

Date February 7, 2022

RESOLUTION HOLDING HEARING ON APPEAL OF GLAD TIDINGS ASSEMBLY OF GOD CHURCH OF DENIAL OF A TYPE 2 DESIGN ALTERNATIVE FOR A PUBLIC HEARING SITE PLAN FOR PROPERTY LOCATED AT 2145 EAST ARMY POST ROAD

WHEREAS, at a public hearing held on November 18, 2021, the City Plan and Zoning Commission considered a request from Glad Tiding Assembly of God Church (owner), represented by Bill Wenig (officer), for approval of the Site Plan "Glad Tidings Assembly of God Church" with a Type 2 design alternative fully or partially waiving the front yard and side yard surface parking restrictions in the front yard along primary frontages set forth in Municipal Code Section 135-9.2.4(B) and 135-9.3.1(B) related to the proposed development as shown in the Site Plan submitted for the vacant property located at 2145 East Army Post Road ("Property"); and

WHEREAS, Section 135-2.10.3(A)(8) of the Planning and Design ordinance provides that for Civic buildings within the "P2" District, surface parking and loading is to be located within rear and interior side yards only along a non-primary façade; and

WHEREAS, in review and recommendation to the City Plan and Zoning Commission, the City's Planning Administrator recommended denial of the requested Type 2 Design Alternative to waive or modify said ordinance requirements to allow the surface parking in the front yard and street facing side yard along the East Army Post Road primary frontage of the site; and

WHEREAS, the Plan and Zoning Commission voted 8-3 for DENIAL of the requested Type 2 Design Alternative to waive or modify said ordinance requirements to allow the surface parking in the front yard and street facing side yard along the East Army Post Road primary frontage of the site rather than approving it as requested by Glad Tidings Assembly of God Church; and

WHEREAS, Glad Tidings Assembly of God Church has timely appealed to the City Council pursuant to Municipal Code Section 135-9.3.9.B seeking further review of the Plan and Zoning Commission's denial of the Type 2 design alternative to the Site Plan to fully or partially waiving the front yard and side yard surface parking restrictions along the East Army Post Road primary frontage set forth in Municipal Code Section 135-9.2.4(B) and 135-9.3.1(B) related to the proposed development as shown in the Site Plan submitted for the vacant property located at 2145 East Army Post Road; and

WHEREAS, on January 10, 2022, by Roll Call No. 22-0042, it was duly resolved by the City Council that the appeal be set down for hearing on January 24, 2022 at 5:00 P.M. in the Council Chambers; and

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place of hearing on said appeal; and

WHEREAS, on January 24, 2010, by Roll Call No. 22-0109, the City Council opened and upon its own motion, continued said hearing to 5:00 p.m. on February 7, 2022, for additional review time; and

Agenda	Item Number
J	42

Date	February 7	7, 2022
Date	1 cordary 7	, 2022

WHEREAS, in accordance with said notice, those interested in said appeal and the proposed Type 2 Design Alternative, both for and against, have been given the opportunity to be heard with respect thereto and have presented their views to the City Council.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa as follows:

- 1. Upon due consideration of the facts and any statements of interested persons and arguments of counsel, any and all arguments and objections to the Plan and Zoning Commission's denial of the Type 2 Design Alternative in form requested by Glad Tidings Assembly of God Church for property located at 2145 East Army Post Road, as described above, are hereby received and filed.
- 2. The communications from the Plan and Zoning Commission, and Glad Tidings Assembly of God Church are hereby received and filed.

Alternative A

MOVED BY ______ to **DENY** the Type 2 Design Alternative in form requested by Glad Tidings Assembly of God Church described above, to uphold and **APPROVE** the Type 2 Design Alternative in form approved by the Plan and Zoning Commission, and to make the following findings of fact and objections regarding the Type 2 Design Alternatives as proposed by Glad Tidings Assembly of God Church:

- a. Municipal Code Section 135-2.10.3(A)(8) requires Civic buildings within the "P2" District to have surface parking and loading located in rear yards and interior side yards along a non primary frontage.
- b. The Property is a vacant site of more than 8 acres, with no existing buildings or site conditions that make strict compliance with the applicable regulations impractical.
- c. The site is near an intersection of two primary streets, East Army Post Road and Indianola Avenue, which is noted as a Neighborhood Node on the City's Land Use Map. The future land uses and zoning show the intent of the code to promote pedestrian oriented development that engages the street, with buildings close to the public right-of-way, and there are no planned features of the development that would hinder development meeting that intent.
- d. Glad Tidings proposal for the Type 2 Design Alternative to the requirements of Section 135-2.10.3(A)(8) is for full waiver along East Army Post Road, resulting in the entire surface parking area being located in the yard between the proposed building and the abutting street, and it is based on preference, rather than need.
- e. City Planning staff recommended denial of said Type 2 design alternative for partial or full waiver of Section 135-2.10.3(A)(8) as requested by Glad Tidings Church.
- f. Glad Tidings Assembly of God Church has not met the burden required to demonstrate that its requested design alternative meets the criteria for approval or that the result of the design alternatives would equal or exceed the result of compliance with the above-stated alternate Type 2 Design Alternatives approved by the Plan and Zoning Commission, constituting a compromise position between full compliance with the Planning and Design Ordinance and Glad Tidings Church's proposal.

Roll Call	Number
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Date February 7, 2022

- Glad Tidings Assembly of God Church has not shown that its requested design alternative is consistent with all relevant purpose and intent statements of the Planning and Design Ordinance and with the general purpose and intent of the comprehensive plan.
- h. Glad Tidings Assembly of God Church has not shown that its requested design alternatives will not have a substantial or undue adverse effect on the public health, safety, and general welfare.
- The Type 2 Design Alternatives as proposed by Glad Tidings Assembly of God Church should not be approved for the reasons stated above.
- The Type 2 Design Alternatives, in form approved by the Plan and Zoning Commission, should be upheld and approved for the reasons stated above.

Alternative B

to APPROVE the proposed Type 2 Design Alternatives in form MOVED BY requested by Glad Tidings Assembly of God Church and described above, and to make the following findings of fact in support of approval of the proposed Type 2 Design Alternatives:

- Municipal Code Section 135-2.10.3(A)(8) requires Civic buildings within the "P2" District to have surface parking and loading located in rear yards and interior side yards along a non-primary frontage, but the Design Code allows for applicants to seek a Type 2 Design Alternative.
- The Property is a vacant site of more than 8 acres, with but proposed site conditions, the parking will be mostly hidden from view along Army Post, and it will include a detention basin along Indianola Avenue that make strict compliance with the applicable regulations impractical along Army Post Road.
- The site is near an intersection of two primary streets, East Army Post Road and Indianola Avenue, which is noted as a Neighborhood Node on the City's Land Use Map. The future land uses and zoning show the intent of the code to promote development that engages the street, with buildings close to the public right-of-way, but the proposed structure by design will not be a typical commercial building with cars parked there all the time, so it would still meet the intent.
- Glad Tidings proposal for the Type 2 Design Alternative to the requirements of Section 135-2.10.3(A)(8) is for full waiver along East Army Post Road, resulting in the entire surface parking area being located in the yard between the proposed building and the abutting street, based on preference to meet neighborhood and congregational need.
- Glad Tidings Assembly of God Church has met the burden required to demonstrate that the requested design alternative meets the criteria for approval and that the result of the design alternatives would equal or exceed the result of strict compliance with Section 135-2.10.3(A)(8) of the Planning and Design Ordinance.
- Glad Tidings Assembly of God Church has shown that the requested design alternative is consistent with all relevant purpose and intent statements of the Planning and Design Ordinance and with the general purpose and intent of the comprehensive plan.
- Glad Tidings Assembly of God Church has shown that the requested design alternative will not have a substantial or undue adverse effect on the public health, safety, and general welfare.
- Said Type 2 Design Alternatives, in form requested by Glad Tidings Assembly of God Church, should be approved for the above-stated reasons and incorporated into the approved Site Plan for the Property.

