

Meeting Agenda

Zoning Board of Adjustment

Wednesday, January 18, 2023 5:00 PM MEETING IS CANCELLED

Will be rescheduled to February 7, 2023 at 5:00 p.m.

Matt Ott, Chair Jeffrey Baxter, Vice Chair

Nichole Sungren

Kristi Tomlinson

Brett Walker

Zoning Board of Adjustment regular meetings are the first and third Tuesday of each month at 5:00 p.m. All Board of Adjustment meetings are open to the public. Assistive Listening Devices (ALD) are available for persons with impaired hearing.

CALL TO ORDER

- A. ROLL CALL
- **B. AMENDMENTS TO AGENDA**
- C. MINUTES

Minutes of the January 4, 2023 regular meeting.

- D. COMMUNICATIONS/CORRESPONDENCE
- E. BUSINESS ITEMS

PUBLIC HEARINGS Public Hearings are held during the Zoning Board of Adjustment's regular meetings. Those who wish to speak will be requested to provide their name and address for the record when called upon. The order of proceedings for each application will be as follows: 1). The applicant will present testimony and evidence regarding their request; 2). City staff will summarize the project and present their findings; 3). Testimony may be heard from any members of the audience who wish to speak in support of or in opposition to the appeal; 4). The Board will give the applicant and the city staff an opportunity to present concluding summaries and arguments. At the conclusion of all public testimony, the Board will close the public hearing. The Board will discuss the issues and evidence and come to a decision. The applicant or appellant may withdraw their application or appeal at any time prior to the decision by the Zoning Board of Adjustment.

#23-02

Kimley-Horn
for property located at
7310 SE Crosswinds Drive
TT PRT LOT 1 FRMRLY LOT 1 CROSSWINDS PLAT 1 CROSSWINDS PLAT 2
RE: Variance - Directional Signage

- F. OLD BUSINESS:
- G. NEW BUSINESS
 - Zoning Board of Adjustment 2022 Annual Report
- H. REPORTS
- I. ADJOURNMENT

Meeting Minutes

Zoning Board of Adjustment

Wednesday, January 4, 2023
Ankeny City Council Chambers
1250 SW District Drive, Second Floor, Ankeny, Iowa

CALL TO ORDER

Chair Matt Ott called the January 4, 2023 regular meeting of the Zoning Board of Adjustment to order at 5:00 p.m.

ROLL CALL

Members present: Jeff Baxter, Matt Ott, Nichole Sungren, Kristi Tomlinson, and Brett Walker. Staff: E.Jensen, E.Carstens, D.Gervais, B.Fuglsang

AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

MINUTES OF THE DECEMBER 6, 2022 REGULAR MEETING

Motion by N.Sungren to approve the December 6, 2022 meeting minutes as submitted. Second by K.Tomlinson. Motion carried, 4 - 0.

COMMUNICATIONS / CORRESPONDENCE

There were no communications.

BUSINESS ITEMS PUBLIC HEARINGS:

#23-01

Orvis Horatio Group, LLC dba Dough Co. Pizza
for property located at
2405 SW White Birch Drive, Suite 100

Lot 5, Plaza Shops at Prairie Trail Plat 2-Except Parcel 2022-26 recorded Book 19046 Page 12 RE: Special Use Permit

Chair M.Ott opened the public hearing.

Alec Davis, Owner, Dough Co. Pizza, 644 26th Street, Des Moines, said they are in the process of opening up Dough Co. Pizza in The District at Prairie Trail. Their request is for a Special Use Permit to allow alcohol service that includes beer and wine on a patio that will be within 500-feet of residential housing. He noted that approximately 90% of their sales is for food. He asked the Board if they had any questions.

Vice Chair Jeff Baxter arrived at 5:07 p.m.

There were no questions from the Board.

D.Gervais reported Dough Co. Pizza, a tenant of Suite 100 at 2405 SW White Birch Drive and owned by DRA Properties, LC is requesting that alcohol be allowed to be served on an outdoor patio. She stated the patio will be located within 500 feet of residential properties to the north and west and due to the subject property's proximity to the residential properties, a Special Use Permit is required to serve alcohol within the outdoor patio area. D.Gervais said that the subject property is located north of SW Oralabor Road, west of SW State Street, and south of SW Prairie Trail Parkway; and the surrounding properties are zoned Prairie Trail PUD. She stated that residential uses within 500 feet of the proposed outdoor service area occur to the north of SW Plaza Parkway and west at The Sterling at Prairie Trail. She explained that a patio is proposed to be constructed on the south side of the building with the service area being enclosed with a galvanized steel fence. The outdoor seating area shows seating for up to twenty-four patrons with one exterior speaker to play music at ambient levels. D.Gervais noted that the proposed operating hours of the outdoor service area will be consistent with their regular operating hours, which is 11:00 a.m. - 9:00 p.m. Sunday - Thursday and 11:00 a.m. - 10:00 p.m. Friday - Saturday. Staff recommends that the Zoning Board of Adjustment grant a Special Use Permit in accordance with Sections 130.07

and 196.02(1)(I) to DRA Properties, LC / Orvis Horatio Group, LLC dba Dough Co. Pizza at 2405 SW White Birch Drive, Suite 100 for an outdoor service area to run concurrently and terminate with the liquor license for said establishment provided the following conditions are met:

- 1. The permittee must comply with, and noise enforcement will be in accordance with, Municipal Code Chapter 44, Noise Control. If a Noise Permit is issued in accordance with Chapter 44, hours of operation for the event shall be consistent with the hours set out in this Special Permit and those hours shall be specifically set out in the Noise Permit.
- 2. All appropriate building permits and building code regulations need to be reviewed and met.
- 3. Seating on the patio for 24 persons.
- Hours of operation are 11:00 a.m. 9:00 p.m. Sunday Thursday and 11:00 a.m. 10:00 p.m. Friday -Saturday.
- 5. This Special Use Permit may be reviewed annually by staff for approval.

There was no one in the audience to speak for or against the request.

There were no comments from the Board.

Motion by M.Ott to close the public hearing, and receive and file documents. Second by K.Tomlinson. All voted aye. Motion carried 5-0.

The Board had no concerns with the request.

Board Action on Filing #23-01 property located at 2405 SW White Birch Drive, Suite 100

Motion by B.Walker that the Zoning Board of Adjustment grant a Special Use Permit in accordance with Sections 130.07 and 196.02(1)(I) to DRA Properties, LC / Orvis Horatio Group, LLC dba Dough Co. Pizza at 2405 SW White Birch Drive, Suite 100 for an outdoor service area to run concurrently and terminate with the liquor license for said establishment provided the following conditions are met:

- 1. The permittee must comply with, and noise enforcement will be in accordance with, Municipal Code Chapter 44, Noise Control. If a Noise Permit is issued in accordance with Chapter 44, hours of operation for the event shall be consistent with the hours set out in this Special Permit and those hours shall be specifically set out in the Noise Permit.
- 2. All appropriate building permits and building code regulations need to be reviewed and met.
- 3. Seating on the patio for 24 persons.
- 4. Hours of operation are 11:00 a.m. 9:00 p.m. Sunday Thursday and 11:00 a.m. 10:00 p.m. Friday Saturday.
- 5. This Special Use Permit may be reviewed annually by staff for approval.

