

BOARD OF ADJUSTMENT MEETING MINUTES

BOA_AF_08-21-2019

Vice Chairperson Stevens called to order the August 21, 2019, regularly scheduled meeting of the Board of Adjustment at 5:30 p.m. in the City Council Chambers, West Des Moines City Hall, located at 4200 Mills Civic Parkway, in West Des Moines, Iowa.

Roll Call: Blaser, Cunningham, Stevens.....Present
Christiansen, Pfannkuch.....Absent

Item 1 – Consent Agenda

Item 1a – Minutes of July 3, 2019

Vice Chairperson Stevens asked for any questions or modifications to the meeting minutes of July 3, 2019.

Moved by Board member Cunningham, seconded by Board member Blaser, the July 3, 2019 meeting minutes were approved as presented.

Vote: Blaser, Cunningham, Stevens.....Yes
Christiansen, Pfannkuch.....Absent

Motion carried.

Item 2 – Old Business

There were no Old Business items reported.

Item 3 – Public Hearings

Item 3a – Mister Car Wash - Land use review to allow SIC 7542, Car washes – Mister Car Wash - PC-004377-2019

Vice Chairperson Stevens opened the public hearing and asked the Recording Secretary to state when the public hearing notice was published. The Recording Secretary stated that the notice was published on July 23, 2019, in the Des Moines Register.

Moved by Board member Blaser, seconded by Board member Cunningham, the Board of Adjustment accepted and made a part of the record all testimony and documents received at this public hearing.

Vote: Blaser, Cunningham, Stevens.....Yes
Christiansen, Pfannkuch.....Absent

Motion carried.

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Chuck Bishop, Bishop Engineering, 3501 104th St, Des Moines, briefly explained that the proposed project is located on Jordan Creek Parkway, off the main entrance to the mall. An existing fire pump booster station exists on the site and this is also where the Jordan Creek Town Center’s snow plowing equipment is stored. The proposal is to install a drive-thru Mister Car Wash facility and keep the same parking lot to the south and providing a connection from the Hobby Lobby to the car wash facility. Additional landscaping will be added around the building for screening as some pine trees will be removed for construction and replaced. A PUD amendment to allow the use has already been approved and at this time, they are requesting the Permitted Conditional Use to allow the car wash facility at this location.

Vice Chairperson Stevens asked if anyone from the audience wished to speak. Seeing none, closed the public hearing and asked for Staff’s comments.

Brian Portz, Development Services Planner, briefly commented that he had nothing further to add but that staff does recommend approval of the proposed project.

Vice Chairperson Stevens asked for continued discussion or a motion and a second for this item.

Moved by Board Member Cunningham, seconded by Board Member Blaser, the Board of Adjustment adopted a resolution for approval of the Permitted Conditional Use Permit to allow a car wash (SIC 7542) on the property at 102 Jordan Creek Parkway, subject to meeting all City Code requirements.

Vote: Blaser, Cunningham, Stevens.....Yes
Christiansen, Pfannkuch.....Absent
Motion carried.

Item 3b – Little Scholars Daycare, 1300 8th Street – Land Use Review (Child daycare services, SIC: 835) – A & J Drywall Company – PC-004357-2019

Vice Chairperson Stevens opened the public hearing and asked the Recording Secretary to state when the public hearing notice was published. The Recording Secretary stated that the notice was published on August 12, 2019, in the Des Moines Register.

Moved by Board member Blaser, seconded by Board member Cunningham, the Board of Adjustment accepted and made a part of the record all testimony and documents received at this public hearing.

Vote: Blaser, Cunningham, Stevens.....Yes
Christiansen, Pfannkuch.....Absent
Motion carried.

Greg Vickroy, A & J Drywall Company, 101 South Kenwood Blvd, Indianola, explained that the applicant is proposing a small tenant improvement within the existing structure. One half of the space is a daycare and the other half is a vacated salon studio. The applicant is proposing

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to use the entire space as a daycare with a small common space area. They are aware of site work to be done and grease interceptor installation.

Board member Cunningham clarified if the existing building would be located in the castle-type building. Mr. Vickroy replied affirmatively.

Board member Cunningham inquired as to how long the daycare has been in existence and what type of business was located there previously.

Mr. Vickroy answered that the daycare has been there since 1976 and prior to that it was a salon.

Vice Chairperson Stevens asked if anyone from the audience wished to speak. Seeing none, closed the public hearing and asked for Staff’s comments.

Brad Munford, Development Services Planner, explained that the property has a legal nonconforming status and with the proposed expansion, the City Code requires the need for a Permitted Conditional Use Permit, which changed in 1996. The applicant does comply with playground area requirements and regarding the parking requirements, a salon use has the same parking requirements as a daycare. Staff is of the opinion that the applicant has met all six findings.

Vice Chairperson Stevens asked if there were any traffic issues with drop-off/pickup of children due to there not be a lighted intersection off 8th Street.

Mr. Munford responded that they don’t anticipate any traffic issues due to the number of children expected but the traffic engineers did not express any issues with circulation. Staff did speak with the applicant regarding their pick-up/drop-off schedule.

Board member Cunningham asked what the hours of the daycare are anticipated to be.

Mr. Munford replied that they would be 6:30 AM to 6:30 PM.

Vice Chairperson Stevens asked for continued discussion or a motion and a second for this item.

Moved by Board Member Cunningham, seconded by Board Member Blaser the Board of Adjustment adopted a resolution for approval of the Permitted Conditional Use Permit to allow expansion of a daycare (Child daycare services: SIC 835), subject to meeting all City Code requirements.

Vote: Blaser, Cunningham, Stevens.....Yes
Christiansen, Pfannkuch.....Absent

Motion carried.

Item 3c-Variance, 312 5th Street – Approval for first floor residential use in multi-use building – VAR-004441-2019 – motion to withdraw.

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Vice Chairperson Stevens indicated that there was a memo placed on the dais for withdrawal of this item and asked for a motion.

Moved by Board member Blaser seconded by Board Member Cunningham, the Board of Adjustment approved the request to withdraw this variance.

Vote: Blaser, Cunningham, Stevens.....Yes
Christiansen, Pfannkuch.....Absent

Motion carried.

Item 4 – New Business

There were no New Business items.

Item 5 – Staff Reports

The Recording Secretary stated that the next Board of Adjustment meeting is scheduled for September 4, 2019.

Item 6 – Adjournment

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

Moved by Board Member Blaser, seconded by Board Member Cunningham, the Board of Adjustment meeting adjourned.

Vice Chairperson Stevens adjourned the meeting at 5:44 p.m.

Michele Stevens, Vice Chairperson

Recording Secretary