



Date July 14, 2025

RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM ANGELA BROWN (OWNER), FOR THE FOLLOWING REGARDING PROPERTY LOCATED AT 1900 ARLINGTON AVENUE, TO AMEND PLANDSM CREATING OUR TOMORROW PLAN TO REVISE THE FUTURE LAND USE CLASSIFICATION FROM LOW-MEDIUM DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL, AND TO REZONE THE PROPERTY FROM “N5” NEIGHBORHOOD DISTRICT TO “N5-4” NEIGHBORHOOD DISTRICT, TO ALLOW REUSE OF THE EXISTING STRUCTURE FOR MULTIPLE-HOUSEHOLD RESIDENTIAL USE WITH UP TO FOUR (4) DWELLING UNITS

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 5, 2025, its members voted 11-1 in support of a motion to recommend APPROVAL of a request from Angela Brown (Owner), for the proposed rezoning for property located at 1900 Arlington Avenue from “N5” Neighborhood District to “N5-4” Neighborhood District be found not in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Low-Medium Density Residential; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 5, 2025, its members voted 11-1 in support of a motion to recommend APPROVAL of a request from Angela Brown (Owner), to amend the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation for the subject property from Low-Medium Density Residential to High Density Residential; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on June 5, 2025, its members voted 11-1 in support of a motion to recommend APPROVAL of a request from Angela Brown (Owner), to rezone the property located at 1900 Arlington Avenue from “N5” Neighborhood District to “N5-4” Neighborhood District, to allow reuse of the existing structure for multiple-household residential use with up to four (4) dwelling units; and

WHEREAS, the Property is legally described as follows:

LOTS 9 AND 10 IN ARLINGTON PLACE, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA, EXCEPT THAT PART OF SAID LOTS DESCRIBED AS FOLLOWS: COMMENCING AT THE SW CORNER OF LOT 10; THENCE EAST 35 FEET ALONG THE NORTH LINE OF FRANKLIN AVENUE, THENCE NORTH 71 1/2 FEET TO A POINT IN THE NORTH LINE LOT 9 WHICH IS 65 FEET NORTHEAST OF THE NORTHWEST CORNER OF LOT 9, THENCE WESTERLY TO THE NORTHWEST CORNER OF LOT 9, THENCE SOUTHEASTERLY 56.4 FEET ALONG THE WEST LINE OF LOTS 9 AND 10 TO THE PLACE OF BEGINNING, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.; and



Roll Call Number

Agenda Item Number

44

Date July 14, 2025

WHEREAS, on June 30, 2025, by Roll Call No. 25-0915, 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 14, 2025, at 5:00 p.m., at the City Council Chambers; 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.

Alternative A - Denial

MOVED by _____ and Seconded by _____ to **DENY** the proposed amendment and rezoning.

Alternative B – Approval

1. The proposed amendment to PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification for the Property from Low-Medium Density Residential to High Density Residential is hereby approved.
2. The proposed rezoning of the Property, as legally described above, from “N5” Neighborhood District to “N5-4” Neighborhood District, to allow reuse of the existing structure for multiple-household residential use with up to four (4) dwelling units, is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

(NOTE –APPROVAL WILL REQUIRES SIX VOTES DUE TO OPPOSITION OF GREATER THAN 20% OF RELEVANT PROPERTY OWNERS)

MOVED BY _____ TO ADOPT.

SECOND BY _____.



Roll Call Number

Agenda Item Number

44

Date July 14, 2025

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill

Assistant City Attorney

(ZONG-2025-000012) (COMP-2025-000009)

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 July 14, 2025

Agenda Item 44

Roll Call # _____

June 10, 2025

Communication from the City Plan and Zoning Commission advising that at their June 5, 2025 meeting, the following action was taken on request from Angela Brown (owner), for the following regarding property at 1900 Arlington Avenue:

- A) Determination as to whether the requested rezoning is in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.
- B) Amend the PlanDSM Creating Our Tomorrow Comprehensive Plan to revise the future land use classification for the property from Low-Medium Density Residential to High Density Residential.
- C) Rezone the property from "N5" Neighborhood District to "NX1" Neighborhood Mix District, to allow reuse of the existing structure for multiple-household residential use with up to five (5) dwelling units.

COMMISSION RECOMMENDATION: 11-1

After public hearing, the members voted as follows:

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

Approval of the following:

Part A) The proposed rezoning is not in conformance with the existing PlanDSM future land use designation of Low-Medium Density Residential.

Part B) Approval of amending PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use designation from Low-Medium Density Residential to High Density Residential.

Part C) Approval of rezoning the property from "N5" Neighborhood District to the "N5-4" Neighborhood District.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends that the requested "NX1" District be found not in conformance with the existing PlanDSM future land use designation of Low-Medium Density Residential.

Part B) Staff recommends approval of the request to amend PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use designation from Low-Medium Density Residential to High Density Residential.

Part C) Staff recommends approval of the request to rezone the property from "N5" Neighborhood District to "NX1" Neighborhood Mix District, subject to use of the 7,990-square foot property containing no more than five (5) dwelling units.

Should the rezoning be denied, the applicant would have up to one (1) year following that denial to seek a Use Variance from the Zoning Board of Adjustment to allow use of the property for a specific commercial use. Such a Use Variance would not require an amendment to the PlanDSM Creating Our Tomorrow future land use plan.

Additionally, due to recent State of Iowa legislation, an ADU is allowed by right in all zoning districts that permit a one-household dwelling. Therefore, the applicant can use a portion of the house for an accessory (second) dwelling unit without rezoning the property.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

- 1. Purpose of Request:** The subject property contains a 2½-story house that was built circa 1906 and has 4,153 square feet of total living area per the Polk County Assessor webpage. It was converted from a single-household use to a multiple household use at an unknown date. The property lost its legal non-conforming rights to function as a multiple-household dwelling in 2022 when the last valid rental certificate expired.

The previous owner had attempted to rezone the property to re-establish it as a multiple household use with seven (7) dwelling units in 2023. The rezoning request was

denied by the City Council. A subsequent Use Variance requested by the applicant had been denied by the Zoning Board of Adjustment later that year.

The applicant (current property owner) is proposing to rezone the property to allow reuse of the structure for five (5) residential dwelling units. The "NX1" Neighborhood Mix District could allow for the property to be used for five to eight units. If approved, the request would allow the use of the property for up to five (5) dwelling units.

Any future construction or redevelopment of the subject properties must comply with all applicable site plan and design regulations contained in the Planning and Design Ordinance (Chapter 135 of City Code).

