



Rezoning Petition

Petitioner:

Hubbell Realty Company, represented by Stephen Moseley (Prospective Buyer), 6900 Westown Parkway, West Des Moines, IA 50266, with consent of Perficut Partners, LLC, represented by Matt Boelman (Property Owner), 6550 NE 14th Street, Des Moines, IA 50313.

Request:

Comprehensive Plan and Zoning Map Amendments

Legal Descriptions:

Subject Property

The N 1629.15F of the W ½, E ½, SE ¼ & the S 660F of the N 990.4 of the W 20F of the E ½, NE ¼, SE ¼ less Rd, Section 2 of Township 79 North, Range 24 West of the 5th P.M. (Saylor Township).

Rezoning Area 'A': A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 14, YARN'S ACREAGE PLAT NO 3, AN OFFICIAL PLAT; THENCE SOUTH 88°56'22" WEST ALONG THE NORTH LINE OF THE SOUTH 330.75 FEET OF THE NORTH 1321.15 FEET OF THE WEST 20 FEET OF THE EAST HALF OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, 19.66 FEET TO THE NORTHWEST CORNER OF SAID SOUTH 330.75 FEET OF THE NORTH 1321.15 FEET OF THE WEST 20 FEET OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 52°27'30" WEST, 145.77 FEET; THENCE NORTH 00°09'02" WEST, 848.20 FEET TO THE SOUTH RIGHT OF WAY LINE OF NE 66TH AVENUE; THENCE NORTH 88°09'52" EAST ALONG SAID SOUTH LINE, 115.09 FEET TO THE WEST LINE OF THE NORTH 330.4 FEET OF SAID WEST 20 FEET OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 00°07'44" EAST ALONG SAID WEST LINE, 280.34 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 330.4 FEET OF THE WEST 20 FEET OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 89°51'53" EAST ALONG THE SOUTH LINE OF SAID NORTH 330.4 FEET OF THE WEST 20 FEET OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, 20.06 FEET TO THE NORTHWEST CORNER OF LOT 10, SAID YARN'S ACREAGE PLAT NO 3; THENCE SOUTH 00°09'02" EAST ALONG THE WESTERLY LINE OF LOTS 10 THROUGH 14, SAID YARN'S ACREAGE PLAT NO 3, A DISTANCE OF 660.06 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.66 ACRES (116,049 SQUARE FEET). THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

Rezoning Area 'B': A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF OUTLOT 'T', THE GREENS AT WOODLAND HILLS PLAT 1, AN OFFICIAL PLAT; THENCE NORTH 88°09'52" EAST ALONG THE SOUTH RIGHT OF WAY LINE OF NE 66TH AVENUE, 547.46 FEET; THENCE SOUTH 00°09'02" EAST, TH AVENUE, 547.46 FEET; THENCE SOUTH 00°09'02" EAST, 276.86 FEET; THENCE SOUTH 89°50'58" WEST, 547.14 FEET TO THE EAST LINE OF SAID OUTLOT 'T'; THENCE NORTH 00°10'08" WEST ALONG SAID EAST LINE, 260.77 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.38 ACRES (147,090 SQUARE FEET). THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

General Location:

The subject property is approximately 24.25 acres in size, and located just west of the intersection of NE 14th Street (Hwy 69) and NE 66th Avenue lying on the south side of NE 66th Avenue. The property is directly adjacent to the east of the existing single-family development known as The Greens at Woodland Hills, being directly south of the Woodland Hills Golf Course. The subject property is within Section 2 of Township 79 North, Range 24 West of the 5th P.M. (Saylor Township). See *Attachment A* for a vicinity map of the subject property and surrounding area. As described above, there are two (2) separate rezoning areas within the subject property that are a part of this request, totaling approximately 6.04 acres.

Rezoning Area 'A':

Existing Future Land Use Map Classification:

Medium Density Residential & Highway Commercial

Proposed Future Land Use Map Classification:

Light Industrial

Existing Zoning:

"MDR" Medium Density Residential District & "GC" General Commercial District

Proposed Zoning:

"LI" Light Industrial District

Rezoning Area 'B':

Existing Future Land Use Map Classification:

Highway Commercial

Proposed Future Land Use Map Classification:

Medium Density Residential

Existing Zoning:

GC" General Commercial District

Proposed Zoning:

"MDR" Medium Density Residential District

Surrounding Zoning:

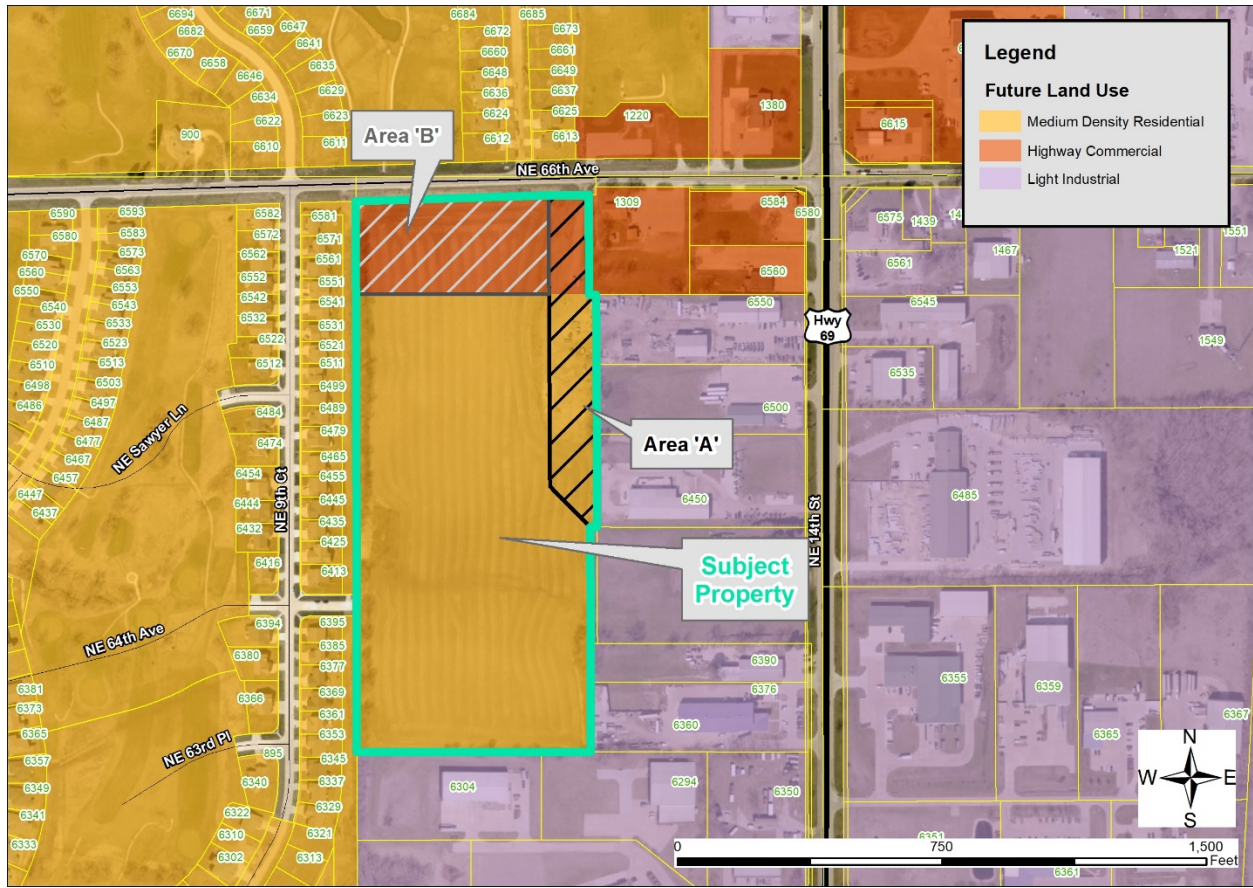
North – "MDR" Medium Density Residential

South – "LI" Light Industrial

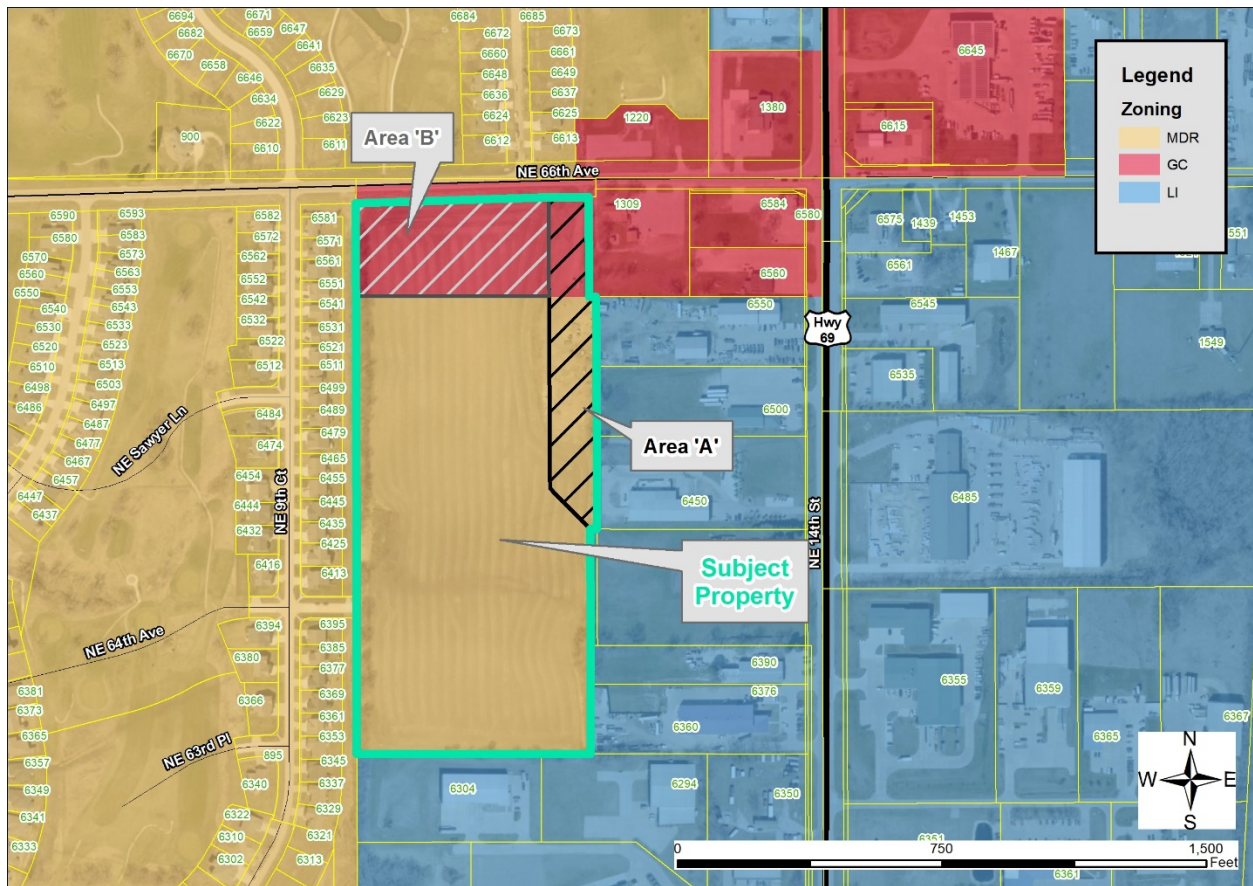
East – "LI" Light Industrial / "GC" General Commercial

