

**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/87052275020>*

**NOTICE OF A REGULAR MEETING
BONDURANT PLANNING AND ZONING COMMISSION
MAY 13, 2021**

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 PM on May 13, 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. April 15, 2021 Planning & Zoning Commission Meeting Minutes
5. Guests requesting to address the Planning and Zoning Commission
6. Action Items
 - a. -Consideration of Recommendation of May 2021 Urban Renewal Plan Amendment
 - b. -Resolution of Recommendation approving the site plan for the Sales of Fireworks
 - c. -Resolution regarding Shiloh Rose Business Park Plat 2 Final Plat
7. Reports / Comments and appropriate action thereon:
 - a. Mayor
 - b. Council Members
 - c. Administrator
 - d. Directors
 - e. City Attorney
8. Adjournment

CITY OF BONDURANT
PLANNING AND ZONING COMMISSION
APRIL 15, 2021
MINUTES

1. Call to Order

Commission Member Cuellar called the meeting to order at 6:01 p.m.

2. Roll Call

Roll call was taken and a quorum was declared.

Present: Virtually: Commission Member Torey Cuellar, Commission Member Karen Keeran, Commission Member Andy Mains, Commission Member Brian Clayton, Commission Member Kristin Brostrom, Commission Member Wes Hoyer

City Officials
Present: City Clerk Shelby Hagan, Marketa Oliver, City Administrator

3. Perfecting and Approval of the Agenda

Motion by Mains, seconded by Clayton, to approve the agenda. Vote on Motion 6-0.
Motion carried unanimously.

4. Approval of the Commission Minutes – April 8, 2021

Motion by Clayton, seconded by Brostrom, to approve the April 8, 2021 minutes.
Motion carried.

5. Guests requesting to address the Commission – None.

6. **RESOLUTION 21-0408-07:** Considering recommended approval of DR Horton Highpoint Estates

City Administrator Oliver reported on the agreement the City had with Quail Run regarding the right-of-way for the purpose installing a trail during a street widening project in the future. The commission, staff, engineer, and developer discussed the trail, right-of-way, the road network, the school's comments regarding the stubbed street shown in the original preliminary plat, and the density of the development.

Motion by Keeran, seconded by Clayton, to approve RESOLUTION NO. 21-0408-07 with the following recommendations:

1. That the Developer pay the amount for a 5-foot sidewalk along Grant street, that will be developed at some future point in time when the street is urbanized; and

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

2. That the Developer pay for the appropriate share of the 86th Street/16th Street development.
3. That as required by Section 180.06.8.B of the Subdivision Code, payment in lieu of the required public parkland dedication is required prior to final plat approval since no public parkland is proposed. Per Section 180.06.7, a mutually appointed Appraiser will determine the fair market valuation for such required fee and the developer shall pay any expenses accrued in the determination of the payment amount.
4. Once the City is in receipt of a final plat in this area showing more than 30 units, pavement of NE 86th Avenue will be required so that a second acceptable fire apparatus road exists in this subdivision area (Appendix D of Fire Code); and
5. That the Developer work with the City Engineer to determine optimum grades on the Grant Street side to drain stormwater most effectively while also facilitating plans for future urbanization.

Roll Call: Ayes: Cuellar, Mains, Keeran, Brostrom, Clayton, Hoyer. Nays: None. Absent: None. Motion carried 6-0.

7. **RESOLUTION 21-0415-08:** Considering recommended approval of the Site Plan for the Downtown Project

Don Marner, Snyder & Associates, presented the Site Plan along with Andrew Tulp, Story Construction.

Motion by Hoyer, seconded by Mains, to approve RESOLUTION NO. 21-0415-08. Roll Call: Ayes: Cuellar, Mains, Keeran, Brostrom, Clayton, Hoyer. Nays: None. Absent: None. Motion carried 6-0.

8. Reports/Comments and appropriate action thereon:

- a. Commission Member Comments
 - Mains – Nuisance property east of the Coop.
 - Brostrom – Questioned Stormwater recommendations from Capital Crossroads, sidewalk policy comments.
 - Clayton – Comments regarding the Highpoint Estates Plat.
 - Keeran – None.
 - Hoyer – None.
- b. Commission Chair Comments – Appreciate the diverse feedback and comments from the Commission.
- c. City Administrator Comments – Comments regarding the corridor study and plans.
- d. Planning & Community Development Director – Absent.
- e. City Council Liaison – Absent.

9. Adjournment

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

Moved by Mains, seconded by Brostrom, to adjourn the meeting at 6:41 p.m. Vote on Motion 6-0. Motion carried.

