

CITY1472.DSS

Vice Chairperson Blaser called the regular Board of Adjustment meeting of December 2, 2015, to order at 5:30 p.m. in the Council Chambers of West Des Moines City Hall, located at 4200 Mills Civic Parkway, in West Des Moines, Iowa.

Roll Call: Blaser, Celsi, Cunningham, Stewart ..... Present  
Christiansen ..... Absent

**Item 1 – Consent Agenda**

**Item 1a – Minutes of October 7, 2015**

Vice Chairperson Blaser asked for any questions or comments to the October 7, 2015 meeting minutes.

Vice Chairperson Blaser then noted that he does not believe there is a quorum present that had attended that meeting to be able to vote on the minutes so they will need to be deferred to the next meeting when there is a quorum of those members present.

Moved by Vice Chairperson Blaser, seconded by Board member Cunningham, the minutes of the October 7, 2015, meeting are deferred to the next Board meeting.

Vote: Blaser, Cunningham, Celsi, Stewart ..... Yes  
Christiansen ..... Absent

Motion carried.

**Item 2 – Old Business**

There were no Old Business items presented.

**Item 3 – Public Hearings**

**Item 3a – The Picker Knows Event Venue, 1208 Prospect Avenue – Approval of a Permitted Conditional Use Permit to allow an event venue – A to Z 4 You, LLC d/b/a The Picker Knows Antiques and Collectibles – PC-002888-2015**

Vice Chairperson Blaser opened the public hearing and asked the Recording Secretary to state when the public hearing notice was published. The Recording Secretary indicated that the notice was published on November 13, 2015, in the Community Section of the Des Moines Register.

Vice Chairperson Blaser then asked for a motion to accept and make a part of the record all testimony and all other documents received at this public hearing.

Moved by Board member Stewart, seconded by Board member Cunningham, the Board of Adjustment accepts and makes a part of the record all testimony and all other documents received at this public hearing.

Vote: Stewart, Cunningham, Blaser, Celsi ..... Yes  
Christiansen ..... Absent

Motion carried.

The Recording Secretary stated that a memo was placed on the dais regarding the proposed project.

Brad Brody, 1208 Prospect, president of A to Z 4 You d/b/a The Picker Knows, explained that in the building occupied by the Picker Knows there was 5,000 sq. ft. of space used as an auction hall for the antiques and collectibles business that he would like to use an event venue for events such as wedding receptions, gatherings, and meetings.

Board member Stewart asked the applicant if he was in agreement with all five (5) conditions of approval.

Mr. Brody replied that he is not in agreement with Conditions 1-3 that pertain to providing a deed to the City for right-of-way, public sanitary sewer easement, and street light agreement as he is not performing any site improvements and would like a waiver of those conditions.

Gerald Manning, indicated that he owns property at 704 12<sup>th</sup> Street, behind the proposed use as well as several other properties along 12<sup>th</sup> Street. Mr. Manning stated that he is concerned with the parking of trailers and vehicles in the back of the building and requested a fence be required to be installed along the east property line.

Vice Chairperson Blaser asked for any other comments or questions from the audience and upon hearing none, closed the public hearing.

Kara Tragesser, Planner, noted to the Board a memorandum regarding Mr. Manning’s request and staff response that was placed on the dais before the meeting. Ms. Tragesser also noted the letter contained in the staff report regarding Mr. Brody’s request that recommended conditions of approval 1 through 3 be removed.

Moved by Board member Cunningham, seconded by Board member Stewart, the Board of Adjustment adopt a resolution to approve the Permitted Conditional Use Permit to allow the operation of a 5,000 sq. ft. event venue at 1208 Prospect Avenue, subject to meeting all City Code requirements, and the following:

- 1. ~~That the property owner provide a deed for 10 feet of new right of way adjacent Grand Avenue, prior to any event being allowed at the site. (Deleted by the Board of Adjustment)~~
- 2. ~~That the property owner execute an easement for the public sanitary sewer located within the site that is twice as wide as the depth of the sewer, prior to any event being allowed at the site. (Deleted by the Board of Adjustment)~~
- 3. ~~That the property owner execute a Street Light Agreement, prior to any event being allowed at the site. (Deleted by the Board of Adjustment)~~
- 4. If the event is to take place during business hours of the principal use, only 1,900 sq. ft. of the event area can be used due to parking constraints.
- 5. If parking at the site becomes an issue due to overflow parking on neighboring properties or the public streets are being used to accommodate parking for the business, the permitted conditional use permit will be re-reviewed by the Board of Adjustment.

Vote: Cunningham, Stewart, Blaser, Celsi ..... Yes  
Christiansen ..... Absent

Motion carried.

**Item 4 – New Business**

There were no New Business items presented.

**Item 5 – Staff Reports**

**Item 5a – Approval of 2016 Meeting Schedule**

The Recording Secretary indicated that the 2016 meeting schedule had been placed on the dais for their review and approval.

Vice Chairperson Blaser asked for any questions or comments regarding the 2016 meeting schedule and if there were none, asked for a motion to approve the 2016 meeting schedule as presented.

Moved by Vice Chairperson Blaser, seconded by Board member Cunningham, the 2016 meeting schedule is approved as presented.

Vote: Blaser, Cunningham, Celsi, Stewart ..... Yes  
Christiansen ..... Absent

Motion carried.

Board member Cunningham indicated that he would be absent from the Board of Adjustment meeting on December 16, 2015.

**Item 6 – Adjournment**

Vice Chairperson Blaser asked for a motion to adjourn the meeting.

Moved by Board member Celsi, seconded by Board member Stewart, the Board of Adjustment meeting adjourns.

Vote: Celsi, Stewart, Blaser, Cunningham ..... Yes  
Christiansen ..... Absent

Motion carried.

The meeting adjourned at 6:00 p.m.

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Michael Blaser, Vice Chairperson  
Board of Adjustment

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Michelle Riesenberg, Recording Secretary