



**Roll Call Number**

**Agenda Item Number**

21

**Date** May 6, 2024

**RESOLUTION SETTING PUBLIC HEARING REGARDING REQUEST FROM STERLING INVESTMENTS, LLC (OWNER), REPRESENTED BY DAVID BARZEN (OFFICER), FOR PROPERTY LOCATED AT 1701 PENNSYLVANIA AVENUE, TO REZONE THE PROPERTY FROM “N5” NEIGHBORHOOD DISTRICT TO “N5-2” NEIGHBORHOOD DISTRICT, TO ALLOW USE OF THE PROPERTY FOR TWO (2) HOUSEHOLD DWELLING UNITS**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 4, 2024, its members voted 6-3 in support of a motion to recommend **APPROVAL** of a request from Sterling Investments, LLC (Owner), represented by David Barzen (Officer), for property located at 1701 Pennsylvania Avenue, to rezone the property from “N5” Neighborhood District to “N5-2” Neighborhood District, to allow use of the property for two (2) household dwelling units and determined the requested rezoning is in conformance with the PlanDSM: Creating Our Tomorrow Comprehensive Plan; and

WHEREAS, the Property is legally described as follows:

**LTS 14-15 & 16 IN THE CORRECTED PLAT OF WASHINGTON HEIGHTS IN CAPITAL PARK, NOW INCLUDED IN AND FORMING A PART 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 proposals, shall be held at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on May 20, 2024, at which time the City Council will hear both those who oppose and those who favor the proposals.
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.



**Roll Call Number**

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21

**Date** May 6, 2024

MOVED BY \_\_\_\_\_ TO ADOPT.

SECOND BY \_\_\_\_\_

FORM APPROVED:

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

(ZONG-2024-000008)

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

Date May 6, 2024

Agenda Item 21

Roll Call # \_\_\_\_\_

April 5, 2024

Communication from the City Plan and Zoning Commission advising that at their April 4, 2024 meeting, the following action was taken for request from Sterling Investments, LLC (owner), represented by David Barzen (officer), for the following regarding property located at 1701 Pennsylvania Avenue:

- A) Determination as to whether the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.
- B) Rezone the property from “N5” Neighborhood District to “N5-2” Neighborhood District, to allow use of the property for two-household dwelling units

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 6-3-0 as follows.

Commission Action:	Yes	Nays	Pass	Abstain	Absent
Francis Boggus	X				
Leah Rudolphi		X			
Abby Chungath					X
Kayla Berkson	X				
Chris Draper	X				
Laura Kessel					X
Todd Garner	X				
Johnny Alcivar	X				
Justyn Lewis					X
Carolyn Jenison		X			
William Page					X
Andrew Lorentzen					X
Emily Webb		X			
Katie Gillette					X
Rick Trower	X				

**Approval** of request to rezone the property from “N5” Neighborhood District to “N5-2” Neighborhood District to allow use of the property for two-household dwelling units.



## STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends that the requested “N5-2” District be found not in conformance with the existing PlanDSM future land use designation of Low Density Residential.

Part B) Staff recommends approval of the request to rezone the property from “N5” Neighborhood District to “N5-2” Neighborhood District to allow use of the property for two-household dwelling units.

## STAFF REPORT TO THE PLANNING COMMISSION

### I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to renovate an existing carriage house. The renovation would result in a garage on the lower level and a dwelling unit on the upper level. The new dwelling unit would be accessory to the principal dwelling which is currently being used as a one-household residential rental unit. The subject property requires rezoning from “N5” Neighborhood District to “N5-2” Neighborhood District to allow it to be used for two dwelling units.
2. **Size of Site:** 23,800 square feet (0.546 acres).
3. **Existing Zoning (site):** “N5” Neighborhood District.
4. **Existing Land Use (site):** The subject property consists of a 3,368-square foot dwelling, a 780-square foot existing carriage house, and a gravel parking area and driveway.
5. **Adjacent Land Use and Zoning:**
  - North* – “P2”; Use is Union Park.
  - South* – “N5”; Uses are one-household residential and religious assembly.
  - East* – “N5”; Uses are one-household residential.
  - West* – “N5”; Uses are one-household residential.
6. **General Neighborhood/Area Land Uses:** The subject property is located on the north side of Cherokee Street at the intersection with Pennsylvania Avenue. The surrounding area is predominantly one-household uses.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Capitol Park Neighborhood Association. All neighborhood associations were notified of the public hearing by emailing of the Preliminary Agenda on March 15, 2024 and of the Final Agenda on March 29, 2024. Additionally, separate notifications of the hearing for this specific item were mailed on March 15, 2024 (20 days prior to the public hearing) and March 25, 2024 (10 days prior to the public hearing) to the Neighborhood



All notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division on the date of the mailing. The Capitol Park Neighborhood mailings were sent to Jack Daugherty.

The applicant can provide a summary of the neighborhood meeting at the public hearing.

**8. Relevant Zoning History:** None.

**9. PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation:** Low Density Residential.

**10. Applicable Regulations:** Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, the Commission reviews all proposals to amend zoning boundaries or regulations within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in 414.3 of the Iowa Code. The Commission may make recommendations to the City Council on conditions to be made in addition to the existing regulations so long as the subject property owner agrees to them in writing. The recommendation of the Commission will be forwarded to the City Council.

## **II. ADDITIONAL APPLICABLE INFORMATION**

**1. PlanDSM: Creating Our Tomorrow:** The subject parcel is currently zoned "N5" District. The Zoning Ordinance describes this district as, "intended to preserve the scale and character of neighborhoods developed with a mix of bungalow and two-story houses, predominantly in the Victorian, Revival, and Arts and Crafts styles pursuant to House D building type in section 135-2.16 of this code."

The applicant is proposing to rezone the parcel to the "N5-2" District. The Zoning Ordinance describes this district extension as, "For N districts locations labeled with a "-2" extension, the maximum number of household units permitted per lot is two, pursuant to section 134-3.1.2 of this chapter. Refer to the building type regulations in Article 2 of chapter 135 of this code for the permitted building types and configuration of the units within the building type."

The subject property is located in a predominantly residential neighborhood and is a parcel that was originally platted as three lots. The City's Transportation Master Plan, MoveDSM, designates Pennsylvania Avenue a Community Residential type street which acts as an important link for people using all modes of travel, supports a variety of housing types, and carries between 3,000 to 12,000 cars/day.

The subject property is located 0.44-mile from a DART transit route. It is located in a walkable area neighboring the East Village and Downtown Des Moines and has direct access to a public park and the regional trail system. The subject property has previously operated as a bed and breakfast. If the subject property were located within a quarter-mile of a DART bus route and the titleholder lived in one of the two units, an accessory household unit would be allowed by-right.

- 2. Planning and Design Ordinance:** Any development must comply with all applicable site plan and design regulations of the Planning and Design Ordinance. Should the rezoning be approved, the applicant would be required to prepare a Site Plan and building elevations for review and approval before the property can be occupied by the proposed use. This Site Plan will ensure that all requirements, including those pertaining to off-street parking, landscaping, screening, and stormwater management, are satisfied.

## **SUMMARY OF DISCUSSION**

Kathryn Drahos presented the staff report and recommendation.

