

Docket Number: 20/8710

Appellant: Quik Trip Corporation, PO Box 3475, Tulsa, OK 74101 (Property Owner), represented by Miranda Cassens with Chesnut Signs, 971 NE Broadway Avenue, Des Moines, IA 50313 (Contractor)

Appeal: The appellant requests a variance to allow a third freestanding sign, a freestanding sign height variance for a third freestanding sign at an overall height of approximately 22' 3¼", and a sign area variance of approximately 94.95 square feet for a third freestanding sign

Background

The subject property is located at 4801 NE 14th Street, Des Moines, and is legally described as part of Lot 1 in Kemper Estate, and a part of the SW¼ of Section 13, Township 79 North Range 24 West of the 5th P.M. (Saylor Township), more particularly described as Tract 'A' on the plat of survey filed August 12, 1993 in Book 6834, Page 440 in the Office of the Polk County Recorder, Polk County, Iowa, Except that part conveyed to the State of Iowa on June 30, 1999 in Book 8255, Page 369, and on July 24, 1973 in Book 4385, Page 829, and on January 6, 1984 in Book 5315, Page 445, and on September 4, 1986 in Book 5619, Page 734. The subject property is approximately 5.70 acres in size and is zoned "HI" Heavy Industrial District. The property is developed as a Quik Trip Travel Center, including gas station, convenience store, restaurant and semi-truck services.

The subject property is located at the southeast corner of NE 14th Street (Hwy 69) and Interstate 80/35 within unincorporated Polk County. The surrounding unincorporated area is primarily zoned "HI" Heavy Industrial District and developed with industrial and heavy commercial uses. The City of Des Moines corporate limits are located directly west of the subject property on the west side of NE 14th Street. This adjacent land within the City of Des Moines is undeveloped. See *Attachment A* at the end of this report for a vicinity map of the subject property and surrounding area.

The subject property was permitted and developed in 1994 for its present use as a Quik Trip Travel Center. The site consists of an approximately 10,645 square feet one-story commercial building jointly occupied by a Quik Trip convenience store and a Burger King fast food restaurant. The site also contains a canopy and fuel islands located in the western portion of the site along NE 14th Street, as well as a separate canopy and diesel fuel islands located in the eastern portion of the site specifically designed for semi-truck traffic. The remainder of the property is largely paved access, circulation and parking areas. There is a small looped driveway for drive-thru service for the fast food restaurant located directly north of the building. The eastern half of the site is entirely developed for semi-truck services, including refueling, parking and a commercial scale.

Signage History

The subject property has been previously granted three (3) separate variances relating to signage. The property was granted a variance in 1992 allowing a second freestanding sign, as well as a height variance and area variance to allow the second freestanding sign at 100 feet tall and approximately 1,060 square feet in size. At that time, the Zoning Ordinance permitted one (1)

freestanding sign for gas station, not to exceed 50 square feet in size and 12 feet in height. Following approval of this variance, Polk County issued a sign permit for a 100-foot tall freestanding pole sign that was installed on the northern portion of the site at approximately 1,057 square feet in size. The sign provided advertising for Quik Trip and Burger King, including manual gas price display, with visibility to Interstate 80/35. In 1999, an additional height variance was granted to relocate this sign and increase the height to 136 feet. Due to the Iowa DOT's purchase of additional right-of-way, the previously permitted 100-foot tall sign had to be relocated. The new location was at a lower grade, and therefore a variance was requested and granted to increase the sign height to 136 feet in order to maintain the same visibility to Interstate 80/35.

A variance was also granted for the subject property in 1994, which included a height variance from 15 feet to 18 feet for a freestanding sign, a wall sign variance of 131 square feet (from 80 to 211 square feet) for a restaurant, a wall sign variance of 160 square feet (from 50 to 210 square feet) for a gas station, and a directional sign variance to allow multiple directional signs larger than four (4) square feet. Following approval of this variance, Polk County issued permits for an 18-foot tall freestanding monument sign as well as the proposed wall and directional signs. Most recently, sign permits were issued by the County in 2017 and 2019 to fully replace the monument and directional signs, as well as to reface the pole sign and swap out the manual gas price display with a digital display. These replacement signs and new faces were permitted within the parameters of the existing variances noted above.

