

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

Meeting Date: May 15, 2019

Item: Petco Veterinary Hospital, 6805 Mills Civic Parkway, Suite #140 – Land use review to allow Veterinary services for animal specialties, no outside runs (SIC: 0742) – Brookfield Properties Retail – PC-004286-2019

Requested Action: Approval of a Permitted Conditional Use Permit

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

Applicant Request: The applicant, Petco, represented by Valerie Metzger of GPD Engineering and Architecture, is requesting approval of a Permitted Conditional Use Permit (PC) land use review to allow the operation of a veterinary hospital, within the existing Petco store located at 6805 Mills Civic Parkway. The applicant is proposing to renovate a portion of the existing tenant space for a veterinary hospital. There will be a new entrance created on the front of the building to access the veterinary hospital. No boarding of animals will occur at this site and there will be no external dog runs.

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

History: The subject property was annexed into the City in 1997 as a part of the Wittern Annexation. The Planned Unit Development (PUD) that governs development of this site was approved in 1996. The Jordan Creek Town Center mall site plan was approved in 2002. The Petco store is located within the Jordan Creek Town Center Village area and was constructed in 2004.

City Council Subcommittee: This item was presented to the Development and Planning City Council Subcommittee on April 15, 2019, as an informational item only. No discussion or disagreement was had with the request.

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. Tenant improvement plans will need to be submitted that meet the sound and odor control requirements. Staff is recommending a condition of approval that this information be provided prior to the tenant improvement permit being issued for the site. Also, staff recommends a condition that the applicant provide a maintenance schedule for the cleaning and removal of animal waste prior to issuance of the tenant improvement 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 provide tenant improvement plans that will meet the sound and odor control requirements per Section 9-10-4 of City Code.
2. The applicant provide a maintenance schedule for cleaning and removal of animal waste prior to issuance of a building permit.

Noticing Information: On April 30, 2019, notice of the May 15, 2019 Board of Adjustment Public Hearing on this project was published in the Des Moines Register. Notice of this public hearing was also mailed to all surrounding property owners within 370 feet of the subject property on May 1, 2019.

Applicant: GPD Engineering and Architecture Professional Corporation
 520 S. Main Street, Suite 2531
 Akron, OH 44311
vmetzger@gpdgroup.com

Property Owner: Brookfield Properties Retail
 222 Merchandise Mart Plaza
 Chicago, IL 60654

Attachments:

- | | | |
|--------------|---|--------------------------------------|
| Attachment A | - | Permitted Conditional Use Resolution |
| Exhibit A | - | Conditions of Approval |
| Attachment B | - | Location Map |
| Attachment C | - | Veterinary Hospital Floor Plan |

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 – BOA - 2019-06

**A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF WEST DES MOINES,
APPROVING A PERMITTED CONDITIONAL USE PERMIT (PC-004286-2019) 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, Petco, has requested approval of a Permitted Conditional Use Permit (PC-004286-2019) for that property located at 6805 Mills Civic Parkway, Suite #140 and legally described below for the purpose of providing Veterinary services for animal specialties, with no outside runs (SIC 0742);

Legal Description of Property

LOT 6, JORDAN CREEK TOWN CENTER PLAT 1, REPLAT 1, AN OFFICIAL PLAT IN THE
CITY OF WEST DES MOINES, DALLAS 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, May 15, 2019, this Board of Adjustments held a duly-noticed hearing to consider the application for a Permitted Conditional Use Permit for a Veterinary Hospital (PC-004286-2019);

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 May 15, 2019, or as amended orally at the Board of Adjustment hearing of May 15, 2019, are adopted.

SECTION 2. Permitted Conditional Use Permit for a Veterinary Hospital at the existing Petco store (PC-004286-2019) 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 May 15, 2019, 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 May 15, 2019.

