



**Roll Call Number**

**Agenda Item Number**

32E

**Date** February 21, 2022

**ABATEMENT OF PUBLIC NUISANCE AT 800 NEW YORK AVE.**

WHEREAS, the property located at 800 New York Ave., Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure in its present condition constitutes not only a menace to health and safety but is also public nuisance; and

WHEREAS, the Titleholder, SKJ LLC, was notified more than thirty days ago to repair or demolish the main structure and as of this date have failed to abate the nuisance.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structure on the real estate legally described as Lot Four (4), EXCEPT the East 310 feet and EXCEPT ALL THAT PART OF SAID Lot lying South of a line which is 200 feet North of and parallel with a line commencing at the Southwest Corner of said Lot 4 and running directly East to the Southeast corner of lot Thirty-Five (35) in Block One (1) in Home Park Addition and EXCEPT that part conveyed to the City of Des Moines recorded in Book 13641 Page 219 in the Office of the Recorder of Polk County, Iowa, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 800 New York Ave., has previously been declared a public nuisance;

The City Legal Department, through Special Counsel Ahlers & Cooney, P.C., is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisance, and should the owner(s) fail to abate the nuisance, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said structure.

Moved by \_\_\_\_\_ to adopt,

Seconded by \_\_\_\_\_

FORM APPROVED:

Kristine Stone, Special Counsel  
Ahlers & Cooney, P.C.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

**CERTIFICATE**

I, P. Kay Cmelik, 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

32E



City of Des Moines  
400 Robert D. Ray Drive  
Des Moines, IA 50309

Case Number: NUIS-2021-000047	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 10/29/2021
	Date of Notice: 12/17/2021
Date of Inspection: 11/18/2019	

SKJ LLC  
JAMES M MYERS  
2540 73RD ST  
URBANDALE IA 50322

Address of Property: 800 NEW YORK AVE, DES MOINES IA 50313  
Parcel Number: 792427403010  
Legal Description: -EX BEG NW COR THN E 83.53F SW 43.08F SE 232.16F SE 258.97F W 19.27F NWLY 103.51F NWLY202.79F NWLY 227.34F TO POB- & -EX E 310F- N 490F LOT 4 LAGOON PARK

Upon inspection of the property located at and locally known as the Address of Property shown above, located in Des Moines, Iowa, ("Property"), there was/were found to be violation(s) of the Municipal Code of the City of Des Moines, Iowa. It has been determined from that inspection that the dwelling currently constitutes a danger to health and safety to the public and is a public nuisance.

We are notifying you that you have the time set out in this notice (below under "Compliance Due Date") to abate the following violation(s) and complete the required remedial action.

**VIOLATION(S)**

Violation	Corrective Action	Compliance Due Date
60-191 - Vacation and Abatement	Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.	01/11/2022
60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction	Vacate and secure the structure or premises, OR, demolish the structure after obtaining required demolition permit, OR, repair or replace insufficient construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause that is a threat to life or health.	01/11/2022

60-192(13) - Unsafe or dangerous structure	Repair or replace the building or structure that is in a condition that it presents either a substantial risk of fire, building collapse, or any other threat to life and safety, OR, demolish the structure.	01/11/2022
60-192(15) - Unsafe or dangerous structure	Repair or replace the unsafe or unlawful structure OR demolish the structure.	01/11/2022
60-192(3) - Dangerous Structure or Premise - Damaged	Repair or replace any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.  OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR REPLACE ALL DAMAGED WALL COMPONENTS, INCLUDING: FRAMING, SHEETING, AND COVERINGS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS FOR WORK COMPLETED WITHOUT PERMIT. REPLACE ALL DAMAGED ROOFING COMPONENTS BY LICENSED CONTRACTOR. BUILDING PERMIT REQUIRED. REPLACE PLUMBING AND PLUMBING FIXTURES BY LICENSED PLUMBING CONTRACTOR, OBTAIN FINAL ON PLUMBING PERMIT OR PROVIDE RECEIPT FROM LICENSED CONTRACTOR. REPAIR/REPLACE ELECTRICAL SERVICE BY LICENSED ELECTRICAL CONTRACTOR, OBTAIN FINAL ON ELECTRICAL PERMIT	01/11/2022
60-192(5) - Dangerous Structure or Premise - Dilapidated or Deteriorated	Repair or replace the building or structure, or part of a structure which is likely to partially or completely collapse because of dilapidation, deterioration, decay, faulty construction, the removal of movement of some portion of the ground necessary for the support, or for any other reason, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.	01/11/2022

60-192(6) - Dangerous Structure or Premise - Unsafe	Vacate and secure any structure that is clearly unsafe for its use and occupancy, OR, demolish the structure after obtaining required permit, OR repair or replace the building or structure, or any portion thereof, that is clearly unsafe for its use and occupancy.	01/11/2022
60-192(8) - Dangerous Structure or Premise - Substantial Risk	Repair or replace any portion of the building or structure that is in a condition that it presents either a substantial risk of fire, building collapse, or any other threat to life and safety, OR, demolish the structure.	01/11/2022
60-194 - Defacing and Removing Placard	Replace or restore defaced or removed placard.	01/11/2022
60-195 - Emergency Measures to Vacate	Immediately vacate the building or structure.	01/11/2022

If not occupied, the structure is to remain vacant and unoccupied until occupancy is authorized by this office.

