



Agenda Item: Public Hearing: Roger Bauer Property rezoning request
from R-1 to M-1, with use restrictions

Report Date: December 13, 2017 *EJC*

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Discussion:

Roger Bauer is requesting an amendment to the zoning classification of approximately 3.94 acres of land generally located west of SE Delaware Avenue and south of SE 54th Street. The request is to change the zoning from R-1, One-Family Residence District to M-1, Light Industrial District, with use restrictions. This is the same zoning and use restrictions approved in 2012 and 2013 for the Toro and Chapman properties immediately to the east and south.

The Land Use Classification for this area, as identified in the Comprehensive Plan, is Mixed-Use 4: Office/Industrial Mixed Use. The proposed zoning is consistent with the Comprehensive Plan.

The applicant is proposing to restrict some of the allowable uses in the M-1 District on this site. The uses proposed to be prohibited are generally the heavier industrial uses allowed in the M-1 District. Those uses are the following, found in Section 192.12.1 of the Zoning Ordinance:

- I. Circus, Carnival or similar transient enterprise; provided, that such structures or building shall be at least two hundred feet from any R district.
- J. Coal yard, coke yard or wood yard.
- N. Enameling, lacquering or japanning.
- O. Foundry casting lightweight nonferrous metals or electric foundry not causing noxious fumes or odors.
- Q. Livery stable or riding academy.
- X. Sawmill and planing mill including manufacture of wood products not involving chemical treatment.
- Z. The manufacturing, compounding, assembling or treatment of articles or merchandise from previously prepared materials such as bone, cloth, cork, fiber, leather, paper, plastics, metals or stones, tobacco, wax, yarns and wood.
- CC. Vulcanizing, retreading and recapping of tires.

The owner/developer has submitted the required rezoning petition consisting of the signatures of the owners of the subject land as well as the signatures of the owners of at least 60% of the land within 250'.

Specifically, the property owner has submitted the required rezoning petition owner signatures, consisting of 100% of the land area subject to the rezoning, as well as 94.57% of the land area within 250' of the subject property, not including right-of-way. Additionally, this breaks down to 5 of 7 or 71.43% of the owners within 250' of the subject property, not including City of Ankeny.

Staff will present a complete staff report at the next Plan and Zoning Commission meeting on January 2, 2018.