Docket Number: 20/9772

Applicant: Lake Country Bible Chapel (Applicant/Prospective Buyer), represented by David Bentz with Bishop Engineering
3501 104th Street, Des Moines, IA 50322

Request: Lakeland Country Bible Chapel is requesting a Conditional Use Permit in order to establish a new approximately 9,000 square foot church building and use, classified as an indoor institutional use, at the subject property located at the northeast corner of NW 122nd Avenue and NW 135th Street in unincorporated Polk County.

Subject Property / Surrounding Land Uses:

The subject property is located at the northeast corner of NW 122nd avenue and NW 135th street and is legally described as the West half (½) of the Northeast quarter (¼) within Section 31, Township 81 North, Range 25 West of the 5th P.M. (Jefferson Township). The subject property is approximately 79.78 acres in size and is zoned "AG" Agricultural District. The site is owned by Tim and Pamella Westrum and is currently utilized as an agricultural field. The property owners have consented to the application for a Conditional Use Permit for a new approximately 9,000 square foot church to be constructed on approximately 6.73-acres within the southwest corner of the subject property.

The site is approximately 1.62-miles northeast of the City of Granger corporate limits. Surrounding properties to the north, east, west, and southwest are also zoned "AG" Agricultural District and primarily utilized in row crop production. There are a few residential homes in the surrounding area, which appear to be located on existing area farm homesteads. The property adjacent to the south is zoned "RR" Rural Residential District with an existing single-family residential development including 50 existing residences. The adjacent development was platted between 1973 and 1976 as included in the recorded final plats of Royal Estates Plat 1 and Royal Estates Plat 2. See *Attachment 'A'* for a vicinity map of the subject property and surrounding area.

Application

The Polk County Zoning Ordinance, *Article 4: Use Regulations, Division 2, Table 4.1, Table of Uses* permits Indoor Institutional uses within the "AG" Agricultural District upon the granting of a Conditional Use Permit by the Polk County Board of Adjustment. The applicants are proposing a new approximately 9,000 square foot church to be located in the southwest corner of the subject property. The church would provide a permanent location for Lakeland Country Bible Chapel that has approximately 145 people regularly attending on Sunday mornings and Wednesday evenings. The Lake Country Bible Chapel began around 1990 with meetings held within the northwest area of the county near Polk City. Meetings began within private residences and later met within various community and school buildings. The congregation is pursuing the construction of a permanent church building and have selected this location due to availability, cost and favorable location. See *Attachment 'B'* at the end of this report for a copy of the application.

The location for the proposed church will be required to be subdivided to create the approximate 6.73-acre parcel within the southwest corner of the subject property. This can be accomplished through a non-residential rural survey or a subdivision plat. The conceptual site plan submitted with the application shows a proposed approximately 9,000 square foot building at an

approximate setback of 260-feet from the south property line and approximate setback of 100-feet from the western property line. A proposed gravel access drive will connect the existing access along NW 122nd Avenue to the proposed building and parking lot. Under Article 15, Construction Standard, of the Zoning Ordinance the driveway and parking lot may be a granular surface without curbing if the use has an average daily traffic count fewer than 49 vehicles in the "AG" District. The Applicant's have discussed the average daily traffic count with staff during pre-application meetings and have also confirmed within the application that they are able to meet the average daily traffic count of 49 vehicles based on their normal Sunday morning service attendance. An engineered site plan amendment would be required to show upgrades for paving and curbs for the site if the average daily traffic count increases above an average daily traffic count of 49 vehicles in the future.

The site plan also shows a shed to the northwest of the church meeting the 30-foot building separation requirement and an adjacent playground to the west of the building meeting the 15-foot setback and 25-foot peripheral setback from the western property line. An open playfield is shown north of the building. See *Attachment 'C'* at the end of this report for a copy of the conceptual site plan showing the proposed location of the church and associated improvements on the subject property.

If this Conditional Use Permit application is approved, the applicants are required to submit an engineered site plan to Polk County for review and approval prior to construction. The site plan is required to demonstrate compliance with the standards for indoor institutional uses, including minimum setbacks, landscaping, and nonresidential performance standards within the "AG" Agricultural District. Following site plan approval, review of construction plans and issuance of a building permit is also required from Polk County Public Works prior to construction.

Public Testimony

Staff mailed out 25 notices regarding this request, including the date and time of the public hearing, to surrounding property owners within the 500-foot notification boundary. To-date staff has received one (1) response in support and four (4) responses in opposition of this application. Please see *Attachment 'D'* for a map showing the location of responses received regarding this request.

Natural Resources / Environmental

The subject property is not located within a mapped floodplain, nor does it contain other mapped environmental hazards or features. From site review and review of topography maps, the grade of the site slopes from west to east. There is a high elevation of approximately 992 feet along the southwest corner of the property, and a low elevation of approximately 950 feet along the northeastern corner of the property. An existing drainageway is located near the east central portion of the property with a low point of 928-feet. In review of the web soil survey provided by USDA and NRCS it appears that the predominant soil type located within the portion of the subject property proposed for the church is 829D2 Zenor-Storden complex. This soil type is identified as having a 10 to 16 percent slope and moderately eroded. The location of this type of soil is 3-acres in size and has a CRS (Corn Suitability Rating) of 24. A CRS rating this low on a scale of 0-100 identifies a reduced potential for soil productivity. This is the only location for this soil type within the subject property. The proposal will not affect the protected drainageway.

Stormwater management will be reviewed through the site plan process requiring controlled stormwater within the church site. The property contains some existing trees along all of the property boundaries. Additional landscaping would be required to screen the church from the adjacent single-family residential homes.

