



Date August 4, 2025

RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM JAIME VILLAFANA NAVARRO (OWNER), REGARDING PROPERTY LOCATED AT 1824 DEAN AVENUE, TO AMEND THE PLANDSM CREATING OUR TOMORROW COMPREHENSIVE PLAN TO REVISE THE FUTURE LAND USE CLASSIFICATION OF THE PROPERTY FROM LOW DENSITY RESIDENTIAL TO INDUSTRIAL, AND TO REZONE THE PROPERTY FROM “N3C” NEIGHBORHOOD DISTRICT TO LIMITED “I1” INDUSTRIAL DISTRICT, TO ALLOW REUSE OF AN EXISTING BUILDING AS A WAREHOUSE SPACE FOR OFFICE AND STORAGE OF VEHICLES AND MATERIALS

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 Jaime Villafana Navarro (Owner), for the proposed rezoning from “N3c” Neighborhood District to Limited “I1” Industrial 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 Jaime Villafana Navarro (Owner), to amend the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Low Density Residential to Industrial; 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 Jaime Villafana Navarro (Owner), to rezone the Property from “N3c” Neighborhood District to Limited “I1” Industrial District, to allow reuse of an existing building as a warehouse space for office and storage of vehicles and materials, subject to the following conditions:

1. Permitted uses shall be limited to:
 - a. Warehouse; and
 - b. Any use as permitted in common with and as limited by the MX3 District.; and
2. Any outdoor storage shall be accessory to a permitted use located within a building.; and
3. Any use on the property shall be in accordance with an approved site plan.; and
4. A site plan for the property shall be submitted no later than February 27, 2026, and the property owner shall obtain approval no later than May 29, 2026.; and



Roll Call Number

Agenda Item Number

28

Date August 4, 2025

5. The property shall be brought into conformance with an approved site plan by December 31, 2026.; and

WHEREAS, the Property is legally described as follows:

EAST 98 FEET OF THE NORTH 150 FEET OF THE SOUTH 190 FEET OF THE EAST 160 FEET OF LOT 16 AND THE SOUTH 1/2 OF THE EAST/WEST ALLEY LYING NORTH OF AND ADJOINING THE EAST 98 FEET OF THE NORTH 150 FEET OF THE SOUTH 190 FEET OF LOT 16 OF THE OFFICIAL PLAT OF THE NE 1/4 OF SECTION 2-78-24, AN OFFICIAL PLAT, ALL 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 _____.



Roll Call Number

.....

Agenda Item Number

28

Date August 4, 2025

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill

Assistant City Attorney

(ZONG-2025-000009) (COMP-2025-000008)

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

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 Jaime Villafana Navarro (owner), for the following regarding property at 1824 Dean 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 Industrial.
- C) Rezone the property from "N3c" Neighborhood District to "I1" Industrial District, to allow reuse of an existing building as a warehouse space for office and storage of vehicles and materials.

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 request to amend the PlanDSM: Creating Our Tomorrow Plan Future Land Use Map designation from Business Park to Industrial.

Part C) The request to rezone the subject property from N3c" Neighborhood District to "I1" Industrial District, subject to the following conditions:

1. Permitted uses shall be limited to:
 - a. Warehouse; and
 - b. Any use as permitted in common with and as limited by the MX3 District.
2. Any outdoor storage shall be accessory to a permitted use located within a building.
3. Any use on the property shall be in accordance with an approved site plan.
4. A site plan for the property shall be submitted no later than February 27, 2026, and the property owner shall obtain approval no later than May 29, 2026.
5. The property shall be brought into conformance with an approved site plan by December 31, 2026.

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 request to amend the PlanDSM: Creating Our Tomorrow Plan Future Land Use Map designation from Business Park to Industrial.

Part C) Staff recommends approval of the request to rezone the subject property from N3c" Neighborhood District to "I1" Industrial District, subject to the following conditions:

1. Permitted uses shall be limited to:
 - a. Warehouse; and
 - b. Any use as permitted in common with and as limited by the MX3 District.
2. Any outdoor storage shall be accessory to a permitted use located within a building.
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5. The property shall be brought into conformance with an approved site plan by December 31, 2026.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to renovate a fire damaged building for storage of vehicles and materials. The property previously had non-conforming rights for vehicle repair use. These rights were lost with damage of over 50% of replacement cost and vacancy. This project falls under the Industrial category and is most consistent with a Storage, Distribution and Wholesaling - Warehouse use type. No outdoor storage is proposed.

