



Rezoning Petition

Property Owner & Applicant:

Perficut Partners LLC, represented by Matt Boelman

Applicant's Representative:

Erin Ollendike, Civil Design Advantage

Request:

Comprehensive Plan and Zoning Map Amendment

Legal Description:

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.

General Location:

Located approximately 615 feet west of the NE 66th Avenue and NE 14th Street (Highway 69) intersection, Ankeny, Iowa (Attachment 'A').

Existing Future Land Use Map Classification:

Medium Density Residential (Attachment 'B')

Proposed Future Land Use Map Classification:

Light Industrial

Existing Zoning:

"MDR" Medium Density Residential District (Attachment 'C')

Proposed Zoning:

“LI” Light Industrial District with 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.

Surrounding Zoning:

North - "GC" General Commercial District

East – “LI” Light Industrial District

South – “LI” Light Industrial District

West – “MDR” Medium Density Residential District

GENERAL COMMENTS:

This item was scheduled for public hearing at the August 26, 2019 Zoning Commission meeting. The Petitioner asked for a deferment to the October 28th Zoning Commission meeting, which the Zoning Commission granted. An updated notice was mailed to property owners within 500 feet of the subject property, alerting them of the October 28th Zoning Commission meeting. The Petitioner has provided an updated Concept Plan, Attachment ‘D’ and several conditions to limit the potential, future, negative effects on the residential homes located directly west of the rezoning area. The following are the proposed conditions from the Petitioner, which changed the Rezoning request from Light Industrial to Light Industrial with 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.

The applicant is requesting a Comprehensive Plan Amendment and Zoning Map Amendment to change the Future Land Use Map classification 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 for a portion of the subject property located approximately 615 feet west of the NE 66th Avenue and NE 14th Street (Highway 69) intersection, Section 2 of Saylor Township.

The subject property is an unplatted parcel and consists of one (1) tax parcel totaling approximately 24.25 acres, however the area of Rezoning is a portion of the tax parcel and totals approximately 20.04 acres. The northern approximate 4.21 acres of the tax parcel that is not included within this Rezoning petition is classified as Highway Commercial and zoned "GC" General Commercial District. The area of Rezoning 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 Petitioner, Perficut Partners LLC. The Greens at Woodland Hills subdivision does include a street, NE 64th Avenue, which terminates into the Rezoning area. NE 64th Avenue provides the only street frontage to the Rezoning area, however the tax parcel does have frontage onto NE 66th Avenue to the north. The property has historically been in agricultural production without structures and the Petitioner has utilized a portion of the Rezoning area for storage. The use of the Rezoning area for storage of equipment and materials is not an approved use, either through the zoning of the subject property or by an approved Site Plan. Since the request for deferment was granted, the Petitioner has removed material storage from the subject property.

The Greens at Woodland Hills Plat 1, which lies adjacent to the Rezoning area was the first residential development extension south from NE 66th Avenue. Developed by Hubbell Properties, this first phase of development included the street extension to the Rezoning area, NE 64th Avenue, and 44 single-family residential lots. 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.

The applicant submitted an initial written Rezoning request, which states the interest in expanding Perficut's business onto the subject property. The application further states that Perficut does not need the entire rezoning area for their expansion, therefore they are interested in creating additional industrial lots to be sold for development. The applicant also submitted an initial concept plan of the proposed development of the property, Attachment 'E', which shows six (6) additional lots, which will have a combination of access to a cul-de-sac extension into the site from NE 66th Avenue and private driveway connections. The six (6) lots include the expansion concept for Perficut onto future Lot 6. The concept plan shows that the connection to NE 64th Avenue through The Greens at Woodland Hills neighborhood will not be utilized. The updated concept plan, Attachment 'D' also does not utilize the NE 64th Avenue connection and proposes the same number of lots.

Development of the subject property as proposed in either of the proposed concept plans will require a Major Preliminary Plat, construction of public infrastructure and a Major Final Plat, followed by a Major Site Plan process for each of the created lots, including the expansion area proposed by Perficut. The Major Site Plan is an administrative process in which access, stormwater, utilities, parking, building placement and landscaping are reviewed.

ZONING BACKGROUND:

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 ZONING 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.

STAFF REVIEW:

Natural Resources

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. There is a partial mature tree line near the western property line and scattered trees along the eastern and southern property lines.

Roads/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 an Other Principal Arterial State road. NE 64th Avenue is a paved Local county road that terminates into the Rezoning area.

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.

Neighborhood Meeting

The Petitioner conducted a Neighborhood Meeting on May 29, 2019, prior to submittal of the Rezoning Petition. The notice of the Neighborhood Meeting is attached as Attachment 'F'.

Public Testimony

As of the end of business on August 21, 2019, County staff received 32 items of public testimony in writing. 28 items of testimony were in opposition, one (1) item is an opposition petition, two (2) items discuss the concept plan and potential redesign and the remaining item is in support of the rezoning. The items of testimony in opposition reference incompatibility with the residential uses to the west, potential negative impacts with future industrial tenants, encroachment by Perficut into the Rezoning area and previous significant flood events that affected the adjacent neighborhood. Testimony in favor of the rezoning did not provide additional details.

The new notice for the October 28, 2019 Zoning Commission meeting and the disbursement of the proposed conditions from the Petitioner and the revised concept plan provided an additional six (6) items of opposition testimony. Four (4) of the items were from property owners who had previously submitted testimony and two (2) submittals were new to this process.

The items of testimony are attached as Attachment 'G'.

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 general goals and policies of the Comprehensive 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.

Water Quality Goal - Policy 2: Protect Natural Infrastructure – Risks to surface water quality, risks from flooding, and risks to many natural areas can be avoided or mitigated by protecting and investing in the County's natural infrastructure. Polk County will protect streams, waterways, and floodplains in land use decisions and by directing appropriate investment to enhance the County's natural infrastructure.

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.

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

Within the last 58 years that zoning has been recorded, 41 of those years represented a residential classification on this property. Although staff recognizes the rezoning of the property in 2007 and the detrimental effect on the expansion plans of Perficut, merely two (2) years after they purchased the property in 2005, the Medium Density Residential classification was established to buffer the industrial/commercial corridor from the planned residential development to the west. Further, the public street (NE 64th Avenue) that terminates into the subject property is a clear indication of a future residential development intention on the subject property.

Several properties within the NE 14th Street (Highway 69) corridor have been reclassified to Light Industrial. The Albaugh 10 industrial subdivision to the northeast of the NE 66th Avenue and NE 14th Street (Highway 69) intersection and the Vermeer site, northwest of that same intersection. These areas of rezoning all include significant frontage onto the NE 14th Street (Highway 69) corridor without planned connections to adjacent residential developments. These new industrial developments also provide the needed industrial property within the NE 14th Street (Highway 69) corridor.

RECOMMENDATION:

Staff recommends denial of the 2030 Polk County Comprehensive Plan Map Amendment from the Medium Density Residential Classification to the Light Industrial Classification and recommends denial of the Zoning Map Amendment from the "MDR" Medium Density Residential District to the "LI" Light Industrial District for the subject property.

The recommendation for denial of the Comprehensive Plan Amendment is based upon the fact that the request is not in harmony with the spirit, intent, goals and policies of the Polk County 2030 Comprehensive Plan. The recommendation of denial of the requested Zoning Map Amendment is based upon the following: a) The request is not in accordance with the Comprehensive Plan; b) Approval does not support the public, health, safety and welfare of County residents due to the proposals incompatibility with adjacent residential land uses and the overall character and nature of the surrounding area; c) The rezoning area has been residential for a significant time throughout the property's documented zoning history; d) The Petitioner has continued to utilize the property for outdoor storage when directed by the Board of Supervisors to eliminate that ongoing issue during their review in 2015; and e) Other available Light Industrial classified and zoned properties available within this vicinity.

The significant timeframe that the property was designated as residential, provided access to the adjacent residential neighborhood, availability of other Light Industrial classified and zoned properties and the past and recent non-compliance of the property by the Petitioner does not warrant a change in the property's current Medium Density Residential classification on the Future Land Use Map, nor does it warrant the proposed Zoning Map Amendment.



