CITY OF DES MOINES’
ZONING BOARD OF ADJUSTMENT
AGENDA
FOR THE MEETING SCHEDULED FOR
FEBRUARY 26, 2020
MEETING TO BEGIN AT 1:00 PM IN THE 2ND FLOOR BOARD ROOM
WITHIN THE CITY’S MUNICIPAL SERVICE CENTER AT
1551 EAST MARTIN LUTHER KING, JR. PARKWAY, DES MOINES, IA 50317.

The Zoning Board of Adjustment has the power under Iowa law and the Zoning Ordinance of the City of Des Moines (City Code Chapter 134) to hear requests and make decisions on matters such as Variances and Exceptions from the regulations in the Zoning Ordinance, Conditional Use Permits, Special Permits, and appeals of the decisions of City staff in the administration of the Zoning Ordinance.

MEETING PROCEDURE:
The meeting is an open and informal meeting that is recorded and broadcast on DMTV Mediacom Cable Channels 7.1 and 7.2. The Board members receive copies of the agenda and staff recommendations before the meeting. Copies of the agenda and staff recommendations are available to the general public.

The Board is required to base its decision on each case upon the criteria established by law for the type of relief sought by the applicant. The law applicable to each case is identified in the written staff report. If the facts, as determined by the Board, demonstrate that the criteria established by law for granting the request have been satisfied, then the Board must grant the request. Otherwise, the Board must deny the request. All speakers are requested to focus their comments upon those facts that demonstrate whether or not the criteria established by law have been satisfied. All material used as part of any presentation must be submitted as a part of the permanent record and will not be returned.

Items listed on the Consent Public Hearing Items portion of the agenda will not be individually discussed and will be considered for approval in accordance with the recommendation in the staff report unless an individual present or member of the Board requests that the Item be removed from the Consent Public Hearing Items portion agenda and separately considered under the Non-Consent Public Hearing Items portion of the agenda. Each appeal will be announced in the order it appears on the agenda and then City staff will present a brief explanation of the appeal. Any written comments received by staff prior to the hearing will be distributed to the Board for review.

All speakers are requested to speak from the podium and to start their presentation by giving their name and address. After staff introduces a request, the appellant or a representative of the appellant is allowed to speak first, and will be allowed ten minutes to present the appeal. Anyone else present in support of the appeal will then each be allowed five minutes to present their comments. Anyone present in opposition to the appeal will then be allowed five minutes each to present their comments. The appellant/representative will then be allowed three minutes for rebuttal or other closing comments. The hearing will then be closed to public comment and the Board will make a decision. The decision and the reason will be announced.

The Board has 7 members. It takes the affirmative vote of at least 4 members to grant any appeal or request, regardless of the number of members actually present at any meeting. If 5 or fewer members of the Board are present when the Chair calls an Item, the applicant may request that the Item be continued until the next monthly meeting to have the opportunity to present the matter to a full Board. The request should be made as soon as the Chair calls the Item and before the staff report is given. The Board has discretion to grant or deny any such request. If a continuance is granted, there is no guarantee that more members of the Board will be present at the next meeting.

Following the meeting, any person or persons, jointly or severally, aggrieved by any decision of the board of adjustment under the provisions of this chapter, or any taxpayer, or any officer, department, board, or bureau of the municipality, may present to a court of record a petition, 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 days after the filing of the decision in the office of the board.

The City of Des Moines is pleased to provide accommodations to disabled individuals or groups and encourages participation in City government. To better serve you, please contact City staff at least three business days in advance when possible at 515-283-4209, should special accommodations be required. Assistive Listening Devices are available for meetings in the Council Chambers.

If you have questions, please contact City staff at 515-283-4257 or visit the Zoning Board of Adjustment’s website at http://www.dmgov.org/government/boards/ZoningBoardofAdjustment.
***** BEGIN CONSENT PUBLIC HEARING ITEM *****

ITEM 1

Each Item listed on this portion of the agenda will be reviewed in turn by the Board, at which time the Item will either be approved or forwarded to the Non-Consent Public Hearing portion of the agenda for further discussion and action.

<table>
<thead>
<tr>
<th>Item 1</th>
<th>ZON 2020-00014</th>
<th>GBD, LLC, 100 East McKinley Avenue</th>
<th>Type 2 Exception</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Appellant:</strong></td>
<td>GBD, LLC, represented by Daniel Doyle, 2009 6th Avenue, Des Moines, IA 50314. South Ankeny Boulevard, Ankeny, IA 50021.</td>
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<tr>
<td><strong>Premises Affected:</strong></td>
<td>100 East McKinley Avenue.</td>
<td></td>
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<tr>
<td><strong>Legal Description:</strong></td>
<td>On file with the Community Development Department.</td>
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<tr>
<td><strong>Zoning:</strong></td>
<td>“NX1” Neighborhood Mix District.</td>
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<tr>
<td><strong>Applicable Neighborhood Association:</strong></td>
<td>Magnolia Park Neighborhood Association.</td>
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</tbody>
</table>

**Proposal:**
Installation of a 3.5-foot tall by 8-foot wide (28 square feet) sign atop a 2-foot tall masonry base.

**Appeal(s):**
Type 2 Exception for 4 square feet over the maximum 24 square feet of signage area allowed for a multiple-household living use with 16+ units in an "NX1" District.

