

## CITY OF WEST DES MOINES STAFF REPORT COMMUNICATION

**Meeting Date:** June 1, 2022

**ITEM:** Champion's Hideaway, 315 5<sup>th</sup> Street, Suite 180 – Approval to establish Permitted Conditional Use to operate a 1,316-square foot bar – Cory Sharp – PC-005614-2022

**RESOLUTION:** Approval to Establish Land Use

**Background:** Cory Sharp with FEH Design, on behalf of the applicant, Brett Champion, and property owner, Taxium LLC, request approval of a Permitted Conditional Use (Pc) for that property located at 315 5<sup>th</sup> Street. Specifically, the applicant requests to operate a bar without food in a 1,316 square foot tenant suite located in the southeast corner on the ground level of the existing building. It is important to note that any expansion of this use in the future will require the expanded use area be approved by the Board of Adjustment.

### **Staff Review & Comment:**

- ***History:*** A site plan was approved by City Council in December 2022 for the existing building (SP-004778-2020) where the proposed bar is requesting to operate. To date, there are several outstanding inspection items that the property owner must resolve prior to the city issuing a final Certificate of Occupancy (CO), which is required before the general public can enter the building. The applicant has acknowledged the outstanding items and is working with the property owner to ensure they are addressed. This is important to note because the applicant's Pc request is strictly for the desired land use at this location and cannot open to the general public until a Certificate of Occupancy is issued for this tenant suite.
- ***Traffic Analysis Findings:*** A Traffic Impact Study for the proposed bar land use was not required.
- ***Staff Concerns:*** There was an outdoor patio area originally proposed for this development but has since been removed due to inability to comply with accessibility requirements.

**Recommendation:** Approve the Permitted Conditional Use request, subject to the applicant meeting all City Code requirements, and the following conditions of approval:

1. The applicant receiving approval from the Des Moines Wastewater Reclamation Authority for the connection to the existing grease interceptor prior to the issuance of any building permit.
2. The property owner must address all outstanding inspection items to receive a final Certificate of Occupancy prior to the bar opening.

**Lead Staff Member:** Bryce Johnson

**Approval Meeting Date:**

Board of Adjustment	June 1, 2022
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**Staff Report Reviews:**

<input checked="" type="checkbox"/> Development Coordinator (or) <input type="checkbox"/> Director <input type="checkbox"/> Legal Department
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**Publications (if applicable)**

Published In:	Des Moines Register Community Section
Date(s) Published	5/18/22
Date(s) of Mailed Notices	5/18/22

**Council Subcommittee Review (if applicable)**

Subcommittee	Development & Planning
Date Reviewed	Not Applicable
Recommendation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Split <input checked="" type="checkbox"/> No Discussion

# Location Map



**Legend**

-  Subject Property
-  City Limits



## 315 5th Street Site Location Map



*\* For illustrative purposes only. The City of West Des Moines claims no responsibility for its correctness or content accuracy.*

Prepared by: Bryce Johnson, City of West Des Moines Development Services Dept., 515-222-3620  
When Recorded, Development Services, City of West Des Moines, PO Box 65320, West Des Moines, IA  
Return to: 50265-0320

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**RESOLUTION NO. BOA-2022-07**

**A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF WEST DES MOINES, APPROVING A PERMITTED CONDITIONAL USE PERMIT TO ALLOW THE OPERATION OF A 1,316 SQUARE FOOT BAR**

**WHEREAS**, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant, Brett Champion, and property owner, Taxium LLC, request approval of a Permitted Conditional Use permit for that property located at 315 5<sup>th</sup> Street, Suite 180 and legally described in attached Exhibit 'B'. The applicant is requesting approval allowing the operation of a 1,316-square foot bar; and

**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**, the request complies with applicable findings and provisions of Title 9, the Comprehensive Plan and City Code; and

**WHEREAS**, on this day this Board of Adjustment held a duly noticed Public Hearing to consider the Permitted Conditional Use permit application.