In 2019, the City of Des Moines adopted a new Zoning Code and rezoned the entire city to match the new code structure. The boundaries of the new zoning districts were based on the land use designations set by the Future Land Use Map within Plan DSM, the City's comprehensive plan. Prior to this, the subject property was zoned "M-1" District, which was the light industrial zoning district of the previous code. The previous use and the proposed use were permitted uses in the "M-1" District.

Any future construction or development of the site must comply with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of City Code). Should the rezoning be approved, the applicant would be required to prepare a site plan and building elevations for any proposed additions or modifications.

2. **Size of Site:** 14,700 square feet (.337 acres).
3. **Existing Zoning (site):** "N3c" Neighborhood District.
4. **Existing Land Use (site):** Warehouse building with surface parking lot.
5. **Adjacent Land Use and Zoning:**
 - North* – "N3c"; Uses are one-household residential.
 - South* – "I1"; Uses are industrial including warehousing, trucking and transportation.
 - East* – "N3c"; Uses are one-household residential.
 - West* – "N3c"; Uses are one-household residential.
6. **General Neighborhood/Area Land Uses:** The subject property consists of a metal warehouse building and an unimproved surface parking lot. The site is located along Dean Avenue in a transitional area with a variety of uses. The area to the south and east of the subject property consists of industrial uses whereas the areas to the north and west are primarily residential.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Capitol East Neighborhood. All neighborhood associations were notified of the public hearing by emailing of the Preliminary Agenda on June 27, 2025, and the Final Agenda on July 11, 2025. Additionally, separate notifications of the hearing for this specific item were mailed on June 27, 2025 (20 days prior to the public hearing) and July 7, 2025 (10 days prior to the public hearing) to the Neighborhood Association and to the

primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site.

All agendas and notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Services Department on the date of the mailing.

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

- 8. Relevant Zoning History:** In 2019, the City of Des Moines adopted a new Zoning Code and rezoned the entire city to match the new code structure. The boundaries of the new zoning districts were based on the land use designations set by the Future Land Use Map within Plan DSM, the City's comprehensive plan. Prior to this, the subject property was zoned "M-1" District, which was the light industrial zoning district of the previous code. The previous use and the proposed use were permitted uses in the "M-1" District.

In August 2024, the applicant was notified of code violations pertaining to Section 134-3.9.6.E, Outdoor Storage, and Section 135-7.11.1.D of the City Municipal Code by the Neighborhood Services Department.

- 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 area 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 "Industrial". PlanDSM describes these designations as follows:

Low Density Residential: Areas developed with a mix of single family, duplex and small multi-family units up to 12 units per net acre.

Industrial: Accommodates industrial development and limited supporting commercial uses. Development in this classification could have a large impact on adjoining properties and the environment which would need to be mitigated.

The subject property is currently zoned "N3c" District. The Zoning Ordinance describes "N3c" district as, "intended to preserve the scale and character of residential

neighborhoods developed predominantly in the cottage or worker cottage style pursuant to House C building type in section 135-2.15 of this code.”

The applicant is proposing to rezone the subject property to “I1” District. The Zoning Ordinance describes “I1” district as, “intended or general industrial uses, warehousing, and transportation terminals.”

Staff believes that the proposed land use amendment and rezoning would be consistent with the existing character of the surrounding area so long as any development is constructed in accordance with the recommended conditions of approval. Since there are adjoining residential uses, the subject property must provide required screening and buffering to minimize impacts of the industrial use on the adjacent residential properties.

2. **Landscaping and Buffering:** The subject property is located at the edge of a residential area that transitions to industrial uses. While light industrial uses have pre-existed on this site, any future industrial uses on a property adjoining residential properties must ensure sufficient mitigation to not cause any negative impacts on the less intense uses. Should the rezoning be approved, the applicant would be required to bring the site to full compliance including the provision of screening and buffering from adjoining residential properties.
3. **Planning and Design Ordinance:** Any future construction or development of the site must comply with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of City Code). Should the rezoning be approved, the applicant would be required to prepare a site plan and building elevations for any proposed additions or modifications.

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 request to amend the PlanDSM: Creating Our Tomorrow Plan Future Land Use Map designation from Business Park to Industrial.

Part C) Staff recommends approval of the request to rezone the subject property from N3c” Neighborhood District to “I1” Industrial District, subject to the following conditions:

1. Permitted uses shall be limited to:
 - a. Warehouse; and
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5. The property shall be brought into conformance with an approved site plan by December 31, 2026.

