

BOARD OF ADJUSTMENT
ABBREVIATED MEETING MINUTES
July 8, 2025

A regular meeting of the Board of Adjustment was held at 4:30 p.m. on this date in the City Council Chambers located on 5th Floor, City Hall, 405 - 6th Street, Sioux City, Iowa. The following members were present on call of the roll: Ross, Bostinelos, Hegarty, Glisar, and Reynolds. Absent (Excused): Wagner and Brockshus.

The following staff members were also present: Marty Dougherty, Economic and Community Development Director; Chris Madsen, Planning Manager; Wade Schuldt, Planner; Gabriel Fordjour, Planner; Steven Postolka, Assistant City Attorney; Stefanie Konz, Administrative Secretary; and Ruby Dominick, Student Intern.

Glisar read the opening statement.

Agenda Item 2025-043: Requested conditional use permit pursuant to Municipal Code Section 25.06.130 Changes of Use and Reuse for the property located at 2110 Summit Street. (Petitioner: Capone's Speakeasy LLC).

Staff stated that at the June 23, 2025, City Council Meeting, City Council remanded the item back to the Board of Adjustment for reconsideration.

Bostinelos (Hegarty) moved to rehear Agenda Item 2025-043. Motion Carried. 4-1-0 (Yes: Reynolds, Bostinelos, Hegarty, and Ross. No: Glisar. Abstain: 0).

Schuldt presented the requested conditional use permit for the property located at 2110 Summit Street. The petitioner, Capone's Speakeasy LLC, is requesting to reestablish alcohol sales for on-site consumption. Schuldt provided a description of the property, and a history of the conditional use permits previously applied for that were approved and denied. Schuldt stated that the property has sufficient parking, an adequate buffer space, complies with the yard requirements, has a main entrance setback of 90 feet, and that no opening would face direct light onto a residential district. Glisar asked how many parking spaces are currently on the property and how many are required. Schuldt stated that the petitioner has 58 parking spaces, and the amount required depends on the apartment capacity.

Petitioner, Brandon Von Gilbert, apologized for missing the June 10, 2025, Board of Adjustment meeting and expressed gratitude with the Board of Adjustment for rehearing the request. Von Gilbert stated he agrees with the concerns the neighborhood had expressed at the last meeting and hopes his request will help alleviate those concerns. Von Gilbert also stated he invited members of the neighborhood to the Bellevue Apartments to address concerns as well as see the improvements he has been making. Van Gilbert stated the request will help him control the amount of alcohol being served as well as how long the alcohol will be served. Hegarty asked how many events the Bellevue will be holding. Von Gilbert stated he hopes to cut back on large events but still hopes to hold events over the weekends. Ross asked if adding conditions such as hours of operation would be acceptable. Van Gilbert stated that would be fine.

Ralph Hesse, Thomas Humbert, and Michelle Kennedy all spoke in opposition to the requested conditional use permit. All who spoke expressed concerns with parking, litter after events, and alcohol sales in a residential neighborhood. Von Gilbert stated he has plans to construct extra parking and agreed that there needs to be a better cleanup process after events. Von Gilbert also stated he also hopes to invest in cameras and security to help mitigate the issues expressed.

The Board of Adjustment held a general discussion regarding allowing the conditional use permit with special conditions. Bostinelos stated that putting special conditions on the permit could help with some of the neighborhood concerns and the Board of Adjustment could request to have the permit come back to see if the conditions are working or not.

Ross (Bostinelos) moved to approve Agenda Item 2025-043 with the following conditions: beer and wine sales only (Special Class C License), no alcohol sales on Friday and Saturday past 12 a.m., no alcohol sales Sunday through Thursday after 9 p.m., alcohol sales are only permitted during special events, no alcohol sales to the public, event holders are not permitted to bring their own alcohol, no off-premise alcohol sales, and the conditional use permit must come back in two years to be reheard.

Hegarty (Bostinelos) moved to amend the motion for Agenda Item 2025-043 to change the serving hours from 12 a.m. to 11 p.m. on Fridays and Saturdays. Motion Carried. 4-1-0 (Yes: Hegarty, Bostinelos, Ross, and Reynolds. No: Glisar. Abstain: 0).

Reynolds (Hegarty) moved to amend the previous amended motion on Agenda Item 2025-043 to change the alcohol sales on Sunday through Thursdays from ending at 9 p.m. to no alcohol sales at all Sunday through Thursday. Motion Carried. 4-1-0 (Yes: Hegarty, Reynolds, Bostinelos, and Ross. No: Glisar Abstain: 0).

Reynolds (Hegarty) moved to approve Agenda Item 2025-043 as amended which includes the following conditions: beer and wine sales only (Special Class C License), no alcohol sales on Friday and Saturday past 11 p.m., no alcohol sales Sunday through Thursday, alcohol sales are only permitted during special events, no alcohol sales to the general public, event holders are not permitted to bring in their own alcohol, no off-premise alcohol sales, and the conditional use permit must come back in two years to be reheard. Motion Carried. 4-1-0 (Yes: Bostinelos, Ross, Hegarty, and Reynolds. No: Glisar Abstain: 0).

Other Business

- a. Other items brought forward by the Board and / or staff.
- b. Approval of the minutes of the June 24, 2025, meeting.

Bostinelos (Ross) moved to approve June 24, 2025, minutes. Motion Carried. 5-0-0 (Yes: Bostinelos, Glisar, Brockshus, Ross, and Hegarty. No: 0 Abstain: 0).

There being no further business, Bostinelos motioned, Hegarty seconded, and with a 5-0-0 vote the meeting was adjourned at 5:30 p.m.

Submitted by Stefanie Konz

ANDREW GLISAR, CHAIR

MARTIN J. DOUGHERTY, ECONOMIC &
COMMUNITY DEVELOPMENT DIRECTOR