

Board of Adjustment
Minutes
August 09, 2022

The meeting was called to order at 5:14 p.m. by Lori Boren. Those in attendance: were Board members Roch Player, Mark Andresen, Terry Elam, and Lori Boren. Absent: Jonathon Brinson. Also in attendance: City Planner, Laura Eckles; and applicant, Krisandra Lippert. Members of the public in attendance: Mayor, Thomas M. Wieseler; resident, Keith Huebner.

1. **Approval of Agenda.** Motion made by Elam, seconded by Andresen to approve agenda. Carried all. Brinson absent.
2. **Approval of Minutes from June 07, 2022.** Motion made by Andresen, seconded by Elam to approve minutes. Carried all. Brinson absent.
3. **Public hearing, discussion, and possible action on the request for a conditional use permit for a drive-thru facility at 210 Business 30 SW, Mount Vernon, IA 52314.** Eckles explained that the applicant is requesting a conditional use permit for a drive-thru facility at 210 Business 30 SW, Mount Vernon, IA. The applicant has filed the environmental covenant for the site and has received city staff, planning and zoning, and city council approval of the site plan. There were concerns voiced by board members about traffic flow regarding the access on Highway 1 being in close proximity to the roundabout. Huebner wanted to know why the project is happening now when he had asked in 2019 and was turned down due to Mount Vernon’s population. Lippert responded to Huebner that this was before her time with Scooter’s so she could not speak as to why his request was denied. Lippert did also explain that there has been a lot of financial and time investment in this project, especially with the environmental portion of the site. Huebner is asking that the board not approve the conditional use permit for this site. Board members have safety and traffic concerns with the entrance on Highway 1. Player asked Eckles if the city engineer had reviewed the site plan and Eckles confirmed that the city engineer and city staff has reviewed the site plan and it has been approved. Board members stated that the site plan needs to be reviewed again by the city engineer to look at traffic impacts and the Iowa Department of Transportation (DOT). The board proceeded to review the following Table 13-1 Criterion:

| Table 13-1 Criterion | Not Relevant | Relevant and proposed use complies | Relevant and proposed use can’t comply | Relevant and proposed use can comply with conditions (see below) |
|-------------------------------------------|--------------|------------------------------------|----------------------------------------|------------------------------------------------------------------|
| Land Use Compatibility | | X | | |
| Height and Scale (3 criteria) | | X | | |
| Site Development (4 criteria) | | | | X |
| Operating Characteristics (4 criteria) | | | | X |
| Public Facilities (4 criteria) | | X | | |

(Mark the appropriate finding)

The Board Members have reviewed Table 13-1 Criterion for Conditional Use Permits and find that:

- the proposed conditional use of the property satisfies all relevant criteria in Table 13-1.
- the proposed conditional use of the property does not satisfy one or more of the relevant criteria in Table 13-1 and cannot be modified to comply with the criteria.
- the proposed conditional use of the property does not satisfy one or more of the relevant criteria in Table 13-1, but the Board Members find that the use can be permitted subject to the following special site development or operational requirements:

Conditions imposed to meet Table 13-1 Site Development or Operational Criterion:

Applicant to meet with city engineer and confirm traffic impact to Highway 1 meets state and local requirements for safety and traffic interaction with Highway 1 and roundabout. The board of adjustment recommends considering at least a right in- right out traffic control and meets all other Iowa DOT and local traffic requirements.

Andresen made a motion to approve the request for a conditional use permit for the drive-thru facility for Scooter's Coffee, 210 Business 30 SW, Mount Vernon, IA 52314. Seconded by Elam. Voting yes: Player, Andresen, and Elam. Voting no: Boren. Absent: Brinson. Motion carries. Conditional use permit approved with conditions.

The meeting adjourned at 6:34 p.m. on August 09, 2022

Respectfully submitted,
Laura Eckles
City Planner I