

BOARD OF ADJUSTMENT

April 7, 2021

Due to the COVID-19 pandemic and associated protocols, the Urbandale Board of Adjustment met in regular session as a virtual meeting on Wednesday, April 7, 2021, via WebEx Meeting Rooms. The City of Urbandale will still provide public access via a WebEx virtual meeting application. Meeting minutes will continue to be transcribed, and upon approval, will be available via the Community Development Department. Chairperson Katie Wheeler called the meeting to order at 6:00 p.m.

Board members present were Sarah Kautz, Katie Wheeler, and Kathy DeWald. Staff members present were Annika Schilke, Planner II, Nicole Lunders, City Clerk, and Cheryl Vander Linden, Administrative Specialist.

Ms. Wheeler, Chairperson, said Urbandale strives to promote and model the principles of Character Counts, and we expect all participants in this evening's meeting to conduct themselves in a manner that adheres to the principles of trustworthiness, respect, responsibility, fairness, caring and citizenship. This is an informal meeting open to the public. In order to properly handle each appeal, the Board's procedures are as follows. The agenda shall be followed for each appeal. The person making the appeal shall first explain the circumstances of the appeal and why a variance or conditional use permit, as the case may be, should be granted by the Board. Next all persons in favor of the appeal shall have the opportunity to address the Board. At that point, any person opposed to the request will have the opportunity to address the Board. The Zoning Administrator shall then present the position of City Staff, supported by legal counsel if desired. The person making the appeal will then be given time for rebuttal, if desired. At that time, the public hearing will be closed and the Board will begin its deliberations. The Board may ask for additional information before arriving at a decision which will be announced this evening. The agenda and Staff recommendations for each case were mailed to those requesting variances or conditional use permits. An official notice for each appeal was published in the community publications, Urbandale/Johnston Register. In addition, a copy of the official notice was mailed to property owners in the vicinity of the subject property, in accordance with adopted procedures. She asked if there were any objections to any of the notices? Please let the record reflect there are none.

Ms. Wheeler said this is a 5-member board and the Code of Iowa requires 3 affirmative votes to grant any variance or conditional use, regardless of how many members are present or may have a conflict of interest and be unable to participate and vote on a particular appeal. A minimum of 3 members must be present to constitute a quorum and allow the meeting to be held. In such case a unanimous vote is necessary. A vote of 2 to 1 in favor, or 2 to 1 with one abstention, if 4 were present, as examples, would constitute a denial. Knowing that, anyone who wishes to have his or her item deferred until a future meeting may do so by requesting a deferral now or at any time prior to a

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motion being made. Once a motion has been made, it will no longer be possible to request deferral. If denied, a variance or conditional use cannot be resubmitted for the Board's consideration for a minimum of one year. Everyone should mute your electronic device to lessen background noise but also remember to unmute your electronic device at the time of discussion, questions, and voting. For each item, the chair will recognize one person to speak on behalf of the application. We ask that each person addressing the Board state their name and address for the record prior to making their presentation. The chair will also make time available for anyone who may wish to speak in favor or in opposition to any item. Please wait until that time to unmute your device and request to speak.

The first item on the agenda was to approve the minutes from the March 3, 2021, meeting. Ms. Kautz moved, and it was seconded by Wheeler, to approve the March 3, 2021 meeting minutes. On roll call; Ayes: Kautz, Wheeler, DeWald; Nays: none. Passes: none. Motion carried.

The next item on the agenda was the St. Pius Church and School Building Addition Conditional Use Permit, 3601 66th Street, case no. 011-2021-02.05.

Mr. Rick Baumhover, Bishop Engineering, 3501 104th Street, Urbandale, said I will speak to the site plan a little bit, in general. He asked if Ms. Schilke will show the documents that they have provided?

Ms. Schilke said yes, we can do the mechanics, however works best for you. If you want to just show one or two things, I've got all of your application here.

Mr. Baumhover said okay, if you want to just go to my sheet C2.1, the layout plan. In general, this project is a connection between the school and the parish center building. The staff report covers everything quite well. I'd say the main two things that prompted this project are the school has a Pius Pals program, which is an after-school childcare program. In the last five to six years, it's been received quite well and in fact they have up to 70 kids that are in after-care daycare after school. This program functions and runs in the meeting room in the parish center now. In fact, it's fully licensed by the DHS and the DHS regulations require 35 square feet of space for each child. With 70 kids and 35 square feet, that's roughly 2,800 square feet of space, which is more than the meeting room can hold, so the gym is also counted into that square footage. After school, when school gets out, the gym and the meeting room are occupied by the after-school care program. So what this means is, the last four or five years, there can't be practices right away after school in the gym, they have to wait until 5:00 or 6:00 or later at night. Also, the meeting room itself is used up until 6:00, until 6:30 they clean and put things away, so that activities and other things that were to happen in that space, they can't get in to set up until 7:00 or so. So it's been a real inconvenience and we need to be able to get our gym and our meeting room back. This project has been looked at for a while to provide us more additional space, and with the success of Pius Pals, the

after-school care program, that's really pushed it along.