If the structure is occupied, it must be vacated immediately. If procedures to vacate the premises are not undertaken immediately upon receipt of this notice, and in no case later than seven (7) days, the City may seek a court order directing you to vacate the structure, pursuant to Section 60-191 and 60-192 of the Municipal Code of the City of Des Moines, Iowa.

**ALL ELECTRICAL, MECHANICAL, PLUMBING, AND STRUCTURAL COMPONENTS IN NEED OF REPLACEMENT OR REPAIR, ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH NECESSARY PERMITS AS REQUIRED TO MEET CITY CODES.** Should you have any questions regarding permits, contact the Permit and Development Center at (515) 283-4200. All work performed by a contractor or you must be completed in a workmanlike manner.

If you plan to renovate the structure and it has been vacant for over a year, there may be zoning issues, which may affect the renovation plans. Please contact the Development Zoning Division at (515) 283-4207 to determine if there is anything you should be aware of.

If you decide to demolish the building or take the structure down, you will need a demolition permit.

If you cannot renovate or demolish the structure, contact me to discuss allowing the City to remove the structure. There will be costs billed out to you and possibly a judgment. It may be cheaper for you to remove the structure yourself.

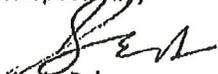
If you no longer own this property, please let us know.

Unpaid costs may be collected by personal judgment, collection, or assessment to be collected as a property tax.

Should you have any questions, feel free to call. I can usually be reached between 8:00 a.m. and 9:00 a.m., Monday through Friday.

