

Altoona Board of Adjustment Hearing – December 2, 2014 – 6:30 PM

Altoona City Hall

Members Present – Dale Sikes, John Rullman, Doug Teuber, Robert Hall, Lea Morris

Members absent – Lea Morris

Staff Present – John Shaw, Chad Quick, Susi Hoots

Others Present – Ken Rogers, Sheldon Graber, Sydnee Freeman, Gregory Ploeger, two others

Chairman Rullman called hearing to order.

#1 Public hearing to consider a request for variances from Des Moines Mattress for the property they are proposing to purchase at 1305 1st Avenue North, Altoona, Iowa, to allow them to install a 12-foot tall freestanding sign when up to 10-foot tall is allowed, to use an aluminum panel base cover when brick or stone and a frost footing is required, and for the sign to be wider than the base when the sign is not allowed to be wider than the base.

Sheldon Graber, owner of Des Moines Mattress, 2121 Adventureland Drive NW, Altoona, Iowa, presented the request by explaining the property has limited space for a sign and the six-foot fence around the adjoining Northern Natural Gas property blocks visibility. Graber continued by saying that due to utility lines in the ground, it makes sense to use the type of sign he proposes rather than a monument sign with frost footing. He also wishes to run electric service to the sign. Graber indicated the building formerly known as the Harbor would block the sign if the location were moved further to the east. Graber said service utility lines in the area he would like to install the sign were very recently marked and the existing utility service lines dictate the hole for the sign pole would need to be hand-dug. Also, those service lines run parallel beside the driveway all the way to the building further limiting sign location.

Ken Rogers, 1465 NE 88th Street, Altoona, Iowa, current owner of the property, addressed the Board to say that the in-ground utilities running east-west between the utility box and driveway would not allow the installation of a monument sign as there is not enough space. No utilities run under the driveway.

There was discussion about whether there was sufficient space to install any type of sign in the proposed location. Board members suggested alternate locations for code-compliant signage. There was discussion about the height of crops in the adjoining field. Graber pointed out that the business sells truck and RV mattresses and asked if it could be considered an interstate business and allowed an interstate high-rise sign. Shaw responded the business does not meet the definition of an interstate business. Hall asked about the possibility of Des Moines Mattress leasing a small portion of the adjoining field.

Sikes moved to table the request from Des Moines Mattress for variances to allow the applicant to review the issue and gather additional information. Seconded by Hall. Vote: Yes – Sikes, Hall, Teuber, Rullman. No – None.

#2 Public Hearing to consider a request for multiple sign variances from Cinemark for property at 2227, 2363, and 2407 Adventureland Drive NW, plus lots located on Plats 1, 2, 3, and 4 of Adventure Village. The variances include signage to exceed the sign height, area, and off-premise location for a 50-foot tall sign; to allow a pylon sign instead of a monument sign, exceed the sign height, area and off-premise location for a 35-foot tall sign;

and to exceed the overall sign area for the property, exceed the signs allowed per wall, and to allow a tower sign.

Sydnee Freeman, Cinemark Development Manager, 3900 Dallas Parkway #500, Plano, Texas, presented the request by saying that “in the movie business you have to be seen” and they would like to place a pole sign next to I-80, another adjacent to Adventureland Drive. Cinemark is purchasing two lots west of the theatre building for restaurants and two lots on Adventureland Drive for restaurant/retail for a total of four possible tenants and is proposing a fifty-foot tall development-type sign near I-80 and a thirty-five-foot tall development-type sign on Adventureland Drive, similar to the ones at the Lowes/Target/Staples location, to support visibility.

Drawings of the sign company’s proposals and architectural renderings to provide perspective in relation to other structures were provided for Board Member review. The sign company drawings identify each sign by letter.

All Board Members pointed out that the Interstate highway is at a higher elevation than the building locations and that this site has very good visibility and access from the highway. There was discussion on various sign and landmark heights.

The methods used to calculate the signage square footage was discussed.

8:34 p.m. Teuber departed the hearing.

Freeman explained that development-type/multi-tenant signs are preferable to each business having its own separate and different sign. Freeman said the illuminated tower display is part of Cinemark’s branding and they intend to add it to other older theatres as they are remodeled; the NextGen and XD signage reflects the types of technology being used and those companies have naming rights.

There was discussion on the definitions of roof sign, tower sign, projection sign, and pole sign in relation to the proposed tower display identified as Sign A. Shaw speculated that this sign may be considered a pole sign. Freeman stated the display is attached to and supported by the side of the building and cannot be described as a pole sign. Rullman asked about the lighting of the tower display. Freeman said the translucent letters are back-lit, there is no neon nor flashing lights.

Rullman said a movie theatre is different from the other interstate businesses such as service stations and stand-alone restaurants that have come before the Board.

An audience member addressed the Board to say granting of these variances may not be fair to other area businesses that were not granted as much signage as they would have liked. Sikes stated that this business will be good for the other establishments.

There was additional discussion on the sizes and locations of the proposed signs as well as speculation on the businesses that may occupy the outlots .

Sikes addressed the hardship issue by saying the location is buried off the street and interstate, obstructed among other businesses and needs identification.

Sikes moved to grant the variance request specifically as follows, using the drawings supplied by Cinemark's sign company:

- **Sign identified as "A" is approved as requested.**
- **Sign identified as "B" is approved as requested.**
- **Sign identified as "C-1" shall be removed in it's entirety from the sign plan.**
- **Sign identified as "C-2" is approved as is.**
- **Sign identified as "D" shall be reduced in size by one-half from 241 square feet to no more than 120.5 square feet.**
- **Multi-tenant Pylon Sign identified as "G" is to be located to meet the code-required minimum 50-foot setback inside all property lines. The four out-lot businesses shall not be eligible for individual interstate high-rise signs unless and until this sign is removed and this condition is a binding restrictive covenant on the landowners, tenants, lessees, and city.**
- **Sign identified as "H" is granted a variance to be off-premise on Lot 3 of Adventure Village Plat 4 but shall be a compliant monument sign no more than ten (10) feet tall, rather than a pylon sign, and shall be located to meet setback requirement of a minimum of ten (10) feet inside all lot lines and is granted a variance to be eighty (80) square feet rather than the code-stipulated forty (40) square feet.**

Seconded by Hall. Vote: Yes – Sikes, Hall, Rullman. No – None.

#3. Hall moved to approve the minutes of the November 11, 2014 hearing as presented.

Seconded by Sikes. Vote: Yes – Hall, Sikes, Rullman. No – None.

#4. Next meeting/hearing will be Tuesday, January 6, 2014 at 6:30 p.m.

Hearing Adjourned at 9:40 p.m.

Respectfully submitted,

Susi Hoots

Community Services Administrative Assistant