

Date June 13, 2022

**RESOLUTION REGARDING REQUEST FOR OUTDOOR SPECIAL EVENT  
(BEAVERDALE BLUEGRASS FESTIVAL) IN ACCORDANCE WITH “FRANKLIN  
JUNIOR HIGH SCHOOL” PUD CONCEPTUAL PLAN FOR PROPERTY AT 4801  
FRANKLIN AVENUE**

**WHEREAS**, on June 24, 2019, by Roll Call No. 19-1053, the City Council held a public hearing regarding the proposed rezoning of real property located at 4801 Franklin Avenue ("Property") to "PUD" Planned Unit Development District, and We Can Build It, LC's "Franklin Junior High School" PUD Conceptual Plan for said Property, to allow a mixed-use renovation of the existing school and church building for uses identified in said resolution, and approved said rezoning and PUD Conceptual Plan subject to final passage of an ordinance rezoning the Property and subject to the developer submitting a PUD Development Plan for review and approval by the Plan and Zoning Commission and the City Council; and

**WHEREAS**, on July 15, 2019, by Roll Call No. 19-1136, the City Council approved Ordinance No. 15,787 rezoning the Property from "Limited "C-1" Neighborhood Retail Commercial District to "PUD" Planned Unit Development District; and

**WHEREAS**, on December 19, 2019, by Roll Call No. 19-2029, the City Council conditionally approved We Can Build It, LC's "Franklin Junior High School" PUD Development Plan consistent with the previously approved PUD Conceptual Plan; and

**WHEREAS**, the Property is legally described as follows:

THE SOUTH 685.6 FEET OF THE EAST 608.3 FEET AND THE NORTH 220.8 FEET OF THE EAST 500 FEET OF LOT 2 IN FRANKLIN PLAZA, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA; and

**WHEREAS**, the "Franklin Junior High School" PUD Conceptual Plan, and the Council approval thereof, contain a requirement as follows:

- "Outdoor special events shall only be allowed by resolution of the Des Moines City Council...."; and

**WHEREAS**, Developer and Beaverdale Neighborhood Association have submitted a request to operate a Bluegrass music festival on the Property on July 16, 2022 from 5:00 PM to 10:00 PM, which request requires Council consideration in accordance with the "Franklin Jr. High School" PUD Conceptual Plan; and

**Date** ..... June 13, 2022 .....

**WHEREAS**, Neighborhood Services staff recommend that the City Council approve the Developer's request to allow said fundraising events in accordance with the conditions stated below, insofar as no additional rent is charged for said events.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Des Moines, Iowa, that:

1. The request from We Can Build It, LC ("Developer") and Beaverdale Neighborhood Association in accordance with the "Franklin Jr. High School" PUD Conceptual Plan, to conduct the Beaverdale Bluegrass Music Festival, on July 16, 2022 from 5:00 PM to 10:00 PM, is hereby received and filed.
2. Said request to operate the outdoor special event, Beaverdale Bluegrass Festival, is hereby approved subject to the following conditions:
  - a. The event may occur, between the hours of 5:00 p.m. and 10:00 p.m. on July 16, 2022.
  - b. Developer and the event coordinator shall follow all federal Center for Disease Control and State of Iowa recommendations and guidance related to prevention of COVID-19.
  - c. All associated amplified music on adjoining Tower Park and Hazen Water Tower is subject to compliance with issuance of a Type "B" Sound Permit with a 65 dBC sound level limit.
  - d. Use of adjoining Tower Park and Des Moines Water Works Hazen Water Tower property is subject to obtaining necessary use permits from the City of Des Moines Parks and Recreation Department and Des Moines Water Work.
3. Any outdoor special event use of the Property other than such use approved herein shall require separate City Council consideration in accordance with the "Franklin Junior High School" PUD Conceptual Plan.



**Roll Call Number**

**Agenda Item Number**

61

**Date** June 13, 2022

MOVED BY \_\_\_\_\_ TO ADOPT- SECOND BY \_\_\_\_\_.

APPROVED AS TO FORM:

*Judy K Parks-Kruse*

Judy K. Parks-Kruse  
Assistant City Attorney

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

MOTION CARRIED

APPROVED

**CERTIFICATE**

I, LAURA BAUMGARTNER, Acting 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

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

To: City of Des Moines

From: Beaverdale Neighborhood Association

After a two-year hiatus due to Covid-19, the free Beaverdale Bluegrass Festival plans to return to Tower Park July 16<sup>th</sup> 5-10PM for a night of community, food, beverages and bluegrass. This year will feature Joseph Huber, Miles Over Mountains, Lori King & Junction 63 and The Cardinal Sound playing on a stage adjacent to the water tower. The event will be laid out as it has in previous years with food trucks parked on the north side of the Franklin Jr. High parking lot. Fencing, a stage, dumpsters, trash cans, port-o-johns and a hand washing station will all be provided in adjoining areas. Attached is a sketch of the festival layout.

Per the Franklin Jr. High PUD, the Beaverdale Neighborhood Association (BNA) requests Des Moines City Council permission for 3-4 licensed food trucks to park in the Franklin Jr. High parking lot for the event duration. While Franklin Jr. High is not running the Bluegrass Festival, they have graciously agreed to open up their parking lot for the neighborhood to use for the festival and provide their consent below for the BNA to utilize their parking lot for food trucks.

Thank you,



Adam Plagge

Beaverdale Neighborhood Association Board Member

  
Signed consent from Franklin Junior High