Area of Rezoning
Perficut Partners LLC

Ankeny

SE Rio Cir
SE Corporate Woods Dr

Baseline St
3th PI

NE Halbrook Ln

NE 11th Ct

NE 69th PI

NW 2nd St

NW 66th Ave

NE 66th Ave

NE 17th St

NE 18th St

NE Sawyer Ln

NE 64th Ave

NE 14th St

NE 8th Ct

NE 63rd PI

NE 9th Ct

NE 64th Way

NE 17th Ct
NE Industry Dr

Unknown St

NW 60th Ave

NE 60th Ave

NE 61st PI

NE 3rd St

NE 6th St

NE 9th St

NE 10th St

NE 19th St



Medium Density Residential

Area of Rezoning
Perficut Partners LLC

NE 66th Ave

Highway Commercial

Medium Density Residential

**Medium
Density
Residential**

**Light
Industrial**

Light Industrial

**Low
Res**

Institutional

NE 8th Ct

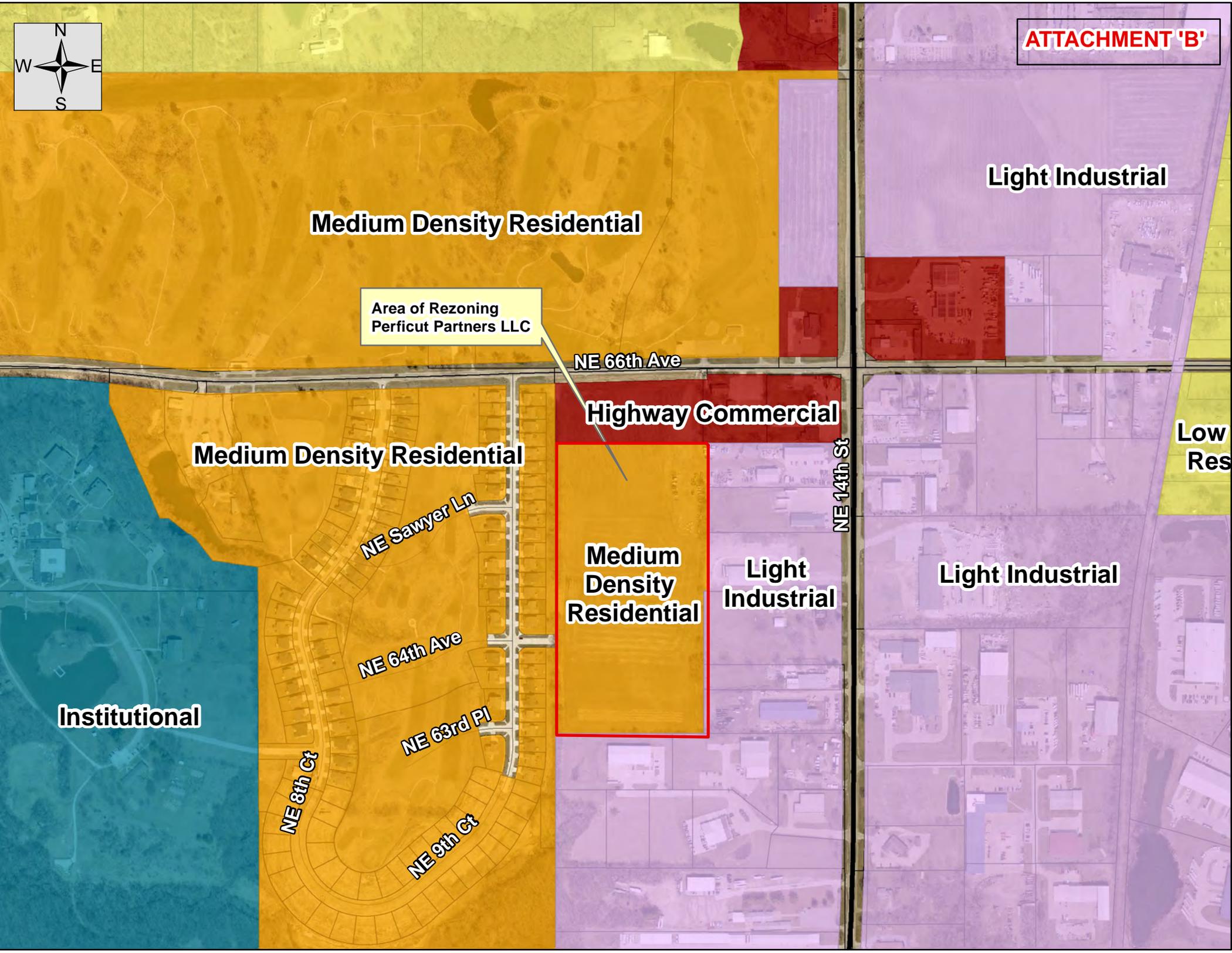
NE 64th Ave

NE 63rd Pl

NE 9th Ct

NE Sawyer Ln

NE 14th St





MDR

**Area of Rezoning
Perficut Partners LLC**

NE 66th Ave

GC

NE 14th St

MDR

MDR

LI

LI

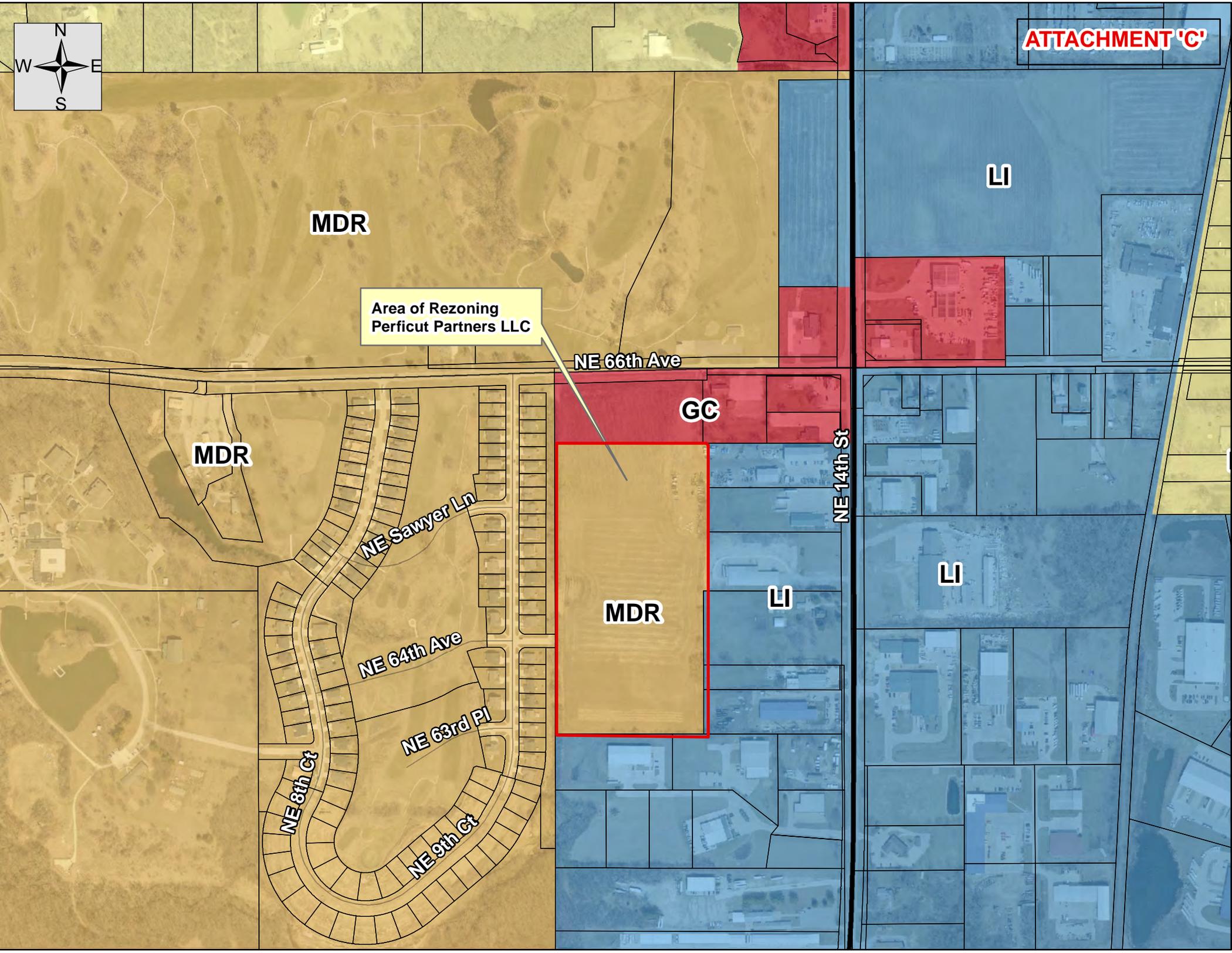
NE 8th Ct

NE 64th Ave

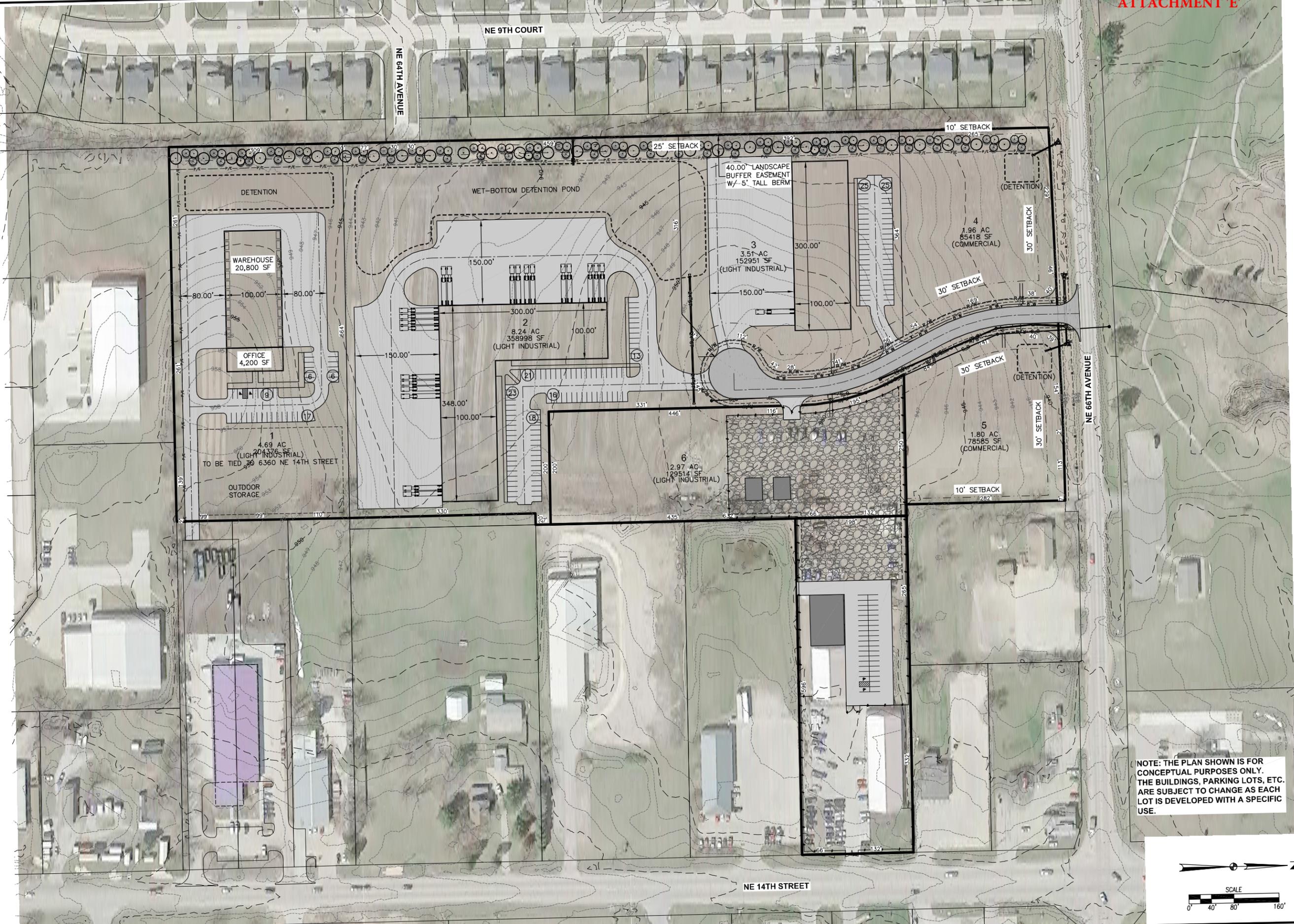
NE 63rd Pl

NE Sawyer Ln

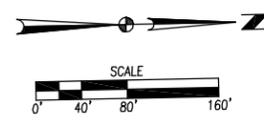
NE 9th Ct



FILE: H:\2018\1805312\1805312\CONCEPTS\1805312-CONCEPT-OVERALL.DWG COMMENT:
 FILE DATE: 12/22/18 PLOTTED: 5/22/2019 3:12 PM
 PLOTTED BY: JLENDRIK TECH



NOTE: THE PLAN SHOWN IS FOR CONCEPTUAL PURPOSES ONLY. THE BUILDINGS, PARKING LOTS, ETC. ARE SUBJECT TO CHANGE AS EACH LOT IS DEVELOPED WITH A SPECIFIC USE.