Mr. Baumhover said the other thing really driving this too is just the fact that the kitchen, the meeting rooms, and the bathrooms, the renovation of the parish center, was done in 1986. That's 35 years ago. Not a lot has changed, there certainly have been things that have been modified and updated in code-compliant things in the kitchen have been done, but really it's been 35 years and we're still looking at some mauve and strange colors from the 1980's, very small restrooms, and things like that. I won't go into all the specifics of the building, I'll let Jon with SPVA go in and describe how the building is going to function. But really the two things driving this project have always been we need space for meeting rooms and we need space for our after-school care program, in order to make our gym a viable facility again. So I will speak a little bit here about the site plan and then turn it over to Jon about the building. From a site plan perspective, there's not a whole lot going on, other than the building itself filling in here. Right now, on the north side of the parish center, we have an asphalt parking lot that kind of needs patching. It's really starting to tear up this year, but that is the light gray area on the drawing that will be re-paved with concrete parking. Off to the left-hand side you can see some long rows of boxes in the parking lot, that's for underground detention. We're going to provide underground detention for the added hard surfacing that this building addition is going to add to the site. There's really no change to the sanitary. Well, one change that we're going to provide is a fully WRA required grease interceptor for our kitchen, and that's going to occur in the northeast corner of the building and tie into our existing sanitary system. So we'll be putting in the big 1,500 or one of the larger sized grease intercept traps that we need in order to support our kitchen. The parking, we'd like to add some landscaping on the north side of the building, so you see some white space on this drawing between the building and the parking lot. We're trying to carve out a little bit of space, we're going to have a little bit of separation from the parking lot and the building and get some landscaping and trees in there. So, to do that, we kind of reoriented our parking so we have some head-in parking along there. We're able to do this and add stalls, but we have to also re-locate our trash dumpsters to the east side of the property. So this drawing we're showing right now is a couple of stalls short, but we think we can find spaces on the rest of the campus to make up for these two parking stalls that are missing from this layout that we have here. The other area where things are going to happen, site-wise, is to the south of the parish center. As you may or may not know, the pastor's house is directly south of the school and, due to the bumpout on the south side of the gym that we're adding and this addition kind of pushes it up against that northeast corner of that residential lot, or house, the father's house, so we're going to have to cut the corner of that off to relocate the sidewalk around there. There is some grade change we have to deal with because the parish center is a half a story below lining up with the elevations of the school building. As such, the doors coming out of the south end of the addition are going to be coming up half a story to rise up to the higher slope of the area behind Father's house. And in fact we'll still carry a bit of a retaining wall around there in order to get that sidewalk put in. There's a lot of utilities that have to get relocated underground to make up for the new footprint of the

addition, but that's all stuff that gets buried and hidden, no one really sees so I won't really go into that too much. Like I said, we're adding stormwater detention underground. We're adding the grease interceptor under the parking lot and we're trying to carve out a little bit of space for more trees/landscaping on the north side of the building. With that, if there are any questions about the site plan, I'd be glad to take those now. Otherwise, I can turn it over to Jon and also with us tonight is Dean Roth, the business manager of St. Pius who can also talk about some of the programming and functions, and if there are other questions about St. Pius that we don't know, we'll turn those over to Dean.

Ms. Wheeler said my question was you saw in the Staff recommendations that they did recommend approval but it was subject to three items, and you're comfortable with those conditions?

Mr. Baumhover said I'd better review those items to make sure. Yes, the seating capacity is not changing in the church or the sanctuary. This is all about providing larger space for our current members and our current school children. We're not looking to really for this to be a driver to adding population to the campus. So the seating capacity is not going to be increased. We are working for site plan approval. We submitted plans for that a couple of weeks ago, and hopefully we'll be on the next Planning and Zoning meeting coming up next week with our site plan, so our site plan is in the works. The last item about take measures to reduce on-site congestion to avoid traffic back-ups on Douglas, I'm not sure exactly which times of day and when those back-ups are, but we understand that we're neighbors in this community and we want to be good neighbors. It's not good for us not to be a good neighbor, and we want to be efficient, and safe for our members and our people coming to our facilities, as well. So if there are things we can do to look at better ways to manage traffic, we'll certainly take that and work with the City on any suggestions that they may have. So, no, we don't have any problems with the staff recommendations. So, if we're not going to receive a 3-0 vote, please let me know because we don't want to have to wait a year to bring this back! But I think this is a pretty straightforward project.

