

**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/81609886504>*

**NOTICE OF A REGULAR MEETING
BONDURANT PLANNING AND ZONING COMMISSION
JANUARY 27, 2022**

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 PM on January 27, 2022, 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. January 13, 2022
5. Guests requesting to address the Planning and Zoning Commission
6. Action Items
 - a. RESOLUTION NO. PZ-220127-04: Considering recommended approval of the Black Oak Farm Plat 1 Preliminary Plat (Polk County), Amended
 - b. PUBLIC HEARING - Request for rezoning from Medium Residential (R-2) to Planned Unit Development (R-5) at 8383 NE 72nd Street and Future Land Use Map Amendment from Single-Family to Commercial and Multi-Family in areas shown in the PUD Conceptual Plan
 - c. RESOLUTION NO. PZ-220127-05: Considering recommended approval of Request of Rezoning from Medium Residential (R-2) to Planned Unit Development (R-5) at 8383 NE 72nd Street and recommended approval of the Future Land Use Map update from Single-Family to Commercial and Multi-Family in the areas shown in the PUD conceptual plan
7. Discussion Items -
8. Reports / Comments and appropriate action thereon:
 - a. Mayor
 - b. Council Members
 - c. Administrator
 - d. Directors
 - e. City Council Liaison
9. Adjournment

CITY OF BONDURANT

Planning and Zoning Commission
200 2nd St NE, PO Box 37
Bondurant, IA 50035



Meeting Minutes

DATE: January 13, 2022

Torey Cuellar, Chair
Karen Keeran, Co-Chair

1. Call to Order 6:03pm

Place Bondurant City Hall (200 2nd St NE, PO Box 37)

Special Note: Due to concerns of the COVID-19 virus and social distancing recommendations, access to the meeting was also provided through a virtual meeting

2. Roll Call

Members Present: Brian Clayton, Lisa Cameron, Torey Cuellar, Karen Keeran, Andy Mains, Wes Hoyer, Kristin Brostrom

Members Absent: None

City Official Present: Planning and Community Development Director, Maggie Murray
Associate Planner, Emily Rizvic
Marketa Oliver, City Administrator
Doug Elrod, Mayor of Bondurant
Matt Sillanpaa, City Council Liaison

3. Perfecting and Approval of the Agenda

Motion by Commission Member Mains, seconded by Commission Member Clayton to approve of January 13, 2022, meeting agenda. Vote on Motion 7-0-0. Motion carried.

4. Approval of Minutes

Motion by Commission Member Mains, seconded by Commission Member Clayton to approve of the December 9, 2021 meeting minutes. Vote on Motion 7-0-0. Motion carried.

5. Guests requesting to address the Planning and Zoning Commission

None

6. Action Items

a. 2022 Annual Election of Officers

Motion by Commission Member Clayton, seconded by Commission Member Mains to elect Cuellar as Chair and Keeran as Vice Chair. Vote on Motion 7-0-0. Motion carried.

b. 2021 P&Z Annual Report

Director Murray presented the 2021 P&Z Annual Report. Member Keeran and Cuellar indicated that the report looked good. No formal motion is needed for this item.

c. 2022 Planning & Zoning Commission Meeting Dates

Director Murray presented the 2022 Planning and Zoning meeting dates. No formal motion is needed for this item. Member Brostrom asked if the meetings are consistent with past meeting dates. Director Murray said that they were but highlighted that there will be a joint meeting regarding the comprehensive plan on January 31st at 6:00PM. No formal motion is needed for this item.

d. RESOLUTION NO. PZ-220113-01: Considering recommended approval of the Knuth 100% voluntary annexation request within the 2-mile urbanized area of another city (Altoona).

Director Murray presented the annexation request. This area is a spot that the city is looking at to establish the city campus. When land is proposed for an annexation request, it is automatically pulled into A-1 Agricultural Zoning until a rezoning request is submitted and approved. Member Keeran inquired about why the street is not included. Director Murray explained that state code requires it.

Motion by Commission Member Mains, seconded by Commission Member Brostrom, for recommended approval of Resolution No. PZ-220113-01 *"Considering recommended approval of the Knuth 100% voluntary annexation request within the 2-mile urbanized area of another city (Altoona)"*.

Roll Call – Ayes: Commission Member Cuellar, Commission Member Keeran, Commission Member Mains, Commission Member Hoyer, Commission Member Brostrom, Commission Member Cameron. Commission Member Clayton. Vote on Motion 7-0-0. Motion carried.

e. RESOLUTION NO. PZ-220113-02: Considering recommended approval of the site plan for 2510 Robinson Avenue NE

Wally Pelds presented the development that was proposed for the industrial park. Wally explained that another industrial park they worked on was full and that there was a need for a second one. Member Keeran asked what lot 1 and 3 adjacent to the subject property were. They currently do not have any development. Member Clayton inquired about the façade of the building. Director Murray answered that they will be the same and that it is compliant with code requirements. Member Keeran asked about the garage color and treating it so that it looks similar to the façade. Wally said that they would not have a problem with ordering the same color for the garage doors as the exterior walls.

Motion by Commission Member Mains, seconded by Commission Member Hoyer, for recommended approval of Resolution No. PZ-220113-02 *"Considering recommended approval of the site plan for 2510 Robinson Avenue NE"*.

Roll Call – Ayes: Commission Member Cuellar, Commission Member Keeran, Commission Member Mains, Commission Member Hoyer, Commission Member Brostrom, Commission Member Cameron. Commission Member Clayton. Vote on Motion 7-0-0. Motion carried.

f. RESOLUTION NO. PZ-220113-03: Considering recommended approval of the Everett Mauch Estate Preliminary Plat, a subdivision in unincorporated Polk County within two miles of Bondurant's city limits.

Director Murray presented the request. She noted that lots A and B will be dedicated to Polk County for street maintenance. Currently, Polk County has zoning authority on the parcel(s) but according to the future land use map, the request is consistent with future planning.

Motion by Commission Member Mains, seconded by Commission Member Hoyer, for recommended approval of Resolution No. PZ-220113-03 *“Considering recommended approval of the Everett Mauch Estate Preliminary Plat, a subdivision in unincorporated Polk County within two miles of Bondurant’s city limits”*.

Roll Call – Ayes: Commission Member Cuellar, Commission Member Keeran, Commission Member Mains, Commission Member Hoyer, Commission Member Brostrom, Commission Member Cameron. Commission Member Clayton. Vote on Motion 7-0-0. Motion carried.

7. Discussion Items

None

8. Reports / Comments and appropriate action thereon

a. Commission Members

Wes Hoyer – Thankful for the opportunity to be on the commission

Kristin Brostrom – Welcomed new staff/members

Andy Mains – Welcomed new staff/members

Brian Clayton – None

Karen Keeran - None

Lisa Cameron - None

b. Commission Chair – None

c. Planning & Community Development Director

There is a Central Park survey that is available on the city website. Maggie will follow up with a reminder about the joint meeting on January 31st, 2022 at 6:00PM about the comprehensive plan update.

d. City Administrator –

Will be bringing in the future plats for downtown locations. They are looking at establishing larger lots.

e. City Council Liaison –

Matt expressed that he is excited to be here; Doug said he is looking forward to the meeting in January.

7. Adjournment

Motion by Commission Member Mains, seconded by Commission Member Clayton to adjourn the January 13, 2022, meeting. Vote on Motion.

Roll Call – Ayes: Commission Member Cuellar, Commission Member Keeran, Commission Member Mains, Commission Member Hoyer, Commission Member Brostrom, Commission Member Cameron. Commission Member Clayton. Vote on Motion 7-0-0. Motion carried.

Meeting adjourned at 6:34PM

The owner chose to make some minor changes. This amended preliminary plat is being brought back to the Commission for their review prior to City Council's consideration. Below is a summary by Snyder & Associates of the proposed minor edits:

On behalf of Sherri Tracy (Owner), please find a revised Preliminary Plat for the above referenced project. The Preliminary Plat for Black Oak Farm Plat 1 was originally approved in August of 2021 by the City of Bondurant. However, the owner would like to revise the location of the proposed property lines for Lot 1, Lot 2 and Lot 4. Therefore, I have resubmitted the Preliminary Plat for your review and approval. Due to this revision, we will be resubmitting to Polk County a revised Preliminary Plat for their review and approval.

Since this land is located within 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 Map as part of the 2012 Comprehensive Plan did not extend out to this area proposed for splitting.

The July 2021 P&Z recommendation resolution included a Subdivision Code clarification item as requested by the City Engineer that the NE 88th Street right-of-way be updated to show a 40'-wide half right-of-way (previous version showed 1/2 at 33'-wide). This item has been addressed with the attached updated preliminary plat.

The attached P&Z recommendation resolution still includes the following language:

1. That approval of the preliminary plat includes waiver of Section 180.05.2 of the Subdivision Code relative to maximum block length requirements along NE 100th Avenue.

FUNDING SOURCE: N/A

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

1. Recommended approval of Resolution No. PZ-220127-04.
2. Recommended approval of Resolution No. PZ-220127-04, subject to Subdivision Code clarification items.
3. Recommended denial of Resolution No. PZ-220127-04.
4. Table pending additional info/feedback.