Shelby Hagan, City Clerk

ATTEST:

Torey Cuellar, Commission Chair



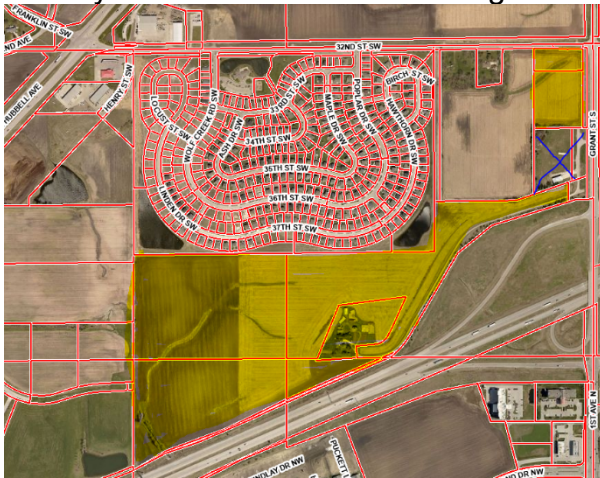
**BUSINESS OF THE PLANNING AND ZONING COMMISSION
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 6.a.
For Meeting of 5/13/2021
Resolution

TITLE: -Consideration of Recommendation of May 2021 Urban Renewal Plan Amendment

CONTACT PERSON:

BRIEF HISTORY & ANALYSIS: Attached for your consideration is an Urban Renewal Plan amendment. The map below shows the property recommended to be added. (The area highlighted in yellow is being added and the area with the blue X through it is already area included in an existing Urban Renewal District.)



The project contemplated for this area is the construction of the Commerce Crossings Project, which is flex-space, industrial buildings.

The City has been working with the developer on the Commerce Crossings Project to identify and document developer and city responsibilities for an infrastructure expansion and construction project to facilitate economic development.

The Developer will construct an infrastructure and economic development project in phases; invest not less than \$10,000,000 into capital improvement for the first phase of the Project; and construct public infrastructure in two phases (the construction of their portion of Commerce Crossings Parkway). The City is going to construct infrastructure that will connect with what the Developer is constructing. Following is a diagram

showing the conceptual improvements.



The City Council will hold a public hearing on this project on May 17, 2021.

COMMISSION REVIEW/RECOMMENDATION:

ALTERNATIVES TO APPROVAL:

FUNDING SOURCE: The City's public improvements will be supported by TIF. The City does not anticipate this amendment will materially affect the percentage of valuation that is claimed for TIF purposes. A consultation meeting with other taxing entities was held April 28, 2021.

STAFF RECOMMENDATION: Move to recommend approval to the City Council.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. RESOLUTION NO. PZ-210513-09
2. UR Plan Amend (Bondurant-53 2021)

CITY OF BONDURANT
RESOLUTION NO. PZ-210513-09

RESOLUTION APPROVING MAY 2021 URBAN RENEWAL PLAN
AMENDMENT

WHEREAS, an amendment is recommended to add a property to the Urban Renewal Plan; AND

WHEREAS, the project contemplated for this area is the construction of the Commerce Crossings Project; AND

WHEREAS, the Developer is working with the City regarding infrastructure and economic development; AND

WHEREAS, a hearing on this project will be held on May 17th, 2021,

NOW, THEREFORE, It Is Resolved by the Planning & Zoning Commission recommends City Council approval of the Urban Renewal Plan Amendment.

Moved by _____, Seconded by _____ to adopt.

ATTEST: I, Marketa Oliver, City Administrator, hereby certify that at a meeting of the Planning and Zoning Commission held on May 13, 2021; among other proceedings the above was adopted.

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

Marketa Oliver, City Administrator

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

Torey Cuellar, Commission Chair

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

May, 2021

The Urban Renewal Plan (the “Plan”) for the Bondurant Urban Renewal Area (the “Urban Renewal Area”) is being amended for the purposes of (1) adding certain property to the Urban Renewal Area and (2) identifying a new urban renewal project 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 May, 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. It is anticipated that the City will adopt an ordinance providing for the division of property tax revenues, as set forth in Section 403.19 of the Code of Iowa, with respect to the Property.

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:

Name of Project: Bondurant Commercial, LLC Development Project

Name of Urban Renewal Area: Bondurant Urban Renewal Area

Date of Council Approval of Project: May 17, 2021

Description of the Project and Project Site: Bondurant Commercial, LLC (“Bondurant Commercial”) has proposed to undertake the development (the “Bondurant Commercial Project”) of the Property (as defined in Section 1 of this Amendment) including (i) the development of commercial lots on such Property for the purpose of selling and/or providing build-to-suits on such lots; (ii) the construction of certain commercial and/or industrial warehouse/flex buildings on such Property; and (iii) the construction of certain public infrastructure improvements (the “Infrastructure Project”) to serve the Property and the Bondurant Commercial Project.

It has been requested that the City provide tax increment financing assistance to Bondurant Commercial to assist Bondurant Commercial in paying the costs of the Infrastructure Project.

The costs incurred by the City in providing tax increment financing assistance to Bondurant Commercial will include legal and administrative fees (the “Admin Fees”) in an amount not to exceed \$20,000.

Description of Public Infrastructure to be Constructed by the City in Connection with the Project: The City will undertake the construction of certain public infrastructure improvements (the “City Infrastructure Project”) in connection with the Bondurant Commercial Project including the construction of street improvements; the installation of lighting, traffic lights and signalization; the construction of certain water, sanitary sewer and storm water drainage improvements; and the incidental utility, landscaping, site clearance and cleanup work related thereto.