2. **Size of Site:** 7,990 square feet (0.183 acres).
3. **Existing Zoning (site):** "N5" Neighborhood District.
4. **Existing Land Use (site):** The subject property contains a 2½-story dwelling with paved parking area between the southern facade and the Franklin Avenue right-of-way.
5. **Adjacent Land Use and Zoning:**
 - North** – "N5" & "N5-4"; Uses are one-household residential and multiple household residential.
 - South** – "N5" & "N5-4"; Uses are one-household residential and multiple household residential.
 - East** – "N5" & "NX2"; Uses are one-household residential and multiple household residential.
 - West** – "N5", "N5-4", & "RX1"; Uses are one-household residential and multiple household residential.
6. **General Neighborhood/Area Land Uses:** The subject property is located at the northwest corner of the intersection of Arlington Avenue and Franklin Avenue. The surrounding area includes a mix of single-household, converted multiple-household, and purpose-built multiple-household uses.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in the River Bend Neighborhood Association. All neighborhood associations were notified of the public hearing by emailing of the Preliminary Agenda on May 16, 2025, and of the Final Agenda on May 30, 2025. Additionally, separate notifications of the hearing for this specific item were mailed on May 16, 2025 (20 days prior to the public hearing) and May 23, 2025 (10 days prior to the public hearing) to the Neighborhood Association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site.

All notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division.

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

- 8. Relevant Zoning History:** On May 17, 2023, the Historic Preservation Commission conditionally approved a Certificate of Appropriateness to allow repair or reconstruction of an existing front deck and repair or replacement of the existing windows, subject to the following conditions:
- Use of wood windows without metal cladding, with review and approval of the selected product by staff prior to purchase.
 - The front deck footprint shall be maintained with any renovation work.
 - Front deck lattice work shall have a frame/be panelized.

At that time, the Historic Preservation Commission also approved an indefinite continuance of the request to repair the existing egress stairs from the second and third floors to allow the applicant time to clarify the zoning status of the subject property.

On June 5, 2023, a Letter of Zoning Determination for the subject property was issued by the Deputy Director of Neighborhood Services at the request of the property owner and appellant. The letter stated that the subject property had non-conforming rights as a multiple-household residential use on December 15, 2019 when the current Zoning Code was established. The last valid rental certificate for the subject property expired on September 7, 2020. The non-conforming use was discontinued September 8, 2021, following a one year lapse in renewal of that rental certificate. The previous owner acquired the property on April 19, 2022, according to the Polk County Assessor's webpage.

On September 7, 2023, the Plan and Zoning Commission continued a request to rezone the subject property from "N5" Neighborhood District to "NX1" Neighborhood Mix District, to allow reuse of the existing structure for multiple-household residential use with up to seven (7) dwelling units to the September 21, 2023, meeting of the Plan and Zoning Commission. Staff notes that the staff report recommended approval of the request to rezone the property from "N5" Neighborhood District to "NX1" Neighborhood Mix District, subject to use of the Property containing no more than five (5) dwelling units. The pre-existing conditions of the site include five (5) off-street paved parking spaces. The appellant requested continuation of the request at the September 21, 2023, meeting to the October 5, 2023, meeting of the Plan and Zoning Commission.

On October 5, 2023, the Plan and Zoning Commission forwarded the request to rezone the subject property from "N5" Neighborhood District to "NX1" Mixed Use District, to allow reuse of the existing structure for multiple-household residential use with up to seven (7) dwelling units, to the City Council without a recommendation as the Commission was unable to reach a majority vote on the request.

On November 20, 2023, the City Council denied the request to rezone the property from "N5" Neighborhood District to "NX1" Mixed Use District. Therefore, the previous owner filed a Use Variance request to the Zoning Board of Adjustment, to allow a multiple-household residential use with up to seven (7) dwelling units. On December 20, 2023, by Docket # ZBOA 2023-000092, the Board denied this Use Variance request.

On May 26, 2025, the Historic Preservation Commission approved a Certificate of Appropriateness, subject to the following conditions:

- The door shall be constructed of wood and reflect a historically appropriate style, incorporating panels and glass lites. The selected door shall be approved by the Planning and Urban Design Administrator prior to purchase and installation.
- Porch railings shall have a top and bottom rail, with balusters that connect to the top and bottom rail and do not extend to porch joists or floor fascia.
- Porch skirting shall have a wood “privacy” lattice that is framed with wood trim and shall sit under the porch floor fascia.
- Review and approval of the finalized porch design by the Planning and Urban Design Administrator prior to construction.
- All replacement windows shall be constructed of wood with no cladding material such as metal, composite, or vinyl.

9. PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation: Low-Medium Density Residential. This designation allows a maximum net density of 12 dwelling units per acre. The proposed five (5) dwelling units on a 0.183-acre parcel represent a net density of 27.3 dwelling units per acre.

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. Local Historic District:** The subject property is within a designated local historic district. On March 26, 2025, the applicant requested a Certificate of Appropriateness (COA) from the Historic Preservation Commission to repair/replace the front (east) porch, replace the back door, and replace (6) windows with wood windows. The Commission determined that granting the COA subject to conditions would be in harmony with the historic character of the neighborhood and would meet the requirements set out in the Historic District Ordinance.
- 2. PlanDSM: Creating Our Tomorrow:** The applicant is requesting that the future land use designation of the property be amended from “Low-Medium Density Residential” to “High Density Residential”. PlanDSM describes these designations as follows:

Low-Medium Density Residential: Areas developed with a mix of single family, duplex and small multi-family units up to 12 units per net acre.

High Density Residential: Areas developed with primarily higher intensity multi-family housing with a minimum density over 17 dwelling units per net acre.

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 “NX1” District. The Zoning Ordinance describes this district as, “intended for a mix of single and smaller-scaled multiple-household uses and building forms to preserve the scale and character of the existing neighborhood while allowing for new infill housing.”

The subject property is located in a relatively dense and walkable neighborhood and on a corner lot at the intersection of two busier neighborhood streets. It is located 0.14 mile from a DART transit route. A Neighborhood Node is centered on the intersection of 6th Avenue and College Avenue. The use of the property as multiple-household dwelling supports Plan DSM Land Use Goal #2 which states, “Direct new growth and redevelopment to areas with existing infrastructure and nodes and corridors based on proximity to transit, shopping, services, and public amenities.” Additionally Land Use Objective #23 states, “Create opportunities for a mixture of land uses within neighborhoods including mixed use centers, diverse housing products, recreational opportunities, public spaces, and schools.”

However, staff notes that the pre-existing conditions of the site include only five (5) off-street parking spaces. Given the density in the immediate neighborhood and the availability of parking spaces, staff believes that any approval of the request should limit the use of the property to five (5) dwelling units.