**NOW, THEREFORE**, The Board of Adjustment hereby approves the Permitted Conditional Use permit (PC-005614-2022) subject to compliance with all the conditions in the staff report, dated June 1, 2022, including conditions added at the meeting, and attached hereto as Exhibit "A". Violation(s) of any such condition(s) shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

**PASSED AND ADOPTED** on June 1, 2022.

\_\_\_\_\_  
Michele Stevens, Chairperson  
Board of Adjustment

ATTEST:

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Board of Adjustment of the City of West Des Moines, Iowa, at a regular meeting held on June 1, 2022, by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

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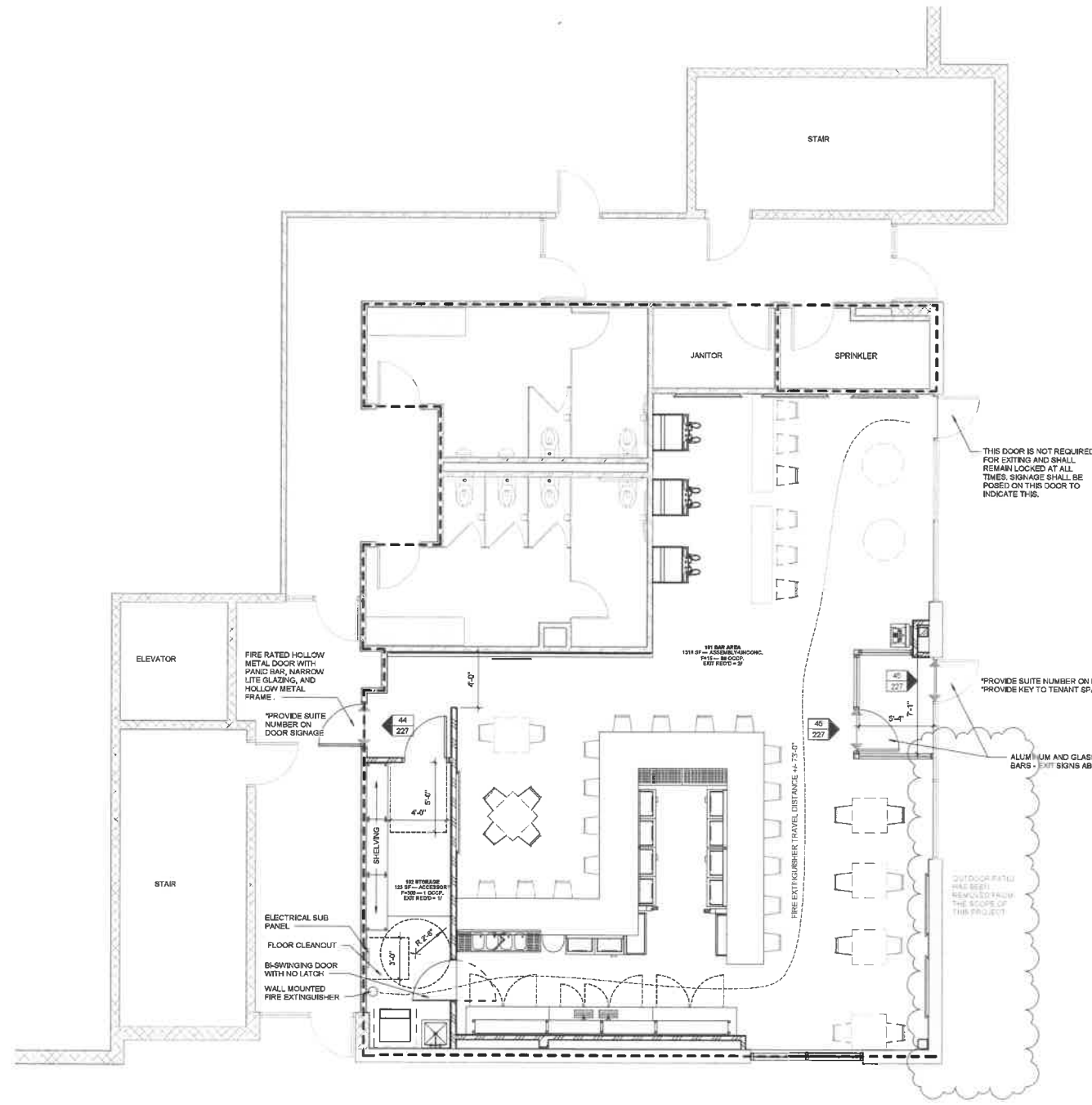
Recording Secretary

**Exhibit A: Conditions of Approval**

1. The applicant receiving approval from the Des Moines Wastewater Reclamation Authority for the connection to the existing grease interceptor prior to the issuance of any building permit.
2. The property owner must address all outstanding inspection items to receive a final Certificate of Occupancy prior to the bar opening.

