



CITY OF INDIANOLA BOARD OF ADJUSTMENT MEETING

June 5, 2024

6:00 PM

City Council Chambers

Agenda

- 1. Call to Order**
- 2. Roll Call**
- 3. Agenda Approval**
- 4. Minutes Approval**
- 5. New Business**
 - A. Consider request from Venkata Dhanekula, on behalf of Prime Assets Investment LLC, for a variance for property located at 501 North Jefferson Way.
 - B. Consider request from Venkata Dhanekula,, on behalf of Prime Assets Investment LLC, for modifications to an existing Special Use Permit to allow for a liquor store at 501 North Jefferson Way.
 - C. Consider request from Brenda Wickett for a variance for property located at 1006 East Salem Ave.
- 6. Comments**
- 7. Adjourn**



MEMORANDUM

To: Board of Adjustment

From: Charlie Dissell, Deputy City Manager Development and Operations, Emily Rizvic, Associate Planner, Akhilesh Pal, Public Works Director

Date: June 5, 2024

Subject: Consider request from Venkata Dhanekula, on behalf of Prime Assets Investment LLC, for a variance for property located at 501 North Jefferson Way.

Recommendation: Staff recommends that the Indianola Board of Adjustment move alternative 3, to deny the variance request.

Attachments:

1. Staff Report
2. Application
3. Written Narrative
4. Site Plan
5. IDOT Crash Analysis Tool, 2014-2024
6. Site Plan approved January 3, 2024
7. Decision and Order



COMMUNITY DEVELOPMENT

110 N. First Street, Indianola IA 50125-0299 • www.indianolaiowa.gov
(515) 961-9430 • comdev@indianolaiowa.gov

STAFF REPORT

BOARD OF ADJUSTMENT

Date of Meeting: June 5, 2024

Agenda Item: 5.A Consider request from Venkata Dhanekula, on behalf of Prime Assets Investment LLC, for a variance for property located at 501 North Jefferson Way.

Application Type: Variance

Applicant and Property Owner: Prime Assets Investment LLC

Property Address/Parcel: 501 N Jefferson Way (Parcel ID #480/3001-0040)

Zoning: C-2 'Highway Commercial' Zoning District

Application Summary

Venkata Dhanekula, on behalf of Prime Assets Investment LLC, is requesting a variance to vary from access drive and driveway location and spacing requirements for a property located at 501 North Jefferson Way. Such proposal would not conform to Section 135.14.4.B(4) of the City of Indianola Code of Ordinances (Section 165.07.3.A(1) of the Zoning Code).

AERIAL MAP



APPLICABLE CODE SECTIONS

The following code sections of the Code of Ordinances of Indianola, Iowa apply to this request:

165.02(3)(B) POWERS AND DUTIES OF THE BOARD OF ADJUSTMENT. The Board of Adjustment has the following powers and duties:

3. Variances: Conditions Governing Applications; Procedures. To authorize upon appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest where, owing to the special conditions, a literal enforcement of the provisions of this chapter would result in unnecessary hardship. A variance from the terms of this chapter shall not be granted by the Board of Adjustment unless and until:

A. A written application of a variance is submitted demonstrating:

- (1) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- (2) That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter;
- (3) That the special conditions and circumstances do not result from the actions of the applicant;
- (4) That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of land, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

B. Notice of public hearing shall be given as in subsection 2(B) above.

C. The public hearing shall be held. Any party may appear in person, or by agent or by attorney.

D. The Board of Adjustment shall make findings that the requirements of paragraph A of this subsection have been met by the applicant for a variance.

E. The Board of Adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

F. The Board of Adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this chapter, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this chapter. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter and punishable under Section 165.23 of this chapter. Under no circumstances shall the Board of Adjustment grant a variance to allow a use not permissible under the terms of this chapter in the district involved, or any use expressly or by implication prohibited by the terms of this chapter in said district.

135.14.4 Driveway Spacing Standards

A. Purpose. Driveway spacing simplifies driving by reducing the amount of information a driver must process and react to. Adequate spacing between driveways and roadways or other driveways can reduce confusion, decreases the potential for congestion and accidents for both through traffic and vehicles using the driveway. Inadequate spacing requires drivers to watch for ingress and egress traffic at several points, while simultaneously trying to control their vehicle and monitor other traffic ahead of and behind them.

B. Driveway Spacing.

(1) Driveways shall be located to limit undue interference with the free movement of road traffic and to provide the required sight distance.

(4) Driveway spacing from street intersections and between driveways shall be one hundred fifty feet (150') on arterial streets, one hundred feet (100') on collector streets, and fifty feet (50') on all other streets.

165.07 Off-Street Parking Regulations

1. Statement of Intent. It is the intent of this article to prevent traffic congestion and to provide for proper traffic safety by preserving the public thoroughfares for the unimpaired movement of pedestrian and vehicular traffic. In all districts, there shall be provided at the time any new building or structure is erected, off-street parking spaces in accordance with the requirements set forth herein. The requirements of this Article are minimum standards, and in certain uses these requirements may be inadequate. Where review of the site plans and intended land use indicate through the application of proven standards or experienced statistics that the requirements herein are inadequate for the specific land use adaptation, a greater requirement for off-street parking may be required to preserve the intent of this ordinance.

3. Parking Area Design Requirements. Every lot or parcel of land hereafter used as a public or private parking area, including a commercial parking lot, shall be developed and maintained in accordance with the following requirements. At the discretion of the Zoning Administrator, any design standard contained herein may be superseded by the standards contained in the Statewide Urban Design and Specifications (SUDAS) as maintained by the Institute for Transportation at Iowa State University.

A. Access Drive and Driveways. An access drives (or driveway) is required to provide access to all off-site parking areas and to any garage.

(1) Location and Spacing. All access drives, driveways, driveway approaches shall be located and designed according to the standards as established in this Chapter and elsewhere within City Code.

ANALYSIS

Subject Property

Venkata Dhanekula, on behalf of Prime Asset Investment LLC, is requesting a variance to vary from access drive and driveway location and spacing requirements. The request would not conform to Section 135.14.4.B(4) of the City of Indianola Code of Ordinances (Section 165.07.3.A(1) of the Zoning Code).

The site is currently a multi-tenant commercial building built in 1972, containing three commercial tenants with uses including a restaurant, tobacco store (vape shop), and retail/boutique. A special use permit and site plan was approved for the site on January 3, 2024, to allow for a liquor store at the facility, by the Board of Adjustment.

Site improvements under the approved special use permit and site plan required that improvements to be made to reduce traffic conflicts and minimize safety concerns at the intersection of East Detroit Avenue and North Jefferson Way. These improvements included the removal of the east parking strip along North Jefferson Way, as well as increasing the minimum separation between the south parking area, and the intersection. Such improvements were to bring the site closer into conformity with ADA Accessibility requirements, to provide an accessible route from the south parking lot to the businesses.

To the north of the subject property is a commercial building with banking services. To the east exists two commercial buildings, including a hardware store and a coffee shop. To the south is an office building. To the west a multi-tenant commercial building with uses including barbershop/salon and office.

The property is a corner lot with frontage along North Jefferson Way and East Detroit Avenue. According to the Iowa Department of Transportation (IDOT), the Annual Average Daily Traffic (AADT) for North Jefferson Way, a state highway, is 18,000 vehicles. The AADT for East Detroit Avenue, a local road, is 1,931 vehicles.

According to the Iowa Crash Analysis Tool, provided by the IDOT, in the last 10 years there have been three (3) reported vehicle crashes along East Detroit Avenue. Two out of three (2/3) of these crashes were due to improper backing. One of the two crashes related to improper backing occurred in the last 5 years. The full analysis is provided in the Agenda Packet for review.

The subject area does not appear to contain environmentally sensitive features.

Future Land Use

According to the "Elevate Indianola" Comprehensive Plan, the future land use of this area is designated as Regional Mixed Use. This land use designation guides for uses such as retail, office, restaurants, bars, personal and business services, and other similar commercial uses. Multi-family residential uses may be incorporated of up to 25 dwelling units per gross acre, if compatible.

If the variance were to be approved, it would allow the applicant to vary from access drive and driveway location and spacing requirements, maintaining its current day separation of zero (0) feet and visibility impacts within the 25' visibility triangles when parking stalls are in use. Additionally, the site would not be brought closer into federal ADA conformance, as the required ADA parking stall would not have an accessible route for wheelchair access in the south parking area.

If the variance were to be denied, the site would be required, as part of the approved special use permit application and site plan, to bring the site closer into conformity with access drive and driveway location and spacing requirements. Additionally, it would bring the site closer into ADA conformance, by providing an accessible ADA route to the businesses located at this facility, from the van-accessible handicap parking stall.

FINDINGS OF FACT

According to Section 165.02.3.B.(3)b. of Indianola's Zoning Code, in deciding whether to grant a variance request, the Board of Adjustment shall consider all the following legal principles. **All legal principles shall be satisfied in order for the Board of Adjustment to grant a variance.**

- i. **That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;**

Staff Comment: This finding of fact asks for the Board to find whether special conditions or circumstances exist which are peculiar to the land and which are not applicable to other lands in the same zoning district. While the site is a pre-existing site, it is evident that the property is able to conform to zoning code regulations by providing additional separation between the parking area and the intersection, as was proposed in the approved special use permit.

Likewise, there are similar cases within the same zoning district (C-2 'Highway Commercial'), including a recent special use permit case for a liquor store located at 410 South Jefferson Way. In this case, the property was required to make adjustments to their off-street parking, as well as minimize their access from East 4th Street as a traffic safety improvement for the site.

As such, because no special conditions or circumstances exist that are peculiar to this land and buildings involved which are not applicable to other lands and buildings within the C-2 Highway Commercial Zoning District, staff cannot find that this finding of fact is found favorably.

This criterion is not met.

Applicant Comment: No response submitted.

- ii. **That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter. This finding of fact asks if the applicant would be deprived of a right commonly enjoyed by other properties within the zoning district;**

Staff Comment: This finding of fact asks whether the applicant would be deprived of a right that is commonly enjoyed by other properties within the same zoning district, under the terms of this chapter. Properties within the established zoning districts that are newly developed or redeveloped, triggering site planning, may be required to install improvements to their access or driveways in order to reduce potential traffic conflicts by decreasing the potential for congestion and accidents. When spacing at intersections are inadequate, it requires drivers to watch for ingress and egress and several points, while simultaneously trying to control their vehicle and monitor other traffic ahead of and behind them. As a result, the application of the relevant code sections are necessary in promoting safety and decreasing potential traffic conflicts, including those that are associated with this site.

The purpose and intent of the City of Indianola Zoning Code is to protect the public health and welfare within the City, and specifically as it relates to off-street parking, the code intends on preventing traffic congestion and providing for proper traffic safety. The purpose and intent outlined in Chapter 135 as it relates to driveway spacing is to reduce the amount of information a driver must process and react to, in order to decrease the potential for congestion and accidents.

As a result, inadequate spacing is not a commonly held right for properties within the same zoning district. If other redevelopment cases were proposed, whether they required a special use permit or standard site planning procedures through the Planning and Zoning Commission and City Council, these items would be addressed through city review to mitigate and alleviate existing traffic concerns. This is especially true for other redevelopment cases held by the city, including the Special Use Permit for 410 South Jefferson Way, which conditionally approved a liquor store at the property.

As a result, staff finds that if a variance were to be approved, it would confer to the property owner a right that other properties, if being redeveloped, would not have, including recent similar cases within the same zoning district. Staff also finds that if approved, it could adversely affect the order, convenience, and/or general welfare and safety by continuing to allow for inadequate spacing that increases the likelihood of traffic conflicts.

Similarly, the strict application of the code does not constitute an unnecessary hardship on the applicant, but more of an inconvenience, because the property owner can still make reasonable and economically viable use of the property, if required to conform to zoning code requirements and access drive and driveway location and spacing requirements, as the property owner has functional parking areas on site.

For those reasons, staff finds that this finding of fact can be seen as unfavorable.

This criteria is not met.

Applicant Comment: No response submitted.

iii. That the special conditions and circumstances do not result from the actions of the applicant;

Staff Comment: This finding of fact asks whether conditions or hardship experienced by the applicant are self-imposed. The site is currently being redeveloped by the property owner as part of an approved special use permit request. The property owner is submitting a revised site plan as a result of desire rather than special conditions or circumstances existing on the property.

Staff finds that this finding of fact cannot be found favorable as the need is not created by the regulations itself, but instead arises from an action (desire) from the applicant not to install the required improvements that were approved by the Board of Adjustment on January 3, 2024 through a special use permit. Additionally, according to the approved site plan, the overall site will be serviced by twenty-three (23) parking stalls. The minimum required by the code to service the entire site is 20 parking stalls. As such, no additional parking stalls are necessary to service the site and the existing uses.

If a variance were to be approved to allow for less spacing between the intersection and the access, it would also mean that the property owner would no longer be able to provide a van-accessible handicap parking space, compliant with state and federal regulations, with an accessible route to the facility.

Similarly, the property owner will need to ensure that they seek approval from the Iowa Department of Transportation, who would be an additional jurisdictional body to improvements along and adjacent to Jefferson Highway.

For these reasons, staff does not find that this finding of fact can be met.

This criteria is not met.

Applicant Comment: No response submitted.

- iv. **That granting the variance request will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of land, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.**

Staff Comment: This finding of fact asks whether a special privilege would be granted to the applicant that is otherwise denied to other lands, structures, or buildings within the same zoning district. Variances are granted when a hardship for a property owner occurs, which simultaneously disenfranchise the property owner from a right that other property owners within the same zoning district commonly have.

If this variance were to be granted, staff finds that a special right or privilege would be granted to the property that other properties within the Zoning District do not have and would be denied either administratively or through the site planning process. As mentioned in the first and second analysis of the legal findings of fact, there are other similar cases, within the same zoning district, where access drive location/spacing requirements were required in their special use permit application.

In general, properties proposed to be redeveloped are required to be brought up to conformity with Zoning Code regulations and requirements, which includes access drive and driveway location and spacing requirements, especially when the current location constitutes as a safety risk due to inadequate spacing. This code applied to all applicable commercial and industrial uses. Granting this variance would set a precedent for future redevelopment of existing sites, by omitting improvement requirements that ensure safety for pedestrians and drivers.

For those reasons, staff finds that this finding of fact cannot be viewed favorably.

This criteria is not met.

Applicant Comment: No response submitted.

SUMMARY OF FINDINGS

The following summary of findings are provided as reasonings to deny the variance request:

- 1) The site in question has a special use permit and site plan approved on January 3, 2024 by the Board of Adjustment.
- 2) The site, as approved on the special use permit and site plan on January 3, 2024, will be serviced by twenty-three off-street parking stalls. The minimum required for the site is twenty parking stalls. No additional parking stalls are needed for the site to meet minimum off-street parking requirements.
- 3) The variance request is not favorable towards one or more findings of fact, outlined in the Zoning Code.
- 4) The variance is not created by the regulations and arises from an action (desire) of the applicant to not install required improvements.
- 5) No special conditions or circumstances exist that are peculiar to this land and the buildings involved, which are not applicable to other land and buildings within the C-2 '*Highway Commercial*' Zoning District.
- 6) Granting the variance would provide a right and privilege that other properties do not have.
- 7) Deviation from the Zoning Code Regulations would not be in harmony with the intent and purpose of the Zoning Code, which is to protect the public health and welfare within the City of Indianola.
- 8) Additionally, deviation from this specific zoning code would not be in harmony with the intent of the code section, which is to prevent traffic congestion and to provide for proper traffic safety by promoting unimpaired movement of pedestrian and vehicular traffic.
- 9) Deviation from the driveway spacing standards outlined in Chapter 135 would not be in harmony with the intent of the code section within the City of Indianola Code of Ordinances, which states that the purpose is to reduce the amount of information a driver must process and react to by ensuring there is adequate spacing to reduce confusion and decrease the potential for congestion and accidents.
- 10) An unnecessary hardship does not exist if the request is denied, as the applicant has other avenues, and the property owner can still make reasonable and economically viable use of the property.
- 11) The proprietor will need to ensure that they seek additional approvals from the Iowa Department of Transportation, which is separate from this variance request.

If the variance were to be approved, the Board of Adjustment should be prepared to summarize, for inclusion in the minutes of the meetings, its reasons to approve, which will serve as the applications decision and order.

COMMENTS FROM THE GENERAL PUBLIC

Notification letters were mailed to surrounding property owners within 200-feet of the subject property regarding the variance request on May 24, 2024. No comments were received at the time of the writing of this report.

ALTERNATIVES

The City of Indianola Board of Adjustment may consider the following alternatives:

- 1) The City of Indianola Board of Adjustment approves the variance request, as submitted.
- 2) The City of Indianola Board of Adjustment approved the variance request, with conditions.
- 3) The City of Indianola Board of Adjustment denies the variance request.**
- 4) The City of Indianola Board of Adjustment remands the variance request back to the applicant and/or staff for further review and/or modifications and directs staff to place this item on a future Board of Adjustment agenda.

RECOMMENDATION

Staff recommends that the Indianola Board of Adjustment move alternative 3, to deny the variance request.

BOARD OF ADJUSTMENT APPLICATION

Community Development

110 North 1st Street, Indianola, Iowa 50125-0299
(515) 961-9430 • comdev@indianolaiowa.gov



PROPERTY OWNER

(Last Name) DHANEKULA
(First Name) VENKATA
(Address) 501 N JEFFERSON WAY
(City) INDIANOLA (State) IA (Zip) 50125
(Phone) 6128508872 (Email) VENKATARAO.DHANEKULA@GMAIL.COM

APPLICANT (if not Property Owner)

(Last Name) _____
(First Name) _____
(Address) _____
(City) _____ (State) _____ (Zip) _____
(Phone) _____ (Email) _____

☐ APPEAL

Submittal Requirements:

*All submittal requirements must be completed.
Incomplete applications will not be considered*

- ☐ Completed Application
- ☐ Filing Fee: \$300 per request
- ☐ Written narrative indicating where it is alleged there is error in any order, requirement, decision, or determination made by the Administrative Officer in the enforcement of this Code of Ordinances of Indianola, Iowa.
- ☐ Other Information as required by Director

☐ SPECIAL USE PERMIT

Submittal Requirements:

*All submittal requirements must be completed.
Incomplete applications will not be considered*

- ☐ Property Address: _____
- ☐ Completed Application
- ☐ Filing Fee: \$300 per request
- ☐ Site Plan and Elevations as outlined in 165.06
- ☐ Written narrative indicating the special use permit sought and response to the criteria outlined in Section 165.02(3)(B)(3)(c)(v) of the Code of Ordinances of Indianola, Iowa
- ☐ Other Information as required by Director

☒ VARIANCE

Submittal Requirements:

*All submittal requirements must be completed.
Incomplete applications will not be considered*

- ☒ Property Address: 501 N JEFFERSON WAY
- ☒ Completed Application
- ☒ Filing Fee: \$300 per request
- ☒ Site Plan and Elevations
- ☒ Written narrative indicating justification for proposed variance and response to the criteria outlined in Section 165.02(3)(B)(3)(b) of the Code of Ordinances of Indianola, Iowa
- ☐ Other Information as required by Director

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that in filing this application I am acting with the knowledge, consent and authority of the owner(s) of the property. Pursuant to said authority, I hereby permit City officials to enter upon the property for the purpose of inspection related to this application.

Signature D. Venkata R

Name (printed) VENKATA DHANEKULA

Date 5/1/2024

FOR OFFICE USE ONLY:

Code to 45180

Date Received: _____

Receipt No: _____

Receipt Amount: _____

BOA Agenda Date: _____

To whom it may concern:

I am Venkata Dhanekula, the new owner and manager of Prime Assets Investments, LLC, which owns the property at 501 N. Jefferson Way ("the Property"). This is a commercial property with three units. Two units are occupied, one by Subway™ restaurant and the other by a business selling tobacco and nicotine-related products. The third unit has been vacant since December 2023.

To find the best use of the vacated space, we have applied for a special use permit (that would permit a liquor store), duly approved by the city on Jan 4th, 2024. As part of the approval process, we were asked to make specific changes to the property. I am writing today to request a variance for one of the changes that would reduce the existing parking spots.

The south side of the building (East Detroit Avenue) has 12 parking spots, and we were asked to reduce them to 6 parking spots (highlighted by a red rectangle in the attached picture). When I discussed this with the manager at the Subway™, he expressed significant concerns as it would potentially negatively impact the business and customers. He stated that most customers use the south side (East Detroit Avenue) parking lot because it is easy to get in/out. His sales would decline and would cause inconvenience to the customers, and they may not be willing to come from other directions.

To validate his concern, we simulated the situation by blocking the 5 parking spots in the south parking lot that we were potentially losing and observing the customers and sales of the Subway™ store. We ran this trial for two consecutive weeks, and here are the observations.

- Each week, a decline (15 to 23%) in the average sales at the Subway™ store.
- A lot of regular customers gave feedback that the blocked parking spots created a lot of inconvenience and were curious when the parking spots would reopen.

As an entrepreneur, I aim to bring new businesses to the community that will provide employment and generate revenue. The study above indicates that the Subway™ business will lose sales with reduced parking spots on the south side. This will force us to reduce my staff to control my expenses, which I hate to do as a business owner.

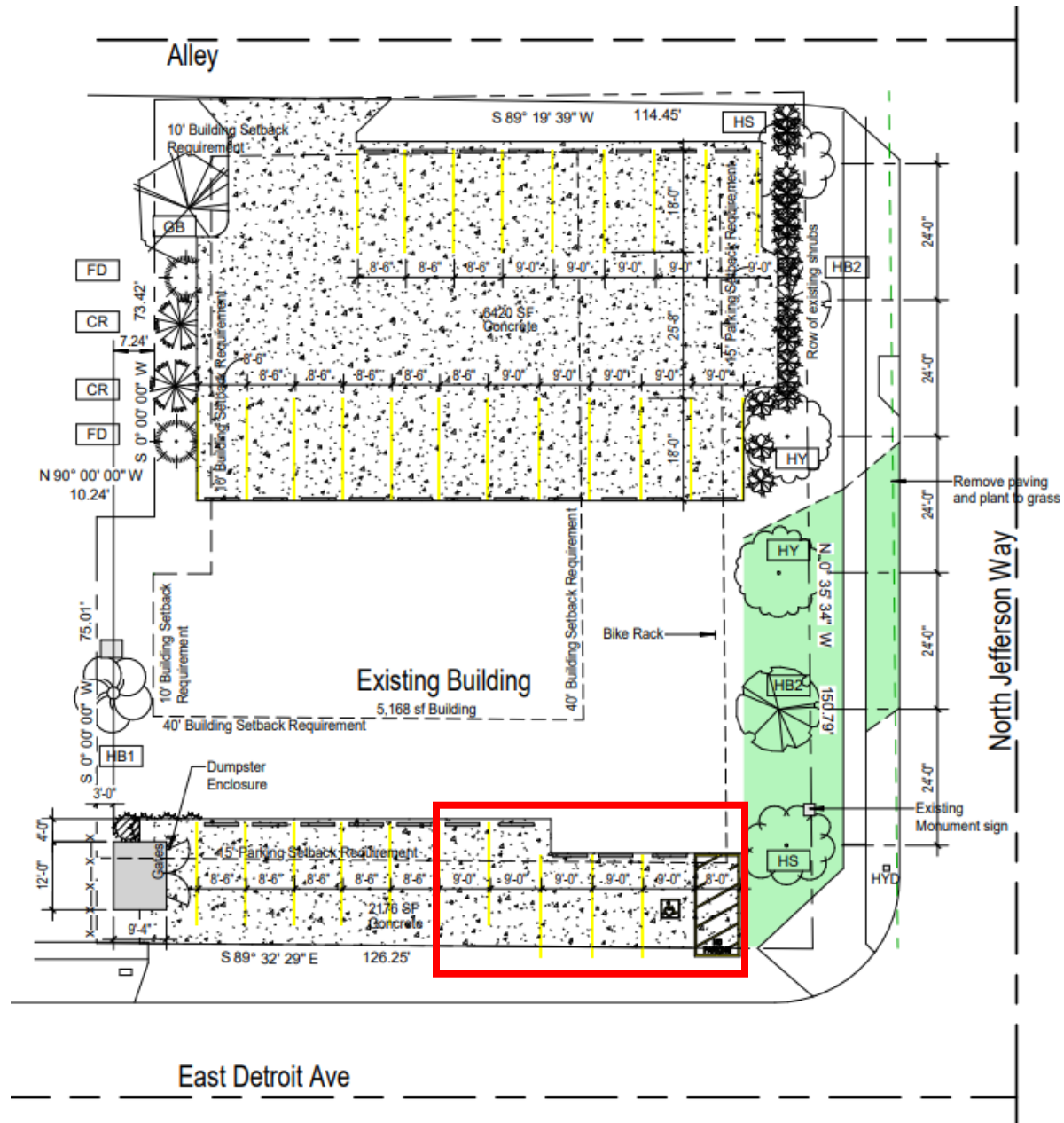
Many changes are proposed as part of the special use permit, which is pretty expensive, but we are committed to working on them very soon. I understand that some of the proposed changes are related to security concerns. We are willing to remove all the parking spaces on the East side and the last parking space on the south side (the cross-hatched area inside the red rectangle in the picture below).

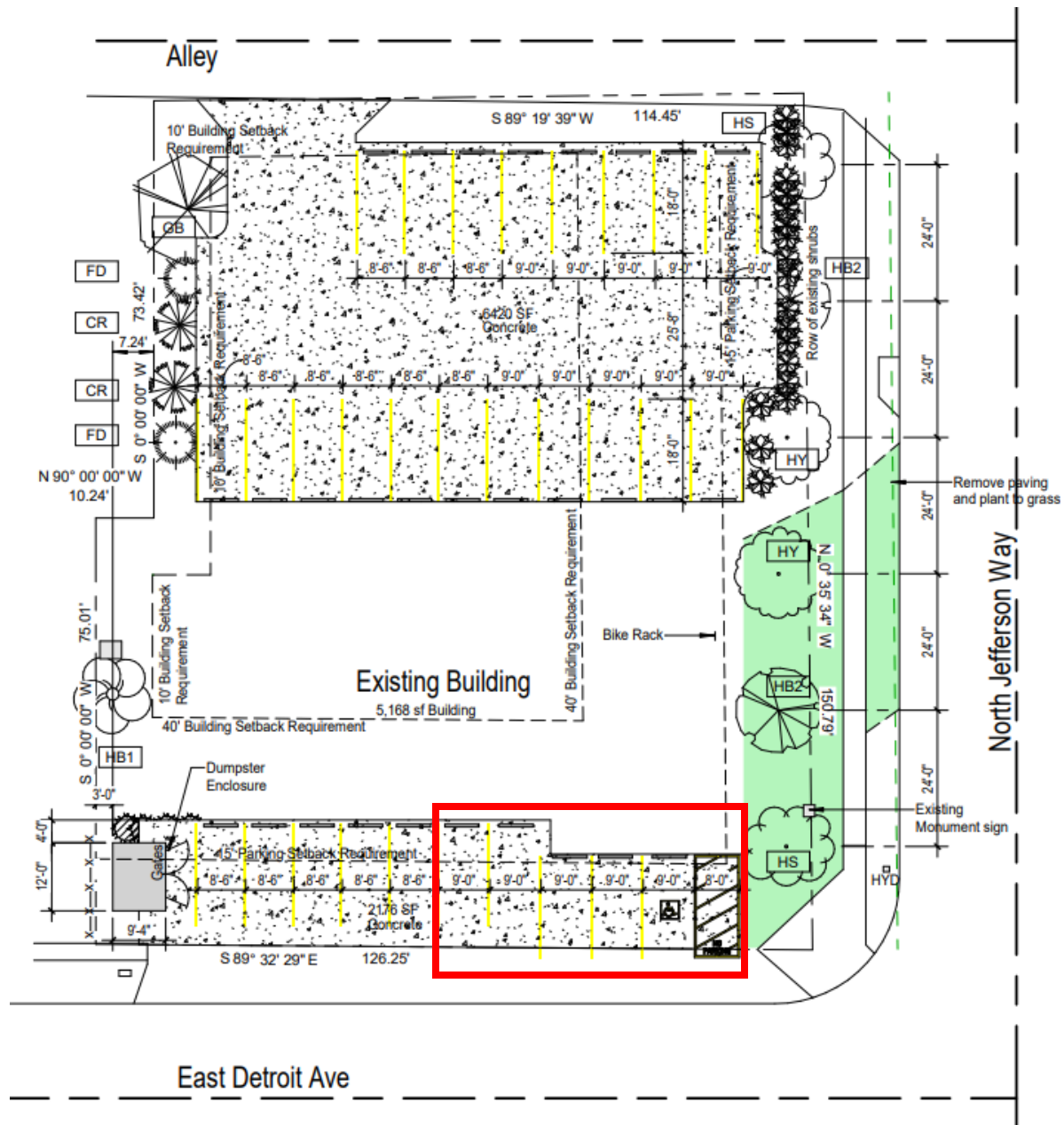
I request that the committee approve a variation that will enable us to keep the rest of the parking spots on the south side of the building so that we can run the business with minimal impact.