Second by M.Ott. All voted aye. Motion carried 5 - 0.

NEW BUSINESS

There was no new business.

REPORTS

Renewed Special Use Permits

#15-01 Main Street Café & Bakery - 2510 SW White Birch Dr., Suites 1 & 2

There being no further business, meeting adjourned at 5:14 p.m.

Brenda Guglsang
Submitted by Brenda Fuglsang, Board Secretary

Zoning Board of Adjustment



APPLICATION FOR APPEAL ZONING BOARD OF ADJUSTMENT

Applicant is:
Applicant Nimai Alicer/ Kimley-Horn
Address / Phone # 401 B Street #600, San Diego, CA, 619-234-9411
E-mail nimai.alicer@kimley-horn.com
Property Owner Allerga Iowa, LLC / Sofia Pons
Address / Phone # 6900 Westown Pkwy, West Des Moines, IA 50266
E-mail spons@exancapital.com
(Owner must sign the application or submit a letter of authorization)
To the Members of the Board of Adjustment: I hereby appeal from the decision of the Zoning Administrator rendered on day of, 20
Location (address) of the proposed variance 7310 SE Crosswinds Drive, Ankeny, IA 50021
Legal description (Plat & Lot #) TT PRT LOT 1 FRMRLY LOT 1 CROSSWINDS PLAT 1 CROSSWINDS PLAT 2
Zoning PUD Principal Use of property Warehouse Storage
I request a variation from the current zoning requirement for: ☐ Front Yard ☐ Side Yard ☐ Rear Yard ☐ Fence ☑ Sign ☐ Parking ☐ Height ☐ Other
Ankeny Zoning code Section # 195.03.3 which state(s) On-site directional signs, not exceeding a maximum of two square feet per sign.
shall be permitted in any multi-family, commercial, industrial, or institutional zoning district for the purpose of directing vehicular or pedestrian traffic in a safe and convenient manner
I would propose the following in lieu of that required: Three 20 square feet directional signs signs along
SE Crosswinds Drive.
Attached hereto and made a part of this appeal, I submit the following: a) A statement indicating the reasons for my appeal. b) A drawing showing proposed variance requested. c) A letter of authorization from the owner or lessee, if applicable. Complete submittals are required for review.
AFFIDAVIT State of County
I hereby deposit and say that all of the above statements and the statements contained in the papers submitted herewith are true.
(Signature of Applicant) Signed and sworn to before me, this day of lecember, 20 22.
CANDELARIA T. ALDAN Commission No. 2317549 NOTARY PUBLIC - CALIFORNIA SAN DIEGO COUNTY Commission Expires January 2, 2024 (Notary Public)
Office Use Only Date received Paid
Filing # Scheduled Meeting Date



MEMORANDUM

To: City of Ankeny

From: Jenes Anin

Kimley-Horn and Associates, Inc.

Date: December 29, 2022

Subject: 7310 SE Crosswinds Drive (DIA5) Wayfinding Memo

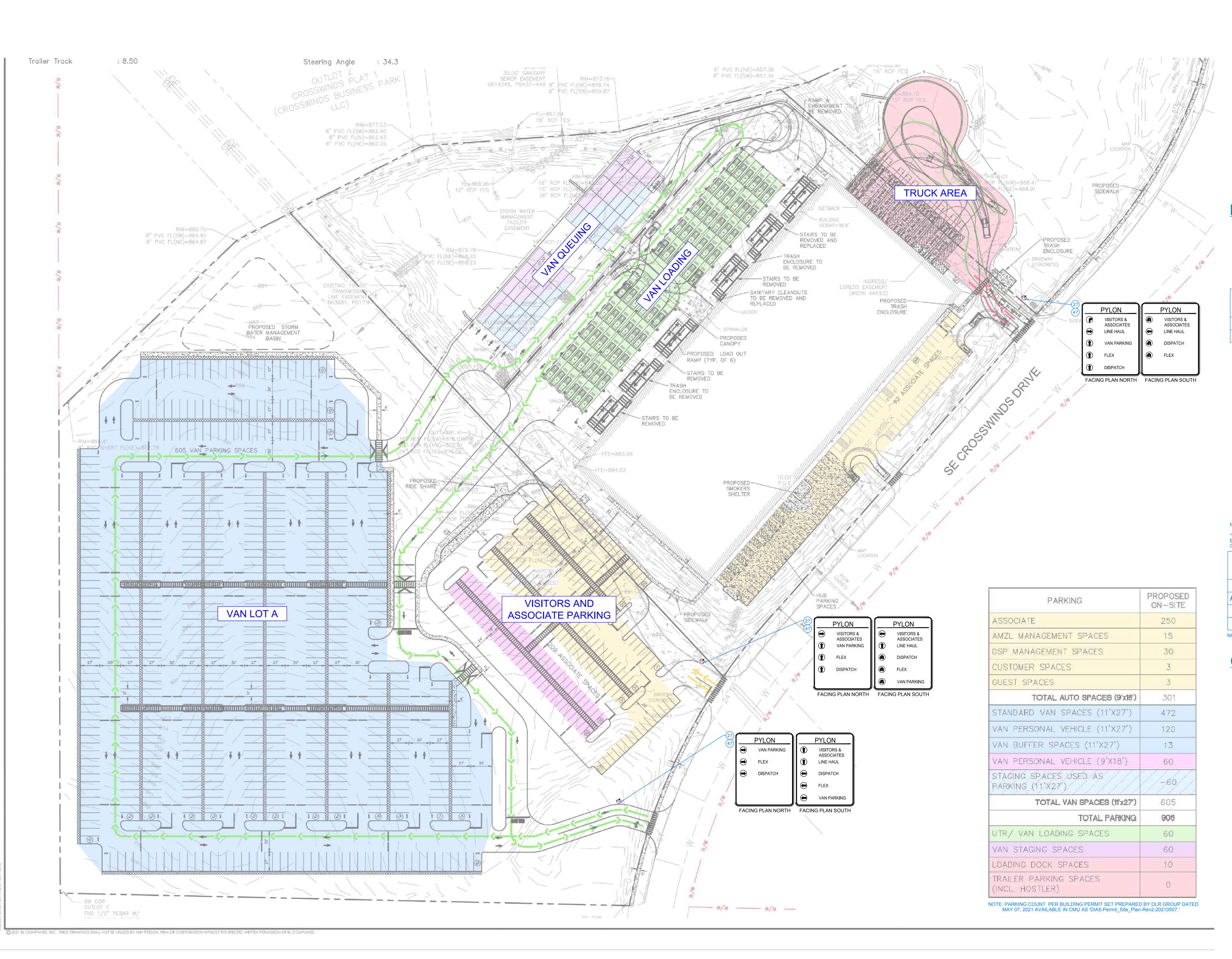
The proposed project involves the addition of wayfinding signage at the property located at 7310 SE Crosswinds Drive in the City of Ankeny. The existing use is an industrial facility and is 10.51 acres. The facility is located at the southwest corner of SE Corporate Woods Dr and SE Crosswinds Dr. To the north of the facility is a training facility and to the west and east are warehouses.