REVISIONS	DATE

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



DES MOINES, IOWA

PERFICUT PROPERTY
CONCEPTUAL PLAN



CIVIL DESIGN ADVANTAGE L.L.C.

ENGINEERS, LANDSCAPE ARCHITECTS,
PLANNERS & SURVEYORS

May 21, 2019

RE: Perficut Property Development
Des Moines, Iowa

To Whom It May Concern:

I am working with Perficut Partners on developing a plan on the approximate 24 acres of property they own south of NE 66th Avenue approximately 700 feet west of NE 14th Street. We are intending to submit a rezoning application to Polk County to rezone the property from Medium Density Residential (MDR) to Light Industrial (LI). I was not involved with the development the last time that it was brought before Polk County but we think it is important to reach out to the neighbors to give them an opportunity to talk with the developer prior to our submission. We hope to get your thoughts on the plan that is being presented and answer any questions you might have prior to the public meetings with Polk County. The conceptual plan we have provided shows how the property could develop with industrial uses, but the buildings and parking lots could change as each lot develops. Perficut hopes to expand their business on one of the lots being shown directly west of their existing site but the other lots would be available for another business to purchase. One item that the developer is committed to installing is the pond and 40' landscape buffer along the west side of the development. We understand the need to provide this buffer from the adjacent residential homes so the pond and a 5' tall berm would get installed with the public cul-de-sac street and then trees/landscaping would be installed as each lot develops. Another item to note is that this development will not tie into NE 64th Avenue. All of the proposed traffic would funnel down the proposed cul-de-sac directly on to NE 66th Avenue.

A meeting has been scheduled for Wednesday, May 29th at 6:00 at the Perficut office building located at 6535 NE 14th Street. This building is at their facility on the east side of NE 14th Street.

Please let me know if you have any questions and I hope to see you on May 29th. If you are not available that night for a meeting please feel free to reach out to me and hopefully I can answer any questions that you might have. Thank you.

Sincerely,

CIVIL DESIGN ADVANTAGE

Erin K. Ollendike
ErinO@cda-eng.com
Ph: (515) 369-4400

cc: Seana Perkins, Polk County

From: [Jeromy Brooks](#)
To: [Seana E. Perkins](#)
Subject: Perficut Rezoning on NE 66th Ave
Date: Monday, August 12, 2019 11:48:02 PM
Attachments: [NE9th Court.pdf](#)
[Perficut.pdf](#)

Hello Seana,

One of my neighbors had provided your contact information and suggested I provide my concerns with the planned Perficut rezoning on NE 66th Ave. They had also suggested that I ask for the links to the possible businesses that could be placed in the area if rezoned for light industrial. Also the possible conditional options that would limit what could be placed if the rezone proceeded to light industrial.

My primary concerns would be with how the change would immediately affect my current living environment as well as the near future of the neighborhood. I feel the rezoning would definitely alter property value and not in a positive way. At the moment there is a fair amount of isolation from the current businesses and the considerable amount of activity on NE 14th St. With the proposed rezoning Perficut described to the current residents they will be using only a very small portion of the developed land. The rest will be a rented warehouse and other rental offices or buildings. They also stated that it was only an idea and could change to suit whatever they wanted. I am very concerned that they are only showing us a bait and switch to get the approval of the residents. I am worried that they will show us the pretty picture and then place construction based contractors in the area. There is currently a cement truck company that is located on NE 14th St. The map they provided us shows this company expanding back into the development providing access to NE 14th St. This would bring all the activity, noise and light pollution within the neighborhood. As well as all the possible cement dust that would collect onto our homes. We were also informed that the current neighborhood flooding issues would not only not be addressed with this proposed development but may increase. The proposed development will be connected to our storm water drain system. The undersized system is part of our flooding issue, as is the runoff from the field. The hydrologist at the meeting said the direction of water flow could not be altered and would still runoff toward the neighborhood. With less land to absorb the water and more concrete for runoff, this is a serious concern of the entire neighborhood.

Overall this neighborhood is increasing the number of younger families in the area. With them comes the much needed children for the school district. I do not know anyone who would like to raise their children next to a warehouse or traffic area with semis or large vehicles running in and out all day. Directly across from the planned development area is the next portion of the neighborhood. This will place houses on both sides of NE 66th Ave. The school bus pickup is the Stop sign at the end of NE 9th CT. Another concern is with the increase in traffic and the safety of the kids getting on and off the bus. I know from experience that people do not always stop for the bus and with more traffic comes more impatient drivers and accidents.

Another topic that has really lingered with the residents who attended the last meeting is the low

income development threats from Perficut. Passed encounters during the last few attempts were not pleasant after they had been rejected. On previous occasions for the rezoning the primary threat was to build low income apartments that would directly affect property value. During the recent meeting it had been brought up and the idea was still proposed if they did not get the rezoning granted. This would be a concern but a better solution than that of the plan they proposed. This would also be a managed property. Which leads to another issue of compliance. Perficut has been in the area for over 15 years and had has several compliance violations. Each one was brought up during the last rezoning meeting. Only a few have been resolved during this time. This may be a subject for another setting but it is a concern. If they are not able to follow the required business compliance rules now, how could we expect them to do so with the newer development.

All of these issue will lead to a depreciated property value, another aspect I do not want to happen. I was hopeful of the future homes raising the value of the area but they may not if there is a large warehouse or heavy machinery traffic like cement trucks, which is one of the businesses that we were told will be in the development. This area already has numerous empty warehouses and another would only lower the value or the surrounding properties.

I have attached a few photos of our neighborhood. I was not sure if you had this information and thought it best to provide it.

The first photo is the Hubble development plan for the area. It shows the locations of the two new sections on the North side of 66th Ave. Both roads are complete and lots have been marked for development.

The second photo is a backyard of one of the houses next to the field about 30 minutes after a heavy storm. At the time the photo was taken the water was 4 feet deep outside the house and a few inches higher inside.

The reset of the photos show how the water pools in the field and then drains into the area behind the houses. The was in that section pools every time it rains and then flows into the backyards where the single storm drain is located.

The second pdf attached is the map provided by Perficut showing their proposed plan. Which could be altered if they wanted.

For these reasons we are against the rezoning and proposed plan. Thank you for taking the time to read my concerns.