Carolyn Jenison asked if there was another path for approval if the request is denied.

Jason Van Essen stated that City Council will ultimately make the decision after a recommendation from the Plan and Zoning Commission. The applicant could seek a use variance if the Council does not approve the request. A use variance request would have challenges.

Kathryn Drahos noted that approval would require a super majority vote from the City Council due to sufficient opposition from neighboring properties.

Johnny Alcivar asked if the carriage house had always been there and if it had been used as a garage.

Kathryn Drahos stated it was built with the home originally and has been used as a garage.

Johnny Alcivar asked just as a point of comparison with Sherman Hills area, if accessory dwellings had been allowed in that area because of the proximity of DART routes that meet the zoning requirements.

Kathryn Drahos noted that accessory dwelling units can be approved by-right with the conditions of owner occupancy and location less than a quarter mile of a DART route. In this case, the property is not owner occupied and is not within the quarter mile of a DART route.

Jason Van Essen noted that much of Sherman Hill is zoned for multifamily use.

## **CHAIRPERSON OPENED THE PUBLIC HEARING**

David Barzen, 420 51<sup>st</sup> Street, purchased the home at 1701 Pennsylvania Ave in 2003 and has spent substantial amounts of money doing repairs and restoring the home. He had rented the property out at one point, but the rental certificate was revoked due to the condition of the carriage house. That is when he began giving a one percent ownership to allow someone to live there. Extensive work was completed to move the carriage house off the property line and restore it. He would like to add a second-floor dwelling unit in the carriage house. He wishes to share this historic gem with the community.



Matt Frideres, contractor, has been working with David Barzen restoring homes in the Des Moines area for over 25 years and noted what great care David takes to be sure repairs and restorations are done correctly. He improves the quality of properties, and this property was never a flop house as a neighbor had noted.

Chris Draper questioned why there were so many issues with the neighborhood.

David Barzen stated he did not know. He has done events with arts and music at the location and allowed the public to come view the home. Many times, neighbors attend. He has tried to utilize the property in the best way he can while renovating and not being able to get a rental certificate. Jack Daughtery owns Captain Roy's across the road, and he has also done music and art events at his establishment in the area.

Chris Draper questions the consternation with the neighborhood but generally likes the idea being put forward.

Francis Boggus asked the same question why Jack Daughtery (wrote letter of opposition) wasn't being supportive of the project.

David Barzen stated that he believes that Jack Daughtery wants the home to be a single-family home since he lives nearby. He believes the historic home should be shared with the public. His plan includes adding a residence to the carriage home to be the caretaker of the home and rent the house as an Air B&B.

Emily Webb asked what he will do with the house if the rezoning is denied.

David Barzen stated he would keep the home. He is to the point where the carriage house will pass inspection as a garage so he would be able to just get the standard rental certificate for the home itself. He went into great detail to explain the improvements and restoration of the carriage house and home.

Chris Draper asked for clarification on the purpose of the request asking if he were to get denied, the carriage house could not be occupied.

Jason Van Essen clarified that the carriage house could not be used as an occupied living space on the property without the change of zoning. A denial would only result in the home being eligible for the rental certificate and the carriage house would only be able to be used as a garage.

David Barzen asked if the carriage house could be subdivided so that it was on a separate lot.

Jason Van Essen stated it might be possible but is something they would have to look into further.

Emily Webb asked if anyone is living in the property currently.

David Barzen stated it is not occupied and hasn't been for years. He can only get the rental certificate with the improvements to the carriage house, and this was just completed. He believes making another residence in the carriage house will be a great



asset to the property and he is willing to spend a considerable amount to make a nice addition to the structure.

**CHAIRPERSON CLOSED THE PUBLIC HEARING**

**COMMISSION ACTION**

Rick Trower agrees that he likes what David Brazen is doing with the property, but finds it suspect that the neighborhood is so opposed to the project. He wished that neighborhood residents would have shown up to the meeting to find some resolution.

Chris Draper countered that it is always easy to send a letter rather than show up. This would be a project he could support, but also wonders why so many are in opposition.

Emily Webb stated that she had received an email from some residents that live in the area that they were working and unable to attend the meeting.

Francis Boggus also agreed that neighbors should have shown up and he is leaning toward supporting the staff recommendation.

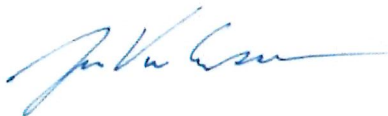
Todd Garner believes that the home is in the right hands and the owner has done everything that the city has asked to obtain a rental certificate. He believes that the carriage house proposal is to the benefit of the property and neighborhood.

Todd Garner made a motion for approval of the request to rezone the property from "N5" Neighborhood District to "N5-2" Neighborhood District to allow use of the property for two-household dwelling units.

