



Roll Call Number

24-1305

Agenda Item Number

5

Date October 2, 2024

RESOLUTION REGARDING REQUEST FOR OUTDOOR SPECIAL EVENT (COOL CARS FOR CATS) 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, The Pet Project Midwest have submitted a request to operate the Cool Cars for Cats event on the Property on October 5, 2024, with a noise control permit and 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 Pet Project Midwest's request to allow said event in accordance with the conditions stated below.

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

1. The request from Pet Project Midwest is in accordance with the "Franklin Jr. High School" PUD Conceptual Plan, to operate the outdoor special event, Cool Cars for Cats, on October 5, 2024, is hereby received and filed.

2. Said request to operate the outdoor special event, Cool Cars for Cats, is hereby approved subject to the following conditions:

a. The event may occur, between the hours of 10:00 a.m. and 2:00 p.m. on Saturday, October 5, 2024.

b. All associated amplified music on the Property is subject to compliance with issuance of a Type "A" Sound Permit with an 85 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 Coleman TO ADOPT. SECOND BY Gatto

APPROVED AS TO FORM:

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

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
MANDELBAUM	✓			
SIMONSON	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

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.

Connie Boesen Mayor

Laura Baumgartner City Clerk