



Date August 4, 2025

RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM CYNTHIA RUIZ DELGADO (OWNER) AND JAIME ZADKIEL RUBIO, JR. (OWNER), FOR THE FOLLOWING REGARDING PROPERTY LOCATED AT 2002 INDIANOLA AVENUE, TO AMEND PLANDSM CREATING OUR TOMORROW PLAN TO REVISE THE FUTURE LAND USE CLASSIFICATION FROM LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD MIXED USE, AND TO REZONE THE PROPERTY FROM “N5” NEIGHBORHOOD DISTRICT TO LIMITED “RX1” MIXED USE DISTRICT, TO ALLOW REUSE OF AN EXISTING BUILDING FOR A BARBERSHOP

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on July 17, 2025, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from Cynthia Ruiz Delgado (Owner) and Jaime Zadkiel Rubio, Jr. (Owner), for the proposed rezoning from “N5” Neighborhood District to Limited “RX1” Mixed Use District be found not in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Low Density Residential; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on July 17, 2025, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from Cynthia Ruiz Delgado (Owner) and Jaime Zadkiel Rubio, Jr. (Owner), to amend the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Low Density Residential to Neighborhood Mixed Use; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on July 17, 2025, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from Cynthia Ruiz Delgado (Owner) and Jaime Zadkiel Rubio, Jr. (Owner), to rezone the Property from “N5” Neighborhood District to Limited “RX1” Mixed Use District, to allow reuse of an existing building for a barbershop, subject to the following conditions:

1. Overgrowth and weeds shall be removed from the property prior to the property being occupied for commercial use to the satisfaction of the Planning and Urban Design Administrator, and the property shall be maintained in that state.; and
2. Provision of a Medium Buffer in accordance with Chapter 135 of the Municipal Code along property lines shared with residential uses to the satisfaction of the Planning and Urban Design Administrator.; and
3. Provision of parking lot striping to the satisfaction of the Planning and Urban Design Administrator.; and

WHEREAS, the Property is legally described as follows:

LOT 164 (EXCEPT THAT PART CONVEYED TO THE CITY OF DES MOINES IN THE WARRANTY DEED RECORDED IN BOOK 5818 PAGE 995 AND



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EXCEPT THAT PART DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 164; THENCE NORTHWESTERLY 8 FEET, THENCE SOUTHWESTERLY 31.6 FEET; THENCE EAST 35.12 FEET TO THE POINT OF BEGINNING) ALL IN CRAWFORD PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

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

1. That the attached communication from the Plan and Zoning Commission is hereby received and filed.
2. That the meeting of the City Council at which the proposed amendments to PlanDSM Creating Our Tomorrow comprehensive Plan and proposed rezoning are to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposals, shall be held at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on August 18, 2025, at which time the City Council will hear both those who oppose and those who favor the proposals.
3. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

MOVED BY _____ TO ADOPT.

SECOND BY _____.

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill

Assistant City Attorney

(ZONG-2025-000013) (COMP-2025-000010)



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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
TOTAL				
MOTION CARRIED		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 4, 2025

Agenda Item 27

Roll Call # _____

July 18, 2025

Communication from the City Plan and Zoning Commission advising that at their July 17, 2025 meeting, the following action was taken on a request from Cynthia Ruiz Delgado (owner), and Jaime Zadkiel Rubio Jr (owner), for the following regarding property at 2002 Indianola Avenue:

- A) Determination as to whether the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.
- B) Amend the PlanDSM Creating Our Tomorrow Comprehensive Plan to revise the future land use classification of the property from Low Density Residential to Neighborhood Mixed Use.
- C) Rezone the property from "N5" Neighborhood District to "RX1" Mixed Use District, to allow reuse of an existing building for a barbershop.

COMMISSION RECOMMENDATION: 11-0

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				
John Erpelding	X				

Approval of the following:

Part A) The requested rezoning be found not in conformance with PlanDSM: Creating Our Tomorrow Comprehensive Plan.

Part B) The requested amendment to revise the future land use classification from Low Density Residential to Neighborhood Mixed Use.