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.

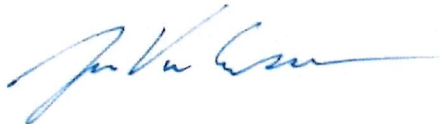
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THE VOTE 11-0

Respectfully submitted,



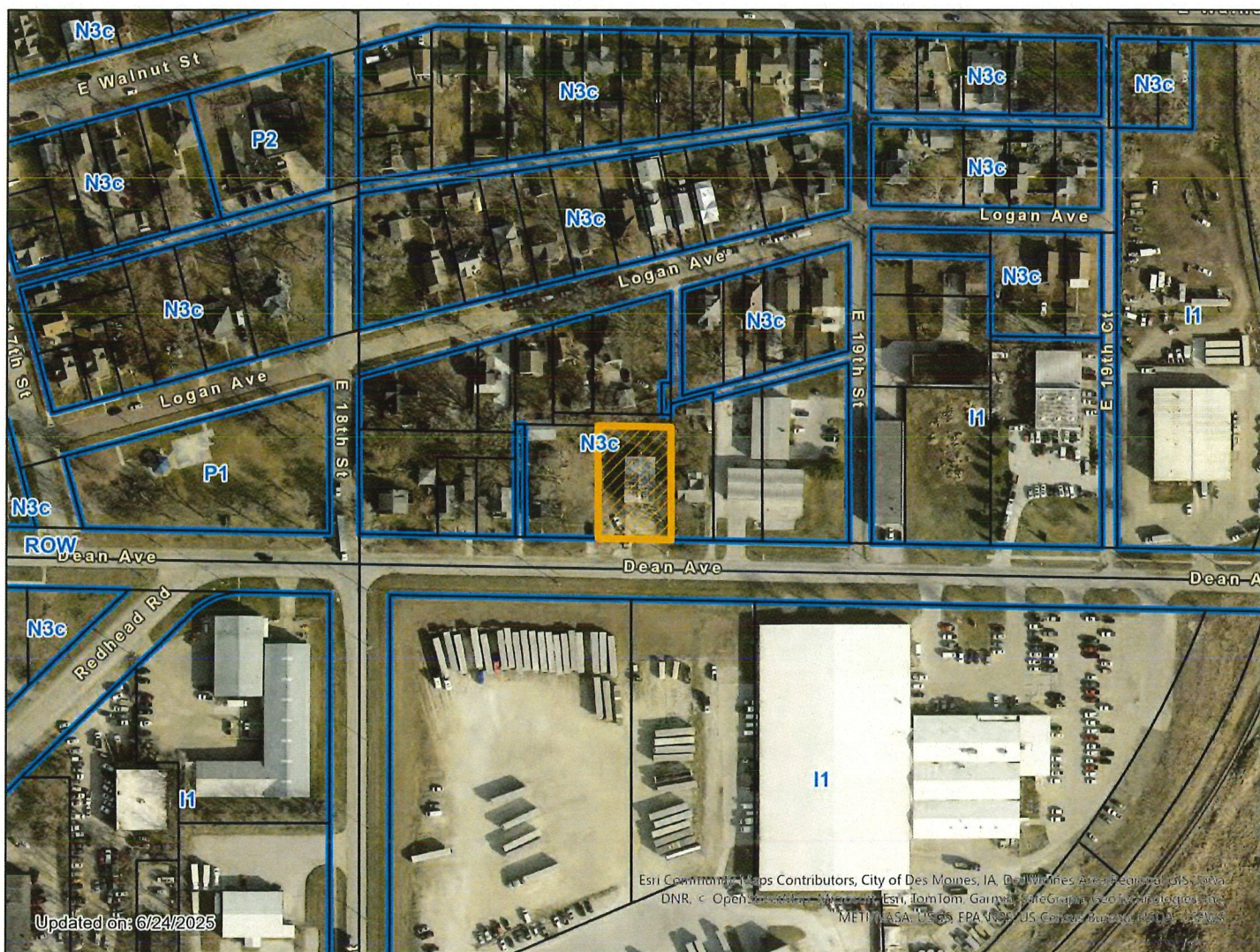
Jason Van Essen

Planning & Urban Design Administrator

JMV:mrw

Jaime Villafana Navarro 1824 Dean Avenue

ZONG-2025-000009











The property at 1824 Dean Ave, Des Moines, IA, suffered fire damage, and the project focuses on repairing the affected structures to restore functionality. The scope includes repairing the fire-damaged areas, constructing two new bathrooms, and adding a small office space to support operations. The property will be repurposed for indoor storage of vehicles and machinery, with no outdoor storage permitted. Following a pre-application meeting with the City of Des Moines, the property will need to be rezoned to Light Industrial to align with its intended use.



