



Date December 22, 2025

RESOLUTION HOLDING PUBLIC HEARING REGARDING REQUEST FROM BOBBY BROWN (CONTRACT BUYER) AND CASEY BROWN (CONTRACT BUYER), FOR PROPERTY LOCATED IN THE VICINITY OF 1233 10TH STREET, TO REZONE THE PROPERTY FROM “N5” NEIGHBORHOOD DISTRICT TO LIMITED “NX1” NEIGHBORHOOD MIX DISTRICT, TO ALLOW THE PROPERTY TO CONTAIN UP TO EIGHT (8) RESIDENTIAL DWELLING UNITS

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 20, 2025, its members voted 9-3 in support of a motion to recommend **APPROVAL** of a request from Bobby Brown (Contract Buyer), and Casey Brown (Contract Buyer), for the proposed rezoning from “N5” Neighborhood District to a Limited “NX1” Neighborhood Mix District be found in conformance with the PlanDSM: Creating Our Tomorrow Plan Land Use Plan designation of Low-Medium Density Residential within a Community Node; and

WHEREAS, the City Plan and Zoning Commission has further advised that at a public hearing held on November 20, 2025, its members voted 9-3 in support of a motion to recommend **APPROVAL** of a request from Bobby Brown (Contract Buyer), and Casey Brown (Contract Buyer), to rezone the Property from “N5” Neighborhood District to a Limited “NX1” Neighborhood Mix District, to allow the property to contain up to five (5) residential dwelling units, subject to the following conditions:

1. Any use of the subject property, which measures 0.264 acres, shall be limited to uses as permitted in common with and as limited by the ‘N5’ District and Household Living with a maximum of five (5) dwelling units.; and
2. The subject property shall be brought into compliance with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of the City Code) in accordance with an approved site plan.; and

WHEREAS, the Property is legally described as follows:

THE NORTH ½ OF LOT NINE (9) IN ENOS B. HUNT’S ADDITION TO NORTH DES MOINES, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

LOT TWENTY-NINE (29) IN MCHENRY PLACE, 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

39

Date December 22, 2025

WHEREAS, on December 8, 2025, by Roll Call No. 25-1599, it was duly resolved by the City Council that the request for approval of the proposed rezoning be set down for hearing on December 22, 2025, at 5:00 p.m., at the City Council Chambers; and

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposals; and

WHEREAS, in accordance with said notice, those interested in said proposal, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed rezoning are hereby overruled, and the hearing is closed.
2. The proposed rezoning of the Property, as legally described above, from N5" Neighborhood District to a Limited "NX1" Neighborhood Mix District, to allow the property to contain up to eight (8) residential dwelling units, subject to the conditions set forth above, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is hereby approved, subject to final passage of an ordinance rezoning the Property as set forth herein.

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

MOVED BY _____ TO ADOPT. SECOND BY _____.

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill

Assistant City Attorney

(ZONG-2025-000026)



Roll Call Number

.....

Agenda Item Number

39

Date December 22, 2025

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



November 24, 2025

Communication from the City Plan and Zoning Commission advising that at their November 20, 2025 meeting, the following action was taken on request from Bobby Brown (contract buyer), and Casey Brown (contract buyer), for the following regarding property located in the vicinity of 1233 10th Street:

- 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 "NX1" Neighborhood Mix District, to allow conversion of the three (3) existing one-household structures to two-household residential structures, and allow construction of a fourth two-household residential structure, resulting in a total of eight (8) residential dwelling units.

COMMISSION RECOMMENDATION: 9-3

After public hearing, the members voted as follows:

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

Approval of the following:

Part A) The requested "NX1" District be found in conformance with the existing PlanDSM future land use designation of Low-Medium Density Residential within a Community Node.

Part B) Rezone the property from “N5” Neighborhood District to a Limited “NX1” Neighborhood Mix District subject to the following conditions:

1. Any use of the subject property, which measures 0.264 acres, shall be limited to uses as permitted in common with and as limited by the ‘N5’ District and Household Living with a maximum of three (5) dwelling units.
2. The subject property shall be brought into compliance with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of the City Code) in accordance with an approved site plan.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends that the requested “NX1” District be found in conformance with the existing PlanDSM future land use designation of Low-Medium Density Residential within a Community Node.

Part B) Staff recommends approval of the request to rezone the property from “N5” Neighborhood District to “NX1” Neighborhood Mix District subject to the following conditions:

1. Any use of the subject property, which measures 0.264 acres, shall be limited to uses as permitted in common with and as limited by the ‘N5’ District and Household Living with a maximum of three (3) dwelling units.
2. The subject property shall be brought into compliance with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of the City Code) in accordance with an approved site plan.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to convert three (3) existing one-household residential structures into two-household (duplex) units. Additionally, a fourth new two-household residential structure is being proposed for a total of eight (8) units on the property. A conceptual site sketch submitted with the application indicates a driveway running along the southern boundary with four (4) off-street parking spaces in the rear yard. An existing shared driveway which provided access to the houses has been closed off.

The subject property is currently zoned “N-5” Residential District. The “N5” District allows one (1) household per lot. The applicant currently has legal non-conforming rights to three (3) detached units on this lot. The proposed project including eight (8) residential

dwelling units falls under the Residential category and is most consistent with a Household Living - 5 to 8 households (per lot) use type and requires a rezoning to the 'NX1' Neighborhood Mix District.

Any development must comply with all applicable site plan and design regulations of the City's Planning and Design Ordinance. Should the rezoning be approved, the applicant would be required to prepare a Site Plan and building elevations for review before the property can be occupied by the proposed use.

2. **Size of Site:** 0.264 acres (11,510 square feet).
3. **Existing Zoning (site):** "N5" Neighborhood District.
4. **Existing Land Use (site):** The subject property contains three (3) single family residential buildings and a closed-off shared driveway.
5. **Adjacent Land Use and Zoning:**

North – "N5"; Uses are one-household residential.

South – "N5"; Uses are one-household residential.

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 along 10th Street in the block to the north of University Avenue. It is located in a low density residential neighborhood. The surrounding area is primarily residential with commercial and public uses to the south along University Avenue. The subject property is within a designated Community Node that is centered on the 6th Avenue and University Avenue intersection.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in the King Additionally, an official public notice of the hearing for this specific item was mailed on October 17, 2025 (20 days before the hearing), and October 27, 2025 (10 days before the hearing), to any Neighborhood Association and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site or adjacent to the site. All Neighborhood Association mailings are sent to the primary contact designated by the recognized Neighborhood Association on file with the City of Des Moines' Neighborhood Services Department.

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-Medium Density Residential within a Community Node.



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. Proposal Overview:** The applicant is proposing to rezone the site from “N3a” Neighborhood District to “NX1” Neighborhood Mix District to convert the three (3) existing one-household structures to duplexes and add a potential fourth two-household residential building. A conceptual site sketch indicates the removal of an existing shared driveway and the addition of a new driveway along the southern boundary of the property and four (4) off-street parking spaces in the rear yard.
- 2. PlanDSM: Creating Our Tomorrow:** The future land use designation for the property is “Low-Medium Density Residential” within a “Community Node”. 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.