Part C) The requested rezoning from "N5" Neighborhood District to "RX1" Mixed Use District, subject to the following conditions:

1. Overgrowth and weeds shall be removed from the property prior to the property being occupied for commercial use to the satisfaction of the Planning and Urban Design Administrator, and the property shall be maintained in that state.
2. Provision of a Medium Buffer in accordance with Chapter 135 of the Municipal Code along property lines shared with residential uses to the satisfaction of the Planning and Urban Design Administrator.
3. Provision of parking lot striping to the satisfaction of the Planning and Urban Design Administrator.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends that the requested rezoning be found not in conformance with PlanDSM: Creating Our Tomorrow Comprehensive Plan.

Part B) Staff recommends approval of the requested amendment to revise the future land use classification from Low Density Residential to Neighborhood Mixed Use.

Part C) Staff recommends approval of the requested rezoning from "N5" Neighborhood District to "RX1" Mixed Use District, subject to the following conditions:

1. Overgrowth and weeds shall be removed from the property prior to the property being occupied for commercial use to the satisfaction of the Planning and Urban Design Administrator, and the property shall be maintained in that state.
2. Provision of a Medium Buffer in accordance with Chapter 135 of the Municipal Code along property lines shared with residential uses to the satisfaction of the Planning and Urban Design Administrator.
3. Provision of parking lot striping to the satisfaction of the Planning and Urban Design Administrator.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to rezone the property from “N5” Neighborhood District to “RX1” Mixed Use District to reuse an existing vacant building as a small sized barbershop. This falls under the Commercial category and is most consistent with a Commercial Service - Personal Service use type.

Should the rezoning be approved, any use of the property as a barbershop will not require full site compliance with City Code Chapter 135. Staff believes that minor site improvements are needed for the site to function safely, with minimized impact on neighbors. This is discussed later in this report.

2. **Size of Site:** 12,015 square feet (0.276 acre).
3. **Existing Zoning (site):** “N5” Neighborhood District.
4. **Existing Land Use (site):** The subject property contains a 300 square-foot, one story building and a paved surface parking lot that is in disrepair.
5. **Adjacent Land Use and Zoning:**
 - **North – “N5”;** Uses are one-household residential.
 - **South – “N5”;** Uses are one-household residential and a legal non-conforming commercial use.
 - **East – “N3c”;** Uses are one-household residential.
 - **West – “N5”;** Uses are one-household residential.
6. **General Neighborhood/Area Land Uses:** The subject property is located along intersection of Indianola and Hartford Avenue. The areas to the north of the subject property along the Indianola Avenue corridor consists of commercial and institutional uses. There is a mix of various residential and commercial uses along the rest of the corridor and neighborhoods in the vicinity of the subject property.
7. **Applicable Recognized Neighborhood(s):** The subject property is located within the Indianola Hills Neighborhood Association and within 250 feet of McKinley School/Columbus Park Neighborhood Association. All neighborhood associations were notified of the public hearing by emailing of the Preliminary Agenda on June 27, 2025, and of the Final Agenda on July 11, 2025.

Additionally, an official public notice of the hearing for this specific item was mailed on June 27, 2025 (20 days before the hearing), and on July 7, 2025 (10 days before the hearing), to any Neighborhood Association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site or adjacent to the site. All Neighborhood Association mailings are sent to the primary contact designated by the recognized Neighborhood Association on file with the City of Des Moines' Neighborhood Services Department.

The applicant can provide a summary of the neighborhood meeting at the public hearing.

8. Relevant Zoning History: None.

9. PlanDSM: Creating Our Tomorrow Plan 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 amend zoning boundaries or regulations within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in 414.3 of the Iowa Code. The Commission may make recommendations to the City Council on conditions to be made in addition to the existing regulations so long as the subject property owner agrees to them in writing. The recommendation of the Commission will be forwarded to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

1. PlanDSM Creating Our Tomorrow: The applicant is requesting that the future land use designation for the property be revised from “Low Density Residential” to “Neighborhood Mixed Use”. PlanDSM describes these designations as follows:

Low Density Residential: Areas developed with primarily single family and two family residential units with up to 6 dwelling units per net acre.

Neighborhood Mixed Use: Small scale mixed use development typically located at the intersections of collector and/or arterial streets and along transportation corridors. Non-residential development is designed to serve the immediate neighborhood and include small retail, offices, restaurants, and service oriented development. Low-medium density residential may be included in mixed use development.

The applicant is proposing to rezone the property from “N5” Neighborhood District to “RX1” Mixed Use District. The Zoning Ordinance states that “RX1” is intended for transitional areas between MX districts and N districts, providing for residential and office buildings at a scale and intensity appropriate for corridors adjacent to low-scale neighborhoods.