Description of Use of TIF: The City intends to enter into a Development Agreement with Bondurant Commercial with respect to the construction and use of the completed Bondurant Commercial Project and the Infrastructure Project and to provide annual appropriation economic development payments (the “Payments”) to Bondurant Commercial thereunder. The Payments will be funded with incremental property tax revenues to be derived from the Property. It is anticipated that the City’s total commitment of incremental property tax revenues with respect to the Bondurant Commercial Project will not exceed \$5,300,000, plus the Admin Fees.

It is anticipated that the City will pay for the City Infrastructure Project with either borrowed funds and/or the proceeds of an internal advance of City funds on-hand. In any case, the City’s obligation 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 Infrastructure Project will not exceed \$3,500,000, plus any interest expense incurred by the City on any borrowing undertaken for the funding of the City Infrastructure 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>\$23,312,151</u>
Outstanding general obligation debt of the City:	<u>\$17,680,000</u>
Proposed debt to be incurred in connection with May, 2021 Amendment*:	<u>\$ 8,820,000</u>

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

EXHIBIT A
Legal Description
Bondurant Urban Renewal Area
May, 2021 Addition

A PARCEL OF LAND LYING ENTIRELY WITHIN AND FORMING A PART OF SECTION 12, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5TH P.M. NOW IN AND FORMING A PART OF THE CITY OF BONDURANT, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 12;
THENCE ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 12, SOUTH 02°02'43" EAST, FOR A DISTANCE OF 1289.11 FEET;
THENCE SOUTH 89°57'17" WEST, FOR A DISTANCE OF 540.95 FEET TO THE POINT OF BEGINNING;
THE ALONG A CURVE CONCAVE NORTHWESTERLY WITH A RADIUS OF 550.00 FEET, WHOSE CHORD BEARS SOUTH 42°31'50" WEST, WITH A CHORD LENGTH OF 200.68 FEET, FOR A DISTANCE OF 201.81 FEET;
THENCE SOUTH 16°50'20" EAST, FOR A DISTANCE OF 40.00 FEET;
THENCE SOUTH 73°12'28" WEST, FOR A DISTANCE OF 204.01 FEET;
THENCE SOUTH 55°02'13" WEST, FOR A DISTANCE OF 224.67 FEET TO A CURVE CONCAVE SOUTHEASTERLY WITH A RADIUS OF 655.00 FEET;
THENCE ALONG SAID CURVE WHOSE CHORD BEARS SOUTH 40°37'37" WEST, A CHORD LENGTH OF 251.73 FEET, AND A DELTA OF 22°09'28", FOR A DISTANCE OF 253.30 FEET;
THENCE SOUTH 29°32'53" WEST FOR A DISTANCE OF 686.50 FEET TO A CURVE CONCAVE NORTHWESTERLY WITH A RADIUS OF 703.90 FEET;
THENCE ALONG SAID CURVE WHOSE CHORD BEARS SOUTH 36°46'25" WEST, WITH A CHORD LENGTH OF 177.07 FEET, FOR A DISTANCE OF 177.54 FEET;
THENCE SOUTH 66°32'13" WEST, FOR A DISTANCE OF 1026.95 FEET;
THENCE SOUTH 63°52'11" WEST, FOR A DISTANCE OF 567.22 FEET;
THENCE SOUTH 69°38'08" WEST, FOR A DISTANCE OF 530.85 FEET;
THENCE SOUTH 61°37'56" WEST, FOR A DISTANCE OF 60.21 FEET;
THENCE SOUTH 59°24'11" WEST, FOR A DISTANCE OF 278.78 FEET;
THENCE NORTH 00°00'36" EAST, FOR A DISTANCE OF 935.67 FEET;
THENCE NORTH 00°00'29" EAST, FOR A DISTANCE OF 886.26 FEET;
THENCE NORTH 89°22'50" EAST, FOR A DISTANCE OF 1302.96 FEET;
THENCE NORTH 89°26'25" EAST, FOR A DISTANCE OF 1247.54 FEET;
THENCE NORTH 00°00'32" EAST, FOR A DISTANCE OF 424.73 FEET;
THENCE NORTH 89°23'56" EAST, FOR A DISTANCE OF 696.89 FEET;

THENCE NORTH 70°29'40" EAST, FOR A DISTANCE OF 112.78 FEET TO THE POINT-OF-BEGINNING.

CONTAINING 3,378,551 SQ. FT. (77.561 ACRES) MORE OR LESS.

AND

A PARCEL OF LAND LYING ENTIRELY WITHIN AND FORMING A PART OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5TH P.M. NOW IN AND FORMING A PART OF THE CITY OF BONDURANT, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 12;

THENCE SOUTH 00°02'43" EAST, ALONG THE EAST LINE OF SAID SECTION 12, A DISTANCE OF 711.60 FEET;

THENCE NORTH 89°53'57" WEST, A DISTANCE OF 496.32 FEET;

THENCE SOUTH 00°16'37" WEST, FOR A DISTANCE OF 497.78 FEET TO A NON-TANGENT CURVE CONCAVE NORTHWESTERLY WITH A RADIUS OF 550.00 FEET;

THENCE ALONG SAID CURVE, WHOSE CHORD BEARS SOUTH 27°15'52" WEST, WITH A CHORD LENGTH OF 91.17 FEET, FOR A DISTANCE OF 91.27 FEET;

