

**MINUTES OF THE REGULAR MEETING OF
THE ZONING BOARD OF ADJUSTMENT**

AMES, IOWA

June 26, 2019

The Ames Zoning Board of Adjustment met, pursuant to law, in regular session at 6:00 p.m. on June 26, 2019, in the Council Chambers of City Hall with the following members present: Ronald Schappaugh, Kyle Perkins, Amelia Schoeneman, and Rob Bowers. Aladdin Al Katheri was not present. Assistant City Attorney Vicki Feilmeyer and City Planner Ray Anderson were also present.

APPROVAL OF MINUTES: Board Member Schoeneman noted corrections to the minutes on Case No. 19-01, the applicant's name Hulstrum should be changed to Hulstrom. Also, in Case 19-01, note that the Findings of Fact were reviewed to discuss and accept how the proposed changes and conditions still met the Findings of Fact. Lastly, in Case No. 19-02, the motion was made by Bowers rather than Bradbury. Moved by Perkins, seconded by Schappaugh, to approve the minutes from May 22, 2019, as amended.

Vote on Motion: 4-0. Motion declared carried unanimously.

CASE NO. 19-05

**SPECIAL USE PERMIT – NYLE NIMS, CYCLE FORCE GROUP LLC, 2105 SE 5TH ST
Public Hearing on application for a Special Use Permit to allow Retail Bicycle Sales Use at
2105 S.E. 5th Street that exceeds the maximum of 3,000 square feet of floor area allowed for
“Retail Sales and Service-General” in a General Industrial Zone**

City Planner Ray Anderson introduced the request and reviewed the site plan, project description, applicable law, and Findings of Fact and Conclusions.

Mr. Anderson stated that Nyle Nims is the property and business owner of Bicycle Plus at 411 Kellogg Avenue, and Cycle Force Group, LLC at 2105 S.E. 5th Street. Bicycle Plus is a retail outlet for bicycles from Cycle Force Group, LLC. At this time, Mr. Nims seeks to relocate Bicycle Plus to the building at 2105 S.E. 5th Street, and to use approximately 6,500 square feet of floor area, on the second floor of the building above the office space, for the retail outlet in the new location. Bicycle Plus currently occupies approximately 4,563 square feet of floor area at 411 Kellogg Avenue.

The current location for Bicycle Plus is in the DSC (Downtown Service Center) zone, which is intended primarily for retail sales and service, restaurants, entertainment, and office uses. The proposed location, at 2105 S.E. 5th Street, is in the GI (General Industrial) zone, which is primarily for industrial uses, but allows “Retail Sales and Service – General” uses, at a maximum of 3,000 square feet of floor area. The granting of a Special Use Permit, by the Zoning Board of Adjustment, allows a retail use to exceed the limit of 3,000 square feet.

The approved site plan for 2105 S.E. 5th Street shows a building that includes 73,599 square feet

of warehouse space, and 2,900 square feet of office space. There are 47 parking spaces constructed on the site. A retail use requires 1 space for every 300 square feet of floor area. The proposed retail space would replace 6,500 square feet of warehouse with retail. The total number of parking spaces required would be 45 spaces. Since there are 47 spaces existing on the site, no additional spaces would be required to accommodate the proposed retail use.

Planner Anderson reviewed the Findings of Fact and Conclusions.

Notification was made to all owners of property within 200 feet. A notice of public hearing was placed on the property and published in the newspaper. As of this writing, no comments have been received.

Based upon the Findings of Fact and Conclusions, it is the recommendation of the Department of Planning and Housing that the Zoning Board of Adjustment act in accordance with Alternative #1. This is to approve a Special Use Permit for the operation of a retail bicycle sales use at 2105 S.E. 5th Street, that includes approximately 6,500 square feet of floor area, by adopting the Findings of Fact and Conclusions noted in the staff report.

Nyle Nims, 2105 SE 5th Street, Ames, was sworn in and testified under oath. Mr. Nims stated that his family has owned Cycle Force on SE 5th Street for over 40 years. Cycle Force is hoping to be a better store, a high end store. They have bicycles that range in price from \$100 up to \$15,000. Often, on weekends customers come into Bicycle Plus on Kellogg wanting bicycles that are at the facility on SE 5th Street. Bicycle Plus only allows for roughly 200 to 300 bicycles to be on display whereas the warehouse has nearly 50,000 bicycles in stock with 9,500 different SKUs. The technical staff and sales people who really know the products are at Cycle Force. The warehouse already has a showroom. Mr. Nims believes the move could initially cost the company business, but also believes that ultimately the customers will be better served at the store on SE 5th Street.

Board member Perkins asked what the square footage is for the building on SE 5th Street, because the Special Use Permit says 6,000 square feet, but the Findings of Fact say 6,500 square feet. Mr. Nims said 6,500 square feet is the accurate amount.

Board member Schoeneman asked what all of the 3500 square feet that is currently storage will be used for. Mr. Nims stated that it adjoins the other area by big double doors, and it will be used for an exercise fitness area where customers can come in and test out the equipment before purchasing.

No comments were made from the public.

Moved by Perkins, seconded by Bowers, to adopt ORDER NO. 19-05, thereby approving the request for a Special Use Permit to allow Retail Bicycle Sales Use at 2105 S.E. 5th Street that includes approximately 6,500 square feet of floor area by adopting the Findings of Fact within the report.

Roll Call Motion: 4-0. Motion declared carried unanimously.

ADJOURNMENT: Moved by Schappaugh, seconded by Perkins, to adjourn the meeting at 6:16 p.m.

Jacque Higgins, Recording Secretary

Amelia Schoeneman, Chair