



Roll Call Number

.....26-00de

Agenda Item Number

22

Date January 12, 2026

RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM JACOBO VALDERRABANO HERNANDEZ AND OFELIA PEREZ SANTOZ (CONTRACT BUYERS), FOR TWO PARCELS LOCATED WITHIN THE VICINITY OF 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 Plan 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 in Krysher’s Second Addition, Plat 2, and 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 rezoning is to be considered, and at which time the City Council will hear both those who oppose and those who favor the proposal, shall be held at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on January 26, 2026, at which time the City Council will hear both those who oppose and those who favor the proposal.

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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/ 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