

CITY1386.DSS

Chairperson Christiansen called the regular Board of Adjustment meeting of July 15, 2015, to order at 5:31 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, Christiansen..... Present
Cunningham, Stewart..... Absent

Roll Call was retaken due to the arrival of Board member Cunningham at 5:32 p.m.

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

Item 1 – Consent Agenda

Item 1a – Minutes of June 17, 2015

Chairperson Christiansen asked for any comments or questions regarding the meeting minutes from the June 17, 2015 meeting. Hearing none, asked for a motion to approve the meeting minutes as presented.

Moved by Board member Blaser, seconded by Board member Cunningham, the minutes of the June 17, 2015, meeting are approved as presented.

Chairperson Christiansen indicated that he would abstain from voting on the minutes due to his absence at the June 17th meeting.

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

Motion carried.

Item 2 – Old Business

There were no Old Business items reported.

Item 3 – Public Hearings

Item 3a – 219½ 5th Street Remodel – Trak Properties, LLC – 219½ 5th Street – Approval of a Permitted Conditional Use Permit to allow residential above a commercial business in the Valley Junction Historical Business (VJHB) District - PC-002741-2015

Chairperson Christiansen 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 June 26, 2015, in the Community Section of the Des Moines Register.

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

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

Motion carried.

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

Brad Munford, Planner, explained that the applicant resides out of town but that he has worked closely with them regarding their proposed request. The long-standing building is located in the VJHB (Valley Junction Historical Business) zoning district and at one time did have apartments located in the second story area. In the past a conversion was completed which resulted in the building no longer being allowed to have residences on the second level. The Permitted Conditional Use Permit request will allow up to four apartments to be located once again on the second level. Staff is comfortable with the applicant having met all six (6) findings in the staff report.

Board member Cunningham asked questions related to the type of business located on the first floor of the building, if it is a tenant of the applicant Trak Properties, and how tall the building is. Planner Munford answered that they are a tenant of Trak Properties and that he believes the business is an antique-type of establishment located in a two (2) story building.

Board member Blaser acknowledged that the staff report was well written and asked if the entire building was connected to the main fire alarm system.

Planner Munford answered that no, the building it is not connected to the main fire alarm system.

Board member Blaser referred to the conditions of approval and Exhibit A and asked if there were fire sprinklers on the 1st floor and if the applicant would need to fire sprinkle the entire building.

Planner Munford replied no to both inquiries. The fire sprinklers would be required for the apartments and then as the use on the 1st floor changes or it is warranted, the applicant would need to connect.

Lynne Twedt, Director of Development Services, added that this is one of the areas in Valley Junction that the City initiated the installation of main fire sprinkler lines in order to facilitate business owners with sprinkler installation as required.

Board member Blaser clarified that the City is not requiring that the 1st floor applicant tap into the main at this time and that Condition #4 should be expanded upon further with regard to the Permitted Conditional Use Permit so that the applicant is aware of their responsibility regarding the fire sprinkler and alarm systems.

Director Twedt indicated that Condition #4 should be expanded to include the entire building or clarified in that fire sprinkler and alarm shall be implemented for the apartments only.

Board member Blaser also requested to add the verbiage, “and connected to the main system” as part of that amendment.

Planner Munford stated that staff has no objection to the proposed language.

Chairperson Christiansen inquired if the proposed fourth (4th) unit would be rented out.

Planner Munford replied that although the applicant is still finalizing the floor plan he believes it is to be used for storage purposes for the business on the first floor. The applicant would like opportunity to have a fourth (4th) unit in the future without having to return to the Board for approval.

Board member Celsi inquired as to the parking availability for the residents of the proposed apartments and reserved parking in general. She also inquired if there were any future plans for parking for residents in the Valley Junction area.

Planner Munford responded that there is parking in the rear of the building as well as on-street parking but believes that the residents would be parking in the rear.

Director Twedt noted that it appears that the parking is on private property immediately behind the building but that the VJHB district itself has no parking requirements and could use the City lot behind the building or the on street parking. She continued that the City is currently working on an RFP for a study of Valley Junction to take a look at the commercial aspect as well as how to incorporate more residential in the Valley Junction area.

Moved by Board member Blaser, seconded by Board member Celsi, the Board of Adjustment adopts a resolution for approval of the Permitted Conditional Use Permit to allow residential above a commercial business at 219½ 5th Street, subject to meeting all City Code requirements and regulations and the following:

1. The applicant shall obtain building permits from the Building Division prior to initiation of work.
2. If renting any of the apartments, the applicant shall obtain a Rental Certificate from Rental Inspections.
3. The applicant shall continue to work with planning staff to address the units accordingly.
4. The apartments will need to be connected to the fire sprinkler system and the building will need to be connected to the main fire alarm system.

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

Motion carried.

Item 4 – New Business

There were no New Business items presented.

Item 5 – Staff Reports

Director Twedt indicated that a meeting will be held on July 29, 2015.

Item 6 – Adjournment

Chairperson Christiansen asked for a motion to adjourn the meeting.

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

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

Motion carried.

The meeting adjourned at 5:45 p.m.

Erik P. Christiansen, Chairperson
Board of Adjustment

Michelle Riesenberg, Recording Secretary

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