

**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/83712559917>*

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

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 12:00 AM on December 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. November 18th meeting minutes
5. Guests requesting to address the Planning and Zoning Commission
6. Action Items
 - a. RESOLUTION NO. PZ-211209-28: Considering recommended approval of the December 2021 Urban Renewal Plan Amendment
 - b. RESOLUTION NO. PZ-211209-29: Considering recommended approval of the Fox Ridge Plat 1 Preliminary Plat in unincorporated Polk County within 2 miles of Bondurant's city limits
 - c. RESOLUTION NO. PZ211209-30: Considering recommended approval of the Everett Mauch Estate Preliminary Plat in unincorporated Polk County within 2 miles of Bondurant's city limits
 - d. RESOLUTION NO. PZ-211209-31: Considering recommended approval of the Top Farms Property Preliminary Plat
 - e. RESOLUTION NO. PZ211209-32: Considering recommended approval of the Temple Holdings site plan at 2251 & 2301 Shiloh Rose Parkway SW
 - f. RESOLUTION NO. PZ211209-33: Considering recommended approval of the site plan at 2510 Robinson Avenue NE
7. Discussion Items -
8. Reports / Comments and appropriate action thereon:
 - a. Commission Members
 - b. Commission Chair
 - c. City Administrator
 - d. Planning & Community Development Director
 - e. City Council Liaison

9. Adjournment

Bondurant Planning and Zoning Commission
Minutes
November 18, 2021

1. Call to Order
Commission Chair Cuellar called the meeting of the Planning & Zoning Commission to order at 6:02 p.m. and declared a quorum.
2. Roll Call

Present:	Commission Member Wes Hoyer, Commission Member Brian Clayton, Commission Member Andy Mains, Commission Member Torey Cuellar, Commission Member Karen Keeran
Absent:	Commission Member Kristin Brostrom, Commission Member Lisa Cameron
City Officials Present:	Planning & Community Development Director Maggie Murray
3. Perfecting and Approval of the Agenda
4. Approval of Minutes

Murray noted that Items 6e and 6f should be removed from this evening's agenda. Motion by Commission Member Mains, seconded by Commission Member Clayton, to approve the agenda as amended. Vote on Motion 5-0. Motion carried.

 - a. October 28th Meeting Minutes
5. Guests requesting to address the Planning and Zoning Commission
None
6. Action Items
 - a. PUBLIC HEARING - Request for rezoning from Medium Industrial (M-2) to Central Business (C-4) on portions of land adjacent to the existing C-4 District
Motion by Commission Mains, seconded by Commission Clayton, to close the regular Planning & Zoning Commission meeting at 6:06 p.m. and enter into the public hearing regarding the request for rezoning from Medium Industrial (M-2) to Central Business (C-4) on portions of land adjacent to the C-4 District. Vote on Montion 5-0. Motion carried.

Murray summarized the agenda statement.

Commission Member Clayton asked for clarification as to why the 13-acre parcel also owned by Landus is not being included as part of this current rezoning request. Murray noted that the current Future Land Use Map presently guides for a mixture of commercial and multi-family on this parcel. Staff feels that a discussion on expected area future land uses needs to occur prior to bringing forth a rezoning on this parcel, as a rezoning to C-4 would also include an amendment to the City's Future Land Use Map.

Motion by Commission Member Mains, seconded by Commission Member Hoyer, to close the public hearing and resume the regular Planning & Zoning Commission meeting at 6:12 p.m.

- b. RESOLUTION NO. PZ-211118-25: Considering recommended approval of the Medium Industrial (M-2) to Central Business (C-4) District rezoning request on portions of land adjacent to the C-4 District
Motion by Commission Member Mains, seconded by Commission Member Clayton, for recommended approval of Resolution No. PZ-211118-25 considering recommended approval of the Medium Industrial (M-2) to Central Business (C-4) District rezoning request on portions of land adjacent to the C-4 District. Roll Call: Ayes: Commission Member Clayton, Commission Member Cuellar, Commission Member Keeran, Commission Member Mains, Commission Member Hoyer. Nays: None. Absent: Commission Member Brostrom, Commission Member Cameron. Motion carried 5-0.
- c. RESOLUTION NO. PZ-211118-26: Considering recommended approval of the Midstates Precast Products site plan at 2340 Hubbell Avenue SW Erin Ollendike, Civil Design Advantage, summarized the site plan. Midstates Precast Products is proposing some enhancements to their landscaping berm. An accessory structure is proposed behind the building. They are also proposing pouring a concrete pad for a building that will be enclosed in the future.

Commission Member Clayton asked what parking lot paving is not currently proposed? Commission Member Clayton noted this is a highly visible area along Highway 65 and that parking lot paving is required. Bill Spencer noted that if the road does not go through to the undeveloped portion of their property, they may adjust the location and details of the parking lot. Because of this, Midstates is holding off paving until it is required by the approved City Council agreement.

Commission Member Mains asked for clarification on the phasing.

Murray asked for clarification from the Commission on expectations for building design/material requirements. The Commission agreed that the building to be enclosed in the future will need to be consistent with existing building design/material requirements.

Commission Member Cuellar noted that this current site plan approval is for the rear accessory structure, pouring the paving for the future building that will be enclosed, and for the landscaping. Any future improvements will need to be brought back to the Commission.

Motion by Commission Member Mains, seconded by Commission Member Clayton, for recommended approval of Resolution No PZ211118-26 regarding recommended approval of the Midstates Precast Products site plan at 2340 Hubbell Avenue SW subject to the following clarification items. Roll Call: Ayes: Commission Member Clayton, Commission Member Cuellar, Commission Member Keeran, Commission Member Mains, Commission Member Hoyer. Nays: None. Absent: Commission Member Brostrom, Commission Member Cameron. Motion carried 5-0.

1. That all manufacturing, assembling, compounding, processing, packaging, or other comparable treatment shall take place within a building (the frame is considered a building).
2. That if any new outdoor storage yard area is proposed in the future that was not shown on the 2017 site plan, a conditional use permit shall be obtained from the City's Board of Adjustment.
3. That the buildings shall comply with the maximum building height requirements of the M-1 District.
4. That as required by Section 177.10.2 of the Zoning Code, any off-street parking area, including any parking lot, shall be surfaced with asphaltic or portland cement. Timing as determined in the 2020-approved development agreement and that prior to such parking lot paving project, the following information must be included as part of a site plan: site plan must provide calculations on interior greenspace requirements; site plan must provide calculations on minimum interior tree requirements; site plan must be updated to note number of employees to ensure minimum parking stall count requirements will be met (at least 1 per employee); the site plan must address the following: parking spaces must be provided with raised curbing or equivalent, as is required by Section 177.10.8.
5. That the site plan must be updated to note the total impervious SF.
6. That if any pervious areas are converted to impervious area in the future, an updated stormwater management report must be submitted for review.

7. That colored elevations of the future buildings must be submitted prior to building permit issuance for a review of Zoning Code compliancy; it is expected that the future structures shall be of similar design/appearance as the existing primary structure.
 8. That should any feedback be received by the City Engineer, Fire Marshal, or Public Works Director, such feedback must be reflected in the site plan.
- d. **RESOLUTION NO. PZ-211118-27: Considering recommended approval of the CDL training lot site plan at 2408 Robinson Avenue NE**
Ed Pelds with Pelds Design Services presented the site plan.

Commission Member Keeran asked if this development will include sleeping overnight in the truck cabins? Murray noted that this would not be allowed due to the fact that no restrooms or other building code items are proposed on site but that she will get this confirmed in writing that this development will not include any overnight sleeping.

The Commission encouraged additional trees to be planted along the Highway 65 corridor.

Motion by Commission Member Mains, seconded by Commission Member Clayton, for recommended approval of Resolution No PZ211118-27 regarding recommended approval of the CDL training lot site plan at 2408 Robinson Avenue NE. Roll Call: Ayes: Commission Member Clayton, Commission Member Cuellar, Commission Member Keeran, Commission Member Mains, Commission Member Hoyer. Nays: None. Absent: Commission Member Brostrom, Commission Member Cameron. Motion carried 5-0.

1. The site shall be paved in accordance with Section 177.10.8 of the Zoning Code within 180 days after City Council approval, as is regulated by Section 179.01.6 of the Zoning Code.
2. That if in the future the CDL training use intensifies, the City Building Official may make a determination that permanent restroom facilities or other building code requirements shall be accommodated for on site.
3. That per Section 177.10.8 of the Zoning Code, all vehicles must be parked in a lined parking space area and that if it is found such site is not in compliance with this requirement, the City Administrator may require additional lined parking spaces to be provided for on site as is allowed per Section 177.09 of the Zoning Code.
4. The Park Side Water Connection Fee District fees shall be paid prior to issuance of a grading permit.

5. The Urban Service Area Sanitary Sewer Connection Fee District shall be paid prior to issuance of a grading permit.
 6. The site plan must be updated so that it meets the landscaping requirements as noted in the agenda statement.
 7. The City Engineer's stormwater comments must be addressed prior to issuance of a grading permit.
- e. RESOLUTION NO. PZ-1118-28: Considering recommended approval of the Black Oak Farm Plat 1 Final Plat
Item removed
 - f. RESOLUTION NO. PZ-1118-29: Considering recommended approval of the December 2021 Urban Renewal Amendment
Item removed
7. Discussion Items -
 - a. Central Park Master Plan
Murray introduced the project. The Smith Group and Veenstra & Kimm will be in Bondurant on December 7th seeking stakeholder and general public feedback for the proposed park to be situated along the proposed realigned Grant Street South near Highway 65.
8. Reports / Comments and appropriate action thereon:
 - a. Commission Members
Commission Member Clayton - noted that he has had a change in heart for one area in Bondurant where multi-family development should be considered and this is along the Highway 65 corridor in areas like the Top Farms development. He noted that all should have basements. He noted this higher density seems to make sense along a highway corridor designed to handle this traffic.
Commission Member Mains - none
Commission Member Keeran - none
Commission Member Hoyer - noted that he agrees with Brian on his comments about multi-family along the highway corridor. Hoyer added that the community should be more open to multi-family and that as Bondurant grows, we need this option. In addition to the highway corridor, Hoyer noted that other areas in the community should be explored to help with the walkability component.
 - b. Commission Chair
Commission Chair Cuellar - none

**Due to the COVID-19 concerns and social distancing recommendations, a virtual meeting was offered.*

c. City Administrator
Absent

d. Planning & Community Development Director
Murray noted that the joint Comprehensive Plan meeting originally scheduled for November 29th has been pushed to January 31st. Also noted that the City of Bondurant is now hiring for an Associate Planner.

e. City Council Liaison
Absent

9. Adjournment

Motion by Commission Member Mains, seconded by Commission Member Clayton, to adjourn the meeting of the Planning & Zoning Commission at 7:06 p.m. Motion carried.



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

Item No. 6.a.
For Meeting of 12/9/2021
Resolution

TITLE: RESOLUTION NO. PZ-211209-28: Considering recommended approval of the December 2021 Urban Renewal Plan Amendment

CONTACT PERSON:

Maggie Murray, Planning & Community Development Director

BRIEF HISTORY & ANALYSIS: The attached is information regarding a proposed expansion to the City's urban renewal area to include land that is currently under development as a certified site, located south of 2nd Street NE/NE 78th Avenue and east of Highway 65. Additionally, it includes land that is in between the City limits and the certified site area. The City is currently in the annexation process of the certified site land. The plan amendment also includes projects to upgrade the intersection, purchase land, and build an emergency services facility. Please note that this amendment does not obligate the City to do any of these projects; it simply authorizes the City to pursue them.

Any urban renewal amendment that is being created or amended to add new land area is required to be sent to the Planning & Zoning Commission for review. The projects as described on the attached amendment document are consistent with the City's Comprehensive Plan. The Comprehensive Plan guides for the realignment of the intersection of 2nd Street NE and Highway 65 prior to development in this area occurring. The Comprehensive Plan also notes the following relative to Community Facilities: Provide and improve Bondurant's system of public institutions and facilities in order to effectively and economically serve all community members.

FUNDING SOURCE: N/A for this amendment

STAFF RECOMMENDATION: Staff recommends approval of the attached P&Z recommendation resolution. It is anticipated City Council will hold their required public hearing on December 20th.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. P&Z RES 211209-28 - December 2021 Urban Renewal Amendment

2. UR Plan Amend (Bondurant #59 2021)-v3

PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ-211209-28

RESOLUTION REGARDING RECOMMENDED APPROVAL OF THE DECEMBER
2021 URBAN RENEWAL AMENDMENT

WHEREAS, the Urban Renewal Plan for the Bondurant Urban Renewal Area is being amended for the purposes of adding certain real property to the Urban Renewal Area and identifying new urban renewal projects to be undertaken therein; AND

WHEREAS, the attached December 2021 Urban Renewal Amendment is consistent with the City of Bondurant's Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Planning and Zoning Commission of the City of Bondurant, Iowa, recommends approval of the December 2021 Urban Renewal Amendment Request be approved by City Council.

Moved by _____, Seconded by _____ to adopt.

ATTEST: I, Maggie Murray, Planning & Community Development Director, hereby certify that at a meeting of the Planning and Zoning Commission held on December 9, 2021, 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
Clayton				
Mains				
Keeran				
Cuellar				
Cameron				
Bostrom				

Torey Cuellar, Commission Chair

CITY OF BONDURANT, IOWA
URBAN RENEWAL PLAN AMENDMENT
BONDURANT URBAN RENEWAL AREA

December, 2021

The Urban Renewal Plan (the “Plan”) for the Bondurant Urban Renewal Area (the “Urban Renewal Area”) is being amended for the purposes of adding certain real property to the Urban Renewal Area and identifying new urban renewal projects to be undertaken therein.

1) Addition of Property. The real property (the "Property") legally described on Exhibit A hereto is, by virtue of this Amendment, being added as the December, 2021 Addition to the Urban Renewal Area. With the adoption of this Amendment, the City will designate the Property as an economic development area. The Property will become subject to the provisions of the Plan for the Urban Renewal Area.

2) Identification of Projects. By virtue of this amendment, the list of authorized urban renewal projects in the Plan is hereby amended to include the following project descriptions:

A.

Name of Project: 2nd Street Realignment Project

Name of Urban Renewal Area: Bondurant Urban Renewal Area

Date of Council Approval of the Project: December 20, 2021

Description of Project and Project Site: The City will undertake the design and construction of a street on portion of the Property (as defined in Section 1 of this Amendment) which will realign 2nd Street east of Highway 65 (also known as NE 78th Avenue) to service an industrial area as well as a new city campus area (the “2nd Street Project”). Construction of the 2nd Street Project will include street paving; the construction of sanitary sewer, water and storm water drainage system improvements; the construction of sidewalk and curb and gutter improvements; the installation of street lighting and signage; and the incidental utility, landscaping, site clearance and cleanup work related thereto.

It is expected that the completed 2nd Street Project will cause increased and improved ability of the City to provide adequate transportation infrastructure for the growth and retention of commercial and industrial enterprises in the City. Further, it is anticipated that the 2nd Street Project will support and encourage industrial development on the Certified Site Property (as defined in Exhibit A hereto) and will support the development of the City Campus Project (as hereinafter defined).

Description of Properties to be Acquired in Connection with Project: The City will acquire the Property (as defined in Section 1 of this Amendment), or a portion thereof, and such easement territory and rights-of-way as are necessary to successfully undertake the 2nd Street Project.

Description of Use of TIF for the Project: It is anticipated that the City will pay for the 2nd Street Project with borrowed funds and/or the proceeds of an internal advance of City funds on-hand. In any case, the City's obligations (the "Obligations") will be repaid with incremental property tax revenues derived from the Urban Renewal Area. It is anticipated that the City's use of incremental property tax revenues for the 2nd Street Project will not exceed \$4,500,000, plus any interest expense incurred on the Obligations.

B.

Name of Project: City Campus Project

Name of Urban Renewal Area: Bondurant Urban Renewal Area

Date of Council Approval of the Project: December 20, 2021

Description of Properties to be Acquired in Connection with Project: The City will acquire certain real property (the "City Campus Property") situated in the Urban Renewal Area and bearing Polk County Property Tax Parcel Identification Numbers 230/00455-008-000; 230/00455-009-000 and 230/00455-000-000 and will undertake the development of the City Campus thereon, as hereinafter described.

Description of Project and Project Site: The City will undertake the planning and design of a City Campus the City Campus Property. The City Campus Project will include site preparation of the City Campus Property and a parking lot for the construction of an Emergency Services Facility and, eventually, a Public Works Facility.

It is anticipated that the City will begin the construction, furnishing, and equipping of the Emergency Services Facility (the "EMS Facility Project") on the City Campus Property in the City's 2023 fiscal year. The completed EMS Facility Project will serve as the headquarters for the City's fire department, emergency medical services and ambulance department and will include a fitness center for use by City employees.

The completed City Campus Project will have a direct, positive impact on the Urban Renewal Area, and community at large, through the provision of enhanced municipal emergency services and municipal public works facilities.

Description of Use of TIF for the Project: It is anticipated that the City will pay for the City Campus Project with borrowed funds and/or the proceeds of an internal advance of City funds on-hand. In any case, the City's obligations (the "Obligations") will be repaid with incremental property tax revenues derived from the Urban Renewal Area. It is anticipated that the City's use of incremental property tax revenues for the City Campus Project will not exceed \$7,000,000, plus any interest expense incurred on the Obligations.

Analysis of Use of TIF: In accordance with the requirement of Section 403.5(2)(b)(1) of the Code of Iowa, the City has analyzed its proposed use of incremental property tax revenues for the funding of the EMS Facility Project and alternative development and funding options for the EMS Facility Project. The results of that analysis are summarized as follows:

A) Alternate Development Options: The City Council has determined that a need exists for the provision of a new, improved and expanded emergency services in the Urban Renewal Area. The City's ability to fulfill its duty of fire protection and emergency medical services in the Urban Renewal Area is diminished by inadequate, outdated and undersized fire station and emergency medical services facilities. The use of the City Campus Property as the site for the EMS Facility Project is an optimal use for this land. Promoting other types of development on the Property to the exclusion of the EMS Facility Project will not meet the public need being addressed by the EMS Facility Project. Further, the proximity of the EMS Facility Project to the Certified Site Property will promote industrial development on the Certified Site Property.

B) Alternate Financing Options:

* Local Option Sales and Services Tax Revenues: Local Option Sales and Services Tax Revenues are unavailable to assist with the EMS Facility Project because such Revenues have been allocated to other projects in the City

* General Fund: The City will use proceeds in the General Fund to pay for the acquisition of the City Campus Property. Further, the City is at its \$8.10 per thousand levy limit for the General Fund, and the annual proceeds from this levy are fully committed to maintain the operational integrity of the City. The City cannot access its General Fund to pay for additional costs of the EMS Facility Project funding without risking unsound fiscal practice.

* Capital Improvements Levy: The City does not have a Capital Improvements Levy available for the purpose of funding the EMS Facility Project, and the imposition of such additional levy would require a successful referendum, which is not feasible at this time.

* Debt Service Levy: The City will use its urban renewal authority to aid in the authorization of general obligations bonds (collectively, the "Bonds") to finance the EMS Facility Project. The use of tax increment financing to pay a portion of the debt service payments on the Bonds will lessen the burden on individual tax payers that would result from a spike in the debt service levy rate and will shift that burden onto valuation increases resulting from the City's successful economic development initiatives in the Urban Renewal Area. It is not feasible for the City to issue general obligation indebtedness for the EMS Facility Project without the ability to assure the taxpayers of the City that tax increment financing will be available to assist with a portion of the debt service on the Bonds.

* Utility Surpluses: The City does not have identified surpluses in its sewer and/or water utility funds that could aid in the funding of the EMS Facility Project.

* Grants: The City intends to apply for available grants to assist in paying the costs of the EMS Facility Project.

***The City will amend the Plan in the future to complete the analysis required by Section 403.5(2)(b)(1) of the Code of Iowa for the Public Works Facility project if the City determines to use tax increment financing to assist in paying the costs of the Public Works Facility project.**

3) Required Financial Information. The following information is provided in accordance with the requirements of Section 403.17 of the Code of Iowa:

Constitutional debt limit of the City:	<u>\$ 27,430,593</u>
Outstanding general obligation debt of the City:	<u>\$17,680,000</u>
Proposed TIF debt to be incurred under the December, 2021 Amendment*:	<u>\$11,500,000</u>

* It is anticipated that some or all of the debt incurred hereunder will be subject to annual appropriation by the City Council.

EXHIBIT A
Legal Description
Expanded Bondurant Urban Renewal Area
(December, 2021 Addition)

CITY CAMPUS PROPERTY AND INFRASTRUCTURE:

BEGINNING AT THE SOUTH 1/4 CORNER OF SECTION 29, TOWNSHIP 80 NORTH, RANGE 22 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, SAID POINT ALSO BEING THE NORTH 1/4 CORNER OF SECTION 32, TOWNSHIP 80 NORTH, RANGE 22 WEST OF THE 5TH P.M., POLK COUNTY, IOWA;

THENCE SOUTH, ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 32 TO THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID NORTHWEST 1/4;

THENCE WEST, ALONG THE NORTH LINE OF SAID SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 TO THE NORTHWEST CORNER THEREOF;

THENCE SOUTH, ALONG THE WEST LINE OF SAID SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 TO THE NORTHEAST CORNER OF LOT 2 OF THE OFFICIAL PLAT OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 80 NORTH, RANGE 22 WEST OF THE 5th P.M., POLK COUNTY, IOWA, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF BONDURANT, POLK COUNTY, IOWA;

THENCE WEST, ALONG THE NORTH LINE OF SAID LOT 2 EXTENDED WEST TO THE WEST LINE OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4;

THENCE NORTH, ALONG SAID WEST LINE TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HUBBELL AVENUE;

THENCE NORTHEAST, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF HUBBELL AVENUE TO THE NORTH RIGHT-OF-WAY LINE OF NE 78TH AVENUE;

THENCE EAST, ALONG SAID NORTH RIGHT-OF-WAY LINE OF NE 78TH AVENUE TO THE WEST LINE OF PARCEL 'H' IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 29, AS SHOWN ON THE PLAT OF RETRACEMENT SURVEY THEREOF RECORDED IN BOOK 13080 ON PAGE 445 IN THE POLK COUNTY RECORDER'S;

THENCE NORTH, ALONG SAID WEST LINE OF PARCEL 'H' TO SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF HUBBELL AVENUE;

THENCE NORTHEAST, ALONG SAID SOUTHEASTELRY RIGHT-OF-WAY LINE OF HUBBELL AVENUE TO THE NORTH LINE OF THE SOUTH 75 FEET OF ABANDONED RAILROAD RIGHT-OF-WAY;

THENCE EAST, ALONG SAID NORTH LINE OF THE SOUTH 75 FEET OF ABANDONED RAILROAD RIGHT-OF-WAY TO THE EAST LINE OF THE SOUTHWEST 1/4 OF SECTION 29;

THENCE SOUTH, ALONG SAID EAST LINE OF THE SOUTHWEST 1/4 OF SECTION 29 TO THE POINT OF BEGINNING.

CERTIFIED SITE PROPERTY:

THE EAST 1/6 OF THE NORTH 60 ACRES OF THE WEST 1/2 OF THE NORTHWEST 1/4 SECTION 32 TOWNSHIP 80 NORTH, RANGE 22, POLK COUNTY, IOWA, SUBJECT TO EXISTING ROAD RIGHT-OF-WAY AND ALSO THE WEST 1/3 OF THE WEST 1/2 OF THE NORTH 60 ACRES OF THE EAST 1/2 OF THE NORTHWEST 1/4 SECTION 32, TOWNSHIP 80 NORTH, RANGE 22, POLK COUNTY, IOWA; AND

THE EAST 1/2 OF THE NORTH 60 ACRES OF THE EAST 1/2 OF THE NORTHWEST 1/4 SECTION 32, TOWNSHIP 80 NORTH, RANGE 22, POLK COUNTY, IOWA; AND THE EAST 2/3 OF THE WEST 1/2 OF THE NORTH 60 ACRES OF THE EAST 1/2 OF THE NORTHWEST 1/4 SECTION 32, TOWNSHIP 80 NORTH, RANGE 22, POLK COUNTY, IOWA.

Since this land is located in unincorporated Polk County, Polk County has zoning jurisdiction on this land - this means that a permitted use review is conducted by Polk County and not the City of Bondurant. The City's Future Land Use Mpa as part of the Comprehensive Plan did not extend out to this area proposed for splitting.

The Fox Ridge Estates Plat 1 Preliminary Plat proposes creating four lots for residential development. The plat notes a County Zoning District of ER-Estate Residential District.

The land proposed for splitting is owned by Daryl Bailey. Associated Engineering Company of Iowa prepared the preliminary plat.

Staff reviewed Section 180.05 of the Subdivision Code (Subdivision Design Standards) and sees no concerns with the split proposed relative to the City's Subdivision Code requirements. It should be noted that the attached resolution acknowledges the split will result in a block length longer than 1,320' (Section 180.05.2.A of the Subdivision Code). The lot sizes, which range from 3.04 acres to 15.32 acres, would meet (exceed) minimum lot size requirements for if these lots were within Bondurant's city limits. All lots being created will front the existing NE 82nd Street right-of-way.

FUNDING SOURCE: N/A

STAFF RECOMMENDATION: The following options exist for the Planning & Zoning Commission:

1. Recommended approval of the Fox Ridge Estates Plat 1 Preliminary Plat.
2. Recommended approval of the Fox Ridge Estates Plat 1 Preliminary Plat, subject to Subdivision Code clarification items being addressed.
3. Recommended denial of the Fox Rodge Estates Plat 1 Preliminary Palt.
4. Table pending additional comment/feedback.

Staff recommends approval of Fox Ridge Estates Plat 1 Preliminary Plat subject to the following Subsivision Code clarification item:

1. That approval results in a waiver of Section 180.05.2.A of the Subdivision Code relative to maximum block length requirements.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. PZ RES 211209-29
2. 210368A5 (FOX RIDGE ESTATES PLAT 1) Major Preliminary Plat

PLANNING AND ZONING COMMISSION

RESOLUTION NO. PZ 21-1209-29

RESOLUTION RECOMMENDING APPROVAL OF THE FOX RIDGE ESTATES PLAT
1 PRELIMINARY PLAT

WHEREAS, Associated Engineering Company of Iowa submitted the Fox Ridge Estates Plat 1 Preliminary Plat described as follows:

ALL THAT PART OF LOTS ONE (1), TWELVE (12), THIRTEEN (13) AND FOURTEEN (14) OF A SUBDIVISION OF THE EAST ½ OF THE SOUTHWEST ¼ OF SECTION 26, TOWNSHIP 80 NORTH, RANGE 22, WEST OF THE RAILROAD RIGHT-OF-WAY IN POLK COUNTY, IOWA SUBJECT TO LEGALLY ESTABLISHED HIGHWAYS.

WHEREAS, the owner/developer is Daryl Bailey.

WHEREAS, the Fox Ridge Estates Plat 1 Preliminary Plat is situated outside of Bondurant's city limits but falls within 2 miles of Bondurant's city limits and thus requires City of Bondurant review prior to recording.

NOW, THEREFORE, BE IT RESOLVED, that the Planning & Zoning Commission recommends City Council approval of the Fox Ridge Estates Plat 1 Preliminary Plat.

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 December 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
Camerson				
Clayton				
Mains				

Keeran				
Cuellar				
Hoyer				
Brostrom				

Torey Cuellar, Commission Chair

MAJOR PRELIMINARY PLAT

FOX RIDGE ESTATES

PLAT I

SHEET I OF I

OWNER/DEVELOPER

Daryl Bailey
10541 NE 82nd Avenue
Bondurant, IA 50035
Phone #: (515) 208-0494

ZONING

ER - ESTATE RESIDENTIAL DISTRICT

BULK REGULATIONS

DEVELOPMENT OPTION: SINGLE FAMILY
FRONT YARD SETBACK- 75'
REAR YARD SETBACK- 75'
SIDE YARD SETBACK- 25'

LEGAL DESCRIPTION

All that part of Lots One (1), Twelve (12), Thirteen (13) and Fourteen (14) of a Subdivision of the East 1/2 of the Southwest 1/4 of Section 26, Township 80 North, Range 22, West of the Railroad Right-of-Way in Polk County, Iowa subject to legally established highways containing 1104272 SQ FT (25.41 ACRES), more or less.

GENERAL NOTES

- IT SHALL BE THE DEVELOPER'S RESPONSIBILITY TO APPLY FOR AND OBTAIN ANY STORM WATER DISCHARGE PERMITS FROM THE IOWA DEPARTMENT OF NATURAL RESOURCES IF SAID PERMITS ARE REQUIRED OF THIS PROJECT.
- STORM RUNOFF: DURING CONSTRUCTION & GRADING INDIVIDUAL LOT OWNERS WILL ALTER EXISTING TOPOGRAPHY AND SHALL BECOME RESPONSIBLE, THE LOT OWNER THEMSELVES ARE RESPONSIBLE NOT THE DEVELOPER OF THE PLAT OR THE ENGINEER OF THE PLAT FOR THE FOLLOWING:
 - INDIVIDUAL LOT OWNERS ARE RESPONSIBLE FOR ENSURING POST DEVELOPMENT RUNOFF FROM THEIR SITE DOES NOT ADVERSELY AFFECT DOWNSTREAM DRAINAGE FACILITIES OR PROPERTY OWNERS.
 - INDIVIDUAL LOT OWNERS ARE RESPONSIBLE FOR GRADING THEIR LOT TO CONVEY RUNOFF GENERATED FROM THEIR LOT AND RUNOFF GENERATED FROM ADJACENT LOTS IN SUCH A MANNER AS TO "NOT":
 - DAMAGE DOWN STREAM PROPERTY.
 - RESTRICT OFF SITE FLOW FROM BEING CONVEYED ACROSS THEIR LOT.
 - CHANGE THE GENERAL DIRECTION OF FLOW OF RUNOFF.
 - INDIVIDUAL LOT OWNERS ARE RESPONSIBLE FOR ENSURING THEIR SITE IS GRADED TO PROTECT THEIR PRIVATE PROPERTY FROM ANY AND ALL DAMAGE FROM STORM RUNOFF GENERATED ONSITE OR OFF SITE.
 - INDIVIDUAL LOT OWNERS SHALL NOT GRADE ANY PORTION OF THEIR LOT TO CAUSE RUNOFF TO BECOME CONCENTRATED FLOW WITHOUT PROVIDING PROTECTION FOR DOWNSTREAM PROPERTY.
- RELOCATION OF ANY ENTRANCE OR UTILITY TO CONFORM TO THE REQUIREMENTS OF THIS PLAT WILL BE AT THE DEVELOPERS EXPENSE.
- ALL MAILBOXES LOCATED IN POLK COUNTY RIGHT-OF-WAY MUST BE OF BREAKAWAY DESIGN.
- UTILITY EASEMENTS ARE DEDICATED FOR THE USE OF ANY PUBLIC UTILITY.
- SEWER SYSTEM: LATERAL FIELD AND SEPTIC TANK, ALTERNATE WASTE WATER SYSTEMS MAY BE REQUIRED.
- DUE TO SOIL TYPES, LIMITATIONS, AND DISTURBANCE, ALTERNATIVE SEPTIC SYSTEMS MAY BE REQUIRED. INDIVIDUAL WASTEWATER TREATMENT SYSTEMS SHALL BE DESIGNED BY AN ENGINEER.
- THE INDIVIDUAL OWNERS ARE RESPONSIBLE FOR MAINTENANCE OF THE DRAINAGE EASEMENT ON THEIR PROPERTY.
- DRAINAGE EASEMENT CROSSING: ANY CULVERTS TO BE USED FOR CROSSING DRAINAGE EASEMENTS MUST BE DESIGNED BY A LICENSED PROFESSIONAL ENGINEER.
- SUBSURFACE DRAINAGE FACILITIES: ANY SUBSURFACE DRAINAGE FACILITIES THAT ARE DISTURBED MUST BE RESTORED OR REROUTED BY THE PROPERTY OWNER.
- ALL SERVICES TO UTILITIES LOCATED ON THE OPPOSITE SIDE OF THE ROADWAY MUST BE BORED UNDER THE ROADWAY AT THE LOT OWNERS EXPENSE.
- FUTURE DEVELOPMENT OF THE PROPERTY IS SUBJECT TO ARTICLE 7, SECTION 4, "NATURAL RESOURCE PROTECTION, WOODLANDS" OF THE POLK COUNTY ZONING ORDINANCE, WHICH PRESERVES WOODED AREAS OF THE PROPERTY. YOUNG WOODLANDS SHALL BE PROTECTED OR MITIGATED AT A MINIMUM OF 50% AND MATURE WOODLANDS AT A MINIMUM OF 75%.
- ANY NEW ENTRANCE WILL REQUIRE A POLK COUNTY ENTRANCE PERMIT.
- ANY WORK IN THE ROW OTHER THAN FOR AN ENTRANCE WILL REQUIRE A POLK COUNTY ROW GRANT PERMIT.
- LOT A SHALL BE DEEDED TO POLK COUNTY FOR ROADWAY PURPOSES.
- THE EXISTING WELL IS FOR LIVE STOCK ONLY.

- 07-23-21 1ST SUBMITTAL OF PRELIMINARY PLAT
11-15-21 2ND SUBMITTAL OF PRELIMINARY PLAT
11-23-21 3RD SUBMITTAL OF PRELIMINARY PLAT

CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAT, SURVEYING DOCUMENT AND PREPARED BY ME AND THE FIELD SURVEY PROFESSIONAL, LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA, LICENSE NUMBER, DATE, DEC 31 2018 PAGES COVERED BY THIS SEAL: THIS PAGE ONLY	
SIGNED: GREGORY L. ROSS	DATE: P.L.S. 13286

LEGEND

- | | | | |
|------------------------------------|-----------------------------------|-----|--------------------------------|
| ● MONUMENT FOUND AS NOTED | ● FIREHYDRANT AS NOTED | --- | EXISTING CONTOUR |
| ○ SET 1/2" IR W/ ORANGE CAP #13286 | ✕ EXISTING WATER VALVE | --- | PROPOSED CONTOUR |
| ▲ SECTION CORNER FOUND AS NOTED | ✕ PROPOSED WATER VALVE | --- | FENCE LINE AS NOTED |
| ○ SANITARY MANHOLE AS NOTED | ✕ CURB INTAKE AS NOTED | --- | TVC BURIED TELEVISION AS NOTED |
| ○ STORM MANHOLE AS NOTED | ✕ AREA INTAKE AS NOTED | --- | UE BURIED ELECTRIC AS NOTED |
| ○ TRAFFIC MANHOLE AS NOTED | ✕ UTILITY BOX AS NOTED | --- | OVER-HEAD UTILITIES |
| ○ PHONE MANHOLE AS NOTED | ✕ ELECTRIC TRANSFORMER BOX | --- | G GAS MAIN AS NOTED |
| ○ UTILITY MANHOLE AS NOTED | ✕ PERK TEST SITE AS NOTED | --- | W WATER MAIN AS NOTED |
| ○ ELECTRIC MANHOLE AS NOTED | ✕ EXISTING SPOT ELEVATION | --- | S STORM SEWER AS NOTED |
| ○ GAS METER AS NOTED | ✕ EXISTING SPOT ELEVATION | --- | SS SANITARY SEWER AS NOTED |
| ○ GAS VALVE AS NOTED | ✕ BURIED TELEPHONE | --- | BT BURIED TELEPHONE |
| ○ UTILITY POLE AS NOTED | ✕ MEASURED DISTANCE OR BEARING | --- | UC BURIED CABLE/UTILITIES |
| ○ WELL AS NOTED | ✕ P= RECORDED DISTANCE OR BEARING | | |

ASSOCIATED ENGINEERING
AEC COMPANY OF IOWA
1830 SE Princeton Dr. Ste M Grimes, IA 50111
Phone: (515) 255-3156 Fax: (515) 255-3157

PROJECT #: 210368
FIRST SUBMITTAL DATE: 07-23-21



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

Item No. 6.d.
For Meeting of 12/9/2021
Resolution

TITLE: RESOLUTION NO. PZ-211209-31: Considering recommended approval of the Top Farms Property Preliminary Plat

CONTACT PERSON:

Maggie Murray, Planning & Community Development Director

BRIEF HISTORY & ANALYSIS: Brief History

For review by the Planning & Zoning Commission is recommended approval of the Top Farms Property Preliminary Plat. The preliminary plat developer is Hubbell Realty Company. The preliminary plat was submitted by Civil Design Advantage. Once fully constructed, this preliminary plat area will contain 178 lots for single-family detached development, a 7.97-acre Outlot W for multi-family/townhome development, a 4.55-acre Outlot U for commercial or multi-family/townhome development, a 5.46-acre Outlot T for commercial or multi-family/townhome development, a 2.51-acre park, and several privately-owned outlots for stormwater management. The first page of the submitted preliminary plat shows the phasing plat - Phase 1 includes the first 82 lots for single-family detached development, the public parkland area, and Outlot W; Phase 2 includes the next 43 lots for single-family detached development and Outlot U; and Phase 3 includes the last 53 lots for single-family detached development and Outlot T.

This preliminary platting area is located north of the existing Park Side Plat 2 area along Highway 65 in the area highlighted in yellow below.



All areas within the Top Farms Property Preliminary Plat area are currently zoned as being within the City's Planned Unit Development (R-5) District as a result of City Council's Ordinance #210907-210 which resulted in a rezoning from the Agricultural (A-1) District to the R-5 District.

Analysis:

When considering subdivision plat requests, the Planning & Zoning Commission and City Council should take into account the following: the Comprehensive Plan/Future Land Use Map, Zoning, Parkland Dedication, Streets, Sidewalks, Trails, Utilities, the FEMA Floodplain, the City's Stream Buffer Ordinance, and Comments from City Officials and Private Utilities.

Comprehensive Plan/Future Land Use Map - the City's Comprehensive Plan, and more specifically its Future Land Use Map, were evaluated as part of the rezoning Ordinance #210907-21, as this rezoning ordinance also included a Future Land Use Map update component. This Future Land Use Map update component included an amendment from single-family residential to multi-family and multi-family/commercial in the areas proposed for such use in the Top Farms Property Preliminary Plat. This Future Land Map Amendment was found to be consistent with the following objectives of the Comprehensive Plan relative to the Highway 65 Corridor Growth Area: create focused, condensed areas of commercial development at strategic intersections along Highway 65; and provide a range of housing alternatives along the corridor including high and medium density housing.

Zoning - the Top Farms Property Preliminary Plat proposes the same bulk regulations approved as part of the Top Farms PUD Conceptual Plan. The preliminary plat should be updated to no longer reference an A-1 District, since this land is now all zoned R-.5

Parkland Dedication - this Top Farms Property Preliminary Plat proposes a combination of both public parkland dedication and then also payment in lieu of public parkland to make up for the difference in acres required. The preliminary plat proposes 2.51-acre public park, but the number of dwelling units proposed exceeds a 2.51-acre public park area. Fees in lieu of public parkland are acceptable per Section 180.06.7 of the Subdivision Code. The fee in lieu will be required at the time a final plat is considered where the number of units proposed exceeds a 2.51-acre park equivalent. The fee in lieu fee will be determined by an appraiser based on the valuation of public parkland required for that current final plat at the time a final plat is considered.

The first phase of single-family detached development requires that at least 1.23 acres of public parkland be established. Minimum public parkland dedication requirements for the first phase of multi-family/townhome development on Outlot W will be evaluated at a later date after the City has received a site plan for such development area; this will be the same for Phase 2 and 3.

Below is an explanation of how minimum public parkland acres are calculated:

Single-family or townhome - # of units X 3 X 0.005

Multi-family - # of units X 2 X 0.005

Streets -

All of the interior right-of-way within the subdivision area will be 60'-wide.

The following streets will be 29'-wide wide:

- Paine Street NE north to 16th Street NE/NE 86th Avenue
- Street D from the west plat boundary to 16th Street NE
- Street E east of Street D to Highway 65

The remaining streets will be 26'-wide.

In conjunction with the Top Farms development, the City will upgrade and pave 16th Street NE/NE 86th Avenue to an urban section. The intersection at the northeast corner of Top Farms will be realigned to better match the intersection with Highway 65. It is anticipated that this street corridor will be a 3-lane section. An explanation of the developer's share of this cost was provided by staff on September 8th.

The Top Farms Property Preliminary Plat shows a connection of Street E out to Highway 65. This intersection will be a right in and right out only intersection. The preliminary plat shows a separated right turn lane for south bound traffic on Highway 65 approaching the intersection with Street E. It appears the widening taper for the right turn lane encroaches into the area proposed for the relocated intersection of Highway 65 and 16th Street NE/NE 86th Avenue; the City Engineer has noted this and such

feedback has been factored in as part of comment #1 on the attached resolution.

It has been relayed that the intersections of Paine Street NE and Street D with 16th Street NE/NE 86th Avenue need to be coordinated between the Top Farms project and the City project; this has been factored in as part of comment #1 of the attached resolution.

Streets Master Plan - below is a clip from the Streets Master Plan. The Streets Master Plan shows the approximate realignment of the intersection of 16th Street NE/NE 86th Avenue as it approaches Highway 65.



Traffic Impact Study - the required Traffic Impact Study has not yet been finalized; this has been factored in as part of the attached resolution.

Sidewalks - 5'-wide public sidewalks will be required along all internal streets.

Trails - the 2013 Park, Trail & Greenway Master Plan identifies a trail along the 16th Street NE/NE 86th Avenue corridor; this trail will be factored in as part of the design and cost share of the City's 16th Street NE/NE 86th Avenue street project.

The Top Farms Property Preliminary Plat shows a paved trail section along the south edge of Outlot Z and Lot 48. This proposed trail area will help to establish a potential future connection west and south to the existing Park Side Plat 2 trail. This Park Side Plat 2 trail in the future will tie into the BRSC/Lake Petocka area.

Utilities -

- **Water** - the preliminary plat shows 8" water mains extending along all of the interior streets. The water main plan includes an 8" main extending on Street E from Street D to approximately the right-of-way line of Highway 65.

When the City constructed the 12" water main along the westerly side of Highway 65 through Park Side, the intent was for the water main to continue northerly along the westerly side of Highway 65 up to 16th Street NE/NE 86th Avenue. The preliminary plat does not show an extension of the 12" water main northeasterly along Highway 65 to 16th Street NE/NE 86th Avenue. This 12" water main extension is necessary, as it is part of the City of Bondurant's long range water plan; this is factored in as part of the attached resolution via comment #1.

The hydrant coverage circles are satisfactory for the single-family detached lots. The hydrant coverage is not currently adequate for the multi-family and commercial development areas of Outlots T, U, and W; an additional water main and hydrant coverage will be necessary as each of these three lots develop at a future date; this has been factored in as part of the attached resolution via comment #1.

The water connection fee district fees will be due at the time a final plat is considered.

- **Sanitary Sewer** - sanitary sewer service to this Top Farms Property Preliminary Plat is provided by extending the existing sewer on Paine Street NE northerly to 16th Street NE/NE 86th Avenue. The preliminary plat shows the sanitary sewer along Paine Street NE stopping in the south right-of-way area of 16th Street NE/NE 86th Avenue; the City may require that the developer bring this to the north portion of the right-of-way as part of the developer's Phase 3 process if the City of Bondurant has not yet completed its 16th Street NE/NE 86th Avenue corridor improvements.

The City Engineer has previously indicated to the developer that this sanitary sewer will need to be kept at the flattest slope practical to provide sewer service for the Top Farms area and allow for sewer to be extended north of 16th Street NE/NE 86th Avenue; this sewer design will be reviewed in further detail by the City Engineer at the time of construction plat review.

The sanitary sewer connection fee district fees will be due at the time a final plat is considered.

- **Storm** - the stormwater detention plan shows a total of four detention basins - these basins are located on Outlot Y, Outlot Z, and two interconnected basins on Outlot S.

The only outlet for the storm water drainage tributary to the detention basin is the outlet on the south side of the stormwater detention basin on Outlot Z. This storm sewer discharges to the drainage facilities at Park Side and is tributary to the east basin in Park Side.

The overall drainage pattern can be summarized as follows: front yards drain to the streets; the rear yards adjacent to the detention basins drain to the detention basins; all rear yard areas not directly tributary to detention basins are tributary to a rear yard storm sewer system; and the rear yard storm sewer system uses a series of linear storm sewers along the rear lot line combined with small collection basins at each intake.

The City's policy is that storm sewers and storm sewer easements are public. However, overland drainage easements and detention basins are private; this has been factored in as part of the attached resolution via comment #1.

FEMA Floodplain - this property is not located within FEMA's 100-year floodplain.

City's Stream Buffer Ordinance - this property is not located within the City's Stream Buffer Ordinance area.

Comments from City Officials & Private Utilities-

- City Engineer - Bob Veenstra, City Engineer, has reviewed the preliminary plat and stormwater management report. His feedback is reflected in this agenda statement. His detailed feedback has been relayed to the developer and developer's engineer. His feedback has been factored in as comment #1 on the attached resolution.
- Public Works Director - reviewed and noted no additional comments beyond Bob Veenstra's comments.
- Fire Department - reviewed and requested clarification from Planning that the street labels are just placeholders; Planning confirmed that yes, the street labels are just placeholders at this point.
- The following entities were notified via email on November 8th: Post Office, Bondurant-Farrar Community School District, Aueron, Century Link, Mediacom, MidAmerican Energy Company, Mi-Fiber, Northern Natural Gas, Windstream, and the Iowa DOT. The following comment was received:
 - MidAmerican Energy Company requested that the developer flip locations of certain gas easement and public utility easements for consistency with the Park Side Plat 2 development area immediately south.

FUNDING SOURCE: N/A

STAFF RECOMMENDATION: The following options exist for the Planning & Zoning Commission:

1. Recommend approval of the Top Farms Property Preliminary Plat
2. Recommended approval of the Top Farms Property Preliminary Plat, subject to City Code/Policy clarification items being addressed.
3. Recommended denial of the Top Farms Property Preliminary Plat.

4. Table pending additional comment/feedback.

Staff recommends approval of the Top Farms Property Preliminary Plat, subject to the following:

1. That the comments noted as part of Bob Veenstra's review memo must be addressed as part of a resubmitted preliminary plat or eventual detailed construction plans.
2. That the required Traffic Impact Study must be finalized, and findings of this study must be reflected in the updated preliminary plat if necessary.
3. Acknowledgement that the Top Farms Property Preliminary Plat proposes a combination of public parkland dedication and fees in lieu. Such fees will be due as part of the final plat phasing process. The fees in lieu will be determined by an appraiser after the improvements of the final plat have been finalized.
4. That Top Farms Property Preliminary Plat be updated to note the existing zoning as R-5 Planned Unit Development (R-5) and not A-1.
5. That feedback relayed by MidAmerican Energy Company must be taken into account as part of a resubmitted preliminary plat.
6. That payment into the connection fee district fee areas will be due at each time a final plat is considered.
7. That there will be a developer cost-share responsibility of the 16th Street NE/NE 86th Avenue corridor as noted in a summary to the developer's engineer in September 2021.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. RESOLUTION NO PZ 211209-31
2. Top Farms Property Preliminary Plat_01_2021-11-08

PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ-211209-31

RESOLUTION REGARDING RECOMMENDED APPROVAL OF THE TOP FARMS
PROPERTY PRELIMINARY PLAT

WHEREAS, Civil Design Advantage submitted the Top Farms Property Preliminary Plat;
AND

WHEREAS, the developer is Hubbell Realty Company; AND

WHEREAS, this Top Farms Property Preliminary Plat is described as follows:

THAT PART OF THE EAST ½ OF SECTION 29, TOWNSHIP 80 NORTH, RANGE 22
WEST OF THE 5TH P.M., CITY OF BONDURANT, POLK COUNTY, IOWA, LYING
NORTHERLY OF NE HUBBELL ROAD (US HIGHWAY 65) AND LYING NORTHERLY
OF PARK SIDE PLAT 2, AND OFFICIAL PLAT.

NOW, THEREFORE, BE IT RESOLVED, that the Planning and Zoning Commission
recommends City Council approval of the Top Farms Property Preliminary Plat, subject
to the following City Code/Policy items being addressed:

- 1.) That the comments noted as part of Bob Veenstra's review memo must be
addressed as part of a resubmitted preliminary plat or eventual detailed
construction plans.
- 2.) That the required Traffic Impact Study must be finalized, and findings of this study
must be reflected in the updated preliminary plat if necessary.
- 3.) Acknowledgement that the Top Farms Property Preliminary Plat proposes a
combination of public parkland dedication and fees in lieu. Such fees will be due
as part of the final plat phasing process. The fees in lieu will be determined by an
appraiser after the improvements of the final plat have been finalized.
- 4.) That Top Farms Property Preliminary Plat be updated to note the existing zoning
as R-5 Planned Unit Development (R-5) and not A-1.
- 5.) That feedback relayed by MidAmerican Energy Company must be taken into
account as part of a resubmitted preliminary plat.
- 6.) That payment into the connection fee district fee areas will be due at each time a
final plat is considered.
- 7.) That there will be a developer cost-share responsibility of the 16th Street NE/NE
86th Avenue corridor as noted in a summary to the developer's engineer in
September 2021.

Moved by _____, Seconded by _____ to adopt.

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

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

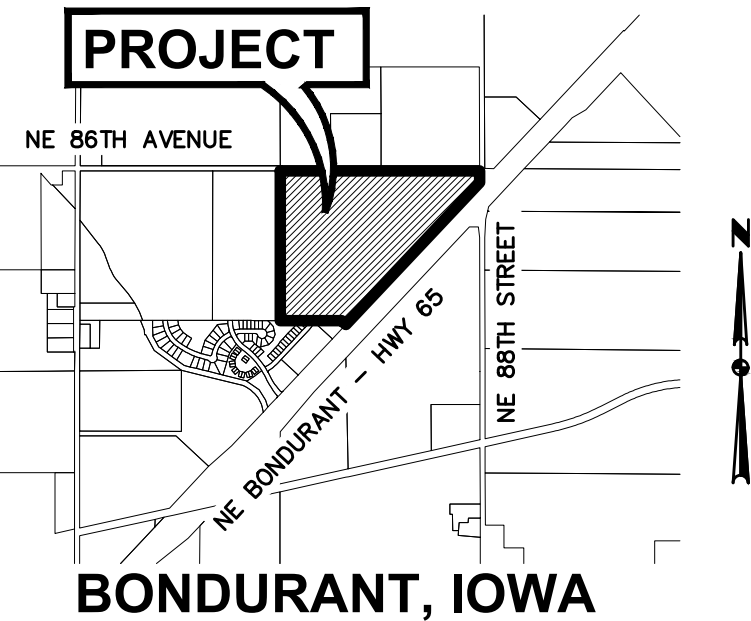
Maggie Murray, Planning & Community Development Director

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

Keeran, Acting Chair

VICINITY MAP

NOT TO SCALE



PRELIMINARY PLAT TOP FARMS PROPERTY

LEGAL DESCRIPTION

THAT PART OF THE EAST 1/2 OF SECTION 29, TOWNSHIP 80 NORTH, RANGE 22 WEST OF THE 5TH P.M., CITY OF BONDURANT, POLK COUNTY, IOWA LYING NORTHERLY OF NE HUBBELL ROAD (US HIGHWAY 65) AND LYING NORTHERLY OF PARK SIDE PLAT 2, AN OFFICIAL PLAT.

NOTES

1. ALL HOMES ON LOTS 1 - 178 SHALL HAVE A MINIMUM 2-CAR GARAGE.
2. A MINIMUM OF 30% OF THE LOTS WITHIN LOTS 1 - 178 SHALL BE 65' WIDE OR LARGER.
3. WINDOW WELLS CANNOT ENCROACH INTO SIDE YARD SETBACKS WHEN SIDE YARD SETBACK IS 5'.
4. THE LANDSCAPE BUFFER YARD ON THE LOTS WITHIN AREA 'A' THAT ARE ADJACENT TO NE 86TH AVENUE SHALL BE 25 FEET WIDE WITH 1 OVERSTORY TREE, 2 CONIFER TREES, AND 4 SHRUBS AND/OR GRASS EVERY 100 FEET TO BE INSTALLED AT THE TIME EACH LOT CONSTRUCTS A HOME.
5. THE LANDSCAPE BUFFER YARD ALONG HIGHWAY 65 SHALL BE 25 FEET WIDE WITH 1 OVERSTORY, 1 CONIFER, 2 UNDERSTORY TREES, AND 4 SHRUBS AND/OR GRASS EVERY 100 FEET.
6. BUFFER YARD TREE SPECIES SHALL BE LIMITED TO THE SPECIES LISTED IN SECTION 151.03 OF THE CITY CODE. DECIDUOUS TREES SHALL BE 1.75" CALIPER AND CONIFEROUS TREES SHALL BE A MINIMUM 5' HEIGHT.
7. THE PRELIMINARY PLAT IS CONSISTENT WITH THE CITY'S FUTURE LAND USE MAP, THE PARKS, TRAILS & GREENWAY MASTER PLAN, AND THE COMPREHENSIVE PLAN BASED ON THE PROPOSED LAND USE AND PARKLAND DEDICATION.

OWNER

TOP FARMS LLLP
250 GOLFVIEW DRIVE
DURANT, IA 52747

DEVELOPER

HUBBELL REALTY COMPANY
CONTACT: STEVE MOSELEY
6900 WESTOWN PARKWAY
WEST DES MOINES, IA 50266

ENGINEER / SURVEYOR

CIVIL DESIGN ADVANTAGE
CONTACT: EMILY HARDING
3405 SE CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PH. (515) 369-4400
FX. (515) 369-4410

ZONING

EXISTING: A-1 AGRICULTURAL DISTRICT
PROPOSED: R-5 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT

DATE OF SURVEY

NOVEMBER 1, 2021

BENCHMARKS

1. BURY BOLT ON HYDRANT AT SW CORNER OF TOP FARMS PROPERTY.
ELEVATION=945.14
2. BURY BOLT ON HYDRANT AT SW CORNER OF MALLARD & 3RD STREET.
ELEVATION=963.51

PARKLAND DEDICATION

OUTLOT X WILL BE DEDICATED TO THE CITY OF BONDURANT TO CONTRIBUTE TO THE SATISFACTION OF THE PARKLAND REQUIREMENT. PAYMENT IN LIEU OF PARKLAND WILL BE PAID FOR ANY REMAINING PARKLAND REQUIREMENT ACREAGE. PUBLIC PARKLAND DEDICATION SHALL ADHERE TO SECTION 180.06 OF THE SUBDIVISION CODE.

UTILITY WARNING

THE UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY AND RECORDERS OBTAINED BY THIS SURVEYOR. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN COMPRISE ALL THE UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION SHOWN. A REQUEST WAS MADE TO IOWA ONE CALL TO LOCATE THEIR UTILITIES IN THE FIELD.

LEGEND

PROPOSED

- TYPE SW-501 STORM INTAKE
TYPE SW-503 STORM INTAKE
TYPE SW-505 STORM INTAKE
TYPE SW-506 STORM INTAKE
TYPE SW-513 STORM INTAKE
TYPE SW-401 STORM MANHOLE
TYPE SW-402 STORM MANHOLE
TYPE SW-301 SANITARY MANHOLE
STORM/SANITARY CLEANOUT
WATER VALVE
FIRE HYDRANT ASSEMBLY
SANITARY SEWER WITH SIZE
STORM SEWER
WATERMAIN WITH SIZE

EXISTING

- SANITARY MANHOLE
WATER VALVE BOX
FIRE HYDRANT
WATER CURB STOP
STORM SEWER MANHOLE
STORM SEWER SINGLE INTAKE
STORM SEWER DOUBLE INTAKE
FLARED END SECTION
DECIDUOUS TREE
CONIFEROUS TREE
ELECTRIC POWER POLE
STREET LIGHT
POWER POLE W/ TRANSFORMER
UTILITY POLE W/ LIGHT
ELECTRIC BOX
ELECTRIC TRANSFORMER
TELEPHONE JUNCTION BOX
UNDERGROUND TELEPHONE
UNDERGROUND ELECTRIC
SANITARY SEWER W/ SIZE
STORM SEWER W/ SIZE
WATER MAIN W/ SIZE

SCALE
0' 75' 150' 300'

BULK REGULATIONS

LOTS 1 - 178
SINGLE FAMILY DETACHED LOTS

PERMITTED USES - PRINCIPAL: ONE-STORY, TWO-STORY, AND ONE AND ONE-HALF STORY HOMES.

SETBACKS

FRONT YARD = 30 FT
REAR YARD = 30 FT PRINCIPAL STRUCTURE
= 5 FT ACCESSORY BUILDING
SIDE YARD = 5 FT PRINCIPAL STRUCTURE
= 3 FT ACCESSORY BUILDING

SIDE YARD (65'-WIDE LOTS) = 15 FT TOTAL, WITH 7' MIN. ON ONE SIDE
WHEN TWO-STORY, 5' MIN. ON ONE SIDE WHEN ONE-STORY OR ONE AND ONE-HALF STORY.

UNCOVERED DECKS MAY ENCROACH INTO THE REAR SETBACK UP TO 10 FT FROM REAR PROPERTY LINE. COVERED DECKS MUST MEET REAR YARD SETBACK.

MIN. LOT AREA = 5,000 SF
THE SAME HOME ELEVATION CANNOT BE BUILT ON ADJACENT LOTS.

MINIMUM FLOOR AREA

RANCH = 950 SF
TWO STORY = 1,000 SF OF LIVABLE SPACE
SPLIT LEVEL = 875 SF ON TWO ADJACENT LEVELS
SPLIT FOYER = 850 SF ON THE MAIN FLOOR

OUTLOT W

MULTI-FAMILY: TOWNHOMES OR APARTMENTS

TOWNHOMES (MAX. 12 DU/AC.):

SETBACKS

FRONT YARD = 25 FT
REAR YARD = 25 FT
UNCOVERED DECKS MAY ENCROACH INTO THE REAR SETBACK UP TO 10 FT FROM REAR PROPERTY LINE. COVERED DECKS MUST MEET REAR YARD SETBACK.
MIN. DISTANCE BETWEEN BUILDINGS = 10 FT
MAXIMUM HEIGHT = 45 FT
TWO PARKING STALLS SHALL BE PROVIDED FOR EACH UNIT.

APARTMENTS (MAX. 20 DU/AC.):

SETBACKS

FRONT YARD = 30 FT
REAR YARD = 35 FT PRINCIPAL STRUCTURE
= 5 FT ACCESSORY BUILDING
SIDE YARD = 10 FT PRINCIPAL STRUCTURE
= 3 FT ACCESSORY BUILDING
UNCOVERED DECKS MAY ENCROACH INTO THE REAR SETBACK UP TO 10 FT FROM REAR PROPERTY LINE. COVERED DECKS MUST MEET REAR YARD SETBACK.
MIN. DISTANCE BETWEEN BUILDINGS = 15 FT
MAXIMUM HEIGHT = 45 FT
1.5 PARKING STALLS SHALL BE PROVIDED FOR EACH 1 BEDROOM UNIT, AND 2 PARKING STALLS FOR EACH 2 BEDROOM OR LARGER UNIT.

OUTLOT T & U

COMMERCIAL OR MULTI-FAMILY

MULTI-FAMILY:

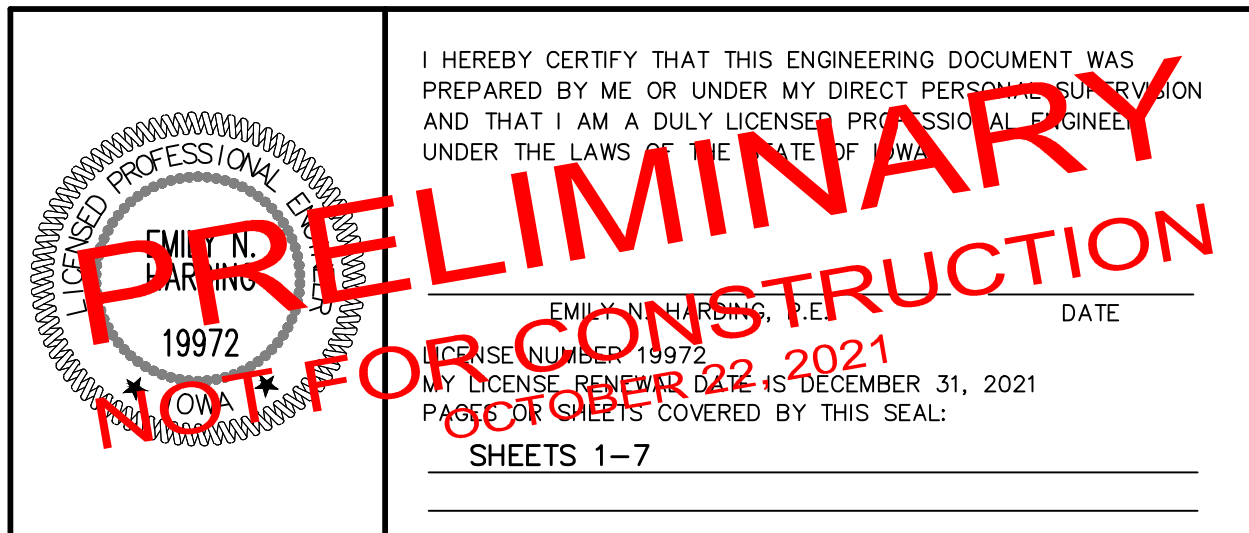
OUTLOT W BULK REGULATIONS SHALL ALSO APPLY.

COMMERCIAL:

SETBACKS

FRONT YARD = 30 FT
REAR YARD = 25 FT PRINCIPAL STRUCTURE
= 5 FT ACCESSORY BUILDING
SIDE YARD SETBACKS SHALL BE NONE EXCEPT WHEN ADJACENT TO RESIDENTIAL DISTRICT THEN A 10' BUFFER WITH 6' OPAQUE FENCE.

THE MAXIMUM HEIGHT OF THE PRINCIPAL BUILDING SHALL BE 55 FEET.
THE MAXIMUM NUMBER OF STORIES SHALL BE 2 STORIES.
THE MINIMUM AMOUNT OF OPEN SPACE SHALL BE 10%.
GENERAL COMMERCIAL (C-2) DISTRICT USES ARE ALLOWED.



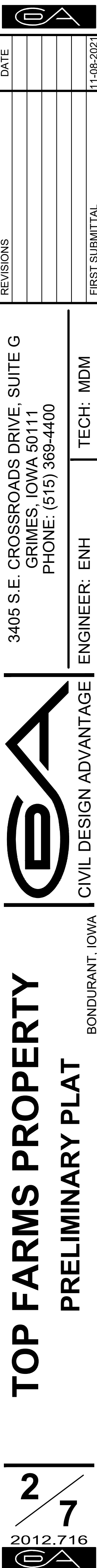
3405 S.E. CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PHONE: (515) 369-4400

ENGINEER: ENH

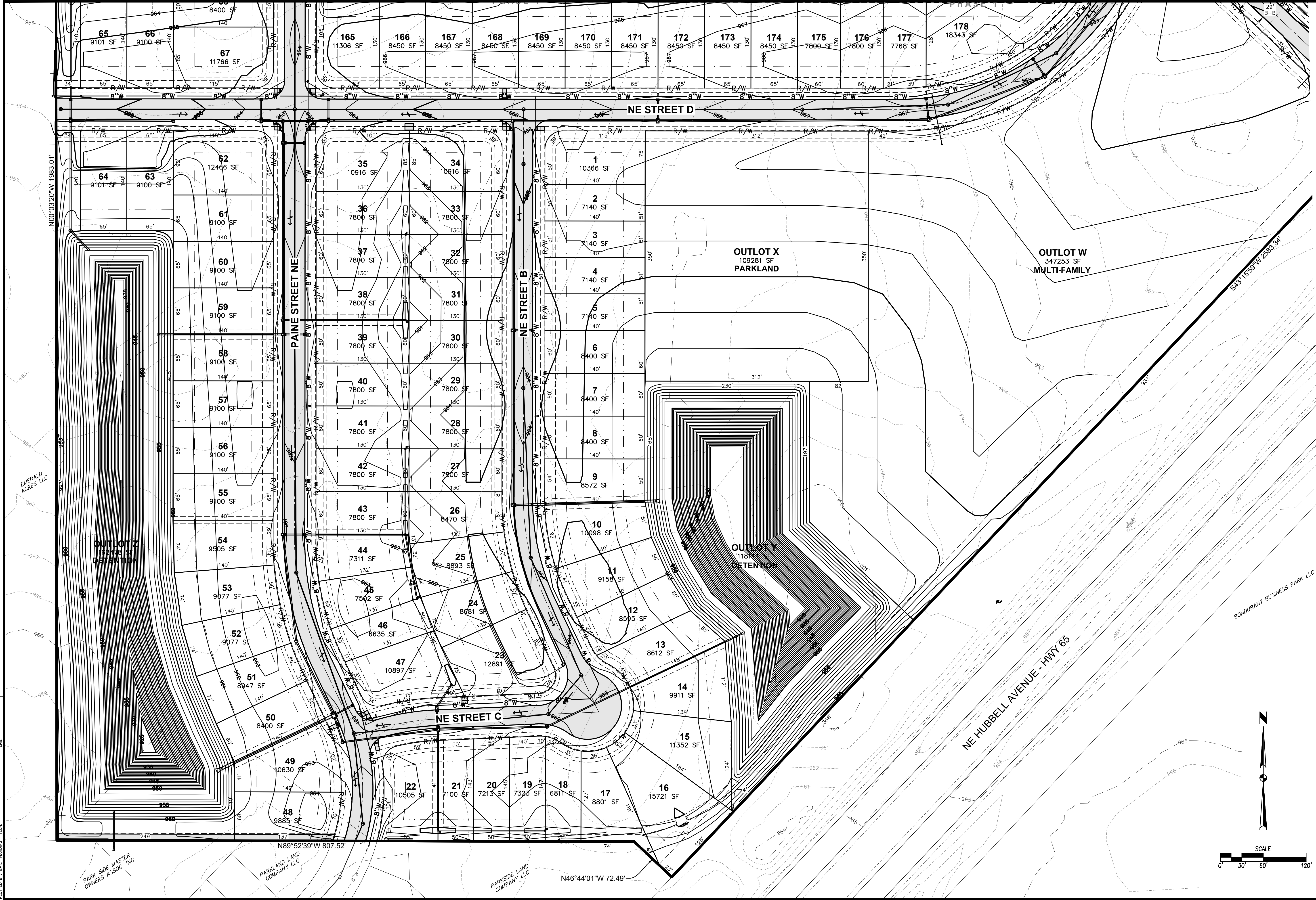
TECH: MDM

TOP FARMS PROPERTY
PRELIMINARY PLAT

1/7
2012.716



FILE: H:\2020\201216 UMC\201216-PRELIMINARY PLAT.DWG
DATE PLOTTED: 11/8/2021 10:51 AM
PLOTTER: HP PLOTTER
DRAWN BY: ENH
CHECKED BY: ENH



57

2012.716

TOP FARMS PROPERTY

PRELIMINARY PLAT

BONDURANT, IOWA

CIVIL DESIGN ADVANTAGE

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

ENGINEER: ENH
TECH: MDM

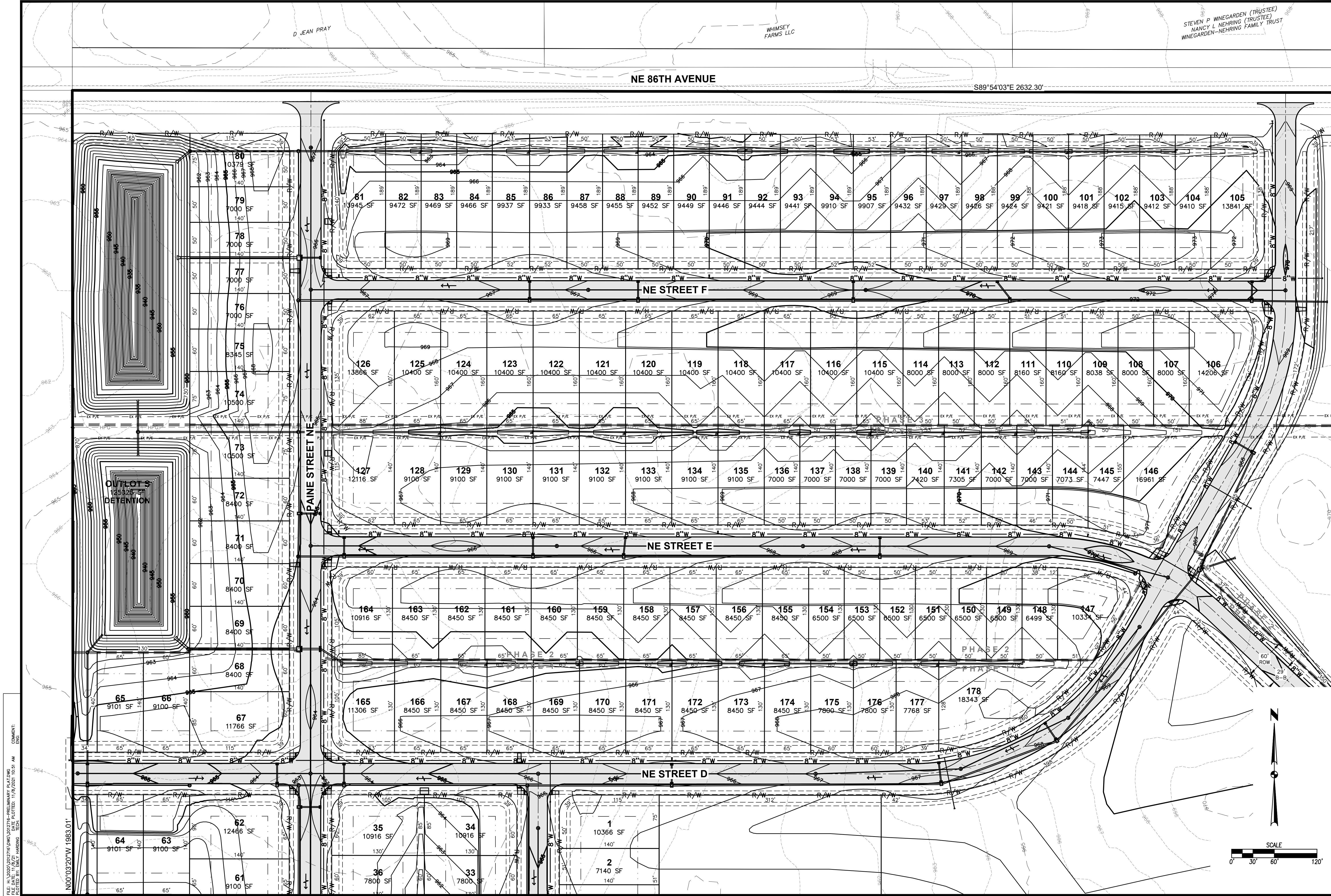
REVISIONS

DATE

11-08-2021

Page 36 of 39

FILE: H:\2020\201216 UMC\201216-PRELIMINARY PLATINGS
DRAWN BY: J. H. HARDING
CHECKED BY: J. H. HARDING
DATE: 11/8/2021 10:51 AM



DATE

11-08-2021

REVISIONS

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

TECH: MDM

ENGINEER: ENH

BONDURANT, IOWA

6

7

2012.716

TOP FARMS PROPERTY

PRELIMINARY PLAT

CA

CIVIL DESIGN ADVANTAGE

STEVEN P. WINEGARDEN (TRUSTEE)
NANCY L. NEHRING (TRUSTEE)
WINEGARDEN-NEHRING FAMILY TRUST





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

Item No. 8.e.
For Meeting of 12/9/2021
Reports and Comments

TITLE: City Council Liaison

CONTACT PERSON:

BRIEF HISTORY & ANALYSIS:

FUNDING SOURCE:

STAFF RECOMMENDATION:

APPROVED FOR SUBMITTAL:

ATTACHMENTS: None