



Date January 26, 2026

RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM JACOBO VALDERRABANO HERNANDEZ AND OFELIA PEREZ SANTOZ (CONTRACT BUYERS), FOR THE FOLLOWING REGARDING PROPERTY LOCATED AT 3214 EAST 14TH STREET, TO REZONE THE PROPERTY FROM “MX1” MIXED-USE DISTRICT TO LIMITED “MX3” MIXED-USE DISTRICT TO ALLOW A TIRE SHOP USE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on December 18, 2025, its members voted 9-1 in support of a motion to recommend **APPROVAL** of a request from Jacobo Valderrabano Hernandez and Ofelia Perez Santoz (Contract Buyers), for the proposed rezoning from “MX1” Mixed-Use District to Limited “MX3” Mixed-Use District be found in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan designation of Community Mixed-Use within a Community Node; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on held on December 18, 2025, its members voted 9-1 in support of a motion to recommend **APPROVAL** of a request from Jacobo Valderrabano Hernandez and Ofelia Perez Santoz (Contract Buyers), for the proposed rezoning from “MX1” Mixed-Use District to Limited “MX3” Mixed-Use District, to allow a tire repair shop use, subject to the following condition:

- 1) The subject property shall be brought into compliance with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of the City Code) in accordance with an approved site plan and to the satisfaction of the Planning and Urban Design Administrator.

WHEREAS, the Property is legally described as follows:

Lots 1 and 2 in block 2 Krysher's second addition, Plat 2, an official plat, now included in and forming a part of city of Des Moines, Polk County, Iowa.; and

WHEREAS, on January 12, 2026, by Roll Call No. 26-0066, it was duly resolved by the City Council that the request for approval of the proposed amendment and rezoning be set down for hearing on January 26, 2026, at 5:00 p.m., at the City Council Chambers; and

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposals; and

WHEREAS, in accordance with said notice, those interested in said proposal, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

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



Roll Call Number

Agenda Item Number

32

Date January 26, 2026

1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed rezoning are hereby overruled, and the hearing is closed.
2. The proposed rezoning of the Property, as legally described above, "MX1" Mixed-Use District to Limited "MX3" Mixed-Use District to allow a tire repair shop use subject to the condition set forth above, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

Moved by _____ to adopt.

Second by _____.

FORM APPROVED:

/s/ Emily A. Duffy

Emily A. Duffy

Assistant City Attorney

(ZONG-2025-000036)

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.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
BARRON				
WESTERGAARD				
MANDELBAUM				
GATTO				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

City Clerk

Date January 26, 2026Agenda Item 32

Roll Call # _____



January 5, 2026

Communication from the City Plan and Zoning Commission advising that at their December 18, 2025 meeting, the following action was taken on request from Jacobo Valderrabano Hernandez and Ofelia Perez Santoz (owners), for the following regarding two (2) parcels located in the vicinity of 3214 East 14th Street:

- A) Determination as to whether the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.
- B) Rezone property from "MX1" Mixed-Use District to "MX3" Mixed-Use District, to allow a tire repair shop use.

COMMISSION RECOMMENDATION: 9-1

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 following:

Part A) The requested “MX3” District be found in conformance with the PlanDSM future land use designation of Community Mixed Use within a Community Node.

Part B) Rezone the property from “MX1” Mixed-Use District to Limited “MX3” Mixed-Use District, subject to the following condition:

1. The subject property shall be brought into compliance with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of the City Code) in accordance with an approved site plan and to the satisfaction of the Planning and Urban Design Administrator.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends that the requested “MX3” District be found in conformance with the PlanDSM future land use designation of Community Mixed Use within a Community Node.

Part B) Staff recommends approval of the request to rezone the property from “MX1” Mixed-Use District to “MX3” Mixed-Use District, subject to the following condition:

1. The subject property shall be brought into compliance with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of the City Code) in accordance with an approved site plan and 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 subject property to allow a tire repair shop use on the ground floor of an existing commercial building. The second floor of the building would be occupied by office space and storage. A food truck business is proposed to operate within the parking lot area to the north of the building. All proposed uses are expected to utilize the single driveway off Henderson Avenue.

Any future construction or redevelopment on the subject properties must comply with all applicable site plan and design regulations contained in the Planning and Design Ordinance (Chapter 135 of City Code) as per the recommendation of approval.

