

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

Meeting Date: March 8, 2017

Item: Grand Avenue Veterinary Hospital, 312 Grand Avenue – Land use review to allow Veterinary services for animal specialties, no outside runs (SIC: 0742) – Charles I. Colby and Ruth Colby Trust – PC-003376-2017

Requested Action: Approval of a Permitted Conditional Use Permit

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

Applicant Request: The applicant, Grand Avenue Veterinary Hospital, in association with the property owner, Charles I. Colby and Ruth Colby Trust, is requesting approval of a Permitted Conditional Use Permit (PC) land use review to allow the operation of a veterinary hospital, within a tenant space of the existing building located at 312 Grand Avenue. The applicant is proposing to renovate approximately 3,100 square feet of the interior of a portion of the building for a veterinary hospital. No boarding of animals will occur at this site; however there may be occasional overnight stays as required for animals to recover after surgery. There will be no outside runs for animals, however, employees will take animals outside of the building to relieve themselves, if needed. See attached letter and aerial map showing where animals will be taken by employees on the south side of the building.

Veterinary services for animal specialties, no outside runs (SIC: 0742) is classified as a Permitted Conditional Use (Pc) within a Community Commercial (CMC) District, which this property is designated.

History: According to the Polk County Assessor, the building was constructed in 1970.

City Council Subcommittee: This item will be presented to the Development and Planning City Council Subcommittee on March 6, 2017, 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 note the following item of interest:

- ***Performance Standards for Veterinarian and Animal uses:*** The zoning ordinance includes specific performance standards for animal related uses (Section 9-10-4 of City Code). These regulation encompass additional requirements for building improvements to mitigate sound transmission and control odor when located within a multi-tenant building. The regulations also require the user to provide a maintenance schedule for cleaning and removal of animal waste. The applicant has already submitted tenant improvement plans that meet the sound and odor control requirements. Staff is recommending a condition of approval that the applicant provide a maintenance schedule for cleaning and removal of animal waste prior to issuance of a building permit.

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 veterinary establishment 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: The following findings have been made on the proposed permitted conditional use:

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 public agencies 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 regulations and the Comprehensive Plan which designates this site as suitable for development such as that proposed by this project.

Staff Recommendations and Conditions of Approval: Based upon the preceding review and findings, staff recommends the Board of Adjustment adopt a resolution for approval of the Permitted Conditional Use Permit to allow Veterinary services for animal specialties, with no outside runs (SIC 0742), subject to meeting all City Code requirements and the following:

1. The applicant limiting outside activities to only that necessary for walks and to eliminate as necessary and agreeing that no animals shall be outside unsupervised nor shall any animal be allowed to eliminate on the east side of the building.
2. The applicant provide a maintenance schedule for cleaning and removal of animal waste prior to issuance of a building permit.

Noticing Information: On February 20, 2017, notice of the March 8, 2017 Board of Adjustment Public Hearing on this project was published in theDes Moines Register Community Section. Notice of this public hearing was also mailed to all surrounding property owners within 370 feet of the subject property on February 16, 2017.

Applicant: Charles I. Colby and Ruth Colby Trust
 6581 University Avenue
 Windsor Heights, Iowa 50324
james@colbyinterests.com

Property Owner: Grand Avenue Veterinary Hospital
 108 Grand Avenue
 West Des Moines, Iowa 50265
jen@grandavenuevet.com

Attachments:

Attachment A	-	Permitted Conditional Use Resolution
Exhibit A	-	Conditions of Approval
Attachment B	-	Request Letter
Exhibit A	-	Aerial Map
Attachment C	-	Location Map

Prepared by: B. Portz, 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 –

**A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF WEST DES MOINES,
APPROVING A PERMITTED CONDITIONAL USE PERMIT (PC-003376-2017) TO ALLOW A
VETERINARY HOSPITAL, WITH NO OUTSIDE RUNS**

WHEREAS, pursuant to the provisions of Title 9, Zoning, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Grand Avenue Veterinary Hospital, in association with the property owner, Charles I. Colby and Ruth Colby Trust, has requested approval of a Permitted Conditional Use Permit (PC-003376-2017) for that property located at 312 Grand Avenue and legally described below for the purpose of providing Veterinary services for animal specialties, with no outside runs (SIC 0742);

Legal Description of Property

THE EAST 192.4 FEET OF LOT 94, EXCEPT THE NORTH 112 FEET OF THE WEST 60 FEET. SITE CONTAINS 24,507SF OR 0.563 ACRES.

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, March 8, 2017, this Board of Adjustments held a duly-noticed hearing to consider the application for a Permitted Conditional Use Permit for Grand Avenue Veterinary Hospital (PC-003376-2017);

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

SECTION 1. The findings, for approval, stated in the staff report, dated March 8, 2017, or as amended orally at the Board of Adjustment hearing of March 8, 2017, are adopted.