Summary of Request

The Polk County Zoning Ordinance, *Article 11: Signs, Division 3 Permitted Signs* stipulates that gas station and convenience store uses are permitted one (1) freestanding sign, the area of which may not exceed 20 square feet per 100 lineal feet of site frontage up to a maximum of 90 square feet. *Article 11, Division 5, Section 1* sets the maximum permitted height for freestanding signs at ten (10) feet. The previous variance from 1992 covers the two (2) existing freestanding signs. The property owner is proposing to install a third freestanding sign on the site at approximately 94.95 square feet in size, and approximately 22' 3¼" in overall height. The sign would advertise for Quik Trip Certified Scales, replacing a previously removed grandfathered sign that advertised the same amenity for CAT Scales. Polk County has no record of a permit for the original CAT scale sign. Staff would have allowed a reface of the prior sign given its longstanding location on the property. However, since it was removed these variances are required in order to replace it with the proposed new freestanding sign. See *Attachment B* at the end of this report containing a detail of the proposed sign and a site plan indicating its proposed location on the property. The sign will be located in directly north of the diesel fuel islands and canopy in the eastern portion of the site. It will be approximately 155 feet setback from the northern property line along Interstate 80/35, and approximately 325 feet setback from the western property line along NE 14th Street. This is the general location of the previous sign for CAT Scales.

Staff mailed out 15 notices regarding this request, including the date and time of the public hearing, to surrounding property owners within the 250-foot notification boundary. To-date staff has received one (1) response in support and zero (0) responses in opposition of this Appeal.

Natural Resources

The subject property contains no areas of mapped floodplain, wetlands or other environmental hazards or features. The site topography is relatively flat with no significant changes in elevation. The property contains a small number of existing trees and landscaping along NE 14th Street and Interstate 80/35, while the majority of the site is developed with a main building, fuel islands and associated canopies, and paved parking and circulation areas. The proposed sign will not impact any existing environmental features.

Roads & Utilities

The property has over 450 feet of frontage to the west onto NE 14th Street (Hwy 69), as well as over 550 feet of frontage to the north along Interstate 80/35. Access to the property is via a shared entrance driveway connecting west to the signaled intersection with NE 14th Street. There is no direct access to the north onto Interstate 80/35. Both adjacent roadways are major arterial highways/interstates maintained by the Iowa Department of Transportation (IDOT). IDOT has jurisdiction over signage that is visible from their rights-of-way. Staff contacted the IDOT Right Of Way Division regarding this proposal. They commented that the proposed sign would meet their requirements, and would not require a State Permit. The subject property is served by Polk County sanitary sewer, and water service is provided by Des Moines Water Works.

Recommendation

Variance to allow a third freestanding sign

The Board of Adjustment may grant a variance if items 1 through 5 are affirmed.

- 1.) Are there exceptional or extraordinary circumstances or special conditions applying only to the property in question and which do not exist generally on other properties in the same zoning district which makes it impossible to place a use permitted in the district on the property?
Yes. The property's location at the intersection of a State highway and Interstate, as well as its provision of semi-truck services, necessitates the proposed sign. Surrounding properties with Interstate visibility have historically been granted variances for additional freestanding signs.
- 2.) Is the variance necessary for the preservation and enjoyment of property rights possessed by other properties in the same zoning district in the same vicinity? (No variance can permit uses that are prohibited in a district)
Yes. The existing use of a gas station and convenience store travel center is permitted within the zoning district. The provided semi-truck services necessitate the requested signage to appropriately direct traffic onsite and advertise the amenity of a certified commercial truck scale.
- 3.) Will the variance preserve adjacent property and support the purpose of the ordinance and the public interest?
Yes. Surrounding properties are similar zoned and utilized for industrial and heavy commercial uses. The property contained a similar sign for the previous scale

company onsite for a number of years, with no complaints or issues reported.

