

**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/84767994567>*

PLEASE NOTE: The PUBLIC HEARING - Regarding recommended approval of a text amendment to Section 177.10 of the Zoning Code regarding Outdoor Storage Surface Requirements has been rescheduled for the June 8, 2023 Planning and Zoning Commission agenda.

NOTICE OF A REGULAR MEETING BONDURANT PLANNING AND ZONING COMMISSION MAY 11, 2023

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 6:00 PM on May 11, 2023, 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 13, 2023
5. Guests requesting to address the Planning and Zoning Commission
6. Action Items
 - a. PUBLIC HEARING - Request for rezoning from the Agricultural (A-1) District to the Light Industrial (M-1) District, on property described as Parcel ID 170/00001-001-000, Parcel ID 170/00001-003-000 and Parcel ID 170/00001-002-000.
 - b. RESOLUTION - Request for rezoning from the Agricultural (A-1) District to the Light Industrial (M-1) District, on properties described as Parcel ID 170/00001-001-000, Parcel ID 170/00001-003-000 and Parcel ID 170/00001-002-000.
 - c. PUBLIC HEARING - Regarding recommended approval of Zoning Code text amendments to Section 177.09 regarding off-street parking area required for restaurants, bars, drive-thrus or night clubs.
 - d. RESOLUTION - Regarding recommended approval of Zoning Code text amendments to Section 177.09 regarding off-street parking area required for restaurants, bars, drive-thrus or night clubs.
 - e. RESOLUTION - Considering recommended approval of the Doe Run Plat 3 Preliminary Plat, a subdivision in unincorporated Polk County within two miles of Bondurant's city limits.
 - f. RESOLUTION - Considering recommended approval of a waiver of review of the Plat of Survey creating Parcel 2023-51 and 2023-52, a plat of survey in unincorporated Polk County within two miles of Bondurant's city limits.
 - g. RESOLUTION - Considering recommended approval of vacation of a portion of property described as Parcel 231/00096-003-000.

7. Discussion Items -
8. Reports / Comments and appropriate action thereon:
 - a. Commission Members
 - b. Commission Chair
 - c. City Administrator
 - d. City Planner
 - 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: April 13, 2023

Torey Cuellar, Chair

1. Call to Order 6:00 pm

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: Torey Cuellar (Chairperson), Brian Clayton, Karen Keeran, Kristin Brostrom, Andy Mains

Members Absent: Lisa Cameron

City Official Present: City Administrator Marketa Oliver, Community Development Director Maggie Murray, City Council Liaison Matt Sillanpaa

3. Perfecting and Approval of the Agenda

Motion by Commission Member Mains, seconded by Commission Member Clayton to approve of the April 13, 2023 meeting agenda. Vote on Motion 5-0-0. Motion carried.

4. Approval of Minutes

Motion by Commission Member Mains, seconded by Commission Member Brostrom to approve of the March 9, 2023 meeting minutes. Vote on Motion 5-0-0. Motion carried.

5. Guests requesting to address the Planning and Zoning Commission

- a. P&Z Vacancy – potential new member introductions – Austin Sullivan, Jason Core

Austin Sullivan introduced himself to the Commission. Sullivan is a residential

real estate agent in town and would like to be more involved with the community. Sullivan stated he believes the City is growing and wants to help ensure the growth is appropriate and sustainable.

Jason Vore introduced himself to the Commission. Vore stated he lives here in town and has been a member of the Board of Adjustment for a couple of years. However, the Board of Adjustment has not met very often and Vore would like to be more involved with the City. Clayton asked what Vore did not like about the Commission or things they should do differently. Vore stated he believes the Commission should be more stringent with Home Owner's Association, stormwater retention and detention standards and also believes the Commission needs to look more into fronting rear yards to major thoroughfares. Vore acknowledged the community is growing and the Commission needs to ensure the growth is good for the community.

6. Action Items

- a. RESOLUTION PZ-230413-11 – Considering recommended approval of the Fox Ridge Estates Plat 2 Final Plat, a subdivision in unincorporated Polk County within two miles of Bondurant's city limits.

Pezley provided the Commission with an overview of the annexation request. Pezley stated the preliminary plat would create two new parcels one accessed from NE 82nd Avenue and the other from a private access easement. Currently the property is undeveloped and does not appear to be used for agricultural purposes. The City's Future Land Use map shows this property as Rural Residential, the proposed parcels both meet the property size defined by the Rural Residential District. Pezley stated staff has no recommendation on the preliminary plat.

Motion by Commission Member Mains, seconded by Commission Member Brostrom to recommend approval of RESOLUTION PZ - 230413-11.

Roll Call – Ayes: Commission Member Clayton, Commission Member Mains, Commission Member Keeran, Commission Member Brostrom, Commission Member Cuellar Nays: none. Abstentions: none. Absent: Commission Member Cameron. Vote on Motion 5-0-0. Motion carried.

- b. RESOLUTION PZ -230413-12 Considering recommended approval of the Civic Campus/Myers 1 Plats of Survey.

Pezley provided the Commission with an overview of the annexation request. Pezley stated the plats of survey are for parcels that would not be used in the Civic Campus Master Plan. The plats of survey would be used as land swaps with the adjacent property owner. Oliver stated the City has an agreement with the adjacent property owner to swap properties, the approval of the plats of survey are necessary to make the

swaps possible.

Motion by Commission Member Mains, seconded by Commission Member Clayton to recommend approval of RESOLUTION PZ -230413-12.

Roll Call – Ayes: Commission Member Clayton, Commission Member Mains, Commission Member Keeran, Commission Member Brostrom, Commission Member Cuellar Nays: none. Abstentions: none. Absent: Commission Member Cameron. Vote on Motion 5-0-0. Motion carried.

7. Discussion Items –

- a. Edgeland Development – All multi-family and townhome building elevations shall contain windows, except when their omission is necessary to assure privacy for adjacent property owners.

Pezley stated the Edgeland townhome development is located on the west side of town along NE 64th Street. The townhome development includes 11 townhome structures and 47 individual residential units. The approved Edgeland Townhome development shows windows in the side elevations of the outer townhome units. These windows are required per Section 179.01.02.I.2.b.ii.3 which requires windows unless "... their omission is necessary to assure privacy for adjacent property owners...". Pezley stated City staff has been in contact with John Nieland who has proposed installing windows in the outer townhome units as shown on the attached site plan. The townhome units that directly face another townhome unit would not have windows installed.

Nieland addressed the Commission. Nieland stated they initially removed the windows for privacy and decided to remove the side windows from all of the outer townhome units for consistency. Nieland stated they did not realize they were included because of the provided code section. Nieland stated they have no issue with installing the windows in the units identified.

Brostrom asked if the windows would be located in the entryways of the townhome units, Nieland stated that is correct. Cuellar asked how large the windows would be, Nieland stated they would be roughly 16"x16". Keeran stated she did not feel that overlooking the installation of a window was a good excuse for not installing the windows but feels the installation of the windows was not vital to the townhome. Brostrom agreed with Keeran, stating the windows are quite small and do not provide much added value to the townhome units.

Keeran asked if they would need to go to the Board of Adjustment to only install the windows in some of the units and not all of them. Murray stated since the code states the windows could be omitted if they were for privacy reasons, staff felt that review by the Planning and Zoning Commission and City Council was sufficient. The Commission asked staff if their discussion provided staff with enough direction, Murray stated yes however staff would take the issue to City Council for discussion as well.

b. P&Z Vacancy

Clayton stated his first choice is Jesse Torres. Clayton believes Torres background in code enforcement would provide a new perspective that is not currently present on the Commission. Clayton stated each Commission member has their own strengths and weaknesses that are covered by other Commission members. Torres would be a great addition to the Commission. Clayton stated he believes that Vore's outspokenness would be a good thing for the board. Clayton stated that he believes that Sullivan would be a good member but the Commission and Council already have multiple realtors and developers and believes Vore would make for a better choice.

Cuellar stated she knows a colleague of Torres's that stated he is an excellent employee that is a self-starter and is very detail oriented. This co-worked believes Torres would make an excellent addition.

Brostrom agrees with Cuellar and Clayton regarding Torres. Brostrom stated she did not have an issue with Sullivan being a realtor because he is a residential real estate agent and not a commercial real estate agent.

Motion by Commission Member Brostrom, seconded by Commission Member Keeran to appoint Jesse Torres to the vacant Planning and Zoning Commission position.

Roll Call – Ayes: Commission Member Clayton, Commission Member Mains, Commission Member Keeran, Commission Member Brostrom, Commission Member Cuellar Nays: none. Abstentions: none. Absent: Commission Member Cameron. Vote on Motion 5-0-0. Motion carried.

Motion by Commission Member Mains, seconded by Commission Member Clayton to appoint Jason Vore to the Planning and Zoning Commission position that will be vacated by Torey Cullar.

Roll Call – Ayes: Commission Member Clayton, Commission Member Mains, Commission Member Keeran, Commission Member Brostrom, Commission Member Cuellar Nays: none. Abstentions: none. Absent: Commission Member Cameron. Vote on Motion 5-0-0. Motion carried.

8. Reports / Comments and appropriate action thereon

a. Commission Members

Brostrom –Thank Torey for her service on the Commission and wished her luck.

Mains – Mains stated an industrial user has storage all over their site.

Mains also asked staff to contact residential developers and builders about tracking dirt onto streets and not cleaning the streets.

Clayton – Clayton asked staff to look into a text amendment about pond setbacks. Clayton stated Bondurant Auto Body has changed hands and the new owners are expanding their outdoor storage onto unimproved surfaces. Clayton brought to the attention of City staff a site layout for a new school building. The site layout includes residential and commercial development as well as the routing of school traffic through residential neighborhoods. Clayton stated the neighborhood would not be happy about their routing plan and also urged staff to require a construction entrance off of 2nd Avenue or through the existing school site. Clayton stated he heard a rumor the City was actively trying to purchase the grain elevator site and wanted more information. Oliver stated the City applied for an earmark that would provide funds for a master plan of the entire Landus area. Part of this plan would include the City purchasing portions of that property.

Keeran – Thanked Torey for her service on the Commission. Keeran asked about when the trail will be completed behind the houses on Landon Drive approaching 2nd Avenue. Keeran wanted to bring attention to Amazon trucks using Grant Street again. Keeran also wanted to inform staff about a contractor using a broken skid loader to haul dirt near her house. Keeran stated the skid loader appears to be doing damage to the road and wanted staff to be aware of it.

Cameron – absent.

- b. Commission Chair – stated if this is her last meeting “It’s been real, if not I’ll see you next month”.
- c. City Administrator – Oliver informed the Commission of different projects the City is undertaking as well as different items going to City Council for consideration.
- d. Community Development Director – Murray stated this will be her last Commission meeting until after her maternity leave, she anticipates being out until July.
- e. City County Liaison – none.

7. Adjournment

Motion by Commissioner Mains, seconded by Commissioner Clayton to adjourn the meeting. Vote on Motion 6-0-0. Motion carried. Meeting adjourned at 6:50.