Thomas M. Cunningham, 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 May 15, 2019, by the following vote:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

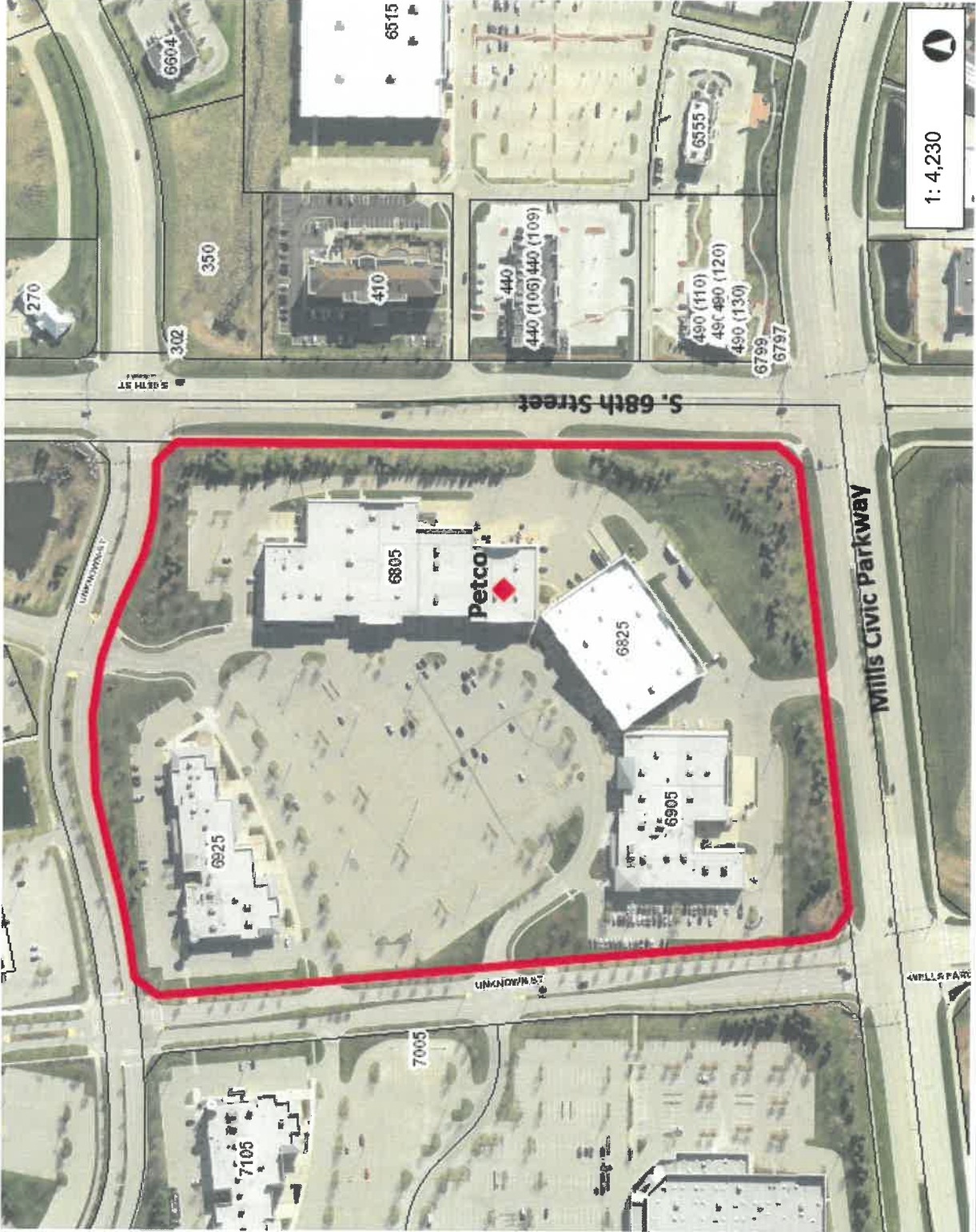
ATTEST:

Recording Secretary

EXHIBIT A
Conditions of Approval

1. The applicant provide tenant improvement plans that will meet the sound and odor control requirements per Section 9-10-4 of City Code.
2. The applicant provide a maintenance schedule for cleaning and removal of animal waste prior to issuance of a building permit.