4.) Is there a special condition or circumstance that did not result from the actions of the applicant?

Yes. The site previously contained a similar third freestanding sign for a different scale company, of which Polk County had no record. This sign could have been refaced. However, the previous scale company had it removed. The original placement and subsequent removal of this previous sign were not a result of the appellant's actions.

5.) Does the variance support the intent of Article 7 Natural Resource Protection and Article 8 Stormwater and Erosion Control Management of the Polk County Zoning Ordinance?

Yes. The appellant is required to meet the environmental provisions of the Polk County Zoning Ordinance. No environmentally sensitive areas of the property are impacted by this proposal.

The Board of Adjustment may grant a variance if items 1 through 5 are affirmed. Since items 1-5 were answered in the affirmative, staff recommends approval of the requested variance.

Variance for freestanding sign height from 10 feet to approximately 22' 3¼"

The Board of Adjustment may grant a variance if items 1 through 5 are affirmed.

1.) Are there exceptional or extraordinary circumstances or special conditions applying only to the property in question and which do not exist generally on other properties in the same zoning district which makes it impossible to place a use permitted in the district on the property?

Yes. The property's location at the intersection of a State highway and Interstate, as well as its provision of semi-truck services, necessitates the proposed sign's height. Surrounding properties with Interstate visibility have historically been granted variances for freestanding sign height. Additionally, the property sits at a significantly lower elevation than the adjacent Interstate.

2.) Is the variance necessary for the preservation and enjoyment of property rights possessed by other properties in the same zoning district in the same vicinity? (No variance can permit uses that are prohibited in a district)

Yes. The existing use of a gas station and convenience store travel center is permitted within the zoning district. The provided semi-truck services necessitate the requested sign height to appropriately direct traffic onsite and advertise the amenity of a certified commercial truck scale.

3.) Will the variance preserve adjacent property and support the purpose of the ordinance and the public interest?

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company onsite for a number of years, with no complaints or issues reported.

4.) Is there a special condition or circumstance that did not result from the actions of the applicant?

Yes. The site previously contained a similar third freestanding sign for a different scale company, of which Polk County had no record. This sign could have been refaced. However, the previous scale company had it removed. The original placement and subsequent removal of this previous sign were not a result of the appellant's actions.

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Sign area variance of approximately 94.95 square feet for a third freestanding sign.

The Board of Adjustment may grant a variance if items 1 through 5 are affirmed.

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Yes. The property's location at the intersection of a State highway and Interstate, as well as its provision of semi-truck services, necessitates the proposed sign's area. Surrounding properties with Interstate visibility have historically been granted variances for freestanding sign area.

2.) Is the variance necessary for the preservation and enjoyment of property rights possessed by other properties in the same zoning district in the same vicinity? (No variance can permit uses that are prohibited in a district)

Yes. The existing use of a gas station and convenience store travel center is permitted within the zoning district. The provided semi-truck services necessitate the requested sign area to appropriately direct traffic onsite and advertise the amenity of a certified commercial truck scale.

3.) Will the variance preserve adjacent property and support the purpose of the ordinance and the public interest?