THENCE SOUTH 70°29'40" WEST, FOR A DISTANCE OF 112.78 FEET;

THENCE SOUTH 89°23'56" WEST, FOR A DISTANCE OF 24.90 FEET TO A NON-TANGENT CURVE CONCAVE NORTHWESTERLY WITH A RADIUS OF 470.00 FEET;

THENCE ALONG SAID CURVE, WHOSE CHORD BEARS NORTH 22°18'30" EAST, WITH A CHORD LENGTH OF 355.30 FEET, FOR A DISTANCE OF 364.35 FEET;

THENCE NORTH 00°06'00" EAST, FOR A DISTANCE OF 387.55 FEET TO A CURVE CONCAVE WESTERLY WITH A RADIUS OF 722.00 FEET;

THENCE ALONG SAID CURVE, WHOSE CHORD BEARS NORTH 08°39'00" WEST, WITH A CHORD LENGTH OF 219.67 FEET, FOR A DISTANCE OF 220.52 FEET;

THENCE NORTH 17°24'00" WEST, FOR A DISTANCE OF 64.65 FEET TO A CURVE CONCAVE EASTERLY WITH A RADIUS OF 802.00 FEET;

THENCE ALONG SAID CURVE, WHOSE CHORD BEARS NORTH 09°04'28" WEST, WITH A CHORD LENGTH OF 232.26 FEET, FOR A DISTANCE OF 233.08 FEET;

THENCE NORTH 00°44'55" WEST, FOR A DISTANCE OF 36.82 FEET TO A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 25.00 FEET;

THENCE ALONG SAID CURVE, WHOSE CHORD BEARS NORTH 45°44'56" WEST, WITH A CHORD LENGTH OF 35.36 FEET, FOR A DISTANCE OF 39.27 FEET;

THENCE SOUTH 89°15'05" WEST, FOR A DISTANCE OF 112.92 FEET;

THENCE NORTH 01°57'54" EAST, FOR A DISTANCE 33.04 FEET TO THE NORTH LINE OF SAID NE 1/4 OF SECTION 12;

THENCE ALONG SAID NORTH LINE NORTH 89°15'05" EAST, FOR A DISTANCE OF 421.99 FEET;

THENCE SOUTH 00°44'55" EAST, FOR A DISTANCE OF 33.00 FEET;

THENCE SOUTH 85°02'17" EAST, FOR A DISTANCE OF 120.60 FEET;

THENCE NORTH 89°15'05" EAST, FOR A DISTANCE OF 134.69 FEET;

THENCE NORTH 00°02'43" WEST, FOR A DISTANCE OF 45.00 FEET TO THE NORTH LINE OF SAID NE 1/4 OF SECTION 12;

THENCE ALONG SAID NORTH LINE NORTH 89°15'05" EAST, FOR A DISTANCE OF 85.01 FEET TO THE POINT-OF-BEGINNING.

CONTAINING 436,844 SQ. FT. (10.029 ACRES) MORE OR LESS, SUBJECT TO ALL EASEMENTS OF RECORD.



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

Item No. 6.b.
For Meeting of 5/13/2021
Resolution

TITLE: -Resolution of Recommendation approving the site plan for the Sales of Fireworks

CONTACT PERSON:

Marketa Oliver, City Administrator

BRIEF HISTORY & ANALYSIS: Brief History & Analysis:

The City of Bondurant is in receipt of a site plan for review for a temporary fireworks sales facility (tent) that will be located at 906 Prairie Drive SW. This request was submitted by Jeremiah Terhark with Iowa Fireworks Company. The first map below shows the general area of 906 Prairie Drive SW. The second map shows the site plan layout at this location.





This property is zoned as being within the City's Medium Industrial (M-2) District. A temporary fireworks sales facility is a permitted use of the M-2 District per Sections 178.13.1.HH and 178.14.1.A of the Zoning Code only if such temporary facility is located at least 500' away from any residential area, school, childcare facility, or elderly residential facility. None of these uses exist within 500' of this temporary fireworks tent request.

Only one temporary fireworks sales facility per lot is allowed. If this current temporary fireworks sales facility site plan request is approved by the Commission and Council, no further requests for this location at 906 Prairie Drive SW will be allowed for this summer season. The applicant has submitted their Consumer Fireworks Retail License, which has been signed by the Iowa State Fire Marshal. The Bondurant Fire Department is currently reviewing the submitted site plan; an update of this review will be provided at the May 13th meeting. This the same vendor as the past few years and the City has had no compliance issues or complaints.

Alternatives:

The following options exist for the Planning & Zoning Commission:

1. Recommended approval of the submitted temporary fireworks tent site plan at 906 Prairie Drive SW.
2. Recommended approval of the submitted temporary fireworks tent site plan at 906 Prairie Drive SW, subject to Zoning Code clarification items as recommended by the Commission.
3. Recommended denial of the submitted temporary fireworks tent site plan at 906 Prairie Drive SW.
4. Table the review pending additional information.

Staff Conclusions/Recommendations:

Subject to comments received from the public during the Commission's meeting or comments received from the Fire Department, staff recommends approval of the temporary fireworks tent site plan request at 906 Prairie Drive SW.

