

**CITY OF WEST DES MOINES  
BOARD OF ADJUSTMENT COMMUNICATION**

**Meeting Date:** September 7, 2016

**Item:** Lutheran Church of Hope, 925 Jordan Creek Parkway – Construct a 2 story, 1,900 square foot addition to the existing building – Lutheran Church of Hope – PC-003172-2016

**Requested Action:** Approval of a Permitted Conditional Use Permit

**Case Advisor:** Brian S. Portz, AICP *BP*

**Applicant Request:** The applicant, Lutheran Church of Hope, represented by Ed Arp of Civil Engineering Consultants, Inc., is requesting approval of a Permitted Conditional Use Permit (Pc) to allow construction of a 2 story, 1,900 square foot nursery/classroom addition at 925 Jordan Creek Parkway. Religious Organizations (SIC 8661) are classified as a Permitted Conditional Use (Pc) within a Residential High Density District, which this property is designated. The building addition will not result in any changes to the existing parking lot on the site. It will be contained within a grass area adjacent to the existing building.

**History:** This property was annexed into the City in 1990 as a part of the “1990 Annexation.” The property was originally platted in March of 1995 as Reed’s Crossing Plat 2. According to the County Assessor, the original church building was constructed in 2001, with building additions in 2003, and 2006.

**City Council Subcommittee:** This item was presented to the Development and Planning City Council Subcommittee on August 8, 2016, as an informational item only. No discussion was had and no disagreement with the proposal was expressed.

**Staff Review and Comment:** This request was distributed to other City departments and other agencies for their review and comment. Staff would summarize the following key points of interest:

- **Building Addition Design:** The materials used for the building addition will be the same materials and colors used on the existing building to have a consistent design throughout the exterior of the building.
- **Storm Water Management Facility Maintenance Agreement:** Since the Lutheran Church of Hope was originally constructed before the City began requiring Storm Water Management Facility Maintenance Agreements for all developments with run-off controls (i.e. detention ponds), the City has requested that a Storm Water Management Facility Maintenance Agreement be signed by the applicant and submitted to the City for approval and recording. The SWMFMA has not yet been submitted, but the applicant’s consultant has indicated that we will receive it soon. Staff recommends a condition of approval that requires the SWMFMA be signed and submitted to the City prior to any occupancy being issued for the new addition.
- **Fats, Oils & Grease (FOG) Ordinance:** The Lutheran Church of Hope building was constructed prior to the City’s Fats, Oils & Grease (FOG) Ordinance, which restricts the discharging of waste water that contains fats, oils or grease into the City’s sewer system. The FOG Ordinance is administered by the Water Reclamation Authority (WRA). Any building construction to an existing building that contains food services and that exceeds \$50,000 in construction value must come into compliance with the FOG Ordinance. Since this project will exceed the threshold of \$50,000 in construction value, the site will need to comply with the FOG Ordinance. This may include upgrades to the building’s grease interceptor based on the food service uses within the building. The applicant is working with the WRA on any upgrades that may be necessary. A condition of approval is recommended that the applicant complete any necessary upgrades prior to any occupancy of the new addition.
- **Parking:** The existing parking lot on the site will not be affected by this building addition. The existing number of parking spaces meets City Code requirements for the existing building as well as for the additional square footage added with the new addition.

**Comprehensive Plan Consistency:** The project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed building addition is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan, except as noted above regarding right-of-way widths.

**Findings:** The following findings have been made on the proposed permitted conditional use:

1. The proposed development and use is consistent with the West Des Moines Comprehensive Plan in that the project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan.
2. The proposed development and use does assure compatibility of property uses within the zone and general area in that this project was reviewed by various City Departments for compliance with the Zoning Ordinance.
3. All applicable standards and conditions have been imposed which protects the public health, safety and welfare in that this project was reviewed by various City Departments and public agencies for compliance with the various state and local regulations. Based upon that review a finding is made that the project has been adequately conditioned to protect the health, welfare, and safety of the community.
4. There is adequate on-site and off-site public infrastructure to support the proposed development in that this project was reviewed by various public agencies and City Departments and public utilities to ensure that either the petitioner will construct or the project has been conditioned to construct adequate public infrastructure to serve the development.
5. The proposed development and use has met the requirements contained in the City Code in that this project was reviewed by various City Departments and public agencies and the project has complied with or has been conditioned to comply with all City Code requirements.
6. The proposed development and use is in keeping with the scale and nature of the surrounding neighborhood in that the proposed project is consistent with the Zoning regulations and the Comprehensive Plan which designates this site as suitable for development such as that proposed by this project.