SECTION 2. Permitted Conditional Use Permit for Grant Avenue Veterinary Hospital (PC-003376-2017) to conduct Veterinary services for animal specialties, with no outside runs (SIC 0742) is approved, subject to compliance with all the conditions in the staff report, dated March 8, 2017, including conditions added at the meeting, and attached hereto as Exhibit "A". 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 March 8, 2017.

Michael R. Blaser, Chairperson

ATTEST:

Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Board of Adjustments of the City of West Des Moines, Iowa, at a regular meeting held on March 8, 2017, by the following vote:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:

Recording Secretary

EXHIBIT A
Conditions of Approval

1. The applicant limiting outside activities to only that necessary for walks and to eliminate as necessary and agreeing that no animals shall be outside unsupervised nor shall any animal be allowed to eliminate on the east side of the building.
2. The applicant provide a maintenance schedule for cleaning and removal of animal waste prior to issuance of a building permit.



February 14, 2017

To the Board of Adjustments for the City of West Des Moines,

This letter is a request for a change of use permit for Grand Avenue Veterinary Hospital. We are currently residing at 108 Grand Avenue in West Des Moines in a building that was recently purchased from our landlord by West Des Moines to be demolished for a city sewer project. We are pursuing relocation to 312 Grand Avenue in West Des Moines, owned by Colby Interests, in which a lease has been drafted and signed by both parties for 3,115 square feet of the property. This area has been marked in blue on the enclosed aerial map and a copy of the plans have also been included with our application. Grand Avenue Veterinary Hospital is owned by Dr. Suzanne Robinson, and the secondary contact person is the practice manager, Jen Firzloff.

The staff at Grand Avenue Veterinary Hospital has been offering general medical and surgical care for the pets of many citizens of West Des Moines and the surrounding areas since 1957. Our hours of operation are Monday through Friday, 7:30 AM to 6:00 PM, and on Saturdays from 8:00 AM to 12:00 PM. Currently we have 5-6 employees and 3-4 clients in the building at any given time.

Our busiest times of the day with the most traffic is between 7:30 AM and 12:00 PM, then again from 2:00 PM to 5:30 PM. The majority of the dogs and cats that visit our facility will be in the building for 30-40 minute out-patient appointments with their owners but also have in-patient procedures and surgeries that usually amounts to 5-6 dogs and/or cats inside the hospital at any given time. After our relocation, we will no longer be offering boarding services so the number of cats or dogs staying in the building overnight will be limited to patients following certain surgical procedures where we require a one-night stay. This is usually only one day each week and rarely more than one or two patients. On the other five weeknights, there will be an occasional patient staying overnight in order for us to complete the management of the case - rarely more than 2-3.

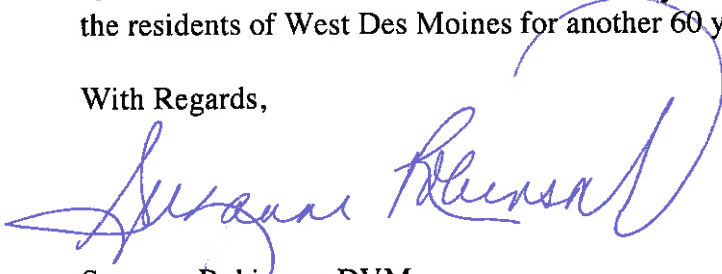
We currently have 7 designated parking spaces at our current building on the south side for employees and clients with some clients choosing to park in adjacent parking lots. The proposed building at 312 Grand Avenue has approximately 32 parking spaces for the entire complex. Of these spaces, 4 are in front of Dairy Queen (308) and have been sufficient for their customers during our hours of operation. I spoke to the owners of the tailor (332) and salon (330) businesses about their parking needs. The tailor uses no more than 2-3 spaces and the salon 1-2 spaces at any given time, including staff and customers. In total, the approximation for the current businesses that share the complex would be to

need at most 9-10 parking spaces at any given time. This would leave approximately 22 parking spaces for our staff and clients, with our anticipated maximum need to only be 10-12 spaces at a given time. With the city requirement of one parking space for every 200 sq. ft., or 15 spaces for our 3115 sq. ft, these 22 spaces would allow us adequate parking spaces within those requirements.

Another concern to be addressed is need for green space for walking the few dogs we will have in the hospital during the day and for clients to walk their dogs before and after appointments. There are two public grassy areas along Grand Avenue to the North of the parking lot for clients to let their dogs eliminate as necessary. It would be their responsibility to clean up after their own pets as it would be at any public area. For dogs that are walked by the staff of Grand Avenue Veterinary Hospital there is a 2 foot wide strip of grass along the entire south side of the building by our south exit door bordered by a fence to contain the property of UTC that we feel would be sufficient for walking the few dogs we have. However, we have also been given permission by Todd Webb at Professional Offset Printing Company (property 823 on the aerial map photo) to use the grassy area on the east side of their building which is adjacent to our proposed property. All of these areas have been marked in green on the map. All solid waste will be picked up immediately and disposed of properly.