COMMISSION REVIEW/RECOMMENDATION:

ALTERNATIVES TO APPRVOAL:

FUNDING SOURCE: NA

STAFF RECOMMENDATION: Approve resolution on a roll call vote.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. RESOLUTION NO. PZ-210513-10

PLANNING & ZONING COMMISSION
RESOLUTION NO. PZ-210513-10

RESOLUTION OF RECOMENDATIONAPPROVING THESITE PLAN FOR THE SALES OF
FIREWORKS

WHEREAS, Jeremiah Terhark, Iowa Fireworks Company, submitted an application for a Firework Sales Permit; AND

WHEREAS, C&R Discount, 906 Prairie Drive, is the proposed site for the applicant; AND

WHEREAS, the applicant has submitted the necessary documents, and a Consumer Fireworks Retail License,

NOW, THEREFORE, BE IT RESOLVED, by the Planning and Zoning Commission of the City of Bondurant, Iowa, that the site plan for the sales of fireworks is recommended for City Council approval.

Moved by _____, Seconded by _____ to adopt.

ATTEST: I, Shelby Hagan, hereby certify that at a meeting of the Planning and Zoning Commission held on May 13, 2021; among other proceedings the above was adopted.

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

Shelby Hagan, City Clerk

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

Torey Cuellar, Commission Chair



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

Item No. 6.c.
For Meeting of 5/13/2021
Resolution

TITLE: -Resolution regarding Shiloh Rose Business Park Plat 2 Final Plat

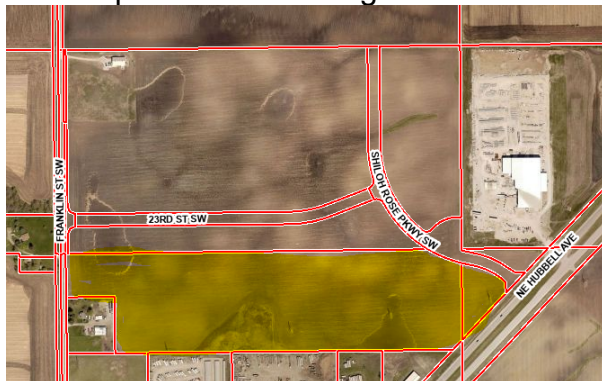
CONTACT PERSON:

Marketa Oliver, City Administrator

BRIEF HISTORY & ANALYSIS: For review by the Planning and Zoning Commission is recommended approval of the enclosed Shiloh Rose Business Park Plat 2 Final Plat. This plat was submitted by Shive-Hattery. The plat notes that the current owner is GHOLDS, LLC. Per Section 180.04.13 of the City's Subdivision Code, final plat review and approval is typically only required by City Council. This final plat is being brought to the Commission for consideration, as this final plat review process will also include waiver of review of the Shiloh Rose Business Park Plat 1 Preliminary Plat.

The Shiloh Rose Business Park Plat 2 Final Plat proposes to create six developable sites, ranging from 3.122 acres to 11.322 acres. The plat is served by road infrastructure to the north (23rd Street SW, which connects to Franklin Street SW/NE 64th Street) and the new Shiloh Rose Parkway SW to the northeast of Lot 1. The site is also served by existing water and sanitary sewer infrastructure.

The map below shows a general location map of this subdivision proposed:

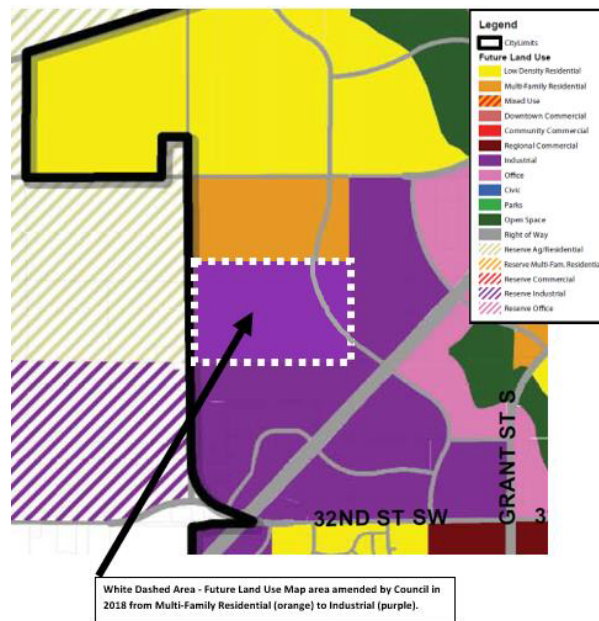


Analysis:

When considering subdivision plat requests, the Planning and Zoning Commission and City Council should take into account the following: Future Land Use (Comprehensive

Plan), Zoning, Neighborhood Character, Parkland Dedication, Transportation, Sidewalks, Utilities, the FEMA Flood Plain, the City's Stream Buffer Ordinance, and Comments from City Officials and Private Utilities.

Future Land Use (Comprehensive Plan) – an industrial subdivision is consistent with the City's Future Land Use Map as part of the Comprehensive Plan. The Future Land Use Map in this area was amended from Multi-Family to Industrial back in 2018. Below is an excerpt from the amended Future Land Use Map.