Community Node: Mid-sized centers providing a range of daily needs and specialized services within a larger neighborhood context. Consist of a mix of housing, retail and offices serving a larger population and geographical area than a neighborhood node. May include a shopping district including a grocery and drug store. Residential development including medium and high densities may occur.

A future landuse plan amendment is not required as the subject property is within a Community Node that may allow medium and high density residential uses. With the proposed five (8) residential units, the density of the 0.264 acre subject property would be 30.3 dwelling units per net acre.

The subject property is currently zoned “N5” District which the Zoning Ordinance describes 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 subject property to a “NX1” District. The Zoning Ordinance describes “NX1” 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.”

Staff believes that the proposed housing project with up to eight (8) dwelling units is not an appropriate use for this site. The subject property is larger than most of the lots in the vicinity and currently includes 3 dwelling units which have legal non-conforming rights. However, with the addition of another five (5) dwelling units, the development would negatively impact the character of the surrounding neighborhood. The applicant will be required to provide 8 off-street parking spaces per City Code. The submitted concept shows four (4) off-street parking spaces, which is not sufficient for the proposed number of units. Furthermore, there is insufficient space to add a fourth building as proposed in the site concept and will add significant impervious area to the property. While the subject property is within a quarter mile of transit and other amenities along the University Avenue corridor, staff is only supportive of a higher density so long as it is feasible, sustainable, and fits the character of the neighborhood. Staff believes that the existing three (3) one-household dwellings is appropriate so long as the site is brought to compliance with City Code.

- 3. Planning and Design Ordinance Requirements:** Any development must comply with all applicable site plan and design regulations of the City's Planning and Design Ordinance. Should the rezoning be approved, the applicant would be required to prepare a Site Plan and building elevations for review before the property can be occupied by the proposed use.

III. STAFF RECOMMENDATION

Part A) Staff recommends that the requested "NX1" District be found in conformance with the existing PlanDSM future land use designation of Low-Medium Density Residential within a Community Node.

Part B) Staff recommends approval of the request to rezone the property from "N5" Neighborhood District to "NX1" Neighborhood Mix District subject to the following conditions:

1. Any use of the subject property, which measures 0.264 acres, shall be limited to uses as permitted in common with and as limited by the 'N5' District and Household Living with a maximum of three (3) dwelling units.
2. The subject property shall be brought into compliance with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of the City Code) in accordance with an approved site plan.

SUMMARY OF DISCUSSION

Sreyoshi Chakraborty presented staff report and recommendation. Noted that the applicant has changed their proposal since the staff report was issued. They are now proposing six units, two in each of the existing buildings. A new building with two more units is no longer proposed.

Jane Rongerude asked for clarification on the staff report's reference to community character.

Sreyoshi Chakraborty explained that staff is concerned about the number of units on the property and the increased amount of impervious surface.

Jane Rongerude questioned what the outcome would be if these dilapidated properties were left undeveloped and what is the alternative.

Sreyoshi Chakraborty stated the property has legal nonconforming rights to have three units on the property.

Jane Rongerude emphasized the importance of being more precise in defining "community character" within the report. Noted that the language could be interpreted as implying that rental properties negatively impact a neighborhood.

Jason Van Essen stated that this particular property is an anomaly in the area, and the comments were directed towards the layout and physical characteristics of the proposal.

Andrew Lorentzen asked for clarification when a duplex is allowed by right and what zoning district it would need to be.

Sreyoshi Chakraborty stated that zoning for a duplex could be done in the "N5-2" and also in the "NX1" district.

Jason Van Essen noted that "N5-2" zoning would not provide a solution in this case because there are already three units located on the property.

Johnny Alcivar asked whether approval by the City Council would require a supermajority vote due to the neighbor opposition exceeding 20%.

Sreyoshi Chakraborty stated yes, that is correct.

Carolyn Jenison asked whether there were any repercussions or concerns associated with rezoning a property that is currently being purchased under a contract buyer arrangement.

Chas Cahill stated there are no issues with rezoning a property held by a contract buyer.

Carolyn Jenison expressed concern for spot zoning a property that could change hands many times with multiple contract buyers. Asked if there was any path with the Zoning Board of Adjustment for relief.

Jason Van Essen stated that Zoning Board of Adjustment was not a direct option.

Chris Draper asked about the change from the original proposal to retaining only the existing three units and questioned whether, had this been the initial proposal, it could have been approved without issue.

Sreyoshi Chakraborty stated that they were requesting to change each unit to a duplex creating six units. This would still require a change in zoning.

Will Page asked how the proposed parking area would be surfaced.

Jason Van Essen stated it is required to be paved. If the rezoning moves forward, a site plan will be required. If the rezoning is not approved, we would have to check with zoning enforcement staff on any nonconforming rights they might have for gravel parking.

Johnny Alcivar asked whether staff's position remained the same now that the applicant has changed their proposal.

Jason Van Essen stated that the staff recommendation remained unchanged. Given the space limitations on the property, we believe the site is best suited for only the three units within the three existing homes.

CHAIRPERSON OPENED PUBLIC HEARING

Casey Brown, 1443 NW 66th Ave, presented plans for updating the three detached homes located on the subject property. Noted that the property is more than double the average lot size in the area. They are buying it on contract from Contract Exchange, who is aware of the proposed changes to the structures and of the rezoning.

The properties were in poor condition and had constant problems with homeless squatters, break-ins and vandalism. The extent of repairs and investment required was significantly underestimated, and they are now seeking to make major improvements and convert each home into a duplex in order to recoup their investment. She stated that the project would bring positive changes to the neighborhood while providing additional affordable housing options.

Ample parking would be provided by paving the rear parking area as well as the driveway between the units. She requests approval of the rezoning to allow the project to move forward.

Johnny Alcivar asked what feedback had been given during the neighborhood meeting and how they had incorporated it into their new plans.

Bobby Brown stated there was not much feedback other than concerns of property line encroachment. A land survey was completed, and the boundaries were clarified.

Katie Gillette asked for the square footage of the smaller home located at the rear of the property.

Casey Brown stated that she did not have the exact square footage but estimated the rear home to be approximately 900 square feet. She added that they are working with an engineer to evaluate the layout, and it is possible the structure may not feasibly convert to a duplex. However, they felt it was important to include it in the rezoning request at this stage.

Chris Schubert, 3031 Circle Hill Court NE, Cedar Rapids, Vice President of Contract Exchange Corporation, spoke in support of the applicant as the title holder of the property. He clarified the rights of the contract buyer as the sole owner of the real estate and emphasized the importance of this project providing community improvement and affordable housing.

Joanne Muldoon, 1338 18th Street, spoke on behalf of the King Irving Neighborhood Association. She explained that the board voted not to support the proposed zoning change from "N5" to "NX1," citing concerns about too many units on the property. She noted insufficient parking and limited on-street parking availability in the area. While having three homes on a single parcel is already an anomaly, adding more units would not align with the character of the King Irving Neighborhood. Muldoon also raised concerns about the applicant's ability to act as law-abiding landlords, noting reports that one unit is already occupied without a rental certificate. She stated that the association supports the city staff recommendation to allow only three units on the property and to bring them up to code.