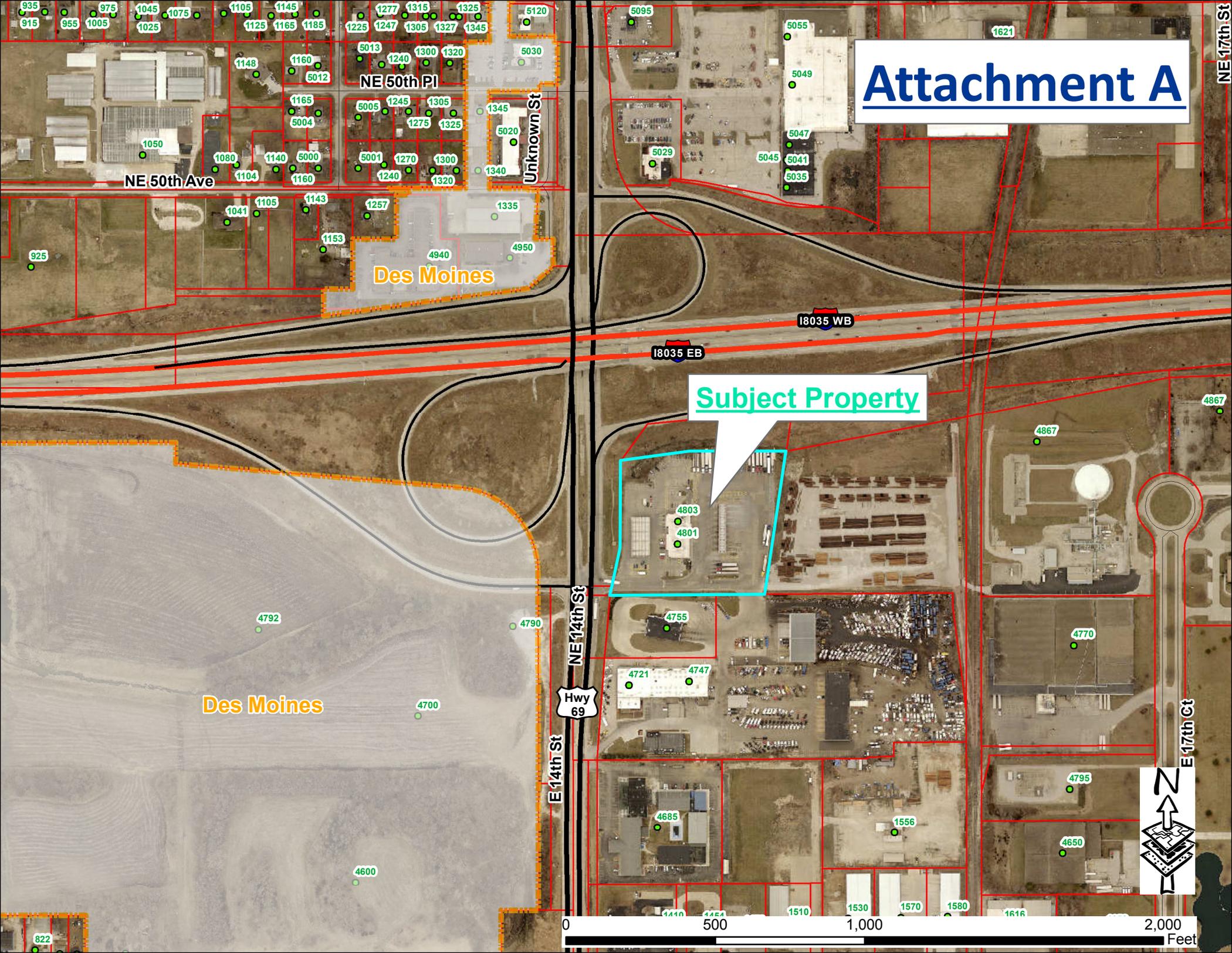
Yes. Surrounding properties are similar zoned and utilized for industrial and heavy commercial uses. The property contained a similar sign for the previous scale company onsite for a number of years, with no complaints or issues reported.

- 4.) Is there a special condition or circumstance that did not result from the actions of the applicant?
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Attachment A

Subject Property



NE 14th St
Hwy 69

E 17th Ct



Attachment B

Regarding Fabrication Fit & Finish of All QT Signs:
 Visible fabrication seams and welded joints are to be sanded smooth, filled and finished to QT specifications. Any visible fasteners are to be countersunk and have painted heads. Face retainers must fit flush and have even, minimal seams. Any variation from this directive must be brought to the attention of QT Quality Control Manager without delay.



Gen III
Page 1

Gen III Scale Sign Design Option 1

Project Information

Client: **QuikTrip**

Location: **Various**

File: **Gen3 Scales Sign** Project Manager: **Betsy Swan**

Sales: **Tom Allen** Design: **Sid Nowell**

Date / Description

04/06/11 Issue Date
 04/08/11 Graphic layouts added w/color ref.
 05/22/12 Design Option 1
 10/08/12 Fab'd top box / LED details
 10/15/12 call box amperage note (page 7)
 06/04/17 Revised to "Certified Scales"

Client Review Status

Allen Industries, Inc. requires that an "Approved" drawing be obtained from the client prior to any production release or production release revision.