3. **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.
4. **Additional Information:** Should the requested rezoning be denied, the existing “N5” Neighborhood District zoning regulations would allow for a maximum of one (1) dwelling unit and should comply with all applicable site plan and design regulations of the City’s Planning and Design Ordinance. However, staff notes that with the recent approval of Senate File 592, an Act relating to the regulation of Accessory Dwelling Units (ADU) within cities and counties in the State of Iowa, an accessory dwelling unit in the same lot as a single family residence shall be allowed subject to conditions. Therefore, the subject property can include an accessory dwelling unit in addition to the one (1) one-household dwelling allowed by right, so long as the ADU does not exceed

1,000 square feet or fifty (50) percent of the size of the one-household residence, whichever is greater. This would allow up to 1,384 square feet of the 4,153 square-foot house to be converted to a second unit.

SUMMARY OF DISCUSSION

Sreyoshi Chakraborty present the staff report and recommendations.

Emily Webb asked what percentage of opposition on the consent map would require a super majority by the City Council for approval.

Sreyoshi Chakraborty replied 20% or more. Noted that the map currently displays 30.77%. A super majority vote is required by the City Council to approve the request.

Katie Gillette asked whether a Use Variance granted by the Board of Adjustment would apply only to current ownership or remain with the property itself, referencing comments made in the staff report.

Jason Van Essen clarified that a Use Variance would stay with the land rather than with the property owner. While sunset timelines and operation restrictions can be applied, variances are not granted based on individual ownership.

Chris Draper questioned the logic in the staff report. Noted staff regularly recommends higher densities based on access to public transit. In this case, a recommendation to limit the number of units is being made based on the limited availability of off-street parking. On-street parking is valuable to a neighborhood as it slows down traffic, makes it more pedestrian friendly and makes neighborhoods safer by increasing visibility and engagement. We should want on-street parking, and he asked that it be removed from the recommendation as a justification.

Jason Van Essen responded that it was necessary to consider on-street parking in this case, and the determination to support five units was based on the amount of parking available in the surrounding area. It will remain in the staff report.

Carolyn Jenison questioned why, if staff acknowledge that the property does not conform to the existing Low-Medium Density Residential land use plan designation, there is now an effort to change the designation rather than uphold and honor the current adopted plan.

Sreyoshi Chakraborty explained that Low-Medium Density Residential designation allows up to 12 units per acre, and due to the smaller size of the lot in question, allowing five units would require reclassification to High Density Residential designation.

Carolyn Jenison wondered why the Board of Adjustment had denied this change in the past.

Jason Van Essen stated it was denied at the time as it did not meet the criteria necessary for granting relief.

Carolyn Jenison asked what had changed since the original decision and agreement with the neighborhood to deny the property for multifamily use.

Jason Van Essen stated that the staff recommendation is nearly identical to the last time it was presented.

Sreyoshi Chakraborty explained that the previous request was denied partly because the applicant insisted on reestablishing seven units. In the current proposal, the applicant is requesting five units and has expressed willingness to reduce the number of units to four if necessary.

Carolyn Jenison questioned whether the current ownership is connected to the original applicant and if the new request is an attempt to circumvent the original denial.

Jason Van Essen deferred to the applicant on ownership matters.

Chris Draper confirmed that this was not a straw buyer as he knew the prior ownership group. They took a loss on this property after it was denied the first time. He didn't believe we should make the same mistake this time.

Laura Kessel acknowledged that the discussion was not focused on a specific site plan at the moment but asked for clarification—if the request is approved, would the parking layout remain in its currently proposed location on the site.

Jason Van Essen stated it would remain.

Jane Rongerude asked if the property is currently vacant and what had previously happened to bring this to a hearing.

Jason Van Essen explained that the property is vacant and was vacant when acquired by the previous owner. That owner had purchased it without realizing that the prior rental certificate had expired, which resulted in the loss of its legal nonconforming status. Although it had functioned as apartments for decades, it no longer holds legal nonconforming rights to continue as that use.

Jane Rongerude pointed out that although the property lost its prior nonconforming use, the current proposal is actually reducing density compared to its historical use. She emphasized that while the term “high density” can sound alarming to neighborhoods, in this instance, the proposed five units represent a decrease from what had previously existed and should be viewed as a step toward remedying a long-vacant building.

Jason Van Essen noted that the term “high density” is regards to the Future Land Use Map designation and is a representation of the number of units per acre.

John Erpelding asked if approving the rezoning to “NX1” with a condition limiting the property to five units would still allow a future owner to return to the Commission to request approval for the full seven units permitted under the “NX1” zoning classification.

Sreyoshi Chakraborty confirmed that was correct. Any changes to the conditions, such as increasing the number of units beyond the approved five, would require the applicant to return to the Commission and City Council to request that the conditions be amended or removed.

CHAIRPERSON OPENED PUBLIC HEARING

Angela Brown, 33295 335th St. Waukee, owner of the property, stated that she and her husband, Eric Brown, plan to restore the building and reside there themselves. She shared that Eric has a background in law enforcement, and together they are committed to thoroughly vetting all future tenants. Renovations have already been completed on four of the units, with work continuing on the remaining spaces. They have received a Certificate of Appropriateness from the Historic Preservation Commission for the exterior repairs and are focused on improving the appearance of the property. Their goal is to contribute positively to the neighborhood and create a shared vision with their future tenants for a well-maintained and welcoming living environment.

Kayla Berkson noted that the exterior staircases had been removed from the home since last time at the commission. She asked if these staircases would have to be added back on the home for egress to any of the apartments.

Angela Brown stated that the four units on the ground floor would have interior egress, but a staircase would need to be added to the back for access to the upper units.

Carolyn Jenison welcomed Angela to her neighborhood and wondered how she had come to purchase in Des Moines coming from Waukee.

Angela Brown explained that a major traffic project occurring in their current area, along with the potential for annexation into West Des Moines and the resulting increase in property taxes, were key factors in their decision to purchase this property. She shared that she has taken several home renovation classes and is excited about the opportunity to personally take on much of the renovation work.

Carolyn Jenison asked if she would consider a duplex, and how she felt about managing up to five apartments.

Angela Brown stated that she was comfortable with the idea of managing tenants and looked forward to taking on that responsibility as part of living at and maintaining the property.

John Erpelding asked what the total square footage of the building was and if they could only use five of the seven units, what they would do with that extra space.

Angela brown stated it was around 4,000 square feet. Changing some of the apartments would include combining two of them for her personal living space.

Katie Gillette asked if the Certificate of Appropriateness was based on density or only exterior renovations.

