

BOARD OF ADJUSTMENT MEETING MINUTES

BOA_AF_10-16-2024

Chairperson Cunningham called to order the October 16, 2024, 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: Cunningham, Davis, Stevens.....Present
Blaser, Pfannkuch.....Absent

Item 1 – Consent Agenda

Item 1a – Minutes of October 2, 2024

Chairperson Cunningham asked for any corrections to the meeting minutes of October 2, 2024. Hearing none, Chair Cunningham declared the minutes approved as presented.

Item 2 – Old Business

There were no Old Business items.

Item 3 – Public Hearings

Item 3a – Urgent Vet Clinic, 5045 Bentley Drive Suite 160 – Approval to establish an animal services use – AVG of Iowa, LLC – PC-006608-2024

Chairperson Cunningham 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 October 4, 2024, in the Des Moines Register.

Moved by Board Member Stevens, seconded by Board Member Davis, the Board of Adjustment accepted and made a part of the record all testimony and documents received at this public hearing.

Vote: Cunningham, Davis, Stevens.....Yes
Blaser, Pfannkuch.....Absent

Motion carried.

Chris Smith, 4301 Anchor Plaza Parkway, Tampa, Florida, presented the request to allow animal services use at 5045 Bentley Drive. He explained that an Urgent Vet Clinic is similar to Urgent Care for humans, providing after hours diagnosis, but transferring Emergency cases to an Emergency Animal Hospital for life-threatening situations. The brand is 8 years old and will be opening their 100th clinic by the end of this year. The business is open 365 days per year. Hours of operation on Weekdays are 3 PM to 11 PM, Weekends 10 AM to 8 PM, Holidays 12 PM to 8 PM. Veterinary practices and hospitals are open 24 hours per day. The clinic does not offer boarding or grooming services. Diagnostic services provided treat pets for minor injuries or illnesses.

Chair Cunningham noted that there are certain regulations for sound proofing and ventilation. He asked if Mr. Smith was good with those requirements. Mr. Smith stated he was.

BOARD OF ADJUSTMENT MEETING MINUTES

Board Member Stevens noted there is no provision for management of outdoor waste, adding the close proximity of three restaurants. She asked if they have considered installing an outdoor pet waste station. Mr. Smith replied that they would be agreeable to providing some accommodation, similar to what is provided in a dog park, adding that they have done so at other locations, including using astroturf.

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

Kara Tragesser, Development Services Planner, stated she had nothing to add. She noted the analysis done on permitted conditional use requests, informing that Staff support the project, and that the applicant is satisfying the requirements for the use. Regarding the provision for managing outdoor waste, this had not been discussed as it is not required, and Staff would not want a dedicated outdoor run area with fence as there is a residential area behind the building. A little waystation would be ok if the applicant wanted to provide it, or if the Board wanted to require it.

Chair Cunningham commented that the facility does not provide boarding, and so did not need a run. He asked if the condition was something the Board could attach.

Planning Administrator Linda Schemmel responded that the Board could add a condition because they're mitigating impact. Staff would ask that the applicant submit a pet waste plan, as prior to the building permit. The City has had other pet services that if the pet needs to eliminate, they may take care of it inside.

Board Member Stevens mentioned reviewing a request by the vet clinic in Petco w which provides grooming, but she's not sure if they have a run. Chair Cunningham confirmed that they do have a run in the back.

Board Member Stevens stated if the Board wanted to add that condition, she was ok with approving the use.

Chair Cunningham questioned whether City Code doesn't require the submission of a pet waste plan as part of the use approval. Planning Administrator Schemmel commented that she would have to review that part of the Code, but it might be part of the section about HVAC.

Board Member Stevens questioned whether they have enough parking. She added that IHOP is typically busier at breakfast and lunch. Planner Tragesser noted that they also serve dinner, and that Wasabi and the ice cream shop will be open. Atletico closes for the evening. There is adequate parking available; parking on the west side would be available, and typically the parking facing 50th Street is not being used. She added that the Vet clinic is not going to be a big traffic generator.

Board Member Stevens stated she assumed the parking was looked at when the addition went on. Planner Tragesser stated that the traffic study was done on the original site plan, which included addition as a second phase.

Chair Cunningham stated that was in 2017. Planner Tragesser agreed. Board Member Stevens added that the Code has changed since then, but they're out of land. Ms. Tragesser agreed.

Board Member Davis asked how many parking spaces are there for the employees. Planner Tragesser replied that it's calculated based on square footage area.

BOARD OF ADJUSTMENT MEETING MINUTES

Board Member Davis asked how many people will be employed at this business during the day. Mr. Smith stated it depends on the size of the practice; typically, there will be one full time Doctor of Veterinary Medicine, with five to seven techs, however not everyone will be there every day, as they are open seven days a week.

Board Member Stevens commented that with online registration, it would not be a long wait. Mr. Smith replied that typical door in/door out is projected to be 48 minutes, defining a booming patient load as 25 patients per day.

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

Moved by Board Member Stevens to adopt the resolution for approval adding the condition that a pet waste plan be submitted to Staff for approval. Motion was seconded by Board Member Davis. Ms. Stevens added that the Board did not need to review the proposed waste management plan.

Vote: Cunningham, Davis, StevensYes
Blaser, Pfannkuch.....Absent
Motion carried.

Item 4 – New Business

There were no New Business items.

Item 5 – Staff Reports

There were no staff reports. The next meeting date will be November 6, 2024.

Item 6 – Adjournment

Chairperson Cunningham asked for a motion to adjourn the meeting.

Moved by Board Member Davis, seconded by Board Member Stevens, the Board of Adjustment meeting adjourned at 5:48 PM.

Thomas M. Cunningham, Chair

Jennifer Canaday, Recording Secretary