Approved Approved as Noted Revise & Resubmit

Name: _____ Date: _____

Notes

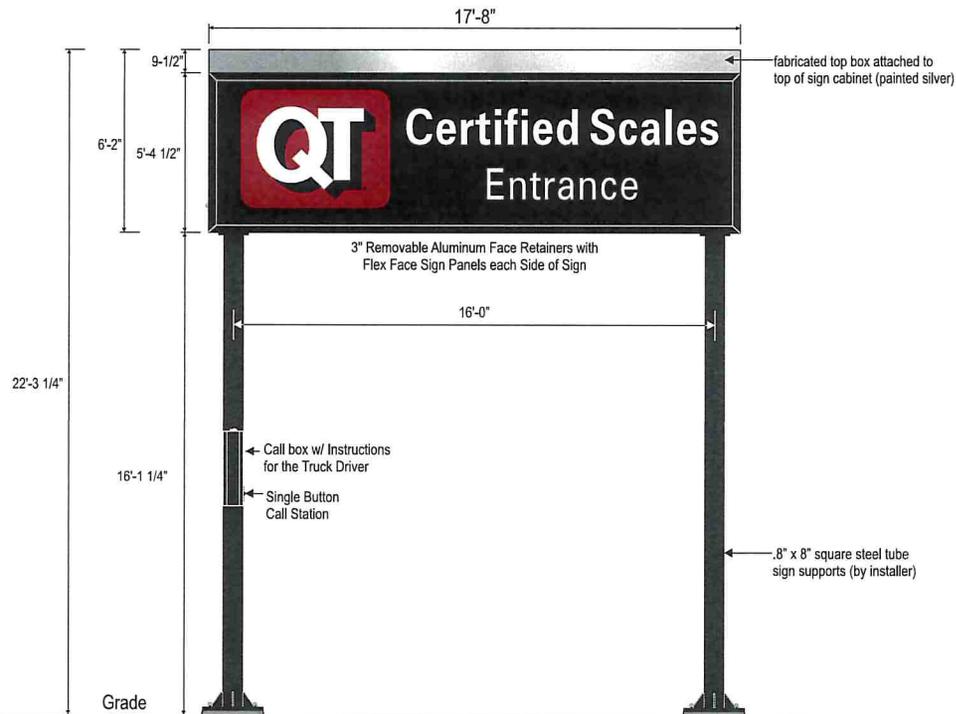
Declaration

The Drawing / Design illustrated is the property of QuikTrip Corporation and Allen Industries, Inc. The production, copying, or use hereof is prohibited without written consent. Any infringement will be subject to legal action.



Corporate Signage Division
 6434 Burnt Poplar Road, Greensboro, NC 27409
 Phone 800-967-2553 Fax 336-668-2791

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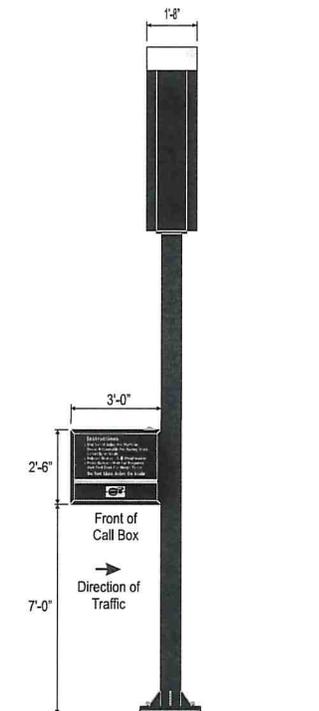


Front View - Design Option 1
TC Scales Pole Sign
 Scale 1/4" = 1'-0"

COLOR REFERENCE:

NOTE: ALL PAINTED FINISH TO BE AKZO NOBLE SIGN FINISHES TO MEET QT PAINT SPECIFICATIONS
 POLYCARBONATE PAINT COLOR REF. EXTERIOR SIGN FRAME - POLYURETHANE PAINT COLOR REF.:

 FACE COLOR: AKZO NOBLE PAINT MATCH 3M CARDINAL RED #3832-53 TRANSLUCENT VINYL	 SIGN FRAME: BLACK - LOW GLOSS AKZO NOBLE POLYURETHANE	 AKZO NOBLE OPAQUE BLACK	 SIGN FRAME: SILVER - LOW GLOSS AKZO NOBLE POLYURETHANE	 AKZO NOBLE TRANSLUCENT WHITE	 INTERIOR OF SIGN: WHITE - MATTE GLOSS AKZO NOBLE POLYURETHANE
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Side View

Design Option 1
Graphic Layout and Sizes Illustrated provided by the
QT - TC Scales Art, Vertical Pole Sign, TC Series,
Issue Date 4/20/12

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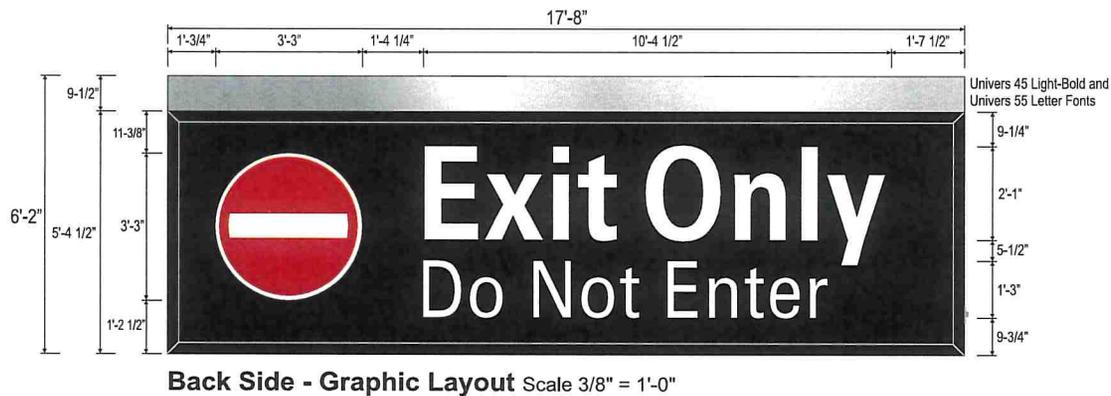
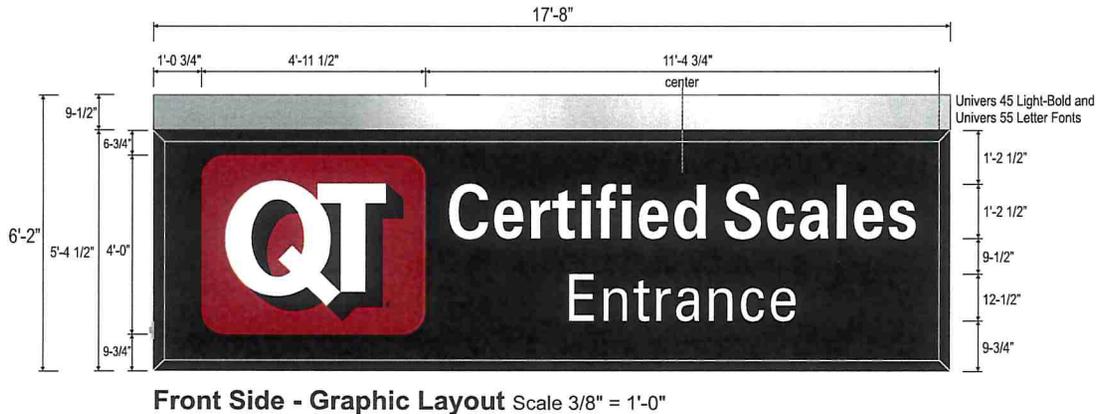
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Approved Approved as Noted Revise & Resubmit

Name: _____ Date: _____

Notes

Note: QT Responsible for all sign engineering, engineered steel requirements, sign footings, sign installation requirements/specifications and sign permits.