Thank you for your help,

Respectfully,



Kevin Pyles

Neighborhood Inspector

Neighborhood Services

602 Robert D. Ray Drive, Des Moines, IA 50309

(515) 283-4122

KEPyles@dmgov.org



2022/02/10

10:28:45

02-10-2022 10:2

325



2022/02/10

10:28:43

02-10-2022 10:28:43

32E

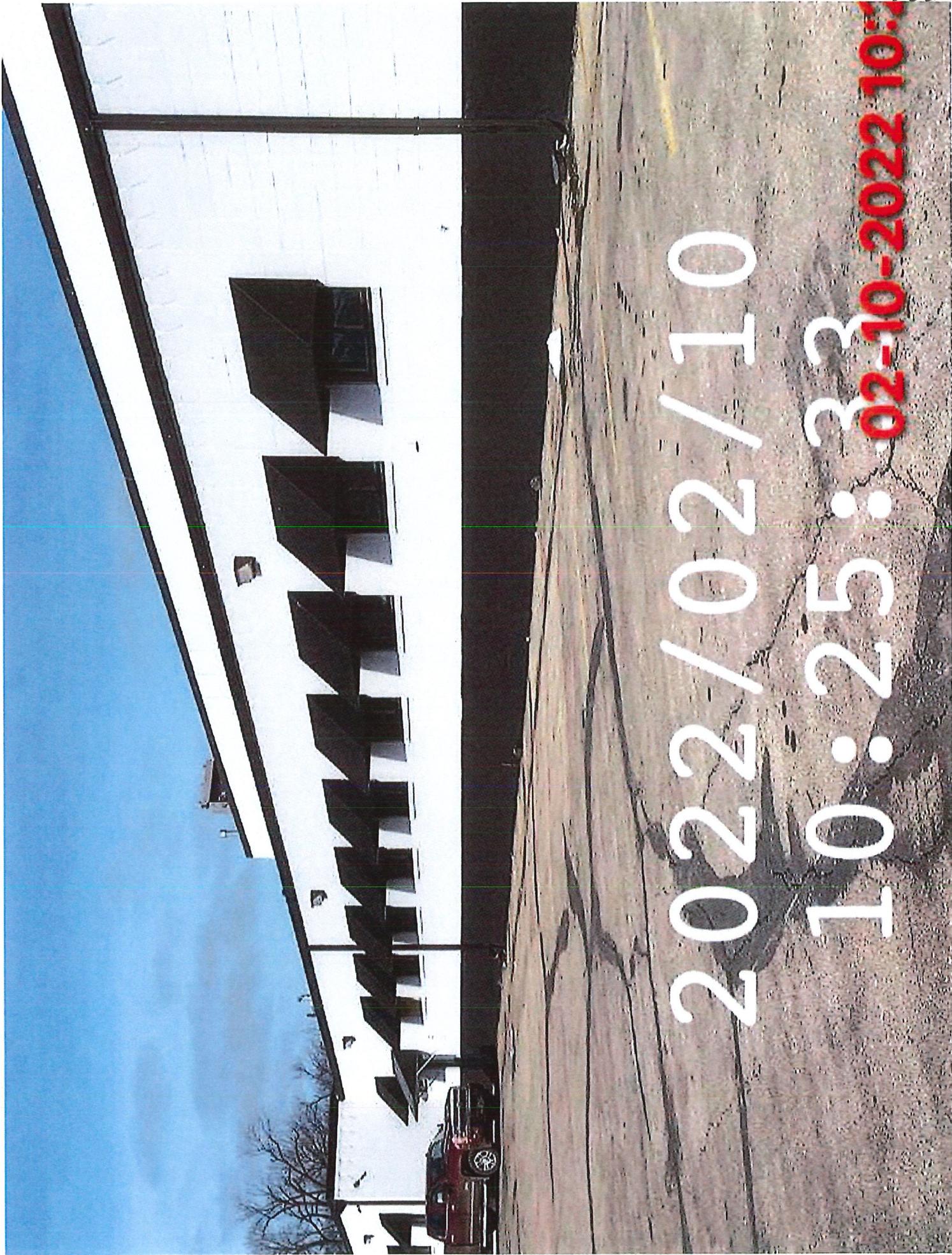


2022/02/10

10:25:30

02-10-2022 10:2

32E

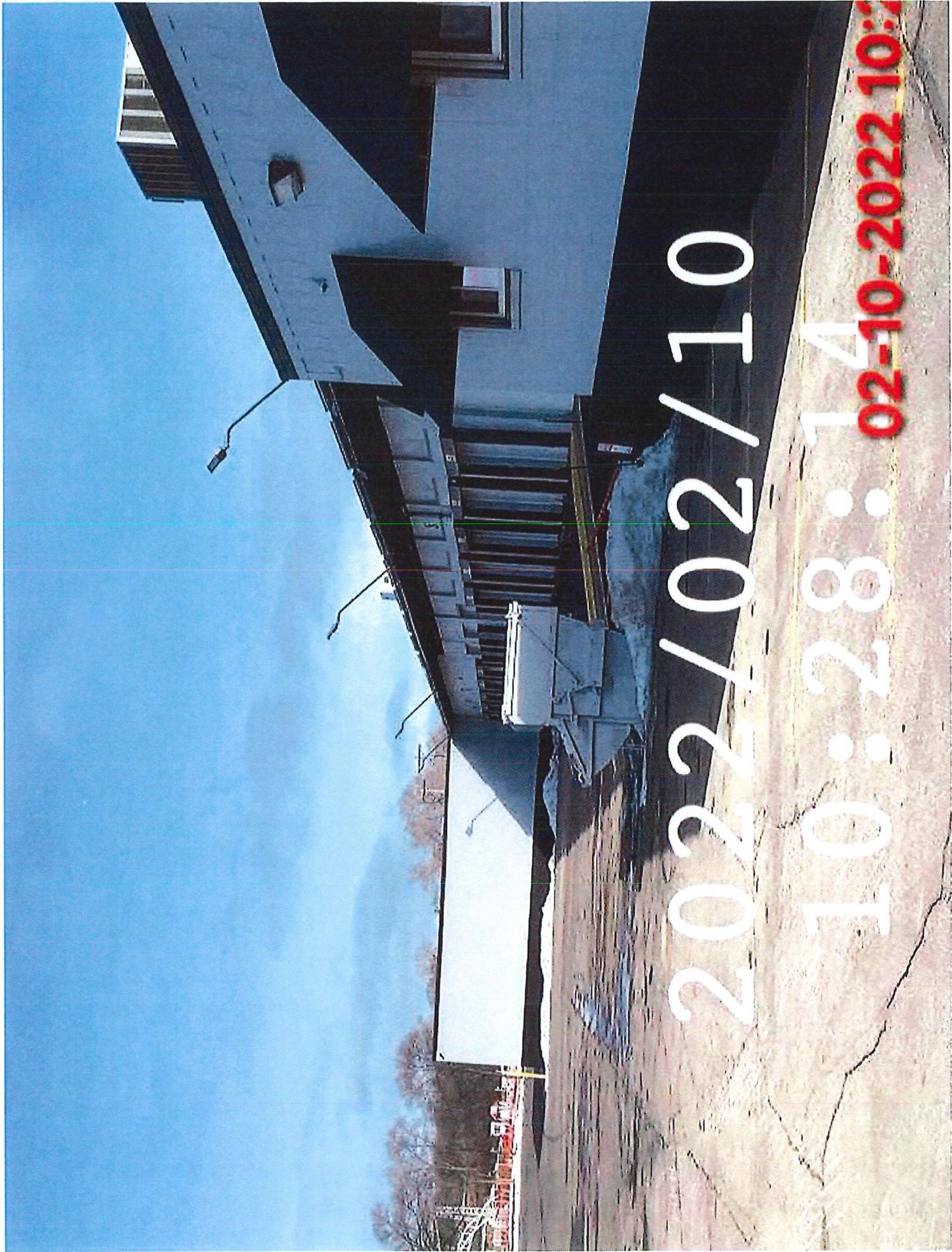


2022/02/10

10:25:33

02-10-2022 10:25:33

32B



2022/02/10

10:28:14

02-10-2022 10:28:14



2022/02/10

10:28:19

02-10-2022 10:2

306



2022/02/10

10:28:25

02-10-2022 10:28:25

32B

800 New York

2022/02/10

10:28:54

02-10-2022 10:2

328

32E



2022/02/10 10:29:12

02-10-2022 10:3

800 NEW YORK

**Polk County Assessor**

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

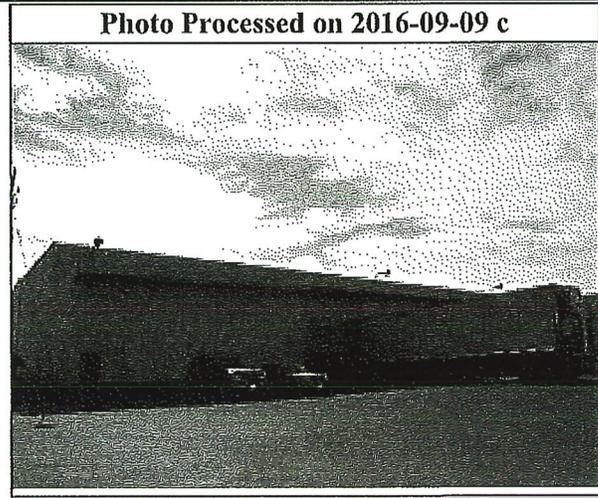
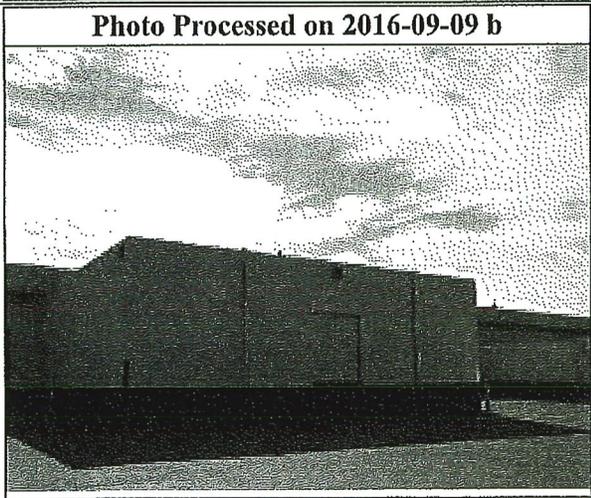
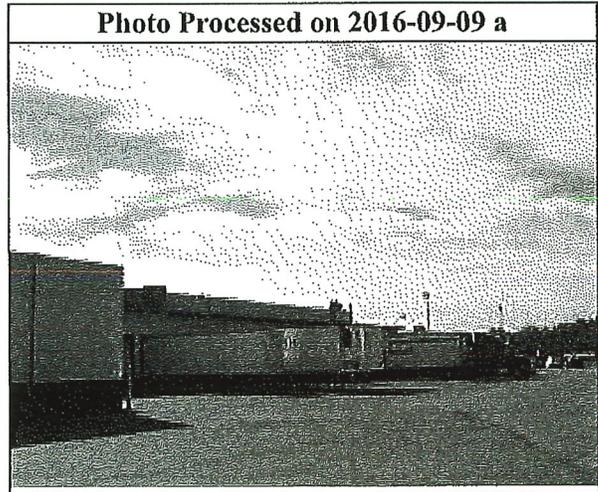
(515) 286-3014 Fax (515) 286-3386  
[polkweb@assess.co.polk.ia.us](mailto:polkweb@assess.co.polk.ia.us)

Location					
Address	800 NEW YORK AVE				
City	DES MOINES	Zip	50313	Jurisdiction	Des Moines
District/Parcel	070/02318-003-000	Geoparcels	7924-27-403-010	Status	Active
School	Des Moines	Nbhd/Pocket	DM74/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northwest Des Moines	Appraiser	Cary Halfpop, ICA 515-286-2279		

**Map and Current Photos - 3 Records**

Click on parcel to get a new listing

Bigger Map [Polk County GIS](#)  