Mr. Jon Oosterhuis, SVPA Architects, 1466 28th Street, West Des Moines, said as the plan shows in front of you here that Mr. Baumhover was going over, we're planning on that in-fill building. Mainly that's a two-story building to kind of align with the existing school wing, that's a two-story structure. Along that south end, which is that long thin area, that is a single-story structure where we're expanding and allowing better access to the existing gym and provide some additional bleacher, spectator seating area. Currently their gym, it's like you're right on the side lines and really close to the play, so this is going to give them a breathing room, make it safer for the kids to do sports and allow spectators, as well. The other things on the project for life safety, we're looking at upgrading the sprinkler system. Currently the school isn't sprinklered, so we're doing a total sprinkler system throughout the building. Also we're adding an elevator to kind of give the existing two-story classroom accessibility, as well as the new two-story

building. We're renovating a large portion of the parish to just give it a fresh look and putting new restrooms this new first floor of the two-story building, so that will have new restroom facilities. The other thing that is incorporated in the project that is a new requirement for educational buildings is hardened space, kind of a FEMA shelter, for students and building occupants to seek shelter in case of tornadoes and other things, so about half of the first floor that you see there will be a hardened shelter so that will be a nice safety item for the project. He asked do you happen to have elevations and plans? We can kind of walk through those too. He said this is the first floor. You can kind of see that in-fill building. We're going to create this new entrance to serve the new parish center with the elevators directly off of that. You can kind of see a couple of meeting rooms south of the restrooms and that hallway that I mentioned links over to the bleacher area. We're looking at renovating the kitchen, kind of giving more use and function to that, with walk-in coolers and freezer. The meeting spaces looking at dividing, providing operable walls to divide up in the left area there, there's a demising wall, an operable partition. So that's the first floor and then on the second is where that Pius Pals that Mr. Baumhover was talking about, the program that's around 70 or so kids. So this area is for classrooms that will serve them and be licensed to the needs of the before and after school care program. He asked do you have the elevations so we can briefly look at the building?

Mr. Oosterhuis said so you can see here, the materials on the exterior we're going to try to blend in with the brick, the many different types of brick that's happening between the difference phases, but we're going to complement it. We're looking at some stone at this main entrance, this top elevation that you see, which is the north elevation. The existing church has a nice stone look, and so we're trying to kind of replicate that and kind of have this theme of consistency with materials. Then, like I said, doing a masonry cladding on the majority of the two-story building. We are looking at some options, like elevation 3 there, which was the south elevation, that long building there where you have that one story structure for the bleachers, we're exploring different options for the cladding on that portion, but currently we're trying to blend in best with the neighborhood and with the existing buildings. He asked are there any questions?

Ms. Wheeler said none from me.

Ms. Kautz said no, none from me. Thanks! It's very thorough. We're normally don't get this much detail.

There was no one else who wanted to speak either in favor or opposed.

Ms. Schilke said the action required on this item is for finding for approval or denial of the requested Conditional Use Permit to allow the expansion and renovation of the Parish Center and School buildings.

St. Pius X Church and School, is proposing an addition to the Parish Center and School

Buildings. The two story addition of approximately 8,520 square feet would attach the two buildings and wrap around the south side of the parish center.

This addition will be used to accommodate 4 multi-purpose rooms and two meeting rooms as well as new restrooms on each level. The portion of the addition that wraps around the south side of the parish center would add a bleacher area to that existing building. As part of this project a sprinkler system will be installed to cover the school building, parish center, and building addition. A grease interceptor will also be installed in the parish center kitchen.

The addition is not intended to increase the capacity/enrollment of the school nor the size of the primary church sanctuary. Rather, the addition is needed to reduce competition for existing meeting rooms and space in the parish center so that current enrollment trends for the existing school and preschool can continue, while the church can also have access to more meeting rooms and the parish center hall for regular parish programs.

Maximum total enrollment in the Pre-K through 8th grade school is 500 students, and that maximum is not increasing as part of this project. Current enrollment is around 368 students with 44 full time and 6 part time staff.

The capacity of the existing sanctuary in the northern church building is 725 and is not impacted by this project. The minimum number of on-site parking spaces is determined based on capacity of the sanctuary and is around 242 (one space for every 3 seats in the sanctuary). There are 241 parking spaces currently on site, including those along 66th Street and Oliver Smith Drive. The addition will result in some needed changes to the site including adjustments to the parking lot, but the applicant has committed to retaining/replacing spaces to maintain the current level of on-site parking.