Staff recommends approval of the attached PZ-220127-04, recommending approval of the Black Oak Farms Plat 1 Preliminary Plat subject to the following Subdivision Code clarification item:

1. That approval of the preliminary plat includes waiver of Section 180.05.2 of the Subdivision Code relative to maximum block length requirements along NE 100th Avenue.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. RESOLUTION NO. PZ-220127-04
2. Current Amended Black Oak Farm Plat 1 Preliminary Plat
3. OLD Black Oak Farm Plat 1 Preliminary Plat - Received 07012021

PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ-220127-04

RESOLUTION REGARDING RECOMMENDED APPROVAL OF THE BLACK OAK
FARM PLAT 1 PRELIMINARY PLAT (UNINCORPORATED POLK COUNTY),
AMENDED

WHEREAS, Snyder & Associates submitted the Black Oak Farm Plat 1 Preliminary Plat described as follows; AND

WARRANTY DEED BOOK 8521 PAGE 721

PARCEL "B", ON PLAT OF SURVEY FILED DECEMBER 29, 1999 IN BOOK 8400, PAGE 889 IN THE POLK COUNTY RECORDER'S OFFICE, DESCRIBED AS:

ALL THAT PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 16, TOWNSHIP 80 NORTH (T80N), RANGE 22 WEST (R22W) OF THE 5TH P.M., POLK COUNTY, IOWA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 16, TOWNSHIP 80 NORTH (T80N), RANGE 22 WEST (R22W) OF THE 5TH P.M., POLK COUNTY, IOWA; THENCE NORTH 00°00' EAST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16, A DISTANCE OF 1018.01 FEET; THENCE SOUTH 89°19' EAST, A DISTANCE OF 33.00 FEET; THENCE SOUTH 79°43' EAST, A DISTANCE OF 165.00 FEET; THENCE SOUTH 36°48' EAST, A DISTANCE OF 113.00 FEET; THENCE SOUTH 68°04' EAST, A DISTANCE OF 47.00 FEET; THENCE SOUTH 81°46' EAST, A DISTANCE OF 75.00 FEET; THENCE NORTH 17°49' EAST, A DISTANCE OF 213.00 FEET; THENCE NORTH 88°43' EAST, A DISTANCE OF 75.00 FEET; THENCE NORTH 73°33' EAST, A DISTANCE OF 228.00 FEET; THENCE NORTH 50°56' EAST, A DISTANCE OF 188.95 FEET; THENCE NORTH 00°00' EAST, A DISTANCE OF 45.00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE SOUTH 89°19' EAST, A DISTANCE OF 441.01 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE SOUTH 00°12' WEST, A DISTANCE OF 1315.45 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE NORTH 89°13' WEST, A DISTANCE OF 1322.78 FEET TO THE POINT OF BEGINNING. CONTAINING 34.61 ACRES, MORE OR LESS, INCLUDING 1.74 ACRES, MORE OR LESS, FOR ROAD RIGHT-OF-WAY EASEMENT

AND

PARCEL "C", ON PLAT OF SURVEY FILED DECEMBER 29, 1999 IN BOOK 8400, PAGE 889 IN THE POLK COUNTY RECORDER'S OFFICE, DESCRIBED AS:

ALL THAT PART OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 16, TOWNSHIP 80 NORTH (T80N), RANGE 22 WEST (R22W) OF THE 5TH P.M., POLK COUNTY, IOWA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 16, TOWNSHIP 80 NORTH (T80N), RANGE 22 WEST (R22W) OF THE 5TH P.M., POLK COUNTY, IOWA; THENCE NORTH 00°00' EAST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16, A DISTANCE OF 1018.01 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 00°00' EAST, A DISTANCE OF 295.00 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE SOUTH 89°19' EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16, A DISTANCE OF 886.45 FEET; THENCE SOUTH 00°00' WEST, A DISTANCE OF 45.00 FEET; THENCE SOUTH 50°56' WEST, A DISTANCE OF 188.95 FEET, THENCE SOUTH 73°33' WEST, A DISTANCE OF 228.00 FEET; THENCE SOUTH 88°43' WEST, A DISTANCE OF 75.00 FEET; THENCE SOUTH 17°49' WEST, A DISTANCE OF 213.00 FEET; THENCE NORTH 81°46' WEST, A DISTANCE OF 75.00 FEET; THENCE NORTH 68°04' WEST, A DISTANCE OF 47.00 FEET; THENCE NORTH 36°48' WEST, A DISTANCE OF 113.00 FEET; THENCE NORTH 79°43' WEST, A DISTANCE OF 165.00 FEET; THENCE NORTH 89°19' WEST, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING. CONTAINING 5.37 ACRES, MORE OR LESS, INCLUDING 1.11 ACRES, MORE OF LESS, FOR ROAD RIGHT-OF-WAY EASEMENT.

WHEREAS, the owner is Sherry J. Tracy; AND

WHEREAS, the Black Oak Farm Plat 1 Preliminary Plat area is situated outside of Bondurant's city limits in unincorporated Polk County 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 and Zoning Commission recommends City Council approval of the Black Oak Farm Plat 1 Preliminary Plat, Amended, subject to the following Subdivision Code clarification items:

1. That approval of the preliminary plat includes waiver of Section 180.05.2 of the Subdivision Code relative to maximum block length requirements along NE 100th Avenue.

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 January 27, 2022; 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				
Hoyer				
Brostrom				
Cameron				

Torey Cuellar, Commission Chair

December 29, 2021

Maggie Murray, AICP
Planning & Community Development Director
City of Bondurant
200 2nd Street NE
Bondurant, Iowa 50035

RE: BLACK OAK FARM PLAT 1
POLK COUNTY, IOWA
S&A PROJECT NO. 121.0424

Dear Ms. Murray:

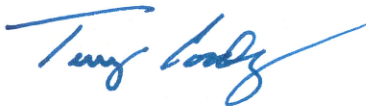
On behalf of Sherri Tracy (Owner), please find a revised Preliminary Plat for the above referenced project. The Preliminary Plat for Black Oak Farm Plat 1 was originally approved in August of 2021 by the City of Bondurant. However, the owner would like to revise the location of the proposed property lines for Lot 1, Lot 2 and Lot 4. Therefore, I have resubmitted the Preliminary Plat for your review and approval. Due to this revision, we will be resubmitting to Polk County a revised Preliminary Plat for their review and approval.

Submittal materials are as follows:

1. 4 – Revised Preliminary Plats.

We respectfully request the City's review. Should you have any questions on this matter, or require additional information, please contact me at 964-2020.

Sincerely,
SNYDER & ASSOCIATES, INC.



Terry Coady, PLS
Enclosure

cc: Sherri Tracy, Owner
Chris Meeks, Polk County Planning Division
File

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(CLUSTER DEVELOPMENT OPTION)
MIN. LOT AREA = 30,000 S.F.
MIN. LOT WIDTH = 115 FT
FRONT YARD SETBACK = 30'
REAR YARD SETBACK = 30'
SIDE YARD SETBACK = 15'
MAX BUILDING HEIGHT = 35 FT
MAX BUILDING COVERAGE = 22%

SHERRI J. TRACY
9849 NE 88TH ST
BONDURANT, IA 50035
PHONE: 515-202-2040

9849 NE 88TH ST
BONDURANT, IA 50035

8801 NE 100TH AVE
BONDURANT, IA 50035

ER - ESTATE RESIDENTIAL
(CLUSTER DEVELOPMENT OPTION)

GROSS AREA = 39.97 AC.
RIGHT OF WAY = 3.05
BASE SITE = 36.92 AC.
NATURAL RESOURCES
POND = 1.08 AC.
REQUIRED OPEN SPACE = 24.00 AC.
NET BUILDABLE = 12.92 AC.
MAX DENSITY = 14 LOTS

04-26-2021

THE WEST LINE OF THE SW1/4 OF
THE NW1/4 OF SECTION 16-80-22
WAS ASSUMED TO BEAR NORTH 0°
26'16" WEST.

THE PROPERTY SHOWN IS
LOCATED WITHIN AN AREA
HAVING ZONE DESIGNATIONS
OF "X" - (NO SHADING)
AREA MINIMAL FLOOD
HAZARD AS SHOWN ON
FLOOD INSURANCE RATE
MAP COMMUNITY PANEL
NUMBER 19153C0235F WITH
EFFECTIVE DATE OF
FEBRUARY 01, 2019.



1. SOURCE OF WATER SUPPLY - DES MOINES WATER WORKS.
2. STREET LIGHTS AND SIDEWALKS WILL BE THE RESPONSIBILITY OF THE LOT OWNERS IF ANNEXED INTO THE CITY OF BONDURANT.
3. POST DEVELOPMENT RUNOFF WILL NOT ADVERSELY AFFECT DOWNSTREAM DRAINAGE FACILITIES OR PROPERTY OWNERS.
4. ALL SERVICES TO UTILITIES LOCATED ON THE OPPOSITE SIDE OF THE ROADWAY MUST BE BORED UNDER THE ROADWAY AT LOT OWNER'S EXPENSE.
5. ANY SUBSURFACE DRAINAGE FACILITIES THAT ARE DISTURBED MUST BE RESTORED OR REROUTED BY THE PROPERTY OWNER.
6. MAILBOXES WITHIN THE ROAD RIGHT-OF-WAY ARE TO BE OF BREAKAWAY DESIGN.
7. MAINTENANCE OF ALL DRAINAGE AND STREAM BUFFER EASEMENTS TO BE THE RESPONSIBILITY OF THE PROPERTY OWNER.
8. CULVERTS TO BE USED FOR CROSSING DRAINAGE EASEMENTS MUST BE DESIGNED BY A LICENSED PROFESSIONAL ENGINEER.
9. ANY NEW ENTRANCES OR MODIFICATIONS TO EXISTING ENTRANCES WILL REQUIRE A POLK COUNTY ENTRANCE PERMIT.
10. ANY WORK IN THE RIGHT-OF-WAY OTHER THAN FOR AN ENTRANCE SHALL REQUIRE A POLK COUNTY ROW GRANT PERMIT.
11. SEWAGE DISPOSAL WILL BE VIA ON-SITE SEPTIC SYSTEMS TO BE DESIGNED BY A PROFESSIONAL ENGINEER. ALTERNATIVE SYSTEMS MAY BE REQUIRED DUE TO SOIL TYPES, LIMITATIONS AND DISTURBANCE.

1. THE ENTIRE FRONTAGES OF LOTS 2 & 3 OF BLACK OAK FARM PLAT 1 MEET STOPPING SIGHT DISTANCE CRITERIA FOR A DESIGN SPEED OF 45 M.P.H.

STREAMS - BUFFER REQUIREMENTS

1. SEPTIC TANKS AND SEPTIC TANK DRAIN FIELDS ARE PROHIBITED WITHIN THE UNDISTURBED BUTTER AREA.
2. AN ADDITIONAL 25-FOOT SETBACK SHALL BE MAINTAINED ADJACENT TO THE UNDISTURBED BUFFER IN WHICH ALL IMPERVIOUS SURFACES SHALL BE PROHIBITED. STORM WATER RETENTION OR DETENTION FACILITIES ARE PERMITTED WITHIN THIS SETBACK BUT PROHIBITED WITHIN THE STREAM CHANNEL.
3. WITHIN THESE WATERSHEDS, NEW HAZARDOUS WASTE TREATMENT OR DISPOSAL FACILITIES ARE PROHIBITED.