Chris Hayes, 3608 Cottonwood Drive, spoke in favor of the project as the acting contractor for the renovation. He explained the issues with spiraling costs of repairs along with uninformed decision making based on not knowing the zoning in the area and the process. He requests that the applicants be allowed to convert the houses to duplexes to recoup the growing expenses of repairs.

Mark Green, 1224 10th Street, spoke in opposition to the rezoning request for eight units. He expressed concerns that investors may not follow through with the proposed projects and noted existing issues with on-street parking in the area.

Will Page asked if the homes next to Mr. Green's address were Habitat for Humanity homes.

Jason Van Essen confirmed that many of the homes built on the west side of 10th Street were built by Habitat for Humanity.

Rebuttal

Casey Brown reaffirmed their commitment to improving the neighborhood and stated their intent to make enhancements that benefit the area. She noted that a family member had been staying in one of the units to help secure the property amid ongoing break-ins, which have since stopped. She acknowledged that this has been a learning process and that some procedures were unfamiliar to her but emphasized her intention to follow the law and work with the city to ensure the project is completed correctly.

CHAIRPERSON CLOSED PUBLIC HEARING

COMMISSION ACTION

Carolyn Jenison expressed her opposition to spot rezoning and voiced frustration with inexperienced buyers attempting projects of this nature without adequate research, resulting in the need to bring the case before the Commission for resolution.

Emily Webb shared her support for the project while noting that it aligns with the City goals to increase density and affordable housing.

Jane Rongerude questioned why the staff would not support improvements to a derelict property, the addition of affordable housing, and recognition of the associated development costs. She argued that concerns about spot rezoning are less relevant in this case, as the property already contains three units and is nonconforming. Rongerude emphasized that this project presents an opportunity to support the applicant, bring existing units back to the market, enhance neighborhood safety, and increase housing availability.

Chris Draper shared his support for adding density and affordable housing in areas that could benefit from this type of project.

Chris Draper made a motion for approval of the following:

Part A) The requested “NX1” District be found in conformance with the existing PlanDSM future land use designation of Low-Medium Density Residential within a Community Node.

Part B) Rezone the subject property from “N5” Neighborhood District to “NX1” Neighborhood Mix District subject to the following conditions:

1. Any use of the subject property, which measures 0.264 acres, shall be limited to uses as permitted in common with and as limited by the ‘N5’ District and Household Living with a maximum of six (6) dwelling units.
2. The subject property shall be brought into compliance with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of the City Code) in accordance with an approved site plan.

Will Page suggested that motions not be made until the Commission’s debate and discussion has been completed.

Francis Boggus made a request for a friendly amendment to limit to five dwelling units and not include the smaller back home to be allowed as duplex.

Katie Gillette agreed with Francis Boggus that five units would be better suited with the back unit being too small in square footage to be converted.

Sreyoshi Chakraborty provided square footage for each unit. The smaller back unit is 702 square feet, and the larger homes are 1,636 and 1,634 square feet respectively.

Chas Cahill clarified the motion language.

Chris Draper accepted the friendly amendment to limit to five units, thereby moving the following:

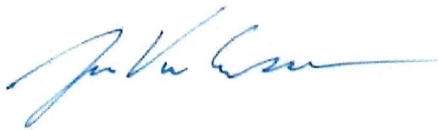
Part A) The requested "NX1" District be found in conformance with the existing PlanDSM future land use designation of Low-Medium Density Residential within a Community Node.

Part B) Rezone the subject property from "N5" Neighborhood District to a Limited "NX1" Neighborhood Mix District subject to the following conditions:

1. Any use of the subject property, which measures 0.264 acres, shall be limited to uses as permitted in common with and as limited by the 'N5' District and Household Living with a maximum of five (5) dwelling units.
2. The subject property shall be brought into compliance with all applicable site plan and design regulations of the Planning and Design Ordinance (Chapter 135 of the City Code) in accordance with an approved site plan.

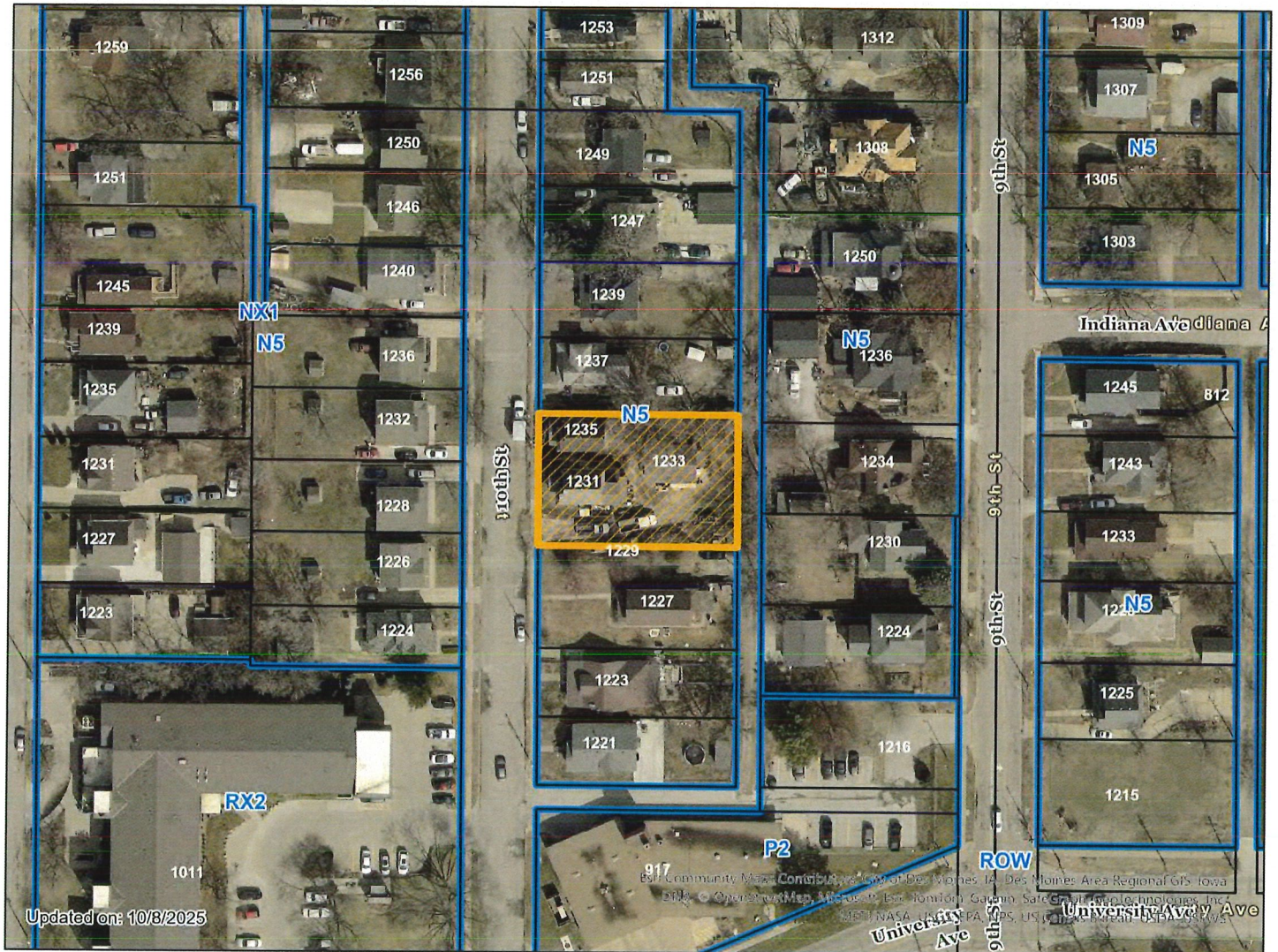
THE VOTE: 9-3 (Carolyn Jenison, Will Page and Leah Rudophi voted opposed)

