOSE OF THIS SURVEY.

LEGEND

SURVEY	FOUND	SET
SECTION CORNER	▲	△
1/2" REBAR, YELLOW PLASTIC CAP #18643 (UNLESS OTHERWISE NOTED)	●	○
ROW MARKER	■	□
ROW RAIL	⊢	⊞
PLATTED DISTANCE	P	
MEASURED BEARING AND DISTANCE	M	
RECORDED AS	R	
DEED DISTANCE	D	
CALCULATED DISTANCE	C	
YELLOW PLASTIC CAP	YPC	
CENTERLINE	----	
SECTION LINE	----	
1/4 SECTION LINE	----	
1/4 1/4 SECTION LINE	----	
EASEMENT LINE	----	



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

Terry Coady, PLS Date
License Number 18643
My License Renewal Date is December 31, 2025
Pages or sheets covered by this seal:
Sheets 1 and 2 of 2

URBANDALE AVENUE ADJOINING PT. LOT 9, BEAVER GLEN

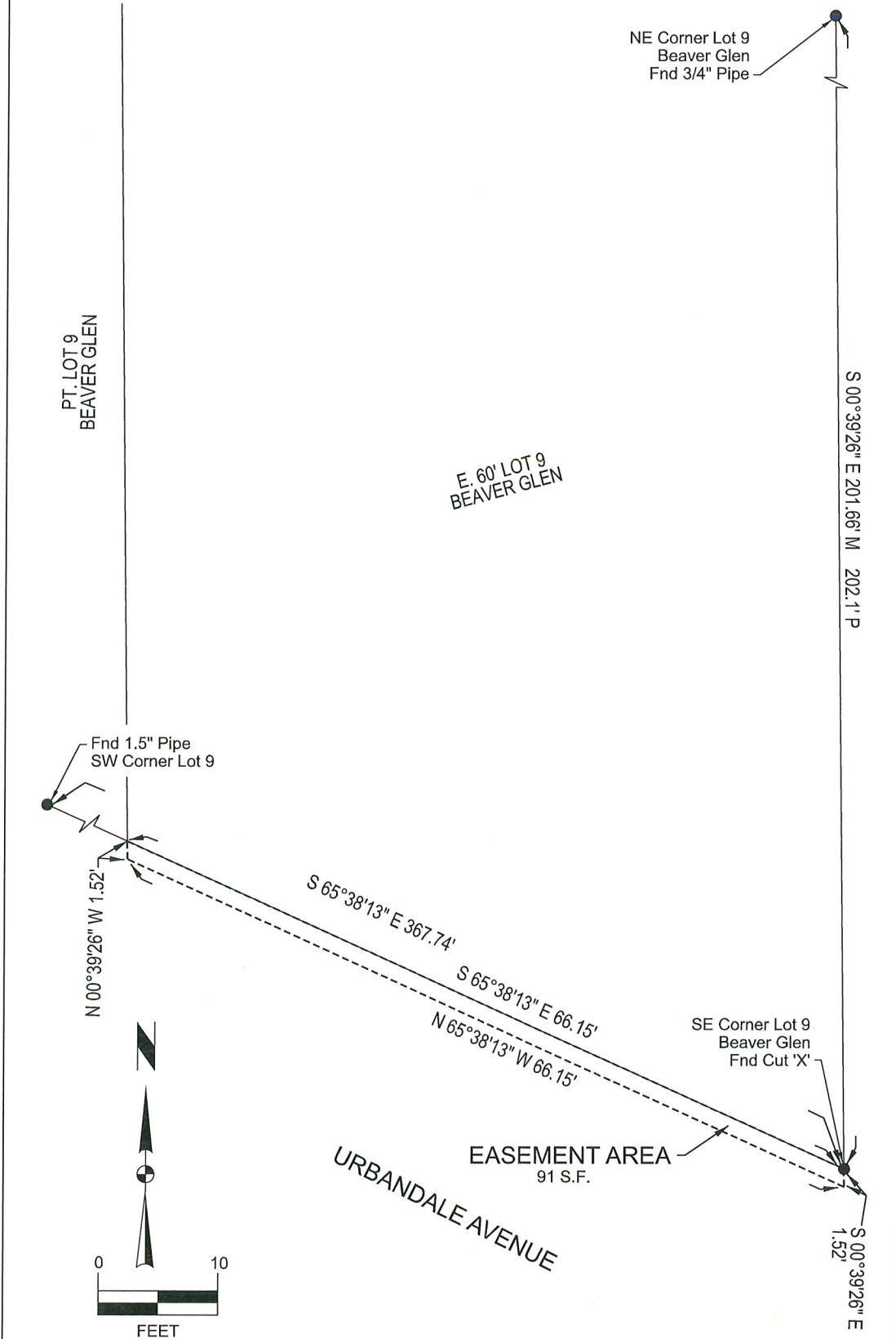
EASEMENT PLAT



2727 SW SNYDER BLVD
ANKENY, IOWA 50023
515-964-2020

SHEET 1 OF 2
PN: 125.0000
FLD BK: XXX PG: XX
DATE: 08/06/2025
PM/TECH: TLC / DCG

EASEMENT PLAT



URBANDALE AVENUE ADJOINING PT. LOT 9, BEAVER GLEN