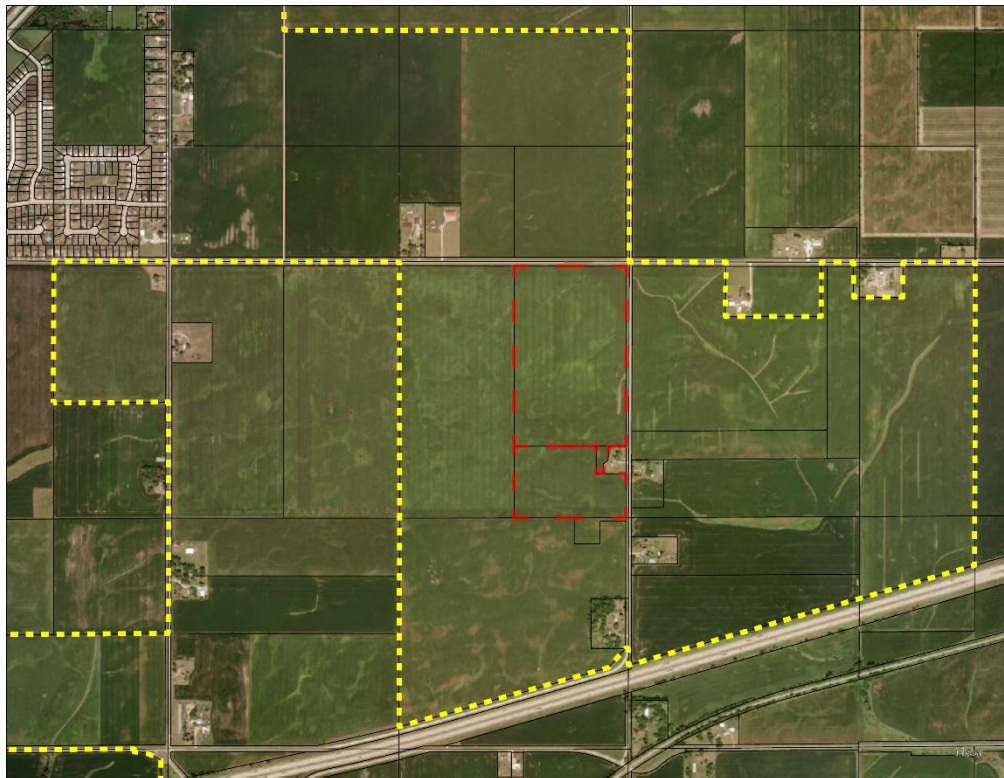
**BUSINESS OF THE PLANNING AND ZONING
COMMISSION BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 6.a.
For Meeting of 05/11/2023
Public Hearing

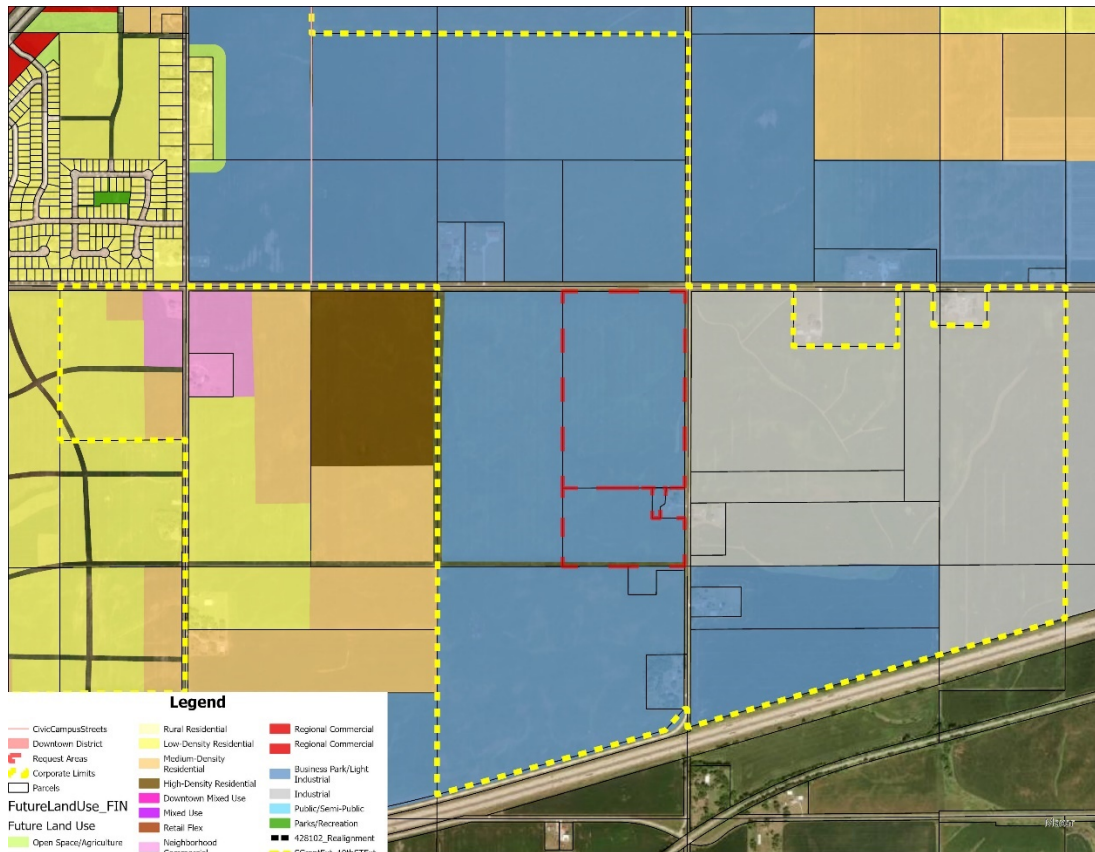
TITLE: PUBLIC HEARING: Request for rezoning from the Agricultural (A-1) District to the Light Industrial (M-1) District, on property described as Parcel ID 170/00001-001-000, Parcel ID 170/00001-003-000 and Parcel ID 170/00001-002-000.

CONTACT PERSON:
Isaac Pezley, City Planner

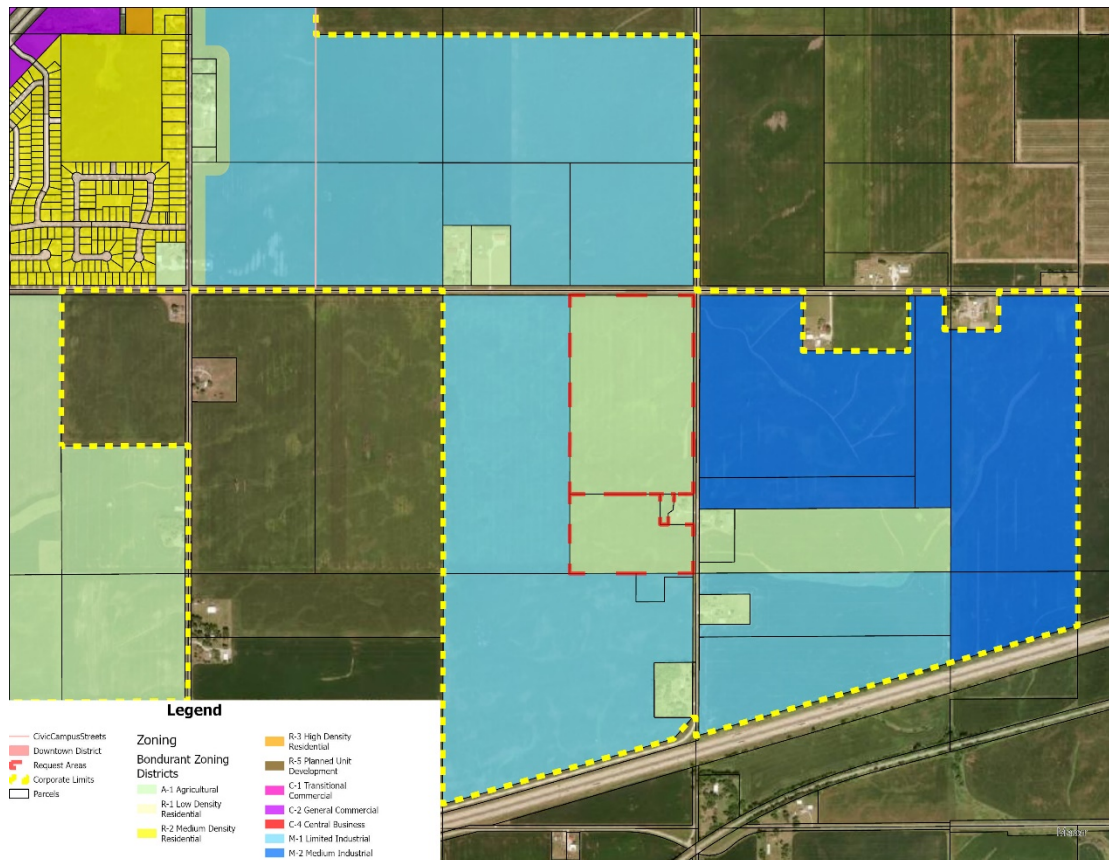
BRIEF HISTORY & ANALYSIS: Brief History:
The City has received a rezoning request for the parcel of lands described as Parcel ID 170/00001-001-000, Parcel ID 170/00001-003-000 and Parcel ID 170/00001-002-000 and shown outline in red below.



The City's Future Land Use Map, which guides potential rezoning requests but is not the regulatory tool like the Zoning Ordinance/Map, currently guides these parcels as Business Park/Light Industrial. The properties are outlined in black below. There is Business Park/Light Industrial located to the north, west and south of the properties in question. To the east of the properties the Future Land Use map has identified Industrial use.



Per Section 177.07.7 of the Zoning Code, when land is considered for annexation, it is automatically zoned as being within the City's Agricultural (A-1) District unless a rezoning request is also being considered at the same time. The rezoning being considered is that the land be zoned Light Industrial (M-1). There is existing M-1 Light Industrial Districts to the north, south and west of the properties. There is a M-2 Medium Industrial District to the east of the subject properties. The properties in question are outlined in red below.



Analysis:

When considering rezoning requests, the Planning & Zoning Commission 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. The Future Land Use Map shows the property to be zoned as Business Park/Light Industrial. The properties located to the north, east, west and south have also been designated as Business Park/Light Industrial or Industrial. The current zoning of properties abutting the subject properties are currently zoned either M-1 Light Industrial or M-2 Medium Industrial.

Consistency with the Zoning Code

This item will be reviewed in detail if/when a site plan application is received for the portion requested for M-1 zoning.

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)

Objectives of the Comprehensive Plan support industrial development along the Interstate 80 corridor, and the Future Land Use Map currently guides for industrial development along the interstate corridor and Business Park/Light Industrial for surrounding properties. The rezoning request for these properties are consistent with the Future Land Use Map.

Public Input

As is required by the City's Zoning Code, letters were sent to property owners withing 200' of the requested rezoning. No comment has been received by staff at the time of writing this agenda statement.

FUNDING SOURCE: N/A for rezonings

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

1. Recommended approval of RESOLUTION NO. PZ-230511-13.
2. Recommended approval of RESOLUTION NO. PZ-230511-13, subject to certain Zoning Code clarification items being included in the rezoning ordinance.
3. Recommended denial of RESOLUTION NO. PZ-230511-13.
4. Table pending additional information.

Staff recommends approval of RESOLUTION NO. PZ-230511-13, regarding recommended approval for the rezoning from Agricultural (A-1) to Light Industrial (M-1).

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. Resolution PZ-230511-13

PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ-230511-13

RESOLUTION REGARDING RECOMMENDED APPROVAL OF THE REQUEST FOR
REZONING FROM THE AGRICULTURAL (A-1) DISTRICT TO THE LIGHT
INDUSTRIAL (M-1) DISTRICT, ON PROPERTY DESCRIBED AS PARCEL ID
170/00001-001-000, PARCEL ID 170/00001-002-000 AND PARCEL ID 170/00001-003-
000.