Jason Van Essen clarified that the Certificate of Appropriateness pertains solely to the exterior renovations of the property and does not address or consider issues related to density, which falls outside the scope of the Historic Preservation Commission's role.

Carolyn Jenison asked if the applicant would be eligible to apply to the Board of Adjustment for a Use Variance.

Jason Van Essen stated that the applicant could appeal to the Board of Adjustment if their rezoning request is not approved by the City Council.

Loulou Dickey, 1814 Oakland Avenue, spoke in support of the project, expressing how the property had long been a source of blight in the neighborhood and something she sees daily. She urged approval of the "N5-4" zoning designation as a compromise that would enable restoration of the property. Loulou emphasized the harm caused by out-of-state investors who buy properties, extract value, and then abandon them—leaving both tenants and neighbors to deal with the consequences. She stated that an "N5-4" designation would help deter such predatory investment in the future while allowing Angela, who plans to live in the building, to move forward with renovations. Additionally, she noted that lowering the density could provide an opportunity to convert one-bedroom efficiency units into two- or three-bedroom apartments, which could attract families to the neighborhood.

Kyle Johnson, 1814 Oakland Avenue, spoke in support of the project, emphasizing that the home is located in a prominent part of the neighborhood and has been a persistent blight for the past five years. He agreed that the "N5-4" zoning designation would help reduce the building's density while enabling the applicant to live on-site as an owner-occupant. He also echoed concerns about predatory investors, stating that this designation would help prevent such buyers from acquiring the property in the future, supporting a more stable and invested neighborhood.

Diana Rezac, 1917 Arlington, spoke in opposition to the project, citing concerns about existing density in the neighborhood. She presented a map highlighting the number of nearby multifamily properties, emphasizing that the area is already oversaturated. Rezac also pointed to ongoing parking challenges and shared that one of her tenants had difficulty using public transit to commute to West Des Moines after wanting to give up her car. She stated that the Browns purchased the home with the understanding that it was being sold as a single-family residence. Drawing from her experience as a property owner in Sherman Hill, she noted that property values improved significantly when homes previously divided into apartments were restored to single-family use. She firmly believes this property should remain single-family only.

Ben Spadt, 1934 Arlington Avenue, spoke in opposition to the proposal. He pointed out that this is the second time within a year the property has come before the commission and emphasized that a major reason the previous request for seven units was denied was due to parking concerns and opposition to additional on-street parking. He noted that in the prior case, the item advanced to City Council without a recommendation from the Commission. Spadt stressed the importance of following the established rules, stating that when a rental certificate lapses, the property is required to revert to single-family use. Allowing exceptions, he argued, would set a problematic precedent. He urged the

Commission to avoid an arbitrary decision and advocated restoring the home to single-family status.

Chad Nelsen, 1236 9th Street, spoke in opposition to the proposal. He provided a brief history of the River Bend Neighborhood, explaining that in the late 1920s, homes were rezoned to allow for multifamily conversions, which by the 1960s led HUD to designate the area as a slum. He emphasized that it wasn't until the 1980s and 1990s that the neighborhood began a successful effort to restore homes back to single-family use—something he personally supports, as he resides in a restored single-family home. Nelsen expressed frustration that after securing a Low-Density plan in the 2000s, the Commission is now considering a proposal that contradicts that vision. He pointed out the home was purchased for \$48,000 and argued that ample resources, such as state and federal tax credits, are available to support a single-family restoration. Referencing a prior City Council discussion, he recalled Council Member Chris Coleman saying there are other ways to solve housing needs, and that this specific property and location are not the answer. Nelsen noted the proposal was unanimously denied by both the City Council and the Zoning Board of Adjustment in the past. He also expressed skepticism that the applicant would remain an owner-occupant long-term, based on past experience in the neighborhood. He urged the Commission to deny the request.

Kathy Hellstern, 803 Hickman Road, spoke on behalf of the River Bend Neighborhood Association. She acknowledged that opinions within the neighborhood are divided on the issue but stated that the Association ultimately believes that upzoning the property to “NX1” is not appropriate for this home, this location, or this neighborhood. She emphasized that the River Bend neighborhood has endured significant challenges over the years, and the proposed zoning and future land use map designation will not contribute positively to the area's continued improvement.

Rebuttal

Angela Brown addressed concerns about whether she and her husband would actually move into the home, stating firmly that they are fully committed to living at the property. She emphasized that they plan to put their current home on the market within the next month, reaffirming their intention to reside at the renovated property.

Emily Webb asked if she were willing to accept the “N5-4” District rather than the “NX1” District.

Angela Brown asked for clarifications on the definitions.

Jason Van Essen explained that the “N5-4” would allow for four units.

Angela Brown stated she would like five but would be ok if they were only allowed four.

Carolyn Jenison asked if she would consider a duplex.

Angela Brown stated she would prefer to do more than two units if possible.

Jane Rongerude asked if they had prepared a pro forma or business plan to know how much they would need to charge for the units as it could lead to a big difference between the four and five units with the affordability to maintain the property.

Angela Brown stated they have not yet.

Chris Draper asked about the difference between “NX1” and “N5-4” and how it relates to external renovations of the building.

Jason Van Essen stated it wouldn’t make that much difference given it is an existing building and the fact it is in a local historic district. “NX1” would allow for more building types in the event that the building was destroyed and a new one constructed, but in the end, it would still be reviewed under the historic district standards. The designation is mostly to define the number of units allowed.

CHAIRPERSON CLOSED PUBLIC HEARING

COMMISSION ACTION

John Erpelding asked if the designation were to change to “N5-4” would that still require a land use change to High Density or stay in Low-Medium density.

Sreyoshi Chakraborty explained that based on mathematical calculations, the property, which is approximately 0.183 acres in size, would need to be designated as High Density in order to allow for the proposed four or five residential units.

Carolyn Jenison made a motion to deny the request.

Chris Draper asked to continue the discussion and clarified that his position on on-street parking had been mischaracterized during earlier opposition comments. He emphasized that he has not changed his stance and reiterated that the reliance on on-street parking should not be used as a justification to limit residential density. He stated that on-street parking provides important benefits to neighborhoods by slowing traffic, enhancing walkability, and improving safety through increased visibility and presence on the street.