Roads / Utilities / Access

The subject property has a unique configuration at the right-of-way boundaries with approximately 67 feet of frontage to the southwest onto NW 122nd Avenue. The existing driveway entrance to the site is located at the northwest corner of the property onto NW 122nd Avenue. The speed limit for NW 122nd Avenue is 35 MPH. The proposal confirms that the church driveway would extend from the existing access and entrance to the property with site improvements to be completed according to Polk County and Statewide Urban Design and Specification (SUDAS) standards. Sight distance requirements will be met to ensure that access to and from the property will not create a safety issue. The existing roadway of NW 122nd Avenue is a hard surfaced roadway classified as a major collector and is maintained by Polk County. This major collector roadway carries higher traffic volumes connecting the adjacent residential development as well as visitors and employees for Jester Park to Highway 17.

Development of the property would require connection to public water. Water service to the subject property is provided through Xenia Rural Water District. Xenia Rural Water District was notified of this request to verify available water service in the area and specifically for the proposed use. At this time, our office has not received a response from Xenia although the Applicants have indicated that water is available through Xenia. The proposed church building will be served by a proposed septic system. The church building and accessory structures must be located a minimum of ten (10) feet from the existing septic system per Polk County Environmental Health requirements. Prior to construction the Polk County Building Division will review the plans for compliance with the Building Code. Given the nature of the use, fire suppression may be required. If fire suppression is required but adequate capacity does not exist or cannot be reasonably made available by upgrading the water system, then Polk County may allow a manual 24-hour fire alarm system as an alternative. Such decisions are made on a case by case basis under the County's Rural Fire Protection Policy. Under the policy, if at any time in the future the public water system is upgraded and able to provide fire flow, then the facility is required to install a compliant fire sprinkler system at that time. Further details on this requirement can be made clearer once the building's size and floor plan layout are finalized.

Off-street parking would be required and calculated based up on the final square footage and occupancy load of the building. The preliminary site plan shows 49 total parking stalls with 46 to be constructed with gravel and three (3) hard surface stalls to meet ADA requirements. The Zoning Ordinance would require, at a minimum, the provision of one (1) space per four (4) seats of occupancy up to the maximum occupancy of the building. Handicap accessible spaces would also be required, based upon the maximum number of spaces. The proposal includes reference to the average daily traffic count being fewer than 49 vehicles in the "AG" Agricultural District. Article 15. Construction Standard allows gravel to be utilized within the drive and parking areas requiring that they maintain a durable and dust free surface. If the proposed use grows and exceeds the average daily traffic counts to be greater than 49 vehicles then paving and curbing would be required through the site plan process.

Analysis

The Board of Adjustment in reviewing an application for a Conditional Use permit shall consider the proposal in terms of the following:

1. **Existing zoning and land use in the vicinity of the uses.**
   The subject property and surrounding area to the north, east and west are zoned "AG" Agricultural District, and primarily dedicated to row crop production with a few rural residences. The adjacent properties to the south are zoned "RR" Rural Residential District and include a residential development with 50 existing single-family dwellings.

2. **Planned and proposed public and private development, which may be adversely affected by the proposed use.**
   There are currently no major public or private developments planned in the area.

3. **Whether and to what extent the proposed use, at the particular location for which it is suggested, is necessary or desirable to provide a development which is in the interest of the public convenience or which will contribute to the general welfare of the area or Polk County.**
   The Lake Country Bible Chapel has outgrown their existing church locations and the church representatives would like to construct a permanent location for their approximately 145-member congregation on the subject property. The Lake Country Bible Chapel was established in the northwest part of the County and the church has selected this property due to its availability, cost, and favorable location. The subject property will maintain the existing "AG" zoning designation and will retain the required 90% open space. The proposal will maintain the rural character of the area.

4. **Whether and to what extent all steps possible have been taken by the developer to minimize any adverse effects of the proposed use on the immediate vicinity and on the public health, safety and welfare in general.**
   If approved, the applicants are required to provide a fully engineered site plan to demonstrate compliance with the Zoning Ordinance. The proposed church building will be located approximately 260-feet from the south property line and approximately 100-feet from the west property line. A stormwater review will be completed to determine stormwater discharge from the site improvements to be controlled on site. Landscaping will be required to create a buffer along the southern boundary of the property in addition to landscape buffers along the street and within the parking lot. The Zoning Ordinance requires that 90% of the subject property be preserved in open space within the "AG" Agricultural District.

Findings

The application shall be denied if the Board of Adjustment finds any of the following:

a. **The application and record fail to establish compliance with the standard made applicable to the proposed development by the provision of this Ordinance.**
   Following approval of the Conditional Use Permit the applicants are required to provide an engineered site plan, as well as construction plans, for review and approval by Polk

County, prior to any construction.

b. The proposed use, developed in the proposed manner, and at the proposed location, would be inconsistent with the standards pursuant to the provisions of this Ordinance.
The proposed use will be consistent with the standards of the Zoning Ordinance with the granting of the Conditional Use Permit. Additionally, required site plan and building permit review will ensure compliance with all County requirements for the use.

c. The adverse impacts on the overall public health, safety and welfare are not balanced by the public or private benefits of the proposal. The Board of Adjustment shall include in this balance, any proposals of the applicant and any conditions that it might impose on the development, pursuant to the provisions of this Ordinance, to ameliorate problems associated with the development.
The proposed church building will be placed a significant distance from the front property line, exceeding the front yard setback distance of the adjacent residences. Landscaping bufferyards will be required with a moderate (opacity .40) buffer along the south property line; a light (opacity .15) street buffer and landscaping materials will be planted throughout the parking lot. The site will be designed by a professional engineer to address the stormwater requirements of the Polk County Zoning Ordinance. Also, the property will utilize the existing entrance and access point to the site with concern for site distance and visibility. Upgrades will be made to the entrance within the right-of-way according to Polk County Code requirements.