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Date	February 7, 2022
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MOVED by	to adopt

EODM	APPROVED:	
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/s/ Judy K. Parks-Kruse

Judy K. Parks-Kruse, Assistant City Attorney

(SITE-2021-000020)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
MANDELBAUM				
SHEUMAKER				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED	MOTION CARRIED APPROVI			PPROVED

Mayor

CERTIFICATE

I, P. KAY CMELIK, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

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November 29, 2021

Communication from the City Plan and Zoning Commission advising that at their November 18, 2021 meeting, the following action was taken regarding a request from Glad Tidings Assembly of God Church (owner), represented by Bill Wenig (officer), for review and approval of a Public Hearing Stie Plan for property located in the vicinity of 2145 East Army Post Road, and for a Type 2 Design Alternative in accordance with City Code Sections 135-9.2.4(B) and 135-9.3.1(B), to allow surface parking in a front yard and street side yard along primary frontages, per City Code Section 135-2.10.3(A)(8).

COMMISSION RECOMMENDATION:

After public hearing, the members voted 8-3 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus		X		
Dory Briles	Χ			
Abby Chungath	Χ			
Kayla Berkson		X		
Chris Draper	X			
Jann Freed	X			
Todd Garner	X			
Johnny Alcivar				X
Lisa Howard				X
Carolyn Jenison	X			
William Page				X
Steve Wallace	X			
Greg Wattier	X			
Emily Webb		X		

DENIAL of the requested Type 2 Design Alternative for parking along East Army Post Road.

Approval of the requested Type 2 Design Alternative for parking along Indianola Avenue.

Approval of the Public Hearing Site Plan, subject to compliance with all administrative comments.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends denial of the requested Type 2 Design Alternative along East Army Post Road.

Staff recommends approval of the requested Type 2 Design Alternative along Indianola Avenue.

Staff recommends approval of the Public Hearing Site Plan subject to compliance with all administrative comments.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

- 1. Purpose of Request: The applicant is proposing an on-site surface parking lot in the front yard of their site. The Planning and Design Ordinance requires on-site surface parking lots to be located in the rear yard or interior side yard of a Civic building in properties zoned "P2" District. Design alternative review criteria can be found in Section I, subparagraph 10 of this report. Staff analysis of the proposal can be found in Section II of the report.
- 2. Size of Site: 350,048 square feet (8.036 acres).
- 3. Existing Zoning (site): "P2" District.
- 4. Existing Land Use (site): The site is currently undeveloped.
- 5. Adjacent Land Use and Zoning:

North - "MX1" and "NX2"; Uses are a fueling station and single-household residential.

South - "N1a"; Use is single-household residential.

East - "P1"; Use is a cemetery.

West – "EX"; Uses are agriculture crops and industrial uses.

- 6. General Neighborhood/Area Land Uses: The subject property is located along the southwest corner of Indianola Avenue and East Army Post Road along a highway commercial corridor east of the Southeast 14th Street intersection, in an area that includes a mix of industrial, commercial, and residential uses.
- 7. Applicable Recognized Neighborhood(s): The subject property is in the Easter Lake Area Neighborhood. The neighborhood association was notified of the public hearing by mailing of the Preliminary Agenda on October 29, 2021 and by mailing of the Final Agenda on November 10, 2021. Additionally, separate notifications of the hearing for this specific item were mailed on November 8, 2021 (10 days prior to the public hearing) to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site.

All agendas and notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division on the date of the mailing. The Easter Lake Area Neighborhood mailings were sent to Jim Bollard, 4007 SE 26th Street, Des Moines, IA 50320.

- 8. Relevant Zoning History: None.
- PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation: Business Park, Neighborhood Mixed Use, Medium Density Residential, and Low Density Residential.
- **10. Applicable Regulations:** Pursuant to Section 135-9.1.1.B of the Planning and Design Ordinance, the site plan review requirements of Chapter 135 are designed to ensure the orderly and harmonious development of property in a manner that shall:
 - Promote the most beneficial relation between present and proposed future uses
 of land and the present and proposed future circulation of traffic throughout the
 city;
 - Permit present development of property commensurate with fair and orderly
 planning for future development of other properties in the various areas of the
 city with respect to the availability and capacity, present and foreseeable, of
 public facilities and services. The factors to be considered in arriving at a
 conclusion concerning proposed present development of property shall include
 the following:
 - The maximum population density for the proposed development, the proposed density of use, and consideration of the effect the proposal will have on the capacity of existing water and sanitary sewer lines to the end that existing systems will not become overloaded or capacity so substantially decreased that site use will inhibit or preclude planned future development;
 - Zoning restrictions at the time of the proposal;
 - > The city's comprehensive plan;
 - > The city's plans for future construction and provision for public facilities and services; and
 - > The facilities and services already available to the area which will be affected by the proposed site use;
 - Encourage adequate provision for surface and subsurface drainage, in order to ensure that future development and other properties in various areas of the city will not be adversely affected;
 - Provide suitable screening of parking, truck loading, refuse and recycling disposal, and outdoor storage areas from adjacent residential districts;
 - Encourage the preservation of canopied areas and mature trees and require mitigation for the removal of trees; and
 - Consider the smart planning principles set forth in Iowa Code Chapter 18B.