West – "MDR" Medium Density Residential

Existing Future Land Use



Existing Zoning



GENERAL COMMENTS

The Petitioner is requesting a Comprehensive Plan Amendment and Zoning Map Amendment to change the Future Land Use Map classification from Medium Density Residential and Highway Commercial to Light Industrial, and to change the Zoning Map from the “MDR” Medium Density Residential District and the “GC” General Commercial District to the “LI” Light Industrial District for a northeasterly ~2.66-acre portion of the subject property (Area ‘A’). The petitioner is also requesting a Polk County Comprehensive Plan Amendment and Zoning Map Amendment to change the Future Land Use Map classification from Highway Commercial to Medium Density Residential, and to change the Zoning Map from the “GC” General Commercial District to the “MDR” Medium Density Residential District for a northerly ~3.38-acre portion of the subject property (Area ‘B’).

The intent of the request is to rezone two (2) separate areas of the subject property, totaling approximately 6.04 acres. Rezoning Area ‘A’ is approximately 2.66 acres in size, and is proposed to be rezoned to Light Industrial. The intent is for this area to be combined with the adjacent property to the east at 6550 NE 14th Street, which is Perficut Lawn and Landscape, for future expansion of their existing business. Perficut intends to create an expanded outdoor storage yard in this location. Any outdoor storage is required to be limited to no more than 15% of the total business property area, and must be full screened. Perficut is the current titleholder of the subject property. Rezoning Area ‘B’ is approximately 3.38 acres in size, and is proposed to be rezoned to Medium Density Residential. Pending approval of the request, Hubbell Realty Company intends to purchase the subject property and move forward with a planned residential development, including Area ‘B’ but excluding Area ‘A’ to be retained by Perficut.

Surrounding Area and Land Use

Reference *Attachment A* for a vicinity map of the subject property and surrounding area. The subject property is un-platted and consists of one (1) tax parcel totaling approximately 24.25 acres. The two (2) rezoning areas within the subject property total 6.04 acres. The approximately 18.21 acres of the subject property not included within either rezoning area is classified as Medium Density Residential on both the Future Land Use Map and Zoning Map. The subject property lies between The Greens at Woodland Hills neighborhood to the west and existing Light Industrial development to the east, which is adjacent to the NE 14th Street (Highway 69) corridor and includes existing property owned by the subject property titleholder, Perficut Partners LLC. The Greens at Woodland Hills subdivision includes a public street, NE 64th Avenue, which terminates at the boundary of the subject property. The property also has over 600 feet of frontage to the north onto NE 66th Avenue. The property has historically been in agricultural production without structures. However, the current property owner has utilized a portion of the property for expanded outdoor storage adjacent to their existing operation at 6550 NE 14th Street. This outdoor storage use for equipment and materials is not approved under the current Medium Density Residential zoning, and would also require approval of an engineered site plan. There has been ongoing communication between staff and Perficut for several years regarding this illegal outdoor storage. A portion of this request (Rezoning Area ‘A’) is an attempt to remedy this situation by providing a permanent area with proper zoning for future expansion.

The Greens at Woodland Hills Plat 1, which lies adjacent to the west of the subject property was the first residential development extension south from NE 66th Avenue. Developed by Hubbell Properties, this first phase of development included the NE 64th Avenue street extension to the subject property and 44 single-family residential lots adjacent. This neighborhood is zoned “MDR” Medium Density Residential District and was developed as a Planned Development

option, which allowed a unique development style with smaller lot sizes and a golf course. Construction of the first phase of residential development started in 2009. Since that time, Hubbell has developed 136 single-family lots, south of NE 66th Avenue and 61 additional residential lots north of NE 66th Avenue.