In addition, no application for a Conditional Use Permit shall be approved unless the Board of Adjustment specifically finds the proposed conditional use appropriate in the location for which it is proposed. This finding shall be based on the following criteria:

A. The proposed use is not in harmony with the general purpose, goals, objectives, and standards of the following:

1. Polk County Comprehensive Plan: The proposal is consistent with the goals and policies of the 2030 Polk County Comprehensive Plan. The development of an institutional use on the subject property promotes the Northwest Area Plan's emphasis on long term planning goals through zoning standards that direct commercial, industrial and residential development to allow appropriate land uses and minimize leap-frog development. The indoor institutional use is allowed in the "AG" Agricultural District through approval of a Conditional Use Permit. The proposed church use is a compatible land use and most churches are found within residential neighborhoods. Landscaping and design standards will encourage integration with the surrounding neighborhood with limited impact and the existing "AG" zoning will also require the preservation of 90% of the parcel as open space. The proposed non-residential use of the property will also be required to meet the maximum Floor Area Ratio (FAR) of 4%.

The proposal also reflects the transportation access goals of the Northwest Area

Plan. The location of the proposed use will provide access to an existing major collector that allows traffic connectivity to Highway 17 directly west of the subject property. This will provide management of traffic appropriately through existing roadway systems in the area. The proposed use will also utilize an existing entrance to NW 122nd Avenue limiting access points along this corridor and preserving sight distance along the curve of the roadway.

2. **Polk County Zoning Ordinance:** The Zoning Ordinance allows the proposed use pending approval of this Conditional Use Permit by the Board of Adjustment, and pending the following: Future approval of an engineered site plan, building permit review, issuance and inspections, as well as completion of all improvements and issuance of a certificate of occupancy by Polk County Public Works.

3. **Other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the County:** None.

B. The proposed location of the use is not consistent with policies or provisions of the following:

1. **Comprehensive Plan:** The location of the proposed use is consistent with the goals and policies of the 2030 Polk County Comprehensive Plan.

2. **Polk County Zoning Ordinance:** Indoor Institutional uses are allowed within the "AG" Agricultural District, subject to approval of a Conditional Use Permit by the Board of Adjustment.

3. **Other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the County:** The use will be required to comply with all Polk County Ordinances and Codes, including the Polk County Building Code, Air Quality Division, as well as Engineering and Planning. Major requirements would include: Construction plan review, building permits, building inspections, as well as handicapped accessibility requirements. The use would also be required to meet the Polk County Noise Ordinance and apply for sound permits for any applicable outdoor events. Any driveway approaches would require approval by County Engineering, and multiple site improvements would be required, reviewed and inspected by the Planning Division.

C. The proposed use at the proposed location results in a substantial or undue adverse effect on any of the following either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of the Comprehensive Plan, this Ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the County or other governmental agency having jurisdiction to guide growth and development:

1. **Adjacent property:** The petitioners submitted a professionally drawn conceptual site plan with the Conditional Use Permit application. The proposed location was

chosen with review and consideration of the adjacent properties in relationship to the proposed building setback distance and location, and utilization of an existing shared access and drive. Landscaping bufferyards will be required to add a street buffer, peripheral buffer and parking lot islands. The closest adjacent residence is over 470 feet away from the proposed church building location with an approximate setback of 260-feet from the southern property line. Property owners within 500 feet were notified of this request with one (1) response received in support and four (4) responses in opposition. Furthermore, there is no planned or proposed public or private development in this area that would be impacted by this proposal. The current zoning and future land use of the subject property and larger surrounding area is agricultural.

2. **Character of the neighborhood:** The proposed use will likely fit in with the character of the neighborhood. Churches are commonly located in established residential areas of the County.

3. **Traffic conditions:** NW 122nd Avenue is classified as major collector roadway and therefore meets the requirement that nonresidential uses must take primary access to a minor or major street or frontage road. The existing roadway is hard surfaced and maintained by Polk County. The proposal includes shared access from the existing entrance to the property with the intent to upgrade the entrance to meet Polk County Code standards for entrances within the right-of-way. Clear view distance requirements shall be shown on the prepared site plan to be in accordance with the current American Association of State Highway and Transportation Officials (AASHTO) standards.

4. **Parking:** The proposed use will have gravel on-site parking and circulation including paved handicap parking and building access.

5. **Public improvements:** There are no known public improvements that will be impacted by the proposed use of the property.

6. **Public sites or rights-of-way:** No public site or projects are planned for the area in the near future. The entrance within the right-of-way will be required to meet Polk County code requirements.

7. **Other matters affecting the public health, safety, and general welfare:** None.

D. The proposed use in the proposed area is not adequately served by or imposes an undue burden on any of the following.

1. **Public improvements:** Adequate for proposed use.

2. **Public facilities:** Adequate for proposed use.