Based on Chapter Section 135-9.2.4 and 135-9.3.1.B of the Planning and Design Ordinance, Type 2 Design Alternatives are to be considered by the Plan and Zoning Commission after a public hearing whereby the following criteria are considered:

- The design alternative provisions of Section 135-9.2.4 are intended to authorize the granting of relief from strict compliance with the regulations of this chapter as part of the site plan or alternate design documentation review process when specific site features or characteristics of the subject property, including the presence of existing buildings, creates conditions that make strict compliance with applicable regulations impractical or undesirable. The design alternative provisions are also intended to recognize that alternative design solutions may result in equal or better implementation of the regulation's intended purpose and greater consistency with the comprehensive plan.
- Consideration of requested design alternatives through the administrative and public hearing review processes will be evaluated on the merits of the applicable request and independently of prior requests from the same applicant, and may include the following criteria:
 - > An evaluation of the character of the surrounding neighborhood, such as:
 - Whether at least 50% of the developed lots within 250 feet of the subject property are designed and constructed consistently with the requested design alternative(s); and
 - Whether the directly adjoining developed lots are designed and constructed consistently with the requested design alternative(s);
- For purposes of this subsection, if the lots that exist within 250 feet of the subject property are undeveloped, then the neighborhood character determination will be based upon the assumption that such lots, as if developed, comply with the applicable requirements of this chapter for which a design alternative(s) has been requested;
 - The totality of the number and extent of design alternatives requested compared to the requirements of this chapter for each site plan or alternate design documentation reviewed;
 - Whether the requested design alternative(s) is consistent with all relevant purpose and intent statements of this design ordinance and with the general purpose and intent of the comprehensive plan;
 - Whether the requested design alternative(s) will have a substantial or undue adverse effect upon adjacent property, the character of the surrounding area or the public health, safety and general welfare;
 - > Whether any adverse impacts resulting from the requested design alternative(s) will be mitigated to the maximum extent feasible; and
 - > Other factors determined relevant by the community development director, plan and zoning commission, or city council as applicable.

II. ADDITIONAL APPLICABLE INFORMATION

Section 135-2.10.3(A)(8) of the Planning and Design Ordinance applicable to Civic buildings within the "P2" District allows for surface parking and loading to occur within rear and interior side yards only. The proposed site plan consists of a 23,000-square foot building with surface parking lot in the front yard and street side yard, with both streets classified as primary streets in the City of Des Moines Primary Streets Frontages map.

The proposed project is located on a site exceeding eight (8) acres in size, and the site is featured on the intersection of East Army Post Road and Indianola Avenue, which is noted as a Neighborhood Node on the City's Land Use Map. Within that node and the site itself, the future land use map indicates mixed-use and medium density uses, and current zoning features MX1 and NX2 zoning districts to the north and northeast of the site. The convergence of all these factors leads the intent of the code to promote development that engages the street, with buildings closer to the public right-of-way, and avoid having parking lots that front primary frontages.

The applicant has indicated that they prefer to locate the parking in front of the building and that relocating the parking to the rear or side yard is undesirable. They have also indicated some general ideas for future use of the remainder of the site, including a building expansion and proposed areas for future parking within the rear and interior side yard areas.

Along Indianola Avenue, the site plan indicates that much of the parking is proposed on the street side yard setback area. While staff notes this is also inconsistent with City Code requirements, staff recognizes that the setback from Indianola Avenue doubles as storm water detention with landscaping included around that basin and places the parking area behind even the rear property line of existing single-family residences that front Indianola Avenue. As such, staff finds the mixture of buffering and substantial setback helps offset negative impacts the code intends to mitigate by having parking in the front yard or street side yard and is supportive of allowing parking along this frontage.

Along East Army Post Road, however, staff finds that the site does have sufficient space in the rear and the interior side yards of the site to comply with code standards, as staff cites proposed future parking locations in the rear and interior side yards of the site. Additionally, given the proposed character of the future neighborhood node, staff finds parking in a front yard area within this node to be inconsistent with the future land use map and the intent of the Code. Finally, applicant has not demonstrated that they face a practical difficulty in complying with the requirement, and notes that the layout of the building, with a secondary entrance to the south, further enhances the ability to provide efficient parking to the rear of the building.

SUMMARY OF DISCUSSION

Frank Dunn-Young presented staff report and recommendation.

<u>Rick Baumhover</u> representing Bishop Engineering stated they feel this request is keeping the general feel of the neighborhood and not damaging the character of the neighborhood. They intend to fully comply with the City's landscape standards, provide the fence buffer along the North side of the property and have also eliminated 2 rows of parking. They

have also increased the 15-foot setback to 30-foot to add more space and create more of a buffer from the parking lot. Again, they feel this fits the character of the neighborhood as developed properties around them have parking in the front.

<u>Pastor Bill</u>, 314 E. Army Post Road, representing Glad Tiding Assembly of God stated the idea is to present a beautiful front to the community and to provide a shorter walking distance for the elderly that attend their church. With a lot of mobile home lots in this area, they would like to keep the back portion of the parcel open for youth events, a place families can come together and be a good asset for the community.

Chris Draper asked how much concrete work has been done.

<u>Pastor Bill</u> stated they would like to start with the drive approaches from Army Post Road and Indianola Avenue.

<u>Chris Draper</u> asked if any concrete work has been done at this location. If plans change, nothing will need to be torn out.

<u>Pastor Bill</u> stated no but the reason for parking in the front would be for the elderly having a shorter distance to the entrance. Also, given the entrance locations, they will be eliminating security risks.

<u>Chris Draper</u> stated there is no sunk cost or anything that could change the flow of the parking right now.

<u>Pastor Bill</u> stated in the long term, it would cost more money as they would have to tear out parking in order for them to expand their building in the future. They feel this is the most effective way to minister the people attending their church.

CHAIRPERSON OPENED THE PUBLIC HEARING

<u>Jeff Rains</u>, 3820 79th Street, Urbandale, IA, representing Rains Architecture, stated they want the drop-off and steeple to face the community and intersection. If the parking and main entrance are in the back, it would be downhill, below the level of the street, not as visible and would feel they are turning their back on the neighborhood. Given the elevation and landscaping, you won't be able to see much of that parking from East Army Post Road.

<u>Lyle Taylor</u> member of Glad Tidings stated this isn't a typical commercial building and will not have cars parked there all the time. As it is today, given the elevation from East Army Post Road, you can barely see what's on top.

CHAIRPERSON CLOSED THE PUBLIC HEARING

<u>Greg Wattier</u> asked if the zoning ordinance states the front door must face a primary street and parking in the front in prohibited.

<u>Jason Van Essen</u> stated that is correct, there must a be a front door facing the street, with parking along the interior side or rear yard.

Greg Wattier stated if the front door faced East, those to requirements could be met.

Jason Van Essen stated correct.

<u>Chris Draper</u> stated the front door should face the main street and be visible, it shouldn't be different in this situation.

COMMISSION ACTION:

Chris Draper made a motion for the following:

Denial of the requested Type 2 Design Alternative for parking along East Army Post Road.

Approval of the requested Type 2 Design Alternative for parking along Indianola Avenue.

Approval of the Public Hearing Site Plan, subject to compliance with all administrative comments.

