

**BOARD OF ADJUSTMENT MEETING MINUTES**

BOA\_AF\_07-21-2021

Chairperson Stevens called to order the July 21, 2021, regularly scheduled meeting of the Board of Adjustment at 5:30 p.m. in Council Chambers, West Des Moines City Hall, located at 4200 Mills Civic Parkway, in West Des Moines, Iowa, and electronically through Zoom.

Roll Call: Blaser, Christiansen, Cunningham, Stevens.....Present  
Pfannkuch.....Absent

**Item 1 – Consent Agenda**

**Item 1a – Minutes of July 7, 2021**

Chairperson Stevens asked for any corrections to the meeting minutes of July 7, 2021. Hearing none, Chair Stevens declared the minutes approved as presented.

**Item 2 – Old Business**

There were no Old Business items.

**Item 3 – Public Hearings**

**Item 3a – Element Hotel Daycare, 575 S Prairie View Drive – Permitted Conditional Use Permit – Silverwest I WDM LLC – PC-005233-2021**

Chairperson Stevens opened the public hearing and asked the Recording Secretary to state when the public hearing notice was published. The Recording Secretary stated that the notice was published on July 6, 2021, in the Des Moines Register.

Moved by Board Member Blaser, 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, Christiansen, Cunningham, Stevens .....Yes  
Pfannkuch.....Absent

Motion carried.

Amanda Sampino, General Manager of Element Hotel, 575 S Prairie View Drive, presented the proposal to allow a childcare center at the Element Hotel. She informed that the site was previously planned for retail use, however it was reconfigured for a meeting room. During the past year, it was decided that a better use for the space would be to provide onsite childcare service for staff and for outside people needing daycare services. Ms. Sampino stated they anticipate limiting size of service to 12 children, with about half taken up by children of employees.

Board Member Cunningham asked whether the applicant was aware that the Board’s approval for the use was separate from any state requirements for child-care licensing and would not authorize the daycare business itself. Ms. Sampino responded that they were aware and had begun the process with DHS prior to applying for the use permit. She informed that the hotel will not be running the childcare center but will sublease the space to a provider.

**BOARD OF ADJUSTMENT MEETING MINUTES**

Chairperson Stevens asked for any other questions or comments from the audience and upon hearing none, declared the public hearing item closed.

Bryce Johnson, Development Services Planner, presented aerial drawings and sketches of the site, noting access to the hotel from different sides of the building, including one through the childcare play area. He noted that he believes the outdoor furniture will remain. Code does not stipulate number of children to be served based on approval of use, however code does require an outdoor play space of 1000sf for a group of 12 children. Planner Johnson informed that the Hotel proposes an exterior play area of 2250sf, which exceeds the requirement.

Ms. Sampino added that access through the childcare area would be limited to childcare staff during childcare hours. Patio furniture currently located within the outdoor space could be utilized by childcare staff or easily removed.

Chairperson Stevens asked for continued discussion or a motion and a second for this item.

Moved by Board Member Blaser, seconded by Board Member Cunningham, the Board of Adjustment adopted a resolution to approve the conditional use permit.

Vote: Blaser, Christiansen, Cunningham, Stevens .....Yes  
Pfannkuch.....Absent  
Motion carried.

**Item 4 – New Business**

There were no New Business items.

**Item 5 – Staff Reports**

It was noted that the next meeting will be held on August 4. Chair Stevens informed that she would be absent from this meeting.

**Item 6 – Adjournment**

Chairperson Stevens asked for a motion to adjourn the meeting.

Moved by Board Member Blaser, seconded by Board Member Cunningham, the Board of Adjustment meeting adjourned at 5:42 PM.

\_\_\_\_\_  
Michele Stevens, Chairperson

\_\_\_\_\_  
Jennifer Canaday, Recording Secretary