Sincerely,
Jeromy & Jessica Brooks
6444 NE 9th Ct





Interior Water line



Golf Balls





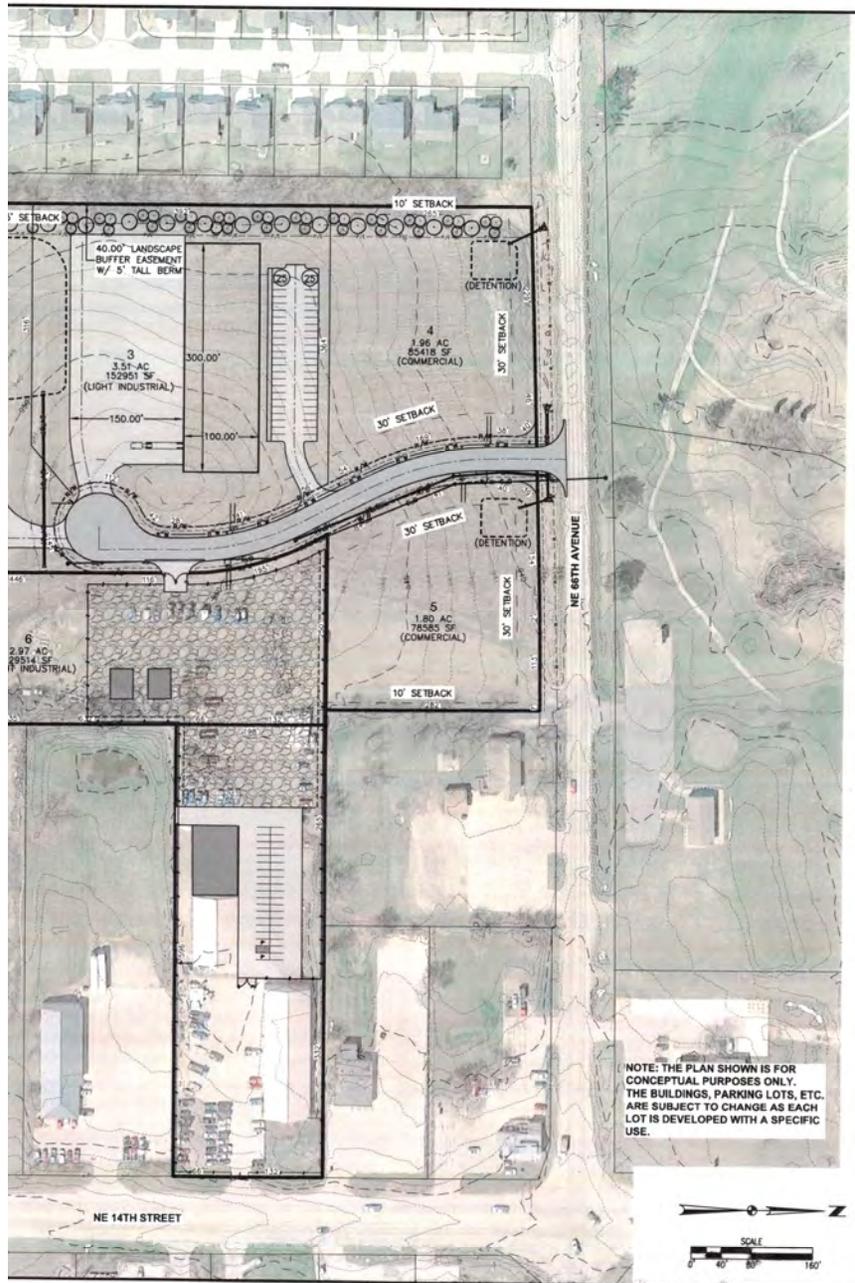
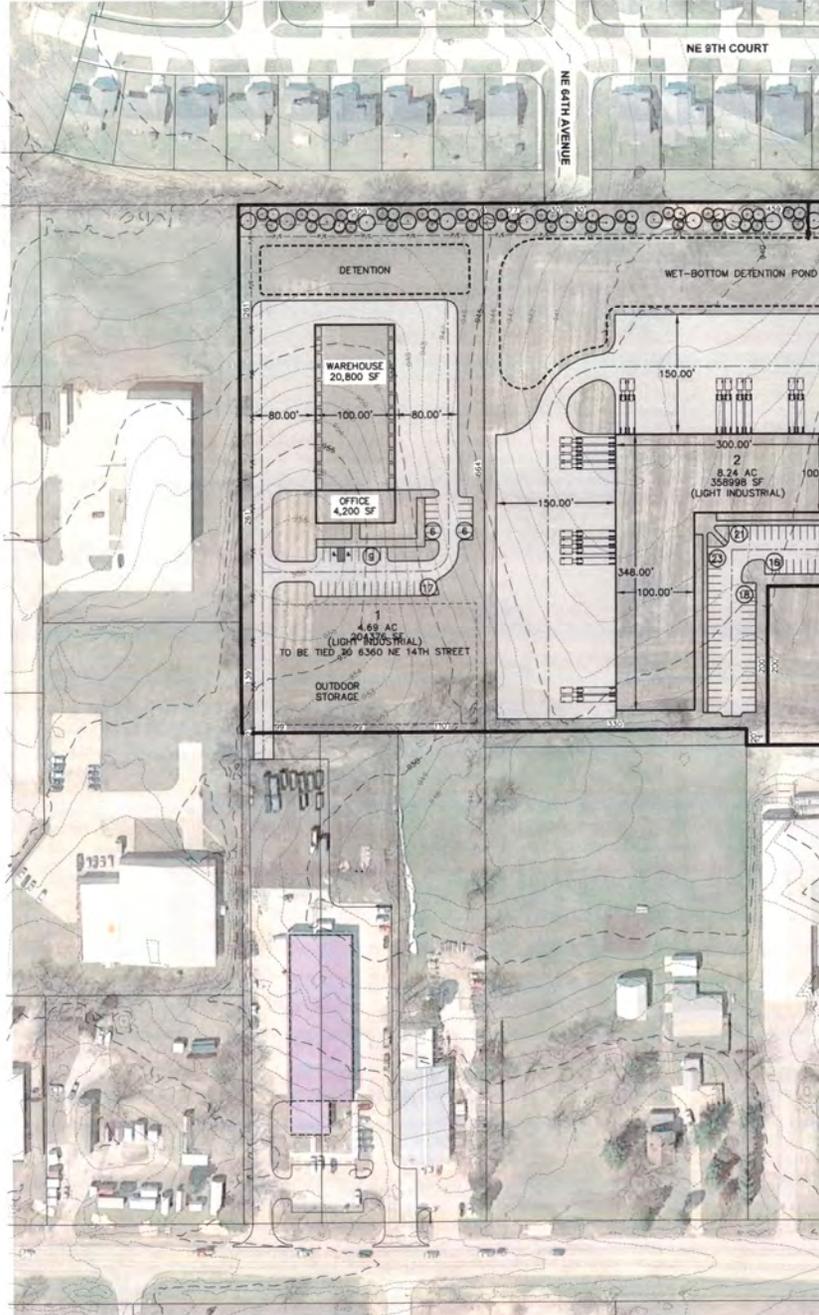








ALL DIMENSIONS AND LOCATIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED. DIMENSIONS ARE TO BE TIED TO NE 14TH STREET.



NOTE: THE PLAN SHOWN IS FOR CONCEPTUAL PURPOSES ONLY. THE BUILDINGS, PARKING LOTS, ETC. ARE SUBJECT TO CHANGE AS EACH LOT IS DEVELOPED WITH A SPECIFIC USE.



DATE	
REVISIONS	

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



PERFICUT PROPERTY
CONCEPTUAL PLAN

1/1
 1805.315

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: Jessica Brooks & Jeremy Brooks

Address: 6444 NE 9th Ct Des Moines, IA 50313

Signature: [Handwritten Signature]

August 6, 2019

Dear Polk County Commissioners,

When I purchase my home in 2015, I chose it because it was located in a quiet golf community and because the neighborhood included young families as well as retired residents. I was given the impression that the field behind our homes was going to be the site for single story town homes, similar to those that Hubbell built on the west side of our division.

Among my concerns about rezoning the Perficut area as light industrial are the air and noise pollution, as well as the aesthetics.

The possibility of diesel powered semi-trucks and delivery trucks driving in and out of a parking lot or sitting at a loading ramp, and being only a few hundred yards away from our residential property is concerning. Our children play in our back yards, and we sit on our back patios. The exhaust from diesel engines contains a mixture of gases and very small particles that can create a health hazard. Diesel soot can contain more than 40 different toxic compounds. According to OSHA, Diesel Particulate Matter (DPM) includes soot particles made up primarily of carbon, ash, metallic abrasion particles, sulfates and silicates. Information available on OSHA's website (www.osha.gov) shows that in June, 2012, the International Agency for Cancer Research classified DPM as a known human carcinogen (Group 1). Some may argue that OSHA relates to occupational exposure, but there are several indications that residential areas in close proximity to diesel emissions are also at risk for health hazards. A clinical article by Krivoshto et al cited that in Japan and Europe "epidemiologic surveyors have demonstrated high acute and chronic respiratory disease morbidity rates from...proximity exposure to diesel exhaust" including diesel exhaust from streets and businesses near residential areas (<https://www.jabfm.org/content/jabfp/21/1/55.full.pdf>).

People with allergies, such as myself, have symptoms that are worsened after diesel fume exposure. Studies have shown that the particles in the diesel exhaust (DPM) hurt people with allergies more -- because of diesel exposure, people with allergies will have a higher sensitivity to pollen, dust or other items they were allergic too. An article from the National Institutes of Health (<https://toxtown.nlm.nih.gov/chemicals-and-contaminants/diesel>) advises that short term exposure to diesel fumes can cause headache, nausea and irritation to the eyes and nose. Long-term exposure to diesel fumes can cause respiratory diseases, kidney damage, increased blood pressure, lowering of the blood's ability to clot, and cancer.

I can't imagine sitting on my back patio or tending to my rose bushes while diesel smog (and smell) from just a short distance away floats on the breeze into my back yard.

Another concern is that not all residential yards abutting the Perficut property have a tree barrier. I can sit on my outdoor deck or at my dining table and see clear across the current field. Our decks are "second story" due to the sunlight basements, so the view of concrete parking lots, trucks, loading docks and the like can't be hidden behind a

privacy fence. Even those homes with a tree barrier will see the loading ramps and tractor trailers parked in the lots when autumn/winter takes away the leaves.

I cannot begin to imagine how much the property value of my home will plummet. When a buyer walks out onto the deck or looks out the dining room window and sees delivery trucks, black diesel fumes, loading docks, parking lots, trash bins, etc., the possibility of a sale is not going to be so favorable. If I decide to sell my home (to downsize when retired), the troubles of air pollution, noise pollution and a direct view of industrial activity is going to negate a decent value.

I understand that the field cannot remain agricultural for the rest of time, but there needs to be something better than industrial (even light industrial).

Respectfully,

Toni C. Clark
6425 NE 9th Court
Des Moines IA 50313
515-664-1508
toniclarkrn@yahoo.com

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: Gabriel and Amanda Coco

Address: 6521 NE 9th Ct, Des Moines, Iowa 50313

Signature: [Handwritten Signature]

amandamcoco

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: Gabriel and Amanda Coco

Address: 6521 NE 9th Ct, Des Moines, IA 50313

Signature: AGC and amandamcoco 10/20/19

From: [Mike Cormack](#)
To: [Seana E. Perkins](#)
Subject: proposed rezoning- third attempt- Perficut
Date: Tuesday, August 06, 2019 1:46:02 PM

Seana,

In May, I received a contact not from your office but from Erin Ollendike from Civil Design Advantage. She has been professional in her communication and I have no problem with her being an advocate for her client. As someone who has worked virtually my entire life in government, I found it odd (and something I would never do) that your office provided my contact information to an outside party and described me as someone who "voiced a lot of opposition to the project" but never contacted me for my perspective or approval to share my contact information. If you were in my shoes, you would be furious that the government that is supposed to work for ALL Polk County citizens would engage in this sort of relationship with the engineer of a project that has been rejected once by your direct board and once again later with the Board of Supervisors. The lack of professionalism from your office is something I have never done in my interaction with the public.

In terms of the proposal, once again, it should be reminded that the Master Plan is the best usage of the land as determined professionally. The burden of proof to change is not on the part of the neighbors who are law abiding and live in the area already. The burden of proof to change is to determine that a better use of land should be done is on the part of the entity making the request.

It is apparent that no matter how often your staff gets rejected, and no matter how often the governing entities reject proposals to change the master plan, you will continue to advocate for these changes and not enforce present zoning requirements (which Perficut continues to do with the illegal present use of the property). No neighbor is out of compliance with zoning laws. Perficut, while making improvements to the complete mess that was in the field that is being asked to be rezoned, still is not in compliance. **THAT IS WHY EVERYTHING THAT IS BEING PROPOSED IN THIS REZONING BE WRITTEN DOWN.** Example, there should be low level lighting and needs to be upon rezoning. Don't allow verbal language, insist on written language that such lighting will occur.

So, this development is likely to occur given your office's bias in favor of development and your work with the developer in providing contact information to them but no similar outreach to the neighborhood. This project needs berms, needs low level lighting, needs separation from the development, needs independent entry (not through the neighborhood) for vehicles, needs a retention pond and **MOST CERTAINLY**, needs research and focus on your end that a retention pond has a capacity of being absorbed into a sewer system that can handle it.