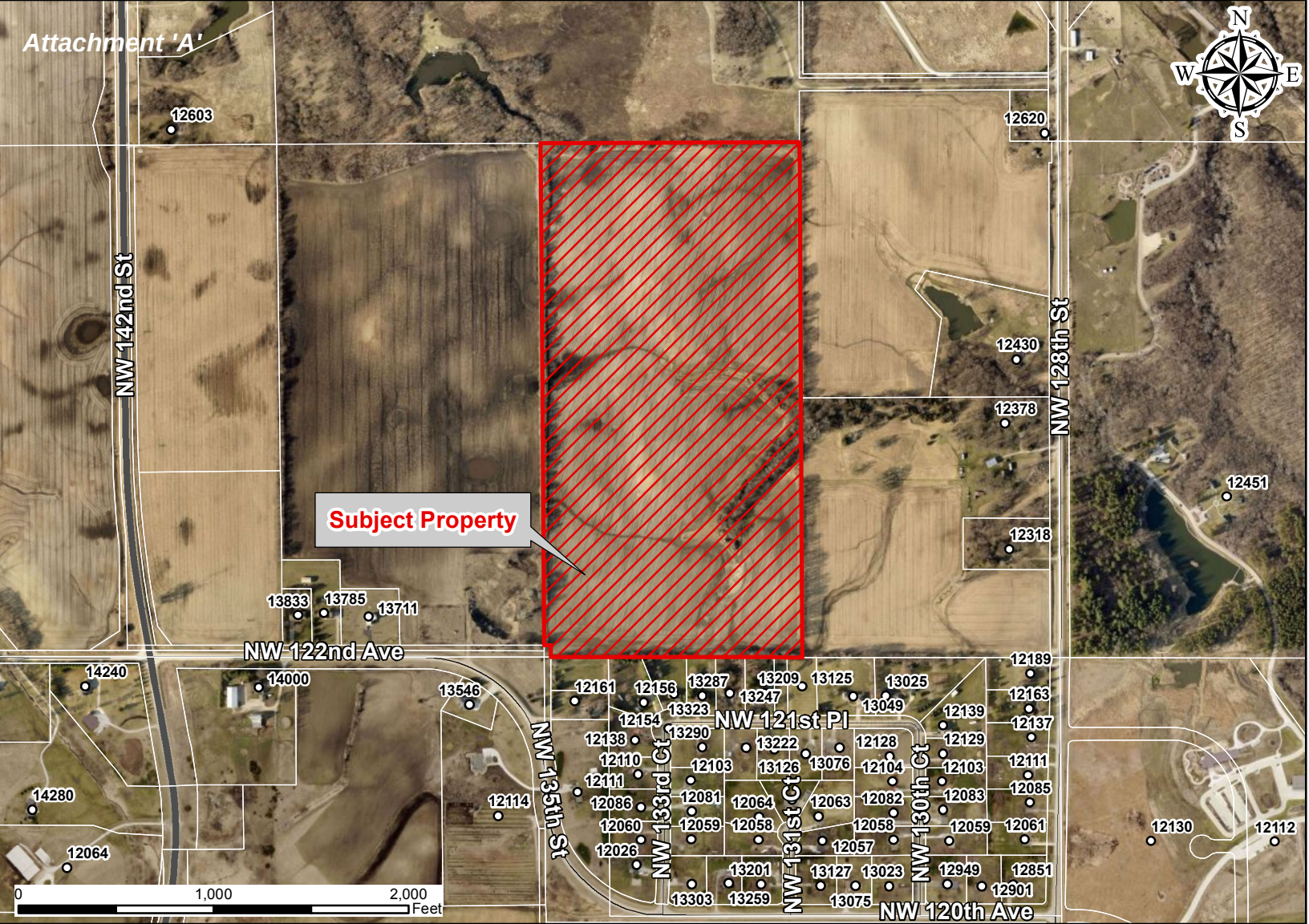
3. **Public utilities:** Adequate for proposed use.

4. **Public services:** Adequate for proposed use.

Recommendation

Staff recommends approval of the Conditional Use Permit to allow for the construction of a new approximately 9,000 square foot church and associated improvements on the subject property, subject to the following conditions of approval:

1. The applicants shall submit a Major Site Plan drawing from an Iowa licensed engineer finalizing the layout and church building along with associated improvements meeting the use standards for indoor institutional uses contained within the Polk County Zoning Ordinance. The Major Site Plan drawing shall be approved prior to any construction activity. Prior to issuance of a certificate of occupancy, all required site improvements shall be completed and inspected by Polk County.
2. Permits are required for the entrance, grading, and building, including environmental, electrical and plumbing permits and inspections.
3. Polk County Board of Health Rules & Regulations, Chapter V-Air Pollution, Article IX, Division 1, Section 5-23 & 5-24 shall be met regarding dust suppression for the proposed driveway surface, and all adjacent roadways shall be kept clear of dirt and other material from the site.


Attachment 'A'
N
S
E
W
Subject Property
NW 142nd St
NW 128th St
NW 122nd Ave
NW 121st Pl
NW 135th St
NW 133rd Ct
NW 131st Ct
NW 130th Ct
NW 120th Ave
12603
12620
12430
12378
12451
12318
13833
13785
13711
14240
14000
13546
14280
12064
12114
12161
12156
13287
13209
13125
13025
13247
13323
13049
12139
12163
12154
12137
12138
13290
13222
12128
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12086
12081
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12063
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12083
12085
12060
12059
12058
12058
12059
12061
12026
12057
12130
12112
13201
13127
13023
12949
12851
12901
13303
13259
13075
12189
0
1,000
2,000
Feet

Attachment 'B'

Conditional Use Permit Application

Conditional Uses are those uses which may have a special impact or uniqueness demanding closer scrutiny and analysis to the site and the surrounding environment. When such a use is proposed, a review and report by Planning Division staff of the location, design, configuration, and impact will be conducted, comparing the proposed use to fixed standards and presented to the Board of Adjustment for action at a public hearing. Notices of the request are mailed to all property owners located within 500 feet of the subject property.