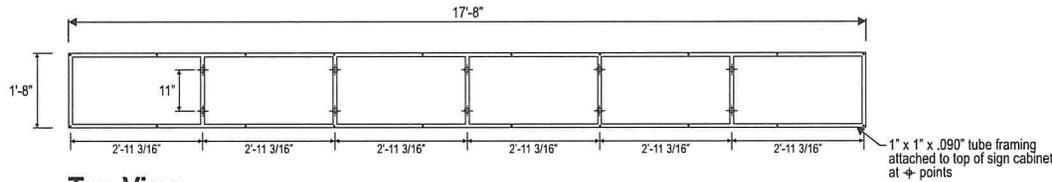
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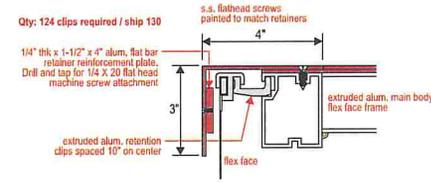


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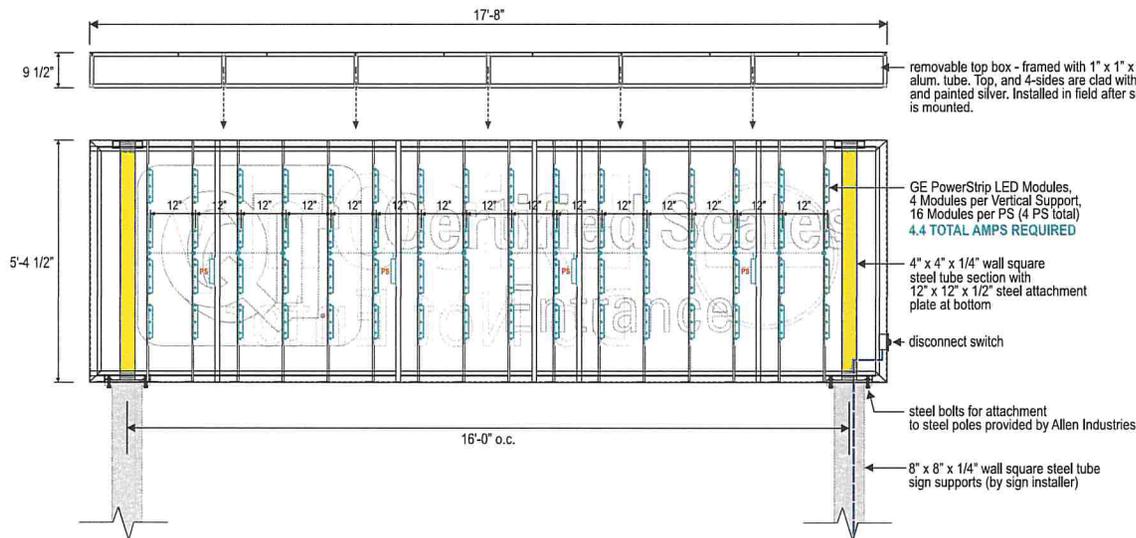
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Top View

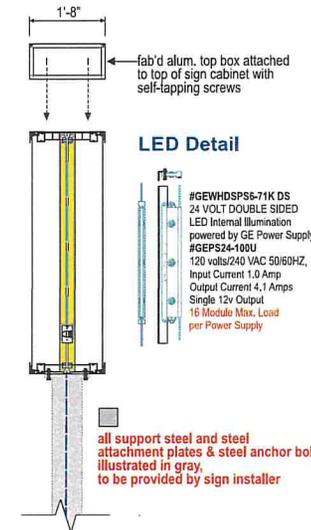


Sign Frame Retainer Side View Section Detail
Scale 1/4" = 1"



Front View - Scales Pole Sign
Scale 3/8" = 1'-0"

Design Option 1 Requires Additional GE PowerStrip LED Modules and Power Supply due to the larger sized graphics to be illuminated.