Petco



1: 4,230

Legend

- Addresses
- Corporate Limits
- Parcels



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

704.9 0 352.47 704.9 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City of West Des Moines, Iowa



210 South Main Street, Suite 201
Reno, NV 89401
336.672.2100 Fax: 336.672.2102

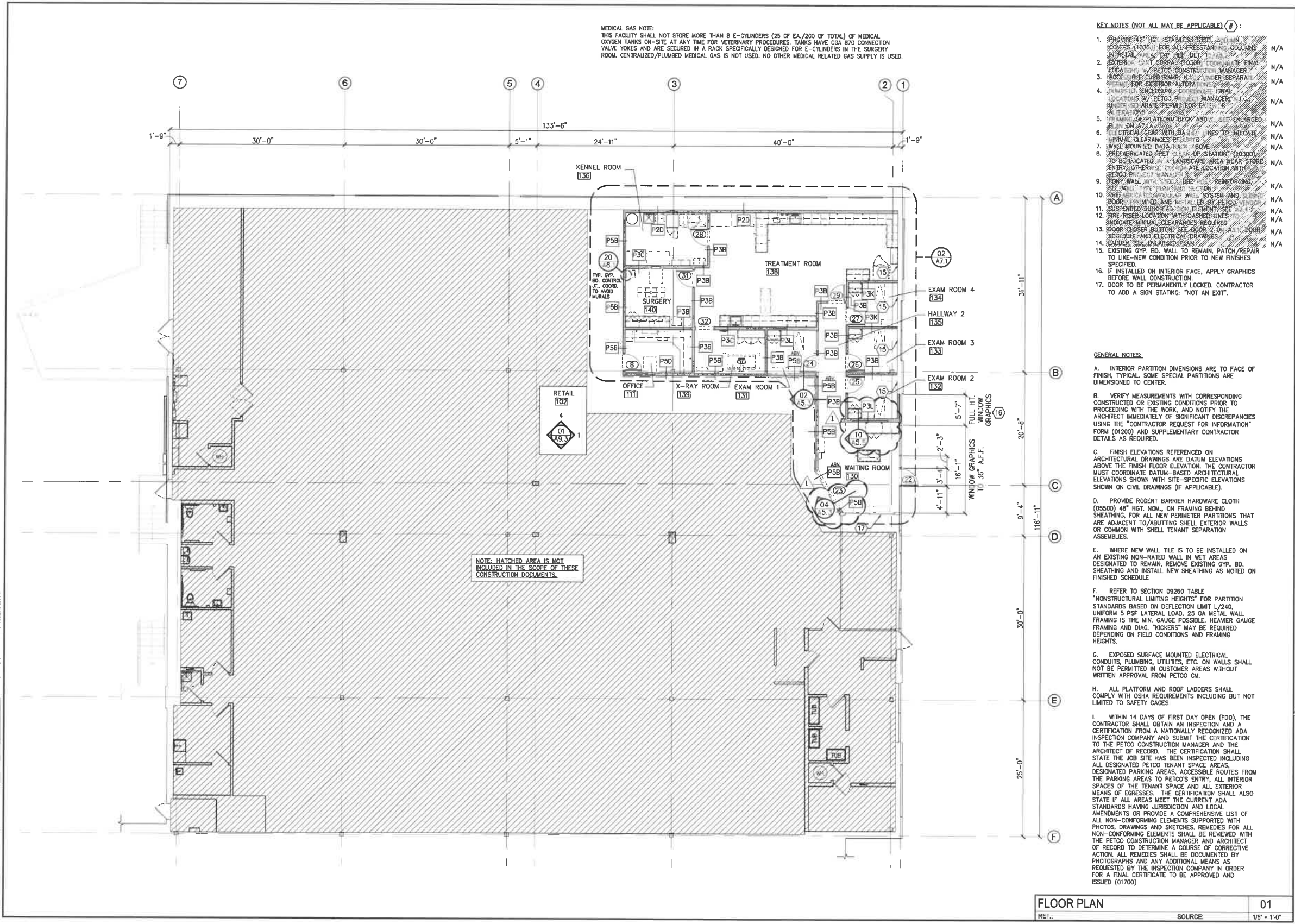


PETCO ANIMAL SUPPLIES STORES, INC.
8605 MILLS CIVIC PARKWAY
SAN FRANCISCO, CALIFORNIA 94134

DISTRIBUTION:	DATE:
25% SUBMISSION	11/09/18
75% SUBMISSION	12/14/18
95% SUBMISSION	12/21/18
100% SUBMISSION	12/28/18
ADDENDUM 1	01/20/19

JOB:	PETCO JOB #
2018045.19	1623
DRAWN:	CHECKED
VM	MPO

DRAWING TITLE:
FLOOR PLAN
A2.1



MEDICAL GAS NOTE:
THIS FACILITY SHALL NOT STORE MORE THAN 8 E-CYLINDERS (25 OF EA./200 OF TOTAL) OF MEDICAL OXYGEN TANKS ON-SITE AT ANY TIME FOR VETERINARY PROCEDURES. TANKS HAVE CGA 870 CONNECTION VALVE YOKES AND ARE SECURED IN A RACK SPECIFICALLY DESIGNED FOR E-CYLINDERS IN THE SURGERY ROOM. CENTRALIZED/PLUMBED MEDICAL GAS IS NOT USED. NO OTHER MEDICAL RELATED GAS SUPPLY IS USED.

