

Agenda

Polk County Zoning Commission
Monday, October 28, 2019 - 7:00 P.M.
Polk County Public Works, Planning & Development Division
5885 NE 14th Street, Des Moines, Iowa.

A) Roll Call

Frank Steinbach
Ray Sprague
Michael Fairchild
Mikki Stier
David Campbell
Merle Hicks
Kristi Bales

B) Acceptance of the September 23, 2019 meeting minutes

C) Advertised Public Hearings

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.

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 Saltgaver 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.

D) Unfinished Business - None

E) New Business - None

- F) Public Comments
- G) Report from the Zoning Administrator

Item 1. Current Project Updates

- H) Adjournment

The information identified on this agenda may be obtained in accessible formats by qualified persons with a disability. To receive more information or to request an accommodation to participate in a meeting, hearing, service, program, or activity conducted by this department/office, please contact Polk County Public Works, Planning staff; 5885 NE 14th Street, Des Moines, Iowa 50313 at (515) 286-3705.

POLK COUNTY PUBLIC WORKS DEPARTMENT
PLANNING & DEVELOPMENT DIVISION
5885 NE 14th Street
DES MOINES, IOWA 50313

NOTICE OF PUBLIC HEARING

October 11, 2019

TO THE OWNER OR OCCUPANT:

NOTICE IS HEREBY GIVEN that a Rezoning Petition has been filed with the Polk County Zoning Commission by 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. The Petitioner is requesting a Polk County Zoning Map amendment from the "MDR" Medium Density Residential District to the "LI" Light Industrial District, and a Polk County Comprehensive Plan Amendment to change the Future Land Use Map classification from Medium Density Residential to Light Industrial for a portion of property, totaling approximately 20.04 acres. The northern 4.21 acres of the property, with a Future Land Use Map designation of Highway Commercial and shown on the Zoning Map as General Commercial is not included within this petition. The area of rezoning is located south of NE 66th Avenue and west of NE 14th Street (Highway 69). The Rezoning Petition area is legally described as:

The West half of the East half of the Southeast Quarter of Section 2, Township 79 North, Range 24 West of the Fifth Principal Meridian lying North of Venture Business Park Plat 1, an Official Plat and lying South of the westerly extension of the South line of Lot 8, Yarn's Acreage Plat No. 3, an Official Plat

and

The South 660 feet of the North 990.40 feet of the West 20 feet of the East half of the Northeast Quarter of said Southeast Quarter, all in the City of Des Moines, Polk County, Iowa containing 20.04 acres more or less in Saylor Township.

This item was deferred from the previously scheduled public hearing on August 26, 2019 to October 28, 2019. The Petitioner has provided a revised concept plan and changed the Rezoning request to include the following conditions:

- (1) A 40' landscape buffer easement will be provided along the western property boundary. The buffer will show a 6-foot tall berm with plantings. This buffer shall be installed and plantings installed when the public improvements are completed for the development;
- (2) A special 100' parking, loading and building setback will be placed along the western boundary of the property;
- (3) No loading dock doors shall open to the residential properties to the west on the industrial lots directly adjacent to the residential properties;
- (4) No street connection shall be made to NE 64th Avenue between lots 17 and 18 of The Greens at Woodland Hills Plat 1 from the industrial lots; and,
- (5) Lighting Restrictions. In addition to Polk County's lighting requirements any outdoor light that is located within 100 feet of the western property line shall be turned off or reduced in lighting by at least 50% from the hours of 10:00 p.m. to 6:00 a.m.

A public hearing will be held before the Polk County Zoning Commission on Monday, October 28, 2019 at 7:00 pm in the meeting room of the Polk County Public Works Department, Planning & Development Division, 5885 NE 14th Street, Des Moines, Iowa. ALL INTERESTED PROPERTY OWNERS WILL BE GIVEN AN OPPORTUNITY TO BE HEARD IN REFERENCE TO THE MATTER SET OUT ABOVE.

The application, including proposed map amendments, are available for review during normal business hours (7:00 am – 4:30 pm) at the Polk County Public Works Department, Planning & Development Division, 5885 NE 14th Street, Des Moines, Iowa. Following, is a vicinity map showing the general location of the subject properties and requested rezoning area. This notice may be obtained in accessible formats by qualified persons with a disability. To receive more information or to request an accommodation to participate in a meeting, hearing, service, program, or activity conducted by this department, please contact Polk County Public Works, Planning & Development Division, 5885 NE 14th Street, Des Moines, Iowa 50313, (515) 286-3705.

POLK COUNTY ZONING COMMISSION

Frank Steinbach, Chairperson
Jennifer Green, Secretary

Aerial/Vicinity Map – South of NE 66th Avenue and West of NE 14th Street (Highway 69).



Please note that all previously submitted testimony has been retained as part of the record for this Rezoning casefile. Additional testimony or revised testimony can be submitted as outlined below.