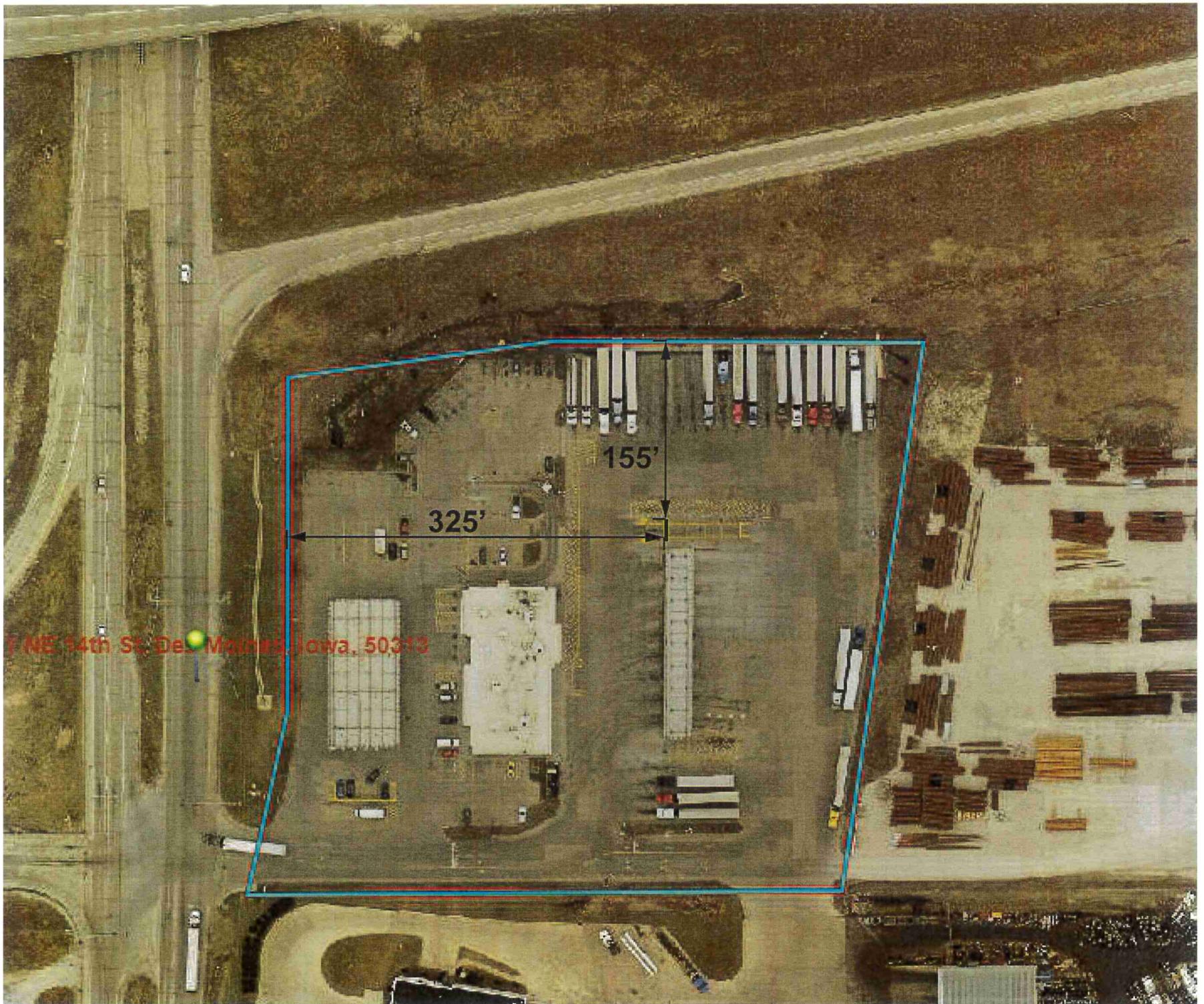
Side View

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THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.





NE 14th St, De Moines, Iowa, 50313

325'

155'