Google Map [Pictometry](#)



Historical Photos

**Ownership - 1 Record**

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	SKJ LLC	2020-12-22	18267/349

**Legal Description and Mailing Address**

-EX BEG NW COR THN E 83.53F SW 43.08F SE 232.16F SE 258.97F W 19.27F NWLY 103.51F NWLY 202.79F NWLY 227.34F TO POB- & -EX E 310F- N 490F LOT 4 LAGOON PARK	SKJ LLC 2540 73RD ST URBANDALE, IA 50322-4700
---	---

**Current Values**

Type	Class	Kind	Land	Bldg	Total
2021 Value	Commercial	Full	\$268,000	\$732,000	\$1,000,000

Assessment Roll Notice Unadjusted Cost Report

**Auditor Adjustments to Value**

Category	Name	Information
2021 Business Property Tax Credit	MYERS, JAMES	Application 13582

**Zoning - 1 Record**

Zoning	Description	SF	Assessor Zoning
II	II Industrial District		Industrial Light

*City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)*

**Land**

Square Feet	173,601	Acres	3.985	Topography	Blank
Shape	Irregular	Vacancy	Blank	Unbuildable	Blank

**Commercial Summary**

Occupancy	Warehouse Cold Storage	Age, Weighted	1968	Total Story Height	1
Land Area	173,601	Gross Area	91,137	Finished Area	4,120
Unfinished Bsmt Area	0	Finished Bsmt Area	0	Number of Units	0
Primary Group	Warehouse	Percent Primary Group	95.48	Secondary Group	Office General
Percent Secondary Group	4.52	Grade, Weighted	4/Grade 4	Bldg Class, Weighted	5/Metal
Condition, Weighted	BN/Below Normal	Ground Floor Area	91,137	Perimeter	1,660
Unfinished Area	87,017				

