

POLK COUNTY ZONING COMMISSION  
MEETING MINUTES

The Polk County Zoning Commission held their regularly scheduled meeting on Monday January 24, 2022 at 7:00 P.M. in Conference Room A of the Polk County Public Works Department, Planning & Development Division, 5885 NE 14<sup>th</sup> 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, and Kelly Garoutte. Absent: Pennie Carroll. Commissioner Evans was participating electronically via video conference.

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

- B) Election of Officers:

Motion made by Fairchild to nominate Frank Steinbach as Chair, seconded by Hicks.

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

Motion made by Hicks to nominate Michael Fairchild as Vice Chair, seconded by Garoutte.

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

- C) Acceptance of the November 22, 2021 meeting minutes:

Motion was made by Evans and seconded by Hicks to **approve** the minutes as presented.

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

- D) Advertised Public Hearings:

**Item 1. 2021-11143 Rezoning Petition – 17.95-acres located at the northeast corner of the NE 142<sup>nd</sup> Avenue and NE 38<sup>th</sup> Street intersection within the SW ¼, SW ¼, of Section 16 of Township 81 North, Range 23 West of the 5<sup>th</sup> P.M. (Elkhart Township).**

**Petitioner:** Matthew D. Albaugh (Property Owner), 14800 NE White Oak Drive, Elkhart, IA 50073, represented by Brian R. Campbell with Campbell Engineering & Surveying, Inc. (Applicant Representative), 925 E 1<sup>st</sup> Street, Ankeny, IA 50021.

**Request:** Comprehensive Plan and Zoning Map Amendment to change the Future Land Use Map classification from Agricultural to Estate Residential, and to change the Zoning Map from the “AG” Agricultural District to the “ER” Estate Residential District.

Let the record show that the Petitioner requested a deferral of this item until the February 28, 2022 meeting.

Motion to **approve** the Rezoning Petition application deferral request, deferring the item to the February 28, 2022 Zoning Commission Agenda was made by Fairchild and seconded by Hicks.

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

**Item 2. 2021-11169 Rezoning Petition – 45.44-acres located at 1687 NE 56<sup>th</sup> Street, Pleasant Hill within part of the NW ¼, and part of the NW ¼ of the SW ¼, Section 35 of Township 79 North, Range 23 West of the 5<sup>th</sup> P.M. (Clay Township).**

**Petitioners:** Otto Farms, Inc. (Contract Buyer), Norman Olson, 1687 NE 56<sup>th</sup> Street, Pleasant Hill, IA 50327, with consent of BRE Investments, LLC (Property Owner), represented by Mark Dickinson with Nyemaster Law Firm, 700 Walnut Street, Suite #1600, Des Moines, IA 50309

**Request:** Comprehensive Plan and Zoning Map Amendment to change the Future Land Use Map classification from Open Space to Agricultural, and to change the Zoning Map from the “MDR” Medium Density Residential District to the “AG” Agricultural District.

Brian McDonough gave the staff presentation and recommendation.

Let the record show that Norm Olson, 1687 NE 56<sup>th</sup> St, Pleasant Hill, IA 50327, was present to represent the item.

Let the record show that a total of 25 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. No other members of the public were present in support or opposition of the item.

After the staff presentation and discussion between the commissioners, a motion was made by Hicks and seconded by Garoutte to **approve** the requested Comprehensive Plan and Zoning Map Amendment to change the Future Land Use Map classification from Open Space to Agricultural, and to change the Zoning Map from the “MDR” Medium Density Residential District to the “AG” Agricultural District for the subject property, as recommended by staff.

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

- E) Unfinished Business: None
- F) Consent – New Business: None
- G) Action Items – New Business: None
- H) Discussion – New Business: None
- I) Public Comments: None

J) Report from the Zoning Administrator:

Bret Vandelune updated the Zoning Commission members regarding past rezoning requests and the ongoing Comprehensive Plan Update. The Quiner Rezoning, heard by the Commission back in November of 2021, was having the third reading for approval on January 25, 2022 during the Polk County Board of Supervisors meeting. The Vanderpool rezoning request was denied by the Polk County Board of Supervisors. A draft plan of the 2050 Comprehensive Plan should be ready to present at the February or March Zoning Commission meeting with a work session.

Commissioner Hicks asked about the difference between the asparagus farm (Vanderpool Rezoning) vs the Albaugh Rezoning on this evening's agenda which had been deferred. Bret Vandelune provided the explanation.

K) Adjournment:

A motion was made by Fairchild and seconded by Hicks to adjourn until the next scheduled Zoning Commission meeting.

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