**THE VOTE** 6-3-0 (Carolyn Jennison, Leah Rudolphi and Emily Webb voted in opposition)

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Respectfully submitted,

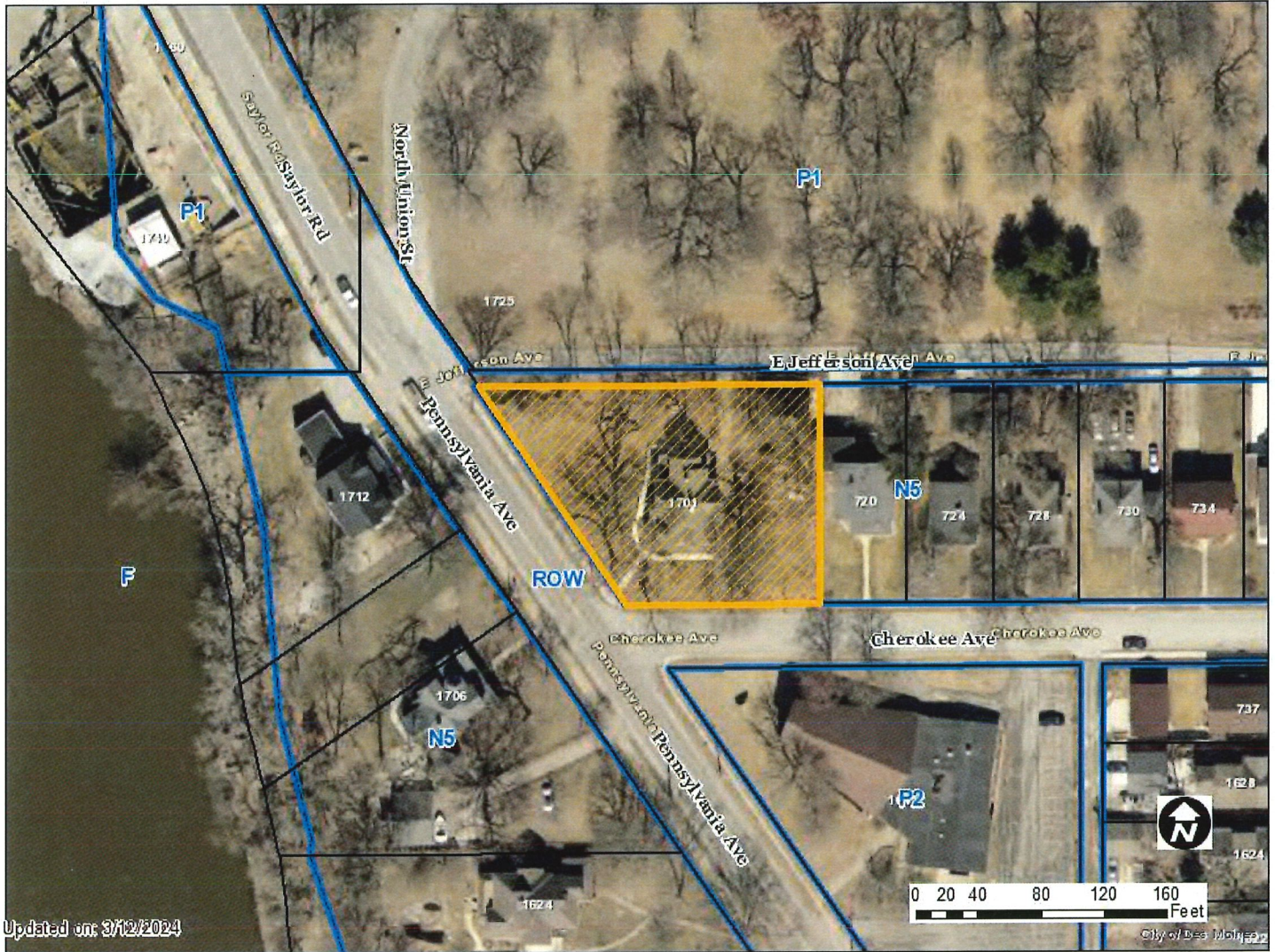


Jason Van Essen, AICP  
Planning & Urban Design Administrator

JMV:mrw

Sterling Investments, LLC 1701 Pennsylvania Avenue

ZONG-2024-000008



1 inch = 80 feet



Network: Mar 18, 2024 at 1:41:17 PM CDT  
Local: Mar 18, 2024 at 1:41:17 PM CDT  
N 41° 36' 34.360", W 93° 36' 32.165"  
Des Moines IA 50316  
United States  
Union Park





Network: Mar 18, 2024 at 1:39:45 PM CDT

Local: Mar 18, 2024 at 1:39:45 PM CDT

N 41° 36' 34.308", W 93° 36' 33.083"

Des Moines IA 50316

United States

Union Park





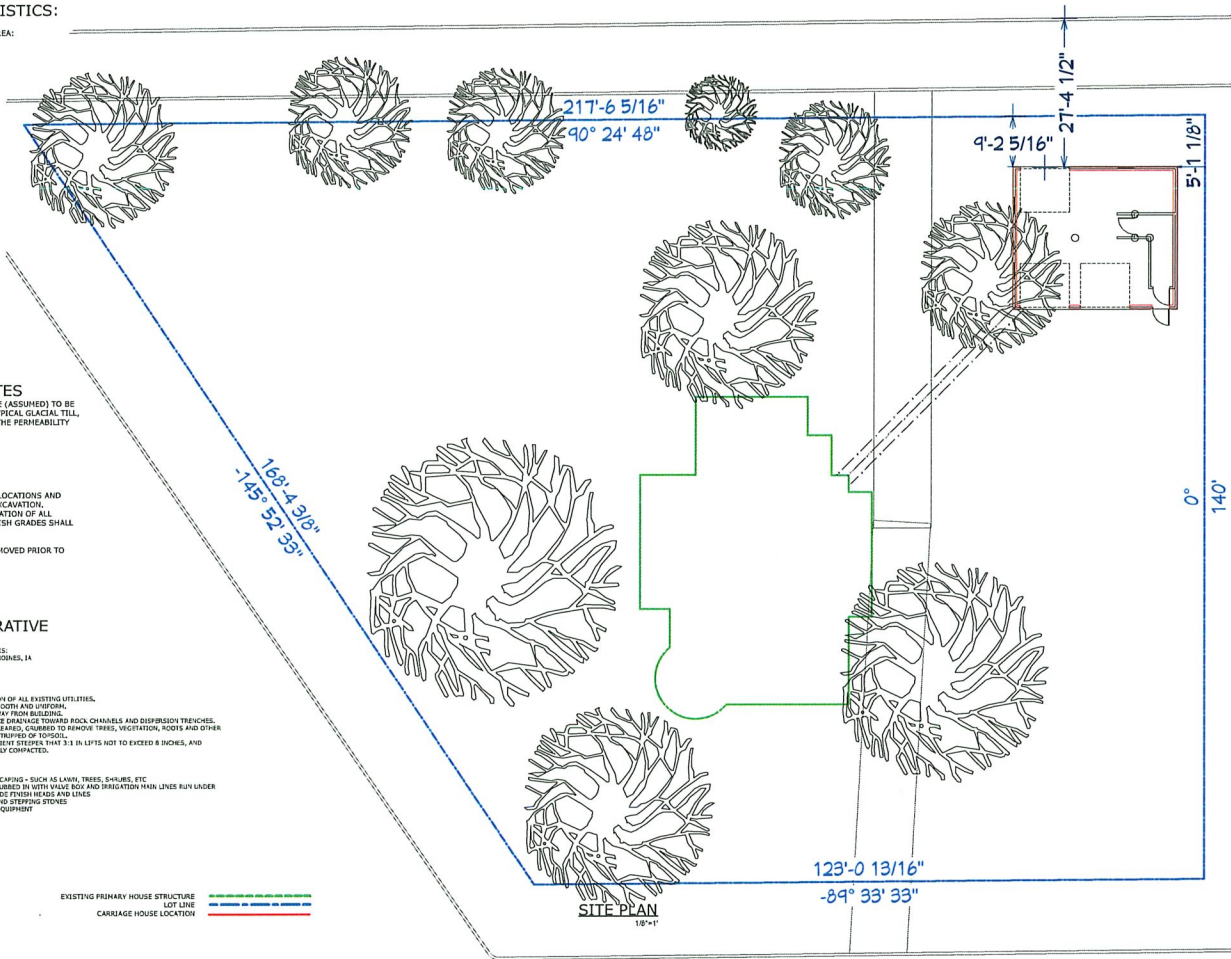
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Local: Mar 18, 2024 at 1:41:34 PM CDT  
N 41° 36' 34.331", W 93° 36' 33.680"  
Des Moines IA 50316  
United States  
Union Park





**PROJECT STATISTICS:**

LOT SIZE:  
 ANTICIPATED DISTURBED AREA:  
 BLDG. ENVELOPE:  
 ROOF:  
 FRONT/REAR HEIGHT:  
 LIVABLE SF:  
 HAIN:  
 FOUNDATION:  
 GARAGE:  
 DECKS:



**SITE PLAN NOTES**

SOIL: \*2,000 PSF ALLOWABLE (ASSUMED) TO BE AT TIME OF EXCAVATION. TYPICAL GLACIAL TILL, POOR SURFACE DRAINAGE. THE PERMEABILITY IS ESTIMATED TO BE GOOD.