WARRANTY DEED BOOK 8521 PAGE 721

PARCEL "B", ON PLAT OF SURVEY FILED DECEMBER 29, 1999 IN BOOK 8400, PAGE 889 IN THE POLK COUNTY RECORDER'S OFFICE. DESCRIBED AS:

ALL THAT PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 16, TOWNSHIP 80 NORTH (T80N), RANGE 22 WEST (R22W) OF THE 5TH P.M., POLK COUNTY IOWA, DESCRIBED AS FOLLOWS:

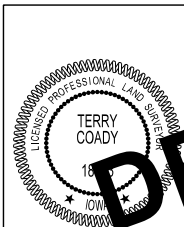
BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 16, TOWNSHIP 80 NORTH (T80N), RANGE 22 WEST (R22W) OF THE 5TH P.M., POLK COUNTY, IOWA; THENCE NORTH 00°00' EAST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16, A DISTANCE OF 1018.01 FEET; THENCE SOUTH 89°19' EAST, A DISTANCE OF 33.00 FEET; THENCE SOUTH 79°43' EAST, A DISTANCE OF 165.00 FEET; THENCE SOUTH 36°48' EAST, A DISTANCE OF 113.00 FEET; THENCE SOUTH 68°00' EAST, A DISTANCE OF 113.00 FEET; THENCE NORTH 55°00' EAST, A DISTANCE OF 75.00 FEET; THENCE NORTH 55°00' EAST, A DISTANCE OF 213.00 FEET; THENCE NORTH 88°43' EAST, A DISTANCE OF 75.00 FEET; THENCE NORTH 73°53' EAST, A DISTANCE OF 228.00 FEET; THENCE NORTH 50°56' EAST, A DISTANCE OF 188.95 FEET; THENCE NORTH 00°00' EAST, A DISTANCE OF 45.00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE SOUTH 89°19' EAST, A DISTANCE OF 441.0 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE SOUTH 00°00' WEST, A DISTANCE OF 131.0 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE NORTH 89°13' WEST, A DISTANCE OF 132.78 FEET TO THE POINT OF BEGINNING, CONTAINING 34.6 ACRES, MORE OR LESS, INCLUDING 1.74 ACRES, MORE OR LESS, FOR ROAD RIGHT-OF-WAY EASEMENT

AND

PARCEL "C", ON PLAT OF SURVEY FILED DECEMBER 29, 1999 IN BOOK 8400, PAGE 889 IN THE POLK COUNTY RECORDER'S OFFICE, DESCRIBED AS:

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COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST CORNER (NW1/4) OF SECTION 16, TOWNSHIP 80 NORTH (T80N), RANGE 22 WEST (R22W) OF THE 5TH P.M., POLK COUNTY, IOWA; THENCE NORTH 00°00' EAST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16, A DISTANCE OF 1018.01 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 00°00' EAST, A DISTANCE OF 295.00 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE SOUTH 89°19' EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16, A DISTANCE OF 886.45 FEET; THENCE SOUTH 00°00' WEST, A DISTANCE OF 45.00 FEET; THENCE SOUTH 50°56' WEST, A DISTANCE OF 188.95 FEET, THENCE SOUTH 73°33' WEST, A DISTANCE OF 228.00 FEET; THENCE SOUTH 88°43' WEST, A DISTANCE OF 75.00 FEET; THENCE SOUTH 12°13' WEST, A DISTANCE OF 21.00 FEET; THENCE EAST 88°12' WEST, A DISTANCE OF 55.00 FEET; THENCE NORTH 68°00' WEST, A DISTANCE OF 113.00 FEET; THENCE NORTH 36°48' WEST, A DISTANCE OF 113.00 FEET; THENCE NORTH 79°43' WEST, A DISTANCE OF 165.00 FEET; THENCE NORTH 89°19' WEST, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING. CONTAINING 5.37 ACRES, MORE OR LESS, INCLUDING 1.11 ACRES, MORE OR LESS, FOR ROAD RIGHT-OF-WAY EASEMENT.



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

Pages or sheets covered by this seal:
Sheets 1 & 2 of 2

"MINOR" PRELIMINARY PLAT

POLK COUNTY, IOWA

2727 S.W. SNYDER BLVD.
ANKENY, IOWA 50023
515-964-2020 | www.snyder-associates.com



SNYDER
& ASSOCIATES

Project No: 1210424

Sheet 1 of 2

000120435

12/29/2021
1:13:09 PM

tlcoady.
M:\Proj



June 1, 2021

Marketa Oliver
City of Bondurant
200 2nd Street NE
Bondurant, Iowa 50035

RE: BLACK OAK FARM PLAT 1
POLK COUNTY, IOWA
S&A PROJECT NO. 121.0424

On behalf of Sherri Tracy, please find the Preliminary Plat for the above referenced project. This Subdivision Plat lies within 2 miles of the existing city limits of Bondurant and is generally located at the southeast corner of NE 88th Street and NE 100th Avenue. This property contains two existing homesteads that are locally known as 8801 NE 100th Avenue and 9849 NE 88th Street, Bondurant, Iowa. The proposed development being propose is for creating a lot for the existing homesteads with two additional lots.

As per Iowa Code 354.9 cities who have adopted an ordinance referring to this section are allowed to review subdivision plats or plats of surveys within two miles of the city boundaries. This Preliminary Plat drawing was prepared in conformance with the standards as required within the Polk County Zoning Ordinance for review and approval. Polk County Planning Division is currently in the process of reviewing this Preliminary Plat.

Submittal materials are as follows:

1. 4 Copies Preliminary Plat.

We respectfully request the City's review and approval of the documents as presented. Should you have any questions on this matter, or require additional information, please contact me at 964-2020.

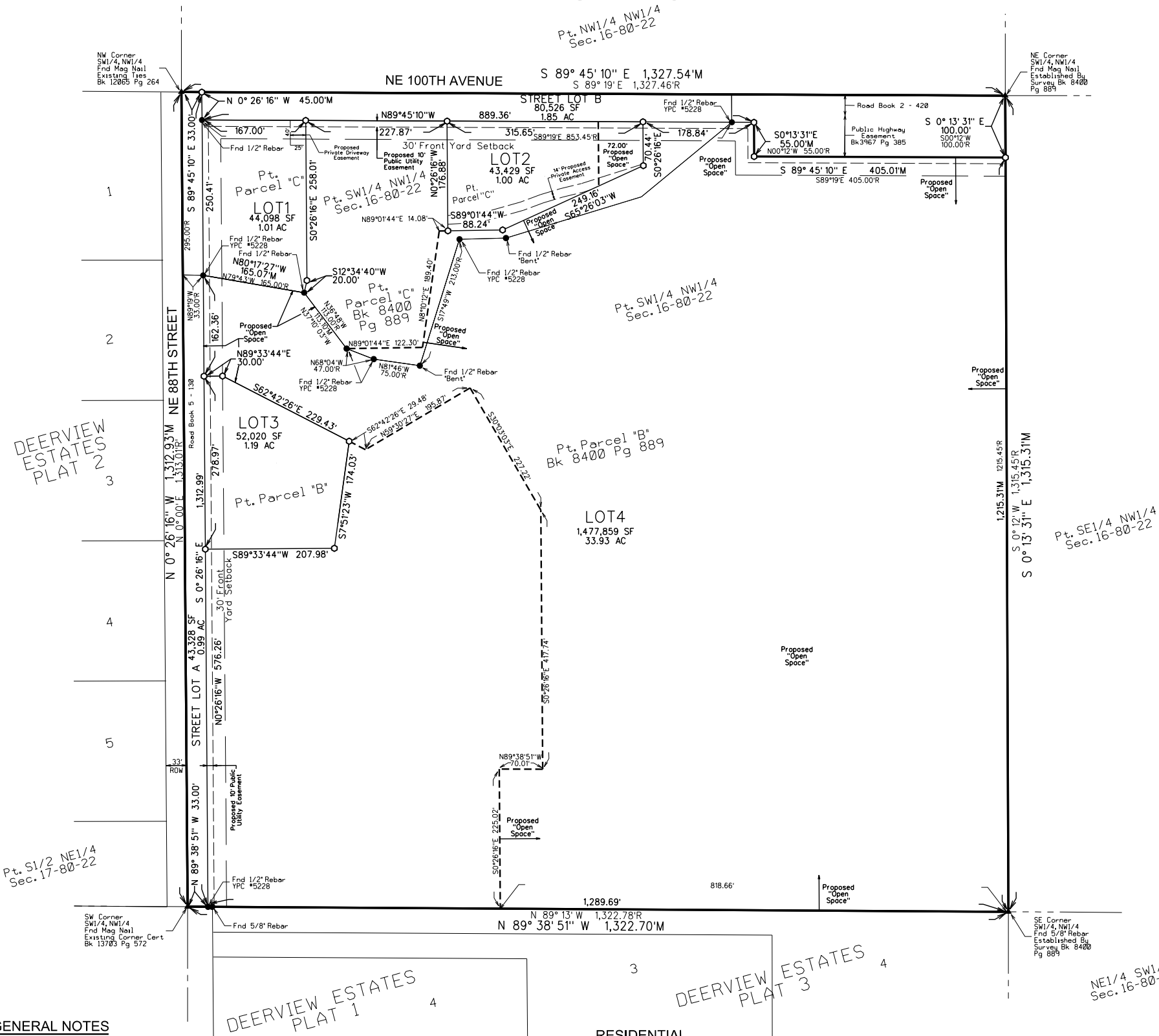
Sincerely,
SNYDER & ASSOCIATES, INC.

A handwritten signature in blue ink, appearing to read 'Terry Coady', is written over a horizontal line.