If you wish to be shown approving or disapproving of this Rezoning Petition you may email Seana Perkins at Seana.Perkins@polkcountyiowa.gov, call her at (515)286-3355 or complete the following information and mail to Polk County Public Works Department, Planning & Development Division, 5885 NE 14th Street, Des Moines, IA 50313 at least four days prior to the above meeting date.

Case #2019-08148 – Perficut Partners LLC Rezoning. Please provide your name and address. If the property does not have an address, please provide a parcel # or identify your property by placing an x on the enclosed map and return the map along with this portion.

As the owner of the property, I hereby state my

support for

opposition to

Print Name: _____

Address: _____

Signature: _____

POLK COUNTY PUBLIC WORKS DEPARTMENT
PLANNING & DEVELOPMENT DIVISION
5885 NE 14th Street
DES MOINES, IOWA 50313

NOTICE OF PUBLIC HEARING

September 6, 2019

TO THE OWNER OR OCCUPANT:

NOTICE IS HEREBY GIVEN that a Rezoning Petition has been filed with the Polk County Zoning Commission by Tony Schmalz (Property Owner) APS DM, LLC, 4175 NE 43rd Court, Des Moines, Iowa 50317-4625. The Petitioner is represented by Doug Saltgaver with Engineering Resource Group, Inc., 2413 Grand Avenue, Des Moines, Iowa 50312. The Petitioner is requesting a Polk County Zoning Map amendment from the "LDR" Low Density Residential District to the "LI" Light Industrial District, and a Polk County Comprehensive Plan amendment from Low Density Residential to Light Industrial for the subject property. The subject property is located approximately 70-feet southeast of the NE 43rd Court and East Aurora Avenue intersection, being adjacent to the east of the corporate limits of the City of Des Moines. The subject property consists of one (1) tax parcel addressed as 4175 NE 43rd Court, Des Moines, IA 50317-4625. The property totals approximately 2.37-acres, and is legally described as Lot 27 Capitol Height Replat located within the NW ¼ SE ¼ of Section 21 in Delaware Township. The Petitioner has requested the rezoning to allow for approval of the future construction of a new 20,000 square foot warehouse building. The existing, non-conforming use operates as a warehouse for receiving, delivery and installation services of office furniture called T & M Services.

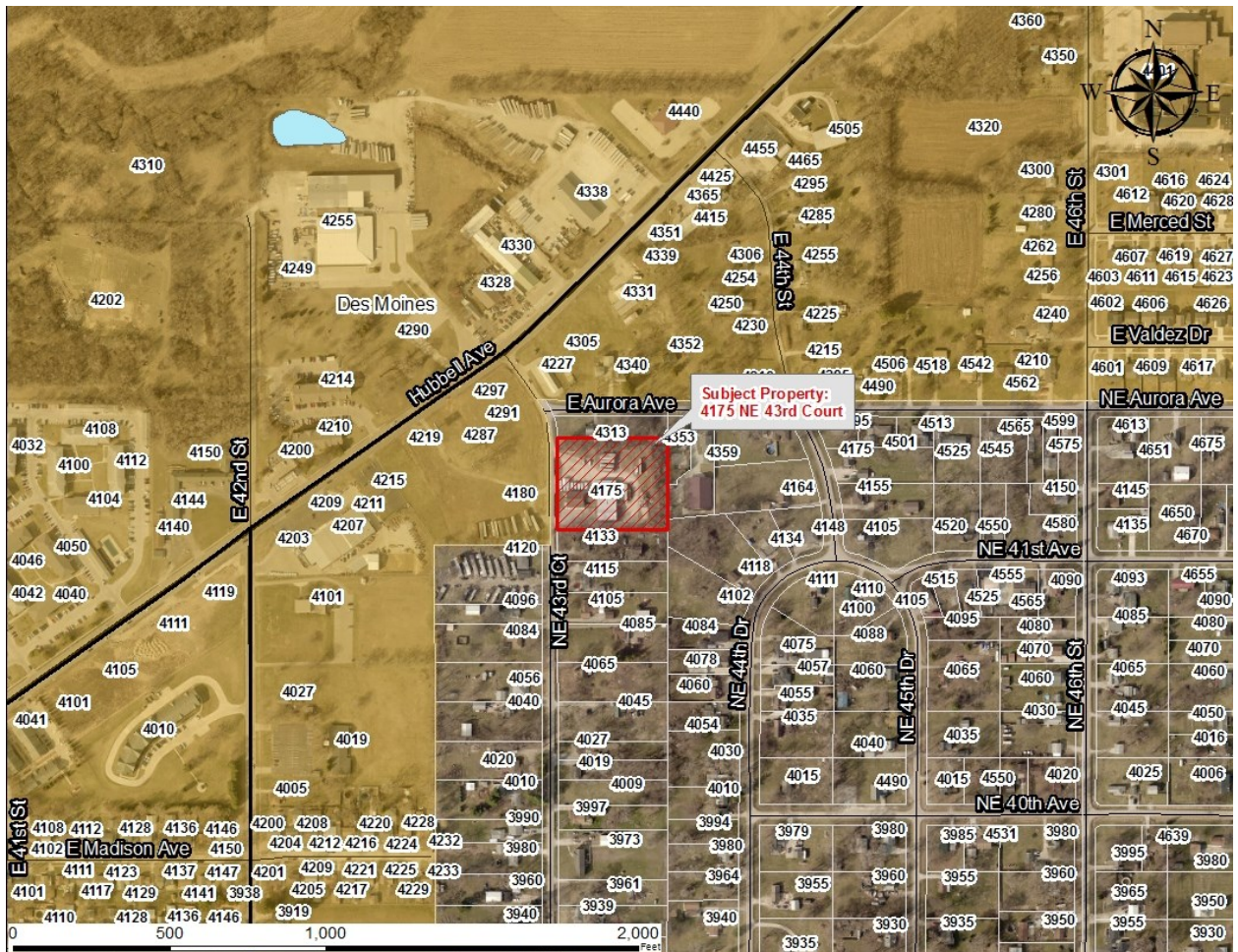
A public hearing will be held before the Polk County Zoning Commission on Monday, September 23, 2019 at 7:00pm in the meeting room of the Polk County Public Works Department, Planning & Development Division, 5885 NE 14th Street, Des Moines, Iowa. All interested property owners will be given an opportunity to be heard in reference to the matter set out above.