Respectfully submitted,



Jason Van Essen, AICP
Planning & Urban Design Administrator

JMV:mrw





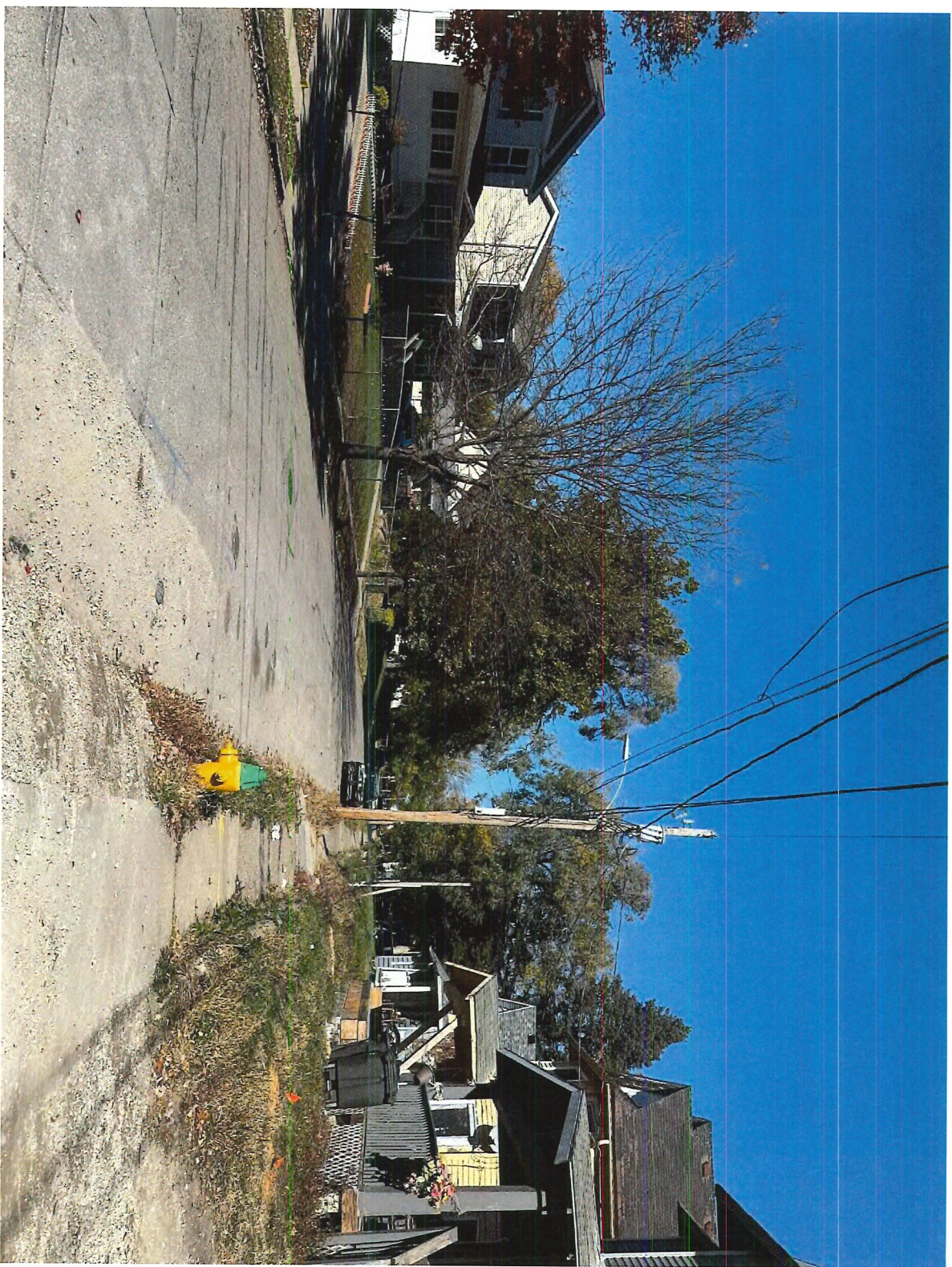


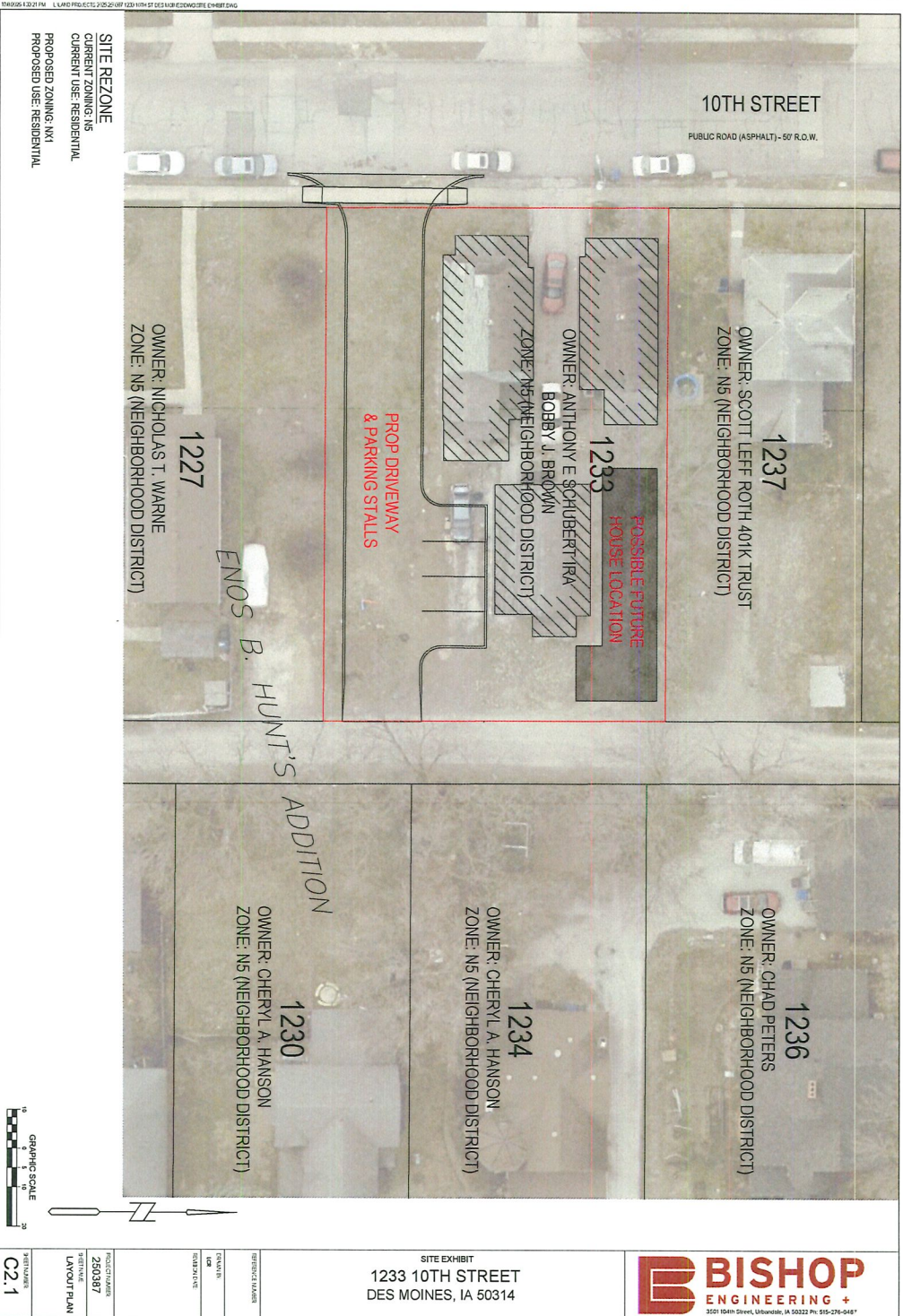






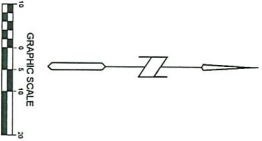
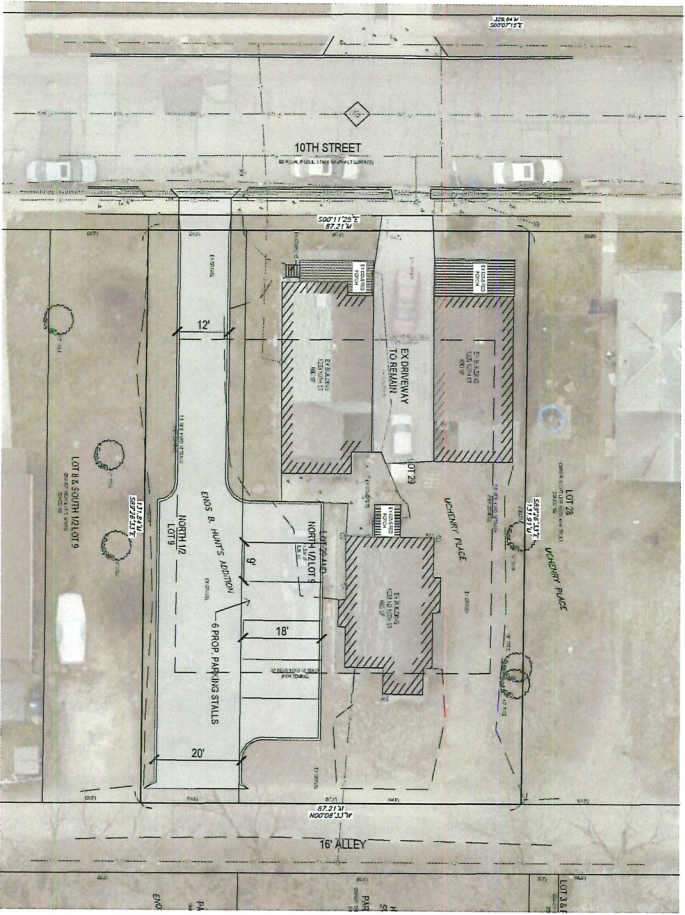






11/04/2025 1:36:22 PM L:\LAND PROJECTS\250387\250387 10TH ST DES MOINES\CONCEPT SITE PLAN EXHIBIT.DWG

SITE REZONE
CURRENT ZONING: NS
CURRENT USE: RESIDENTIAL
PROPOSED ZONING: AM1
PROPOSED USE: RESIDENTIAL



Date	Proposal Number
10/21/2025	250387



The Neighborhood Meeting for the rezone of 1233 10th street was held on Thursday, October 16th, 2025 from 4:00 pm – 5:00 pm at the Forest Avenue Library located at 1326 Forest Ave, Des Moines, IA 50314. David Bentz (Principal Engineer) , Bobby Brown (Owner) and Chris Hayes (Owner Representative) were in Attendance. There were questions about the number of units on-site and number of units being proposed (3 existing – 6 units proposed) which was clarified by David, Bobby & Chris. The main concern that was brought up was that some of the attendees thought that the property at 1233 10th street was storing construction materials over the property line. Bishop engineering will be performing a boundary survey to establish property lines as well as take a drone aerial photo of the site to ascertain this issue.

Bishop Engineering
3501 104th Street
Des Moines, Iowa 50322
Levi Runciman
515-276-0467
lrunciman@bishopengr.com

Sincerely,

Levi Runciman, EIT

David Simpson
DAVID SIMPSON 1224 9th St.
Luna "Nicholas" Waine (515) 314-3083

Margaret Wright
Joann Muldoon

1537 12th
KIMIA
Resident
KIMIA
1338-18th St

TO: Sreyoshi Chakraborty, AICP, Senior City Planner, Development Services
 Burt Dross, City Planning Urban Design Deputy Administrator
 602 Robert D. Ray Drive, DSM 50309

FROM: King Irving Neighborhood Association Board

RE: Request from Bobby Brown (and Casey Brown To Rezone from N5 to NX1 the property located at 1233 10th Street in the King Irving Neighborhood to Allow for Up to Eight Units on the Lot at This Address (ZONG-2025-000026)