- KEY NOTES (NOT ALL MAY BE APPLICABLE) (R):**
- PROVIDE 48" HGT. STAINLESS STEEL COLLISION COVERS (10300) FOR ALL FREESTANDING COLUMNS IN RETAIL AREA. (P. REF. DET. 1) N/A
 - REFER TO CONTRACT (10300) FOR THE FINAL LOCATION OF PETCO CONSTRUCTION MANAGER'S OFFICE. N/A
 - ACCESSIBLE CURB RAMP, ALL UNDER SEPARATE PERMIT FOR EXTERIOR ALTERATION. N/A
 - DUMPSTER ENCLOSURE, COORDINATE FINAL LOCATIONS W/ PETCO PROJECT MANAGER. ALL UNDER SEPARATE PERMIT FOR EXTERIOR ALTERATIONS. N/A
 - FRAMING OF PLATFORM DECK ABOVE ENLARGED BEAN SHED TO BE CONSIDERED. N/A
 - PERFORM CURB CUT WITH DOTTED LINES TO INDICATE MINIMAL CLEARANCES REQUIRED. N/A
 - SMALL MOUNTED DATA RACK ABOVE. N/A
 - PRE-FABRICATION SPEC. FOR APP. STATION (10330) TO BE LOCATED IN A LANDSCAPE AREA NEAR STORE ENTRY, OTHERWISE COORDINATE LOCATION WITH PETCO PROJECT MANAGER. N/A
 - SPRAY WALL WITH STEEL SHEATHING, REINFORCING, AND CONCRETE FINISH. SECTION. N/A
 - PRE-FABRICATED MOULAR WALL SYSTEM AND GLASS DOOR PROVIDED AND INSTALLED BY PETCO. N/A
 - DISSEMBLED BULKHEAD SIGN ELEMENT, SEE A.1. N/A
 - PERFORM SIGNAGE WITH DOTTED LINES TO INDICATE MINIMAL CLEARANCES REQUIRED. N/A
 - DOOR CLOSER BUTTON, SEE DOOR 2.5. ALL DOOR SCHEDULE AND ELECTRICAL DRAWINGS. N/A
 - WALLS/CEILING/ANALOGUE TO BE REMOVED. N/A
 - EXISTING GYP. BD. WALL TO REMAIN, PATCH/REPAIR TO LIKE-NEW CONDITION PRIOR TO NEW FINISHES SPECIFIED. N/A
 - IF INSTALLED ON INTERIOR FACE, APPLY GRAPHICS BEFORE WALL CONSTRUCTION. N/A
 - DOOR TO BE PERMANENTLY LOCKED. CONTRACTOR TO ADD A SIGN STATING: "NOT AN EXT." N/A