Jane Rongerude offered several points regarding the project and the broader responsibilities of the Commission when evaluating zoning on individual lots. She expressed her ongoing hope that all neighborhood associations will eventually come forward with a clear focus on tenant protections and a strategy for economic integration—an approach that promotes communities where people of all income levels can thrive. She also highlighted a notable omission in the historical account of the River Bend neighborhood: the failure to mention how, in the 1960s, many residents were systematically denied access to federal loans

Drawing from her expertise as a professor who studies rental property ownership, Rongerude praised the Browns, describing them as ideal landlords—individuals who plan to live in and invest in the community while engaging directly with tenants. She stressed that this is exactly the kind of investment the city should be encouraging. Rongerude pointed out that the property in question has been a detriment to the neighborhood and that the proposed improvements would uplift the area. Citing research, she noted that increasing the value of rental properties often has a positive ripple effect on the surrounding neighborhood's property values.

She expressed concern over other landlords opposing the project and speaking out against competition. Rongerude closed by challenging neighborhoods to be more open to projects that offer meaningful improvements and affordable housing options. She stated that this is a fantastic project and voiced her full support.

Francis Boggus expressed his agreement with the previous supportive comments and emphasized that converting the property back into a single-family home would likely be financially unfeasible due to the significant cost involved. He appreciated the owner's commitment to living on-site and providing additional affordable units, noting that this approach adds much-needed housing to the area. Boggus pointed out that the house has sat vacant for years and believes that the proposed project represents a clear improvement. He stated that he will support the zoning change.

Leah Rudolphi called for the vote to deny the request by Carolyn Jennison.

THE VOTE: 1-11 Motion failed. (Carolyn Jenison voted in support)

Chris Draper made motion for approval of the staff recommendation with the modification that the property be rezoned to the "N5-4" District.

Part A) The proposed rezoning is not in conformance with the existing PlanDSM future land use designation of Low-Medium Density Residential.

Part B) Approval of amending PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use designation from Low-Medium Density Residential to High Density Residential.

Part C) Approval of rezoning the property from "N5" Neighborhood District to the "N5-4" Neighborhood District.

Katie Gillette expressed that she was conflicted in making this decision, acknowledging the importance of listening to the neighborhood's concerns while also considering the city's plan to restore the area to single-family homes. She noted that the property has remained unchanged for the past year, and, given the circumstances, she feels this proposal may represent a reasonable compromise.

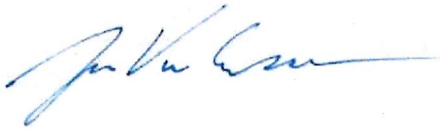
Jane Rongerude also pointed out that the voices present at the meeting primarily represented homeowners and landlords, and that tenants—who also have a stake in the neighborhood—were notably absent and unrepresented. She emphasized that their perspectives and needs should also be considered in these decisions.

Carolyn Jenison stated that there were individuals in the audience who had purchased multi-unit homes and successfully converted them back to single-family use, as she herself had done. She argued that the cost of such a conversion should not be a determining factor and emphasized that it is not the Commission's role to assess the financial feasibility of the conversion. She expressed disappointment that the Commission appeared to be disregarding both the wishes of the neighborhood and the City's established plan for the area. Additionally, she noted that the applicant still has the option to pursue relief through the Zoning Board of Adjustment.

Jane Rongerude noted again that we do not have all interested parties in the room, and we should be mindful of that.

THE VOTE: 11-1 (Carolyn Jenison voted in opposition)

Respectfully submitted,



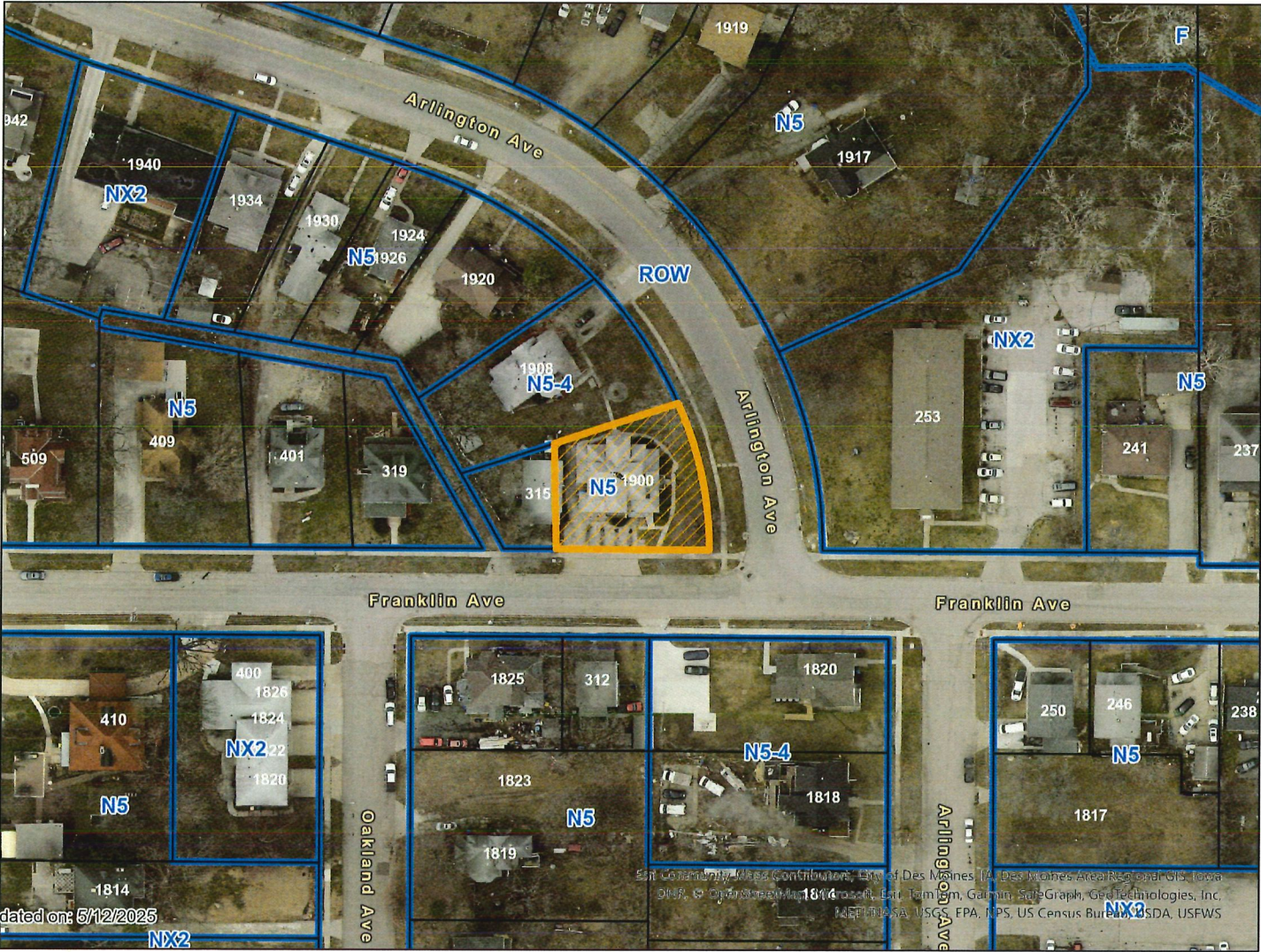
Jason Van Essen

Planning & Urban Design Administrator

JMV:mrw

Angela Brown, 1900 Arlington Avenue

ZONG-2025-000012











Narrative for rezoning application

Purpose of rezoning

I am requesting the property located at 1900 Arlington Ave in Des Moines, IA 50314 be rezoned from a single-family home to a multi-family home. The purpose of the reclassification is to be able to rent multiple dwelling units within the property.