2. **Size of Site:** 0.304 acres (13,270 square feet).
3. **Existing Zoning (site):** “MX1” Mixed-Use District.

4. **Existing Land Use (site):** The subject property includes an existing 2-story commercial building with office space on the second floor and storage in the rear. Paved surface parking is located to the north and east of the building, fronting East 14th Street.

5. **Adjacent Land Use and Zoning:**

North – “MX1”; Uses are one-household residential and restaurant building.

South – “MX1”; Uses are retail and warehousing.

East – “MX1”; Use is auto sales and service business.

West – “N5”; Uses are one-household residential.

6. **General Neighborhood/Area Land Uses:** The subject property is located along the East 14th Street corridor. The surrounding area consists of primarily commercial uses along the East 14th Street corridor and centered around the East Euclid Avenue and East 14th Street intersection.

7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Highland Park/Oak Park Neighborhood Association. All neighborhood associations were notified of the public hearing by emailing the Preliminary Agenda on November 26, 2025, and of the Final Agenda on December 12, 2025.

Additionally, an official public notice of the hearing for this specific item was mailed on November 26, 2025 (20 days before the hearing), and on December 8, 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:** On December 16, 2016, the subject property was cited for violation(s) of the Municipal Code including storage of trash, junk, debris, car parts and inoperable vehicles.

9. **PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation:** Community Mixed Use within a Community Node.

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 subject property is designated as “Community Mixed Use” within a “Community Node”. PlanDSM describes these designations as follows:

Community Mixed Use: Small- to medium-scale mixed use development, located on high capacity transit corridors or at the intersection of transportation corridors. Community mixed use areas include both a mix of medium density residential and a mix of retail and service establishments designed to attract customers from a large service area encompassing multiple neighborhoods and may include specialty retail that attracts regional customers.

Community Node: Mid-sized centers providing a range of daily needs and specialized services within a larger neighborhood context. Consist of a mix of housing, retail and offices serving a larger population and geographical area than a neighborhood node. May include a shopping district including a grocery and drug store. Residential development including medium and high densities may occur.

The subject parcel is currently zoned “MX1” District. The Zoning Ordinance describes “MX1” District as, “intended for the mixed-use, neighborhood-scale nodes and corridors within the city, where daily uses are accessible by walking from surrounding neighborhoods.”

The applicant is proposing to rezone the parcel to the “MX3” District. The Zoning Ordinance describes this district as, “intended for mixed-use nodes and corridors within the city, where residents and visitors may access multiple uses by walking and automobile. This district accommodates higher intensity commercial uses at a smaller scale.”

The proposed “MX3” District does not require an amendment to the existing land use designation of Community Mixed Use within a Community Node. Staff believes that the proposed “MX3” District is appropriate along this commercial corridor so long as development complies with all applicable site plan and design regulations of the City’s Planning and Design Ordinance. The applicant has proposed a few different uses on the property. Changes in the various proposed uses may or may not require a full site plan. However, staff believes a site plan process is necessary before any commercial uses occupy the subject property along a highly visible corridor within a community node.

- 2. Access and Driveway:** The subject property has an existing driveway off Henderson Avenue. The proposed uses should utilize this existing drive access. Any additional

access, especially off East 14th Street, is discouraged and would require a permit from the Iowa DOT.

3. Supplemental Regulations: Minor vehicle maintenance and repair uses are subject to the following supplemental use regulations:

1. No more than three vehicles per bay may be stored outdoors while awaiting repair or pick-up.
2. No long-term outdoor storage of vehicles beyond 72 hours is allowed.
3. Vehicles awaiting repair or pick-up may not occupy required parking spaces.
4. All vehicles must have current license tags.
5. Outdoor storage of junk, debris, tires or vehicle parts is prohibited.
6. All repairs must occur within a completely enclosed building.

4. Planning and Design Ordinance Requirements: Any development must comply with all applicable site plan and design regulations of the City's Planning and Design Ordinance. Should the rezoning be approved, the applicant would be required to prepare a Site Plan and building elevations for review before the property can be occupied by the proposed use.

III. STAFF RECOMMENDATION

Part A) Staff recommends that the requested "MX3" District be found in conformance with the PlanDSM future land use designation of Community Mixed Use within a Community Node.

Part B) Staff recommends approval of the request to rezone the property from "MX1" Mixed-Use District to "MX3" Mixed-Use District, subject to the following condition:

- 1) The subject property shall be brought into compliance with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of the City Code) in accordance with an approved site plan and to the satisfaction of the Planning and Urban Design Administrator.

SUMMARY OF DISCUSSION

Bert Drost presented the staff report and recommendation.

Will Page asked about parking requirements and what was allowed when a food truck was being parked in this area. He had concerns about too many vehicles parked on the property.

Bert Drost stated that the food truck is allowed on this lot in accordance with a required transient merchant license.

Jillian Sommer added that tire shop use would require provision of 1 parking space per 600 square feet of space and that a food truck would require 3 parking spaces exclusive of those required for the tire shop use.

Will Page asked if enforcement would happen on this property if it had more cars on it than what was allowed.

Jillian Sommer stated that the parking requirements would be determined during the site plan portion of the review. If the requirements are violated, it could trigger an enforcement action.

Johnny Alcivar inquired if recent code amendments to site plan triggers impacted whether the proposed use would be otherwise be required to have a site plan.

Bert Drost stated that the changes can waive the cumulative permit value trigger and the vacancy trigger have been eliminated, but the proposed change in use would likely trigger a site plan. However, staff has recommended the condition stating that a site plan is required in order to eliminate any ambiguity of whether a site plan is required.

Johnny Alcivar asked if the applicant would be required to merge the two parcels.

Bert Drost stated that this might be considered by the site plan and that access to the site could only be allowed from the east/west alley to the south or Henderson Avenue to the north.

Chris Draper asked if there was a driveway on East 14th Street side of property other than the alley.

Bert Drost confirmed that the only access points on the property are from the east/west alley to the south and Henderson Avenue to the north.

Chris Draper noted that the Commission was only considering the zoning request at this meeting, and that a site plan might only be required if it is a zoning condition. He expressed concern that this approach may not be appropriate given recent amendments that eliminated some site plan triggers.

Bert Drost clarified that staff believes that a site plan is necessary in order to ensure that a tire shop does not have negative impacts for the surrounding the area. The site plan would ensure that the site can meeting the supplemental use for "Vehicle Maintenance and Repair, Minor" uses (as contained in City Code Section 134-3.5.20.D). These six supplemental regulations are provided in the staff report.

Will Page asked about the second floor of the building to be used as office space and storage. He wondered if this could be used for residential use.



Bert Drost stated that the requested "MX3" district is a mixed use district that would allow residential and commercial uses. However, the applicant has not expressed interest in this. He did note that any use of the building for storage must pertain to a use permitted in the MX3 district, such as a tire repair business.

Will Page asked if additional parking spaces would be required if it were used as a residential use, as he is concerned with overparking the lot.

Bert Drost stated that they would be required to provide one parking spot per dwelling unit if they were to include a residential use. This would be determined during the site plan portion of the review.

Chris Draper asked for the parking requirements based on the square footage and uses.

Katie Gillette noted that we are getting in the weeds with site plan requirements and this hearing is only to determine the zoning.

Chris Draper countered that because requiring a site plan is a recommended zoning condition, it should be determined now.

Bert Drost stated that the full use of the building has not been determined but there are six supplemental use requirements for any auto repair use that must be satisfied before the property can be used for such, regardless of whether a site plan is required.

Chris Draper stated concerns about putting additional restrictions on the applicant when it is not required.

Bert Drost stated that staff would only feel comfortable recommending approval of a rezoning to allow a tire repair use at this location if a site plan was not required, as a site plan would ensure the supplemental use regulations are met and that appropriate landscaping, required parking spaces, screening, and dumpster enclosure are provided.

Chris Draper noted his concern that the regulations have been changed to help property owners and developers, but this is not helping this applicant.

Leah Rudolphi stated that the site plan had been added in addition to the other standard conditions for the use.

CHAIRPERSON OPEN PUBLIC HEARING

Jacobo Valderrabano Hernandez, 3214 E 14th Street, stated name and address and asked his realtor Martin to read a statement as translator.

Martin Sanchez, realtor for the applicant, stated that they attended the pre-application meeting and understood that a change in use of the property to a tire shop would require

submission of a site plan. He noted that plans are already in place to update the landscaping and parking. The second floor would be used only for office and storage purposes. They would like to have the food truck on site but acknowledge that if it cannot meet requirements, they are prepared to proceed with only the tire shop and remove the food truck, as the tire shop use is the most preferred use of the property. He added that Jacobo is a seasoned entrepreneur who looks forward to investing in and uplifting the neighborhood.

Chris Draper asked how many parking spaces there are on both lots.

Martin Sanchez stated they estimate around 25 parking spaces.

Carol Maher, Downtown Des Moines, spoke in opposition to the project noting that the applicant should be required to bring the sidewalks up to compliance as they are in disrepair and narrow. She also discouraged any further curb cuts on the property.

Martin stated that the applicant is already considering updating sidewalk and approach area along with making the overall appearance of the building better.

CHAIRPERSON CLOSED PUBLIC HEARING

Johnny Alcivar asked for confirmation that the access from East 14th Street was actually access from the east/west alley and not a driveway.

Bert Drost confirmed that it is only the alley way and not an additional drive.

Johnny Alcivar added that if the applicant would request another driveway access they would have to go through the Iowa Department of Transportation for approval and permitting due to the road being a highway.

Bert Drost stated that was correct.

Chris Draper agreed that a site plan would be beneficial for the property and expressed appreciation that the applicant is willing to comply. However, he also stated that he feels it is inappropriate to require a site plan through the rezoning process in cases the current rules would not otherwise mandate one, even if the thought behind the requirement is well intended.

COMMISSION ACTION

Francis Boggus made motion for approval of the following:

Part A) The requested "MX3" District be found in conformance with the PlanDSM future land use designation of Community Mixed Use within a Community Node.

Part B) Rezone the property from "MX1" Mixed-Use District to Limited "MX3" Mixed-Use District, subject to the following condition:

- 1) The subject property shall be brought into compliance with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of the City Code) in accordance with an approved site plan and to the satisfaction of the Planning and Urban Design Administrator.

THE VOTE: 9-1 (Chris Draper voted in opposition)