Sincerely,

Venkata Dhanekula

Let me know what additional information you may need.







Iowa Crash Analysis Tool
Quick Report
2014-2024

Crash Severity	3	Injury Status Summary	3
Fatal Crash	0	Fatalities	0
Suspected Serious Injury Crash	0	Suspected serious/incapacitating	0
Suspected Minor Injury Crash	0	Suspected minor/non-incapacitating	0
Possible/Unknown Injury Crash	1	Possible (complaint of pain/injury)	0
Property Damage Only	2	Uninjured	0
		Unknown	1
		Not Reported	2

Property/Vehicles/Occupants	Average Severity
Property Damage Total (dollars): 5,100.00	Fatalities/Fatal Crash: 0.00
Average (per crash dollars): 1,700.00	Fatalities/Crash: 0.00
Total Vehicles: 6.00	Injuries/Crash: 0.00
Average (per crash): 2.00	Major Injuries/Crash: 0.00
Total Occupants: 5.00	Minor Injuries/Crash: 0.00
Average (per crash): 1.67	Possible/Unknown Injuries/Crash: 0.00





Iowa Crash Analysis Tool
Quick Report
2014-2024

Major Cause		3	
Animal	0	Ran traffic signal	0
Ran stop sign	0	Failed to yield to emergency vehicle	0
FTYROW: At uncontrolled intersection	0	FTYROW: Making right turn on red signal	0
FTYROW: From stop sign	0	FTYROW: From yield sign	0
FTYROW: Making left turn	0	FTYROW: From driveway	0
FTYROW: From parked position	1	FTYROW: To pedestrian	0
FTYROW: Other	0	Drove around RR grade crossing gates	0
Disregarded RR Signal	0	Crossed centerline (undivided)	0
Crossed median (divided)	0	Traveling wrong way or on wrong side of road	0
Aggressive driving/road rage	0	Driving too fast for conditions	0
Exceeded authorized speed	0	Improper or erratic lane changing	0
Operating vehicle in an reckless/erratic/care...	0	Followed too close	0
Passing: On wrong side	0	Passing: Where prohibited by signs/markings	0
Passing: With insufficient distance/inadequa...	0	Passing: Through/around barrier	0
Passing: Other passing	0	Made improper turn	0
Driver Distraction: Manual operation of an e...	0	Driver Distraction: Talking on a hand-held d...	0
Driver Distraction: Talking on a hands free ...	0	Driver Distraction: Adjusting devices (radio...	0
Driver Distraction: Other electronic device ...	0	Driver Distraction: Passenger	0
Driver Distraction: Unrestrained animal	0	Driver Distraction: Reaching for object(s)/f...	0
Driver Distraction: Inattentive/lost in thou...	0	Driver Distraction: Other interior distracti...	0
Driver Distraction: Exterior distraction	0	Ran off road - right	0
Ran off road - straight	0	Ran off road - left	0
Lost control	0	Swerving/Evasive Action	0
Over correcting/over steering	0	Failed to keep in proper lane	0
Failure to signal intentions	0	Traveling on prohibited traffic way	0
Vehicle stopped on railroad tracks	0	Other: Vision obstructed	0
Other: Improper operation	0	Other: Disregarded warning sign	0
Other: Disregarded signs/road markings	0	Other: Illegal off-road driving	0
Downhill runaway	0	Separation of units	0
Towing improperly	0	Cargo/equipment loss or shift	0
Equipment failure	0	Oversized load/vehicle	0
Other: Getting off/out of vehicle	0	Failure to dim lights/have lights on	0
Improper backing	2	Improper starting	0
Illegally parked/unattended	0	Driving less than the posted speed limit	0
Operator inexperience	0	Other	0
Unknown	0	Not reported	0
Other: No improper action	0		



Iowa Crash Analysis Tool
Quick Report
2014-2024

Time of Day/Day of Week														
Day of Week	12 AM to 2 AM	2 AM to 4 AM	4 AM to 6 AM	6 AM to 8 AM	8 AM to 10 AM	10 AM to Noon	Noon to 2 PM	2 PM to 4 PM	4 PM to 6 PM	6 PM to 8 PM	8 PM to 10 PM	10 PM to 12 AM	Not reported	Total
Sunday	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Monday	0	0	0	0	0	0	1	0	0	1	0	0	0	2
Tuesday	0	0	0	0	0	0	0	0	0	1	0	0	0	1
Wednesday	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Thursday	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Friday	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Saturday	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	1	0	0	2	0	0	0	3

Manner of Crash Collision	3	Surface Conditions	3
Non-collision (single vehicle)	0	Dry	3
Head-on (front to front)	0	Wet	0
Rear-end (front to rear)	1	Ice/frost	0
Angle (oncoming left turn)	0	Snow	0
Broadside (front to side)	0	Slush	0
Sideswipe (same direction)	0	Mud/dirt	0
Sideswipe (opposite direction)	0	Water (standing or moving)	0
Rear to rear	0	Sand	0
Rear to side	2	Oil	0
Not reported	0	Gravel	0
Other	0	Not reported	0
Unknown	0	Other	0
		Unknown	0

Fixed Object Struck	6
Bridge overhead structure	0
Bridge/bridge rail parapet	0
Ditch	0
Ground	0
Guardrail - face	0
Concrete traffic barrier (median or right sid...	0
Cable barrier	0
Utility pole/light support	0
Traffic signal support	0
Fire hydrant	0
Tree	0
Snow bank	0
Wall	0
Other fixed object	0
Bridge pier or support	0
Curb/island/raised median	0
Embankment	0
Culvert/pipe opening	0
Guardrail - end	0
Other traffic barrier	0
Impact attenuator/crash cushion	0
Traffic sign support	0
Other post/pole/support	0
Mailbox	0
Landscape/shrubbery	0
Fence	0
Building	0
None (no fixed object struck)	6



Iowa Crash Analysis Tool
Quick Report
2014-2024

Driver Age/Driver Gender					
Driver Age - 5 year Bins	Female	Male	Not reported	Unknown	Total
< 14	0	0	0	0	0
= 14	0	0	0	0	0
= 15	0	0	0	0	0
= 16	0	1	0	0	1
= 17	0	1	0	0	1
= 18	0	0	0	0	0
= 19	0	0	0	0	0
= 20	0	0	0	0	0
>= 21 and <= 24	0	0	0	0	0
>= 25 and <= 29	0	0	0	0	0
>= 30 and <= 34	0	1	0	0	1
>= 35 and <= 39	0	0	0	0	0
>= 40 and <= 44	0	0	0	0	0
>= 45 and <= 49	0	0	0	0	0
>= 50 and <= 54	0	0	0	0	0
>= 55 and <= 59	0	0	0	0	0
>= 60 and <= 64	0	0	0	0	0
>= 65 and <= 69	0	0	0	0	0
>= 70 and <= 74	0	0	0	0	0
>= 75 and <= 79	0	0	0	0	0
>= 80 and <= 84	0	0	0	0	0
>= 85 and <= 89	0	0	0	0	0
>= 90 and <= 94	0	0	0	0	0
>= 95	0	0	0	0	0
Not reported	0	0	0	0	0
Unknown	0	0	3	0	3
Total	0	3	3	0	6

Alcohol Test Given	6
None	3
Blood	0
Urine	0
Breath	0
Vitreous	0
Refused	0
Not reported	3

Drug Test Given	6
None	3
Blood	0
Urine	0
Breath	0
Vitreous	0
Refused	0
Not reported	3

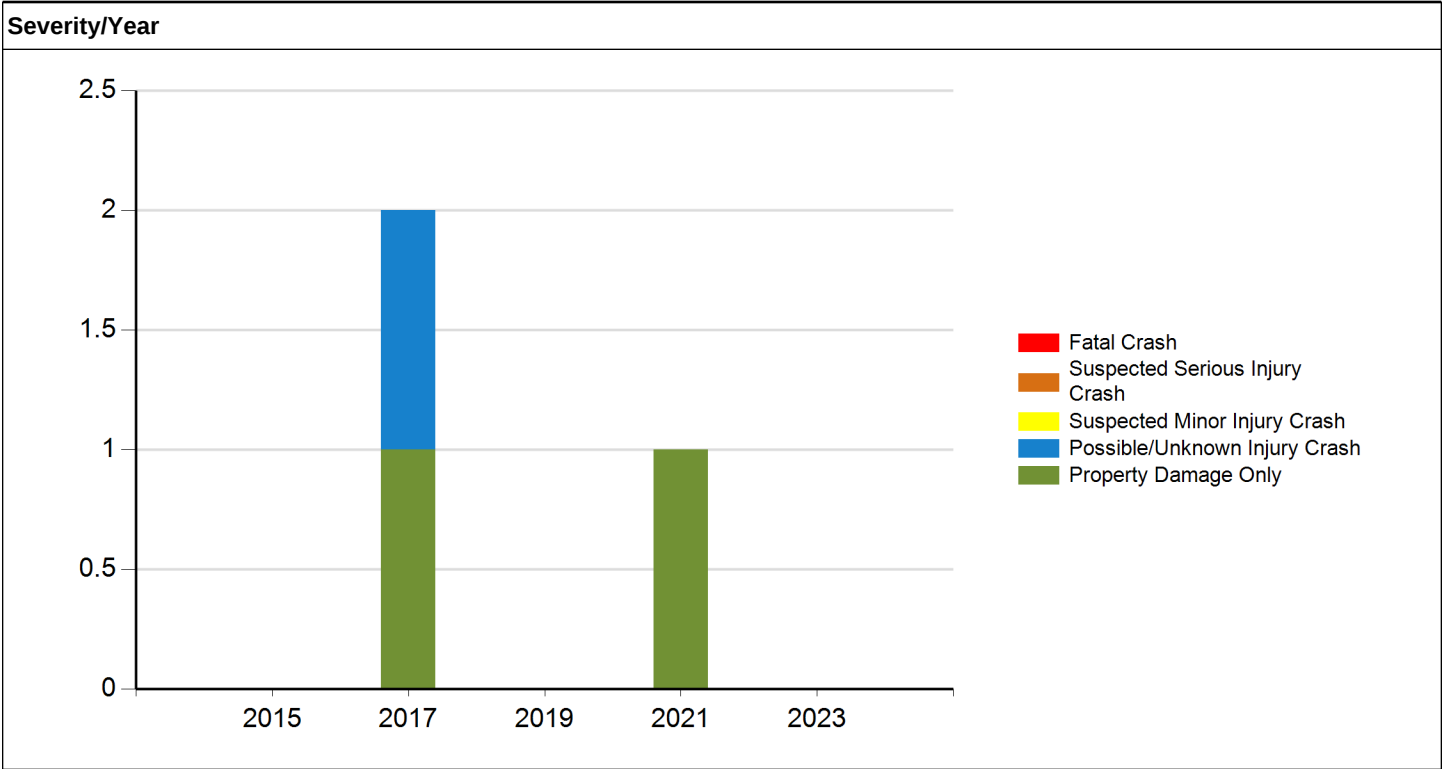
Drug Test Result	6
Negative	0
Cannabis	0
Central Nervous System depressants	0
Central Nervous System stimulants	0
Hallucinogens	0
Inhalants	0
Narcotic Analgesics	0
Dissociative Anesthetic (PCP)	0
Prescription Drug	0
Not reported	6
Other	0

Drug/Alcohol Related	3
Drug	0
Alcohol (< Statutory)	0
Alcohol (Statutory)	0
Drug and Alcohol (< Statutory)	0
Drug and Alcohol (Statutory)	0
Refused	0
Under Influence of Alcohol/Drugs/Medications	0
None Indicated	3



Iowa Crash Analysis Tool
Quick Report
2014-2024

Crash Severity - Annual						
Crash Year	Fatal Crash	Suspected Serious Injury Crash	Suspected Minor Injury Crash	Possible/Unknown Injury Crash	Property Damage Only	Total
2014	0	0	0	0	0	0
2015	0	0	0	0	0	0
2016	0	0	0	0	0	0
2017	0	0	0	1	1	2
2018	0	0	0	0	0	0
2019	0	0	0	0	0	0
2020	0	0	0	0	0	0
2021	0	0	0	0	1	1
2022	0	0	0	0	0	0
2023	0	0	0	0	0	0
2024	0	0	0	0	0	0
Total	0	0	0	1	2	3



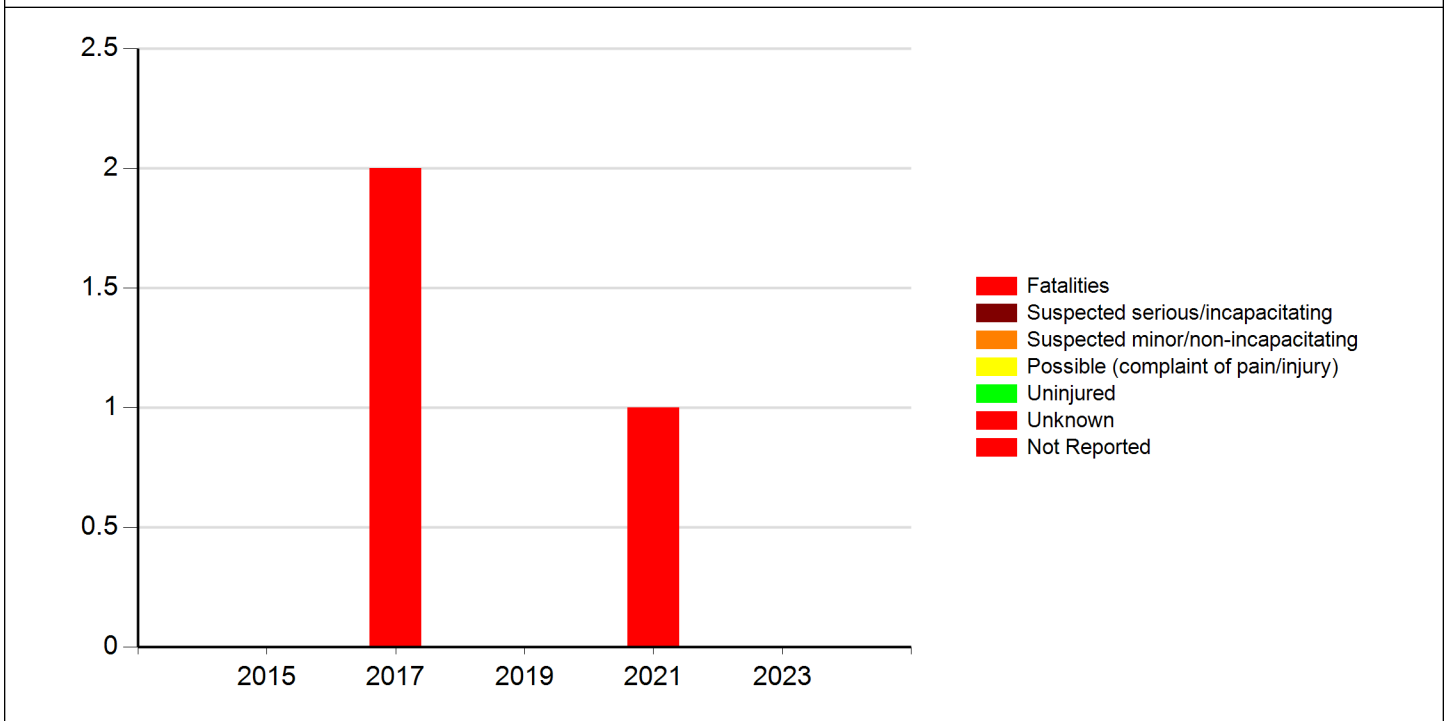


Iowa Crash Analysis Tool
Quick Report
2014-2024

Injury Status - Annual

Crash Year	Fatalities	Suspected serious/incapacitating	Suspected minor/non-incapacitating	Possible (complaint of pain/injury)	Uninjured	Unknown	Not Reported	Total
2014	0	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0	0
2017	0	0	0	0	0	1	1	2
2018	0	0	0	0	0	0	0	0
2019	0	0	0	0	0	0	0	0
2020	0	0	0	0	0	0	0	0
2021	0	0	0	0	0	0	1	1
2022	0	0	0	0	0	0	0	0
2023	0	0	0	0	0	0	0	0
2024	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	1	2	3

Injury Status/Year





Meeting the following criteria

Jurisdiction: Cities (Indianola)
Year: 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024
Map Selection: Yes
Filter: None

Analyst Information

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- GENERAL REQUIREMENTS
1. Before final Drawings and Specifications are issued for construction, and they shall be submitted to all governing building agencies to ensure compliance with all applicable local and national codes. In the event, that code discrepancies in Drawings and/or Specifications appear. The Architect shall be notified of such discrepancies in writing by the Contractor or building official and allowed to alter the drawings and specifications to comply with governing codes before construction begins.

2. Upon written receipt of approval from the governing official approved final Drawings and Specifications shall be submitted to the Contractor by the Architect.

3. If code discrepancies are discovered during the construction process, the Architect shall be notified and allowed ample time to remedy said discrepancies.

4. All work performed shall comply with all applicable local, state, and national building codes, ordinances and regulations, and all other authorities having jurisdiction.

5. All contractors, suppliers, and fabricators shall be responsible for the Drawings' content and the supply and design of appropriate materials and work performance.

6. All manufactured articles, materials, and equipment shall be handled, applied, installed, erected, used, cleaned, and conditioned in strict accordance with the manufacturers' requirements.

7. All alternates are at the Owner's option and shall be at the Owner's request, constructed in addition to or in place of the typical construction, as indicated on the Drawings.

Design Loads:

1. Roof: live load 30psf (maximum) dead load 15psf (10 psf top, 5psf bottom)

2. Floor: live load 100psf (maximum) dead load 15psf

3. Balconies and Decks: live load 100psf (maximum) dead load 15psf

4. Soil Pressure: 2000 psf (minimum)

5. Before the start of construction, verify design loads with governing codes and site conditions. Check with local building agencies for wind, seismic, snow, and other special loading conditions. If discrepancies are discovered, the Architect shall be notified according to Section 1 above.

SITE WORK

1. Perform excavation, according to good standard construction practices, to the lines, grades, and elevations indicated on the Drawings.

2. Provide consistent compaction of the top 8" of sub-grade, fill, and backfill material beneath structures, walks, and pavements to meet the stated soil pressure.

3. Provide soil poisoning to control termites as required by governing codes.

4. Provide and install ventilation for Radon Gas as required by local building agencies and governing codes.

5. Top of foundation elevation is assumed to be 6' above the final grade at the overhead garage door opening. Changes in the foundation wall elevation relative to the final grade will change the foundation drawings and modifications to the garage/house entry stair.

CONCRETE

A. Provide concrete complying with ASTM C94, submit design mix and documentation for approval per ACI 318. Unless otherwise noted, concrete shall have the following 28-day compressive strengths as minimums:

1. Concrete footings and foundations: 3,000psi

2. Concrete floor slabs, walks, drives, and patios: 3,500psi

B. Provide construction joints so panel size does not exceed 200sf.

C. Provide reinforcement of the size and spacing indicated on Drawings. Reinforcing shall comply with the following minimums:

a. Bars: ASTM A615, grade 40, deformed bars.

Welded Wire Fabric: ASTM A185.

D. Portland cement - ASTM C150 TYPE I.

Aggregates - fine and coarse per ASTM C33.

E. Admixtures - only per approved design mix.

Slump - per approved design mix.

F. Saw-cut joints as soon as the surface will allow without edges raveling but before the next day after the pour.

G. Steel trowel all interior floor surfaces.

H. Detail reinforcing by ACI - manual of standard practice for detailing reinforced concrete structures.

I. Submit concrete reinforcement shop drawings in accordance with ACI 315 for approval.

J. Unless noted otherwise, all slabs on grade shall be 4" thick, reinforced with 6x6 W14xW14 Welded Wire Mesh, and placed over 4" minimum compacted sand or gravel fill. Interior slabs shall be placed over 6 mil stabilized polyethylene vapor barrier. Coordinate with radon removal procedures.

K. Footing sizes shown are typical only for stated soil pressure and consistent compaction. The Contractor shall be responsible for footings complying with the design requirements of specific soil conditions.

L. Precast concrete lintels shall be installed and reinforced as per manufacturers' specifications. The Architect shall not be responsible for the design of precast concrete lintels.

MASONRY

1. Provide standard weight hollow load-bearing Concrete Masonry Units (CMU) complying with ASTM C90, grade N, type 1.

2. Reinforcement shall comply with the following as minimums:

Bars: ASTM A615, grade 40, formed bars.

Wire Joint Reinforcement ASTM A82, galvanized.

a. Provide mortar type "S" following ASTM C270.

b. Provide grout following ASTM C476. Minimum compressive strength shall be 3000 psi unless noted otherwise.

c. Provide reinforcement in vertical cells or concrete masonry units (fully embedded in grout) as follows:

3. Typical reinforcement shall be one #5 at each corner, at both sides of openings, and a maximum spacing of 48" o.c.

4. Reinforce all vertical cells of concrete masonry units supporting the concentrated load beams, structural columns, etc.): At 8" CMU, reinforce each vertical cell with one #5 and solidly fill with grout.

a. Beam pockets shall be provided for all beams supported by concrete and/or masonry, unless noted otherwise, and shall comply with the following:

7. Minimum of 4" bearing. Height and width as required by the beam. Treated lumber beneath all wood beams. Provide vertical reinforcing.

METALS

1. All structural steel shall comply with appropriate ASTM Specifications as follows: ASTM A36, ASTM A53, ASTM A501, ASTM A307, and ASTM A325.

2. All steel connections shall be designed according to the AISC Manual of Steel Construction and shall be detailed by a qualified structural steel detailer. Contractor to submit steel shop drawings to the designer or a licensed structural engineer before steel erection.

WOOD AND PLASTICS

1. Lumber shall, in addition to complying with governing codes, comply with:

2. "Product Use Manual" of the Western Wood Products Association to select and use products included in that manual.

3. "Plywood Specification and Grade Guide" of the American Plywood Association.

4. "Standard Specifications for Grades of California Redwood Lumber" of the Redwood Inspection Bureau for Redwood.

5. American Wood Preservers Association standards and recommendations for fire-retardate and preservative pressure treated lumber and plywood.

6. Western Red Cedar Lumber Association standards and recommendations for cedar.
1. Provide lumber and materials meeting or exceeding the following standards of quality:

a. Framing Members:

1. Studs: Douglas Fir- Larch, Stud Grade.

Headers and Beams: Douglas Fir- Larch, No. 2 and better.

2. All headers and beams shall be free from splits, checks, and shakes.

3. Sheathing:

a. Roof: 5/8" plywood APA RATED SHEATHING, EXP 1, (with clips)

b. Walls: 5/8" plywood APA RATED SHEATHING, EXP 1

c. Floor: 23/32" plywood APA RATED SHEATHING, EXP 1 (glue and nail)

d. Underlayment: 1/8" Luan-underlayment grade. (at vinyl only)

e. Proper oriented strand board may be substituted for plywood.

4. Rough Hardware:

a. Steel items: Comply with ASTM A36; use galvanized steel at exterior locations.

b. Install joist and beam hangers to support the maximum allowable load of joist or beam being supported.

c. Provide "Micro-Lam" glue-laminated veneer lumber beams (manufactured by Truss Joist Corporation) or equal of the dimensions and number indicated on the drawings. Provide exterior grade Micro Lams for deck framing and other exterior applications. Unless noted otherwise, fasten multiple beams together in strict accordance with manufacturers' recommendations.

5. Allowable stresses:

a. Modulus of elasticity: 2,000,000 psi

Flexural (12" depth): 2,900 psi

b. Horizontal shear: 285 psi

Bearing: 550 psi

6. Use exterior grade Micro-Lam in all areas subject to moisture.

7. Provide wood trusses to sustain the stated loads for the spans, profiles, and arrangements shown on the Drawings. The truss layout is schematic only. Truss manufacturer and/or engineer shall be responsible for the design and spacing of all trusses. Contractor to submit truss drawings and/or roof framing drawings to designer for review before construction.

8. All roof trusses shall be installed with metal truss seats as specified by the truss manufacturer.

Unless noted otherwise, provide:

a. Doubleheader joists and trimmers at all floor openings.

b. Double joists under all partitions parallel to joists.

c. Double 2x12 headers with 1/2 plywood between all door and window openings in 2x4 walls. Triple 2x10 headers with 1/2" plywood between all door and window openings at 2x6 walls.

1. One row of 1x3 cross-bridging or metal bridging for each 8'-0" of joist span.

a. Stud spacing at all exterior and bearing walls shall be 16" on center minimum.

b. Stud walls shall not exceed the following heights without continuous lateral support perpendicular to the plane of the wall at the stated height or less. Studs shall be continuous between points of lateral support.

2. Bearing walls: 2. Non-bearing walls:

a. 2x4: 10'-0" a. 2x4: 14'-0"

2x6: 12'-0" b. 2x6: 20'-0"

3. Unless noted otherwise, rafters, ceiling joists, collar ties, and purlins shall be sized and spaced following FHA requirements or governing codes, whichever is more restrictive.

4. Stair construction shall consist of (3)2x12 stringers, 5/4" or 2x thick tread, and 3/4" thick risers or shall be fabricated by the component manufacturer.

5. All wood plates bearing on concrete or masonry shall be pressure treated. At exterior walls, install plates over foam sill sealer.

6. Provide 2" nominal pressure-treated lumber over 6 mil stabilized polyethylene beneath full bearing of wood beams bearing on concrete or masonry.

7. Provide Simpson Strong Wall Garage Portal System around all overhead doors with a width greater than 8'. Install Garage Portal System per manufacturers recommended guidelines.

Thermal and Moisture Protection

1. Provide thermal building insulation at assemblies adjacent to the exterior or unheated spaces meeting the requirements of governing codes meeting the following minimum requirements, unless noted otherwise:

a. Foundations: 2"extruded polystyrene (R-100)

Walls: glass fiber batt (R-19)

b. Floors: glass fiber batt (R-30)

Ceilings: glass fiber batt (R-49)

2. Install continuous blankets without holes for electrical boxes, lighting fixtures, or heating ductwork.

3. Install 6 mil Polyethylene vapor barrier against the interior face of all thermal insulation.

4. Waterproof foundation walls at excavated areas from footing to finished grade with two coats of asphalt-based waterproofing compound.

5. Roofing shall be 240 lb. (minimum) composition shingles installed over 30 lb. roof felt on roof sheathing. Minimum slope, fasteners, underlayment, and exposure according to manufacturers' recommendations.

6. Provide flashing and sheet metal required to prevent penetration of water through the building's exterior shell. In addition to complying with governing codes, comply with pertinent recommendations in the current edition of "Architectural Sheet Metal Manual" published by SMCN.A. All iron sheet metal flashing shall be hot-dipped galvanized, complying with ASTM A93.

7. Provide gutters and downspouts to provide positive roof and site drainage.

8. Provide attic and roof ventilation as required by governing codes and as shown on the Drawings. Provide proper soffit and roof vents.

9. Skylights shall be selected by the Contractor and approved by the Owner. Install skylights according to the manufactures' recommendations.

10. Install water and ice barrier (Butthene or equal over roof sheathing at all eaves and valleys. Water & ice barrier to extend 36" past outside face of the exterior wall below and as shown on the roof plan.
- DOORS AND WINDOWS
1. Exterior doors shall be selected by the Owner.

2. House-to-garage doors shall be fire-rated doors approved by governing codes. Face design to be selected by the Owner.

3. The Owner shall select interior doors.

4. Exterior windows shall be aluminum or vinyl-clad wood windows manufactured by Pella Corp.

5. Glazing in all doors and windows shall comply with governing codes.

6. Install egress window units following governing codes.

7. Door and window sizes indicated, or drawings are as follows: "3/0x6/8" represents a door or window 3'-0" wide x 6'-8" high. Jamb depth to be coordinated by the Contractor.

8. The Owner shall select Finish hardware. Install hardware following governing codes.
- FINISHES
1. Gypsum wallboard, unless noted otherwise, shall be provided as follows:

2. Exterior walls: One layer 5/8" regular wallboard to interior face.

3. Interior walls: One layer 1/2" regular wallboard each face.

4. Ceiling: One layer 5/8" regular wallboard.

5. Garage/House common wall: One layer 5/8" type "X" wallboard on each face.

6. Baths: Water-resistant wallboard at all walls and ceilings surrounding tubs and showers and as required by governing codes. Provide cement board as the substrate for ceramic tile.