Terry Coady, PLS
Enclosure

cc: Sherri Tracy, Owner
Brian McDonough, Polk County Planning Division
File

BLACK OAK FARM PLAT 1



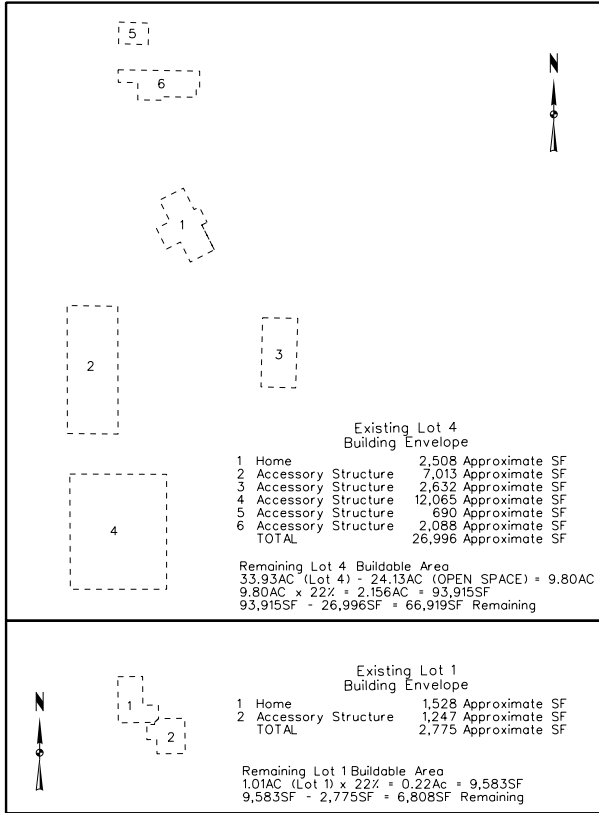
PLAT DESCRIPTION

WARRANTY DEED BOOK 8521 PAGE 721

PARCEL "B", ON PLAT OF SURVEY FILED DECEMBER 29, 1999 IN BOOK 8400, PAGE 889 IN THE POLK COUNTY RECORDER'S OFFICE, DESCRIBED AS:

ALL THAT PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 16, TOWNSHIP 80 NORTH (T80N), RANGE 22 WEST (R22W) OF THE 5TH P.M., POLK COUNTY, IOWA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 16, TOWNSHIP 80 NORTH (T80N), RANGE 22 WEST (R22W) OF THE 5TH P.M., POLK COUNTY, IOWA; THENCE NORTH 00°00' EAST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16, A DISTANCE OF 1018.01 FEET; THENCE SOUTH 89°19' EAST, A DISTANCE OF 33.00 FEET; THENCE SOUTH 79°43' EAST, A DISTANCE OF 165.00 FEET; THENCE SOUTH 36°48' EAST, A DISTANCE OF 113.00 FEET; THENCE SOUTH 68°04' EAST, A DISTANCE OF 47.00 FEET; THENCE SOUTH 81°46' EAST, A DISTANCE OF 75.00 FEET; THENCE NORTH 17°49' EAST, A DISTANCE OF 213.00 FEET; THENCE NORTH 88°43' EAST, A DISTANCE OF 75.00 FEET; THENCE NORTH 73°33' EAST, A DISTANCE OF 228.00 FEET; THENCE NORTH 50°56' EAST, A DISTANCE OF 188.95 FEET; THENCE NORTH 00°00' EAST, A DISTANCE OF 45.00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE SOUTH 89°19' EAST, A DISTANCE OF 441.01 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE SOUTH 00°12' WEST, A DISTANCE OF 1315.45 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE NORTH 89°13' WEST, A DISTANCE OF 1322.78 FEET TO THE POINT OF BEGINNING, CONTAINING 34.61 ACRES, MORE OR LESS, INCLUDING 1.74 ACRES, MORE OR LESS, FOR ROAD RIGHT-OF-WAY EASEMENT.



LEGEND

Survey

Section Corner
1/2" Rebar, Yellow Plastic Cap #18643
(Unless Otherwise Noted)
ROW Marker
ROW Rail
Control Point
Bench Mark
Plotted Distance
Measured Bearing & Distance
Recorded As
Deed Distance
Calculated Distance
Yellow Plastic Cap
Centerline
Section Line
1/4 Section Line
1/4 Section Line
Easement Line

Found

Section Corner
1/2" Rebar, Yellow Plastic Cap #18643
(Unless Otherwise Noted)
ROW Marker
ROW Rail
Control Point
Bench Mark
Plotted Distance
Measured Bearing & Distance
Recorded As
Deed Distance
Calculated Distance
Yellow Plastic Cap
Centerline
Section Line
1/4 Section Line
1/4 Section Line
Easement Line

Set

Section Corner
1/2" Rebar, Yellow Plastic Cap #18643
(Unless Otherwise Noted)
ROW Marker
ROW Rail
Control Point
Bench Mark
Plotted Distance
Measured Bearing & Distance
Recorded As
Deed Distance
Calculated Distance
Yellow Plastic Cap
Centerline
Section Line
1/4 Section Line
1/4 Section Line
Easement Line

FLOOD ZONE

THE PROPERTY SHOWN IS LOCATED WITHIN AN AREAS HAVING ZONE DESIGNATIONS OF "X" - (NO SHADING) AREA MINIMAL FLOOD HAZARD AS SHOWN ON FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 19153C0235F WITH EFFECTIVE DATE OF FEBRUARY 01, 2019.



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

Terry J. Tracy
License Number 18643
My License Renewal Date Is December 31, 2021
Pages or sheets covered by this seal:
Sheets 1 & 2 of 2

POLK COUNTY GENERAL NOTES

- SOURCE OF WATER SUPPLY - DES MOINES WATER WORKS.
- STREET LIGHTS AND SIDEWALKS WILL BE THE RESPONSIBILITY OF THE LOT OWNERS IF ANNEXED INTO THE CITY OF ANKENY.
- POST DEVELOPMENT RUNOFF WILL NOT ADVERSELY AFFECT DOWNSTREAM DRAINAGE FACILITIES OR PROPERTY OWNERS.
- ALL SERVICES TO UTILITIES LOCATED ON THE OPPOSITE SIDE OF THE ROADWAY MUST BE BORED UNDER THE ROADWAY AT LOT OWNER'S EXPENSE.
- ANY SUBSURFACE DRAINAGE FACILITIES THAT ARE DISTURBED MUST BE RESTORED OR REROUTED BY THE PROPERTY OWNER.
- MAILBOXES WITHIN THE ROAD RIGHT-OF-WAY ARE TO BE OF BREAKAWAY DESIGN.
- MAINTENANCE OF ALL DRAINAGE AND STREAM BUFFER EASEMENTS TO BE THE RESPONSIBILITY OF THE PROPERTY OWNER.
- CULVERTS TO BE USED FOR CROSSING DRAINAGE EASEMENTS MUST BE DESIGNED BY A LICENSED PROFESSIONAL ENGINEER.
- ANY NEW ENTRANCES OR MODIFICATIONS TO EXISTING ENTRANCES WILL REQUIRE A POLK COUNTY ENTRANCE PERMIT.
- ANY WORK IN THE RIGHT-OF-WAY OTHER THAN FOR AN ENTRANCE SHALL REQUIRE A POLK COUNTY ROW GRANT PERMIT.
- SEWAGE DISPOSAL WILL BE VIA ON-SITE SEPTIC SYSTEMS TO BE DESIGNED BY A PROFESSIONAL ENGINEER. ALTERNATIVE SYSTEMS MAY BE REQUIRED DUE TO SOIL TYPES, LIMITATIONS AND DISTURBANCE.

RESIDENTIAL DEVELOPMENT CALCULATIONS

GROSS AREA = 39.97 AC.
RIGHT OF WAY = 2.84
BASE SITE = 37.13 AC.
NATURAL RESOURCES
POND = 1.08 AC.
REQUIRED OPEN SPACE = 24.13 AC.
NET BUILDABLE = 13.00 AC.
MAX DENSITY = 14 LOTS

OPEN SPACE

LOT 2 = 0.20 AC
LOT 4 = 23.93 AC
24.13 AC

BASIS OF BEARING

THE WEST LINE OF THE SW1/4 OF THE NW1/4 OF SECTION 16-80-22 WAS ASSUMED TO BEAR NORTH 0°26'16" WEST.

ZONING

ER - ESTATE RESIDENTIAL (CLUSTER DEVELOPMENT OPTION)

EXISTING SITE ADDRESS

9849 NE 88TH ST
BONDURANT, IA 50035

DATE OF SURVEY

04-26-2021

BULK REGULATIONS

(CLUSTER DEVELOPMENT OPTION)
MIN. LOT AREA = 30,000 S.F.
MIN. LOT WIDTH = 115 FT
FRONT YARD SETBACK = 30'
REAR YARD SETBACK = 30'
SIDE YARD SETBACK = 15'
MAX BUILDING HEIGHT = 35 FT
MAX BUILDING COVERAGE = 22%

OWNER/DEVELOPER

SHERRI J. TRACY
9849 NE 88TH ST
BONDURANT, IA 50035

BLACK OAK FARM PLAT 1

PRELIMINARY PLAT

POLK COUNTY, IOWA

SNYDER & ASSOCIATES, INC.