The property has frontage along Douglas Avenue, 66th Street, and Oliver Smith Drive and includes an area of approximately 6.7 acres. The portion of the property containing the Parish Center Building and St. Pius X School is zoned "R-1S" Suburban Density Single Family District. The property frontage along Douglas Avenue including the church is zoned "C-N" Neighborhood Convenience District. Properties located immediately adjacent to the parish center building and the school including are zoned "R-1S" Suburban Density Single Family District. Schools and churches are conditional uses in residentially zoned districts.

Ms. Schilke said Staff Analysis:

1. Standards, all of which must be met prior to approval of a Conditional Use Permit, are as follows:
 - (a) That the establishment, maintenance, or operation of the conditional use will not

be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;

- (b) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and will not substantially diminish and impair property values within the neighborhood;
- (c) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
- (d) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;
- (e) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
- (f) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified as provided in Section 6.
- (g) That the proposed use shall be consistent with the Comprehensive Plan. Conditions such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, planting screens, operational controls, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards, or parking requirements, may be required by the Board upon finding that these are necessary to fulfill the purpose and intent of this Ordinance.

2. The proposed building addition and site improvements are not intended to increase attendance at the school, but rather to relieve existing space constraints. It appears that the addition will not increase onsite congestion or otherwise have a negative impact on the surrounding community.

Therefore, the Board could find that the proposed Conditional Uses do not satisfy the standards required for approval of a Conditional Use, and that the request therefore must be denied. Or, the Board could find that with certain modifications and stipulations, that the proposed Conditional Uses would not create a negative impact upon the character of the neighborhood, would satisfy the required standards and the intent of the Ordinance, and that the requested Conditional Uses be approved subject to such modifications and stipulations.

Staff recommends approval of the requested conditional use to allow the proposed building expansion and renovation, subject to:

1. The seating capacity of the existing sanctuary/worship space may not be increased unless additional on-site spaces are provided.
2. Obtain site plan approval
3. Continue to take measures to reduce on-site congestion and avoid traffic backups especially on Douglas Avenue.

Ms. Schilke said I did hear from one adjacent neighbor, just reiterating some concerns I think they've had in the past about stormwater. I was able to reassure that person that any new run-off that was generated as part of this project would be taken care of through the site planning process, so we just will have our eye on stormwater detention and making sure that we're not having negative impacts on the neighborhood in that way.

We're working through parking spaces, very optimistic about having a basically neutral impact on parking.

She said the listed conditions are items that have come over from other conditional use permits on this site or just standard items. So nothing particularly unusual. Congestion is something we typically address on all school sites, so that is just a standard comment there.

Ms. Kautz said the two homes that are really close to that, you haven't heard anything from them? Or is that the one that had the stormwater run-off question?

Ms. Schilke said it was the homeowner at 3602 that reached out to me about run-off. All of these homeowners were definitely notified, and we have not heard anything from them.

Ms. Kautz moved, and it was seconded by Wheeler, to approve the St. Pius Church and School Building Addition Conditional Use Permit, to allow the expansion and renovation of the parish center and school buildings, based on Staff analysis 1A-G and 2, subject to the 3 Staff conditions 1, 2, and 3. On roll call; Ayes: Kautz, Wheeler, DeWald; Nays: none. Passes: none. Motion carried.

Ms. Wheeler said congratulations, you have your conditional use approval. Good luck with your site plan. I'll be looking forward to seeing it progress. It will be a good renovation for that area!

Regarding Staff reports, Ms. Schilke said I actually did get a conditional use permit submitted today for the next meeting on May 5, so we'll definitely have that meeting and we'll see if anything else comes in in the meantime. I did get an update from Tom

Muselman's wife, who gave me a call to let me know how he is doing. He's been in the hospital since December. It sounds like things were pretty touch and go for a while, but he's significantly improved and on the mend, so I'm very happy to report that he is doing better. I know he'd been in Omaha for a while, but she told me that he's back in Des Moines at a rehab center here. So they're hoping to have him home soon. She's just going to keep in touch and let us know how it's going.

Ms. Wheeler said I had no idea!

Ms. Kautz said I didn't know either. Thanks for letting us know.

Ms. Wheeler asked did we have someone new join the call?

Ms. Schilke said it looks like someone is joining the call. I'm not seeing your name and it looks like you might be muted. Do you want to let us know? If you're just joining us, I'll let you know we are actually wrapping up this meeting. If you figure out how to unmute yourself, you can jump in during the last couple of minutes and we'll try to address any questions that you might have before we sign off.

Ms. Wheeler asked are there any other board member items?

Ms. Kautz said none from me.

Ms. DeWald said none from me.

Ms. Wheeler said I have nothing from the Chair.

The meeting adjourned at 6:31 p.m.