7. Provide metal corner bead and trim at all locations recommended by the gypsum wallboard manufacturer.

8. Tape, float, and sand joints and fasteners of gypsum wallboard with three coats of joint compound as required to obtain a uniformly smooth surface.

9. The Owner shall select Finishes.

Project Notes

1. These documents and the design they represent are the property of the Architect No changes to these documents either in whole or in part may be made in any way without their prior knowledge and written consent.

2. Refer to additional notes and legends on all other documents.

3. Refer to civil, geotechnical, environmental, structural, mechanical, electrical, plumbing, fire and life-safety documents for additional information or requirements. Reference to other disciplines is conceptual for purposes of coordination with architectural design only.

4. Before commencement of any work, the contractor shall give all notices and obtain all permits. Contractor shall comply with all applicable codes, laws, ordinances, rules, regulations, requirements of governing agencies and authorities, hazardous material application, and disposal requirements, etc.

5. These drawings represent the completed project, at a time of substantial completion. The intent of the drawings is to include all items necessary for the proper execution and completion of the work. Unless otherwise noted, they do not represent the means and methods of construction. Sequencing and means and methods of construction shall be the sole responsibility of the general contractor.

6. These drawings do not contain information with regard to construction safety procedures. The contractor is solely responsible for all construction safety and shall perform all work in accordance with governing authorities construction safety guidelines.

7. Provide complete in place all labor, transportation, material, taxes, fees, permits, licenses, insurance, utilities, inspections, equipment, machinery, supervision, and other items necessary to complete the work in strict compliance with the plans, documents, and specifications prepared by the architect and approved by the owner.

8. Verify existing conditions before fabrication and before proceeding with the work, and notify the architect immediately of significant discrepancies which may impact aesthetics, durability, cost, and schedules.

9. Do not scale drawings to determine the intended layout or dimensions. If dimensions are in question, the contractor shall be responsible for obtaining clarification before continuing with work. Drawings are intended only as a graphically correct representation of work to be accomplished.

10. Remove and replace materials damaged during construction to the satisfaction of the owner. Repair existing public facilities damaged during construction to the satisfaction of the governing authority.

11. All work shall be of good quality, and all materials and equipment shall be new and free from defects for one year from the date of substantial completion of work. Any extended warranties obtained from suppliers or subcontractors shall be forwarded to the owner.

12. All requirements not followed, including substitutions not properly approved and authorized, in writing, may be considered defective.

13. Comply with all weather-related construction requirements. Do not build with or on frozen, saturated, contaminated, or inappropriate substrates or conditions.

14. Provide positive drainage of surface water away from and off of all buildings without ponding or water adjacent to or on buildings or pavements.

15. By submitting shop drawings, product data and samples, the general contractor and sub-contractor has verified and approved the information contained within. The general contractor's review and approval shall be shown on each submittal prior to the submission to the architect.

16. Sprinkler system design and layout drawings, main lines and branches will be provided and installed by the building owner. Drops to ceiling penetration, heads and accessories provided by contractor.

PLUMBING, MECHANICAL, AND ELECTRICAL

1. Plumbing, mechanical, and electrical information and layouts shown on the Drawings are schematic and shall be reviewed by sub-contractors, suppliers, and building officials for compliance with governing codes and good standard construction practices. The Contractor shall notify the Architect of any discrepancies before construction.

2. The Owner shall select plumbing, mechanical, and electrical equipment.

3. Design and installation of plumbing, mechanical, and electrical equipment shall be the responsibility of the appropriate licensed contractors and sub-contractors. The design shall be submitted for the Owner's review before ordering and installation of equipment.

4. The electrical sub-contractor shall select service panels.

5. All HVAC equipment shall be individually switched.

6. All outdoor, bath, garage, and spa wall receptacles shall be provided with ground fault circuit protection following governing codes.

7. Dryer and range hood vents shall be extended to the exterior.

8. Provide plumbing vents following governing codes. Minimize the number and location for minimal visual impact.

9. Install type and the number of smoke detectors following governing codes & UL217. Connect water, gas, and electric services following governing codes

MISCELLANEOUS

1. This set of construction drawings is intended for design intent only. Although many jurisdictions will accept these drawings as sufficient for a construction permit, these drawings are not intended and should not be construed as a complete set of construction drawings. These drawings will have to be adapted to meet local zoning and/or site conditions, and additional detailing will need to be completed on-site by the builder.

2. Install prefabricated fireplace units as shown on Drawings.

3. Fireplace units shall be "Heat-N-Go" or as approved by the Owner.

4. Contractor shall be responsible for proper installation as recommended by the manufacturer and as required by governing codes, including mantel and hearth design and location.

5. Hearth shall be of non-combustible material.

6. Room sizes shown on the plans indicate room dimensions before installation of gypsum wallboard. Gypsum wall board thickness must be subtracted from room sizes indicated for actual room dimensions and are subject to change.

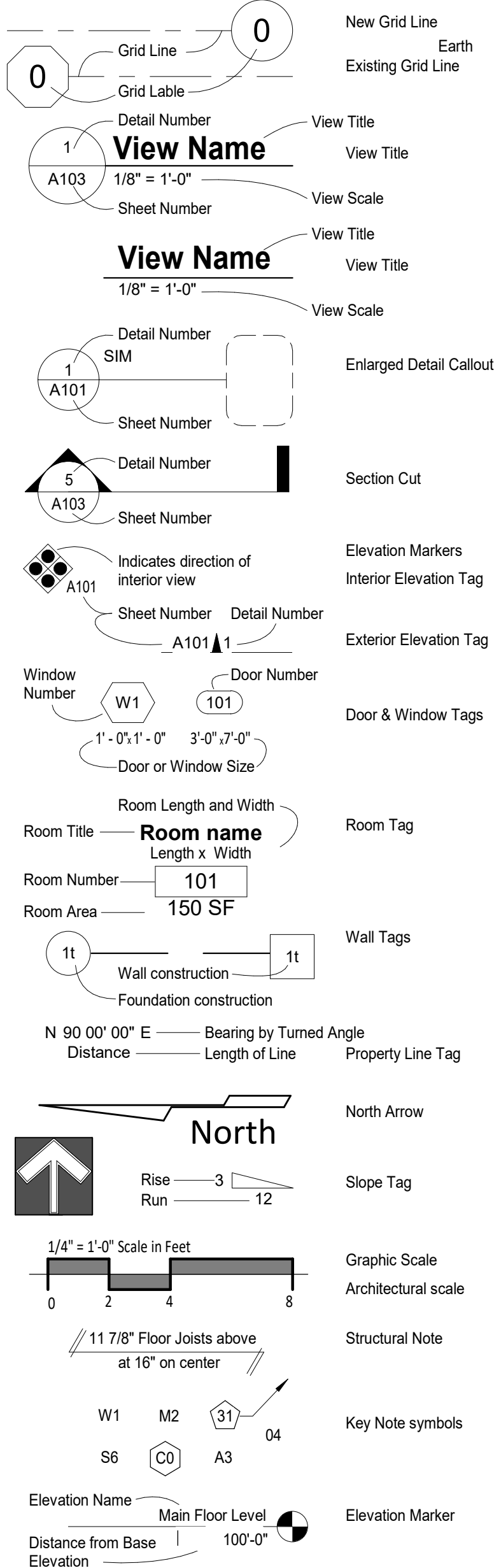
SUBMITTALS

1. Submit roof truss and/or rafter layout plan completed by the manufacturer for review before ordering roof trusses and/or roof lumber package. Allow designer five days for complete review.

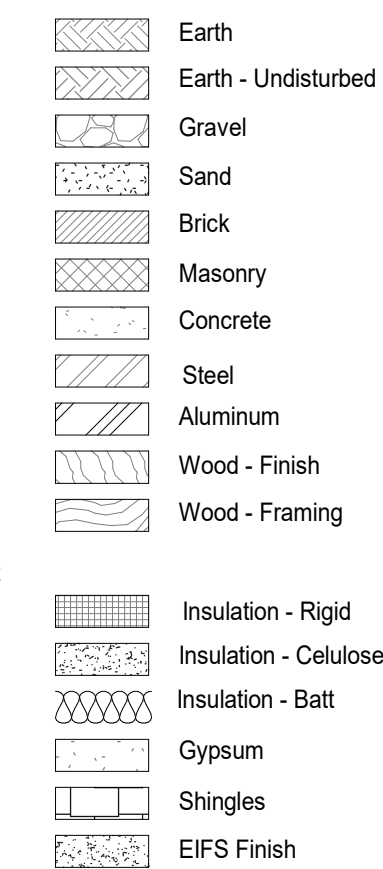
2. Submit roof truss layouts showing beam locations, joist layout, locations of continuous duct chases, and maximum duct size in each chase. Allow designer five days for complete review.

3. Architect will not be responsible for any errors in the roof and/or floor framing without the opportunity to review the roof and/or floor framing layouts. Framing layouts, member sizes, and floor/roof penetrations indicated on the drawings are for design intent only. Final layouts shall be the responsibility of the builder.

Annotation Legend



Material Legend



Description	Date	For Review			
#	12/05/23				
12/22/2023 11:28:17 AM					
PROJECT NUMBER: 2311M					
TITLE: Cover Sheet					
SHEET:					
100					

Proposed Planting Schedule						
Mark	Common Name	Latin Name	Size	Comments	Type	Count
Evergreen						
CR	Eastern Red Cedar	Juniperus virginiana	1 1/2" - 2"	Native	Evergreen	2
FD	Fir, Balsam	Abies balsamea	1 1/2" - 2"	Native	Evergreen	2
Ornamental						
HS	American Hophornbeam	Ostrya virginiana	1 1/2" - 2"	Native	Ornamental	1
HB2	Hawthorn, Winter King	Crataegus viridis	1 1/2" - 2"		Ornamental	2
HY	Witch Hazel	Hamamelis virginiana	1 1/2" - 2"	Native	Ornamental	1
Over Story						
AH	American Holly	Ilex opaca	40"-50'		Over Story	2
GB	Ohio Buckeye	Aesculus glabra	2" - 2 1/2" Cal	Native	Over Story	1
Shrub						
HB1	Button Bush	Cephalanthus occidentalis	18"-24"	Native	Shrub	1
WV	Variegated Dwarf Weigela	Weigela florida 'Variegata Nana'	18"-24"		Shrub	1
Grand total: 13						



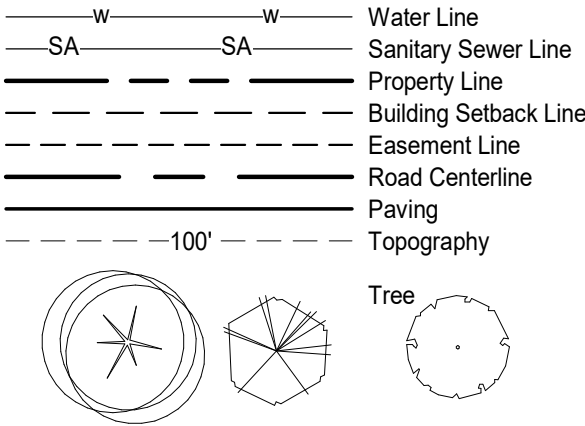
I hereby certify that the portion of this technical submission described below was prepared by me or under my direct supervision and responsible charge. I am a duly-licensed architect under the laws of the State of Iowa.

Matthew J. Palan
June 14, 2025
Date Issued:

Signature
Sheets covered by this seal: C101, C102

Registration Expires: June 30, 2023

Site Legend



Planting Notes

- Tree or shrub shall stand plumb
- Plants shall be true to species, size and variety specified
- Do not allow air pockets to form when backfilling – Soil should never be placed over the root ball.
- Contractor shall guarantee all plant material for one year from date of project Completion.
- Contractor to provide a 4" depth clean vertical cut edge to define mulch planting bed limits.
- All trees to be planted a minimum distance of 4 feet from fire hydrants and pavements.
- The contractor is responsible for plants awaiting installation and shall protect them from injury.
- Trees should have their North side marked at the nursery and be planted at the site with the same orientation.
- All plant material shall be handled by the balled and bur lapped (b&b) root ball, container or root mass.
- Remove all twine, rope, and wire from the root ball. Remove wire basket completely, cut the bottom third prior to planting. Set the plant or tree in pit an backfill to stabilize root ball.
- All plant material shall at least meet minimum requirements shown in the "American Standards for Nursery Stock" (ANSI Z60.1-latest edition).
- Plant material shall be specimen quality, healthy, free of disease and insects and shall have healthy, well-developed root systems; plants shall also be free from physical damage or other conditions that would prevent vigorous growth.
- Pruning of trees and shrubs at time of planting should be kept at a minimal; the contractor shall prune to remove broken, damaged or diseased branches, no pruning paint or sealer is allowed. All other pruning shall be approved by the landscape architect.
- Provide 3-inch depth shredded hardwood mulch around all plantings to a min. 3-foot perimeter, provide continuous mulch beds in areas indicated on the plan do not place mulch within 2-inches of root collar or trunk.
- Contractor to seed all areas disturbed by construction with type 1, lawn seed mixture, unless noted otherwise .
- All plant material to be approved by owner before planting, substitutions of plant materials will not be permitted unless authorized in writing by the owner.
- All wire, twine and burlap shall be removed from the rootball of street trees prior to planting.
- No staking of trees is allowed.

Site Notes

- All work in the city right-of-way shall be done in accordance with SUDAS and the City General Supplemental Specifications to SUDAS effective at the time of plan approval.
- All work in the city right-of-way requires a right-of-way permit.
- The required landscaping new and existing shall be maintained for the life of the certificate of occupancy or certificate of zoning.
- It is the responsibility of the owner an or the contractor to follow all applicable codes and ordinances whether or not contained on these documents.
- All lighting shall consist of low glare cut-off type fixtures to reduce the glare of light pollution on surrounding properties.
- All disturbed areas will be restored by seeding or sodding
- Locations of elements traced from Warren County, Iowa Assessor's website imagery accessed on June 10, 2023.
- Sidewalk / Drive Approach Permit is required.
- All new approaches to be 7" thick concrete from back of curb to the sidewalk
- This site shall be maintained in compliance with all city code applicable on the date of site plan approval.
- All rooftop mechanical equipment must be screened on all sides with architectural screening equal to the height of the equipment.
- Mechanical equipment shall not be located in the front yard or street side yard, and shall be screened from view from any public way with landscaping, fencing, or walls consistent with the building design, colors, and materials.
- A sign permit will be required from the city of indianola for any new or altered signage on the site, including changes in copy.
- A building permit will be required fome the city of indianola prior to the construction of the trash enclosure.
- Handicap signage t obe installedd according to the guidelines outlined by local, state and federal ADA guidelines.

1 Site Plan

C101 1" = 20'-0"

Parking Requirement:

1 Space per 250sf - Retail
5,168 sf / 250 sf = 20.7 Spaces required
20 spaces + 3 HC Space provided

Open Space:

18,011 sf Site area
14738 sf Impervious surface
19.2% Total Openspace
20% Open Space = 3,602 sf Minimum
Open Space Required

Equivalent Residential Unit (ERU):

3,400 sf Impervious surface = 1ERU
18,011sf - 3,400sf = 14,611sf / 340sf = 42.97
.1 * 42.97 = 4.29 ERU Total

Zoning Setbacks:

40' Front setback
10' Rear setback
10' Side Yard
50' Max Building Height
20' Building separation
126' Lot width
151' Street Frontage

Zoning:

C-2 - Highway Commercial

Property Owner:

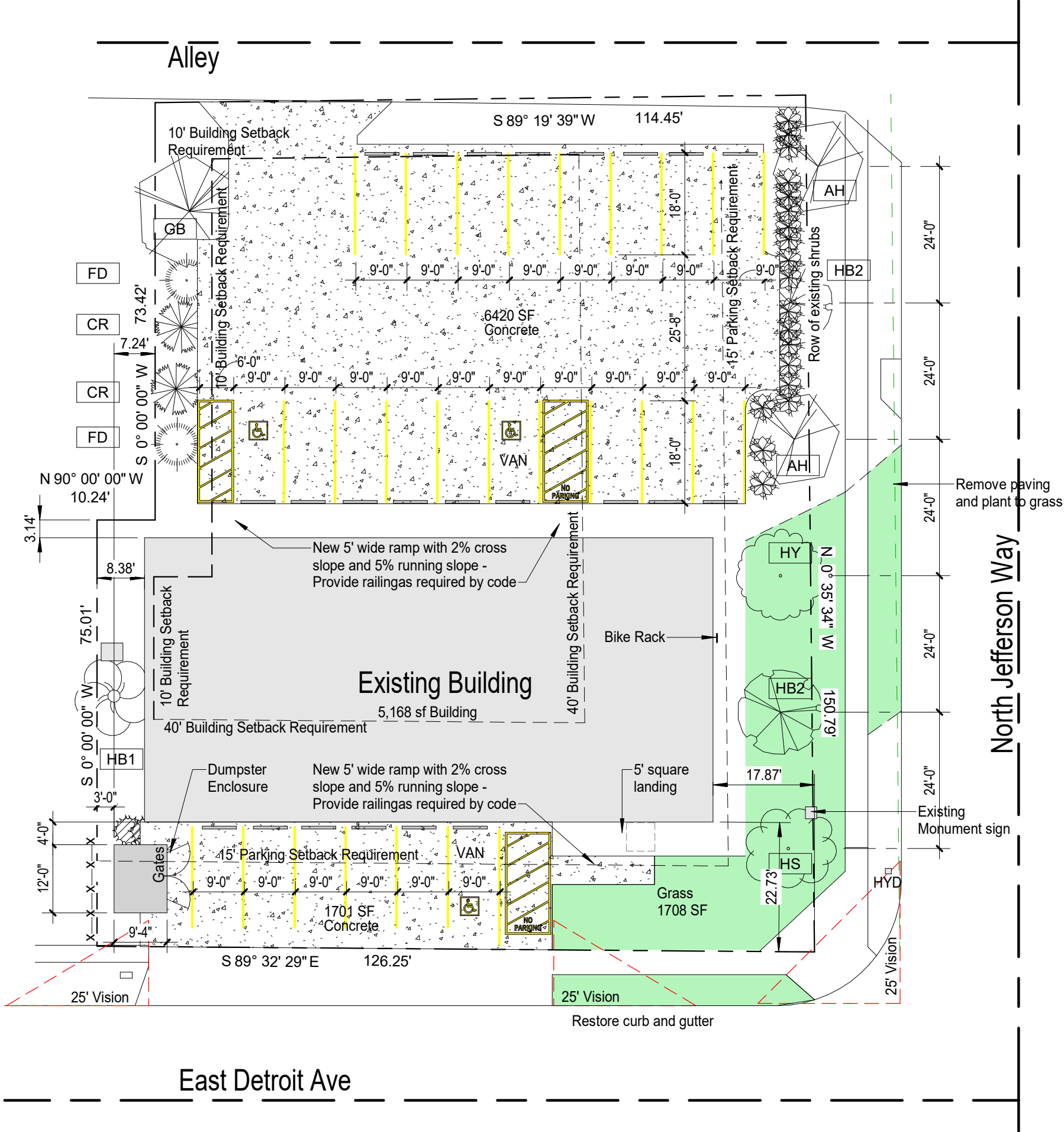
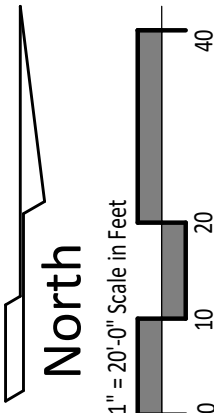
Prime Assets Investment LLC
501 N Jefferson Way
Indianola, Iowa 50125

Property Address:

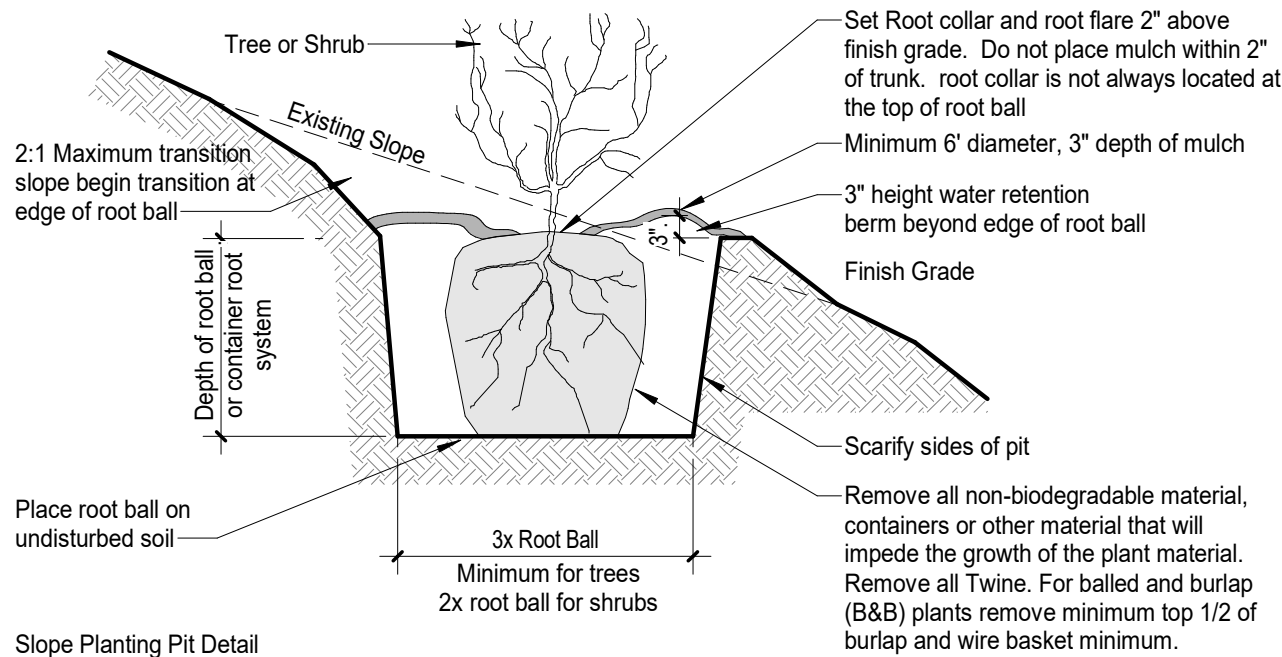
501 North Jefferson Way
Indianola, Iowa 50125

Legal Description:

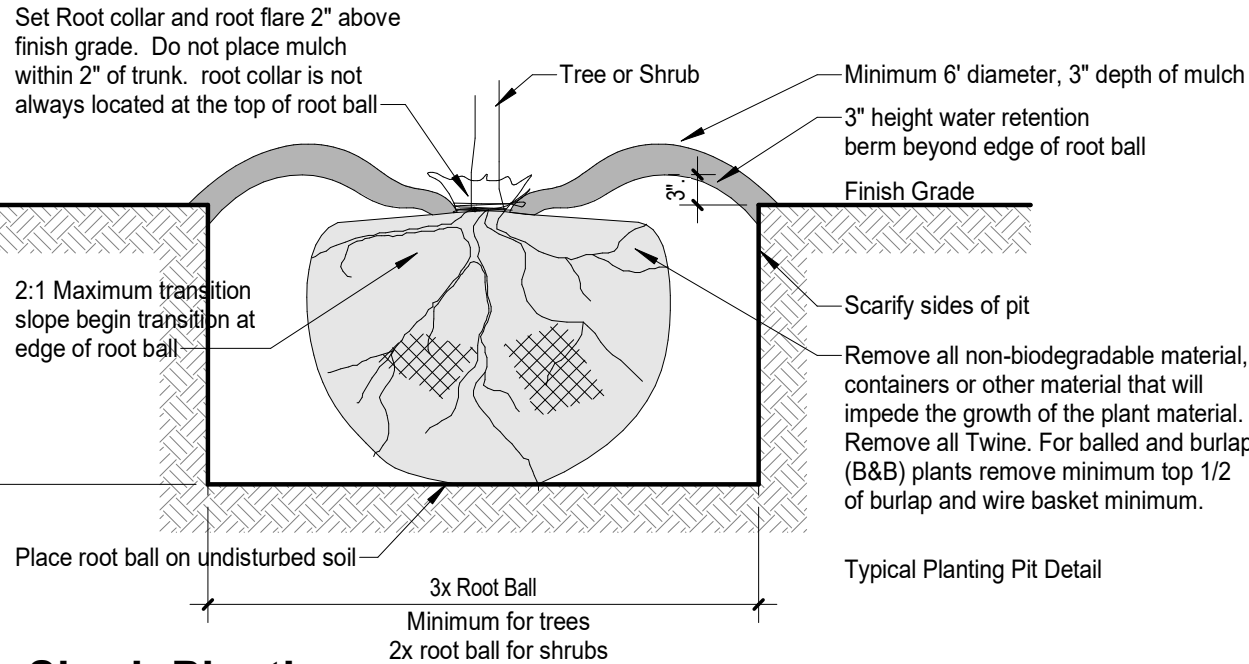
23-76-24 Indianola Aders Addition
Lot 4 & South 75' on West Block 1,
now included and forming part of
the City of Indinaola, Warren
County, Iowa



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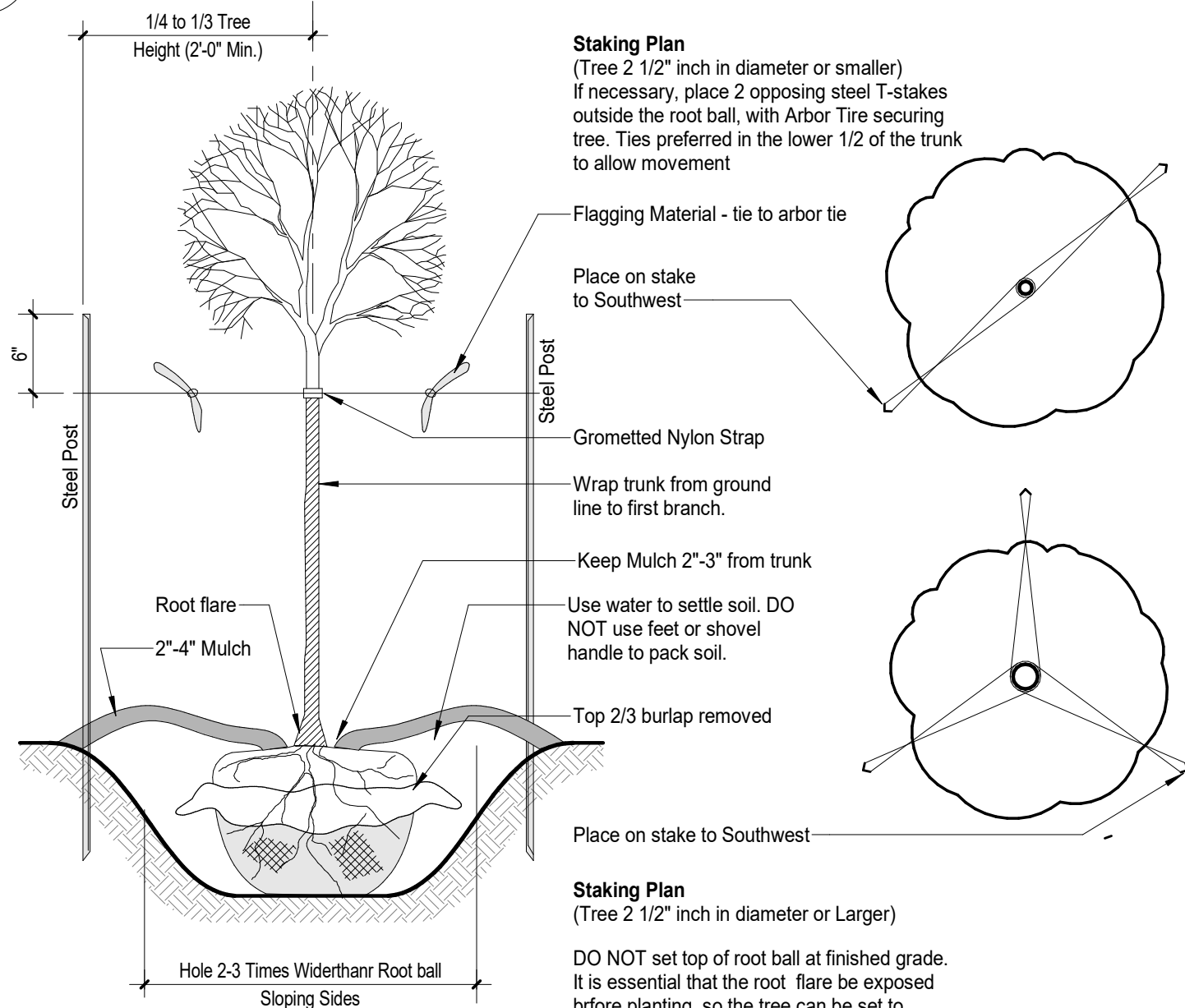