FROST DEPTH: 42"  
 SEISMIC ZONE: A  
 WIND: 113MPH  
 EXPOSURE B

SITE SURVEY TO VERIFY PIN LOCATIONS AND HOME LOCATION PRIOR TO EXCAVATION. CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITIES. ALL FINISH GRADES SHALL BE SMOOTH AND UNIFORM

MARKED TREES SHALL BE REMOVED PRIOR TO SITE WORK.

CALL BEFORE YOU DIG: 811

**PROJECT NARRATIVE**

THE PROPOSED SITE LOCATION IS:  
 1701 PENNSYLVANIA AVE, DES MOINES, IA

**GRADING NOTES:**

1. CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITIES.
2. ALL FINISH GRADES SHALL BE SMOOTH AND UNIFORM.
3. PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDING.
4. FINAL GRADE TO COVER-SURFACE DRAINAGE TOWARD ROCK CHANNELS AND DISPERSION TRENCHES.
5. AREAS TO BE FILLED SHALL BE CLEARED, GRUBBED TO REMOVE TREES, VEGETATION, ROOTS AND OTHER OBSTRUCTIBLE MATERIAL AND STRIPPED TO TOPSOIL.
6. PLACE FILL SLOPES WITH A GRADE/STEEPNESS THAT IS 3:1 IN LENGTHS NOT TO EXCEED 8 INCHES, AND HAVE STAKE EACH. LEFT IS PROPERLY COMPACTED.

**LANDSCAPE NOTES:**

1. OWNER RESPONSIBLE FOR LANDSCAPING - SUCH AS LAMM, TREES, SHRUBS, ETC.
2. IRRIGATION SYSTEM SHALL BE STUDIED BY WITH WALK-BEY AND IRRIGATION MAIN LINES RUN UNDER CONCRETE. OWNER SHALL PROVIDE FINISH HEADS AND LINES.
3. OWNER SHALL PROVIDE TRAILS AND STEPPING STONES.
4. OWNER SHALL PROVIDE POND & EQUIPMENT.

**LEGEND**

EXISTING PRIMARY HOUSE STRUCTURE  
 LOT LINE  
 CARRIAGE HOUSE LOCATION



REVISION NO.	DESCRIPTION

**SITE PLAN**

Drawings By:  
**Matt Frideres**  
 Woodmaster Remodeling LLC  
 TheWoodmaster@outlook.com  
 (515) 272-2521

DATE:  
 7/13/2022

SCALE:

Sheet:  
**2**





SOUTH ELEVATION  
3/8"=1'



NORTH ELEVATION  
3/8"=1'



REVISION	DATE	DESCRIPTION

FRONT  
ELEVATIONS

Drawn by:  
Matt Frideres  
Woodmaster Remodeling LLC  
TheWoodmaster@outlook.com  
(253) 292-2321

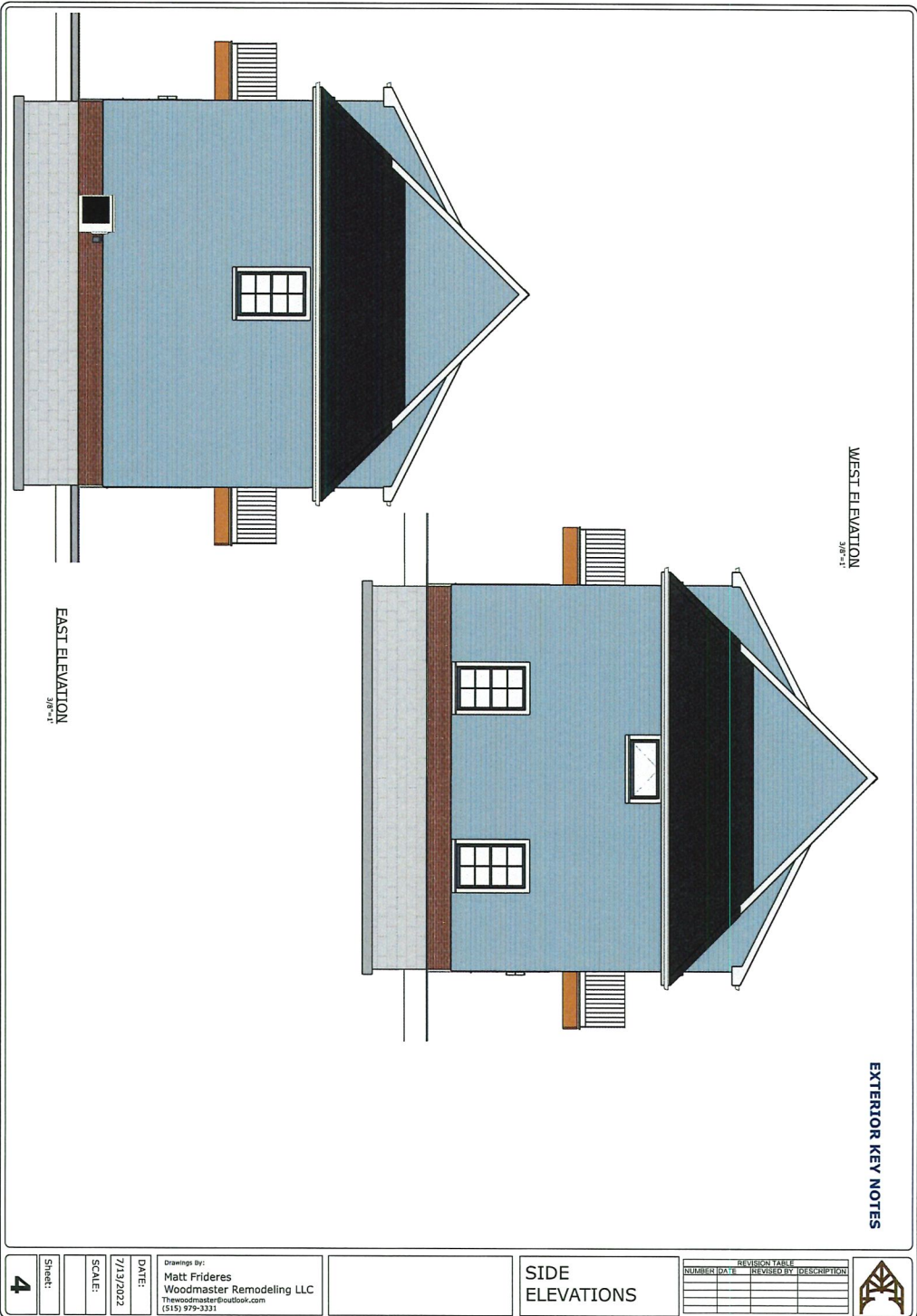
DATE:

7/13/2022

SCALE:

Sheet:

3



WEST ELEVATION  
3/8" = 1'

EAST ELEVATION  
3/8" = 1'

EXTERIOR KEY NOTES

Drawings by:  
**Matt Frideres**  
 Woodmaster Remodeling LLC  
 Thewoodmaster@outlook.com  
 (515) 979-3331