IOWA 80 BUILDERS

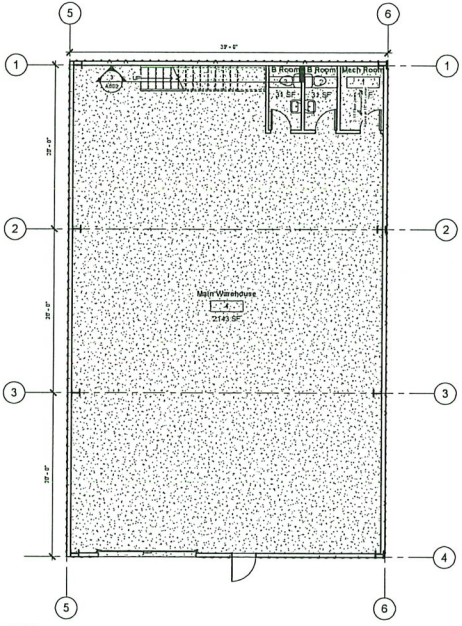
IOWA 80 BUILDERS CORP ASSUMES NO RESPONSIBILITY FOR STRUCTURAL OR DRIVING ORAL ERRORS OR OF ASSIGNED. IOWA 80 BUILDERS CORP IS NOT A LICENSED ARCHITECT OR ENGINEER. THESE PLANS ARE PROVIDED "AS IS" AND IT IS SOLELY THE RESPONSIBILITY OF THE CONTRACTOR AND/OR OWNER TO DO AND CHECK ALL NOTES, DETAILS, ELEVATIONS, SECTIONS, AND CONSTRUCTION. IF ANY ERRORS OR OF ASSIGNED ARE DISCOVERED BEFORE CONSTRUCTION BEGINS, THE CONTRACTOR AND/OR OWNER SHOULD IMMEDIATELY NOTIFY IOWA 80 BUILDERS CORP FOR POTENTIAL CORRECTION. THERE ARE NO EXPRESS OR IMPLIED WARRANTIES, INCLUDING COMPLIANCE WITH APPLICABLE BUILDING CODES, ASSOCIATED WITH THESE PLANS.

1824 Dean Ave, Des Moines, IA 50316

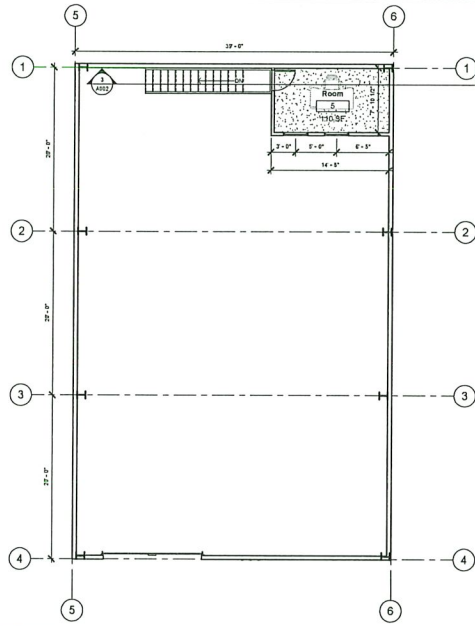
Date: 6-15-2024

VILLAFANA NAVARRO, JAIME	
Floor Plan Renovation	
Project Number	Project Number
A002	
Scale	As indicated

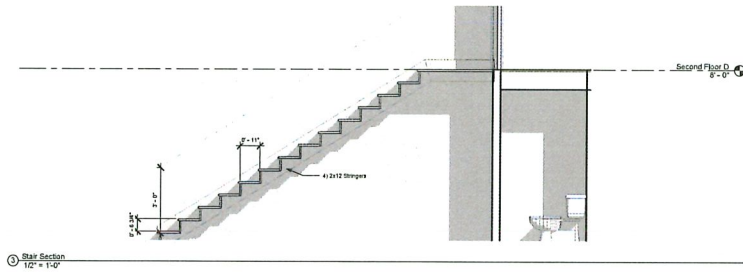
MOORE 146.027 IN



① First Floor
37'0" x 37'0"



② Second Floor
37'0" x 37'0"



