

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

Meeting Date: September 16, 2020

Item: Canine Country Club Expansion, 2150 Delavan Drive – Expansion of the existing doggie daycare and boarding use – Next Phase Development, LLC – PC-004817-2020

Requested Action: Approval of a Permitted Conditional Use Permit

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

Applicant's Request: The applicant, KMS Enterprises, d/b/a Canine Country Club, in association with the property owner, Next Phase Development, LLC, is requesting approval of a Permitted Conditional Use Permit (PC) land use review to allow expansion of an existing doggie daycare with overnight boarding, into an adjacent tenant space of the existing building located at 2150 Delavan Drive. The applicant is proposing to renovate approximately 3,200 square feet of the adjacent suites for this expansion. There is an existing outside area on the south side of the building. This area will not be expanded with this request. The expansion will include 28 new kennels, 10 luxury suites for overnight boarding, 2 new daycare rooms and a storage room.

Animal specialties, (SIC: 0742) is classified as a Permitted Conditional Use (Pc) within a General Industrial District, which this property is designated.

History: The property is located within the Delavan Plat 2 subdivision, which was platted in 1997. The building on the property was constructed in 1999. The applicant received Board of Adjustment approval for the existing doggie daycare and boarding at the August 11, 2010 meeting. And on October 16, 2013, an expansion of the use was also approved by the BOA.

City Council Subcommittee: Permitted Conditional Use Permits are under the authority of the Board of Adjustment; therefore, this item was not presented to the Development and Planning City Council Subcommittee.

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 summarize the following key points of interest:

- *Performance Standards for Animal uses:* The zoning ordinance includes specific performance standards for animal related uses (Section 9-10-4 of City Code). These regulations 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 discussed tenant improvement plans with Building Inspections that will meet the sound and odor control requirements. Also, the applicant has provided a maintenance schedule for cleaning and removal of animal waste at the site.

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 the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

Findings: This proposed project was distributed to various city departments for review and comment. Based upon that review, the following findings have been made on the proposed project:

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 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 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 designation and Comprehensive Plan which designates this site as suitable for development such as that proposed by this project.

Noticing Information: On August 28, 2020, notice of the September 16, 2020 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 August 27, 2020.

Staff Recommendation And Conditions Of Approval: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan and the findings necessary for approval, staff recommends the Board of Adjustment adopt a resolution approving the Permitted Conditional Use Permit land use only request to expand a doggie daycare and overnight boarding business, subject to the applicant meeting all City Code requirements and the following:

1. The applicant providing building plans demonstrating compliance with Section 9-10-4 of City Code and obtaining appropriate Building Permits prior to initiating any site improvements.

Property Owner: Next Phase Development, LLC
P.O. Box 65264
West Des Moines, IA 50265
reidtamisiea@yahoo.com

Applicant: KMS Enterprises, LLC
2150 Delavan Drive, Suite 1
West Des Moines, IA 50265
karissa@ccc-wdm.com

ATTACHMENTS:

- Attachment A - Location Map
- Attachment B - Building Floor Plan
- Attachment C - Outdoor Cleaning Procedures
- Attachment D - Board of Adjustment Resolution
- Exhibit A - Conditions of Approval

Location Map



1 : 2,548



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.

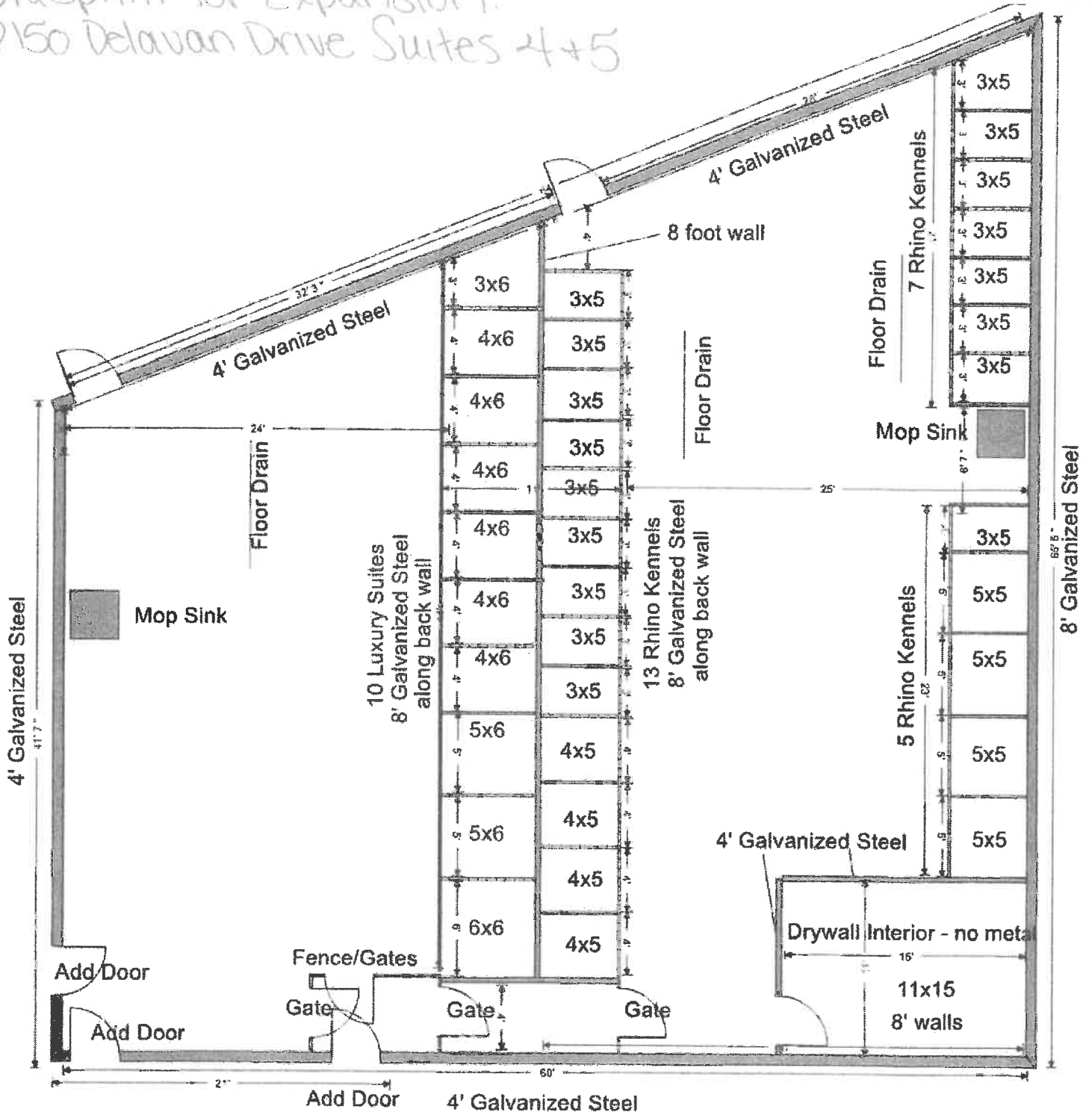
THIS MAP IS NOT TO BE USED FOR NAVIGATION