Sheet: **4**

SIDE ELEVATIONS

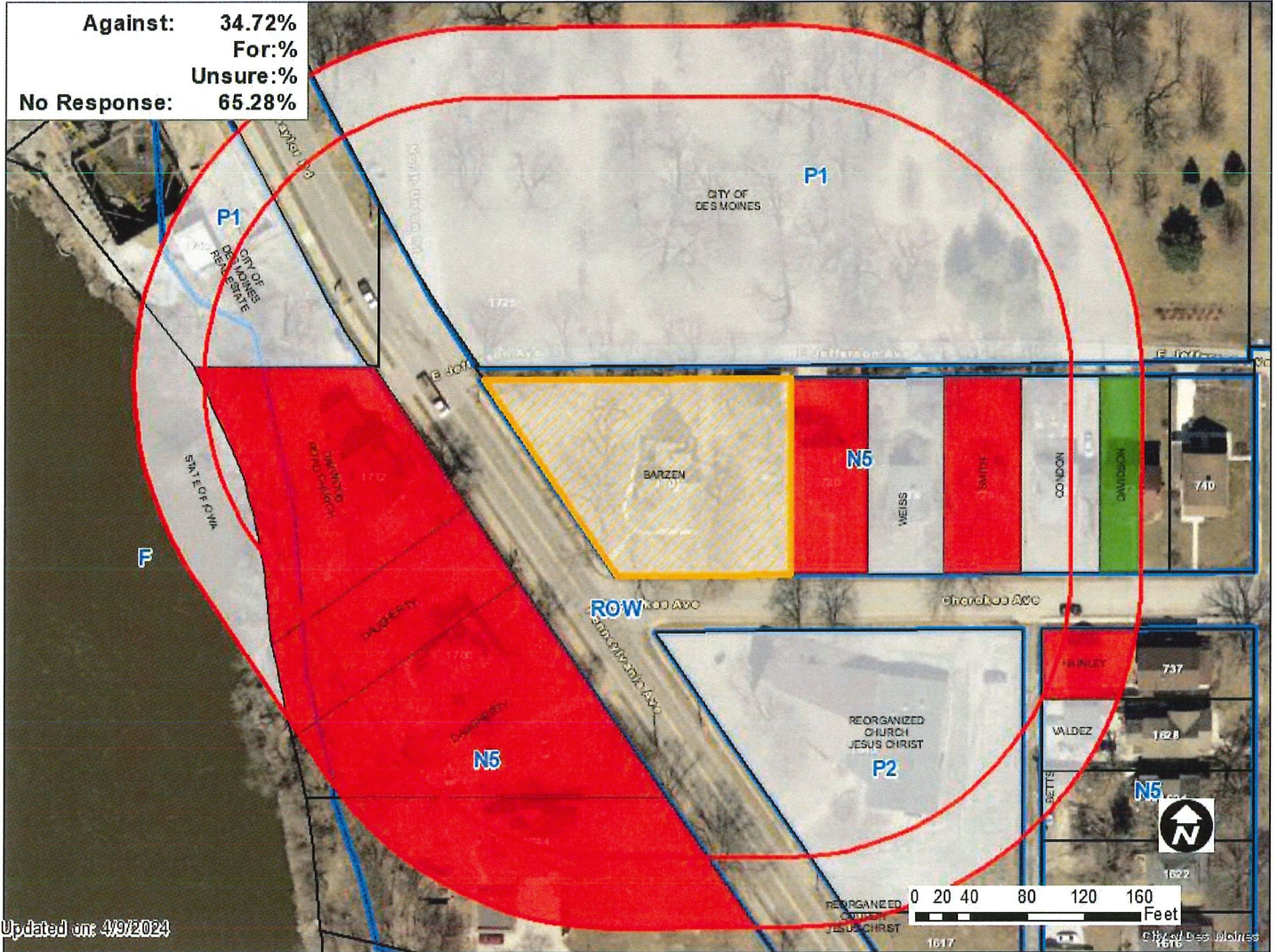
REVISION TABLE			
NUMBER	DATE	REVISION BY	DESCRIPTION





Sterling Investments, LLC 1701 Pennsylvania Avenue

ZONG-2024-000008



Updated on: 4/3/2024

1 inch = 90 feet

Item: ZONG-2024-000008

Date: 3-29-24

Please mark one of the following:

- I support the request
- I am undecided
- I oppose the request

Staff Use Only  
**RECEIVED**  
 COMMUNITY DEVELOPMENT  
 APR 09 2024

Titleholder Signature: Talon Meyer

Name/Business: Talon Meyer

Impacted Address: 720 Cherokee Ave

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

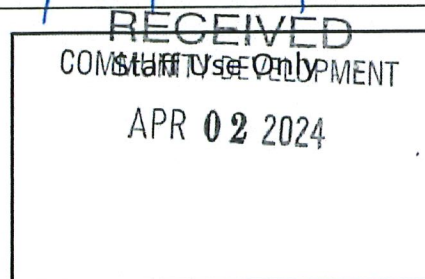


Item: ZONG-2024-000008

Date: 3/28/2024

Please mark one of the following:

- I support the request
- I am undecided
- I oppose the request



Titleholder Signature: Fawn Elizabeth Davidson

Name/Business: Fawn Elizabeth Davidson

Impacted Address: 734 Cherokee Ave

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Item: ZONG-2024-000008

Date: 3/29/2024

Please mark one of the following:

- I support the request
- I am undecided
- I oppose the request

Staff Use Only  
**RECEIVED**  
COMMUNITY DEVELOPMENT  
APR 02 2024

Titleholder Signature: Jack Dougherty

Name/Business: \_\_\_\_\_

Impacted Address: 1706 Pennsylvania Ave

Comments: The property owners stated intention is to turn the prop. into an Air BnB. That would allow the potential for 7 spaces to be rented to 7 separate parties. The property has not been well managed in the past. I don't believe poor property management should be rewarded with increased density.



Item: ZONG-2024-000008

Date: 30 MARCH 2024

Please mark one of the following:

I support the request

I am undecided

I oppose the request

STAFF USE ONLY  
COMMUNITY DEVELOPMENT

APR 02 2024

Titleholder Signature: \_\_\_\_\_

Name/Business: \_\_\_\_\_

JAMES CUMMINGS & DANA DANLEY

Impacted Address: \_\_\_\_\_

1624 PENNSYLVANIA AVE

Comments: PLEASE PRESERVE THE SCALE & CHARACTER OF OUR HISTORIC NEIGHBORHOOD. CHANGING THIS SINGLE FAMILY HOME TO TWO UNITS DAMAGES THE QUALITY AND REVITALIZATION EFFORTS OF OUR NEIGHBORHOOD. WE ALSO OPPOSE THE APPLICATION FOR A RENTAL CERTIFICATE.

Item: ZONG-2024-000008

Date: 4.1.24

Please mark one of the following:

I support the request

I am undecided

I oppose the request

Staff Use Only

Titleholder Signature: CMA

Name/Business: Caitlin M. Hanley

Impacted Address: 737 Cherokee Avenue Dsm IA 50316

Comments: We are opposed to more, tightly packed rentals in our neighborhood. We prize our quiet streets and strong relationships with longtime tenants + owner occupied dwellings. We find that when property owners are not impacted by the decisions they make about their property, it often ends up that they make decisions that are unpopular + unhealthy for the neighborhood.