Last summer, multiple homes were flooded with water because the inadequate storm sewer couldn't handle it and we all had 5 feet of water covering our entire backyards and halfway up the sides of our homes. Our basements were ruined. The county, of course, has stated that this sewer is adequate and approved it. There is a constant stream of water (like a raging river) behind our homes off of the field being asked to be redeveloped. A retention pond could be of great help. It will not be of great help if the present storm sewer is being asked to hold this water as it backs up all of the time. Until 3 weeks ago, there was no point this year where there wasn't standing water behind our house into that storm sewer, even after several

weeks of little to no rain.

So, if this is to go forward, and I think the engineer is sincere about trying to get outreach, I would hope your staff would seriously study the issues that have caused flooding year after year off of this farm field. I am giving you the same message I gave the engineer. It is not in the interest of the homeowners or of the developing property to have continual flooding issues. It is important for the county and the developer and Hubbell Realty (developer of our housing development) to figure out long term solutions to the water issues that currently flood this field and these homes. I hope you would dedicate time (and not just rubber stamp) plans to address water retention.

There is no doubt this development will not help housing values. If it is to move forward, as it seems inevitable from your staff, please put things in writing, hold this owner to what is put in writing after the fact (as they currently ignore zoning laws) and make sure the water retention plan works long term for all involved, even if it costs a little more upfront to do things right.

I hope this is not only reviewed by you but sent to the Board. I will not be attending the meeting on the 26th. This is my public comment. I know you will not like what I had to say about how your office behaved this year but if you can provide a rationale for providing contact information and labeling citizens that help pay your salary, I am all ears. It's not how I treat the public that I serve and hope you will change this course of action with other citizens in the future. Given that, I also hope you will, regardless of your views of me, seriously research the issues I raised in this contact. There are good people in this neighborhood and they deserve to be treated equally to the developer. If this is to move forward, please do it right and put it in writing. I think the engineer is sincere and is trying on this but certainly think the past history of a neighborhood that has done nothing wrong versus a property owner who has not (though doing better) followed zoning laws dictates that you spell out in writing what you expect this developed property to look like in more detail than most developments. Then, they hopefully do the right thing but if not, their feet are held to the fire to get back into compliance.

Sincerely,

Mike Cormack
taxpayer, resident
6455 NE 9th Court
Des Moines, Iowa 50313

CUT AND RETURN

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: Terry + Margaret Cullage

Address: 6454 NE 9th Ct.

Signature: Terry Cullage, Margaret Cullage

From: [Matthew Dahms](#)
To: [Seana E. Perkins](#)
Subject: Rezoning Petition
Date: Tuesday, August 13, 2019 4:52:42 PM

Seana;

Regarding case #2019-08148 - Perficut Partners LLC Rezoning, please register my **opposition** to the proposal.

Matthew Dahms
6432 NE 9th Ct
Des Moines, IA 50313

Thanks, Matt

--

Matthew Dahms | 319.759.7118

cut and return

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: Brandon Dahms
Address: 6435 NE 9th Ct Des Moines
Signature: [Handwritten Signature]

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

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: RYAN E STEPH FITZGERALD

Address: 6581 NIE 9TH CT

Signature: Stephanie Fitzgerald

From: [Kelly Garoutte](#)
To: [Seana E. Perkins](#)
Subject: Perficut Rezoning
Date: Sunday, August 11, 2019 12:23:37 PM

Seana,

My concerns about the possibility of Perficut being granted rezoning for light industrial are the following:

1. The new up and coming neighborhood I bought into just 4 years ago has tripled in the time I have been here. More and more houses are being built in the immediate area and a really nice neighborhood is coming along well. The idea of having an industrial area directly in my backyard is causing some concerns. The pollution, noise, air, and waste included, are not favorable in a residential neighborhood. As it stands, we are as close to industrial as I would like to be and I was aware of the current businesses when I bought here. The character of this new neighborhood would most certainly be stunted and brought to a low if this rezoning is granted. The people that occupy my street are either young families with small children or retired people such as myself who have bought here to live a quiet, well deserved retirement after working years around noise!
2. There are many other areas close by that are building as well. This area is booming with change but rather than disrupting lives with industrial, it seems that adding on to the neighborhood by putting in single family homes would be a better proposal.
3. There is also the concern of flooding behind many of the houses on the same side of the street as mine (east side of NE 9th Ct) Hubbell is not taking any responsibility for this and I don't believe Perficut is either. Several families were devastated with the damage from last years flooding. If a retaining pond is put in, I really don't understand how that would be a great idea as the current water situation isn't working.
4. As far as suggesting conditional zoning goes, I feel that it wouldn't matter if that was proposed to Perficut as they are in violation of zoning laws currently and no one from zoning is doing anything about it. Not sure that having conditions put in place would matter. The "zoning police" seem to be turning their heads.

Bottom line is, and I know this isn't all about me and my little house, but I bought here because it was peaceful and just far enough from busier, crowded areas for me to enjoy retirement. As you know I am a proud retired Des Moines Police Officer who was very grateful to find such a nice neighborhood away from all the ridiculousness that takes place everyday. I just can't imagine that I would now be stuck living behind an industrial area, and IF I decide to move away from such a fiasco, would my house even sell for what it is worth? Who would want to buy near an area such as what is being proposed? NOT me and I'm guessing not you.

Thank you,

Kelly Garoutte
6395 NE 9th CT DSM

Sent from [Outlook](#)

cut and return -----

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: Deborah R Hecker + Albert B Hecker

Address: 895 NE 63rd Place D.M. IA

Signature: Deborah R Hecker Albert B Hecker

August 9, 2019

Dear Committee Heads,

We are members of the 9th Court neighborhood in Des Moines. It has come to our attention that there is a potential amendment to rezone the area near our home from “MDR” Medium Density Residential District to “LI” Light Industrial District being made by the company, Perficut. This area of rezoning is located south of NE 66th Avenue and west of NE 15th Street. As members of the adjoining neighborhood we would be greatly impacted by this decision.

This decision would negatively impact our quality of living due to the increased amount of air and noise pollution that would be produced due to the new industrial establishment. The increase in noise due to operation of machinery and the volume of workers in the surrounding area will harm the quality of life for us and our pets. Furthermore, to have an industrial business directly behind us will lower the value of our home.

Instead of amending the area in question to “LI” we ask that instead it remain classified as “MDR.” In this case, we feel that single-family or cluster residential housing would be a fair alternative to be built surrounding our neighborhood. We would be able to increase the members in our community and continue to create a safe neighborhood for all to live in.

Thank you for your time and consideration,

Taylor and Lauren Hobbs

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

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 REZONING

Print Name: TAYLOR AND LAUREN HOBBS

Address: 6511 NE 9th CT.

Signature: *[Handwritten Signature]*

From: [Kurt Hunt](#)
To: [Seana E. Perkins](#)
Subject: Perficut rezoning request
Date: Monday, August 12, 2019 8:27:51 PM

Ms. Perkins,

I am writing regarding the rezoning request for the property behind Perficut near the intersection of NE 14th and 66th Ave. My wife and I live in the Greens at Woodland Hills neighborhood that backs up to the property in question. It is a very nice, peaceful neighborhood, so of course we have concerns with plans to rezone it to light industrial. On the other hand, we recognize that Perficut has the right to use their property to their benefit. So we would like to find a balanced resolution that benefits all parties.

Since our house backs up to the property, our primary concerns are with noise, lights, odors, aesthetics, and increased truck traffic. We also had flooding in our neighborhood last year, so are concerned about water control, though I believe that would actually be improved with the proposed development. However, due to the concerns mentioned earlier, residential or commercial zoning would be preferred. I assume residential development would be challenging since it would have the same issue of backing up to the industrial development currently along NE 14th. I believe that Perficut's preference is for light industrial so they can expand their business and store their equipment properly. Admittedly, I don't know anything about zoning principles, but I wonder if it would be feasible to zone the eastern half of the property (by Perficut) as light industrial, and the western half (by the neighborhood) as commercial or residential?

Perficut met with us some time ago, and requested feedback for development. Here are the suggestions I gave to them, assuming they were requesting light industrial zoning:

- 8 ft berm with trees, including evergreen trees (Or fencing)
- Any external lights faced downward and/or to the east
- Orient any warehouses with truck docks on the east side of the building, and car parking on the west side
- Add left-turn lane on 66th at NE 14th st
- Add fountain or some mechanism to detention pond to ensure water does not stagnate.
- Ensure adequate water drainage that does not impede the existing neighborhood drainage

I didn't specify it with Perficut, but we are assuming that the existing tree line at the edge of the neighborhood would be maintained as-is.

Suggested Restrictions:

- Buildings have brick/decorative exteriors with attractive landscaping
- Limit building height
- No warehouse/truck activity between 7pm – 6am
- No industries that would generate odors and/or chemicals

Thank you for your time and consideration. Please let me know if any additional information would be helpful. We will plan to attend the meeting on the 26th.

Sincerely,
Kurt Hunt
515-266-0744

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



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 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 #2019-08148 – 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: Dan and Ann Klein

Address: 6484 NE 9th Court

Signature: [Handwritten Signature]

August 17, 2019

To: Seana Perkins

From: Timothy and Pamela Knapp, 6499 NE 9th Ct., Des Moines, IA 50313 (The Greens at Woodland Hills)

Ref: Request for rezoning of 20.04 acres owned by Perficut Partners, LLC (south of NE 66th Ave. And west of NE 14th Street)

The purpose of this letter is to present our opposition to the requested rezoning of the aforementioned property. We Believe that rezoning of this property from light residential to light industrial will have a significant negative effect on, not only us, but the entire neighborhood. Most of the homes in this neighborhood are less than five years old. We have been told that if this becomes an industrial area our property values will drop by 2 – 3%. This is a very nice neighborhood with a good combination of young families to retirees.

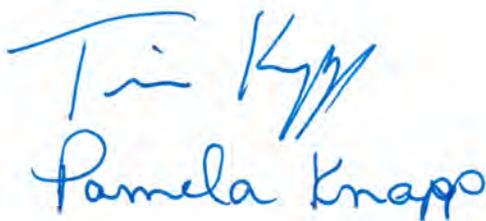
We believe leaving this property zoned as light residential would be far more beneficial to Polk County. There is nothing aesthetically pleasing about this area of NE 14 Street. Turning this property into an industrial area will only make it worse. Turning this into an industrial area would take away from the natural beauty of the timber in the area including the Easter Seals Camp, Margo Frankel Woods State Park and the Woodland Hills Golf Course. The noise and added truck traffic would be a huge detriment to the quality of life. We would refer you to the Polk County Comprehensive Plan 2030, Vision, Goals and Policies, Quality of Life Goal, Policy 2.

