



**Date** May 19, 2025

**RESOLUTION REGARDING REQUEST FOR OUTDOOR SPECIAL EVENT (BEAVERDALE FARMERS MARKET) 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-I" 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**, on May 6, 2024, by Roll Call No. 24-0675, the City Council approved the request from the current owner, 4801 Franklin, LLC, to operate an outdoor special event, Beaverdale Farmers Market, at the Property in accordance with the "Franklin Jr. High School" PUD Conceptual Plan subject to conditions set forth in said resolution; and

**WHEREAS**, 4801 Franklin, LLC ("Current Owner") have submitted a request to operate the weekly Beaverdale Farmers Market on the Property in the calendar year 2025, with a noise control permit and



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signage, which request requires Council consideration in accordance with the "Franklin Jr. High School" PUD Conceptual Plan; and

**WHEREAS**, Neighborhood Services staff recommend that the City Council approve the Owner's request to allow said event in accordance with the conditions stated below.

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

1. The request from 4801 Franklin, LLC ("Owner") in accordance with the "Franklin Jr. High School" PUD Conceptual Plan, to operate the outdoor special event, Beaverdale Farmers Market, during calendar year 2025, is hereby received and filed.

2. 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.

Said request to operate the outdoor special event, Beaverdale Farmers Market, is hereby approved subject to the following conditions:

a. The Beaverdale Farmers Market may only occur once per week, on Tuesdays, between the hours of 4:00 p.m. and 7:00 p.m. beginning June 3rd, 2025 until September 9th, 2025.

b. All associated amplified music on the Property and 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 and no additional signage.

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.

MOVED BY \_\_\_\_\_ TO ADOPT.

SECOND BY \_\_\_\_\_.

APPROVED AS TO FORM:

/s/ Chas M. Cahill  
Chas M. Cahill  
Assistant City Attorney



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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
SIMONSON				
VOSS				
WESTERGAARD				
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



## Franklin Jr. High - Application for Outside Event

Completed forms must be submitted in person to the City Clerk, 400 Robert D. Ray Drive or to the Neighborhood Services Department at 602 Robert D. Ray Drive. The Conceptual Plan requires all uses on the grounds of 4801 Franklin be approved by the City Council. Upon receipt of the application and supporting documents the request will be placed on the next available council agenda for consideration.

DATE APPLICATION DUE:	DATE OF COUNCIL HEARING:	N/A
DATE APPLICATION SUBMITTED:		

### I. PROPERTY OF INTEREST

Address: 4801 Franklin
Legal Description: S 685.6F E 608.3F & N 220.8F E 500F LT 2 FRANKLIN PLAZA
Zoning District Classification: Legacy PUD

### II. TITLEHOLDER(S) *MUST sign*

Name(s)/Business(es): Franklin Jr High	Mailing Address: 4801 Franklin
Signature(s): 	City, State Zip: Des Moines, IA 50310
Printed Name(s): Tim Rowley <i>Cannal Manager</i>	Telephone(s): 515-782-7348
Date: 4/9/25	Email: tim@Franklineventcenter.com
Interest in Property: <input type="checkbox"/> Titleholder of Record	<input type="checkbox"/> Contract Buyer of Record

### III. ADDITIONAL CONTACT (for the event)

Name/Business: Beaverdale Farmers Market	Mailing Address: 2643 Beaver Ave #333
Signature:	City, State Zip: <del>515-650-2652</del> Des Moines, IA 50310
Printed Name: Mackenzie Dierks	Telephone: 515-650-1652
Date: 4/9/25	Email: info@beaverdalefarmersmarket.org

### IV. PURPOSE OF APPLICATION

Description of Proposal (required): The Beaverdale Farmers Market is a registered non-profit that holds a weekly market on Tuesdays from June 3rd - September 9th. The market is 4-7pm in the north and west parking lot of Franklin Jr High. Food trucks are located in the northwest lot, tents in the west lot, and parking in the North and South lots. We use restrooms inside Franklin Jr High and have a portable sink available onsite outside. We hire 1 police officer that attends every market. We have weekly musical performances, usually one or two singers, occasionally with instruments.
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