



Roll Call Number

26-0847

Agenda Item Number

38

Date July 13, 2026

RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM MONTE PROPERTIES (OWNER), REPRESENTED BY BRENDA SANCHEZ (OFFICER) FOR THE FOLLOWING REGARDING PROPERTY LOCATED AT 2006 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 “MX1” MIXED-USE DISTRICT, TO ALLOW THE CONVERSION OF A “RETAIL SALES” USE TO A “TOBACCO STORE” USE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 4, 2026, its members voted 6-5 in support of a motion to recommend **DENIAL** of a request from Monte Properties (Owner), represented by Brenda Sanchez (Officer), for the proposed rezoning from “N5” Neighborhood District to “MX1” 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 June 4, 2026, its members voted 6-5 in support of a motion to recommend **DENIAL** of a request from Monte Properties (Owner), represented by Brenda Sanchez (Officer) for property located at 2006 Indianola Ave, to amend the PlanDSM: Creating Our Tomorrow Land Use Plan designation from Low Density Residential to Neighborhood Mixed Use; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 4, 2026, its members voted 6-5 in support of a motion to recommend **DENIAL** of a request from Monte Properties (Owner), represented by Brenda Sanchez (Officer) for property located at 2006 Indianola Ave, to rezone the property from “N5” Neighborhood District to “MX1” Mixed-Use District, to allow the conversion of a “retail sales” use to a “tobacco store” use; and

WHEREAS, the Property is legally described as follows:

Lot 1 89 (except that part conveyed to the City of Des Moines in the Warranty Deed recorded in Book 5815 Page 995) and that part of Lot 164 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 Point of Beginning, all in Crawford Place, an Official Place, now included in and forming a part of the City of Des Moines, Polk County, Iowa (locally known as 2006 Indianola Avenue, Des Moines, IA 50315).

WHEREAS, on June 29, 2026, by Roll Call No. 26-0741, 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 July 13, 2026, at 5:00 p.m. at the City Council Chambers; and



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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 proposed rezoning; and

WHEREAS, in accordance with said notice, those interested in said proposed rezoning, 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:

1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, along with any objections to the proposed rezoning, which have been duly considered, the hearing is hereby closed.

Alternative A

MOVED by Gatto to **DENY** the proposed rezoning.

Second by Voss.

Alternative B

MOVED by _____ to continue the public hearing until August 3, 2026, at 5:00 p.m. in the Council Chambers, 1200 Locust Street, Des Moines, Iowa and to direct the City Manager and Legal Department to prepare the necessary legislation to **APPROVE** the requested rezoning of the Property from "N5" Neighborhood District to "MX1" Mixed-Use District, to allow the conversion of a "retail sales" use to a "tobacco store" use, and determining the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.

Second by _____.

(NOTE – APPROVAL REQUIRES SIX VOTES DUE TO THE PLAN & ZONING COMMISSION RECOMMENDING DENIAL)

FORM APPROVED:

/s/ Emily A. Duffy

Emily A. Duffy

Assistant City Attorney

(COMP-2026-000007) (ZONG-2026-000010)



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

MOTION CARRIED

APPROVED

Connie Bosen

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