**BOARD OF ADJUSTMENT MEETING MINUTES**

BOA_AF_05-30-2018

Chairperson Cunningham called to order the May 30, 2018, 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, Pfannkuch……………………………………………………………..Present
            Celsi, Christiansen……………………………………………………………………………Absent

## Item 1 – Consent Agenda

## Item 1a – Minutes of May 2, 2018

Moved by Board Member Blaser; seconded by Chairperson Cunningham to approve the May 02, 2018 meeting minutes.

Vote:  Blaser, Cunningham…………………………………………………………………………………..Yes
       Pfannkuch……………………………………………………………………………………..Abstained
       Celsi, Christiansen…………………………………………………………………….…….Absent
Motion carried.

## Item 2 – Old Business

There were no Old Business items reported.

## Item 3 – Public Hearings

## Item 3a – CycleBar, 160 Jordan Creek Parkway – Land use review to allow SIC 7991, Physical Fitness Facilities Bridgewood Square, LLC – PC-003893-2018

Chairperson Cunningham 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 **May 18, 2018** in the Des Moines Register.

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

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

Andy Hodges, Signature Real Estate Services, 9500 University Ave, West Des Moines, stated that the applicant is requesting conditional use permit for their first tenant, an indoor cycling studio occupying 2200 sf.  There are two buildings planned on this property along with two outlots.  Each building in the rear will be about 15,000sf with a mix of retail and restaurants. CycleBar would occupy Suite 130, with intent to open in Fall of 2018.  He added that the Franchisees were present to answer any questions about their operations.

Board Member Blaser questioned the meaning of the name, whether it was a drinking establishment.  The owner

responded that it refers to weighted bars on the bike for muscle conditioning.

Chairperson Cunningham then asked for any other questions or comments from the audience. As there were no questions, Chairperson Cunningham closed the public hearing and asked staff for comments.

Brian Portz, Development Services Planner, noted this is a conditional use because the parcel is zoned Support Commercial. Staff recommends a condition of approval regarding loud music being heard outside the tenant space. Some facilities open their doors at times, which can affect neighbors with noise from the facility.

Board Member Blaser asked if the owners are ok with the condition. The owner responded that the music would be heard only within the studio, as it is enclosed within the building. Even with external doors open, it wouldn't be heard outside.

Board Member Pfannkuch asked if noise would be enforced by Code Compliance. Planner Portz affirmed that most likely the police department would handle complaints.

As there were no other questions or comments, Chairperson Cunningham asked for a motion and a second for this item.

Moved by Board Member Blaser, seconded by Board Member Pfannkuch, the Board of Adjustment adopt a resolution to approve the Permitted Conditional Use Permit, subject to meeting all City Code requirements, regulations, and the following:

1.  No amplified sound shall be heard outside of the CycleBar tenant space.

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

## Item 4 – New Business

There were no New Business items presented.

## Item 5 – Staff Reports
None.

## Item 6 – Adjournment

Chairperson Cunningham asked for a motion to adjourn the meeting.

Moved by Board Member Pfannkuch, seconded by Board Member Blaser, the Board of Adjustment meeting adjourns.

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

The meeting adjourned at 5:43 p.m.

Thomas Cunningham, Chairperson
Board of Adjustment

Recording Secretary