Number of units

The number of dwelling units I am proposing to rent is five, based on the number of on-site parking spots available on the lot.

Renovations

There are no major renovations needed to the units. I have already begun doing cosmetic updates such as new flooring, cabinets, vanities and toilets. For the exterior, I am proposing to replace some of the broken windows with wood windows, repair/replace any missing siding pieces, paint the exterior, replace the back exterior door and repair or replace the front porch/deck that is falling apart.

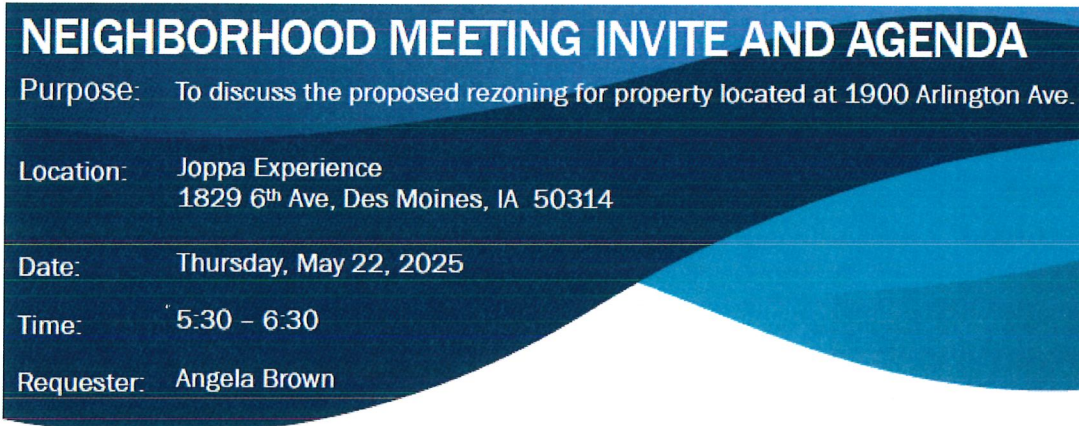
Certificate of Appropriateness

I have been granted a certificate for the items below subject to the following conditions:

- Repair or replace the front (east) porch.
 - Porch railings shall have a top and bottom rail, with balusters that connect to the top and bottom rail and do not extend to porch joists or floor fascia.
 - Porch skirting shall have a wood “privacy” lattice that is framed with wood trim and shall sit under the porch floor fascia.
 - Review and approval of the finalized porch design by the Planning and Urban Design Administrator prior to construction.
- Replace the north side door.
 - The door shall be constructed of wood and reflect a historically appropriate style, incorporating panels and glass lites. The selected door shall be approved by the Planning and Urban Design Administrator prior to purchase and installation.
- Replace (6) non-historic windows in the south addition with wood windows
 - All replacement windows shall be constructed of wood with no cladding material such as metal, composite, or vinyl.

Summary of Neighborhood Meeting

On Tuesday, May 13, 2025, Angela Brown mailed invites for the neighborhood meeting via U.S. mail to the list of property owners provided by the City of Des Moines. The list included those who live in the notification area. Below is a copy of the meeting invite that was mailed.

A graphic with a dark blue background and a light blue wavy shape on the right side. It contains white text for a meeting invite and agenda.

NEIGHBORHOOD MEETING INVITE AND AGENDA

Purpose: To discuss the proposed rezoning for property located at 1900 Arlington Ave.

Location: Joppa Experience
1829 6th Ave, Des Moines, IA 50314

Date: Thursday, May 22, 2025

Time: 5:30 – 6:30

Requester: Angela Brown

This meeting is being requested to give an update to surrounding property owners on the rezoning request for 1900 Arlington Ave in Des Moines, IA, and provide an opportunity to ask questions regarding this initiative. Please see agenda below for more information.

Food and refreshments will be provided.

Agenda Items

- | | |
|----------------|--|
| 5:30 – 5:45 PM | Sign in and grab some food! |
| 5:45 – 6:15 PM | Information presented on proposed zoning changes – handouts. |
| 6:15 – 6:30 PM | Q&A |
| 6:30 PM | Adjourn meeting (unless more time is needed) |

If you are unable to attend:

You may follow up with Angela Brown with any questions or request a copy of the presentation materials at 515-779-8198 or aabrown73@gmail.com.

Tuesday, May 20th, Diana Rezac called to inform Angela Brown that she would not be able to attend the neighborhood meeting and asked to be emailed the presentation materials. Angela Brown emailed Diana the presentation materials following the neighborhood meeting on May 22nd.

Thursday, May 22, 2025, at 5:30 p.m. CT, the neighborhood meeting commenced at Joppa Experience. This location was chosen primarily due to it being a central location for the neighbors and easy to access. The meeting was attended by the following people:

Angela Brown (organizer)
Mike Hildebrand
William Henss
Kathy Hellstern
Chad Nelson
Loulou Dickey
Elizaeth Wolfe

Angela Brown reviewed the attached presentation and all attendees listed above were involved in the discussions. The biggest concern raised during the discussion is the high density for that specific area where the property is located. Another concern raised was if they were to support the request for rezoning and the property later sold, the rezoning would transfer to a new owner, who could potentially be a negligent or unethical landlord. Angela assured the attendees that it isn't her intent to sell the property and plans to reside in one of the units while carefully vetting the tenants who would live there.

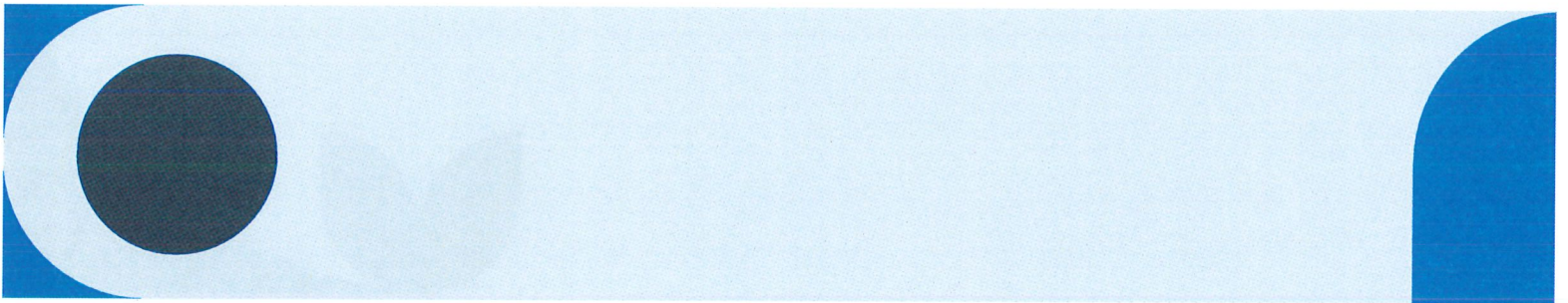
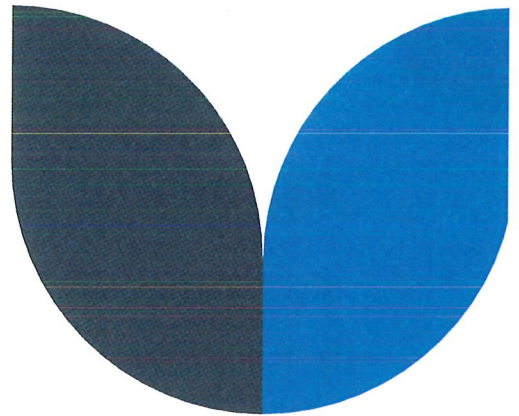
There were mixed feelings about the rezoning. While some neighbors were against rezoning to a 5 unit, others suggested they would support a 4 unit apartment rezone. Additional suggestions raised by the neighbors were to consider having a recreational area or a community area for the tenants. Questions raised were whether the units would have on-site laundry.

As a result of the neighbor meeting and the suggestions that were made by the neighbors, Angela Brown is open to rezoning to a 4 unit apartment versus a 5 unit. Angela will also consider offering on-site laundry.



Neighborhood Meeting

May 22, 2025





Agenda

5:30 Sign in

5:45 Review presentation information

6:15 Q&A

6:30 Adjourn





About Me:

Real estate agent at Iowa Realty, and
Benefits Manager in HR at MidAmerican Energy Company
Background in accounting, MBA from Drake

Married to Eric Brown, background in law enforcement: former Des Moines police cadet, Polk County deputy sheriff and former police officer for West Des Moines. Currently has a small dealership in Ankeny

We currently live in Waukee but will be putting our home on the market in May. We do not own any other rental properties.



Purpose of Rezoning Request

Rezone 1900 Arlington Ave in Des Moines, Iowa from a single-family home to a multi-family home for the purpose of renting some of the dwelling units within the property.

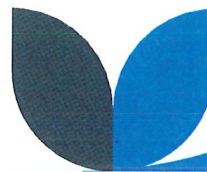
- Not feasible to convert from a multi-family to a single-family home as renovations would cost tens of thousands to complete.
- Would take several years to complete given the amount of expenses and structural changes required.
- Several units have already been renovated so it makes sense to continue down that path; will be quicker and less expensive to complete.



Number of Units

There are currently 7 units available in the property. Six of the units are one-bedrooms and one unit is an efficiency. The number of units being proposed for rental are 4 of the 7. We plan to occupy a 5th unit.


- There are 5 parking stalls available in the lot for onsite parking. Occupying more than 5 units would require street parking.
- Keeping the rental units under 7 will help keep density low in the neighborhood.





Tenant Selection


We will carefully vet the tenants we select to occupy the units, including background checks and references. I would like to continue to see the neighborhood revitalized and have tenants that would take pride in the neighborhood and in the property.

- Background checks
 - References
 - Referrals or know personally
- 



Interior Renovations


No major renovations are needed for the units. The previous owners completed much of the renovations in 4 of the units, including new cabinets, tubs, toilets and flooring. Some of the work that was not completed includes interior wall repairs, ceilings and windows. I have started similar cosmetic updates in the other 3 units, even though not all of them will be rented. Below are some of the updates completed:

- New vinyl flooring
 - Kitchen cabinets
 - Bathroom vanities, toilets
 - Ceiling and wall repair, paint
- 



Exterior Renovations

For the exterior, I plan to replace some of the missing siding pieces, replace several of the windows and paint the exterior siding. I recently applied for and received a certificate of appropriateness for the following items:

- Repair or replace the front (east) porch.
 - Replace the north side steel door with a wood door.
 - Replace six of the non-historic windows on the south of the house with wood windows.
- 

Original state of the property:

Broken windows
Peeling paint
Missing siding
Broken porch
Possibly needs roof
Foundation wall bowed



Vision for the property (not actual):

- New wood windows
- Repair siding
- Fresh exterior paint, two-tone
- New front porch
- New exterior door
- Foundation wall repair
- Owner occupied





Thank you

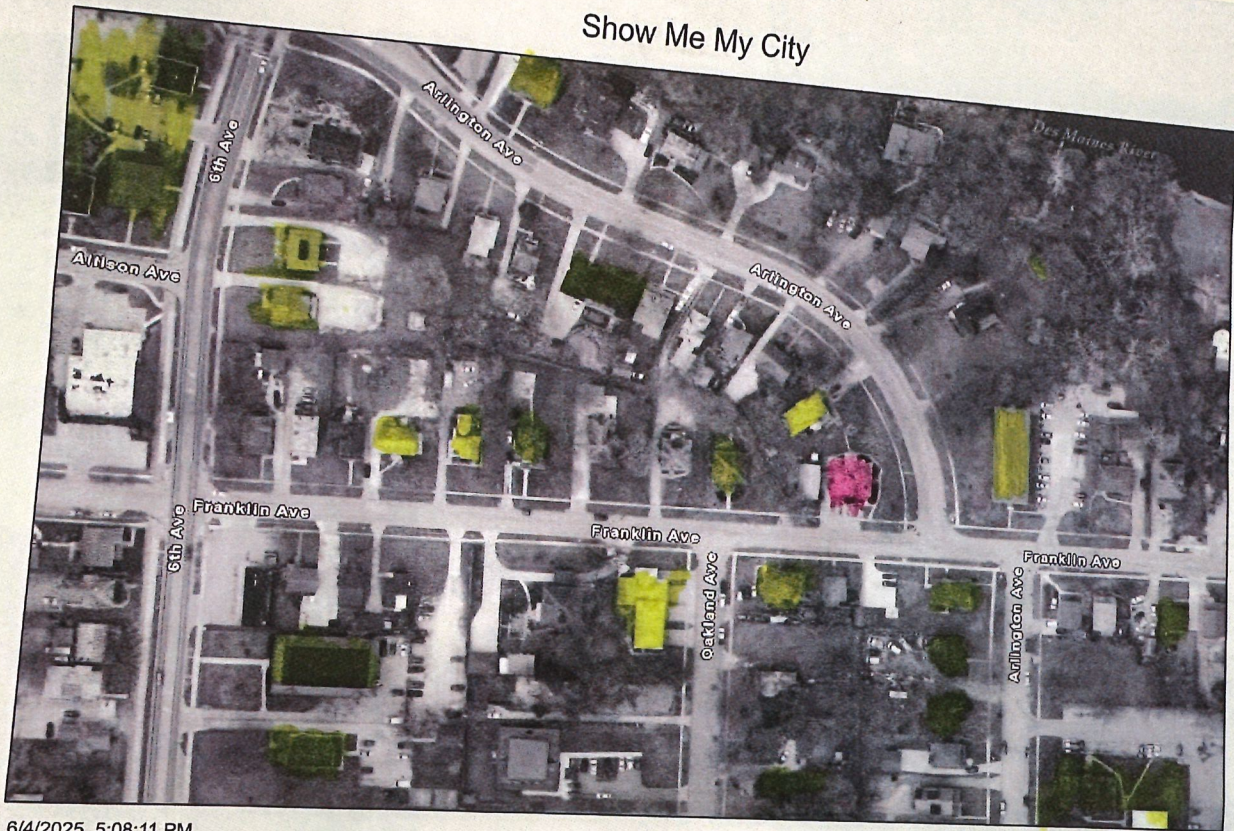
Angela Brown

515-779-8198

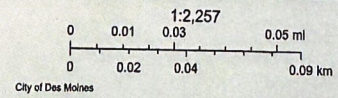
aabrown73@gmail.com



Show Me My City



6/4/2025, 5:08:11 PM



All rights reserved. This map is approximate and may not be complete. The City assumes no liability for accuracy. Consult sources to verify.

Item: ZONG-2025-000012 Date: 5-28-2025

Please mark one of the following:

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



Titleholder Signature: [Signature]

Name/Business: _____

Impacted Address: 1825 Oakland Ave

Comments: _____

Item: ZONG-2025-000012 Date: 5/29/25

Please mark one of the following:

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

Staff Use Only
RECEIVED
DEVELOPMENT SERVICES
JUN 3 2025

Titleholder Signature: Diana REZAC Diana Rezac Trust

Name/Business: Diana REZAC

Impacted Address: 1917 Arlington Ave

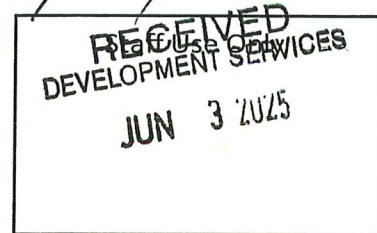
Comments: I oppose the Rezoning of 1900 Arlington Ave
because I counted over 150+ Rentals within
approximately a block of my house and 1900
Arlington. I believe the property should be
a single family structure as originally designed.

Item: ZONG-2025-000012

Date: 5/27/2025

Please mark one of the following:

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



Titleholder Signature: [Signature]

Name/Business: 400 FRANKLIN LLC

Impacted Address: 400 FRANKLIN AVENUE

Comments: _____

Item: ZONG-2025-000012

Date: 5-29-25

Please mark one of the following:

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

Staff ~~Un~~ **RECEIVED**
DEVELOPMENT SERVICES
JUN 3 2025

Titleholder Signature: Renee Crouch

Name/Business: _____

Impacted Address: 1924-Edlington Ave BMTJASCB1Y

Comments: _____

The 1900 armoire is never kept up!
always turns into chaos. Its never been
Good Parents, Police are Called all the time

Item: ZONG-2025-000012

Date: 6-3-2025

Please mark one of the following:

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



Titleholder Signature: Kathy Hellstern

Name/Business: Kathy Hellstern - River Bend Neighborhood Assn.

Impacted Address: River Bend Neighborhood

Comments: We do not support up-zoning
this property to a high density residential
NXI designation.

Item: ZONG-2025-000012

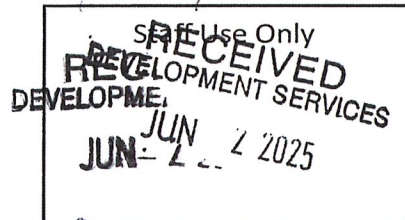
Date: 5/28/2025

Please mark one of the following:

☐ I support the request

☐ I am undecided

☒ I oppose the request



Titleholder Signature: David Lindemoen

Name/Business: _____

Impacted Address: 312 Franklin Ave DM

Comments: this address 1900 created
loud noise, drug traffic and litter
also cars parked in front yard

Item: ZONG-2025-000012

Date: _____

Please mark one of the following:

☐ I support the request

☐ I am undecided

☒ I oppose the request

Staff Use Only

RECEIVED
DEVELOPMENT SERVICES

JUN 6 2025

Titleholder Signature: _____

Name/Business: _____

Impacted Address: _____

Comments: _____

a similar change was proposed
last year and denied - I don't
understand what has changed other
than the owners and why that
would result in a different outcome?

Item: ZONG-2025-000012

Date: 6/4/25

Please mark one of the following:

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

Staff Use Only

Titleholder Signature: MM Bama

Name/Business: Fair Play Properties

Impacted Address: 1820 Arlington Ave

Comments: I oppose NX1. I might be willing
To support NS-4.



June 3, 2025

Members of the Planning and Zoning Commission,

Thank you for the opportunity to provide comment on this rezoning request for 1900 Arlington in the River Bend neighborhood.

Once again, we find ourselves having difficult discussions about complicated issues. After all of our discussions, we have come to the conclusion that we cannot support rezoning 1900 Arlington up to NX1, high density residential. The one consensus we have been able to arrive at is that this level of zoning is not the healthiest option for this house, on this corner, in this acre of the neighborhood.

We ask that you do not up-zone this property to high density residential.

Thank you for your time and consideration. If you require more information, please contact me.

Sincerely,

A handwritten signature in cursive script, reading "Kathy Hellstern".

Kathy Hellstern, President
River Bend Association, Inc.
PO Box 408
Des Moines, IA 50302
515-770-6539
President@RiverBendNeighborhood.org

Angela Brown, 1900 Arlington Avenue

ZONG-2025-000012