Slope Planting Pit Detail



Typical Planting Pit Detail

7
C103
Shrub Planting
1 1/2" = 1'-0"

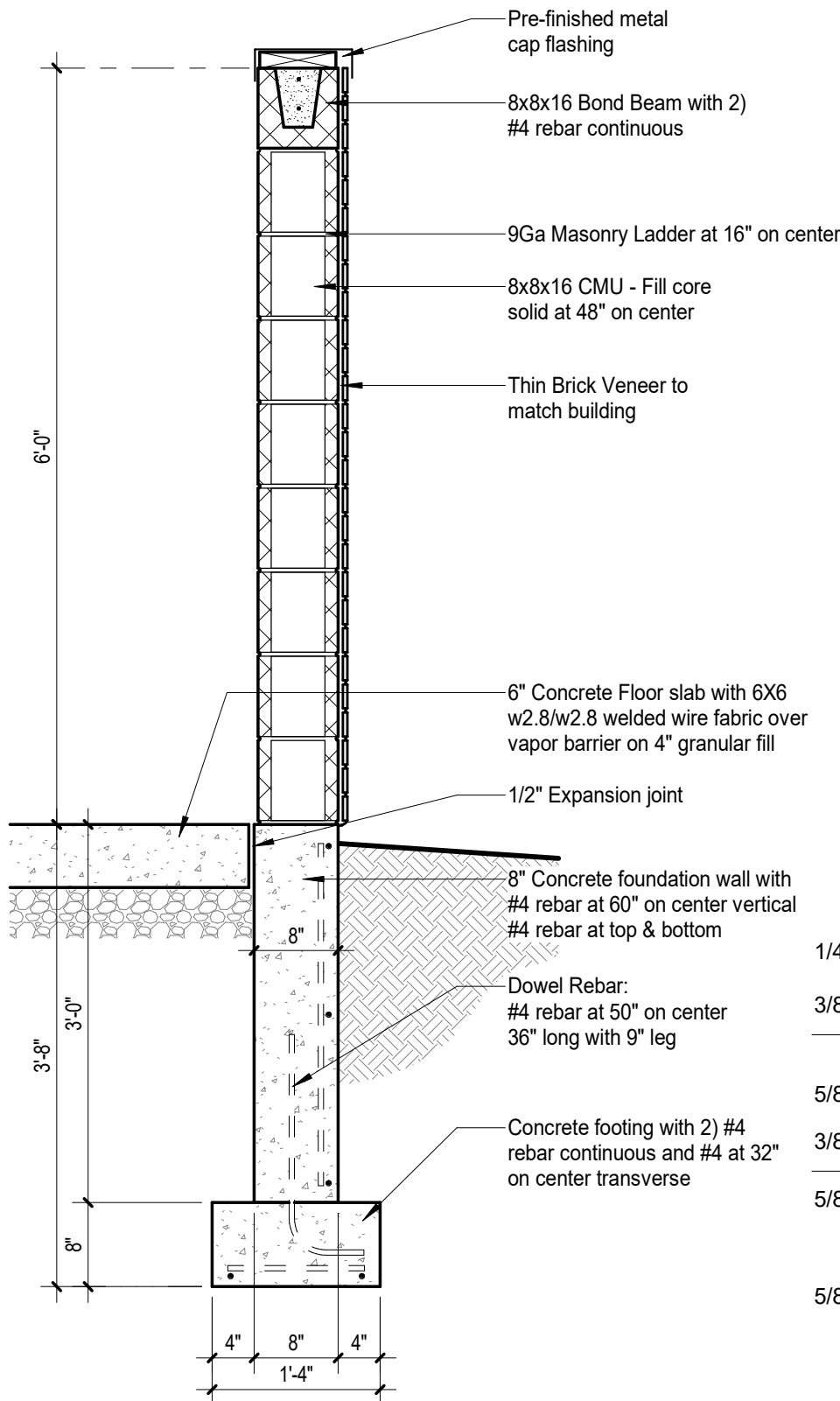
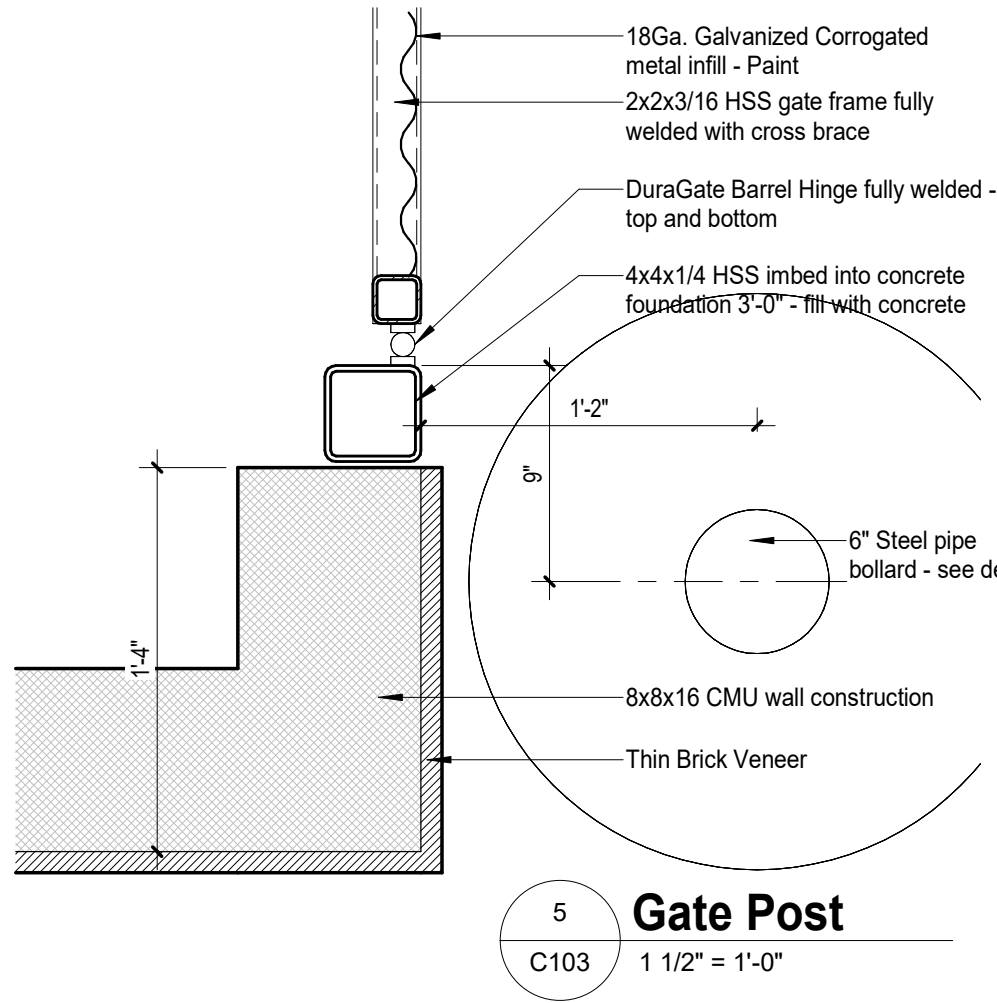


Staking Plan
(Tree 2 1/2" inch in diameter or smaller)
If necessary, place 2 opposing steel T-stakes outside the root ball, with Arbor Tie securing tree. Ties preferred in the lower 1/2 of the trunk to allow movement

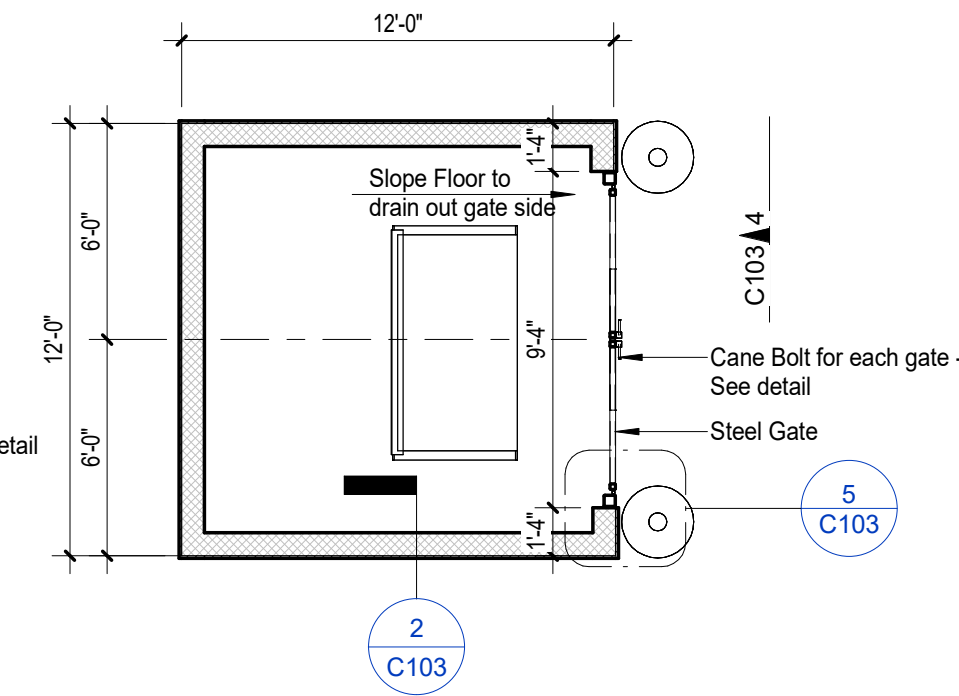
Staking Plan
(Tree 2 1/2" inch in diameter or Larger)
DO NOT set top of root ball at finished grade. It is essential that the root flare be exposed before planting, so the tree can be set to show root flare at finished grade

8
C103
Tree Planting Detail
1" = 1'-0"

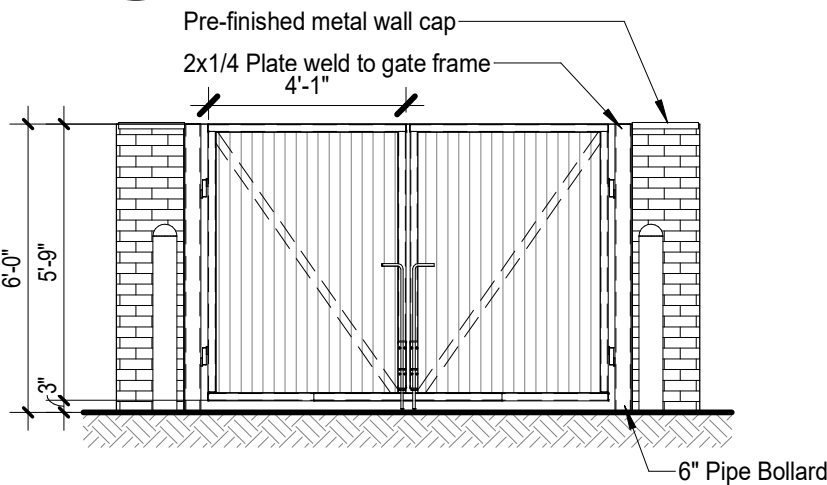
- Step 1 - peel back rope/burlap/cage and remove sufficient soil to expose root flare.
- Step 2 - measure from root flare to bottom of root ball.
- Step 3 - dig hole to depth where topmost roots are buried 1-2 inches and the root flare sits slightly above ground level. Dig a hole 2-3 times wider than the diameter of the root ball with sloping sides to allow for proper root growth.
- Step 4 - remove lower third of wire cage.
- Step 5 - set tree in hole. Support with some soil. Ensure that it's straight, then remove entire wire cage and top Two-thirds of burlap.
- Step 6 - backfill with two-thirds of loose native soil (unless it's all clay) and use water to settle. Do not tamp Or step on soil.
- Step 7 - backfill balance and water again. Excess soil may be used to create a berm/saucer outside of root ball.
- Step 8 - add 2-4 inches of wood mulch, leaving a 1- to 2-inch clearance between the mulch and the trunk.
- Step 9 - water a final time.
- Step 10 - if necessary, place two opposing steel t-stakes outside the root ball with arbor tie securing tree. Ties preferred on lower half of trunk to allow movement.



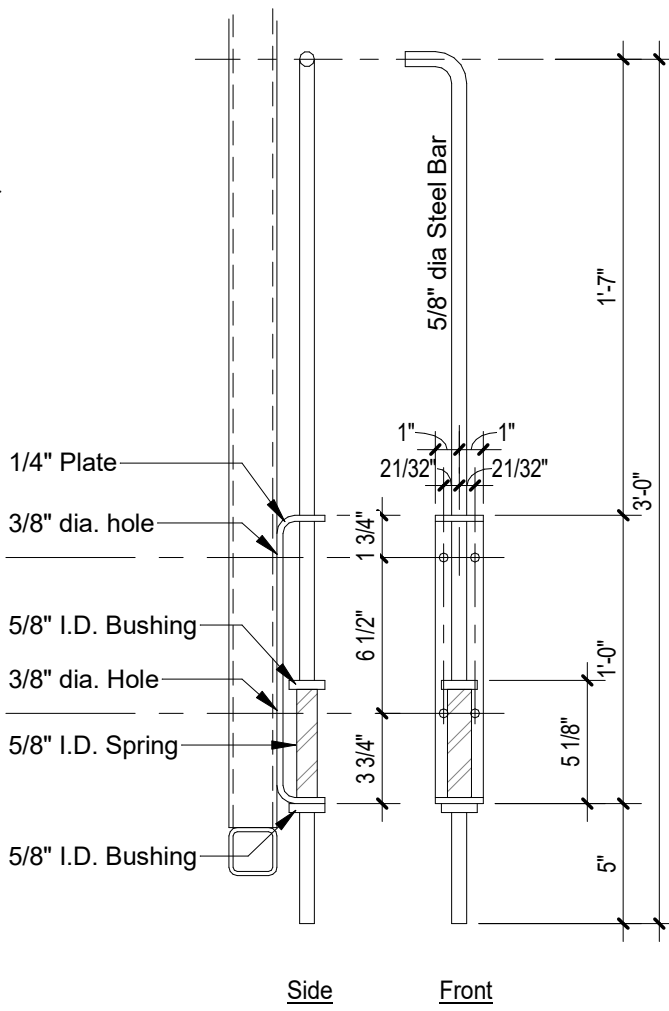
2
C103
Trash Enclosure Section
3/4" = 1'-0"



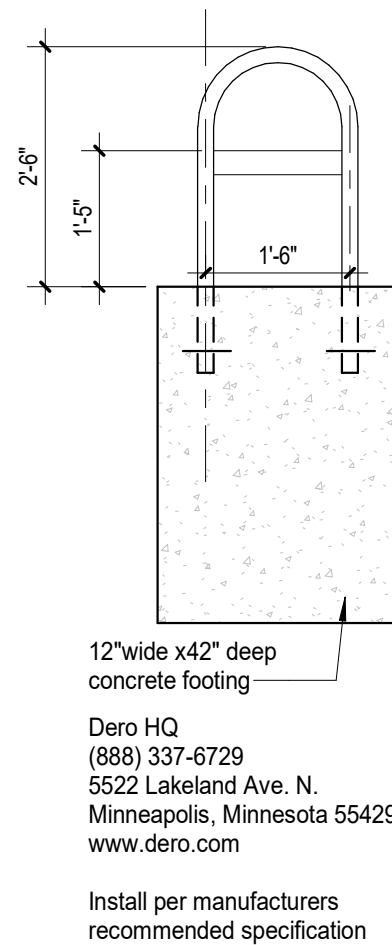
3
C103
Trash Enclosure
3/16" = 1'-0"



4
C103
North Elevation - Trash Enc.
1/4" = 1'-0"



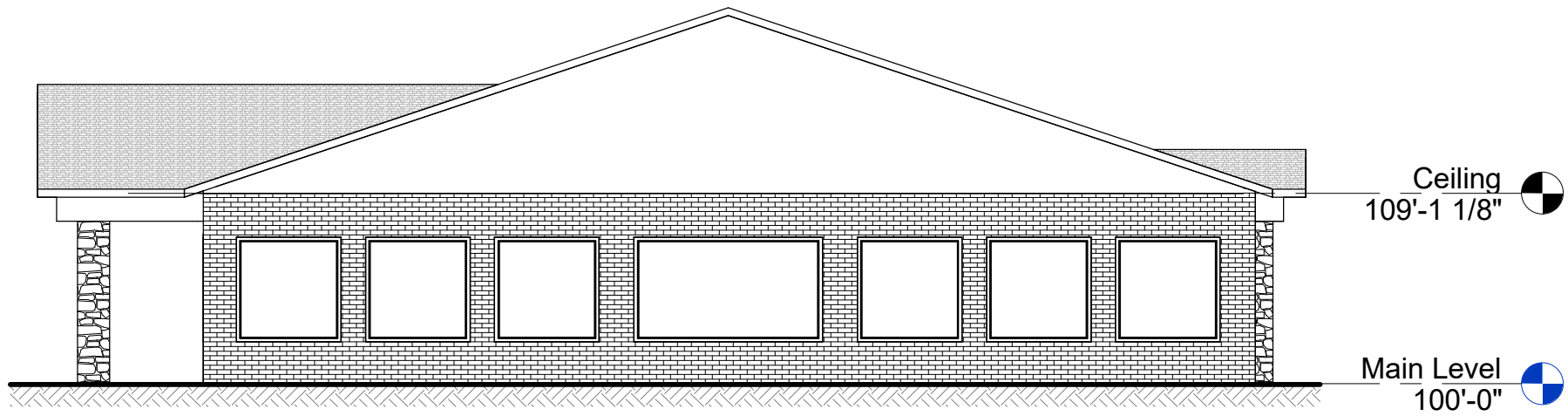
1
C103
Cane Bolt
1 1/2" = 1'-0"



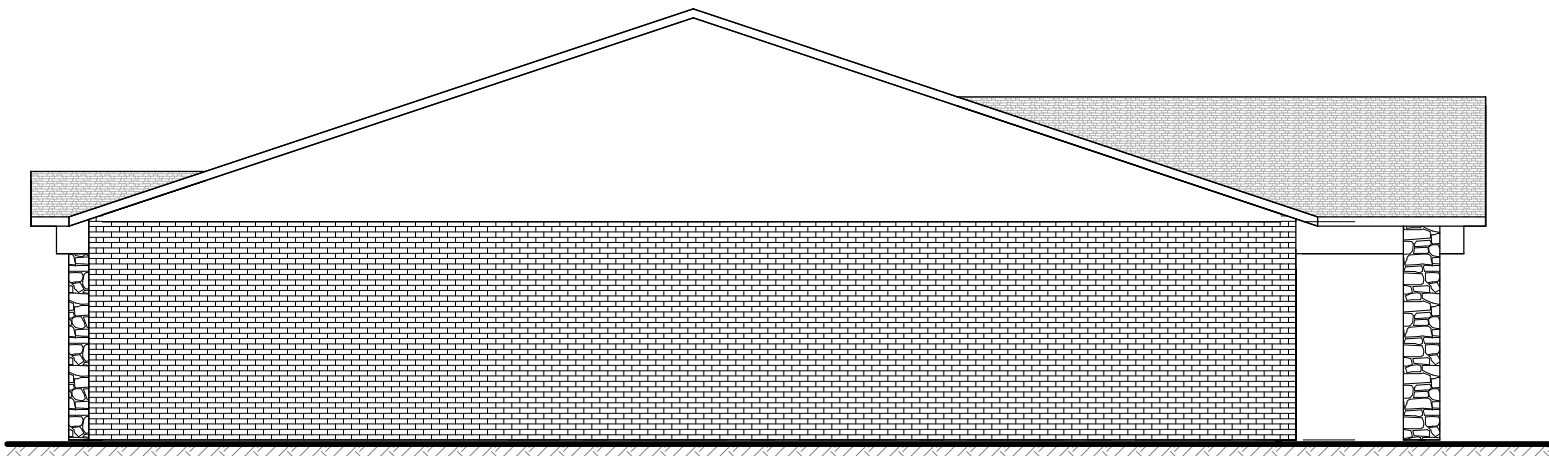
6
C103
Bike Rack
1/2" = 1'-0"

#	Date	Description	For Review
1	12/05/23		
12/22/2023 11:28:17 AM			
PROJECT NUMBER: 2311M			
TITLE: Site Details			
SHEET:			

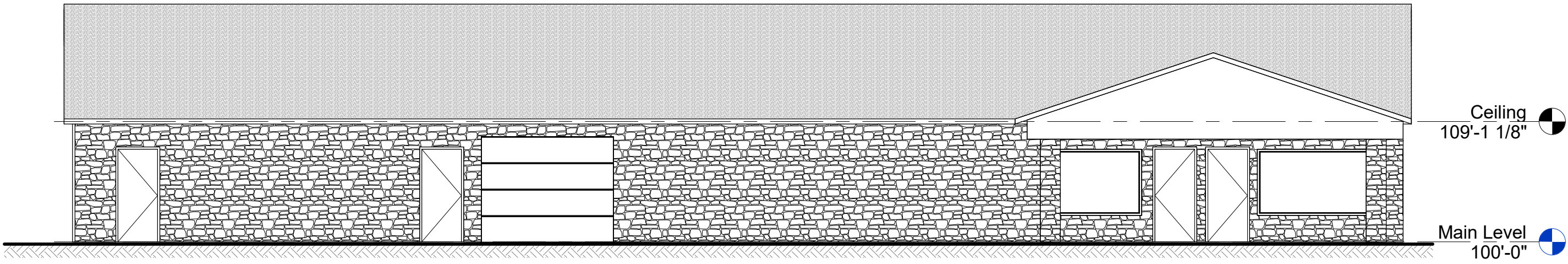
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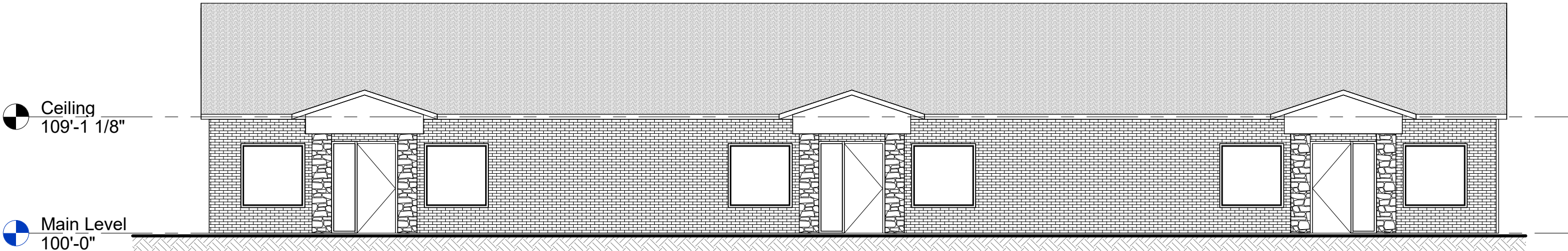
1 **East Elevation**
C202 1/8" = 1'-0"



4 **West Elevation**
C202 1/8" = 1'-0"



3 **South Elevation**
C202 1/8" = 1'-0"



2 **North Elevation**
C202 1/8" = 1'-0"

#	Date	Description
1	12/05/23	For Review
12/22/2023 11:28:18 AM		
PROJECT NUMBER: 2311M		
TITLE: Exterior Elevations		
SHEET:		
C202		

CITY OF INDIANOLA, IOWA

BOARD OF ADJUSTMENT

IN THE MATTER OF THE APPLICATION OF:

Venkata Dhanekula, on the behalf of Prime Assets Investment LLC, for a variance under the terms of Section 165.02(3)(B) of the Code of Ordinances of Indianola, Iowa, to vary from access drive and driveway location and spacing requirements, to which if allowed as requested, would not be in conformity with the requirements of Section 135.14.4.B(4) and Section 165.07.3.A(1) of the Code of Ordinances of Indianola, Iowa.

FINDINGS OF FACT

The City of Indianola, Iowa Board of Adjustment has reached the following Findings of Fact:

- 1. The property identified as 501 North Jefferson Way is owned by Prime Assets Investment LLC.*
- 2. The property identified as 501 North Jefferson way is in the C-2 'Highway Commercial' Zoning District.*
- 3. City Ordinance Section 135.14.4.B(4) requires driveways to limit undue interference with the free movement of road traffic and to provide the required sight distance.*
- 4. City Ordinance Section 135.14.4.B(4) requires driveways to be spaced according to their street classifications.*
- 5. City Zoning Code Section 165.07.3.A(1) requires access drives, driveways, and driveway approaches to be located and designed according to standards established by Chapter 165.07 and in the Code of Ordinances.*
- 6. This portion of East Detroit Avenue is classified as a local street, which requires a fifty-foot spacing. Additional spacing requirements may apply from the Iowa Department of Transportation due to proximity to Jefferson Highway.*
- 7. The site in question has a special use permit and site plan approved on January 3, 2024, by the Board of Adjustment.*
- 8. The site, as approved on the special use permit and site plan on January 3, 2024, will be serviced by twenty-three off-street parking stalls. The minimum required for the site is twenty parking stalls. No additional parking stalls are needed for the site to meet minimum off-street parking requirements.*
- 9. The variance is requested in order to vary from access drive and driveway location and spacing requirements.*
- 10. The variance is not created by the regulations and arises from an action (desire) of the applicant to not install required improvements.*
- 11. Deviation from the Zoning Code Regulations would not be in harmony with the intent and purpose of the Zoning Code, which is to protect the public health and welfare within the City of Indianola. Deviation from this specific zoning code would not be in harmony with the intent of the code section, which is to prevent traffic congestion and to provide for proper traffic safety by promoting unimpaired movement of pedestrian and vehicular traffic.*

12. *Deviation from the driveway spacing standards outlined in Chapter 135 would not be in harmony with the intent of the code section within the City of Indianola Code of Ordinances, which states that the purpose is to reduce the amount of information a driver must process and react to by ensuring there is adequate spacing to reduce confusion and decrease the potential for congestion and accidents.*
13. *The variance request is not favorable towards one or more findings of fact outlined in the Zoning Code.*

DECISION

According to Section 165.02(3)(B)(3)(b) of the Code of Ordinances of Indianola, Iowa to grant a variance from the terms of the Zoning Ordinance when a property owner can show that the owner's property was acquired in good faith and where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property, or where by reason of exceptional topographical conditions or other extraordinary or exceptional situation, the strict application of the terms of the Zoning Ordinance actually prohibits the use of such property in a manner reasonably similar to that of other property in the same district, and where the Board is satisfied under the evidence before it that a literal enforcement of the provisions of the Zoning Ordinance would result in unnecessary hardship; provided, however, all variations granted under this clause shall be in harmony with the general purpose and intent of the Zoning Ordinance. Furthermore, the following findings shall be made in order to grant a variance:

- i. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- ii. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance;
- iii. That the special conditions and circumstances do not result from the actions of the applicant;
- iv. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district. No nonconforming use of neighboring lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

In granting any variance, the Board may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of any such conditions and safeguards shall be deemed a violation of this Ordinance. Under no circumstances shall the Board grant a variance to allow a use not permissible under the terms of the Zoning Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of the Zoning Ordinance in said district. If relevant and applicable, the Board may prescribe a time limit within which the action for which the variance is required shall begin or be completed, or both. Failure to begin or complete, or both, such action within the time limit shall void the variance. If no time limit is set by the Board and if relevant to the variance, then the granted variances shall become void eighteen months after the date of the Board approval unless a building permit has been issued for the construction provided for by the variance. In the event the building permit for the construction provided for by the variance expires or is canceled, then the variance approval shall become void.

Analysis of Code Criteria

Venkata Dhanekula, on behalf of Prime Assets Investment LLC, is seeking a variance to vary from access drive and driveway location and spacing requirements. This request comes as the applicant has resubmitted a special use permit request for the property with a revised site plan to allow for liquor sales at the property. The property is addressed as 501 North Jefferson Way. The access drive in question is located off of East Detroit Avenue, a local road.

The site is currently a multi-tenant commercial building built in 1972, containing three commercial tenants with uses including a restaurant, tobacco store (vape shop), and retail/boutique. A special use permit and site plan was approved for the site on January 3, 2024, to allow for a liquor store at the facility, by the Board of Adjustment.

Site improvements under the approved special use permit and site plan required that improvements to be made to reduce traffic conflicts and minimize safety concerns at the intersection of East Detroit Avenue and North Jefferson Way. These improvements included the removal of the east parking strip along North Jefferson Way, as well as increasing the minimum separation between the south parking area, and the intersection. Such improvements were to bring the site closer into conformity with ADA Accessibility requirements, to provide an accessible route from the south parking lot to the businesses.

The property is a corner lot with frontage along North Jefferson Way and East Detroit Avenue. According to the Iowa Department of Transportation (IDOT), the Annual Average Daily Traffic (AADT) for North Jefferson Way, a state highway, is 18,000 vehicles. The AADT for East Detroit Avenue, a local road, has 1,931 vehicles.