Per Section 195.03.03 of the City of Ankeny's municipal code, directional signs that are greater than 2sf are considered ground signs. It is understood that only one (1) ground sign is allowed for this address. The project involves proposing the addition of three (3) pylons signs (proposed at 7ft in height and 20sf) along from SE Crosswinds Drive. The applicant respectfully requests the additional signage in an effort to efficiently direct vehicles to their respective areas due to the scale of the site.

Letter of Owner Authorization

Application for the Development/Construction Permits

The undersigned,	Allegra Iowa LLC	, owner/representative of the property described
below, does hereby a	uthorize Amazon, Kimley-Hor	n & Associates Inc., and their employees, agents and
		ing any forms or applications for land use and the
		s ability to use the property leased by Amazon for the
		II numbering, and related equipment on the property modified or approved with conditions and that those
		to the issuance of any construction permits. Amazon,
		ocurred in securing any required approvals.
,	•	
_	214.5	
Amazon Site Code: _	DIA5	
Property Located at:	7310 SE Crosswinds	Drive, Ankeny, IA 50021
Property Located at	0	
	hearlier	
Signature and Title of	Owner:	(Authorized Signer)
	:Jose Maria Riesgo (Authorized S	igner)
Owner Straine (print)	•	
Signature:		
Date:12/22/22		



GENERAL NOTES

- DRIVER FLOW PLAN UTILIZES BUILDING PERMIT SET PREPARED BY DLR GROUP MAY 07, 2021 AVAILABLE IN CMU AS 'DIA5-Permit_Site_Plan-Rev2-20210507.'
 PARKING STALL NUMBERING AND WAYFINDING SIGNAGE IN ACCORDANCE
- WITH THE LATEST VERSION OF "WWD EXTERIOR SIGNAGE STANDARDS" IN ADDITION TO THE GUIDELINES / TENETS PROVIDED BY AMZL.
- 3. NO SITE VISIT WAS PERFORMED IN PREPARATION OF THE DRIVER FLOW PLAN. KIMLEY-HORN WILL RELY ON THE AVAILABILITY AND ACCURACY OF CLIENT-PROVIDED DRAWING.
- 4. FOR AS-95'S AND AS-16 SIGNAGE, VENDOR TO VERIFY ALL NUMBERING AND DIRECTION AS DETAILED IN THE PLAN IS CONSISTENT WITH STALL NUMBERING IMPLEMENTED ONSITE AND THAT SIGN LOCATION IS FEASIBLE PRIOR TO FABRICATION AND INSTALLATION.
- 5. SIGN LOCATIONS SHOWN ON PLANS ARE SCHEMATIC IN NATURE. WHERE PLACEMENT OF PROPOSED SIGNAGE CONFLICTS WITH EXISTING CONDITIONS, CONTRACTOR TO USE REASONABLE DISCRETION ADJUSTING LOCATION.
- 6. CONTRACTOR TO WORK WITH SITE OPERATIONS ON INSTALLING IN LOGICAL AND VISIBLE LOCATION THAT DO NOT IMPACT PEDESTRIAN OR VEHICULAR FLOW, WIDTHS, SAFETY, OR VISIBILITY. SIGNAGE INSTALLATION SHALL MAINTAIN 30' MIN. DRIVE AISLE WIDTHS AND 11' MIN. VAN PARKING WIDTHS. CONTRACTOR TO COORDINATE WITH SITE OPERATIONS ON NOT INSTALLING THE SIGN IF THESE CRITERIA CANT BE MET.

7. PER DIRECTION FROM AMAZON ON 10/19/2021, FOR SIGNAGE INSTALLATION

INTERIOR TO THE BUILDING, CONTRACTOR TO PRIORITIZE SIGN INSTALLATION

AVAILABLE FOR SIGNAGE INSTALLATION, CONTRACTOR TO COORDINATE

- LOCATION IN FOLLOWING ORDER:

 a) INSTALL SIGNAGE ON COLUMN ADJACENT TO PARKING STALL.
- b) INSTALL SIGNAGE ON WALLS IF PARKING STALLS ARE ALIGNED WITH AN ADJACENT WALL.
- c) INSTALL SIGNAGE ON THE FLOOR, MAINTAIN 30' DRIVE AISLE, 11'W X 27'L PARKING STALL STANDARDS ARE NOT VIOLATED. IF NO BUFFER SPACE IS
- WITH SITE OPERATIONS ON NOT INSTALLING THE SIGN.

 8. SIGNS SHOULD BE PLACED ON PRIVATE PROPERTY ONLY OUTSIDE OF THE
- PUBLIC RIGHT-OF-WAY.9. CONTRACTOR TO WORK WITH SITE OPERATIONS ON DISPOSITION OF EXISTING SIGNAGE THAT CONFLICTS WITH THE PROPOSED SIGNAGE SHOWN ON PLAN.
- 10. THE PRESENCE AND LOCATION OF EXISTING UNDERGROUND UTILITIES IS UNKNOWN. CONTRACTOR TO CALL 811 PRIOR TO INSTALLATION.

I FGFNI

, — — — — 3' RADIUS UTILITY POTHOLE AROUND SIGN LOCATION



WAYFINDING SIGNAGE COUNT

SIGNAGE TYPE	QUANTITY
PYLON	3

NOTE: PRELIMINARY SIGNAGE COUNT PER CONCEPT PLAN. MAY VARY AT FINAL IMPROVEMENT PLAN.

