

**CITY OF WEST DES MOINES
BOARD OF ADJUSTMENT COMMUNICATION**

Meeting Date: July 26, 2017

Item: The Quilt Block, 325 5th Street – Sign Variance to allow the attachment of a sign to an existing pylon sign pole on that property located at 325 5th Street – Mary Miller/VJ Foundation – VAR-003545-2017

Requested Action: Approval of a Variance

Case Advisor: Kevin Wilde *KW*

Applicant's Request: The applicants, Mary Miller, dba The Quilt Block, and Jim Miller, Director of the Valley Junction Foundation, are requesting a sign variance to allow the placement of a projecting sign on an existing metal pole on the subject property located at 325 5th Street. The property is located in the Valley Junction Historical Business (VJHB) zoning district. A new Sign Code was recently adopted which included provisions to allow projecting signs to be mounted on buildings, but does not allow pole signs. The applicant has indicated that the existing building façade would require substantial structural reinforcement to be able to support a projecting sign and is proposing to use an existing pole adjacent to the building to support the sign (see Attachment C). The pole is located 3'6" to the south of the building and is one (1) foot to the west of the building, which would be approximately 9' from the public right-of-way of 5th Street. The applicant has proposed to cut the pole off to be equal to the height of the existing building (see Attachment D – Location of the Pole).

History: The property is platted as Lots 15 & 16, Block 18, 1st Addition to Valley Junction. Per the Polk County Assessor, the building was built in 1969 and the property was purchased by The Quilt Block in 1993. Staff has been unable to determine when the pole was installed on the site but the approximate date of the photo was July 18, 2014 and it appears to have previously been a sign structure.

The proposed sign for The Quilt Block (see Attachment F) is one of ten sign proposals that was jury selected as part of the Valley Junction CoSign project. The CoSign project is a competitive national program that was started in 2013, by people associated with the American Sign Museum in Cincinnati, OH. CoSign facilitates the pairing of local business owners, local artists and professional sign fabricators through a unique selection process to collaborate, design and install new business signage in the selected area to enhance the area and increase economic activity in the area. The Historic Valley Junction district is the first community in Iowa to be selected for the pilot program when the program went national. The Valley Junction Foundation was the applicant for the CoSign Program and are also listed as a co-applicant on this variance request.

Staff Review and Comment on the Variance Requests: This request was distributed to other City departments and other agencies for their review and comment. Staff notes the following:

- **Code requirements for projecting signs:**
As noted above, the City recently adopted a new sign code that allows projecting signs throughout the city. The regulations allow projecting signs as part of the allowed wall signage, with a limitation on the maximum size of a projecting sign to 20 sf and a limitation that the sign cannot project more than five feet (5') from the wall of the building. The proposed sign is three foot (3') wide and four foot (4') high, well under the 20 sf maximum allowed. As proposed, the placement of the proposed sign on the pole would be equal to the five foot (5') projection allowed for a building mounted sign. Staff would note that a minimum five foot (5') setback from the right-of-way is required for a projecting sign, however, an exception is granted within the VJHB District. The proposed sign location is over private property, thus a hold harmless agreement and indemnification of the city is not required.

- **Other Code provisions:**
Section 9-18-12: *Prohibited Signs*: Paragraph F, states, *Pole signs, [are prohibited] except where allowed through specific district regulations*. In the new sign code, Section 9-18-13: *Areas of Special Character*, (see Attachment G), recognized that there are unique areas within the city where, by City Council action, exceptions to the sign code provisions could be adopted. These exception may include: Architecturally significant, history and scenic areas, Planned Unit Developments, Specific Plan areas, and Development Overlay Districts. A specific example of an Area of Special Character where an exception to the prohibition of pole signs was allowed is within the Val Gate District along Grand Avenue between 1st and 4th Streets. Within that district it was recognized that, historically, pole signs were characteristic of the 1950's era. So an overlay district was created with guidelines for the preservation of pole signs and architecture of that era.