**Staff Recommendations and Conditions of Approval:** Based upon the preceding review and findings, staff recommends the Board of Adjustment adopt a resolution for approval of the Permitted Conditional Use Permit to allow construction of a 2 story, 1,900 square foot nursery/classroom addition, subject to meeting all City Code requirements and the following:

1. A signed Storm Water Management Facility Maintenance Agreement shall be submitted to the City prior to any occupancy permit being issued for the new building addition; and,
2. The applicant shall complete any necessary upgrades to the site to be in compliance with the City's FOG Ordinance prior to the issuance of any occupancy to the new addition. A Minor Modification to a Site Plan development application will be required if underground utility work is necessary for the upgrade.

**Noticing Information:** On August 26, 2016, notice of the September 7, 2016 Board of Adjustment Public Hearing on this project was published in the Des Moines Register Community Section. Notice of this public hearing was also mailed to all surrounding property owners within 370 feet of the subject property on August 18, 2016.

**Applicant:** Civil Engineering Consultants, Inc.  
2400 86<sup>th</sup> Street, Suite #12  
Des Moines, Iowa 50322  
Ed Arp  
[arp@ceclac.com](mailto:arp@ceclac.com)

**Property Owner:** Lutheran Church of Hope  
925 Jordan Creek Parkway  
West Des Moines, IA 50266  
Chris Gunnare  
[chris.gunnare@hopewdm.org](mailto:chris.gunnare@hopewdm.org)

**Attachments:**

Attachment A	-	Permitted Conditional Use Resolution
Exhibit A	-	Conditions of Approval
Attachment B	-	Location Map
Attachment C	-	Site Plan
Attachment D	-	Building Elevations
Attachment E	-	Surrounding Property Owner Comments

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

**RESOLUTION –**

**A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF WEST DES MOINES, APPROVING A PERMITTED CONDITIONAL USE PERMIT (PC-003172-2016) TO CONSTRUCTION OF A 2 STORY, 1,900 SQUARE FOOT NURSERY/CLASSROOM ADDITION TO THE LUTHERAN CHURCH OF HOPE BUILDING**

**WHEREAS**, pursuant to the provisions of Title 9, Zoning, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Lutheran Church of Hope, has requested approval of a Permitted Conditional Use Permit (PC-003172-2016) for that property located at 925 Jordan Creek Parkway and legally described below for the purpose of constructing a 2 story, 1,900 square foot nursery/classroom addition onto the existing church building;

**Legal Description of Property**

**LOT 1, REED'S CROSSING PLAT 2, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA**

**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;

**WHEREAS**, on, September 7, 2016, this Board of Adjustments held a duly-noticed hearing to consider the application for a Permitted Conditional Use Permit for Lutheran Church of Hope (PC-003172-2016);

**NOW, THEREFORE, THE BOARD OF ADJUSTMENT OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:**

**SECTION 1.** The findings, for approval, stated in the staff report, dated September 7, 2016, or as amended orally at the Board of Adjustment meeting of September 7, 2016, are adopted.

**SECTION 2.** Permitted Conditional Use Permit for Lutheran Church of Hope (PC-003172-2016) to construct a 2 story, 1,900 square foot nursery/classroom addition is approved, subject to compliance with all the conditions in the staff report, dated September 7, 2016, including conditions added at the hearing, and attached hereto as Exhibit "A". Violation of any such conditions shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

**PASSED AND ADOPTED** on September 7, 2016.

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Michael R. Blaser, Chairperson

**ATTEST:**

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Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Board of Adjustments of the City of West Des Moines, Iowa, at a regular meeting held on September 7, 2016, by the following vote:

**AYES:**

**NAYS:**

**ABSTENTIONS:**

**ABSENT:**

**ATTEST:**

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Recording Secretary

**EXHIBIT A**  
**Conditions of Approval**

1. A signed Storm Water Management Facility Maintenance Agreement shall be submitted to the City prior to any occupancy permit being issued for the new building addition; and,
2. The applicant shall complete any necessary upgrades to the site to be in compliance with the City's FOG Ordinance prior to the issuance of any occupancy to the new addition. A Minor Modification to a Site Plan development application will be required if underground utility work is necessary for the upgrade.