Item: ZONG-2024-000008

Date: 4/1/2024

Please mark one of the following:

I support the request

I am undecided

I oppose the request

Staff Use Only

Titleholder Signature: Jeff Smith

Name/Business: \_\_\_\_\_

Impacted Address: 728 Cherokee Ave. DSM, IA. 50316

Comments: I moved into a single family home neighborhood. I worry about my property value. Transient people coming + going like grand central station, additional crime levels. This is not a business district + these plans I fear would make this property just that. A business. The level of quiet + peace would surely be compromised as well



Item: ZONG-2024-000008

Date: 4/2/24

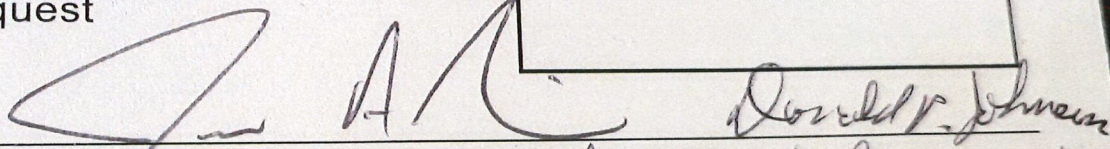
Please mark one of the following:

I support the request

I am undecided

I oppose the request

Staff Use Only

Titleholder Signature: 

Name/Business: JAMES RILEY on behalf of Oakwood Road Church

Contact Address: 1712 PENNSYLVANIA AVE

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Drost, Bert A.**

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**From:** colepw2005@gmail.com  
**Sent:** Thursday, March 28, 2024 10:01 PM  
**To:** Drost, Bert A.  
**Cc:** Planning  
**Subject:** No to Zoning Change at 1701 Penn Ave  
**Attachments:** Barzen Propety list.pdf; Barzen Quit claim Deed.pdf

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Bert,

On the proposed rezoning at 1701 Penn Avenue I am in opposed to the change in zoning.

It was 23 years ago the city went against the wishes of the neighbors and neighborhood when they took a chance and gave David Barzen permission to turn 1701 Penn Avenue into a B&B, without living in the home, and that fell through. One of our neighbors, Tom Tenny said it would become a "flop house" and although he is gone now, his prediction has become evident. I have not seen any benefit to Barzen's presence in the neighborhood. He buys up housing stock (see list of 39 properties in Des Moines- half of them in the Union Park Neighborhood Association (UPNA) neighborhood) and turns them into rentals and that is not a benefit to the neighborhood.

As of today, the house at 1701 Penn I believe could not pass a rental inspection, Barzen has gotten around the letter of the law by selling 1% of the property for \$1 to each of he's renters. One of the quit claim deeds enclosed.

With David now talking about getting a rental inspection on the house is because of the new rules on Air Bnb rentals in Des Moines, that way he would be renting 7 different rooms with one bath room. If that is not a characterization of a "FLOP HOUSE" I do not know what is!

I have not one charitable thing to say about him.

Paul W Cole  
 2005 E 13<sup>th</sup> Street  
 Des Moines, IA 50316-2017  
 Cell 515-779-1131  
 UPNA Treasurer for the last 26 years

# Polk County Assessor

111 Court Avenue #195  
Des Moines, IA 50309-0904

(515) 286-3014 Fax (515) 286-3386  
polkweb@assess.co.polk.ia.us

## Property Search Results - Mon Mar 25 07:34:01 2024

39 Records

Last Name starts with STERLING

District/Parcel ▲	Class	Total	Address	Owner
<u>010/01504-000-000</u>	Res	\$175,600	31 E BROAD ST	STERLING INVESTMENTS LLC
<u>020/01996-000-000</u>	Res	\$209,500	2621 TERRACE RD	STERLING INVESTMENTS LLC
<u>030/04213-001-000</u>	Res 3+	\$237,000	1820 PLEASANT ST	STERLING INVESTMENTS LC
<u>030/06189-000-000</u>	Res	\$165,100	2415 COTTAGE GROVE AVE	STERLING INVESTMENTS LLC
<u>040/04446-000-000</u>	Res	\$93,800	1009 E 12TH ST	STERLING INVESTMENTS LLC
<u>040/04459-000-000</u>	Res	\$102,400	1015 E 12TH ST	STERLING INVESTMENTS LLC
<u>070/04648-000-000</u>	Res	\$161,000	3830 11TH ST	STERLING INVESTMENTS LLC
<u>090/02458-001-000</u>	Res	\$340,200	5214 INGERSOLL AVE	STERLING INVESTMENTS LLC
<u>100/04134-000-000</u>	Res	\$280,700	2827 43RD ST	STERLING INVESTMENTS LLC
<u>100/12273-001-000</u>	Res	\$168,100	4818 URBANDALE AVE	STERLING INVESTMENTS LLC
<u>100/12629-000-000</u>	Res	\$211,700	1327 47TH ST	STERLING INVESTMENTS LLC
<u>100/12844-618-000</u>	Res	\$242,300	5000 TWANA DR	STERLING INVESTMENTS LLC
<u>110/01252-000-000</u>	Res	\$209,600	1599 E 9TH ST	STERLING INVESTMENTS LLC
<u>110/01340-000-000</u>	Res	\$128,100	1535 E 12TH ST	STERLING INVESTMENTS LLC
<u>110/03050-000-000</u>	Res	\$182,400	729 MORTON AVE	STERLING INVESTMENTS LLC
<u>110/03102-000-000</u>	Res	\$142,300	1108 E SHERIDAN AVE	STERLING INVESTMENTS LLC
<u>110/03140-000-000</u>	Res	\$159,000	1351 E SHERIDAN AVE	STERLING INVESTMENTS LLC
<u>110/03238-000-000</u>	Res	\$130,800	2512 E 9TH ST	STERLING INVESTMENTS LLC
<u>110/03413-000-000</u>	Res	\$195,000	1415 THOMPSON AVE	STERLING INVESTMENTS LLC



District/Parcel ▲	Class	Total	Address	Owner
<u>110/04406-000-000</u>	Res	\$135,500	1317 E WASHINGTON AVE	STERLING INVESTMENTS LLC
<del>110/04497-000-000</del>	Res	\$141,400	1238 YORK ST	STERLING INVESTMENTS LLC
<u>110/04657-000-000</u>	Res	\$115,500	1531 WILSON AVE	STERLING INVESTMENTS LLC
<u>110/05361-000-000</u>	Res	\$196,100	1801 E 12TH ST	STERLING INVESTMENTS LLC
<u>110/05396-000-000</u>	Res	\$165,900	1818 E 13TH ST	STERLING INVESTMENTS LLC
<u>110/05407-000-000</u>	Res	\$200,000	1700 E 13TH ST	STERLING INVESTMENTS LLC
<del>110/05407-000-000</del>	Res	\$129,900	1900 YORK ST	STERLING INVESTMENTS LLC
<u>110/05525-000-000</u>	Res	\$202,200	1905 YORK ST	STERLING INVESTMENTS LLC
<u>110/05529-000-000</u>	Res	\$168,800	1923 YORK ST	STERLING INVESTMENTS LLC
<u>110/05710-000-000</u>	Res	\$192,600	1833 E 9TH ST	STERLING INVESTMENTS LLC
<u>110/05877-000-000</u>	Res	\$426,200	1701 PENNSYLVANIA AVE	STERLING INVESTMENTS LLC
<u>110/06447-000-000</u>	Res	\$203,200	3200 E 7TH ST	STERLING INVESTMENTS LLC
<u>120/05204-775-000</u>	Res	\$100		STERLING TRACE HOMEOWNERS ASSOC
<u>120/05204-776-000</u>	Res	\$100		STERLING TRACE HOMEOWNERS ASSOC
<del>120/05204-777-000</del>	Res	\$300		STERLING TRACE HOMEOWNERS ASSOC
<u>120/05204-779-000</u>	Res	\$100		STERLING TRACE TOWNHOMES ASSOC
<u>241/01000-007-501</u>	Res 3+	\$22,700,000		STERLING ACQUISITIONS LLC
<u>292/00351-000-000</u>	Res	\$209,100	1136 68TH ST	STERLING INVESTMENTS LLC
<u>292/00963-001-000</u>	Res	\$259,000	1379 73RD ST	STERLING INVESTMENTS LLC
<u>292/01717-001-000</u>	Res	\$280,100	6452 WASHINGTON AVE	STERLING INVESTMENTS LLC



