

DateAugust 18, 2025.....

RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM CYNTHIA DELGADO RUIZ (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 Delgado Ruiz (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 Delgado Ruiz (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 Delgado Ruiz (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 EXCEPT THAT PART



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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.

WHEREAS, on August 4, 2025, by Roll Call No. 25-1047, 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 August 18, 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 proposals; and

WHEREAS, in accordance with said notice, those interested in said proposals, 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, any objections to the proposed amendment and rezoning are hereby overruled, and the hearing is closed.
2. The proposed amendment to PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification for the Property from Low Density Residential to Neighborhood Mixed Use is hereby approved.
3. The proposed rezoning of the Property, as legally described above, from "N5" Neighborhood District to Limited "RX1" Mixed Use District, to allow reuse of an existing building for a barbershop, subject to the conditions set forth above, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

MOVED BY

Voss

TO ADOPT. SECOND BY

Coleman

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	6			1

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