

**CITY OF WEST DES MOINES  
BOARD OF ADJUSTMENT COMMUNICATION**

**Meeting Date:** August 21, 2019

**Item:** Mister Car Wash, 102 S. Jordan Creek Parkway – Land use review to allow SIC 7542, Car washes – Mister Car Wash PC-004377-2019

**Requested Action:** Approval of a Permitted Conditional Use Permit

**Case Advisor:** Brian S. Portz, AICP *BP*

**Applicant's Request:** The applicant, Mister Car Wash, is requesting approval of a Permitted Conditional Use Permit (PC) land use review to allow the operation of a car wash at 102 Jordan Creek Parkway. The applicant is proposing to construct a new building on the property for the proposed car wash.

Car washes (SIC: 7542) are classified as a Permitted Conditional Use (Pc) within a Regional Commercial (RC) District, which is the underlying zoning for this parcel as identified within the Jordan Creek Town Center PUD.

**History:** The property in question is currently used for the storage of maintenance vehicles that serve the Jordan Creek Town Center. There is also a fire sprinkler pump house located on the property that serves the Jordan Creek Town Center. When the applicant came to the City about the proposed car wash, it was noted to them at that time that car washes were specifically prohibited within the Jordan Creek Town Center Planned Unit Development (PUD), which governs development of the property due to concerns with heavily auto orientated businesses within a pedestrian orientated district. The applicant requested to speak with the Development and Planning City Council Subcommittee to get the subcommittee's input on allowing an auto oriented use within the Jordan Creek Town Center PUD. The Subcommittee members indicated that they believe the walkable nature of the development has not really transpired and therefore didn't have a problem with allowing the proposed use within the PUD. In June of 2019, the PUD was amended to specifically allow SIC 7542 with the issuance of a Permitted Conditional Use.

**City Council Subcommittee:** This item was presented to the Development and Planning City Council Subcommittee on February 4, 2019 to get the subcommittee's input on allowing an auto oriented use within the Jordan Creek Town Center PUD. The site plan was also presented to the Subcommittee on May 6, 2019, as an informational item only.

**Staff Review and Comment:** This request was distributed to other City departments and other agencies for their review and comment. There are no outstanding issues. Staff would summarize the following key point of interest:

- **Site Plan:** The site plan for the Mister Car Wash site is currently being reviewed by staff and will ultimately be considered by the Plan & Zoning Commission and City Council for approval.

**Comprehensive Plan Consistency:** The project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

**Findings:** This proposed project was distributed to various city departments for review and comment. Based upon that review, the following findings have been made on the proposed project:

1. The proposed development and use is consistent with the West Des Moines Comprehensive Plan in that the project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan.
2. The proposed development and use does assure compatibility of property uses within the zone and general area in that this project was reviewed by various City Departments for compliance with the Zoning Ordinance.
3. All applicable standards and conditions have been imposed which protects the public health, safety and welfare in that this project was reviewed by various City Departments and public agencies for compliance with the various state and local regulations. Based upon that review a finding is made that the project has been adequately conditioned to protect the health, welfare and safety of the community.
4. There is adequate on-site and off-site public infrastructure to support the proposed development in that this project was reviewed by various public agencies and City Departments and public utilities to ensure that either the petitioner will construct or the project has been conditioned to construct adequate public infrastructure to serve the development.
5. The proposed development and use has met the requirements contained in the City Code in that this project was reviewed by various City Departments and the project has complied with or has been conditioned to comply with all City Code requirements.
6. The proposed development and use is in keeping with the scale and nature of the surrounding neighborhood in that the proposed project is consistent with the zoning designation and Comprehensive Plan which designates this site as suitable for development such as that proposed by this project.

**Noticing Information:** On July 23, 2019, notice of the original August 7, 2019 Board of Adjustment Public Hearing on this project was published in the Des Moines Register. At the August 7, 2019 meeting, the case was deferred until the August 21, 2019 meeting. Notice of this public hearing was also mailed to all surrounding property owners within 370 feet of the subject property on July 18, 2019.