③ Bar Section
6'-0" x 1'-0"



IOWA 80 BUILDERS

IOWA 80 BUILDERS CORP ASSUMES NO RESPONSIBILITY FOR STRUCTURAL OR DIMENSIONAL ERRORS OR OMISSIONS. IOWA 80 BUILDERS CORP IS NOT A LICENSED ARCHITECT OR ENGINEER. THESE PLANS ARE PROVIDED "AS IS," AND IT IS SOLELY THE RESPONSIBILITY OF THE CONTRACTOR AND/OR OWNER TO DOUBLE-CHECK ALL NOTES, DETAILS, ELEVATIONS, SECTIONS, AND CONSTRUCTION. IF ANY ERRORS OR OMISSIONS ARE DISCOVERED BEFORE CONSTRUCTION BEGINS, THE CONTRACTOR AND/OR OWNER SHOULD IMMEDIATELY NOTIFY IOWA 80 BUILDERS CORP FOR POTENTIAL CORRECTION. THERE ARE NO EX-POST OR IMPACT WARRANTIES, INCLUDING COMPLIANCE WITH APPLICABLE BUILDING CODES, ASSOCIATED WITH THESE PLANS.

1824 Dean Ave, Des Moines, IA 50316

Date: 6-15-2024

VILLAFANA
NAVARRO, JAIME

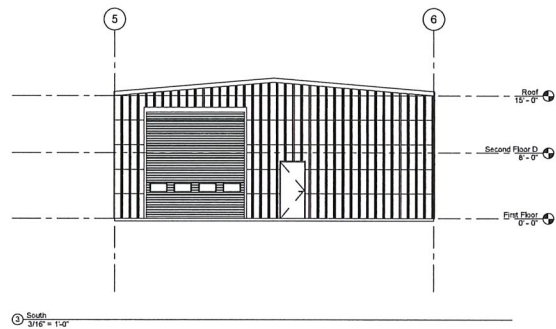
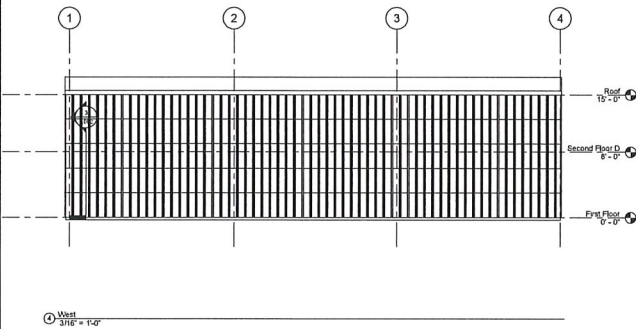
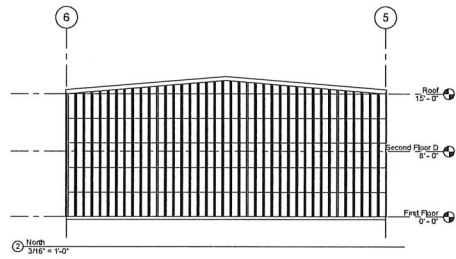
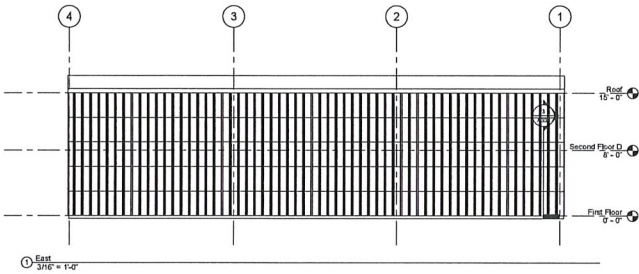
Elevations

Project number: Project Number:

A003

Scale: 3/16" = 1'-0"

6/22/2024 1:15:23 PM



Item: ZONG-2025-000009Date: 7-7-2025

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: [Signature]

Name/Business: _____

Impacted Address: 180.5 Logan AveComments: _____

Item: ZONG-2025-000009

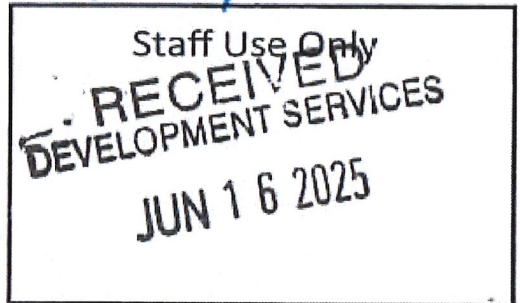
Date: 7/10/2025

Please mark one of the following:

☐ I support the request

☐ I am undecided

☒ I oppose the request



Titleholder Signature: [Signature]

Name/Business: Omar L. Colwell

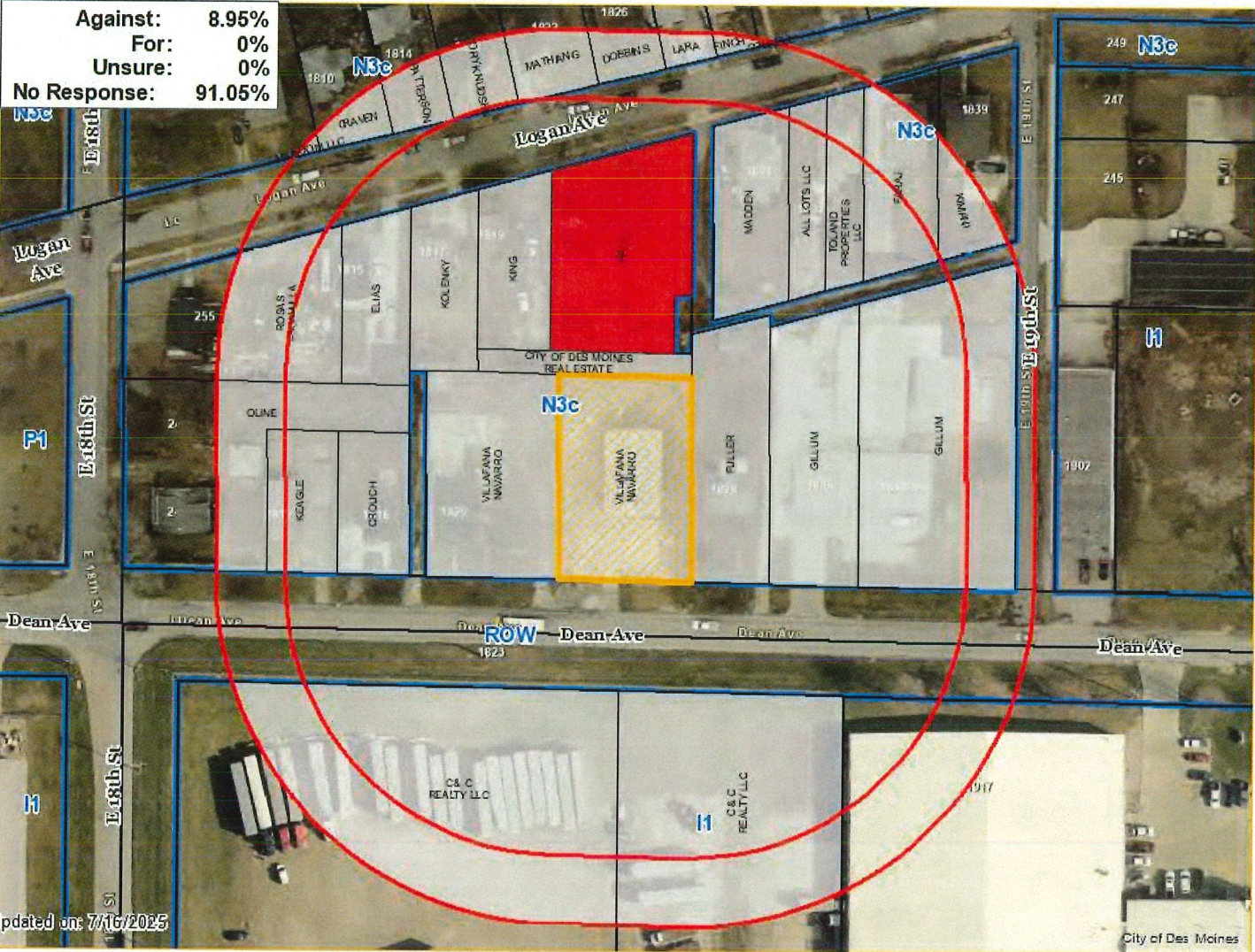
Impacted Address: 1832 Logan Ave Des
Moines IA 50316

Comments: _____

Jaime Villafana Navarro 1824 Dean Avenue

ZONG-2025-000009

Against:	8.95%
For:	0%
Unsure:	0%
No Response:	91.05%



Jaime Villafana Navarro 1824 Dean Avenue

ZONG-2025-000009

