

POLK COUNTY ZONING COMMISSION
MEETING MINUTES

The Polk County Zoning Commission held their regularly scheduled meeting on Monday, November 28, 2022 at 7:00 P.M. in Conference Room A of the Polk County Public Works Department, Planning & Development Division, 5885 NE 14th Street, Des Moines, Iowa. A virtual attendance option was also provided per the instructions contained on the final meeting agenda.

- A) Roll Call - Members Present: Frank Steinbach, Michael Fairchild, Merle Hicks, Maryfrances Evans, Pennie Carroll and Kelly Garoutte. Absent: None. Commissioner Hicks was attending the meeting virtually via voice/video conference.

Present from the Polk County Public Works Department: Bret VandeLune, Planning & Development Manager; Brian McDonough, Land Use Planning Coordinator; Tommy Howard, Planner, and Ashley Davidson, Recording Secretary.

- B) Acceptance of the September 26, 2022 meeting minutes:

Motion was made by Carroll and seconded by Fairchild to **approve** the minutes as presented.

Vote: Yea: Steinbach, Fairchild, Hicks, Evans, Carroll and Garoutte. Nay: None. Abstain: None. Absent: None.

Chairman Steinbach amended the agenda to take item E) Consent - New Business prior to item C) Advertised Public Hearing.

- E) Consent – New Business:

Item 1. 2022-12180 Schmidt's Acres

Major Preliminary Plat proposes one (1) single-family residential lot and one (1) outlot on approximately 6.86 acres zoned "LDR" Low Density Residential District. The subject property is located approximately 627-feet west of the intersection of NE 52nd Avenue and NE 14th Street, within the NE ¼ of Section 14, Saylor Township.

A motion was made by Fairchild and seconded by Evans to **approve** the Consent New Business item – Schmidt's Acres – in accordance with Staff's recommendation.

Vote: Yea: Steinbach, Fairchild, Hicks, Evans, Carroll and Garoutte. Nay: None. Abstain: None. Absent: None.

- C) Advertised Public Hearings:

Item 1. 2022-12257 Rezoning Petition – Northwestern 21.13 acres of the subject property located at 5251 NE 94th Avenue, Bondurant, being located on the south side of NE 94th Avenue and approximately 3 ½ miles east of the intersection of Interstate 35 and E. 1st Street within the City of Ankeny. Subject property is legally described as the W ½ of the NE ¼ of Section 22, Township 80 North, Range 23 West of the 5th P.M. (Douglas Township).

Petitioner: The Family Leader Foundation (Contract Purchaser), PO Box 42245, Urbandale, IA 50323, represented by William J. Ludwig of William J. Ludwig & Associates, Ltd., 939 Office Park Road, Suite

211, West Des Moines, IA 50265, with consent from property owner Darrell Geisler, 5251 NE 94th Avenue, Bondurant, IA 50035

Request: Comprehensive Plan and Zoning Map Amendment to change the Future Land Use Map classification from Agriculture to Neighborhood Commercial, and to change the Zoning Map from the “AG” Agricultural District to the “MU” Mixed Use District.

Brian McDonough gave the staff presentation and recommendation.

Let the record show that the following petitioners were present to represent the item:

William J. Ludwig of William J. Ludwig & Associates, Ltd., 939 Office Park Road, Suite 211, West Des Moines, IA 50265; Darrell Geisler (Property Owner) 5251 NE 94th Avenue, Bondurant, IA 50035; and Bob Vander Plaats of The Family Leader Foundation, 3020 104th St, Urbandale, IA 50322.

Let the record show that a total of 12 notices were mailed to property owners within 500 feet of the subject property. To-date staff has received two (2) responses in support and none in opposition of the request.

Let the record show that the following people spoke in support of the item: Glen Hanson (Pastor) 117 5th St NE, Bondurant, IA 50035, Danny Carroll, 169 410th Ave, Grinnell, IA 50112, David Bush, 9105 Cody Dr, West Des Moines, IA 50266; Brian & Angie Elrod, 4944 NE 94th Ave, Bondurant, IA 50035, and Denise Pierce, 4956 NE 94th Ave, Bondurant, IA 50035.

Following discussion between the Commissioners, staff and applicant, a motion was made by Hicks and seconded by Evans to **deny** the requested Comprehensive Plan and Zoning Map Amendments to change the Future Land Use Map classification from Agriculture to Neighborhood Commercial, and to change the Zoning Map from the “AG” Agricultural District to the “MU” Mixed Use District for the subject property Rezoning Area, as recommended by staff.

Vote: Yea: Steinbach, Fairchild, Hicks, Evans, and Garoutte. Nay: Carroll. Abstain: None. Absent: None.

D) Unfinished Business: None

F) Action Items – New Business: None

G) Discussion – New Business: None

H) Public Comments: None

I) Report from the Zoning Administrator: Bret VandeLune gave an update on annexation requests, various ongoing projects and the upcoming meeting calendar.

J) Adjournment:

A motion was made by Evans and seconded by Garoutte to adjourn.

Vote: Yea: Steinbach, Fairchild, Hicks, Evans, Carroll and Garoutte. Nay: None. Abstain: None. Absent: None.