*IN ADDITION TO SIGNS BEING PROPOSED HEREON, SEE DETAILS PAGES FOR ADDITIONAL SIGNAGE BEING PROPOSED. LOCATION TO BE DETERMINED IN FIELD BASED ON COORDINATION WITH SITE

VAN PARKING COUNT VERIFICATION SOURCE QUANTITY

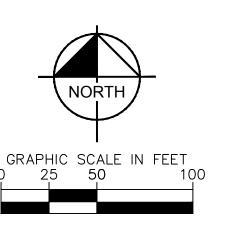
SOURCE	QUANTITY
AMZL PROVIDED QUANTITY	454
PERMIT SITE PLAN	605
WAYFINDING PLAN	605

NOTE: WAYFINDING PLAN IS DESIGNED BASED ON STALL QUANTITIES SHOWN ON PERMIT SITE PLAN. STALL QUANTITY DEVIATIONS TO BE REVIEWED BY AMZL

CONSTRUCTION NOTES

27 INSTALL 7' NON-ILLUMINATED PYLON SIGN PER DETAIL 26, SHEET WF4. NUMBERING AND DIRECTION SHOWN FOR REFERENCE ONLY. SIGN MANUFACTURER AND INSTALLER TO REVIEW NUMBERING AND ARROW DIRECTION ON PLANS BEFORE MANUFACTURING AND INSTALLATION.

(47) REMOVE EXISTING WAYFINDING SIGN.



7310 SE CROSSWINDS DRIVE

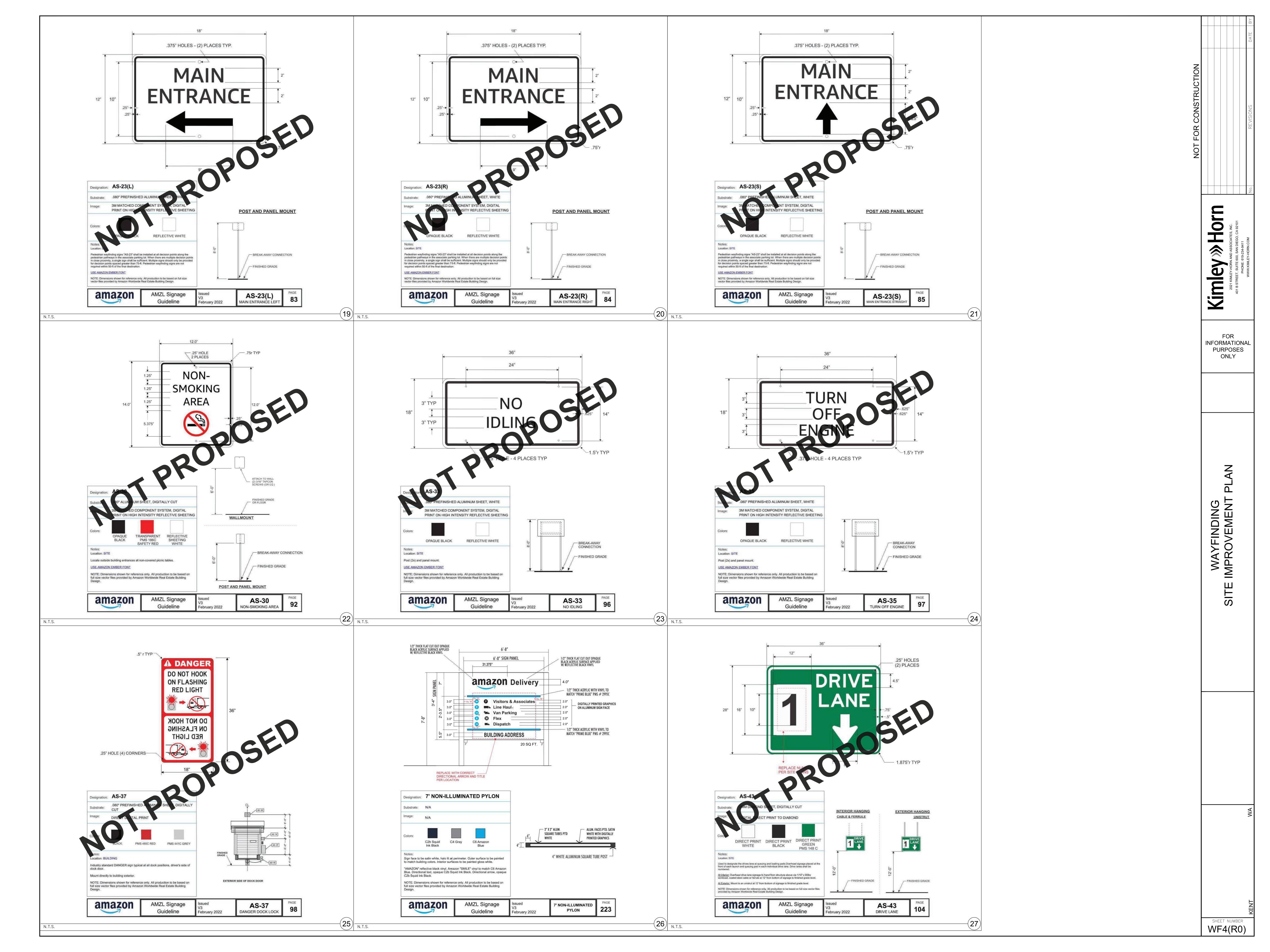
INFORMATIONAL

PURPOSES

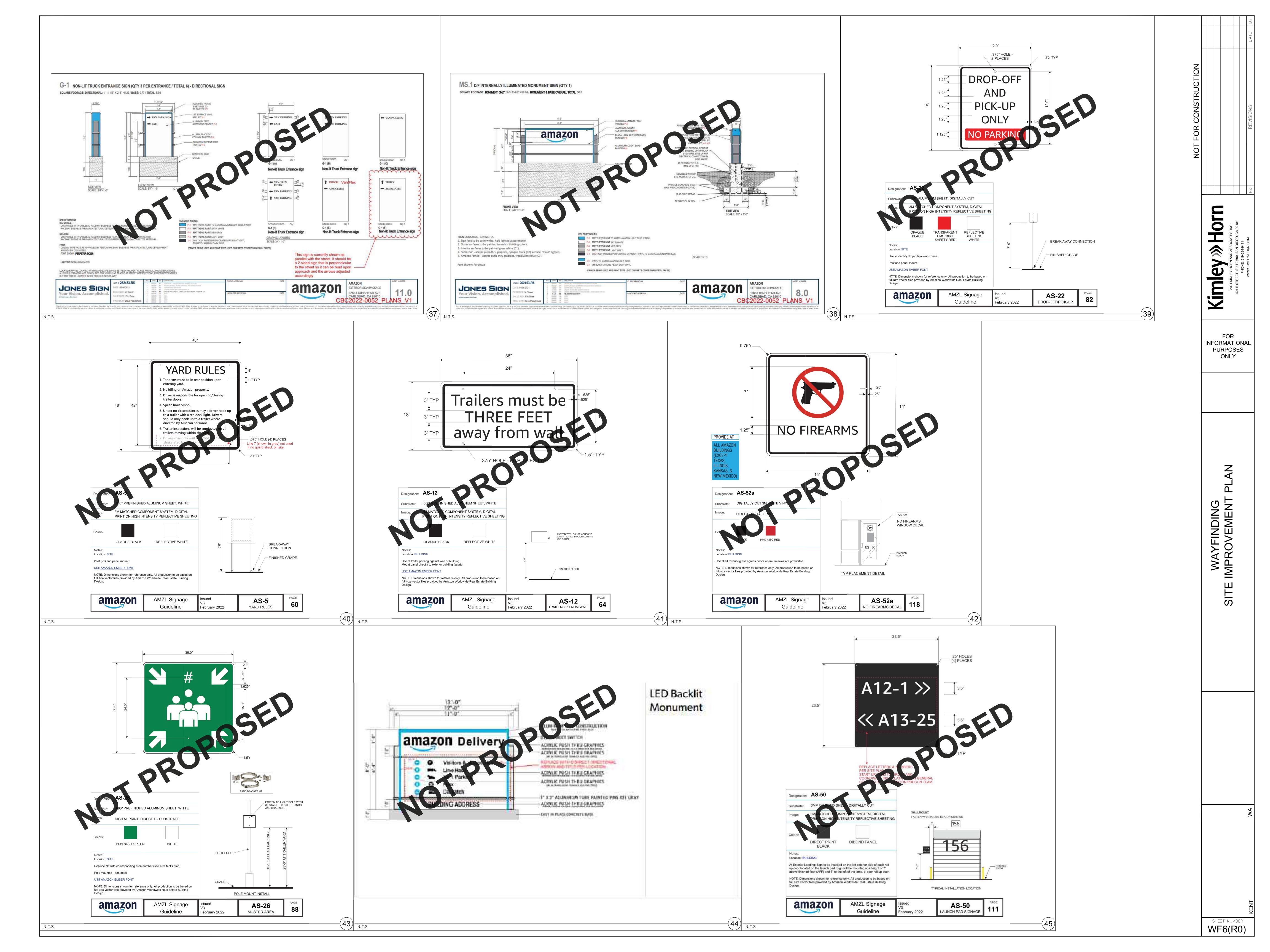
SHEET NUMBER
WF1(R2)

