

**BOARD OF ADJUSTMENT MEETING MINUTES**

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Chairperson Blaser called to order the February 7, 2018, 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, Celsi, Cunningham, Pfannkuch.....Present  
Christiansen..... Absent

**Item 1 – Consent Agenda**

**Item 1a – Minutes of December 13, 2017**

Moved by Board Member Cunningham seconded by Board Member Celsi, to approve the December 13, 2017 meeting minutes.

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

Motion carried.

**Item 2 – Old Business**

There were no Old Business items reported.

**Item 3 – New Business**

There was one New Business item.

**Item 3a. Review revised Opening Statement.**

Chairman Blaser asked if there was any discussion regarding the revisions to the Opening Statement. There was none.

Board Member Cunningham made a motion to approve the Opening Statement as revised. The motion was seconded by Board Member Celsi. Chairman Blaser called for a vote.

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

Motion carried.

Chairman Blaser then read the Opening Statement.

**Item 4 – Public Hearings**

**Item 4a - The Dollar Experience – 510 Elm Street – Approval of a Permitted Conditional Use Permit for an approximately 1,200 square foot Convenience Store without Gas in an existing tenant space – Tina**

**Mwaura - PC-003740-2018**

Chairperson Blaser opened the public hearing and asked the Recording Secretary to state when the public

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hearing notice was published. The Recording Secretary indicated that the notice was published on January 19, 2018 in the Des Moines Register.

Chairperson Blaser then asked for a motion to accept and make a part of the record all testimony and all other documents received at this public hearing.

Moved by Board Member Celsi, 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, Celsi, Cunningham, Pfankuch.....Yes  
Christiansen..... Absent  
Motion carried.

Chairperson Blaser invited the applicant to present their request.

Tina Mwaura, 510 Elm Street, informed the Board that originally she had considered the site for a pet store, but upon learning this would require a zoning change, decided to introduce neighborhood mom & pop convenience store, offering items such as lottery tickets, access to an ATM machine, general products; providing a miniature convenience store for the neighborhood.

Board Member Cunningham clarified that there would be no gas pumps. Ms. Mwaura confirmed that there would not.

Board Member Celsi asked the percentage of food to other items. Ms. Mwaura replied that there would be more food than anything else in the store. She added that there was not much tobacco at this time and that they had applied for a liquor permit to sell beer and wine.

Board Member Cunningham questioned whether Ms. Mwaura understood that the Board was not approving the site plan in the decision they were making. Ms. Mwaura replied that Planner Munford had explained that to her.

Robert Tolson, 2400 Hickman Rd, Des Moines, provided a flyer to the Board members. He stated that he is involved with marketing The Dollar Experience and explained their goal to franchise, using the Valley Junction store as a prototype, with plans to expand throughout the Des Moines metro and potentially go national.

Board Member Cunningham asked the time frame regarding opening the store. Mr. Tolson responded that they are ready to open right now. He explained advertising plans that are underway.

Chairman Blaser then closed public hearing and ask for staff’s presentation.

Planner Munford provided an overview of the location of the store, and detailed how the applicant met staff findings, concluding that staff recommends approval of the request. Any external changes, or an internal tenant improvement, would require additional permits and approvals.

Board Member Cunningham asked if the code differentiated between a site with or without gas as far as fitting in Valley Junction. Mr. Munford affirmed that the SIC for Valley Junction does separate the two with different zoning.

As there were no other questions or comments, Chairperson Blaser asked for a motion and a second for this

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item.

Moved by Board Member Cunningham, seconded by Board Member Pfannkuch, the Board of Adjustment adopted a resolution to approve the Permitted Conditional Use Permit to allow the operation of a 1200 sq. ft. convenience store without gas at 510 Elm Street, subject to meeting all City Code requirements and regulations. There were no conditions of approval.

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

Motion carried.

**Item 5 – Staff Reports**

There was one staff report.

**Item 5a – Update on Ordinance Amendment related to Permitted Conditional Use approval process.**

Director Twedt informed that City Council just adopted on February 5, 2018 the ordinance amendment stating that the Board of Adjustment will approve use only for Permitted Conditional use requests, and authority for site plan approval has been moved to the Plan and Zoning Commission. She added that the other aspect added adjusted the use approval to one year rather than two years.

**Item 6 – Adjournment**

Chairperson Blaser asked for a motion to adjourn the meeting.

Moved by Board Member Pfannkuch, seconded by Board Member Celsi, the Board of Adjustment meeting adjourned.

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

Motion carried.

The meeting adjourned at 5:44 p.m.

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Michael R. Blaser, Chairperson  
Board of Adjustment

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Jennifer Canaday, Recording Secretary