EASEMENT PLAT

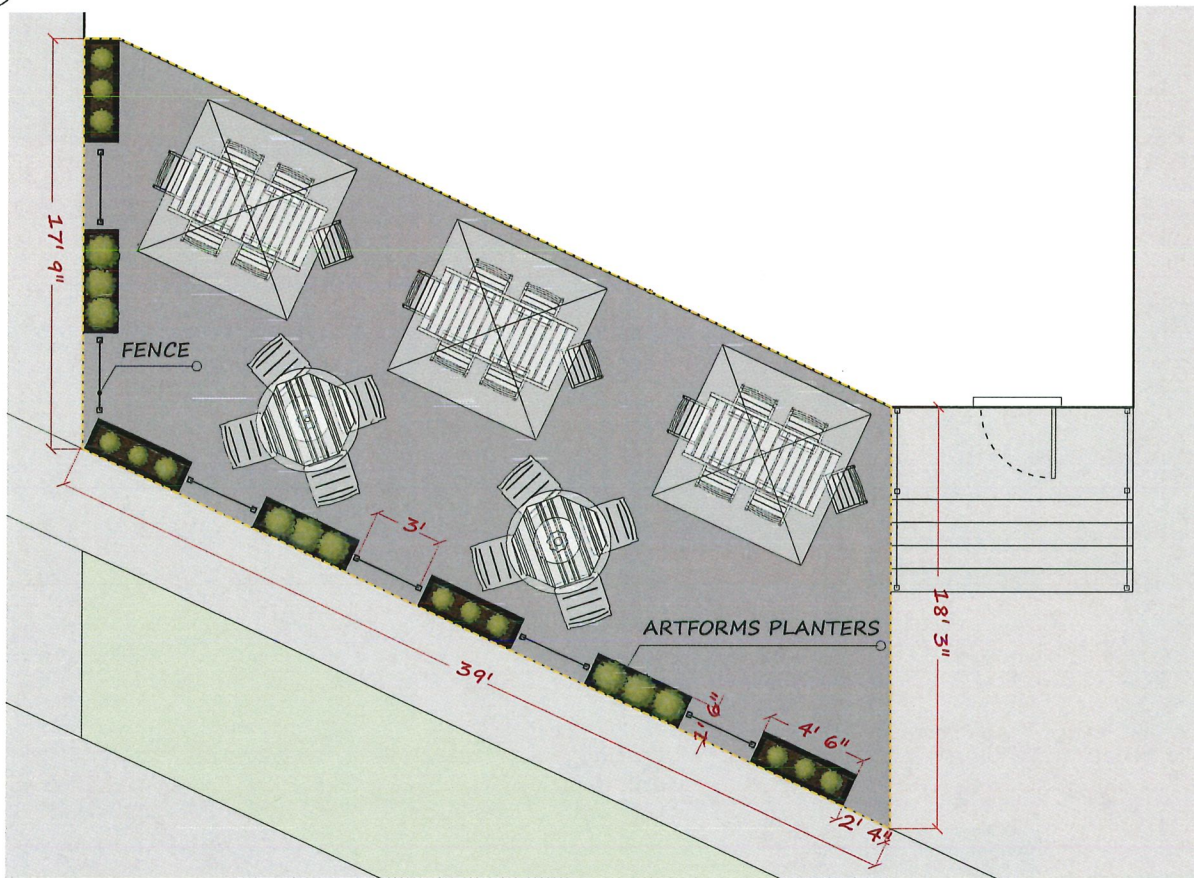


2727 SW SNYDER BLVD
ANKENY, IOWA 50023
515-964-2020

SHEET 2 OF 2
PN: 125.0000
FLD BK: XXX PG: XX
DATE: 08/06/2025
PM/TECH: TLC / DCG

etch.

VFW



CONCEPT PLAN	DRAWING INFORMATION:
	SCALE: 1/4" IN. = 1 FT.
	DATE OF REVISION: 07.23.2025
	DESIGN REP.: GABE YINGST
	COMPANY: ETCH OUTDOOR LIVING

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 Todd Elpperle am the Titleholder(s)/Owner(s), or authorized representative of
(printed name)

the Titleholder(s)/Owner(s), of the property located at 4029 Urbandale Ave, Des Moines, IA 50310
(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: Todd Elpperle Date: 8/6/2025
Address: 4029 Urbandale Ave, Des Moines, IA 50310
(business or personal)

Signature: _____ Date: _____
Address: _____
(business or personal)

Beaverdale Post No 9127 VFW, 4039 Urbandale Avenue

ROWV-2025-000011

