

City of Bondurant

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



Meeting Minutes

DATE: February 9, 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 February 9, 2023 meeting agenda. Vote on Motion 5-0-0. Motion carried.

4. Approval of Minutes

Motion by Commission Member Mains, seconded by Commission Member Clayton to approve of the January 12, 2023 meeting minutes, subject to updating them to remove out the unnecessary roll call vote sections. Vote on Motion 5-0-0. Motion carried.

5. Guests requesting to address the Planning and Zoning Commission

Kris Hutchinson, 607 Sycamore Drive NW, asked about the type of development that will be expected in Altoona along NE 64th Street in their newly-annexation

territory. City Administrator Oliver explained the City of Altoona has zoning jurisdiction on this land, so any use would need to meet their zoning requirements.

Wes Hoyer, 516 1st Street NW, explained to the Commission that he has formally resigned from the Planning & Zoning Commission. He recently accepted a magistrate judge position for Polk County and has resigned because of this. Wes thanked the Commission for allowing him to serve. The Commission thanked him for his time. City Administrator Oliver noted that the City does have a qualified applicant already on hand from a previous Board of Adjustment vacancy search.

Matt Sillanpaa, 17 Lincoln Street SE, asked for clarification on the rezoning approval process of the Geisler Farm property at 5251 NE 94th Avenue. City Administrator Oliver explained that this was a rezoning considered by the Polk County Board of Supervisors, since this land falls in unincorporated Polk County outside of Bondurant's city limits. Oliver noted the rezoning was approved by the Board of Supervisors to allow mixed use development at this location. Sillanpaa asked for clarification on the approved rezoning and how it compares to the City of Bondurant's Future Land Use Map. Oliver explained that while Bondurant's Comprehensive Plan guides for potential future development outside of our city limits, it is a guidance only when outside city limits and that Polk County has zoning jurisdiction on this land currently since it is unincorporated. Bondurant's Future Land Use Plan guides for future commercial development in this area.

6. Action Items

- a. PUBLIC HEARING 1 – Request for rezoning from the Agricultural (A-1) District to the Limited Industrial (M-1) District on land at Parcels 231/00214-004-000 and 231/00214-002-000.

Commission Chair Cuellar opened the public hearing at 6:15 p.m. Planning & Community Development Director Maggie Murray summarized the agenda statement. This area north of 15th Street SW and east of Franklin Street SW/NE 64th Street is zoned A-1 and the request is that M-1 zoning be established. Two parcels are included as part of the rezoning. These parcels comprise 76 acres. The requested M-1 zoning is consistent with the City's Future Land Use Map, which guides for Business Park/Light Industrial in the area. Notices were mailed to property owners within 200'. The City has received written comment from one property owner – Quail Run II LLC, or Vista. Vista's comments were shared with the Commission. Vista's comments request a lower building height of 40' and that the loading dock areas do not face north toward the Quail Run residential development.

Commission Member Keeran asked if the loading dock screening can be addressed at the site plan level? Planning & Community Development Director Murray noted that yes, Chapter 179 of the Zoning Code includes loading dock treatment and screening requirements.

Commission Member Mains agreed that their screening concerns can be addressed at the site plan level. Mains also acknowledged that noise could be a concern.

Commission Member Keeran acknowledged that potential neighbor impacts also depend on the final use proposed and because of this, screening should be reviewed at the site plan level.

City Administrator Oliver noted that the Chichaqua Valley Trail that separates the Quail Run neighborhood and the requested industrial area is raised and will help serve as an additional buffer area.

Kris Hutchinson, 607 Sycamore Drive NW, noted that the requested industrial property does run uphill as it heads south, so a 2-story home within the Quail Run neighborhood would be able to see the loading dock areas.

Commission Chair Cuellar closed the public hearing at 6:19 p.m.

- b. RESOLUTION PZ -230209-05 Considering recommended approval of the request for rezoning from the Agricultural (A-1) District to the Limited Industrial (M-1) District on land at Parcel 231/00214-004-000 and 231/00214-002-000.

Motion by Commission Member Mains, seconded by Commission Member Clayton to recommend approval of RESOLUTION PZ -230209-05.

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.

- c. PUBLIC HEARING 2 – Request for rezoning from the Medium Density Residential (R-2) District to the Transitional Commercial (C-1) District on land at 8383 NE 72nd Street.

Commission Chair Cuellar opened the public hearing at 6:20 p.m.

Branden Stubbs, Stubbs Engineering, summarized the rezoning request. The developer is seeking a rezoning from the R-2 District to the C-1 District.

Planning & Community Development Director Murray added that this rezoning area is just under 6 acres. The Comprehensive Plan guides for Neighborhood Transitional at the intersection of Grant Street North and NE 86th Avenue/16th Street NE. The C-1 District is consistent with the Neighborhood Transitional designation. Murray acknowledge the requested rezoning area extends a bit further south than what the Future Land Use Map shows for Neighborhood Transitional, but

because the scale of the rezoning area and location along a main roads are consistent with the text of the Comprehensive plan, no Future Land Use Map amendment is necessary as part of this request. Murray noted that neighbors within 200' of the rezoning area were notified and that no comment has been received to date. Murray noted that staff is recommending approval, subject to the following condition being included as part of the rezoning: The owner must establish the right-of-way for 13th Street NE prior to City Council's final ordinance reading.

Commission Chair Cuellar closed the public hearing at 6:42 p.m.

- d. RESOLUTION NO. PZ-230209-06 Considering recommended approval of the request for rezoning from the Medium Density Residential (R-2) District to the Transitional Commercial (C-1) District on land at 8383 NE 72nd Street.

Motion by Commission Member Mains, seconded by Commission Member Clayton to recommend approval RESOLUTION NO. PZ-230209-06, subject to the 13th Street NE condition as recommended by staff in the agenda statement/resolution.

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.

Commission Member Keeran asked if the parcel at 8383 NE 72nd Street needs to be split prior to establishing the C-1 District on a portion of it, or if this rezoning can occur prior to the split. Planning & Community Development Director Murray explained that the rezoning can occur in advance of the subdivision.

Commission Member Mains asked about previous discussions regarding this commercial site's access points. Planning & Community Development Director Murray explained Veenstra & Kimm's preliminary feedback where they acknowledge the Grant Street North access point can exist so long as there is adequate separation from the intersection and that requiring traffic instead to be routed to the south to 13th Street NE may create potential traffic conflicts with the school and residential uses.

Commission Member Clayton noted the corner at Grant Street North and NE 86th Avenue/16th Street NE is and will be congested. He feels the commercial development should be required to use the 13th Street NE public access point. Acknowledged he does not oppose commercial development at this corner. Expressed concerns over stormwater management in that there must be a pond accommodated for as part of the detailed site plan review process that that stormwater is adequately handled.

Commission Member Mains asked if there will be a trail along Grant Street North. Planning & Community Development Director Murray noted that yes, there will be a trail along this street frontage and that this has previously been relayed to Stubbs Engineering.

Commission Member Keeran asked if the Commission has the ability to require as a condition of the rezoning that the commercial development area only have access out to Grant Street North via 13th Street NE. Planning & Community Development Director Murray noted that yes, if the Commission would like to recommend this, they can, as it relates to the overall development of the parcel at 8383 NE 72nd Street.

Commission Member Brostrom noted that there is approximately a 1,000' separation between the intersection of Grant Street North/NE 86th Avenue and 13th Street NE and that a mid-block access point to the commercial development area appears to be acceptable. Brostrom noted that routing the commercial traffic south to 13th Street NE may create some unintended negative traffic conflicts and congestion with the school and residential uses and that this could be a traffic accident waiting to happen.

Commission Member Mains asked if there will be a turn lane at Grant Street North for the commercial development area's own access point.

Commission Member Brostrom noted that if the traffic study warrants it. Brostrom noted that this development area is a scenario where a Planned Unit Development request could make sense, as the Commission and Council can require additional items related to traffic and uses.

Commission Member Clayton asked if NE 86th Avenue/NE 16th Street will be 3-lane. City Administrator Oliver noted that yes, this street corridor will be 3 lanes.

Commission Member Brostrom asked how much right-of-way will be required along Grant Street North? Planning & Community Development Director Murray noted that it has previously been relayed to Stubbs Engineering that the right-of-way will be 100' wide, or 50' ½.

Commission Member Mains noted he is hesitant to consider a rezoning request to Planned Unit Development.

Planning & Community Development Director Murray noted that based on previous feelings by the Commission and Council on Planned Unit Developments, the feedback provided to Stubbs and the developer was that the residential area will need to meet R-2 District requirements.

Branden Stubbs, Stubbs Engineering, noted the developer would not want to route the commercial traffic south to 13th Street NE because it will create traffic conflicts with the school and residential traffic. Stubbs

acknowledged the development in this area will meet the C-1 District requirements for the commercial area and the R-2 District requirements for the residential area. Stubbs noted that the C-1 District classification is being pursued instead of the Planned Unit Development District zoning based on previous feedback relayed by the Commission and staff.

City Council Liaison Sillanpaa asked if City Council has seen the previous versions of this development concept showing commercial at the intersection. Commission Chair Cuellar noted that yes, Council has seen the previous versions that show commercial in this area. Planning & Community Development Director Murray also explained that both the Commission and Council have previously provided feedback to the developer that they would not be supportive of amending the Future Land Use Map for the residential portion to show a more intense residential use, meaning the residential area will need to meet R-2 District requirements.

7. Discussion Items – None.

8. Reports / Comments and appropriate action thereon

a. Commission Members

Brostrom – appreciates the Bondurant historical knowledge and participation on this Commission.

Mains – none.

Clayton – provided an update on the February 8th City Development Board meeting where the SE Water Study Annexation was approved by the Board. He attended and noted the Board was complementary of Bondurant's information presented.

Keeran – none.

b. Commission Chair – none.

c. City Administrator – noted that it seems like there has been a recent uptick in potential industrial development here in Bondurant. Noted that staff met with the Iowa Economic Development Authority to discuss a formal announcement of the Myers 1 site becoming certified.

d. Community Development Director – noted the City has received voluntary annexation petitions for a couple of parcels east of Bondurant's city limits along 2nd Street NE/NE 78th Avenue. The Planning & Zoning Commission will hear this annexation request during their meeting in March. The annexation will be a 100% consenting within 2 miles of Mitchellville's city limits. Also noted that a draft of the Civic Campus Master Plan will be presented to the

Commission during their March meeting.

- e. City County Liaison – none.

7. Adjournment

Motion by Commissioner Mains, seconded by Commissioner Clayton to adjourn the meeting. Vote on Motion 5-0-0. Motion carried. Meeting adjourned at 6:50.