The City limits of the City of Ankeny is approximately 0.6 miles northeast of the Rezoning area. The Ankeny Plan 2040, adopted in 2018, shows the subject property as being located outside of the City of Ankeny adopted planning boundary.

Application

The submitted application is included as *Attachment B* to this report. It states that the requested amendment will allow Perficut to expand their business to the west, as represented by Rezoning Area 'A'. Rezoning Area 'B' proposes to replace the current Highway Commercial classification and General Commercial zoning along the northern frontage of the subject property along NE 66th Avenue with Medium Density Residential. In conversations with Hubbell Realty Company they've explained to staff their intent is to develop the majority of the subject property zoned Medium Density Residential with a future planned residential development. *Attachment C* to this report was provided by Hubbell and shows the future development concept for the property. The northern approximately one-third of the site is proposed as townhomes, while the remainder of the site is proposed as single-family lots. The single-family lots would utilize the Conservation House Planned Development option. On this same March 22, 2021 Zoning Commission agenda, Hubbell Realty Company is also requesting a text amendment to the Polk County Zoning Ordinance to reduce the minimum lot standards for the Conservation House option. Specifically, they are proposing to reduce the required minimum lot size from 6,000 square feet to 5,000 square feet, and to reduce the required minimum lot width from 60 feet to 50 feet. The development concept for the subject property utilizes these proposed smaller lot dimensions.

STAFF REVIEW

Zoning History

Throughout the history of zoning in Polk County, the subject property has had a variety of zoning designations. In 1961 and in 1973 the property was zoned R-1 Suburban Residence. In 1990 the property was zoned Light Business District and most recently in 2007 the rezoning area was zoned "MDR" Medium Density Residential District. This most recent change in the zoning of the property was in response to the vision and goals identified in the Polk 2030, Polk County Comprehensive Plan. The property was changed to "GC" General Commercial District along NE 66th Avenue frontage and the balance of the property was zoned "MDR" Medium Density Residential District. This was partially due to the proximity of the subject property being located between Hubbell Realty's golf course development and the existing commercial and industrial uses located along the NE 14th Street (Highway 69) corridor. It was determined at the time, that the subject property could provide for the needed higher residential densities and housing types and also serve as a reasonable transitional use between the commercial/industrial corridor and the residential subdivision.

Previous Rezoning Requests

February 23, 2015 – Polk County Zoning Commission recommended **denial**, 5-0 with 2 absent, of the Perficut Partners LLC requested Zoning Map amendment from the "MDR" Medium Density Residential District and the "GC" General Commercial District to the "LI" Light Industrial District and a Polk County 2030 Comprehensive Plan Map amendment from the Medium Density

Residential Classification and the Highway Commercial Classification to the Light Industrial Classification for part of the subject property totaling 6.63 acres.

April 27, 2015 – Polk County Zoning Commission received a revised proposal, which included a reduced rezoning area, 5.02 acres, and retained the entirety of the existing “GC” General Commercial District zoning. At the April 27, 2015 Polk County Zoning Commission meeting, the Zoning Commission and Planning Staff recommended **approval** of the conditional or restricted rezoning request to permit Perficut Partners LLC use only on the rezoning area for the following reasons:

1. The petitioner has decided to stay in Polk County and they would like to relocate all of their operations to a single site that includes 6550 NE 14th Street and the 5.02 acre rezoning area.
2. The Rezoning Petition is a restricted use request to change the zoning solely for Perficut Partners to accommodate their plans to consolidate their operations to a single location and this would give them an opportunity to meet zoning ordinance requirements. No other uses are requested for the rezoning area.
3. Part of the goals of the Polk County 2030 Comprehensive Plan can still be realized to support service type commercial uses on the north portion and various housing types in the balance of the subject property.

In addition to the approval recommendation, the following conditions were documented:

1. The petitioner shall move all landscape materials, vehicles and other items located at 6375 NE 14th Street by July 1, 2015. The landscape materials, vehicles and other items may be relocated to 6550 NE 14th Street or the rezoning area as a temporary location until the site improvements are completed.
2. The petitioners shall submit a subdivision plat from an Iowa Licensed Engineer for any proposed divisions of the subject property by August 1, 2015. The rezoning area should be adjoined with the existing site at 6550 NE 14th Street.
3. The petitioners shall submit a site plan drawing from an Iowa Licensed Engineer addressing the expansion plans for 6550 NE 14th Street and the approved rezoning area by September 1, 2015.
4. The petitioners shall complete the solid screened enclosure for the outside storage area, the landscaped berm screening, site grading, install the driveway, sanitary sewer, water, storm sewer and other utilities for the site expansion area and rezoning area by June 1, 2016.
5. The petitioners shall obtain building and other required County permits, and complete the construction of building projects and all other site improvements at 6550 NE 14th Street and the approved rezoning area by March 1, 2017.
6. County staff shall initiate a Rezoning Petition to change the zoning and comprehensive plan map designations back to the current zoning and comprehensive plan map designations if all of the above items are not completed by the respective deadlines.
7. County staff will provide regular updates to the Polk County Zoning Commission regarding the progress of the above items.