**Commercial Sections - 4 Records**

**Commercial Section #101**

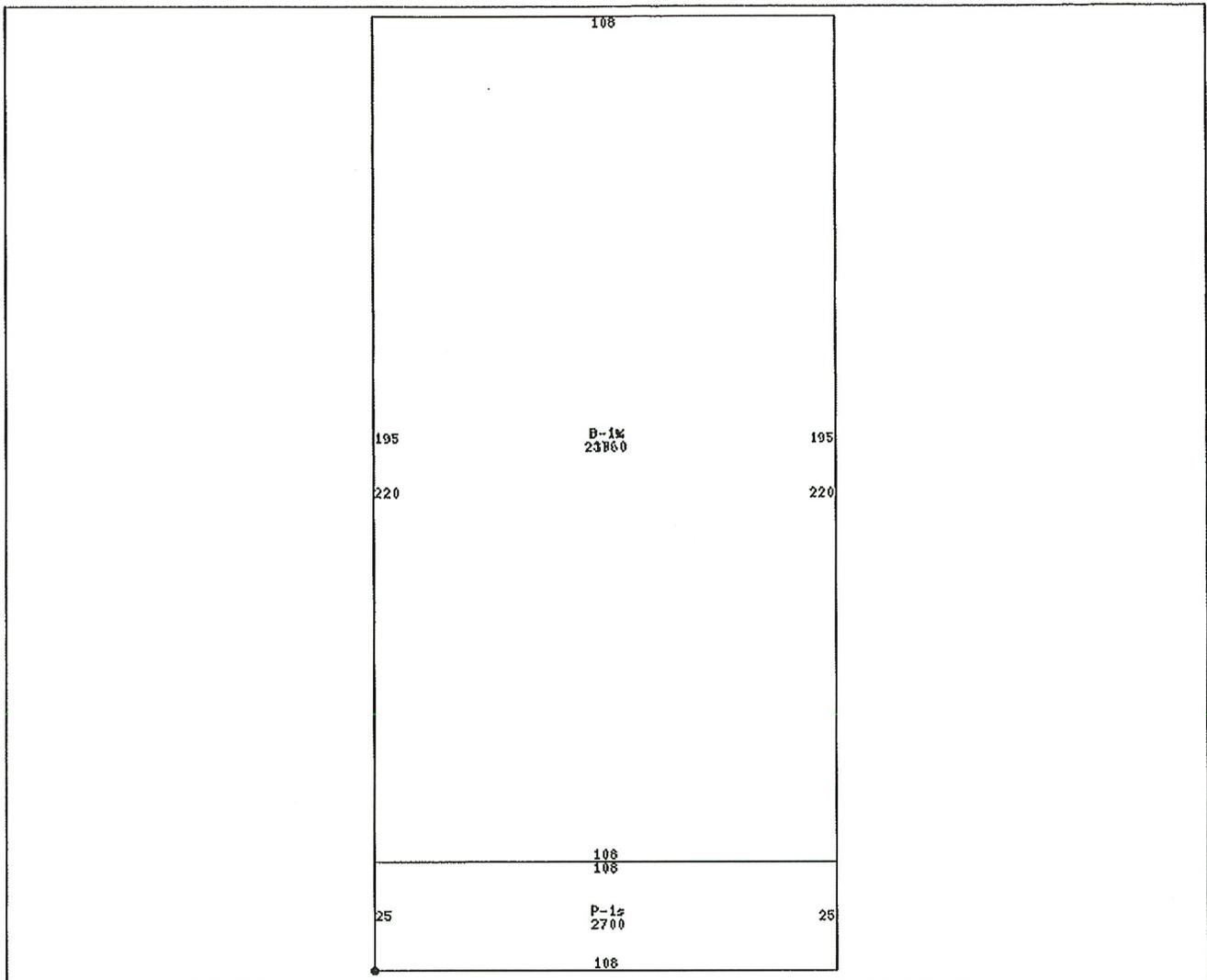
Occupant	DES MOINES COLD STORAGE				
Section Multiplier	1	Occupancy	Warehouse Cold Storage	Foundation	Concrete
Submerged	No	Exterior Wall	Metal	Insulation	Yes
Roof	Flat	Roof Material	Built-up	Manual Overhead Square Foot	900
Wiring	Adequate	Plumbing	Adequate	Total Story Height	1

<b>Frame Type</b>	Steel	<b>Fireproof Construction</b>	No	<b>Bldg Class</b>	Metal
<b>Total Section Area</b>	35,870	<b>Ground Floor Area</b>	35,870	<b>Perimeter</b>	584
<b>Grade</b>	4+00	<b>Year Built</b>	1962	<b>Condition</b>	Below Normal
<b>Comment</b>	I=FREEZER W/WOOD RF/FIBERGLASS INSUL, J= MTL COOLER 12'HI W/MEZZ ABOVE, K=1ST CB 1ST CB ENCL DOCK				