As we have outlined above, the property at 312 Grand Avenue would be an ideal space for the relocation of Grand Avenue Veterinary Hospital, and we hope to continue serving the residents of West Des Moines for another 60 years.

With Regards,



Suzanne Robinson, DVM

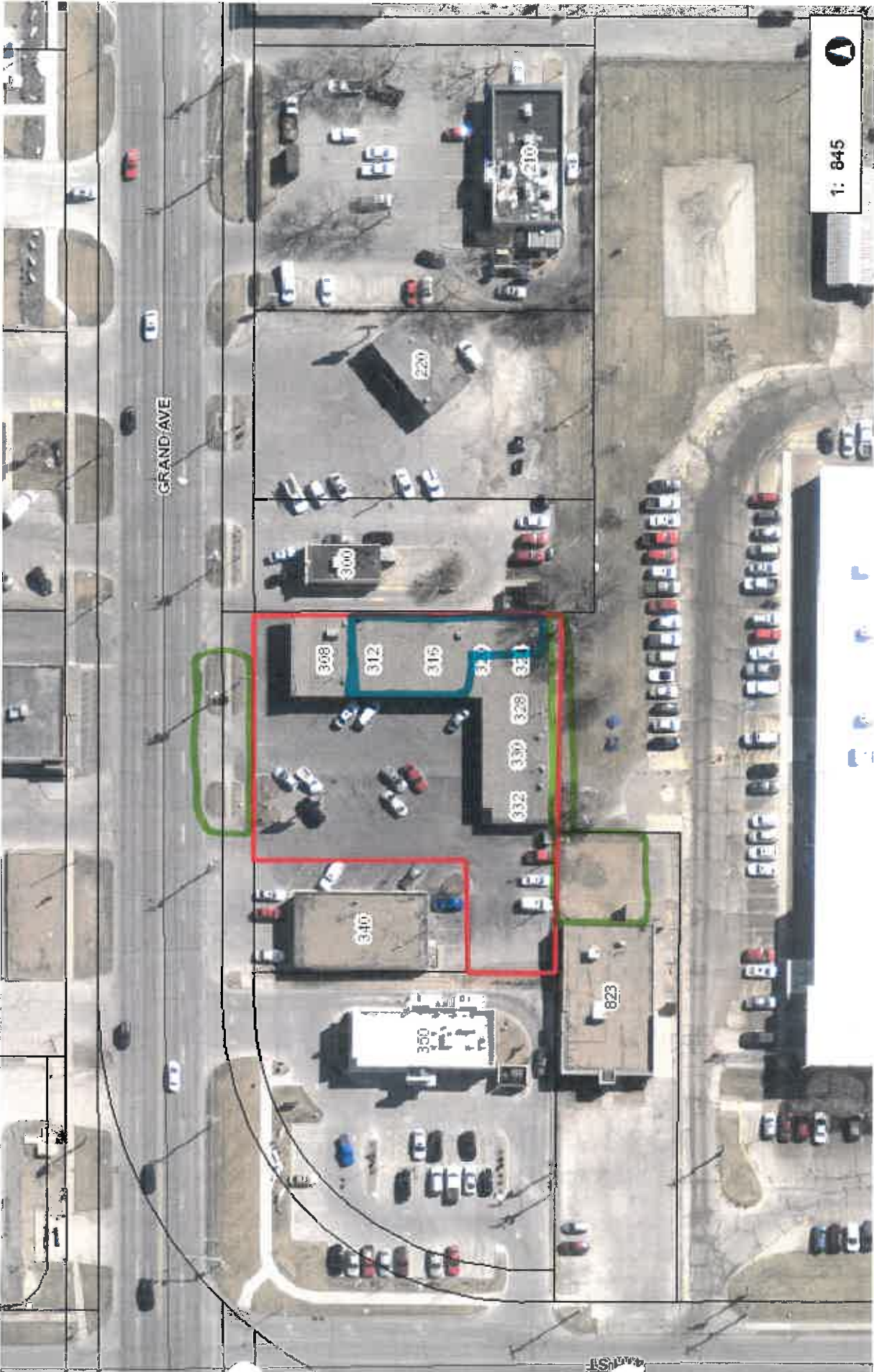
Encl.

Signed lease

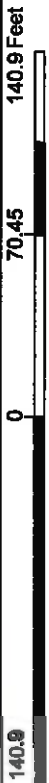
Aerial photo of proposed area

Copy of the building plans

Grand Avenue Veterinary Hospital



1: 845



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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

NAD_1983_StatePlane_Iowa_South_FIPS_1402_Feet
© City of West Des Moines, Iowa

Grand Avenue Veterinary Hospital



1: 1,000

166.7 0 83.33 166.7 Feet

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