Zoning – the submitted plat shows that the bulk requirements of the Limited Industrial (M-1) District will be met relative to minimum lot size and setbacks.

Surrounding Character – the existing industrial Midstates Precast Products site exists just northeast at 2340 Hubbell Ave SW, Project Omega (Amazon) zoned M-1 is under construction to the north, and Franklin Street SW/NE 64th Street exists just west. Land west of Franklin Street SW/NE 64th Street is located outside of Bondurant's city limits.

Parkland Dedication – N/A, as this is not a residential subdivision.

Transportation – As mentioned earlier, the plat is served by road infrastructure to the north (23rd Street SW, which connects to Franklin Street SW/NE 64th Street) and the new Shiloh Rose Parkway SW to the northeast of Lot 1. A future phase of public improvements will include improving Franklin Street SW/NE 64th Street.

Trails & Sidewalks – the detailed public improvement plans from Plat 1 show that public sidewalks will be installed along the Shiloh Rose Parkway SW and 23rd Street SW right-of-way adjacent to the Project Omega development site. While no public

sidewalks are proposed along the Franklin Street SW/NE 64th Street right-of-way, sufficient right-of-way space in this area is being preserved for a future trail in this right-of-way.

Utilities – As mentioned earlier, the site is served by current utilities.

FEMA Floodplain – N/A, as the FEMA floodplain does not touch this final plat area.
City's Stream Buffer Ordinance – N/A, as the FEMA floodplain does not touch this final plat area.

Comments from City Departments and Private Utilities - A letter from the City's Engineer and a response from the Project Engineer, addressing the City's Engineer's comments are attached to this report.

Public Works had no additional comments.

Fire Chief - there were no concerns noted from the Fire Chief.

MidAmerican - has been sent a copy of the plat.

COMMISSION REVIEW/RECOMMENDATION:

ALTERNATIVES TO APPROVAL:

FUNDING SOURCE:

STAFF RECOMMENDATION: Staff Conclusions/Recommendations

Subject to further comments received during the Commission meeting, staff recommends approval of the Shiloh Rose Industrial Park Plat 2 Final Plat, subject to the following Code clarification items being addressed:

1. That this final plat approval also includes waiver of review of the preliminary plat.
2. That the required Stormwater Management Plan shall be submitted for administrative review and approval prior to grading approval and building permit approval.
3. That approval of the Shiloh Rose Industrial Park Plat 2 Final Plat includes waiver of the sidewalk installation requirement along the Franklin Street SW/NE 64th Street right-of-way, as a future trail will be constructed in this right-of-way if/when a logical connection exists.
4. That should there be any additional easement needs noted by private utilities, the final plat must be updated to reflect any updated easements.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. RESOLUTION NO. PZ-210513-11
2. Shiloh Rose Business Park Plat 2 Final Plat
3. Veenstra & Kimm, Inc. Letter
4. Shiloh Rose Business Park Plat 2 Response Letter

PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ-210513-

RESOLUTION REGARDING RECOMMENDED APPROVAL OF THE SHILOH ROSE
INDUSTRIAL PARK PLAT 2 FINAL PLAT

WHEREAS, Shive-Hattery submitted Shiloh Rose Industrial Park Plat 1 Final Plat; AND

WHEREAS, the owner is GHOLDS, LLC; AND

WHEREAS, this is a subdivision within Bondurant's city limits that is described as follows:

OUTLOT X, SHILOH ROSE BUSINESS PARK PLAT 1, AN OFFICIAL PLAT, AND A PARCEL OF LAND IN THE WEST HALF (W1/2) AND THE NORTHWEST ONE QUARTER (NW1/4) OF THE SOUTHEAST ONE QUARTER (SE1/4) OF SECTION 1, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, EXCEPT LEGALLY ESTABLISHED HIGHWAYS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST 1/4 CORNER OF SAID SECTION 1;
THENCE NORTH 89°15'45" EAST, A DISTANCE OF 50.00 FEET TO THE EAST RIGHT-OF-WAY OF FRANKLIN STREET SW AS IT IS PRESENTLY ESTABLISHED;

THENCE NORTH 00°51'42" WEST, A DISTANCE OF 109.77 FEET TO A CURVE CONCAVE SOUTHEASTERLY WITH A RADIUS OF 50.00 FEET;

THENCE ALONG SAID CURVE, WHOSE CHORD BEARS NORTH 44°16'07" EAST, WITH A CHORD LENGTH OF 70.87 FEET, A DISTANCE OF 78.77 FEET;

THENCE NORTH 89°23'56" EAST, A DISTANCE OF 1398.53 FEET TO A CURVE CONCAVE NORTHERLY WITH A RADIUS OF 802.00 FEET;

THENCE ALONG SAID CURVE, WHOSE CHORD BEARS NORTH 77°50'03" EAST, WITH A CHORD LENGTH OF 321.81 FEET, A DISTANCE OF 324.00 FEET;

THENCE NORTH 66°54'01" EAST, A DISTANCE OF 257.66 FEET TO A CURVE CONCAVE SOUTHERLY WITH A RADIUS OF 50.00 FEET;