WHEREAS, on May 11, 2023, the Planning and Zoning Commission held a Public Hearing to consider a request to rezone property from the Agricultural (A-1) District to the Light Industrial (M-1) District, on property described as follows:

EAST FRACTIONAL HALF OF THE NORTHEAST QUARTER (EXCEPT THE SOUTH 820 FEET THEREOF) OF SECTION 5, TOWNSHIP 79 NORTH, RANGE 22 WEST OF THE 5TH P.M., IOWA.

AND

THE SOUTH 820 FEET OF THE EAST FRACTIONAL HALF OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 79 NORTH, RANGE 22, WEST OF THE 5TH P.M., POLK COUNTY, IOWA; EXCEPT THE NORTH 315 FEET OF THE EAST 374 FEET THEREOF.

AND

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 5, IN TOWNSHIP 79 NORTH, RANGE 22 WEST OF THE 5TH P.M., POLK COUNTY, IOWA; THENCE N 0°00' E 505.00 FEET ALONG THE SECTION LINE; THENCE S 89°51'15" W 290.00 FEET; ALONG A LINE PARALLEL WITH THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5, TO THE POINT OF BEGINNING; THENCE S 89°51'15" W 84.00 FEET; THENCE N 0°00' W 315.00 FEET; THENCE N 89°51'15" E 147.00 FEET; THENCE S 4°21'15" W 164.00 FEET; THENCE S 53°59' W 62.43 FEET; THENCE S 0°00' E 115.00 FEET TO THE POINT OF BEGINNING CONTAINING 0.84 ACRES, MORE OR LESS.

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 rezoning request from Agricultural (A-1) District to Light Industrial (M-1) District on Parcel ID 170/00001-001-000, Parcel ID 170/00001-002-000 and Parcel ID 170/00001-003-000.

Moved by _____ Seconded by _____ to adopt.

ATTEST: I, Isaac J. Pezley, Community Development Director, hereby certify that at a meeting of the Planning and Zoning Commission held on May 11, 2023, among other proceedings the above was adopted.

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

Isaac J. Pezley, City Planner

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

Torey Cuellar, Commission Chair



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

Item No. 6.c.
For Meeting of 05/11/2023
Public Hearing

TITLE: DISCUSSION ITEM – Regarding potential text amendment to Section 177.09 regarding off-street parking area requirements for restaurants, bars, or night clubs.

CONTACT PERSON:

Isaac Pezley, City Planner

BRIEF HISTORY & ANALYSIS: The City of Bondurant is proposing a text amendment to Section 177.09 regarding off-street parking area requirements for restaurants, bars, or night clubs. More specifically, the proposed text amendments would affect the off-street parking requirements for restaurants and drive-thrus. The proposed text amendment's goal is to clean up our off-street parking requirements for restaurants and food service businesses.

Currently, Section 177.09.11.A and B. read as follows:

- A. No substantial carry-out or delivery service, no drive-in service, no service or consumption outside fully enclosed structure allowed - one (1) space per 100 square feet of gross floor area;
- B. Carry-out and delivery service, drive-in service, service or consumption outside fully enclosed structure allowed - one (1) space per 100 square feet of gross floor area plus one (1) space for every four (4) outside seats plus reservoir lane capacity equal to five (5) spaces per drive-in window.

The proposed Section 177.09.A and B. would read as follows:

Restaurants, bars, or night clubs:

- A. one (1) space per fifty (50) square feet of gross floor area devoted to patron use within the property. In addition, one (1) parking space must be provided for each person regularly employed or intended to be regularly employed on the premises during the maximum working shift.
- B. All food and beverage service drive-thrus shall provide a minimum

of eleven (11) vehicle queuing spaces per drive-thru, 5 of which must be located ahead of the ordering station if separate from the pick-up window. All other drive-thru and pick-up windows shall have a minimum of 4 vehicle queuing spaces. Queuing spaces shall be a minimum of 12 feet wide and 20 feet long and must be located within any driveway or parking lot drive aisle and cannot block any designated parking spaces.

The code can be confusing but is suppose to delineate between restaurants that do have carry-out services and those that do not. The proposed text amendments treats all restaurants and food service businesses the same requiring parking spaces based off of gross customer space, plus parking spaces for employees, and queuing spaces for drive-thrus. The proposed text amendment would also relieve parking requirements for drive-thru and carry-out predominant businesses.

FUNDING SOURCE: N/A

STAFF RECOMMENDATION: The Planning and Zoning Commission has the following options:

1. Approve Resolution PZ-230511-14
2. Approve Resolution PZ-230511-14 with certain requirements and/or restrictions.
3. Table Resolution PZ-230511-14
4. Deny Resolution PZ-230511-14

APPROVED FOR SUBMITTAL:

ATTACHMENTS: None

PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ-230511-14

RESOLUTION REGARDING RECOMMENDED APPROVAL OF ZONING CODE TEXT
AMENDMENTS TO SECTION 177.09 OF THE ZONING CODE REGARDING OFF-
STREET PARKING AREA REQUIRED FOR RESTAURANTS, BARS, OR NIGHT
CLUBS

WHEREAS, Action Item 1C of the Building Bondurant Comprehensive Plan notes: Update the zoning and subdivision regulations to support the Future Land Use Plan and any goals, policies, or action items included in the plan; AND

WHEREAS, the following Zoning Code text amendments help complement Action Item 1C of the Building Bondurant Comprehensive Plan;

11. Restaurants, bars, or night clubs:

~~A. — No substantial carry-out or delivery service, no drive-in service, no service or consumption outside fully enclosed structure allowed — one (1) space per 100 square feet of gross floor area;~~

BA. ~~Carry-out and delivery service, drive-in service, service or consumption outside fully enclosed structure allowed —~~ one (1) space per ~~100~~ fifty (50) square feet of gross floor area devoted to patron use within the property. ~~plus one (1) space for every four (4) outside seats plus reservoir lane capacity equal to five (5) spaces per drive-in window.~~ In addition, one (1) parking space must be provided for each person regularly employed or intended to be regularly employed on the premises during the maximum working shift.

B. All food and beverage service drive-thrus shall provide a minimum of eleven (11) vehicle queuing spaces per drive-thru, 5 of which must be located ahead of the ordering station if separate from the pick-up window. All other drive-thru and pick-up windows shall have a minimum of 4 vehicle queuing spaces. Queuing spaces shall be a minimum of 12 feet wide and 20 feet long and must be located within any driveway or parking lot drive aisle and cannot block any designated parking spaces.

WHEREAS, the Planning and Zoning Commission held a public hearing on May 11, 2023 to hear public comments on the proposed text amendments to Sections 177.09.11.

NOW, THEREFORE, BE IT RESOLVED, that the Planning and Zoning Commission of the City of Bondurant, Iowa recommends City Council approval of the text amendments as presented in this recommendation resolution.

Moved by _____, Seconded by _____ to adopt.

ATTEST: I, Isaac Pezley, City Planner, hereby certify that at a meeting of the Planning and Zoning Commission held on May 11, 2023; among other proceedings the above was recommended for approval.

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

Isaac J. Pezley, City Planner

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

Torey Cuellar, Commission Chair



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

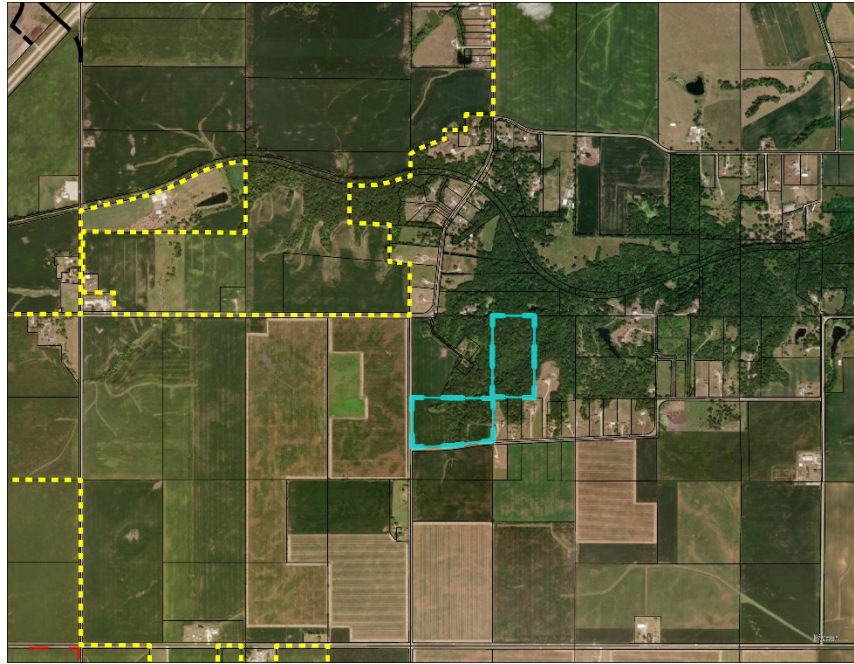
Item No. 6.e.
For Meeting of 5/11/2023
Resolution

TITLE: -RESOLUTION NO. PZ-230511-15: Considering recommended approval of the Doe Run Plat 3 Preliminary Plat, a subdivision in unincorporated Polk County within two miles of Bondurant's city limits.

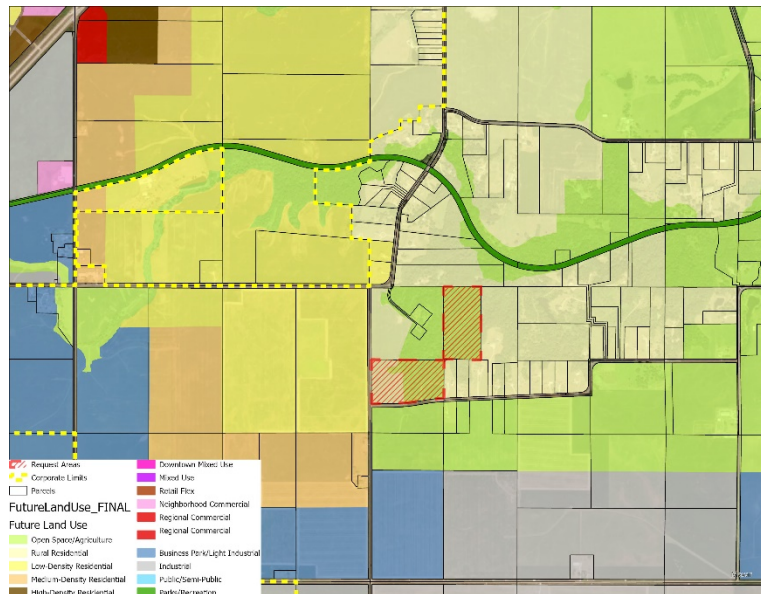
CONTACT PERSON:

Maggie Murray, Planning & Community Development Director

BRIEF HISTORY & ANALYSIS: The City is in receipt of a preliminary plat located in unincorporated Polk County within 2 miles of Bondurant's city limits. Polk County has zoning jurisdiction on this land - meaning that a permitted use review is conducted by Polk County and not the City of Bondurant. The subject property is located east of the Bondurant's corporate limits. Lots 1, 2 and 3 are located near the intersection of NE 75th Avenue and NE 96th Street. Outlot Z is located to the northeast of Lots 1, 2 and 3 and to the east of the intersection of NE 78th Street and NE Morgan Drive. The proposed subdivision land is currently undeveloped, part of the proposed land is used for row crop agricultural and the remainder of the land is undeveloped timber area. The proposed subdivision would create three lots, Lots 1, 2 and 3, that are accessible from NE 75th Avenue. Lots 2 and 3 would also have frontage along NE 96th Street. Outlot Z is designated as unbuildable and ownership is tied to Lot 3. The highlighted area in yellow shows the location of the proposed subdivision.