**Exhibit B: Legal Description**

LOTS 12 AND 13 BLOCK 18 IN THE FIRST ADDITION TO VALLEY JUNCTION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA.



1 BUILDING CODE PLAN - MAIN LEVEL  
SCALE: 1/4" = 1'-0"

OCCUPANCY LOAD SCHEDULE					
NUMBER	NAME	FUNCTION OF SPACE	AREA	OCCUPANT LOAD FACTOR	OCCUPANT LOAD
101	BAR AREA	ASSEMBLY - UNCONC.	1316 SF	15	88
102	STORAGE	ACCESSORY	123 SF	300	1
			1439 SF		89
	PATIO	ASSEMBLY - UNCONC.	120 SF	15	8
		TOTAL	1561 SF (NET)		97

CODE PLAN LEGEND

- ROOM TAG**  
ROOM NUMBER ROOM NAME  
AREA (SF) — FUNCTION OF SPACE PER TABLE 1004.1.2  
OCCUPANT LOAD FACTOR — OCCUPANT LOAD  
EXITS REQUIRED — EXITS PROVIDED
- DOOR TAG**  
ASSIGNED OCCUPANT LOAD ON THE CORRIDOR  
ALLOWED OCCUPANT LOAD ON THE CORRIDOR  
CLEAR CORRIDOR WIDTH

FIRE SEPARATION LEGEND

- 1 HOUR FIRE BARRIER (60M DOORS, 60M WINDOW ASSEMBLY @ INCIDENTAL USE AND MIXED USE OCCUPANCY SEPARATION)

CODE INFORMATION

**PROJECT DESCRIPTION:**  
TENANT SPACE BUILD-OUT OF A NEWLY CONSTRUCTED BUILDING. NEW TENANT SPACE SHALL INCLUDE A NEW BAR ESTABLISHMENT WITH AN ASSIGNMENT OF SEATING, NECESSARY BAR APPLIANCES, STORAGE, AND OTHER ASSOCIATED AREAS.

- APPLICABLE CODES:**
- 2014 - INTERNATIONAL BUILDING CODE
  - 2021 - INTERNATIONAL MECHANICAL CODE
  - 2021 - INTERNATIONAL PLUMBING CODE
  - 2015 - INTERNATIONAL FUEL GAS CODE
  - 2012 - INTERNATIONAL ENERGY CODE
  - 2015 - INTERNATIONAL EXISTING BUILDING CODE
  - 2020 - NATIONAL ELECTRICAL CODE
  - 2018 - INTERNATIONAL FIRE CODE
  - 2010 - ADAS

**OCCUPANCY TYPE (CHAPTER 3)**  
TYPE A-2 OCCUPANCY

**BUILDING HEIGHTS AND AREAS (CHAPTER 6)**

**PROPOSED BUILDING**  
1,350 GROSS SQ. FT., INDOOR  
132 PATIO  
TOTAL: 1,500 SF

**TYPES OF CONSTRUCTION (CHAPTER 8)**  
TYPE I-B CONSTRUCTION

**FIRE-RESISTANCE RATING REQUIREMENTS FOR BUILDING ELEMENTS (TABLE 601)**  
NONBEARING WALLS AND PARTITIONS - INTERIOR — 1 HOUR AS INDICATED ON PLANS

**FIRE PROTECTION SYSTEMS (CHAPTER 9)**

- FIRE ALARM — REQUIRED-PROVIDED
- FIRE ALARM CONTROL PANEL — REQUIRED-PROVIDED
- REMOTE ANNUNCIATOR PANEL — REQUIRED-PROVIDED
- SMOKE DETECTION — REQUIRED-PROVIDED
- HEAT DETECTION — REQUIRED-PROVIDED
- SUPPRESSION - AUTOMATIC SPRINKLER — REQUIRED-PROVIDED / NOT REQUIRED-NOT PROVIDED
- FIRE EXTINGUISHERS — REQUIRED-PROVIDED PER NFPA 10