<b>Commercial Groups - 6 Records</b>					
<b>Commercial Group #101 1</b>					
<b>Use Code</b>	Warehouse	<b>Base Story</b>	1	<b>Number Stories</b>	1
<b>Total Group Area</b>	26,325	<b>Base Floor Area</b>	26,325	<b>Wall Height</b>	20
<b>Heating</b>	None	<b>Air Conditioning</b>	None	<b>Sprinkler</b>	Dry
<b>Cooler SF</b>	38,400	<b>Exhaust System</b>	No		
<b>Comment</b>	I=FREEZER BLDG & J=COOLER 20X160				
<b>Commercial Group #101 2</b>					
<b>Use Code</b>	Warehouse	<b>Base Story</b>	1	<b>Number Stories</b>	1
<b>Total Group Area</b>	3,375	<b>Base Floor Area</b>	3,375	<b>Wall Height</b>	14
<b>Heating</b>	None	<b>Air Conditioning</b>	None	<b>Sprinkler</b>	Dry
<b>Exhaust System</b>	No				
<b>Comment</b>	25X135 1ST CB ENCL DOCK				
<b>Commercial Group #101 3</b>					
<b>Use Code</b>	Office General	<b>Base Story</b>	1	<b>Number Stories</b>	1
<b>Total Group Area</b>	2,420	<b>Base Floor Area</b>	2,420	<b>Wall Height</b>	14
<b>Heating</b>	Central	<b>Air Conditioning</b>	Yes	<b>Sprinkler</b>	Wet
<b>Exhaust System</b>	No				
<b>Commercial Group #101 4</b>					
<b>Use Code</b>	Office General	<b>Base Story</b>	1	<b>Number Stories</b>	1
<b>Total Group Area</b>	1,700	<b>Base Floor Area</b>	1,700	<b>Wall Height</b>	14
<b>Heating</b>	Central	<b>Air Conditioning</b>	None	<b>Grade Adjust</b>	Minus 10
<b>Sprinkler</b>	Wet	<b>Exhaust System</b>	No		
<b>Commercial Group #101 5</b>					
<b>Use Code</b>	Warehouse	<b>Base Story</b>	1	<b>Number Stories</b>	1



<b>Bldg Class</b>	Frame, Concrete Blk, Tile, Tilt Up	<b>Total Section Area</b>	23,760	<b>Ground Floor Area</b>	23,760
<b>Perimeter</b>	436	<b>Grade</b>	4-10	<b>Year Built</b>	1969
<b>Condition</b>	Below Normal				
<b>Misc Improve</b>	FREEZER W/POLYSTYRENE INSUL,421,200 CF DEDUCTED \$176,870 FOR EQUIP. WHICH RESULTS IN \$302,448 TOTAL DEDUCT				
<b>Comment</b>	EXTERIOR WALLS FRAME				
<b>Commercial Groups - 2 Records</b>					
<b>Commercial Group #102 1</b>					
<b>Use Code</b>	Warehouse	<b>Base Story</b>	1	<b>Number Stories</b>	1
<b>Total Group Area</b>	21,060	<b>Base Floor Area</b>	21,060	<b>Wall Height</b>	20
<b>Heating</b>	None	<b>Air Conditioning</b>	None	<b>Sprinkler</b>	Dry
<b>Exhaust System</b>	No				
<b>Comment</b>	FREEZER BLDG				
<b>Commercial Group #102 2</b>					
<b>Use Code</b>	Warehouse	<b>Base Story</b>	1	<b>Number Stories</b>	1
<b>Total Group Area</b>	2,700	<b>Base Floor Area</b>	2,700	<b>Wall Height</b>	14
<b>Heating</b>	None	<b>Air Conditioning</b>	None	<b>Sprinkler</b>	Dry
<b>Exhaust System</b>	No				
<b>Comment</b>	1ST CB ENCLOSED DOCK				