Another huge concern is the increase in truck traffic that would come if this property is developed into industrial. The intersection of NE66th Ave. And NE 14th Street is already a bad intersection. There are no turning lanes on NE 66th. We have seen and been involved in many near misses at this intersection.

We do not have any faith that Perficut will do anything they have said they will do. At an informational meeting that the owners of Perficut held for the neighborhood, he stated that he would be the developer for this plan. By his own admission he stated that he has not been in compliance with Polk County on what he was supposed to do to his property since he bought it. We have not figured out how the owners of a landscaping business would have the resources for the development of the property plan he showed us that evening. We were also not given a satisfactory answer on what he plans to do about drainage if he develops this property.

We respectfully request that Polk County leaves the zoning on this property as light residential and does not change it to light industrial as we very strongly believe this will decrease our property values and take away from the quality of life for the residents of this neighborhood. Thank you for your consideration in this matter.

Timothy and Pamela Knapp



The image shows two handwritten signatures in blue ink. The first signature is 'Tim Knapp' and the second is 'Pamela Knapp'. The signatures are written in a cursive, flowing style.

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: Tim Knapp Pam Knapp

Address: 6499 N.E. Ct. D.H.

Signature: [Handwritten Signature]

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: Gina Lange

Address: 6366 NE 9th Ct

Signature: Gina Lange

----- Cut and return -----

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: Lisa M. Lann

Address: 6353 NE 9th Ct., DSM 50313

Signature: [Handwritten Signature] 8/13/19

Having light industrial backed up to my house will negatively impact our quality of living, and have a detrimental effect on the neighborhood as a whole.

This same parcel had previously been rezoned from industrial to residential during Perficut's ownership of it. They should not be allowed to once again change the zoning. They did not object to residential before. Also, Perficut is not in compliance with their current business property.

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: Diana Meyer

Address: 1377 Stearns St.

Signature: 

cut and return

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:

Andrea Quam

Address:

6474 NE 9th Ct. Des Moines, IA 50313

Signature:



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:

Alanus Resman

Address:

6337 Maple St.

Signature:

Alanus Resman

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

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: Ashley Schaumbreck + Phill Schaumbreck
Address: 6405 NE 9th Court
Signature: Ashley Schaumbreck

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

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:

Lisa Sikkema, Jeff Sikkema

Address:

6445 NE 9th Ct Des Moines, IA 50313

Signature:

Lisa Sikkema, Jeff Sikkema

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

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: Matt Smith

Address: 6413 NE 9th CT

Signature: Matt Smith

From: [Kim Supercynski](#)
To: [Seana E. Perkins](#)
Cc: ["t.supercynski@mchsi.com"](mailto:t.supercynski@mchsi.com)
Subject: Rezoning Petition 6550NE 14th Street Des Moines
Date: Tuesday, August 13, 2019 8:25:11 AM
Attachments: [Rezoning Opposition.pdf](#)

Good Morning Seana,

I have attached my signed opposition of the Rezoning Petition for 6550 NE 14th Street Des Moines.

My husband and I just purchased a home in the adjoining neighborhood on NE 9th Court. We had no idea that this would be a possibility to make that parcel of land industrial. Our concerns are as follows:

- Heavy truck traffic
- Noise of moving equipment or product during the day or night
- Product smells – manure, fertilizer – any other product that they may store on site
- Potential clutter on site.
- Decrease market value of our homes in the adjoining neighborhood.

The reason we purchased this house is due to the quiet golf community and the size of the neighborhood. We would like to keep this land as medium density.

Thank you for presenting this at the public hearing on our behalf.

Kim and Tom Supercynski
6552 NE 9th Court

Kim Supercynski, CPA

REIT Financial Reporting Manager
BH Management Services, LLC
Phone: (515) 598-2796
Fax: (515) 309-6054
400 Locust St., Ste. 790 Des Moines, IA 50309
bhmanagement.com



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



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 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 #2019-08148 – 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: Tom + Kim Supercynski

Address: 6552 NE 9th Ct.

Signature: *Kim Supercynski*

We just moved into this house. We are concern of the noise and clutter the rezoning could create. We would love to keep it Residential. It is a beautiful neighborhood and we want to keep it that way.

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: Lindsay Terry + Wayne Terry

Address: 6394 NE Grant Ct

Signature: [Handwritten Signature]

From: [Cory Tilson](#)
To: [Seana E. Perkins](#)
Subject: Case #2019-08148
Date: Thursday, August 15, 2019 9:23:19 PM

Cory and Michelle Tilson are in opposition to the rezoning requested by Perficut.

6416 NE 9th Ct
Des Moines ia 50313

6541 NE 9th Court
Des Moines, IA 50313
August 7, 2019

Polk Co. Public Works Department
ATTN: Seana Perkins
Land Use Planning Coordinator
Planning and Development
5885 NE 14th Street
Des Moines, IA 50313

RE: Perficut Property Development Rezoning Request

Dear Ms. Perkins:

Thank you for the opportunity to express our concerns regarding Perficut's proposed request to rezone the field east of our home from Medium Density Residential (MDR) to Light Industrial (LI). It is our belief that the quality of life for the homeowners in The Greens at Woodland Hills neighborhood will be significantly compromised by granting this request.

We recognize and appreciate the fact that the Polk County Comprehensive Plan to 2030 (adopted May 9, 2006), pg. 2-3, lists one of the County-wide goals pertaining to land use as follows:

"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."

The Polk Co. Plan's Vision Statement states on pg. 2-1, "Business parks and industrial development are also concentrated along these (major transportation) corridors, ***separated from residential areas.***" (emphasis ours) Because the North Central Area already includes the largest concentration of industrial land in unincorporated Polk County, the creation of another industrial district along the edge of our neighborhood would not be a positive change for the area. The on-going development of increased housing in our neighborhood community is encouraging a stable neighborhood environment with increasing property values and revenues. The Quality of Life goal and individual landowner decisions should weigh heavy on this decision.

Other major concerns arising from the rezoning request specifically addressed in the Polk County's Plan are as follows:

1. **Character of Development Goal , Housing Goal, and Economic Growth and Land Use Goal**
 - A. Establishing a light industrial district adjacent to and directly across from established and newly developing communities will not maintain the neighborhood and landscape character of the area. Rezoning this small field will undoubtedly minimize the sense of community that has been fostered and could decrease the attractiveness it now has to potential homeowners. It will not promote development or development patterns that maintain neighborhood, community, and landscape character, including both agricultural and natural landscapes.
 - B. The escalation of crime could conceivably impact the safety and well-being of the neighborhood residents.
 - C. Noise pollution from industry would unquestionably affect the otherwise quiet and peaceful neighborhood.
 - D. Excessive night lighting would alter the landscape considerably.
 - E. Direct visibility of industrial developments would lead to aesthetic deterioration of the neighborhood causing depreciation of property values.
2. **Environmental Quality Goal & Water Quality Goal**
 - A. A decision to rezone will not conserve unique natural areas, wildlife habitat, air and water quality, or promote natural resource protection. There are many species of wildlife that inhabit the green open spaces surrounding the neighborhood that will be impacted negatively.

- B. The potential for waste, hazardous materials and pollutants to enter the landscape would escalate causing concerns for health and safety.
- C. The creation of a proposed “pond” that does not offer appropriate circulation could create increased infestation.

3. **Infrastructure and Utilities Goal**

- A. Industrial uses are resource intensive. If a rezone request is granted, there will be an increased burden on the area’s infrastructure as well as access to water, electricity and other utilities.

4. **Transportation and Development Goal**

- A. Rezoning will not stabilize local traffic patterns. In fact, adding an additional intersection to 66th Street from an industrial area, which is proposed to be directly across from a new establishing community, will cause capacity deficiency traffic areas on streets and intersections that are already congested during peak traffic hours.
- B. Traffic congestion will negatively impact the landowner’s quality of life and property values as well as slow the economic and housing growth of the area.

Another factor to consider would be the exhaustive, time-consuming and expense of violation enforcement. If the rezoning request was permitted, would there be dedicated personnel to monitor and enforce offenses?

There are many uses for this open green space adjacent to our neighborhood within the MDR zoning classification it has now without negatively impacting so many individuals and families as well as the resident wildlife. Some acceptable options may be:

- Outdoor Nursery or Christmas Tree Farm
- Senior Care Facility/Home utilizing and incorporating the green space and wildlife for their enjoyment
- Public Park
- Cemetery
- Further and like housing developments (e.g. Hubbell)

We realize the decision that is made cannot be acceptable to everyone involved. There are many factors to examine and many ideas to weigh. Perhaps, the best plan has not yet been discovered at this time and will come forward in the future. The real solution might be to wait and not rezone at this time. However, if keeping with the Polk County Comprehensive Plan to 2030 is an important consideration, please take time to examine the negative impacts that rezoning this green open space to LI would make on our neighborhood community in comparison to one business’ bottom dollar.

Thank you for your time and consideration.

Sincerely,

Doug and Diane Warwick

Diane Warwick
Doug Warwick
641-430-9743

/dlw

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

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: DOUG & DIANE WARWICK
Address: 6541 NE 9th Court Des Moines
Signature: Diane Warwick

From: [Caitlyn Zimmermann](#)
To: [Seana E. Perkins](#)
Subject: Perficut rezoning petition
Date: Tuesday, August 13, 2019 11:39:21 AM

Hi Seana,

Thank you so much for taking our testimonies and presenting them to the Board on our behalf. My name is Caitlyn Zimmermann and I have owned a home in the Woodlands area for over 3 years now.

I'd like to start by making the point that the area in question has been owned by Perficut for well over 10 years. The owner of Perficut said when he purchased the land, it was zoned light industrial but at some point during his ownership it was rezoned to medium density residential. He admitted he did not take the time to participate in the process to prevent the change. Due to his negligence, millions of dollars were spent to create a beautiful and unique home development. Hundreds of thousands continued to be spent via taxes and HOA fees by everyone living in this community, which only continues to grow. My biggest question is why does his negligence get to impact an entire community's investment into the area, and our homes?

I do not feel it should. I believe that area should remain MDR and homes should be built to bolster the Polk county area and they Saydel school districts.

To rezone this area would be to approve a great negative impact on our community. First, our home values would be hit. As soon as potential buyers learn the area has been approved for light industrial, fewer people would be interested in buying homes in our area.