Staff believes that the requested rezoning to “RX1” would be appropriate for this site along Indianola Boulevard which has similar uses along the corridor. Furthermore, this site includes a pre-existing building suited to a commercial use and would not be appropriate for a residential dwelling.

2. Planning and Design Ordinance: Should the rezoning be approved, a full site plan would not be required for use of the property as a barbershop that complies with applicable design regulations within City Code Chapter 135. However, minor site improvements are needed to ensure the safety of customers and minimize impacts on adjoining residential properties to the west.

- 3. Landscaping and Buffering:** To minimize impacts on adjoining residential uses, the applicant should be required to provide a medium buffer along the west property line and clean up the existing weeds and overgrowth. A medium buffer requires landscaping and a continuous fence along the entire length of the buffer. This includes providing one shade tree every 40 lineal feet. The existing fencing may be credited toward the buffer requirement if in good repair. The applicant would not need to submit a formal site plan, however, documentation would be required on how these would be addressed. Staff can review and approve this through the alternative design documentation process.

III. STAFF RECOMMENDATION

Part A) Staff recommends that the requested rezoning be found not in conformance with PlanDSM: Creating Our Tomorrow Comprehensive Plan.

Part B) Staff recommends approval of the requested amendment to revise the future land use classification from Low Density Residential to Neighborhood Mixed Use.

Part C) Staff recommends approval of the requested rezoning from "N5" Neighborhood District to "RX1" Mixed Use District, subject to the following conditions:

1. Overgrowth and weeds shall be removed from the property prior to the property being occupied for commercial use to the satisfaction of the Planning and Urban Design Administrator, and the property shall be maintained in that state.
2. Provision of a Medium Buffer in accordance with Chapter 135 of the Municipal Code along property lines shared with residential uses to the satisfaction of the Planning and Urban Design Administrator.
3. Provision of parking lot striping to the satisfaction of the Planning and Urban Design Administrator.

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

Francis Boggus made a motion for approval of the following:

Part A) The requested rezoning be found not in conformance with PlanDSM: Creating Our Tomorrow Comprehensive Plan.

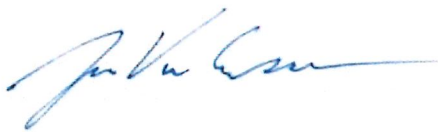
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3. Provision of parking lot striping to the satisfaction of the Planning and Urban Design Administrator.

THE VOTE 11-0

Respectfully submitted,



Jason Van Essen

Planning & Urban Design Administrator

JMV:mrw

I would like to Open a Barbershop, I will keep the building as it is. I will be adding a shampoo bowl and nothing else than just couple of mirrors and a barber chair. I will be working to support my 4 children and be able to provide for them.

parking lot will be renovated and lot and back yard will be upgrade it and renewed according to the city of Des Moines Requirements.









NEIGHBORHOOD MEETING SUMMARY

Date: 07/14/2025

Location:

2002 Indianola Ave Des Moines IA 50315

Meeting was a success, 4 people attended to the meeting and where in agreement with the Idea of setting up a barbershop on this area of the town.

Attached the signing page of the people who attended the meeting.

Cynthia Delgado

2002 Indianola Ave

Des Moines IA 50315.

EL CATRIN BARBER SHOP NEIGHBORHOOD MEETING

[illegible]

Item: ZONG-2025-000013

Date: _____

Please mark one of the following:

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

Staff Use Only
RECEIVED
DEVELOPMENT SERVICES
JUN 15 2025

Titleholder Signature: Chris HeglinName/Business: Accounting AssociatesImpacted Address: 1964 Indiana AveComments: Om. IA 50315

Any Improvements to this GICA
are welcomed.!

Item: ZONG-2025-000013

Date: 7-10-25

Please mark one of the following:

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

Staff Use Only
RECEIVED
DEVELOPMENT SERVICES
JUN 16 2025

Titleholder Signature: 

Name/Business: Christopher Baber

Impacted Address: 25 Hartford Ave
50319

Comments: _____

Item: ZONG-2025-000013

Date: 7/15/25

Please mark one of the following:

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

Staff Use Only
RECEIVED
DEVELOPMENT SERVICES

JUL 24 2025

Titleholder Signature: Wm. E. Dold, Chair

Name/Business: Optimac Life Services, Inc.

