



**Roll Call Number**

**Agenda Item Number**

43 F

**Date** June 27, 2022

**ABATEMENT OF PUBLIC NUISANCE AT 3900 E BROADWAY AVENUE**

WHEREAS, the property located at 3900 E Broadway Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the structure (commercial building) in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, Pacific Star Communications, Inc., was notified more than thirty days ago to repair or demolish the structure (commercial building) and as of this date has failed to abate the nuisance.

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

The structure (commercial building) on the real estate legally described as Beginning at the Southeast corner of Lot 1 Sylvan Heights Plat 4, thence North 485 feet thence East 359.26 feet thence South 485 feet thence West 359.26 feet to point of beginning, all being a part of Lots 1 and 2 BROADWAY ACRES, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa and locally known as 3900 E Broadway Avenue, has previously been declared a public nuisance;

The City Legal Department 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.  
Second by \_\_\_\_\_

FORM APPROVED:

Judy K. Parks-Kruse  
Judy K. Parks-Kruse, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
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

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



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

Case Number: NUIS-2022-000093	
<b>Notice of Violation</b>	Case Type: Public Nuisance
	Case Opened: 04/14/2022
	Date of Notice: 04/29/2022
	Date of Inspection: 04/14/2022

PACIFIC STAR COMMUNICATIONS INC  
C T CORP. SYSTEM, REG. AGENT  
2222 GRAND AVE  
DES MOINES IA 50312

Address of Property: 3900 E BROADWAY AVE, DES MOINES IA 50317  
Parcel Number: 792316351014  
Legal Description: BEG PT SE COR LOT 1 SYLVAN HEIGHTS PLAT 4 THN N 485F E 359.26F S 485F W  
359.26F TO BEG LOTS 1 & 2 BROADWAY ACRES

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	COMMERCIAL STRUCTURE THROUGHOUT	06/13/2022

Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.

\*IF CHOSEN TO DEMOLISH, PERMIT MUST BE PULLED AND FINALIZED.

60-192(1) - Dangerous Structure or Premise  
- Door, Stairway, Exit

COMMERCIAL STRUCTURE THROUGHOUT

06/13/2022

Repair or replace any door, aisle, passageway, stairway, exit, or other means of egress that does not conform to the approved building or fire code.

\*REPAIR AND REPLACE ANY AND ALL DAMAGED EXTERIOR DOORS AND DOOR JAMS AND MUST BE IN GOOD WORKING ORDER.

60-192(12) - Dangerous Structure or Premise - Abandoned

COMMERCIAL STRUCTURE THROUGHOUT

06/13/2022

Demolish the abandoned structure or premises, OR, repair, replace, or renovate the abandoned building or structure to a state such that it is no longer a nuisance or hazard to the public.

60-192(14) - Unsafe or dangerous structure

COMMERCIAL STRUCTURE THROUGHOUT

06/13/2022

Repair or replace the unsafe equipment  
OR demolish the structure.

\*ALL ELECTRICAL, MECHANICAL, PLUMBING  
AND STUCTURAL COMPONENTS  
THROUGHOUT THE STRUCTURE ARE TO BE  
BROUGHT TO MINIMUM CODE  
REQUIREMENTS WITH NECESSARY PERMITS  
AS REQUIRED TO MEET THE CITY CODES.

\*HAVE A LICENSED MECHANICAL  
CONTRACTOR INSPECT THE ENTIRE  
MECHANICAL SYSTEM AND PROVIDE A  
COPY OF THE FINDING. REPAIR AND/OR  
REPLACE ALL DEFICIENT ELEMENTS OF THE  
MECHANICAL SYSTEM THROUGHOUT THE  
ENTIRE STRUCTURE. WORK MUST BE DONE  
BY A LICENSED MECHANICAL  
CONTRACTOR.

\*HAVE A LICENSED PLUMBING  
CONTRACTOR INSPECT THE ENTIRE  
PLUMBING SYSTEM AND PROVIDE A COPY  
OF THE FINDINGS. REPAIR AND/OR  
REPLACE ALL DEFICIENT ELEMENTS OF THE  
PLUMBING SYSTEM THROUGHOUT THE  
ENTIRE STRUCTURE. WORK MUST BE DONE  
BY A LICENSED PLUMBING CONTRACTOR.

\*HAVE A LICENSED ELECTRICAL  
CONTRACTOR INSPECT THE ENTIRE  
ELECTRICAL SYSTEM AND PROVIDE A COPY  
OF THE FINDINGS. REPAIR AND/OR  
REPLACE ALL DEFICIENT ELEMENTS OF THE  
ELECTRICAL SYSTEM THROUGHOUT THE  
ENTIRE STRUCTURE. WORK MUST BE DONE  
BY A LICENSED ELECTRICAL CONTRACTOR.

60-192(15) - Unsafe or dangerous structure

COMMERCIAL STRUCTURE THROUGHOUT

06/13/2022

Repair or replace the unsafe or unlawful  
structure OR demolish the structure.

60-192(3) - Dangerous Structure or Premise  
- Damaged

COMMERCIAL STRUCTURE THROUGHOUT

06/13/2022

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.

\*REPLACE ANY DAMAGED ROOFING MATERIAL. PER CITY CODE SHINGLES LIMITED TO ONE LAYER. ANY STRUCTURAL REPAIRS WILL REQUIRE A PERMIT

\*REPLACE ALL DAMAGED ROOFING COMPONENTS BY OBTAINING A BUILDING PERMIT.

\*REPAIR AND REPLACE ANY AND ALL DAMAGED FLOORING THROUGHOUT THE STRUCTURE.

\*REPAIR/REPLACE ANY MISSING, ROTTED OR DAMAGED WINDOWS/WINDOW FRAMES. ANY REPAIRS TO THE STRUCTURE WILL REQUIRE A BUILDING PERMIT.

\*REPAIR/REPLACE ANY BROKEN, MISSING, DAMAGED OR ROTTED DRYWALL/PANELING/WALL COVERING. ANY REPAIRS TO THE STRUCTURE WILL REQUIRE A BUILDING PERMIT.

60-192(6) - Dangerous Structure or Premise  
- Unsafe

COMMERCIAL STRUCTURE THROUGHOUT

06/13/2022

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.

60-194 - Defacing and Removing Placard

Replace or restore defaced or removed placard.

06/13/2022

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.

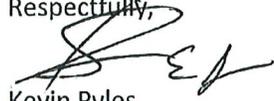
If you no longer own this property, please let us know.

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

# Polk County Assessor

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

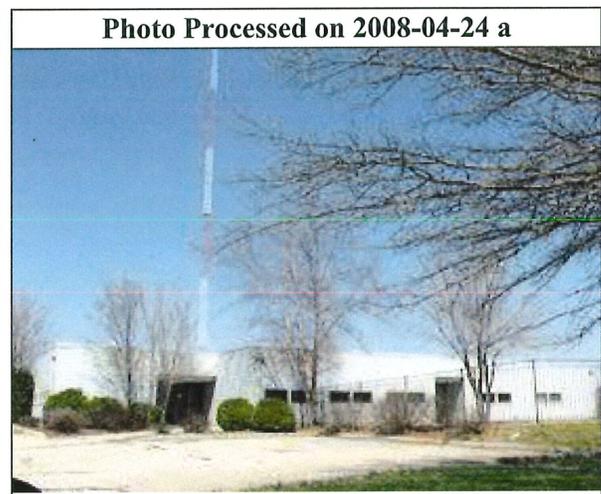
(515) 286-3014 Fax (515) 286-3386  
[polkweb@assess.co.polk.ia.us](mailto:polkweb@assess.co.polk.ia.us)

Location					
<b>Address</b>	3900 E BROADWAY AVE				
<b>City</b>	DES MOINES	<b>Zip</b>	50317	<b>Jurisdiction</b>	Des Moines
<b>District/Parcel</b>	060/00712-051-000	<b>Geoparcels</b>	7923-16-351-014	<b>Status</b>	<a href="#">Active</a>
<b>School</b>	Southeast Polk	<b>Nbhd/Pocket</b>	DM01/I	<b>Tax Authority Group</b>	DEM-C-SEP-77152
<b>Submarket</b>	Northeast Des Moines	<b>Appraiser</b>	Bob Powers, ICA 515-286-3828		

### Map and Current Photos - 1 Record

**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	PACIFIC STAR COMM INC	1997-07-16	<a href="#">7680/91</a>

### Legal Description and Mailing Address

BEG PT SE COR LOT 1 SYLVAN HEIGHTS PLAT 4 THN N  
485F E 359.26F S 485F W 359.26F TO BEG LOTS 1 & 2  
BROADWAY ACRES

PROPERTY TAX DEPT  
CLEAR CHANNEL  
20880 STONE OAK PKWY  
SAN ANTONIO, TX 78258-7460

### Current Values

Type	Class	Kind	Land	Bldg	Total
2022 Value	Commercial	Full	\$80,600	\$337,400	\$418,000

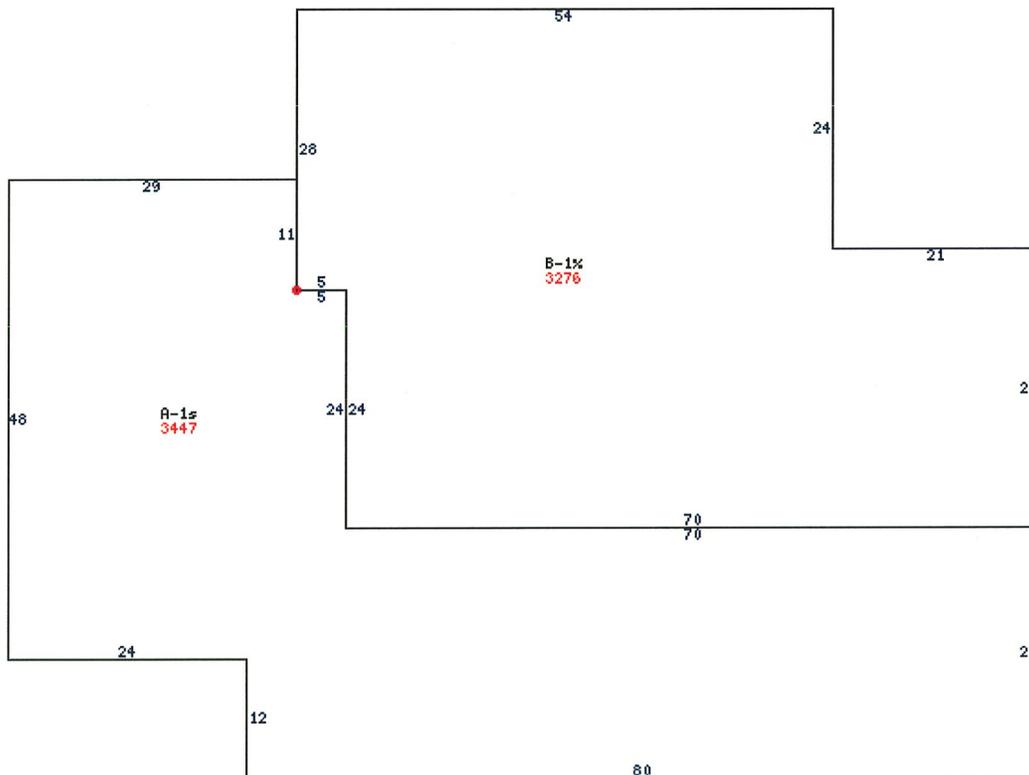
### [Unadjusted Cost Report](#)

### Auditor Adjustments to Value

Category	Name	Information
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<b>Category</b>		<b>Name</b>			<b>Information</b>	
<a href="#">2021 Business Property Tax Credit</a>		JAY FRANZ, IHEARTCOMMUNICATIONS, INC			<a href="#">Application 10172</a>	
<b>Zoning - 1 Record</b>						
<b>Zoning</b>	<b>Description</b>			<b>SF</b>	<b>Assessor Zoning</b>	
N2A	N2a Neighborhood District				Residential	
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>						
<b>Land</b>						
<b>Square Feet</b>	174,240	<b>Acres</b>	4.000	<b>Topography</b>	Blank	
<b>Shape</b>	Rectangle	<b>Vacancy</b>	Blank	<b>Unbuildable</b>	Blank	
<b>Commercial Summary</b>						
<b>Occupancy</b>	Office	<b>Age, Weighted</b>	1965	<b>Total Story Height</b>	1	
<b>Land Area</b>	174,240	<b>Gross Area</b>	6,723	<b>Finished Area</b>	6,723	
<b>Unfinished Bsmt Area</b>	0	<b>Finished Bsmt Area</b>	0	<b>Number of Units</b>	0	
<b>Primary Group</b>	Office General	<b>Percent Primary Group</b>	100.00	<b>Percent Secondary Group</b>	0.00	
<b>Grade, Weighted</b>	4/Grade 4	<b>Bldg Class, Weighted</b>	4/Frame, Concrete Blk, Tile, Tilt Up	<b>Condition, Weighted</b>	NM/Normal	
<b>Ground Floor Area</b>	6,723	<b>Perimeter</b>	582			
<b>Commercial Sections - 2 Records</b>						
<b>Commercial Section #101</b>						
<b>Occupant</b>	KGGO TRANSMITTING BLDG.					
<b>Section Multiplier</b>	1	<b>Occupancy</b>	Office	<b>Foundation</b>	Concrete	
<b>Exterior Wall</b>	Siding/Shingle	<b>Roof</b>	Flat	<b>Roof Material</b>	Built-up	
<b>Wiring</b>	Adequate	<b>Plumbing</b>	Adequate	<b>Total Story Height</b>	1	
<b>Frame Type</b>	Frame	<b>Bldg Class</b>	Frame, Concrete Blk, Tile, Tilt Up	<b>Total Section Area</b>	3,447	
<b>Ground Floor Area</b>	3,447	<b>Perimeter</b>	328	<b>Grade</b>	4+00	
<b>Year Built</b>	1946	<b>Year Remodel</b>	1978	<b>Condition</b>	Normal	

Commercial Groups - 1 Record					
Commercial Group #101 1					
Use Code	Office General	Base Story	1	Number Stories	1
Total Group Area	3,447	Base Floor Area	3,447	Heating	Central
Air Conditioning	Yes	Exhaust System	No		



Commercial Section #102					
Occupant	KGGO TRANSMITTING BLDG.				
Section Multiplier	1	Occupancy	Office	Foundation	Concrete
Exterior Wall	Concrete Block or Tile	Roof	Flat	Roof Material	Built-up
Wiring	Adequate	Plumbing	Adequate	Total Story Height	1
Frame Type	Frame	Bldg Class	Frame, Concrete Blk, Tile, Tilt Up	Total Section Area	3,276
Ground Floor Area	3,276	Perimeter	254	Grade	4+00

<b>Year Built</b>	1946	<b>Year Remodel</b>	1978	<b>Condition</b>	Normal
<b>Commercial Groups - 1 Record</b>					
<b>Commercial Group #102 1</b>					
<b>Use Code</b>	Office General	<b>Base Story</b>	1	<b>Number Stories</b>	1
<b>Total Group Area</b>	3,276	<b>Base Floor Area</b>	3,276	<b>Heating</b>	Central
<b>Air Conditioning</b>	Yes	<b>Exhaust System</b>	No	<b>Condition</b>	Normal

**Detached Structures - 4 Records**

<b>Detached Structure #101</b>					
<b>Occupancy</b>	Asphalt Paving	<b>Measurement Code</b>	Square Feet	<b>Measure 1</b>	7,900
<b>Grade</b>	4	<b>Year Built</b>	1977	<b>Condition</b>	Normal
<b>Comment</b>	BEEN REMODELED				

<b>Detached Structure #201</b>					
<b>Occupancy</b>	Fence	<b>Construction Type</b>	Chain Link	<b>Measurement Code</b>	Dimensions
<b>Lineal Feet</b>	209	<b>Height</b>	6	<b>Grade</b>	4
<b>Year Built</b>	1966	<b>Condition</b>	Normal		

<b>Detached Structure #301</b>					
<b>Occupancy</b>	Swimming Pool Outdoor/Comm	<b>Measurement Code</b>	Square Feet	<b>Measure 1</b>	1,702
<b>Grade</b>	4	<b>Year Built</b>	1966	<b>Condition</b>	Normal

<b>Detached Structure #401</b>					
<b>Occupancy</b>	Yard Lighting	<b>Measurement Code</b>	Quantity	<b>Quantity</b>	1
<b>Grade</b>	4	<b>Year Built</b>	1977	<b>Condition</b>	Normal

**Permits - 2 Records**

Year	Type	Permit Status	Application	Reason	Reason1
2011	Pickup	No Add	2011-02-08	Review Value	TREND
2010	Pickup	No Add	2009-10-21	Review Value	ANNEXATION

**Historical Values**

Yr	Type	Class	Kind	Land	Bldg	Total
2021	<a href="#">Assessment Roll</a>	Commercial	Full	\$80,600	\$337,400	\$418,000
2019	<a href="#">Assessment Roll</a>	Commercial	Full	\$73,300	\$332,700	\$406,000
2017	<a href="#">Assessment Roll</a>	Commercial	Full	\$73,300	\$306,700	\$380,000
2015	<a href="#">Assessment Roll</a>	Commercial	Full	\$61,000	\$289,000	\$350,000
2013	<a href="#">Assessment Roll</a>	Commercial	Full	\$61,000	\$281,000	\$342,000
2011	<a href="#">Assessment Roll</a>	Commercial	Full	\$61,000	\$281,000	\$342,000
2010	<a href="#">Assessment Roll</a>	Commercial	Full	\$61,000	\$327,500	\$388,500

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Camera ENT



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Des Moines

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