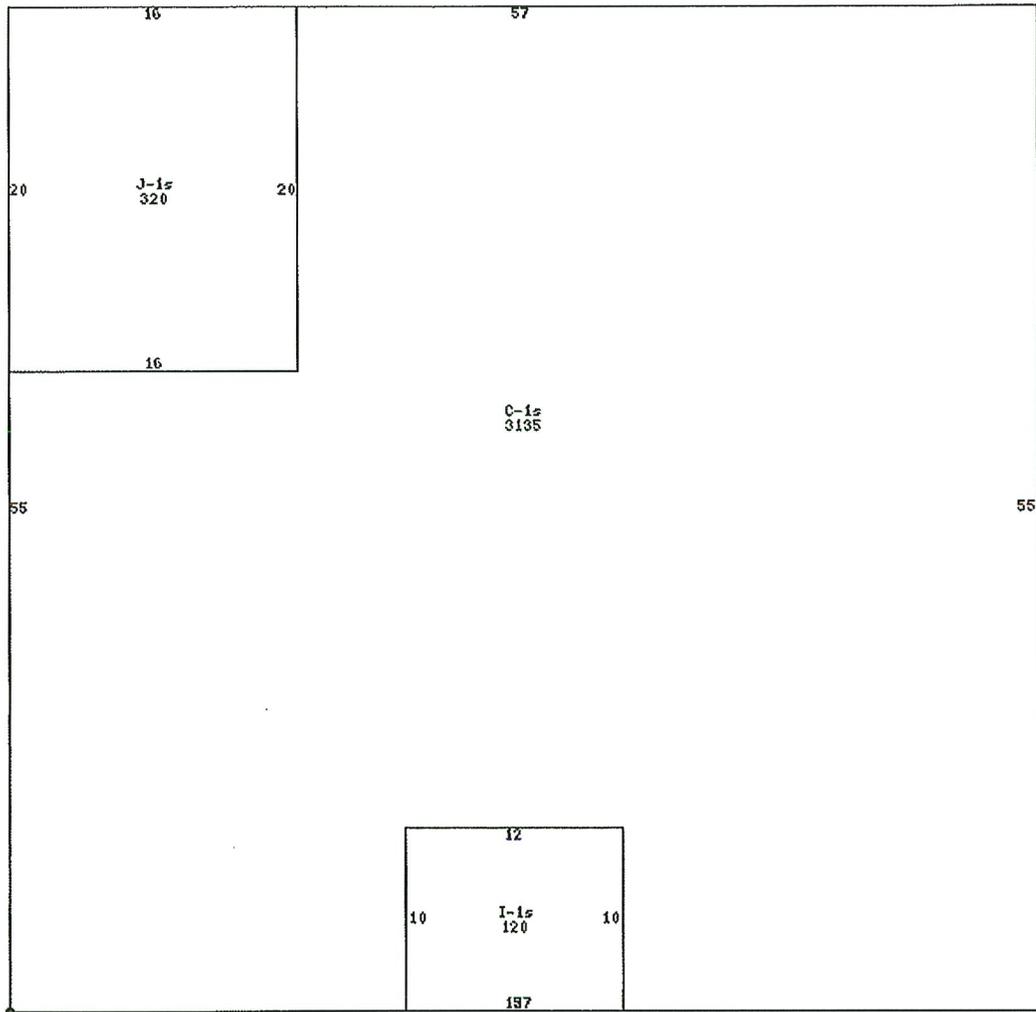
**Commercial Section #103**

<b>Section Multiplier</b>	1	<b>Occupancy</b>	Warehouse Cold Storage	<b>Foundation</b>	Concrete
<b>Exterior Wall</b>	Metal	<b>Insulation</b>	Yes	<b>Roof</b>	Flat
<b>Roof Material</b>	Built-up	<b>Dock Floor %</b>	100	<b>Wiring</b>	Adequate
<b>Plumbing</b>	Adequate	<b>Total Story Height</b>	1	<b>Frame Type</b>	Steel
<b>Fireproof Construction</b>	No	<b>Bldg Class</b>	Metal	<b>Total Section Area</b>	3,135
<b>Ground Floor Area</b>	3,135	<b>Perimeter</b>	167	<b>Grade</b>	3+00
<b>Year Built</b>	1990	<b>Condition</b>	Normal		
<b>Comment</b>	I&J=MTL ENCL(FIG AS BASE)				

**Commercial Groups - 1 Record**

**Commercial Group #103 1**

<b>Use Code</b>	Warehouse	<b>Base Story</b>	1	<b>Number Stories</b>	1
<b>Total Group Area</b>	3,135	<b>Base Floor Area</b>	3,135	<b>Wall Height</b>	14
<b>Heating</b>	None	<b>Air Conditioning</b>	Yes	<b>Exhaust System</b>	No

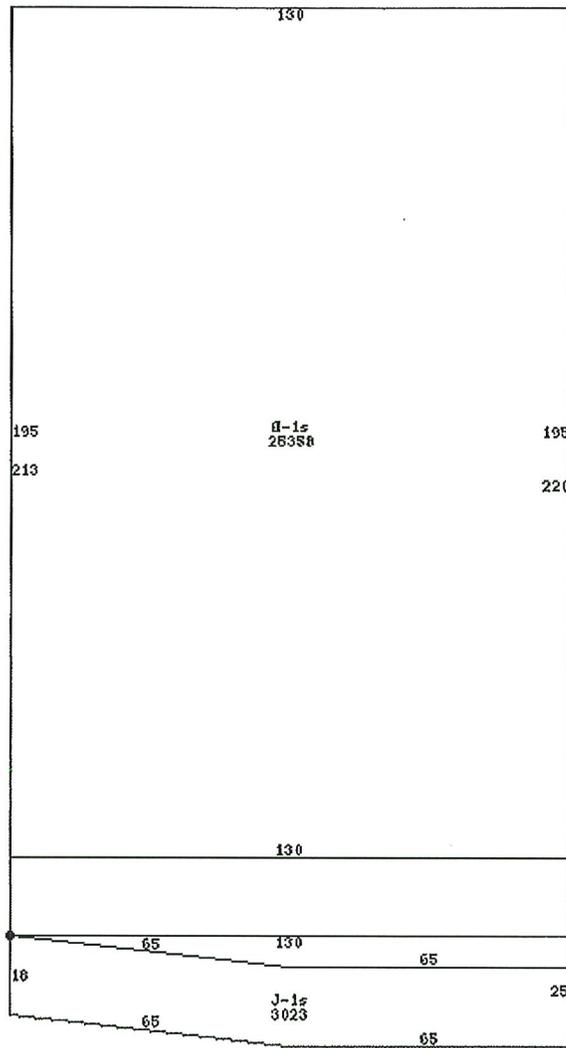


**Commercial Section #104**

<b>Occupant</b>	DES MOINES COLD STORAGE				
<b>Section Multiplier</b>	1	<b>Occupancy</b>	Warehouse Cold Storage	<b>Foundation</b>	Concrete
<b>Submerged</b>	No	<b>Exterior Wall</b>	Metal	<b>Insulation</b>	Yes
<b>Roof</b>	Flat	<b>Roof Material</b>	Built-up	<b>Manual Overhead Square Foot</b>	1,700
<b>Dock Floor %</b>	100	<b>Wiring</b>	Adequate	<b>Plumbing</b>	Adequate
<b>Total Story Height</b>	1	<b>Frame Type</b>	Steel	<b>Fireproof Construction</b>	No