**MEANS OF EGRESS (CHAPTER 10)**

- 1004 DESIGN OCCUPANT LOADS  
TOTAL OCCUPANTS 89
- 1005.1 EGRESS WIDTH  
MEANS OF EGRESS CAPACITY FACTOR = .15 INCH (1005.3.2) / TOTAL EXIT WIDTH = 14 INCHES
- 1008 MEANS OF EGRESS ILLUMINATION  
TO BE ILLUMINATED ALL TIMES (1008.2)
- 1002.1 ACCESSIBLE MEANS OF EGRESS  
2 MEANS OF EGRESS REQUIRED AND PROVIDED
- 1010.1.1 WIDTH OF DOORS  
MINIMUM CLEAR WIDTH OF 32 INCHES
- 1010.1.2.1 DOOR SWING  
SWING IN THE DIRECTION OF EGRESS TRAVEL (50 OR MORE OCCUPANT LOAD)
- 1013.1 EXIT SIGNS  
NO MORE THAN 100 FEET VIEWING DISTANCE
- 1013.5, 1013.6 EXIT SIGN ILLUMINATION  
EXIT SIGNS SHOULD BE INTERNALLY OR EXTERNALLY ILLUMINATED
- 1017.2 EXIT ACCESS TRAVEL DISTANCE (TABLE 1017.2)  
250 FEET WITH SPRINKLER
- 1022 EXITS  
AS SHOWN ON THE PLAN
- 1026.1 EXIT DISCHARGE  
EXITS SHALL DISCHARGE DIRECTLY TO THE EXTERIOR OF THE BUILDING

**ROOF ASSEMBLIES AND ROOFTOP STRUCTURES (CHAPTER 15)**

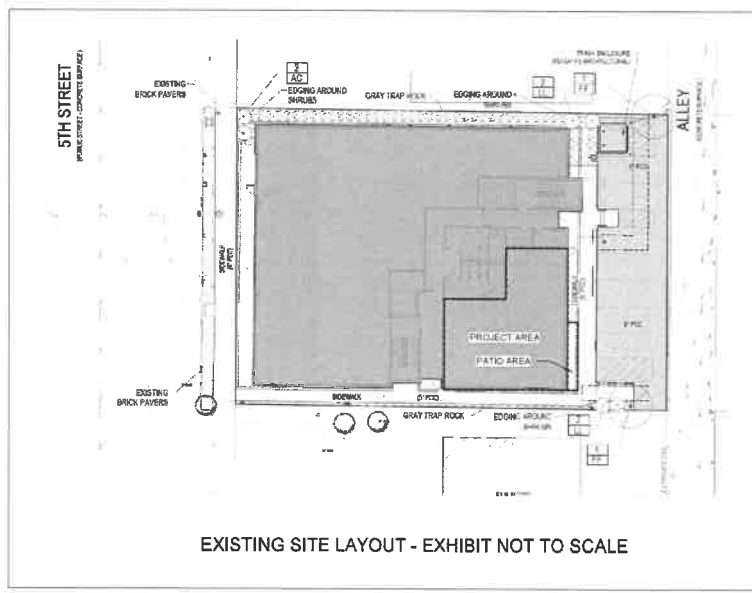
1505.1 FIRE CLASSIFICATION (TABLE 1505.1)  
MINIMUM ROOF COVERING CLASSIFICATION

**PLUMBING SYSTEMS (CHAPTER 28)**

MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES (TABLE 2802.1)  
PLUMBING FIXTURES PROVIDED ARE PART OF THE SHARED BUILDING SPACE AND ARE ASSUMED TO MEET QUANTITY REQUIREMENTS WHEN SUMMIZED WITH OTHER MAN LEVEL BUILDING SPACES

**2010 ADA STANDARDS FOR ACCESSIBLE DESIGN**

203 PARKING SPACES  
REQUIRED PARKING PROVIDED ARE PART OF THE SHARED BUILDING SPACE AND ARE ASSUMED TO MEET QUANTITY REQUIREMENTS WHEN SUMMIZED WITH OTHER BUILDING SPACES



EXISTING SITE LAYOUT - EXHIBIT NOT TO SCALE



I HEREBY CERTIFY THAT THE FORFEIT OF THIS TECHNICAL REGISTRATION...  
SIGNATURE: Cory W. Sharp, A.I.A.  
DATE: 2/27/2022  
PROJECT NUMBER: 2022207



DES MOINES, IA  
SIoux CITY, IA

PROJECT TITLE: BRETT CHAMPION  
BUILDING CODE PLAN

CHAMPION'S HIDEAWAY  
315 5TH STREET  
WEST DES MOINES, IOWA 50265

DATE ISSUED: 4-27-2022  
REV. NO. 1  
PROJECT NUMBER: 2022207  
SHEET: AG1.2

PLANS INCLUDED ARE FOR ILLUSTRATIVE PURPOSES ONLY - APPROVED PLANS ON FILE WITH THE CITY