



**Roll Call Number**

.....25-0684.....

**Agenda Item Number**

.....49.....

**Date** .....May 5, 2025.....

**RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM JOSE ROSALIO MACIAS (OWNER) TO REZONE THE PROPERTY, LOCATED IN THE VICINITY OF 6120 INDIANOLA AVENUE (GEO PARCEL # 782426477015), FROM “N1A” NEIGHBORHOOD DISTRICT TO LIMITED “N1A-2” NEIGHBORHOOD DISTRICT TO ALLOW THE DEVELOPMENT OF THE PROPERTY FOR A TWO-HOUSEHOLD (DUPLEX) RESIDENTIAL USE**

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on April 3, 2025, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from Jose Rosalio Macias (Owner), for the proposed rezoning from “N1a” Neighborhood District to Limited “N1a-2” Neighborhood District be found 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 further advised that at a public hearing held on April 3, 2025, its members voted 10-0 in support of a motion to recommend **APPROVAL** of a request from Jose Rosalio Macias (Owner), to rezone the Property located in the vicinity of 6120 Indianola Avenue from “N1a” Neighborhood District to Limited “N1a-2” Neighborhood District, to allow the development of the property for a two-household (duplex) residential use, subject to the following conditions:

1. Any driveway and parking area should be paved.
2. Any driveway shall be accessed via East Leland Avenue.; and

**WHEREAS**, the Property is legally described as follows:

**THE EAST 200 FEET OF LOT 92 IN NEW HOPE PLAT 2, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.; and**

**WHEREAS**, on April 21, 2025, by Roll Call No. 25-0578, it was duly resolved by the City Council that the request for approval of the proposed rezoning be set down for hearing on May 5, 2025, 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 proposal; 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, from “N1a” Neighborhood District to Limited “N1a-2” Neighborhood District, to allow the development of the property for a two-household (duplex) residential use, subject to the conditions set forth above, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY Gatto TO ADOPT. SECOND BY Voss.

FORM APPROVED:

/s/ Chas M. Cahill  
 Chas M. Cahill  
 Assistant City Attorney

(ZONG-2025-000002)

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

Connie Boesen Mayor

Laura Baumgartner City Clerk