THENCE ALONG SAID CURVE, WHOSE CHORD BEARS SOUTH 71°07'53" EAST, WITH A CHORD LENGTH OF 66.87 FEET, A DISTANCE OF 73.25 FEET TO A CURVE CONCAVE NORTHEASTERLY WITH A RADIUS OF 802.00 FEET;

THENCE ALONG SAID CURVE, WHOSE CHORD BEARS SOUTH 54°46'45" EAST, WITH A CHORD LENGTH 693.46 FEET, A DISTANCE OF 717.11 FEET TO A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 475.00 FEET;

THENCE ALONG SAID CURVE, WHOSE CHORD BEARS SOUTH 66°49'35" EAST, WITH A CHORD LENGTH OF 222.88 FEET, A DISTANCE OF 224.97 FEET;

THENCE SOUTH 43°33'16" EAST, A DISTANCE OF 36.62 FEET;

THENCE SOUTH 04°54'11" EAST, A DISTANCE OF 68.03 FEET TO THE NORTHWEST RIGHT-OF-WAY OF HIGHWAY 65/NE HUBBELL AVENUE AS IT IS PRESENTLY ESTABLISHED;

THENCE SOUTH 43°16'25" WEST, A DISTANCE OF 515.42 FEET;

THENCE SOUTH 89°18'42" WEST, A DISTANCE OF 2201.72 FEET;

THENCE NORTH 00°48'12" WEST, A DISTANCE OF 366.58 FEET;

THENCE SOUTH 89°22'49" WEST, A DISTANCE OF 348.45 FEET TO THE WEST LINE OF SECTION 1;

THENCE NORTH 00°51'27" WEST, A DISTANCE OF 297.11 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,088,494 SQUARE FEET (47.945 ACRES) MORE OR LESS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

NOW, THEREFORE, BE IT RESOLVED, that the Planning and Zoning Commission recommends City Council approval of the Shiloh Rose Industrial Park Plat 1 Final Plat, subject to the following recommendations:

1. That this final plat approval also includes waiver of review of the preliminary plat.
2. That the required Stormwater Management Plan shall be submitted for administrative review and approval prior to grading approval and building permit approval.
3. That approval of the Shiloh Rose Industrial Park Plat 2 Final Plat includes waiver of the sidewalk installation requirement along the Franklin Street SW/NE 64th Street right-of-way, as a future trail will be constructed in this right-of-way if/when a logical connection exists.
4. That should there be any additional easement needs noted by private utilities, the final plat must be updated to reflect any updated easements.

Moved by _____, Seconded by _____ to adopt.

ATTEST: I, Marketa Oliver, City Administrator, hereby certify that at a meeting of the Planning and Zoning Commission held on May 13, 2021; among other proceedings the above was adopted.

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

Marketa Oliver, City Administrator

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

Torey Cuellar, Commission Chair



April 21, 2021

Marketa Oliver
City Administrator
City of Bondurant
200 Second Street NE
P.O. Box 37
Bondurant, Iowa 50035

BONDURANT, IOWA
SHILOH ROSE BUSINESS PARK PLAT 2
FINAL PLAT

The writer has completed a review of the initial submittal of the final plat of Shiloh Rose Business Park Plat 2. Based on review the following comments are offered:

1. The final plat shows the information on the setback distances in the M1 Zoning District. The setback distances listed on the plat do not appear to coincide with the setback distances in Chapter 178 relative to the rear yard setback and side yard setbacks are not shown.
2. The building setback lines on the final plat need to be corrected to coincide with the ordinance requirements.
3. It would also be preferable if the side yard setbacks were consistently shown on all of the lots.
4. On Lot No. 6 there is a label for an existing public utility easement and a 10-foot MidAmerican Energy easement. This easement was established in Shiloh Rose Business Park Plat 1.
5. In the southern part of Lot No. 6 south of the previously platted area there are references to a 10-foot electric easement and a 10-foot utility easement. These easements are extensions of the easements in Plat 1 that are referenced as MidAmerican Energy utility easement and public utility easement. It would be preferable if this plat used the same easement nomenclature as the existing easements in the northern part of this lot.

6. On Lot No. 1 there appears to be the intent to establish a continuation of the MidAmerican Energy easement and public utility easement adjacent to the west right-of-way line of Shiloh Rose Parkway SW in Lot No. 2 that were established as part of Shiloh Rose Business Park Plat 1. However, the easements are unlabeled relative to Lot No. 1. If these dash lines indicate easements the easements should be labeled. It would be preferable if the nomenclature for the easement designation matched the existing easement nomenclature for the easements on proposed Lot No. 2 established as part of Shiloh Rose Business Park Plat 1.
7. On Lot No. 2 a 20-foot wide sanitary sewer easement is shown. If this is an easement for an existing sewer the book and page should be referenced. If this is an easement for a new sanitary sewer to be constructed as part of the plat the final plat should not be processed for acceptance until the sewer has been constructed and accepted by the City. Clarification of this easement is necessary.
8. The final plat shows three shared access easements. The shared easements are for Lot No. 5 and No. 6, No. 2 and No. 3, and No. 1 and No. 2. Shared access easements are generally utilized when there are restrictions relative to individual lots having access to an abutting street. In this instance there is no indication on the final plat there are restrictions on access to any of the streets adjoining the lots that would utilize shared access. If it is the intent there be limitations on access to the adjoining streets, which appears appropriate, those restrictions should be set forth in the final plat.
9. The final plat identifies Lot A for a 50-foot right-of-way on the easterly side of the center line of Franklin Street SW on that portion of Lot No. 6 where the right-of-way is not previously dedicated to the City. Lot A is satisfactory.
10. The sanitary sewer easement adjoining the south right-of-way line of 23rd Street SW appears to have been established as part of Shiloh Rose Business Park Plat 1. If that is the case, the reference to the book and page number for the sanitary sewer easement appears to be incorrect.
11. The legal description of the final plat is a metes and bounds description. A portion of the northern part of Lot No. 2 incorporates Outlot X of Shiloh Rose Business Park Plat 1. It is generally preferable for any previously platted parcel be identified as being replatted as part of the plat even if the description incorporates a previously replatted plot only by its underlying metes and bounds description.