- GENERAL NOTES:**
- INTERIOR PARTITION DIMENSIONS ARE TO FACE OF FINISH. TYPICAL, SOME SPECIAL PARTITIONS ARE DIMENSIONED TO CENTER.
 - VERIFY MEASUREMENTS WITH CORRESPONDING CONSTRUCTED OR EXISTING CONDITIONS PRIOR TO PROCEEDING WITH THE WORK, AND NOTIFY THE ARCHITECT IMMEDIATELY OF SIGNIFICANT DISCREPANCIES USING THE "CONTRACTOR REQUEST FOR INFORMATION" FORM (01200) AND SUPPLEMENTARY CONTRACTOR DETAILS AS REQUIRED.
 - FINISH ELEVATIONS REFERENCED ON ARCHITECTURAL DRAWINGS ARE DATUM ELEVATIONS ABOVE THE FINISH FLOOR ELEVATION. THE CONTRACTOR MUST COORDINATE DATUM-BASED ARCHITECTURAL ELEVATIONS SHOWN WITH SITE-SPECIFIC ELEVATIONS SHOWN ON CIVIL DRAWINGS (IF APPLICABLE).
 - PROVIDE RODENT BARRIER HARDWARE CLOTH (OS900) 48" HGT. NOM. ON FRAMING BEHIND SHEATHING FOR ALL NEW PERIMETER PARTITIONS THAT ARE ADJACENT TO/ABUTTING SHELL EXTERIOR WALLS OR COMMON WITH SHELL TENANT SEPARATION ASSEMBLIES.
 - WHERE NEW WALL TILE IS TO BE INSTALLED ON AN EXISTING NON-RATED WALL IN WET AREAS DESIGNATED TO REMAIN, REMOVE EXISTING GYP. BD. SHEATHING AND INSTALL NEW SHEATHING AS NOTED ON FINISHED SCHEDULE.
 - REFER TO SECTION 09260 TABLE "NONSTRUCTURAL LIMITING HEIGHTS" FOR PARTITION STANDARDS BASED ON DEFLECTION LIMIT L/240, UNIFORM 5 PSF LATERAL LOAD, 25 GA METAL WALL FRAMING IS THE MIN. GAUGE POSSIBLE. HEAVIER GAUGE FRAMING AND DIAG. "KICKERS" MAY BE REQUIRED DEPENDING ON FIELD CONDITIONS AND FRAMING HEIGHTS.
 - EXPOSED SURFACE MOUNTED ELECTRICAL CONDUITS, PLUMBING, UTILITIES, ETC. ON WALLS SHALL NOT BE PERMITTED IN CUSTOMER AREAS WITHOUT WRITTEN APPROVAL FROM PETCO CM.
 - ALL PLATFORM AND ROOF LADDERS SHALL COMPLY WITH OSHA REQUIREMENTS INCLUDING BUT NOT LIMITED TO SAFETY CAGES.
 - WITHIN 14 DAYS OF FIRST DAY OPEN (FDO), THE CONTRACTOR SHALL OBTAIN AN INSPECTION AND A CERTIFICATION FROM A NATIONALLY RECOGNIZED ADA INSPECTION COMPANY AND SUBMIT THE CERTIFICATION TO THE PETCO CONSTRUCTION MANAGER AND THE ARCHITECT OF RECORD. THE CERTIFICATION SHALL STATE THE JOB SITE HAS BEEN INSPECTED INCLUDING ALL DESIGNATED PETCO TENANT SPACE AREAS, DESIGNATED PARKING AREAS, ACCESSIBLE ROUTES FROM THE PARKING AREAS TO PETCO'S ENTRY, ALL INTERIOR SPACES OF THE TENANT SPACE AND ALL EXTERIOR MEANS OF EGRESS. THE CERTIFICATION SHALL ALSO STATE IF ALL AREAS MEET THE CURRENT ADA STANDARDS HAVING JURISDICTION AND LOCAL AMENDMENTS OR PROVIDE A COMPREHENSIVE LIST OF ALL NON-CONFORMING ELEMENTS SUPPORTED WITH PHOTOS, DRAWINGS AND SKETCHES. REMEDIES FOR ALL NON-CONFORMING ELEMENTS SHALL BE REVIEWED WITH THE PETCO CONSTRUCTION MANAGER AND ARCHITECT OF RECORD TO DETERMINE A COURSE OF CORRECTIVE ACTION. ALL REMEDIES SHALL BE DOCUMENTED BY PHOTOGRAPHS AND ANY ADDITIONAL MEANS AS REQUESTED BY THE INSPECTION COMPANY IN ORDER FOR A FINAL CERTIFICATE TO BE APPROVED AND ISSUED (01700).

CONTRACTOR SHALL VERIFY EXISTING CONDITIONS AND CORRELATE DIMENSIONS PRIOR TO PROCEEDING WITH THE WORK DETAILED IN THESE DRAWINGS. AND SHALL PROMPTLY NOTIFY THE ARCHITECT OF ANY DISCREPANCIES.
 PROJECT: 2018045.19 - Petco Animal Supplies Store, Reno, NV
 DRAWING: A2.1 - FLOOR PLAN
 DATE: 01/20/19

FLOOR PLAN
REF: SOURCE: 01
1/8" = 1'-0"