Indisputably, the Historic Valley Junction area could qualify as an “Area of Special Character”, however no formal action has been taken by the City Council to define exceptions to the code beyond what has been written into the regulations for the VJHB district. Staff would also question whether adopting provisions to allow or promote pole signs in the VJHB district would aid in preserving the character of the district. Staff was more supportive of the review of this request as a variance, rather than consideration of allowing pole signs specifically as part of the VJHB District.

Noticing Information: On July 17, 2017, a notice of the July 26, 2017, Board of Adjustment public hearing was published in the *Des Moines Register*. Notice of this public hearing was mailed to all surrounding property owners within 370 feet of the subject property on July 13, 2017.

Staff Conditions upon an Approval for the Variance: Should the Board of Adjustment make the findings and vote to approve the Variance request, staff recommends the Board of Adjustment include a condition that the sign comply with all other code requirements for a projecting sign with the exception of being mounted on the pole instead of the building.

Property Owner and Applicant: Mary E. Miller, dba The Quilt Block
325 5th Street
West Des Moines, IA 50265
iowaquiltblock@yahoo.com

Applicant's Representative: Jim Miller, Director
Historic Valley Junction Foundation
137 5th Street
West Des Moines, IA 50265
director@valleyjunction.com

Attachments:

- | | | |
|--------------|---|---|
| Attachment A | - | Board of Adjustment Resolution |
| Attachment B | - | Location Map |
| Attachment C | - | Applicant's Request |
| Attachment D | - | Location of the Pole |
| Attachment E | - | Photo of Site from Polk County Assessor's website |
| Attachment F | - | Sign Proposal |
| Attachment G | - | 9-18-13: Areas of Special Character |

ATTACHMENT A

Prepared by: K. Wilde, West Des Moines Development Services PO Box 65320 West Des Moines IA 50265-0320 515-222-3630
When Recorded, Return to: City Clerk, City of West Des Moines PO Box 65320 West Des Moines IA 50265-0320

RESOLUTION

A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF WEST DES MOINES, _____ (APPROVING OR DENYING) THE VARIANCE REQUEST (VAR-003545-2017) TO ALLOW THE PLACEMENT OF A PROJECTING SIGN ON AN EXISTING METAL POLE ON THE SUBJECT PROPERTY AT 325 5th STREET

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Mary E. Miller, dba The Quilt Block, has requested approval of a variance from Title 9, *Zoning*, Chapter 18, *Signs*, Subsection 12, *Prohibited Signs*, paragraph F, *Pole Signs*, to allow the placement of a projecting sign on an existing metal pole on the subject property located at 325 5th Street., which is legally described as:

Legal Description of Property

LOTS 15 & 16, BLOCK 18, 1st ADDITION TO VALLEY JUNCTION, A SUBDIVISION LOCATED WITHIN THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, on July 26, 2017, the Board of Adjustment held a duly-noticed public hearing to consider the application for a variance (VAR-003545-2017);

WHEREAS, based upon a review of the submitted variance request, the Board of Adjustment has made the following findings on the proposed project (VAR-003545-2017);

1. That the proposed development or use _____ (is or is not) consistent with the West Des Moines comprehensive plan and any applicable subarea plan, founded on the following information:

2. That there _____ (are or are not) special circumstances or exceptional characteristics applicable to the subject property with regard to size, shape, topography or location, which do not apply generally to comparable properties in the same vicinity and zones, founded on the following information:

3. That the strict application of the zoning regulations as they apply to the subject property _____ (will or will not) result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such regulations provided that such hardships shall not be self-imposed by the applicant or his or her successor in interest, founded on the following information:

4. That there _____ (**have been or have not been**) changes in the character of the site or its surroundings which detrimentally affect the environment, founded on the following information:

5. That the granting of such variance _____ (**does or does not**), under the circumstances and conditions applied in the particular case, adversely affect the health or safety of persons, is not materially detrimental to the public welfare, nor injurious to nearby property or improvements, founded on the following information:

NOW, THEREFORE, THE BOARD OF ADJUSTMENT OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. A Variance Request (VAR-003545-2017), to allow the placement of a projecting sign on an existing metal pole at a height equal to the adjacent building on the subject property located at 325 5th Street is _____ (**approved or denied**).