2727 S.W. SNYDER BLVD.
ANKENY, IOWA 50023
515-964-2020 | www.snyder-associates.com



Project No: 1210424

Sheet 1 of 2



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

Item No. 6.b.
For Meeting of 1/27/2022
Public Hearing

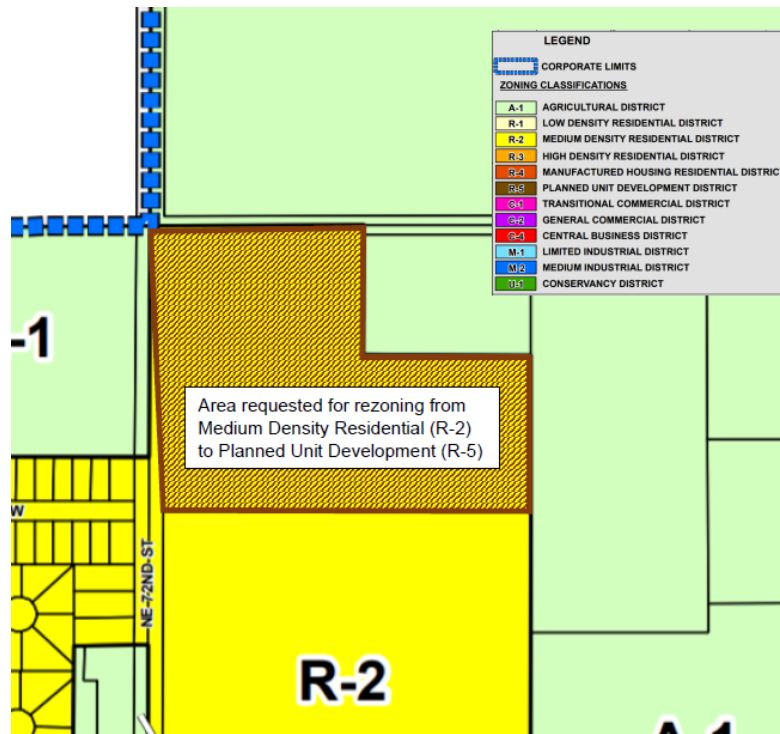
TITLE: PUBLIC HEARING - Request for rezoning from Medium Residential (R-2) to Planned Unit Development (R-5) at 8383 NE 72nd Street and Future Land Use Map Amendment from Single-Family to Commercial and Multi-Family in areas shown in the PUD Conceptual Plan

CONTACT PERSON:

Maggie Murray, Planning & Community Development Director

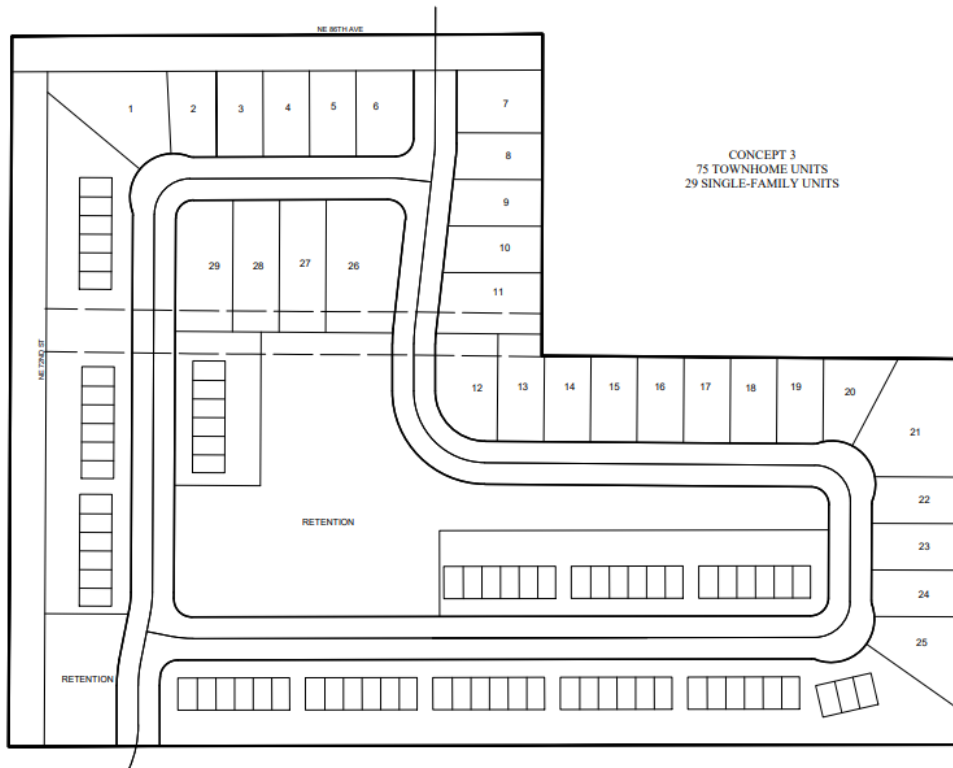
BRIEF HISTORY & ANALYSIS: Brief History:

The City is in receipt of a request for rezoning from the Medium Density Residential (R-2) District to the Planned Unit Development (R-5) District on land located at 8383 NE 72nd Street in the area known as the High Point Estates development area. This Highpoint Estates development area is situated along Grant Street North and 16th Street NE (NE 86th Avenue) just north of the Bondurant-Farrar High School and Junior High site. This rezoning area is shown in the Zoning Map below. This land is owned by Classic Holdings LLC.

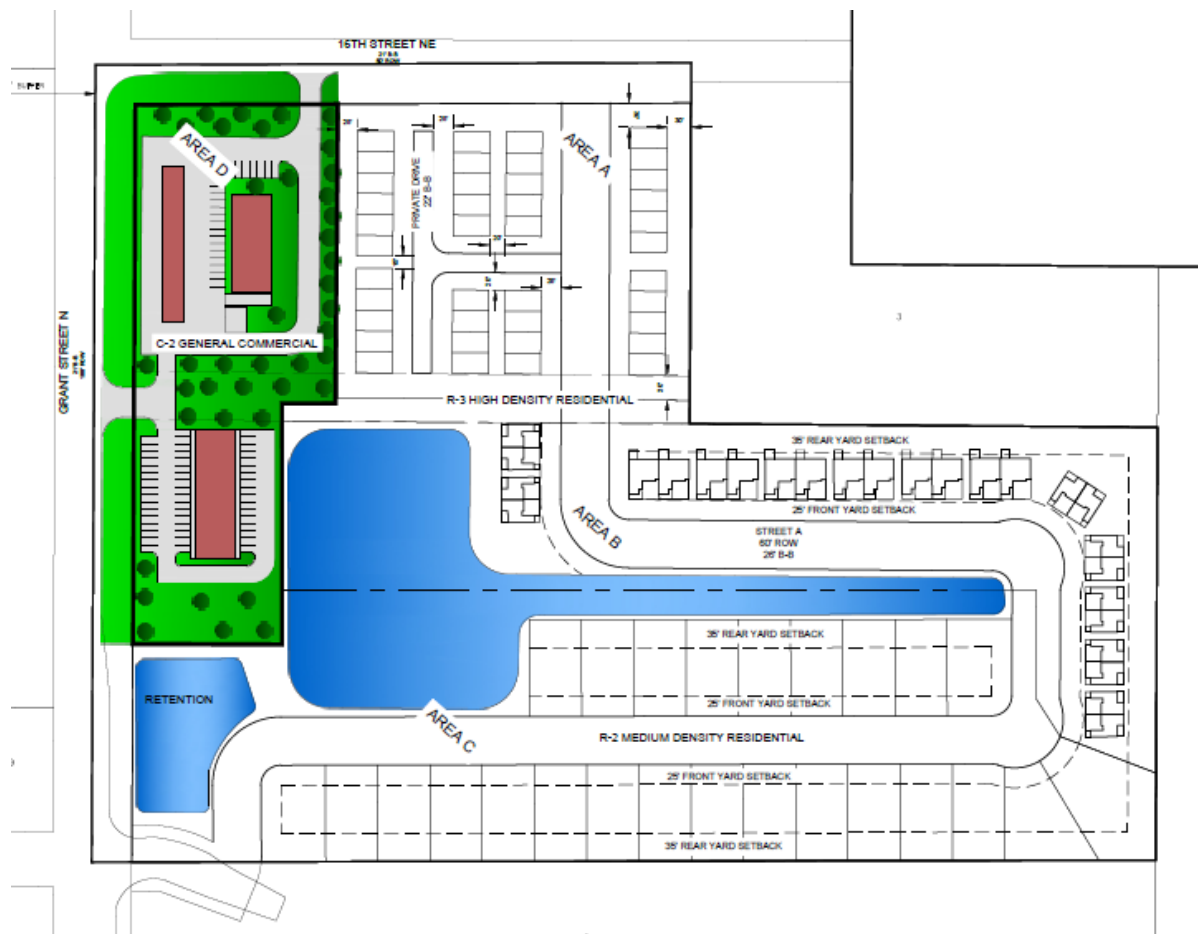


The Planning & Zoning Commission and City Council previously reviewed and approved a rezoning request in 2020 from the City's Agricultural (A-1) District to the R-2 District to allow for a development containing 67 lots for single-family detached development within this Highpoint Estates area. Below is the approved layout showing these 67 single-family detached development lots:

CONCEPT PLAN
FOR
HIGHPOINT ESTATES



The below/attached Highpoint Estates PUD Conceptual Plan being reviewed this evening proposes the following:



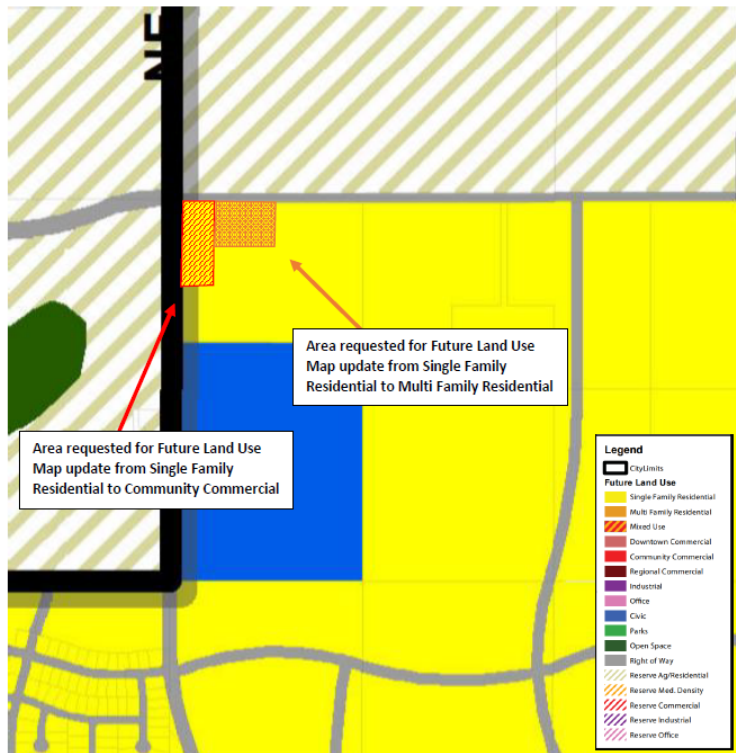
- Area D = two commercial development lots on a total of 3.41 acres at the intersection of Grant Street North and 16th Street NE (NE 86th Avenue). The PUD Ordinance allows for commercial uses under the following use: any use that is approved and made part of the PUD Conceptual Plan, subject to any conditions attached thereto and consistency with the Comprehensive Plan. The PUD Conceptual Plan notes a General Commercial (C-2) use for these two commercial development sites - this C-2 use is similar to the commercial development areas within the Park Side and Harvest Meadows subdivisions. The commercial development areas within this Highpoint Estates development area will have a shared street access out to Grant Street North. City Engineering has noted that one access to the north at 16th Street NE will also be allowed for the commercial development area, but that this north access must be right-in, right-out only due to proximity to the intersection. The commercial development shown on the PUD conceptual plan is an example layout only.
- 91 dwelling units as shown in Area A, Area B, and Area C. A public road (Street A) will connect from the new 13th Street NE street and up north to 16th Street NE.
 - Area A = 40 townhome units at 10 units per acre. If proposing a traditional zoning for this type of townhome use, a High Density

