

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

Bondurant Planning and Zoning Commission
Minutes
July 22, 2021

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

Present:	Commission Member Torey Cuellar, Commission Member Karen Keera, Commission Member Kristin Brostrom, Commission Member Brian Clayton, Commission Member Andy Mains, Commission Member Wes Hoyer
Absent:	None
City Officials Present:	City Administrator Marketa Oliver, Planning & Community Development Director Maggie Murray, City Council Liaison Bob Pepper
3. Perfecting and Approval of the Agenda
Motion by Commission Member Mains, seconded by Commission Member Keeran, to approve the agenda as is. Vote on Motion 6-0. Motion carried.
4. Approval of Minutes
Motion by Commission Member Mains, seconded by Commission Member Clayton, to approve the July 8, 2021 Planning & Zoning Commission meeting minutes. Vote on Motion 6-0. Motion carried.
 - a. July 8, 2021
5. Guests requesting to address the Planning and Zoning Commission
None
6. Action Items
 - a. RESOLUTION NO. PZ-210722-15: Considering recommended approval of the Black Oak Farm Plat 1 Preliminary Plat (Unincorporated Polk County)
Terry Coady, Snyder & Associates, presented the Black Oak Farm Plat 1 Preliminary Plat for the split proposed in unincorporated Polk County within two miles of Bondurant.

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Maggie Murray noted that staff is recommending approval, subject to the following Subdivision Code clarification items as listed on the P&Z recommendation resolution:

1. That the preliminary plat shall be updated to show a minimum 40'-wide half right-of-way along NE 88th Street.
2. 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.

Motion by Commission Member Mains, seconded by Commission Member Brostrom, for recommended approval of the Black Oak Farms Preliminary Plat, P&Z Resolution PZ-210722-15 subject to the following Subdivision Code clarification items, as presented in the packet:

1. That the preliminary plat shall be updated to show a minimum 40'-wide half right-of-way along NE 88th Street.
2. 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.

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

- b. RESOLUTION NO. PZ-210722-16: Considering recommended approval of the Dollar General plat of survey at 501 Hawthorne Crossing Drive SE (Parcel 2021-82).

Maggie Murray presented the staff report. This split will create a 1.21-acre parcel on Outlot W of the Hawthorne Crossing Subdivision. This split being reviewed is also associated with the Dollar General site plan being reviewed as part of the next agenda item. Staff recommends approval of the Dollar General plat of survey.

Motion by Commission Member Keeran, seconded by Commission Member Brostrom, for recommended approval of the Dollar General Plat of Survey, P&Z-210722-16. Roll Call: Ayes: Commission Member Clayton, Commission Member Cuellar, Commission Member Keeran, Commission Member Mains, Commission Member Hoyer, Commission Member Brostrom. Nays: None. Absent: None. Motion carried 6-0.

- c. RESOLUTION NO. PZ-210722-17: Considering recommended approval of the Dollar General site plan at 501 Hawthorne Crossing Drive SE. Rusty Doss, Overland Engineering LLC, presented the site plan.

Commission Member Keeran asked for clarification on the driveway

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entrances proposed. Doss explained the two driveway entrances proposed off of Hawthorne Crossing Drive SE.

Commission Member Mains asked about any screening requirements along Highway 65? Murray explained that there are no overhead garage doors or loading space areas proposed along this corridor, so no screening is required.

Doss noted the entire site will be sodded.

Commission Member Mains asked to see the elevations proposed. Murray noted that the three street-facing facades will be made up of brick and split faced block, while the non-street facing façade will be made of up stucco coated siding. These materials meeting the primary and secondary building material requirements.

Commission Member Hoyer asked for clarification on the Fire Department's status of review? Murray explained that the Fire Department did review an initial version of the site plan and noted no concerns but that she will follow-up with the Department prior to Council's consideration.

Murray noted staff is recommending approval, subject to the following Zoning Code clarification item:

1. That if a dedicated left turn lane is constructed on Hawthorne Crossing Drive SE at Highway 65, the northernmost driveway may be converted to a right-in, right-out driveway.

Motion by Commission Member Hoyer, seconded by Brostrom, for recommended approval of the Dollar General site plan, P&Z-210722-17, subject to the following Zoning Code clarification item:

1. 1. That if a dedicated left turn lane is constructed on Hawthorne Crossing Drive SE at Highway 65, the northernmost driveway may be converted to a right-in, right-out driveway.

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

- d. PUBLIC HEARING - Request for rezoning from the Agricultural (A-1) District to the Planned Unit Development (R-5) District on property currently owned by Top Farms LLLP north of Park Side Plat 2 and adjacent to Highway 65; and request for Future Land Use Map

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amendment from Single-Family Residential to Multi-Family and Commercial on areas as shown on the PUD Conceptual Plan.

