CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: November 12, 2018

ITEM: Event Center West, 1701 25th Street – Request Waiver of 10 Parking Spaces – Marguilies Property Management – MML1-004069-2018

RESOLUTION: Approval of Waiver Request

FINANCIAL IMPACT: Undetermined.

BACKGROUND: Event Center West is established at 1701 25th Street. The former use of the building was Billy Joe's Picture Show. Since operation of the Billy Joe's Picture Show ceased, the space has been used partially (7,020 sq. ft.) as an event venue and partially (2,615 sq. ft.) as a bar/restaurant. The conversion of the space from a picture show to an event venue was done prior to the code amendment which addressed event centers in particular and without City knowledge. On October 17, 2018, the West Des Moines Board of Adjustment approved a conversion of the bar/restaurant space (2,615 sq. ft.) to an event use subject to the City Council approving a waiver of 10 parking spaces.

CITY COUNCIL SUBCOMMITTEE: This item was presented to the Development and Planning City Council Subcommittee on October 1, 2018. The Subcommittee was supportive of the request with the non-occupied square footage being taken out of the gross square footage of the building to lessen the number of parking spaces that would need to be waived.

OUTSTANDING ISSUES: There are no outstanding issues. Staff notes the following:

Parking for event venues is calculated on a gross square footage basis and requires one parking space for each 50 sq. ft. The current parking count on the site is 164; however five of those spaces appear to be non-compliant with depth requirements; the applicant will need to verify the depth of those spaces and ensure that they are 17 feet deep, with a two foot overhang (which it appears can be accomplished by cutting into the landscape space at the head of the parking spaces). With the current uses of the building (7,020 sq. ft. event venue and 2,615 sq. ft. for bar/restaurant) the parking requirement is 166 parking spaces, a deficiency of two spaces. The gross square footage of the building is 9,635 sq. ft., which requires193 spaces using the ratios described above for the whole building to be used as an event venue, with the current parking of 154 spaces, there is a deficiency of 29 spaces.

The applicant has requested that non-occupied space (kitchen, walk in coolers, hallways, vestibules, storage rooms, etc.) be deducted from the gross square footage for the parking space calculations. Staff notes that the City has done this in a couple of areas with similar context (redevelopment, older parcels and buildings). Staff does not support taking the kitchen square footage out of the gross square footage since employees will be using the kitchen and need space to park and the kitchen could be removed and converted to event space. The applicant provided staff with drawings illustrating which areas they would like deducted from the gross square footage, staff did a rough calculation of that space which equaled 931 sq. ft. which when deducted from the gross square footage netted 8,704 sq. ft. This square footage of event venue would require 174 parking spaces, a deficit of 10 parking spaces.

Staff checked occupancy load calculations to see if relief of parking requirements could be made by limiting the occupancy load of the building. Staff used an occupancy calculation based upon 15 sq. ft. for a table and chair configuration which yielded an occupancy load of 642 people at the gross square foot number and 567 people at the net square foot number. Translating that into parking spaces estimating 4 people per car yielded a parking requirement of 161 spaces for the gross square foot number and 142 spaces for the net square foot number. Both calculations indicate that the parking needs based upon occupancy could be met with the current parking count. Therefore, no occupancy limits based upon parking are needed.

Staff has determined that no additional parking can be constructed on site. The applicant indicates that they own the building to the north of the site and that parking could occur on that site as overflow for the event venues. Staff

reviewed that parcel and determined that based upon the square footage of the building and the ability to have retail and office uses in the building in accordance with the Regional Commercial zoning district, the site does not meet code requirements for parking and has no excess parking capacity to take on overflow if all uses are active at the same time. Staff notes that dependent upon the mix of uses and scheduling of events, that off peak parking may be available, but for purposes of meeting code, the parking to the north cannot be used to satisfy overflow needs of the subject site. There also are no vehicular paths or pedestrian paths connecting the two site to provide safe, convenient movements for people or vehicles between sites.

The applicant has requested a parking waiver of 29 spaces. This number was based upon using the gross square footage of the building in the parking calculation. Using the net square footage noted above, the request amounts to a waiver of 10 spaces.

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.

RECOMMENDATION: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the City Council approve the requested waiver of 10 parking spaces at 1701 25th Street for the event center use subject to the applicant complying with all applicable City Code requirements and the following:

1. That the five spaces that appear non-compliant as to depth be inspected by the property owner and corrective action taken if needed.

Lead Staff Member: Kara Tragesser, AICP

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	n/a
Date(s) Published	n/a
Letter sent to surrounding property owners	n/a

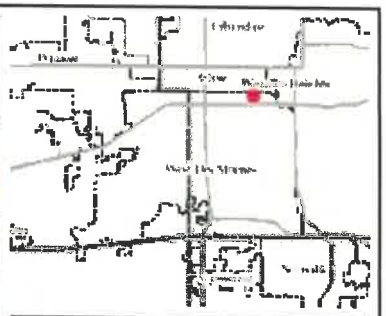
SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	October 1, 2018		
Recommendation	Yes ☒	No ☐	Split ☐

ATTACHMENTS:

Exhibit I - Location Map
Exhibit II - Resolution to Approve Parking Waiver
Exhibit A – Conditions of Approval

1701 25th Street



Legend

- Corporate Limits
- Parcels

376.2 0 188.08 376.2 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

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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

EXHIBIT I

EXHIBIT II

Prepared by: K.Tragesser, City of West Des Moines Development Services, P.O. Box 65320, West Des Moines, IA 50265-0320, 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, P. O. Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES APPROVING THE MINOR MODIFICATION (MML1-004069-2018) REQUEST TO WAIVE TEN PARKING SPACES FOR EVENT CENTER WEST LOCATED AT 1701 25TH STREET

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, Marguilies Property Management, with permission of Richard B. Margulies, requests a waiver of ten parking spaces at property locally known as 1701 25th Street and legally described as:

> Lot 5 Westown Park, an official plat now in and forming a part of the City of West Des Moines, Polk 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 November 12, 2018, this City Council held a duly-noticed meeting to consider the application to waive ten parking spaces and;

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

SECTION 1. The findings of consistency with the Comprehensive Plan as stated in the staff report, dated November 12, 2018, or as amended orally at the City Council hearing of November 12, 2018, are adopted.

SECTION 2. Minor Modification Level 1 (MML1-004069-2018) to waive ten parking spaces is approved, subject to compliance with all the conditions in the staff report, dated November 12, 2018, including conditions added at the Hearing, if any, 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 November 12, 2018

_____

Steven K. Gaer, Mayor

ATTEST:

_____

Ryan T. Jacobson

City Clerk

EXHIBIT A:
CONDITIONS OF APPROVAL

1. That the five spaces that appear non-compliant as to depth be inspected by the property owner and corrective action taken if needed.