June 2, 2015 – Polk County Board of Supervisors **denied** the Rezoning Request and directed Perficut to clean up their site and to meet with the neighbors. Once those items have been satisfactorily completed, the Board of Supervisors would invite a new Rezoning petition.

October thru December 2019 – Perficut Partners submitted a petition to rezone the majority of the subject property (approximately 20.04 acres) from Medium Density Residential to Light Industrial for development of the site for future light industrial uses. The proposal kept in place the existing General Commercial zoning to the north along NE 66th Avenue, and also excluded a small strip of Medium Density Residential zoning adjacent to the Woodland Hills neighborhood to the west. The Polk County Zoning Commission voted 4-1 with 2 members absent to deny the request in accordance with staff’s recommendation. The request was also denied by the Board of Supervisors.

Roads/Access/Utilities

The subject property is located south of NE 66th Avenue, west of NE 14th Street (Highway 69) and east of NE 64th Avenue. NE 66th Avenue is paved and classified as a minor arterial County road. NE 14th Street (Highway 69) is classified as a principal arterial road, and is maintained by the Iowa DOT. NE 64th Avenue is a paved local County road that terminates at the western boundary of the subject property.

The Greens at Woodland Hills Plat 1 subdivision that is adjacent to the west constructed an eight (8) inch water main, served by Des Moines Water Works and a Polk County ten (10) inch sanitary sewer line which are located within the NE 64th Avenue right-of-way. Future development would require extension and connection to these public utilities.

Environmental

The grade of the subject property varies slightly. There are higher spots in the north central and southern portions of the subject property. Between these areas, the grade generally drops from the eastern to the western limits of the subject property. From the northern high spot, the grade drops to the north. The property does not include a mapped floodplain or other known environmental hazards or features. There is a partial mature tree line near the western property line and scattered trees along the eastern and southern property lines.

Public Testimony

A total of 69 property owners were within the required 500-foot notification boundary. These owners were mailed public notices regarding the request, including the date and time of the Zoning Commission public hearing. To-date, two (2) items of public testimony have been received in support, and one (1) received in opposition, of the request. Of the items received in support, one of them also included the comment that the property owner is in support, subject to the existing tree line remaining undisturbed, which is located along the common property line with the residential development to the west. The petitioner mailed letters last month to the adjacent property owners within the Woodland Hills development explaining the request and noting the future Zoning Commission public hearing date/time.

Comprehensive Plan Discussion

The subject property is located within the North Central Area, as identified in the Polk County 2030 Comprehensive Plan. The properties to the west and to the north, north of NE 66th Avenue, are similarly designated as Medium Density Residential and are consistent with the current Comprehensive Plan designation of the subject property. Adjacent property to the south and to the east are designated Light Industrial. The northern approximate 4.21 acres of the subject property is designated as Highway Commercial.

Key issues identified during the development of the Plan for the North Central Area relate to the desire to protect prime farmland and the conflicts and trade-offs between farmland protection and Ankeny's continuing growth. Issues of economic development, including the need for land for industrial and business park expansion are also included.

Applicable goals and policies identified in the North Central Area Plan:

Quality of Life Goal – Policy 2: Respect for Property Owners – Respecting the decisions of individual landowners must be a component of setting land use policies and regulation. Polk County will respect the individual decisions and values of private property owners in setting and administering land use policy and regulation, and will mitigate impacts to property owners' quality of life when community and private property interests conflict.

Planning Process and Implementation Goal – Policy 3: Zoning Consistency – Regulation is a critical tool to meeting County land use goals, and the County's preferred land use vision. Polk County will update its zoning and land development regulations to encourage an efficient development pattern, fostering compact villages and corridors linking distinct communities.

Economic Growth and Land Use Goal - Policy 3: Growing the Tax Base – The County's tax base is a primary means of supporting vital County services and making many public investments. Polk County will promote economic development and private investment that builds community tax base and improves residents' quality of life.

Economic Growth and Land Use Goal – Policy 4: Revitalization – Substantial growth can occur in existing developed areas through reinvestment and redevelopment. These efforts can improve utilization of existing public infrastructure and can provide for a diversity of quality housing and businesses opportunities. Polk County will work to direct suitable public and private investment to unincorporated areas and core cities of the metropolitan region in need of reinvestment and redevelopment.

The Comprehensive Plan may be amended from time to time if it can be demonstrated that a real and immediate need exists based upon changing circumstances.

Comprehensive Plan Analysis

Polk County has a significant role and interest in promoting economic development which maintains and grows the County's tax base, while simultaneously supporting consistency in land use regulation which maintains neighborhood character and fosters stability and compatibility between land uses. Within the last 60 years of recorded zoning history in unincorporated Polk County, the subject property has retained a residential zoning classification for 41 of those years. Previous rezoning requests for this property made by the titleholder, Perficut Partners, have been met with opposition from neighbors, County staff, as well as the Polk County Zoning Commission and Board of Supervisors. Previous requests have been either denied by the County or withdrawn by the property owner. Issues with prior requests have included failure of the property owner to clean up the site, failure to adequately coordinate proposals and designs with adjoining residential property owners, as well as bringing forth proposals that are fundamentally incompatible with the Comprehensive Plan and consistency with surrounding land uses.