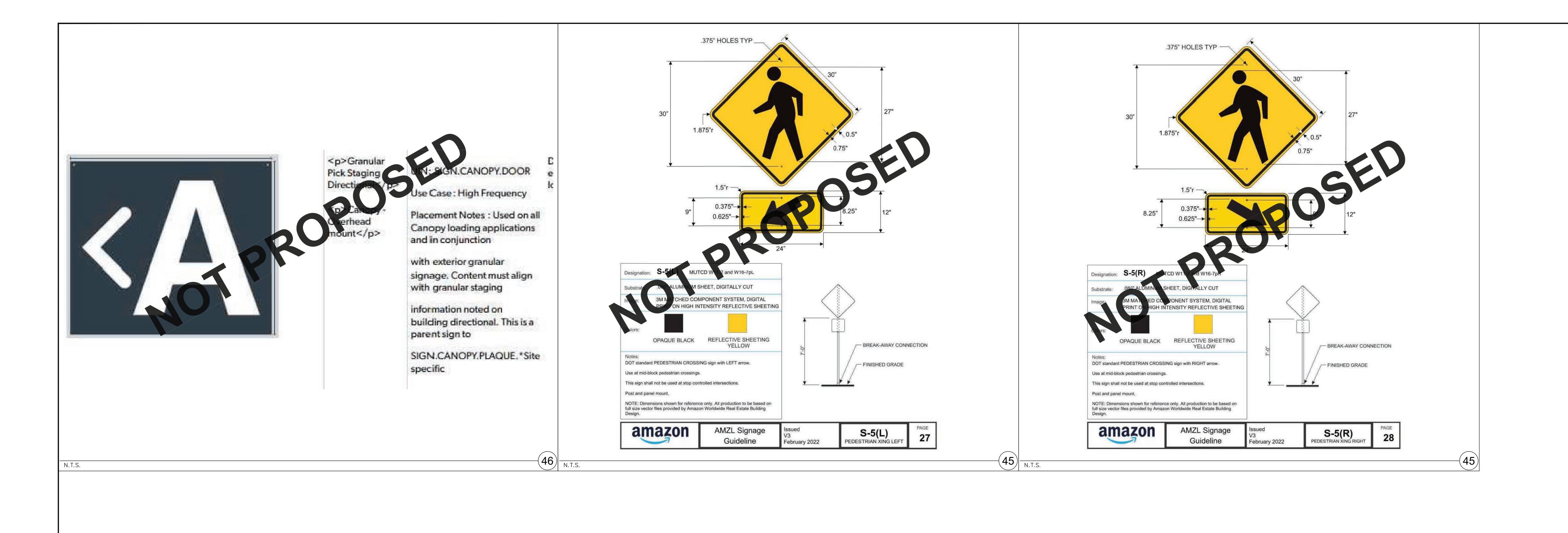












NOT FOR CON NOT FOR CON AND ASSOCIATES, INC.

00. SAN DIEGO, CA 92101

19-234-9411

PY-HORN COM

2021 KIMLEY-HORN AND ASSOCIATES, INC 401 B STREET, SUITE 600, SAN DIEGO, CA 921 PHONE: 619-234-9411 WWW.KIMLEY-HORN.COM

FOR INFORMATIONAL PURPOSES ONLY

> WAYFINDING SITE IMPROVEMENT PLA

> > WA

SHEET NUMBER
WF7(R0)





7310 SE Crosswinds Drive - Variance Request (Sign)



CITY OF ANKENY ZONING BOARD OF ADJUSTMENT COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

To:

Members of the Zoning Board of Adjustment

From:

Bryan Morrissey, Associate Planner

Filing #:

23-02

EJC

Meeting Date:

January 18, 2023

Address:

7310 SE Crosswinds Drive

APPELLANT REQUEST

A variance to Ankeny Municipal Code Section 195.03(3)(A) that requires: On-site directional signs, not exceeding a maximum of two square feet per sign, shall be permitted in any multi-family, commercial, industrial, or institutional zoning district for the purpose of directing vehicular or pedestrian traffic in a safe and convenient manner, allowing three separate twenty square-foot directional signs along SE Crosswinds Drive.

STAFF POSITION

That the Zoning Board of Adjustment deny a variance to Ankeny Municipal Code Section 195.03(3)(A) allowing three separate twenty square-foot directional signs along SE Crosswinds Drive at 7310 SE Crosswinds Drive.

Staff's position is based on a determination that the shape or shallowness of the subject property is not exceptional, extraordinary situations do not exist, and the oversized directional signs are not in harmony with the intended spirit and purpose of the Ankeny Municipal Code.

PROJECT SUMMARY

The subject property at 7310 SE Crosswinds Drive is located south of SE Corporate Woods Drive and west of SE Four Mile Drive within the southeastern quadrant of Ankeny. The property is zoned PUD, Planned Unit Development and houses an Amazon Delivery/Distribution center on a twenty-nine-acre property.