Regarding number ZONG-2025-000026, the Board of the King Irving Neighborhood Association unanimously voted on October 22, 2025 to oppose the rezoning request for the following reasons:

- The approximately 78' by 132' lot at 1233 -10th Street already has three homes on it, an anomaly on that street, the King Irving Neighborhood and most other areas of the City zoned N5. N5 districts are intended to preserve the scale and character of neighborhoods as they were developed (mix of bungalow and two-story homes in the Victorian, Revival, and Arts and Crafts style).
- The requested rezoning to NX1 would allow all three homes on the lot to be converted into duplexes with the possibility of a fourth home to be added as per schematics presented at the neighborhood public hearing. There is no other known lot in the King Irving Neighborhood that has three let alone four homes that are duplexed.
- The proposed NX District to allow construction of six to eight units on the lot would mean street parking for existing homeowners and renters would be greatly reduced. If six units are allowed on the lot, up to 12 cars may need parking, if eight were developed, up to 16 parking spaces may be needed. There is parking on only one side of the street on 10th. Parking off the alley would be difficult as the alley behind lots in the 1200 block of 10th dog legs--back lot lines vary--some extending all the way across the alley--lot lines do not align. A fourth home on the lot would make alley parking on the lot likely impossible due to limited open space on the lot.
- The character of 1200 block of 10th Street, all single-family homes, with the exception of 1233 - 10th would be degraded and substantially changed if a fourth home were to be constructed.
- NX1 Districts are created in part to allow for infill housing. The lot at 1233 -10th already has two infill homes in addition to the home originally built on the property.

King Irving Neighborhood Association found out about this rezoning request only on the afternoon of the day of the requestor's public hearing. We are working with neighbors on 10th about this request and will add to these comments as we hold these conversations.