Residential (R-3) District designation would be required; however, the minimum lot size requirements of the R-3 District seem to only take into account apartment building development and not townhome unit development, as the minimum lot size within the R-3 District is 9,000 SF. The T-shaped street within Area A will be privately owned and maintained; the Fire Department has requested that the width of this private street be widened from 22' to 26' to for public safety response purposes. The PUD Conceptual Plan shows common space will surround the townhome unit lots. The common space perimeter will be 30' along 16th Street NE, 30' along Area A's east property line, 30' along Area A's south property line, and 25' along Area A's west property line.

- Area B = 26 bi-attached units (AKA two-family dwellings) at 4 units per acre. Two-family dwellings are a permitted use of the R-2 District per Section 178.03.1.B. The PUD Conceptual Plan notes a proposed front yard setback of 25', where the R-2 District requires a minimum front yard setback of 30'. These two family units will have a zero lot line designation for the side property line where the common wall of the unit runs. For the remaining side property line, a minimum 7' side yard will apply for 2-story units and a minimum 5' side yard will apply to 1-story units; this side yard is consistent with R-2 bulk. The PUD Conceptual Plan notes a 35' rear; this is consistent with R-2 bulk.
- Area C = 25 lots for single-family detached development at 2 units per acre. The PUD Conceptual Plan notes these lots will meet R-2 District bulk regulations, meaning that each non-corner lot must be 65' wide and contain at least 7,500 SF. The PUD Conceptual Plan notes/shows a front yard setback of 25' - if this property were zoned R-2, a minimum 30' front yard setback would be required. The PUD Conceptual Plan shows a 35' rear and a 15' combined size (7' min. for 2-story and 5' min for 1-story); this is consistent with the R-2 District bulk.

The City's Future Land Use Map presently guides for single-family development within the Highpoint Estates area - so in order to approve a rezoning request to allow for townhome and commercial development within Highpoint Estates, an amendment to the City's Future Land Use Map from single-family to commercial and multi-family in the areas as shown in the Highpoint Estates PUD Conceptual Plan must also be approved as part of the rezoning request.

Future Land Use Map



Analysis:

When considering rezoning requests, the Planning & Zoning Commission and City Council should take into account the following: Comprehensive Plan, Consistency with the Zoning Code, Spot Zoning, and Public Input.

Comprehensive Plan

When a City considers a rezoning ordinance, it must find the rezoning is consistent with its Future Land Use Map. Since the City's Future Land Use Map presently guides for single-family detached within this entire rezoning area, an amendment to the Future Land Use Map for those areas proposed for townhome and commercial use is also being considered as part of this process to ensure the following is being met with this rezoning: that the rezoning will create consistency between the City's Future Land Use Map and Official Zoning Map.

This Highpoint Estates development area is located within the Comprehensive Plan's North Growth District. This District focuses on the extension of residential land uses to 16th Street NE (NE 86th Avenue). This District notes that increased densities could be allowed and encouraged near destinations, such as the schools. This District also notes that the option could exist to integrate some limited commercial uses near the cluster of elementary schools - this same approach could be considered near the high school/junior high campus.

The Comprehensive Plan's Future Land Use Map description of community commercial

notes that these areas are generally auto-oriented but should also be designed to accommodate pedestrians and bike traffic access. The description also notes that these areas should be located close to collector and arterial roadways. Objective 4.7 of the Comprehensive Plan relative to commercial development notes the following: guide commercial land in areas that are most conducive to commercial developments such as high traffic, high visibility areas.

The Comprehensive Plan's Future Land Use Map description of multi-family notes that multi-family use may be best suited near transportation corridors, park and open space, and commercial service centers. Objective 4.5 of the Comprehensive Plan relative to housing notes the following: support the development of a wide range of prices, so that people can stay in Bondurant at different points in their life.

Consistency with the Zoning Code

Section 178.06.4 of the Zoning Code, titled PUD Bulk, states that, "although a PUD is intended to promote and permit flexibility in design and thereby may involve modifications of conventional regulations and standards, certain requirements which are set forth below shall be applied to ensure that the development is compatible with the intent of this ordinance". Below are some Section 178.06.4 summary notes:

- Minimum lot and yard requirements need not apply and the Commission/Council may require open space or screenings be located along all or a portion of the development boundaries.
- Project phases shall be substantially and functionally self-contained and self-sustaining with regards to access, parking, utilities, required open space, screening, and transitional elements and other support features. The initial phase should not be comprised of the most intensive portions of the PUD, unless the City concurs this is the most feasible means of developing the property in terms of access, sewer service, or similar physical contains, or will permit earlier development of common amenities.
- Attention shall be given to mitigation of existing or potential land use conflicts through proper orientation, open space, setbacks, landscaping and screening, grading, traffic circulation, and architectural compatibility.
- Except with the City agrees to other arrangements, a PUD shall be comprised of a single-owner, or group of owners acting as a partnership or corporation with each agreeing in advance to be bound by the conditions which will be effective in the PUD.
- Section 178.06.4.P states the following relative to establishing an R-5 designation, "any additional agreements (conditions) required by Council at the time of Development Plan approval".

Other preliminary subdivision-related notes: the PUD Conceptual Plan notes that the developer has opted for payment in lieu of establishing public parkland - such payment will be required prior to final plat approval. The PUD Conceptual Plan shows no interior street connection to the land to the east; reasoning - the Bondurant-Farrar Community

School District owns a portion of this land to the east and through the previous preliminary platting review it was relayed that no interior street connection east should exist. The proposed private street width is currently under review by City Engineering and the Fire Department; a final approvable width will be reviewed as part of the preliminary platting process.

Spot Zoning

To determine whether illegal spot zoning has occurred, the courts consider the rezoning takes into account the following:

1. The characteristics of surrounding property;
2. the community's comprehensive plan;
3. the protection and preservation of public health, justice, morals, order, safety and security, and welfare (police power).

Staff feels this request is not considered spot zoning only if the Future Land Use Map amendment request is also considered for approval as part of the rezoning review process. The Comprehensive Plan's description of the City's North Growth District could justify a potential Future Land Use Map Amendment. The Zoning Code classifies R-5 zoning as being a residential zoning district. Residential zoning exists immediately south (School District land) and in areas west of Grant Street North (Sankey Summit Phase 2). The City's Future Land Use Map guides for residential development in this area of Bondurant.

Public Input

As is required by the City's Zoning Code, letters were sent to property owners within 200' of the requested rezoning. No formal comment has been received by staff at the time of writing this report. The School District did call with a few questions related to area pedestrian connectivity; staff noted that trails will be required within both right-of-way areas.

FUNDING SOURCE: N/A

STAFF RECOMMENDATION: Staff recommends a discussion by the Commission on the following topics. Based on this discussion, the P&Z recommendation resolution will be updated accordingly.

1. Is the Commission supportive of the requested Future Land Use Map amendment, to allow for commercial development at the northwest corner near the intersection and to allow for multi-family development along the 16th Street NE street corridor?
2. What are the expectations for front yard setback requirements for Areas B and C? The concept is showing 25'. Staff previously relayed this should be 30' so it is consistent with R-2 bulk.
3. Section 178.06.4.P of the R-5 District allows for the inclusion of conditions as part of a PUD rezoning request. Questions on this Code allowance:

1. What are the expectations for requiring basements? It was previously noted to the developer by the Commission and Council that basements should be included as part of this development area.
2. What are the expectations for landscaping screening requirements between differing uses? For example, should there be a landscaping buffer between the commercial use and the townhome use?; if traditional zoning, would require a Type B landscaping screen. What about between the townhomes along the east property line and the undeveloped land east?
3. What are the expectations for landscaping screening requirements along the 16th Street NE (NE 86th Avenue corridor)? Below is what was required by Council along the 16th Street Corridor north of the Top Farms Property rezoning area:

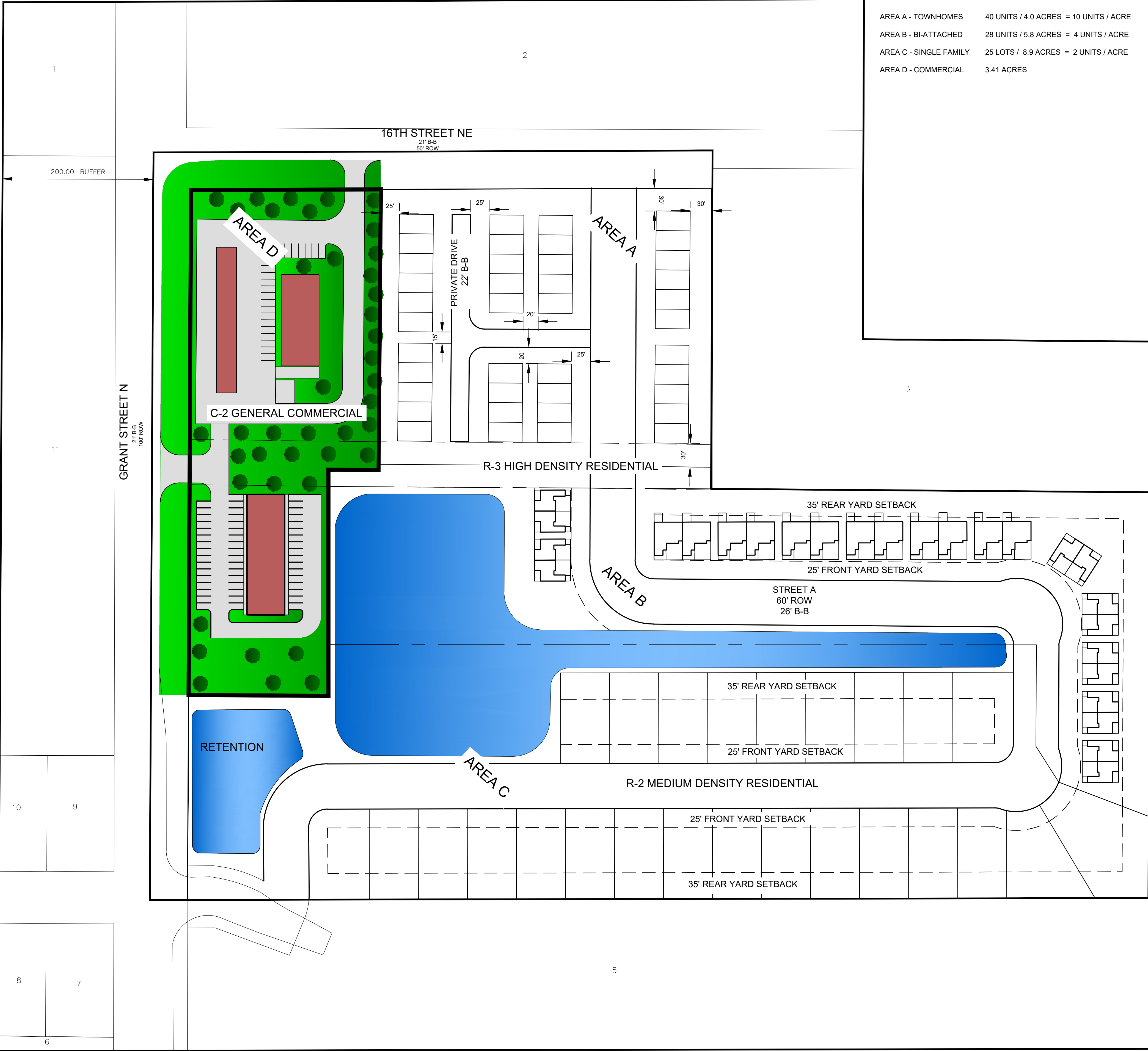
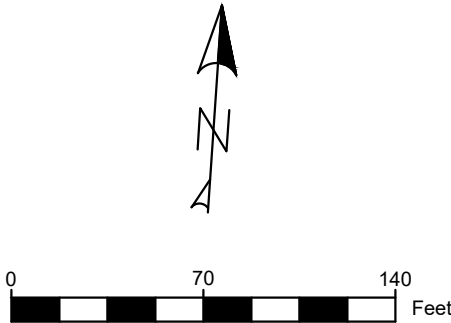
THE LANDSCAPE BUFFER YARD ON THE LOTS WITHIN AREA 'A' THAT ARE ADJACENT TO NE 86TH AVENUE SHALL BE 25 FEET WIDE WITH 1 OVERSTORY TREE, 2 CONIFER TREES, AND 4 SHRUBS AND/OR GRASS EVERY 100 FEET TO BE INSTALLED AT THE TIME EACH LOT CONSTRUCTS A HOME. BUFFER YARD TREE SPECIES SHALL BE LIMITED TO THE SPECIES 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.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. Highpoint Estates PUD Conceptual Plan - 01242022
2. P&Z Discussion Notes - 10282021

HIGHPOINT ESTATES
PUD CONCEPTUAL PLAN



AREA A - TOWNHOMES	40 UNITS / 4.0 ACRES = 10 UNITS / ACRE
AREA B - BI-ATTACHED	28 UNITS / 5.8 ACRES = 4 UNITS / ACRE
AREA C - SINGLE FAMILY	25 LOTS / 8.9 ACRES = 2 UNITS / ACRE
AREA D - COMMERCIAL	3.41 ACRES

SURROUNDING PROPERTY OWNERS:

PROPERTY #	NAME OF PROPERTY OWNER	LEGAL DESCRIPTION OF PROPERTY	MAILING ADDRESS	TOTAL AREA OF PROPERTY (S.F.)	S.F. WITHIN 200' OF REZONING	% OF TOTAL S.F. WITHIN 200' OF REZONING
1	WEBB, MILDRED L	S 1/2 SE 1/4 LESS 1 S A RD SEC 24-80-23	8630 NE 72ND ST, BONDURANT, IA 50035	3419459	30484.4	3.19%
2	ELSON(TRUSTEE), CHARLES E, CHARLES E ELSON FARM REV TRUST	SW FRL 1/4 LESS 5.78 A ROAD SEC 19-80-22	7 GRAY BIRCH TRL MADISON, WI 53717	6737425	153244.8	16.04%
3	FREELAND, PATRICIA S, PATRICIA S FREELAND TRUST, FREELAND, PATRICIA S	PARCEL N BK 15115 PG 666 BNG PRT OF NW 1/4 NW 1/4 LESS .44A RD SEC 30-80-22	7104 SUNSET TER, WINDSOR HEIGHTS, IA 50324	243936	161542.9	16.91%
4	BONDURANT-FARRAR COMMUNITY SCHOOL DISTRICT	PARCEL 2020-188 BK 18268 PG 247 BEG NW COR E 1/2 NW 1/4 THN E 610.21F S 1418.2F W 620.44F N 1413.5F TO POB LESS .46A RD E 1/2 NW 1/4 SEC 30-80-22	300 GARFIELD ST SW, BONDURANT IA 50035	851059	187262.9	19.60%
5	BONDURANT-FARRAR COMM SCHOOL	S 50A W 1/2 NW 1/4 LESS RD EAS SEC 30-80-22	300 GARFIELD ST SW, BONDURANT IA 50035	2097849	254920.3	26.68%
6	SAGE HOMES INC	LOT 4 SANKEY SUMMIT PLAT 2	6415 NE 14TH ST STE A DES MOINES, IA 50313	19301	2898.1	0.30%
7	JERRY'S HOMES INC	LOT 5 SANKEY SUMMIT PLAT 2	3900 WESTOWN PKWY STE 100, WEST DES MOINES, IA 50266	13111	13111.0	1.37%
8	JERRY'S HOMES INC	LOT 6 SANKEY SUMMIT PLAT 2	3900 WESTOWN PKWY STE 100, WEST DES MOINES, IA 50266	9750	9357.9	0.98%
9	JERRY'S HOMES INC	LOT 94 SANKEY SUMMIT PLAT 2	3900 WESTOWN PKWY STE 100, WEST DES MOINES, IA 50266	13132	13132.0	1.37%
10	JERRY'S HOMES INC	LOT 93 SANKEY SUMMIT PLAT 2	3900 WESTOWN PKWY STE 100, WEST DES MOINES, IA 50266	9749	9697.3	1.01%
11	ETHEL C SANKEY TRUST, MILLER, SANDRA (TRUSTEE)	EX PARCEL 2020-59 BK 17833 PG 898- & -EX S 336F N 1791F E 259.03F- & -EX S 735F- E 832F NE 1/4 LESS RD SEC 25-80-23	1841 ASHWORTH RD, WEST DES MOINES, IA 50265	625954	119922.9	12.55%
					955574.5	100.00%

OWNER:
CLASSIC HOLDINGS LLC
1910 SW PLAZA SHOPS LN
ANKENY, IA 5023-7080
CONTACT: SETH MOULTON
PHONE: (515) 371-6235

ENGINEER/SURVEYOR:
STUBBS ENGINEERING
431 NE 72ND ST
PLEASANT HILL, IA 50327
CONTACT: BRANDEN STUBBS
PHONE: (515) 979-8499

SITE AREA:
22.2 ACRES (966,879.6 SQ. FT.)

EXISTING ZONING:
R-2 MEDIUM DENSITY RESIDENTIAL

PROPOSED ZONING:
R-5 PLANNED UNIT DEVELOPMENT DISTRICT

BULK REGULATIONS:

AREA A:
FRONT - 25 FEET
REAR - 25 FEET
SIDE - 30 FEET

BUILDING SEPARATIONS:
SIDE - 15 FEET
REAR - 20 FEET
FOR REMAINING ITEMS, AREA A WILL FOLLOW R-3 BULK REGULATIONS

AREA B & AREA C:
FRONT - 25 FEET
REAR - 35 FEET
SIDE (2 STORY) - 15 FEET TOTAL (MIN 7 FEET ONE SIDE)
SIDE (RANCH 1.5 STORY) - 15 FEET TOTAL (MIN 5 FEET ONE SIDE)

SINGLE FAMILY DETACHED LOTS:
MINIMUM LOT WIDTH AT FRONT YARD SETBACK - 65 FEET
MINIMUM LOT WIDTH (CORNER LOTS) - 80 FEET
MINIMUM LOT AREA - 7,500 SQ. FT.

TWO-FAMILY BUILDING CLUSTER:
MINIMUM LOT WIDTH AT FRONT YARD SETBACK - 85 FEET
MINIMUM LOT AREA - 10,000 SQ. FT. (5,000 SQ. FT. PER UNIT)

FOR REMAINING ITEMS, AREA B & AREA C WILL FOLLOW R-2 BULK REGULATIONS

AREA D:
FRONT - 30 FEET
SIDE - 25 FEET
REAR - 25 FEET

FOR REMAINING ITEMS, AREA D WILL FOLLOW C-2 BULK REGULATIONS

NOTE:

THE DEVELOPER WILL PAY A FEE IN LIEU OF PARKLAND DEDICATION PER SECTION 180.06 OF THE SUBDIVISION CODE.

THE P&Z AND COMMISSION MAY CONSIDER REQUIRING BASEMENTS IN THE TOWNHOME AND BI-ATTACHED UNITS PER SECTION 178.06.4 OF THE ZONING CODE.