**Staff Recommendation And Conditions Of Approval:** Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan and the findings necessary for approval, staff recommends the Board of Adjustment adopt a resolution approving the Permitted Conditional Use Permit request to allow a car wash (SIC 7542) on the property at 102 Jordan Creek Parkway, subject to the applicant meeting all City Code requirements.

**Property Owner:** GGP Jordan Creek, LLC  
C/o Brookfield Properties Retail  
222 Merchandise Mart Plaza  
P.O. Box 3487  
Chicago, IL 60654

**Applicant:** Mister Car Wash  
222 E. 5<sup>th</sup> Street  
Tucson, AZ 85705  
Dave Hail  
(520) 907-8130

**Applicant's Representative:**  
Bishop Engineering  
3501 104<sup>th</sup> Street  
Des Moines, IA 50322  
Chuck Bishop  
[cbishop@bishopengr.com](mailto:cbishop@bishopengr.com)

**ATTACHMENTS:**

- Attachment A - Board of Adjustment Resolution
- Attachment B - Location Map
- Attachment C - Site Plan

Prepared by: B. Portz West Des Moines Development Services, PO Box 65320 West Des Moines IA 50265-0320 515-222-3620  
When Recorded, Return to: City Clerk, City of West Des Moines PO Box 65320 West Des Moines IA 50265-0320

**RESOLUTION –2019–11**

**A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF WEST DES MOINES, APPROVING A PERMITTED CONDITIONAL USE PERMIT (PC-004377-2019) TO ALLOW A CAR WASH TO BE LOCATED AT 102 S. JORDAN CREEK PARKWAY**

**WHEREAS**, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Mister Car Wash, has requested approval of a Permitted Conditional Use permit to allow a car wash to be located at 102 S. Jordan Creek Parkway, and legally described as follows:

Legal Description of Property

LOT 7, JORDAN CREEK TOWN CENTER PLAT 1 REPLAT 1, AN OFFICIAL PLAT NOW IN  
AND FORMING A PART OF THE  
CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA.

**WHEREAS**, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

**WHEREAS**, on August 21, 2019, the Board of Adjustment held a duly-noticed public hearing to consider the application for Permitted Conditional Use Permit (PC-004377-2019);

**NOW, THEREFORE**, THE BOARD OF ADJUSTMENT OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

**SECTION 1.** The findings, for approval, in the staff report, dated August 21, 2019, or as amended orally at the Board of Adjustment hearing of August 21, 2019, are adopted.

**SECTION 2.** PERMITTED CONDITIONAL USE PERMIT (PC-004377-2019) to allow development of a car wash is approved, subject to compliance with all the conditions in the staff report, dated August 21, 2019, including conditions added at the Hearing, and attached hereto as Exhibit "A", if any. Violation of any such conditions shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on August 21, 2019

\_\_\_\_\_  
Angie Pfannkuch, Chairperson  
Board of Adjustment

ATTEST:

\_\_\_\_\_  
Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Board of Adjustment for the City of West Des Moines, Iowa, at a regular meeting held on August 21, 2019, by the following vote:

AYES:  
NAYS:  
ABSTAIN:  
ABSENT:

ATTEST:

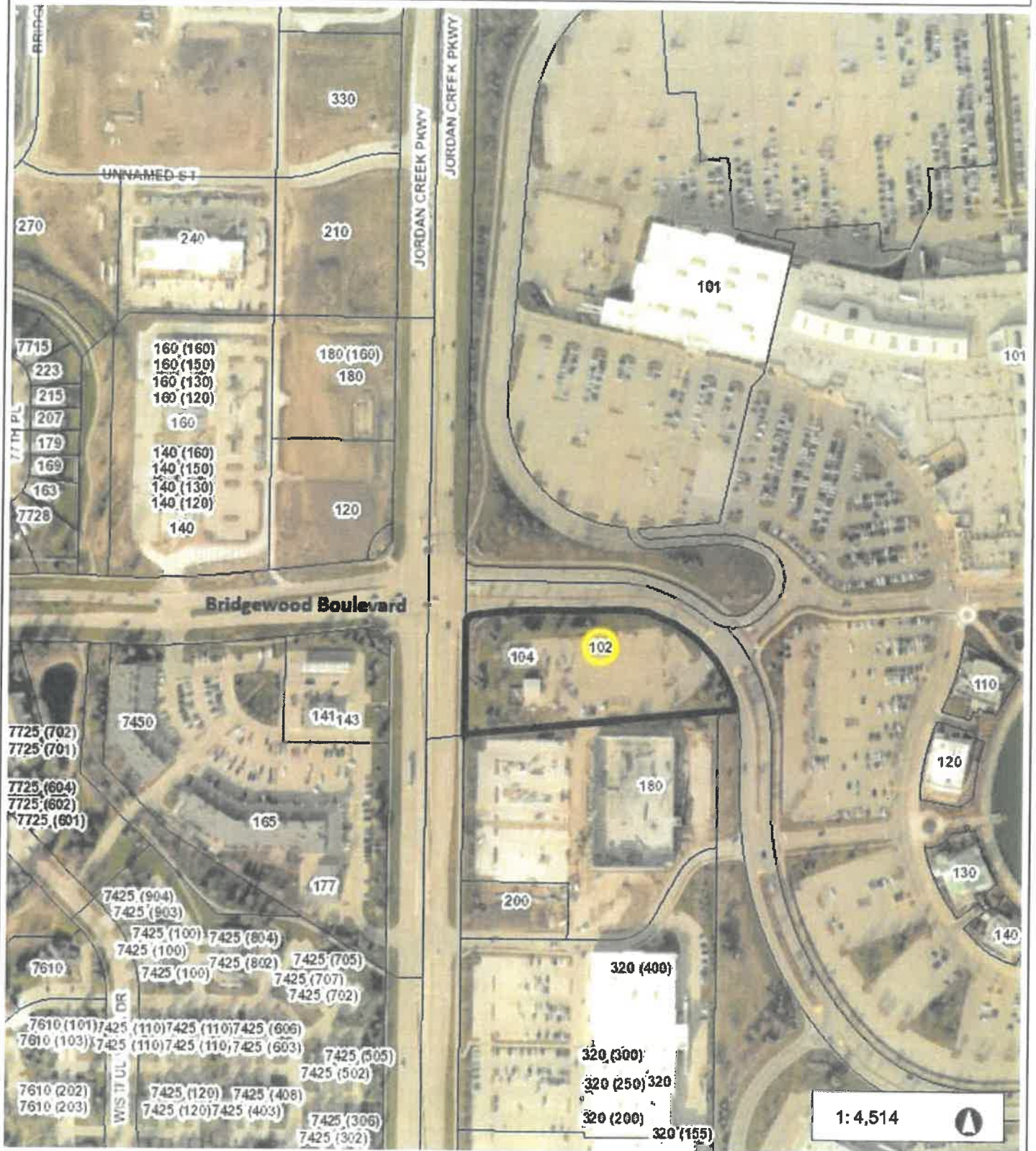
\_\_\_\_\_  
Recording Secretary

Exhibit A  
CONDITIONS OF APPROVAL

1. No conditions of approval.



# 102 S Jordan Creek Parkway - Location Map



1:4,514

752.3 0 376.17 752.3 Feet

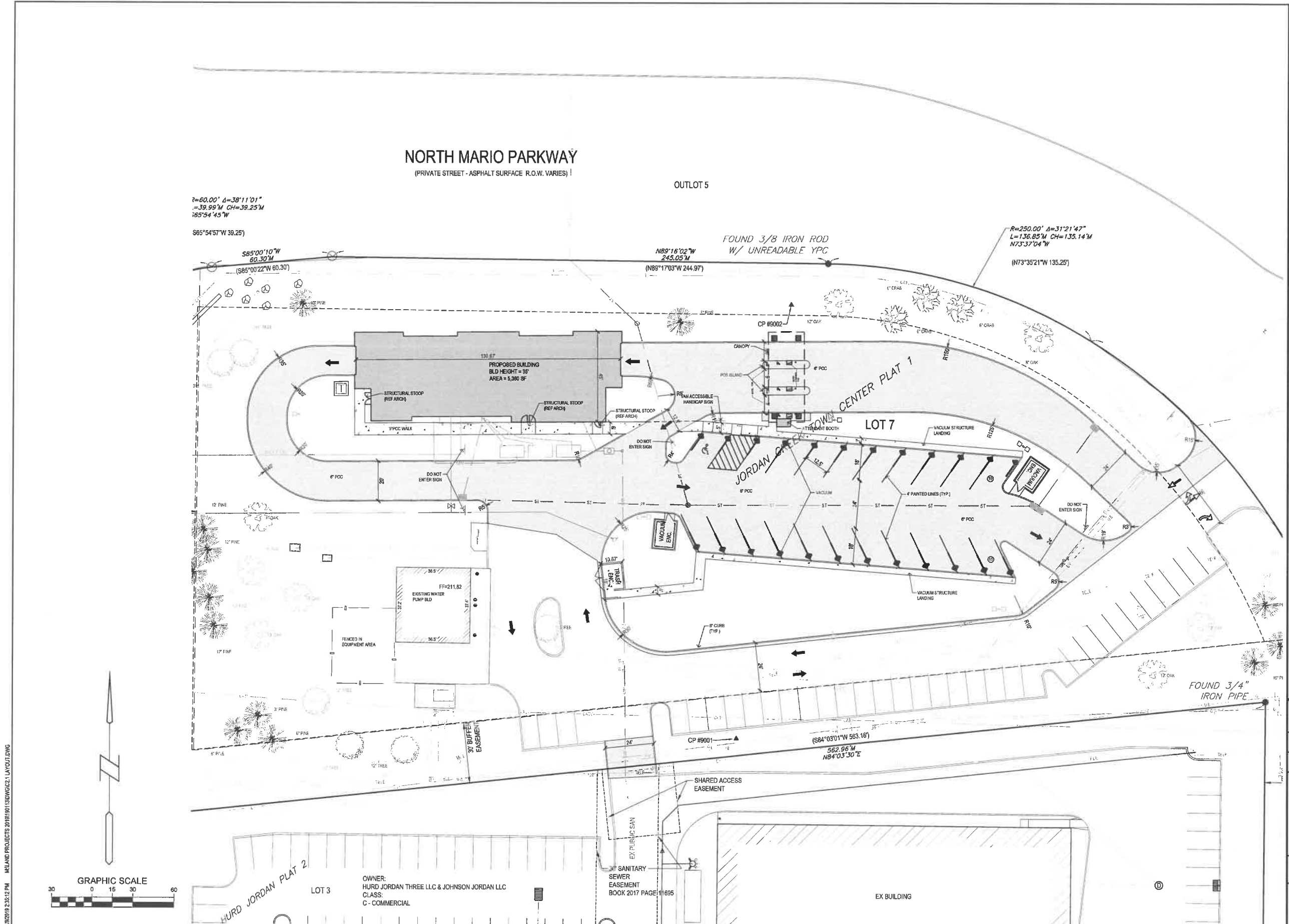
Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City of West Des Moines, Iowa

THIS MAP IS NOT TO BE USED FOR NAVIGATION



PRELIMINARY- NOT FOR CONSTRUCTION



**Bishop Engineering**  
"Planning Your Successful Development"

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Des Moines, Iowa 50322-3825  
Phone: (515)276-6467 Fax: (515)276-0217  
Civil Engineering & Land Surveying  
Established 1959

**MISTER CAR WASH**  
**102 S. JORDAN CREEK PARKWAY**  
**LAYOUT PLAN**

|  |
|--|
| REFERENCE NUMBER:<br>160180  |
| DRAWN BY:<br>DS  |
| CHECKED BY:  |
| REVISION DATE:<br>04-24-19 1ST SUBMITTAL<br>05-31-19 2ND SUBMITTAL<br>07-09-19 3RD SUBMITTAL |
| PROJECT NUMBER:<br><b>190113</b>   |
| SHEET NUMBER:<br><b>C2.1</b>   |