424.6 Feet

0 212.32 424.6 Feet

Blueprint for Expansion.
2150 Delavan Drive Suites 4+5

ATTACHMENT B




September 4, 2020

Brian Portz
City of West Des Moines
4200 Mills Civic Parkway
Suite D
West Des Moines, IA 50265

To whom it may concern:

Canine Country Club Outdoor Cleaning Standard Operating Procedures:

- All feces must be picked up within 10 seconds of elimination and disposed of in the provided outdoor trash. It is a violation of procedure and a disciplinary offense to not collect feces as soon as it's eliminated. We take this very seriously as to maintain a clean and safe environment for the dogs.
- Trash shall be dumped a minimum of once per day. We dump the trash at the end of both morning and afternoon shifts if needed. If not needed twice, the evening cleaning person is responsible for emptying the trash in the designated area.
- Cleaning Procedures
 - We alternate between 2 different kinds of cleaner to ensure germs and bacteria don't build up an immunity to the disinfectants
 - The first product we use is called an Aqueous Ozone Machine. It's a machine that turns regular tap water into ozone (O3). Ozone is one of the most effective disinfectants, cleaners, deodorizers, antibacterials, antifungals and more. It's entirely environmentally safe and completely green, as it's only tap water being used. When the ozone hits the surface of something, it eliminates whatever is on the surface and turns it back into water. In fact, it's safe enough that we bathe dogs with it because it cleans and eliminates odor so effectively.
 - The second product we use to clean outdoors is Top Performance 256. It's a kennel cleaner, disinfectant and deodorizer. We spray the yard down with this and it sanitizes the rock and fence.
 - The yard is cleaned according to season. During the spring, summer and fall, the yard is disinfected and cleaned at least three times per week. In the winter, the yard is cleaned any day the temperature is over freezing. It's too dangerous for the safety of employees and dogs to spray water outside when the temperature is below freezing. We take safety very seriously and don't want a staff member or dog slipping and injuring themselves on ice.
- Our outdoor fence is also water sealed to prevent any odor from dog's urination
- At Canine Country Club we take cleaning very seriously. Our clients expect the facility to always be spotless and odorless. We make every effort to ensure this and receive compliments often on our tours that our facility doesn't smell like dog, urine or feces at all, both indoors and out.
- We are highly diligent in our cleaning practices and that's why we made the large investment into the Aqueous Ozone Machine. We strive to be as clean and environmentally respectful as possible.


Karissa Schreurs, MBA
Canine Country Club, Owner & President

Prepared by: B. Portz West Des Moines 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-2020-10

A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF WEST DES MOINES, APPROVING A PERMITTED CONDITIONAL USE PERMIT (PC-004817-2020) TO ALLOW EXPANSION OF THE EXISTING CANINE COUNTRY CLUB LOCATED AT 2150 DELAVAN DRIVE

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, KMS Enterprises, d/b/a Canine Country Club, in association with the property owner, Next Phase Development, LLC, has requested approval of a Permitted Conditional Use permit to expand the existing Canine Country Club located at 2150 Delavan Drive, and legally described as follows:

Legal Description of Property

LOT 2, DELAVAN PLAT 2, 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 September 16, 2020, the Board of Adjustment held a duly-noticed public hearing to consider the application for Permitted Conditional Use Permit (PC-004817-2020);

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

SECTION 1. The findings, for approval, in the staff report, dated September 16, 2020, or as amended orally at the Board of Adjustment hearing of September 16, 2020, are adopted.

SECTION 2. PERMITTED CONDITIONAL USE PERMIT (PC-004817-2020) is approved, subject to compliance with all the conditions in the staff report, dated September 16, 2020, including conditions added at the Hearing, and attached hereto as Exhibit "A", if any. 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 September 16, 2020

Angie Pfannkuch, Chairperson
Board of Adjustment

ATTEST:

Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Board of Adjustment for the City of West Des Moines, Iowa, at a regular meeting held on September 16, 2020, by the following vote:

AYES:
NAYS:
ABSTAIN:
ABSENT:

ATTEST:

Recording Secretary

Exhibit A
CONDITIONS OF APPROVAL

1. The applicant providing building plans demonstrating compliance with Section 9-10-4 of City Code and obtaining appropriate Building Permits prior to initiating any site improvements.