

## Proceedings of the Polk County Zoning Commission

The Polk County Zoning Commission held a scheduled meeting on Monday, September 23, 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:** Ray Sprague, Kristi Bales, David Campbell, Merle Hicks, and Mikki Stier.

**MEMBERS ABSENT:** Frank Steinbach and Michael Fairchild.

Present from the Polk County Public Works Department, Planning Division were Seana Perkins, Land Use Planning Coordinator, Jennifer Ellison, Planner, and Jennifer Green, Recording Secretary.

It was moved by Campbell and seconded by Stier to **approve** the August 26, 2019 minutes as submitted.

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

**Consent New Business:** None.

### **Advertised Public Hearings:**

**Request to Defer to October 28, 2019 - Item 1. 2019-08330 – Rezoning Petition – 2.37 acres located approximately 70 feet southeast of the NE 43<sup>rd</sup> Court and East Aurora Avenue intersection and addressed as 4175 NE 43<sup>rd</sup> Court, Section 21 of Delaware Township**

**Petitioner:** Tony Schmalz (Property Owner) APS DM, LLC, 4175 NE 43<sup>rd</sup> 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.

It was moved by Bales and seconded by Campbell to **defer** the 2030 Polk County Comprehensive Plan Map Amendment from the Low Density Residential Classification to the Light Industrial Classification and the Zoning Map Amendment from the "LDR" Medium Density Residential District to the "LI" Light Industrial District for the 2.37 acre property located southeast of the NE 43<sup>rd</sup> Court and East Aurora Avenue intersection and addressed as 4175 NE 43<sup>rd</sup> Court, within Section 21 of Delaware Township, to the October 28, 2019 regularly scheduled Zoning Commission meeting.

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

**Item 2. 2019-08341 – Rezoning Petition – 20.608 acres located west of NE Berwick Drive and east of NE 29<sup>th</sup> Street and addressed as 6642 NE Berwick Drive, Section 5 of Delaware Township**

**Petitioner:** Clayton & Sandra Besco, Trustees of the Clayton F. & Sandra L. Besco Revocable Trust (Property Owner) 6642 NE Berwick Drive, Ankeny, Iowa 50021.

**Request:** Comprehensive Plan Amendment and Zoning Map Amendment to change the Future Land Use Map designation from Agricultural Transition to Low Density Residential and to change the Zoning Map from “AT” Agricultural Transition District to “LDR” Low Density Residential District.

Seana Perkins gave the staff presentation.

Let the record show that Clayton Besco of 6642 NE Berwick Drive, Ankeny, Iowa 50021 was present to represent the Rezoning Petition.

Let the record show that James Thomas O’Donnell of 6641 NE Berwick Drive, Ankeny, Iowa 50021 was present in favor of the rezoning petition.

After Zoning Commission deliberation, a motion was made by Hicks and seconded by Campbell to **approve** the 2030 Polk County Comprehensive Plan Map Amendment from the Agricultural Transition Classification to the Low Density Residential Classification and the Zoning Map Amendment from the "AT" Agricultural Transition District to the "LDR" Low Density Residential District for approximately 20.608 acres of property located at 6642 NE Berwick Drive, within Section 5 of Delaware Township, **not** in accordance with staff’s recommendation as outlined in the staff report.

Vote: Yea: Hicks, Campbell, Sprague, Stier. Nay: Bales. Absent: Steinbach and Fairchild.

**Unfinished Business:** None.

**Discussion – New Business:**

**Item 1. 2019-08250 – Heifner Estates Plat 1**

Major Preliminary Plat proposes four single-family residential lots on 42.5-acres zoned “ER” Estate Residential District. The subject property is located north of the intersection of NE 85<sup>th</sup> Court and NE 110<sup>th</sup> Avenue, Sections 5 & 8 of Franklin Township.

Jennifer Ellison gave the staff presentation.

Let the record show that Vic Piagentini with Associated Engineering Company of Iowa at 1830 SE Princeton Drive, Suite M, Grimes, Iowa 50111 was present to represent the Major Preliminary Plat.

After Zoning Commission deliberation a motion was made by Bales and seconded by Hicks to **approve** the Heifner Estates Plat 1 Preliminary Plat including the requested waiver to exceed the maximum block length standard and to **deny** the requested waiver to allow a lot depth that is

greater than four (4) times the width at the minimum building line in accordance with staff's recommendation as outlined in the staff report.

Vote: Yea: Bales and Hicks. Nay: Campbell, Sprague and Stier. Absent: Steinbach and Fairchild.

The first motion failed. A second motion was made by Stier and seconded by Campbell to **approve** the Heifner Estates Plat 1 Preliminary Plat including the requested waiver to exceed the maximum block length standard in accordance with staff's recommendation, and to **approve** the requested waiver to allow a lot depth that is greater than four (4) times the width at the minimum building line **not** in accordance with staff's recommendation as outlined in the staff report.

**Public Comments:** None.

**Report from the Zoning Administrator:** None.

**Adjournment:**

A motion was made by Chairperson Sprague to adjourn the meeting until the next scheduled Zoning Commission meeting on October 28, 2019.