Submitted by,

Joann Muldoon, King Irving Treasurer

On behalf of the King Irving Neighborhood Association Board

Margaret Wright, President

Jean Minahan, Vice President

Evelyn Moore, James Wright, Andrew Beier, At-Larged

From: [Angela](#)
To: [Chakraborty, Sreyoshi](#)
Subject: 1233 10th St rezoning
Date: Wednesday, November 5, 2025 11:29:20 AM

EXTERNAL EMAIL - This email was sent by a person from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

RE: the proposed rezoning of 1233 10th St, DM from N5 to NX1
From: David Sweet and Angela Newhouse/Sweet
1328 9th St, DM

We are opposed to this spot rezoning for several reasons. The concept of zoning is to provide planned continuity within neighborhoods. Spot rezoning of any type becomes problematic in that it punctures holes in the fabric of the neighborhood, frequently to the point that the original zoning is mute. This particular lot already has been "grandfathered" in with a higher density than the other surrounding homes. We agree with the opposition stated by the King Irving Neighborhood that doubling the density of this already dense lot would not be beneficial, in fact would be harmful. Additionally, the owner apparently has preliminary plans to add a fourth duplex/multi-family unit to the already overcrowded lot, further increasing the detriment to the 1200 block of 10th St and the surrounding neighborhoods.

We additionally have concerns that these "spot rezonings" would spread. Our property at 1328 9th St is within a block of the requested rezoning. The River Bend Neighborhood abuts the King Irving Neighborhood at the alley behind our house. River Bend has had similar issues with rezoning requests and this seems to be a recurring issue that does not support efforts to strengthen neighborhoods.

Sincerely,

David Sweet and Angela Newhouse/Sweet
1328 9th Street

From: [Mary Klein](#)
To: [Chakraborty, Sreyoshi](#)
Subject: 1233 10th Street Rezoning request
Date: Sunday, November 2, 2025 9:15:51 PM

EXTERNAL EMAIL - This email was sent by a person from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

I am opposed to the rezoning request for 1233 10th Street. It appears that the rezoning from single family to multifamily would increase the density of that lot from 3 families to possibly 8 families in the middle of the block. I am estimating we could see 13 or more additional cars. Where will they park?

Des Moines needs more housing, but I would prefer it to be along University Avenue with adequate parking.

Mary Klein
1309 9th Street
Des Moines, Iowa 50314

From: [Kim Larison](#)
To: [Chakraborty, Sreyoshi](#)
Subject: Opposition to the rezoning of 1233 10th Street
Date: Thursday, October 30, 2025 4:17:45 PM

I oppose the rezoning of 1233 10th Street. I reside at 1334 9th Street.

This is a neighborhood that struggles to become better and safer, and is making strides as more and more people move in who don't just buy their homes, but truly take ownership of them by working to undo damage from years of mistreatment from landlords sucking every penny they could out of them as they let them slowly fall apart.

As demonstrated by the Sherman Hill neighborhood, one of the keys to our success is to increase the number of owner occupied single family homes. The rezoning of 1233 would run counter to these efforts and would also run counter to the city's overall efforts to make the downtown neighborhoods a selling point to anyone who visits Des Moines.

Thank you,
Kim Larison

From: [Holly K](#)
To: [Chakraborty, Sreyoshi](#)
Subject: Zoning request for 1233 10th
Date: Monday, November 3, 2025 9:34:03 AM

EXTERNAL EMAIL - This email was sent by a person from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

I sent my postcard indicating support for NX1, but I would like to amend that, or at least make my full views known. I can't say that I understand all the zoning rules.

The developer stated that without a zoning change, the City would not issue permits for the upgrades to the houses. I would not want work to simply stop, and I would not want to see a house demolished.

My understanding is that because of state law regarding ALUs, every house is now authorized as a duplex. Maybe my understanding is DEAD WRONG, so the City actually has a choice as to whether to approve making the three houses multi-family.

If NX1 means that there can be four buildings on the lot, that's unacceptable.

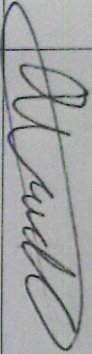
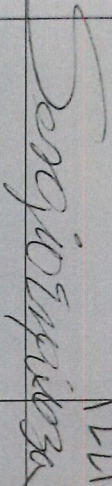
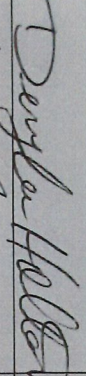
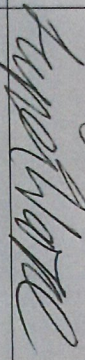
Ideally, all three houses would be single family units. Alternatively, I can see the larger houses as two-family, while the smaller one is only one family. There are 5 parking spaces in the plan, so that's not ideal, given the parking situation that we already have on 10th St.

Also, the owner of the property to the south asserted that the proposed driveway encroaches on his lot. I saw a survey crew out there a couple of weeks ago, and I don't know how this was resolved. If the driveway can't be built, then the parking situation is thrown into question.

So, if I have to shove my opinions into zoning classifications (as I understand them), I support keeping the N5 Classification with the owners pursuing a variance (which I would support) to make the two larger units into 2 apartments each.

Holly Klotz
Trustee of Holly E Klotz Rev Trust
Owner of 1224 9th St

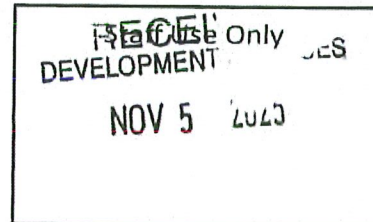
I oppose the proposed rezoning of 1233 – 10th Street from N5 (low density residential) to NX1 District (which would allow as many as eight housing units on this lot)

	Name	Signature	Street address	Comments/email
1	Wendy ESPINOZA		1221 10 th ST DSM	
2	Sergio ESPINOZA		1221 10 th ST DSM	
3	Deryke Holton		1223 10 th DSM	
4	Luna "Nickels" Holton		1227 10 th St	
5				
6				
7				
8				

Item: ZONG-2025-000026 Date: 10/30/25

Please mark one of the following:

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



Titleholder Signature: Holly & Kenny

Name/Business: Holly E Klotz Rev Trust 001

Impacted Address: 1224 9th St

Comments: my understanding is that this property re-
quires the zoning change to have three houses. But
it is a mostly single family street. It would be
preferable to keep the density lower and not
sub-divide houses (so "only" three units.)

Item: ZONG 2025-000026

Date: 10/30/25

Please mark one of the following:

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

Staff Use Only
RECEIVED
DEVELOPMENT SERVICES
NOV 5 2025

Titleholder Signature: Tarrita Spicer

Name/Business: Tarrita Spicer

Impacted Address: 1253 10th St. DSM 50314

Comments: I do not wish to have these
single family homes changed to multi-fam
property. That is not in the best interest
of neighbors or this community.

Item: ZONG-2025-000026

Date: 10/30/2025

Please mark one of the following:

☐ I support the request

☐ I am undecided

☒ I oppose the request

Staff Use Only	
RECEIVED	DEVELOPMENT SERVICES
NOV 5 2025	

Titleholder Signature: Ronald J. Hanson

Name/Business: RONALD J. HANSON

Impacted Address: 1234 9TH DSM

Comments: No way! Absolutely not!! Ridiculous!

