

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

Meeting Date: January 4, 2021

Item: Second Home Pet Care, 820 1st Street – Permitted Conditional Use to allow a doggie daycare and boarding use – First Street, LP – PC-004954-2020

Requested Action: Approval of a Permitted Conditional Use Permit

Case Advisor: Brian S. Portz, AICP

Applicant's Request: The applicant, Second Home, LLC, d/b/a Second Home Pet Care, in association with the property owner, First Street, LP, is requesting approval of a Permitted Conditional Use Permit (PC) land use review to allow a 5,000 sq. ft. doggie daycare with overnight boarding facility, into the existing building located at 820 1st Street. The applicant is proposing to renovate the interior of the existing building to accommodate the use.

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

History: This property is part of the 1st Street Redevelopment PUD which was approved in November of 2015. A Master Plan for the redevelopment of the property was approved by the City Council on October 5, 2015. The site plan for the construction of this building was approved in August of 2016.

City Council Subcommittee: This item was presented to the Development and Planning City Council Subcommittee on December 7, 2020 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 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. The regulations also require the user to provide a maintenance schedule for cleaning and removal of animal waste. The applicant has indicated that dogs will be walked to relieve themselves, the waste will be picked up and then deposited into an outdoor waste bin on site. Attached is the maintenance schedule for 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 December 18, 2020, notice of the January 6, 2021 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 December 17, 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 allow a 5,000 sq. ft. doggie daycare and overnight boarding business at 820 1st Street, subject to the applicant meeting all City Code requirements.

Property Owner: First Street, LP
C/O DML Management
14034 Ridgemont Drive
Urbandale, IA 50323
chad@mandelbaumproperties.com

Applicant: Second Home, LLC
1813 Bennett Drive, Apt. 82
West Des Moines, IA 50265
lindsayblaverty@gmail.com

ATTACHMENTS:

- Attachment A - Location Map
- Attachment B - Building Floor Plan
- Attachment C - Maintenance Schedule
- Attachment D - Board of Adjustment Resolution
- Exhibit A - Conditions of Approval



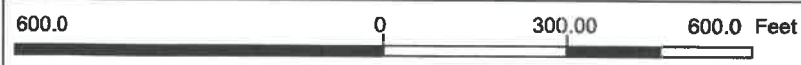
Location Map



Legend

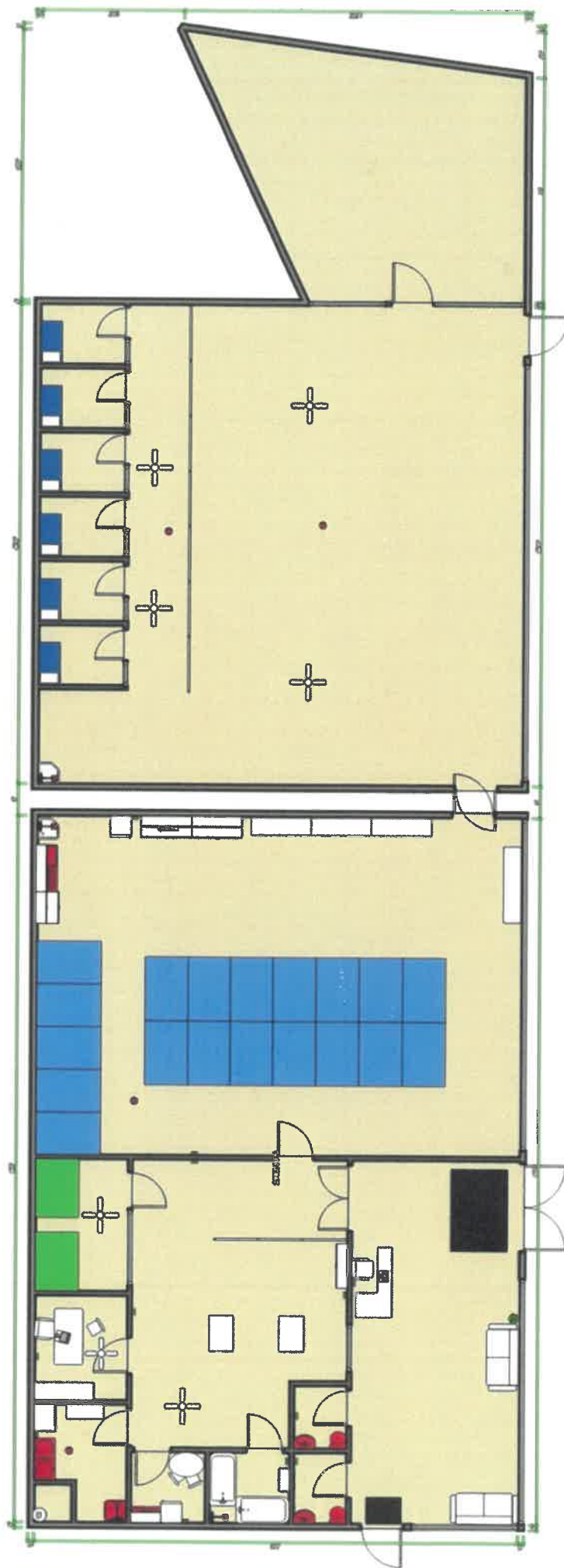
- Addresses
- Corporate Limits
- Parcels

1:3,600



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

ATTACHMENT B



Dog Walking/Waste

Dogs will be walked by one worker at a time, three times a day. Each worker will have a lead attached to their waist with the end attached to the dog leash to secure each dog. The worker will carry a scooper with them on the walk and pickup any waste the dog creates. Outside of the building away from the public will be a waste bin to collect any waste for that shift. At the end of every shift the waste in the bin will be bagged and disposed of in the public trash bin (three times a day). Every shift a worker will walk around the building to clean up any waste around the building as well.

- Shifts for dog walking and waste removal are 6am-11am. 2pm-5pm. 7pm-9pm.
- Waste will be picked up immediately by a scooper and disposed of.
- The waste bin will be outside and emptied three times a day.

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-2021-01

A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF WEST DES MOINES, APPROVING A PERMITTED CONDITIONAL USE PERMIT (PC-004954-2020) TO ALLOW A DOGGIE DAYCARE WITH OVERNIGHT BOARDING AT 820 1ST STREET

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Second Home, LLC, d/b/a Second Home Pet Care, in association with the property owner, First Street, LP, has requested approval of a Permitted Conditional Use permit to allow a 5,000 sq. ft. doggie daycare with overnight boarding at 820 1st Street, and legally described as follows:

Legal Description of Property

LOT 5, VAL-GATE, 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; and

WHEREAS, on January 6, 2021, the Board of Adjustment held a duly-noticed public hearing to consider the application for Permitted Conditional Use Permit (PC-004954-2020).

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 January 6, 2021, or as amended orally at the Board of Adjustment hearing of January 6, 2021, are adopted.

SECTION 2. PERMITTED CONDITIONAL USE PERMIT (PC-004954-2020) is approved, subject to compliance with all the conditions in the staff report, dated January 6, 2021, 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 January 6, 2021.

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 January 6, 2021, by the following vote:

AYES:
NAYS:
ABSTAIN:
ABSENT:

ATTEST:

Recording Secretary

Exhibit A
CONDITIONS OF APPROVAL

1. No conditions of approval.