The applicant is requesting a variance that will allow them to post three separate twenty square-foot directional signs along SE Crosswinds Drive. Per the Ankeny Municipal Code, directional signage is intended to direct vehicular and pedestrian traffic on a particular site and is limited to a maximum of two square-feet per sign.

City staff had initially been contacted about directional signage on the property in the Fall of 2021, with the applicant inquiring about the prospect of the signage exceeding the two square-foot limitation. Recognizing the size and the amount of traffic on the site, staff was flexible with the enforcement of this portion of the Code and allowed the applicant to post larger directional signage on the property as long as it was tucked away from SE Crosswinds Drive and generally not visible from public view. Recently, City staff was contacted once again about the oversized directional signage, this time in the form of three separate directional signs that totaled twenty square feet that would be posted near three access drives on the property. Should the requested variance be approved, three twenty square-feet directional signs will be installed on the east side of the site that will be visible from SE Crosswinds Drive.

PROJECT REPORT

Criteria for Variance

197.01(4) Powers and Duties.

B. To grant a variation in the regulations when a property owner can show ...that by reason of exceptional narrowness, shallowness, or shape of a specific piece of property or by reason of exceptional topographical conditions or other extraordinary or exceptional situation, the strict application of the terms of this title actually prohibits the use of this property in the district; and that the board is satisfied under the evidence before it that a literal enforcement of the provisions of this title would result in unnecessary hardship; provided, however, that all variations granted under this clause shall be in harmony with the intended spirit and purpose of this title.

FINDINGS OF FACT

The subject property at 7310 SE Crosswinds Drive is generally located south of SE Corporate Woods Drive and west of SE Four Mile Drive within the southeastern quadrant of Ankeny. The subject property is zoned PUD and is a part of the Crosswinds Business Park Planned Unit Development. The site contains an approximate 137,000 square-foot distribution center and extensive parking that allows for the distribution and delivery of Amazon products. Neighboring properties in most directions contain similar light-industrial uses and are also a part of the Crosswinds Business Park Planned Unit Development. City records indicate that the primary structure on the site was completed in the Fall of 2020, while plans for redevelopment that increased parking and included general tenant improvements were completed in the Fall of 2021. It is City staff's understanding that the ownership of the building had changed from the time the original building was constructed to the time the redevelopment phase was complete.

As the redevelopment phase of the site was finishing up in the Fall of 2021, City staff was contacted about signage on the property, including directional signage that was to be posted in the parking areas and along SE Crosswinds Drive. A sizeable amount of the signage presented to staff exceeded the two square-foot limitation that exists in the Ankeny Municipal Code for directional signage. After discussions with the applicant, staff recognized the considerable amount of traffic entering and exiting the property and decided to be flexible with the enforcement of that portion of the Code. Staff informed the applicant that the directional signage exceeding the two square-foot limitation would be allowed as long as it was tucked away from SE Crosswinds Drive and not visible from public streets. Shortly after informing the applicant of staff's decision, directional signage was posted throughout the parking areas on the property.



Directional Signage Posted Near the Southernmost Access Drive



Directional Signage Posted in the Visitors and Associates Parking Area

Recently, the applicant inquired with staff once again about the prospect of additional directional signage on the property and their desire to have larger signs near three access drives that lead to SE Crosswinds Drive. After reviewing the proposed signs and their location, staff informed the applicant that the proposed signs would either need to be moved back further away from SE Crosswinds Drive or they'd have to meet the two square-foot requirement as stated in the Ankeny Municipal Code. It was at this time that applicant inquired about the possibility of a variance for the proposed signs. Staff then provided the applicant with the necessary materials needed to apply for a variance from the Zoning Board of Adjustment.

As indicated on their submitted site plan, the applicant is proposing oversized directional signage near three different access drives on the site. The three access drives lead to a trucking area, a visitors and associates parking lot, and a delivery van parking lot. Based on the location and size of the three proposed signs, it's reasonable to believe that these signs will not only be visible to those traveling along SE Crosswinds Drive, but they will also be visible to neighboring properties in the area as well. It is noteworthy to point out that a ground/monument sign exists on the southeast side of the site near one of the access drives off SE Crosswinds Drive (see picture on next page). The ground/monument sign lists general directional information for the property, similar to what's shown on the proposed signs, along with the site address and an Amazon Delivery logo. One monument sign is allowed by Code on the property and was permitted by staff in 2021.

Although staff recognizes that the Code's two square-foot limitation for directional signage can be restrictive for larger properties that attract substantial traffic, it is something that has generally been followed by similar industrial sites in the City. As mentioned previously, staff has been flexible with the enforcement of the directional signage size limitation, allowing the owners to post directional signs that exceed the size limitation as long as they are not visible from pubic streets. Furthermore, staff has concerns about setting a precedent for oversized directional signage that's visible from public right-of-way's, as it is expected that the Crosswinds Business Park and the SE Four Mile Drive area will see similar light-industrial development in the future. Enforcement of the directional sign size limitation may become difficult if the subject property owners are allowed to post larger directional signage that's visible from public streets as there does not appear to be anything exceptional about the property.



View from SE Crosswinds Drive Showing the Permitted Monument Sign

Additionally, variance requests for directional signs are not something that the Zoning Board of Adjustment has typically considered in the past. Variances to the sign Code have been approved by the Board on occasion, however, those circumstances have typically been related to off-site signage for properties that have limited visibility along public streets. If the Board were to consider approving the variance for the proposed signs, it would be of staff's preference that the signs be reduced to their smallest possible size and that the Amazon Delivery logo be removed, as it is not the intent of the sign Code to have logos posted on directional signs. As is standard procedure for all variance requests, property owners within 250' of the subject property were notified of the request by mail, and to date, staff has not received any correspondence either for or against the variance.

The staff position is to deny a variance to Ankeny Municipal Code Section 195.03(3)(A) allowing three separate twenty square-foot directional signs along SE Crosswinds Drive at 7310 SE Crosswinds Drive. Staff's position is based on a determination that the shape or shallowness of the subject property is not exceptional, extraordinary situations do not exist, and the oversized directional signs are not in harmony with the intended spirit and purpose of the Ankeny Municipal Code.

CITY OF ANKENY ZONING BOARD OF ADJUSTMENT 2022 REPORT

Board Members Original Appointment

 Matt Ott, Chair
 05-05-2008

 Jeffrey Baxter, Vice Chair
 02-01-2016

 Nichole Sungren
 03-05-2012

 Kristi Tomlinson
 09-06-2005

 Brett Walker
 10-19-2015

2022 Board Activity

January 4, 2022

Docket: #22-01 Variance – Covered Deck – Rear Yard Setback

Applicant: Tyler Christowski R-2

Location: 2103 NW Reinhart Drive

Request: to allow a 32-foot rear yard setback

Code Section: 192.05(3)E

Decision: Granted

Renewed Special Use Permits

#12-02 Sports Page Grill - 1701 N Ankeny Blvd.

