

CITY OF WEST DES MOINES

MEMORANDUM

TO: Chairperson Christiansen and Members of the Board of Adjustment

FROM: Brian Portz, Planner *BP*

DATE: June 1, 2016

RE: Item 2a: 904 9th Street and 905 Grand Avenue

Per the May 18, 2016 Board of Adjustment vote, the request for a Permitted Conditional Use for a drinking establishment, setback variances, buffer variance and parking space waivers for the properties located at 904 9th Street and 905 Grand Avenue was continued until the June 1, 2016 meeting. The Board of Adjustment voted to continue the request to determine if City Code allowed parking for a business to be located on a separate parcel (916 9th Street) that is zoned differently from the zoning of the parcel with the primary use. The Board also felt that if parking was to be allowed on this parcel, the property owners within 370' of the 916 9th Street property need to be notified of the intended use of the parcel.

Upon further research, it was found that the required parking for a business must be located on the same property or be located on a parcel contiguous to the building, structure, or use to be served (9-15-4-C1). The 916 9th Street parcel is not contiguous to 904 9th Street or 905 Grand Avenue. Additionally, a review of the Standard Industrial Classification Manual identified that Automobile Parking, which includes garages, parking lots, parking structures, and tow-in parking lots are classified under SIC 7521. Per City Code, SIC 752 is not permitted in any zoning district within the City.

Staff informed the applicant that use of 916 9th Street for parking was not an option without an amendment to City Code to allow parking lots which are non-contiguous to the parcel which contains the building for which the parking is intended, as well as amend Code to make SIC 7521 Permitted (P) or Permitted Conditionally (Pc) within the Commercial, Office, and Industrial Use Matrix. Without use of 916 9th Street to provide a portion of the parking, staff would not support a full waiver of the 19 parking spaces that the proposed drinking establishment will be short at the 904 9th Street and 905 Grand Avenue site. With this information, the applicant has decided to withdraw their request at this time.

cc: Lynne Twedt, Director of Development Services