However, the current proposal provides a much more balanced approach with respect to the needed expansion of the Perficut site at 6550 NE 14th Street and future infill residential development that is compatible with the existing residential uses adjacent to the west. Rezoning

Area 'A' proposes a small area directly adjacent to the existing Perficut site to be rezoned to Light Industrial to accommodate the owner's needs for future outdoor storage expansion. Rezoning Area 'B' would replace the existing General Commercial zoning on the subject property along NE 66th Avenue with Medium Density Residential zoning to accommodate a future residential development concept for the majority of the subject property. As previously mentioned, this development concept can be found as *Attachment C* to this report. The concept proposes townhomes within the northern one-third of the site, and continued single-family lots throughout the remainder of the property. A street extension is proposed connecting north to NE 66th Avenue, and also providing connectivity to the west within the existing Greens at Woodland Hills development via NE 64th Avenue.

The requested amendments support the applicable goals and policies of the Polk County 2030 Comprehensive Plan. Rezoning Area 'A' provides a reasonable and proximate expansion of the existing Perficut business at 6550 NE 14th Street, and thereby supports business and tax base retention and expansion along an existing commercial/industrial corridor. A future engineered site plan and site improvements would be required to screen this proposed expansion area from adjacent residential uses. Rezoning Area 'B' eliminates the existing General Commercial zoning on the subject property and provides for a future residential development opportunity that is compatible with existing residential uses adjacent. It would also provide an opportunity to introduce new, affordable single-family housing stock to the area and the Saydel School District.

RECOMMENDATION:

Staff recommends approval of the requested Comprehensive Plan Amendment and Zoning Map Amendment to change the Future Land Use Map classification from Medium Density Residential and Highway Commercial to Light Industrial, and to change the Zoning Map from the "MDR" Medium Density Residential District and the "GC" General Commercial District to the "LI" Light Industrial District for the northeasterly ~2.66-acre portion of the subject property (Area 'A'). Staff also recommends approval of the requested Comprehensive Plan Amendment and Zoning Map Amendment to change the Future Land Use Map classification from Highway Commercial to Medium Density Residential, and to change the Zoning Map from the "GC" General Commercial District to the "MDR" Medium Density Residential District for the northerly ~3.38-acre portion of the subject property (Area 'B').

The recommendation for approval is based upon the fact that the request is in harmony with the spirit, intent, goals and policies of the Polk County 2030 Comprehensive Plan. The recommendation for approval of the Zoning Map Amendment is based upon the following: a) The request is in accordance with the Comprehensive Plan; b) Approval supports the public, health, safety and welfare of County residents by promoting development which allows for a reasonable expansion and retention of an existing business and tax base, and also promotes future residential development compatible with surrounding land uses, neighborhood character, and which promotes quality affordable housing being added to the market; and c) The rezoning area is directly adjacent to established commercial/industrial uses to the east, as well as established residential uses to west of a similar character, which uniquely differentiates the subject property from surrounding properties such that a rezoning is warranted. Approval is subject to the following condition of approval:

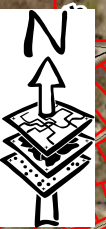
1. Rezoning Area 'A' may only be utilized for future expansion of the adjacent property to the east at 6550 NE 14th Street, pending compliance with County site plan regulations. Rezoning Area 'A' may not be utilized for any new commercial or industrial uses, or expansion of other properties except 6550 NE 14th Street.



**Woodland Hills
Golf Course**

Subject Property

**Attachment A
Vicinity Map**



Attachment B

Comprehensive Plan Amendment and Rezoning Application

A submittal is only a request to have the Comprehensive Plan amendment and/or Zoning Map change reviewed at a public hearing before the Zoning Commission. The Zoning Commission reviews the requested Comprehensive Plan amendment and/or Zoning Map change at a public hearing making a recommendation based on a staff report, applicant presentation, as well as public input. The Zoning Commission recommendation is considered by the Board of Supervisors at a public hearing on the request. Notice of each public hearing is published in the official county newspapers and individual notice will be mailed to all property owners located within 500 feet of the subject property. Requests that are denied shall not come back to the Board of Supervisors for one year. Refunds will not be made once notice has been sent out to adjacent property owners.



Please complete the entire application, submit with fee and review the criteria on page 3.

The undersigned request that the Zoning Commission consider this reclassification.