Motion by Commission Member Keeran, seconded by Commission Member mains, to close the regular meeting and enter into the public hearing regarding the request for rezoning from Agricultural (A-1) to the Planned Unit Development (R-5) District on property currently owned by Top Farms LLLP north of Park Side Plat 2 and adjacent to Highway 65; and request for Future Land Use Map amendment from Single-Family Residential to Multi-Family and Commercial on areas as shown on the PUD Conceptual Plan. Vote on Motion 6-0. Motion carried.

Emily Harding, Civil Design Advantage, presented the PUD Conceptual Plan.

Murray asked how many lots will meet the equivalent of the City's R-2 District requirements? Steve Moseley, Hubbell Land Development, explained that if they were required to meet the 65'-wide lot width requirements of the R-2 District for 30% of the single-family detached lots, they would lose approximately four lots. Moseley noted this site is restricted in that they are working around a major gas main easement.

A discussion was had regarding side yard setbacks. The Conceptual Plan currently proposes 5' side yard setbacks for all lots.

Commission Member Brostrom asked if window wells are allowed within a required side yard setback area? Murray explained that yes, our Code allows for encroachment of window wells into the required side yard setback and that if this is something the Commission wants to require, it should be noted on the PUD Conceptual Plan.

Commission Member Clayton noted that he struggles sometimes with R-5 requests when a developer uses this to not meet traditional lot requirements. Commission Member Clayton noted that as currently shown, he would vote for denial.

Commission Member Clayton asked if the property owner to the west has reviewed this Conceptual Plan? Murray noted that this week she received a call from Robin with Emerald Acres LLC (owner) and that her only question at this point was that the housing would not be manufactured/mobile housing. Moseley confirmed that it would not be.

Commission Member Clayton asked for clarification on the anticipated valuation of the homes proposed? Moseley noted the average valuation, when factoring both the narrow and wider lots, will be \$350,000.

Commission Member Clayton asked for clarification on anticipated valuation of the narrower lots? Moseley noted the average valuation of

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the narrower lots will be \$275,000-\$300,000.

Commission Member Clayton noted the community is lacking single-family homes prices less than \$200,000. He noted that this concept proposes narrower lots and that this is not what the City wants.

Commission Member Keeran noted that a smaller lot should be a smaller home to make the home more affordable and to create a greater distance between the house.

Commission Member Clayton asked for clarification on the parkland shown on the Conceptual Plan? Murray noted that the parkland as currently shown does not meet the Subdivision Code's requirements. Notes on this have been provided in the staff report. The developer will need to evaluate this further. If they are not meeting minimum public parkland acreage requirements, a fee in lieu of dedication is acceptable per the Subdivision Code. Commission Member Clayton noted the City is open to the fee in lieu option.

Commission Member Clayton asked how the ponds will offload? Harding explained.

Commission Member Mains noted that he struggles with this in that this concept mainly shows narrower lots. Moseley explained that the location along Highway 65 and NE 86th Avenue dictates the layout proposed. The narrower lots are proposed along these corridors and the higher value lots are further into the neighborhood. Moseley also noted the gas main easement really sets the street layout proposed.

City Council Liaison Pepper asked for clarification on the valuation of the anticipated homes prices for the narrow lots? Moseley stated between \$275,000-\$300,000.

Murray noted that the Conceptual Plan will need to be updated to provide further information on the multi-family area proposed.

Commission Member Brostrom noted that the homes on corner lots should have two front yard setbacks.

A discussion was had regarding deck encroachments. Murray explained that if this area was subject to traditional residential setback requirements, uncovered decks are allowed to encroach into a rear yard area while covered decks are not.

Commission Member Clayton asked if these yard areas will have rear yard stormwater drainage easements? Murray cautioned that if

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proposing deck encroachments, the decks will need to stay out of the rear yard drainage easement areas.

Murray asked for a break out of how many lots are proposed as being narrow? Moseley noted that as currently proposed, 55% of the lots will be 50'-wide.

Harding handed out a setback comparison exhibit.

Commission Member Clayton asked for the developer's timeline? Moseley noted an anticipated 5-8 year build out. Moseley added that Hubbell could also eventually be interested in constructing out a golf course community in Bondurant.

Commission Member Keeran asked for clarification on anticipated ownership? Moseley noted that Hubbell would construct out all of the public infrastructure and then could look to sell the lots for development.

Moseley noted that Hubbell would be okay with tabling this evening and that they they will work on an updated Conceptual Plan where 30% of the lots will be at least 65'-wide.

Motion by Commission Member Keeran, seconded by Commission Member Clayton, to close the public hearing and enter back into the regular meeting. Vote on Motion 6-0. Motion carried.