PASSED AND ADOPTED on July 26, 2017

Michael R. Blaser, Chairperson
Board of Adjustment

ATTEST:

Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Board of Adjustment for the City of West Des Moines, Iowa, at a regular meeting held on July 26, 2017, by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

ATTEST:

Recording Secretary



1:600



100.0 0 50.00 100.0 Feet

NAD_1983_StatePlane_Iowa_South_FIPS_1402_Feet
© City of West Des Moines, Iowa

Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

ATTACHMENT C

VARIANCE REQUEST RELATING TO (Check all that apply):

Area
 Parking
 Height
 Yard (setbacks, separation, etc.)
 Sign
 Permitted Conditional Use
 Other: (i.e. - exception to district regulations) Please Specify below;

Appeal

REASON FOR VARIANCE OR APPEAL REQUEST:

Briefly explain the reason(s) for the variance request, including reasons why you cannot comply with the regulations of the Zoning Ordinance: _____

We are requesting a variance for a sign that would be installed at 325 5th Street, owned and occupied by Mary Miller, The Quilt Block. Current code allows for projection signage to be installed in VJHB with total square footage not to exceed 20 square feet, and a maximum of 5' projection from the wall and minimum of 8' above the sidewalk. The parapet of the building is not structurally sound enough to support such a sign, and would not be able to be used barring major structural alterations. We are proposing to use an existing pole next to the building on which to mount the sign. The existing pole is located 3'6" south and 1' west of the building, and would be cut down to the same height of the building parapet (12'5"). The sign is 4'x3' (under the maximum of 20 square feet), and would be installed so the bottom of the sign is 8' above the ground below. This would allow us to install the sign as close to what the code would allow under normal circumstances.

LEGAL DESCRIPTION OF SUBJECT PROPERTY (include separately if lengthy):

LTS 15 & 16 BLK 18 1ST ADD TO VALLEY JUNCTION

Variance Request—The Quilt Block, 325 5th Street

Layout Measurements



ATTACHMENT E

Photo of Site from the Polk County Assessor's website



2-dimensional sign rendering



3-dimensional rendering with measurements



Proposals Specifications

Business: **The Quilt Block**
 Dimensions: L 3' x W 6' x H 4'
 Colors: **Black, wood texture, white, light blue, light red, dark red**

Materials:

What will the sign be built with. If unknown, describe the materials quality you'd like the sign to have.
Bottom half would be foam. Sewing machine would be metal.

Progress Statement:

Why should your sign be chosen?

As a child, I watched my grandma toil away with her sewing machine in her kitchen. I sat at her kitchen table, amazed how she could make intricate, beautifully designed quilts from mere scraps of material. The wood material in this proposed sign represents the "homely feel" sewing and quilting provides -- for me, that's my family gathered around my grandma's kitchen table, watching her sew. The iron sewing machine at the top of the sign represents the strong history of quilting; the expertise and knowledge of the craft passed down from generation to generation. Meanwhile, the fabric at the bottom of the sign with its vibrant colors and modern design represent the future of quilting.



OSIGN Admin LLC
 OSIGN PRO 2017
 Submission ID #

ATTACHMENT G

9-18-13: AREAS OF SPECIAL CHARACTER

- A. This ordinance cannot adequately regulate all signs in an area as diverse as the City of West Des Moines. The City Council after public notice and hearing, may by ordinance designate a contiguous area as an Area of Special Character, if it contains unique architectural, historic, scenic, or visual features that require special regulations so that signs will enhance its character. Areas of Special Character may include, but are not limited to:
1. Architecturally significant, history and scenic areas
 2. Planned Unit Developments
 3. Specific Plan areas
 4. Development Overlay Districts
- B. Zoning map. The Director of Development Services shall maintain and continually revise a zoning map of the city which shall identify the boundaries of all designated areas of Special Character.
- C. Special Regulations. The City shall adopt special regulations for signs in Areas of Special Character which shall be consistent with the character of existing development and/or the proposed development within the Area of Special Character.
- D. Effect of special regulations. Special regulations for Areas of Special Character shall supersede and may be either more or less restrictive than the regulations for signs contained in this ordinance. Any regulations for Areas of Special Character shall respect the intent of this chapter as it would apply to the specific properties regulated within the designated area.