

**Due to the COVID-19 concerns and social distancing recommendations, a virtual meeting is being offered. Participants wishing to speak on a topic should message the meeting moderator. All participants are asked to mute their individual computers at times when they are not speaking to minimize background noise. Join: <https://us02web.zoom.us/j/83771222207>*

**NOTICE OF A REGULAR MEETING
BONDURANT PLANNING AND ZONING COMMISSION
SEPTEMBER 9, 2021**

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 PM on September 9, 2021, in the Bondurant City Center, 200 Second Street, Northeast, Bondurant, Polk County, Iowa. Said meeting is open and the public is encouraged to attend.

AGENDA

1. Call to Order
2. Roll Call
3. Perfecting and Approval of the Agenda
4. Approval of Minutes
 - a. August 26, 2021
5. Guests requesting to address the Planning and Zoning Commission
6. Action Items
 - a.
 1. PZ-210909-21: Considering recommended approval of the David Ross Plat of Survey (Parcel 2021-117)
7. Discussion Items -
8. Reports / Comments and appropriate action thereon:
 - a. Commission Members
 - b. Commission Chair
 - c. Planning & Community Development Director
 - d. City Administrator
 - e. City Council Liaison
9. Adjournment

Bondurant Planning and Zoning Commission
Minutes
August 26, 2021

1. Call to Order
Commission Chair Cuellar called the meeting to order at 6:00 p.m. and declared a quorum.
2. Roll Call

Present:	Commission Member Brian Clayton, Commission Member Andy Mains, Commission Member Torey Cuellar, Commission Member Karen Keeran, Commission Member Wes Hoyer, Commission Member Kristin Brostrom, Commission Member Lisa Cameron
Absent:	None
City Officials Present:	City Administrator Marketa Oliver, Planning & Community Development Director Maggie Murray
3. Perfecting and Approval of the Agenda
Motion by Commission Member Mains, seconded by Commission
Member Clayton, to approve the agenda as is. Vote on Motion 7-0.
Motion carried.
4. Approval of Minutes
Motion by Commission Member Hoyer, seconded by Commission
Member Mains, to approve the July 22, 2021 Planning & Zoning
Commission meeting minutes. Vote on Motion 7-0. Motion carried.
 - a. July 22, 2021
5. Guests requesting to address the Planning and Zoning Commission
None
6. Action Items
 - a. Return to Table: PZ-210722-18: Considering recommended approval of
the Top Farms rezoning from the Agricultural (A-1) District to the
Planned Unit Development (R-5) District on property currently owned by
Top Farms LLLP north of Park Side Plat 2 and adjacent to Highway 65;
and recommended approval of the Future Land Use Map amendment
from Single-Family Detached to Multi-Family and Commercial in areas
shown on the PUD Conceptual Plan.

Emily Harding, Civil Design Advantage, presented the updated PUD Conceptual Plan. She noted that 30% of the lots will be at least 65'-wide, that the rear yards have been increased to 30', that the plan now clearly shows the detention pond areas as being private, and that now only one park is proposed instead of two based on feedback provided by staff.

Commission Member Hoyer asked for clarification on the differing lot widths. Steve Moseley, Hubbell Land Development, explained the difference between the introductory lots and the higher value lots. He noted that a home is typically 5x the value of the lot.

Commission Member Keeran asked for clarification on the parkland proposed. Emily Harding noted park will be 2.6 acres and approximately 27% of its boundary will front the public street.

Commissioner Member Clayon asked if there will be a secondary park access from the adjacent multi-family? Steve Moseley noted that yes, this is an option that they will consider.

Joe Petrazinski, Hubbell Land Development, noted Hubbell plans out connections and that yes, you will see these connections to the park.

Commission Member Keeran asked about area trails. Murray noted the City's Park, Trail & Greenway Master Plan shows a trail corridor along NE 86th Avenue. Murray also noted that through the preliminary platting process, a trail connection along the south border of this Top Farms development will be expected so that it can eventually connect south to the Park Side and BRSC/Lake Petocka area.

Commission Member Keeran asked about area traffic impacts. Murray noted that a traffic impact study will be required as part of the preliminary platting process.

Commission Member Mains asked why the developer is choosing an R-5 zoning designation versus traditional residential zoning? Joe Petrazinski noted that Hubbell requests PUDs for all of its developments, as they feel this zoning designation allows for more interesting developments. He noted a few examples, such as their Legacy development in Norwalk.

Commission Member Keeran asked if there is an expiration date on R-5 approvals? Murray explained the Subdivision Code has an expiration date for preliminary plats.

Motion by Commission Member Brostrom, seconded by Commission Member Hoyer, for recommend approval of PZ-210826-18, regarding

recommended approval of the Top Farms rezoning from the Agricultural (A-1) District to Planned Unit Development (R-5) District on property currently owned by Top Farms LLLP north of Park Side Plat 2 and adjacent to Highway 65 and recommended approval of the Future Land Use Map amendment from Single-Family Detached to Multi-Family and Commercial in areas shown on the PUD Conceptual Plan.

Commission Member Clayton mentioned the Planning & Zoning Commission does not focus on the value a development adds to the community.

Commission Member Cameron noted the developer should look to develop the next level of housing options in the future.

Joe Petrazinski noted that Hubbell is more than willing to explain their market research to the Commission. He noted that Hubbell believes what they are currently proposing is what Bondurant's market needs. He noted larger lots is something they can consider in the future.

- b. PZ-210826-20: Considering recommended approval of the SKOL Trucking site plan at 2415 Robinson Avenue NE

Daniel Willrich with Pelds Design Services presented the SKOL Trucking site plan. He noted the building is situated within 500' of the Highway 65 right-of-way.

Commission Member Brostrom asked for clarification on whether the Bondurant Industrial Park has been constructed yet? Daniel Willrich noted it has.

Commission Member Clayton noted concerns over this development's proximity to the trail just east. The Commission had a discussion on this site's screening expectations.

Murray reviewed the items listed in the draft P&Z recommendation resolution.

Motion by Commission Member Clayton, seconded by Commission Member Mains, for recommended approval of PZ-210826-20, regarding recommended approval of the SKOL Trucking site plan at 2415 Robinson Avenue NE subject to the City Code clarification items listed in P&Z's resolution and subject to the site plan being updated to show adequate screening along the trail.

- 7. Discussion Items -
None

- 8. Reports / Comments and appropriate action thereon:

a. Commission Members

Commission Member Clayton - noted he is appreciative of the work that John Horton and the Public Works Department did with cleaning up tires along NE 86th Avenue in Bondurant. Noted concerns over the developer raising the grade in DR Horton's Highpoint Estates area. Noted concerns regarding the new trail along the south side of the high school site and whether or not it has stormwater impacts.

Commission Member Cameron - none

Commission Member Mains - asked about whether or not a restrictor was used as part of the City's NE Storm Sewer Project in the Bagby area?; Marketa noted she will research this question.

Commission Member Keeran - none

Commission Member Brostrom - none

Commission Member Hoyer - none

b. Commission Chair

Commission Chair Cuellar - none

c. Planning & Community Development Director

Murray noted that staff has prepared an amended Chapter 151 of the City Code, which will be considered by City Council soon. This amended chapter will allow for certain types of trees to be planted out in the public right-of-way.

d. City Administrator

Oliver - explained that the City will be moving forward with planning efforts in the Central Park area.

e. City Council Liaison

Absent

9. Adjournment

Motion by Commission Member Clayton, seconded by Commission Member Keeran, to adjourn. Vote on motion 7-0. Motion carried. Meeting adjourned at 7:01 p.m.



**BUSINESS OF THE PLANNING AND ZONING COMMISSION
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 6.a.
For Meeting of 9/9/2021
Resolution

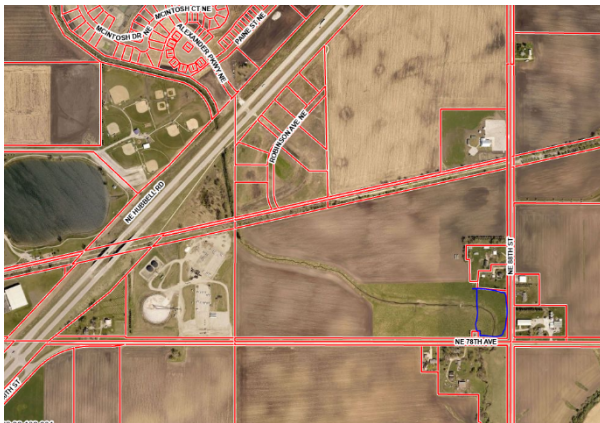
TITLE:

1. PZ-210909-21: Considering recommended approval of the David Ross Plat of Survey (Parcel 2021-117)

CONTACT PERSON:

Maggie Murray, Planning & Community Development Director

BRIEF HISTORY & ANALYSIS: The City is in receipt of the attached David Ross Plat of Survey which will create a 3.68-acre parcel within Bondurant's city limits at the northwest corner of 2nd Street NE (NE 78th Avenue) and NE 88th Street in the area circled in blue below.

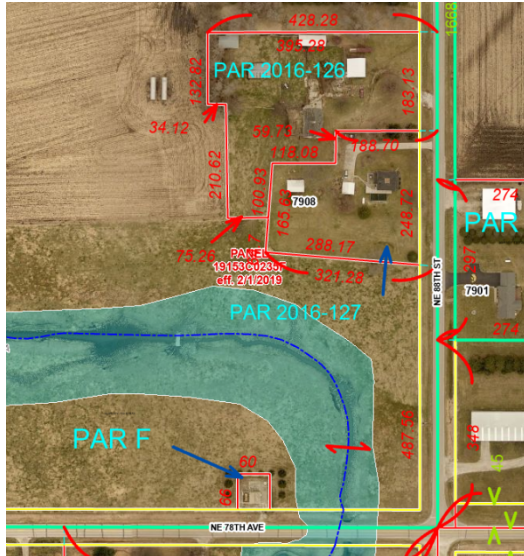


The plat of survey was prepared by Ross Land Surveying Inc. This property is currently owned by David Ross. This property is zoned as being within the City's Agricultural (A-1) District. The split proposed meets the minimum lot size requirements of the A-1 District.

It is anticipated the property owner adjacent to this plat of survey site to the north at 7908 NE 88th Street will purchase the parcel being created. A Zoning Code clarification item has been included as part of the attached resolution relative to a future lot tie

agreement if an accessory structure is ever proposed on this new parcel being created.

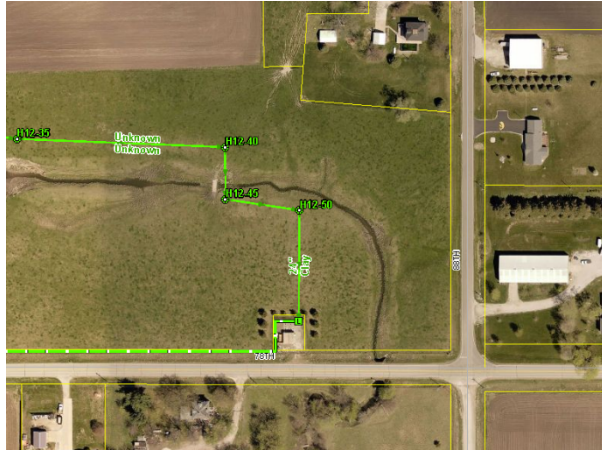
FEMA's 100-year floodplain is located on this site - see the area in blue below. If development were to ever occur on this new parcel being created, it will need to comply with Chapter 165 of the City Code, titled Floodplain Management.



The City's Stream Buffer Ordinance is located on this site - see the area outlined in purple below. Per an amended Chapter 167 of the City Code, titled Stream Buffer Protection and Management, currently being considered by the City Council, this area in purple is subject to City of Bondurant ownership or easement. Easement is preferred by the City - this has been factored in as part of the attached resolution.



The area in green below shows the City's sanitary sewer mains in the area. If this site were to connect to this sanitary sewer, the owner must pay the Urban Service Area Sanitary Sewer Connection Fee District fee prior to building permit issuance.



Bob Veenstra, City Engineer, reviewed the plat of survey and noted the following:

1. The plat of survey should be updated to show both street areas as being 45' wide for the 1/2 portion adjacent to this Ross site. Easements (instead of fee title) are okay at this time since this is a plat of survey document and not a detailed preliminary plat.

FUNDING SOURCE: N/A

STAFF RECOMMENDATION: Staff recommends approval of the attached P&Z recommendation resolution; the attached resolution includes the following City Code clarification items:

1. The plat of survey must be updated to show 45'-wide street easement areas adjacent to this site instead of 33'-wide street areas.
2. That approval of the plat of survey is subject to City Council's approval of the amended Chapter 165 of the City Code.
3. That a stream buffer easement must be recorded prior to the City releasing the plat of survey resolution for recording.
4. Acknowledgement that the 100-year floodplain is located on this site, and if development occurs it shall meet all requirements of Chapter 165 of the City Code, titled Floodplain Management.
5. That if the owner adjacent to the north at 7908 NE 88th Street purchases this Parcel 2021-117, a lot tie agreement will be required prior to building permit approval of an accessory structure on this new parcel. Accessory structures are subject to the requirements of Section 177.04 of the Zoning Code.

6. That if this site connects to the area sanitary sewer main, payment to the City's Urban Service Area Connection Fee District is required prior to building permit issuance.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. RESOLUTION NO. PZ-210907-21
2. David Ross Plat of Survey - Received 07192021

**PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ-210907-21**

**RESOLUTION RECOMMENDING APPROVAL OF THE DAVID ROSS PLAT OF
SURVEY (PARCEL 2021-117)**

WHEREAS, Ross Land Surveying Inc. submitted the David Ross Plat of Survey described as follows:

ALL THAT PART OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 29, TOWNSHIP 80 NORTH, RANGE 22 WEST OF THE 5TH PM, IN THE CITY OF BONDURANT, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 29; THENCE NORTH 89°59'11" WEST ALONG THE SOUTH LINE OF THE SE1/4 OF SAID SECTION 29, A DISTANCE OF 312.15 FEET; THENCE NORTH 00°00'49" EAST, A DISTANCE OF 99.00 FEET TO THE NORTHEAST CORNER OF PARCEL F AS SHOWN IN BOOK 11859, PAGE 771 IN THE OFFICE OF THE POLK COUNTY IOWA RECORDER; THENCE NORTH 89°59'11" WEST ALONG THE NORTH LINE OF SAID PARCEL F, A DISTANCE OF 8.23 FEET; THENCE NORTH 00°04'15" WEST, A DISTANCE OF 413.99 FEET TO THE SOUTHWEST CORNER OF PARCEL 2016-127, AS SHOWN IN BOOK 16093, PAGE 862 IN SAID RECORDER'S OFFICE; THENCE SOUTH 85°26'46" EAST ALONG SAID PARCEL 2016-127, A DISTANCE OF 321.28 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 2016-127 AND THE EAST LINE OF THE SE1/4 OF SAID SECTION 29; THENCE SOUTH 00°04'15" EAST ALONG SAID LINE, A DISTANCE OF 487.56 FEET TO THE POINT OF BEGINNING, CONTAINING 3.66 ACRES, MORE OR LESS, AND SUBJECT TO A PUBLIC ROADWAY EASEMENT, CONTAINING 0.58 ACRES, MORE OR LESS, AND SUBJECT TO ANY OTHER EASEMENT OR RESTRICTIONS OF RECORD.

WHEREAS, the parcel being created meets minimum lot size requirements of the City's Agricultural (A-1) District.

NOW, THEREFORE, BE IT RESOLVED, that the Planning & Zoning Commission recommends City Council approval of the David Ross Plat of Survey (Parcel 2021-117), subject to the following City Code clarification items:

1. The plat of survey must be updated to show 45'-wide street easement areas adjacent to this site instead of 33'-wide street areas.
2. That approval of the plat of survey is subject to City Council's approval of the amended Chapter 165 of the City Code.
3. That a stream buffer easement must be recorded prior to the City releasing the plat of survey resolution for recording.

4. Acknowledgement that the 100-year floodplain is located on this site, and if development occurs it shall meet all requirements of Chapter 165 of the City Code, titled Floodplain Management.
5. That if the owner adjacent to the north at 7908 NE 88th Street purchases this Parcel 2021-117, a lot tie agreement will be required prior to building permit approval of an accessory structure on this new parcel. Accessory structures are subject to the requirements of Section 177.04 of the Zoning Code.
6. That if this site connects to the area sanitary sewer main, payment to the City's Urban Service Area Connection Fee District is required prior to building permit issuance.

Moved by _____, Seconded by _____

ATTEST: I, Maggie Murray, Planning & Community Development Director, hereby certify that at a meeting of the Planning and Zoning Commission held on September 9, 2021; among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year above written.

Maggie Murray, Planning & Community Development Director

Action	Yay	Nay	Abstain	Absent
Cameron				
Clayton				
Mains				
Keeran				
Cuellar				
Phearman				
Brostrom				

Torey Cuellar, Commission Chair



**BUSINESS OF THE PLANNING AND ZONING COMMISSION
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 8.e.
For Meeting of 9/9/2021
Reports and Comments

TITLE: City Council Liaison

CONTACT PERSON:

BRIEF HISTORY & ANALYSIS:

FUNDING SOURCE:

STAFF RECOMMENDATION:

APPROVED FOR SUBMITTAL:

ATTACHMENTS: None