January 19, 2022

Meeting Cancelled

February 8, 2022

Docket: #22-02 Variance – Covered Deck – Rear Yard Setback

Applicant: Elizabeth and James Chrisinger PUD

Location: 4611 NE Wanda Drive

Request: to allow a 27-foot 6-inch rear yard setback

Code Section: Avondale Trace PUD

Decision: Granted **Renewed Special Use Permits**

#15-19 Hy-Vee Market Café, 410 N Ankeny Blvd. #18-04 Grumpy Goat Tavern, 810 E 1st Street

Received 2021 Zoning Board of Adjustment Annual Report Elected Matt Ott as Chairperson; Jeff Baxter as Vice Chair

February 22, 2022

Meeting Cancelled

March 8, 2022

Docket: #22-03 Special Use Permit – Outdoor Service Area

Applicant: Silt Elephant PUD

Location: 2410 SW White Birch Drive, Suite 108

Request: to allow an outdoor service area that will serve alcohol

Code Section: 130.07 & 196.02(1)(I)

Decision: Granted, subject to conditions

Docket: #22-04 Variance – Off Premise Sign

Applicant: Chestnut Signs/Horizon Hotels Iowa LLC M-1

Location: 2602 SE Hulsizer Road

Request: to allow for an off-premise user to advertise on a monument ground sign at 2602 SE Hulsizer

Road

Code Section: 195.05(7)

Decision: Granted, subject to conditions

March 22, 2022

Docket: #22-05 Variance – Fence – Front Yard Setback

Applicant: Timothy Spicer R-2

Location: 1710 NE Crestmoor Place

Request: to allow a 6-foot tall privacy fence to encroach approximately 10-feet into the front yard

setback

Code Section: 191.14(2)

Decision: Granted, subject to conditions

Renewed Special Use Permits

#17-02 Wheel House Pizza Pub – 106 SW State Street, Suite 100

April 5, 2022

Docket: #21-13(2022) Special Use Permit – Outdoor Service Area

Applicant: Fiesta Jalapenos C-2

Location: 1975 N Ankeny Blvd., Suite 113

Request: to allow for an outdoor service area to service alcohol.

Code Section: 130.07 & 196.02(1)(I)

Decision: Granted, subject to conditions

Docket: #22-06 Variance – Covered Deck – Rear Yard Setback

Applicant: Julian Sheldahl and Dean Wilson R-3A

Location: 3313 NW 13th Street

Request: to allow a 19-feet 6-inch rear yard setback for a covered deck

Code Section: 192.06
Decision: Granted
Renewed Special Use Permits

#16-03 District 36 Wine Bar and Grill – 1375 SW Vintage Parkway

April 19, 2022

Meeting Cancelled

May 3, 2022

Docket: #22-07 Variance – Covered Deck – Rear Yard Setback

Applicant: MJ Properties R-3

Location: 2805 NW Westwood Court

Request: to allow a 31-foot 7-inch rear yard setback for a covered deck

Code Section: 192.05(3)(E)
Decision: Granted

2 | Page

Docket: #22-08 Variance – Third Ground Sign

Applicant: Edge Commercial, LLC C-2

Location: 3175 SE Delaware Avenue **Request:** to allow a third ground sign

Code Section: 195.04.8

Decision: Granted

May 17, 2022

Meeting Cancelled

June 7, 2022

Docket: #21-06(2022) Special Use Permit – Outdoor Service Area

Applicant: El Molcajete Mexican Restaurant & Cantina C-1

Location: 301 E 1st Street

Request: to allow for an outdoor service area to service alcohol.

Code Section: 130.07 and 196.02(1)(I) **Decision:** Granted, subject to conditions

Docket: #22-09 Variance – Covered Deck – Rear Yard Setback

Applicant: Rodney Knox R-1

Location: 809 NE Vail Court

Request: To allow a 32-foot 1-inch rear yard setback for a four seasons porch

Code Section: 192.04(3)(E)
Decision: Granted

Docket: #22-10 Variance – Covered Deck – Rear Yard Setback

Applicant: Screenbuilders/ Dave Brunell R-2

Location: 2514 NW Abilene Road

Request: To allow a 32-foot 6-inch rear yard setback for a covered deck

Code Section: 192.04(3)(E)

Decision: Granted

Renewed Special Use Permits

#16-16 Guadalajara Mexican Restaurant - 202 SE Delaware Avenue

June 21, 2022

Docket: #22-11 Variance – Side Yard Setback

Applicant: Polk County Aviation Authority U-1

Location: 3700 SE Convenience Blvd.

Request: To allow a 40-foot side yard setback for new row of box hangars

Code Section: 192.16(3)(B)

Decision: Granted

Docket: #22-12 Variance – Covered Deck – Rear Yard Setback

Applicant: Nicholas Blocker R-2

Location: 2212 NW Abilene Road

Request: To allow a 24-foot 4-inch rear yard setback for a covered deck

Code Section: 192.04(3)(E)

Decision: Granted

Renewed Special Use Permits

#20-07 Tavern 180 - 1975 N Ankeny Blvd., Suite 117

July 6, 2022

Meeting Cancelled

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July 19, 2022

Meeting Cancelled

August 2, 2022

Meeting Cancelled

August 16, 2022

Docket: #22-13 Variance – Side Yard Setback

Applicant: Hurd Ankeny, LLC PUD

Location: 1055 & 1075 SW Oralabor Road

Request: To allow a 10-foot side yard setback for the split of two parcels

Code Section: Highpointe North PUD

Decision: Granted Renewed Special Use Permits

#19-10 Cancun Grill and Cantina 2 – 2785 N Ankeny Blvd., Suites 11 & 12

September 7, 2022

Docket: #22-14 Variance –Height

Applicant: Long Creek Design, LLC R-1

Location: 1107 NE Milan Avenue

Request: To allow an 18-foot high accessory building

Code Section: 192.03.3.F

Decision: Denied

September 20, 2022

Meeting Cancelled

October 4, 2022

Meeting Cancelled

October 18, 2022

Meeting Cancelled

November 8, 2022

Docket: #22-19 Variance – Rear Yard Setback

Applicant: JNM Development Holdings, LLC C-2

Location: 3607 NE Otterview Circle

Request: to allow a 20-foot rear yard setback for construction of a deck style patio

Code Section: 192.09(3)(F)

Decision: Granted

Renewed Special Use Permits

#16-13 Cabaret - 2785 N Ankeny Blvd.

#16-18 The Whiskey House - 2510 SW White Birch Drive, Ste. 8 & 9

#08-23 Buffalo Wild Wings Grill & Bar - 1690 SE Delaware Ave.