Motion passed: 8-3

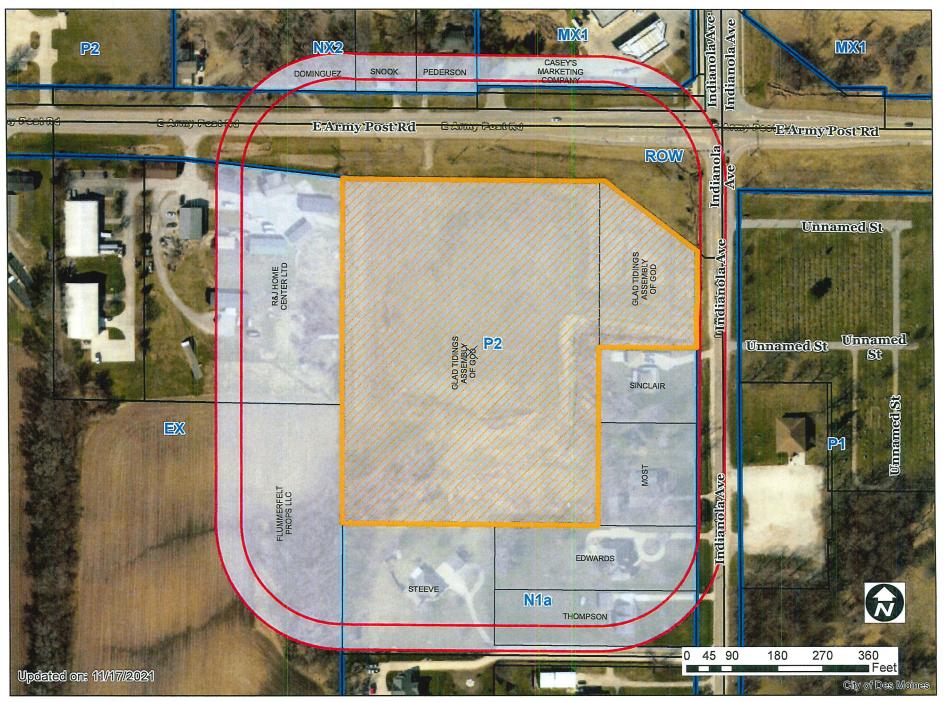
Respectfully submitted,

Bert Drost, AICP

BA Dut

Planning & Urban Design Deputy Administrator

BAD:tjh



GLAD TIDINGS ASSEMBLY OF GOD CHURCH SITE PLAN

LEGEND:

—SAN— SANITARY SEWER —ST— STORM SEWER

—TR F— TELEPHONELINE

-F/O-FIBER OPTIC —CATV— CABLE TV

O STORM MANHOLE

CURB INTAKE

SURFACE INTAKE

FLARED END SECTION

SANITARY MANHOLE

O CLEANOUT T FIRE HYDRANT

SPRINKLER

TRRIGATION CONTROL VALVE

WELL

WATER VALVE WATER SHUT OFF

A YARD HYDRANT

ELECTRIC MANHOLE

E ECTRIC METER ET FLECTRIC RISER

ELECTRIC VAULT

TRANSFORMER POL # LIGHT POLE

ELECTRIC JUNCTION BOX

ELECTRIC PANEL

△ TRANSFORMER 4 GROUNDLIGHT

-O GUYWIRE

ELECTRIC HANDHOLE

& GAS METER

GAS VALVE

[PE] AIR CONDITIONING UNIT

TELEPHONE RISER

TELEPHONE VAULT O TELEPHONE MANIHOLE

(N) TRAFFIC SIGNAL MANHOLE

O FIRER OPTIC MANHOLE

EII FIBER OPTIC RISER

FIBER OPTIC FAULT

CABLE TV RISER - SIGN

BOLLARD

O DENOTES NUMBER OF PARKING STALLS

PROPERTY CORNER - FOUND AS NOTED O PROPERTY CORNER- PLACED AS NOTED

SECTION CORNER-FOUND AS NOTED

ABBREVIATIONS:

AC ACRES
ASPH ASPHALT
BK BOOK
CONC CONCRETE

CONCRETE
DEEDED DISTANCE
EXISTRIC
ENGLOSURE
FINISHED FLOOR
FLOW LINE
FRACTIONAL
MEASURED DISTANCE
MANHOLE
ORANGE PLASTIC CAP
PLATTED DISTANCE
PAGE

PAGE
POINT OF BEGINNING
POINT OF COMMENCE
PREVIOUSLY RECORD
PUBLIC UTILITY EASEN RIGHT OF WAY RED PLASTIC CAP SQUARE FEET SANITARY TYPICAL YELLOW PLASTIC CAP

DIA BIANGRE A CULT TRIANGLE AT NORTH END OF HEADWALL LOCATED AT THE SW COR OF E. ARMY POST ROAD AND INDIANOLA

AVENUE ELEV=128,029 (CITY OF DES MOINES DATUM)

DM BIA42813: A TRIANGLE CUT IN SW CORNER TRAFFIC SIGNAL POLE BASE LOCATED AT THE NE CORNER E. ARMY POST ROAD AND INDIANOLA AVENUE ELEV=126.766 (CITY OF DES MOINES DATUM)

SITE TEM: ARROW ON FIRE HYDRAM ELEV=149.94 (CITY OF DES MOINES DATUM)

ONE CALL

GENERAL NOTES:

- ALL WORK SHALL BE DONE IN ACCORDANCE WITH SUDAS STANDARD SPECIFICATIONS AND ANY AND ALL CITYCOUNTY SUPPLEMENTAL SPECIFICATIONS. THE CITY OF DES MOINES MUST BE NOTIFIED BY ALL CONTRACTORS 40 HOURS PRIOR TO COMMENCING WORK.
- 2. IN EVENT OF A DISCREPANCY BETWEEN THE QUANTITY ESTIMATES AND THE DETAILED PLANS, THE DETAILED PLANS SHALL GOVERN THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL UTILITIES. ANY DAMAGE TO SAID UTILITIES SHALL BE REPAIRED AT THE CONTRACTORS EXPENSE
- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CURRENT O.S.H.A. CODES AND STANDARDS, NOTHING INDICATED ON THESE PLANS SHALL RELIEVE THE CONTRACTOR FROM COMPLYING WITH THE APPROPRIATE SAFETY REGULATIONS.
- ALL NECESSARY CONSTRUCTION SIGNS, BARRICADES AND OTHER TRAFFIC CONTROL DEVICES REQUIRED DURNING CONSTRUCTION WILL BE FURNISHED BY THE CONTRACTOR, SIGNS, PARRICADES AND OTHER TRAFFIC CONTROL DEVICES FURNISHED HIS CONFORMANCE WITH THE TAXAMALO BURNING MATRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS."
- 6. BISHOP ENGINEERING SHALL NOT BE LIABLE FOR ANY INJURIES THAT HAPPEN ON SITE. THIS SHALL INCLUDE BUT NOT BELEATED TO TRENCH COLLAPSES FROM VARYING SOIL CONDITIONS OR INJURIES CAUSED BY UNDERGROUND UTLITIES INCLUDING UTILITIES THAT ARE NOT SURVING US AND.
- THE CONTRACTOR IS LIABLE FOR ALL DAMAGES TO PUBLIC OR PRIVATE PROPERTY CAUSED BY THEIR ACTION OR BIACTION IN PROF FOR STORIAL WATER R.OW DURNING CONSTRUCTION. DO NOT RESTRICT R.OWS IN EXISTING DRAININGE. CHAINIELS, STORM SEWER, G. EACH TIEF.
- B. THE CONTRACTOR SHALL SUBMIT TO THE ENGINEER A SCHEDULE FOR PERFORMANCE OF WORK (TEMS. THIS SCHEDULE SHALL BE PROVIDED BY THE CONTRACTOR AT THE PROJECT PRECONSTRUCTION CONFERENCE, NO WORK SHALL BEGIN URING SCHEDULE AND SEEN SUBMITTED AND ACCEPTED, THE CONTRACTOR SHALL THEN PERFORM WORK TO CONFIGNAT OTHER COPPTED SCHEDULE.
- LABORATORY TESTS SHALL BE PERFORMED BY THE OWNER UNLESS OTHERWISE NOTED. THE CONTRACTOR SHALL PROVIDE SAMPLES OF MATERIAL REQUIRED FOR LABORATORY TESTS AND TESTING IN ACCORDANCE WITH THE URBAIN STANDARD SPECIFICATIONS FOR PUBLIC 10. SOIL IMPORT OR EXPORT ON THIS PROJECT SHALL BE CONSIDERED INCIDENTAL AND WILL NOT BE MEASURED OR PAID FOR SEPARATELY.
- 11. THE CONTRACTOR SHALL PROTECT ALL STRUCTURES NOT SHOWN AS REMOVALS ON THE PLANS. 12. THE CONTRACTOR SHALL OBTAIN ANY AND ALL MECESSARY PERMITS PRIOR TO ANY CONSTRUCTION, CONTRACTOR SHALL WORK WITH COMBER OR OWNERS REPRESENTATIVE ON ALL REQUIRED STORM WATER DISCHARGE PERMITS FROM THE IOWA DEPARTMENT OF NATURAL RESOURCES AND THE CITY OF DES MONES.
- 13. GRADING AND EROSION CONTROL SHALL BE DONE IN ACCORDANCE WITH THE APPROVED GRADING PLAN, SWPPP, HPDES DOCUMENTS, AND IDWA DEPARTMENT OF INTURAL RESOURCES REQUIREMENTS.
- 14. THE CONTRACTOR SHALL PICK UP ANY DEBRIS SPILLED DITTO THE ADJACENT RIGHT OF WAY OR ABUTTING PROPERTIES AS THE RESULT OF CONSTRUCTION, AT THE DRO OF EACH WORK DAY.
- 15. THE CONTRACTOR IS RESPONSIBLE FOR THE PROMPT REMOVAL OF ALL MUD THAT HAS BEEN TRACKED OR WASHED UNTO ADJACENT PROPERTY OR RIGHT OF WAY UNTIL SUCH TIME THAT PERMANENT VEGETATION HAS BEEN ESTABLISHED.
- DISPOSE OF ALL EXCESS MATERIALS AND TRASH IN ACCORDANCE WITH FEDERAL, STATE, AND LOCAL REQUIREMENTS, PROVIDE WASTE AREAS OR DISPOSAL SITES FOR EXCESS MATERIALS NOT DESIRABLE FOR INCORPORATION INTO THE PROJECT.

PAVING NOTES:

- 1. THE PAVING/ GRADING CONTRACTOR SHALL BACKFILL THE PAVING SLAB AND FINE GRADE THE RIGHT OF WAY AS SOON AFTER THE PAVING AS POSSIBLE. ALL AREAS SHALL BE SEEDED IN ACCORDANCE WITH CITY OF DES MOINES STANDARD SPECIFICATIONS AND THE CURRENT
- SUBGRADE PREPARATION AND PAVEMENTS WILL BE CONSTRUCTED FOLLOWING RECOMMENDATIONS IN THE SOILS REPORT. APPROVED
 SOILS ENGINEER MUST SIGN OFF ON SUBBASE PRIOR TO ANY PAVEMENT BEING PLACED.
- 3 SEE DETAILS END ALL DAVENEUT TURNNIESE
- ALL PEDESTRIAN WALKWAYS THAT UNIQAD INTO A PUBLIC STREET MUST HAVE A.D.A. DETECTABLE WARNING PANEL(S) AS PER A.D.A. REGULATIONS. PANEL TYPE & COLOR SHALL BE PER CITY STANDARD.
- 5. ALL MULES, PRINCELOTES, MANDELO PRINCERS, RAMPS, ELC. SHAN CORDY YOTH ALL AD, AND ETY COSES, MUNESCH PRINCES CONTROL OF THE PRINCES OF THE

UTILITY NOTES:

- 1. QUANTITY CALLOUTS ON PIPE LENGTHS ARE APPROXIMATE AND SHOULD BE USED FOR REFERENCE ONLY.
- . THE CONTRACTOR SHALL PROVIDE AS-BUILTS OF ALL UTILITIES, INCLUDING DEPTH AND LOCATION OF ALL SERVICES,
- 3. THE CONTRACTOR SHALL BE RESPONIERE FOR CORDINATION AND ALL COSTS ASSOCIATED WITH A SHALL TO DO O STORM WATER DETERMINED STATUM A DETERMINED STORM STORM STATES ASSOCIATED WITH A SHE PRINCIPATE AND STATES ASSOCIATED WITH A SHE PRINCIPATE AND ASSOCIATED WITH A SHE PRINCIPATE AND ASSOCIATED WATER ASSOCIATED WATE
- 4. THE CONTRACTOR SHALL COORDINATE THE ADJUSTMENT OF ANY AND ALL EXISTING AND PROPOSED UTILITIES TO PROPOSED GE EXISTING UTILITIES SHALL BE RAISED OR LOWERED IN ACCORDANICE WITH THE UTILITY OWNER REGUIREMENTS. ANY HECESSAR ADJUSTMENTS SHALL BE CONSIDERED INCIDENTAL TO CONSTRUCTION.
- ACTIVE EXISTING FIELD TILES ENCOUNTERED DURING CONSTRUCTION SHALL BE REPAIRED, REPOUTED, OR CONNECTED TO PUBLIC OR PRIVATE STORM SEWER TO REMAIN IN SERVICE. 6. ALL PROPOSED RCP STORM SEWER PIPE-DONTS SHALL BE FABRIC WRAPPED AND THE LAST 3 PIPE SECTIONS ON THE APRON SHALL BE TIED WITH RF-14 TYPE II CONNECTORS, ALL APRONS SHALL HAVE A STANDARD FOOTING AND TRASH GUARD.
- 7. ALL RIP RAP CALLED OUT ON PLANS SHALL BE UNDERLAIN WITH ENGINEERING FABRIC.
- WATERMAINS SHALL BE C-900, SIZE OF WATERMAIN AS SHOWN ON PLANS.
- 9. THRUST BLOCKS SHALL BE INSTALLED AS REQUIRED AND SHALL BE CONSIDERED INCIDENTAL TO WATERMAIN CONSTRUCTION.
- PROPOSED WATERMAIN SHALL BE PRESSURE TESTED, BACTERIA TESTED AND CHLORINATED. THE FILLING OF THE WATER MAIN SHALL BE DONE BY THE CITY OF DES MOINES. 11. TRACER WIRE SHALL BE ADDED TO ALL WATER MAIN, AND BROUGHT TO THE SURFACE AT EVERY HYDRANT.
- ALL HYDRANTS WILL IMMEDIATELY BE COVERED WITH A BLACK PLASTIC BAG (OR EQUIVALENT) ONCE THE HYDRANT IS INSTALLED, THE CITY
 OF DES MOINES WILL NOTIFY THE CONTRACTOR WHEN THE BAGS CAN BE REMOVED.
- 13. THE MINIMUM HYDRANT LEAD SHALL BE 3.5 FEET.

