



**Roll Call Number**

25-1047

**Agenda Item Number**

27

**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 Gatto TO ADOPT.

SECOND BY Voss.

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	7			

MOTION CARRIED

APPROVED

Connie Green

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.

Laura Baumgartner

City Clerk