According to the Iowa Crash Analysis Tool, provided by IDOT, in the last 10 years there have been three (3) reported vehicle crashes along East Detroit Avenue. Two out of three (2/3) of these crashes were due to improper backing. One of the two crashes related to improper backing occurred in the last 5 years. The full analysis is provided in the Agenda Packet for review.

ORDER

MOTION:

Move to approve the request from Venkata Dhanekula, on the behalf of Prime Assets Investment LLC, for a variance under the terms of Section 165.02(3)(B) of the Code of Ordinances of Indianola, Iowa, to vary from access drive and driveway location and spacing requirements, to which if allowed as requested, would not be in conformity with the requirements of Section 135.14.4.B(4) and Section 165.07.3.A(1) of the Code of Ordinances of Indianola, Iowa

VOTE:(-) (-)

WHEREFORE, it is ordered that the application from Venkata Dhanekula, on the behalf of Prime Assets Investment LLC, for a variance under the terms of Section 165.02(3)(B) of the Code of Ordinances of Indianola, Iowa, to vary from access drive and driveway location and spacing requirements, to which if allowed as requested, would not be in conformity with the requirements of Section 135.14.4.B(4) and Section 165.07.3.A(1) of the Code of Ordinances of Indianola, Iowa is hereby **denied**, as evidence by the Board's finding that all code criteria **have not** been met as required by the Code of Ordinances of Indianola, Iowa; and

WHEREFORE, any taxpayer, or any officer, department, board or bureau of the City, or any person or persons jointly or severally aggrieved by any decision of the Board may present to a court of record a petition, pursuant to Iowa Code 17A.19, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after the filing of the decision in the office of the Board.

Ordered this 5th day of June 2024

Lee Bash
Chairperson
Board of Adjustment
City of Indianola, Iowa

FILING DATE:



MEMORANDUM

To: Board of Adjustment

From: Charlie Dissell, Deputy City Manager Development and Operations, Emily Rizvic, Associate Planner, Akhilesh Pal, Public Works Director

Date: June 5, 2024

Subject: Consider request from Venkata Dhanekula,, on behalf of Prime Assets Investment LLC, for modifications to an existing Special Use Permit to allow for a liquor store at 501 North Jefferson Way.

Recommendation: Staff recommends that the Indianola Board of Adjustment move alternative 3, to deny the special use permit request.

Attachments:

1. Staff Report
2. Application
3. Written Narrative
4. Revised Site Plan
5. IDOT Crash Analysis Tool, 2014-2024
6. Decision and Order



COMMUNITY DEVELOPMENT

110 N. First Street, Indianola IA 50125-0299 • www.indianolaiowa.gov
(515) 961-9430 • comdev@indianolaiowa.gov

STAFF REPORT

BOARD OF ADJUSTMENT

Date of Meeting: June 5, 2024

Agenda Item: 5.B Consider request from Venkata Dhanekula,, on behalf of Prime Assets Investment LLC, for modifications to an existing Special Use Permit to allow for a liquor store at 501 North Jefferson Way.

Application Type: Special Use Permit

Applicant and Property Owner: Prime Assets Investment LLC

Property Address/Parcel: 501 N Jefferson Way (Parcel ID #480/3001-0040)

Zoning: C-2 'Highway Commercial' Zoning District

Application Summary

Venkata Dhanekula, on behalf of Prime Assets Investment LLC, is requesting modification to an existing Special Use Permit to allow for a liquor store at 501 North Jefferson Way.

AERIAL MAP



APPLICABLE CODE SECTIONS

The following code sections of the Code of Ordinances of Indianola, Iowa apply to this request:

165.02(3)(B) POWERS AND DUTIES OF THE BOARD OF ADJUSTMENT. The Board of Adjustment has the following powers and duties:

C. *Special Use Permits* - To review and consider approval of a Special Use Permit for a Special Use as identified Permitted and Special Uses Table contained in **CHAPTER 165.05 of the Zoning Regulations**. The following shall be required:

- i. Special Use Permit Application - A site plan (including number of copies), application form, and any additional information and details as specified and required by the Zoning Administrator as necessary to determine compliance with all applicable codes and requirements shall be submitted to the Zoning Administrator along with the Special Use Permit Application fee as established by resolution of the City Council.
- ii. Special Use Permit Procedure - The Special Use Permit Application shall be reviewed by the Zoning Administrator, or their designee, for completeness. Incomplete applications shall be returned to the applicant with a list of the missing items or details. Applications deemed completed shall be distributed to other city departments and other agencies as necessary for review and comment as to its compliance with all zoning regulations and other pertinent city codes, regulations, and policies.
- iii. Special Use Permit Review by Board of Adjustment - Subsequent to review by the Zoning Administrator and other city departments and agencies, the Zoning Administrator, or their designee, shall submit to all members of the Board a copy of the Special Use Permit Application along with a written recommendation as to the application's conformity with the rules and regulations of the city.

Agenda Item: 5.B Consider request from Venkata Dhanekula,, on behalf of Prime Assets Investment LLC, for modifications to an existing Special Use Permit to allow for a liquor store at 501 North Jefferson Way.

iv. The Board shall subsequently hold a duly noticed public hearing as prescribed by their rules of procedures, and the noticing requirements contained herein, and review the Application for conformity with the zoning regulations and standards. The Board may approve, approve with conditions, or deny the Special Use Permit Application

135.14.4 Driveway Spacing Standards

A. Purpose. Driveway spacing simplifies driving by reducing the amount of information a driver must process and react to. Adequate spacing between driveways and roadways or other driveways can reduce confusion, decreases the potential for congestion and accidents for both through traffic and vehicles using the driveway. Inadequate spacing requires drivers to watch for ingress and egress traffic at several points, while simultaneously trying to control their vehicle and monitor other traffic ahead of and behind them.

B. Driveway Spacing.

(1) Driveways shall be located to limit undue interference with the free movement of road traffic and to provide the required sight distance.

(4) Driveway spacing from street intersections and between driveways shall be one hundred fifty feet (150') on arterial streets, one hundred feet (100') on collector streets, and fifty feet (50') on all other streets.

165.07 Off-Street Parking Regulations

1. Statement of Intent. It is the intent of this article to prevent traffic congestion and to provide for proper traffic safety by preserving the public thoroughfares for the unimpaired movement of pedestrian and vehicular traffic. In all districts, there shall be provided at the time any new building or structure is erected, off-street parking spaces in accordance with the requirements set forth herein. The requirements of this Article are minimum standards, and in certain uses these requirements may be inadequate. Where review of the site plans and intended land use indicate through the application of proven standards or experienced statistics that the requirements herein are inadequate for the specific land use adaptation, a greater requirement for off-street parking may be required to preserve the intent of this ordinance.

3. Parking Area Design Requirements. Every lot or parcel of land hereafter used as a public or private parking area, including a commercial parking lot, shall be developed and maintained in accordance with the following requirements. At the discretion of the Zoning Administrator, any design standard contained herein may be superseded by the standards contained in the Statewide Urban Design and Specifications (SUDAS) as maintained by the Institute for Transportation at Iowa State University.

A. Access Drive and Driveways. An access drives (or driveway) is required to provide access to all off-site parking areas and to any garage.

(1) Location and Spacing. All access drives, driveways, driveway approaches shall be located and designed according to the standards as established in this Chapter and elsewhere within City Code.

ANALYSIS

Subject Property

Venkata Dhanekula, on behalf of Prime Asset Investment LLC, is requesting modifications to an existing Special Use Permit to allow for a liquor store at 501 North Jefferson Way. The site is currently a multi-tenant commercial building built in 1972, containing three commercial tenants with uses including a restaurant, tobacco store (vape shop), and retail/boutique. A special use permit and site plan was approved for the site on January 3, 2024, to allow for a liquor store at the facility, by the Board of Adjustment.

The revised special use permit application makes the following adjustments to the site plan:

- The amount of proposed overstory trees, to be planted are reduced from three (3) to two (2). The planting schedule lacks classifications on whether plantings are native versus non-native.
- Minimum required handicap parking stalls are not provided on revised site plan. Likewise, no accessible route is provided between the proposed stall and the facility/businesses.
- Parking stall depth overlaps with pedestrian circulation from the sidewalk, which may impede general ADA accessibility and pedestrian accessibility to utilize the public sidewalk, if approved.
- Minimum spacing required at access drive is inadequate and presents a safety concern.
- Vision obstructions are proposed within each required 25' vision triangle along the south proposed parking stall areas.
- Parking stalls do not meet minimum dimensional requirements for the City of Indianola.
- Removes ADA compliant sidewalk ramps at the northwest corner of Detroit Avenue/Jefferson Way.

Site improvements under the approved special use permit and site plan (January 3, 2024) required that improvements be made to reduce traffic conflicts and minimize safety concerns at the intersection of East Detroit Avenue and North Jefferson Way. These improvements included the removal of the east parking strip along North Jefferson Way, as well as increasing the minimum separation between the south parking area, and the intersection. Such improvements were to bring the site closer into conformity with ADA Accessibility requirements, to provide an accessible route from the south parking lot to the businesses. The revised special use permit and the associated site plan does not comply with local city zoning codes, nor complies with state and federal requirements. ADA non-compliance can lead to serious legal and financial consequences and

The property is a corner lot with frontage along North Jefferson Way and East Detroit Avenue. According to the Iowa Department of Transportation (IDOT), the Annual Average Daily Traffic (AADT) for North Jefferson Way, a state highway, is 18,000 vehicles. The AADT for East Detroit Avenue, a local road, is 1,931 vehicles.

According to the Iowa Crash Analysis Tool, provided by the IDOT, in the last 10 years there have been three (3) reported vehicle crashes along East Detroit Avenue. Two out of three (2/3) of these crashes were due to improper backing. One of the two crashes related to improper backing occurred in the last 5 years. The full analysis is provided in the Agenda Packet for review.

Likewise, improvements were required to bring the property closer into conformity with minimum dimensional requirements for off-street parking stalls and open space/landscaping. The revised site plan does not comply with local city zoning requirements. Similarly, the site plan will still be subject to state approval, particularly the Iowa Department of Transportation (IDOT) as it relates to spacing requirements.

The subject area does not appear to contain environmentally sensitive features.

Future Land Use

According to the "Elevate Indianola" Comprehensive Plan, the future land use of this area is designated as Regional Mixed Use. This land use designation guides for uses such as retail, office, restaurants, bars, personal and business services, and other similar commercial uses.

Multi-family residential uses may be incorporated of up to 25 dwelling units per gross acre, if compatible.

FINDINGS OF FACT

165.02(3)(B)(3)(c)(v), in order to approve a Special Use Permit, the Board shall make the following findings:

1. The proposed use, site improvements, and site plan comply with the minimum requirements of the zoning district in which it is proposed to be located

Staff Comment: The applicant has provided a site plan with their application showing the existing site features at the property as well as some improvements to the site. The site plan however the proposed improvements do not meet all minimum requirements for the zoning district that it is proposed to be located in. This includes minimum landscaping requirements for the site, minimum ADA handicap parking for the site, accessible routes to facilities/businesses on the site, as well as adequate spacing at access drives and driveways.

Improvements to the access or driveways are necessary in order to reduce potential traffic conflicts and decrease the potential for congestion and accidents. When spacing at intersections are inadequate, it requires drivers to watch for ingress and egress at several points, while simultaneously trying to control their vehicle and monitor other traffic ahead of and behind them.

In the City of Indianola Zoning Code, the purpose and intent of the code is to protect the public health and welfare within the City, and as it relates to off-street parking, the code intends on preventing traffic congestion and providing for proper traffic safety. The purpose and intent outlined in Chapter 135 as it relates to driveway spacing is to reduce the amount of information a driver must process and react to, in order to decrease the potential for congestion and accidents. For this particular site, there are known accidents related East Detroit Avenue, related to improper backing. An analysis is provided in the Staff Report and data from the Iowa Department of Transportation (IDOT) is provided in the Agenda Packet.

In addition to local zoning regulations adopted by the City of Indianola, there are State and Federal laws that are not met with the proposed application. This includes federal ADA requirements, that requires accessible routes to be provided and improvements of ramps at the intersection. Lastly, regulations by the State for minimum spacing still apply and would be required of the site by the IDOT.

This criterion is not met.

2. The property is of adequate size to accommodate the proposed use and site improvements including setbacks, open space, stormwater management, and off-street parking

Staff Comment: The property at 501 North Jefferson Way is approximately 0.42-acres in size. The site contains an existing building and is being redeveloped through this special use permit application to allow for liquor sales.

Setbacks to the existing building is legal but nonconforming as setbacks predate adopted zoning code regulations. The building was built in 1972. The site is of an adequate size however to be redeveloped to accommodate for the proposed use and all required site improvements.

This criteria is met.

3. The proposed use and site improvements will not unduly impact the health, safety, and general welfare of persons residing or working in adjoining property or surrounding areas

Staff Comment: Staff anticipates that the health, safety, and welfare of the citizens would be impacted if the modified special use permit was approved as submitted. Conditions on the property that are proposed to continue in the modified site plan would pose a dangerous situation for pedestrians and vehicular traffic, due to improper/inadequate spacing between the south access drive and the intersection at East Detroit Avenue and Jefferson Highway.

According to the Iowa Crash Analysis Tool, provided by the IDOT, in the last 10 years, there have been three (3) reported vehicle crashes along East Detroit Avenue, with two of three of these crashes being due to improper backing. Likewise, the parking area is proposing that vehicles overhang and obstruct the public sidewalk, which may be problematic for individuals utilizing the sidewalk as part of their commute, including individuals with disabilities or strollers. A further analysis is provided in the Agenda Packet.

Similarly, the proposed modification does not have proper ADA accessible routes or parking to protect individuals with disabilities, including persons residing or working at the property from accessing the site safely and adequately.

This criteria is not met.

4. The proposed use and site improvements shall not unduly increase traffic congestion

Staff Comment: Staff does not anticipate that traffic will increase as a result of the proposed use, as the unit previously hosted a retail use, however, if improvements are not made to address inadequate spacing along the south parking area, the general welfare and safety continues to be compromised by increasing the likelihood of traffic conflicts for both pedestrians and vehicular traffic alike.

This criteria is not met.

5. The proposed use and site improvements will not unduly burden public utilities or increase risk to flooding

Staff Comment: The proposed site will not unduly burden public utilities or increase the risk of flooding. The site is an existing site and is proposing a change of use in a tenant space. Additional stormwater management control is not required at this time.

This criteria is met.

6. The proposed use and site improvements are compatible with the surrounding neighborhood and shall not diminish or impair established property values in adjoining or surrounding property

Staff Comment: The location of the site is suitable for a commercial use due to its siting on Jefferson Way (Highway 65/69), a commercial corridor and its zoning, which allows for liquor stores to be approved within the C-2 'Highway Commercial' Zoning District by a Special Use

Agenda Item: 5.B Consider request from Venkata Dhanekula,, on behalf of Prime Assets Investment LLC, for modifications to an existing Special Use Permit to allow for a liquor store at 501 North Jefferson Way.

Permit. It is not anticipated that the proposed use would diminish or impair established property values in the adjoining or surrounding properties.

The proposed site improvements, or lack of improvements, may impact the nature and character of the neighborhood and overall intent for the Zoning District, Zoning Code, and Comprehensive Plan. The City of Indianola Board of Adjustment has the ability to impose additional conditions in order to maintain the nature and character of a neighborhood.

This criteria is not met.

7. The issuance of the Special Use Permit will not endanger, jeopardize, or harm the health, safety, or welfare of the properties and the community

Staff Comment: As previously stated, the proposed site improvements is anticipated to negatively impact the health, safety and welfare of properties and the community. Conditions on the property that are proposed to continue in the modified site plan would pose a dangerous situation for pedestrians and vehicular traffic, due to improper/inadequate spacing between the south access drive and the intersection at East Detroit Avenue and Jefferson Highway.

Similarly, the proposed modification does not have proper ADA accessible routes or parking to protect individuals with disabilities, including persons residing or working at the property from accessing the site safely and adequately.

This criteria is not met.

COMMENTS FROM THE GENERAL PUBLIC

Notification letters were mailed to surrounding property owners within 200-feet of the subject property regarding the variance request on May 24, 2024. No comments were received at the time of the writing of this report.

ALTERNATIVES

The City of Indianola Board of Adjustment may consider the following alternatives:

- 1) The City of Indianola Board of Adjustment approves the special use permit, as submitted.
- 2) The City of Indianola Board of Adjustment approved the special use permit, with conditions.
- 3) The City of Indianola Board of Adjustment denies the special use permit request.**
- 4) The City of Indianola Board of Adjustment remands the special use permit request back to the applicant and/or staff for further review and/or modifications and directs staff to place this item on a future Board of Adjustment agenda.

RECOMMENDATION

Staff recommends that the Indianola Board of Adjustment move alternative 3, to deny the special use permit request.

BOARD OF ADJUSTMENT APPLICATION

Community Development
110 North 1st Street, Indianola, Iowa 50125-0299
(515) 961-9430 • comdev@indianolaiowa.gov



PROPERTY OWNER

(Last Name) Dhanekula
(First Name) Venkata
(Address) 501 N Jefferson Way
(City) Indianola (State) IA (Zip) 50125
(Phone) 6128508872 (Email) venkatarao.dhanekula@gmail.com

APPLICANT (if not Property Owner)

(Last Name) _____
(First Name) _____
(Address) _____
(City) _____ (State) _____ (Zip) _____
(Phone) _____ (Email) _____

APPEAL

Submittal Requirements:

*All submittal requirements must be completed.
Incomplete applications will not be considered.*

- ☐ Completed Application
- ☐ Filing Fee: \$300 per request
- ☐ Written narrative indicating where it is alleged there is error in any order, requirement, decision, or determination made by the Administrative Officer in the enforcement of this Code of Ordinances of Indianola, Iowa.
- ☐ Other Information as required by Director

SPECIAL USE PERMIT

Submittal Requirements:

*All submittal requirements must be completed.
Incomplete applications will not be considered.*

- ☒ Property Address: 501 N Jefferson Way
- ☒ Completed Application
- ☒ Filing Fee: \$300 per request
- ☒ Site Plan and Elevations as outlined in 165.06
- ☒ Written narrative indicating the special use permit sought and response to the criteria outlined in Section 165.02(3)(B)(3)(c)(v) of the Code of Ordinances of Indianola, Iowa
- ☐ Other Information as required by Director

VARIANCE

Submittal Requirements:

*All submittal requirements must be completed.
Incomplete applications will not be considered.*

- ☐ Property Address: _____
- ☐ Completed Application
- ☐ Filing Fee: \$300 per request
- ☐ Site Plan and Elevations
- ☐ Written narrative indicating justification for proposed variance and response to the criteria outlined in Section 165.02(3)(B)(3)(b) of the Code of Ordinances of Indianola, Iowa
- ☐ Other Information as required by Director

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that in filing this application I am acting with the knowledge, consent and authority of the owner(s) of the property. Pursuant to said authority, I hereby permit City officials to enter upon the property for the purpose of inspection related to this application.

Signature D. Venkata
Name (printed) Venkata Dhanekula

Date 5/16/2024

FOR OFFICE USE ONLY:

Date Received: _____
Receipt No: _____
Receipt Amount: _____
BOA Agenda Date: _____

Code to 45180

To whom it may concern:

As way of background, I am the manager for Prime Assets Investment, LLC, the new owner of the property locally known as 501 N. Jefferson Way ("the Property"). The property is a commercial property with three units. When we purchased the property the units were occupied by a Subway restaurant, a clothing store and shop selling tobacco and nicotine related products.

Subsequent to the purchase of the Property, we, as the owner of the property, were notified by the person operating the clothing store, that it was going out of business. In effort to find the best use for the now vacated space we have explored our options and believe that a liquor store would be a good fit for the premises, due to its location on Hwy. 69 and the fact that it is surrounded by other commercial endeavors including, a hardware store, insurance agency, barber shop, bank, Mexican restaurant and a bar.

In support of Prime Assets Investment, LLC's - Special Use Permits Application and pursuant to Section 165.02(3)(B)(3)(c)(v) of the Indianola Code of Ordinances, I offer the following:

1. The proposed use, site improvements and site plan complies with the minimum requirements of the zoning district for the operation of one unit of 501 N. Jefferson Way as a liquor store.
2. The property is of adequate size to accommodate the proposed use and site improvements, including setbacks, open space, stormwater management, and off-street parking. As proof of this, the property is currently in existence and functioning without issue. We do not anticipate substantially more traffic than the amount of traffic currently entering and exiting the property.
3. The proposed use and site improvements will not unduly impact the health, safety, and general welfare of persons residing or working in adjoining property or surrounding areas, as the nearest residential property is more than a block away from the property that is the subject of this application.
4. As stated in No. 2 above, the proposed use and site improvements will not unduly increase traffic congestion.
5. The proposed use and site improvements will not unduly burden public utilities or increase risk of flooding. The impact on public utilities and the risk of flooding should be no greater then the risk created by the clothing store that is currently operating in the space for which this application is being submitted.
6. The proposed use and site improvements are compatible with the surrounding neighborhood and shall not diminish or impair established property values in adjoining or surrounding property. In support of this statement, we offer that all of the property around the subject site is commercial and it is hard to imagine a liquor store impacting those commercial values in any way, especially when one of the nearest properties is a bar.
7. The issuance of the Special Use Permit will not endanger, jeopardize or harm the health, safety or welfare of the properties and the community, as no alcohol will be consumed on premises and will be nor more impactful on the community than any other retail business at that location.

Let me know what additional information you may need.

Thank you - /s/ *Mohan P. A. Dasari*, Manager, Prime Assets Investment, LLC

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GENERAL REQUIREMENTS

- Before final Drawings and Specifications are issued for construction, and they shall be submitted to all governing building agencies to ensure compliance with all applicable local and national codes. In the event, that code discrepancies in Drawings and/or Specifications appear. The Architect shall be notified of such discrepancies in writing by the Contractor or building official and allowed to alter the drawings and specifications to comply with governing codes before construction begins.
- Upon written receipt of approval from the governing official approved final Drawings and Specifications shall be submitted to the Contractor by the Architect.
- If code discrepancies are discovered during the construction process, the Architect shall be notified and allowed ample time to remedy said discrepancies.
- All work performed shall comply with all applicable local, state, and national building codes, ordinances and regulations, and all other authorities having jurisdiction.
- All contractors, suppliers, and fabricators shall be responsible for the Drawings' content and the supply and design of appropriate materials and work performance.
- All manufactured articles, materials, and equipment shall be handled, applied, installed, erected, used, cleaned, and conditioned in strict accordance with the manufacturers' requirements.
- All alternates are at the Owner's option and shall be at the Owner's request, constructed in addition to or in place of the typical construction, as indicated on the Drawings.

Design Loads:

- Roof: live load 30psf (maximum) dead load 15psf (10 psf top, 5psf bottom)
- Floor: live load 100psf (maximum) dead load 15psf
- Balconies and Decks: live load 100psf (maximum) dead load 15psf
- Soil Pressure: 2000 psf (minimum)
- Before the start of construction, verify design loads with governing codes and site conditions. Check with local building agencies for wind, seismic, snow, and other special loading conditions. If discrepancies are discovered, the Architect shall be notified according to Section 1 above.

SITE WORK

- Perform excavation, according to good standard construction practices, to the lines, grades, and elevations indicated on the Drawings.
- Provide consistent compaction of the top 8" of sub-grade, fill, and backfill material beneath structures, walks, and pavements to meet the stated soil pressure.
- Provide soil poisoning to control termites as required by governing codes.
- Provide and install ventilation for Radon Gas as required by local building agencies and governing codes.
- Top of foundation elevation is assumed to be 6" above the final grade at the overhead garage door opening. Changes in the foundation wall elevation relative to the final grade will change the foundation drawings and modifications to the garage/house entry stair.

CONCRETE

- Provide concrete complying with ASTM C94, submit design mix and documentation for approval per ACI 318. Unless otherwise noted, concrete shall have the following 28-day compressive strengths as minimums:
 - Concrete footings and foundations: 3,000psi
 - Concrete floor slabs, walks, drives, and patios: 3,500psi
- Provide construction joints so panel size does not exceed 200sf.
- Provide reinforcement of the size and spacing indicated on Drawings. Reinforcing shall comply with the following minimums:
 - Bars: ASTM A615, grade 40, deformed bars.
 - Welded Wire Fabric: ASTM A185.
- Portland cement - ASTM C150 TYPE I.
- Aggregates - fine and coarse per ASTM C33.
- Admixtures - only per approved design mix.
- Slump - per approved design mix.
- Saw-cut joints as soon as the surface will allow without edges raveling but before the next day after the pour.
- Steel trowel all interior floor surfaces.
- H. Detail reinforcing by ACI - manual of standard practice for detailing reinforced concrete structures.
- I. Submit concrete reinforcement shop drawings in accordance with ACI 315 for approval.
- J. Unless noted otherwise, all slabs on grade shall be 4" thick, reinforced with 6x6 W14xW14 Welded Wire Mesh, and placed over 4" minimum compacted sand or gravel fill. Interior slabs shall be placed over 6 mil stabilized polyethylene vapor barrier. Coordinate with radon removal procedures.
- K. Footing sizes shown are typical only for stated soil pressure and consistent compaction. The Contractor shall be responsible for footings complying with the design requirements of specific soil conditions.
- L. Precast concrete lintels shall be installed and reinforced as per manufacturers' specifications. The Architect shall not be responsible for the design of precast concrete lintels.

MASONRY

- Provide standard weight hollow load-bearing Concrete Masonry Units (CMU) complying with ASTM C90, grade N, type 1.
- Reinforcement shall comply with the following as minimums:
 - Bars: ASTM A615, grade 40, formed bars.
 - Wire Joint Reinforcement ASTM A82, galvanized.
 - Provide mortar type "S" following ASTM C270.
 - Provide grout following ASTM C476. Minimum compressive strength shall be 3000 psi unless noted otherwise.
 - Provide reinforcement in vertical cells or concrete masonry units (fully embedded in grout) as follows:
- Typical reinforcement shall be one #5 at each corner, at both sides of openings, and a maximum spacing of 48" o.c.
- Reinforce all vertical cells of concrete masonry units supporting the concentrated load beams, structural columns, etc.): At 8" CMU, reinforce each vertical cell with one #5 and solidly fill with grout.
 - Beam pockets shall be provided for all beams supported by concrete and/or masonry, unless noted otherwise, and shall comply with the following:
- Minimum of 4" bearing. Height and width as required by the beam. Treated lumber beneath all wood beams. Provide vertical reinforcing.

METALS

- All structural steel shall comply with appropriate ASTM Specifications as follows: ASTM A36, ASTM A53, ASTM A501, ASTM A307, and ASTM A325.
- All steel connections shall be designed according to the AISC Manual of Steel Construction and shall be detailed by a qualified structural steel detailer. Contractor to submit steel shop drawings to the designer or a licensed structural engineer before steel erection.

WOOD AND PLASTICS

- Lumber shall, in addition to complying with governing codes, comply with:
 - "Product Use Manual" of the Western Wood Products Association to select and use products included in that manual.
 - "Plywood Specification and Grade Guide" of the American Plywood Association.
 - "Standard Specifications for Grades of California Redwood Lumber" of the Redwood Inspection Bureau for Redwood.
 - American Wood Preservers Association standards and recommendations for fire-retardate and preservative pressure treated lumber and plywood.
 - Western Red Cedar Lumber Association standards and recommendations for cedar.