- | | |
|--|--|
| 1. <u>Commercial & Medium Density Residential</u>
Current Future Land Use
Classification | 2. <u>Medium Density Residential
& Light Industrial</u>
Proposed Future Land Use Classification |
| 3. <u>General Commercial & Med. Density Resid.</u>
Current Zoning District | 4. <u>Medium Density Residential
& Light Industrial</u>
Proposed Zoning District |

(time stamp)
Official Use Only

5. Subject Property Address: None

6. District and Parcel Number: 270/00045-003-000

7. Subject Property Legal Description (attach if necessary):
Attached

8. Filing Fee: - \$432.00

9. Applicant(s) Information:

Stephen Moseley, Hubbell Realty Company *Stephen C. Moseley* 2-3-2021
Applicant (Print Name) Signature date

Prospective Buyer steve.moseley@hubbellrealty.com
Interest in Property (owner, renter, perspective buyer, etc.) Email

6900 Westown Parkway, West Des Moines, IA 50266 515-283-5190 515-280-2000
Address, City, State and Zip Phone Fax

10. Applicant(s) Representative:

If the appeal is going to be represented by someone other than the applicant please provide that information below:

Applicant Representative (Print Name) Firm or Business Name

Address, City, State and Zip

Email Phone Fax

11. Property Owner Consent:

The application must be signed by all the Titleholders, Contract Purchasers, or Option Purchasers of the subject property. The application may also be signed by the Registered Agent for a corporation or other person with similar legal authority to sign for a property owner. (if additional signatures are needed please attach)

<u>Matt Boelman (Perficut Partners, LLC)</u> (Print Name)	<u>Matt Boelman</u> Signature	<u>2/4/2021</u> date
<u>Stephen Moseley (Hubbell Realty Co.)</u> (Print Name)	<u>Stephen C. Moseley</u> Signature	<u>2-3-2021</u> date
_____ (Print Name)	_____ Signature	_____ date
_____ (Print Name)	_____ Signature	_____ date

12. Written description:

Please provide a written description providing specific detail and reasons for the proposed request. (Attach if necessary) Optionally attach any additional information including concept plans for the proposed development or use.

Attached is a revised Concept Plan for the subject property.

This Comprehensive Land Use Amendment and Rezoning will allow Perficut to expand their business by adding a small area of Light Industrial along the back of their existing business, which will be well over 500' from the existing homes to the west. This plan also removes all the existing General Commercial zoning on the property and replaces it with Medium Density Residential zoning (MDR). MDR is the same zoning district as the existing development to the west and north of this subject property.

Return completed forms to: Polk County Public Works, Planning & Development Division
 5885 NE 14 Street, Des Moines, IA 50313
 • Phone (515) 286-3705 • Fax (515) 286-3437 •
 email: PublicWorks@polkcountyiowa.gov
 Forms available online <http://www.polkcountyiowa.gov/PublicWorks/>
 Zoning Commission Calendar Zoning Comm Calendar

**A completed application with required information and filing fee must be submitted.
 Incomplete submittals will not be processed and will be returned to the Applicant.**

OFFICIAL USE ONLY			
Date Received		Received by	
P&Z meeting date		BOS meeting date	
BOS Approved	Y / N	Effective date	

Evaluation Criteria

The following criteria are used to evaluate a Comprehensive Plan Amendment and Rezoning requests. The written description on page 2 or attached should address as many of the below criteria as possible.

Comprehensive Plan Amendment

The Polk County 2030 Comprehensive Plan lists specific issues which must be addressed prior to amending the plan. Those seeking changes must convince the County that a real and immediate need for change exists. Each amendment request will be evaluated based on the magnitude of the proposed revision, its relationship to the Vision and Goals statements, and the nature of the changing circumstances that have resulted in the request. Proposed changes in the land use should also be evaluated in relation to their impacts on the following:

- 1) Public facilities and services, such as transportation, sewers, water supply, schools and public safety.
- 2) Surrounding properties and neighborhood character.
- 3) Productive farmland and on going agricultural operations.
- 4) Natural resources and open space; historic buildings or structures.
- 5) Proximity to adjacent City plans.

Changes may also be needed to correct errors, meet regional goals, or refine the plan based on more recent specific area or corridor plans.

Rezoning (Zoning Map Amendment)