*Required by City Code Table 134-5.5-1 & Section 134-6.6.2.1*

***** END CONSENT PUBLIC HEARING ITEMS *****

***** BEGIN DISCUSSION PUBLIC HEARING ITEMS *****

<table>
<thead>
<tr>
<th>Item 2</th>
<th>ZON 2020-00016</th>
<th>Cornerstone Community Credit Union 414 61st Street</th>
<th>Variances</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Appellant:</strong></td>
<td>Cornerstone Community Credit Union (now doing business as Vibrant Credit Union), represented by Derick Thurston, 1900 52nd Avenue, Moline, IL 61265.</td>
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<td></td>
</tr>
<tr>
<td><strong>Premises Affected:</strong></td>
<td>414 61st Street.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Legal Description:</strong></td>
<td>On file with Community Development Department.</td>
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<tr>
<td><strong>Current Zoning:</strong></td>
<td>“F” Flood District.</td>
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<tr>
<td><strong>Applicable Neighborhood Association:</strong></td>
<td>Waterbury Neighborhood Association.</td>
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</tbody>
</table>

**Proposal:**
The appeals would allow installation of the following signs:
- A 1.58-foot tall by 6.26-foot wide (9.89 square feet of signage area) sign mounted on the south façade of the structure.

**Appeal(s):**
Variance of two (2) signs over the maximum zero (0) signs allowed for an occupant in an “F” Flood District.

Variance of 22.11 square feet of signage area over the maximum zero (0) square feet of sign area allowed for an occupant in an “F” Flood District.

*Required by City Code Table 134-5.6-1 & Section 134-6.7.7(A)*
Item 3 ZON 2020-00020  Janssen Lodging, Inc., 1000 Walnut Street

Variances & Type 2 Exceptions

Appellant: Janssen Lodging, Inc., represented by Raj Patel, 2706 James Street, Coralville, IA 52241.
Premises Affected: 1000 Walnut Street.
Legal Description: On file with Community Development Department.
Current Zoning: “DX1” Downtown Mixed-Use District.

Proposal: The appeals would allow installation of the following signs, including seven (7) signs that would identify a hotel occupant that has frontage along both Walnut Street and 10th Street; five (5) signs that would identify a restaurant occupant that has frontage along both Walnut Street and 10th Street; and six (6) signs that would identify a restaurant occupant that has frontage along 10th Street:

North façade: Six (6) signs, including three (3) signs that identify the hotel occupant and three (3) signs that identify a restaurant occupant, totaling 204.007 square feet of signage area, including:

- One (1) sign measuring 0.58-feet tall by 14.33 feet wide (8.31 square feet) affixed to a metal canopy that would project up to 10.8 feet from the structure.
- Two (2) signs measuring 3.5 feet tall by 2.25 feet wide (7.88 square feet each) that would project up to 2.75 feet from the building.
- Three (3) awnings that would project up to 3 feet from the building, where each awning would measure up to 5 feet tall by 12 feet wide (60 square feet each) and contain signage.

East façade: Eleven (11) signs, including three (3) signs that identify a hotel occupant, two (2) signs that identify a northerly restaurant occupant, and six (6) signs that identify a southerly restaurant occupant, totaling 362.64 square feet of signage area, including:

- One (1) sign measuring 1 foot tall by 24.58 feet wide (24.58 square feet) affixed to a metal canopy that would project up to 10.8 feet from the structure.
- Two (2) signs measuring 3.5 feet tall by 2.25 feet wide (7.88 square feet each) that would project up to 2.75 feet from the building.
- One (1) 3 feet tall by 3 feet wide (9 square feet) sign and two (2) 1.33 feet tall by 5 feet wide (6.65 square feet each) signs, all affixed to a canopy that would project 10.8 feet from the building.
- Five (5) awnings that would project up to 3 feet from the building, where each awning would measure up to 5 feet tall by 12 feet wide (60 square feet each) and contain signage.

South façade (non-frontage): One (1) sign totaling 211.47 square feet of signage area, including:

- A 3.5 feet tall by 66.07 feet wide (231.24 square feet of signage area) roof sign mounted on the side of the screening material surrounding rooftop mechanical equipment.

Note: All signs and canopies projecting from the building must provide at least 9 feet of vertical clearance above the sidewalk.

Continued on following page
**Continued from previous page**

**Appeal(s):**  Type 2 Exception for one (1) sign over the maximum two (2) signs on the north (frontage) façade of the structure allowed for the hotel occupant.

Type 2 Exception for one (1) sign over the maximum two (2) signs on the north (frontage) façade of the structure allowed for the bar occupant.

Type 2 Exception for one (1) sign over the maximum two (2) signs on the east (frontage) façade of the structure allowed for the hotel occupant.

Variance for four (4) signs over the maximum two (2) signs on the east (frontage) façade of the structure allowed for the restaurant occupant.

Variance of the provision that requires any projecting sign to be separated from any other projecting sign by at least 30 feet.

Variance for one (1) sign over the maximum zero (0) signs on the south (non-frontage) façade of the structure allowed for the hotel occupant.

Variance for 231.24 square feet of signage area over the maximum zero (0) square feet of signage area on the south (non-frontage) façade of the structure allowed for the hotel occupant.

*Required by City Code Table 134-5.6-1, Section 134-5.3.1.B, Section 134-6.6, & Section 6.7*

**Approval of Minutes for the January 22, 2020 Zoning Board of Adjustment meeting.**