Try this in WDM!

Putting multi Family Buildings
IN A RESIDENTIAL (one family) AREA

Item: ZONG-2025-000026 Date: _____

Please mark one of the following:

☐ I support the request

☐ I am undecided

☒ I oppose the request



Titleholder Signature: _____

Name/Business: _____

Impacted Address: _____

Comments: We support our friends + neighbors of
the KING IRVING NEIGHBORHOOD, AND THEIR DESIRE
TO OPPOSE THIS MEASURE. MAINTAIN THE SINGLE-
FAMILY CHARACTER. FOLLOW PLANDSM AND REJECT
THIS REQUEST. STOP FAVORING DEVELOPERS OVER RESIDENTS.

Item: ZONG-2025-000026

Date: 11-3-2025

Please mark one of the following:

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

Staff Use Only

RECEIVED
DEVELOPMENT SERVICES
NOV 13

Titleholder Signature: Kathy Hellstern

Name/Business: River Bend Neighborhood Association

Impacted Address: 9th St - River Bend Neighborhood.

Comments: We stand with our neighbors in
King Irving in opposition of this request.
Please consider carefully their well-reasoned
response to your request for input. Their
voices should be heard and carry weight.

From: [Heilskov, Chris E.](#)
To: [Chakraborty, Sreyoshi](#)
Subject: 1233 10th
Date: Thursday, November 6, 2025 12:10:54 PM

The subject property is currently zoned "N-5" Residential District. The "N5" District allows one (1) household per lot. The applicant currently has legal non-conforming rights to three (3) detached units on this lot. The proposed project including eight (8) residential dwelling units falls under the Residential category and is most consistent with a Household Living - 5 to 8 households (per lot) use type and requires a rezoning to the 'NX1' Neighborhood Mix District.

The property has not lost rights to the continuation of the three homes that exist. Current Zoning density would allow only SFD, but the three existed prior to rezoning. No case can be made that they have lost rights to the existing homes. Vacancy has not been verified as such the homes are allowed to continue until they lose legal non-conforming rights or are destroyed or re-built or remodeled to the extent that a new C-O is required. The owner would need to comply with all applicable rental codes Ch.60 and trades permits required by PDC to occupy or rent. We would need to re-evaluate if the interior of the properties has deteriorated into a public nuisance state.

CHRIS HEILSKOV | CITY OF DES MOINES

Zoning Enforcement Officer | Neighborhood Services

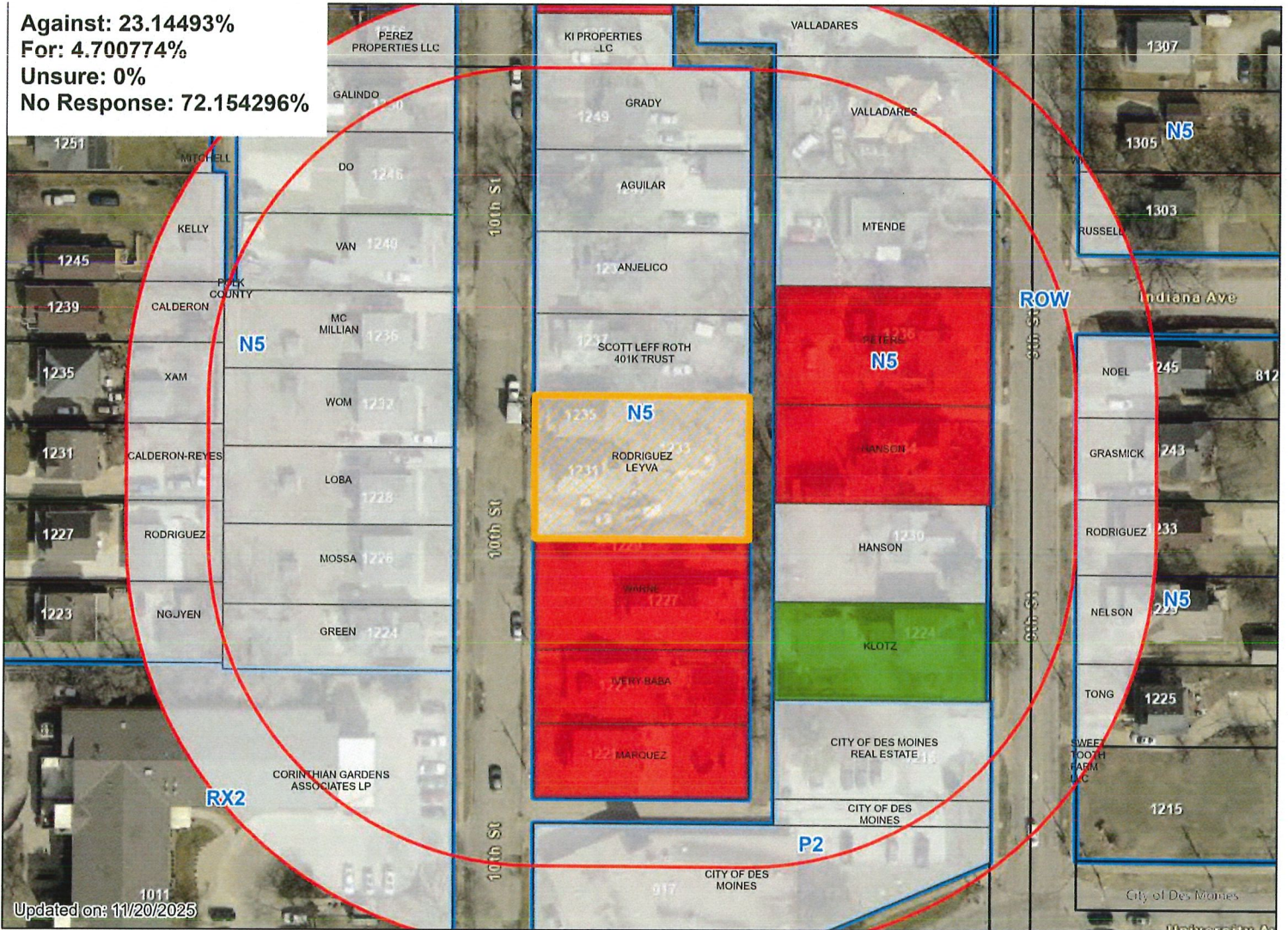
(515) 237-1486

[DSM.city](#) | 602 Robert D. Ray Drive | Des Moines, Iowa 50309

Bobby J and Casey R Brown, Vicinity of 1233

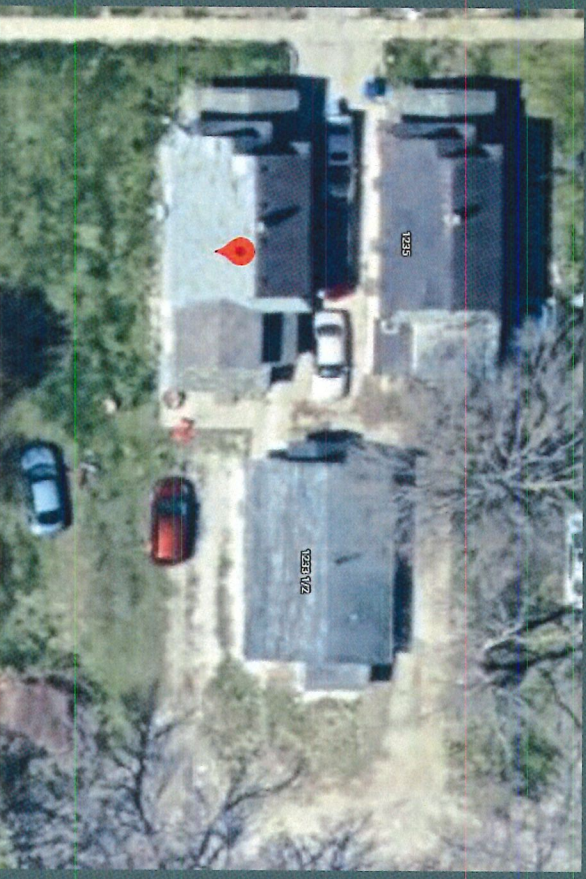
ZONG-2025-000026

Against: 23.14493%
For: 4.700774%
Unsure: 0%
No Response: 72.154296%



1233 10th street

Built in 1916



Introductions

Casey & Bobby Brown

New Edge Investments LLC founded in 2024

Contractors, Professional Contracting Services & Bishop Engineering

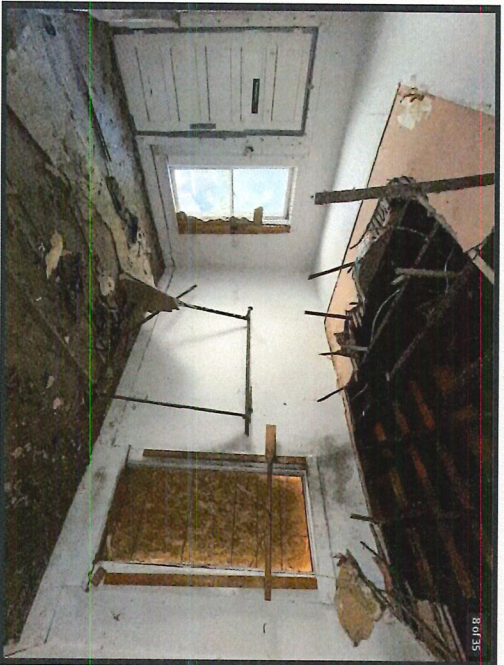
The City of DSM requested rezoning this property due to the legal nonconforming right to three detached units. Purchased January 2025 as single-family occupancy.



Prior to Purchase

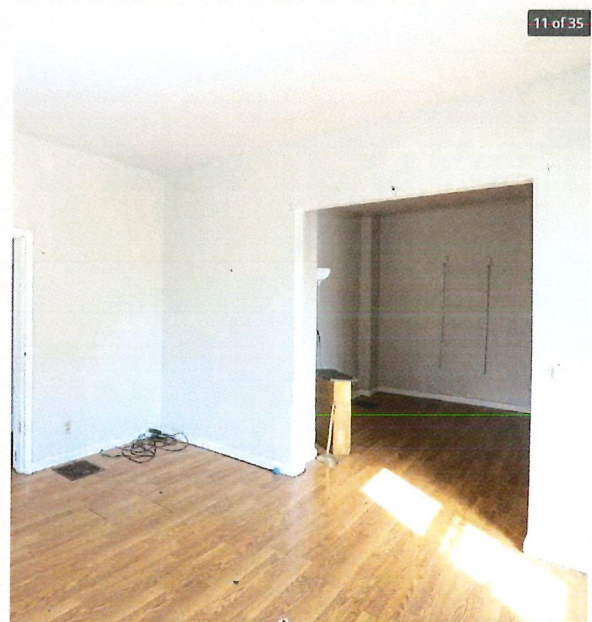
- The dwellings at this address had homeless people breaking into the property. There was a fire in one of the dwellings due to this activity.
- When we purchased the property, we also encountered issues with homeless people kicking the doors in, vandalism and stealing from the property. A police report was filed.

House A
Required gutting due to a fire and new foundation to
be structurally sound.



House B

In better condition but poor layout and use of square footage. The only bathroom is on the second floor, when making renovations, it will require reconfiguration. Square footage currently 1632



House C

Also in decent condition when purchased but the only bathroom is located through a bedroom and will also require reconfiguration when under construction.



Required reconstruction/ configuration of each dwelling on this property will be a costly project

In order to recoup some of our investment, we are requesting to rezone this property to from N5 Neighborhood District to NX1 Neighborhood Mix District.

This change in in zoning would allow the 3 existing one-household structures to change into 3- two household residential structures/ duplexes. 6 units total with off street parking.

This change will increase our chances of having a return on our investment. It also increases affordable housing in the area.

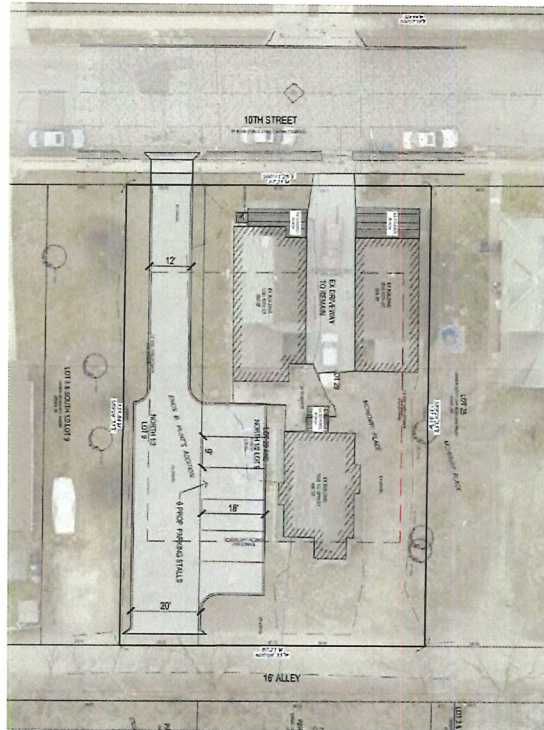
The two large houses have 1632 sq each.

Average two-bedroom homes/ apartments nationally have 800-1000 square feet typically.

Our proposal to convert these dwellings to duplexes is the best use of space provided and will offer more and affordable housing in the area.

PRELIMINARY- NOT FOR CONSTRUCTION

SITE REZONE
 CURRENT ZONING: AS
 CURRENT USE: RESIDENTIAL
 PROPOSED ZONING: MX1
 PROPOSED USE: RESIDENTIAL



C2.1

260387
 LAYOUT PLAN

SITE EXHIBIT
 1233 10TH STREET
 DES MOINES, IA 50314

BISHOP
 ENGINEERING +
1001 East River, Des Moines, IA 50319 | P: 515.275.6577

Location

- Affordable housing in the neighborhood may benefit small families, DMACC students or traveling medical professionals looking for temporary housing.
- Schools attended would be Moulton, Harding, North, all within 2 miles
- A 5-minute walk to Mercy Hospital and DMACC Urban Campus.

Duplexes, Multi-Family Complexes and Apartment Buildings are in close proximity to this property. Therefore, not affecting the character of the neighborhood.





Thank
you