# Lutheran Church of Hope



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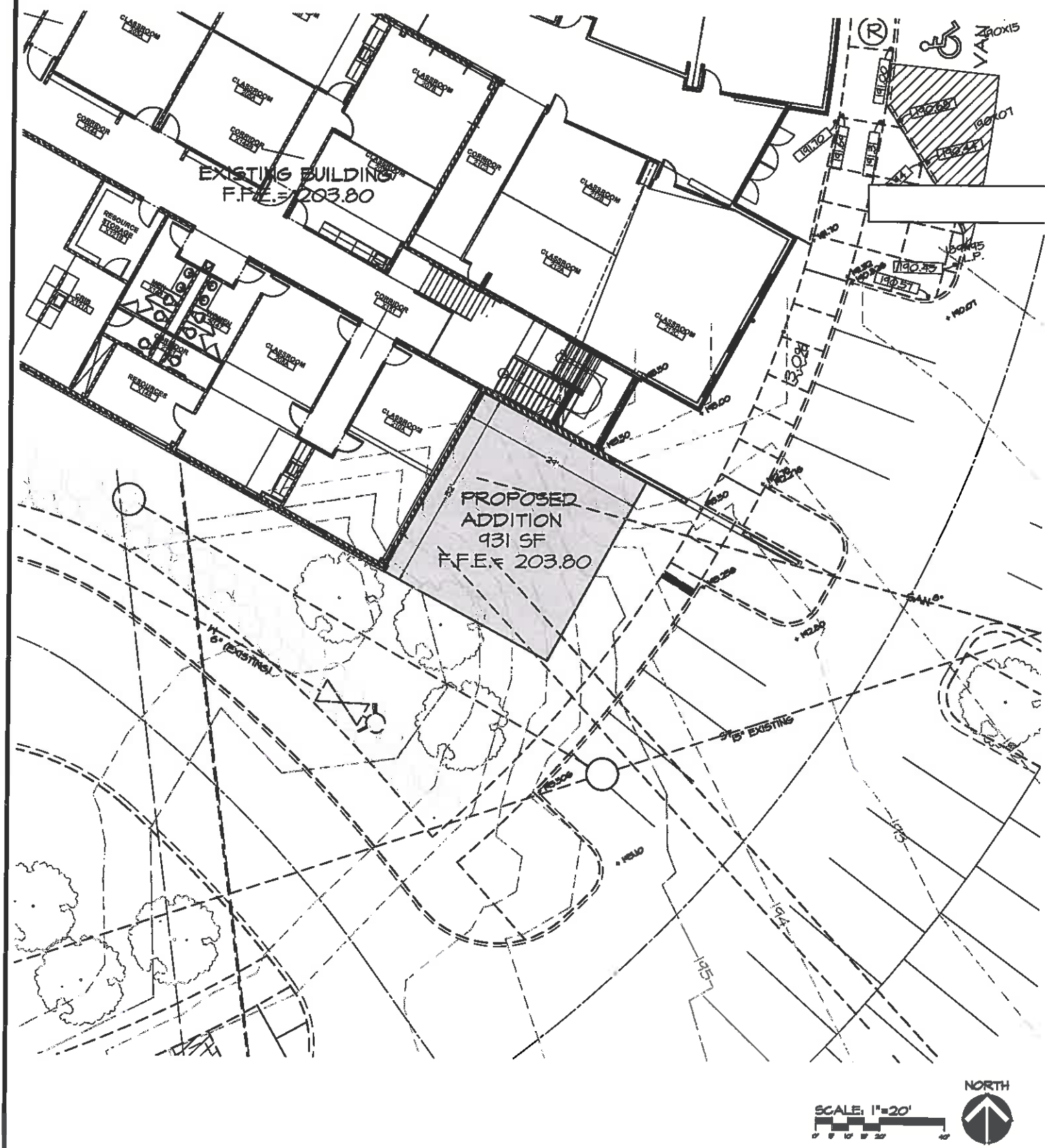
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530.6 Feet

Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



VICINITY SKETCH



PROJECT LOCATION

**LEGAL DESCRIPTION**

LOT 1, REED'S CROSSING PLAT 2, AN OFFICIAL PLAT, CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA. (22.986 ACRES)

AREAS	EXISTING	PROPOSED
BUILDING AREA:	115,502 SF. 11%	114,485 SF. 11%
PAVEMENT AREA:	531,020 SF. 53%	531,020 SF. 53%
OPEN SPACE:		
REQUIRED: 25%+10% OF PAVING =	308,447 SF.	308,447 SF.
PROVIDED:	356,855 SF. 36%	323,424 SF. 36%
TOTAL SITE:	1,001,571 SF. 100%	1,001,571 SF. 100%

**PARKING REQUIREMENTS**

REQUIRED: 1 SPACE/4 SEATS @ 2900 = 125 SPACES  
 13 SPACES/NO DAYCARE @ 44 KIDS = 1 SPACES  
 1 SPACE/50 SF ASSEMBLY @ 25,290 SF = 506 SPACES  
 TOTAL REQUIRED: 128 SPACES

TOTAL SPACES PROVIDED: 1250 SPACES

**CERTIFICATION**

STATE OF IOWA  
EDWARD H. ARP  
LANDSCAPE ARCHITECT  
NO. 280

I HEREBY CERTIFY THAT THIS SITE PLAN WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY REGISTERED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF IOWA.

BY: EDWARD H. ARP, IOWA REG. NO. 280  
 DATE: \_\_\_\_\_  
 PAGES OR SHEETS COVERED BY THIS SEAL: \_\_\_\_\_

**OWNER/DEVELOPER**  
 LUTHERAN CHURCH OF HOPE  
 925 JORDAN CREEK PKWY  
 WEST DES MOINES, IOWA 50266  
 222-1520

**ZONING**  
 REED'S CROSSING P.U.D.  
**COMP. PLAN LAND USE**  
 EXISTING: HIGH DENSITY RESIDENTIAL

Civil Engineering Consultants, Inc.  
 2400 86th Street, Unit 12, Des Moines, Iowa, 50322  
 515.276.4884 · Fax: 515.276.7084 · mail@cecinc.com



DATE	BY	REVISIONS	COMMENTS
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		2	
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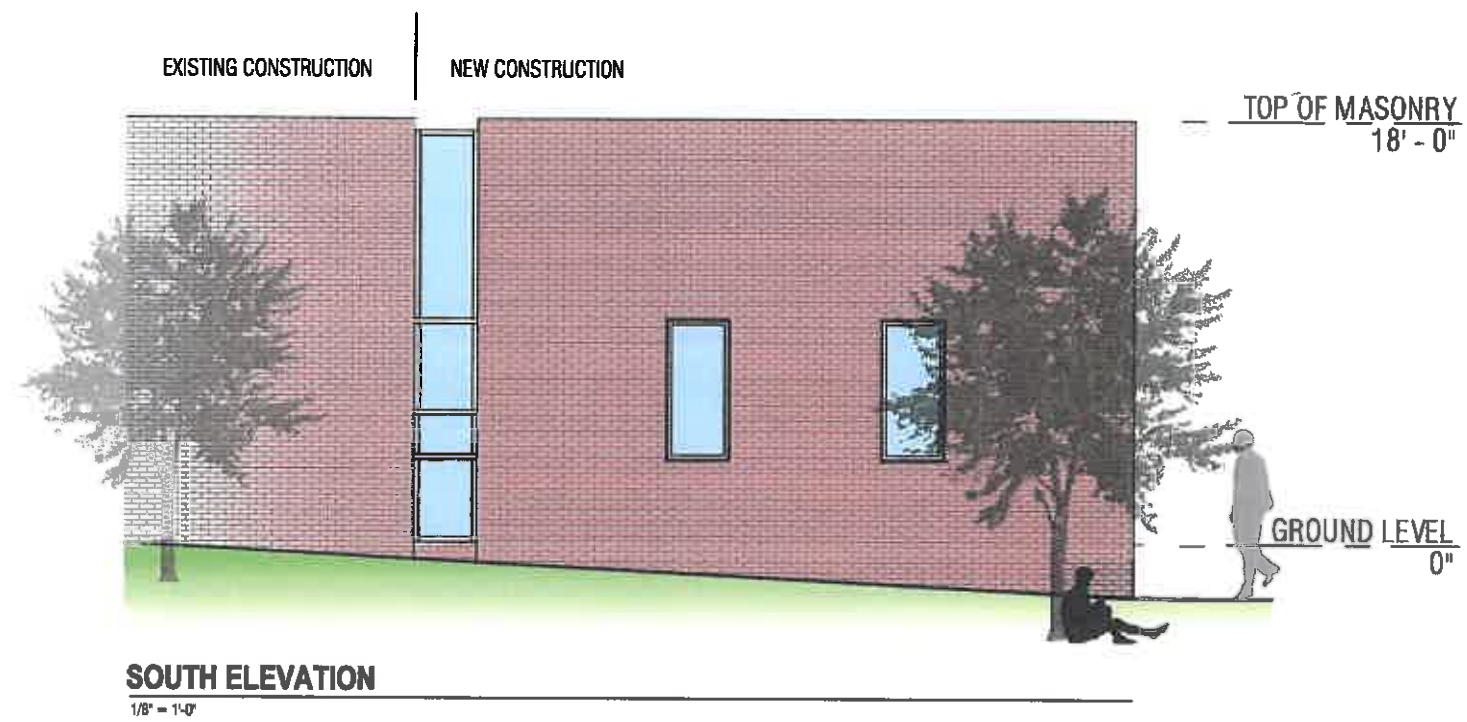
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LUTHERAN CHURCH OF HOPE  
 WEST DES MOINES, IA  
**SITE PLAN**

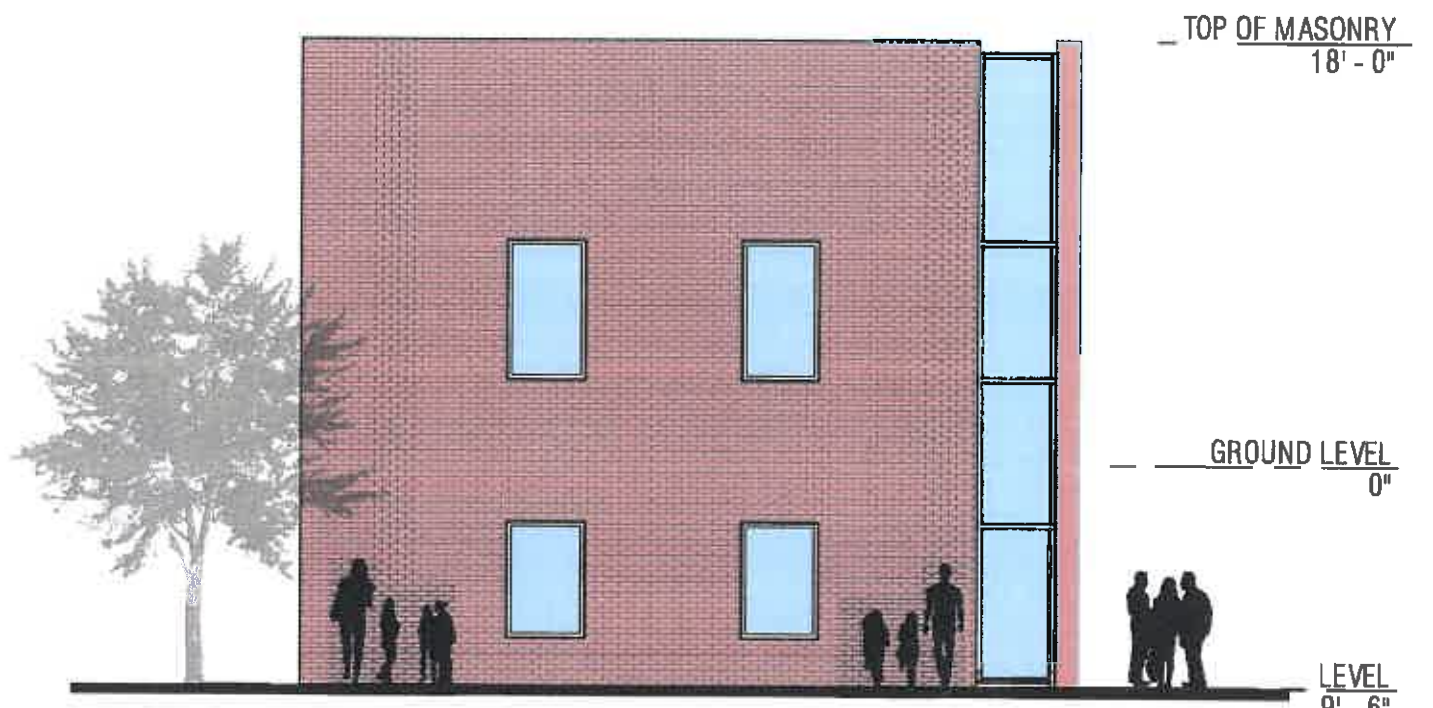
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