POLK COUNTY
Leading the Way

Please complete the entire application, submit with fee and review the standards on page 3.

To: **Polk County Board of Adjustment**

(time stamp)
Official Use Only

1. The undersigned Petitioners request that the Board consider this application for a Conditional Use Permit for the following use: (Describe briefly the nature of the use.)
__Indoor Institutional - Church_____

2. Subject Property Address: __Bare ground_____

3. Subject Property District and Parcel Number: __240/00642-000-000_____

4. Subject Property Legal Description (attach if necessary): __Approximately 5.81 acres m/l of the W1/2 NE 1/4 Sec. 31-81-25_____

5. Filing Fee: - $407.00

6. Applicant(s) Information:

_Ethan Anderson _____ Applicant (Print Name)
_____ Signature
12/22/2020 Date

_Perspective Buyer - Lake Country Bible Chapel Interest in Property (owner, renter, perspective buyer, etc.)
__Ethana28@gmail.com_____ Email

_706 NE 55th St., Ankeny, IA 50021_____ Address, City, State and Zip
515-460-6918 Phone Fax

7. Applicant(s) Representative:
If the appeal is going to be represented by someone other than the applicant please provide that information below.

__David Bentz_____ Applicant Representative (Print Name)
__Bishop Engineering_____ Firm or Business Name

__3501 104th St., Des Moines, IA 50322_____ Address, City, State and Zip

__dbbentz@bishopengr.com_____ Email
__515-276-0467 Phone
__515-276-0217____ Fax

8. Property Owner Consent:
The application must be signed by all the Titleholders, Contract Purchasers, or Option Purchasers of the subject property. The application may also be signed by the Registered Agent for a corporation or other person with similar legal authority to sign for a property owner. (if additional signatures are needed please attach)

__Timothy H. Westrum_____ (Print Name)
_____ Signature
12/22/20 Date

__Pamela R. Westrum_____ (Print Name)
Pamela R. Westrum Signature
12-22-20 Date

9. Written description:

Please provide a written description providing specific detail and reasons for the proposed Conditional Use Permit. (attach if necessary)

__**See attached**_____

10. Required Information: (must be included prior to making submittal)

A. Complete Application including the detailed description of requested Conditional Use Permit, including specific information about the request.

B. Submit six (6) copies of a fully dimensioned, to scale site plan meeting site plan requirements, as required.

1. Provide additional information as required by Zoning Ordinance specific to the use requested.
2. Submit a reduced size, 11"X17" site plan that is legible that can be reproduced.

A completed application with required information and filing fee must be submitted.
Incomplete submittals will not be processed and will be returned to the Applicant.

Return forms to: Polk County Public Works, Planning & Development Division 5885 NE 14th Street
Des Moines, IA 50313
▪ Phone (515) 286-3705 ▪ Fax (515) 286-3437 ▪
Forms and calendar available online http://www.polkcountyiowa.gov/PublicWorks/

OFFICIAL USE ONLY			
Received by		Docket Number	
Application deadline		Date Received	
BOA meeting date		BOA Approved	Y / N

Conditional Use Permit Standards

Section 1. Review Standards

The review determines whether the proposed use should be permitted by weighing public need for and benefits to be derived from the use against the local impact which it may cause. The review shall consider the proposal in terms of:

(A) Existing zoning and land use in the vicinity of the use; and

(B) planned and proposed public and private developments which may be adversely affected by the proposed use; and

(C) whether and to what extent the proposed use, at the particular location for which it is suggested, is necessary or desirable to provide a development which is in the interest of the public or which will contribute to the general welfare of the area or Polk County; and

(D) whether and to what extent all steps possible have been taken by the developer to minimize any adverse effects of the proposed use on the immediate vicinity and on the public health, safety and welfare in general.

Section 2. General Standards

No application for a conditional use permit shall be approved unless the Board of Adjustment specifically finds the proposed conditional use appropriate in the location for which it is proposed. This finding shall be based on the following criteria:

The proposed use shall be in harmony with the general purpose, goals, objectives, and standards of the Polk County Comprehensive Plan, this Ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the County.

(A) The proposed location and use shall be consistent with policies or provisions of the Comprehensive Plan, this Ordinance, or other plans or programs of the County.

(B) The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of the Comprehensive Plan, this Ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the County or other governmental agency having jurisdiction to guide growth and development.

(C) The proposed use in the proposed area will be adequately served by, and will not impose an undue burden on, any public improvements, facilities, utilities, and services. Where any such improvements, facilities, utilities, or services are not available or adequate to service the proposed use in the proposed location, the applicant shall, as part of the application and a condition to approval of the proposed conditional use permit, be responsible for establishing ability, willingness, and binding commitment to provide such improvements, facilities, utilities, and services in sufficient time, and in a manner consistent with the Comprehensive Plan, this Ordinance, and other plans, programs, maps, and ordinances adopted by Polk County to service the development. The approval of the conditional use permit shall be conditioned upon such improvements, facilities, utilities, and services being provided and guaranteed by the applicant.

December 20, 2020

RE: Conditional Use Permit Written Description
Polk County Board of Adjustment:

Lake Country Bible Chapel has been meeting in and around Polk City since approximately 1990. The church began as several families meeting in a Granger area private residence. As the church grew, space was rented inside the Polk City Community Center. Growing out of that facility, we found ourselves meeting in several different Ankeny School District properties. The church now has approximately 145 people regularly attending on Sunday mornings and Wednesday evenings. The location in Granger has been selected due to its availability, cost, and favorable location.