The City of Bondurant's Future Land Use Map designates this property as Rural Residential and Open Space/Agricultural. The Building Bondurant Comprehensive Plan defines rural residential as single-family dwellings on land of at least one acre. The proposed plat shows all lots in excess of 3 acres. This property is currently zoned as Estate Residential by Polk County, this zoning designation requires lots to be at least 3 acres in size. This indicates the proposed plat adheres to Bondurant's Future Land Use Map. The property is outlined on Bondurant's Future Land Use Map below.



Comments from City Officials:

The following City departments were notified of the submitted site plan:

1. City Engineering – no review comments received to date.
2. Public Works – no review comments received to date.

3. Emergency Services – no review comments received to date.

FUNDING SOURCE: N/A

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

1. Recommended approval of RESOLUTION NO. PZ-230511-15.
2. Recommended approval of RESOLUTION NO. PZ-230511-15, subject to certain Subdivision Code clarification items being addressed.
3. Recommended denial of RESOLUTION NO. PZ-230511-15.
4. Table pending additional information.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. Doe Run Plat 3 Preliminary Plat
2. Resolution No. PZ-230511-15

PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ-230511-15

RESOLUTION REGARDING RECOMMENDED APPROVAL OF THE DOE RUN PLAT
3 PRELIMINARY PLAT

WHEREAS, Adam Schoeppner submitted the Doe Run Plat 3 Preliminary Plat; AND

WHEREAS, the owner/developer is Mark A Kruse; AND

WHEREAS, this Doe Run Plat 3 Preliminary Plat is described as follows:

THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 80 NORTH, RANGE 22 WEST OF THE 5TH P.M., POLK COUNTY, IOWA; AND THAT PART OF THE SOUTHWEST QUARTER OF SAID NORTHWEST QUARTER OF SECTION 34; AND THAT PART OF THE NORTHWEST QUARTER OF SAID NORTHWEST QUARTER OF SECTION 34; AND OUTLOT "X" IN DOE RUN PLAT 2, AN OFFICIAL PLAT, LOCATED IN POLK COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34; THENCE SOUTH 89 DEGREES 57 MINUTES 17 SECOND EAST, ALONG THE NORTH LINE OF SAID WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, A DISTANCE OF 655.50 FEET, TO THE EAST LINE OF SAID WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34; THENCE SOUTH 00 DEGREES 06 MINUTES 13 SECONDS EAST, ALONG SAID EAST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, A DISTANCE OF 1308.98 FEET, TO THE SOUTH LINE OF SAID WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34; THENCE NORTH 89 DEGREES 08 MINUTES 05 SECONDS WEST, ALONG SAID SOUTH LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, A DISTANCE OF 590.37 FEET, TO THE SOUTHEASTERLY LINE OF SAID OUTLOT X, DOE RUN PLAT 1; THENCE SOUTH 54 DEGREES 25 MINUTES 02 SECONDS WEST, ALONG SAID SOUTHEASTERLY LINE OF OUTLOT X, DOE RUN PLAT 1, A DISTANCE OF 83.12 FEET, TO THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34; THENCE SOUTH 00 DEGREES 07 MINUTES 43 SECONDS EAST, ALONG SAID EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, A DISTANCE OF 681.36 FEET, TO THE CENTERLINE OF EXISTING NE 75TH AVENUE, AS SHOWN IN POLK COUNTY ROAD BOOK 3, PAGE 190; THENCE SOUTH 87 DEGREES 22 MINUTES 52 SECONDS WEST, ALONG SAID CENTERLINE OF EXISTING NE 75TH AVENUE, A DISTANCE OF 33.83 FEET; THENCE SOUTHWESTERLY 407.77 FEET ALONG A CURVE TO THE LEFT, TANGENT TO THE LAST DESCRIBED LINE, ALONG SAID CENTERLINE OF EXISTING NE 75TH AVENUE,

HAVING A RADIUS OF 2967.00 FEET, A DELTA ANGLE OF 07 DEGREES 52 MINUTES 28 SECONDS AND A CHORD DISTANCE OF 407.45 FEET WHICH BEARS SOUTH 83 DEGREES 26 MINUTES 38 SECONDS WEST; THENCE SOUTHWESTERLY 538.01 FEET ALONG A REVERSE CURVE TO THE RIGHT, TANGENT TO THE LAST DESCRIBED CURVE, CONTINUING ALONG SAID CENTERLINE OF EXISTING NE 75TH AVENUE, HAVING A RADIUS OF 3033.00 FEET, A DELTA ANGLE OF 10 DEGREES 09 MINUTES 48 SECONDS AND A CHORD DISTANCE OF 537.30 FEET WHICH BEARS SOUTH 84 DEGREES 35 MINUTES 18 SECONDS WEST; THENCE SOUTH 89 DEGREES 40 MINUTES 12 SECONDS WEST, TANGENT TO THE LAST DESCRIBED CURVE, CONTINUING ALONG SAID CENTERLINE OF EXISTING NE 75TH AVENUE, A DISTANCE OF 345.53 FEET, TO THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 34; THENCE NORTH 00 DEGREES 20 MINUTES 37 SECONDS WEST, ALONG SAID WEST LINE OF THE NORTHWEST QUARTER OF SECTION 34, A DISTANCE OF 814.68 FEET, TO THE SOUTH LINE OF DUNAGAN PLACE, AN OFFICIAL PLAT, LOCATED IN POLK COUNTY, IOWA; THENCE NORTH 89 DEGREES 17 MINUTES 32 SECONDS EAST, ALONG SAID SOUTH LINE OF DUNAGAN PLACE, A DISTANCE OF 19.90 FEET, TO THE EAST LINE OF SAID DUNAGAN PLACE; THENCE NORTH 00 DEGREES 06 MINUTES 20 SECONDS EAST, ALONG SAID, TO THE EAST LINE OF SAID DUNAGAN PLACE, A DISTANCE OF 1287.64 FEET, TO SAID NORTH LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34 AND THE POINT OF BEGINNING.

CONTAINS 43.62 ACRES MORE OR LESS, INCLUDIGN 1.60 ACRES OF ROAD RIGHT-OF-WAY EASEMENT.

SAID PARCEL IS SUBJECT TO ANY AND ALL RESTRICTIONS, COVENANTS AND EASEMENTS OF RECORD.

NOW, THEREFORE, BE IT RESOLVED, that the Planning and Zoning Commission recommends City Council approval of the Doe Run Plat 3 Preliminary Plat,

Moved by _____, Seconded by _____ to adopt.

ATTEST: I, Isaac J. Pezley, City Planner, hereby certify that at a meeting of the Planning and Zoning Commission held on May 11, 2023; among other proceedings the above was adopted.

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

Isaac J. Pezley, City Planner

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

Cuellar, Chair

INDEX LEGEND

COUNTY: POLK COUNTY, IOWA **CITY:** ANKENY

LOCATION: OUTLOT X, DOE RUN PLAT 1
NW 1/4 OF SECTION 34 -
TWP 80 NORTH - RGE 22 WEST

REQUESTED BY: MARK A KRUSE TRUST
& PROPRIETOR: C/O MARK A KRUSE
7825 NE MORGAN DR
BONDURANT, IA 50035-1073
PH: (515) 240-7956

SURVEYOR: ADAM D. SCHOEPFNER, PLS #26306

SURVEY COMPANY: NILLES ASSOCIATES, INC.

RETURN TO: ADAM D. SCHOEPFNER
NILLES ASSOCIATES, INC.
1933 SW MAGAZINE ROAD
ANKENY, IOWA 50023 PH: (515) 965-0123



Design Information Results for Ticket #552301774

(M57E) MIDAMER-ELEC
Contact Name : JAMIE NEER
Contact Phone: 5152526972
Contact Email:
meedsmdesignlocates@midamerican.com

Contact Name : Ed Clark
Contact Phone: 5153236244
Contact Email: onecallmaps@dmwww.com

ER - Estate Residential District
Lot Size - 3 acres
Minimum Lot Width - 225 feet
Front Yard Setback - 75 feet
Rear Yard Setback - 75 feet
Side Yard Setback - 25 feet

1. Southwest corner of DOE RUN PLAT 1;
Top of found mag nail.
Elevation = 982.23 feet (NAVD88)

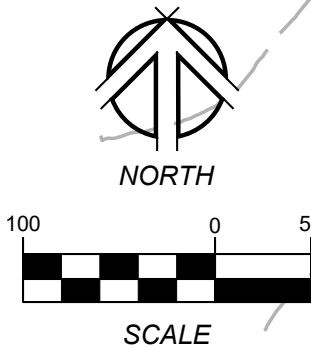
[illegible]

1. The west line of the Northwest Quarter of Section 34, Township 80 North, Range 22 West of the 5th P.M., Polk County, Iowa, is assumed to bear North 0° 20' 37" West.
2. The property described in this survey lies within Zone "X" of the Flood Insurance Rate map identified as Community Panel Number 195153C0235F, bearing an effective date of February 1, 2019. Zone "X" is defined on the map as "areas determined to be outside the 500 year flood plain", unless otherwise noted.
3. All mailboxes located in Polk County road right-of-way must be of breakaway design.
4. Utility easements are dedicated for the use of any public utility.
5. Post development runoff shall not adversely affect downstream drainage facilities or property owners.
6. Any subsurface drainage facilities that are disturbed must be restored or rerouted by the individual property owner.
7. It shall be the developer's responsibility to apply for and obtain any storm water discharge permits from the Iowa Department of Natural Resources if said permits are required of this project.
8. Relocation of any entrance or utility to conform to the requirements of this plat will be at the developers expense.
9. Individual property owners are responsible for the maintenance of drainage easements located on their lot.
10. Any culverts to be used for crossing drainage easements must be designed by a licensed professional engineer.
11. Service to utilities located on the opposite side of the roadway must be bored under the roadway at the lot owner's expense.
12. Street Lot A shall be dedicated to Polk County for roadway purposes.
13. Outlot "X" shall be an unbuildable lot and ownership will be tied to Lot 3.
14. Each lot will require an on-site wastewater disposal system as per 567 IAC Chapter 69.
15. Lot 1 can access public water main along NE 75th Avenue. Lots 2 and 3 have to access public water main along NE 96th Street.

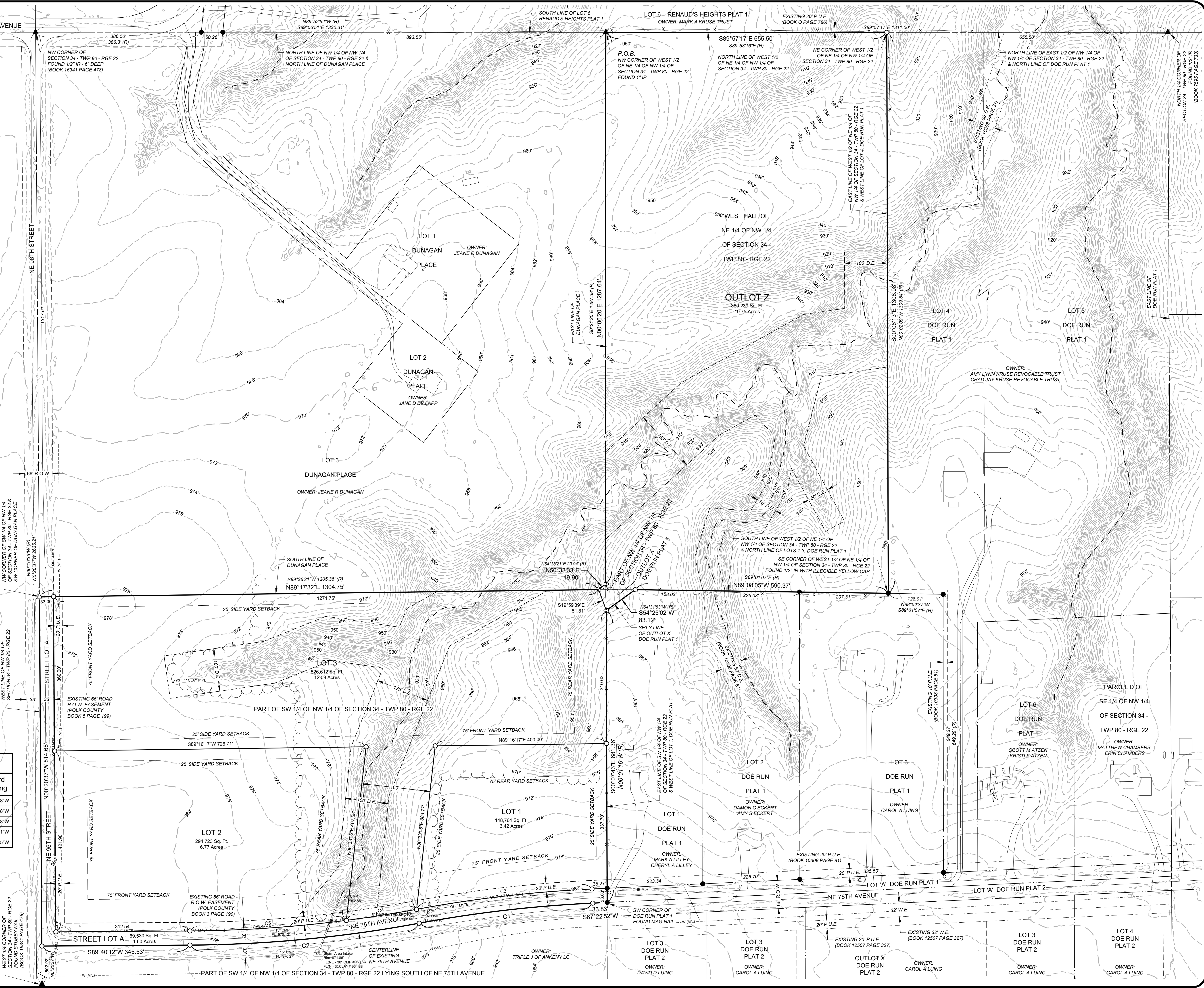
The West Half of the Northeast Quarter of the Northwest Quarter of Section 34, Township 80 North, Range 22 West of the 5th P.M., Polk County, Iowa; AND that part of the Southwest Quarter of said Northwest Quarter of Section 34; AND that part of the Northwest Quarter of said Northwest Quarter of Section 34; AND Outlot "X" in DOE RUN PLAT 1, an official plat, located in Polk County, Iowa, being more particularly described as follows:

Beginning at the Northwest corner of said West Half of the Northeast Quarter of the Northwest Quarter of Section 34; thence South 89 degrees 57 minutes 17 seconds East, along the north line of said West Half of the Northeast Quarter of the Northwest Quarter of Section 34, a distance of 655.50 feet, to the east line of said West Half of the Northeast Quarter of the Northwest Quarter of Section 34; thence South 00 degrees 06 minutes 13 seconds East, along said east line of the West Half of the Northeast Quarter of the Northwest Quarter of Section 34, a distance of 1308.98 feet, to the south line of said West Half of the Northeast Quarter of the Northwest Quarter of Section 34; thence North 89 degrees 08 minutes 05 seconds West, along said south line of the West Half of the Northeast Quarter of the Northwest Quarter of Section 34, a distance of 590.37 feet, to the southeasterly line of said Outlot X, DOE RUN PLAT 1; thence South 54 degrees 25 minutes 02 seconds West, along said southeasterly line of Outlot X, DOE RUN PLAT 1, a distance of 83.12 feet, to the east line of said Southwest Quarter of the Northwest Quarter of Section 34; thence South 00 degrees 07 minutes 43 seconds East, along said east line of the Southwest Quarter of the Northwest Quarter of Section 34, a distance of 681.36 feet, to the centerline of existing NE 75th Avenue, as shown in Polk County Road Book 3, Page 190; thence South 87 degrees 22 minutes 52 seconds West, along said centerline of existing NE 75th Avenue, a distance of 33.83 feet; thence southwesterly 407.77 feet along a curve to the left, tangent to the last described line, along said centerline of existing NE 75th Avenue, having a radius of 2967.00 feet, a delta angle of 07 degrees 52 minutes 28 seconds and a chord distance of 407.45 feet which bears South 83 degrees 26 minutes 38 seconds West; thence southwesterly 538.01 feet along a reverse curve to the right, tangent to the last described curve, continuing along said centerline of existing NE 75th Avenue, having a radius of 3033.00 feet, a delta angle of 10 degrees 09 minutes 48 seconds and a chord distance of 537.30 feet which bears South 84 degrees 35 minutes 18 seconds West; thence South 89 degrees 40 minutes 12 seconds West, tangent to the last described curve, continuing along said centerline of existing NE 75th Avenue, a distance of 345.53 feet, to the west line of said Northwest Quarter of Section 34; thence North 00 degrees 20 minutes 37 seconds West, along said west line of the Northwest Quarter of Section 34, a distance of 814.68 feet, to the south line of DUNAGAN PLACE, an official plat, located in Polk County, Iowa; thence North 89 degrees 17 minutes 32 seconds East, along said south line of DUNAGAN PLACE, a distance of 1304.75 feet; thence North 50 degrees 38 minutes 33 seconds East, continuing along said south line of DUNAGAN PLACE, a distance of 19.90 feet, to the east line of said DUNAGAN PLACE; thence North 00 degrees 06 minutes 20 seconds East, along said, to the east line of said DUNAGAN PLACE, a distance of 1287.64 feet, to said north line of the West Half of the Northeast Quarter of the Northwest Quarter of Section 34 and the Point of Beginning.

	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.	
	Signature: _____	
	Name: Adam D. Schoepfner, P.L.S. No. 26306	Date _____
	My license renewal date is December 31, 2023 Date of survey: 11/23/22 Pages or sheets covered by this seal: Sheets PP-1 & PP-2 only	



CURVE TABLE					
Curve #	Length	Radius	Delta	Chord Distance	Chord Bearing
C1	407.77'	2967.00'	7°52'28"	407.45'	S83°26'38"W
C2	538.01'	3033.00'	10°09'48"	537.30'	S84°35'18"W
C3	412.30'	3000.00'	7°52'28"	411.98'	S83°26'38"W
C4	166.03'	3000.00'	3°10'15"	166.01'	S81°05'51"W
C5	366.13'	3000.00'	6°59'33"	365.90'	S86°10'25"W



1933 SW MAGAZINE ROAD
ANKENY, IOWA 50023-2555
(515) 965-0123 phone - (515) 965-3322 fax
Civil Engineering - Land Surveying
Landscape Architecture

NILLES ASSOCIATES

REVISIONS:
1) _____
2) _____
3) _____
4) _____
5) _____
6) _____
7) _____

NOTES:
1. NILES ASSOCIATES, INC. WARRIES ANY
PROBLEMS WHICH MAY ARISE FROM FAILURE TO
OBTAIN NECESSARY PERMITS OR TO OBTAIN
THE ENGINEERING INTENT OF THE COUNTY, OR
TO OBTAIN AND/OR FOLLOW THE ENGINEERING
OMISSIONS, INCONSISTENCIES, AMBIGUITIES
OR CONFLICTS WHICH ARE ALLEGED.

PROJECT NAME:
KRUSE PROPERTY

DESCRIPTION:
NORTHWEST 1/4 OF SECTION 34 - TWP 80 NORTH - RGE 22, POLK COUNTY, IOWA

PRELIMINARY PLAT

DATE: 04/05/2023
DRAWN BY: TJH
CHECKED BY: ADS
SHEET SIZE: 24" X 36"
SHEET TITLE: PP-2
SHEET NO.: 2/2



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

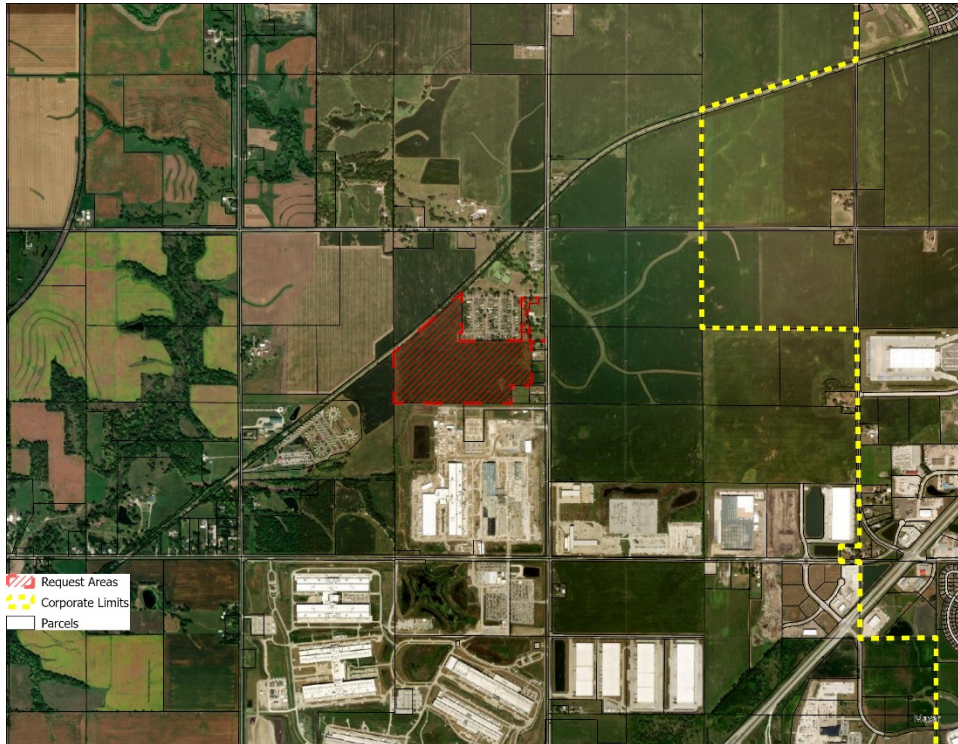
Item No. 6.h.
For Meeting of 5/11/2023
Resolution

TITLE: -RESOLUTION NO. PZ-230511-17: Considering recommended approval of a waiver of review of the Plat of Survey creating Parcel 2023-51 and 2023-52, a plat of survey in unincorporated Polk County within two miles of Bondurant's city limits.

CONTACT PERSON:

Isaac J. Pezley, City Planner

BRIEF HISTORY & ANALYSIS: The City is in receipt of a plat of survey request located in unincorporated Polk County within 2 miles of Bondurant's city limits. Polk County has zoning jurisdiction on this land - meaning 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 2022 Comprehensive Plan does not extend out to this area. The subject property is located west of the Bondurant's corporate limits, just south of the intersection of 15th Street SW/SE and NE 56th Street. The property abuts Altoona City limits to the east. The proposed Plat of Survey has been created to "remove ambiguity in the legal description of the property" as stated by Paul Clausen, the applicant and surveyor. The subject property is currently used for agricultural purposes. The red hatched area below shows the location of the proposed Plat of Survey.



Comments from City Officials:

The following City departments were notified of the submitted site plan:

1. City Engineering – no review comments.
2. Public Works – no review comments.
3. Emergency Services – no review comments received to date.

FUNDING SOURCE: N/A

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

1. Recommended approval of RESOLUTION NO. PZ-230511-17.
2. Recommended approval of RESOLUTION NO. PZ-230511-17, subject to certain Subdivision Code clarification items being addressed.
3. Recommended denial of RESOLUTION NO. PZ-230511-17.
4. Table pending additional information.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. RES No. PZ-230112-02
2. Plat of Survey

PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ-230511-17

RESOLUTION REGARDING RECOMMENDED APPROVAL OF A WAIVER OF
REVIEW OF THE PARCEL 2023-51 & 2023-52 PLAT OF SURVEY LOCATED IN
UNINCORPORATED POLK COUNTY WITHIN TWO MILES OF BONDURANT'S CITY
LIMITS

WHEREAS, Paul Clausen, Civil Engineering Consultants, Inc, has submitted a plat of survey on the behalf of the property owners, Robert & Debra Bixler, for Parcel 2023-51 & 2023-52, which is described as follows:

PARCEL 2023-51

A PARCEL OF LAND IN THE NE ¼ OF SECTION 03, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SAID SECTION 03; THENCE N00°20'38"W, 853.93 FEET ALONG THE WEST LINE OF SAID NE1/4 OF TO A POINT ON THE SOUTH LINE OF THE FORMER UNION PACIFIC RAILROAD RIGHT-OF-WAY; THENCE NORTHEASTERLY ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 13011.24 FEET AND A CHORD BEARING N49°52'28"E, AN ARC LENGTH OF 1129.93 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT OF COMPOUND CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 17127.66 FEET AND A CHORD BEARING N45°50'43"E, AN ARC LENGTH OF 418.14 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT ON THE WEST LINE OF THE PROPERTY DESCRIBED IN THE WARRANTY DEED RECORDED IN BOOK 16386, PAGE 823 AT THE POLK COUNTY RECORDER'S OFFICE; THENCE S00°24'51"E, 667.12 FEET ALONG SAID WEST LINE TO THE NE CORNER OF PARCEL 'B', AN OFFICIAL PARCEL RECORDED IN BOOK 11521, PAGE 242 AT THE POLK COUNTY RECORDER'S OFFICE; THENCE S89°29'58"W, 40.18 FEET ALONG THE NORTH LINE OF SAID PARCEL 'B' TO THE NW CORNER OF SAID PARCEL 'B'; THENCE S00°23'03"E, 140.00 FEET ALONG THE WEST LINE OF SAID PARCEL 'B' TO SW CORNER OF SAID PARCEL 'B'; THENCE N89°47'58"E, 40.09 FEET ALONG THE SOUTH LINE OF SAID PARCEL 'B' TO THE SE CORNER OF SAID PARCEL 'B', SAID SE CORNER ALSO BEING THE SW CORNER OF SAID WARRANTY DEED; THENCE N89°47'58"E, 1019.96 FEET ALONG THE SOUTH LINE OF SAID WARRANTY DEED TO THE SE CORNER OF SAID WARRANTY DEED; THENCE N00°23'51"W, 137.55 FEET ALONG THE EAST LINE OF SAID WARRANTY DEED TO A POINT; THENCE S89°47'20"E, 141.36 FEET TO A POINT ON THE WEST LINE OF PARCEL 'A', AN OFFICIAL PARCEL RECORDED IN BOOK 8128, PAGE 899 AT THE POLK COUNTY RECORDER'S OFFICE; THENCE S00°03'23"W, 157.09 FEET ALONG SAID WEST LINE TO THE SW CORNER OF SAID PARCEL 'A'; THENCE N88°50'15"E, 299.94 FEET ALONG THE SOUTH LINE OF SAID PARCEL 'A' TO THE SE CORNER OF

SAID PARCEL 'A', SAID POINT ALSO BEING ON THE EAST LINE OF SAID SECTION 03; THENCE S00°23'24"E, 5.77 FEET ALONG SAID EAST LINE OF SECTION 03 TO A POINT ON THE NORTH LINE OF THE PROPERTY DESCRIBED IN THE WARRANTY DEED RECORDED IN BOOK 19446, PAGE 167 AT THE POLK COUNTY RECORDER'S OFFICE; THENCE S89°44'19"W, 273.16 FEET ALONG SAID NORTH LINE TO THE NW CORNER OF SAID WARRANTY DEED; THENCE S00°23'19"E, 150.04 FEET ALONG THE WEST LINE OF SAID WARRANTY DEED TO THE SW CORNER OF SAID WARRANTY DEED, SAID SW CORNER ALSO BEING THE NW CORNER OF LOT 1 OF ANDERSON ESTATES PLAT 1, AN OFFICIAL PLAT RECORDED IN BOOK 'S', PAGE 973 AT THE POLK COUNTY RECORDER'S OFFICE; THENCE S00°24'01"E, 556.07 FEET ALONG THE WEST LINE OF SAID ANDERSON ESTATES PLAT 1 TO THE SW CORNER OF LOT 3 OF SAID ANDERSON ESTATES PLAT 1, SAID SW CORNER ALSO BEING ON THE NORTH LINE OF LOT 'B' OF SAID ANDERSON ESTATES PLAT 1; THENCE N89°47'55"W, 47.50 FEET ALONG SAID NORTH LINE OF LOT 'B' TO THE NW CORNER OF SAID LOT 'B'; THENCE S00°39'00"E, 50.04 FEET ALONG THE WEST LINE OF SAID LOT 'B' TO THE SW CORNER OF SAID LOT 'B', SAID SW CORNER OF LOT 'B' ALSO BEING THE NE CORNER OF LOT 4 OF SAID ANDERSON ESTATES PLAT 1 AND ON THE NORTH LINE OF THE PROPERTY DESCRIBED IN THE WARRANTY DEED RECORDED IN BOOK 19406, PAGE 95 AT THE POLK COUNTY RECORDER'S OFFICE; THENCE N89°47'52"W, 299.95 FEET ALONG THE NORTH LINE OF SAID WARRANTY DEED TO THE NW CORNER OF SAID WARRANTY DEED; THENCE S00°25'30"E, 299.93 FEET ALONG THE WEST LINE OF SAID WARRANTY DEED TO A POINT ON THE SOUTH LINE OF SAID NE1/4 OF SECTION 03; THENCE N89°49'03"W, 2011.48 FEET ALONG SAID SOUTH LINE OF THE NE1/4 TO THE POINT OF BEGINNING AND CONTAINING 63.24 ACRES MORE OR LESS INCLUDING 0.01 ACRES (269 SQUARE FEET) OF HIGHWAY RIGHT-OF-WAY EASEMENT.

AND

PARCEL 2023-52

A PARCEL OF LAND IN THE NE1/4 OF SECTION 3, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5TH/ P.M., POLK COUNTY, IOWA THAT IS OF SECTION 3, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5TH/ P.M., POLK COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE SW CONER OF PARCEL 'A', AN OFFICIAL PARCEL RECORDED IN BOOK 8128 AND PAGE 899 AT THE POLK COUNTY RECORDER'S OFFICE; THENCE N00°23'03"W, 157.09 FEET ALONG THE WEST LINE OF SAID PARCEL 'A' TO THE POINT OF BEGINNING; THENCE N89°47'20"W, 141.36 FEET TO A POINT ON THE EAST LINE OF THE PROPERTY DESCRIBED IN THE WARRANTY DEED RECORDED IN BOOK 16386, PAGE 823 AT THE POLK COUNTY RECORDER'S OFFICE; THENCE N00°23'51"W, 582.49 FEET ALONG SAID EAST LINE TO A POINT; THENCE N89°47'35"E, 296.94 FEET TO THE

NW CORNER OF SAID PARCEL 'A'; THENCE S01°36'21"E, 93.95 FEET ALONG THE WEST LINE OF SAID PARCEL 'A TO A POINT'; THENCE S89°49'17"W, 169.19 FEET ALONG SAID WEST LINE TO A POINT; THENCE S00°26'44"E, 105.12 FEET ALONG SAID WEST LINE TO A POINT; THENCE S87°48'56"W, 32.05 FEET ALONG SAID WEST LINE TO A POINT; THENCE S00°38'49"W, 131.98 FEET ALONG SAID WEST LINE TO A POINT; THENCE S35°17'03"E, 53.36 FEET ALONG SAID WEST LINE TO A POINT; THENCE S08°27'24"E, 115.57 FEET ALONG SAID WEST LINE TO A POINT; THENCE S00°03'23"W, 93.45 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING AND CONTAINING 2.02 ACRES MORE OR LESS.

NOW, THEREFORE, BE IT RESOLVED, that the Planning & Zoning Commission recommends approval of a waiver of review of the submitted Plat of Survey:

Moved by _____, Seconded by _____ to adopt.

ATTEST: I, Isaac J. Pezley, City Planner, City of Bondurant, hereby certify that at a meeting of the Planning and Zoning Commission held on May 11, 2023; among other proceedings the above was recommended.

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

Isaac J. Pezley, City Planner

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

Torey Cuellar, Commission Chair

ORIGINAL LEGAL DESCRIPTION

NORTH 736.12 FEET OF THE SOUTH 1944.96 FEET OF THE EAST 440 FEET OF THE NE1/4 OF SECTION 3, TOWNSHIP 74 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA EXCEPT PARCEL 'A' AS SHOWN BY THE PLAT OF SURVEY RECORDED ON JANUARY 29, 1989, IN BOOK 8128, PAGE 849, OF THE POLK COUNTY, IOWA RECORDS IN THE NE1/4 OF SECTION 3, TOWNSHIP 74 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, AND EXCEPT THAT PART PREVIOUSLY DEEDED IN BOOK 4204 PAGE 531 OF THE RECORDS OF THE POLK COUNTY RECORDER'S OFFICE

AND

ALL THAT PART OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 74 NORTH, RANGE 23, WEST OF THE 5TH P.M., POLK COUNTY, IOWA, LYING SOUTH AND EAST OF RAILROAD RIGHT-OF-WAY, (EXCEPT THE NORTH 1175 FEET OF THE EAST 440 FEET THEREOF; AND EXCEPT THE NORTH 1845 FEET OF THE WEST 1020 FEET OF THE EAST 1460 FEET THEREOF; AND EXCEPT THE NORTH 150 FEET OF THE SOUTH 1058 FEET OF THE EAST 213 FEET THEREOF; AND EXCEPT THE PLAT OF ANDERSON ESTATES PLAT NO. 1, AN OFFICIAL PLAT; AND EXCEPT COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 3, THENCE N84°25'05"W A DISTANCE OF 320.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 5 IN SAID ANDERSON ESTATES PLAT NO. 1, THENCE N84°25'05"W A DISTANCE OF 300.00 FEET, THENCE N0°00'W A DISTANCE OF 300.00 FEET, THENCE S84°25'05"E A DISTANCE OF 300.00 FEET TO THE NORTHWEST CORNER OF LOT 4 IN SAID ANDERSON ESTATES PLAT NO. 1, THENCE S0°00'E A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING; AND EXCEPT THE NORTH 736.12 FEET OF THE SOUTH 1749.36 FEET OF THE EAST 440 FEET THEREOF, AND EXCEPT PARCEL 'B' AS FILED IN BOOK 11521 PAGE 241 OF THE RECORDS OF THE POLK COUNTY RECORDER'S OFFICE) ALL SUBJECT TO LEGALLY ESTABLISHED HIGHWAYS.

LEGAL DESCRIPTIONS & CLOSURE REPORT

PARCEL 2023-51

A PARCEL OF LAND IN THE NE1/4 OF SECTION 03, TOWNSHIP 74 NORTH, RANGE 23 WEST OF THE 5TH/ P.M., POLK COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SAID SECTION 03; THENCE N00°20'38"W, 853.93 FEET ALONG THE WEST LINE OF SAID NE1/4 OF TO A POINT ON THE SOUTH LINE OF THE FORMER UNION PACIFIC RAILROAD RIGHT-OF-WAY; THENCE NORTHEASTERLY ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 13011.24 FEET AND A CHORD BEARING N44°52'28"E, AN ARC LENGTH OF 1124.93 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT OF COMPOUND CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11212.66 FEET AND A CHORD BEARING N45°50'43"E, AN ARC LENGTH OF 4181.4 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT ON THE WEST LINE OF THE PROPERTY DESCRIBED IN THE WARRANTY DEED RECORDED IN BOOK 16386, PAGE 823 AT THE POLK COUNTY RECORDER'S OFFICE; THENCE S00°24'51"E, 667.12 FEET ALONG SAID WEST LINE TO THE NE CORNER OF PARCEL 'B', AN OFFICIAL PARCEL RECORDED IN BOOK 11521, PAGE 242 AT THE POLK COUNTY RECORDER'S OFFICE; THENCE S84°25'05"W, 401.8 FEET ALONG THE NORTH LINE OF SAID PARCEL 'B' TO THE NW CORNER OF SAID PARCEL 'B'; THENCE S00°23'03"E, 140.00 FEET ALONG THE WEST LINE OF SAID PARCEL 'B' TO SW CORNER OF SAID PARCEL 'B'; THENCE N84°41'58"E, 40.04 FEET ALONG THE SOUTH LINE OF SAID PARCEL 'B' TO THE SE CORNER OF SAID PARCEL 'B'; SAID SE CORNER ALSO BEING THE SW CORNER OF SAID WARRANTY DEED; THENCE N84°41'58"E, 1019.96 FEET ALONG THE SOUTH LINE OF SAID WARRANTY DEED TO THE SE CORNER OF SAID WARRANTY DEED; THENCE N00°23'51"W, 131.55 FEET ALONG THE EAST LINE OF SAID WARRANTY DEED TO A POINT; THENCE S84°41'20"E, 41.36 FEET TO A POINT ON THE WEST LINE OF PARCEL 'A', AN OFFICIAL PARCEL RECORDED IN BOOK 8128, PAGE 841 AT THE POLK COUNTY RECORDER'S OFFICE; THENCE S00°03'23"W, 151.04 FEET ALONG SAID WEST LINE TO THE SW CORNER OF SAID PARCEL 'A'; THENCE N88°50'15"E, 249.94 FEET ALONG THE SOUTH LINE OF SAID PARCEL 'A' TO THE SE CORNER OF SAID PARCEL 'A'; SAID POINT ALSO BEING ON THE EAST LINE OF SAID SECTION 03; THENCE S00°23'24"E, 5.77 FEET ALONG SAID EAST LINE OF SECTION 03 TO A POINT ON THE NORTH LINE OF THE PROPERTY DESCRIBED IN THE WARRANTY DEED RECORDED IN BOOK 19446, PAGE 167 AT THE POLK COUNTY RECORDER'S OFFICE; THENCE S84°44'19"W, 273.16 FEET ALONG SAID NORTH LINE TO THE NW CORNER OF SAID WARRANTY DEED; THENCE S00°23'19"E, 150.04 FEET ALONG THE WEST LINE OF SAID WARRANTY DEED TO THE SW CORNER OF SAID WARRANTY DEED; SAID SW CORNER ALSO BEING THE NW CORNER OF LOT 1 OF ANDERSON ESTATES PLAT 1, AN OFFICIAL PLAT RECORDED IN BOOK 'S', PAGE 473 AT THE POLK COUNTY RECORDER'S OFFICE; THENCE S00°24'01"E, 556.07 FEET ALONG THE WEST LINE OF SAID ANDERSON ESTATES PLAT 1 TO THE SW CORNER OF LOT 3 OF SAID ANDERSON ESTATES PLAT 1; SAID SW CORNER ALSO BEING ON THE NORTH LINE OF LOT 'B' OF SAID ANDERSON ESTATES PLAT 1; THENCE N84°41'59"W, 47.50 FEET ALONG SAID NORTH LINE OF LOT 'B' TO THE NW CORNER OF SAID LOT 'B'; THENCE S00°39'00"E, 50.04 FEET ALONG THE WEST LINE OF SAID LOT 'B' TO THE SW CORNER OF SAID LOT 'B'; SAID SW CORNER OF LOT 'B' ALSO BEING THE NE CORNER OF LOT 4 OF SAID ANDERSON ESTATES PLAT 1 AND ON THE NORTH LINE OF THE PROPERTY DESCRIBED IN THE WARRANTY DEED RECORDED IN BOOK 19406, PAGE 95 AT THE POLK COUNTY RECORDER'S OFFICE; THENCE N84°41'52"W, 249.95 FEET ALONG THE NORTH LINE OF SAID WARRANTY DEED TO THE NW CORNER OF SAID WARRANTY DEED; THENCE S00°25'50"E, 249.95 FEET ALONG THE WEST LINE OF SAID WARRANTY DEED TO A POINT ON THE SOUTH LINE OF SAID NE1/4 OF SECTION 03; THENCE N84°49'03"W, 2011.48 FEET ALONG SAID SOUTH LINE OF THE NE1/4 TO THE POINT OF BEGINNING AND CONTAINING 63.24 ACRES MORE OR LESS INCLUDING 0.01 ACRES (264 SQUARE FEET) OF HIGHWAY RIGHT-OF-WAY EASEMENT.

CLOSURE REPORT

NORTH: 612191.1798' EAST: 1636421.5370'

SEGMENT #1 : LINE
COURSE: N00°20'38"W LENGTH: 853.93'
NORTH: 613045.0944' EAST: 1636422.4118'

SEGMENT #2 : CURVE
LENGTH: 1124.93' RADIUS: 13011.24'
DELTA: 004°58'33" TANGENT: 565.32'
CHORD: 1124.58' COURSE: N44°52'28"E
COURSE IN: N51°38'16"W COURSE OUT: S42°36'48"E
RP NORTH: 623348.5285' EAST: 1628476.8713'
END NORTH: 613773.0689' EAST: 1637706.1271'

SEGMENT #3 : CURVE
LENGTH: 4181.4' RADIUS: 11212.66'
DELTA: 001°23'56" TANGENT: 209.08'
CHORD: 4181.3' COURSE: N45°50'43"E
COURSE IN: N49°27'19"W COURSE OUT: S44°51'14"E
RP NORTH: 626206.2333' EAST: 1626005.9251'
END NORTH: 614064.3375' EAST: 1638006.1192'

SEGMENT #4 : LINE
COURSE: S00°24'51"E LENGTH: 667.12'
NORTH: 613341.2350' EAST: 1638040.9415'

SEGMENT #5 : LINE
COURSE: S84°25'05"W LENGTH: 401.8'
NORTH: 613346.8834' EAST: 1638050.7630'

SEGMENT #6 : LINE
COURSE: S00°23'03"E LENGTH: 140.00'
NORTH: 613256.8871' EAST: 1638051.7017'

SEGMENT #7 : LINE
COURSE: N84°41'58"E LENGTH: 40.04'
NORTH: 613257.0274' EAST: 1638049.7914'

SEGMENT #8 : LINE
COURSE: N84°41'58"E LENGTH: 1019.96'
NORTH: 613260.5476' EAST: 1639111.7452'

SEGMENT #9 : LINE
COURSE: N00°23'51"W LENGTH: 131.55'
NORTH: 613348.1443' EAST: 1639110.7909'

SEGMENT #10 : LINE
COURSE: S84°41'20"E LENGTH: 141.36'
NORTH: 613347.6235' EAST: 1639252.1500'

SEGMENT #11 : LINE
COURSE: S00°03'23"W LENGTH: 157.09'
NORTH: 613240.5335' EAST: 1639251.9953'

SEGMENT #12 : LINE
COURSE: N88°50'15"E LENGTH: 249.94'
NORTH: 613246.6187' EAST: 1639458.8736'

SEGMENT #13 : LINE
COURSE: S00°23'34"E LENGTH: 5.77'
NORTH: 613240.8484' EAST: 1639455.9132'

SEGMENT #14 : LINE
COURSE: S84°44'19"W LENGTH: 273.16'
NORTH: 613234.6027' EAST: 1639478.7560'

SEGMENT #15 : LINE
COURSE: S00°23'19"E LENGTH: 150.04'
NORTH: 613084.5661' EAST: 1639479.7737'

SEGMENT #16 : LINE
COURSE: S00°24'01"E LENGTH: 556.07'
NORTH: 612593.5047' EAST: 1639423.6584'

SEGMENT #17 : LINE
COURSE: N84°41'55"W LENGTH: 47.50'
NORTH: 612593.6767' EAST: 1639426.1587'

SEGMENT #18 : LINE
COURSE: S00°39'00"E LENGTH: 50.04'
NORTH: 612483.6399' EAST: 1639426.7264'

SEGMENT #19 : LINE
COURSE: N84°41'52"W LENGTH: 249.95'
NORTH: 612484.6486' EAST: 1638436.7783'

SEGMENT #20 : LINE
COURSE: S00°25'30"E LENGTH: 249.93'
NORTH: 612847.7768' EAST: 1638434.0030'

SEGMENT #21 : LINE
COURSE: N84°44'03"W LENGTH: 2011.48'
NORTH: 612191.1838' EAST: 1636427.5332'

PERIMETER: 87394.23' AREA: 2754684.06 SQ. FT.
ERROR CLOSURE: 0.0056' COURSE:
N43°10'31"W
ERROR NORTH: 0.00405' EAST: -0.00380'

PRECISION 1: 1560512.50

PARCEL 2023-52

A PARCEL OF LAND IN THE NE1/4 OF SECTION 3, TOWNSHIP 74 NORTH, RANGE 23 WEST OF THE 5TH/ P.M., POLK COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE SW CONER OF PARCEL 'A', AN OFFICIAL PARCEL RECORDED IN BOOK 8128 AND PAGE 841 AT THE POLK COUNTY RECORDER'S OFFICE; THENCE N00°23'03"W, 151.04 FEET ALONG THE WEST LINE OF SAID PARCEL 'A' TO THE POINT OF BEGINNING; THENCE N84°41'20"W, 141.36 FEET TO A POINT ON THE EAST LINE OF THE PROPERTY DESCRIBED IN THE WARRANTY DEED RECORDED IN BOOK 16386, PAGE 823 AT THE POLK COUNTY RECORDER'S OFFICE; THENCE N00°23'51"W, 582.44 FEET ALONG SAID EAST LINE TO A POINT; THENCE N84°41'35"E, 246.94 FEET TO THE NW CORNER OF SAID PARCEL 'A'; THENCE S01°36'21"E, 93.95 FEET ALONG THE WEST LINE OF SAID PARCEL 'A' TO A POINT; THENCE S84°44'11"W, 164.14 FEET ALONG SAID WEST LINE TO A POINT; THENCE S00°26'44"E, 105.12 FEET ALONG SAID WEST LINE TO A POINT, THENCE S87°48'56"W, 32.05 FEET ALONG SAID WEST LINE TO A POINT; THENCE S00°38'44"W, 131.98 FEET ALONG SAID WEST LINE TO A POINT; THENCE S85°17'03"E, 53.36 FEET ALONG SAID WEST LINE TO A POINT; THENCE S08°27'24"E, 115.57 FEET ALONG SAID WEST LINE TO A POINT; THENCE S00°03'23"W, 93.45 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING AND CONTAINING 2.02 ACRES MORE OR LESS.

CLOSURE REPORT

NORTH: 613347.6163' EAST: 1639252.1617'

SEGMENT #1 : LINE
COURSE: N84°41'20"W LENGTH: 141.36'
NORTH: 613348.1372' EAST: 1639110.8027'

SEGMENT #2 : LINE
COURSE: N84°41'35"E LENGTH: 582.44'
NORTH: 613480.6131' EAST: 1639106.7616'

SEGMENT # : LINE
COURSE: N84°41'35"E LENGTH: 246.94'
NORTH: 613481.6856' EAST: 1639403.6497'

SEGMENT #4 : LINE
COURSE: S01°36'21"E LENGTH: 93.95'
NORTH: 613887.7725' EAST: 16394406.3325'

SEGMENT #5 : LINE
COURSE: S84°44'11"W LENGTH: 164.14'
NORTH: 613887.2451' EAST: 16394237.1433'

SEGMENT #6 : LINE
COURSE: S00°26'44"E LENGTH: 105.12'
NORTH: 613782.1283' EAST: 16394237.9607'

SEGMENT #7 : LINE
COURSE: S87°48'56"W LENGTH: 32.05'
NORTH: 613780.9067' EAST: 16394205.9340'

SEGMENT #8 : LINE
COURSE: S00°38'44"W LENGTH: 131.98'
NORTH: 613648.9351' EAST: 16394204.4438'

SEGMENT #9 : LINE
COURSE: S35°17'03"E LENGTH: 53.36'
NORTH: 613605.3774' EAST: 16394235.2663'

SEGMENT #10 : LINE
COURSE: S08°27'24"E LENGTH: 115.57'
NORTH: 613491.0640' EAST: 16394252.2622'

SEGMENT #11 : LINE
COURSE: S00°03'23"W LENGTH: 93.45'
NORTH: 613347.6140' EAST: 1639252.1702'

PERIMETER: 1815.46' AREA: 87802.96 SQ. FT.
ERROR CLOSURE: 0.0081' COURSE:
S15°02'10"E
ERROR NORTH: -0.00226' EAST: 0.00845'

PRECISION 1: 208673.56

PRELIMINARY

PARCEL 2023-51 & 2023-52
NE1/4, SEC. 03-79-23
ALTOONA, IOWA

LEGAL DESCRIPTIONS

SHEET
2
OF
4

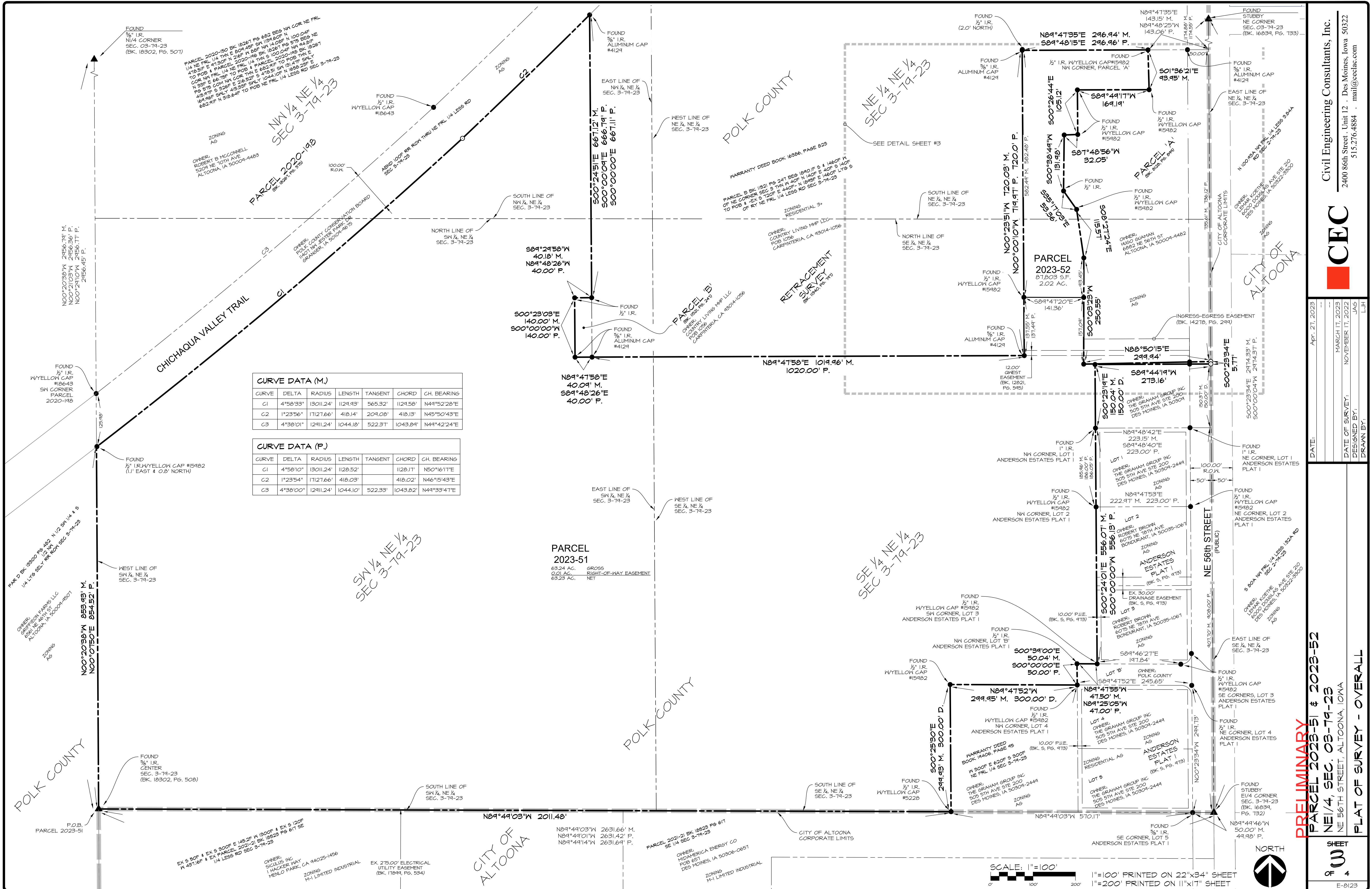
E-8123

Civil Engineering Consultants, Inc.

2400 86th Street · Unit 12 · Des Moines, Iowa 50322
515.276.4884 · mail@ceclac.com

C E C

DATE:	April 27, 2023	--
	MARCH 17, 2023	--
DATE OF SURVEY:	NOVEMBER 17, 2022	JAG
DESIGNED BY:		LUH
DRAWN BY:		





BUSINESS OF THE PLANNING & ZONING COMMISSION

**BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 6.G.
For Meeting of 5/11/2023
Resolution

TITLE: -RESOLUTION: Considering recommending approval of vacation of a portion of property described as Parcel ID 231/00096-003-000.

CONTACT PERSON:

Isaac Pezley, City Planner

BRIEF HISTORY & ANALYSIS: The City is in receipt of a right-of-way vacation request for the existing right-of-way located along 100 Main Street SE. SALACL LLC is the property owner of Parcel 231/00096-005-000, currently addressed as 100 and 104 Main Street SE. The property owner has requested the City vacate a portion of the existing right-of-way parallel to Main Street SE to be consistent with the right-of-way south of this parcel. The proposed vacation does not include the right-of-way parallel to 1st Street SE. The vacation would include approximately 12-feet of existing sidewalk. The vacation would also potentially affect the existing diagonal parking located in front of this parcel. There have been preliminary discussions to shift the sidewalk to the east to line up with the existing sidewalk from the south and install parallel parking stalls.



Below is the portion of Parcel ID 231/00096-003-000 that is proposed to be vacated:



Comments from City Officials:

The following City departments were notified of the submitted vacation:

1. Public Works - reviewed and noted no comments/concerns.
2. Engineering – reviewed and noted no comments/concerns.
3. Fire Department - reviewed and noted no comments/concerns.

FUNDING SOURCE: N/A

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

1. Approval of RESOLUTION-PZ-230511-18.
2. Denial of RESOLUTION-PZ-230511-18.
3. Table pending additional information

Staff recommends approval of the RESOLUTION-PZ-230511-18, regarding approval of the vacation of a portion of right-of-way property described as Parcel ID 231/00096-003-000.

ATTACHMENTS:

1. Resolution-PZ-230511-18

PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ-230511-18

RESOLUTION REGARDING RECOMMENDED APPROVAL OF THE REQUEST FOR
VACATION OF A PORTION OF RIGHT-OF-WAY PROPERTY DESCRIBED AS
PARCEL 231/00096-003-000.

WHEREAS, The City of Bondurant is proposing to vacate a portion of Parcel ID 231/00096-003-000; AND

WHEREAS, the vacated portion of Parcel ID 231/00096-003-000 would be conveyed to the abutting property, currently owned by SALACL, LLC; AND

WHEREAS, the City of Bondurant is proposing to vacate 12-feet parallel to Main Street SE of Parcel ID 231/00096-003-000 described as follows:

LOTS 5 AND 6 IN BLOCK 4 IN TOWN OF BONDURANT, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART FO THE CITY OF BONDURANT, POLK COUNTY, IOWA

NOW, THEREFORE, BE IT RESOLVED, that the Planning and Zoning Commission of the City of Bondurant, Iowa, recommends City Council approval of the request to vacate a portion of Parcel ID 231/00096-003-000.

Moved by _____ Seconded by _____ to adopt.

ATTEST: I, Isaac J. Pezley, Community Development Director, hereby certify that at a meeting of the Planning and Zoning Commission held on May 11, 2023, among other proceedings the above was adopted.

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

Isaac J. Pezley, City Planner

Action	Yay	Nay	Abstain	Absent
Brostrom				
Cameron				
Clayton				
Cuellar				
Keeran				
Mains				

Torres				
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Torey Cuellar, Commission Chair