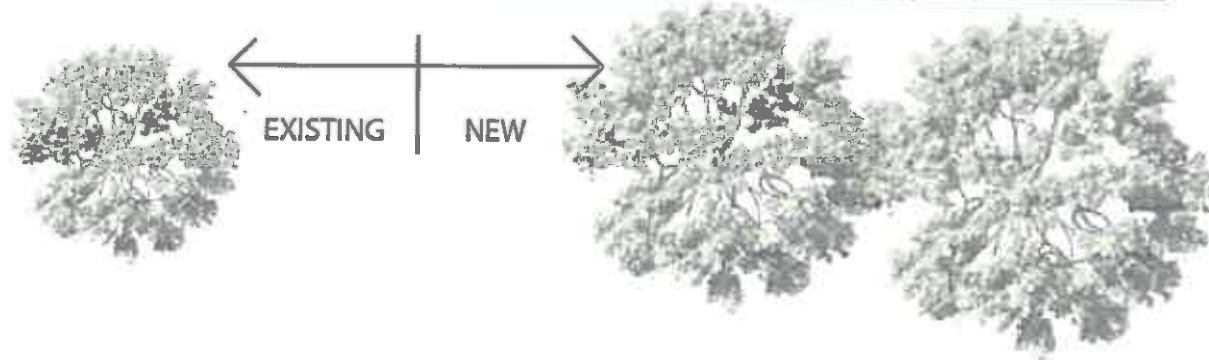
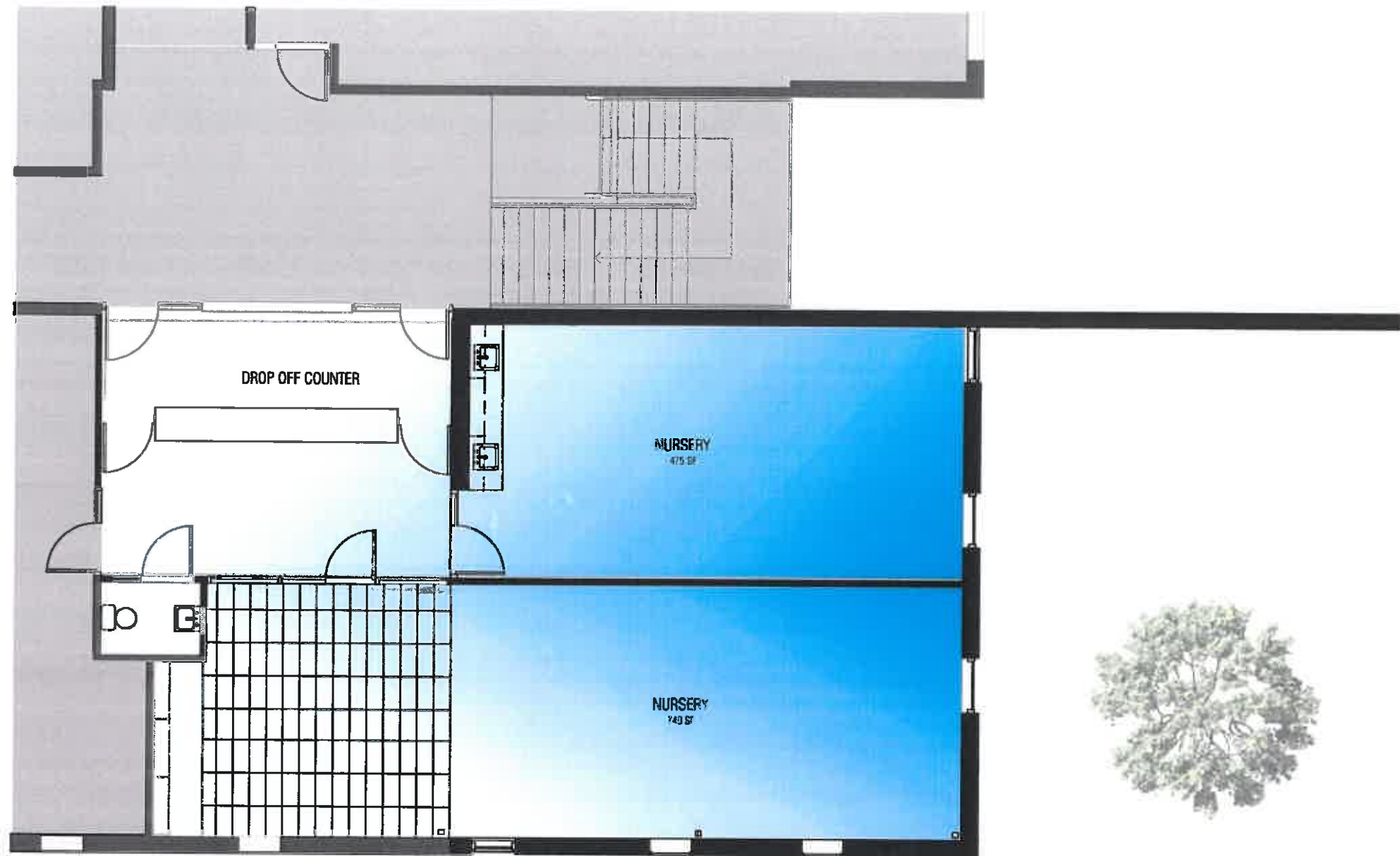




**SOUTH ELEVATION**  
1/8" = 1'-0"



**EAST ELEVATION**  
1/8" = 1'-0"



**GROUND LEVEL**

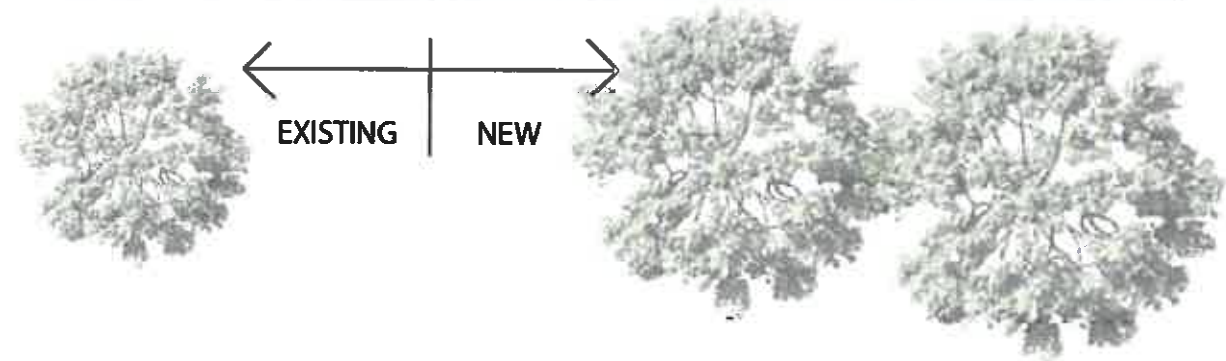
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**LUTHERAN CHURCH OF HOPE**

**NURSERY EXPANSION**

01/29/2016



**LOWER LEVEL**  
1/8" = 1'-0"

**LUTHERAN CHURCH OF HOPE**

**NURSERY EXPANSION**

01/29/2016

Sunday, August 21, 2016

Mr. ConGarry Williams  
6905 Dakota Drive  
West Des Moines, IA 5026

Dear Director Twedt,

This letter serves as a comment for the Permitted Conditional Use Permit request by Lutheran Church of Hope. The matter will be heard on Wednesday, Sept. 7, 2016 at 5:30<sup>PM</sup>.

I wholeheartedly support the request being granted by the Board of Adjustment. Lutheran Church of Hope has been an excellent neighbor. Their growth in attendance surely justifies the need for additional space. I will not be able to attend the hearing in person and I wanted to make my comments known.

Sincerely,  
ConGarry Williams

Neighbor and Owner  
of 6905 Dakota Drive