THE P&Z AND COMMISSION MAY CONSIDER LANDSCAPING SCREENING REQUIREMENTS EITHER BETWEEN USES OR ALONG THE STREET CORRIDORS.

THE COMMERCIAL LAYOUT IS AN EXAMPLE LAYOUT. A FULL REVIEW OF THE COMMERCIAL DEVELOPMENT AREAS WILL BE CONDUCTED AT THE SITE PLAN REVIEW LEVEL.

HIGHPOINT ESTATES
BOUNDURANT, IA

STUBBS ENGINEERING
431 NE 72ND ST, PLEASANT HILL, IA 50327
(515) 979-8499



PUD CONCEPTUAL PLAN

DATE:
01/24/22
DRAWN BY:
AMS
ENGINEER:
BWS
PROJECT NUMBER:
21-090
PAGE NUMBER:

1

Murray explained this is a discussion topic only. The owner of the Highpoint Estates parcel is seeking preliminary feedback from the Planning & Zoning Commission and City Council regarding a potential change to development plans for Highpoint Estates, which is the land just north of the Junior High/High School area. The owner is interested in establishing some townhome units in this development area. The Planning & Zoning Commission and City Council previously approved a preliminary plat for single-family detached development on this entire parcel area.

Seth Moulton, property owner of Highpoint Estates, noted that he is facing some development challenges for this property as it relates to utility costs, the trail along Grant Street North, while still working around the large natural gas easement located on this property. Moulton noted that he is proposing a mix of single-family detached and owned-occupied townhome units. He noted that he has a similar development in Ankeny where there are single-family detached homes and townhome units located in the same area. The Ankeny townhome units are 26'-wide.

Commission Member Keeran noted she is open to townhomes, but does not want all of the units looking the same. Moulton noted that he is on board with this comment and understands the importance of variability. He noted that every exterior can be unique, as was done in Ankeny.

Commission Member Brostrom noted she is okay with townhomes in this area. She noted that there will need to be some thought put into the driveway layouts, to make sure that the streets are not all just driveway. Moulton noted that the Ankeny units each have their own driveway, but driveway sharing is something that can be considered for this Bondurant development.

Branden Stubbs, Stubbs Engineering, also noted no concerns with driveway sharing. Stubbs mentioned the possibility of installing rolled curbs. Commission Member Brostrom noted this is not allowed in Bondurant on public streets.

Murray asked for clarification on how deep they intend on having the driveways be? Moulton noted that the Ankeny project either has 25' or 30'-wide deep driveways, which is deep enough to park a vehicle without overhanging into the public sidewalk area.

Commission Member Brostrom noted that the original layout had just 14 homes along the south east/west street. This updated concept shows 30 units, so this is where some thought needs to go into driveway design. Moulton noted they can do some mock up site plans to show potential driveway locations.

Commission Member Mains noted concerns over the density proposed. He noted that he appreciated the original plans for single-family development in that the developer was not asking for a Planned Unit Development (R-5) zoning designation. Mains noted concerns that the increased density will generate increased traffic, which is a concern near the school.

Commission Member Clayton asked for clarification on the developer's intended price point? Moulton noted that the Ankeny units are selling for \$238,000-\$241,000, which is approximately \$90,000 less than what a typical single-family detached unit could sell for. Moulton noted that since this site is only approximately 20 acres, this makes it challenging to reach a price point that owners are willing to pay for at this location.

Commission Member Clayton asked if these units will have basements? Moulton noted that no, they will not. He is proposing that all units be slab on grade.

Commission Member Clayton noted that he cannot support this project due to the slab on grade and the increased density.

Moulton noted the units will be 1,600 SF each. They will be 3-bedroom units.

Murray asked for clarification from the Commission, since they have noted density concerns, on if there is a preferred balance between single-family detached and townhome units if the current concept is considered too dense? Commission Member Mains noted that he does not understand why the concept is showing townhome units along the south adjacent to the school. Mains noted this area should be single-family detached. Mains noted that he would instead prefer the townhome units follow the arterial streets of Grant Street North and 16th Street NE only, like an L.

Oliver noted that Council has required basements in townhome units in other recent Planned Unit Developments. She noted basements were required in the Arbor Ridge Villas. Oliver noted that Council is resistant to slab on grade. Moulton noted that a basement will increase the cost per each unit by approximately \$25,000. He noted this additional \$25,000 would push these units out of the affordable range he is targeting. He noted that if basements are required, he will not move forward with development at this location.

Commission Member Clayton noted he is concerned with the amount of dirt being brought onto this site. Commission Member Brostrom noted this is more of a Bob review item through the detailed construction plan and stormwater management report review process and not a zoning issue.

Commission Member Hoyer noted he appreciates the developer coming to the Commission for preliminary feedback. Hoyer noted that he is not in favor of residential at this location, regardless of residential type. He feels commercial or school use would be the best use for this site.

Commission Member Clayton noted he is struggling with the townhome units proposed. He feels the City must protect its views along the main corridors. Townhome units all tend to look the same.

Commission Member Keeran asked for clarification on the zoning designation that would be required. Murray explained that a Planned Unit Development (R-5) zoning designation would be required. The only other District that allows for townhome units is the High Density Residential (R-3) District, however, this District does not seem to take into account townhome type units and instead seems to focus on apartment buildings only, as the minimum lot size is 9,000 SF. The R-3 District also notes that multi-family can only locate on existing lots of record, which these are not.

Commission Member Cuellar noted density concerns, which then creates traffic concerns. Cuellar noted that she appreciates the walkability aspect in that the townhome units would be close to the school. She feels this is a big change to the previously-approved plans due to the number of townhome units proposed.



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

Item No. 6.c.
For Meeting of 1/27/2022
Resolution

TITLE: RESOLUTION NO. PZ-220127-05: Considering recommended approval of Request of Rezoning from Medium Residential (R-2) to Planned Unit Development (R-5) at 8383 NE 72nd Street and recommended approval of the Future Land Use Map update from Single-Family to Commercial and Multi-Family in the areas shown in the PUD conceptual plan

CONTACT PERSON:

Maggie Murray, Planning & Community Development Director

BRIEF HISTORY & ANALYSIS: Please see corresponding public hearing agenda statement.

FUNDING SOURCE: N/A

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

1. Recommended approval of Resolution No. PZ-220127-05
2. Recommended approval of Resolution No. PZ-220127-05 subject to zoning code clarification items
3. Recommended denial of Resolution No. PZ-220127-05
4. Table pending additional feedback

Staff recommends a discussion by the Commission on the following topics. Based on this discussion, the P&Z recommendation resolution will be updated accordingly.

1. Is the Commission supportive of the requested Future Land Use Map amendment, to allow for commercial development at the northwest corner near the intersection and to allow for multi-family development along the 16th Street NE street corridor?
2. What are the expectations for front yard setback requirements for Areas B and C? The concept is showing 25'. Staff previously relayed this should be 30' so it is consistent with R-2 bulk.
3. Section 178.06.4.P of the R-5 District allows for the inclusion of conditions as part of a PUD rezoning request. Questions on this Code allowance:
 1. What are the expectations for requiring basements? It was previously noted to the developer by the Commission and Council that basements should be included as part of this development area.

2. What are the expectations for landscaping screening requirements between differing uses? For example, should there be a landscaping buffer between the commercial use and the townhome use?; if traditional zoning, would require a Type B landscaping screen. What about between the townhomes along the east property line and the undeveloped land east?
3. What are the expectations for landscaping screening requirements along the 16th Street NE (NE 86th Avenue corridor)? Below is what was required by Council along the 16th Street Corridor north of the Top Farms Property rezoning area:
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.
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.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. RESOLUTION NO. PZ-220127-05

PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ-220117-05

RESOLUTION REGARDING RECOMMENDED APPROVAL OF THE REQUEST FOR REZONING FROM THE MEDIUM RESIDENTIAL (R-2) DISTRICT TO THE PLANNED UNIT DEVELOPMENT (R-5) DISTRICT ON PROPERTY AT 8383 NE 72ND AVENUE; 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

WHEREAS, on January 27, 2022 the Planning and Zoning Commission held a Public Hearing to consider a request to update the City's Future Land Use Map from Single-Family Residential to Multi-Family and Commercial as shown on the Highpoint Estates PUD Conceptual Plan; AND

WHEREAS, this Public Hearing also included the topic of the request to rezone property described as follows from the City's Medium Residential (R-2) District to the Planned Unit Development (R-5) District; AND

PARCEL "O" AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 15115, PAGE 666-667, BEING A PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 80 NORTH, RANGE 22 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF BONDURANT, POLK COUNTY, IOWA

EXCEPT THE NORTH 33.00 FEET

AND EXCEPT THE WEST 50.00 FEET THEREOF.

ALL CONTAINING 22.46 ACRES +/-.

WHEREAS, the Planning and Zoning Commission has made the following findings:

1. That the rezoning request will create consistency between the City's Future Land Use Map and Official Zoning Map.
2. That the change in zoning will maintain a consistency with adjacent land uses and provide a transition for adjacent zoning.
3. That the zoning change will not negatively impact the character of the neighborhood.

NOW, THEREFORE, BE IT RESOLVED, that the Planning and Zoning Commission of the City of Bondurant, Iowa, recommends City Council approval of the Future Land Use Map amendment request from Single-Family Residential to Multi-Family and Commercial in areas as shown on the PUD Conceptual Plan.

NOW, THEREFORE, BE IT FURTHER BE RESOLVED, that the Planning and Zoning Commission of the City of Bondurant, Iowa, recommends City Council approval of the rezoning request from Medium Residential (R-2) to Planned Unit Development (R-5), subject to the following zoning clarification items:

- 1.

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 January 27, 2022, 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				
Bostrom				

Torey Cuellar, Commission Chair



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

Item No. 8.e.
For Meeting of 1/27/2022
Reports and Comments

TITLE: City Council Liaison

CONTACT PERSON:

BRIEF HISTORY & ANALYSIS:

FUNDING SOURCE:

STAFF RECOMMENDATION:

APPROVED FOR SUBMITTAL:

ATTACHMENTS: None