Doc ID: 034284370001 Type: GEN  
Kind: QUIT CLAIM DEED  
Recorded: 08/23/2019 at 09:42:56 AM  
Fee Amt: \$12.00 Page 1 of 1  
Polk County Iowa  
JULIE M. HAGGERTY RECORDER  
File# 2019-00017169

BK 17463 PG 720

715  
1696  
CR

RETURN TO:

Return To: David G. Barzen, 420 51st St, Des Moines, IA 50312

Taxpayer: David G. Barzen, 420 51st St, Des Moines, IA 50312

Preparer: David G. Barzen, 420 51st St, Des Moines, IA 50312

515-210-6640

QUIT CLAIM DEED

For the consideration of One (\$1.00) Dollar(s) and other valuable consideration, I, David G. Barzen, for Sterling Investments, LLC do hereby Quit Claim to Lea Luquire, a 1 percent interest in the, title, interest, estate, claim and demand in the following described real estate in Polk County, Iowa:

District/Parcel: 110/05877-000-000. Property Address: 1701 Pennsylvania Ave (50316)

Legal Description: LTS 14-15 & 16 CORRECTED PLAT OF WASHINGTON HEIGHTS IN CAPITAL PARK in Des Moines, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa.

This deed is exempt according to Iowa Code 428A.2(21).

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated: 8-7-19

*David G. Barzen*  
David G. Barzen  
for Sterling Investments

STATE OF IOWA, COUNTY OF POLK

This record was acknowledged before me this 7<sup>th</sup> day of August

2019, by David G Barzen

*Jon Luke Talton*  
Signature of Notary Public





**From:** [pvsadler@gmail.com](mailto:pvsadler@gmail.com)  
**To:** [colepw2005@gmail.com](mailto:colepw2005@gmail.com); [Drost, Bert A.](#)  
**Cc:** [Planning](#)  
**Subject:** Oppose Zoning Change at 1701 Penn Ave  
**Date:** Friday, March 29, 2024 11:49:58 AM

---

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I oppose the change in zoning of the property at 1701 Penn Avenue. This is a residential neighborhood and the plans Mr. Barzen has for that property are not consistent with a family friendly neighborhood. I have lived at 740 Cherokee Avenue, just 5 houses east of there, since 2000. My property is just outside the 250 foot area that requires notification. That does not change my concern for the quality of my immediate neighborhood or how a zoning change will impact my property and future property value.

Dave Barzen is an absentee property owner. He does not live in this neighborhood and he is not invested in this neighborhood, other than scheming how he can squeeze every economic possibility from that property (i.e.: “music and art shows” and rental to transient people). He uses tricks to avoid requirements like rental certificates and inspections. The people he rents to may be less than desirable tenants.

Now he wants to have even more transient people living there. These are not neighbors. These are not people I can have a neighborly conversation or friendship with. They could care less what happens in this neighborhood.

I believe parking will be an issue for the number of people he wants to rent to and their visitors, guests, family members and so on.

The balconies he is proposing will have a view right into my bathroom and kitchen windows.

The carriage house was in danger of collapsing from lack of maintenance and was situated on City right of way. His friends and fans in the Polk County Historical Society applauded him for “saving the Historical Carriage House”, when in fact the neighborhood association strongly pressured him to do something about it. His plans for that structure will destroy any historical significance by turning it into housing for an Airbnb. His plans go against the concept of Airbnb. If he is trying to go for an ADU, it goes against the spirit of the ordinance. Since he doesn’t live there, he really is just a slum lord. We do not need that in our neighborhood.

Dave Barzen is a self-promoter and no doubt his “fan club” will be at the meeting to speak glowingly about his character and what a wonderful man he is and what great things he does, but those people do not live around here. The people immediately affected, who actually live here, have nothing good to say about him and they are the ones who will have to live with the consequences of the zoning change. They are the

ones who should have the heaviest consideration. Unfortunately, many of my neighbors are busy making ends meet, taking care of their children and too timid to come to a meeting to voice their concerns or too apathetic about writing a letter.

The Union Park Neighborhood Association (UPNA) has listened to my neighbors. UPNA is their voice and advocate. I have been an officer of UPNA for over 23 years, and currently I am serving as Secretary.

Paul V. Sadler  
740 Cherokee AVE  
Des Moines, Iowa 50326  
515-249-5597



**From:** [Emily M. Webb](#)  
**To:** [Drost, Bert A.](#); [Chakraborty, Sreyoshi](#)  
**Subject:** [EXTERNAL]Fwd: Planning and Zoning  
**Date:** Sunday, March 31, 2024 9:26:08 PM

---

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Hey there - I received this from a friend so I wanted to forward it for the record. Thanks!

----- Forwarded message -----

**From:** Dana Danley <[ddanley@mac.com](mailto:ddanley@mac.com)>  
**Date:** Sat, Mar 30, 2024 at 7:26 PM  
**Subject:** Planning and Zoning  
**To:** Emily M. Webb <[emily.vanoosbree@gmail.com](mailto:emily.vanoosbree@gmail.com)>

Emily,

I am writing to express my concern regarding the rezoning of 1701 Pennsylvania Ave, which is across from my house. It is on the agenda for the April 4<sup>th</sup> meeting.

This house was purchased in 2005 by David Barzen/Sterling Investments LLC. Since its purchase, it has had many quit claim deeds. Since 2016, it has had 4 different quit claims back and forth from Sterling Investments. There have been complaints and investigations regarding illegal rental of the property. However, the "owner" of 1% has always been living at the address.

Jim and I, as well as our neighbors, are against the rezoning of the lot at 1701 Pennsylvania from N5 to N5-2. My neighbor has also discussed with Councilperson Linda Westergaard. I am aware that Sterling Investments/David Barzen is also applying for a rental license. The rental properties near us are problematic for safety and upkeep. The previous owner of our house, Margaret Swanson, lobbied to ensure single family homes to preserve the "scale and character of the historic neighborhood". This has had a positive impact on families. The neighborhood is being revitalized by many homeowners. With the new bike trail and plans for the marina, we should continue to support single family housing.

