

Proceedings of the Polk County Zoning Commission

The Polk County Zoning Commission held a scheduled meeting on Monday, October 28, 2019 at 7:00 P.M. in the meeting room of the Polk County Public Works Department, Planning and Development Division, 5885 N.E.14th Street, Des Moines, Iowa.

MEMBERS PRESENT: Frank Steinbach, Ray Sprague, Kristi Bales, Michael Fairchild, and Dave Campbell.

MEMBERS ABSENT: Mikki Stier and Merle Hicks.

Present from the Polk County Public Works Department, Planning Division were Bret VandeLune, Planning and Development Manager, Seana Perkins, Land Use Planning Coordinator, Jennifer Ellison, Planner, and Ashley Davidson, Recording Secretary.

It was moved by Campbell and seconded by Bales to **approve** the September 23, 2019 minutes as submitted.

Vote: Yea: Campbell, Bales, Sprague. Nay: None. Abstain: Fairchild. Absent: Steinbach, Stier, and Hicks.

Let the record show that Frank Steinbach arrived at 7:08 PM and proceeded as Chairperson.

Consent New Business: None.

Advertised Public Hearings:

Discussion – New Business:

Item 1. 2019-08148 – Rezoning Petition – 20.04 acres located south of NE 66th Avenue, Part of Geoparcels 7924.02.426.001, Section 2 of Saylor Township

Petitioner: Perficut Partners LLC (Property Owner) 6550 NE 14th Street, Des Moines, Iowa 50313. The Petitioner is represented by Erin Ollendike with Civil Design Advantage, 3405 SE Crossroads Drive, Suite G, Grimes, Iowa 50111.

Request: Comprehensive Plan Amendment and Zoning Map Amendment to change the Future Land Use Map designation from Medium Density Residential to Light Industrial and to change the Zoning Map from “MDR” Medium Density Residential District to “LI” Light Industrial District with conditions.

Seana Perkins gave the staff presentation.

Let the record show that Erin Ollendike with Civil Design Advantage, 3405 SE Crossroads Drive Suite G, Grimes, Iowa 50111 and Matt Boelman with Perficut Partners LLC (Property Owner), 1405 Oakwood Drive, Polk City, Iowa 50226 were present to represent the Comprehensive Plan Amendment and the Zoning Map Amendment.

Let the record show that the following individuals were present to speak in opposition of the Rezoning Petition:

Jessica & Jeromy Brooks – 6444 NE 9th Court, Des Moines, Iowa 50313
Kelly Garoutte – 6395 NE 9th Court, Des Moines, Iowa 50313
Rondine Anderson – 6531 NE 9th Court, Des Moines, Iowa 50313
Chad Zimmerman – 6361 NE 9th Court, Des Moines, Iowa 50313
Julie Hibben – 6385 NE 9th Court, Des Moines, Iowa 50313
Diane Warwick – 6541 NE 9th Court, Des Moines, Iowa 50313
Kurt Hunt – 6479 NE 9th Court, Des Moines, Iowa 50313
Linda Johnson-Lundquist – 6345 NE 9th Court, Des Moines, Iowa 50313

Matt Boelman with Perficut Partners, LLC provided a rebuttal to the opposition testimony.

After Zoning Commission deliberation, a motion was made by Campbell and seconded by Fairchild to **deny** the Comprehensive Plan Amendment and Zoning Map Amendment to change the Future Land Use Map designation from Medium Density Residential to Light Industrial and to change the Zoning Map from “MDR” Medium Density Residential District to “LI” Light Industrial District with conditions according to staff’s recommendation as outlined in the staff report.

Vote: Yea: Campbell, Fairchild, Steinbach, and Bales. Abstain: None. Nay: Sprague. Absent: Stier and Hicks.

Item 2. 2019-08330 – Rezoning Petition – 2.37 acres located approximately 70 feet southeast of the NE 43rd Court and East Aurora Avenue intersection and addressed as 4175 NE 43rd Court, Section 21 of Delaware Township

Petitioner: Tony Schmalz (Property Owner) APS DM, LLC, 4175 NE 43rd Court, Des Moines, Iowa 50317-4625 represented by Doug Saltsgaver with Engineering Resource Group, Inc., 2413 Grand Avenue, Des Moines, Iowa 50312.

Request: Comprehensive Plan Amendment and Zoning Map Amendment to change the Future Land Use Map designation from Low Density Residential to Light Industrial and to change the Zoning Map from “LDR” Low Density Residential District to “LI” Light Industrial District.

Jennifer Ellison gave the staff presentation

Let the record show that Tony Schmalz with APS DM, LLC (Property Owner), 5738 Wistful Vista Dr, West Des Moines, IA 50266 and Doug Saltsgaver with Engineering Resource Group, Inc., 2413 Grand Avenue, Des Moines, Iowa 50312 were present to represent the Comprehensive Plan Amendment and Zoning Map Amendment.

After Zoning Commission deliberation a motion was made by Bales and seconded by Fairchild to **deny** the Comprehensive Plan Amendment and Zoning Map Amendment to change the Future Land Use Map designation from Low Density Residential to Light Industrial and to change the Zoning Map from “LDR” Low Density Residential District to “LI” Light Industrial District according

to staff's recommendation as outlined in the staff report.

Vote: Yea: Bales, Fairchild, Steinbach, and Campbell. Abstain: None. Nay: Sprague. Absent: Stier and Hicks.

Public Comments: None.

Report from the Zoning Administrator: None.

Adjournment:

A motion was made by Chairperson Steinbach to adjourn the meeting until the next scheduled Zoning Commission meeting on November 25, 2019.