We have contacted Jeff Rains, Rains Architecture, and David Bentz, Bishop Engineering to develop a site plan and engineering for the property showing the building location, parking lot, driveway, etc… We have shown enough parking spaces for the normal Sunday morning service attendance (35-40 stalls total), which is within the average 49/cars per day county requirement. In addition, the building has been sized to meet this requirement at an occupancy of 196 (4x49), which also accommodates our physical needs.

Access to the proposed church site is via NW 122nd Avenue traveling east from Highway 17 north of the City of Granger. As part of this request an existing farm access will be modified to accommodate a private drive to the church building. We would like to preserve the option for the current owner to have access to the remainder of the property, so we have designed the access drive with a proposed right of way designation that will allow for a future road designation. This arrangement will meet current and future frontage requirements to public ROW. The land aquisition size has also been designed to maintain the 4% Floor Area Ratio requirement.

The subject property has access to Zenia Rural Water, and the church will connect the proposed building to Zenia Rural Water. Septic will be designed by an engineer to accommodate the anticipated building requirements.

The building is anticipated to be approximately 9,000sf and will consist of an auditorium, lobby/restroom area, kitchen, and multipurpose room. Architecture will be aesthetically pleasing, and composed of windows, siding, shingled sloped roofs and generally design to compliment the surrounding area.

We have included representative concept design plans for the site, floor plan, and building elevation. As we are currently early in the design process, the site and floor plan layout and dimensions, as well as the exterior elevation heights and materials, will be modified to accommodate the final design needs.

Please feel free to contact me if you have any questions or comments.

Respectfully submitted,

/s/ Ethan P. Anderson

Ethan P. Anderson

Ethana28@gmail.com

515-460-6918

Conditional Use Permit Analysis

Article 4. Use Regulations
Division 8. Conditional Uses

The Board Adjustment reviews proposed development for conformance to the following development criteria:

(A) Existing zoning and land use in the vicinity of the use; and

Our use and proposed use conforms to current A-1 zoning. Churches are allowed in the agricultural district (AG) with the granting of conditional use permit by the Board of Adjustment. The proposed property is located east of the intersection on NW 122nd Ave and NW 142nd St. The parcel itself is currently in row crop. Northeast and east of the property is Jester Park owned and operated by Polk County Conservation. Adjacent to the property, on the South, is a rural residential subdivision of approximately 30-40 single family residences.

(B) Planned and proposed public and private developments which may be adversely affected by the proposed use; and

The area surrounding the proposed church primarily consists of agricultural parcels and one existing rural residential subdivision, with another appearing to be built. The applicant is unaware of any other major public or private developments planned in the area of the property that would be affected by the proposed use.

(C) whether and to what extent the proposed use, at the particular location for which it is suggested, is necessary or desirable to provide a development which is in the interest of the public or which will contribute to the general welfare of the area or Polk County; and

The proposed use is consistent with the goals and policies of the Polk 2030 Comprehensive Plan. This and the nature of the church make it desirable and beneficial for the general welfare of the area.

(D) whether and to what extent all steps possible have been taken by the developer to minimize any adverse effects of the proposed use on the immediate vicinity and on the public health, safety and welfare in general.

Lake Country Bible Chapel seeks to comply with the Polk County Zoning Ordinance, last amended February 1, 2019, and the Polk 2030. Polk County Planning staff have made suggestions and recommendations and we have responded by accepting and adopting those recommendations. These include but are not limited to:

a. Incorporating setbacks into the design and other applicable code provisions
b. Minimize impervious surfaces
c. Traffic impacts will be minor, typically 35-40 cars on Sunday, reducing to average of 20-25 cars 2-3 times during the week.
d. The access road will utilize the existing rural access point which provides clear view in both directions for approaching traffic.

In addition no application for a conditional use permit shall be approved unless it is appropriate for the location for which it is proposed based on the following criteria:

General Standards
Comp plan analysis

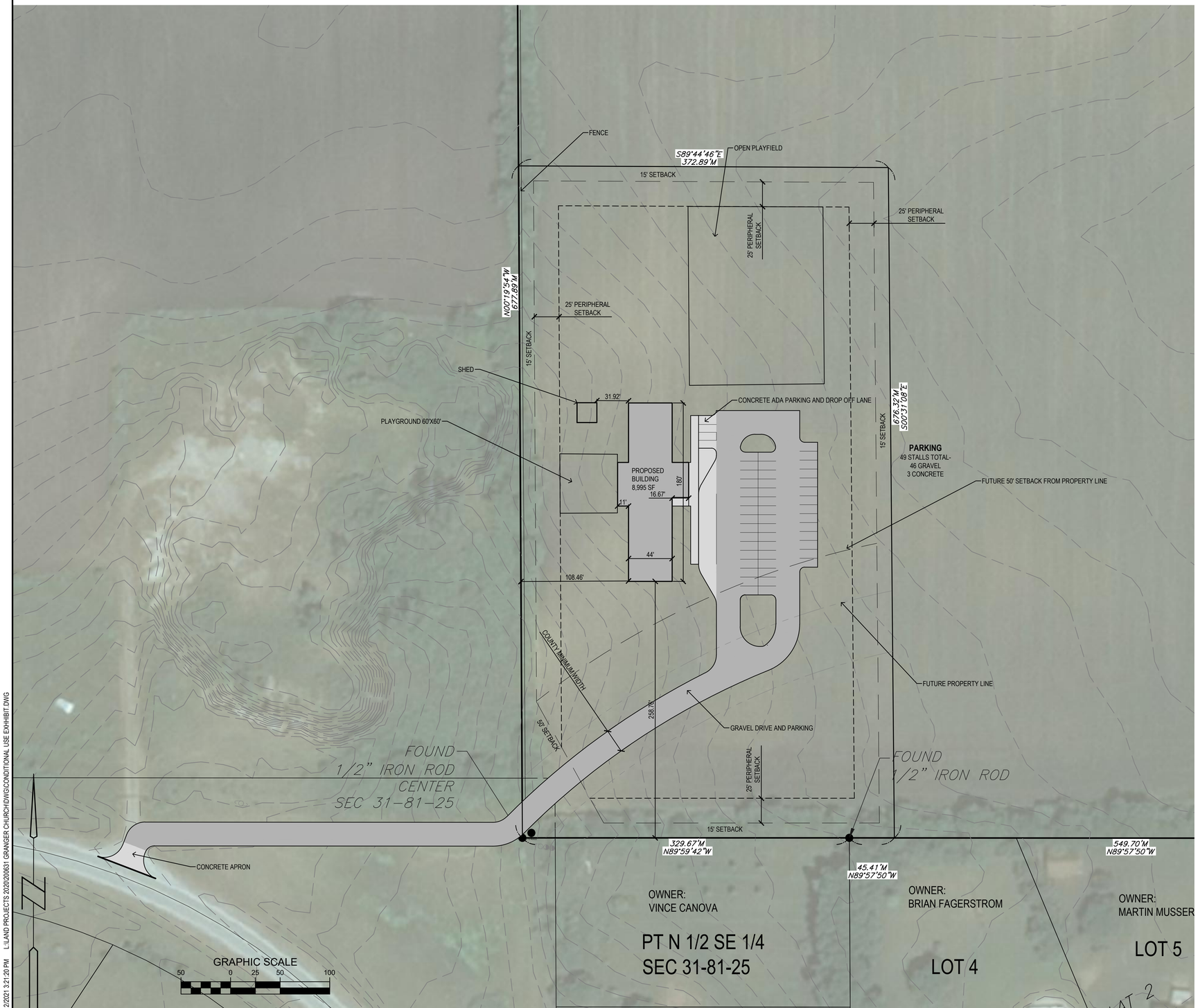
A – The proposal is consistent with the goals and policies of the 2030 Comprehensive Plan (hereinafter Polk 2030). The quality of life goal of Polk 2030 identifies social infrastructure, and respect for property owners, these policies are furthered by the location of a church in the community. Likewise the Character of Development goal is satisfied with the maintenance of neighborhood and community. Also the Agricultural goals are met, and while some land will be taken out of agricultural row crop production, the Proposed 5 acre site is on the lowest CSR crop rating (Polk 2030 – Figure 6.1). This is in compliance with Polk County's goal of protecting agricultural practices in areas with prime soils, and working with non-agricultural landowners to minimize conflicts. Finally, Water Quality goals are met with the preservation of an existing drainage way/swale passing through the proposed property and the compliance with OSR and FAR (table 5.2)

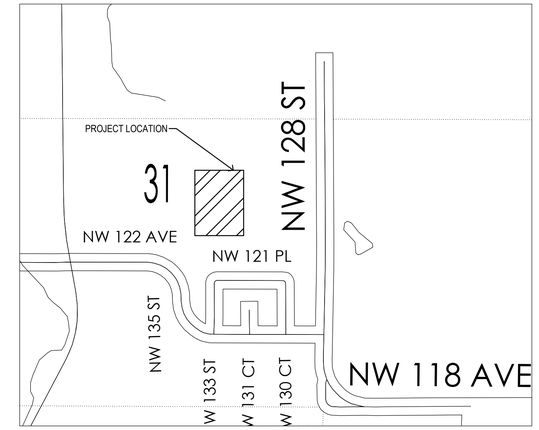
B – Use, Conditional. A use which, because of special problems of control the use presents, requires reasonable, but special, unusual, or extraordinary limitations peculiar to the use for the protection of the public welfare and the integrity of the comprehensive plan. This definition from the Polk County Zoning Ordinance is the intent of our proposal. All "reasonable" conditions relating to planning for future road access to the adjacent parcels, all SUDAS design standards related to ingress/egress, all setback conditions, all parking lot standards, the FAR standards, etc., we intend to follow them all for the public health, safety and general welfare. This use will not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare, either as they now exist or as they may in the future.

C – The proposed use will require use and connection to Zenia Rural Water, which is available in the public right of way. Additional gas and electric utilities will be extended to the site as required for proper use. The facility will utilize a septic system for sewer waste.

Attachment 'C'

GRANGER CHURCH
CONDITIONAL USE EXHIBIT





VICINITY MAP

CONCEPTUAL PROPERTY DESCRIPTION:

AN IRREGULAR SHAPED PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 81 NORTH, RANGE 25 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 31; THENCE N00°19'54"W ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 31, A DISTANCE OF 677.89 FEET; THENCE S89°44'46"E, A DISTANCE OF 372.89 FEET; THENCE S00°31'08"E, A DISTANCE OF 676.32 FEET TO THE NORTH LINE OF LOT 4, ROYAL ESTATES PLAT 2, AN OFFICIAL PLAT, POLK COUNTY, IOWA; THENCE N89°57'50"W ALONG THE NORTH LINE OF SAID LOT 4, A DISTANCE OF 45.41 FEET TO THE NORTHWEST CORNER OF SAID LOT 4; THENCE N89°59'42"W ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 31, A DISTANCE OF 329.67 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.

SAID TRACT OF LAND CONTAINS 5.81 ACRES; WHICH INCLUDES 1,980 SQUARE FEET OF ROAD EASEMENT.