- e. RESOLUTION NO. PZ-210722-18: Considering recommended approval of the Top Farms rezoning and Future Land Use Map amendment request as described in Agenda Item 6.d.

Motion by Commission Member Clayton, seconded by Commission Member Mains, to table this item until the PUD Conceptual Plan has been updated. Roll Call: Ayes: Commission Member Clayton, Commission Member Cuellar, Commission Member Keeran, Commission Member Mains, Commission Member Hoyer, Commission Member Brostrom. Nays: None. Absent: None. Motion to table carried 6-0.

Murray asked for clarification from the Commission on expectations on updates. The following items should be taken into account as part of an updated Conceptual Plan:

- 30% of the lots to 65'-wide or wider.

- 30' front yard setbacks to apply to the 65'-wide area. 65'-wide area also subject to traditional side yard setbacks(15' combined between 2 side yards, with 7' minimum on one side when 2-story, 5' minimum on one side when ranch). Rear yard setbacks should also be increased from

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what is currently shown on the Conceptual Plan.

- Window wells cannot encroach into side yard setbacks when side yard setback is only 5'.

- Uncovered decks may encroach into the required rear yard setback, while covered decks must meet rear yard setback requirements.

- Corner lots must have two front yard setback areas.

- Concept to be updated to show that detention pond areas will be privately owned and maintained. If public parkland is proposed, concept to be updated to show the Subdivision Code will be met. The other option exists to pay a fee in lieu.

- Area B should be updated to address staff's comments in agenda statement.

- f. RESOLUTION NO. PZ-210722-19: Considering recommended approval of the RAMMS Construction site plan at 1120 2nd Street NE.

Murray presented the agenda statement. RAMMS Construction at 1120 2nd Street NE is proposing a 4,000 SF addition onto the rear of their building. This project was granted a variance from the City's Board of Adjustment to allow for a 10' encroachment into the required 20' side yard setback along the west property line.

Commission Member Clayton asked for clarification on if the Board can review a request prior to the Commission's review? Murray explained that yes, the Board is authorized to grant approval/denial on setback requests. A decision by the Board likely impacts a site layout, so this is why such a request may go to the Board first.

Commission Member Hoyer asked if the residential use to the west has been notified? Oliver noted that yes, as part of the Board of Adjustment review process, the neighbor to the west was sent a letter.

A discussion was had regarding screening. Murray noted that the Board of Adjustment required rear north property line screening as part of their approval. The Commission noted that the screening proposed does not show the entire extent along the north property line. Murray noted that she will

Cuellar asked for clarification on outdoor screening requirements and that this area should be subject to the City's requirements. Murray explained the idea that if screening is required, it may be pre-existing, non-conforming but that she will confirm.

Murray noted that staff recommends approval of the RAMMS Construction site plan, subject to the following Zoning Code clarification item:

1. That should any City Code comments/concerns be relayed by City

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Engineering, Public Works, or the Fire Department, the site plan shall be updated to accommodate such feedback.

Murray noted that related to the above, the Fire Department has reviewed and has noted this building must be sprinkled. Also, Public Works has reviewed and has requested further information on stormwater to ensure the neighbor to the west will not be impacted as a result of this project.

Motion by Commission Member Brostrom, seconded by Commission Member Mains, for recommended approval of the RAMMS Construction site plan, PZ-210722-20, subject to the following Zoning Code clarification as noted in the agenda statement:

1. That should any City Code comments/concerns be relayed by City Engineering, Public Works, or the Fire Department, the site plan shall be updated to accommodate such feedback.

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

7. Reports / Comments and appropriate action thereon:

a. Commission Members

Commission Member Brostrom - none.

Commission Member Hoyer - noted that he heard there was a series of car break ins recently and asked about any public outreach? Oliver noted the Sheriff's Department is aware of the issues.

Commission Member Keeran - none.

Commission Member Clayton - asked about the status of Midstates Precast Concrete and their site plan issues? Murray explained they were given two years to comply. Oliver noted she will follow-up on this.

Commission Member Mains - none.

b. Commission Chair

Commission Chair Cuellar - none.

c. City Administrator

Oliver - none.

d. Planning & Community Development Director

Murray noted that staff has been busy. We've received a record amount of building permits this month.

Murray noted that Council recently adopted the City Park Master Plan.

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She will send out a copy of this approved plan.

e. City Council Liaison

Peffer - noted that Council recently reviewed a draft streets master plan. Oliver noted this draft plan will come to the Commission after some stakeholder feedback is received. Murray explained this streets master plan is being created now so that the consultant creating the comprehensive plan can take this into account.

8. Adjournment

Motion by Commission Member Mains, seconded by Commission Member Clayton, to adjourn. Vote on motion 6-0. Motion carried. Meeting adjourned at 7:30 p.m.