Respectfully submitted,

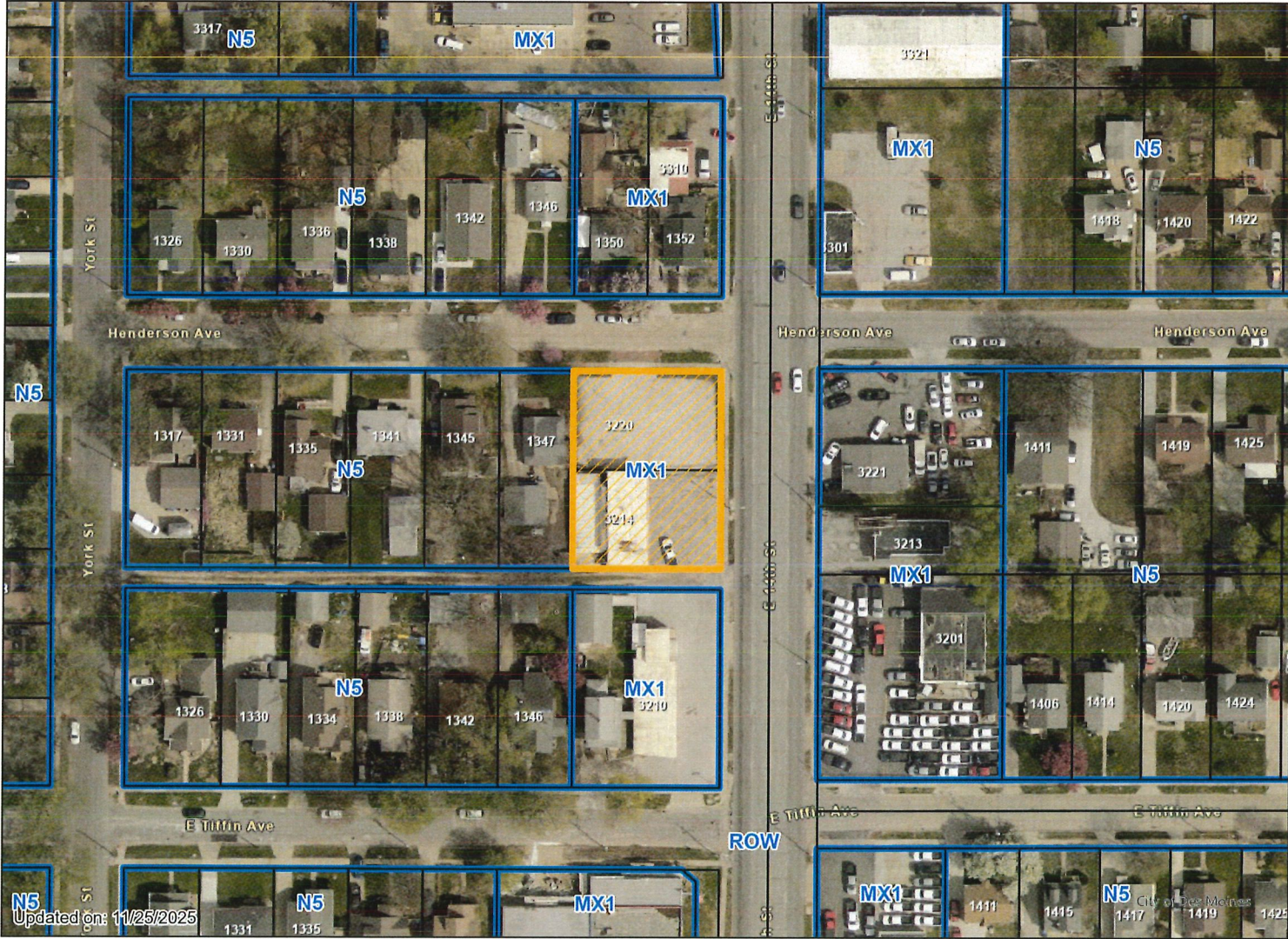


Bert Drost, AICP
Planning & Urban Design Deputy Administrator

BAD:mrw

Jacobo Valderrabano Hernandez, 3214 East 14th Street

ZONG-2025-000036



Project Narrative – Proposed Change of Use to Tire Shop

Project Address:

Current Zoning:

Applicant:

Date:

1. Introduction

The purpose of this project narrative is to request approval for a change of use for the existing building from **storage** to a **tire shop with accessory warehouse and office space**. The proposed use will operate primarily as a tire installation and service facility on the first floor, with tire storage located in the rear warehouse area. The second floor will continue to serve as office space with no changes proposed.

2. Existing Building Description

The building currently consists of two levels:

- **First Floor:** Garage bays and warehouse area previously used for general storage.
- **Second Floor:** Office space currently in use and proposed to remain unchanged.

3. Proposed Use Summary

The applicant proposes the following layout and uses:

A. First Floor – Tire Shop (Service Area)

- Total service area: **1,440 sq ft**
- This space contains existing garage bays that will be used for tire installation services.
- Vehicles will enter through the garage doors for tire mounting, balancing, and related services only.
- No mechanical repair, bodywork, or automotive painting is proposed—tire service only.

B. First Floor – Warehouse (Tire Storage)

- Total warehouse storage: **1,184 sq ft**
 - 1,056 sq ft main warehouse area
 - 128 sq ft secondary warehouse area

- This space will be used exclusively for storing new and used tires associated with day-to-day business operations.
- Storage will be organized on racks and will comply with applicable fire and safety requirements.

C. Second Floor – Office Space

- The second floor will remain **office use**, consistent with existing conditions.
- No changes to layout, footprint, or intended use.
- The office area will be used for administrative operations, customer service, record-keeping, and management.

4. Operations and Compliance

- Proposed business hours will be typical daytime service hours (e.g., 8 AM–6 PM), with no overnight vehicle storage.
- All activities will take place indoors within the designated garage bays.
- The proposed use does not include hazardous waste handling beyond normal tire service. Any generated waste (e.g., used tires) will be stored properly and disposed of through approved vendors.
- No exterior modifications are proposed at this time, unless required by City code for safety or compliance.

5. Parking and Site Circulation

- Existing parking will accommodate customers and staff.
- Vehicles will enter the tire shop through the existing garage entrances; circulation will remain unchanged from current site patterns.
- No additional paving or exterior changes are proposed.

6. Conclusion

The proposed tire shop use is consistent with the building's physical layout and operational capacity. The project maintains the building footprint, enhances economic activity in the area, and complies with applicable zoning and building regulations. The warehouse and office uses remain ancillary and support the main tire service operation.

Approval of this change of use will allow the property to be utilized efficiently while supporting a local service-oriented business that meets community





From: [Martin Castaneda](#)
To: [Chakraborty, Sreyoshi](#); [Martin Castaneda](#)
Subject: Re: ZONG-2025-000036 3214 E 14TH ST
Date: Wednesday, December 17, 2025 12:05:51 PM
Attachments: [image002.png](#)
[image003.png](#)
[image001.png](#)
[image004.png](#)
[image005.png](#)
[presentation for the neighborhood meeting.pdf](#)

EXTERNAL EMAIL - This email was sent by a person from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

I have attached the presentation document that was provided in the meeting, and below is the outcome of the meeting.

The neighborhood meeting went very well. Only one neighbor attended, Tandy Struble, who resides immediately west of the property at 1347 Henderson Avenue. Ms. Struble expressed her support for the proposed zoning/usage change from MX1 to MX3 and shared that she welcomes increased activity within the neighborhood.

She also noted that since new ownership began maintaining the property and surrounding area, there has been a noticeable improvement in conditions. Specifically, the increased presence and upkeep have prevented homeless individuals from accessing her backyard and the adjacent property, effectively reducing and discouraging prior homeless activity.

Martin Castaneda

On Wed, Dec 17, 2025 at 10:11 AM Martin Castaneda <sanchezmartin.mc@gmail.com> wrote:

Sound good. I will be sending you a summary here in an hour and so. And what is the staff recommendation so far?

On Wednesday, December 17, 2025, Chakraborty, Sreyoshi <SChakraborty@dmgov.org> wrote:

Hello,

Hope your neighborhood meeting went well. Can you send me a brief summary of the meeting and a list of any attendees at your earliest convenience? We will need it for the presentation to the Commission tomorrow.

Also do you have any questions on the staff recommendations or concerns? If not we could move it to consent agenda so it can be approved without discussion.

Thanks,

Sreyoshi Chakraborty, AICP (She/Her)
Senior City Planner
Development Services Department



Office: (515) 283-4749 | **Cell:** 515-975-6820
City of Des Moines, 602 [Robert D. Ray Dr.](#), [Des Moines, IA 50309](#)

Visit us online at [DSM.city](#)
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From: Martin Castaneda <sanchezmartin.mc@gmail.com>
Sent: Tuesday, December 9, 2025 2:34 PM
To: Chakraborty, Sreyoshi <SChakraborty@dmgov.org>
Subject: Re: ZONG-2025-000036 3214 E 14TH ST

EXTERNAL EMAIL - This email was sent by a person from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

have the neighborhood meeting tomorrow 5pm to 6pm. at the premises. I will let you know how it goes.

■ Neighborhood Meeting – Project Overview ■

■ Requested By:

Jacobo Valderrabano – Seasoned entrepreneur in real estate and restaurant industries. Despite his disability, he continues to uplift neighborhoods and invest in community improvements.

■ Property Location:

3214 E 14th St, Des Moines, IA 50316

■ Request:

Changing use from **Warehouse (MX1)** to **Tire Shop with accessory warehouse and office space (MX3)**.

■ Previous Use – 3214 E 14th St:

- Garage bays → Storage of vehicles
- Rear space → Storage
- Second floor → Office space

■ Proposed Use – 3214 E 14th St:

- Garage bays → Tire shop operations
- Rear space → Tire storage
- Second floor → Office space

■■ Previous & Proposed Use – 3220 E 14th St:

- Continues as space for a mobile food service

■ Neighborhood Benefits:

- Updated landscaping
- New signage
- Improved parking layout

- Building upgrades
- Reduced trespassing/homeless activity due to higher site activity
- Strengthens local business presence

■ Questions or Concerns?

Thank you for your time, feedback, and participation! ■

Item: ZONG-2025-000036 Date: 12-11-25

Please mark one of the following:

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

Staff Use Only
RECEIVED
DEVELOPMENT SERVICES
DEC 17 2025

Titleholder Signature: Steven Banse Stanford
Name/Business: Steven Banse Stanford

Impacted Address: _____

Comments: I fully support this request!

