

Planning and Zoning Commission  
Regular Meeting  
April 27, 2015

- 1) The meeting was called to order at 7:00 p.m.
- 2) Roll Call.  
Present: Craig Agan, Nelson Bogaard, Julio Chiarella, Jim Danks, Bob Smith, Mike Vander Molen, Gary Van Vark, Ervin Van Wyk, Ann Visser.

Absent: David Landon, Teri Vos.

Others Present: Mark Blankespoor, Curt Hooyer, Doug Van Zee, Tim Te Grootenhuis, Angela Vander Linden, Ron Paxton, Brenda Speer, Mike Lubberden, George Wesselhoft.

- 3) Approval of Minutes. The minutes of the April 13, 2015 special meeting were approved as submitted.
- 4) Public Hearing on Amendments to Zoning Regulations 165.33 Sign Regulations by Amending the Provisions for Drive-Through Menu Signs and Adding New Provisions for Preview Menu Signs.

No written comments were received.

Tim Te Grootenhuis stated his question is two and a half years ago they went the process of getting all the signage for the Culver's approved and they have followed all the rules and regulations that were stipulated at that time including the 24 square feet which is what the current ordinance states and what has changed in the two and a half years since he went through the process. He added if this ordinance is to be looked at then can we look at the entire ordinance in regards to exterior signs and other regulations that go along with signs.

George Wesselhoft responded that City Council was made aware at the Policy and Planning meeting where this was first discussed that Culver's met the rules but since the current ordinance dates back to at least 1987 they felt it was time to look at modifying the ordinance.

The public hearing was closed.

- 5) Amendments to Zoning Regulations 165.33 Sign Regulations by Amending the Provisions for Drive-Through Menu Signs and Adding New Provisions for Preview Menu Signs. Dairy Queen plans to build a new restaurant on Lot 3 of Gateway Commercial Park, west of Country Inn & Suites Hotel and south of Casey's on Roosevelt Road. They would like to move their existing business location menu board sign, which is nonconforming in so far as size, to their new location. The maximum size limit is 24 square feet for drive through restaurant

menu board sign. Dairy Queen is requesting allowance to accommodate their existing sign at 106” by 54” (39.75 square feet). City Council at the February 17, 2015 Policy and Planning directed Staff and the Committee to look into this sign type area to see if the Code should be changed with respect to sign area. Staff surveyed other cities in Iowa and found a range of regulations from Pella’s 24 square feet maximum to no sign regulation by Des Moines or Oskaloosa where the signs are not visible from the public street. The Community Development Committee discussed the request at the March 11, 2015 meeting. The unanimous consensus of the Committee was to recommend a change to the Code to accommodate the request with a new menu board maximum size area of 40 square feet. City Council at the March 24, 2015 Policy and Planning meeting gave direction to prepare the menu board sign ordinance amendment but also to consider additional option for menu preview sign. The proposed menu sign ordinance would allow a new square footage maximum of 40 square feet instead of the current 24 square feet. The proposed preview menu sign ordinance would allow an additional menu sign in conjunction with the drive thru lane up to 24 square feet. Total new square footage allowed for all menu signage would therefore be 64 square feet versus the existing 24 square feet. The Community Development Committee at their April 8, 2015 meeting unanimously voted (8 to 0) to recommend approval of the proposed ordinances to the Planning and Zoning Commission and City Council.

Gary Van Vark asked if Culver’s had the opportunity today would they put in a larger sign.

Tim Te Grootenhuis responded absolutely, that they have numerous items that are not displayed on their menu board. They had to pay an extra \$1300 for the special size to reach the 24 square foot. He added there were four different instances working today where someone that went through the drive through said they did not see the menu item and now there would be a replacement cost of \$7000 to put a new one in.

Julio Chiarella mentioned that some restaurants in Des Moines allow two signs.

Gary Van Vark asked why the research was not done earlier as he sees unfairness.

There was further discussion about the menu signs for drive through restaurants and the proposed ordinance and why it is being considered at this time.

Mike Vander Molen stated this is a request by a specific company and if this was an issue it should have been looked at comprehensively and that it seems like we are making an exception for a specific business in this instance.

Julio Chiarella mentioned that in the case of Dairy Queen the menu sign will be in the back of the building versus a larger sign up front.

Bob Smith stated that the proposed ordinance does not cover that aspect and asked about proximity to an interchange under the ordinance.

George Wesselhoft responded that the interchange ordinance pertains to the pole sign option which Dairy Queen is not proposing for their new site.

Jim Danks stated that he hears two subjects being discussed: the fairness part and then whether the ordinance should be tabled to look at other aspects.

There was additional discussion about the proposed ordinance as well as other sign ordinance aspects.

Gary Van Vark made a motion to table the ordinance amendments for further study for 30 days. Mike Vander Molen seconded the motion. Upon vote, Van Vark, Vander Molen, Agan, Danks, Smith voted yes. Bogaard, Chiarella, Van Wyk and Visser voted no. Motion carried 5 to 4.

- 6) Site Plan for Dairy Queen (Re-approval of Expired Site Plan). Dairy Queen is proposing a 3,400 square foot restaurant with drive up on Gateway Commercial Park, Lot 3 located directly west of Country Inn & Suites on Roosevelt Road. As their site plan was originally approved on February 24, 2014 it has expired due to 180 day expiration time frame under Code. Dairy Queen is requesting re-approval of the same site plan. The Community Development Committee re-approved the design permit for Dairy Queen at their meeting on April 8, 2015.

Nelson Bogaard made a motion to approve the site plan. Julio Chiarella seconded the motion. Upon vote, all voted yes. Motion carried 9 to 0.

- 7) Site Plan for Sun Valley Barn (Re-approval of Expired Site Plan). Angela Vander Linden and Ron Paxton are proposing a 4,800 square foot reception hall, Sun Valley Barn, along with associated parking on an existing 7.38 acre parcel adjacent 2001 Fifield Road. As their site plan was originally approved on September 22, 2014 it has expired due to 180 day expiration time frame under Code. Applicant is requesting re-approval of the same site plan.

Mike Vander Molen made a motion to approve the site plan. Gary Van Vark seconded the motion. Upon voted, all voted yes. Motion carried 9 to 0.

- 8) Site Plan for Work Systems Building LLC. Work Systems Building LLC is proposing a new indoor sports complex on Lots 16 & 17 of Southgate Plat 2. The building area would be 62,300 square feet with single story and mezzanine. The Southgate Design & Development Review Committee approved the project design at their April 16, 2015 meeting.

Julio Chiarella made a motion to approve the site plan. Ann Visser seconded the motion. Upon vote, all voted yes. Motion carried 9 to 0.

- 9) Site Plan for Central College. Central College is proposing hardscape improvements and minor grading work with portions of new fencing, gateways to Schipper Stadium, and a paved plaza space.

Craig Agan made a motion to approve the site plan. Nelson Bogaard seconded the motion. Upon vote, all voted yes. Motion carried 9 to 0.

- 10) Other Business. George Wesselhoft mentioned that the May Commission meeting date would be on May 18 due to Memorial Day. He also mentioned that the City Council tentatively will discuss the proposed single and two family residential tree ordinance which was tabled at their last meeting at Policy and Planning on May 19. Mr. Wesselhoft stated he would send out an email to the Commission beforehand as members would be invited to attend.

- 11) The meeting was adjourned at 7:47 p.m.

Respectfully submitted,  
George Wesselhoft  
Planning and Zoning Director