



*Plan and Zoning Commission
Staff Report*

Meeting Date: June 2, 2020

Agenda Item: Grand Capital, LC Rezoning – East – Action
Report Date: May 20, 2020
Prepared By: Derek Silverthorn
Associate Planner

Staff Recommendation

That the Plan and Zoning Commission recommend City Council approval of the request by DTK Properties, LLC to rezone property from R-1, One-Family Residence District to M-1, Light Industrial District.

Project Report

The applicant, Grand Capital, LC, is requesting to rezone property from R-1, One-Family Residence District to M-1, Light Industrial District.

The area subject to the proposed rezoning—consisting of three parcels—is approximately 18.6 acres (+/-), located east of SE Four Mile Drive; and approximately one-half mile north of SE Corporate Woods Drive, north of the Union Pacific railroad. The property is zoned R-1, One-Family Residence District; and properties to the west are also zoned R-1, One-Family Residence District, while properties to the south are zoned Old Dominion Freight Line PUD; and properties to the north and east are zoned LDR, Low-Density Residential, under Polk County Zoning.

The subject area was recently annexed in 2020, after Grand Capital, LC acquired the property in Fall 2019. The applicant is now proposing to rezone the property from the current R-1, One-Family Residential District to M-1, Light-Industrial District. The proposed rezoning is aligned with The Ankeny Plan 2040 Future Land Use Map, which defines this property as Airport Business Park and Open Space/Floodplain, due to a small portion of the subject area located in the 100-year floodplain. The Airport Business Park land use designation is generally synonymous with the M-1, Light Industrial District, with additional considerations for protecting the airport and surrounding airspace from incompatible land uses.

The developer has submitted rezoning petition owner signatures consisting of 100% of the land area subject to the rezoning; and 35.43% of the land area within 250' of the subject property—not including City of Ankeny or Polk County—encompassing two of four such property owners. This percentage does not meet the minimum required 60% of surrounding property owners, and as such, the applicant requested that City Council initiate the subject rezoning, due to difficulties contacting and obtaining the required petitions from the property owners. The City Council considered the applicant's request, and initiated the rezoning at their meeting on April 20, 2020.

Notifications of the public hearing were sent to the surrounding property owners within 250' of the property on May 7, 2020; and a legal notice of the proposed rezoning was published on May 8, 2020. The Zoning Ordinance also requires that the applicant of a proposed rezoning post public notification signage on the property to inform the public of the proposed change, as well as the time and place of the public hearing.

The applicant posted the signage by Monday, May 11, 2020, providing more than required seven days of notification for the proposed rezoning before the public hearing.

Public Hearing

The Plan and Zoning Commission held a public hearing for the proposed rezoning on May 19, 2020. There were no questions or comments from the public. A complete recap of the public hearing can be found in the minutes from the meeting.