We have been told construction would begin immediately and would likely, intermittently last for up to 5 years between the initial development of the berm to the streets and finally to the sale of the last lot Perficut plans to sell off. Perficut has said they are not developers and have no interest in doing so, thus others will come in as lots are sold to create space for their businesses. Once again, this impacts our home values as well as our lifestyles. It will increase dust and noise and disrupt traffic flow as large machinery moves through.

However, that is not where it stops. Even once complete, the noise pollution only continues. As you know, Light Industrial allows for businesses or Wearhouses who use semis and delivery trucks- often early in the morning and throughout the whole day. Between the beeping and idling and compressed air releases, — multiplied by 4-6 lots with these businesses—this is a massive concern! Add to this, normal human noise like yelling or talking and we completely lose the current quiet nature outside our doors, which, for many of us, is the foundational reason for buying in this neighborhood. The proposed 5 foot berm with tiny trees that will take decades for any real growth to occur, will NOT BE SUFFICIENT. I live in a 2 story home, so even a 10 ft berm wouldn't solve the issue completely.

Other concerns are increased semi and truck traffic where school busses drop off kids, glaring lighting all night- our homes are built with bedrooms at the back, increased exposure to unwanted human traffic behind homes- people who don't live in the area or belong back there-again a 5 ft berm doesn't prevent the exposure to any of this.

Preferred Solution:

Leave 90% of the area MDR. Zone one of the lots LI to provide room for Perficut to expand as they needed but leave the rest MDR. It will bring in more families and increase tax revenue for Polk county. It will also provide a boost to the dying school district and it will keep our homes and children safe and reduce concerns of people leaving to live in cities that don't prioritize business over families. Consider fining Perficut for all of the zoning violations they continue to have. This would also increase revenue while creating a safer and more aesthetically pleasing view for potential developers to create homes.

If Perficut wins and the area is rezoned could it be rezoned something different to allow for a small business park? I

think many people would be willing to see small, quiet businesses with regular hours and no delivery semis. Businesses such as architectural firms, child care, dental office, real estate broker, etc.

Other solutions:

- a significantly larger berm/ wall behind the trees that would provide a more substantial barrier to our homes from the noise pollution, and human and vehicular traffic.

- noise restrictions that prevent idling, early or late deliveries.

- directional facing lights that prevent glares from impacting homes.

I sincerely hope this makes our concerns clear. I apologize for the length of this email but I just can't express how much this will change our community and our quality of life in this community.

Please let me know if there is anything I can do to clarify or additional information I can provide.

Best,

Caitlyn Zimmermann
Sent from my iPhone

cut and return

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As the owner of the property, I hereby state my

support for

opposition to

Print Name:

Chad + Caitlyn Zimmermann

Address:

10361 NE 9th Ct DSM IA 50313

Signature:

Caitlyn Zimmermann

From: [Jeremy Burkhart](#)
To: [Seana E. Perkins](#)
Subject: case# 2019--08148
Date: Monday, August 19, 2019 8:37:12 PM

Good Evening,

My name is Jeremy Burkhart and my wife and I live at 6369 Ne 9th Ct. I am writing to you to voice our thoughts and opinions on the Peficut Partners Rezoning case. Three years ago when I purchased this house I wondered what would become of the farm field behind my home. The last couple of years we have enjoyed see dozens of turkey, deer, coyotes, and even skunk behind our home. It has always felt like our small and humble piece of paradise. We have always known that this was only temporary and that one day there would be something or someone living behind us. When I first heard that there would be a business I was actually relieved. I thought well maybe there will at least be some green space and there wouldn't be a home right behind my house. I was first lured in by the business idea when I was told that quiet hours and mandatory green space and trees would be required. However I have learned that this may not be the case and has no true enforcement. I have also heard there could be some potentially devastating "neighbors". The next thing I heard was warehousing and even potential concrete and construction companies. This has totally scared me of what is to come. About 5 years ago I bought a motorcycle and throughout the last 5 years I think I have driven on every road throughout Polk county. It has broken my heart to see the beautiful fields, trees and quit roads devastated. The amount of warehouses and empty buildings with massive watersheds have forever changed the feel of the Saylor, Norwoodville, and Berwick communities. Every square inch that can have a parking lot and a building on it, is sold and built. What is even worse is to see all of the new but empty buildings. All I ask as you read this is to think through everyone's point of view. I totally understand that the owner of this land has a right to make money and develop his property. However, now that there are going to be a hundred plus homes in the area, do we need loud semi's and forklifts next door. Do we need another safety hazard for our kids? Do we need more traffic? Do we need to change a quiet neighborhood and hurt property values? Maybe a different type of zoning could be approved to allow for development but limit the use of the property to protect surrounding residents. I understand that you have probably already made your decision, I ask one thing. If your house was next to this property what would want?

Please enforce

- Green Space
- Water Retention
- 50' of thick trees
- Quiet hours
- Restricted traffic
- No semi traffic

August 20, 2019

Zoning Commission Members,

My name is Julie Hibben and I live at 6385 NE 9th Court in Des Moines. I am writing to express my numerous concerns about the proposed rezoning by Perficut Partners. I have lived in my home for six years and have enjoyed my community immensely. If this proposal is approved, it will greatly impact the quality of life of the people in the Greens at Woodland Hills neighborhood.

We have had many concerns about water issues in the community since I first moved in and have had homeowners move away due to these concerns. Some of my neighbors are petrified when it rains and this is due to the amount of water that comes out of the adjoining land. Putting in streets, parking lots and buildings will not address the water issues that currently exist in this plot of land and the impacts on our community.

The noise that would occur from these businesses would make it difficult to enjoy being in our backyards and being able to sleep soundly at night. Currently, I can hear the businesses across the farm field loading trailers starting between 3:00-4:00 a.m. every night. This noise is heard over a sound machine. I can also hear yelling from the employees at the business at the far end of the farm field when I am in my back yard.

No one can tell our community how this proposal would impact our property value. In addition, there are no residential communities butted up against industrial areas that are currently developed in the Ankeny/Des Moines area. Due to this, we do not have any data to lean on. I am a single parent supporting two children in elementary school. My home value is so important to me.

The owner of Perficut has owned this adjoining land for many years and had ample opportunity to rezone and develop. He instead choose to wait until homes were already built to try developing. Due to this, he now looks at our community as the enemy. In meetings with our community and in through comments made in public, the owner of Perficut has made derogatory statements about how our houses are "trash" and that he plans on putting in low income housing or apartments to "stick it to us." At the end of the day, this proposal is not about what is best for Saylor Township or working together to come up with a viable option for the land; it is about a vendetta towards our community.

In addition, the owner of Perficut in not compliance with his own business and he admitted that in a recent meeting with our community. What guarantees will our community have that he will follow through on anything he promises to the Commission? Who will be ensuring the safeguards he claims he will put in place will happen? I do not believe anyone will be doing this.

I would like to ask the members of the Zoning Commission or any of the Perficut Partners if they would want this proposed development in their backyards. I can guarantee every answer would be "no."

Respectfully,

Julie Hibben

Julie Hibben, LMSW, CPS

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



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 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 #2019-08148 – 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: Julie Hibben

Address: 6385 ne 9th St. Des Moines

Signature: Julie Hibben

Ashley & Khalil 6465 NE 9th Ct
Rip Saha

J. D. 6489 NE 9th Ct
Amaro Dent

Stephanie & Ryan Fitzgerald 6581 NE 9th

~~Tom~~ Doug & Diane Wawerch 6541 NE 9th

Ronnie & Andrea 6531 NE 9th Ct

Nick Allen 6531 NE 9th Ct

Kathy Struller & Ben Emsor 6542 NE 9th Ct

Tim & Pam Knapp 6499 NE 9th Ct.

Gabriel & Amanda Coco 6521 NE 9th Ct.

Chris & Joe Dennis 6512 NE 9th Ct

Tom & Margaret Cabbage 6450 NE 9th Ct

Anna Sukhena 6445 NE 9th Ct

Gina Lange 6366 NE 9th Ct

Rasmussen's / Mom
Peggy 6337 NE 9th Ct
Meyers ~~Didraffm~~ 6377 NE 9th Ct
Jose B 6444 NE 9th Ct

Greg Bostm 6444 NE 9th Ct

Kelly Garoutte 6395 NE 9th Ct

Brandi Dahms 6435 NE 9th Ct

Paige Dahms 6435 NE 9th Ct

Alle 6484 NE 9th Court (Ann Klein)

De 6484 NE 9th Court (Dan Klein)

Mike Van Erwegen 6571 NE 9th COURT Mike Van Erwegen 81719

Jim Shm 6542 NE 9th Ct

Laura Dally 6432 NE 9th Ct (Laura Dahms)

W 6394 NE 9th Ct Lindsey Terry

Carly 6361 NE 9th Ct Caitlyn Zimmermann

Q 6361 NE 9th Ct Chad Zimmermann

Deborah R Hecker 895 NE 63rd Place D.M IA

~~Ch B Hecker~~

6582 NE 9th 50313

Steven P Smith

Nic Seydel 6572 NE 9th Ct 50313

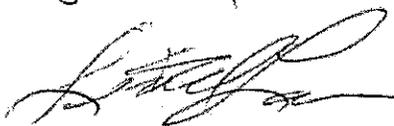
Taylor Anderson 6511 NE 9th Ct 50313

Joey Bulden / ~~Kasia Burchard~~ 6369 NE 9th Ct 50313

Zanda Johnson - Zandymart 6345 NE 9th Ct 50313

Lindy Bulsen 6542 NE 9th Ct 50313

Julie Harden 6385 NE 9th Ct. 50313

 6353 NE 9th Ct. 50313

James Harper 6353 NE 9th Court 50313

From: [Linda Johnson-Lundquist](#)
To: [Seana E. Perkins](#)
Subject: Perficut Land Development South of 66th Avenue
Date: Friday, August 16, 2019 8:25:08 PM

Dear Seana,

I want to thank you so much for the time you spent with me discussing the development of the large parcel behind my subdivision, on NE 9th Ct. I greatly appreciated being able to talk with you. I understand you are currently taking input and suggestions from us neighbors who may be impacted by the development. I promised to send you my comments in writing.