The application, including proposed map amendments, is available for review during normal business hours (8:00am – 4:30pm) at the Polk County Public Works Department, Planning & Development Division, 5885 NE 14th Street, Des Moines, Iowa. Below is a vicinity map showing the general location of the subject property and requested rezoning area. This notice may be obtained in accessible formats by qualified persons with a disability. To receive more information or to request an accommodation to participate in a meeting, hearing, service, program, or activity conducted by this department, please contact Polk County Public Works, Planning & Development Division, 5885 NE 14th Street, Des Moines, Iowa 50313, (515) 286-3705.

POLK COUNTY ZONING COMMISSION

Frank Steinbach, Chairperson
Jennifer Green, Secretary

Aerial/Vicinity Map –4175 NE 43rd Court, Des Moines



If you wish to be shown approving or disapproving of the Rezoning Petition you may email Jennifer Ellison at Jennifer.Ellison@polkcountyiowa.gov, call her at (515) 286-2280 or complete the information below and mail to Polk County Public Works Department, Planning & Development Division, 5885 NE 14th Street, Des Moines, IA 50313 at least four days prior to the above meeting date.

----- cut and return -----

Case #2019-08330, T & M Services Rezoning. Please provide your name and address. If the property does not have an address, please provide a parcel # or identify your property by placing an "X" on the enclosed map and return the map along with this portion.

As the owner of the property, I hereby state my:

support for opposition to

Print Name: _____

Address: _____

Signature: _____

POLK COUNTY PUBLIC WORKS DEPARTMENT
PLANNING & DEVELOPMENT DIVISION
5885 NE 14th Street
DES MOINES, IOWA 50313

NOTICE OF PUBLIC HEARING
Hearing to be deferred until October 28, 2019

September 18, 2019

TO THE OWNER OR OCCUPANT:

NOTICE IS HEREBY GIVEN that a Rezoning Petition has been filed with the Polk County Zoning Commission by Tony Schmalz (Property Owner) APS DM, LLC, 4175 NE 43rd Court, Des Moines, Iowa 50317-4625. The Petitioner is represented by Doug Saltgaver with Engineering Resource Group, Inc., 2413 Grand Avenue, Des Moines, Iowa 50312. The Petitioner is requesting a Polk County Zoning Map amendment from the "LDR" Low Density Residential District to the "LI" Light Industrial District, and a Polk County Comprehensive Plan amendment from Low Density Residential to Light Industrial for the subject property. The subject property is located approximately 70-feet southeast of the NE 43rd Court and East Aurora Avenue intersection, being adjacent to the east of the corporate limits of the City of Des Moines. The subject property consists of one (1) tax parcel addressed as 4175 NE 43rd Court, Des Moines, IA 50317-4625. The property totals approximately 2.37-acres, and is legally described as Lot 27 Capitol Height Replat located within the NW ¼ SE ¼ of Section 21 in Delaware Township. The Petitioner has requested the rezoning to allow for approval of the future construction of a new 20,000 square foot warehouse building. The existing, non-conforming use operates as a warehouse for receiving, delivery and installation services of office furniture called T & M Services.

The applicant has asked that this item be deferred until the October 28, 2019 Zoning Commission meeting. This is the official notice for the October 28, 2019 Zoning Commission meeting which will be held at 7:00 p.m. in the meeting room of the Polk County Public Works Department, Planning & Development Division, 5885 NE 14th Street, Des Moines, Iowa. The applicant's representative submitted this request on September 16, 2019. We are sending out this notice in an attempt to reach you before the previously scheduled hearing for 7 P.M., Monday, September 23. If you have any questions please call Jennifer Ellison at 515-286-2280 or e-mail her at Jennifer.Ellison@polkcountyiowa.gov.

POLK COUNTY ZONING COMMISSION

Frank Steinbach, Chairperson
Jennifer Green, Secretary