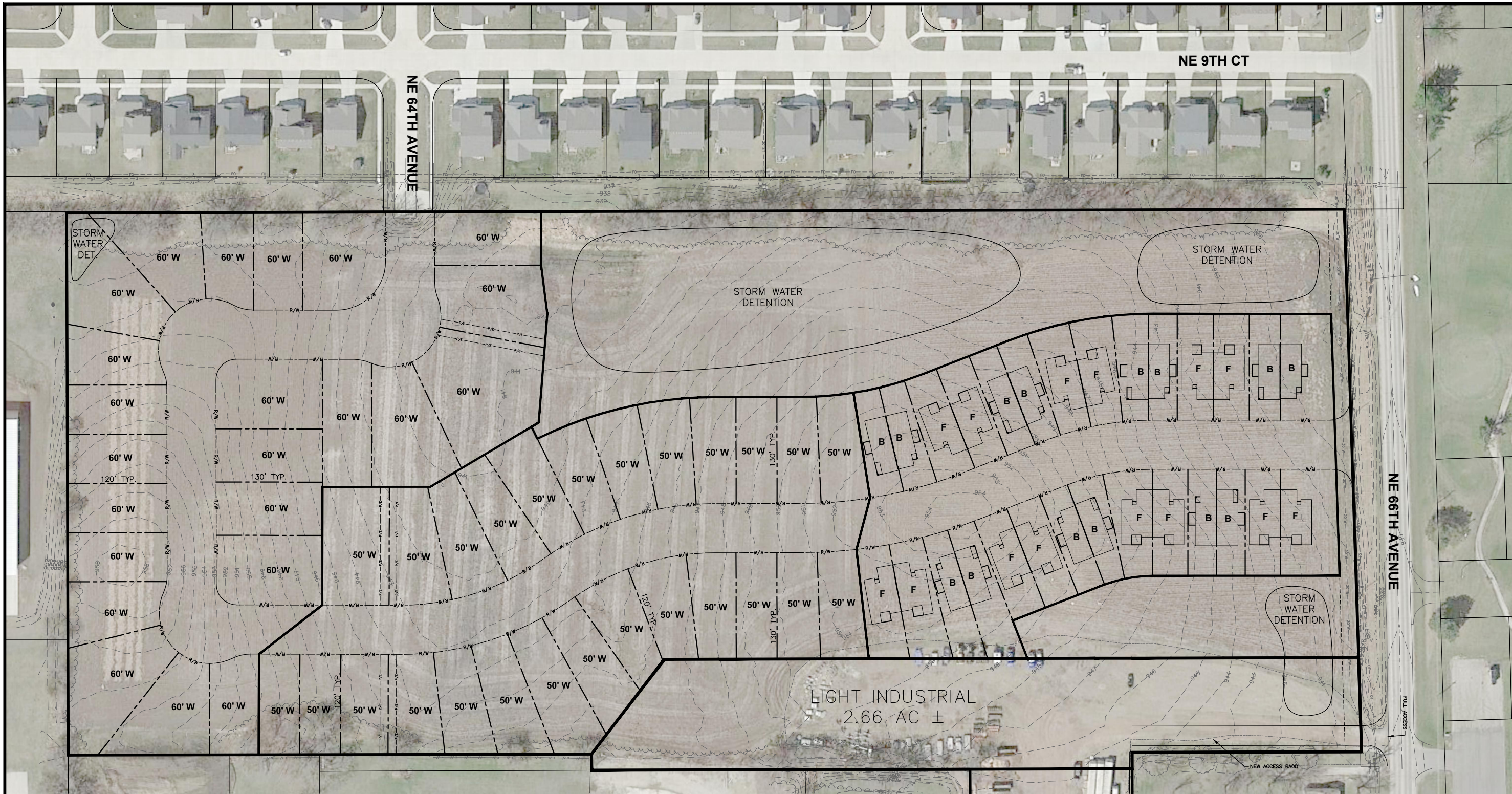
The Zoning Map may be amended to bring it into conformance with the Comprehensive Plan when the Comprehensive Plan is amended. If the Comprehensive Plan does not merit an amendment, then there shall not be an amendment to the Zoning Map.

One of the following reasons must be demonstrated for approval of a rezoning.

- 1) The Comprehensive Plan has been amended and the Zoning Map needs to be brought into conformance with the revised Plan.
- 2) A mistake was made in the original map. That is to say, an area is, and has been, developing in a manner and purpose different from that for which it was mapped. Since the County may have intended to stop an undesirable land use pattern from spreading, it must be demonstrated that the circumstance is not intentional.
- 3) Changing conditions, such as new roads or utility lines, makes another location more favorable for development than the location originally planned.
- 4) Growth rates have changed, thereby increasing the need for development in the County.

FILE: H:\2021\2101007\WOOD\2101007-CONCEPT 2021-01-21.DWG
 PLOTTED BY: JAC BRANK
 DATE: 2/2/2021 10:24 AM

Attachment C



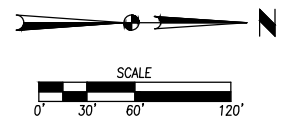
DEVELOPMENT SUMMARY

TOTAL SITE AREA:	= 24.16 AC	
TOWNHOMES:	= 4.45 AC	28 LOTS
50' SINGLE FAMILY LOTS	= 5.49 AC	26 LOTS
60' SINGLE FAMILY LOTS	= 6.40 AC	23 LOTS
LIGHT INDUSTRIAL	= 2.66 AC	
OPEN SPACE PROVIDED	= 5.16 AC	

TOWNHOME SETBACKS
 FRONT 20'
 REAR 15'
 SIDE 5' EACH SIDE

SINGLE FAMILY SETBACKS
 FRONT 20'
 REAR 20'
 SIDE 5' EACH SIDE

B = BRADFORD DUPLEX
 F = FORRESTER DUPLEX



WOODLAND HILLS EAST
CONCEPTUAL PLAN

CIVIL DESIGN ADVANTAGE
 POLK COUNTY, IOWA

3405 S.E. CROSSROADS DRIVE, SUITE G
 GRIMES, IOWA 50111
 PHONE: (515) 369-4400 FAX: (515) 369-4410

TECH: [Blank]
 ENGINEER: [Blank]

REVISIONS: [Blank]
 DATE: [Blank]

CONCEPTUAL PLAN
 02/02/2021

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