<b>Bldg Class</b>	Metal	<b>Total Section Area</b>	28,372	<b>Ground Floor Area</b>	28,372
<b>Perimeter</b>	473	<b>Grade</b>	4-10	<b>Year Built</b>	1972
<b>Condition</b>	Below Normal				
<b>Misc Improve</b>	FREEZER BLDG 25350 SF X 20'H/EQUIP & 8" POLYS. - DEDUCTED \$218,846 FOR EQUIP. WHICH RESULTS IN \$374,227 TOTAL DEDUCT				
<b>Comment</b>	J=ENCL DOCK, 17-OH DR'S, WLS 8"POLY W/WO OD PAN INT, 0 DEGREES TEMP				

<b>Commercial Groups - 2 Records</b>					
<b>Commercial Group #104 1</b>					
<b>Use Code</b>	Warehouse	<b>Base Story</b>	1	<b>Number Stories</b>	1
<b>Total Group Area</b>	25,350	<b>Base Floor Area</b>	25,350	<b>Wall Height</b>	20
<b>Heating</b>	None	<b>Air Conditioning</b>	None	<b>Sprinkler</b>	Dry
<b>Exhaust System</b>	No				
<b>Comment</b>	FREEZER BLDG				
<b>Commercial Group #104 2</b>					
<b>Use Code</b>	Warehouse	<b>Base Story</b>	1	<b>Number Stories</b>	1
<b>Total Group Area</b>	3,022	<b>Base Floor Area</b>	3,022	<b>Wall Height</b>	14
<b>Heating</b>	None	<b>Air Conditioning</b>	None	<b>Sprinkler</b>	Dry
<b>Exhaust System</b>	No				
<b>Comment</b>	1ST CB ENCLOSED DOCK				



**Detached Structures - 1 Record**

**Detached Structure #101**

<b>Occupancy</b>	Asphalt Paving	<b>Measurement Code</b>	Square Feet	<b>Measure 1</b>	30,000
<b>Grade</b>	5	<b>Year Built</b>	1962	<b>Condition</b>	Below Normal

**Sales - 2 Records**

<b>Seller</b>	<b>Buyer</b>	<b>Sale Date</b>	<b>Sale Price</b>	<b>Instrument</b>	<b>Book/Page</b>
KOOL STORAGE LLC	SKJ LLC	<u>2020-12-21</u>	\$1,897,630	Deed	<u>18267/349</u> Multiple Parcels
D M COLD STORAGE COMPANY INC	KOOL STORAGE LLC	<u>2018-02-05</u>	\$2,200,000	Deed	<u>16811/637</u> Multiple Parcels

**Recent Ownership Transfers**

<b>Grantor</b>	<b>Grantee</b>	<b>Instrument Date</b>	<b>Recording Date</b>	<b>Instrument Type</b>	<b>Book/Pg</b>
KOOL STORAGE LLC	SKJ LLC	2020-12-21	2020-12-22	Warranty Deed Corporate	<u>18267/349</u>

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
DES MOINES COLD STORAGE COMPANY INC	KOOL STORAGE LLC	2018-02-05	2018-02-06	Warranty Deed	16811/637

**Permits - 4 Records**

Year	Type	Permit Status	Application	Reason	Reason1
2021	Pickup	Complete	2021-02-18	Review Value	PER SALE
2019	Pickup	No Add	2018-02-06	Review Value	PER OWNER
2018	Pickup	Pass	2018-02-06	Review Value	PER OWNER
2011	Pickup	No Add	2011-02-08	Review Value	TREND

**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<u>Assessment Roll</u>	Commercial	Full	\$268,000	\$732,000	\$1,000,000
2019	<u>Assessment Roll</u>	Commercial	Full	\$244,000	\$996,000	\$1,240,000
2017	<u>Informal Agreement</u>	Commercial	Full	\$240,000	\$960,000	\$1,200,000
2017	<u>Assessment Roll</u>	Commercial	Full	\$243,700	\$1,056,300	\$1,300,000
2015	<u>Board Action</u>	Commercial	Full	\$202,700	\$997,300	\$1,200,000
2015	<u>Assessment Roll</u>	Commercial	Full	\$202,700	\$1,187,300	\$1,390,000
2013	<u>Assessment Roll</u>	Commercial	Full	\$202,700	\$987,300	\$1,190,000
2011	<u>Assessment Roll</u>	Commercial	Full	\$202,700	\$987,300	\$1,190,000

This template was last modified on Thu Jun 3 19:39:49 2021 .