Marketa Oliver
April 21, 2021
Page 3

If you have any questions or comments concerning the project, please contact the writer at 225-8000, or at bveenstra@v-k.net.

VEENSTRA & KIMM, INC.

A handwritten signature in blue ink, appearing to read 'H. R. Veenstra Jr.', with a stylized flourish at the end.

H. R. Veenstra Jr.

HRVJr:kld
4285-111

Cc: Maggie Murray, City of Bondurant
John Horton, City of Bondurant
Chris Bauer, Shive Hattery

May 5, 2021

City of Bondurant
ATTN: Marketa Oliver, City Administrator
200 Second Street NE, PO Box 37
Bondurant, Iowa 50035

Re: Shiloh Rose Business Park Plat 2

Dear Mrs. Oliver:

We are in receipt of your review comments, dated April 21, 2021, for the above-referenced project. Our responses are as follows:

General Comments:

1. The final plat shows the information on the setback distances in the M1 Zoning District. The setback distances listed on the plat do not appear to coincide with the setback distances in Chapter 178 relative to the rear yard setback and side yard setbacks are not shown.

SH Response: We have updated the setback distances per Chapter 178 for M1 Zoning and have shown them on the drawing for all proposed lots.

2. The building setback lines on the final plat need to be corrected to coincide with the ordinance requirements.

SH Response: These have been updated on the drawing.

3. It would also be preferable if the side yard setbacks were consistently shown on all of the lots.

SH Response: These have been added for all lots.

4. On Lot No. 6 there is a label for an existing public utility easement and a 10-foot MidAmerican Energy easement. This easement was established in Shiloh Rose Business Park Plat 1.

SH Response: Noted.

5. In the southern part of Lot No. 6 south of the previously platted area there are references to a 10-foot electric easement and 10-foot utility easement. It would be preferable if this plat used the same easement nomenclature as the existing easements in the norther part of this lot.

SH Response: The names of these easements have been updated to match the existing easement names.

6. On Lot No. 1 there appears to be the intent to establish a continuation of the MidAmerican Energy easement and public utility easement adjacent to the west ROW line of Shiloh Rose Parkway SW in Lot No.2 that were established as part of Shiloh Rose Business Park Plat 1. However, the easements are unlabeled relative to Lot No. 1.

SH Response: These easements along Shiloh Rose Parkway SW on Lot No. 2 and Lot No. 1 are both existing easements. We have updated the labels on these easements to show book and page number to clarify these.

7. On Lot No. 2 a 20-foot wide sanitary sewer easement is shown. If this is an easement for a new sanitary sewer to be constructed as part of the plat the final plat should not be processed for acceptance until the sewer has been constructed and accepted by the City. Clarification of this easement is necessary.

SH Response: This is proposed as a private sanitary easement benefiting Lot No. 1. The intent is that Lot No. 1 will have the ability to extend a sanitary sewer service line across Lot No. 2 or direct bore a sanitary sewer service under Shiloh Rose Parkway to connect to the existing public sanitary line on the east side of Shiloh Rose Parkway. This was reviewed with the public works director. This easement label has been updated to be "private".

8. The final plat shows 3 shared access easements. Shared access easements are generally utilized when there are restrictions relative to individual lots having access to an abutting street. If it is the intent there be limitations on access to the adjoining streets, which appears appropriate, those restrictions should be set forth in the final plat.

SH Response: Notes have been added to the Plat specifying the specific access restrictions for the specific lots.

9. The final plat identifies Lot A for a 50-foot ROW on the easterly side of the center line of Franklin Street SW. Lot A is satisfactory.

SH Response: Noted.

10. The Sanitary sewer easement adjoining the south ROW line of 23rd Street SW appears to have been established as part of Shiloh Rose Business Park Plat 1. If that is the case, the reference to the book and page number for the sanitary sewer easement appears to be incorrect.

SH Response: The book and page number have been updated for the existing sanitary sewer easement.

11. The legal description of the final plat is a metes and bounds description. A portion of the northern part of Lot No. 2 incorporates Outlot X of Shiloh Rose Business Park Plat 1. It is generally preferable for any previously platted parcel be identified as being replated as part of the plat even if the description incorporates a previously replatted plot only by its underlying metes and bounds description.

SH Response: Reference to Outlot X has been added to the legal description.