One of the beauties of our rural subdivision, is the lovely tree line that exists between our street and the cultivated area to our east [which is now slated for development by Perficut.] This has provided such a nice visual buffer for us, and I was told when I bought my home, [located near the south end at 6345 NE 9th Ct.], that this tree line was owned by our Woodland Hills Homeowners Association. I think, for the most part, this is still true. The trees provide habitat for wildlife—among others deer and wild turkeys. The first time I saw a wild turkey up close was in my back yard! There is a flock of 17 birds that journey back and forth along the golf cart trail behind our houses, and cross over the drainage way, through the timber, and onto the farm field to graze. I believe they nest up in the trees. The deer also wander up along the tree line, cross over to the field, and can be seen foraging in the field.

My concern with the development, as planned, is that it would eliminate this food source for our area wildlife. I have been told that Perficut has no plans to remove any of the trees along that property line. Not disturbing the tree line was so appreciated! They have also planned to build a 15' high berm, as a visual buffer, just to the east of the tree line. I believe their plan calls for a 40' wide stretch along the entire lot line, all to be inclusive of this berm, with trees planted on the top of the berm. I thought this was a marvelous idea. One suggestion I have, that I hope may gain some consideration, is to move the berm a number of feet to the east, creating a flat area between it and the tree line, that could continue to be cultivated, possibly with sweet corn, or community garden.

A 25' or 30' or possibly even 40' wide area just east of the tree line, could be used for cultivation—if we could find a farmer who may be willing to take this on. It would still maintain the buffer, and perhaps produce a small amount of revenue to make it attractive to a small farming operation to agree to do this. Then, at the end of harvest, the deer and wild turkeys would still have a place to forage. I would certainly like to see something like this done, as these animals give our neighborhood so much joy to watch.

The berm could still be constructed to the east side of the cultivated stretch. I really have great appreciation for Perficut for proposing this berm, to give up part of their land in order to provide an even greater visual buffer for us neighbors. Their approach has been so considerate of us. Being the third house from the south end, this development will not be directly behind me. There were already two industrial buildings behind me when I bought my house in 2017. I had always assumed that the farm field would be developed someday.

It was the year after I moved in, that there was the severe flooding in June of 2018. My house experienced no flooding, but many of my neighbors to the north did. Some going all the way up to the first floor. It became apparent, then, that we needed storm water detention basins. I had even talked with some of the neighbors about the possibility of contacting the owners of the field about purchasing a strip of land to have a basin constructed. This is exactly what the area needs. I was very pleased when I saw the Perficut proposed plan, which incorporated several storm water detention ponds. I believe this should greatly improve our neighborhood flooding situation.

I would like to address a couple more things in this regard. On the plan, the large center pond is shown out letting into the drainage way along the east side of our subdivision between NE 66th Ave. and NE 64th Ave. If you drive down NE 9th Ct. to NE 64th Ave., you will see that there is no outlet there. The drainage way stops at NE 64th. That street stub was constructed right over that drainage path. I believe this situation will cause backup and ponding of storm water from the detention pond on Lot #2, all along that entire drainage way behind all of the houses to the north of NE 64th. I believe serious consideration needs to be made regarding constructing a culvert beneath NE 66th Ave., allowing the water to continue flowing to the south. I realize that this may impact me and my neighbors who live south of NE 64th Ave., to have increased storm water runoff in the ditch behind our houses. However, Seana, you indicated to me that there can be controls on the pond outlets to control the volume and velocity. So, perhaps this is not a major concern on my part.

My next concern is there is no outlet shown for the detention pond on Lot #1. If it outlets to the west or south, it would impact all of the homes south of NE 64th Ave. where I live. It would join the other water flowing from the north, if there is a culvert constructed below NE 64th Ave., to allow for continuous water flow. But, again, you indicated that there can be controls on the pond outlets to control the volume and velocity. So, perhaps this, also, is not a major concern.

I will study the ordinance, to which you provided a link, to review the permitted Light Industrial Land Uses. I will provide any additional comments that I may have about uses to you early next week.

Thank you for your time in reviewing my comments, and those of all impacted neighbors. We appreciate you facilitating our input.

Best regards,

Linda

Linda A. Johnson-Lundquist
Db a Linda A. Lundquist, LUTCF

Home Address: 6345 NE 9th Ct., Des Moines, IA 50313

Cell: 515-577-4374

Work: 515-964-4447

Personal e-mail: lindajl0815@gmail.com

From: [Linda Johnson-Lundquist](#)
To: [Seana E. Perkins](#)
Cc: erino@cda-eng.com
Subject: Some additional comments on the Perficut Re-Zoning Request
Date: Tuesday, August 20, 2019 7:00:18 PM

Dear Seana,

I have taken the time to review the link you had sent to the Polk County Ordinances, and the document taken from that, sent to me by Erin Ollendike of CDA Engineers. I have been in communication with Erin, and forwarded to her the comments I made in my e-mail to you on August 16th. So, I am cc'ing her on these additional comments.

I read on page 25 of the Zoning Ordinance, **Section 5 – Industrial Districts**, [which includes both Light Industrial, LI, and Heavy Industrial, HI], it states the following: *“These districts are intended to accommodate the industrial uses for Polk County in settings in and around existing industrial uses in most circumstances not adjacent to residential districts.”*

My first question is—Is NE 9th Ct., with single family housing, not considered a residential district? Perhaps I don't know the exact zoning status of our neighborhood(?).

If we are considered residential, then a Light Industrial Re-Zoning would seem not to be acceptable for this Perficut property.

If this is true, then all of the LI permitted uses in the charts on pages 27-28 would not be permissible. However, I see from studying the charts, that many of the permitted uses for LI are also permitted for GC, General Commercial. Many of the uses are also the same for NB, Neighborhood Business District. If the Perficut Re-Zoning request would be downgraded from LI to GC, then it would, essentially, eliminate only the Light Industry uses—which seems to be the main objection of the neighbors with the current LI Re-Zoning Request.

My question is, would it be acceptable to Perficut, if they could develop their property with GC Zoning, with the prospect of having many marketable uses—just not Light Industry? I see from the chart on page 28, that Moderate Industry is Conditional, and may not be acceptable to Perficut anyway, and Heavy Industry is not permitted. So, perhaps Perficut would not be giving up too much, to compromise on this, to downgrade their Re-Zoning request to GC.

I can see that they may not be interested in NB, Neighborhood Business District zoning. This may not serve their purposes.

Even with GC, General Commercial District, or keeping it as LI, Light Industrial, I would recommend certain exclusions. I went down the charts I printed out of pages 27-28 and compared both GC and LI. Where there was an 'N' for Not Permitted, I did not bother. Where there was a 'Y' for Yes Permitted or an 'C' for Conditional, I noted comments. The following are my comments and recommendations:

Agricultural

Farms – I would suggest, as per my earlier e-mail to you, to allow for a strip along the west side of the Perficut property for cultivation of sweet corn—so our neighborhood could keep our deer and wild turkeys! These small herds and flocks currently come up through our back yards, cross through the trees, and forage in the farm field after harvest.

Forestry – Exclude

Nurseries – Indoor and Outdoor - may be acceptable

Residential

Commercial Apartments – If Perficut downgraded to GC, these would be allowed. This use is not allowed for the LI Zoning. [Everything else was a NO for both GC and LI.]

Institutional

Outdoor and Indoor Institutional uses - may be acceptable to the neighborhood.

Public Services – would be a questionable use. Perhaps with some limitations.

[Everything else is a NO for both GC and LI.]

Commercial

Agri-Tourism - may be acceptable, with the exclusion of livestock.

Convenience Commercial; Office; Commercial Retail – would all be acceptable.

Heavy Retail – I would suggest EXCLUDING this use.

Services; Restaurants - may be acceptable

Commercial Lodging; Ag. Support - I would suggest EXCLUDING these uses.

Communications Towers; Adult Uses; Outdoor and Indoor Commercial Amusement; Gasoline Stations, Commercial Stables; Minor Airports - I would suggest EXCLUDING these uses.

Animal Services; Mini-Warehouses - may be acceptable

Off-Site Signs; Special Events - I would suggest EXCLUDING these uses.

[All other uses listed were a NO for both GC and LI.]

Industrial

Light Industry - I would suggest EXCLUDING these uses.

Moderate Industry - I would suggest EXCLUDING these uses.

Heavy Industry – Already a NO for this use.

Other Uses

Only two uses are listed as Conditional, all the rest are NO.

Wind Energy System-Single Use Production; Extraction - I would suggest EXCLUDING these uses.

Final comments -

The light manufacturing, transportation and wholesale trade uses of the LI Zoning are, I believe, what our neighborhood is primarily against—which would include trucking and warehousing, among other various specialty uses. I am hoping that Perficut may find numerous acceptable uses in GC Zoning criteria to market their lots, that would be more in harmony with our neighboring residential district.

I, personally, am not against development of this area. When I bought my home in the fall of 2017, I

expected that the adjoining farm field would be probably developed at some time in the future. I had hoped, as with others, that when development did take place, that it would be harmonious with our neighborhood. I have gotten the sense that this is what Perficut is attempting to accomplish, by trying to involve and engage our neighbors in this discussion, and seeking input. This attempt is appreciated.

I believe that certain aspects of the CDA Engineers' plans that I have seen, will be an improvement to our neighborhood. These primarily are maintaining the current mature tree line as a visual buffer; building the 5' tall berm on the east side of the tree line with additional tree plantings on top of it; constructing numerous storm water detention basins for runoff, which can be slowly drained into the natural drainage way, running along the west side of the tree line, which is along the east side of our neighborhood. I believe this will be an enhancement for our neighborhood, as it may eliminate the flooding which has occurred in many of the houses at the north end of NE 9th Ct.

I am hoping we will find a satisfactory resolution to the development of this property, which will not harm Perficut and their investment, and will not harm our neighborhood with our enjoyment of our area and our property resale values.

Thank you for your consideration of my comments.

Respectfully submitted,

Linda

Linda A. Johnson-Lundquist

Home Address: 6345 NE 9th Ct., Des Moines, IA 50313

Cell: 515-577-4374

Work: 515-964-4447

Personal e-mail: lindajl0815@gmail.com

Work e-mail: linda@ieawealth.com

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



If you wish to be shown approving or disapproving of this Rezoning Petition you may email Seana Perkins at Seana.Perkins@polkcountyia.gov, call her at (515)286-3355 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 #2019-08148 – 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:

Josh Moulton - Classic Holdings LLC

Address:

6376 NE 14th St.

Signature:

JM