- Provide lumber and materials meeting or exceeding the following standards of quality:
 - Framing Members:
 - Studs: Douglas Fir- Larch, Stud Grade.
 - Headers and Beams: Douglas Fir- Larch, No. 2 and better.
 - All headers and beams shall be free from splits, checks, and shakes.
- Sheathing:
 - Roof: 5/8" plywood APA RATED SHEATHING, EXP 1, (with clips)
 - Walls: 5/8" plywood APA RATED SHEATHING, EXP 1
 - Floor: 23/32" plywood APA RATED SHEATHING, EXP 1 (glue and nail)
 - Underlayment: 1/8" Luan-underlayment grade. (at vinyl only)
 - Proper oriented strand board may be substituted for plywood.
- Rough Hardware:
 - Steel items: Comply with ASTM A36; use galvanized steel at exterior locations.
 - Install joist and beam hangers to support the maximum allowable load of joist or beam being supported.
 - Provide "Micro-Lam" glue-laminated veneer lumber beams (manufactured by Truss Joist Corporation) or equal of the dimensions and number indicated on the drawings. Provide exterior grade Micro Lams for deck framing and other exterior applications. Unless noted otherwise, fasten multiple beams together in strict accordance with manufacturers' recommendations.
- Allowable stresses:
 - Modulus of elasticity: 2,000,000 psi
 - Flexural (12" depth): 2,900 psi
 - Horizontal shear: 285 psi
 - Bearing: 550 psi
- Use exterior grade Micro-Lam in all areas subject to moisture.
- Provide wood trusses to sustain the stated loads for the spans, profiles, and arrangements shown on the Drawings. The truss layout is schematic only. Truss manufacturer and/or engineer shall be responsible for the design and spacing of all trusses. Contractor to submit truss drawings and/or roof framing drawings to designer for review before construction.
- All roof trusses shall be installed with metal truss seats as specified by the truss manufacturer. Unless noted otherwise, provide:
 - Doubleheader joists and trimmers at all floor openings.
 - Double joists under all partitions parallel to joists.
 - Double 2x12 headers with 1/2 plywood between all door and window openings in 2x4 walls. Triple 2x10 headers with 1/2" plywood between all door and window openings at 2x6 walls.
- One row of 1x3 cross-bridging or metal bridging for each 8'-0" of joist span.
 - Stud spacing at all exterior and bearing walls shall be 16" on center minimum.
 - Stud walls shall not exceed the following heights without continuous lateral support perpendicular to the plane of the wall at the stated height or less. Studs shall be continuous between points of lateral support.
- Bearing walls: 2. Non-bearing walls:
 - 2x4: 10'-0" a. 2x4: 14'-0"
 - 2x6: 12'-0" b. 2x6: 20'-0"
- Unless noted otherwise, rafters, ceiling joists, collar ties, and purlins shall be sized and spaced following FHA requirements or governing codes, whichever is more restrictive.
- Stair construction shall consist of (3)2x12 stringers, 5/4" or 2x thick tread, and 3/4" thick risers or shall be fabricated by the component manufacturer.
- All wood plates bearing on concrete or masonry shall be pressure treated. At exterior walls, install plates over foam sill sealer.
- Provide 2" nominal pressure-treated lumber over 6 mil stabilized polyethylene beneath full bearing of wood beams bearing on concrete or masonry.
- Provide Simpson Strong Wall Garage Portal System around all overhead doors with a width greater than 8'. Install Garage Portal System per manufacturers recommended guidelines.

THERMAL AND MOISTURE PROTECTION

- Provide thermal building insulation at assemblies adjacent to the exterior or unheated spaces meeting the requirements of governing codes meeting the following minimum requirements, unless noted otherwise:
 - Foundations: 2"extruded polystyrene (R-100)
 - Walls: glass fiber batt (R-19)
 - Floors: glass fiber batt (R-30)
 - Ceilings: glass fiber batt (R-49)
- Install continuous blankets without holes for electrical boxes, lighting fixtures, or heating ductwork.
- Install 6 mil Polyethylene vapor barrier against the interior face of all thermal insulation.
- Waterproof foundation walls at excavated areas from footing to finished grade with two coats of asphalt-based waterproofing compound.
- Roofing shall be 240 lb. (minimum) composition shingles installed over 30 lb. roof felt on roof sheathing. Minimum slope, fasteners, underlayment, and exposure according to manufacturers' recommendations.
- Provide flashing and sheet metal required to prevent penetration of water through the building's exterior shell. In addition to complying with governing codes, comply with pertinent recommendations in the current edition of "Architectural Sheet Metal Manual" published by SMCN.A. All iron sheet metal flashing shall be hot-dipped galvanized, complying with ASTM A93.
- Provide gutters and downspouts to provide positive roof and site drainage.
- Provide attic and roof ventilation as required by governing codes and as shown on the Drawings. Provide proper soffit and roof vents.
- Skylights shall be selected by the Contractor and approved by the Owner. Install skylights according to the manufactures' recommendations.
- Install water and ice barrier (Butthene or equal over roof sheathing at all eaves and valleys. Water & ice barrier to extend 36" past outside face of the exterior wall below and as shown on the roof plan.

DOORS AND WINDOWS

- Exterior doors shall be selected by the Owner.
- House-to-garage doors shall be fire-rated doors approved by governing codes. Face design to be selected by the Owner.
- The Owner shall select interior doors.
- Exterior windows shall be aluminum or vinyl-clad wood windows manufactured by Pella Corp.
- Glazing in all doors and windows shall comply with governing codes.
- Install egress window units following governing codes.
- Door and window sizes indicated, or drawings are as follows: "3/0x6/8" represents a door or window 3'-0" wide x 6'-8" high. Jamb depth to be coordinated by the Contractor.
- The Owner shall select Finish hardware. Install hardware following governing codes.

FINISHES

- Gypsum wallboard, unless noted otherwise, shall be provided as follows:
 - Exterior walls: One layer 5/8" regular wallboard to interior face.
 - Interior walls: One layer 1/2" regular wallboard each face.
 - Ceiling: One layer 5/8" regular wallboard.
- Garage/House common wall: One layer 5/8" type "X" wallboard on each face.
- Baths: Water-resistant wallboard at all walls and ceilings surrounding tubs and showers and as required by governing codes. Provide cement board as the substrate for ceramic tile.
- Provide metal corner bead and trim at all locations recommended by the gypsum wallboard manufacturer.
- Tape, float, and sand joints and fasteners of gypsum wallboard with three coats of joint compound as required to obtain a uniformly smooth surface.
- The Owner shall select Finishes.

Project Notes

- These documents and the design they represent are the property of the Architect No changes to these documents either in whole or in part may be made in any way without their prior knowledge and written consent.
- Refer to additional notes and legends on all other documents.
- Refer to civil, geotechnical, environmental, structural, mechanical, electrical, plumbing, fire and life-safety documents for additional information or requirements. Reference to other disciplines is conceptual for purposes of coordination with architectural design only.
- Before commencement of any work, the contractor shall give all notices and obtain all permits. Contractor shall comply with all applicable codes, laws, ordinances, rules, regulations, requirements of governing agencies and authorities, hazardous material application, and disposal requirements, etc.
- These drawings represent the completed project, at a time of substantial completion. The intent of the drawings is to include all items necessary for the proper execution and completion of the work. Unless otherwise noted, they do not represent the means and methods of construction. Sequencing and means and methods of construction shall be the sole responsibility of the general contractor.
- These drawings do not contain information with regard to construction safety procedures. The contractor is solely responsible for all construction safety and shall perform all work in accordance with governing authorities construction safety guidelines.
- Provide complete in place all labor, transportation, material, taxes, fees, permits, licenses, insurance, utilities, inspections, equipment, machinery, supervision, and other items necessary to complete the work in strict compliance with the plans, documents, and specifications prepared by the architect and approved by the owner.
- Verify existing conditions before fabrication and before proceeding with the work, and notify the architect immediately of significant discrepancies which may impact aesthetics, durability, cost, and schedules.
- Do not scale drawings to determine the intended layout or dimensions. If dimensions are in question, the contractor shall be responsible for obtaining clarification before continuing with work. Drawings are intended only as a graphically correct representation of work to be accomplished.
- Remove and replace materials damaged during construction to the satisfaction of the owner. Repair existing public facilities damaged during construction to the satisfaction of the governing authority.
- All work shall be of good quality, and all materials and equipment shall be new and free from defects for one year from the date of substantial completion of work. Any extended warranties obtained from suppliers or subcontractors shall be forwarded to the owner.
- All requirements not followed, including substitutions not properly approved and authorized, in writing, may be considered defective.
- Comply with all weather-related construction requirements. Do not build with or on frozen, saturated, contaminated, or inappropriate substrates or conditions.
- Provide positive drainage of surface water away from and off of all buildings without ponding or water adjacent to or on buildings or pavements.
- By submitting shop drawings, product data and samples, the general contractor and sub-contractor has verified and approved the information contained within. The general contractor's review and approval shall be shown on each submittal prior to the submission to the architect.
- Sprinkler system design and layout drawings, main lines and branches will be provided and installed by the building owner. Drops to ceiling penetration, heads and accessories provided by contractor.

PLUMBING, MECHANICAL, AND ELECTRICAL

- Plumbing, mechanical, and electrical information and layouts shown on the Drawings are schematic and shall be reviewed by sub-contractors, suppliers, and building officials for compliance with governing codes and good standard construction practices. The Contractor shall notify the Architect of any discrepancies before construction.
- The Owner shall select plumbing, mechanical, and electrical equipment.
- Design and installation of plumbing, mechanical, and electrical equipment shall be the responsibility of the appropriate licensed contractors and sub-contractors. The design shall be submitted for the Owner's review before ordering and installation of equipment.
- The electrical sub-contractor shall select service panels.
- All HVAC equipment shall be individually switched.
- All outdoor, bath, garage, and spa wall receptacles shall be provided with ground fault circuit protection following governing codes.
- Dryer and range hood vents shall be extended to the exterior.
- Provide plumbing vents following governing codes. Minimize the number and location for minimal visual impact.
- Install type and the number of smoke detectors following governing codes & UL217. Connect water, gas, and electric services following governing codes

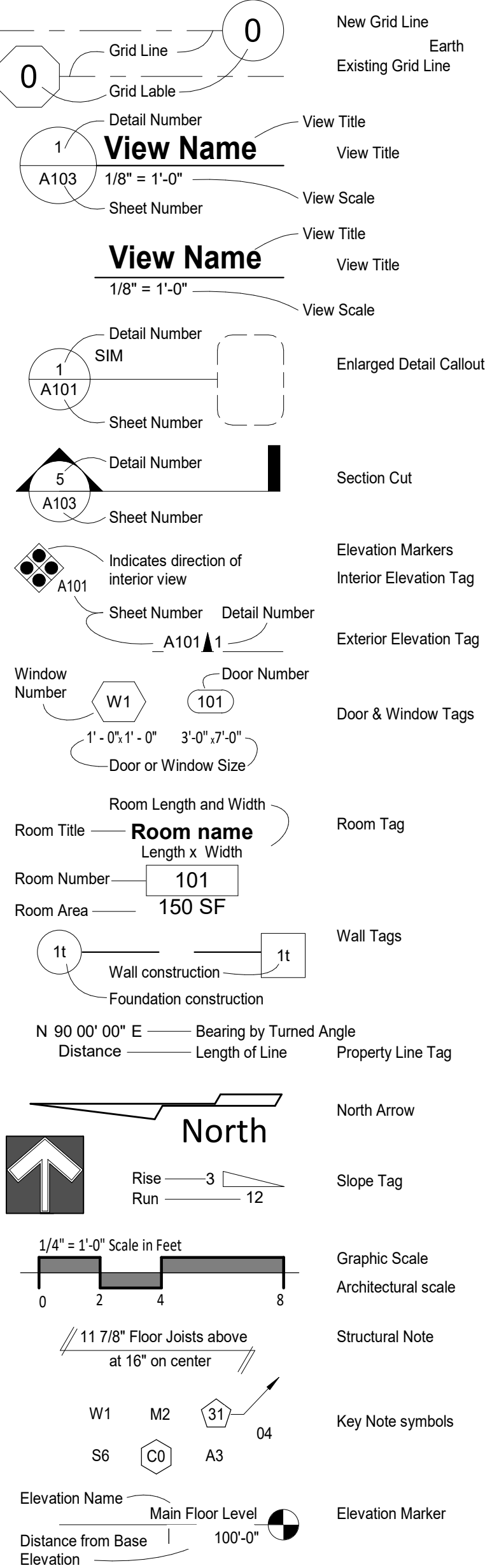
MISCELLANEOUS

- The set of construction drawings is intended for design intent only. Although many jurisdictions will accept these drawings as sufficient for a construction permit, these drawings are not intended and should not be construed as a complete set of construction drawings. These drawings will have to be adapted to meet local zoning and/or site conditions, and additional detailing will need to be completed on-site by the builder.
- Install prefabricated fireplace units as shown on Drawings.
- Fireplace units shall be "Heat-N-Go" or as approved by the Owner.
- Contractor shall be responsible for proper installation as recommended by the manufacturer and as required by governing codes, including mantel and hearth design and location.
- Hearth shall be of non-combustible material.
- Room sizes shown on the plans indicate room dimensions before installation of gypsum wallboard. Gypsum wall board thickness must be subtracted from room sizes indicated for actual room dimensions and are subject to change.

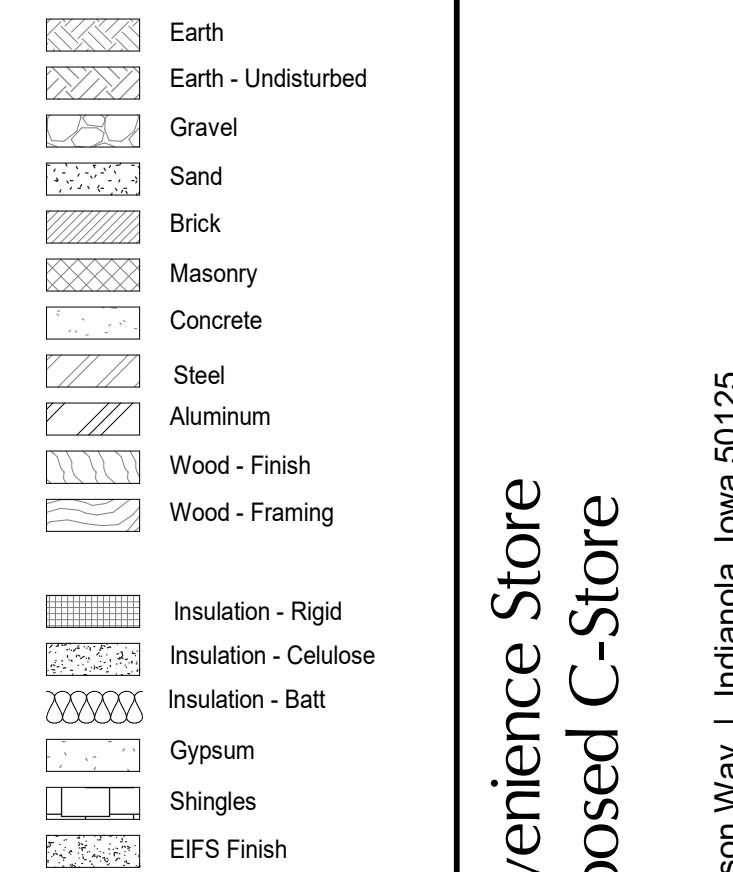
SUBMITTALS

- Submit roof truss and/or rafter layout plan completed by the manufacturer for review before ordering roof trusses and/or roof lumber package. Allow designer five days for complete review.
- Submit roof truss layouts showing beam locations, joist layout, locations of continuous duct chases, and maximum duct size in each chase. Allow designer five days for complete review.
- Architect will not be responsible for any errors in the roof and/or floor framing without the opportunity to review the roof and/or floor framing layouts. Framing layouts, member sizes, and floor/roof penetrations indicated on the drawings are for design intent only. Final layouts shall be the responsibility of the builder.

Annotation Legend



Material Legend



Description	Date	For Review			
#	12/05/23				
12/14/2023 6:38:33 PM					
PROJECT NUMBER:					
2311M					
TITLE:					
Cover Sheet					
SHEET:					
100					

Proposed Planting Schedule						
Mark	Common Name	Latin Name	Size	Comments	Type	Count
Evergreen						
CR	Coast Rosemary	Westringia fruticosa	36"-48"		Evergreen	2
FD	Fairy Duster	Calliandra eriophylla	24"-48"		Evergreen	2
Ornamental						
HS	Hebe Shrub	Hebe	48"-72"		Ornamental	2
HB2	Hibiscus Bush	Hibiscus	36"-240"		Ornamental	2
HY	Hydrangea	Hydrangea argustipetala	24"-36"		Ornamental	2
Over Story						
GB	Presidential Gold Ginkgo	Ginkgo biloba 'The President'	2" - 2 1/2" Cal		Over Story	1
Shrub						
HB1	Hibiscus Bush	Hibiscus	36"-240"		Shrub	1
WV	Variegated Dwarf Weigela	Weigela florida 'Variegata Nana'	18"-24"		Shrub	1
Grand total: 13						



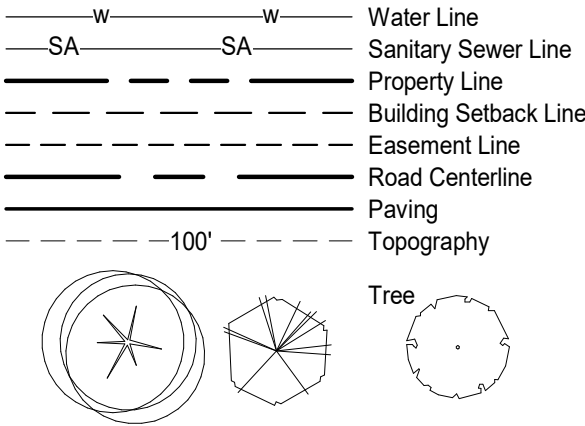
I hereby certify that the portion of this technical submission described below was prepared by me or under my direct supervision and responsible charge. I am a duly-licensed architect under the laws of the State of Iowa.

Matthew J. Palan
June 14, 2025
Date Issued:

Signature
Sheets covered by this seal: C101, C102

Registration Expires: June 30, 2023

Site Legend



Planting Notes

- Tree or shrub shall stand plumb
- Plants shall be true to species, size and variety specified
- Do not allow air pockets to form when backfilling – Soil should never be placed over the root ball.
- Contractor shall guarantee all plant material for one year from date of project Completion.
- Contractor to provide a 4" depth clean vertical cut edge to define mulch planting bed limits.
- All trees to be planted a minimum distance of 4 feet from fire hydrants and pavements.
- The contractor is responsible for plants awaiting installation and shall protect them from injury.
- Trees should have their North side marked at the nursery and be planted at the site with the same orientation.
- All plant material shall be handled by the balled and bur lapped (b&b) root ball, container or root mass.
- Remove all twine, rope, and wire from the root ball. Remove wire basket completely, cut the bottom third prior to planting. Set the plant or tree in pit an backfill to stabilize root ball.
- All plant material shall at least meet minimum requirements shown in the "American Standards for Nursery Stock" (ANSI Z60.1-latest edition).
- Plant material shall be specimen quality, healthy, free of disease and insects and shall have healthy, well-developed root systems; plants shall also be free from physical damage or other conditions that would prevent vigorous growth.
- Pruning of trees and shrubs at time of planting should be kept at a minimal; the contractor shall prune to remove broken, damaged or diseased branches, no pruning paint or sealer is allowed. All other pruning shall be approved by the landscape architect.
- Provide 3-inch depth shredded hardwood mulch around all plantings to a min. 3-foot perimeter, provide continuous mulch beds in areas indicated on the plan do not place mulch within 2-inches of root collar or trunk.
- Contractor to seed all areas disturbed by construction with type 1, lawn seed mixture, unless noted otherwise .
- All plant material to be approved by owner before planting, substitutions of plant materials will not be permitted unless authorized in writing by the owner.
- All wire, twine and burlap shall be removed from the rootball of street trees prior to planting.
- No staking of trees is allowed.

Site Notes

- All work in the city right-of-way shall be done in accordance with SUDAS and the City General Supplemental Specifications to SUDAS effective at the time of plan approval.
- All work in the city right-of-way requires a right-of-way permit.
- The required landscaping new and existing shall be maintained for the life of the certificate of occupancy or certificate of zoning.
- It is the responsibility of the owner an or the contractor to follow all applicable codes and ordinances whether or not contained on these documents.
- All lighting shall consist of low glare cut-off type fixtures to reduce the glare of light pollution on surrounding properties.
- All disturbed areas will be restored by seeding or sodding
- Locations of elements traced from Warren County, Iowa Assessor's website imagery accessed on June 10, 2023.
- Sidewalk / Drive Approach Permit is required.
- All new approaches to be 7" thick concrete from back of curb to the sidewalk
- This site shall be maintained in compliance with all city code applicable on the date of site plan approval.
- All rooftop mechanical equipment must be screened on all sides with architectural screening equal to the height of the equipment.
- Mechanical equipment shall not be located in the front yard or street side yard, and shall be screened from view from any public way with landscaping, fencing, or walls consistent with the building design, colors, and materials.

1 Site Plan

Parking Requirement:
1 Space per 250sf - Retail
5,168 sf / 250 sf = 20.7 Spaces required
28 spaces + 1 HC Space provided

Open Space:
18,011 sf Site area
14738 sf Impervious surface
19.2% Total Openspace
20% Open Space = 3,602 sf Minimum
Open Space Required

Equivalent Residential Unit (ERU):
3,400 sf Impervious surface = 1ERU
18,011sf - 3,400sf = 14,611sf / 340sf = 42.97
.1 * 42.97 = 4.29 ERU Total

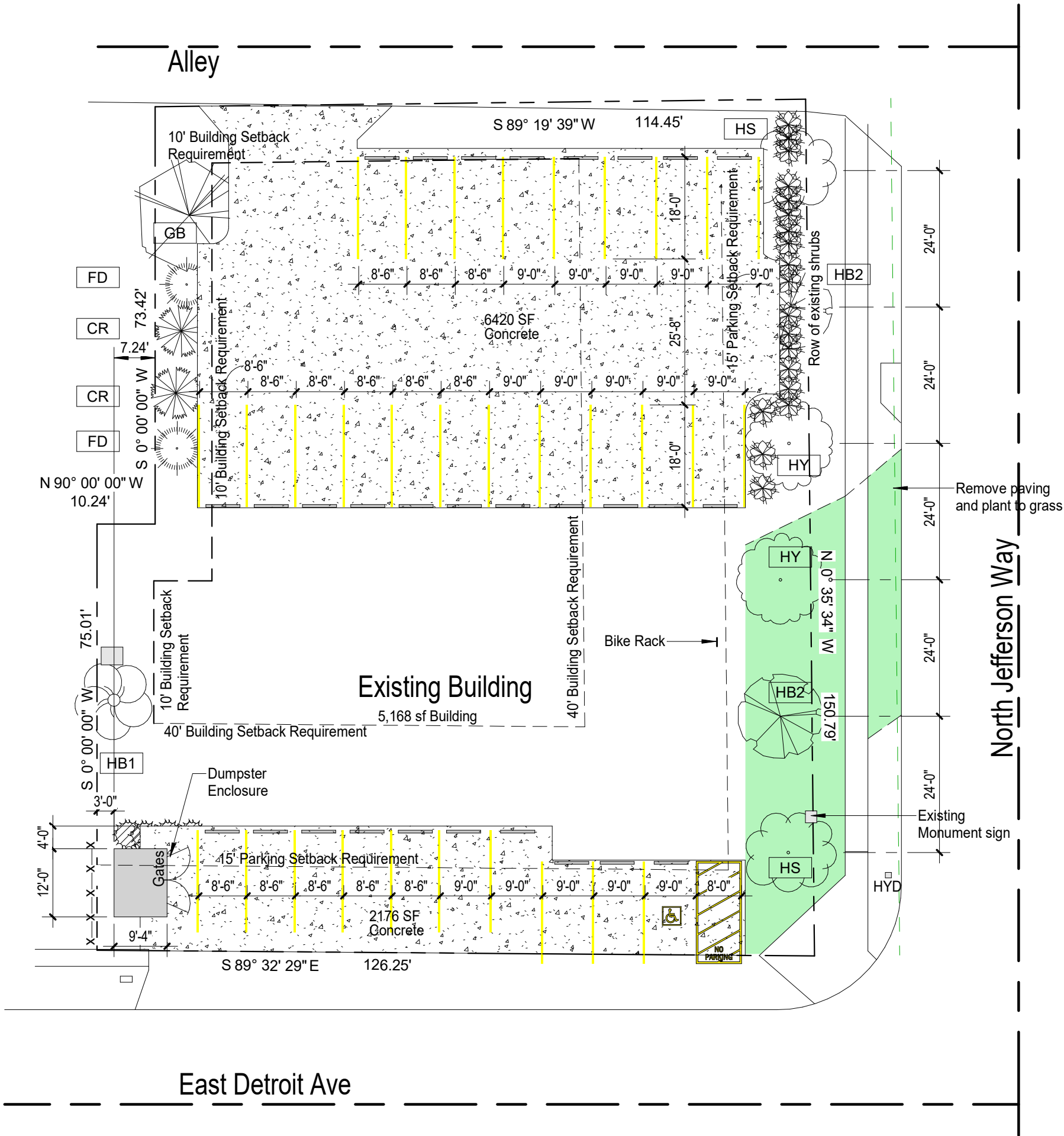
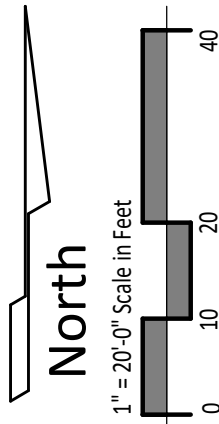
Zoning Setbacks:
40' Front setback
10' Rear setback
10' Side Yard
50' Max Building Height
20' Building separation
126' Lot width
151' Street Frontage

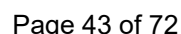
Zoning:
C-2 - Highway Commercial

Property Owner:
Prime Assets Investment LLC
501 N Jefferson Way
Indianola, Iowa 50125

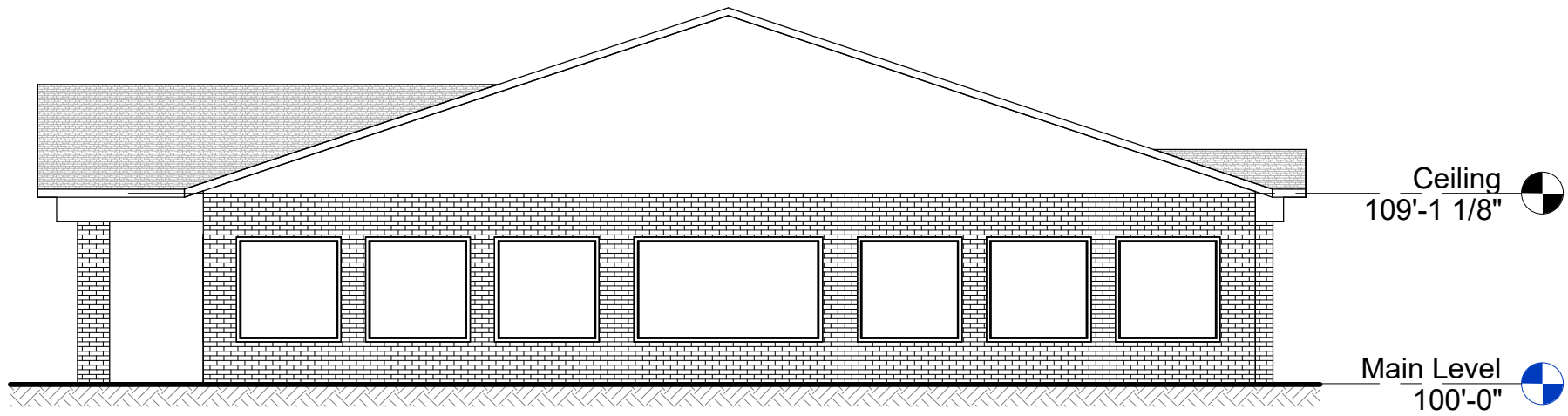
Property Address:
501 North Jefferson Way
Indianola, Iowa 50125

Legal Description:
23-76-24 Indianola Aders Addition
Lot 4 & South 75' on West Block 1,
now included and forming part of
the City of Indiana, Warren
County, Iowa

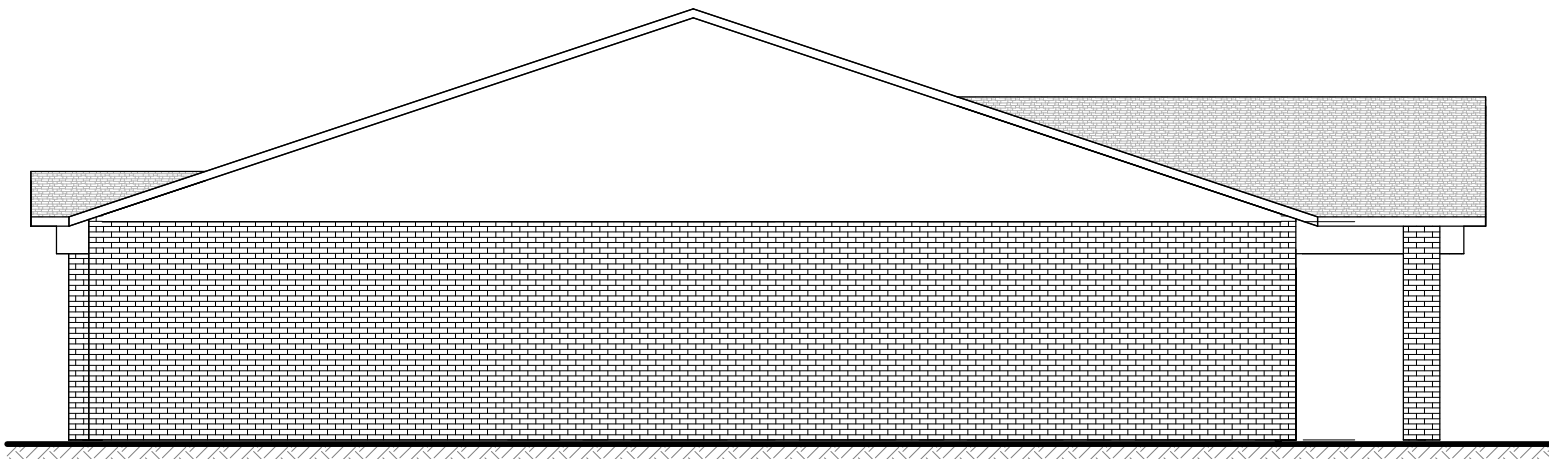




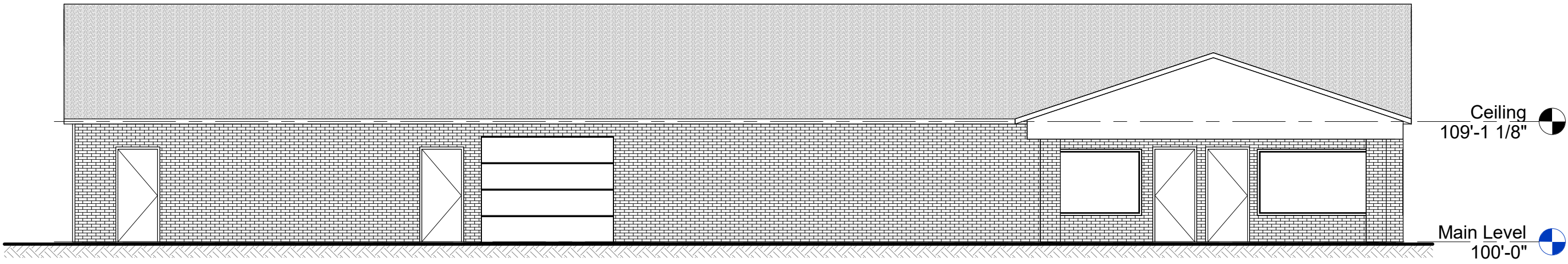
This drawing is provided as an instrument of service by the Architect and is intended for use on this project only. Any reproduction, use, or disclosure of information contained herein without the prior written consent of the Architect is strictly prohibited. (C) Copyright 2022 by Creative Concepts Architecture, PLC.