I am mailing my response card to detail our preferences. By a "glitch" in the system, our address and 720 Cherokee Ave were not notified with the other homeowners. I received my notification today on March 30<sup>th</sup>. Both Jim and I work on Thursday but hope we can attend and voice our concerns.

Thank you,

Dana Danley

Jim Cummings

1624 Pennsylvania Ave

**Drost, Bert A.**

---

**From:** Riley, James <james.riley@bild.org>  
**Sent:** Monday, April 1, 2024 1:01 PM  
**To:** Drost, Bert A.  
**Subject:** ZONG-2024-000008

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello

I am responding on behalf of Oakwood Road Church and I am currently residing in the property at 1712 Pennsylvania Ave, on the issue of re-zoning 1701 Pennsylvania Ave from N5 to N5-2(ZONG-2024-000008).

We oppose the request.

Thank you  
James Riley

--  
James Riley  
[james.riley@bild.org](mailto:james.riley@bild.org) | 515.205.9005





April 2, 2024

To Whom It May Concern:

Please consider this letter our opposition to the rezoning request ZONG-2024-000008 at 1701 Pennsylvania Avenue. As owner-occupants on the adjacent property, we consider ourselves the most impacted by this proposal.

Although we're generally in favor of ADU projects, rezoning a tenant-occupied property to increase the dwelling density is not in the best interests of the neighborhood. We believe the proposed rezoning is contrary to the intent of the N5 zone which is "to preserve the scale and character of neighborhoods" built in specific styles.

Additionally, we believe the proposed renovation plans (contingent on the rezoning) would negatively impact the density and style of the block, and potentially threaten its status on the National Register of Historic Places.

Sincerely,

X   
\_\_\_\_\_

X   
\_\_\_\_\_

Talon and Emily Meyer  
720 Cherokee Ave  
Des Moines, IA 50316



# Union Park Neighborhood Association

PO BOX 16113  
Des Moines, IA 50316-9402

03/31/2024

City of Des Moines  
Plan & Zoning Commission  
602 Robert D. Ray Dr  
Des Moines, IA 50309

Dear Plan and Zoning Board,

On the April 4<sup>th</sup> P&Z agenda, item 2 regards a rezoning request for 1701 Pennsylvania Avenue. The request is to rezone from N5 to N5-2 which would allow for an additional household dwelling unit in the carriage house. The Union Park Neighborhood Association opposes the rezoning.

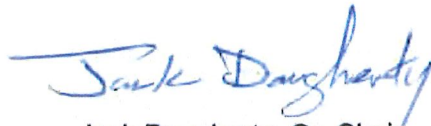
The association has visited with several neighbors within 1 block of 1701 Penn and their opposition to the rezoning was emphatic and unanimous. While we support the concept of adding more diverse housing options in our neighborhood, this is not the right situation for it. This property is not owner-occupied and has operated as an illegal rental in the past. Additionally, it has been rented over the years to people who have disrupted the neighborhood with parties, rock band practice and repeated physical domestic disputes. We believe that if more density were added to this property, the problems would increase.

Additionally, we do not believe that the proposed design for the construction is compatible with the important historic nature of the property, which is listed on the Nation Register of Historic Places. The proposed design would damage the integrity of the original carriage house design.

Thank you for your consideration.

**Union Park Neighborhood Association**

  
James Riley, Co-Chair

  
Jack Daugherty, Co-Chair



**From:** [Barzen, David G](#)  
**To:** [Chakraborty, Sreyoshi](#); [natashareed515@gmail.com](mailto:natashareed515@gmail.com)  
**Cc:** [Dostart, Katherine E.](#)  
**Subject:** RE: ZONG-2024-000008 1701 PENNSYLVANIA AV - neighborhood meeting follow up  
**Date:** Sunday, March 24, 2024 11:07:54 AM  
**Attachments:** [image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[Wonder what is going on at the Gabriel House.docx](#)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I held an open house at 1701 Pennsylvania Ave this past Saturday from 11 am to 1 pm – and sent out the attached invite to all of the individuals and city/state on the list I received. I had drinks and food ready and my builder/designer was present to talk about the project and ask questions. I also made a call out to the neighbor on the East (Talon) and the main neighbor on the West – Jack Daugherty – and asked him to notify everyone in the neighborhood association and invite them too – in case any one had questions or wanted input. (I believe he is still one of the presidents of the neighborhood association). I also sent him a copy of the plans for the carriage house – in case he had questions or wanted to send that to anyone in the neighborhood. I sent this and the invites 2 weeks before the meeting. We ended up having those two people show – but no one else. We had the plans and the before pictures of the carriage house – showing what progress we have made so far. Let me know what else I may need to do before the Planning and Zoning meeting. This is my report of the meeting and attached please find a copy of the meeting notice. Thanks, David

(this was sent postcard style – that is why there are 2 on one sheet of paper)



P.S. Using our Confident Retirement<sup>®</sup> approach, I collaborate with my clients to help them plan for a [brilliant](#) future. Please share the [3-Minute Confident Retirement<sup>®</sup> check](#) with anyone you care about who has retirement questions.



**David G. Barzen, CFP<sup>®</sup>, CRPC<sup>™</sup>**  
Private Wealth Advisor  
Barzen & Associates Wealth Advisors on Grand  
A private wealth advisory practice of Ameriprise Financial Services, LLC  
  
An Ameriprise Platinum Financial Services<sup>®</sup> practice

.....

Ameriprise Financial Services, LLC  
2716 Grand Ave  
Des Moines, Iowa 50312

O: 515.274.3393 | F: 515.243.9200

Support staff contact information is available on [my website](#)

[Visit my team website](#)



Wonder what is going on at the Gabriel House – 1701 Pennsylvania Ave with the carriage house? I am hoping to add a 2<sup>nd</sup> floor housing unit – while restoring the carriage house. I lifted and moved the existing carriage house and put it down on a new foundation and poured a new floor. I opened up the back to the park/alley side and hoping to build out the 2<sup>nd</sup> floor into a space to showcase both the yard and Union park – with balconies facing both. The 1<sup>st</sup> floor will remain mainly garage space for both the house and the carriage house living space. Come on March 23<sup>rd</sup> at 11 am to 1701 Pennsylvania Ave for an open house to learn more and ask questions. Hope you can make it and if not – feel free to reach out to me at :

515-210-6640 David Barzen



Wonder what is going on at the Gabriel House – 1701 Pennsylvania Ave with the carriage house? I am hoping to add a 2<sup>nd</sup> floor housing unit – while restoring the carriage house. I lifted and moved the existing carriage house and put it down on a new foundation and poured a new floor. I opened up the back to the park/alley side and hoping to build out the 2<sup>nd</sup> floor into a space to showcase both the yard and Union park – with balconies facing both. The 1<sup>st</sup> floor will remain mainly garage space for both the house and the carriage house living space. Come on March 23<sup>rd</sup> at 11 am to 1701 Pennsylvania Ave for an open house to learn more and ask questions. Hope you can make it and if not – feel free to reach out to me at :

515-210-6640 David Barzen