#15-14 Benchwarmers Ankeny Inc. - 705 S Ankeny Blvd.

#21-20 Vintage Brewhouse - 1300 NW 36th St., Ste. 101

#22-03 Silk Elephant - 2410 SW White Birch Drive, Ste. 108

November 22, 2022

Docket: #22-20 Variance – Covered Deck – Rear Yard Setback

Applicant: Mark Van De Pol R-2

Location: 4904 NE Trilein Drive

Request: to allow a 32-foot rear yard setback for a three-seasons covered deck

Code Section: 192.04(3)(E)
Decision: Granted

Docket: #22-15 Variance - Height

Applicant: GSS, Inc. C-2

Location: 3950 N Ankeny Blvd.

Request: To allow for a 75-foot height variance for the construction of a stealth monopole with

associated equipment

Code Section: 192.09(3)(G)

Decision: Granted

Docket: #22-16 Variance – Rear Yard Setback

Applicant: GSS, Inc. C-2

Location: 3950 N Ankeny Blvd.

Request: to allow for a 31.33-foot rear yard setback for the construction of a stealth monopole with

associated equipment

Code Section: 192.08(3)(F)
Decision: Granted

Docket: #22-17 Special Use Permit – Stealth Monopole

Applicant: GSS, Inc. C-2

Location: 3950 N Ankeny Blvd.

Request: Construction of a 120-foot stealth monopole with associated equipment

Code Section: 196.02(1)(H)

Decision: Granted, with conditions

Docket: #22-18 Conditional Use Permit

Applicant: GSS, Inc. C-2

Location: 3950 N Ankeny Blvd.

Request: Construction of a 120-foot stealth monopole with associated equipment **Code Section:** Special Flood Hazard Area – lowa Department of Natural Resources

Decision: Granted, with conditions

December 6. 2022

Docket: #22-21 Variance – Covered Deck – Rear Yard Setback

Applicant: Douglas Playle R-1

Location: 2002 NE Cortina Drive

Request: to allow a 33-foot rear yard setback for a covered deck

Code Section: 192.03(3)(E)
Decision: Granted

Renewed Special Use Permits

#12-02 Sports Page Grill – 1704 N Ankeny Blvd.

December 20, 2022

Meeting Cancelled

2022 Attendance at Zoning Board of Adjustment Meetings

MEMBER	J	AN	F	ЕВ	M	AR	А	PR	M	ΙΑΥ	JL	JN	JI	JL	A	UG	SE	PT	0	СТ	N	ov	D	EC	TOTAL
	4	19	8	22	8	22	5	19	3	17	7	21	6	19	2	16	7	20	4	18	8	22	6	20	
Kristi Tomlinson	1		1		1	1	1		1		1	1				1	1				0	1	1		12
Nicole Sungren	1	No	0	N _o	1	1	1	No	0	No	1	0	N _o	N _o	N _o	1	1	N _o	No	No	1	1	1	No	10
Matt Ott	1	Meeting	1	<u>≤</u>	1	1	1	Meeting	1	Meeting	1	0	Meeting	Meeting	Meeting	0	1	Meeting	Meeting	Meeting	1	1	1	Meeti	11
Brett Walker	1	ting	1	eting	0	1	1	ing	1	ing	1	1	ing	ing	ing	1	1	ing	ing	ing	1	1	1	ing	12
Jeffrey Baxter	1		0		1	1	1		1		0	1				1	1				1	1	1		11
TOTAL	5	0	3	0	4	5	5	0	4	0	4	3	0	0	0	4	5	0	0	0	4	5	5	0	

Zoning Board of Adjustment Activity 2018 – 2022

	# of Cases	# of Meetings
2018	20	14
2019	14	10
2020	21	12
2021	27	15
2022	23	13

2022 Variance Summary

Fence Variance

• 1710 NE Crestmoor Place

Height Variance

- 1107 NE Milan Avenue Denied
- 3950 N Ankeny Blvd.

Setback Variance

Front Yard

• 1710 NE Crestmoor Place

Rear Yard

- 2103 NW Reinhart Drive
- 4611 NE Wanda Drive
- 3313 NW 13th Street
- 2805 NW Westwood Court
- 809 NE Vail Court
- 2514 NW Abilene Road
- 2212 NW Abilene Road
- 3607 NE Otterview Circle
- 4904 NE Trilein Drive
- 3950 N Ankeny Blvd.
- 2002 NE Cortina Drive

Side Yard

- 3700 SE Convenience Blvd.
- 1055 & 1075 SW Oralabor Road

Ground Sign

• 3175 SE Delaware Avenue

Off-Premise Sign Variance

2602 SE Hulsizer Road

Variance Requests by Type 2018 – 2022

	Fence	Setback	Height	Sign	Parking / Paving	Zoning Line Adjust.	Accessory Building	Permitted Accessory/ Principal Uses	
2018	3	9	0	1	0	1	1	0	
2019	1	2	0	0	0	0	0	0	
2020	4	11	1	2	0	1	1	0	
2021	5	4	2	1	0	0	1	3	
2022	1	14	2	2	0	0	0	0	

2022 Special Use / Conditional Use Summary

Special Use Permit

- 2410 SW White Birth Drive, Suite 108
- 1975 N Ankeny Blvd., Suite 113
- 301 E 1st Street
- 3950 N Ankeny Blvd.

Conditional Use Permit

• 3950 N Ankeny Blvd.

Annual Reviews (administratively approved)

#12-02 Sports Page Grill – 17-1 N Ankeny Blvd.

#15-19 Hy-Vee Market Café, 410 N Ankeny Blvd.

#18-04 Grumpy Goat Tavern, 810 E 1st Street

#17-02 Wheel House Pizza Pub - 106 SW State Street, Suite 100

#16-03 District 36 Wine Bar and Grill – 1375 SW Vintage Parkway

#16-16 Guadalajara Mexican Restaurant - 202 SE Delaware Avenue

#20-07 Tavern 180 - 1975 N Ankeny Blvd., Suite 117

#19-10 Cancun Grill and Cantina 2 - 2785 N Ankeny Blvd., Suites 11 & 12

#16-13 Cabaret - 2785 N Ankeny Blvd.

#16-18 The Whiskey House - 2510 SW White Birch Drive, Ste. 8 & 9

#08-23 Buffalo Wild Wings Grill & Bar - 1690 SE Delaware Ave.

#15-14 Benchwarmers Ankeny Inc. - 705 S Ankeny Blvd.

#21-20 Vintage Brewhouse - 1300 NW 36th St., Ste. 101

#22-03 Silk Elephant - 2410 SW White Birch Drive, Ste. 108

#12-02 Sports Page Grill – 1704 N Ankeny Blvd.

Special/Conditional Use Requests 2018 - 2022

	#
2018	5
2019	10
2020	2
2021	10
2022	5