

BOARD OF ADJUSTMENT MEETING MINUTES

BOA_AF_07-03-2019

Chairperson Pfannkuch called to order the July 3, 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, Pfannkuch, Stevens.....Present
Christiansen.....Absent

Item 1 – Consent Agenda

Item 1a – Minutes of June 5, 2019

Chairperson Pfannkuch asked for any questions or modifications to the meeting minutes of June 5, 2019.

Moved by Board member Blaser, seconded by Board member Cunningham, the June 5, 2019 meeting minutes were approved as presented.

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

Item 2 – Old Business

There were no Old Business items reported.

Item 3 – Public Hearings

Item 3a – Cat Café, 312 5th Street - Land use review to allow a Cat Café (Miscellaneous retail store – pet and pet supply shop, SIC: 5999) – Cutler Development - PC-004357-2019

Chairperson Pfannkuch 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 June 14, 2019, in the Des Moines Register.

Moved by Board member Stevens, 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, Pfannkuch, Stevens.....Yes
Christiansen.....Absent
Motion carried.

Dean Brooks, 541 34th Street, West Des Moines, explained that he is here on behalf of his wife, Mary Jankowski.

Scott Cutler, Cutler Development, 1307 50th Street, West Des Moines, introduced himself as the developer on the project.

Mr. Brooks explained that the proposal is a coffee shop that will comply with any required health regulations. As a part of the café, is a separate cat lounge room in which someone can go in and spend time with the felines. There are cat cafes located in Chicago, Kansas City, Omaha, and other locations.

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Board member Cunningham explained that there were two conditions of approval and inquired if the applicants were in agreement with those two conditions.

Both Mr. Cutler and Mr. Brooks replied that neither have seen the conditions of approval for the project.

Board member Cunningham continued that the conditions of approval included working with the southern property owner in the future on the screening methods for an outdoor patio should there be one and the applicant submitting tenant improvement plans with their building permit request that meet sound and odor requirements of the City Code.

Mr. Cutler apologized and indicated that Mr. Munford did relay those conditions of approval to him and that the applicant is in agreement with them and that they have addressed them with their project design.

Board member Stevens inquired as to the number of cats that would be allowed and if they would be housed overnight at the premise.

Mr. Brooks responded that he is not aware of a legal number of the cats allowed but that his wife will be working with Tom Colvin of ARL (Animal Rescue League) on the number of cats, which would be around 10. They will be housed overnight and be eligible for adoption. The staff will be trained on the ARL adoption procedures but that cat drop-offs will not be allowed. All adoptions will be handled through the ARL.

Chairperson Pfankuch asked when they anticipated construction beginning on the project.

Mr. Cutler replied that they are in the design process now and hope to begin construction in October. The entire project will have five (5) apartments with one (1) retail space, the cat café. They are shooting for a June 1 opening date.

Chairperson Pfankuch 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, expressed his gratitude to the Board members for attending the meeting due to the inclement weather. The applicant is aware of the conditions and is in agreement with them.

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

Moved by Board Member Blaser, seconded by Board Member Stevens the Board of Adjustment adopted a resolution for approval of the Permitted Conditional Use Permit to allow a cat café (SIC 5999), subject to meeting all City Code requirements and the following:

1. The applicant working with the southern property owner in the future on the screening methods for an outdoor patio if one ever comes to fruition.
2. The applicant providing tenant improvements plans with their building permit request that meet the sound and odor control requirements per Section 9-10-4 of the City Code.

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

Motion carried.

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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 July 17, 2019.

Item 6 – Adjournment

Chairperson Pfankuch asked for a motion to adjourn the meeting.

Moved by Board Member Stevens, seconded by Board Member Cunningham, the Board of Adjustment meeting adjourns.

Chairperson Pfankuch adjourned the meeting at 5:40 p.m.

Angie Pfankuch, Chairperson

Recording Secretary