CATION OF THE LITE MIES INDICATED ON THE PLANS HAVE BEEN TAKEN FROM THE FIELD SURVEY

THE COOTION OF THE CULTURES MOLICITED ON THE PLANS MAY BEBY TAKEN THEM THE PLANS WERE THE PLANS

UTILITY CONFLICT NOTES:

- UTILITY CONFLICTS MAY EXIST ACROSS THE SITE WITH NEW UTILITIES, GRADING, PAVING ETC. MOST UTILITY CONFLICTS HAVE BEEN CALLED OUT FOR CONTRACTOR CONVENIENCE.
- 2. CONTRACTOR IS RESPONSIBLE FOR ALL UTILITY CONFLICTS THAT ARE EITHER CALLED OUT ON THE PLANS OR THAT CAN BE SEEN ON THE PLANS BETWEEN AM DISTING UTILITY AND PROPOSED CONSTRUCTION

- UTILITY MAPS PROVIDED BY: ELECTRIC (PROVIDER / CONTACT INFO)
 STORM AND SANITARY (PROVIDER / CONTACT INFO)
 FIBER OPTIC (PROVIDER / CONTACT INFO)

C4.1

CITY OF DES MOINES NOTES:

- THIS SITE SHALL BE MAINTAINED IN COMPLIANCE WITH ALL CITY CODE APPLICABLE ON THE DATE OF SITE PLAN APPROVAL
- ARY NEW ROOFTOP MECHANICAL EQUIPMENT MUST BE SCREENED ON ALL SIDES WITH SCREENING EQUAL TO THE HEIGHT OF THE EQUIPMENT.
- ALECHANICAL EQUIPMENT SHALL NOT BE LOCATED IN THE FRONT YARD OR STREET SIDE YARD, AND SHALL BE SCREENED FROM VIEW FROM ANY PUBLIC WAY WITH LAIDSCAPING, FENCING, OR WALLS CONSISTENT WITH THE BUILDING GESIGN, COLORS, AND IAMERINE,
- ANY AMENDMENTS OR CHANGES TO THE PROJECT SITE THAT DO NOT MEET WHAT IS SHOWN ON THE SITE FLAIN NEED TO BE APPROVED WITH THE PERMIT AND DEVELOPMENT CENTER PRIOR TO INSTALLATION/CONSTRUCTION.
- ALL INDUCTION OF STREET OF
- INEW LIGHTING LECTRICAL LINES SHALL BE UNDERGROUND.

 THE REQUIRED LANDSCAPING, BOTH EXISTING AND PROPOSED, SHALL BE MAINTAINED FOR THE LIFE
 OF THE CERTIFICATE OF OCCUPANICY.
- ALL DISTURBED AREAS SHALL BE RESTORED BY SEEDING OR SODDING PER LANDSCAPING PLAN, ANY AREA DISTURBED BY CONSTRUCTION ACTIVITY NOT SHOWN ON PLANS SHALL BE SEEDED.
- TO APPLY FOR PERMITS (SIDEWALKAPPROACH, GRADBIG, RIGHT-OF-WAY EXCAVATION/OBSTRUCTION FLOODPLAIN, ETC.) WITH THE CITY OF DES MOINES PLEASE VISIT THE CUSTOMER SELF SERVICE (CSS) PORTAL (FITHIS 15 VORTH RIST TIME USING CSS OR APPLYING FOR PERMITS WITH THE CITY YOU WALL BE PROAIPTED TO CREATE AN ACCOUNT DEFORE APPLYING.

ZONING BOARD OF ADJUSTMENT:

2. EXEMPTION OF 15 FEET LESS THAN THE MINIMUM 30 FEET FRONT YARD SET

(ZON 2013-00100) JULY 24, 2013

1. SPECIAL PERMIT FOR STEEPLE HEIGHT OF 50 FEET

CROSS-CONNECTION EASEMENT

SHEET INDEX:

COVER SHEET

LAYOUT PLAN

UTILITY PLAN

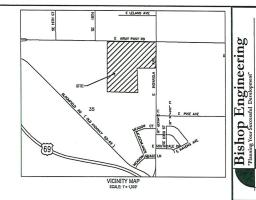
C5.1 LANDSCAPE PLAN

C6.1 DETAILS SHEET

C7.1 SWPPP PLAN

GRADING PLAN

C5.2 LANDSCAPE MITIGATION



LEGAL DESCRIPTION:

ADDRESS:

2145 E, ARMY POST ROAD

WARRANTY DEED BOOK 14550 PAGE 484
LOTS 5 AND 6 MICRIFF ACRES, AN OFFICIAL PLAT,
NOW INCLUDED IN AND FORMING A PART OF THE CITY
OF DES MOINES, POLK COUNTY, IOWA, EXCEPT FOR

EASEMENTS AND COVENANTS OF RECORD.

PREPARED FOR OWNER / APPLICANT:

ZONING:

P-2 BUILDING TYPE: CIVIC (Church)

GENERAL BUILDING SETRACKS

BUILDING SHALL BE SPRINKLER-ED

SITE AREA:

PARKING REQUIREMENTS: PARKING REQUIRED: 1 STALL PER 6 SEATS OF ASSEMBLY AREA = 411 SEAT x (1 PER 6) = 69 STALLS (INCL 3 ADA STALLS)

PROVIDED: 86 STALLS (INCL. 4 ADA)

BIKE RACKS: 1 PER 200 SEATS (MIN 2)

MAXIMUM IMPERVIOUS AREA

IMPERVIOUS SURFACE:

DISTURBED AREA



☐ APPROVED WITH CONDITIONS SEE EXHIBIT "A" IN ACCORDANCE WITH SECTION 135-9 2019 DES MOINES MUNICIPAL CODE AS AMENDED

NO CHANGES TO THIS PLAN UNLESS APPROVED IN WRITING FROM THE COMMUNITY

COMMUNITY DEVELOPMENT DIRECTOR:



I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWA.