ADDRESS:
NW 122ND AVE/NW 135TH ST
GRANGER, IA

OWNER:
TIMOTHY AND PAMELLA WESTRUM
13049 NW 121 PL
MADRID, IOWA 50156

APPLICANT:
LAKE COUNTY BIBLE CHAPEL
BISHOP ENGINEERING
ETHAN ANDERSON

PROPOSED BUILDING BUILDING:
8,995 SF

NORTH OF ROW=4.29 ACRES
FUTURE ROW=0.59 ACRES
SOUTH OF ROW=0.93 ACRES
OVERALL=5.81 ACRES

Bishop Engineering
"Planning Your Successful Development"
3501 104th Street
Des Moines, Iowa 50322-3825
Phone: (515)276-1467 Fax: (515)276-0217
Civil Engineering & Land Surveying
Established 1959

GRANGER CHURCH
GRANGER, IOWA

LAYOUT PLAN

REFERENCE NUMBER:

DRAWN BY:

CHECKED BY: DB

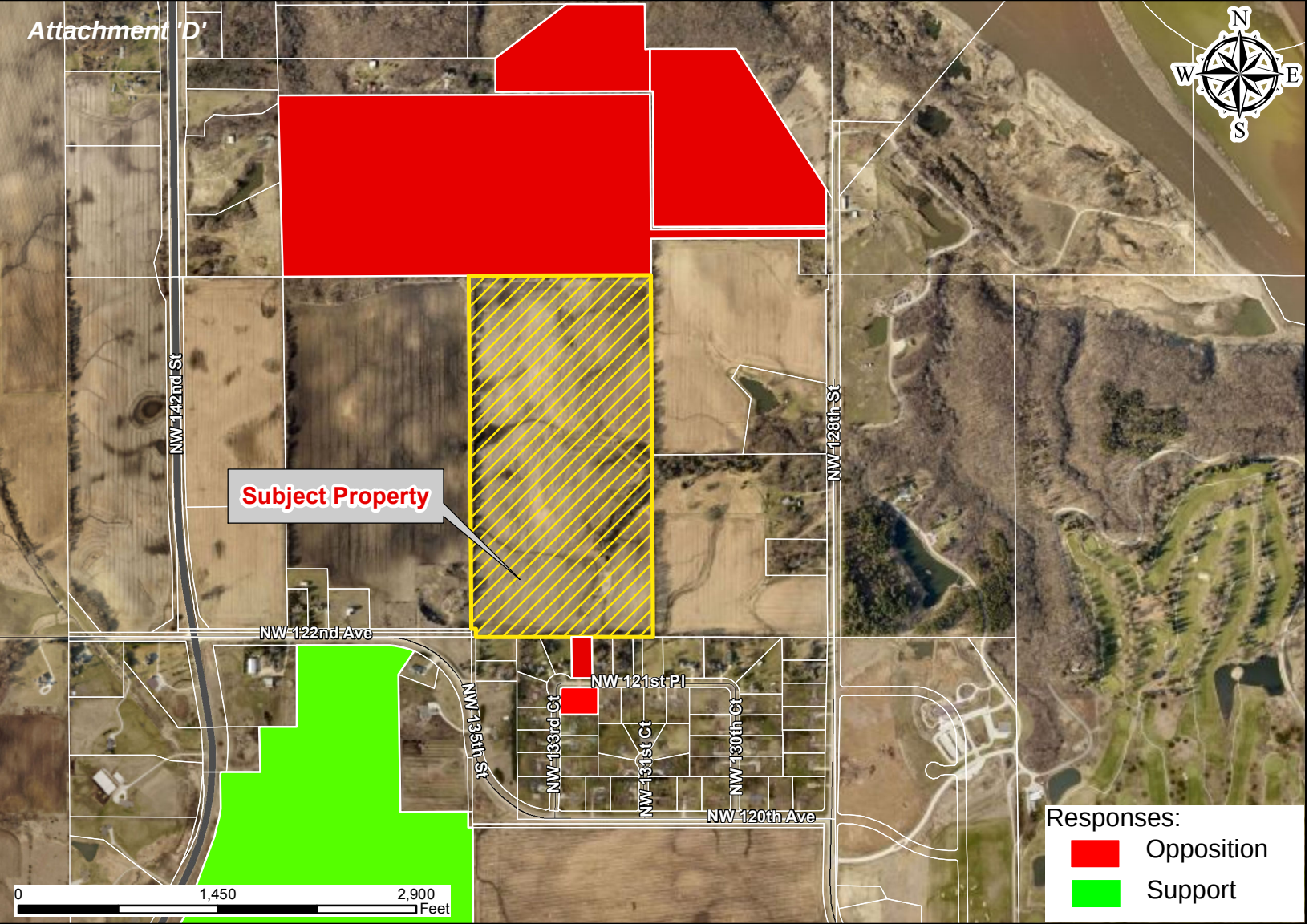
REVISION DATE:

PROJECT NUMBER: 200631

SHEET NUMBER: C2.1

PRELIMINARY- NOT FOR CONSTRUCTION

11/12/2021 3:21:20 PM L:\LAND PROJECTS 2020\200631 GRANGER CHURCH\DWG\CONDITIONAL USE EXHIBIT.DWG


Attachment 'D'
N
W
E
S
Subject Property
NW 142nd St
NW 128th St
NW 122nd Ave
NW 121st Pl
NW 135th St
NW 133rd Ct
NW 131st Ct
NW 130th Ct
NW 120th Ave
0
1,450
2,900
Feet
Responses:
Opposition
Support