

BOARD OF ADJUSTMENT MEETING MINUTES

BOA_AF_01-15-2020

Chairperson Pfannkuch called to order the January 15, 2020, regularly scheduled meeting of the Board of Adjustment at 5:30 p.m. in the Large Conference Room, West Des Moines Law Enforcement Center, located at 250 Mills Civic Parkway, in West Des Moines, Iowa.

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

Item 1 – Consent Agenda

Item 1a – Minutes of December 18, 2019

Chairperson Pfannkuch asked for any questions or modifications to the meeting minutes of December 18, 2019.

Moved by Board Member Christiansen, seconded by Board Member Stevens, the December 18, 2019 meeting minutes were approved as presented.

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

Motion Carried

Item 2 – Old Business

There were no Old Business items.

Item 3 – Public Hearings

Item 3a – Camp Bow Wow, 2900 University Avenue – Permitted Conditional Use Permit to operate a 9,000 sq. ft. Dog Day Care and Grooming business- Aaron Shindler – PC-004579-2019

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 January 2, 2020, in the Des Moines Register.

Moved by Board Member Christiansen, seconded by Board Member Stevens, the Board of Adjustment accepted and made a part of the record all testimony and documents received at this public hearing.

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

Motion Carried

BOARD OF ADJUSTMENT MEETING MINUTES

Aaron Shindler, franchise owner, 5088 Oakwood Lane, West Des Moines, Iowa 50265, presented a packet with a preliminary sketch of the location and site plan to show where in Clocktower Square the business is to be located and promotional material for the business.

Chairperson Pfannkuch asked if the applicant agreed with all three staff recommendations.

Mike Shindler, the broker for the applicant, agreed that all the conditions have been met and that the business will meet all standards within franchise requirements and are above and beyond what the city is recommending.

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

Kara Tragesser, Development Services Planner, stated that a traffic study had been performed and no additional impacts to the public transportation system are being caused solely by this use. Parking was not studied as the uses impacts to parking are already included in the parking calculation for the site. Ms. Tragesser noted that Staff recommends approval.

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

Moved by Board Member Stevens, seconded by Board Member Christiansen, the Board of Adjustment adopted a resolution to approve the permitted conditional use subject to the following conditions:

1. That a Minor Modification Level I application for the outdoor area for the animal use be submitted, reviewed, and approved, prior to the outdoors being used by the animals.
2. The wall, ceiling or floor assemblies between the entire tenant space conducting the activity and adjacent tenants shall be constructed to meet or exceed a sound transmission class rating (STC) of 50 and the walls shall extend all the way from the floor to the roof, sealed with a continuous bead of caulk along the top, bottom and side wall intersections of the wall and around any penetrations.
3. The HVAC system for the tenant space shall be completely independent of any other tenant space to eliminate the transmission of sound or odors.

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

Motion Carried

Item 3b – Swaggers Dog Daycare and Retailer, 800 S. 50th St.– Permitted Conditional Use Permit to operate a 3,104 sq. ft. Dog Day Care and Retail business- Caroline Compiano – PC-004571-2019

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

BOARD OF ADJUSTMENT MEETING MINUTES

the notice was published on January 2, 2020, in the Des Moines Register.

Moved by Board Member Stevens, seconded by Board Member Christiansen, the Board of Adjustment accepted and made a part of the record all testimony and documents received at this public hearing.

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

Caroline Compiano, 2403 149th Ct. Urbandale, noted that the address given for the use was incorrect in the application and that the correct address is 800 S. 50th Street, Suites 102 and 103 addressed the committee that she just found out that the address for the project was wrong. She continued by explaining the use of the tenant spaces for a dog daycare and a retail space, that outdoor space is not going to be a part of the business and that animals will relieve themselves indoors in a special area.

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

Kara Tragesser, Development Services Planner, responded to a memorandum that was placed on the dias from a concerned citizen. The concerns raised where if dogs would be boarded overnight and concerns of barking dogs during these hours. Also would they be allowed to exercise the dogs on Fieldstone Street. Ms. Tragesser explained that the application indicates that the animals will not be boarded overnight and that exercise is to be indoors. Ms. Tragesser also stated that a traffic study had been performed and that there is no significant impact to the public street system from solely from this use. Also, parking for a retail and service use is taken into account when the center opened.

Vice Chair Stevens asked planner Tragesser to follow up with the comentor in the memorandum to correct the address. Ms. Tragesser agreed to do so.

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

Moved by Board Member Stevens, seconded by Board Member Christiansen, the Board of Adjustment adopted a resolution to approve the the permitted conditional use subject to the following conditions:

1. The wall, ceiling or floor assemblies between the entire tenant space conducting the activity and adjacent tenants shall be constructed to meet or exceed a sound transmission class rating (STC) of 50 and the walls shall extend all the way from the floor to the roof, sealed with a continuous bead of caulk along the top, bottom and side wall intersections of the wall and around any penetrations.
2. The HVAC system for the tenant space shall be completely independent of any

BOARD OF ADJUSTMENT MEETING MINUTES

other tenant space to eliminate the transmission of sound or odors.

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

Motion Carried

Item 4 – New Business

There were no New Business items.

Item 5 – Staff Reports

Item 6 – Adjournment

Chairperson Pfannkuch asked for a motion to adjourn the meeting.

Moved by Board Member Christiansen, seconded by Board Member Stevens, the Board of Adjustment meeting adjourned at 5:52 PM.

Angie Pfannkuch, Chairperson

Recording Secretary