RICHARD H. BAUMHOVER, P.E. 12386 LICENSE RENEWAL DATE: DEC. 31, 2021
PAGES OR SHEETS COVERED BY THIS SEAL:

C_{0.1}

MOINES PF SHE VGS ASSEMBLY (
POST RD. DES MC ER 20

CHURC

GOD

3501 104th Street ss Moines, Iowa 3022-38 i: [515)276-0467 Fax: (515)276 Land Surveyine

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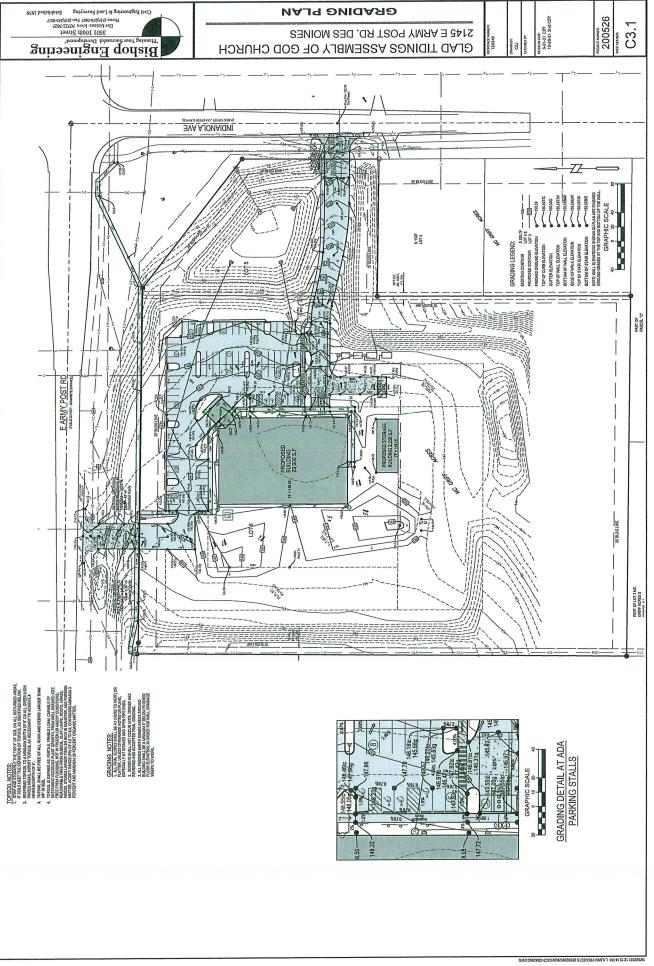
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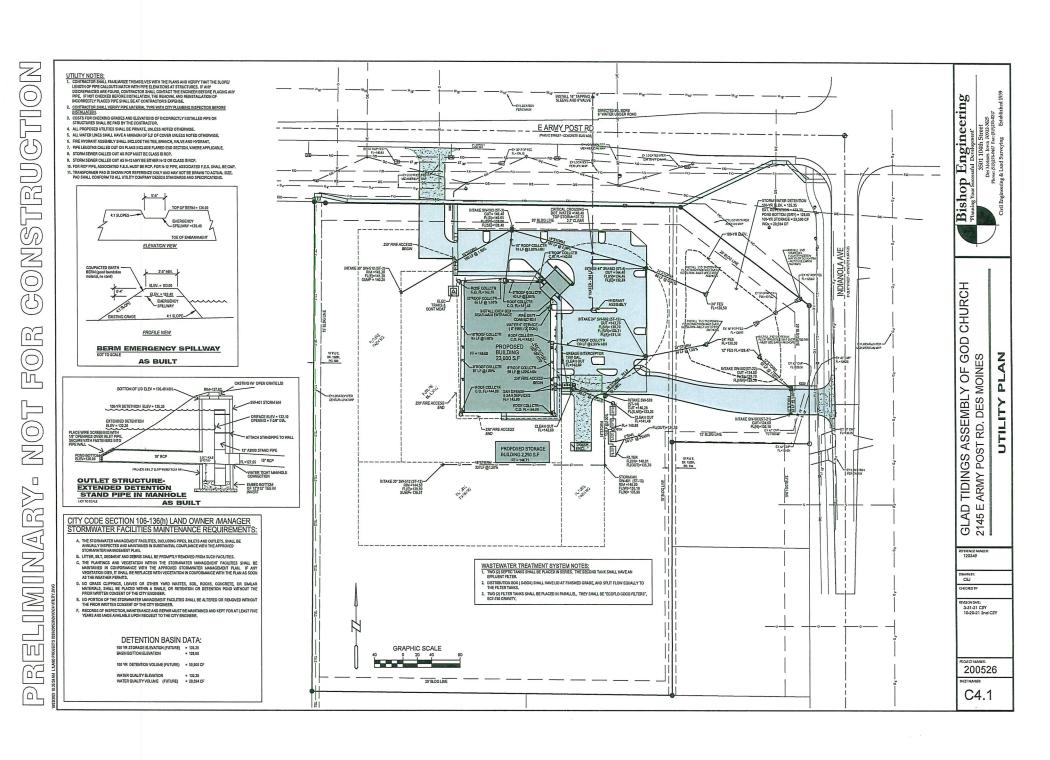
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3-31-21 CITY

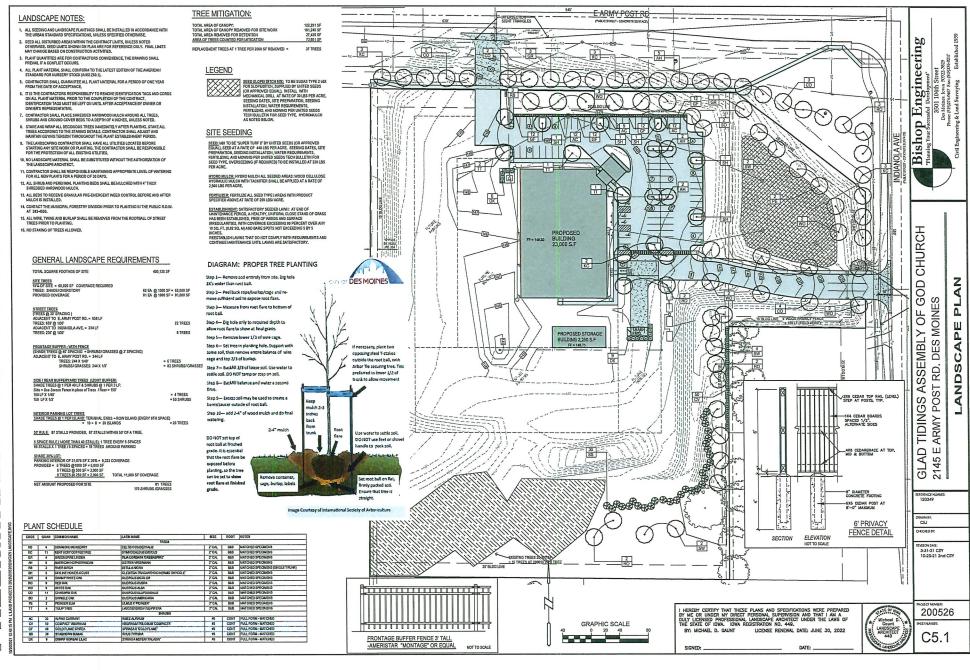
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PRELIMINARY NOT FOR CONSTRUCTION









IMINARY- NOT FOR CONSTRUCTION

C2.2

200226

10-50-51 SUR CILA 3-91-51 CILA ENBONDME:

MCCED BY:

GLAD TIDINGS ASSEMBLY OF GOD CHURCH 2145 E ARMY POST RD. DES MOINES LANDSCAPE PLAN



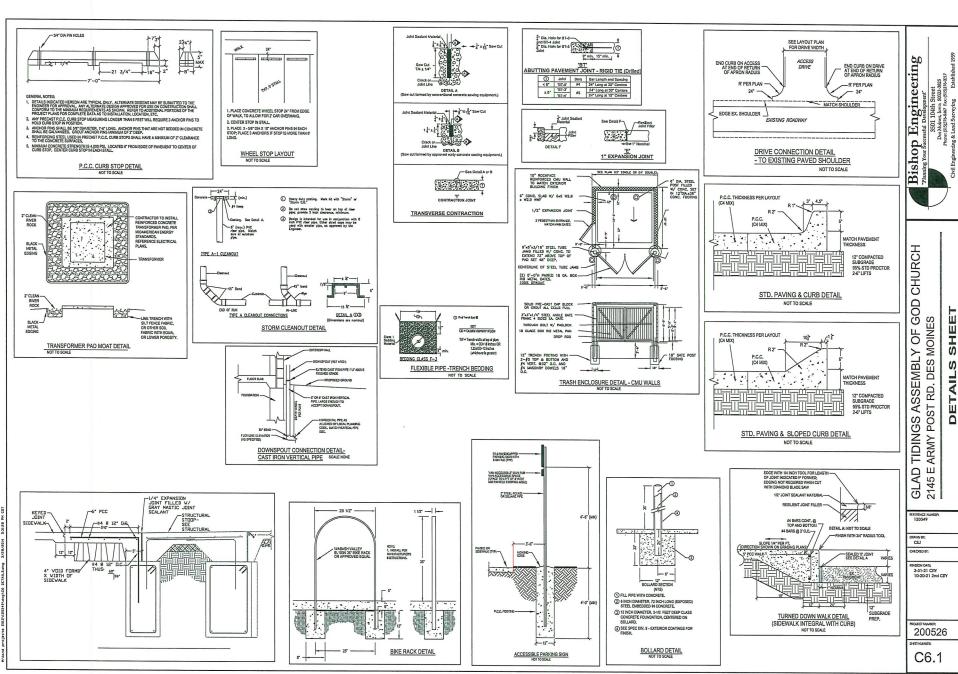


32,000,00 233RT 21

EXISTING REMAINING TREES:

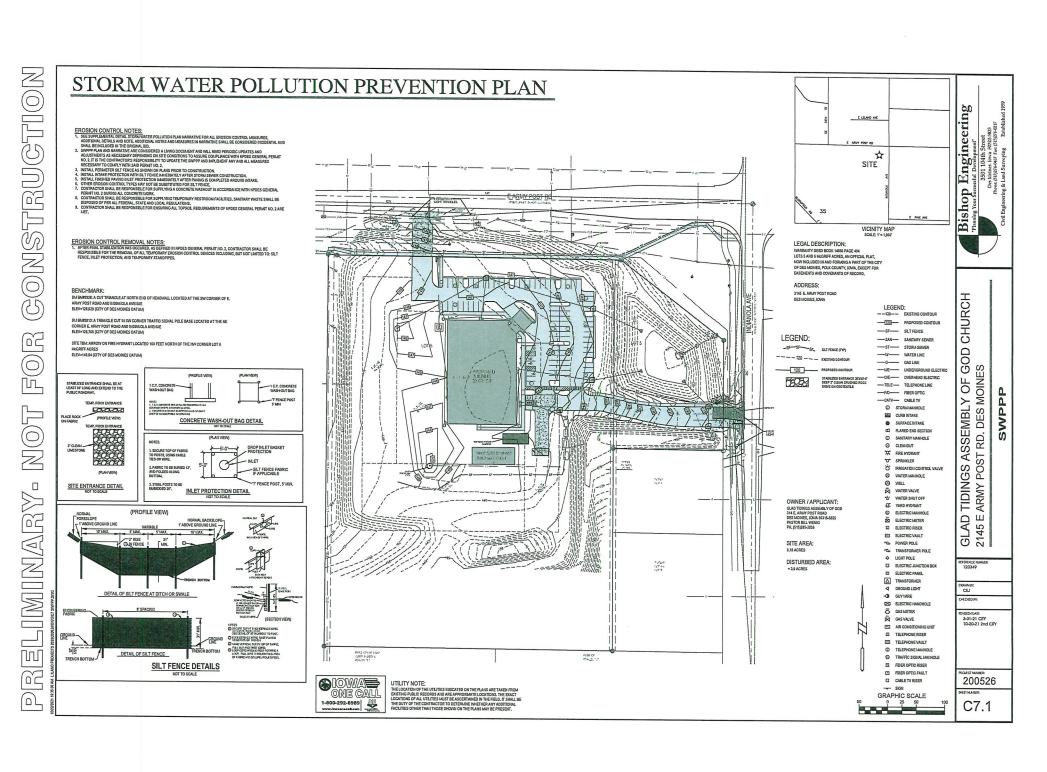
REPLACEMENT TREES AT 1 TREE PER 2000 SF REMOVED =

TREE MITIGATION NOTES:



SHE

DETAILS



JEFF RAINS

jeff@rainsarch.com

515-314-8696

20 December 2021

Jason Van Essen, AICP, Planning & Urban Design Administrator City of Des Moines, Development Services 602 Robert D. Ray Drive, Des Moines, Iowa 50309 515-283-4147 JMVanessen@dmgov.org

RE: SITE-2021-000020 - 10-21-7.153 Glad Tiding Assembly of God Church - 2145 E Army Post

Jason,

This letter is to officially notify Staff and City Council that my client wishes to appeal the decision of the Planning & Zoning Commission on November 18, 2021 against the Type 2 Design Alternative regarding parking along East Army Post Road. We request this appeal based on the following factors:

- We believe that, due to the nature of the site, the impact of the parking on the Army Post side is negligible. In this case, parking, and even the front of the building, will be partially screened by topography and landscaping. It will be less visible due to setbacks as well. Even without the parking we will need to have a drive through there so it would be more efficient and of minimal impact to have some parking.
- 2. It is in keeping with the neighborhood on a long-term basis- Caseys to the north with parking and gas island in front, cemetery to the east will never be developed, property to the northeast will also have large setbacks and storm water drainage or detention.
- 3. While within Des Moines city limits, this neighborhood is vehicle-oriented in nature and in practice. This is apparent in the makeup of the surrounding properties, but also in the design of the roadway and intersection, with multiple lanes and turn lanes. Also, very few people will be able or willing to walk to this site and churches like this draw from a large area.
- 4. We had already agreed to reduce the parking on this side of the property. What is shown is less than half of what is desired.
- 5. The church wants to 'face' the intersection and the community with their front door in order to be inviting and an anchor for the community. Parking near the main entrance is expected by many church-goers, especially the elderly. Parking in the rear for this type of facility creates confusion and frustration for many people.
- 6. Providing entrances on both the street side and in the rear creates a security problem and extra ongoing expense to the church to monitor and manage that.
- 7. The church needs to be able to add on to their building in the future. It is wasteful to build a parking lot, only to remove it later for an addition and have to build a new parking lot again. If we try to leave room for it we will be guessing as to the size of the addition and still risk having to remove part of it, but more importantly we also alienate people by making them park much farther from the building than necessary.
- 8. We would be willing to consider adding a berm between the parking and the street if that helps the discussion.

Let us know when we can get on the agenda for City Council. Thank you.

Sincerely,

Jeff Rains Architect/Owner