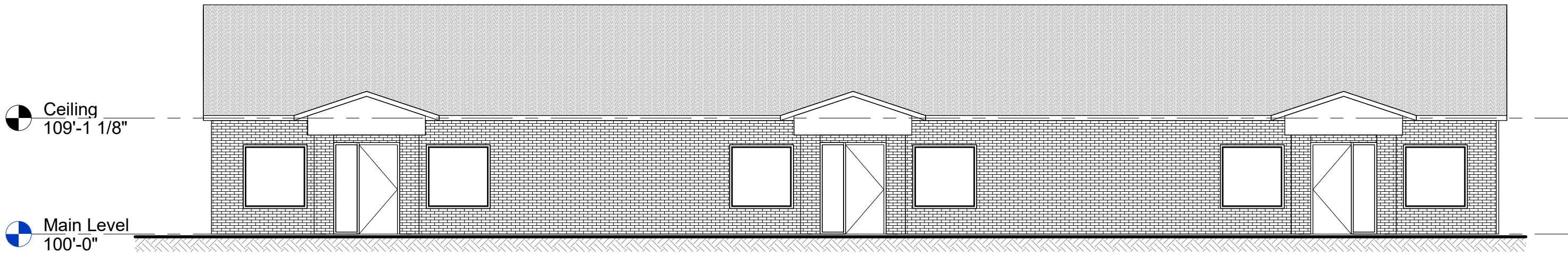
1 **East Elevation**
C202 1/8" = 1'-0"



4 **West Elevation**
C202 1/8" = 1'-0"



3 **South Elevation**
C202 1/8" = 1'-0"



2 **North Elevation**
C202 1/8" = 1'-0"

#	Date	Description
1	12/05/23	For Review
12/14/2023 6:38:34 PM		
PROJECT NUMBER: 2311M		
TITLE: Exterior Elevations		
SHEET:		



Injury Status Summary	3
Fatalities	0
Suspected serious/incapacitating	0
Suspected minor/non-incapacitating	0
Possible (complaint of pain/injury)	0
Uninjured	0
Unknown	1
Not Reported	2

Average Severity	
Fatalities/Fatal Crash:	0.00
Fatalities/Crash:	0.00
Injuries/Crash:	0.00
Major Injuries/Crash:	0.00
Minor Injuries/Crash:	0.00
Possible/Unknown Injuries/Crash:	0.00





Iowa Crash Analysis Tool
Quick Report
2014-2024

Major Cause		3
Animal	0 Ran traffic signal	0
Ran stop sign	0 Failed to yield to emergency vehicle	0
FTYROW: At uncontrolled intersection	0 FTYROW: Making right turn on red signal	0
FTYROW: From stop sign	0 FTYROW: From yield sign	0
FTYROW: Making left turn	0 FTYROW: From driveway	0
FTYROW: From parked position	1 FTYROW: To pedestrian	0
FTYROW: Other	0 Drove around RR grade crossing gates	0
Disregarded RR Signal	0 Crossed centerline (undivided)	0
Crossed median (divided)	0 Traveling wrong way or on wrong side of road	0
Aggressive driving/road rage	0 Driving too fast for conditions	0
Exceeded authorized speed	0 Improper or erratic lane changing	0
Operating vehicle in an reckless/erratic/care...	0 Followed too close	0
Passing: On wrong side	0 Passing: Where prohibited by signs/markings	0
Passing: With insufficient distance/inadequa...	0 Passing: Through/around barrier	0
Passing: Other passing	0 Made improper turn	0
Driver Distraction: Manual operation of an e...	0 Driver Distraction: Talking on a hand-held d...	0
Driver Distraction: Talking on a hands free ...	0 Driver Distraction: Adjusting devices (radio...	0
Driver Distraction: Other electronic device ...	0 Driver Distraction: Passenger	0
Driver Distraction: Unrestrained animal	0 Driver Distraction: Reaching for object(s)/f...	0
Driver Distraction: Inattentive/lost in thou...	0 Driver Distraction: Other interior distracti...	0
Driver Distraction: Exterior distraction	0 Ran off road - right	0
Ran off road - straight	0 Ran off road - left	0
Lost control	0 Swerving/Evasive Action	0
Over correcting/over steering	0 Failed to keep in proper lane	0
Failure to signal intentions	0 Traveling on prohibited traffic way	0
Vehicle stopped on railroad tracks	0 Other: Vision obstructed	0
Other: Improper operation	0 Other: Disregarded warning sign	0
Other: Disregarded signs/road markings	0 Other: Illegal off-road driving	0
Downhill runaway	0 Separation of units	0
Towing improperly	0 Cargo/equipment loss or shift	0
Equipment failure	0 Oversized load/vehicle	0
Other: Getting off/out of vehicle	0 Failure to dim lights/have lights on	0
Improper backing	2 Improper starting	0
Illegally parked/unattended	0 Driving less than the posted speed limit	0
Operator inexperience	0 Other	0
Unknown	0 Not reported	0
Other: No improper action	0	



Iowa Crash Analysis Tool
Quick Report
2014-2024

Time of Day/Day of Week														
	12 AM to 2 AM	2 AM to 4 AM	4 AM to 6 AM	6 AM to 8 AM	8 AM to 10 AM	10 AM to Noon	Noon to 2 PM	2 PM to 4 PM	4 PM to 6 PM	6 PM to 8 PM	8 PM to 10 PM	10 PM to 12 AM	Not reporte d	Total
Day of Week														
Sunday	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Monday	0	0	0	0	0	0	1	0	0	1	0	0	0	2
Tuesday	0	0	0	0	0	0	0	0	0	1	0	0	0	1
Wednesday	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Thursday	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Friday	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Saturday	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	1	0	0	2	0	0	0	3

Manner of Crash Collision	3	Surface Conditions	3
Non-collision (single vehicle)	0	Dry	3
Head-on (front to front)	0	Wet	0
Rear-end (front to rear)	1	Ice/frost	0
Angle (oncoming left turn)	0	Snow	0
Broadside (front to side)	0	Slush	0
Sideswipe (same direction)	0	Mud/dirt	0
Sideswipe (opposite direction)	0	Water (standing or moving)	0
Rear to rear	0	Sand	0
Rear to side	2	Oil	0
Not reported	0	Gravel	0
Other	0	Not reported	0
Unknown	0	Other	0
		Unknown	0

Fixed Object Struck	6
Bridge overhead structure	0
Bridge/bridge rail parapet	0
Ditch	0
Ground	0
Guardrail - face	0
Concrete traffic barrier (median or right sid...	0
Cable barrier	0
Utility pole/light support	0
Traffic signal support	0
Fire hydrant	0
Tree	0
Snow bank	0
Wall	0
Other fixed object	0
Bridge pier or support	0
Curb/island/raised median	0
Embankment	0
Culvert/pipe opening	0
Guardrail - end	0
Other traffic barrier	0
Impact attenuator/crash cushion	0
Traffic sign support	0
Other post/pole/support	0
Mailbox	0
Landscape/shrubbery	0
Fence	0
Building	0
None (no fixed object struck)	6



Iowa Crash Analysis Tool
Quick Report
2014-2024

Driver Age/Driver Gender					
Driver Age - 5 year Bins	Female	Male	Not reported	Unknown	Total
< 14	0	0	0	0	0
= 14	0	0	0	0	0
= 15	0	0	0	0	0
= 16	0	1	0	0	1
= 17	0	1	0	0	1
= 18	0	0	0	0	0
= 19	0	0	0	0	0
= 20	0	0	0	0	0
>= 21 and <= 24	0	0	0	0	0
>= 25 and <= 29	0	0	0	0	0
>= 30 and <= 34	0	1	0	0	1
>= 35 and <= 39	0	0	0	0	0
>= 40 and <= 44	0	0	0	0	0
>= 45 and <= 49	0	0	0	0	0
>= 50 and <= 54	0	0	0	0	0
>= 55 and <= 59	0	0	0	0	0
>= 60 and <= 64	0	0	0	0	0
>= 65 and <= 69	0	0	0	0	0
>= 70 and <= 74	0	0	0	0	0
>= 75 and <= 79	0	0	0	0	0
>= 80 and <= 84	0	0	0	0	0
>= 85 and <= 89	0	0	0	0	0
>= 90 and <= 94	0	0	0	0	0
>= 95	0	0	0	0	0
Not reported	0	0	0	0	0
Unknown	0	0	3	0	3
Total	0	3	3	0	6

Alcohol Test Given	6
None	3
Blood	0
Urine	0
Breath	0
Vitreous	0
Refused	0
Not reported	3

Drug Test Given	6
None	3
Blood	0
Urine	0
Breath	0
Vitreous	0
Refused	0
Not reported	3

Drug Test Result	6
Negative	0
Cannabis	0
Central Nervous System depressants	0
Central Nervous System stimulants	0
Hallucinogens	0
Inhalants	0
Narcotic Analgesics	0
Dissociative Anesthetic (PCP)	0
Prescription Drug	0
Not reported	6
Other	0

Drug/Alcohol Related	3
Drug	0
Alcohol (< Statutory)	0
Alcohol (Statutory)	0
Drug and Alcohol (< Statutory)	0
Drug and Alcohol (Statutory)	0
Refused	0
Under Influence of Alcohol/Drugs/Medications	0
None Indicated	3

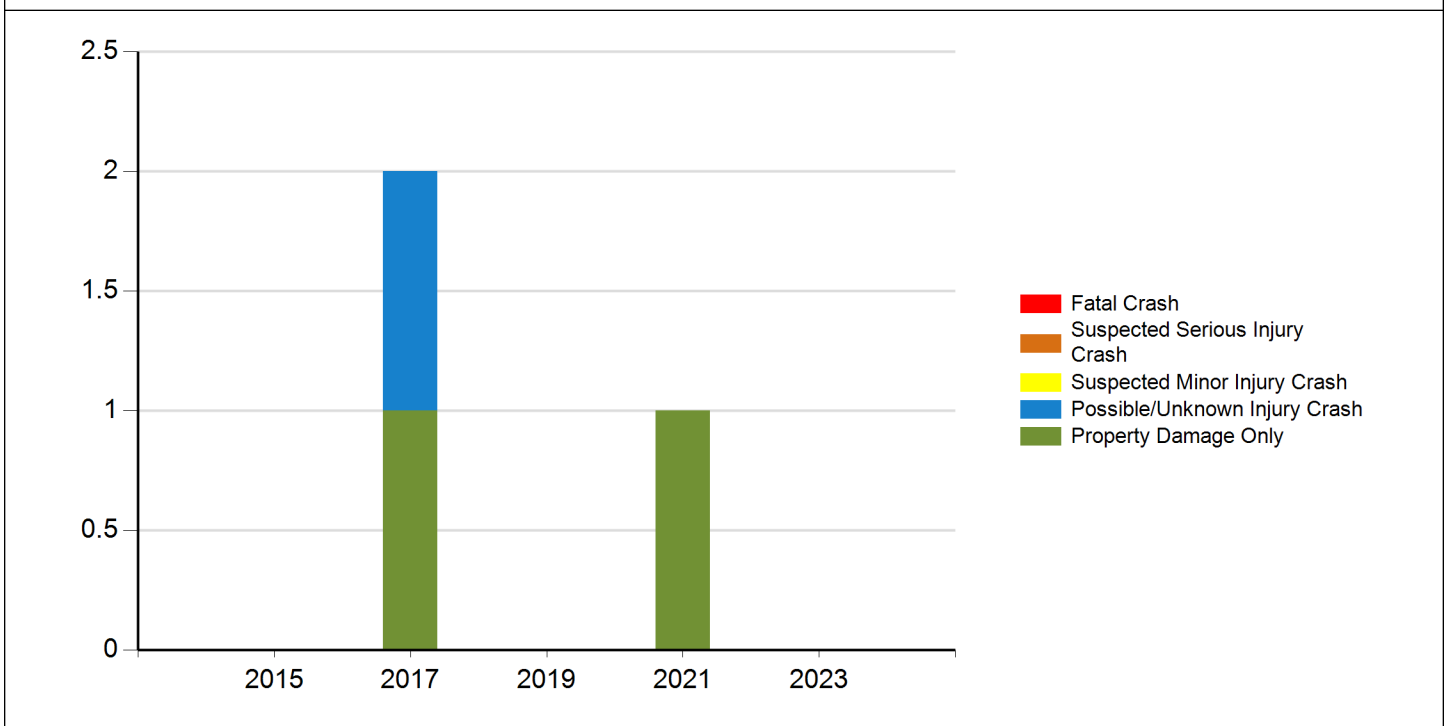


Iowa Crash Analysis Tool
Quick Report
2014-2024

Crash Severity - Annual

Crash Year	Fatal Crash	Suspected Serious Injury Crash	Suspected Minor Injury Crash	Possible/Unknown Injury Crash	Property Damage Only	Total
2014	0	0	0	0	0	0
2015	0	0	0	0	0	0
2016	0	0	0	0	0	0
2017	0	0	0	1	1	2
2018	0	0	0	0	0	0
2019	0	0	0	0	0	0
2020	0	0	0	0	0	0
2021	0	0	0	0	1	1
2022	0	0	0	0	0	0
2023	0	0	0	0	0	0
2024	0	0	0	0	0	0
Total	0	0	0	1	2	3

Severity/Year



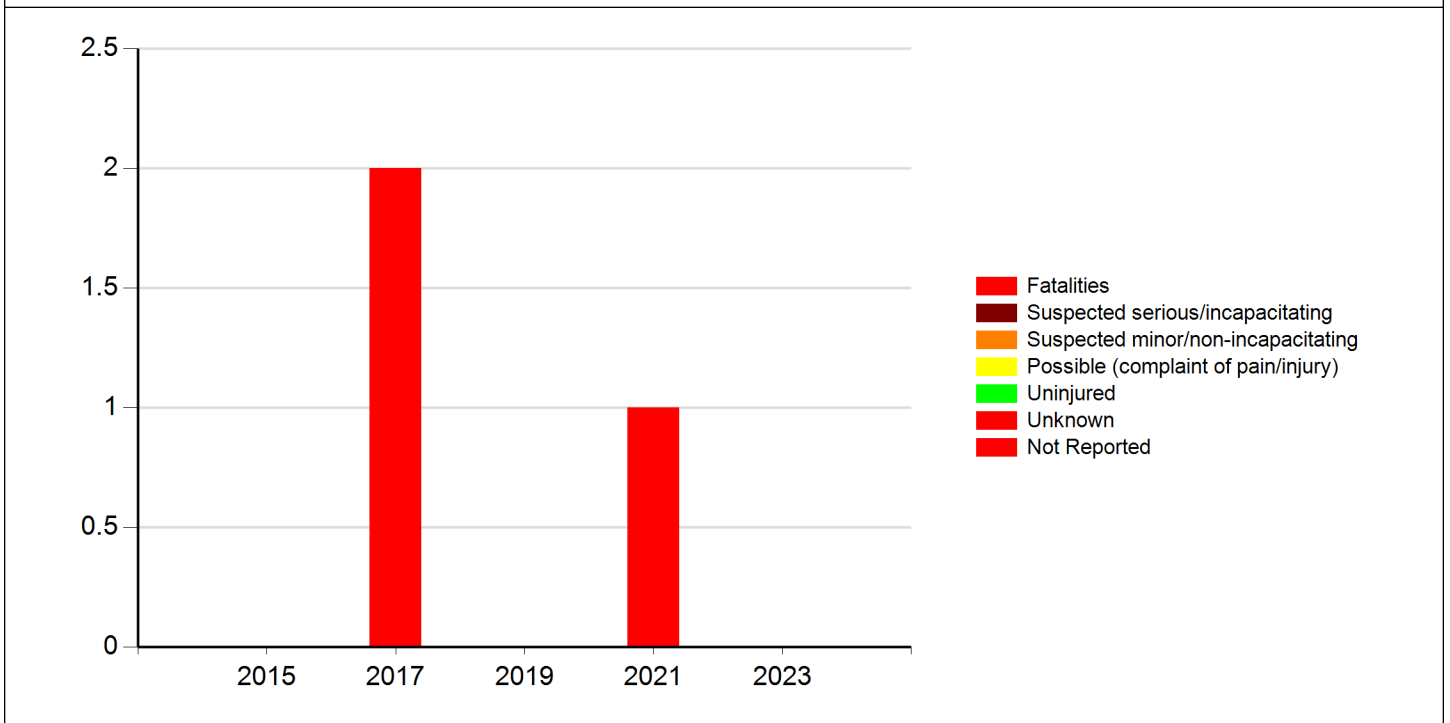


Iowa Crash Analysis Tool
Quick Report
2014-2024

Injury Status - Annual

Crash Year	Fatalities	Suspected serious/incapacitating	Suspected minor/non-incapacitating	Possible (complaint of pain/injury)	Uninjured	Unknown	Not Reported	Total
2014	0	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0	0
2017	0	0	0	0	0	1	1	2
2018	0	0	0	0	0	0	0	0
2019	0	0	0	0	0	0	0	0
2020	0	0	0	0	0	0	0	0
2021	0	0	0	0	0	0	1	1
2022	0	0	0	0	0	0	0	0
2023	0	0	0	0	0	0	0	0
2024	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	1	2	3

Injury Status/Year





Iowa Crash Analysis Tool
Quick Report
2014-2024

Meeting the following criteria

Jurisdiction: Cities (Indianola)
Year: 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024
Map Selection: Yes
Filter: None

Analyst Information

CITY OF INDIANOLA, IOWA

BOARD OF ADJUSTMENT

IN THE MATTER OF THE APPLICATION OF:

Venkata Dhanekula, on behalf of Prime Assets Investment LLC, for a special use permit, under the terms of Section 165.02 (3)(B)(3)(c) of the Code of Ordinances of Indianola, Iowa, that would permit a modification of an existing Special Use Permit to permit a liquor store located at 501 North Jefferson Way.

FINDINGS OF FACT

The City of Indianola, Iowa Board of Adjustment has reached the following Findings of Fact:

- 1. The property at 501 North Jefferson Way is owned by Prime Assets Investment LLC.*
- 2. The property at 501 North Jefferson Way is in the C-2, Highway Commercial Zoning District.*
- 3. Liquor stores require the approval of a Special Use Permit from the Board of Adjustment.*
- 4. The site in question has a special use permit and site plan approved on January 3, 2024, by the Board of Adjustment.*
- 5. The modification does not meet one or more of the findings of fact required for approval of a Special Use Permit, as outlined in Section 154.02(3)(B)(3)(c) of the Code of Ordinances of Indianola, Iowa.*
- 6. The modification does not meet multiple zoning code and local requirements adopted by the City of Indianola, including City Ordinance Section 135.14.4.B(4) and Zoning Code Section 165.07.3.A(1).*
- 7. The modification does not meet multiple state and federal law requirements, including those related to proper spacing at intersections, as well as ADA accessibility requirements.*
- 8. The modification does not meet the purpose and intent of the Zoning Code, which is to protect the public health and welfare within the City.*
- 9. The proposal is anticipated to impact the health, safety, and general welfare of citizens and may diminish or impair established property values.*
- 10. The property fronts along East Detroit Avenue, which is classified as a local street and requires a fifty-foot spacing. Additional spacing requirements may apply from the Iowa Department of Transportation due to proximity to Jefferson Highway.*
- 11. Modification to a Special Use Permit requires approval from the Board of Adjustment.*

DECISION

According to Section 165.02 (3)(B)(3)(c) of the Code of Ordinances of Indianola, Iowa to review and consider approval of a Special Use Permit for a Special Use as identified Permitted and Special Uses Table contained in CHAPTER 165.05 of the Zoning Regulations. The following shall be required:

- i. Special Use Permit Application - A site plan (including number of copies), application form, and any additional information and details as specified and required by the Zoning

- Administrator as necessary to determine compliance with all applicable codes and requirements shall be submitted to the Zoning Administrator along with the Special Use Permit Application fee as established by resolution of the City Council.
- ii. Special Use Permit Procedure - The Special Use Permit Application shall be reviewed by the Zoning Administrator, or their designee, for completeness. Incomplete applications shall be returned to the applicant with a list of the missing items or details. Applications deemed completed shall be distributed to other city departments and other agencies as necessary for review and comment as to its compliance with all zoning regulations and other pertinent city codes, regulations, and policies.
 - iii. Special Use Permit Review by Board of Adjustment - Subsequent to review by the Zoning Administrator and other city departments and agencies, the Zoning Administrator, or their designee, shall submit to all members of the Board a copy of the Special Use Permit Application along with a written recommendation as to the application's conformity with the rules and regulations of the city.
 - iv. The Board shall subsequently hold a duly noticed public hearing as prescribed by their rules of procedures, and the noticing requirements contained herein, and review the Application for conformity with the zoning regulations and standards. The Board may approve, approve with conditions, or deny the Special Use Permit Application.
 - v. Findings for Approval - In order to approve a Special Use Permit, the Board shall make the following findings:
 - 1. The proposed use, site improvements, and site plan comply with the minimum requirements of the zoning district in which it is proposed to be located;
 - 2. The property is of adequate size to accommodate the proposed use and site improvements including setbacks, open space, stormwater management, and off-street parking;
 - 3. The proposed use and site improvements will not unduly impact the health, safety, and general welfare of persons residing or working in adjoining property or surrounding area;
 - 4. The proposed use and site improvements shall not unduly increase traffic congestion;
 - 5. The proposed use and site improvements will not unduly burden public utilities or increase risk to flooding;
 - 6. The proposed use and site improvements are compatible with the surrounding neighborhood and shall not diminish or impair established property values in adjoining or surrounding property; and,
 - 7. The issuance of the Special Use Permit will not endanger, jeopardize or harm the health, safety or welfare of the properties and the community.
 - vi. Expiration of Special Use Permit Approval - All Special Use Permit approvals shall expire and terminate 24-months after the date of the Board approval unless a building permit has been issued for the construction provided for in the related site plan. In the event the building permit for the construction provided for in the related site plan expires or is canceled, then such site plan approval shall thereupon terminate.

Analysis of Code Criteria

Venkata Dhanekula, on behalf of Prime Assets Investment LLC, is seeking a modification of an existing Special Use Permit (SUP) to permit a liquor store located at 501 North Jefferson Way. The site is currently a multi-tenant commercial building built in 1972, containing three commercial tenants with uses including a restaurant, tobacco store (vape shop), and retail/boutique. A SUP and site plan was approved for the site on January 3, 2024, to allow for a liquor store at the facility, by the Board of Adjustment.

The revised SUP and site plan makes multiple adjustments to the site plan, many of which are deficient in minimum code requirements adopted by the City of Indianola, as well as state and federal laws and regulations. This includes minimum landscaping requirements, minimum required ADA accessible parking stalls, providing ADA accessible routes, minimum spacing required between access drives/driveways and the intersection, parking stall dimensional requirements, vision obstructions at the 25' vision triangles along East Detroit Avenue, and providing ADA compliant sidewalk ramps.

The property is a corner lot with frontage along North Jefferson Way and East Detroit Avenue. According to the Iowa Department of Transportation (IDOT), the Annual Average Daily Traffic (AADT) for North Jefferson Way, a state highway, is 18,000 vehicles. The AADT for East Detroit Avenue, a local road, is 1,931 vehicles.

According to the Iowa Crash Analysis Tool, provided by the IDOT, in the last 10 years there have been three (3) reported vehicle crashes along East Detroit Avenue. Two out of three (2/3) of these crashes were due to improper backing. One of the two crashes related to improper backing occurred in the last 5 years. The full analysis is provided in the Agenda Packet for review.

ORDER

MOTION:

Move to approve the request from Venkata Dhanekula, on behalf of Prime Assets Investment LLC, for a special use permit, under the terms of Section 165.02 (3)(B)(3)(c) of the Code of Ordinances of Indianola, Iowa, that would permit a modification of an existing Special Use Permit to permit a liquor store located at 501 North Jefferson Way.

VOTE:(_____ - _____) (_____ - _____)

WHEREFORE, it is ordered that the application from Venkata Dhanekula, on behalf of Prime Assets Investment LLC, for a special use permit, under the terms of Section 165.02 (3)(B)(3)(c) of the Code of Ordinances of Indianola, Iowa, that would permit a modification of an existing Special Use Permit to permit a liquor store located at 501 North Jefferson Way., is hereby **denied** as evidence by the Board's finding that all code criteria **have not** been met as required by the Code of Ordinances of Indianola, Iowa; and

WHEREFORE, any taxpayer, or any officer, department, board or bureau of the City, or any person or persons jointly or severally aggrieved by any decision of the Board may present to a court of record a petition, pursuant to Iowa Code 17A.19, duly verified, setting forth that such

decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after the filing of the decision in the office of the Board.

Ordered this 5th day of June 2024

Lee Bash
Chairperson
Board of Adjustment
City of Indianola, Iowa

FILING DATE:



MEMORANDUM

To: Board of Adjustment

From: Charlie Dissell, Deputy City Manager Development and Operations, Emily Rizvic, Associate Planner, Kristen Hoss

Date: June 5, 2024

Subject: Consider request from Brenda Wickett for a variance for property located at 1006 East Salem Ave.

Recommendation: Staff recommends that the Indianola Board of Adjustment move alternative 3, to deny the variance request.

Attachments:

1. Staff Report
2. Application
3. Written Narrative
4. Site Plan
5. Building Elevations
6. Public Comments
7. Decision and Order



COMMUNITY DEVELOPMENT

110 N. First Street, Indianola IA 50125-0299 • www.indianolaiowa.gov
(515) 961-9430 • comdev@indianolaiowa.gov

STAFF REPORT

BOARD OF ADJUSTMENT

Date of Meeting: June 5, 2024

Agenda Item: 5.C Consider request from Brenda Wickett for a variance for property located at 1006 East Salem Ave.