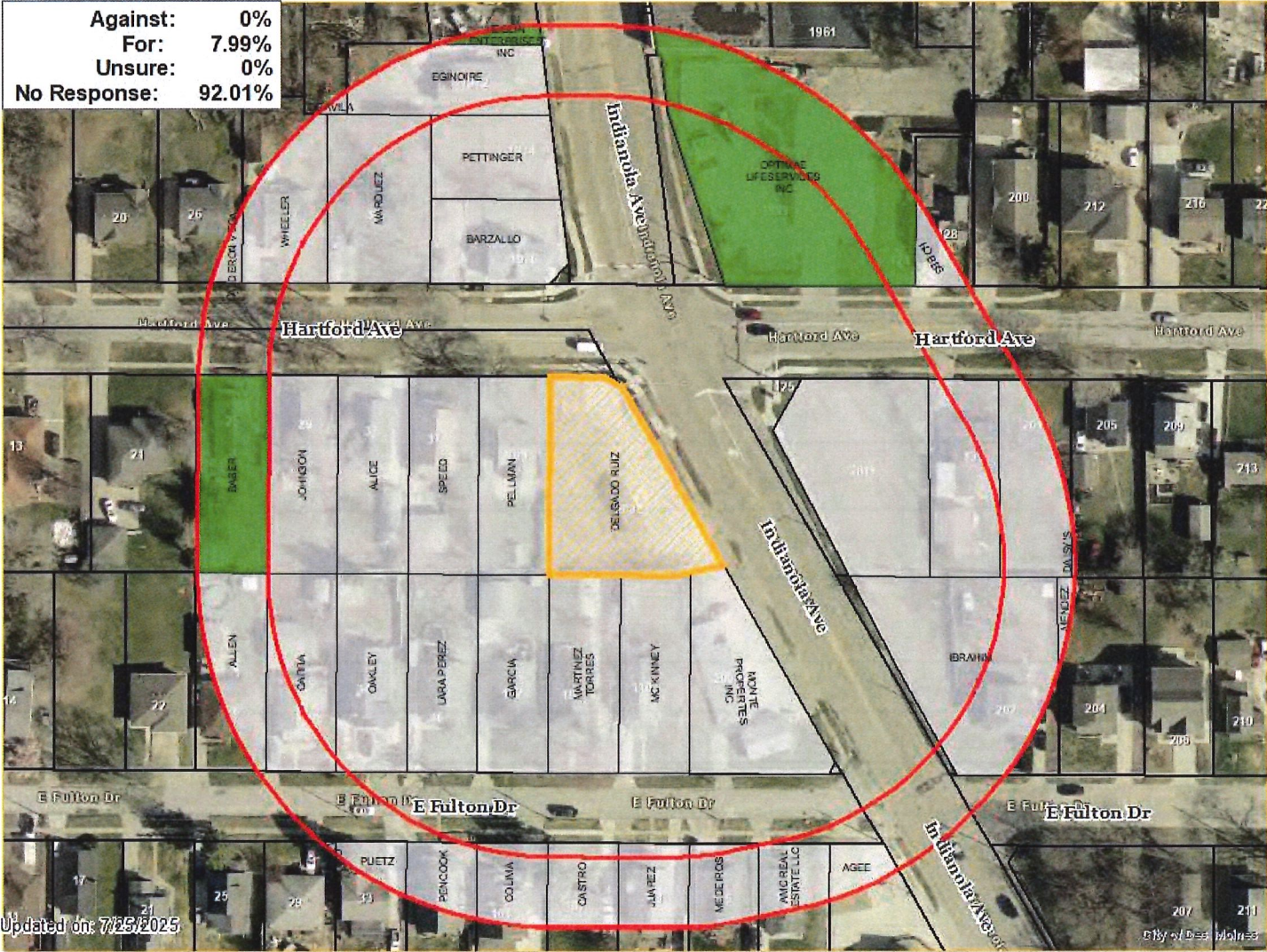
Impacted Address: 1961 Indianola Ave

Comments: Our company is rehabilitating
the building at 1961 Indianola Ave
at a cost of over \$500,000 and
welcome this additional improvement
and service to the neighborhood.

Cynthia Riaz Delgado & Jamie Rubio Jr., 2002 Indianola Avenue

ZONG-2025-000013

Against:	0%
For:	7.99%
Unsure:	0%
No Response:	92.01%



ZONG-2025-000013

