



Roll Call Number

26-0129

Agenda Item Number

32

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 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:

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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 Westergaard to adopt.

Second by Gatto.

FORM APPROVED:

/s/ Emily A. Duffy

Emily A. Duffy

Assistant City Attorney

(ZONG-2025-000036)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
BARRON	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

Connie Boesen

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