Application Type: Variance

Applicant and Property Owner: Brenda Wickett and Thomas Wadle

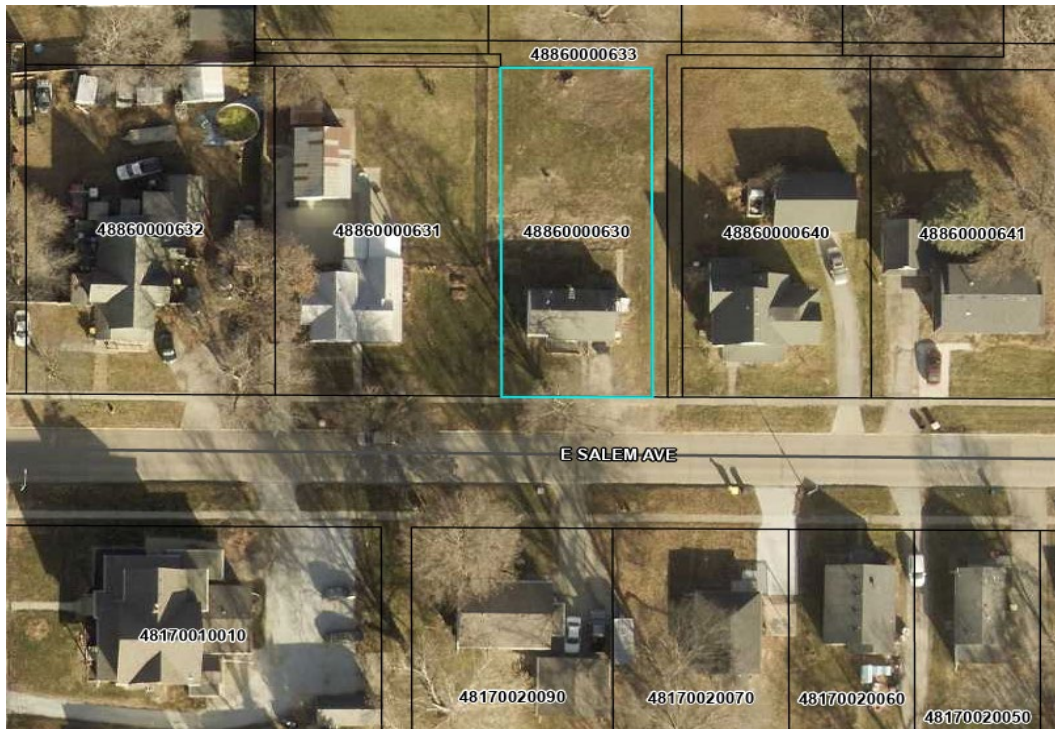
Property Address/Parcel: 1006 E. Salem Ave (Parcel ID #488/6000-0630)

Zoning: R-1 '*Single-Family Residential Detached*' Zoning District

Application Summary

Brenda Wickett is requesting a variance for the property at 1006 E. Salem Ave. The request is to allow the construction of an accessory structure that would be 1,824 square feet in size and 24 feet tall. Such proposal would not conform to Section 165.04.2.E(1) and Section 165.04.2.E(2) of the City of Indianola Code of Ordinances.

AERIAL MAP



APPLICABLE CODE SECTIONS

The following code sections of the Code of Ordinances of Indianola, Iowa apply to this request:

165.02(3)(B) POWERS AND DUTIES OF THE BOARD OF ADJUSTMENT. The Board of Adjustment has the following powers and duties:

3. Variances: Conditions Governing Applications; Procedures. To authorize upon appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest where, owing to the special conditions, a literal enforcement of the provisions of this chapter would result in unnecessary hardship. A variance from the terms of this chapter shall not be granted by the Board of Adjustment unless and until:

A. A written application of a variance is submitted demonstrating:

- (1) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- (2) That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter;
- (3) That the special conditions and circumstances do not result from the actions of the applicant;
- (4) That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of land, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

B. Notice of public hearing shall be given as in subsection 2(B) above.

C. The public hearing shall be held. Any party may appear in person, or by agent or by attorney.

D. The Board of Adjustment shall make findings that the requirements of paragraph A of this subsection have been met by the applicant for a variance.

E. The Board of Adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

F. The Board of Adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this chapter, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this chapter. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter and punishable under Section 165.23 of this chapter. Under no circumstances shall the Board of Adjustment grant a variance to allow a use not permissible under the terms of this chapter in the district involved, or any use expressly or by implication prohibited by the terms of this chapter in said district.

165.04(2) ACCESSORY BUILDINGS AND STRUCTURES.

E. Area and Height Limit.

- (1) Accessory buildings and structures shall be limited to a maximum of two (2) total buildings, including a garage, of which all total accessory buildings shall not occupy more than ten (10) percent of the total lot area nor exceed a total square footage of 1,800 square feet. However, this regulation shall not prohibit the construction of at least one garage not to exceed six hundred (600) square feet gross building area and at least one accessory storage building not to exceed one hundred twenty (120) square feet gross building area.
- (2) Accessory buildings and structures shall not be taller nor encompass more floor area than the principal structure that is located on the same and shall in no case more than one and one-half (1.5) stories in height and shall not exceed a height of 24-feet.

ANALYSIS

Subject Property

Brenda Wickett is requesting a variance for the property at 1006 E. Salem Ave (Parcel ID #488/6000-0630) relating to the construction of an accessory structure. The request would allow for an oversized accessory structure at the property. The request would not conform to Section 165.04.2.E(1) and Section 165.04.2.E(2) of the City of Indianola Code of Ordinances.

The subject property is a 0.21-acre lot and contains a single-family dwelling. The lot is 9,000 square feet with a 680 square foot principal structure. The subject property is currently zoned for the R-1 'Single-Family Residential Detached' Zoning District.

The property is surrounded by single-family residential properties and zoning. To the North, East, and West exists all R-1 Single-Family Residential Detached Zoning Districts. To the South exists an R-2 Single-Family Residential Attached Zoning District.

The property fronts along E. Salem Ave. According to the Iowa Department of Transportation (IDOT), the Annual Average Daily Traffic (AADT) for E. Salem Ave is 410 vehicles, as of 2016.

The subject area does not appear to contain environmentally sensitive features.

Future Land Use

According to the “Elevate Indianola” Comprehensive Plan, the future land use of this area is designated as Low Density Residential. The Low Density Residential land use designation guides for 2-5 dwelling units per gross acre with residential building types including single-family detached dwellings, accessory dwelling units, and innovative or non-traditional single-family forms. Civic used and places of worship are permitted if compatibility standards are met.

If the variance were to be approved, it would allow the applicant to vary from maximum height and size limitations for accessory structures. The proposed accessory structure would be 1,824 square feet with a 24-foot height. This would exceed the maximum allowable size for an accessory structure on this property by 1,144 square feet and would exceed the height of the principal structure by approximately 10 feet. The maximum allowable square footage of accessory structure for this site would be 680-square feet, as the structure cannot exceed the floor area of the principal dwelling.

FINDINGS OF FACT

According to Section 165.02.3.B.(3)b. of Indianola’s Zoning Code, in deciding whether to grant a variance request, the Board of Adjustment shall consider all the following legal principles. **All legal principles shall be satisfied in order for the Board of Adjustment to grant a variance.**

- i. **That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;**

Staff Comment: This finding of fact asks for the Board to find whether special conditions or circumstances exist which are peculiar to the land and which are not applicable to other lands in the same zoning district.

The applicant is seeking a variance to the maximum allowable size of an accessory structure which is 1,800 square feet. The applicant proposes a 1,824 square foot accessory structure. This property is on a 9,000 square foot lot and according to city zoning codes, an accessory structure can’t exceed 10% of their lot area. The structure can’t be more than 900 square feet to conform to this zoning code. The proposed accessory structure also encompasses more floor area than the principal structure (680 square feet) which is not allowed. To encompass and conform to all of these zoning codes, the accessory structure can be no bigger than 680 square feet.

The proposed accessory structure is also proposed to be 24-feet in height. The Zoning Code Regulations state that accessory buildings and structures shall not be taller than the principal structure and not exceed a height of 24-feet. The principal structure on the property is a one-story single-family dwelling with a height of less than 24-feet.

Additionally, there are no special conditions or circumstances for the lot impacting a need for an oversized structure. No topographic conditions, such as streams and floodplains, or abnormal lot characteristics, such as size and shape, are present. Concluding that, there is no apparent need to include an accessory structure that exceeds the maximum height and size limitations.

The applicant indicates that the building would be used to accommodate multiple vehicles, including a camper/motorhome, along with additional storage space. It was stated that one end of

the garage would be used as an additional family room during the holidays. The additional space for a family room is not necessary and could decrease the accessory structure size. If the variance regarding the size of the structure were to be approved, it would not meet neighborhood expectations of enforcement and compliance with city zoning code regulations. Likewise, it would establish a precedent for future development and subsequently alter the character of residential neighborhoods that would not be in harmony with the general purpose and intent of the zoning code or comprehensive plan.

As a result, staff cannot find that this finding of fact is found favorably.

This criterion is not met.

Applicant Comment: The existing conditions of the property are such that the home size and location limits additional space for the home. This is the reasoning behind the need for a variance to allow the garage to serve as an additional storage space for the property owners. Other properties in the community don't have this issue due to the size of homes they have.

- ii. **That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter. This finding of fact asks if the applicant would be deprived of a right commonly enjoyed by other properties within the zoning district;**

Staff Comment: This finding of fact asks whether the applicant would be deprived of a right that is commonly enjoyed by other properties within the same zoning district, under the terms of this chapter. In regard to the request to allow for an oversized accessory structure, the applicant is not being deprived of a right that is otherwise commonly enjoyed by other properties within the Zoning District. Other properties within this established zoning district are not allowed to build an oversized accessory structure that exceeds the maximum allowable size (1,800 square feet) or exceeds 10% of lot area. If this application was approved, this applicant would have a right that other properties do not have.

Similarly, the proposed accessory structure would exceed the height of the principal structure, which is a single-story residential dwelling which averages 14-feet in height. The accessory structure is proposed to be 24-feet in height. Other properties within this established zoning district are not allowed to build an accessory structure that exceeds the height of the principal structure on their property.

Likewise, the strict application of the size requirement does not constitute an unnecessary hardship upon the applicant, but more so an inconvenience, as the property owner can still make reasonable and economically viable use of the property, if required to conform to zoning code requirements relating to maximum allowable accessory structure size and height.

The purpose and intent of this related code section is to outline standards and regulations for accessory structures that are necessary and customarily associated with and are appropriate, incidental, and subordinate to principal uses. The purpose and intent outlined in Chapter 165 as it relates to accessory structures is to regulate the size and number of these structures, in order to protect general welfare and to encourage the most appropriate use of land.

If the variance were to be approved, it could adversely affect the order, convenience, and/or general welfare of the neighborhood, as the oversized structure would not meet neighborhood expectations of enforcement and compliance with City Zoning Code Regulations. The purpose of these regulations is to maintain the character and integrity of the neighborhood while ensuring that accessory structures do not become disproportionately large or intrusive.

Staff finds that this finding of fact can be seen as unfavorable.

This criteria is not met.

Applicant Comment: The community has examples of similar variances that have been acquired due to the hardships that are presented with the lot size, home size, and space for accessory structures. This property owner is being denied rights that others have benefitted from due to the existing condition and size of home that this property has.

iii. That the special conditions and circumstances do not result from the actions of the applicant;

Staff Comment: This finding of fact asks whether conditions or hardship experienced by the applicant are self-imposed. The strict application of the size requirement does not constitute an unnecessary hardship upon the applicant, but more of an inconvenience, because the property owner can still make reasonable and economically viable use of the property, if required to conform to zoning code requirements.

The accessory structure is proposed to be 1,824 square feet in order to create another family room to be used for holidays. If more space is desired from the property owners, there are other viable options, like constructing an attached addition to the principal structure, while conforming to zoning code requirements.

The 24-foot height of the structure was requested by the applicant to allow storage of a camper/mobile home. According to the zoning codes, an accessory structure must not encompass more floor area nor have a greater height than the principal structure. The principal structure on the property is a single-story residential dwelling. Single story dwellings average to be 14-feet in height. The proposed 24-foot-tall accessory structure would be approximately 10 feet taller than the principal structure, which is not allowed according to zoning codes. Alternative options that would conform to zoning code requirements could include storing the camper/mobile home off property or decreasing the height of the accessory structure, so it does not exceed the height of the principal structure and reducing the size to 900 square feet.

The applicant indicates that the building would be used to accommodate multiple vehicles, including a camper/motorhome, along with additional storage space. It was stated that one end of the garage would be used as an additional family room during the holidays. The additional space for a family room is not necessary and could decrease the accessory structure size.

If the variance regarding the size of the structure were to be approved, it would not meet neighborhood expectations of enforcement and compliance with city zoning code regulations. Additionally, this accessory structure would become disproportionately large and disrupt the character and integrity of the neighborhood. It would establish a precedent for future development and subsequently alter the character of residential neighborhoods that would not be in harmony with the general purpose and intent of the zoning code or comprehensive plan.

Staff does not find that this finding of fact can be met.

This criteria is not met.

Applicant Comment: The owner requesting this variance acquired this home after it was built. The conditions of the home size and location were established prior to the ownership creating a hardship that doesn't afford the same rights to this owner that other owners have.

- iv. **That granting the variance request will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of land, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.**

Staff Comment: This finding of fact asks whether a special privilege would be granted to the applicant that is otherwise denied to other lands, structures, or buildings within the same zoning district. Variances are granted when a hardship for a property owner occurs, which simultaneously disenfranchise the property owner from a right that other property owners within the same zoning district commonly have.

If this variance were to be granted, to allow for an oversized accessory structure, staff finds that a special right or privilege would be granted to the property that other properties within the Zoning District do not have. It would be denied administratively through the building permit process.

It is essential to uphold the integrity and consistency of zoning regulations to ensure that each property owner is treated fairly and equally within the established guidelines. Granting variance that deviated from the zoning code would set a precedent that may lead to future development deviations and ultimately alter the character of residential neighborhoods, which may not be in harmony with the general purpose and intent of the zoning code.

For those reasons, staff finds that this finding of fact cannot be viewed favorably.

This criteria is not met.

Applicant Comment: This variance is to create an equality of space with this property in comparison to others throughout the community. This variance would not afford the property owner any special privileges or superior rights in comparison to neighboring properties.

SUMMARY OF FINDINGS

The following summary of findings are provided as reasonings to deny the variance request:

- 1) The variance request is not favorable towards one or more findings of fact outlined in the Zoning Code.
- 2) The variance is not created by the regulations and arises from an action (desire) of the applicant to construct an oversized accessory structure.
- 3) The location of the proposed structure would be visible from adjacent properties and streets, including E. Salem Ave. This visibility would impact local neighborhood aesthetics.
- 4) Granting the variance would provide a right and privilege that other properties do not have.
- 5) Deviation from the Zoning Code Regulations would not be in harmony with the intent and purpose of the Zoning Code, which is to protect the general welfare of the neighborhood.
- 6) An unnecessary hardship does not exist if the request is denied, as the applicant has other avenues, and the property owner can still build an accessory structure that is up to code requirements.

If the variance were to be approved, the Board of Adjustment should be prepared to summarize, for inclusion in the minutes of the meetings, its reasons to approve, which will serve as the applications decision and order.

COMMENTS FROM THE GENERAL PUBLIC

Notification letters were mailed to surrounding property owners within 200-feet of the subject property regarding the variance request on May 24, 2024. The following comments were received at the time of the writing of this report.

1. My property at 1011 East Salem Avenue has no problem with Brenda getting her variance.
(Linda and Gerald Hayes, 1011 E. Salem Avenue)

ALTERNATIVES

The City of Indianola Board of Adjustment may consider the following alternatives:

- 1) The City of Indianola Board of Adjustment approves the variance request, as submitted.
- 2) The City of Indianola Board of Adjustment approved the variance request, with conditions.
- 3) The City of Indianola Board of Adjustment denies the variance request.**
- 4) The City of Indianola Board of Adjustment remands the variance request back to the applicant and/or staff for further review and/or modifications and directs staff to place this item on a future Board of Adjustment agenda.

RECOMMENDATION

Staff recommends that the Indianola Board of Adjustment move alternative 3, to deny the variance request.

BOARD OF ADJUSTMENT APPLICATION

Community Development

110 North 1st Street, Indianola, Iowa 50125-0299
(515) 961-9430 • comdev@indianolaiowa.gov



PROPERTY OWNER

(Last Name) _____
(First Name) _____
(Address) _____
(City) _____ (State) _____ (Zip) _____
(Phone) _____ (Email) _____

APPLICANT (if not Property Owner)

(Last Name) Wickett
(First Name) Brenda
(Address) 307 North D street
(City) Indianola (State) Iowa (Zip) 50125
(Phone) 515-210-1433 (Email) wtwldt@msn.com

☐ APPEAL

Submittal Requirements:

*All submittal requirements must be completed.
Incomplete applications will not be considered*

- ☐ Completed Application
- ☐ Filing Fee: \$300 per request
- ☐ Written narrative indicating where it is alleged there is error in any order, requirement, decision, or determination made by the Administrative Officer in the enforcement of this Code of Ordinances of Indianola, Iowa.
- ☐ Other Information as required by Director

☐ SPECIAL USE PERMIT

Submittal Requirements:

*All submittal requirements must be completed.
Incomplete applications will not be considered*

- ☐ Property Address: _____
- ☐ Completed Application
- ☐ Filing Fee: \$300 per request
- ☐ Site Plan and Elevations as outlined in 165.06
- ☐ Written narrative indicating the special use permit sought and response to the criteria outlined in Section 165.02(3)(B)(3)(c)(v) of the Code of Ordinances of Indianola, Iowa
- ☐ Other Information as required by Director

☒ VARIANCE

Submittal Requirements:

*All submittal requirements must be completed.
Incomplete applications will not be considered*

- ☒ Property Address: 1006 E. Salem - Indianola, Iowa 50125
- ☒ Completed Application
- ☒ Filing Fee: \$300 per request
- ☒ Site Plan and Elevations
- ☒ Written narrative indicating justification for proposed variance and response to the criteria outlined in Section 165.02(3)(B)(3)(b) of the Code of Ordinances of Indianola, Iowa
- ☐ Other Information as required by Director

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that in filing this application I am acting with the knowledge, consent and authority of the owner(s) of the property. Pursuant to said authority, I hereby permit City officials to enter upon the property for the purpose of inspection related to this application.

Signature

Brenda Wickett

Name (printed) Brenda Wickett

Date _____

FOR OFFICE USE ONLY:

Code to 45180

Date Received: _____
Receipt No: _____
Receipt Amount: _____
BOA Agenda Date: _____

To Whom It May Concern,

We were a 5-piece family and then blessed with 4 grandchildren. The grandbabies went to Irving year-round school located right beside our current home at 307 North D Street.

We have lived in this 1853 square foot 3 floor home with a 3-car garage for 25 plus years.

We are downsizing to 680 square feet, 1 floor with no garage at 1006 E. Salem.

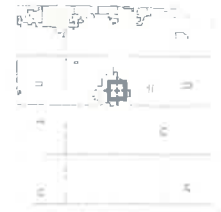
We are applying for a variance, so we will have the extra space needed.

We need to put up a garage at Salem, so we can park vehicles and have some storage space. Also wanting one end of the garage to be a family room for the holidays. We need the height to park a camper/motorhome inside.

We will match the house which needed some improvements to the new garage.

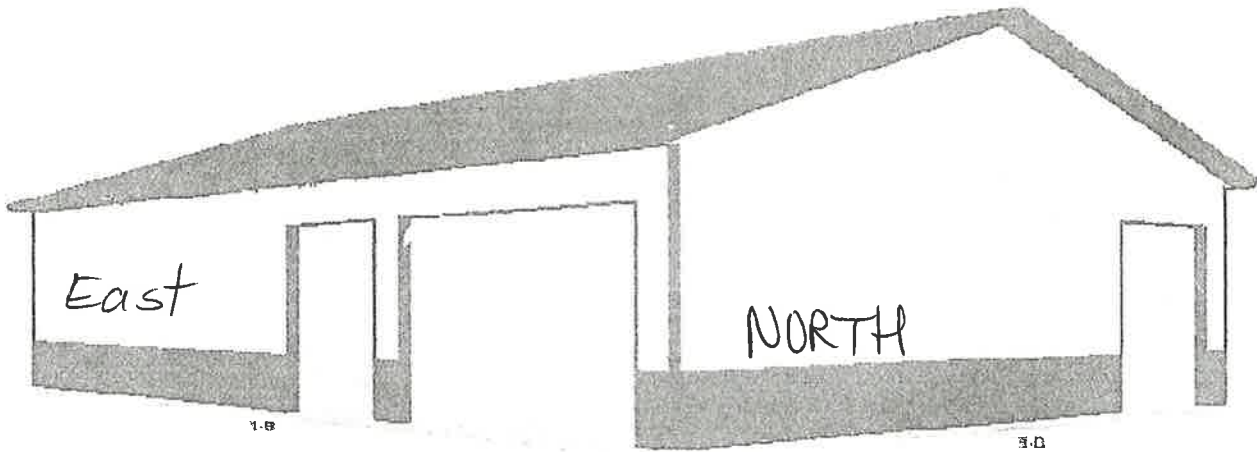
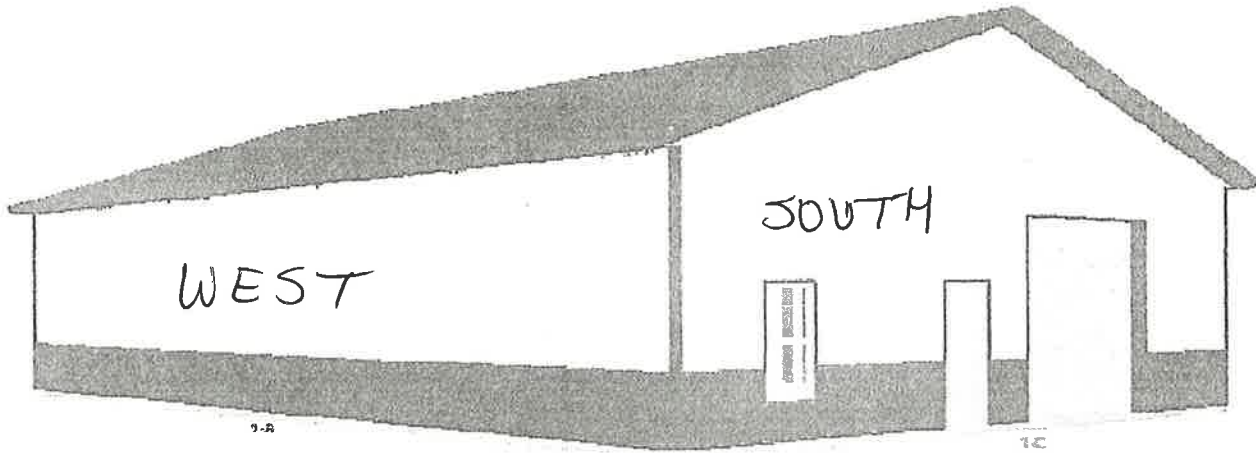
We are excited to have a good-looking new place close to our grandkid's schools and sporting events.

Sincerely, Tracy & Brenda Wickett



(Note: Not to be used on legal documents)

Elevation Views



38 x 48 x 24

From: [Linda Hayes](#)
To: [Community Development](#)
Subject: Brenda Wickett variance
Date: Friday, May 31, 2024 12:27:46 PM

[Some people who received this message don't often get email from momhayes52@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

My property at 1011 East Salem Ave has no problem with Brenda getting her variance
Linda and Gerald Hayes
Any questions please call
515-238-7086
Sent from my iPhone

CITY OF INDIANOLA, IOWA

BOARD OF ADJUSTMENT

IN THE MATTER OF THE APPLICATION OF:

Brenda Wickett for a variance under the terms of Section 165.02(3)(B) of the Code of Ordinances of Indianola, Iowa, to allow for an increase of 1,144 square feet in allowable accessory structure size and to allow for the accessory structure to exceed floor area and height of the principal structure, which if allowed as requested, would not be in conformity with the requirements of Section 165.04(2)E of the Code of Ordinances of Indianola, Iowa.

FINDINGS OF FACT

The City of Indianola, Iowa Board of Adjustment has reached the following Findings of Fact:

- 1. The property identified as 1006 E. Salem Ave is owned by Brenda Wickett and Thomas Wadle.*
- 2. The property identified as 1006 E. Salem Ave is in the R-1 Single-Family Residential Detached Zoning District.*
- 3. City Zoning Code Section 165.04.2.E(1) requires accessory structures not to exceed 1,800 square feet in size nor to exceed more than 10% of the total lot area.*
- 4. City Zoning Code Section 165.04.2.E(2) requires accessory structures to not exceed the floor area or height of the principal structure.*
- 5. A variance is requested in order to allow for an accessory structure which would exceed the total floor area of the principal structure, which is 680 square feet, by 1,144 square feet. This would result in an accessory structure totaling 1,824 square feet in size. It would also allow the accessory structure to exceed the height of the principal structure.*
- 6. The variance is not created by the regulations and arises from an action (desire) of the applicant to construct an over-sized accessory structure.*
- 7. The location of the proposed structure would be visible from adjacent streets, including E. Salem Ave. This visibility would impact local neighborhood aesthetics.*
- 8. Granting the variance would provide a right and privilege that other properties do not have under the City of Indianola's Zoning Code Regulations.*
- 9. An unnecessary hardship does not exist if the request is denied, as the applicant has other reasonable and economically viable options.*
- 10. Deviation from the Zoning Code Regulations would not be in harmony with the intent and purpose of the Zoning Code, which is to protect the general welfare of the neighborhood.*

DECISION

According to Section 165.02(3)(B)(3)(b) of the Code of Ordinances of Indianola, Iowa to grant a variance from the terms of the Zoning Ordinance when a property owner can show that the owner's property was acquired in good faith and where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property, or where by reason of exceptional topographical conditions or other extraordinary or exceptional situation, the strict application of the terms of the Zoning Ordinance actually prohibits the use of such property in a manner

reasonably similar to that of other property in the same district, and where the Board is satisfied under the evidence before it that a literal enforcement of the provisions of the Zoning Ordinance would result in unnecessary hardship; provided, however, all variations granted under this clause shall be in harmony with the general purpose and intent of the Zoning Ordinance. Furthermore, the following findings shall be made in order to grant a variance:

- i. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- ii. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance;
- iii. That the special conditions and circumstances do not result from the actions of the applicant;
- iv. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district. No nonconforming use of neighboring lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

In granting any variance, the Board may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of any such conditions and safeguards shall be deemed a violation of this Ordinance. Under no circumstances shall the Board grant a variance to allow a use not permissible under the terms of the Zoning Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of the Zoning Ordinance in said district. If relevant and applicable, the Board may prescribe a time limit within which the action for which the variance is required shall begin or be completed, or both. Failure to begin or complete, or both, such action within the time limit shall void the variance. If no time limit is set by the Board and if relevant to the variance, then the granted variances shall become void eighteen months after the date of the Board approval unless a building permit has been issued for the construction provided for by the variance. In the event the building permit for the construction provided for by the variance expires or is canceled, then the variance approval shall become void.

Analysis of Code Criteria

Brenda Wickett is seeking to construct a thirty-eight by forty-eight foot (38x48) accessory structure twenty-four feet (24) in height on property addressed as 1006 E. Salem Ave. The lot in question, which is 0.21 acres in size, contains a single-family structure built in 1953. No other structures incidental to this use exists on the site.

Lot characteristics show that there are no topographic conditions, such as steep slopes and bodies of water on the site that may limit the location of an accessory structure. The proposed accessory structure would take up one fifth (1/5) of the lot which is 9,000 square feet. The accessory structure, which is 1,824 square feet, would be over double the square footage of the principal structure, which is 680 square feet.

The applicant has indicated that this space is needed for vehicle parking and extra storage space. One of the vehicles is a camper/motorhome which requires the extra height. Additionally, the applicant wants to allocate one side of the structure to be an extra family room.

ORDER

MOTION:

Move to approve the request from Brenda Wickett for a variance under the terms of Section 165.02(3)(B) of the Code of Ordinances of Indianola, Iowa, to allow for an increase of 24 square feet in allowable accessory structure size and to allow for the accessory structure to exceed floor area and height of the principal structure, which if allowed as requested, would not be in conformity with the requirements of Section 165.04(2)E of the Code of Ordinances of Indianola, Iowa.

VOTE: (_____ - _____) (_____ - _____)

WHEREFORE, it is ordered that the application from Brenda Wickett for a variance under the terms of Section 165.02(3)(B) of the Code of Ordinances of Indianola, Iowa, to allow for an increase of 24 square feet in allowable accessory structure size and to allow for the accessory structure to exceed floor area and height of the principal structure, which if allowed as requested, would not be in conformity with the requirements of Section 165.04(2)E of the Code of Ordinances of Indianola, Iowa is hereby **denied**, as evidence by the Board's finding that all code criteria **have not** been met as required by the Code of Ordinances of Indianola, Iowa; and

WHEREFORE, any taxpayer, or any officer, department, board or bureau of the City, or any person or persons jointly or severally aggrieved by any decision of the Board may present to a court of record a petition, pursuant to Iowa Code 17A.19, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after the filing of the decision in the office of the Board.

Ordered this 5th day of June, 2024

Lee Bash
Chairperson
Board of Adjustment
City of Indianola, Iowa

FILING DATE: