Posting Date: January 21, 2020

NOTICE OF A REGULAR MEETING
BONDURANT PLANNING AND ZONING COMMISSION
JANUARY 23, 2020

NOTICE IS HEREBY GIVEN that a regular meeting of the Planning and Zoning Commission will be held at 6:00 p.m., on Thursday, January 23, 2020, in the Bondurant Community Library, 104 Second Street NE, 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 the Commission Minutes – January 9, 2020
5. Guests requesting to address the Planning and Zoning Commission
6. RETURN TO TABLE:
   a. **RESOLUTION NO. PZ-200109-01** – Resolution regarding Case #2020.R.1 – Request for Rezoning from Agricultural (A-1) to Limited Industrial (M-1) on Parcel #7923-12-100-001.
   b. **RESOLUTION NO. PZ-200109-02** – Resolution Regarding I-80 Business Park Preliminary Plat.
7. PUBLIC HEARINGS:
   a. **PUBLIC HEARING – CASE #2020.R.2** – Request for Rezoning from Agricultural (A-1) to Medium Density Residential (R-2) District for the Sankey West Rezoning Area.
      (1) RESOLUTION NO. PZ-200123-04 - Resolution Regarding Rezoning Case #2020.R.2.
   b. **PUBLIC HEARING – CASE #2020.R.3** – Request for Rezoning from Agricultural (A-1) to Medium Density Residential (R-2) District for the Sankey East Rezoning Area.
      (1) RESOLUTION NO. PZ-200123-05 – Resolution Regarding Rezoning Case #2020.R.3.
   c. **PUBLIC HEARING – CASE #2020.R.4** – Request for Rezoning from Agricultural (A-1) to Planned Unit Development (R-5) for the Webb Rezoning Area.
      (1) RESOLUTION NO. PZ-200123-06 - Resolution Regarding Rezoning Case #2020.R.4
   d. **PUBLIC HEARING – CASE #2020.R.5** – Request to Modify an Existing Planned Unit Development (R-5) District Designation.
      (1) RESOLUTION NO. PZ-200123-07 – Resolution Regarding Zoning Modification Case #2020.R.5.
8. OTHER RESOLUTIONS:
   a. **RESOLUTION NO. PZ-200123-08 -** Resolution Regarding Annexation Case #2020.A.1 – Sankey Summit 100% Voluntary, not within an Urbanized Area of Another Community.
   b. **RESOLUTION NO. PZ-200123-09 -** Resolution Regarding Annexation Case #2020.A.2 – Sankey Summit, 80/20 Voluntary Annexation, not within an Urbanized Area of Another Community.
   c. **RESOLUTION NO. PZ-200123-10 -** Resolution Regarding Annexation Case #2020.A.3 – Webb 100% Voluntary Annexation, within an Urbanized Area (of Altoona).
9. Reports/Comments and appropriate action thereon:
   a. Commission Members
   b. Commission Chair
   c. City Administrator
   d. City Council Liaison

Posting Date: January 21, 2020

10. Adjournment

Upcoming Planning & Zoning Commission Meetings:

- Regular Meeting, February 13, 2020
- Regular Meeting, February 27, 2020

CITY OF BONDURANT
PLANNING AND ZONING COMMISSION
January 9, 2020
MINUTES

1. Call to Order

   Commission Chair Cuellar called the meeting to order at 6:00 p.m.

2. Roll Call

   Roll call was taken and a quorum was declared.

   Present: Commission Member Brian Clayton, Commission Member Karen Keeran, Commission Member Joe Phearman, Commission Member Kristin Brostrom, Commission Member Torey Cuellar, Commission Member Daniel Hoffman-Zinnel

   City Officials Present: City Administrator Marketa Oliver, Interim City Clerk Craig Marshman, Planning & Community Development Director Maggie Murray, Council Member Doug Elrod

3. Perfecting and Approval of the Agenda

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

4. Approval of the Commission Minutes – November 14, 2019

   Motion by Hoffman-Zinnel, seconded by Clayton, to approve the November 14, 2019 minutes. Vote on Motion 6-0. Motion declared carried unanimously.

5. Guests requesting to address the Commission – None

   Motion by Keeran, seconded by Phearman, to close the regular meeting and move into public hearing at 6:03 p.m. Roll Call: Ayes: Clayton, Keeran, Phearman, Brostrom, Cuellar, Hoffman-Zinnel. Nays: None. Absent: Maines. Motion carried 6-0.

6. **PUBLIC HEARING** – Case #2020.R.1 – request for rezoning from Agricultural (A-1) to Limited Industrial (M-1) on Parcel #7923-12-100-001.

   The Commission discussed the rezoning and the concept plan with the engineer, Jarrod Murray. Jerry White presented a petition to deny this request.

Motion by Keeran, seconded by Hoffman-Zinnel, to close the public hearing and move back to the regular meeting at 6:51 p.m. Roll Call: Ayes: Clayton, Keeran, Phearman, Brostrom, Cuellar, Hoffman-Zinnel. Nays: None. Absent: Maines. Motion carried 6-0.

7. **RESOLUTION NO. PZ-200109-01** – Resolution regarding Case #2020.R.1 – request for rezoning from Agricultural (A-1) to Limited Industrial (M-1) on Parcel #7923-12-100-001.RESOLUTION

Motion by Clayton, seconded by Keeran, to table Resolution No. PZ-200109-01. Roll Call: Ayes: Clayton, Keeran, Phearman, Brostrom, Cuellar, Hoffman-Zinnel. Nays: None. Absent: Maines. Motion carried 6-0.

8. **RESOLUTION NO. PZ-200109-02** – Resolution regarding I-80 Business Park Preliminary Plat.

Motion by Hoffman-Zinnel, seconded by Clayton, to table Resolution No. PZ-200109-02. Roll Call: Ayes: Clayton, Keeran, Phearman, Brostrom, Cuellar, Hoffman-Zinnel. Nays: None. Absent: Maines. Motion carried 6-0.

9. **RESOLUTION NO. PZ-200109-03** – Resolution regarding the Plat of Survey associated with the I-80 Business Park development.

Motion by Brostrom, seconded by Phearman, to approve Resolution No. PZ-200109-03. Roll Call: Ayes: Clayton, Keeran, Phearman, Brostrom, Cuellar, Hoffman-Zinnel. Nays: None. Absent: Maines. Motion carried 6-0.

10. Reports/Comments and appropriate action thereon:
    a. Commission Member Comments
       Hoffman-Zinnel – Project south of Wolf Creek
       Clayton – C&R building permit, developers shouldn't play favorites for utility companies
       Keeran – Casey's site plan, Irishman Acres spotlights
       Mains – Absent.
       Phearman – None.
       Brostrom – None.
    b. Commission Chair Comments – None.
    c. City Administrator Comments – BlueJay reveal delayed a week, RISE Grant
    d. City Council Liaison – None.
11. Adjournment
    Moved by Phearman, seconded by Brostrom, to adjourn the meeting at 7:29 p.m. Vote on Motion 6-0. Motion carried.

_____
Craig Marshman, Interim City Clerk

ATTEST:

_____
Torey Cuellar, Commission Chair

January 20, 2020

From: Maggie Murray, AICP
To: Planning & Zoning Commission
Subject: Case #2020.R.1: Request for Rezoning from Agricultural (A-1) to Limited Industrial (M-1) on Parcel #7923-12-100-001.
Action: For P&Z recommendation on January 23rd, 2020. *This is a Return to Table item, as it was tabled by the Commission during their January 9th, 2020 meeting, subject to obtaining further information from Bob Veenstra, City Engineer, during the January 23rd meeting relative to stormwater calculations and potential future intersection improvements.*

Brief History

The City has received a rezoning application for an existing 4.67-acre parcel of land within Bondurant's city limits along Hubbell Road SW and NE 62nd Avenue, as shown in the enclosed maps. This rezoning application has been submitted by the owner, I-80 Business Park, LLC. This parcel is currently zoned as being within the City's Agricultural (A-1) District. The rezoning request is that the Official Zoning Map be changed from the Agricultural (A-1) District to the Limited Industrial (M-1) District for Parcel #7923-12-100-001 only. The purpose of this rezoning request is to allow for construction of a detention pond on the land requested for rezoning. This detention pond will serve the developable commercial and limited industrial lots of the I-80 Business Park Subdivision. The developable lots of the I-80 Business Park Subdivision are located within the Altoona's city limits just to the west of this land in Bondurant's city limits being requested for rezoning.

Being considered by the P&Z and Council as part of this rezoning staff report is the topic of a rezoning from Agricultural (A-1) to Limited Industrial (M-1) on Parcel #7923-12-100-001 only. Uses proposed within Altoona's city limits fall under the City of Altoona's jurisdiction.

Analysis:

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

Comprehensive Plan:

A comprehensive plan serves as a long-range plan for community improvement, development, and growth. Iowa Code recommends for communities to adopt comprehensive plans, and that these plans should "include information on the amount, type, intensity and density of existing land use, trends in the market price, and plans for future land use throughout the municipality" (Chapter 18B). Said plans serve as policy guides, and are intended to be flexible and adaptive over time, setting forth the basic framework to guide activities and manage change.

Bondurant's Comprehensive Plan currently guides for a future use of industrial in the area requested for rezoning, so no update to the City's Future Land Use Map is proposed at this time.

Spot Zoning:

According the Iowa State University & Outreach's "Midwest Planning Bluz", to determine whether illegal spot zoning has occurred, the courts consider whether the rezoning takes into account the following:

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

It does not appear this proposed rezoning constitutes spot zoning. As the enclosed Zoning Map shows, the requested zoning district of Limited Industrial (M-1) also exists for a portion of land just north of NE 62nd Avenue (Oxbow Subdivision currently under construction) and also for a portion of land just east of Hubbell Road SW (existing Mid-Country Machinery site at 3509 Franklin Street SW). Further, as previously noted, the City's Comprehensive Plan supports this rezoning request, as the City's Future Land Use Map as part of the City's Comprehensive Plan guides for guides for industrial use in the area requested for rezoning from Agricultural (A-1) to Limited Industrial (M-1).

Public Input:

As required by the City's Zoning Ordinance, letters were sent to property owners within 200' of the proposed rezoning notifying them of the requested rezoning. On January 9th, 2020 the Interim City Clerk received the enclosed petition signed by people against the rezoning request – some of these signatures were by residents of Bondurant, while others were signed by residents of unincorporated Polk County or Altoona. Enclosed is a map created by City staff showing the location of signatures obtained. This petition was signed by the following people:

1. Jerry & Mindla White, property owners at 6204 & 6206 NE 62nd Avenue (within Bondurant's city limits)
2. Mike Hall, property owner at 2907 Franklin Street SW (within Bondurant's city limits)
3. Rob & Jayce Hall, property owner at 2803 Franklin Street SW (within Bondurant's city limits)
4. Randy & Sarah Butler, property owners at 6208 NE 62nd Street (within Bondurant's city limits)
5. Matt Hall, resident at 6545 NE 64th Street (within Bondurant's city limits)
6. Ronald Stanley, property owner at 6590 NE 64th Street (unincorporated Polk County)
7. Dale & Marlys Larson, property owners at 6604 NE 64th Street (unincorporated Polk County)
8. Leo & Carol Engelbrecht, property owners at 6101 NE 62nd Street (within Altoona's city limits)
9. Renee Allen, property owner at 6131 NE 62nd Avenue (within Altoona's city limits)

As required by Section 414.5 of the Iowa Code, in case of a written protest against a change which is filed with the City Clerk and signed by the owners of 20% of more of the property which is located within 200' of the property for which the zoning change is proposed, the rezoning shall not become effective except by the favorable vote of at least ¾ of all of the members of the Council. There are three properties inside Bondurant's city limits that are within 200' of the requested rezoning. All three of these properties signed the petition against the rezoning.

Alternatives

The following options exist for the Planning and Zoning Commission:

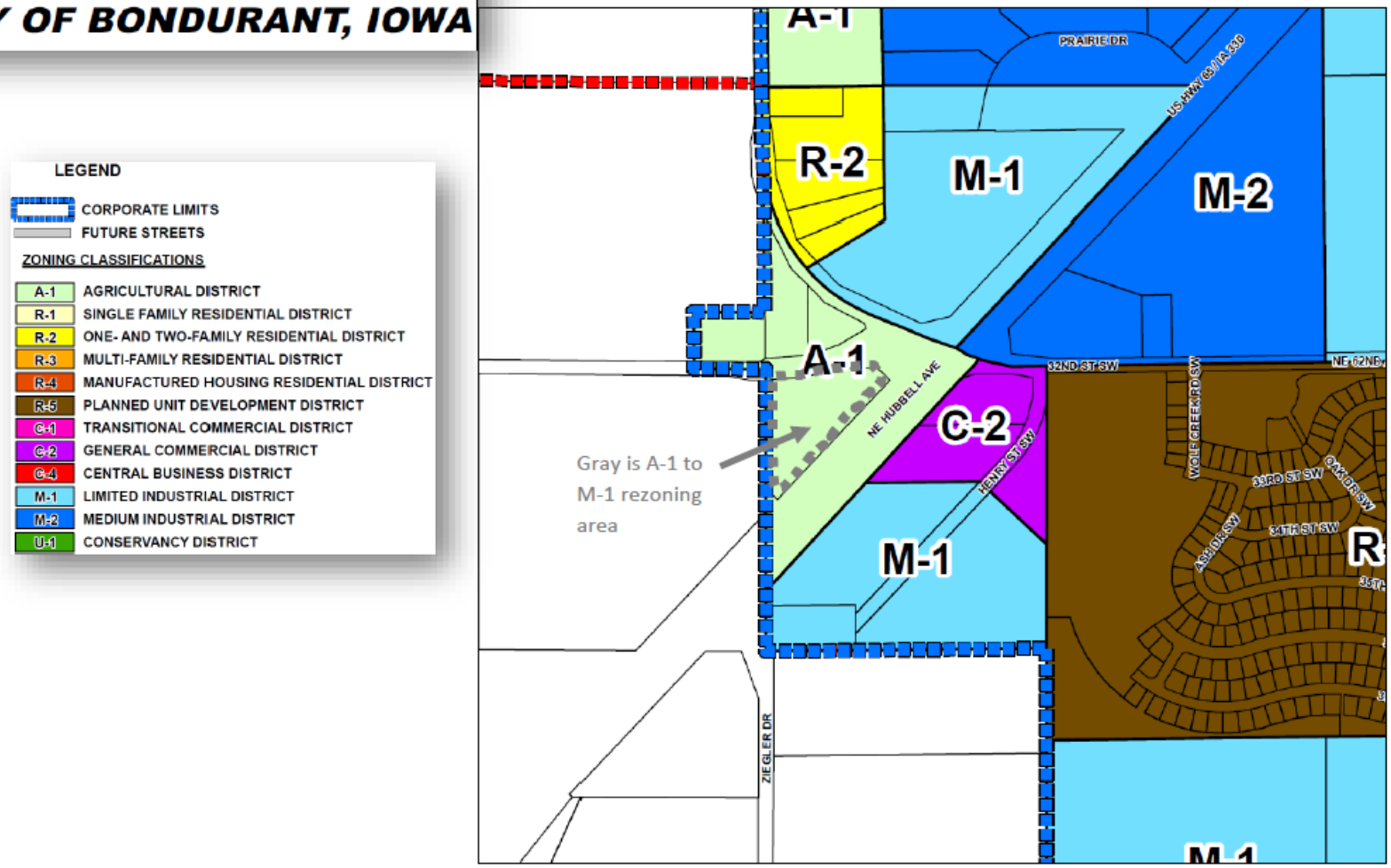
1. Recommended approval of the rezoning request from Agricultural (A-1) to Limited Industrial (M-1) for Parcel #7923-12-100-001;
2. Recommended approval of the rezoning request from Agricultural (A-1) to Limited Industrial (M-1) for Parcel #7923-12-100-001, subject to conditions recommended by the P&Z;
3. Recommend denial of the rezoning request from Agricultural (A-1) to Limited Industrial (M-1) for Parcel #7923-12-100-001;
4. Table pending additional comment/feedback.

Staff Conclusions/Recommendations

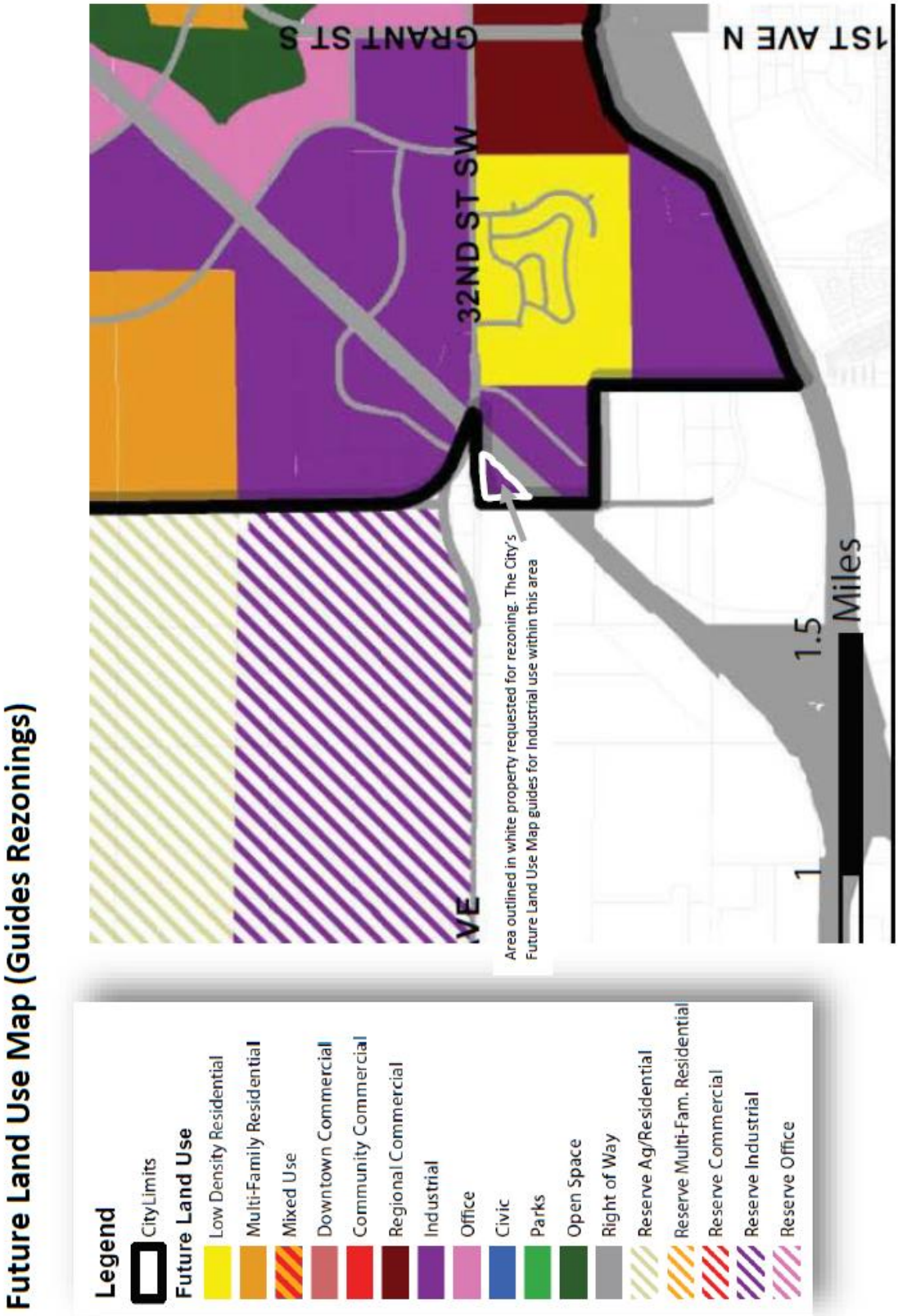
Subject to further comment received, staff recommends approval of the rezoning request from Agricultural (A-1) to Limited Industrial (M-1) for Parcel #7923-12-100-001.

It is anticipated that City Council will their public hearing for rezoning consideration during their meeting on Monday, February 3rd, 2020. Following Council's required public hearing, City Council may consider approval of the rezoning ordinance.

ZONING MAP
CITY OF BONDURANT, IOWA



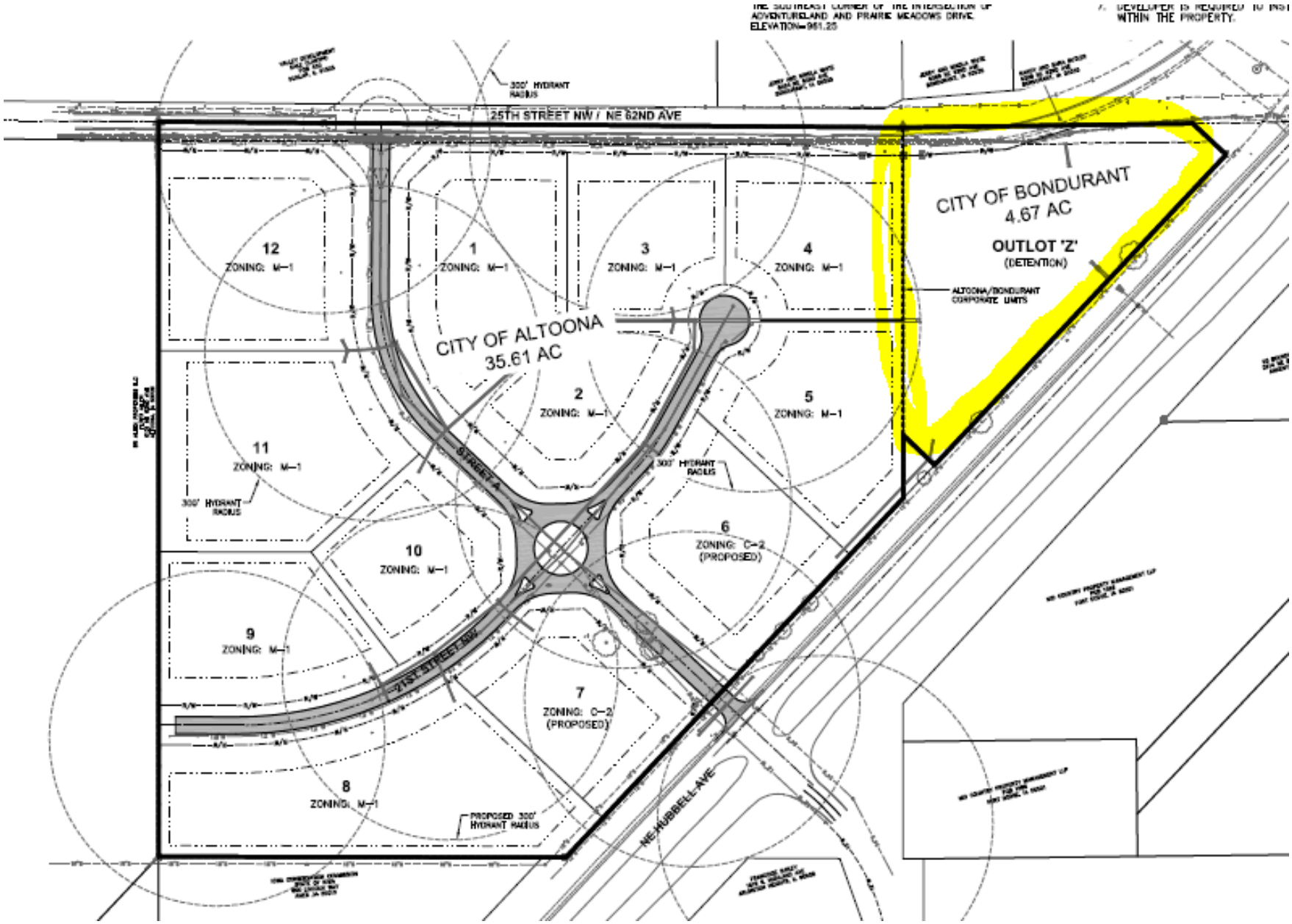
REZONING LEGAL DESECRIPTION: A PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF BONDURANT, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 12; THENCE NORTH 89°12'07" EAST ALONG THE NORTH LINE OF SAID NORHTWEST QUARTER OF THE NORTHWEST QUARTER, 518.52 FEET TO THE WESTERLY RIGHT OF WAY LINE OF HUBBELL AVENUE; THENCE SOUTH 46°52'55" EAST ALONG SAID WESTERLY RIGHT OF WAY LINE, 81.62 FEET; THENCE SOUTH 43°12'33" WEST CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE, 761.39 FEET; THENCE NORTH 46°35'09" WEST CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE, 77.56 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE NORTH 00°02'35" WEST ALONG SAID WEST LINE, 550.20 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.67 ACRES (203,215 SQUARE FEET).


Future Land Use Map (Guides Rezonings)
Legend
CityLimits
Future Land Use
Low Density Residential
Multi-Family Residential
Mixed Use
Downtown Commercial
Community Commercial
Regional Commercial
Industrial
Office
Civic
Parks
Open Space
Right of Way
Reserve Ag/Residential
Reserve Multi-Fam. Residential
Reserve Commercial
Reserve Industrial
Reserve Office
Area outlined in white property requested for rezoning. The City's Future Land Use Map guides for Industrial use within this area
32ND ST SW
GRANT ST S
1ST AVE N
1
1.5
Miles

Area Map

PRAIRIE DR SW
32ND ST SW
UNKNOWN ST
3RD ST SW
POPLAR DR SW
MAPLE DR SW
ASH DR SW
34TH ST SW
35TH ST SW
36TH ST SW
HENRY ST SW
NE 62ND AVE
ZIEGLER DR NW
65
80
I80 WB ON RMP
I80 EB OFF R
I80 WB HWY
HUBBELL AVE

Excer


ADVENTURELAND AND PRAIRIE MEADOWS DRIVE
ELEVATION=961.23
WITHIN THE PROPERTY.
300' HYDRANT RADIUS
25TH STREET NW / NE 62ND AVE
CITY OF BONDURANT
4.67 AC
OUTLOT 'Z'
(DETENTION)
ALTOONA/BONDURANT CORPORATE LIMITS
CITY OF ALTOONA
35.61 AC
12
ZONING: M-1
1
ZONING: M-1
3
ZONING: M-1
4
ZONING: M-1
2
ZONING: M-1
5
ZONING: M-1
11
ZONING: M-1
300' HYDRANT RADIUS
STREET A
300' HYDRANT RADIUS
6
ZONING: C-2
(PROPOSED)
10
ZONING: M-1
9
ZONING: M-1
21ST STREET NW
7
ZONING: C-2
(PROPOSED)
8
ZONING: M-1
PROPOSED 300' HYDRANT RADIUS
NE HUBBELL AVE

CIVIL DESIGN ADVANTAGE L.L.C.
ENGINEERS, LANDSCAPE ARCHITECTS, PLANNERS & SURVEYORS

December 6, 2019

Honorable Mayor, City Council and Planning and Zoning Commission
c/o Marketa Oliver, City Administrator
City of Bondurant
200 2nd Street NE
Bondurant, Iowa 50035

RE: I-80 Business Park Rezoning

Honorable Mayor, City Council and Planning and Zoning Commission;

On behalf of I-80 Business Park LLC, we submit herewith this request to rezone approximately 4.7 acres from A-1: Agricultural District to M-1: Limited Industrial District that would allow for industrial construction. The property is a low-lying piece of ground within a larger tract of land being developed by the owners and will therefore be utilized as a regional detention pond. The comprehensive plan calls for this property to contain industrial uses which is in line with what is proposed for the surrounding properties.

Please accept this submittal for the next available Planning & Zoning Commission and City Council meeting. Let me know if you have any questions or require any further information to complete your review. Thanks.

Sincerely,

CIVIL DESIGN ADVANTAGE

Jared Murray

Jared Murray, P.E.

cc: Jesse Rognes, Synergy Contracting LLC
Chris Dawson, Platinum Development Company

Enclosures

3405 SE CROSSROADS DRIVE, SUITE G, GRIMES, IOWA 50111 • P 515+369+4400 • F 515+369+4410 • WWW.CDA-ENG.COM

Copy of Official Petition Against the Rezoning Application, Received on 1/9/2020

Thursday, January 9th, 2020

Petition to *the City of Bondurant (IA) Planning and Zoning Commission and its City Council* to **REJECT** the re-zoning request submitted *as a result of the I-80 Business Park Subdivision (located to the south of NE 62nd Avenue)* to change zoning designation from ***Agricultural (A-1) to Limited Industrial (M-1)***. See below map showing parcel.

We, the undersigned residents and primary homeowners, living (domiciled) in the immediate vicinity (within 1/2 mile or less) of the parcel in question, ***vehemently oppose re-zoning this land from Agricultural (A-1) to Limited Industrial (M-1).*** As long-time residents within the city limits and/or school district of Bondurant, we pay property taxes to Bondurant to be served as residents. This proposed re-zoning would NOT serve us as the *AFFECTED* residents of Bondurant. There are NO BENEFITS to us, as residents of the city of Bondurant (or its school district), to re-zone this parcel. Rezoning it would do nothing to *improve* our families' quality of life; rather, re-zoning this parcel will be overwhelmingly be detrimental to our well-being. This re-zoning request, if approved, will further DEGRADE the quality of life within our residential community within this area of Bondurant by increasing the excessive noise (e.g. Jake braking by commercial vehicles), create unwanted air / light pollution, traffic, development hazards, and other issues, (e.g. lost electrical, internet, phone services, broken drainage tiles and/or degraded surface and sub-surface water drainage) caused by the development activities in the area. Keeping this parcel zoned for agricultural provide a "buffer" preventing undesirable developments adjacent to our residential properties. For these reasons (and many others), we request the City of Bondurant unanimously reject the proposed re-zoning.

(Signatures are shown on the back of this sheet.)

Copy of Official Petition Against the Rezoning Application, Received on 1/9/2020

Thursday, January 9th, 2020

Name	Address	Phone #	Signature	Email address
JERRY E. WHITE	6206 NE 62ND AVE 6204 NE 62ND AVE	(515) 333-1134	Jerry E. White	WHITEJERRYE@JOHNDEERE.CO
Mindla White	6206 NE 62nd AVE 6204 NE 62nd AVE	515 4802135	Mindla White	mindla.whitenet@
Mike Hall	2807 Franklin STR	515-6697622	[illegible]	MHALL@NORMEL.COM
RONALD STANLEY	6590 NE 64TH	515 358-0406	[illegible]	TAZ5TAWLTY@HOT
Dale Larson	6604 NE 64th	9073383	[illegible]	marcdalar@msn.com
MARGUERITE LARSON	"	"	"	"
Matt Hall	6545 NE 64th Ct	(515) 238-7853	[illegible]	Matth584@AOL.COM
Carol Engelbrecht	6101 NE 62nd	515-967-3854	Carol Engelbrecht	caroleo1970@gmail.com
Leo Engelbrecht	"	"	Leo Engelbrecht	"
Rob Hall	2803 Franklin St SW	967-7113	[illegible]	rhall124@aol.com
JAYCE HALL	"	"	Jayce A. Hall	"
Sara Butler	6208 NE 62nd AVE	515-371-4581	[illegible]	Kenzie020@yahoo.com
Randy Butler	" "	515-371-4580	Randy Butler	" "
Renée Allen	6131 NE 62nd Ave Altoona	515-250-4778	Renée Allen	fluid-floyd@rocketmail.com

Map Created by City Staff Showing the Location of Signatures of the Petition Against the Rezoning Request

Stormwater Summary Information & Table – Submitted by Jared Murray, CDA, on 1/13/2020

Maggie,

Attached are summary tables of the existing and proposed drainage conditions for I-80 Business Park. The existing condition is shown to illustrate what is happening on the proposed and adjacent properties today, as well as how the existing downstream pond is currently behaving. The proposed analysis follows showing how our proposed improvements would affect the surrounding properties. Following that analysis are several tables showing a revision to our pond outlet to release additional storm water as we are allowed based on our existing calcs. Ultimately, the only change that will have any impact on Mr. White is install a larger culvert under NE 62nd Ave. The last two analysis' show upsizing that culvert from a 24" to a 30" and 36" culvert. Unfortunately, neither has much impact on ponding elevations on Mr. White's property.

Please let me know if you have any questions.

Thank you,

Jared Murray, P.E. | *project manager*
CIVIL DESIGN ADVANTAGE LLC
3405 SE Crossroads Drive, Suite G Grimes, IA 50111
o 515.369.4400 f 515.369.4410 c 515.401.8454
JaredM@cda-eng.com www.CDA-eng.com

CIVIL DESIGN ADVANTAGE

3405 SE Crossroads Dr., SUITE G GRIMES, IA 50111

PROJECT: I-80 Business Park JOB NO. 1905.232 Page ____ of ____ Pages

SUBJECT: Stormwater Calculations DATE: 01/10/20 COMP. BY: JMM OK'D BY: ____

Detention Basin Summary:

Detention Basin Summary

EX CULVERT AREA 1 - DEPRESSION (ANALYSIS OF EXISTING SITE CONDITIONS)

	Release Rate, cfs	Upper Pond - Ponding Elevation (White Property)	Lower Pond - Ponding Elevation (Pond 1A)	EX. Downstream Pond Analysis	
				Release Rate, cfs	Ponding Elevation
1-Year Storm	53.47	960.39	958.07	28.75	955.29
2-Year Storm	63.53	960.66	958.34	34.91	955.93
5-Year Storm	84.10	961.11	958.84	76.51	956.43
100-Year Storm	151.27	962.53	960.62	216.70	956.85

PROPOSED ANALYSIS - MULTI-STAGE OUTLET WITH 48" SERVING AS ULTIMATE OUTLET FOR POND 1A

	Release Rate, cfs	Upper Pond - Ponding Elevation (White Property)	Lower Pond - Ponding Elevation (Pond 1A)	EX. Downstream Pond Analysis	
				Release Rate, cfs	Ponding Elevation
1-Year Storm	15.48	960.39	958.17	20.51	954.52
2-Year Storm	18.31	960.66	958.50	25.24	954.87
5-Year Storm	23.23	961.11	959.19	34.45	955.88
100-Year Storm	75.64	962.53	961.25	157.83	956.79

ALT 1 - DUAL 30" OUTLET FOR POND 1A - NO UPSIZING OF 62ND AVE CULVERT (EX. 24" CULVERT)

	Release Rate, cfs	Upper Pond - Ponding Elevation (White Property)	Lower Pond - Ponding Elevation (Pond 1A)	EX. Downstream Pond Analysis	
				Release Rate, cfs	Ponding Elevation
1-Year Storm	18.81	960.39	957.60	23.71	954.75
2-Year Storm	22.57	960.66	957.91	28.29	955.25
5-Year Storm	31.46	961.11	958.52	38.82	956.22
100-Year Storm	85.98	962.53	960.48	198.27	956.91

ALT 2 - DUAL 30" OUTLET FOR POND 1A - UPSIZE 62ND AVE CULVERT TO 30"

	Release Rate, cfs	Upper Pond - Ponding Elevation (White Property)	Lower Pond - Ponding Elevation (Pond 1A)	EX. Downstream Pond Analysis	
				Release Rate, cfs	Ponding Elevation
1-Year Storm	20.79	960.34	957.76	25.31	954.88
2-Year Storm	24.89	960.58	958.16	30.61	955.46
5-Year Storm	36.59	961.05	958.62	46.07	956.30
100-Year Storm	88.85	962.39	960.70	201.19	956.92

CIVIL DESIGN ADVANTAGE

3405 SE Crossroads Dr., SUITE G GRIMES, IA 50111

PROJECT: I-80 Business Park JOB NO. 1905.232 Page ____ of ____ Pages

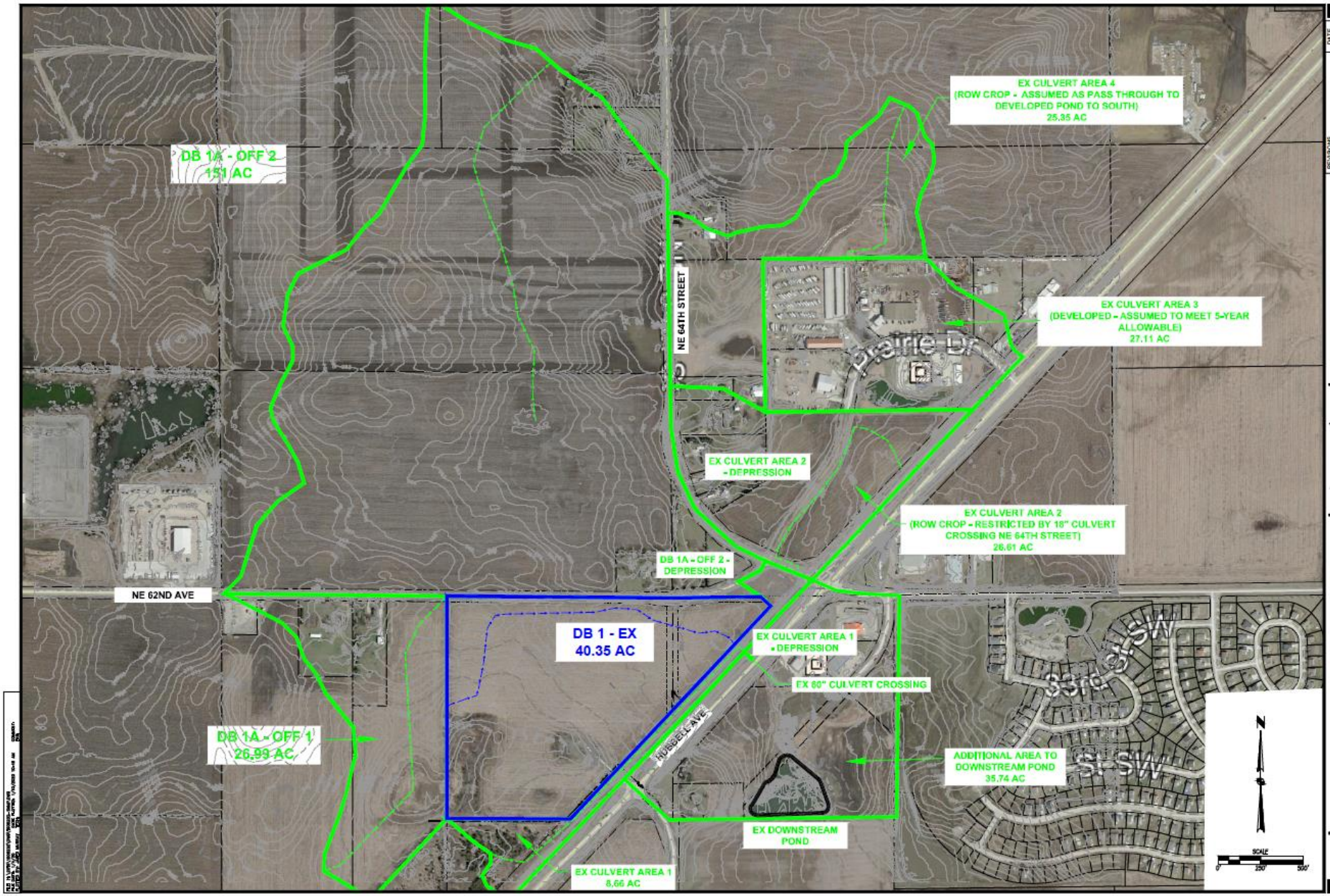
SUBJECT: Stormwater Calculations DATE: 01/10/20 COMP. BY: JMM OK'D BY: ____

Detention Basin Summary:

Detention Basin Summary

ALT 3 - DUAL 30" OUTLET FOR POND 1A - UPSIZE 62ND AVE CULVERT TO 36"

	Release Rate, cfs	Upper Pond - Ponding Elevation (White Property)	Lower Pond - Ponding Elevation (Pond 1A)	EX. Downstream Pond Analysis	
				Release Rate, cfs	Ponding Elevation
1-Year Storm	22.12	960.31	957.87	25.54	955.01
2-Year Storm	25.85	960.55	958.35	31.63	955.56
5-Year Storm	42.24	961.00	958.76	54.88	956.36
100-Year Storm	91.51	962.30	960.92	203.50	956.93



REVISIONS | DATE

3405 S.E. CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PHONE: (515) 369-4400 FAX: (515) 369-4410

ENGINEER: JMM | TECH:

CIVIL DESIGN ADVANTAGE

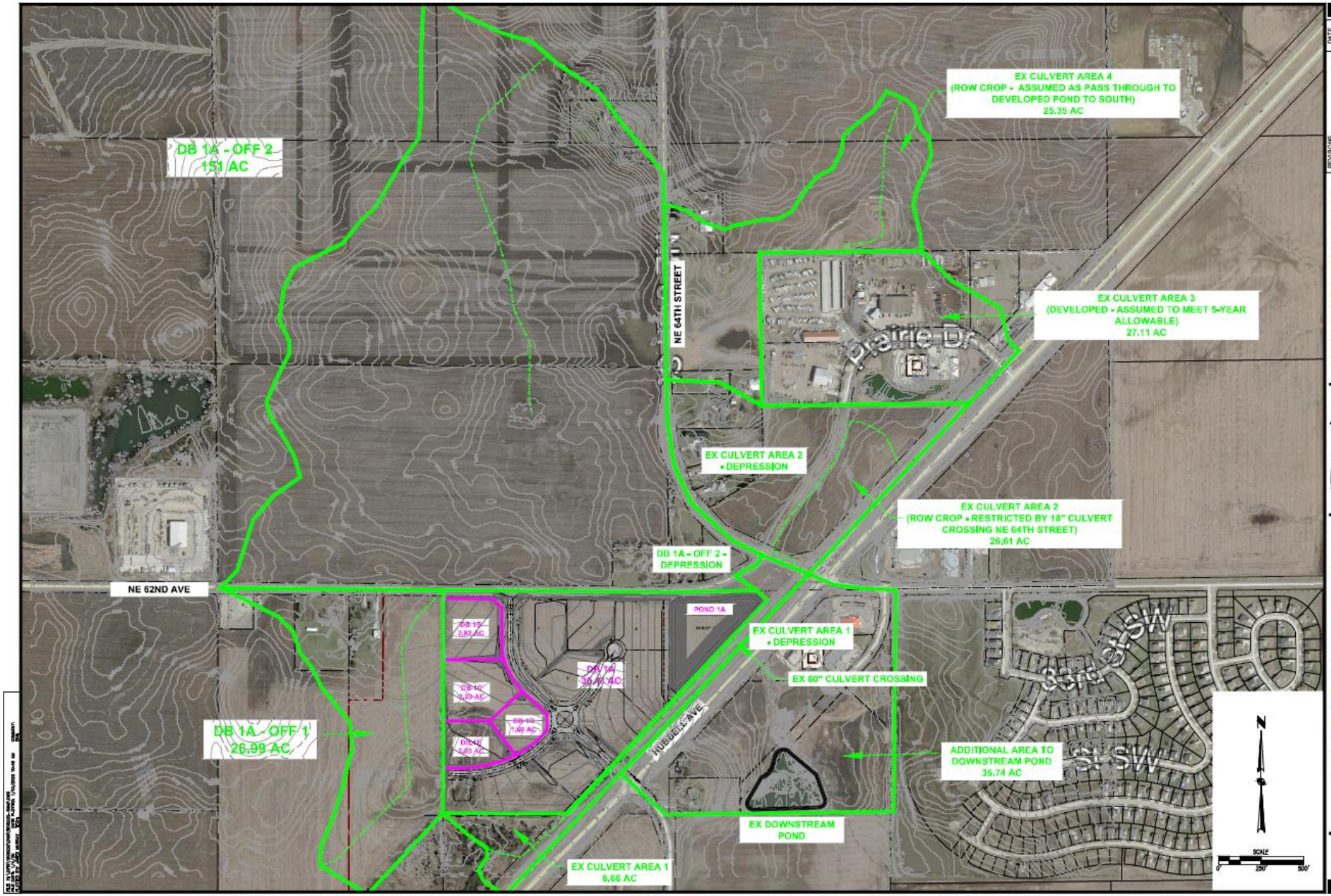
I-80 BUSINESS PARK

EXISTING ANALYSIS

ALTOONA, IOWA

1/1

1905.232



REVISIONS	DATE

3405 S.E. CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PHONE: (515) 369-4400 FAX: (515) 369-4410

ENGINEER: JMM | TECH:

CIVIL DESIGN ADVANTAGE

I-80 BUSINESS PARK
POST-DEVELOPMENT DRAINAGE MAP
ALTOONA, IOWA

1/1

1905.232

PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ-1200109-01

RESOLUTION REGARDING THE I-80 BUSINESS PARK REZONING APPLICATION FROM AGRICULTURAL (A-1) TO LIMITED INDUSTRIAL (M-1) IN THE CITY OF BONDURANT, POLK COUNTY, IOWA

WHEREAS, the Planning and Zoning Commission held a Public Hearing to consider a request by I-80 Business Park, LLC to rezone a property at Parcel #7923-12-100-001 from Agricultural (A-1) to Limited Industrial (M-1) on property legally described as follows:

A PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF BONDURANT, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 12; THENCE NORTH 89°12’07” EAST ALONG THE NORTH LINE OF SAID NORHTWEST QUARTER OF THE NORTHWEST QUARTER, 518.52 FEET TO THE WESTERLY RIGHT OF WAY LINE OF HUBBELL AVENUE; THENCE SOUTH 46°52’55” EAST ALONG SAID WESTERLY RIGHT OF WAY LINE, 81.62 FEET; THENCE SOUTH 43°12’33” WEST CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE, 761.39 FEET; THENCE NORTH 46°35’09” WEST CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE, 77.56 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE NORTH 00°02’35” WEST ALONG SAID WEST LINE, 550.20 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.67 ACRES (203,215 SQUARE FEET).

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 Rezonining 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 that the rezoning for the I-80 Business Park, LLC on be _____ by the City Council.

Moved by _____, Seconded by _____to adopt.

ATTEST: I, Craig Marshman, Interim City Clerk of Bondurant, hereby certify that at a meeting of the Planning and Zoning Commission held on January 23, 2020, among other proceedings the above was adopted.

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

_____
Craig Marshman, Interim City Clerk

Action	Yay	Nay	Abstain	Absent
Hoffman-Zinnel				
Clayton				
Kromrie				
Keeran				
Cuellar				
Phearman				
McCleary				

_____

Torey Cuellar, Commission Chair

January 20, 2020

From: Maggie Murray, AICP
To: Planning & Zoning Commission
Subject: Preliminary Plat Subdivision Review of Proposed I-80 Business Park.
Action: For P&Z recommendation on January 23rd, 2020. *This is a Return to Table item, as it was tabled by the Commission during their January 9th, 2020 meeting, subject to obtaining further information from Bob Veenstra, City Engineer, during the January 23rd meeting relative to stormwater calculations and potential future intersection improvements.*

Brief History

For review by the Planning and Zoning Commission is recommended approval of the I-80 Business Park Preliminary Plat. The preliminary plat applicant/developer is I-80 Business Park, LLC. The proposed I-80 Business Park will look to create 12 developable commercial and industrial lots within Altoona's city limits. While the actual commercial and industrial development will be situated within Altoona's city limits, there is one existing parcel of land within Bondurant's city limits proposed within this I-80 Business Park subdivision. As the enclosed preliminary plat shows, this parcel within Bondurant's city limits, Outlot Z, is a 4.67-arce parcel situated at the SW corner of NE 62nd Avenue and Hubbell Road SW. Outlot Z will be used for stormwater detention purposes.

Prior to final plat recording, Section 354.8.2 of the Iowa Code states that the recorder must have a resolution of from each applicable governing body approving the subdivision plat. Since a portion of this subdivision falls within Bondurant's city limits, the eventual recording of the final plat will require a resolution of approval from both Bondurant City Council and Altoona City Council.

For review as part of this staff report is recommended approval of the I-80 Business Park Preliminary Plat only. For questions on the rezoning of this property from Agricultural (A-1) to Limited Industrial (M-1), please see the corresponding rezoning staff report. When reviewing for recommended preliminary plat approval, the Planning and Zoning Commission should be reviewing for what Bondurant has jurisdiction over only. The proposed land uses and subdivision layout within Altoona's city limits fall under the City of Altoona's jurisdiction.

Analysis:

When considering subdivision plat requests, the Planning and Zoning Commission and City Council should take into account the following: Future Land Use, Zoning, and Neighborhood Character; Transportation, Parking, Sidewalks, and Utilities; and Comments from City Officials, Private Utilities, and Other Entities.

Future Land Use (Comprehensive Plan), Zoning, and Neighborhood Character:

This is just a brief summary of this topic. For further information, please see the corresponding rezoning staff report.

Future Land Use (Comprehensive Plan) – the proposed use within Bondurant's city limits will be for detention pond use to help service industrial and commercial lots within Altoona's city limits. The

proposed use is consistent with the City's Future Land Use Map, which guides this area for industrial-type use on this parcel of land within Bondurant's city limits.

Zoning – this 4.67-acre piece of property is currently zoned as being within the City's Agricultural (A-1) District. The City has received a rezoning request from Agricultural (A-1) to Limited Industrial (M-1). This rezoning request will also be considered by the Planning and Zoning Commission during their meeting on January 9th for recommended approval for Council.

When the Planning and Zoning Commission and City Council considers a potential rezoning, bulk regulations of the requested district should be reviewed to ensure minimum regulations are being met. Below is a summary of Limited Industrial (M-1) District bulk regulations:

- ✓ **Minimum Front Yard Setback of 50'.** N/A, as no actual structure is proposed within Bondurant's city limits.
- ✓ **Minimum Side Yard Setback of 20'.** N/A, as no actual structure is proposed within Bondurant's city limits.
- ✓ **Minimum Rear Yard Setback of 50'.** N/A, as no actual structure is proposed within Bondurant's city limits.
- ✓ **Maximum Structure Height of 80'.** N/A, as no actual structure is proposed within Bondurant's city limits.
- ✓ **Minimum Lot Area of 10,000 SF.** This item is met, as the enclosed preliminary plat notes that the parcel within Bondurant's city limits is 4.67 acres.

Neighborhood Character – the I-80 Business Park Subdivision will be located within close proximity to the Oxbow Subdivision just north of NE 62nd Avenue. The Oxbow Subdivision will be home to the Road Machinery & Supplies site and also one additional development lot. While there are also three homes within close proximity to the north of NE 62nd Avenue at 6204-6208 NE 62nd Avenue, the City's Future Land Use Map guides for industrial-type development within this area. This detention pond area may help serve as a buffer between the actual commercial and industrial development within Altoona's city limits and the residential uses to the north. The I-80 Business Park is also located within close proximity to a series of industrial and commercial businesses just east of Hubbell Road SW.

Transportation, Parking, Sidewalks, and Utilities:

Transportation. No new streets are proposed within Bondurant's city limits as part of this subdivision. This 4.67-acre parcel within Bondurant fronts the existing NE 62nd Avenue and Highway 65/Hubbell Road SW. The preliminary plat shows Lots 1, 2, 3, 4, and Outlot Z (Bondurant city limits) as having parcel ownership up to the centerline of the existing NE 62nd Avenue. As part of the final platting process, the north property lines within this area will be corrected so that the road area is dedicated right-of-way.

The City's *Policy on Traffic Impact Studies for Proposed Developments* does grant the City of Bondurant the authority to require a traffic impact study as part of subdivision approval. The City of Altoona also has a similar traffic impact study requirement; as such, Snyder & Associates is currently preparing this required traffic impact study and anticipates this study will be finalized in February 2020. Once this traffic impact study has been completed, Bondurant's City Council will consider a resolution accepting this traffic impact study.

Parking – while the City of Bondurant's Zoning Code has certain parking requirements for industrial-type uses, parking is not being considered as part of this staff report, as no actual building or parking lot development is proposed within Bondurant's city limits. Since no new streets are proposed within Bondurant's city limits, the topic of on-street parking does not need to be discussed.

Sidewalks - the preliminary plat does not show any sidewalks being constructed adjacent to the 4.67-acre parcel within Bondurant's city limits. Per Section 180.05.4.D of the City's Subdivision Ordinance, sidewalks shall be constructed on both sides of all streets. Hubbell Road SW/Highway 65 is adjacent to the south – so a sidewalk waiver in this area would make sense. The north property line of this parcel is adjacent to NE 62nd Avenue, which then connects east of Hubbell Road SW/Highway 65 – sidewalk waiver in this area could also make sense, as the intersection of Hubbell/Highway 65 and NE 62nd Avenue does not accommodate for a pedestrian crossing.

Utilities - the developable lots within Altoona's city limits will be served by water and sanitary mains within the Altoona portion of the subdivision. Lots 9-12 will provide their own on-site detention. For the lots not providing their own on-site detention, a new storm sewer will be constructed within Altoona's city limits that will carry water over to the wet-bottom detention basin within Bondurant's city limits. This detention pond will then empty into an existing 60" storm sewer than runs under Hubbell Road SW/Highway 65. As noted in the engineer's stormwater report, "storm sewer pipes will be designed to convey the 100-year post-developed storm event associated with the industrial condition for lots that are having stormwater detention provided in the regional wet-bottom detention pond". The pond within Bondurant's city limits will not be owned by the City of Bondurant. The City of Bondurant will own no new public storm infrastructure as a result of this subdivision.

Comments from City Officials and Utilities:

Relevant City Departments and private utilities were notified of this preliminary plat for comment. The following comments have been received:

- **City Engineer –** enclosed please find Bob Veenstra's review.
- **Public Works –** has reviewed and agrees with comments received from Bob Veenstra.
- **Fire Department –** no comments received.
- **Bondurant-Farrar Community School District –** reviewed and noted no concerns with the preliminary plat.
- **CenturyLink –** no comments received.
- **Mediacom –** reviewed and noted no concerns with the preliminary plat.
- **MidAmerican –** no comments received.
- **Northern Natural Gas –** no comments received.
- **Iowa DOT –** no comments received.

Alternatives

The following options exist for the Planning and Zoning Commission:

1. Recommended approval of the I-80 Business Park Preliminary Plat;
2. Recommended approval of the I-80 Business Park Preliminary Plat, subject to City Code/Policy clarification items being addressed prior to the start of construction within Bondurant's city limits;

3. Recommend denial of the I-80 Business Park Preliminary Plat;
4. Table pending additional comment/feedback.

Staff Conclusions/Recommendations

Subject to further comments received, staff recommends approval of the I-80 Business Park Preliminary Plat, subject to the following City Code/Policy requirements being addressed prior to the start of construction within Bondurant's city limits:

1.) That as required per Section 180.05.4.I of the City's Subdivision Code, an association shall be created for any development with privately owned utilities/open space which is utilized by more than one owner. Documentation of association ownership/maintenance of Outlot Z is to be submitted to the City for review/approval prior to eventual final plat approval.
2.) That as required per the City's Policy on Traffic Impact Studies for Proposed Developments, that the finalized traffic impact study for this area be submitted to the City for review/approval prior to construction.
3.) That while Section 180.05.4.D of the City's Subdivision Code requires installation of sidewalks along the rights-of-way areas, waiver by Council could be considered due to no logical connection.
4.) A general note that this is for recommended Preliminary Plat approval only. The I-80 Business Park Final Plat will need to be reviewed/approved by Council prior to releasing for recording (Section 180.05.5 of the Subdivision Code).

PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ-200109-02

RESOLUTION REGARDING THE I-80 BUSINESS PARK PRELIMINARY PLAT

WHEREAS, Civil Design Advantage submitted the Preliminary Plat for the I-80 Business Park; AND

WHEREAS, the owner/developer is I-80 Business Park, LLC; AND

WHEREAS, this is a subdivision that includes land both within Bondurant's city limits and also land within Altoona's city limits;

WHEREAS, the following is the legal description for land that falls within Bondurant's city limits:

A PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF BONDURANT, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 12; THENCE NORTH 89°12'07" EAST ALONG THE NORTH LINE OF SAID NORHTWEST QUARTER OF THE NORTHWEST QUARTER, 518.52 FEET TO THE WESTERLY RIGHT OF WAY LINE OF HUBBELL AVENUE; THENCE SOUTH 46°52'55" EAST ALONG SAID WESTERLY RIGHT OF WAY LINE, 81.62 FEET; THENCE SOUTH 43°12'33" WEST CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE, 761.39 FEET; THENCE NORTH 46°35'09" WEST CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE, 77.56 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE NORTH 00°02'35" WEST ALONG SAID WEST LINE, 550.20 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.67 ACRES (203,215 SQUARE FEET).

NOW, THEREFORE, BE IT RESOLVED, that the Planning and Zoning Commission recommends City Council approval of the I-80 Business Park Preliminary Plat, subject to the following recommendations:

1.) That as required per Section 180.05.4.I of the City's Subdivision Code, an association shall be created for any development with privately owned utilities/open space which is utilized by more than one owner. Documentation of association ownership/maintenance of Outlot Z is to be submitted to the City for review/approval prior to eventual final plat approval.
2.) That as required per the City's Policy on Traffic Impact Studies for Proposed Developments, that the finalized traffic impact study for this area be submitted to the City for review/approval prior to construction.
3.) That while Section 180.05.4.D of the City's Subdivision Code requires installation of sidewalks along the rights-of-way areas, waiver by Council could be considered due to no logical connection.

4.) A general note that this is for recommended Preliminary Plat approval only. The I-80 Business Park Final Plat will need to be reviewed/approved by Council prior to releasing for recording (Section 180.05.5 of the Subdivision Code).

Moved by _____, Seconded by _____to adopt.

ATTEST: I, Craig Marshman, Interim City Clerk of Bondurant, hereby certify that at a meeting of the Planning and Zoning Commission held on January 23, 2020; among other proceedings the above was adopted.

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

_____
Craig Marshman, Interim City Clerk

Action	Yay	Nay	Abstain	Absent
Hoffman-Zinnel				
Clayton				
Mains				
Keeran				
Cuellar				
Phearman				
Brostrom				

_____
Torey Cuellar, Commission Chair

VEENSTRA & KIMM, INC.
3000 Westown Parkway • West Des Moines, Iowa 50266-1320
515-225-8000 • 515-225-7848 (FAX) • 800-241-8000 (WATS)

January 6, 2020

Maggie Murray
City Clerk
City of Bondurant
200 Second Street NE
P.O. Box 37
Bondurant, Iowa 50035

BONDURANT, IOWA
I-80 BUSINESS PARK
STORMWATER MANAGEMENT PLAN
EVALUATION OF DOWNSTREAM AREAS

The writer has completed a review of the January 4, 2020 revision of the Stormwater Management Plan for the I-80 Business Park prepared by Civil Design Advantage. The January 4, 2020 revision includes the analysis of downstream conditions completed by Civil Design Advantage.

Based on its initial review of the I-80 Business Park the City of Bondurant requested the project undertake a review of the conditions downstream of the release from the detention basin proposed for the I-80 Business Park. The detention basin releases to the culvert under Hubbell Avenue and continues downstream southeasterly toward Interstate 80.

In its revised report Civil Design Advantage undertakes a review of the downstream condition from the culvert through the existing pond located in Clement Estates Plat 2. The downstream analysis is set forth on the second page of the narrative analysis of the stormwater. The very end of the report includes the modelling information on the existing pond in Clement Estates.

In undertaking the analysis Civil Design Advantage made certain assumptions regarding the downstream conditions. Based on these assumptions the model of the existing detention basin in Clement Estates indicated the water level in a 100-year storm event would be 0.07 feet lower than would exist under the current condition. The release rate from the downstream basin is projected to decrease from the current condition of 211.57 cfs in a 100-year storm event to a 100-year release rate of 155.12 cfs with the I-80 Business Park project pond.

The decrease in the flow rate through the downstream pond is expected. Although the City has not recently completed a detailed review of the existing detention basin in Clement Estates it is clear that basin was designed to pass the undetained upstream flow. By introducing detention within the basin the rate of flow to and through the existing basin in Clement Estates would be reduced.

In early 2019 the existing detention basin in Clement Estates was subject to a partial review as a part of the Mid Country Site Plan. That review was limited to determining whether the detention basin had adequate storage volume for the proposed development in Clement Estates. The analysis as part of the Mid Country project did not look at the peak flow discharges from the detention basin.

The existing detention basin has a relatively small diameter release pipe. Flows in excess of that release rate are allowed to discharge undetained to the downstream channel. Based on the design of the basin, the overflow rate from the detention basin would decrease as projected in the updated Civil Design Advantage report.

The writer would note the revised report by Civil Design Advantage limited its analysis to the downstream pond. There was no evaluation of the conditions downstream of the existing detention basin in Clement Estates. Most of the historical discussion regarding the drainage downstream of the I-80 Business Park has focused on the areas downstream of the detention basin in Clement Estates. The additional analysis by Civil Design Advantage confirmed the obvious with respect to the existing pond but provided little additional evaluation of what will occur downstream. It is recognized the detention basin will reduce the flow rate downstream of the detention basin in Clement Estates, but that reduction does not necessarily mean existing concerns regarding drainage would be mitigated by construction of the new pond.

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

VEENSTRA & KIMM, INC.

H. R. Veenstra Jr.

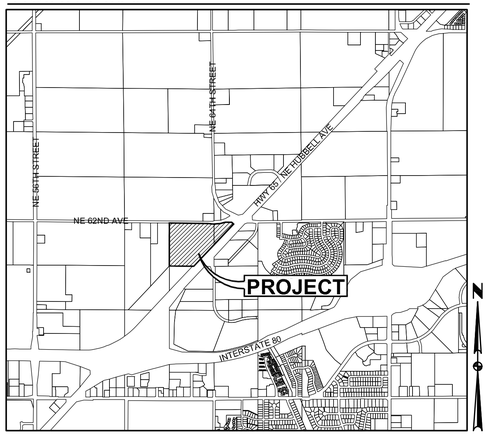
HRVJr:kld
0-11
Cc: Marketa Oliver

PRELIMINARY PLAT FOR:

I-80 BUSINESS PARK

ALTOONA & BONDURANT, IOWA

VICINITY MAP



ALTOONA, IOWA

OWNER / APPLICANT

I-80 BUSINESS PARK, LLC
1120 2ND STREET NE
BONDURANT, IA 50035
PH: 515-957-4907
CONTACT: JESSE ROGNES

ENGINEER / SURVEYOR

CIVIL DESIGN ADVANTAGE, LLC
3405 S.E. CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PH: 515-369-4400
CONTACT: JARED MURRAY

ZONING

EXISTING:
M-1: LIMITED INDUSTRIAL DISTRICT
A-1: AGRICULTURAL DISTRICT

PROPOSED:
M-1: LIMITED INDUSTRIAL DISTRICT
C-2: GENERAL COMMERCIAL DISTRICT

BULK REGULATIONS

M-1: LIMITED INDUSTRIAL DISTRICT

FRONT YARD SETBACK	50 FT
SIDE YARD SETBACK	20 FT UNLESS ADJACENT TO "R" OR "C-1" DISTRICT THEN 25 FT
REAR YARD SETBACK	50 FT
MAX BUILDING HEIGHT	65 FT
MAX STORIES	4 STORIES

C-2: GENERAL COMMERCIAL DISTRICT

FRONT YARD SETBACK	50 FT
SIDE YARD SETBACK	0 FT UNLESS ADJACENT TO "R" DISTRICT THEN BUFFER YARD
REAR YARD SETBACK	25 FT
MAX BUILDING HEIGHT	65 FT
MAX STORIES	4 STORIES

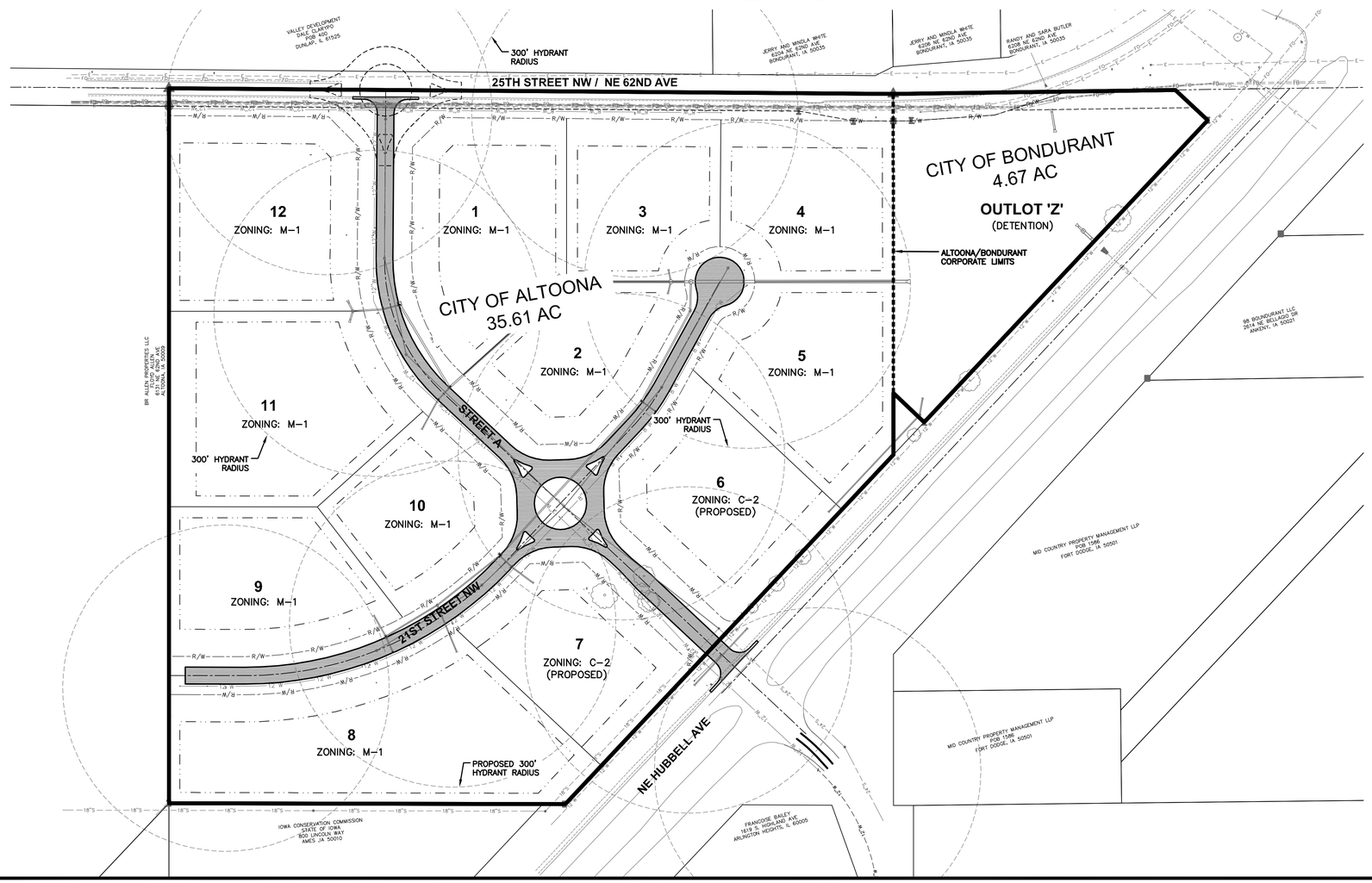
BENCHMARKS

BM #1: CITY OF ALTOONA BM-CP1, BRASS DISC IN CONCRETE AT THE SOUTHEAST CORNER OF THE INTERSECTION OF NE 62ND AVE AND NE 56TH STREET. ELEVATION=960.75

BM #2: CITY OF ALTOONA BM-CP6, BRASS DISC IN CONCRETE AT THE SOUTHEAST CORNER OF THE INTERSECTION OF ADVENTURELAND AND PRAIRIE MEADOWS DRIVE. ELEVATION=961.25

STANDARD NOTES

1. ALL UTILITY COMPANIES MUST SUBMIT A PLAN TO THE CITY OF ALTOONA REQUESTING APPROVAL OF THE PLACEMENT OF UTILITIES. APPROVAL IS REQUIRED EVEN IF PLACEMENT IS NOT IN THE CITY RIGHT-OF-WAY.
2. VIDEO INSPECTION OF ALL NEW SANITARY SEWERS IS REQUIRED AS OUTLINED IN THE URBAN STANDARD SPECIFICATIONS, DIVISION 4, SECTION 4040, PART 3.
3. ALL WORK PERFORMED MUST CONFORM TO THE CURRENT VERSION OF THE URBAN DESIGN STANDARDS FOR PUBLIC IMPROVEMENTS AND URBAN STANDARD SPECIFICATIONS.
4. PLACE SILT FENCING AT ALL LOWER AREAS OF DISTURBED GROUND AND DOUBLE SILT FENCING AT ALL INTAKES.
5. THE ENGINEER/DEVELOPER IS RESPONSIBLE FOR SUBMITTING A POLLUTION PREVENTION PLAN AS PART OF THE GRADING PLAN. IN ADDITION, THE CITY WILL NOT ISSUE ANY CONSTRUCTION PERMITS OR ALLOW ANY GROUND DISTURBANCE UNTIL THE IOWA DEPARTMENT OF NATURAL RESOURCES HAS ISSUED A STORM WATER DISCHARGE PERMIT FOR THE PROJECT.
6. IF A NPDES PERMIT IS REQUIRED BY THE IOWA DEPARTMENT OF NATURAL RESOURCES, A COSESCO PERMIT IS ALSO REQUIRED BY THE CITY OF ALTOONA. THE PERMIT MUST BE COMPLETED AND APPROVED PRIOR TO ANY GROUND DISTURBANCE.
7. DEVELOPER IS REQUIRED TO INSTALL STREETLIGHTS WITHIN THE PROPERTY.



PRELIMINARY PLAT DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF ALTOONA, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 11; THENCE SOUTH 00°02'35" EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 663.39 FEET TO THE NORTH RIGHT OF WAY LINE OF NE HUBBELL AVENUE/US HIGHWAY 65; THENCE SOUTH 43°12'33" WEST ALONG SAID NORTH RIGHT OF WAY LINE, 881.18 FEET TO THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 89°52'22" WEST ALONG SAID SOUTH LINE, 728.51 FEET TO THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 00°00'35" EAST ALONG THE WEST LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, 1314.19 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 89°33'46" EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, 1331.14 FEET TO THE POINT OF BEGINNING.

AND

A PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF BONDURANT, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 12; THENCE NORTH 89°12'07" EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER, 518.52 FEET TO THE WESTERLY RIGHT OF WAY LINE OF NE HUBBELL AVE/US HIGHWAY 65; THENCE SOUTH 46°52'55" EAST ALONG SAID WESTERLY RIGHT OF WAY LINE, 81.62 FEET; THENCE SOUTH 43°12'33" WEST CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE, 761.39 FEET; THENCE NORTH 46°35'09" WEST CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE, 77.56 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE NORTH 00°02'35" WEST ALONG SAID WEST LINE, 550.20 FEET TO THE POINT OF BEGINNING.

PROPERTY CONTAINS 40.27 ACRES (1,754,222 SQUARE FEET) AND IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD INCLUDING ROADWAY EASEMENT. SAID ROADWAY EASEMENT CONTAINS 1.52 ACRES (66,354 SQUARE FEET).

LEGEND

FEATURES

PROPOSED	EXISTING
GROUND SURFACE CONTOUR	GROUND SURFACE CONTOUR
TYPE SW-501 STORM INTAKE	SANITARY MANHOLE
TYPE SW-503 STORM INTAKE	WATER VALVE BOX
TYPE SW-505 STORM INTAKE	FIRE HYDRANT
TYPE SW-506 STORM INTAKE	WATER CURB STOP
TYPE SW-513 STORM INTAKE	WELL
TYPE SW-401 STORM MANHOLE	STORM SEWER MANHOLE
TYPE SW-402 STORM MANHOLE	STORM SEWER SINGLE INTAKE
TYPE SW-301 SANITARY MANHOLE	STORM SEWER DOUBLE INTAKE
STORM/SANITARY CLEANOUT	FLARED END SECTION
WATER VALVE	DECIDUOUS TREE
FIRE HYDRANT ASSEMBLY	CONIFEROUS TREE
SIGN	DECIDUOUS SHRUB
DETECTABLE WARNING PANEL	CONIFEROUS SHRUB
SANITARY SEWER WITH SIZE	ELECTRIC POWER POLE
STORM SEWER	GUY ANCHOR
WATERMAIN WITH SIZE	STREET LIGHT
	POWER POLE W/ TRANSFORMER
	UTILITY POLE W/ LIGHT
	ELECTRIC BOX
	ELECTRIC TRANSFORMER
	ELECTRIC MANHOLE OR VAULT
	TRAFFIC SIGN
	TELEPHONE JUNCTION BOX
	TELEPHONE MANHOLE/VAULT
	TELEPHONE POLE
	GAS VALVE BOX
	CABLE TV JUNCTION BOX
	CABLE TV MANHOLE/VAULT
	MAIL BOX
	BENCHMARK
	SOIL BORING
	UNDERGROUND TV CABLE
	GAS MAIN
	FIBER OPTIC
	UNDERGROUND TELEPHONE
	OVERHEAD ELECTRIC
	UNDERGROUND ELECTRIC
	FIELD TILE
	SANITARY SEWER W/ SIZE
	STORM SEWER W/ SIZE
	WATER MAIN W/ SIZE

SURVEY	FOUND	SET
SECTION CORNER	▲	△
1/2" REBAR, YELLOW CAP #18660 (UNLESS OTHERWISE NOTED)	●	○
ROW MARKER	■	□
ROW RAIL		
PLATTED DISTANCE	(P)	
MEASURED BEARING & DISTANCE	(M)	
RECORDED AS	(R)	
DEED DISTANCE	(D)	
CALCULATED DISTANCE	(C)	
CURVE ARC LENGTH	AL	
MINIMUM 100 YEAR FLOOD PROTECTION ELEVATION	MPE	
CENTERLINE		
SECTION LINE		
1/4 SECTION LINE		
1/4 1/4 SECTION LINE		
EASEMENT LINE		
LOT LINE		
RIGHT OF WAY		
BUILDING SETBACK		
PLAT BOUNDARY		

N

SCALE
0' 60' 120' 240'

I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWA.

LICENSED PROFESSIONAL ENGINEER JARED M. MURRAY 23496 IOWA

PRELIMINARY NOT FOR CONSTRUCTION

JARED M. MURRAY, P.E. DATE
LICENSE NUMBER 23496
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2019
PAGES OR SHEETS COVERED BY THIS SEAL:
ALL SHEETS

REVISIONS	DATE
2ND SUBMITTAL	11/21/2019
1ST SUBMITTAL	10/31/2019

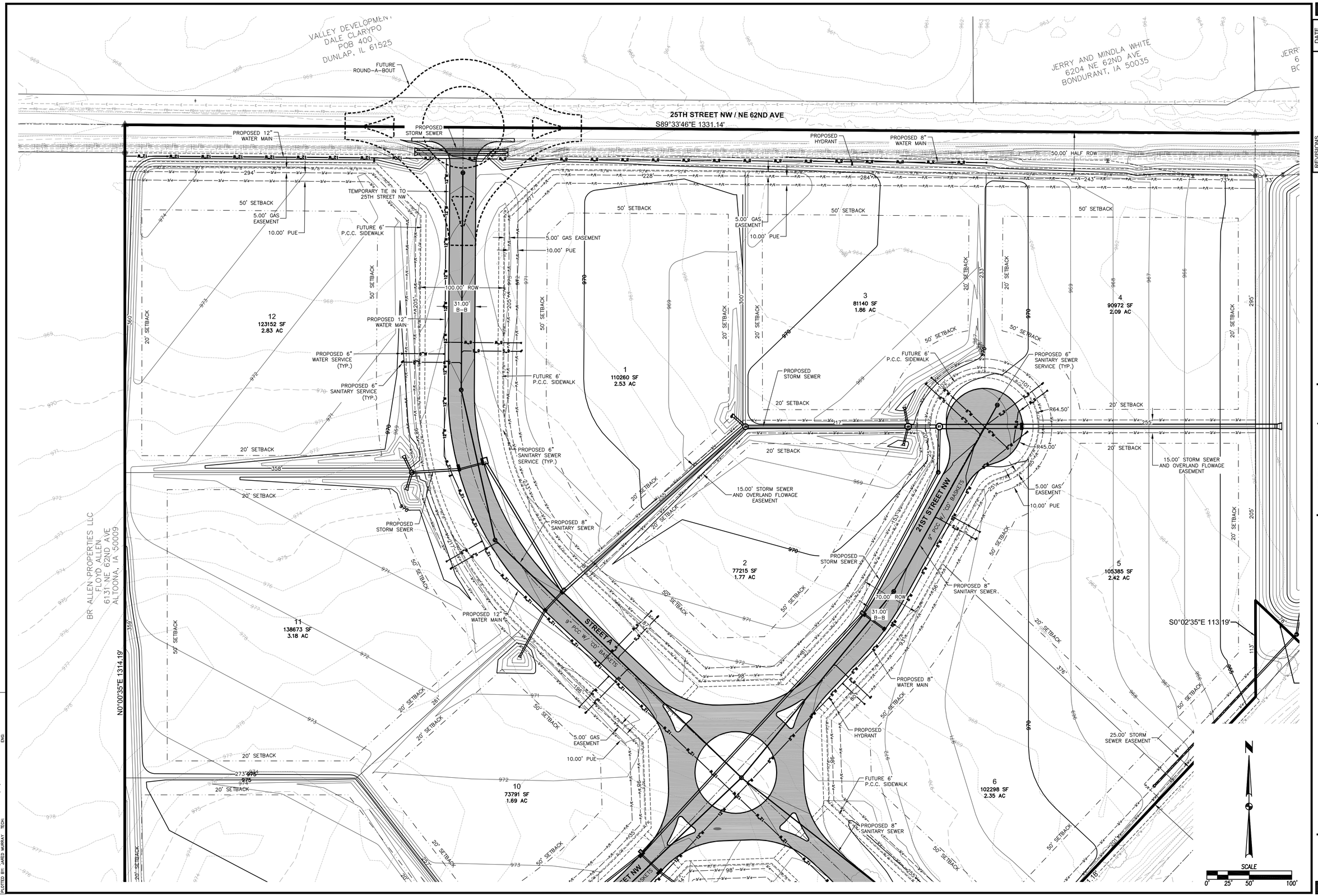
3405 S.E. CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PHONE: (515) 369-4400 FAX: (515) 369-4410
ENGINEER: JMM TECH:
CIVIL DESIGN ADVANTAGE

I-80 BUSINESS PARK
PRELIMINARY PLAT
ALTOONA & BONDURANT, IOWA

1/4

1905.232

FILE: H:\2019\1905232\DWG\1905232-PRELIMINARY PLAT.DWG
PLOT DATE: 11/20/2019 PLOTTED: 11/20/2019 8:49 AM COMMENT:
PLOTTED BY: JARED MURRAY TECH: ENG:



DATE	REVISIONS
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ENGINEER: JMM | TECH:

CIVIL DESIGN ADVANTAGE

I-80 BUSINESS PARK
PRELIMINARY PLAT
ALTOONA & BONDURANT, IOWA

2 / 4

1905.232

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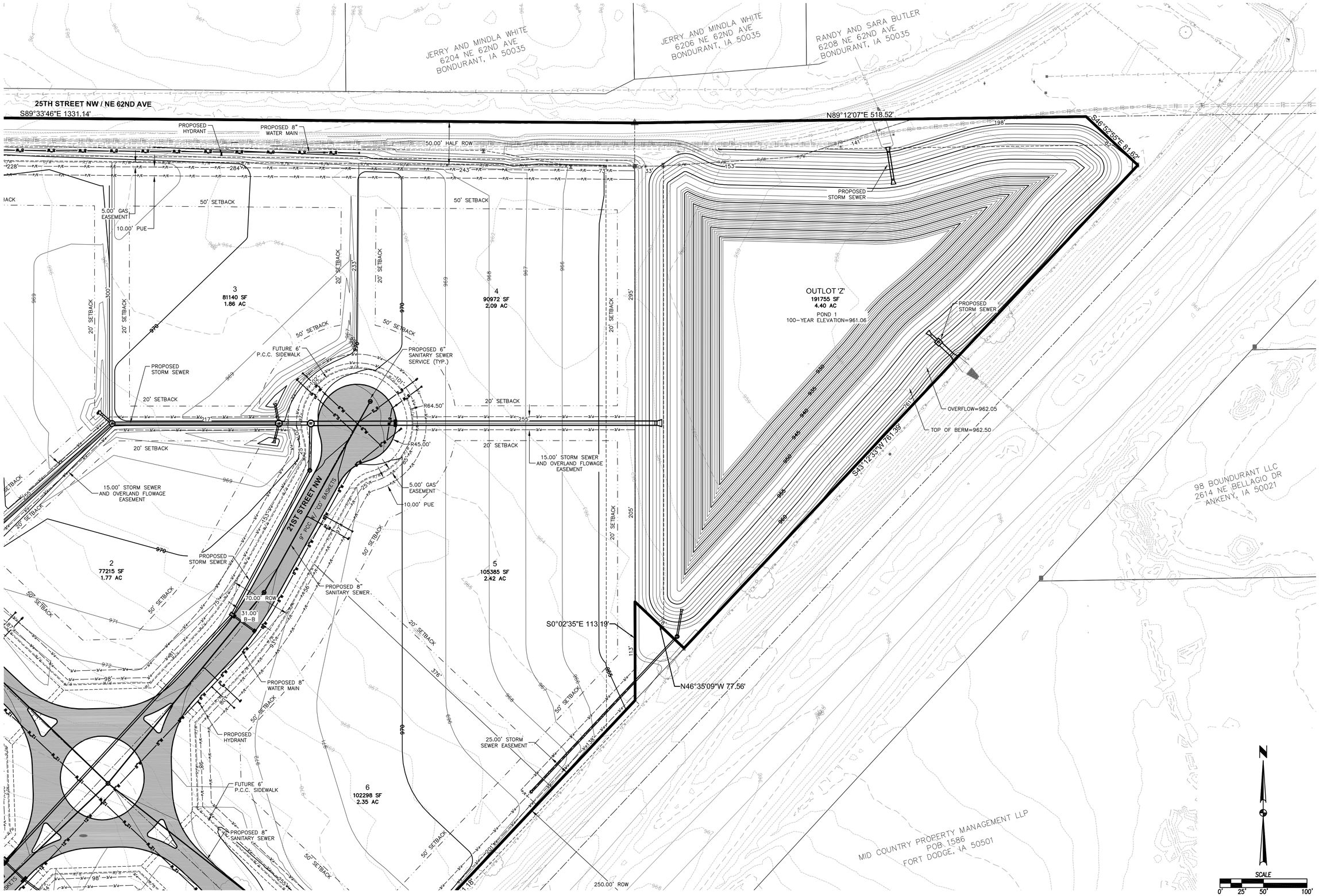

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ENGINEER: JMM | TECH:

CIVIL DESIGN ADVANTAGE

I-80 BUSINESS PARK
PRELIMINARY PLAT
ALTOONA & BONDURANT, IOWA

3/4

1905.232

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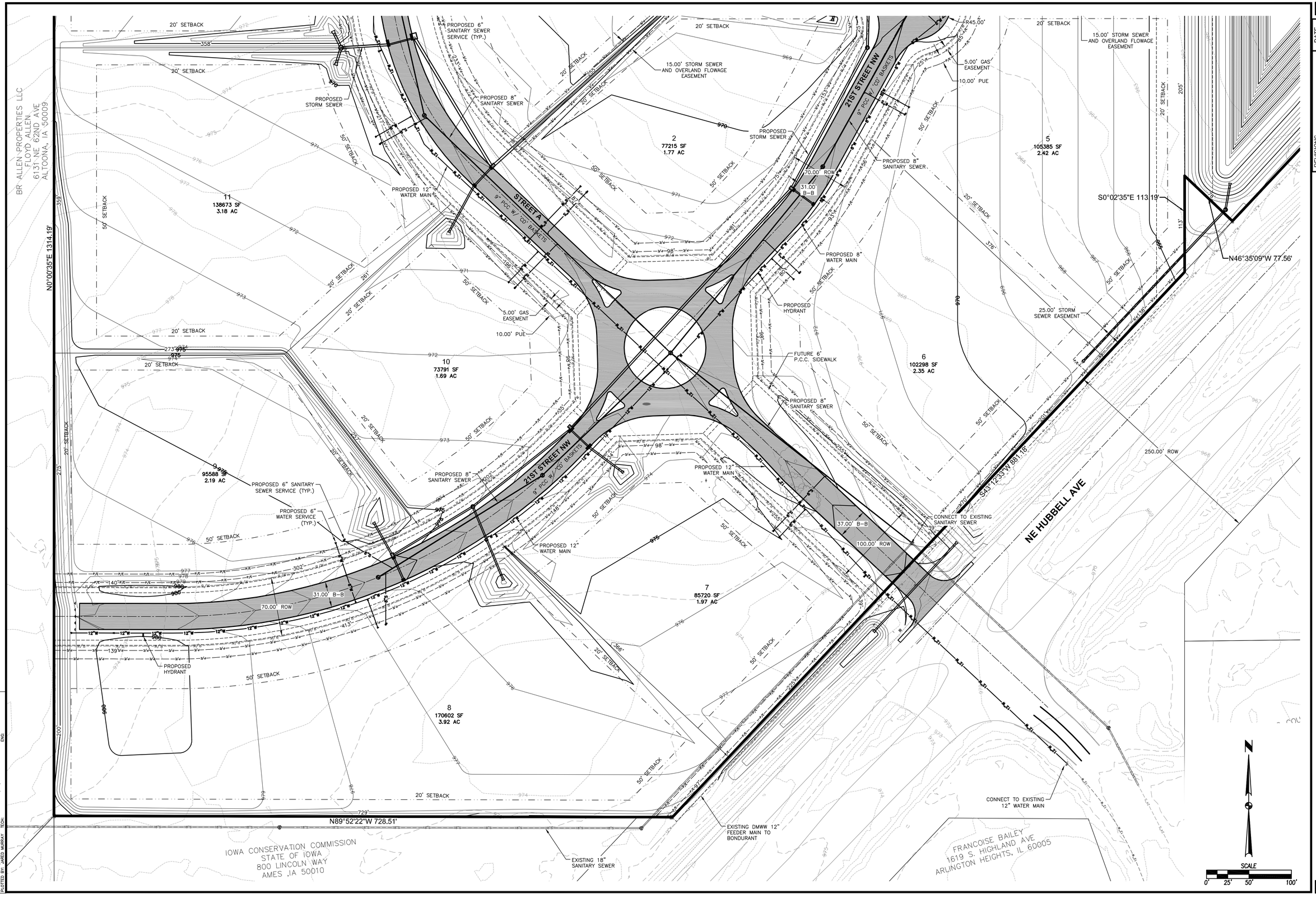

REVISIONS	DATE
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ENGINEER: JMM | TECH:

CIVIL DESIGN ADVANTAGE

I-80 BUSINESS PARK
PRELIMINARY PLAT
ALTOONA & BONDURANT, IOWA

4/4

1905.232

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PLOTTED BY: JARED MURRAY
COMMENT:
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PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ-200109-02

RESOLUTION REGARDING THE I-80 BUSINESS PARK PRELIMINARY PLAT

WHEREAS, Civil Design Advantage submitted the Preliminary Plat for the I-80 Business Park; AND

WHEREAS, the owner/developer is I-80 Business Park, LLC; AND

WHEREAS, this is a subdivision that includes land both within Bondurant's city limits and also land within Altoona's city limits;

WHEREAS, the following is the legal description for land that falls within Bondurant's city limits:

A PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF BONDURANT, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 12; THENCE NORTH 89°12'07" EAST ALONG THE NORTH LINE OF SAID NORHTWEST QUARTER OF THE NORTHWEST QUARTER, 518.52 FEET TO THE WESTERLY RIGHT OF WAY LINE OF HUBBELL AVENUE; THENCE SOUTH 46°52'55" EAST ALONG SAID WESTERLY RIGHT OF WAY LINE, 81.62 FEET; THENCE SOUTH 43°12'33" WEST CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE, 761.39 FEET; THENCE NORTH 46°35'09" WEST CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE, 77.56 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE NORTH 00°02'35" WEST ALONG SAID WEST LINE, 550.20 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.67 ACRES (203,215 SQUARE FEET).

NOW, THEREFORE, BE IT RESOLVED, that the Planning and Zoning Commission recommends City Council approval of the I-80 Business Park Preliminary Plat, subject to the following recommendations:

1.) That as required per Section 180.05.4.I of the City's Subdivision Code, an association shall be created for any development with privately owned utilities/open space which is utilized by more than one owner. Documentation of association ownership/maintenance of Outlot Z is to be submitted to the City for review/approval prior to eventual final plat approval.
2.) That as required per the City's Policy on Traffic Impact Studies for Proposed Developments, that the finalized traffic impact study for this area be submitted to the City for review/approval prior to construction.
3.) That while Section 180.05.4.D of the City's Subdivision Code requires installation of sidewalks along the rights-of-way areas, waiver by Council could be considered due to no logical connection.
4.) A general note that this is for recommended Preliminary Plat approval only. The I-80 Business Park Final Plat will need to be reviewed/approved by Council prior to releasing for recording (Section 180.05.5 of the Subdivision Code).

Moved by _____, Seconded by _____to adopt.

ATTEST: I, Craig Marshman, Interim City Clerk of Bondurant, hereby certify that at a meeting of the Planning and Zoning Commission held on January 23, 2020; among other proceedings the above was adopted.

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

_____
Craig Marshman, Interim City Clerk

Action	Yay	Nay	Abstain	Absent
Hoffman-Zinnel				
Clayton				
Mains				
Keeran				
Cuellar				
Phearman				
Brostrom				

_____
Torey Cuellar, Commission Chair

January 20, 2020

From: Maggie Murray, AICP
To: Planning & Zoning Commission
Subject: Case #2020.R.2: Request for Rezoning from Agricultural (A-1) to Medium Density Residential (R-2) District for the Sankey West Rezoning Area.
Action: For P&Z recommendation on January 23rd, 2020

Brief History

The City has received a rezoning application for an 85.76-acre area of land also proposed for annexation into the City of Bondurant's city limits in the area as shown in the enclosed maps. This rezoning application has been submitted by Bondurant Lots II, LLC (developer) on behalf of the Ethel C Sankey Trust (current owner). A majority of this rezoning land is currently situated outside Bondurant's city limits, and thus is not zoned by the City of Bondurant. There is an 11-acre parcel currently within Bondurant's city limits zoned as being Agricultural (A-1) also included as part of this rezoning request. The rezoning request is that the Official Zoning Map be changed from the Agricultural (A-1) District to the Medium Density Residential (R-2) District for this entire 85.76-acre rezoning area, pending annexation approval. This rezoning process is consistent with Section 177.07.7 of the City's Zoning Code, which notes that when land is annexed into the City, this annexed land is automatically zoned as being within the City's Agricultural (A-1) District unless a rezoning application is also submitted for consideration.

The purpose of this rezoning request is to allow for construction of a residential subdivision in this rezoning area that will meet the City's Medium Density (R-2) bulk requirements. Enclosed is a summary these R-2 bulk regulations. The developer has indicated that the use proposed within the requested rezoning area will be single-family detached use.

Being considered by the Commission as part of this rezoning staff report is the topic of rezoning only. The topic of preliminary plat approval will be considered by a separate resolution at a later date after the Preliminary Plat has been received by the City. A rezoning review by the Planning and Zoning Commission and City Council does not require submittal of a detailed preliminary plat at the time of zoning consideration.

It should also be explained that City Council will also be setting and holding a public hearing for another related Medium Density (R-2) rezoning request for a 19.58-acre area of land just east of this land described as part of this staff report. While both rezoning requests will be part of the same development area, two separate rezoning ordinances will be required for consideration by Council, as there will be two separate annexations (and timelines) involved as part of the annexation process of this overall development.

Analysis:

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

Comprehensive Plan:

A comprehensive plan serves as a long-range plan for community improvement, development, and growth. Iowa Code recommends for communities to adopt comprehensive plans, and that these plans should "include information on the amount, type, intensity and density of existing land use, trends in the market price, and plans for future land use throughout the municipality" (Chapter 18B). Said plans serve as policy guides, and are intended to be flexible and adaptive over time, setting forth the basic framework to guide activities and manage change.

The Future Land Use Map as part of the City's Comprehensive Plan guides for low-density residential reserve development along with some greenspace within the proposed rezoning area. The developer is proposing single-family detached residential construction with also some stormwater detention areas and a public park in their overall development plan. The uses proposed are consistent with the City's Future Land Use Map, so no update to the Future Land Use Map is proposed at this time.

In addition to the rezoning request being supported by the Future Land Use Map, below are some objectives pulled from the Comprehensive Plan which appear to also support the rezoning request:

- **Objective 4.1:** *Maintain a diversity of single-family and multi-family housing that provides ample choices in housing style.*
- **Objective 4.23:** *Guide new development to occur adjacent to other neighborhoods, rather than in a "leapfrog" pattern which can lead to the premature consumption of farmland.*

Spot Zoning:

According the Iowa State University & Outreach's "Midwest Planning Bluz", to determine whether illegal spot zoning has occurred, the courts consider whether the rezoning takes into account the following:

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

It does not appear this proposed rezoning constitutes spot zoning. As the enclosed Zoning Map shows, the requested zoning district of Medium Density Residential (R-2) also exists just south in the existing Sankey Summit Plat 1 subdivision area. Further, as previously noted, the Future Land Use Map as part of the City's Comprehensive Plan supports this rezoning request.

Public Input:

Per the City's Zoning Ordinance, letters were sent to property owners within 200' of the proposed rezoning. Forty total letters were mailed by the City for this rezoning request. At the time of writing this report, the City has received comment from the following property owners:

1. **Aaron Groves, property owner at 912 Mulberry Dr NW**. Enclosed public comment received on 1/11/2020. Comments received were regarding stormwater questions as a result of the new development proposed. Staff responded to public comment on 1/13/2020. Owner acknowledged on 1/15/2020 that his questions were addressed by staff's response.
2. **Chantelle Maxwell, property owner at 212 Aaron Ave NW**. Enclosed public comment received on 1/13/2020. Comments received were regarding School District growth concerns as a result of

the new development proposed. City staff responded to owner on 1/15/2020. No property owner response to 1/15/2020 email was received by staff.

3. **Bryon Dutton, property owner at 324 Aaron Ave NW**. Enclosed public comment received on 1/13/2020. Comments received were regarding stormwater questions as a result of the new development proposed. Staff responded to public comment on 1/14/2020. Owner acknowledged on 1/14/2020 that his questions were addressed by staff's response.
4. **Grant & Lacie Calvin, property owners at 208 Aaron Ave NW.** Enclosed public received on 1/14/2020. Comments received were regarding general concerns over allowing additional growth within Bondurant. Staff responded to public comment on 1/15/2020. No property owner response to 1/15/2020 email was received by staff.

In addition to the above public comment received by property owners within 200', the following additional public comments were received:

1. **Michael Webb, son of property owner at 8630 NE 72nd Street.** Michael stopped into City Hall on 1/15/2020 to discuss the proposed rezoning. He had the following comments:
    a. One comment was that the 1/6/2020 draft concept plan shows the future roadway and lots extending north of the development area north onto his mother's property. Staff explained to him that the developer is only planning on constructing out the roads within the subdivision proposed, and that this future east/west roadway is just that – a future roadway area. The City has not yet prioritized construction of this future roadway, and that his mother will be notified if/when this process starts. The developer's engineer has since updated the development concept to show all development lots as being constructed on the development land and not his mother's land to the north – see enclosed map.
    b. A second comment was that his mother's property and this development property to the south currently have an area that ponds. He wanted confirmation that the ponding that currently exists on his property will not be negatively impacted as a result of the developer's Outlot Y detention pond area. Staff relayed this question to the developer's engineer. The developer's engineer responded with: *We also spoke about the drainage at the prairie pot hole area along his southern portion of the property. He brought up that there were field tiles that run south out of his property and through the Sankey property and was concerned that they would be destroyed and further ponding would occur on his property. I responded by letting him know that if a field tile were encountered during construction, that the contractor will reroute the drain tile and tie into the proposed storm sewer as part of this project.*
2. **Rich Powers, Bondurant-Farrar Community School District**. Public comment received on 1/15/2020. Public comment noted that the rezoning notices were received by the District and have been shared with the Board and Facility Planning Group – there are no School District concerns at this time.

Alternatives

The following options exist for the Planning and Zoning Commission:

1. Recommended approval of the rezoning request from Agricultural (A-1) to Medium Density Residential (R-2) for the Sankey West rezoning area;

2. Recommended approval of the rezoning request from Agricultural (A-1) to Medium Density Residential (R-2) for the Sankey West rezoning area, subject to conditions recommended by the P&Z;
3. Recommend denial of the rezoning area from Agricultural (A-1) to Medium Residential (R-2) for the Sankey West rezoning area;
4. Table pending additional comment/feedback.

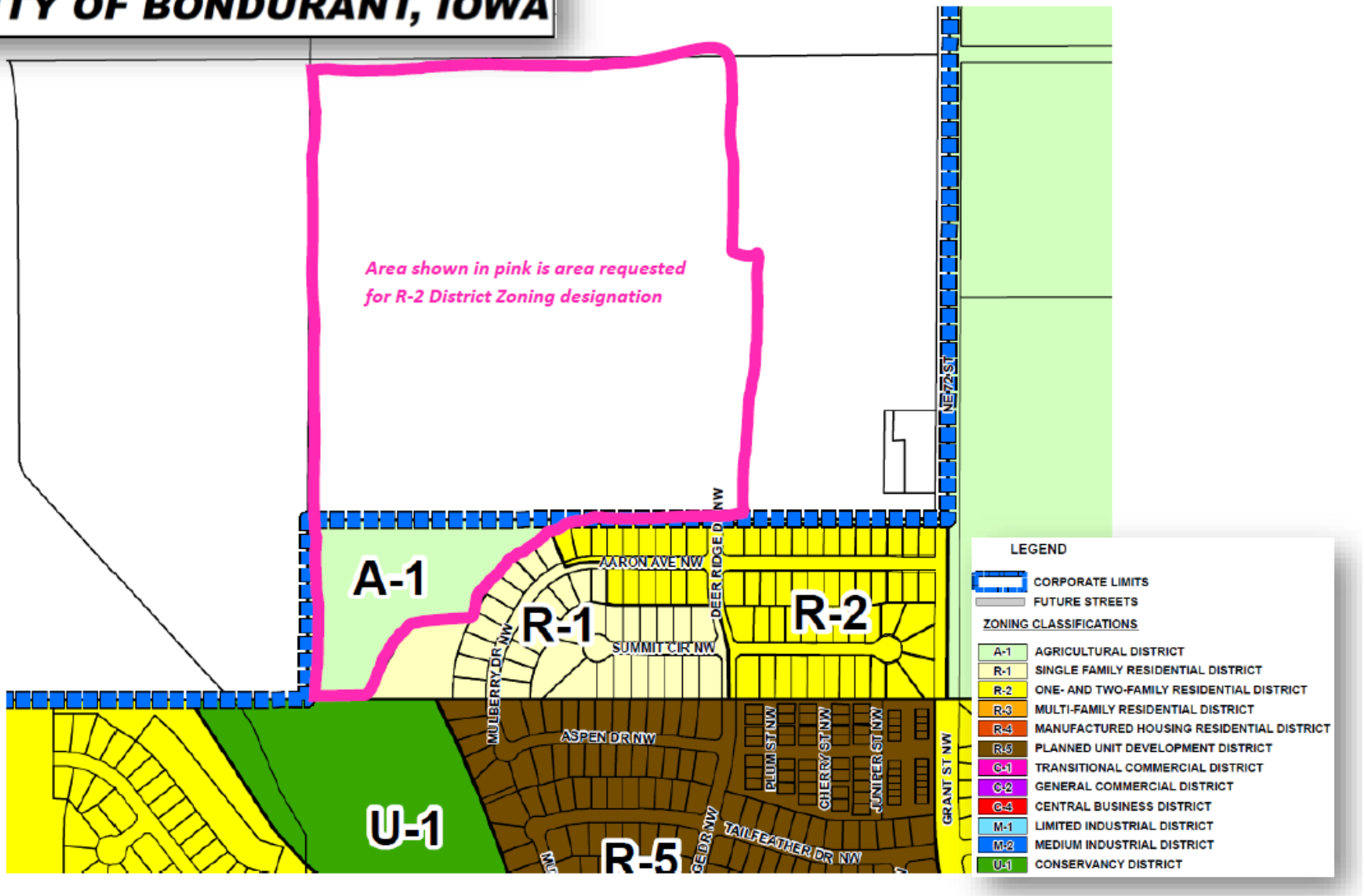
Staff Conclusions/Recommendations

Subject to further comment received, staff recommends approval of the rezoning request for Case #2020.R.2: Request for Rezoning from Agricultural (A-1) to Medium Density Residential (R-2) District for the Sankey West Rezoning Area, with the following conditions:

1. That such rezoning request does not become official until the annexation for this same area is approved by the City Council and accepted by the State; and
2. That all lots within the requested rezoning area shall be developed and used for Single-Family Detached Use and not Two-Family Dwelling Use.

It is anticipated that City Council will their public hearing for rezoning consideration during their meeting on Monday, February 3rd, 2020. Following Council's required public hearing, City Council may consider approval of the rezoning ordinance.

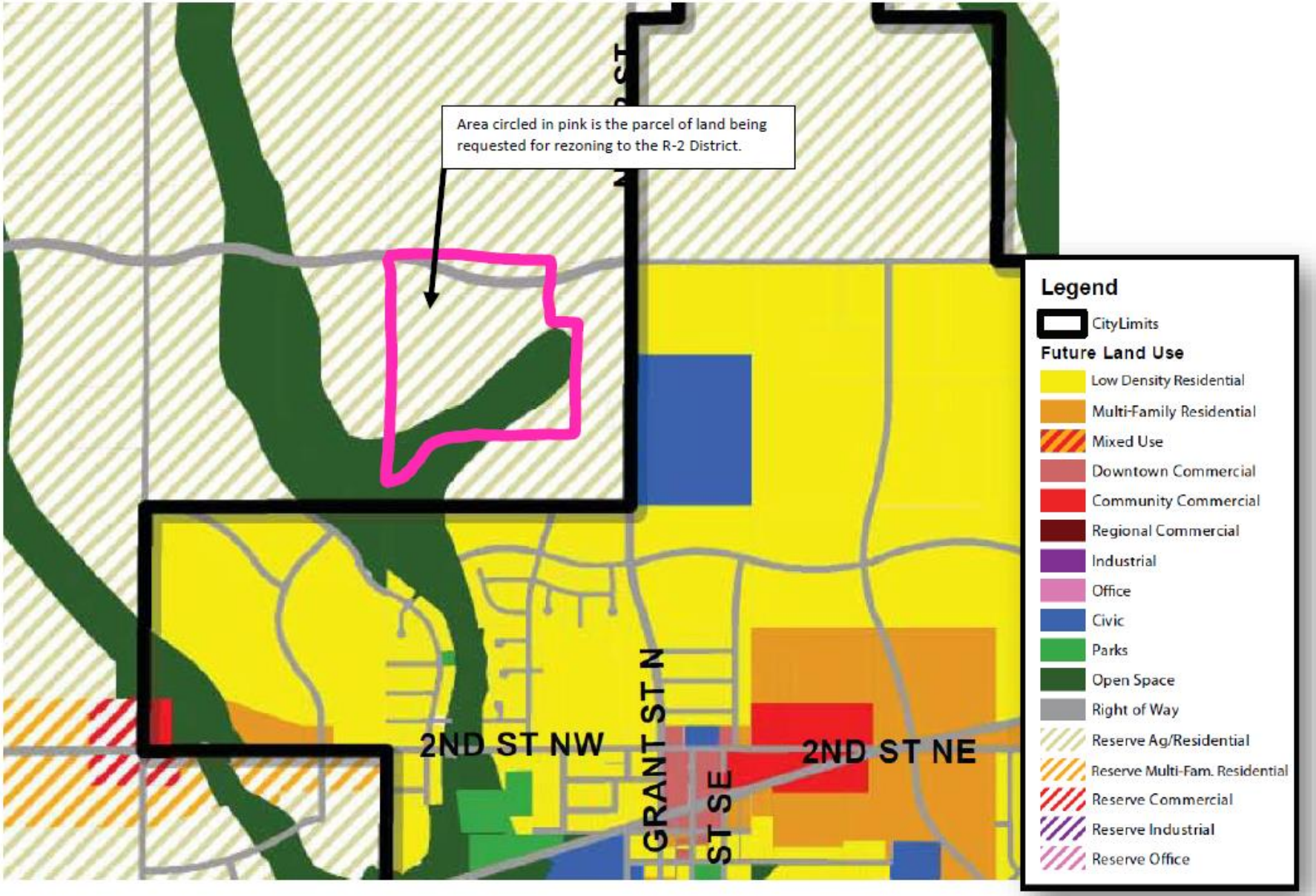
ZONING MAP
CITY OF BONDURANT, IOWA

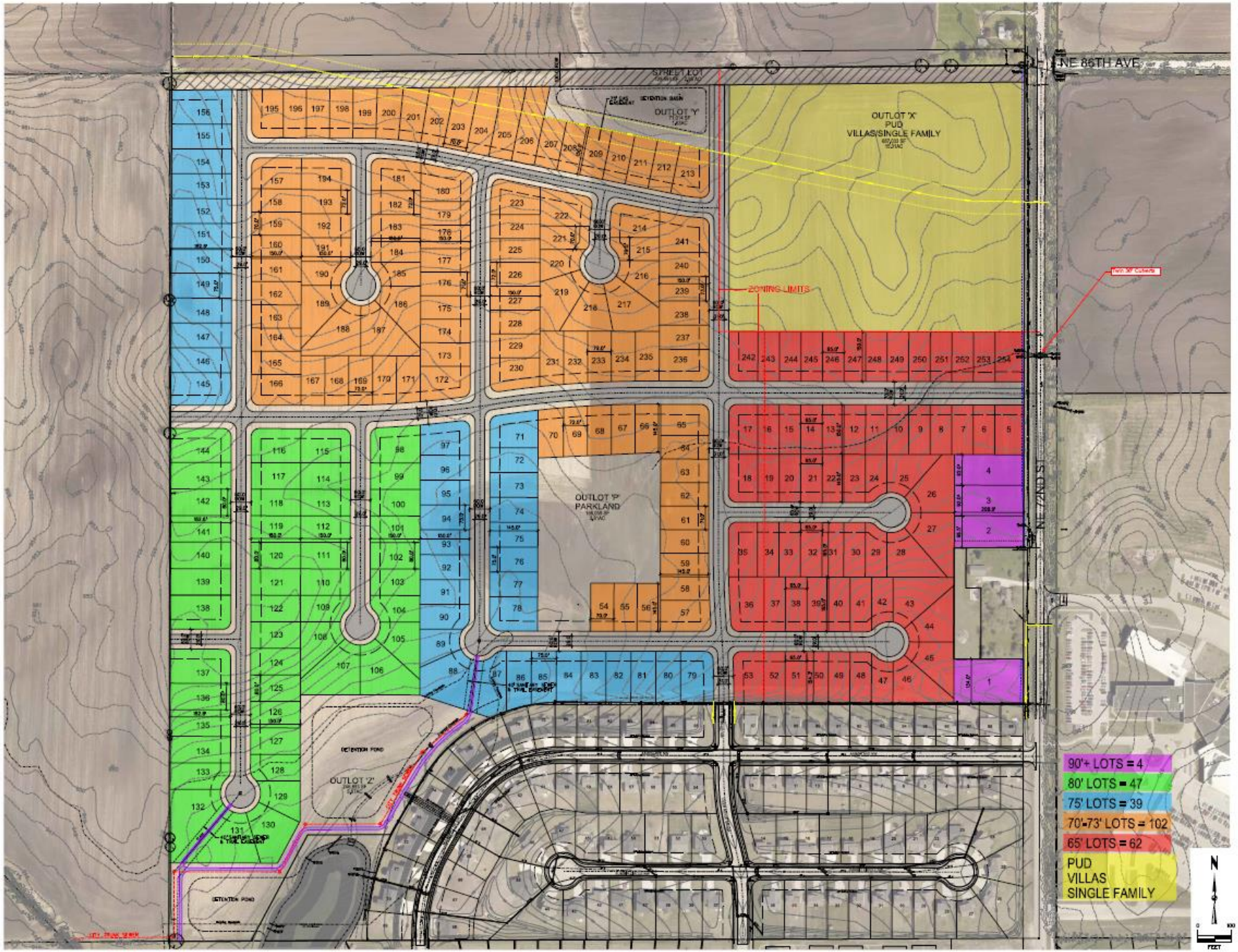


REZONING LEGAL DESCRIPTION: THE NORTHEAST ¼ OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, EXCEPT THE EAST 832.00 FEET (EXCEPT THE NORTH 790.00 FEET THEREOF) AND EXCEPT THE EAST 970.00 FEET OF THE NORTH 790.00 FEET AND EXCEPT SANKEY SUMMIT PLAT 1. CONTAINING APPROXIMATELY 85.76 ACRES.

(A) Minimum Lot Area	7,500 sq. ft. 10,000 sq. ft. for two family dwellings Add 2,000 sq. ft. for each additional unit
(B) Minimum Floor Area	950 sq. ft., ranch style 1000 sq. ft., two story 875 sq. ft., split level style 850 sq. ft., split foyer style
(C) Lot Width	65 ft., single family 85 ft., two-family Add 20 ft. for every additional unit 75 ft. for corner lots
(D) Front Yard	30 ft. for dwellings 50 ft. for any permitted use other than dwellings
(E) Side Yard	15 ft. total side yard, 5 ft. minimum on each side, 1 and 1 ½ stories 15 ft. total side yard, 7 ft. minimum on each side, 2 and 3 stories 35 ft on each side, church or school 3 ft. accessory buildings 50 ft. for any permitted use other than dwellings
(F) Rear Yard	35 ft. for single family 3 ft. accessory buildings 50 ft. for any permitted use other than dwellings
(G) Maximum Height	35 ft. principal buildings 12 ft. accessory buildings
(H) Maximum Stories	3 stories for principal buildings 1 story for accessory buildings
(I) Accessory Buildings	1,000 sq. ft – Maximum Area for Accessory Garage 160 sq. ft. – Maximum Area for Yard Shed

Future Land Use Map





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Drawn by: JMM	Date: 11/23/18	Field No:	Tar
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BONDURANT, IOWA

3727 S.W. SNYDER BLVD.
ANKENY, IOWA 50023
515-964-2020 | www.snyder-associates.com

SANKEY SUMMIT

CONCEPT LAYOUT 1-20-20

SNYDER & ASSOCIATES, INC.

SNYDER & ASSOCIATES

Project No: 119.0910

Sheet 1 of 1

Public Comment Received - Owners within 200’

1. **Aaron Groves, property owner at 912 Mulberry Dr NW**:

Hi Maggie,

We live at 912 Mulberry Dr. NW. These photos are from June of 2018 when we received lots of rain. Has the city taken into consideration before building in this area that there was a ton of water in that area? This is directly behind our home. No water came to our yard, but as you can see it was a large lake back there. It has happened after a few heavy rains. There was a tarp at the edge of the field that was 2 feet high. So the water was deep there as well, to flow over the top. The water seems to come from the north and northwest fields to rush to this area.

I lso have a video of the "river" that rushed behind our home, just a couple of feet from our property line. We want to make sure that new homes aren't affected, but also if plans are made to redirect water, that it doesn't come towards our home or other current homes. We haven't had any water in our basement and we would like to keep it that way.

Aaron Groves

2. **Chantelle Maxwell, property owner at 212 Aaron Ave NW**:

Hello, I received the rezoning map for the property north of sankey summit. My husband and I will not be able to attend the meeting next week but I would like to ask you what the school systems plan is to accommodate the growth of the town this rezoning will create? Will there be more classes added to keep an ideal teacher to student ratio, another school for the kids clear out here, more buses?, free busing for the kids that are "IN TOWN" but not really IN TOWN? Will there be an additional preschool program added since the program now can already not accommodate for the number of preschoolers currently in town?

Thank you for your time.

Chantelle Maxwell

3. **Bryon Dutton, property owner at 324 Aaron Ave NW**:

Maggie,

We have received notice of a proposed zoning change on the property directly behind our current home located at 324 Aaron Ave. NW. When we purchased this property we assumed that the area directly behind our home would eventually be developed, so we have no concerns with that part of it. Our big concern is the way the proposed lots are laid out on the map that we received. Our concerns are specifically directed at lots numbered 79-87. Currently we have a fence at the back of our property on the lot line that runs right along a water way. That water way runs a substantial amount of water during large rain events like the ones we have experienced in the last few years. Our concern is that the way the map is drawn, it shows that lots 79-87 will have lot lines right up to ours. Trends show that most likely, homeowners moving in would like to build fences and we're concerned about those fences affecting the water flow and potentially causing water issues with our property simalar to the problems experienced south of the high school. Additional concern would be that the builder not maintain proper flow through that water way during the construction process. I'm not sure that I will be able to attend the Thursday meeting next week therefore I'm submitting this email. I do plan on attending the February 3rd meeting.

Thanks,

Bryon Dutton

4. **Grant & Lacie Calvin, property owners at 208 Aaron Ave NW:**

Hello,

I am writing this email in regards to the proposed rezoning and annex of the property on the north side of Sankey Summit. I will be unable to attend the meeting as I will be out of town on vacation. I live at 208 Aaron Ave. NW.

First, I would like to start off by saying we thoroughly enjoy living in Bondurant. For the most part, this is just like the small town that we grew up in, and that is our main reason for residing here.

I would like to state that I am opposed to this expansion, at the current time. There are a few reason for this. The main reason I would like to put this expansion on hold, is mainly because I believe Bondurant needs to slow down on the residential growth they are approving. We can all agree that Bondurant is already bursting at the seams in almost every facet of the town. That includes, schools, city hall, property, and among other things the issues with more construction and lack of infrastructure. I am sure the homework has been done regarding some of these things, but I think you should reevaluate the approval of this property. How many vacant houses are there currently in the bondurant market? How many vacant lots are ready to be built on? Between the developments that are in progress to the west, and the development in Wolf Creek, how many lots still need houses on them?

Has anyone done the math on properties available or lots available at this current time? Is the sole purpose of this new development to bring new people in to town? Most likely people in town would not be able to sell their current house to move to this new proposed development because of the huge supply of new construction houses. The tax abatement along with the price of new construction homes makes it hard for someone in a house that is 5+ years old to sell theirs and move. So, that leaves the new homes for new families to move in to, which I am not opposed to, I just think we need to fill the new vacant homes and lots first.

Also, I would like to state, with the number of new homes and rising population paired with the little to no growth in actual businesses in Bondurant, the new homes should slow down and the tax abatement should be terminated. Once people make it through the tax abatement years, chances are high that those families will be moving. I knew when I moved here that the taxes were higher than average. But, what is currently being done to reduce those taxes? New houses certainly does not do it. Anything new construction does not contribute to the tax situation because of all the abatements.

There is little to no room to actually build a business in Bondurant, whether it be buy existing buildings or buy property. The businesses that are coming are the ones that have just moved across town. How can the P&Z board come up with ways to increase business alongside the new single family homes? What IS the board currently doing to grow the local businesses?

I personally own a business, where I rent office and warehouse space in Ankeny, because there is literally no where in town to conduct my business. I have tried for over a year to bring my business to town, but it just is not possible. My wife owns a hair salon and clothing boutique. We have been actively trying to find a place in Bondurant. Again, no such luck. There are a few city owned properties, that are not for sale, and I believe not adequately used. City owned property cost the tax payers money. When they sit vacant they cost the taxpayers more money.

As I sit here and type this email, I think about current properties that are under construction, owned, vacant, or outgrown by the city. That would be the old bank at the corner of Grant and 2nd which is currently vacant or being used for storage. City Hall is being added on to. The vacant lot on Main Street is virtually impossible to buy and build on unless the city approves the plan. And we should all be very honest with ourselves, the chances of a retail storefront with apartments on top is very unlikely to happen. We already know the fire department building is too small. Soon it will be the library and the public works building. Is there a plan in place for these things when the population jumps 2000+ people over the next couple years?

In short, please reconsider approving this annexation of property at the current time. One year would not be the end of everything. Just because someone purchases the property does not mean you must approve the request for rezoning. If you say yes once, it is very very difficult to tell the next person no. Thank you for your time

Respectfully,

Grant and Lacie Calvin

Grant Calvin
American Dream Exteriors, LLC
515-777-8420

PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ-200123-04

RESOLUTION REGARDING THE BONDURANT LOTS II, LLC REZONING APPLICATION FROM AGRICULTURAL (A-1) TO MEDIUM RESIDENTIAL (R-2) ON LAND PROPOSED FOR ANNEXATION INTO THE CITY OF BONDURANT, POLK COUNTY, IOWA

WHEREAS, on January 23, 2020 the Planning and Zoning Commission held a Public Hearing to consider a request by Bondurant Lots II, LLC to rezone 85.76 acres, pending annexation action, from Agricultural (A-1) to Medium Residential (R-2) on property legally described as follows:

THE NORTHEAST ¼ OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, EXCEPT THE EAST 832.00 FEET (EXCEPT THE NORTH 790.00 FEET THEREOF) AND EXCEPT THE EAST 970.00 FEET OF THE NORTH 790.00 FEET AND EXCEPT SANKEY SUMMIT PLAT 1.

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 that the rezoning from Agricultural (A-1) to Medium Density Residential (R-2) for Bondurant Lots II, LLC be _____ by the City Council, subject to the following recommended conditions of approval:

1. That such rezoning request does not become official until the annexation for this same area is approved by the City Council and accepted by the State; and
2. That all lots within the requested rezoning area shall be developed and used for Single-Family Detached Use and not Two-Family Dwelling Use.

Moved by _____, Seconded by _____to adopt.

ATTEST: I, Craig Marshman, Interim City Clerk of Bondurant, hereby certify that at a meeting of the Planning and Zoning Commission held on January 23, 2020, among other proceedings the above was adopted.

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

_____
Craig Marshman, Interim City Clerk

Action	Yay	Nay	Abstain	Absent
Hoffman-Zinnel				
Clayton				
Kromrie				
Keeran				
Cuellar				
Phearman				
McCleary				

_____

Torey Cuellar, Commission Chair

January 20, 2020

From: Maggie Murray, AICP
To: Planning & Zoning Commission
Subject: Case #2020.R.3: Request for Rezoning from Agricultural (A-1) to Medium Density Residential (R-2) District for the Sankey West Rezoning Area.
Action: For P&Z recommendation on January 23rd, 2020

Brief History

The City has received a rezoning application for a 19.58-acre area of land also proposed for annexation into the City of Bondurant's city limits in the area as shown in the enclosed maps. This rezoning application has been submitted by Bondurant Lots II, LLC (developer) on behalf of the Ethel C Sankey Trust (current owner). This rezoning land is currently situated outside Bondurant's city limits, and thus is not zoned by the City of Bondurant. The rezoning request is that the Official Zoning Map be changed from the Agricultural (A-1) District to the Medium Density Residential (R-2) District for this 19.58-acre rezoning area, pending annexation approval. This rezoning process is consistent with Section 177.07.7 of the City's Zoning Code, which notes that when land is annexed into the City, this annexed land is automatically zoned as being within the City's Agricultural (A-1) District unless a rezoning application is also submitted for consideration.

The purpose of this rezoning request is to allow for construction of a residential subdivision in this rezoning area that will meet the City's Medium Density (R-2) bulk requirements. Enclosed is a summary these R-2 bulk regulations. The developer has indicated that the use proposed within the requested rezoning area will be single-family detached use.

Being considered by the Commission as part of this rezoning staff report is the topic of rezoning only. The topic of preliminary plat approval will be considered by a separate resolution at a later date after the Preliminary Plat has been received by the City. A rezoning review by the Planning and Zoning Commission and City Council does not require submittal of a detailed preliminary plat at the time of zoning consideration.

It should also be explained that City Council will also be holding a public hearing for another related Medium Density (R-2) rezoning request for a 85.76-acre area of land just west of this land described as part of this staff report. While both rezoning requests will be part of the same development area, two separate rezoning ordinances will be required for consideration by Council, as there will be two separate annexations (and timelines) involved as part of the annexation process of this overall development.

Analysis:

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

Comprehensive Plan:

A comprehensive plan serves as a long-range plan for community improvement, development, and growth. Iowa Code recommends for communities to adopt comprehensive plans, and that these plans should "include information on the amount, type, intensity and density of existing land use, trends in

the market price, and plans for future land use throughout the municipality" (Chapter 18B). Said plans serve as policy guides, and are intended to be flexible and adaptive over time, setting forth the basic framework to guide activities and manage change.

The Future Land Use Map as part of the City's Comprehensive Plan guides for low-density residential reserve development along with some greenspace within the proposed rezoning area. The developer is proposing residential construction with also some stormwater detention areas and a public park in their overall development plan. The uses proposed are consistent with the City's Future Land Use Map, so no update to the Future Land Use Map is proposed at this time.

In addition to the rezoning request being supported by the Future Land Use Map, below are some objectives pulled from the Comprehensive Plan which appear to also support the rezoning request:

- **Objective 4.1:** *Maintain a diversity of single-family and multi-family housing that provides ample choices in housing style.*
- **Objective 4.23:** *Guide new development to occur adjacent to other neighborhoods, rather than in a "leapfrog" pattern which can lead to the premature consumption of farmland.*

Spot Zoning:

According the Iowa State University & Outreach's "Midwest Planning Bluz", to determine whether illegal spot zoning has occurred, the courts consider whether the rezoning takes into account the following:

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

It does not appear this proposed rezoning constitutes spot zoning. As the enclosed Zoning Map shows, the requested zoning district of Medium Density Residential (R-2) also exists just south in the existing Sankey Summit Plat 1 subdivision area. Further, as previously noted, the Future Land Use Map as part of the City's Comprehensive Plan supports this rezoning request.

Public Input:

Per the City's Zoning Ordinance, letters were sent to property owners within 200' of the proposed rezoning. Thirty-two total letters were mailed by the City for this rezoning request. At the time of writing this report, the City has received comment from the following property owners:

1. **Chantelle Maxwell, property owner at 212 Aaron Ave NW**. Enclosed public comment received on 1/13/2020. Comments received were regarding School District growth concerns as a result of the new development proposed. City staff responded to owner on 1/15/2020. No property owner response to 1/15/2020 email was received by staff.
2. **Grant & Lacie Calvin, property owners at 208 Aaron Ave NW.** Enclosed public received on 1/14/2020. Comments received were regarding general concerns over allowing additional growth within Bondurant. Staff responded to public comment on 1/15/2020. No property owner response to 1/15/2020 email was received by staff.
3. **Rich Powers, Bondurant-Farrar Community School District**. Public comment received on 1/15/2020. Public comment noted that the rezoning notices were received by the District and

have been shared with the Board and Facility Planning Group – there are no School District concerns at this time.

In addition to the above public comment received by property owners within 200', the following additional public comments were received:

1. **Michael Webb, son of property owner at 8630 NE 72nd Street.** Michael stopped into City Hall on 1/15/2020 to discuss the proposed rezoning. He had the following comments:
    a. One comment was that the 1/6/2020 draft concept plan shows the future roadway and lots extending north of the development area north onto his mother's property. Staff explained to him that the developer is only planning on constructing out the roads within the subdivision proposed, and that this future east/west roadway is just that – a future roadway area. The City has not yet prioritized construction of this future roadway, and that his mother will be notified if/when this process starts. The developer's engineer has since updated the development concept to show all development lots as being constructed on the development land and not his mother's land to the north – see enclosed map.
    b. A second comment was that his mother's property and this development property to the south currently have an area that ponds. He wanted confirmation that the ponding that currently exists on his property will not be negatively impacted as a result of the developer's Outlot Y detention pond area. Staff relayed this question to the developer's engineer. The developer's engineer responded with: *We also spoke about the drainage at the prairie pot hole area along his southern portion of the property. He brought up that there were field tiles that run south out of his property and through the Sankey property and was concerned that they would be destroyed and further ponding would occur on his property. I responded by letting him know that if a field tile were encountered during construction, that the contractor will reroute the drain tile and tie into the proposed storm sewer as part of this project.*
2. **Rich Powers, Bondurant-Farrar Community School District**. Public comment received on 1/15/2020. Public comment noted that the rezoning notices were received by the District and have been shared with the Board and Facility Planning Group – there are no School District concerns at this time.

Alternatives

The following options exist for the Planning and Zoning Commission:

1. Recommended approval of the rezoning request from Agricultural (A-1) to Medium Density Residential (R-2) for the Sankey East rezoning area;
2. Recommended approval of the rezoning request from Agricultural (A-1) to Medium Density Residential (R-2) for the Sankey East rezoning area, subject to conditions recommended by the P&Z;
3. Recommend denial of the rezoning area from Agricultural (A-1) to Medium Residential (R-2) for the Sankey East rezoning area;
4. Table pending additional comment/feedback.

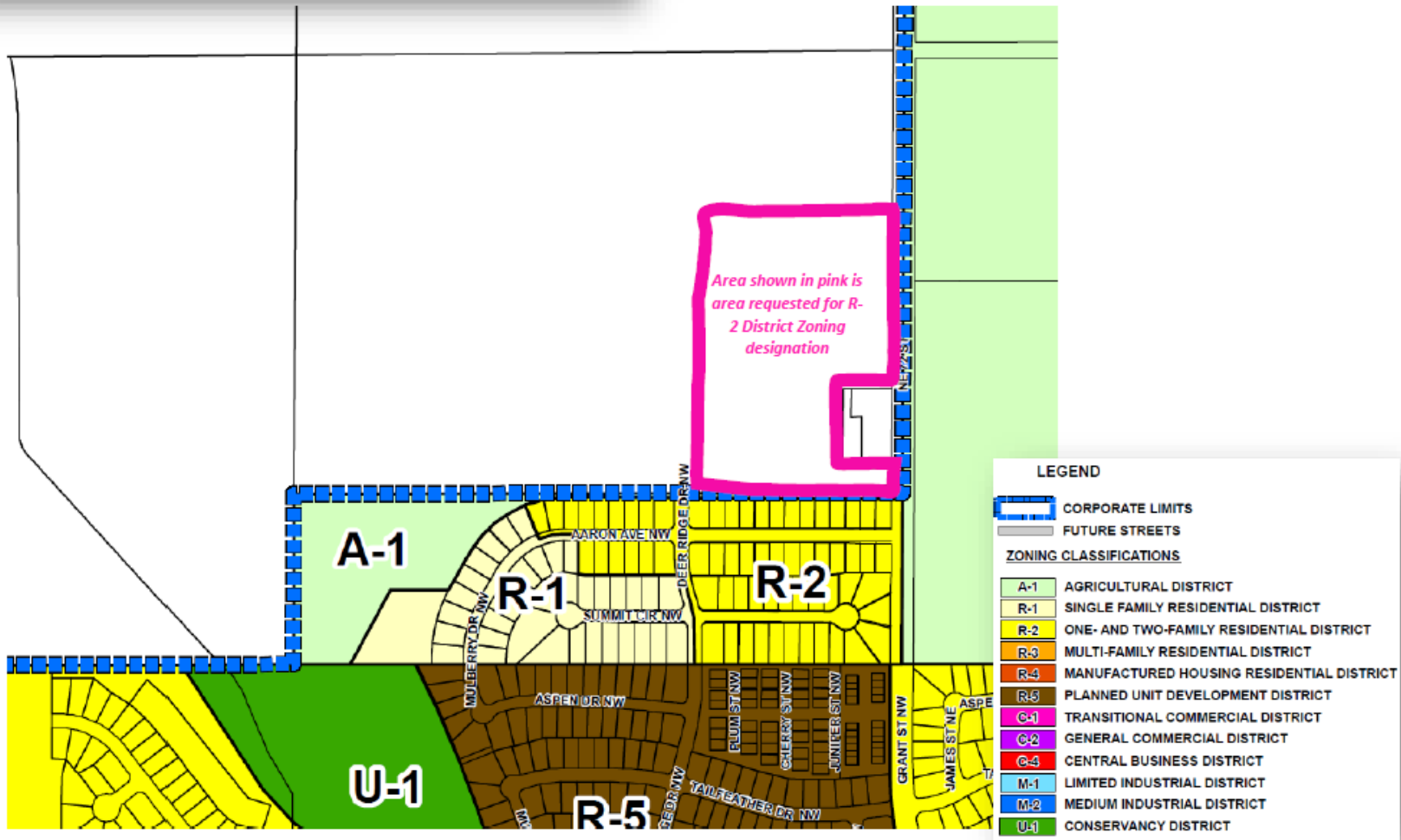
Staff Conclusions/Recommendations

Subject to further comment received, staff recommends approval of the rezoning request for Case #2020.R.3: Request for Rezoning from Agricultural (A-1) to Medium Density Residential (R-2) District for the Sankey East Rezoning Area, with the following condition:

1. That such rezoning request does not become official until the annexation for this same area is approved by the City Council and accepted by the State; and
2. That all lots within the requested rezoning area shall be developed and used for Single-Family Detached Use and not Two-Family Dwelling Use.

It is anticipated that City Council will their public hearing for rezoning consideration during their meeting on Monday, February 3rd, 2020. Following Council's required public hearing, City Council may consider approval of the rezoning ordinance.

ZONING MAP
CITY OF BONDURANT, IOWA

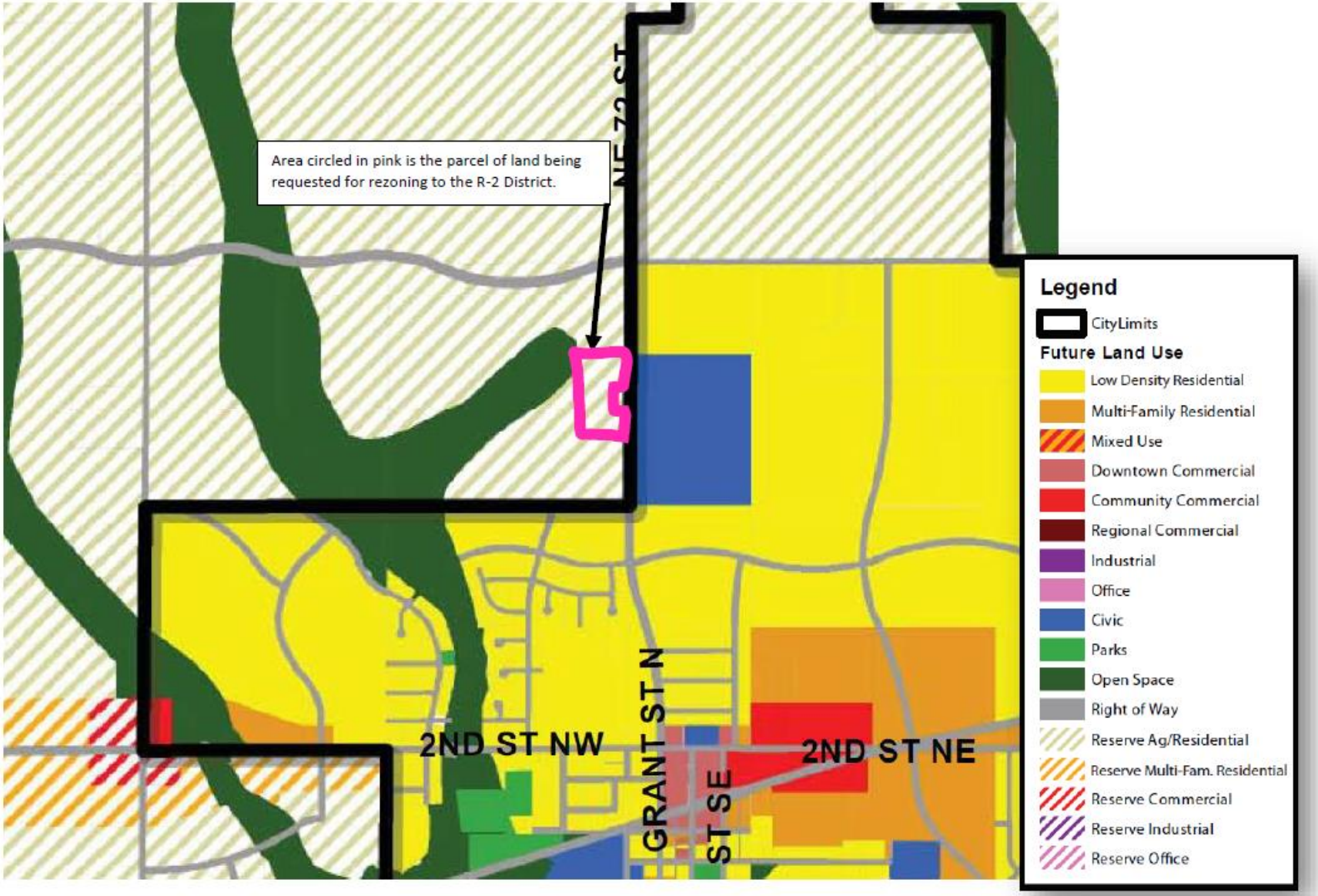


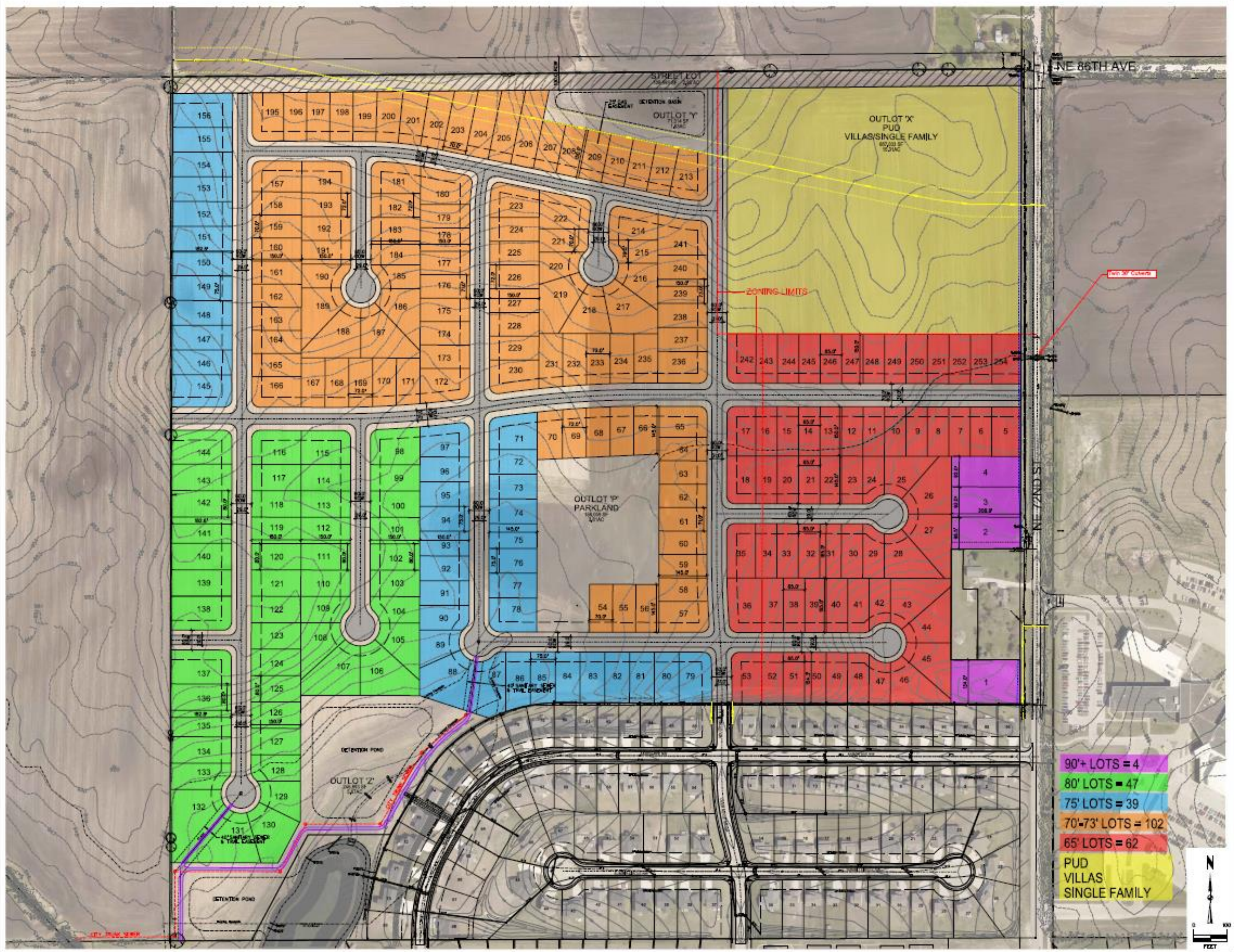
REZONING LEGAL DESCRIPTION: THE EAST 832.00 FEET (EXCEPT THE NORTH 790.00 FEET) OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, EXCEPT SANKEY SUMMIT PLAT 1. EXCEPT: A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23, AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 1455.0 FEET SOUTH OF THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., DOUGLAS TOWNSHIP, POLK COUNTY, IOWA, THENCE SOUTH 336.0 FEET, THENCE SOUTH 89°30' WEST 178.0 FEET, THENCE NORTH 215.0 FEET, THENCE SOUTH 89°30' WEST 45.0 FEET, THENCE NORTH 121.0 FEET, THENCE NORTH 89°30' EAST 223.0 FEET, TO THE POINT OF BEGINNING, 1.50 ACRES, MORE OR LESS. AND EXCEPT: BEGINNING AT A POINT BEING 1,455.00 FT. S-00°-00'00"-W AND 223.00 FT. S-89°-30'-00"-W OF THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, THENCE S-00°-00'00"-W, 121.00 FT., THENCE N-89°-30'-00"-E, 45.00 FT.; THENCE S-00°-00'-00"-W, 215.00 FT.; THENCE S-89°-30'-00"-W, 81.03 FT.; THENCE N-00°-00'-00"-E, 336.00 FT.; THENCE N-89°-30'-00"-E, 36.03 FT. TO THE POINT OF BEGINNING. ALL OF SAID PARCEL BEING LOCATED IN THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHEAST 1/4 (NE1/4) OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA AND CONTAINING APPROXIMATELY 0.5000 ACRES. CONTAINING APPROXIMATELY 19.58 ACRES.

Summary of Section 178.08.4 - R-2 Bulk Regulations:

(A) Minimum Lot Area	7,500 sq. ft. 10,000 sq. ft. for two family dwellings Add 2,000 sq. ft. for each additional unit
(B) Minimum Floor Area	950 sq. ft., ranch style 1000 sq. ft., two story 875 sq. ft., split level style 850 sq. ft., split foyer style
(C) Lot Width	65 ft., single family 85 ft., two-family Add 20 ft. for every additional unit 75 ft. for corner lots
(D) Front Yard	30 ft. for dwellings 50 ft. for any permitted use other than dwellings
(E) Side Yard	15 ft. total side yard, 5 ft. minimum on each side, 1 and 1 ½ stories 15 ft. total side yard, 7 ft. minimum on each side, 2 and 3 stories 35 ft on each side, church or school 3 ft. accessory buildings 50 ft. for any permitted use other than dwellings
(F) Rear Yard	35 ft. for single family 3 ft. accessory buildings 50 ft. for any permitted use other than dwellings
(G) Maximum Height	35 ft. principal buildings 12 ft. accessory buildings
(H) Maximum Stories	3 stories for principal buildings 1 story for accessory buildings
(I) Accessory Buildings	1,000 sq. ft – Maximum Area for Accessory Garage 160 sq. ft. – Maximum Area for Yard Shed

Future Land Use Map





SANKEY SUMMIT

CONCEPT LAYOUT 1-20-20

SNYDER & ASSOCIATES, INC.

BONDURANT, IOWA

SNYDER & ASSOCIATES

Project No: 119.0910

Sheet 1 of 1

Public Comment Received - Owners within 200’

1. **Chantelle Maxwell, property owner at 212 Aaron Ave NW**:

Hello, I received the rezoning map for the property north of sankey summit. My husband and I will not be able to attend the meeting next week but I would like to ask you what the school systems plan is to accommodate the growth of the town this rezoning will create? Will there be more classes added to keep an ideal teacher to student ratio, another school for the kids clear out here, more buses?, free busing for the kids that are "IN TOWN" but not really IN TOWN? Will there be an additional preschool program added since the program now can already not accommodate for the number of preschoolers currently in town?

Thank you for your time.

Chantelle Maxwell

2. **Rich Powers, Bondurant-Farrar Community School District**

Maggie and Marketa,

We discussed the new projects you have recently shared at our board meeting Monday.

#1. We really appreciate the communication on the projects. I share them electronically with our board and Facility Planning group. No need for a hard copy, email is perfectly acceptable.

#2. We are most interested in being alerted to projects that would receive anything special outside of the normal graduated abatement programs. We will assume that all you have shared so far receives one of the typical options. Not that we would object to other incentives, it is simply helpful to be aware of those specifically.

#3. No concerns with any of the recent projects shared.

When a resident calls and asks about school planning please refer them to me. I'd be happy to share more.

We will be scheduling community meetings to review Master Facility Plans. The basics have already been posted. Feel free to contact me to present/update any community group. We will be seeking feedback and answering questions at the meetings and online.

2 docs you can share w/ the interested community member are below.

This is for our proposed new 7-8 grade building.
https://drive.google.com/file/d/1vT68O5dvjB-H7vG2KhJedfS6JOoYcBPg/view

This covers some updates needed in our middle school and district office.
https://drive.google.com/file/d/1-pei3uUUSzKfe1t2QKp-LexbQnQ-1iCE/view

Let me know if you have any questions.

Sincerely,

Rich

3. Grant & Lacie Calvin, property owners at 208 Aaron Ave NW:

Hello,

I am writing this email in regards to the proposed rezoning and annex of the property on the north side of Sankey Summit. I will be unable to attend the meeting as I will be out of town on vacation. I live at 208 Aaron Ave. NW.

First, I would like to start off by saying we thoroughly enjoy living in Bondurant. For the most part, this is just like the small town that we grew up in, and that is our main reason for residing here.

I would like to state that I am opposed to this expansion, at the current time. There are a few reason for this. The main reason I would like to put this expansion on hold, is mainly because I believe Bondurant needs to slow down on the residential growth they are approving. We can all agree that Bondurant is already bursting at the seams in almost every facet of the town. That includes, schools, city hall, property, and among other things the issues with more construction and lack of infrastructure. I am sure the homework has been done regarding some of these things, but I think you should reevaluate the approval of this property. How many vacant houses are there currently in the bondurant market? How many vacant lots are ready to be built on? Between the developments that are in progress to the west, and the development in Wolf Creek, how many lots still need houses on them?

Has anyone done the math on properties available or lots available at this current time? Is the sole purpose of this new development to bring new people in to town? Most likely people in town would not be able to sell their current house to move to this new proposed development because of the huge supply of new construction houses. The tax abatement along with the price of new construction homes makes it hard for someone in a house that is 5+ years old to sell theirs and move. So, that leaves the new homes for new families to move in to, which I am not opposed to, I just think we need to fill the new vacant homes and lots first.

Also, I would like to state, with the number of new homes and rising population paired with the little to no growth in actual businesses in Bondurant, the new homes should slow down and the tax abatement should be terminated. Once people make it through the tax abatement years, chances are high that those families will be moving. I knew when I moved here that the taxes were higher than average. But, what is currently being done to reduce those taxes? New houses certainly does not do it. Anything new construction does not contribute to the tax situation because of all the abatements.

There is little to no room to actually build a business in Bondurant, whether it be buy existing buildings or buy property. The businesses that are coming are the ones that have just moved across town. How can the P&Z board come up with ways to increase business alongside the new single family homes? What IS the board currently doing to grow the local businesses?

I personally own a business, where I rent office and warehouse space in Ankeny, because there is literally no where in town to conduct my business. I have tried for over a year to bring my business to town, but it just is not possible. My wife owns a hair salon and clothing boutique. We have been actively trying to find a place in Bondurant. Again, no such luck. There are a few city owned properties, that are not for sale, and I believe not adequately used. City owned property cost the tax payers money. When they sit vacant they cost the taxpayers more money.

As I sit here and type this email, I think about current properties that are under construction, owned, vacant, or outgrown by the city. That would be the old bank at the corner of Grant and 2nd which is currently vacant or being used for storage. City Hall is being added on to. The vacant lot on Main Street is virtually impossible to buy and build on unless the city approves the plan. And we should all be very honest with ourselves, the chances of a retail storefront with apartments on top is very unlikely to happen. We already know the fire department building is too small. Soon it will be the library and the public works building. Is there a plan in place for these things when the population jumps 2000+ people over the next couple years?

In short, please reconsider approving this annexation of property at the current time. One year would not be the end of everything. Just because someone purchases the property does not mean you must approve the request for rezoning. If you say yes once, it is very very difficult to tell the next person no. Thank you for your time

Respectfully,

Grant and Lacie Calvin

Grant Calvin
American Dream Exteriors, LLC
515-777-8420

PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ-200123-05

RESOLUTION REGARDING THE BONDURANT LOTS II, LLC REZONING APPLICATION FROM AGRICULTURAL (A-1) TO MEDIUM RESIDENTIAL (R-2) ON LAND PROPOSED FOR ANNEXATION INTO THE CITY OF BONDURANT, POLK COUNTY, IOWA

WHEREAS, on January 23, 2020 the Planning and Zoning Commission held a Public Hearing to consider a request by Bondurant Lots II, LLC to rezone 19.58 acres, pending annexation action, from Agricultural (A-1) to Medium Residential (R-2) on property legally described as follows:

THE EAST 832.00 FEET (EXCEPT THE NORTH 790.00 FEET) OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, EXCEPT SANKEY SUMMIT PLAT 1

EXCEPT:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23, AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 1455.0 FEET SOUTH OF THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., DOUGLAS TOWNSHIP, POLK COUNTY, IOWA, THENCE SOUTH 336.0 FEET, THENCE SOUTH 89°30' WEST 178.0 FEET, THENCE NORTH 215.0 FEET, THENCE SOUTH 89°30' WEST 45.0 FEET, THENCE NORTH 121.0 FEET, THENCE NORTH 89°30' EAST 223.0 FEET, TO THE POINT OF BEGINNING, 1.50 ACRES, MORE OR LESS.

AND EXCEPT:

BEGINNING AT A POINT BEING 1,455.00 FT. S-00°-00'00"-W AND 223.00 FT. S-89°-30'-00"-W OF THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, THENCE S-00°-00'00"-W, 121.00 FT., THENCE N-89°-30'-00"-E, 45.00 FT.; THENCE S-00°-00'-00"-W, 215.00 FT.; THENCE S-89°-30'-00"-W, 81.03 FT.; THENCE N-00°-00'-00"-E, 336.00 FT.; THENCE N-89°-30'-00"-E, 36.03 FT. TO THE POINT OF BEGINNING. ALL OF SAID PARCEL BEING LOCATED IN THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHEAST 1/4 (NE1/4) OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA AND CONTAINING APPROXIMATELY 0.5000 ACRES.

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning and Zoning Commission of the City of Bondurant, Iowa, recommends that the rezoning from Agricultural (A-1) to Medium Density Residential (R-2) for Bondurant Lots

II, LLC be _____ by the City Council, subject to the following recommended conditions of approval:

1. That such rezoning request does not become official until the annexation for this same area is approved by the City Council and accepted by the State; and
2. That all lots within the requested rezoning area shall be developed and used for Single-Family Detached Use and not Two-Family Dwelling Use.

Moved by _____, Seconded by _____to adopt.

ATTEST: I, Craig Marshman, Interim City Clerk of Bondurant, hereby certify that at a meeting of the Planning and Zoning Commission held on January 23, 2020, among other proceedings the above was adopted.

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

_____
Craig Marshman, Interim City Clerk

Action	Yay	Nay	Abstain	Absent
Hoffman-Zinnel				
Clayton				
Kromrie				
Keeran				
Cuellar				
Phearman				
McCleary				

_____
Torey Cuellar, Commission Chair

January 20, 2020

From: Maggie Murray, AICP
To: Planning & Zoning Commission
Subject: Case #2020.R.4: Request for Rezoning from Agricultural (A-1) to Planned Unit Development (R-5) for the Webb Rezoning Area.
Action: For P&Z recommendation on January 23rd, 2020

Brief History

The City has received a rezoning application for a 62.84-acre area of land also proposed for annexation into the City of Bondurant's city limits in the area as shown in the enclosed maps. This rezoning application has been submitted by Quail Run West, LLC (developer) on behalf of Stanley & Mary Webb (current owners). This rezoning land is currently situated outside Bondurant's city limits, and thus is not zoned by the City of Bondurant. The rezoning request is that the Official Zoning Map be changed from the Agricultural (A-1) District to the Planned Unit development (R-5) District for this 62.84-acre rezoning area, pending annexation approval. This rezoning process is consistent with Section 177.07.7 of the City's Zoning Code, which notes that when land is annexed into the City, this annexed land is automatically zoned as being within the City's Agricultural (A-1) District unless a rezoning application is also submitted for consideration.

The purpose of this rezoning request is to allow for construction of a subdivision meeting requirements of the City's Planned Unit Development (R-5) District. Here is an excerpt on the intent section of the City's R-5 District: "The R-5 District is intended and designed to provide a means for the development of large tracts of ground on a unit basis, allowing greater flexibility and diversification of land uses and building locations than the conventional single lot method provided in other sections of this Zoning Code".

Enclosed is a preliminary Planned Unit Development Master Plan submitted by the developer as part of the rezoning request. You'll see that the Master Plan proposes that the majority of the subdivision will be comprised of single-family detached lots meeting the minimum bulk requirements of the City's Medium Density (R-2) District. The Master Plan also shows to development areas for row house/multi-family development along 2nd Street NW and NE 64th Street. This Master Plan also shows that Outlot Z will be designated for future General Commercial (C-2) use; this commercial-type use designation is permitted in the R-5 District if Council determines this use to be consistent with the City's Comprehensive Plan (Section 178.06.1.H). In addition of these uses proposed, the developer will also need to meet requirements of the City's Stream Buffer Ordinance – the developer is accommodating for the Stream Buffer Ordinance, as is depicted in the dashed green line on the attached concept.

Being considered by the Commission as part of this rezoning staff report is the topic of setting a rezoning public hearing only. The topic of preliminary plat approval will be considered by a separate resolution after the City's Planning and Zoning Commission has reviewed the preliminary plat; a rezoning review by the Planning and Zoning Commission and City Council does not require submittal of a detailed preliminary plat at the time of zoning consideration.

Analysis:

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

Comprehensive Plan:

A comprehensive plan serves as a long-range plan for community improvement, development, and growth. Iowa Code recommends for communities to adopt comprehensive plans, and that these plans should "include information on the amount, type, intensity and density of existing land use, trends in the market price, and plans for future land use throughout the municipality" (Chapter 18B). Said plans serve as policy guides, and are intended to be flexible and adaptive over time, setting forth the basic framework to guide activities and manage change.

The Future Land Use Map as part of the City's Comprehensive Plan guides for multi-family residential reserve use along 2nd Street NW and the north portion of NE 64th Street. The Future Land Use Map then guides for low-density residential reserve use south of the multi-family use. In addition to these areas guided for residential use, the Future Land Use Map also guides for some conservancy space along the creek and also a commercial area at the corner of 2nd Street NW and NE 64th Street. The R-5 rezoning request appears to be consistent with the Future Land Use Map, so no update to the Future Land Use Map is proposed at this time.

In addition to the rezoning request being supported by the Future Land Use Map, below are some objectives pulled from the Comprehensive Plan which appear to also support the rezoning request:

- **Objective 4.1:** *Maintain a diversity of single-family and multi-family housing that provides ample choices in housing style.*
- **Objective 4.23:** *Guide new development to occur adjacent to other neighborhoods, rather than in a "leapfrog" pattern which can lead to the premature consumption of farmland.*

Spot Zoning:

According the Iowa State University & Outreach's "Midwest Planning Bluz", to determine whether illegal spot zoning has occurred, the courts consider whether the rezoning takes into account the following:

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

It does not appear this proposed rezoning constitutes spot zoning. As the enclosed Zoning Map shows, the requested zoning district of Planned Unit Development (R-5) also exists just east in the existing Quail Run Plat 1 subdivision area. Further, as previously noted, the Future Land Use Map as part of the City's Comprehensive Plan supports this rezoning request.

Public Input:

Per the City's Zoning Ordinance, letters were sent to property owners within 200' of the proposed rezoning. Thirteen total letters were mailed by the City for this rezoning request. At the time of writing this report, the City has received comment from the following property owners within 200':

1. **Rich Powers, Bondurant-Farrar Community School District**. Public comment received on 1/15/2020. Public comment noted that the rezoning notices were received by the District and have been shared with the Board and Facility Planning Group – there are no School District concerns at this time.

Alternatives

The following options exist for the Planning and Zoning Commission:

1. Recommended approval of the rezoning request from Agricultural (A-1) to Planned Unit Development (R-5) Webb rezoning area;
2. Recommended approval of the rezoning request from Agricultural (A-1) to Planned Unit Development (R-5) Webb rezoning area, subject to conditions recommended by the P&Z;
3. Recommend denial of the rezoning area from Agricultural (A-1) to Planned Unit Development (R-5) for the Webb rezoning area;
4. Table pending additional comment/feedback.

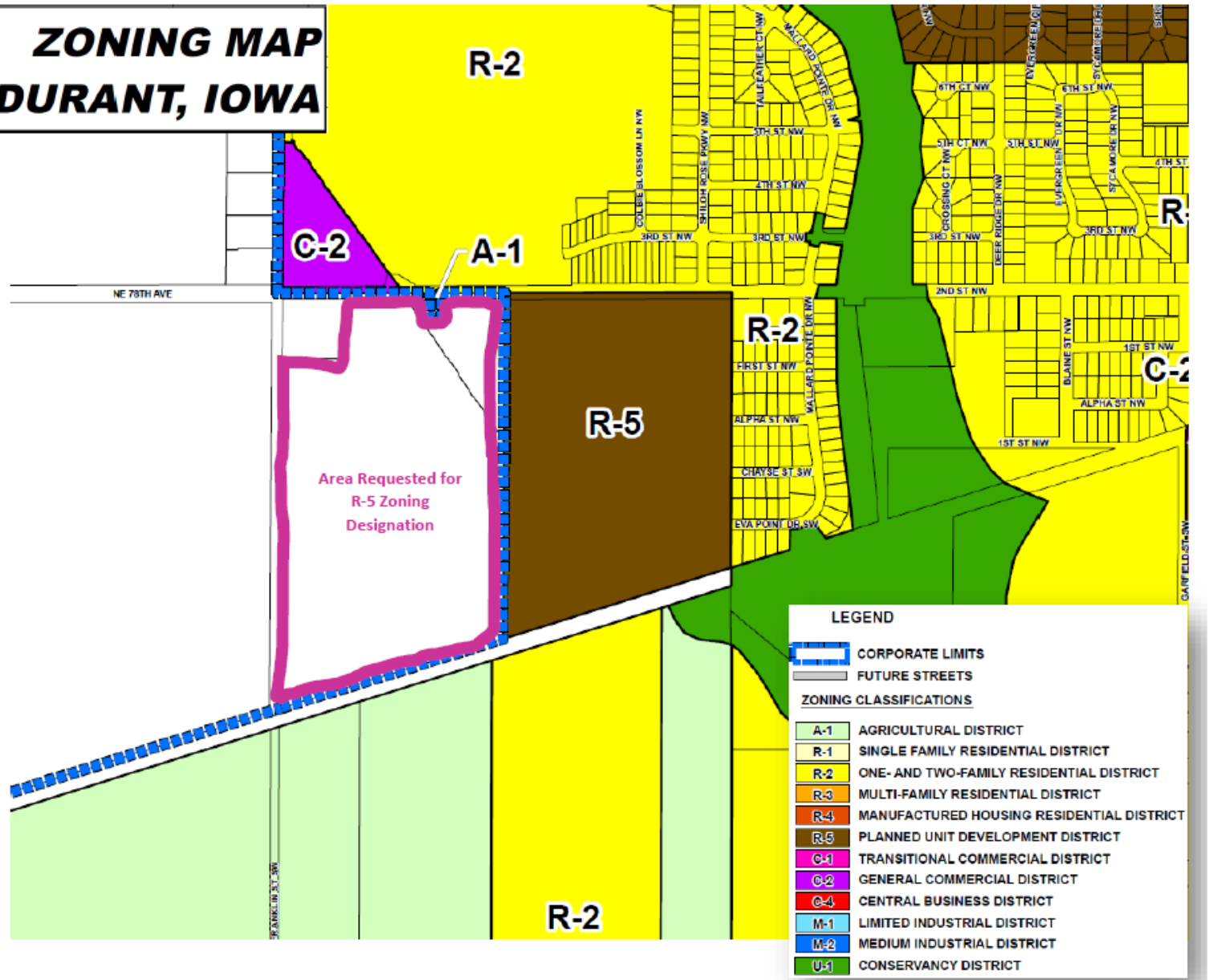
Staff Conclusions/Recommendations

Subject to further comment received, staff recommends approval of the rezoning request for Case #2020.R.4: Request for Rezoning from Agricultural (A-1) to Planned Unit Development (R-5) District for the Webb Rezoning Area, with the following condition:

1. That such rezoning request does not become official until the annexation for this same area is approved by the City Council and accepted by the State; and

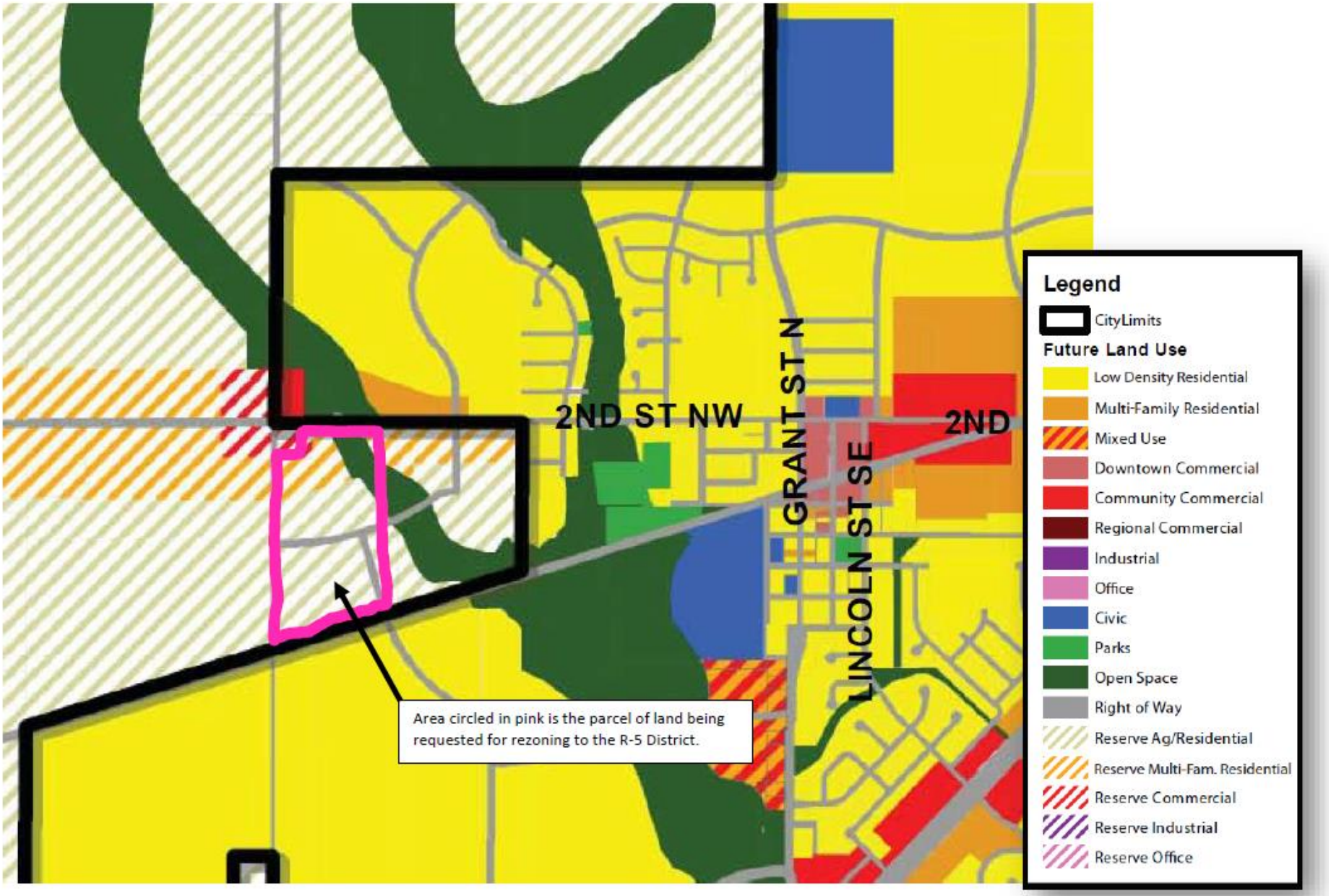
It is anticipated that City Council will their public hearing for rezoning consideration during their meeting on Monday, February 3rd, 2020. Following Council's required public hearing, City Council may consider approval of the rezoning ordinance.

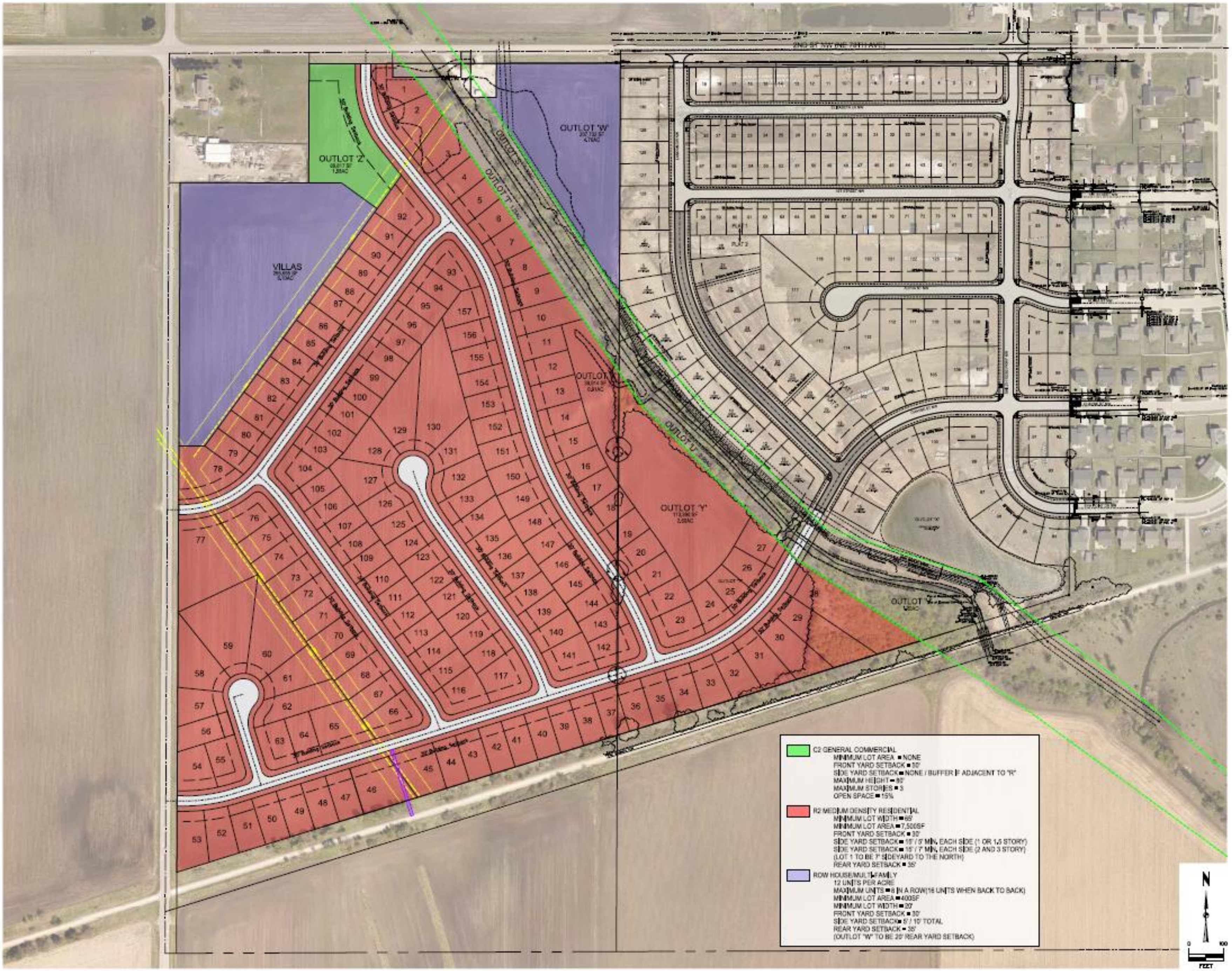
ZONING MAP
CITY OF BONDURANT, IOWA



REZONING LEGAL DESCRIPTION: THE WEST 1/2 OF THE NW 1/4 OF SECTION 36, TOWNSHIP 80 NORTH, RANGE 23, WEST OF THE 5TH P.M., POLK COUNTY, IOWA, LYING NORTH OF THE RAILROAD RIGHT-OF-WAY, EXCEPT THE SOUTH 100 FEET OF THE NORTH 134.5 FEET OF THE EAST 75 FEET OF THE WEST 955 FEET, AND EXCEPT A PARCEL BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION; THENCE DUE EAST 407.9 FEET ALONG THE NORTH LINE OF THE NW 1/4, THENCE SOUTH 0°32' WEST 381.1 FEET; THENCE NORTH 89°33' WEST 408.4 FEET TO A POINT ON THE WEST LINE OF THE NW 1/4, THENCE NORTH 0°37' EAST ALONG THIS LINE 377.9 FEET TO POINT OF BEGINNING AND EXCEPT THOSE PARCELS CONVEYED TO POLK COUNTY BY WARRANTY DEED RECORDED IN BOOK 9575, PAGE 946 AND BOOK 9575, PAGE 948, AND EXCEPT 3.13 ACRES OF ROAD (THE 1.50 ACRES OF DITCH BEING ADDED FROM ABSTRACT 75658 BY AMERICAN ABSTRACT COMPANY CONTINUED TO MAY 14, 1963, AT 2:01 P.M.). CONTAINING APPROXIMATELY 62.84 ACRES.

Future Land Use Map





WEBB PROPERTY

PUD MASTER PLAN 1-6-20

SNYDER & ASSOCIATES, INC.

BONDURANT, IOWA

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

Engineer: EDC	Checked By: EDC	Scale: 1"=100'
Technician: JMM	Date: 11/20/19	Field Bk: Pg:
Project No: 119.0971		Sheet 1 of 1

SNYDER & ASSOCIATES

Project No: 119.0971

Sheet 1 of 1

PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ-200123-06

RESOLUTION REGARDING THE QUAIL RUN WEST, LLC REZONING APPLICATION FROM AGRICULTURAL (A-1) TO PLANNED UNIT DEVELOPMENT (R-5) ON LAND PROPOSED FOR ANNEXATION INTO THE CITY OF BONDURANT, POLK COUNTY, IOWA

WHEREAS, on January 23, 2020 the Planning and Zoning Commission held a Public Hearing to consider a request by Quail Run West, LLC to rezone 62.84 acres, pending annexation action, from Agricultural (A-1) to Planned Unit Development (R-5) on property legally described as follows:

THE WEST 1/2 OF THE NW 1/4 OF SECTION 36, TOWNSHIP 80 NORTH, RANGE 23, WEST OF THE 5TH P.M., POLK COUNTY, IOWA, LYING NORTH OF THE RAILROAD RIGHT-OF-WAY, EXCEPT THE SOUTH 100 FEET OF THE NORTH 134.5 FEET OF THE EAST 75 FEET OF THE WEST 955 FEET, AND EXCEPT A PARCEL BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION; THENCE DUE EAST 407.9 FEET ALONG THE NORTH LINE OF THE NW 1/4, THENCE SOUTH 0°32' WEST 381.1 FEET; THENCE NORTH 89°33' WEST 408.4 FEET TO A POINT ON THE WEST LINE OF THE NW 1/4, THENCE NORTH 0°37' EAST ALONG THIS LINE 377.9 FEET TO POINT OF BEGINNING AND EXCEPT THOSE PARCELS CONVEYED TO POLK COUNTY BY WARRANTY DEED RECORDED IN BOOK 9575, PAGE 946 AND BOOK 9575, PAGE 948, AND EXCEPT 3.13 ACRES OF ROAD (THE 1.50 ACRES OF DITCH BEING ADDED FROM ABSTRACT 75658 BY AMERICAN ABSTRACT COMPANY CONTINUED TO MAY 14, 1963, AT 2:01 P.M.).

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 that the rezoning from Agricultural (A-1) to Planned Unit Development (R-5) for Quail Run West, LLC be _____ by the City Council, subject to the following recommended conditions of approval:

1. That such rezoning request does not become official until the annexation for this same area is approved by the City Council and accepted by the State; and

Moved by _____, Seconded by _____to adopt.

ATTEST: I, Craig Marshman, Interim City Clerk of Bondurant, hereby certify that at a meeting of the Planning and Zoning Commission held on January 23, 2020, among other proceedings the above was adopted.

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

_____

Craig Marshman, Interim City Clerk

Action	Yay	Nay	Abstain	Absent
Hoffman-Zinnel				
Clayton				
Kromrie				
Keeran				
Cuellar				
Phearman				
McCleary				

_____

Torey Cuellar, Commission Chair

January 20, 2020

From: Maggie Murray, AICP
To: Planning & Zoning Commission
Subject: Case #2020.R.4: Request for Modification to an Existing Planned Unit Development (R-5) District.
Action: For P&Z recommendation on January 23rd, 2020

Brief History

The City is in receipt of a request by Quail Run LLC, owner/developer, to modify an existing area of land zoned as being within the City's Planned Unit Development (R-5) District. Please see the enclosed map showing this area requested for modification. This zoning modification request is to keep the Planned Unit Development (R-5) District designation, but to establish minimum lot size requirements to allow for single-family residential development to occur within the requested modification area. With this modification request, the single-family detached lots would be included as part of the covenants associated with the proposed rezoning/annexation area to the west instead of the existing Quail Run Plat 1 Final Plat area covenants.

This area of land was rezoned from Agricultural (A-1) to Planned Unit Development (R-5) in May 2018 as part of the original overall Quail Run rezoning request. At the time the rezoning was approved, there were no bulk regulations/uses identified for the current requested modification area. Section 178.06.5.D of the City's Zoning Code states that substantial modifications to an existing Planned Unit Development Master Plan shall be processed in the same manner as a rezoning. Enclosed is an updated Planned Unit Development Master Plan submitted by the developer as part of the zoning modification request. You'll see that Lots 17-37 fall within the current zoning modification area.

Being considered by the Commission as part of this zoning modification staff report is the topic of zoning modification only. The topic of preliminary plat approval will be considered by a separate resolution after the City's Planning and Zoning Commission has reviewed the preliminary plat.

Analysis:

When considering R-5 District zoning modification requests, the Planning and Zoning Commission and City Council should take into account the following: Comprehensive Plan, Requirements of the Planned Unit Development District, and Public Input.

Comprehensive Plan:

A comprehensive plan serves as a long-range plan for community improvement, development, and growth. Iowa Code recommends for communities to adopt comprehensive plans, and that these plans should "include information on the amount, type, intensity and density of existing land use, trends in the market price, and plans for future land use throughout the municipality" (Chapter 18B). Said plans serve as policy guides, and are intended to be flexible and adaptive over time, setting forth the basic framework to guide activities and manage change.

The Future Land Use Map as part of the City's Comprehensive Plan guides for low-density residential reserve in this area requested for zoning modification. The zoning modification request appears to be consistent with the Future Land Use Map, so no update to the Future Land Use Map is proposed at this time.

Requirements of the Planned Unit Development District (Section 178.06):

The enclosed Master Plan lists the proposed bulk regulations for this modification area. These bulk regulations meet minimum requirements of the City's Medium Density (R-2) District relative to single-family detached requirements.

Public Input:

Per the City's Zoning Ordinance, letters were sent to property owners within 200' of the proposed zoning modification area. Seven total letters were mailed by the City for this modification request. At the time of writing this report, no public comment has been received.

Alternatives

The following options exist for the Planning and Zoning Commission:

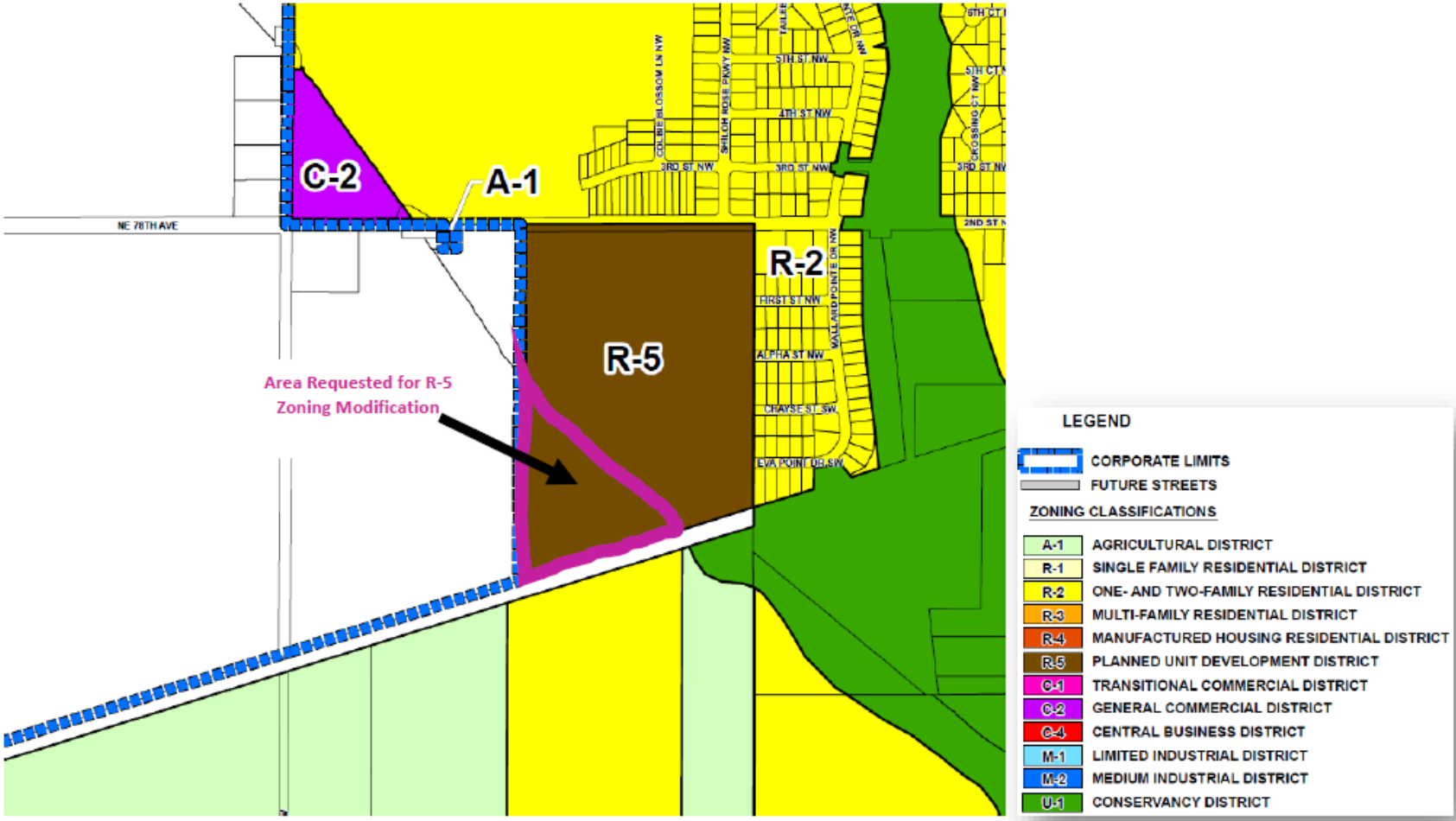
1. Recommended approval of the Planned Unit Development (R-5) zoning modification request;
2. Recommended approval of the Planned Unit Development (R-5) zoning modification request, subject to conditions recommended by the P&Z;
3. Recommend denial of the Planned Unit Development (R-5) zoning modification request;
4. Table pending additional comment/feedback.

Staff Conclusions/Recommendations

Subject to further comment received, staff recommends approval of the zoning modification request for Case #2020.R.5: Request for Modification to an Existing Planned Unit Development (R-5) District.

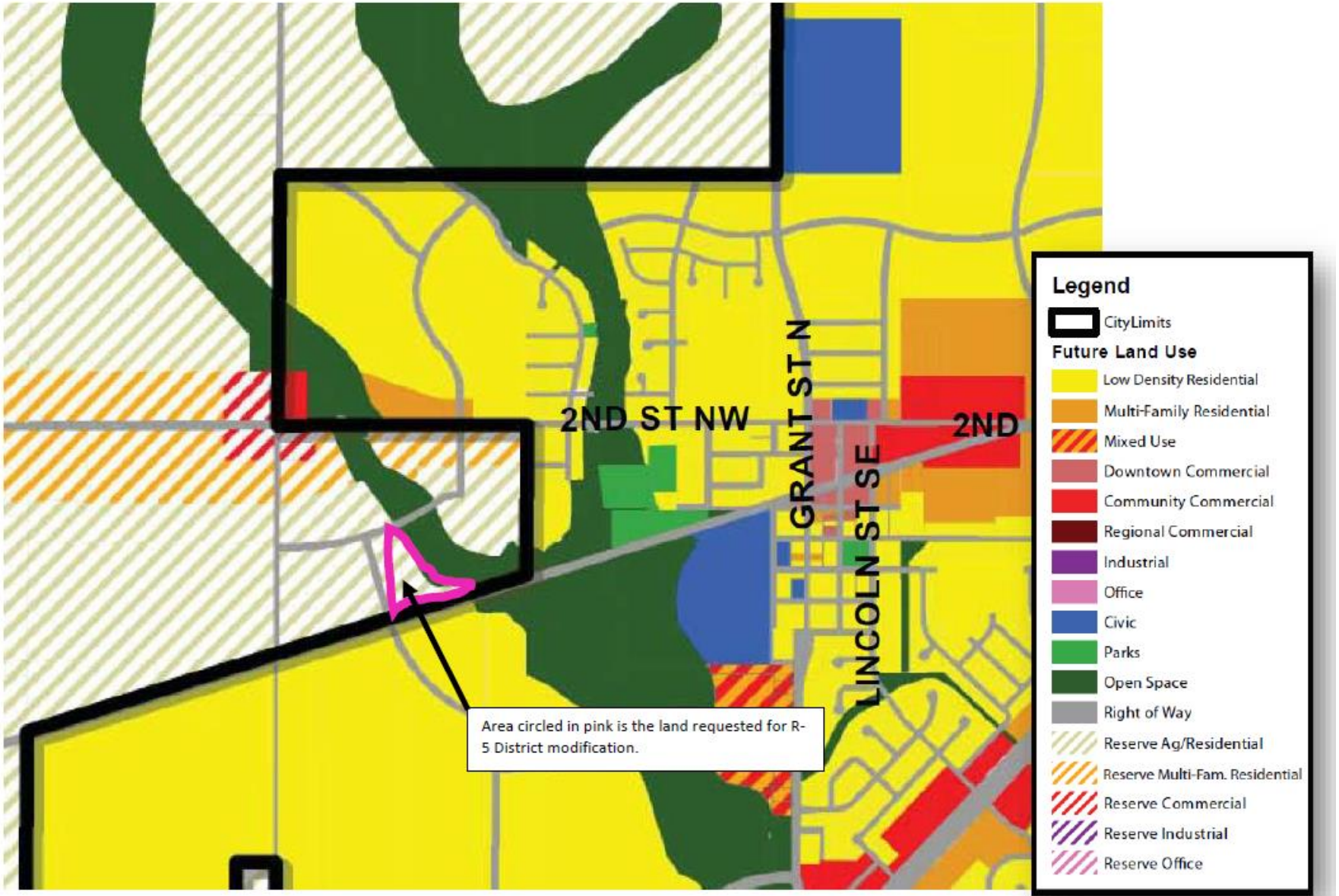
It is anticipated that City Council will their zoning modification public hearing during their meeting on Monday, February 3rd, 2020. Following Council's required public hearing, City Council may consider approval of the zoning modification ordinance.

ZONING MAP
CITY OF BONDURANT, IOWA



ZONING MODIFICATION LEGAL DESCRIPTION: A PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 80 NORTH, RANGE 23, WEST OF THE 5TH P.M., POLK COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID EAST 1/2 OF THE NORTHWEST 1/4; THENCE SOUTH 00°16'03" WEST ALONG THE WEST LINE OF SAID EAST 1/2 OF THE NORTHWEST 1/4, A DISTANCE OF 857.12 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 34°57'44" EAST, 166.42 FEET; THENCE SOUTH 47°05'22" EAST, 305.14 FEET; THENCE SOUTH 42°28'13" EAST, 285.39 FEET; THENCE SOUTH 54°46'09" EAST, 60.28 FEET; THENCE SOUTH 54°46'09" EAST, 91.47 FEET; THENCE SOUTH 72°47'59" EAST, 156.16 FEET; THENCE SOUTH 83°50'19" EAST, 121.91 FEET; THENCE SOUTH 73°00'36" EAST, 104.92 FEET; THENCE SOUTH 41°32'35" EAST, 54.56 FEET; THENCE SOUTH 24°20'38" EAST, 42.76 FEET; THENCE SOUTH 72°42'26" WEST, 1115.82 FEET; THENCE NORTH 00°16'03" EAST, 1143.61 FEET TO THE POINT OF BEGINNING AND CONTAINING 11.96 ACRES (521, 057 S.F.).

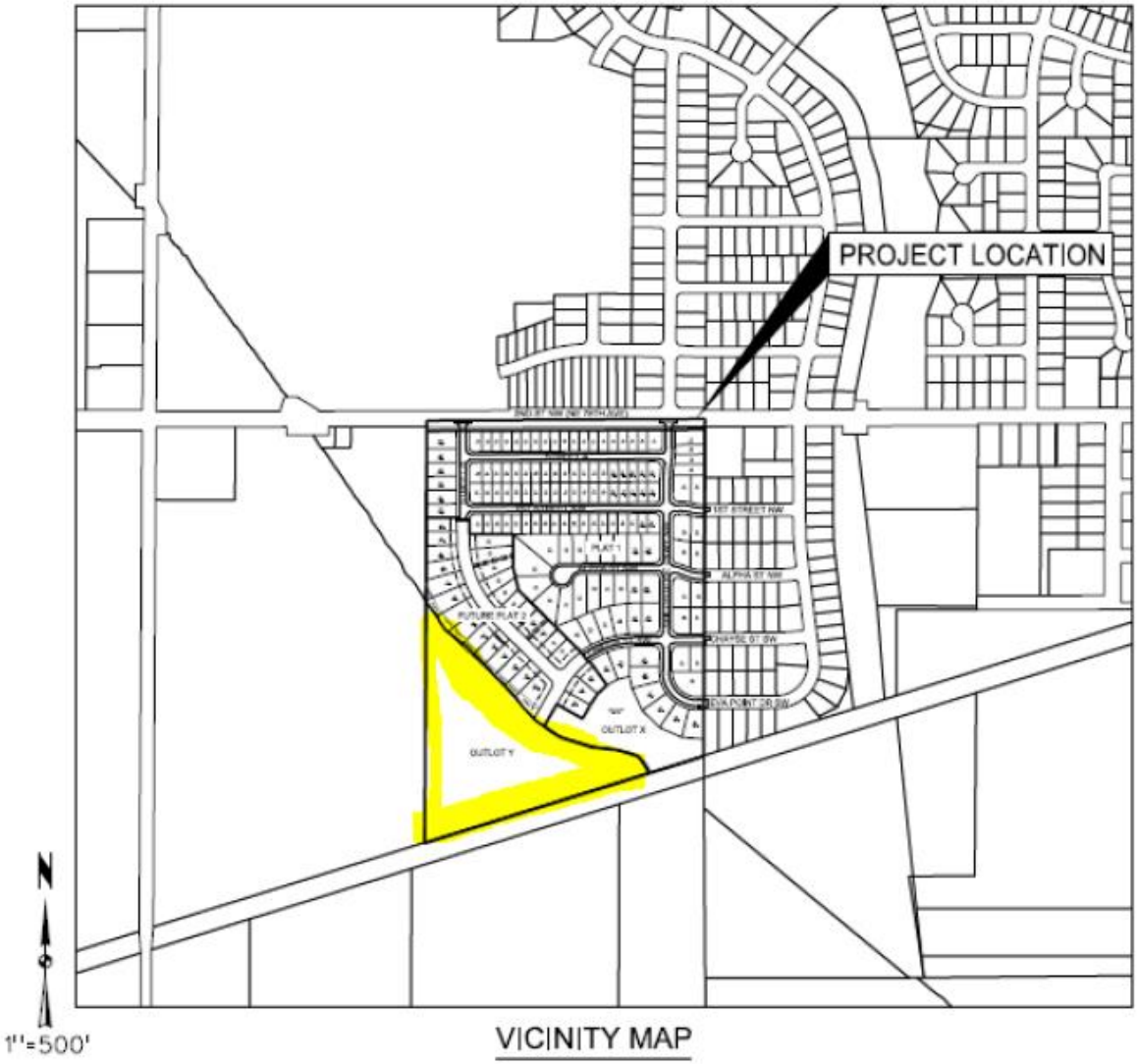
Future Land Use Map



Excerpt from

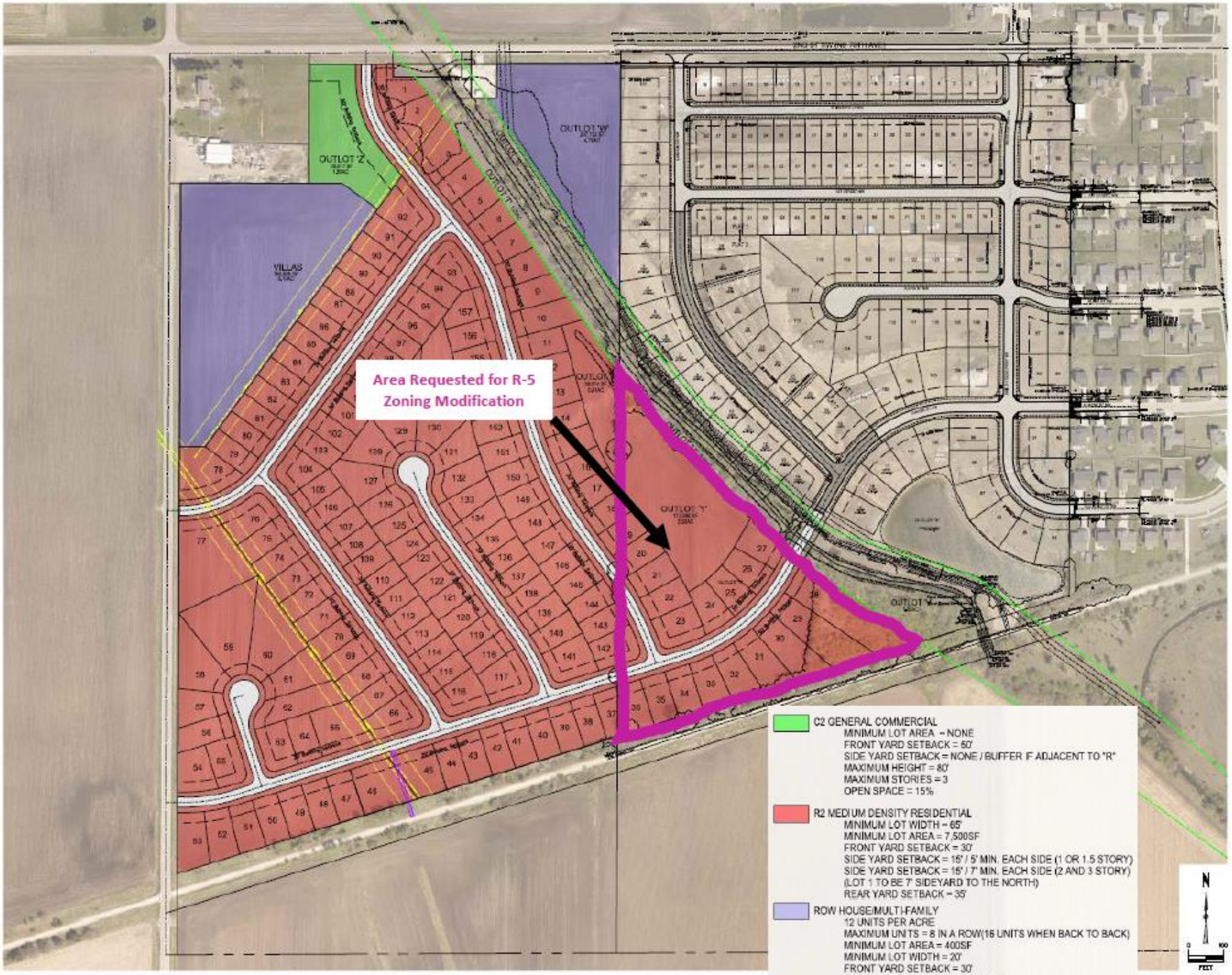
QUAIL RUN

PRELIMINARY PLAT



VICINITY MAP

The Quail Run Preliminary Plat area was rezoned by Council on 5/21/2018. At the time of rezoning and also preliminary plat approval, no bulk regulations were established for the highlighted portion above now proposed for Planned Unit Development (R-5) District Modification – such modification will be to establish bulk regulations for the proposed single-family lots within this area.



C2 GENERAL COMMERCIAL
MINIMUM LOT AREA - NONE
FRONT YARD SETBACK = 50'
SIDE YARD SETBACK = NONE / BUFFER IF ADJACENT TO "R"
MAXIMUM HEIGHT = 80'
MAXIMUM STORIES = 3
OPEN SPACE = 15%

R2 MEDIUM DENSITY RESIDENTIAL
MINIMUM LOT WIDTH = 65'
MINIMUM LOT AREA = 7,500SF
FRONT YARD SETBACK = 30'
SIDE YARD SETBACK = 15' / 5' MIN. EACH SIDE (1 OR 1.5 STORY)
SIDE YARD SETBACK = 15' / 7' MIN. EACH SIDE (2 AND 3 STORY)
(LOT 1 TO BE 7' SIDEYARD TO THE NORTH)
REAR YARD SETBACK = 35'

ROW HOUSE/MULTI-FAMILY
12 UNITS PER ACRE
MAXIMUM UNITS = 8 IN A ROW(16 UNITS WHEN BACK TO BACK)
MINIMUM LOT AREA = 4000SF
MINIMUM LOT WIDTH = 20'
FRONT YARD SETBACK = 30'
SIDE YARD SETBACK= 5' / 10' TOTAL
REAR YARD SETBACK = 35'
(OUTLOT "W" TO BE 20' REAR YARD SETBACK)

DATE	REVISION	BY	CHK'D
Drawn by: BJC	Checked by: BJC	Date: 11/20/19	Scale: 1" = 50'
Checked by: JMW	Date: 11/20/19	Date: 11/20/19	Sheet 1 of 1
Project No: 19.0971			

DENICUMANT, IOWA

3737 SOUTH BROADWAY PLACE
ANKENY, IOWA 50023
515-965-5050 | www.snyderassociates.com

WEBB PROPERTY

PUD MASTER PLAN 1-6-20

SNYDER & ASSOCIATES, INC.

SNYDER & ASSOCIATES

Project No. 19.0971

Sheet 1 of 1

PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ-200123-07

RESOLUTION REGARDING THE QUAIL RUN LLC ZONING MODIFICATION REQUEST FOR EXISTING PROPERTY LOCATED WITHIN BONDURANT'S CITY LIMITS AND ZONED PLANNED UNIT DEVELOPMENT (R-5) DISTRICT

WHEREAS, on January 23, 2020 the Planning and Zoning Commission held a Public Hearing to consider a request by Quail Run, LLC to modify 11.96 acres of the City's existing Planned Unit Development (R-5) District on property legally described as follows:

A PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 80 NORTH, RANGE 23, WEST OF THE 5TH P.M., POLK COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID EAST 1/2 OF THE NORTHWEST 1/4; THENCE SOUTH 00°16'03" WEST ALONG THE WEST LINE OF SAID EAST 1/2 OF THE NORTHWEST 1/4, A DISTANCE OF 857.12 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 34°57'44" EAST, 166.42 FEET; THENCE SOUTH 47°05'22" EAST, 305.14 FEET; THENCE SOUTH 42°28'13" EAST, 285.39 FEET; THENCE SOUTH 54°46'09" EAST, 60.28 FEET; THENCE SOUTH 54°46'09" EAST, 91.47 FEET; THENCE SOUTH 72°47'59" EAST, 156.16 FEET; THENCE SOUTH 83°50'19" EAST, 121.91 FEET; THENCE SOUTH 73°00'36" EAST, 104.92 FEET; THENCE SOUTH 41°32'35" EAST, 54.56 FEET; THENCE SOUTH 24°20'38" EAST, 42.76 FEET; THENCE SOUTH 72°42'26" WEST, 1115.82 FEET; THENCE NORTH 00°16'03" EAST, 1143.61 FEET TO THE POINT OF BEGINNING AND CONTAINING 11.96 ACRES (521, 057 S.F.).

WHEREAS, Section 178.06.5.D of the City's Zoning Code states that substantial modifications to an existing Planned Unit Development (R-5) District require the same review and notification process as rezonings;

WHEREAS, the modification request will establish bulk regulations for the proposed single-family detached lots within the requested zoning modification area.

NOW, THEREFORE, BE IT RESOLVED, that the Planning and Zoning Commission of the City of Bondurant, Iowa, recommends that the Planned Unit Development (R-5) modification request by Quail Run LLC be _____ by the City Council.

Moved by _____, Seconded by _____to adopt.

ATTEST: I, Craig Marshman, Interim City Clerk of Bondurant, hereby certify that at a meeting of the Planning and Zoning Commission held on January 23, 2020, among other proceedings the above was adopted.

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

_____

Craig Marshman, Interim City Clerk

Action	Yay	Nay	Abstain	Absent
Hoffman-Zinnel				
Clayton				
Kromrie				
Keeran				
Cuellar				
Phearman				
McCleary				

_____

Torey Cuellar, Commission Chair

January 20, 2020

From: Maggie Murray, AICP
To: Planning and Zoning Commission
Request: **Case #2020.A.1:** Request for voluntary annexation of 77.34 acres of land into the City of Bondurant's city limits.
Action: For P&Z recommendation on January 23rd, 2020

Brief History:

The City of Bondurant has received the enclosed voluntary annexation application request for 77.34 acres of land to be annexed into the City of Bondurant's city limits. This land requested for annexation is situated in unincorporated Polk County just north of the existing residential Sankey Summit Plat 1. The voluntary annexation application was signed by Sandra Miller, Trustee of the Ethel C Sankey Trust (owner). This annexation request is not within a 2-mile urbanized area of another community. This annexation application has been received as a result of the proposed residential development within this annexation area; for zoning/land use questions, please see the staff report for Rezoning Case #2020.R.2.

It should be noted that the City will be reviewing two separate annexation application requests for the proposed residential development in the area north of Sankey Summit Phase 1. This 77.34 acres as part of this staff report is a 100% voluntary annexation application, while the other request for will be part of an 80/20 annexation – please see the corresponding staff report for Annexation Case #2020.A.2 for further information on the other annexation application. No County roadway rights-of-way are proposed as part of this 77.34-acre annexation request.

When the Planning and Zoning Commission and City Council reviews annexation applications, they review the following topics: Consistency with the Comprehensive Plan, Street and Utility Connectivity, and Outreach.

Analysis:

Consistency with the City's Comprehensive Plan - Future Land Use Map:

This annexation application is consistent with the following objective of the City's Comprehensive Plan:

- **Objective 4.23:** *Guide new development to occur adjacent to other neighborhoods, rather than in a "leapfrog" pattern which can lead to the premature consumption of farmland.*

This annexation application is also consistent with the City's Future Land Use Map, which guides for low-density residential reserve development along with some greenspace within the proposed rezoning area. The developer is proposing single-family detached residential construction with also some stormwater detention areas and a public park in their overall development plan.

Street & Utility Connectivity:

This requested annexation area is adjacent to existing Deer Ridge Drive NW roadway right-of-way. As part of the development proposed, the developer will extend the Deer Ridge Drive NW to allow for a connection between the existing Sankey Summit Phase 1 area and this new development area.

The Comprehensive Plan has the following utility objectives relative to development of new areas:

- **Objective 6.20:** Encourage urban design and density patterns that maximize the effective use of existing and proposed sanitary sewer systems form the standpoint of capacity utilization and cost effectiveness. ***Comment by John Horton, Public Works Director:*** *while the 2011 Comprehensive Plan made reference to wastewater capacity concerns, this 2011 information is outdated - wastewater capacity is no longer a concern since the City's connection to the Wastewater Reclamation Authority is complete.*
- **Objective 6.25:** Ensure adequate storage capacity and water distribution systems are in place to accommodate future growth and development such that existing development areas are not negatively impacted by new water usage demand. ***Comment by John Horton, Public Works Director:*** *planning for future water demand is a concern that is already on City staff's radar. During their meeting on January 21st, City Council will be considering a proposal from the City Engineer to begin a Water System Study. This Water System Study will take into account the City's entire growth area so that staff can better plan to accommodate for future growth through the City's Capital Improvement Plan. For the time being though - this current development area should not have any adverse impacts due its proximity to the City's connection source point and also the tower that controls Bondurant's water pressure.*
- **Objective 6.27:** Ensure new development on the edge of the community is provided with a water distribution system that is looped and provides adequate pressure for fire protection. ***Comment by John Horton, Public Works Director****: This development area does not give me cause for concern as stated above due to the proximity of the source connection. All construction plans for any new development are reviewed to ensure the integrity of the system as to not negatively impact the system as a whole, and to ensure that we can supply adequate fire protection.*

The developer will need to show the above objectives can be met through the eventual detailed preliminary plat submittal process.

Outreach:

As required by Chapter 368 of the Iowa Code, the City mailed an annexation application notice to the Polk County Board of Supervisors on January 6th; no comment from the Board of Supervisors has been received relative to this annexation request. The City also mailed notice to the Polk County Auditor's Office for review of the legal description and parcel ownership; on January 16th the City received comment back from the Auditor's office that there are no concerns with the legal description or listed ownership.

Alternatives:

The following options exist for the City's Planning and Zoning Commission:

1. Recommended approval of the voluntary annexation application request for annexation of 77.34 acres into the City of Bondurant's city limits;

2. Recommended denial of the voluntary annexation application request for annexation of 77.34 acres into the City of Bondurant's city limits;
3. Table pending additional information.

Staff Conclusions/Recommendations:

Subject to further comments received, staff recommends approval annexation Case#A.1.2020, for inclusion of the requested 77.34 acres of land into the City of Bondurant city limits.

It is anticipated that City Council will hold their required annexation public hearing during their meeting on February 3, 2020. If the annexation resolution is approved by Council after the annexation public hearing, then City staff will file the annexation approval documents with the Secretary of State, Polk County Board of Supervisors, affected public utilities, and the Iowa DOT.

APPLICATION FOR ANNEXATION
CITY OF BONDURANT,
POLK COUNTY, IOWA

TO THE CITY COUNCIL OF THE CITY OF BONDURANT, POLK COUNTY, IOWA

I / We, being the owner(s) of the following described territory adjoining the City of Bondurant, Polk County, Iowa:

THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M.,
~~CITY OF BONDURANT~~, POLK COUNTY, IOWA.
EXCEPT
THE SOUTH 735.00 FEET AND THE EAST 832.00 FEET EXCEPT SAID SOUTH 735.00 FEET.

Hereby make application to the Honorable Mayor and City Council to assent by resolution to such territory becoming a part of the City of Bondurant, Polk County, Iowa. Attached is a plat of such territory showing the situation thereof with reference to the existing corporate limits of the city.

Dated this 24 day of December, 2019.

Name of Owner(s): Ethel C Sankey Trust

Sandra Miller, Trustee

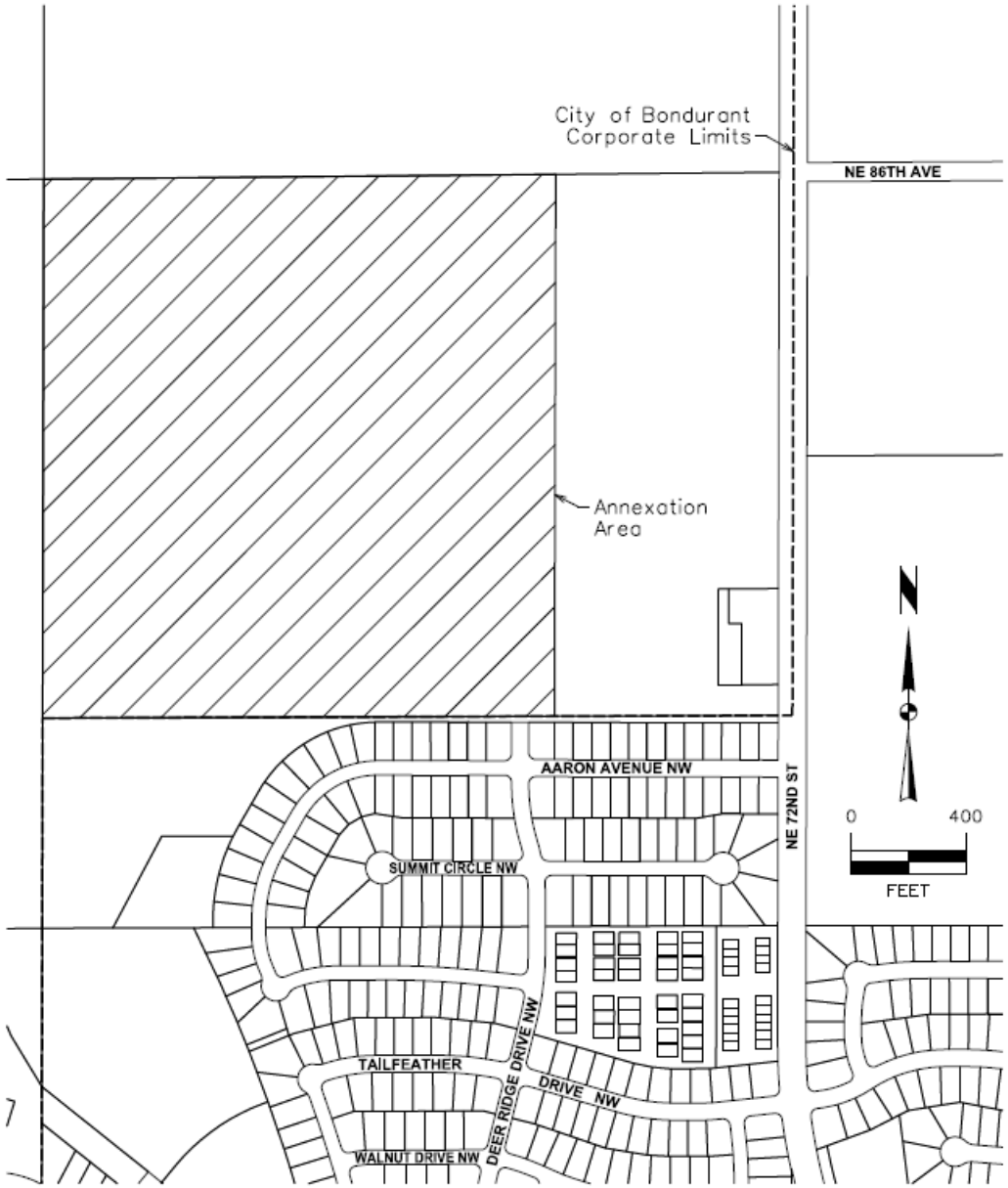
Address of Owner(s): 2116 Crown Flair Dr.

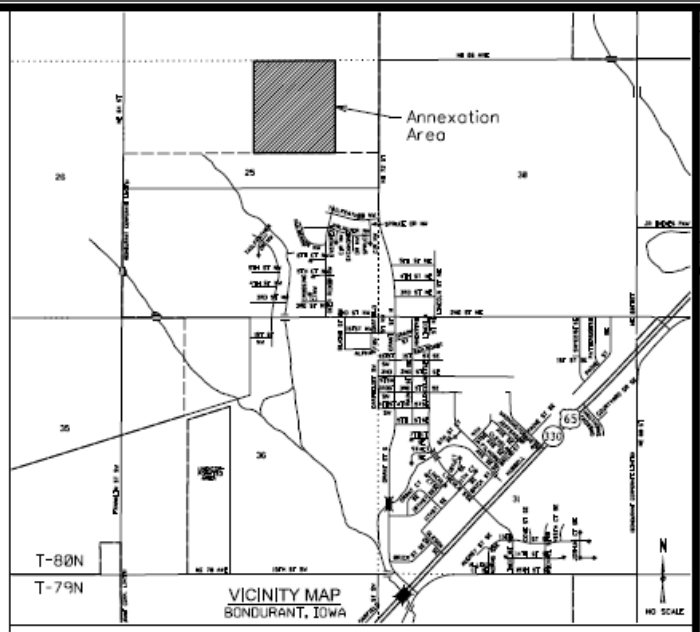
West Des Moines, IA 50265

Signature of Owner(s): Sandra Miller Trustee

Filed with the City of Bondurant, Polk County, Iowa City Clerk on the 24 day of December, 2019.

File this application with the Bondurant City Center, 200 Second Street, Northeast, Post Office Box 37, Bondurant, Iowa 50035-0037.





ANNEXATION DESCRIPTION

ETHEL C. SANKEY TRUST
(PROPERTY ID 200/00330-003-002) (77.34 ACRES)
THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA.

EXCEPT

THE SOUTH 735.00 FEET AND THE EAST 832.00 FEET EXCEPT SAID SOUTH 735.00 FEET.

Drawn: EDC	Checked By: EDC	Scale: 1"=400'	Date: 12/27/19
Validated: SGK	Date:	Project No: 119.0910	Sheet 1 of 1

CITY OF BONDURANT

BONDURANT, IOWA

EXHIBIT "B"

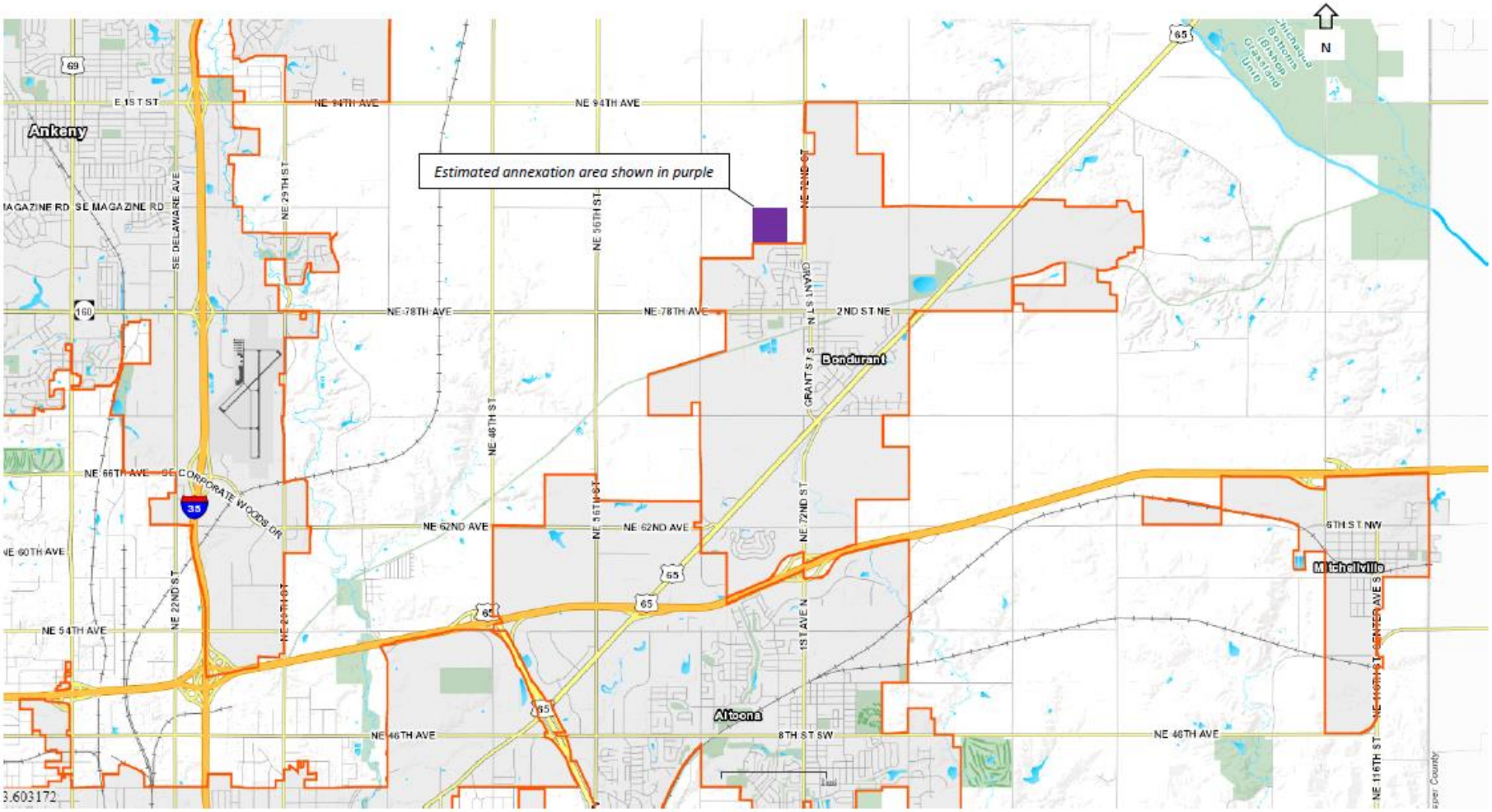
SNYDER & ASSOCIATES, INC.
2727 S.W. SNYDER BLVD.
ANKENY, IOWA 50023
515-964-0020 | www.snyderassociates.com

SNYDER & ASSOCIATES

Project No: 119.0910

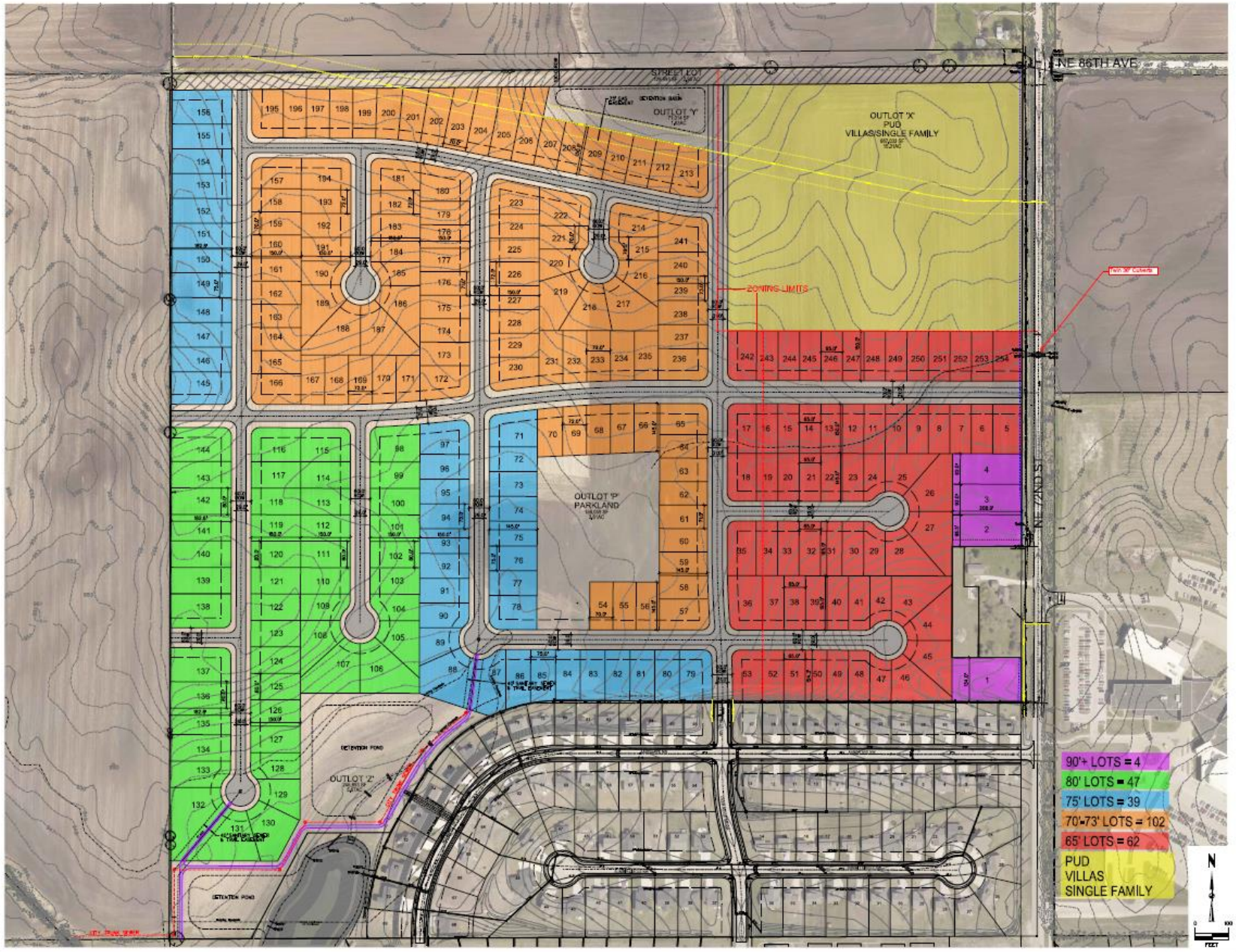
Sheet 1 of 1

Area Map – Showing Proposed Annexation Area in Relation to Existing City Limits



Map imagery obtained from Polk County GIS Mapping Website

GRANT ST N
TAILFEATHER DR NW



SANKEY SUMMIT

CONCEPT LAYOUT 1-20-20

BONDURANT, IOWA

SNYDER & ASSOCIATES, INC.

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

SNYDER & ASSOCIATES

Project No: 119.0910

Sheet 1 of 1

PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ-200123-08

RESOLUTION REGARDING A 100% VOLUNTARY ANNEXATION APPLICATION SUBMITTED BY THE ETHEL C SANKEY TRUST FOR ANNEXATION OF 77.34 ACRES INTO THE CITY OF BONDURANT'S CITY LIMITS IN BONDURANT, POLK COUNTY, IOWA

WHEREAS, the City of Bondurant has received an application by Sandra Miller of the Ethel C Sankey Trust for voluntary annexation on property as described as follows:

THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA. EXCEPT THE SOUTH 735.00 FEET AND THE EAST 832.00 FEET EXCEPT SAID SOUTH 735.00 FEET.

WHEREAS, this annexation application is considered a 100% voluntary annexation and is not located within the two-mile urbanized area of another community;

WHEREAS, there is no current address assigned to this undeveloped land requested for annexation owned by the Ethel C Sankey Trust;

WHEREAS, the annexation area does not include any Polk County roadway area;

WHEREAS, the zoning designation of such property will be considered as part of Rezoning Case #2020.R.2, Request for Rezoning from Agricultural (A-1) to Medium Density Residential (R-2) District for the Sankey West Rezoning Area;

WHEREAS, the Planning and Zoning Commission has reviewed this annexation request and has made the following finding:

1. That the annexation is consistent with the Future Land Use Map and utility objectives included as part of the City's Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Planning and Zoning Commission of the City of Bondurant, Iowa, recommends that the annexation application submitted by Sandra Miller of the Ethel C Sankey Trust for 100% voluntary annexation of 77.34 acres into the City of Bondurant be _____ by the City Council.

Moved by _____, Seconded by _____to adopt.

ATTEST: I, Craig Marshman, Interim City Clerk of Bondurant, hereby certify that at a meeting of the Planning and Zoning Commission held on January 23, 2020, among other proceedings the above was adopted.

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

_____

Craig Marshman, Interim City Clerk

Action	Yay	Nay	Abstain	Absent
Hoffman-Zinnel				
Clayton				
Kromrie				
Keeran				
Cuellar				
Phearman				
McCleary				

_____

Torey Cuellar, Commission Chair

January 20, 2020

From: Maggie Murray, AICP
To: Planning and Zoning Commission
Request: **Case #2020.A.2:** Request for annexation of 36.71 acres into the City of Bondurant's city limits; of which, 34.71 acres is consenting and 2.00 acres is non-consenting. The non-consenting land is being considered for annexation so as to avoid creation of an island of land outside city limits surrounded by city limits.
Action: For P&Z recommendation on January 23rd, 2020

Brief History:

The City of Bondurant has received the enclosed voluntary annexation application request for 34.71 acres of land to be annexed into the City of Bondurant's city limits. If this voluntary annexation request alone were to be approved by Council, it would create an island of land (comprised of Parcels #200/00330-001-000 & Parcel # 200/00330-004-000) surrounded by land within Bondurant's city limits; please see the enclosed maps for an area reference. While creating an island is prohibited by Iowa, there is a provision of the Code which allows a community to pursue annexation of non-consenting land in order to avoid an island so long as the non-consenting portion proposed for annexation represents less than 20% of the entire annexation area.

The voluntary annexation application was signed by Sandra Miller, Trustee of the Ethel C Sankey Trust (owner). The voluntary annexation portion consists of 34.71 acres, or 94.5% of the entire annexation area. The non-consenting portion proposed for annexation consists of 2.00 acres, or 5.45% of the entire annexation area. Included as part of this 36.71 acres is the west ½ of Grant Street North/NE 72nd Street adjacent to Parcels 200/00330-003-002 and 200/00330-001-000. The City is already in ownership of the east ½ of this street area.

This land proposed for annexation is situated in unincorporated Polk County just north of the existing residential Sankey Summit Plat 1. This annexation request is not within a 2-mile urbanized area of another community. This annexation application has been received as a result of the proposed residential development within this annexation area; for zoning/land use questions, please see the staff report for Rezoning Case #2020.R.3.

It should be noted that the City will be reviewing two separate annexation application requests for the proposed residential development in the area north of Sankey Summit Phase 1. The 36.71-acres included as part of this staff report is considered an 80-20 annexation request, while the other is a 100% voluntary annexation application - please see the corresponding staff report for Annexation Case #2020.A.1 for further information on the other annexation application.

When the Planning and Zoning Commission and City Council reviews annexation applications, they review the following topics: Consistency with the Comprehensive Plan, Street and Utility Connectivity, and Outreach.

Analysis:

Consistency with the City's Comprehensive Plan - Future Land Use Map:

This annexation application is consistent with the following objective of the City's Comprehensive Plan:

- **Objective 4.23:** *Guide new development to occur adjacent to other neighborhoods, rather than in a "leapfrog" pattern which can lead to the premature consumption of farmland.*

This annexation application is also consistent with the City's Future Land Use Map, which guides for low-density residential reserve development along with some greenspace within the proposed rezoning area. The developer is proposing single-family detached residential construction with also some stormwater detention areas and a public park in their overall development plan.

Street & Utility Connectivity:

This requested annexation area is adjacent to the existing Grant Street North/NE 72nd Street road right-of-way. As part of the development proposed, the developer will connect this neighborhood to Grant Street North/NE 72nd Street.

The Comprehensive Plan has the following utility objectives relative to development of new areas:

- **Objective 6.20:** Encourage urban design and density patterns that maximize the effective use of existing and proposed sanitary sewer systems form the standpoint of capacity utilization and cost effectiveness. ***Comment by John Horton, Public Works Director:*** *while the 2011 Comprehensive Plan made reference to wastewater capacity concerns, this 2011 information is outdated - wastewater capacity is no longer a concern since the City's connection to the Wastewater Reclamation Authority is complete.*
- **Objective 6.25:** Ensure adequate storage capacity and water distribution systems are in place to accommodate future growth and development such that existing development areas are not negatively impacted by new water usage demand. ***Comment by John Horton, Public Works Director:*** *planning for future water demand is a concern that is already on City staff's radar. During their meeting on January 21st, City Council will be considering a proposal from the City Engineer to begin a Water System Study. This Water System Study will take into account the City's entire growth area so that staff can better plan to accommodate for future growth through the City's Capital Improvement Plan. For the time being though - this current development area should not have any adverse impacts due its proximity to the City's connection source point and also the tower that controls Bondurant's water pressure.*
- **Objective 6.27:** Ensure new development on the edge of the community is provided with a water distribution system that is looped and provides adequate pressure for fire protection. ***Comment by John Horton, Public Works Director****: This development area does not give me cause for concern as stated above due to the proximity of the source connection. All construction plans for any new development are reviewed to ensure the integrity of the system as to not negatively impact the system as a whole, and to ensure that we can supply adequate fire protection.*

The developer will need to show the above objectives can be met through the eventual detailed preliminary plat submittal process.

Outreach:

As required by Chapter 368 of the Iowa Code, on January 6th the City mailed an annexation consultation notice to the Polk County Board of Supervisors and the Douglas Township Trustees. The City held the required consultation notice on January 17th – no public comment was received at this consultation. The City also notified the Polk County Auditor's Office for a review of the legal description and parcel ownership – on January 16th the Auditor's Office noted that the listed legal and ownership are okay. The City also notified the Polk County Attorney's Office since roadway area is also included for annexation – no comment has been received to date.

On February 7th, the City will mail annexation notices to the following: Board of Supervisors, each non-consenting owner within the annexation area, each owner adjacent to the annexation that is not within City limits, and each affected public utility. It is anticipated that Council will hold their annexation public hearing on March 2nd, 2020. After this public hearing, the City will forward the annexation information to the State's City Development Board so that they can begin their review process.

Alternatives:

The following options exist for the City's Planning and Zoning Commission:

1. Recommended approval of the 80-20 annexation request for annexation of 36.71 acres into the City of Bondurant's city limits;
2. Recommended denial of the 80-20 annexation request for annexation of 36.71 acres into the City of Bondurant's city limits;
3. Table pending additional information.

Staff Conclusions/Recommendations:

Subject to further comments received, staff recommends approval annexation Case#A.2.2020, for inclusion of 36.71 acres of land into the City of Bondurant city limits.

APPLICATION FOR ANNEXATION
CITY OF BONDURANT,
POLK COUNTY, IOWA

TO THE CITY COUNCIL OF THE CITY OF BONDURANT, POLK COUNTY, IOWA

I/ We, being the owner(s) of the following described territory adjoining the City of Bondurant, Polk County, Iowa:

THE EAST 832.00 FEET EXCEPT THE SOUTH 735 FEET OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., ~~CITY OF BONDURANT~~, POLK COUNTY, IOWA. *Ethel C Sankey Trust voluntary annexation legal description continued in Exhibit A*

Hereby make application to the Honorable Mayor and City Council to assent by resolution to such territory becoming a part of the City of Bondurant, Polk County, Iowa. Attached is a plat of such territory showing the situation thereof with reference to the existing corporate limits of the city.

Dated this 24 day of December, 20 19

Name of Owner(s): Ethel C Sankey Trust

Sandra Miller, Trustee

Address of Owner(s): 2116 Crown Flair Dr.

West Des Moines, IA 50265

Signature of Owner(s): Sandra Miller Trustee

Filed with the City of Bondurant, Polk County, Iowa City Clerk on the 24 day of December 2019

File this application with the Bondurant City Center, 200 Second Street, Northeast, Post Office Box 37, Bondurant, Iowa 50035-0037.

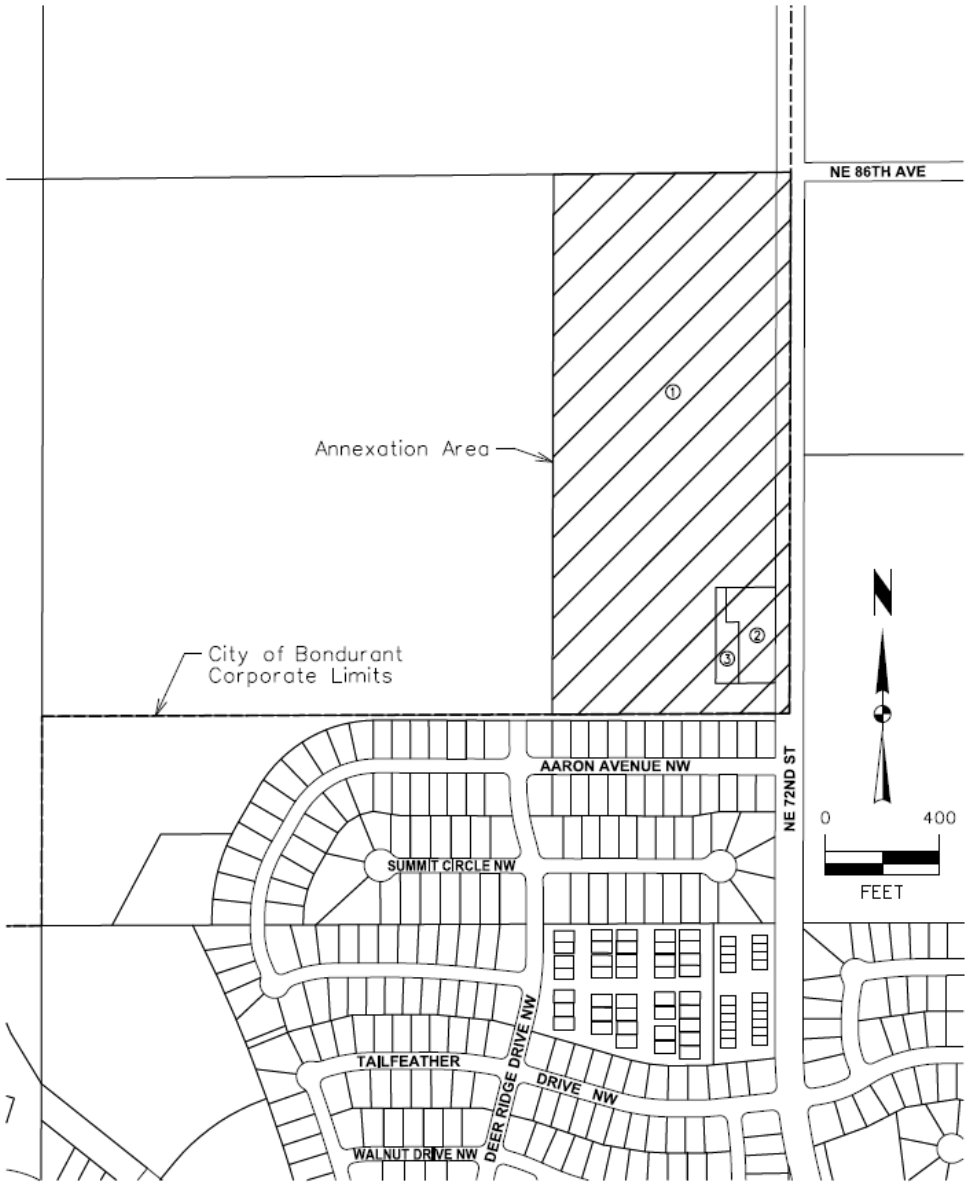
Exhibit A – Voluntary Annexation Application Legal Description Continued

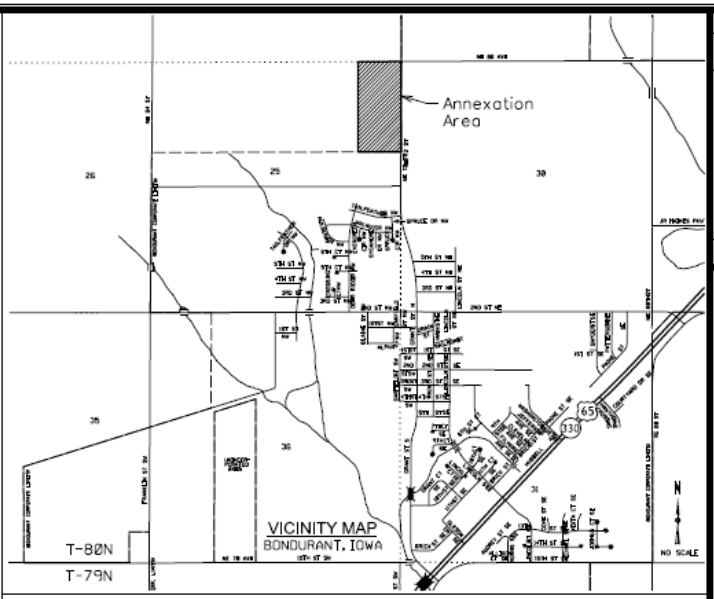
EXCEPT:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23, AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 1455.0 FEET SOUTH OF THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., DOUGLAS TOWNSHIP, POLK COUNTY, IOWA, THENCE SOUTH 336.0 FEET, THENCE SOUTH 89°30' WEST 178.0 FEET, THENCE NORTH 215.0 FEET, THENCE SOUTH 89°30' WEST 45.0 FEET, THENCE NORTH 121.0 FEET, THENCE NORTH 89°30' EAST 223.0 FEET, TO THE POINT OF BEGINNING, 1.50 ACRES, MORE OR LESS.

AND EXCEPT:

BEGINNING AT A POINT BEING 1,455.00 FT. S-00°-00'00"-W AND 223.00 FT. S-89°-30'-00"-W OF THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, THENCE S-00°-00'00"-W, 121.00 FT., THENCE N-89°-30'-00"-E, 45.00 FT.; THENCE S-00°-00'-00"-W, 215.00 FT.; THENCE S-89°-30'-00"-W, 81.03 FT.; THENCE N-00°-00'-00"-E, 336.00 FT.; THENCE N-89°-30'-00"-E, 36.03 FT. TO THE POINT OF BEGINNING. ALL OF SAID PARCEL BEING LOCATED IN THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHEAST 1/4 (NE1/4) OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA AND CONTAINING APPROXIMATELY 0.5000 ACRES.





ANNEXATION DESCRIPTION

1 ETHEL C. SANKEY TRUST (VOLUNTARY ANNEXATION)
(PROPERTY ID 200/00330-003-002) (34.71 ACRES)
THE EAST 832.00 FEET EXCEPT THE SOUTH 735 FEET OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA.

EXCEPT:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23, AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 1455.0 FEET SOUTH OF THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., DOUGLAS TOWNSHIP, POLK COUNTY, IOWA, THENCE SOUTH 336.0 FEET, THENCE SOUTH 89°30' WEST 178.0 FEET, THENCE NORTH 215.0 FEET, THENCE SOUTH 89°30' WEST 45.0 FEET, THENCE NORTH 121.0 FEET, THENCE NORTH 89°30' EAST 223.0 FEET, TO THE POINT OF BEGINNING, 1.50 ACRES, MORE OR LESS.

AND EXCEPT:

BEGINNING AT A POINT BEING 1,455.00 FT. S-00°-00'00"-W AND 223.00 FT. S-89°-30'-00"-W OF THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, THENCE S-00°-00'00"-W, 121.00 FT., THENCE N-89°-30'-00"-E, 45.00 FT.; THENCE S-00°-00'-00"-W, 215.00 FT.; THENCE S-89°-30'-00"-W, 81.03 FT.; THENCE N-00°-00'-00"-E, 336.00 FT.; THENCE N-89°-30'-00"-E, 36.03 FT. TO THE POINT OF BEGINNING. ALL OF SAID PARCEL BEING LOCATED IN THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHEAST 1/4 (NE1/4) OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA AND CONTAINING APPROXIMATELY 0.5000 ACRES.

2 ROBERT J. & LINDA S. PITT (NON-VOLUNTARY ANNEXATION)
(PROPERTY ID 200/00330-001-000) (1.50 ACRES)
A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23, AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 1455.0 FEET SOUTH OF THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., DOUGLAS TOWNSHIP, POLK COUNTY, IOWA, THENCE SOUTH 336.0 FEET, THENCE SOUTH 89°30' WEST 178.0 FEET, THENCE NORTH 215.0 FEET, THENCE SOUTH 89°30' WEST 45.0 FEET, THENCE NORTH 121.0 FEET, THENCE NORTH 89°30' EAST 223.0 FEET, TO THE POINT OF BEGINNING, 1.50 ACRES, MORE OR LESS.

3 BILL BARNES, INC. (NON-VOLUNTARY ANNEXATION)
(PROPERTY ID 200/00330-004-000) (0.50 ACRES)
BEGINNING AT A POINT BEING 1,455.00 FT. S-00°-00'00"-W AND 223.00 FT. S-89°-30'-00"-W OF THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, THENCE S-00°-00'00"-W, 121.00 FT., THENCE N-89°-30'-00"-E, 45.00 FT.; THENCE S-00°-00'-00"-W, 215.00 FT.; THENCE S-89°-30'-00"-W, 81.03 FT.; THENCE N-00°-00'-00"-E, 336.00 FT.; THENCE N-89°-30'-00"-E, 36.03 FT. TO THE POINT OF BEGINNING. ALL OF SAID PARCEL BEING LOCATED IN THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHEAST 1/4 (NE1/4) OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA AND CONTAINING APPROXIMATELY 0.5000 ACRES.

MARK	REVISION	DATE	BY

Engineer: EDC | Checked by: EDG | Scale: 1" = 400'
Technician: SGK | Date: 12/27/19 | Field Bk: Pg
Project No: 119.0910 | Sheet 1 of 1

CITY OF BONDURANT

BONDURANT, IOWA

EXHIBIT "A"

SNYDER & ASSOCIATES, INC.

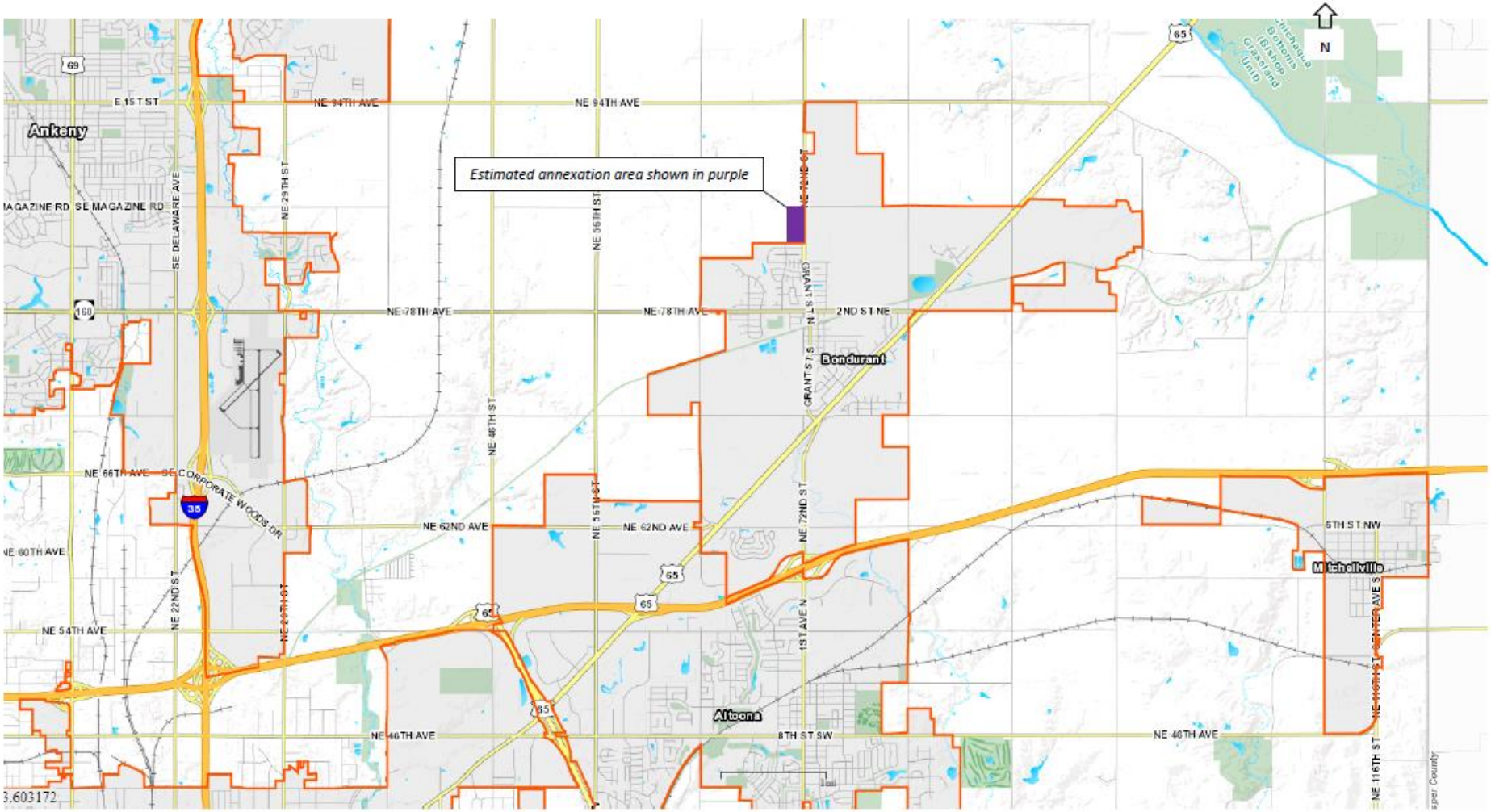
2727 SW. SNYDER BLVD.
ANKENY, IOWA 50023
515-964-20/20 | www.snyder-associates.com

SNYDER & ASSOCIATES

Project No: 119.0910

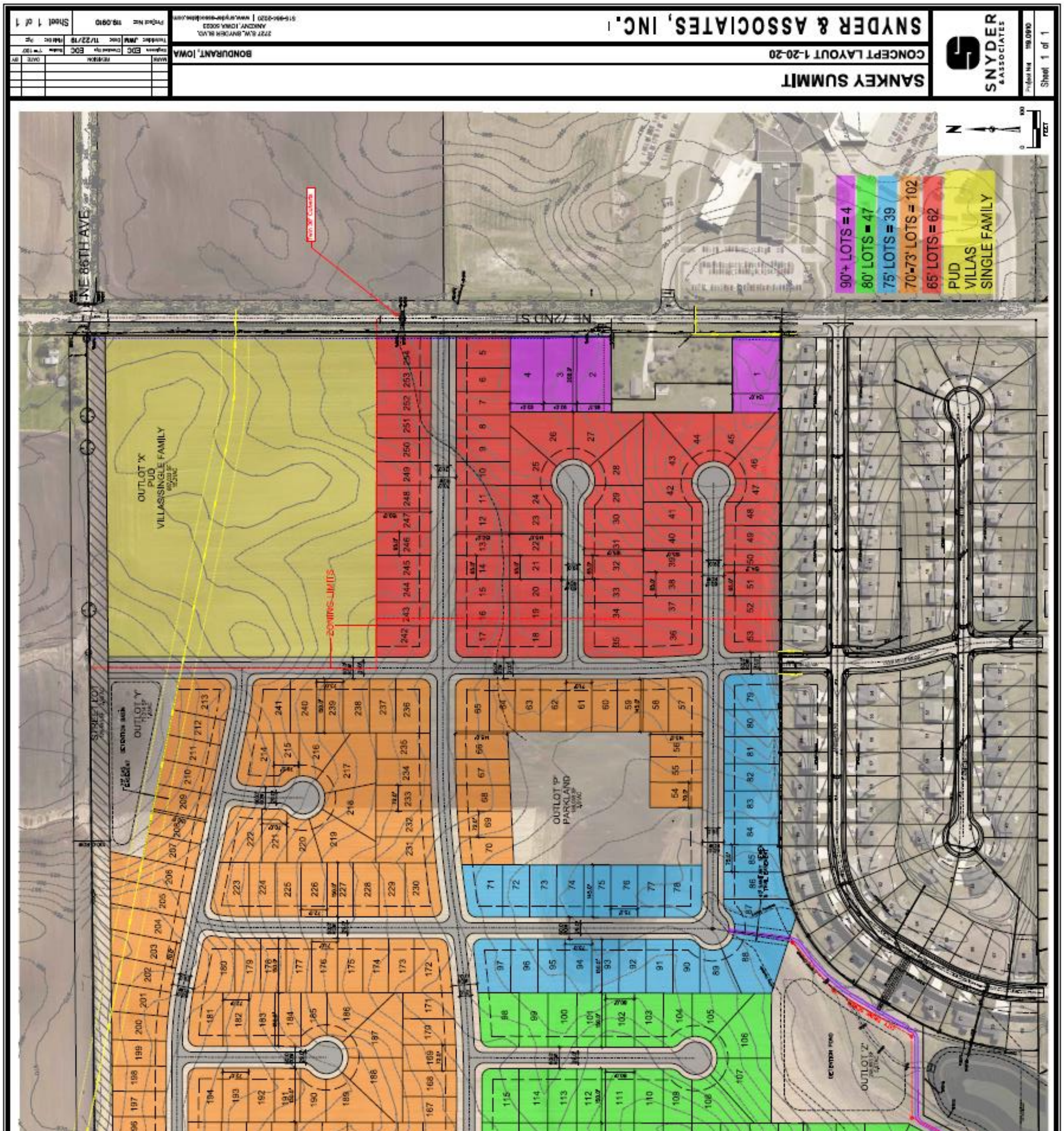
Sheet 1 of 1

Area Map – Showing Proposed Annexation Area in Relation to Existing City Limits



Map imagery obtained from Polk County GIS Mapping Website

GRANT ST N



SANKEY SUMMIT
CONCEPT LAYOUT 1-20-20
BONDURANT, IOWA
SNYDER & ASSOCIATES, INC.
NE 86TH AVE
NE 72ND ST
90'+ LOTS = 4
80' LOTS = 47
75' LOTS = 39
70-73' LOTS = 102
65' LOTS = 62
PUD VILLAS SINGLE FAMILY
OUTLOT 'X' PUD VILLAS/SINGLE FAMILY
OUTLOT 'Y'
OUTLOT 'P' PARKLAND
OUTLOT 'Z'
ZONING LIMITS
DETENTION POND

PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ-200123-09

RESOLUTION REGARDING AN 80-20 ANNEXATION APPLICATIONFOR ANNEXATION OF 36.71 ACRES INTO THE CITY OF BONDURANT'S CITY LIMITS IN BONDURANT, POLK COUNTY, IOWA

WHEREAS, the City of Bondurant has received a voluntary annexation application request from Sandra Miller of the Ethel C Sankey Trust for voluntary annexation of 34.71 acres as described as follows:

THE EAST 832.00 FEET EXCEPT THE SOUTH 735 FEET OF THE NORTHEAST ¼ OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY IOWA. EXCEPT:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23, AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 1455.0 FEET SOUTH OF THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., DOUGLAS TOWNSHIP, POLK COUNTY, IOWA, THENCE SOUTH 336.0 FEET, THENCE SOUTH 89°30' WEST 178.0 FEET, THENCE NORTH 215.0 FEET, THENCE SOUTH 89°30' WEST 45.0 FEET, THENCE NORTH 121.0 FEET, THENCE NORTH 89°30' EAST 223.0 FEET, TO THE POINT OF BEGINNING, 1.50 ACRES, MORE OR LESS; AND

BEGINNING AT A POINT BEING 1,455.00 FT. S-00°-00'00"-W AND 223.00 FT. S-89°-30'-00"-W OF THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, THENCE S-00°-00'00"-W, 121.00 FT., THENCE N-89°-30'-00"-E, 45.00 FT.; THENCE S-00°-00'-00"-W, 215.00 FT.; THENCE S-89°-30'-00"-W, 81.03 FT.; THENCE N-00°-00'-00"-E, 336.00 FT.; THENCE N-89°-30'-00"-E, 36.03 FT. TO THE POINT OF BEGINNING. ALL OF SAID PARCEL BEING LOCATED IN THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHEAST 1/4 (NE1/4) OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA AND CONTAINING APPROXIMATELY 0.5000 ACRES.

WHEREAS, in order to avoid creating an island surrounded by city limits as a result of the voluntary annexation application portion, the City will also be including the following non-consenting property as part of this annexation into the City of Bondurant's city limits:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23, AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 1455.0 FEET SOUTH OF THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., DOUGLAS TOWNSHIP, POLK COUNTY, IOWA, THENCE SOUTH 336.0 FEET, THENCE SOUTH 89°30' WEST 178.0 FEET, THENCE NORTH 215.0 FEET, THENCE SOUTH 89°30' WEST 45.0 FEET, THENCE NORTH 121.0 FEET, THENCE NORTH 89°30' EAST 223.0 FEET, TO THE POINT OF BEGINNING, 1.50 ACRES, MORE OR LESS; AND

BEGINNING AT A POINT BEING 1,455.00 FT. S-00°-00'00"-W AND 223.00 FT. S-89°-30'-00"-W OF THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, THENCE S-00°-00'00"-W, 121.00 FT., THENCE N-89°-30'-00"-E, 45.00 FT.; THENCE S-00°-00'-00"-W, 215.00 FT.; THENCE S-89°-30'-00"-W, 81.03 FT.; THENCE N-00°-00'-00"-E, 336.00 FT.; THENCE N-89°-30'-00"-E, 36.03 FT. TO THE POINT OF BEGINNING. ALL OF SAID PARCEL BEING LOCATED IN THE SOUTHEAST QUARTER (SE1/4) OF THE

NORTHEAST 1/4 (NE1/4) OF SECTION 25, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE 5TH P.M., POLK COUNTY, IOWA AND CONTAINING APPROXIMATELY 0.5000 ACRES.

WHEREAS, the total area proposed for annexation as part of this Resolution is 36.71 acres, of which 34.71 is consenting and 2.00 is non-consenting;

WHEREAS, the annexation area will include annexation of the west ½ of Grant Street North/NE 72nd Street adjacent to the annexation area;

WHEREAS, here is a breakdown of voluntary and non-consenting land by owner:

1. **Voluntary** – Ethel C Sankey Trust, No Address Assigned (undeveloped), 34.71 acres
2. **Non-Consenting** –
    a. **Parcel #200/00330-001-000 –** Robert & Linda Pitt, site address of 8630 NE 72nd Street, 1.50 acres
    b. **Parcel #200/00330-004-000 –** Bill Barnes, Inc, no address listed, 0.50 acres.

WHEREAS, the zoning designation of such voluntary annexation property will be considered as part of Rezoning Case #2020.R.3, Request for Rezoning from Agricultural (A-1) to Medium Density Residential (R-2) District for the Sankey East Rezoning Area;

WHEREAS, the Planning and Zoning Commission has reviewed this annexation request and has made the following finding:

1. That the annexation is consistent with the Future Land Use Map and utility objectives included as part of the City's Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Planning and Zoning Commission of the City of Bondurant, Iowa, recommends that the 80-20 annexation of 36.71 acres into the City of Bondurant be _____ by the City Council.

Moved by _____, Seconded by _____to adopt.

ATTEST: I, Craig Marshman, Interim City Clerk of Bondurant, hereby certify that at a meeting of the Planning and Zoning Commission held on January 23, 2020, among other proceedings the above was adopted.

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

_____

Craig Marshman, Interim City Clerk

Action	Yay	Nay	Abstain	Absent
Hoffman-Zinnel				
Clayton				
Kromrie				
Keeran				
Cuellar				
Phearman				
McCleary				

_____

Torey Cuellar, Commission Chair

January 20, 2020

From: Maggie Murray, AICP
To: Planning and Zoning Commission
Request: **Case #2020.A.3:** Request for voluntary annexation of 62.84 acres into the City of Bondurant's city limits within the two-mile urbanized area of another community (Altoona).
Action: For P&Z recommendation on January 23rd, 2020

Brief History:

The City of Bondurant has received the enclosed voluntary annexation application request for 62.84 acres of land to be annexed into the City of Bondurant's city limits. This land requested for annexation is situated in unincorporated Polk County just west of the existing Quail Run Plat 1 in the area south of 2nd Street NW/NE 78th Avenue and east of NE 64th Street.

The voluntary annexation application was signed by Stanley & Mary Webb (owners). Included as part of this 62.84 acres is the south ½ of 2nd Street NW/NE 78th Avenue and also the east ½ of NE 64th Street adjacent to the annexation area. The north ½ of 2nd Street NW/NE 78th Avenue is already within Bondurant's city limits. The west ½ of NE 64th Street will remain as being situated outside city limits.

This annexation request is located within two miles of Altoona's city limits. Because of this, in addition to City Council review, this annexation request will also need to be reviewed by the State's City Development Board. This annexation application has been received as a result of the proposed subdivision within this annexation area; for zoning/land use questions, please see the staff report for Rezoning Case #2020.R.4.

When the Planning and Zoning Commission and City Council reviews annexation applications, they review the following topics: Consistency with the Comprehensive Plan, Street and Utility Connectivity, and Outreach.

Analysis:

Consistency with the City's Comprehensive Plan - Future Land Use Map:

This annexation application is consistent with the following objective of the City's Comprehensive Plan:

- **Objective 4.23:** *Guide new development to occur adjacent to other neighborhoods, rather than in a "leapfrog" pattern which can lead to the premature consumption of farmland.*

This annexation application is also consistent with the City's Future Land Use Map. This Map guides for multi-family residential reserve use along 2nd Street NW and the north portion of NE 64th Street. The Future Land Use Map then guides for low-density residential reserve use south of the multi-family use. In addition to these areas guided for residential use, the Future Land Use Map also guides for some conservancy space along the creek and also a commercial area at the corner of 2nd Street NW and NE 64th Street. The R-5 rezoning considered as part of Rezoning Case #2020.R.4 appears to be consistent with the Future Land Use Map.

Street & Utility Connectivity:

This requested annexation area is adjacent to the existing 2nd Street NW/NE 72nd Street and NE 64th Street road right-of-way areas.

The Comprehensive Plan has the following utility objectives relative to development of new areas:

- **Objective 6.20:** Encourage urban design and density patterns that maximize the effective use of existing and proposed sanitary sewer systems form the standpoint of capacity utilization and cost effectiveness. ***Comment by John Horton, Public Works Director:*** *while the 2011 Comprehensive Plan made reference to wastewater capacity concerns, this 2011 information is outdated - wastewater capacity is no longer a concern since the City's connection to the Wastewater Reclamation Authority is complete.*
- **Objective 6.25:** Ensure adequate storage capacity and water distribution systems are in place to accommodate future growth and development such that existing development areas are not negatively impacted by new water usage demand. ***Comment by John Horton, Public Works Director:*** *planning for future water demand is a concern that is already on City staff's radar. During their meeting on January 21st, City Council will be considering a proposal from the City Engineer to begin a Water System Study. This Water System Study will take into account the City's entire growth area so that staff can better plan to accommodate for future growth through the City's Capital Improvement Plan. For the time being though - this current development area should not have any adverse impacts due its proximity to the City's connection source point and also the tower that controls Bondurant's water pressure.*
- **Objective 6.27:** Ensure new development on the edge of the community is provided with a water distribution system that is looped and provides adequate pressure for fire protection. ***Comment by John Horton, Public Works Director****: This development area does not give me cause for concern as stated above due to the proximity of the source connection. All construction plans for any new development are reviewed to ensure the integrity of the system as to not negatively impact the system as a whole, and to ensure that we can supply adequate fire protection.*

The developer will need to show the above objectives can be met through the eventual detailed preliminary plat submittal process.

Outreach:

As required by Chapter 368 of the Iowa Code, on January 6th the City mailed annexation notices to the following entities: City of Altoona, Polk County Board of Supervisors, affected public utilities, and the Des Moines Area Metropolitan Planning Organization. The City also notified the Polk County Auditor's office for a review of the legal description and parcel ownership – on January 15th, the Auditor's Office noted that the legal description and ownership are okay. The City also notified the Polk County Attorney's Office since roadway area is also included for annexation – no comment has bee received to date.

Bondurant City Council will hold a public hearing during their meeting on February 3rd, 2020. After this public hearing, the City will send the annexation application to the State's City Development Board so that they can begin their review process.

Alternatives:

The following options exist for the City's Planning and Zoning Commission:

1. Recommended approval of the 100% voluntary annexation request for annexation of 62.84 acres into the City of Bondurant's city limits;
2. Recommended denial of the 100% voluntary annexation request for annexation of 62.84 acres into the City of Bondurant's city limits;
3. Table pending additional information.

Staff Conclusions/Recommendations:

Subject to further comments received, staff recommends approval annexation Case#A.3.2020, for inclusion of 62.84 acres of land into the City of Bondurant's city limits.

APPLICATION FOR ANNEXATION
CITY OF BONDURANT,
POLK COUNTY, IOWA

TO THE CITY COUNCIL OF THE CITY OF BONDURANT, POLK COUNTY, IOWA

I / We, being the owner(s) of the following described territory adjoining the City of Bondurant, Polk County, Iowa:

The West ½ of the NW ¼ of Section 36, Township 80 North, Range 23, West of the 5th P.M., Polk County, Iowa, lying North of the railroad right-of-way, Except the South 100 feet of the North 134.5 feet of the East 75 feet of the West 955 feet, and Except a parcel beginning at the Northwest corner of said Section; thence due East 407.9 feet along the North line of the NW ¼, thence South 0°32' West 381.1 feet; thence North 89°33' West 408.4 feet to a point on the West line of the NW ¼, thence North 0°37' East along this line 377.9 feet to point of beginning

Hereby make application to the Honorable Mayor and City Council to assent by resolution to such territory becoming a part of the City of Bondurant, Polk County, Iowa. Attached is a plat of such territory showing the situation thereof with reference to the existing corporate limits of the city.

Dated this 16 day of December, 20 19.

Name of Owner(s): Stanley D Webb

Mary J. Webb

Address of Owner(s): PO Box 640

Mitchellville, IA 50169

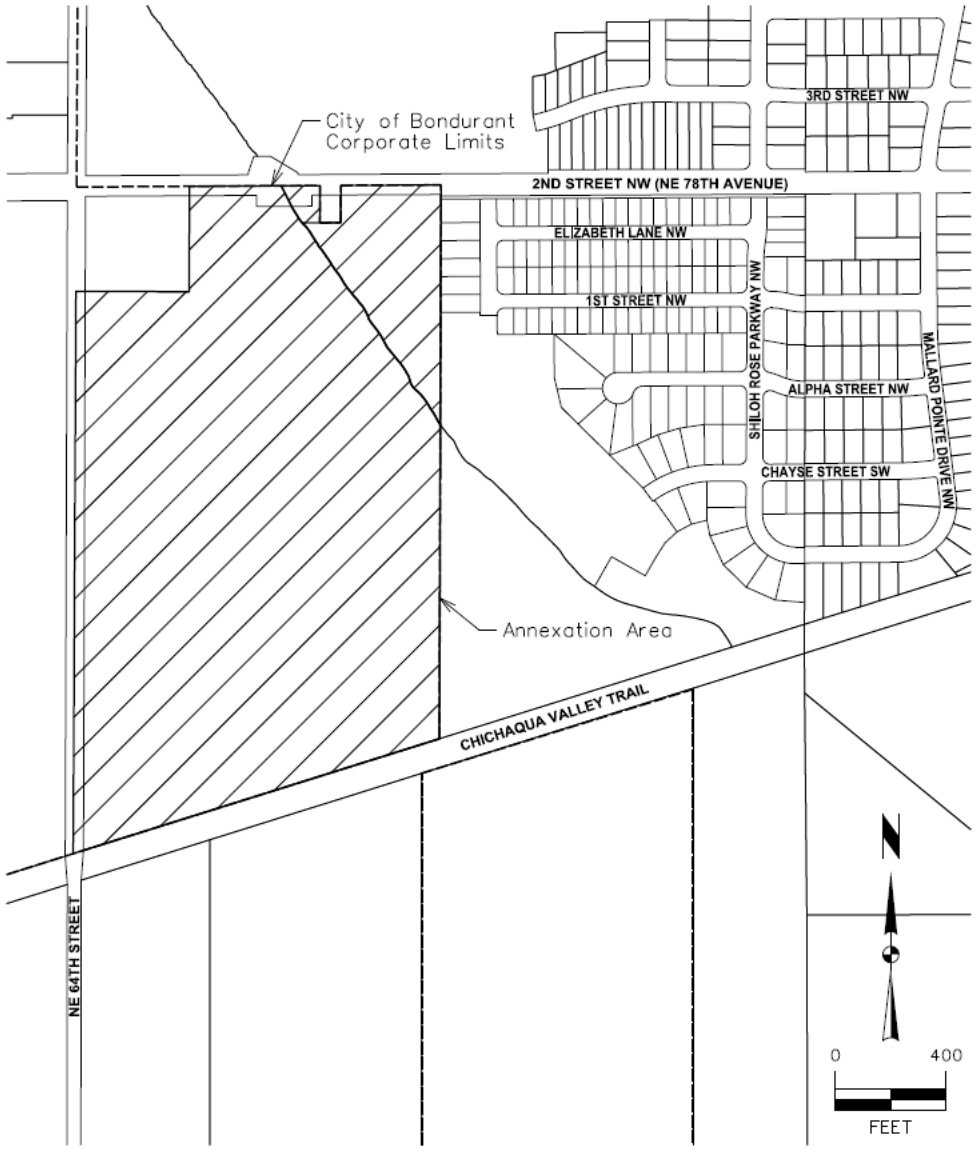
Signature of Owner(s): Stanley D Webb

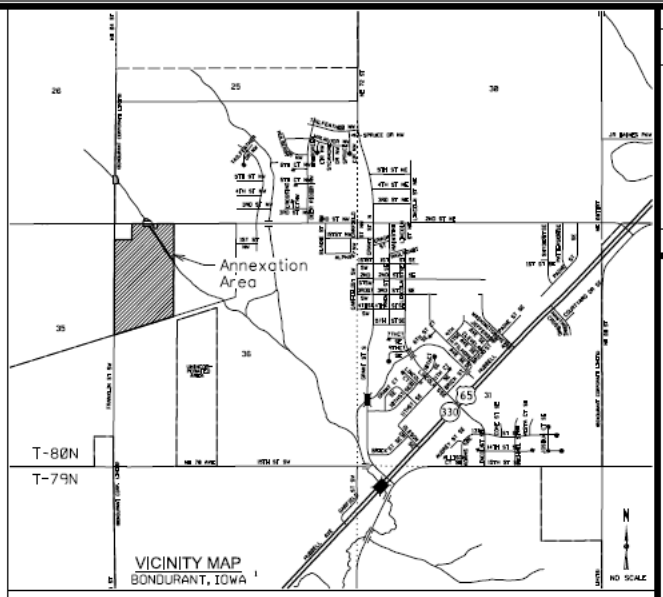
Mary J Webb

Filed with the City of Bondurant, Polk County, Iowa City Clerk on the 17th day of December, 20 19.

Legal description corrected 1/14/2020

File this application with the Bondurant City Center, 200 Second Street, Northeast, Post Office Box 37, Bondurant, Iowa 50035-0037.





ANNEXATION DESCRIPTION

STANLEY D. & MARY J. WEBB
(PROPERTY ID 200/00501-003-000)
(PROPERTY ID 200/00501-006-000)
(PROPERTY ID 200/00501-007-000)
(62.84 TOTAL ACRES)
THE WEST 1/2 OF THE NW 1/4 OF SECTION 36, TOWNSHIP 80 NORTH, RANGE 23, WEST OF THE 5TH P.M., POLK COUNTY, IOWA, LYING NORTH OF THE RAILROAD RIGHT-OF-WAY, EXCEPT THE SOUTH 100 FEET OF THE NORTH 134.5 FEET OF THE EAST 75 FEET OF THE WEST 955 FEET, AND EXCEPT A PARCEL BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION; THENCE DUE EAST 407.9 FEET ALONG THE NORTH LINE OF THE NW 1/4, THENCE SOUTH 0°32' WEST 381.1 FEET; THENCE NORTH 89°33' WEST 408.4 FEET TO A POINT ON THE WEST LINE OF THE NW 1/4, THENCE NORTH 0°37' EAST ALONG THIS LINE 377.9 FEET TO POINT OF BEGINNING.

ISSUED	REVISED	DATE	BY
Engineer: EDC	Checked By: EDC	Scale: 1" = 400'	
Drawn By: SGH	Date: 12/30/19	Field Bk:	Pg:
Project No: 119.0971		Sheet 1 of 1	

CITY OF BONDURANT

EXHIBIT "A"

BONDURANT, IOWA

SNYDER & ASSOCIATES, INC.

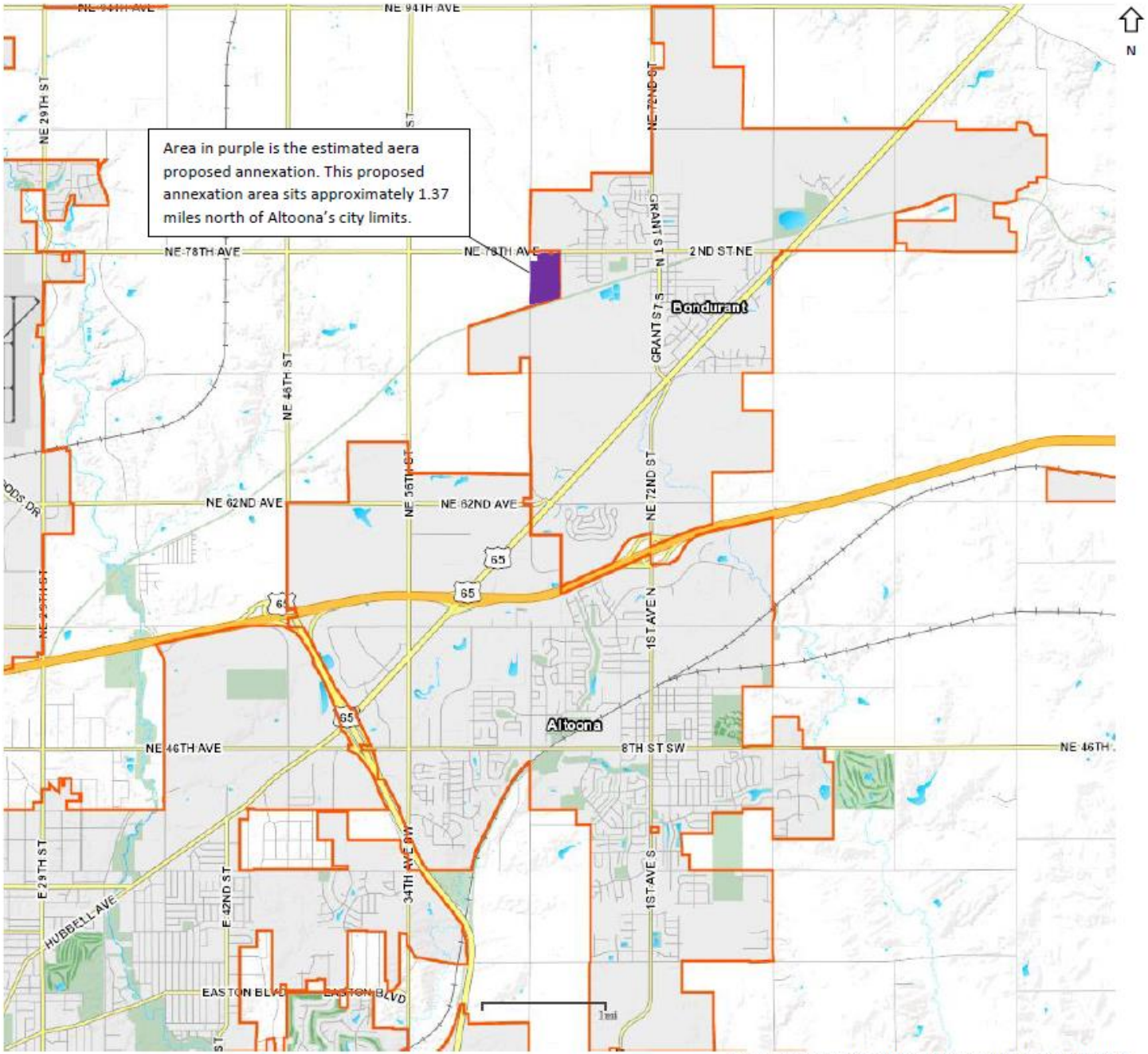
2727 SW. SNYDER BLVD.
ANKENY, IOWA 50023
515-964-2020 | www.snyder-associates.com

SNYDER & ASSOCIATES

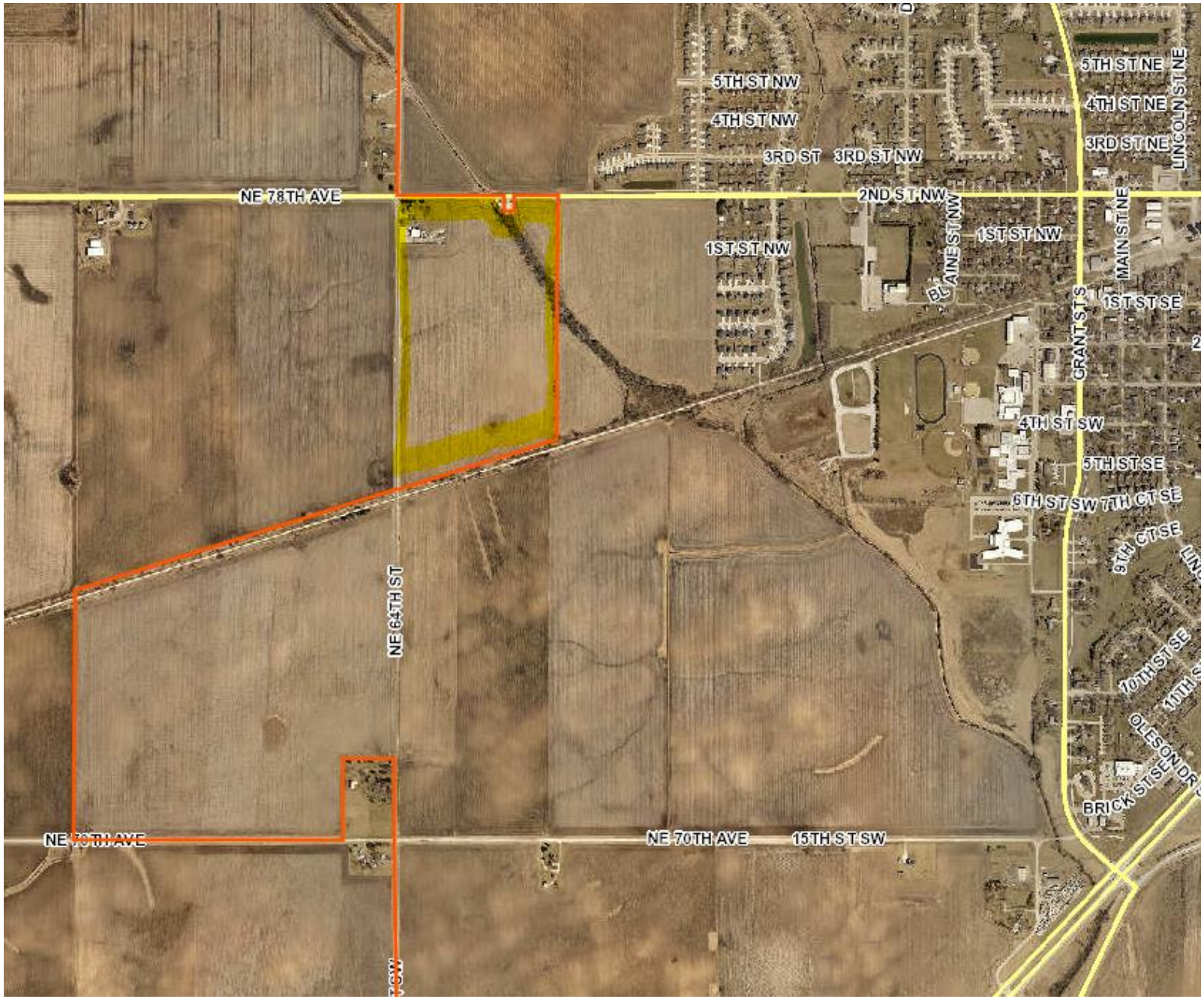
Project No: 119.0971

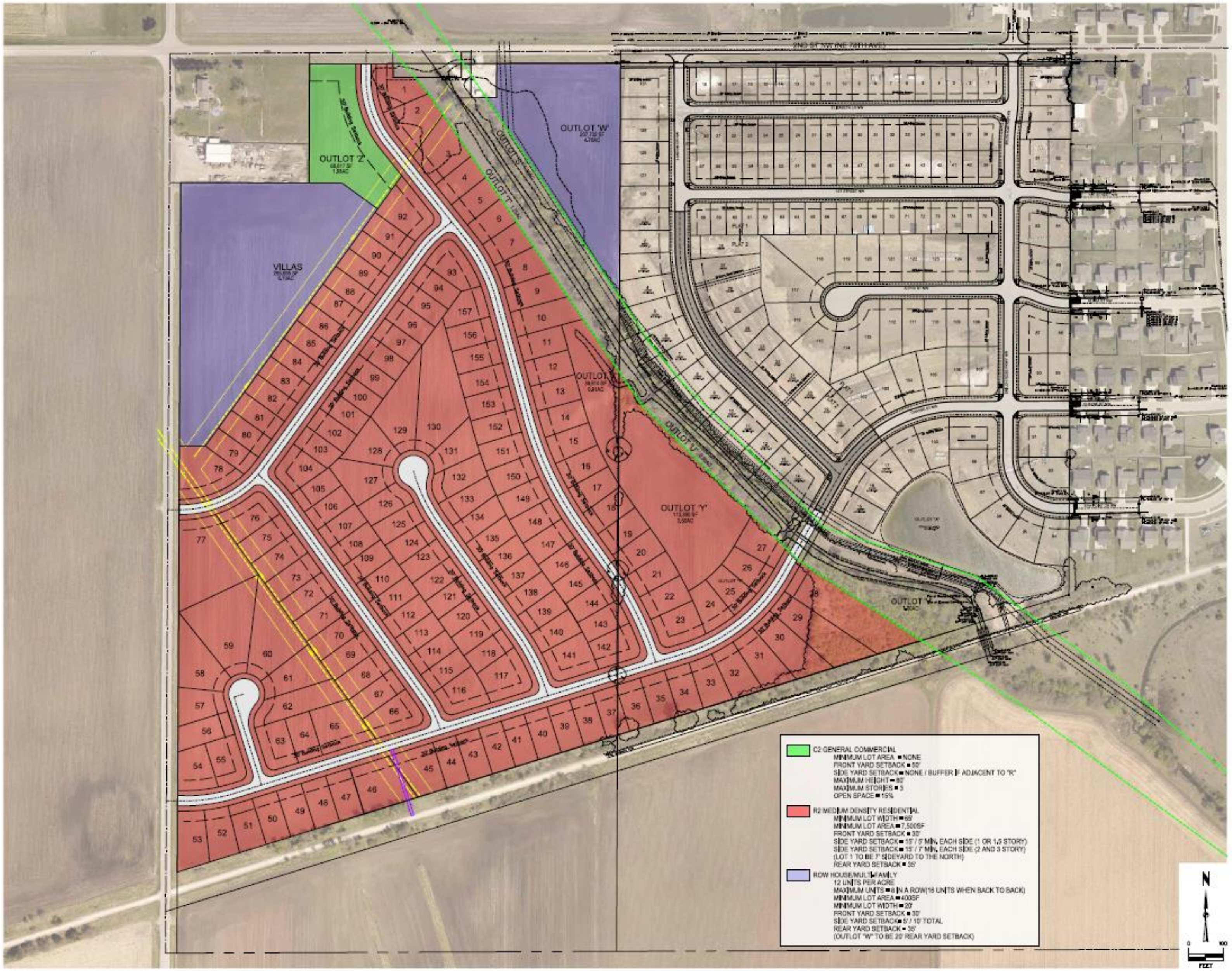
Sheet 1 of 1

Area Map – Showing Proposed Annexation Area in Relation to Bondurant's City Limits and Altoona's City Limits



Map imagery obtained from Polk County GIS Mapping Website


5TH ST NW
4TH ST NW
3RD ST
3RD ST NW
2ND ST NW
1ST ST NW
NE 78TH AVE
BLAINE ST NW
5TH ST NE
4TH ST NE
3RD ST NE
LINCOLN ST NE
MAIN ST NE
GRANT ST S
1ST ST SE
4TH ST SW
5TH ST SE
6TH ST SW
7TH CT SE
9TH CT SE
10TH ST SE
OLESON DR
BRICK ST SE
NE 64TH ST
NE 70TH AVE
15TH ST SW



WEBB PROPERTY

PUD MASTER PLAN 1-6-20

SNYDER & ASSOCIATES, INC.

BONDURANT, IOWA

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

SNYDER & ASSOCIATES

Project No: 119.0971

Sheet 1 of 1

PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ-200123-10

RESOLUTION REGARDING A 100% VOLUNTARY ANNEXATION APPLICATION SUBMITTED BY STANLEY & MARY WEBB FOR ANNEXATION OF 62.84 ACRES INTO THE CITY OF BONDURANT'S CITY LIMITS IN BONDURANT, POLK COUNTY, IOWA LOCATED WITHIN TWO MILES OF THE CITY OF ALTOONA'S CITY LIMITS

WHEREAS, the City of Bondurant has received an application by Stanley & Mary Webb for voluntary annexation on property as described as follows:

The West ½ of the NW ¼ of Section 36, Township 80 North, Range 23, West of the 5th P.M., Polk County, Iowa, lying North of the railroad right-of-way, Except the South 100 feet of the North 134.5 feet of the East 75 feet of the West 955 feet, and Except a parcel beginning at the Northwest corner of said Section; thence due East 407.9 feet along the North line of the NW ¼, thence South 0°32' West 381.1 feet; thence North 89°33' West 408.4 feet to a point on the West line of the NW ¼, thence North 0°37' East along this line 377.9 feet to point of beginning.

WHEREAS, this annexation application is considered a 100% voluntary annexation and is located within two miles of the City of Altoona's urbanized area;

WHEREAS, there is no current address assigned to this undeveloped land requested for annexation owned by the Stanley & Mary Webb;

WHEREAS, the annexation area includes annexation of the south ½ of 2nd Street NW/NE 72nd Street and the east ½ of NE 64th Street adjacent to the annexation area;

WHEREAS, the zoning designation of such property will be considered as part of Rezoning Case #2020.R.4, Request for Rezoning from Agricultural (A-1) to Planned Unit Development (R-5) District for the Webb Rezoning Area;

WHEREAS, the Planning and Zoning Commission has reviewed this annexation request and has made the following finding:

1. That the annexation is consistent with the Future Land Use Map and utility objectives included as part of the City's Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Planning and Zoning Commission of the City of Bondurant, Iowa, recommends that the annexation application submitted by Stanley & Mary Webb for 100% voluntary annexation of 62.84 acres into the City of Bondurant be _____ by the City Council.

Moved by _____, Seconded by _____to adopt.

ATTEST: I, Craig Marshman, Interim City Clerk of Bondurant, hereby certify that at a meeting of the Planning and Zoning Commission held on January 23, 2020, among other proceedings the above was adopted.

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

_____

Craig Marshman, Interim City Clerk

Action	Yay	Nay	Abstain	Absent
Hoffman-Zinnel				
Clayton				
Kromrie				
Keeran				
Cuellar				
Phearman				
McCleary				

_____

Torey Cuellar, Commission Chair