



**BUSINESS OF THE CITY COUNCIL  
BONDURANT, IOWA  
AGENDA STATEMENT**

Item No. 5I  
For Meeting of 4/20/2020

**TITLE:** Resolution approving the Oxbow Developments Final Plat

**ACTION:** Resolution for vote on April 20<sup>th</sup>, 2020

**CONTACT PERSON:** Maggie Murray, Planning & Community Development Director

**BRIEF HISTORY:**

For review by the Council tonight is approval of the enclosed Oxbow Developments Final Plat. The final plat applicant/developer is Road Machinery & Supplies Company. The Oxbow Developments subdivision will create the following parcels:

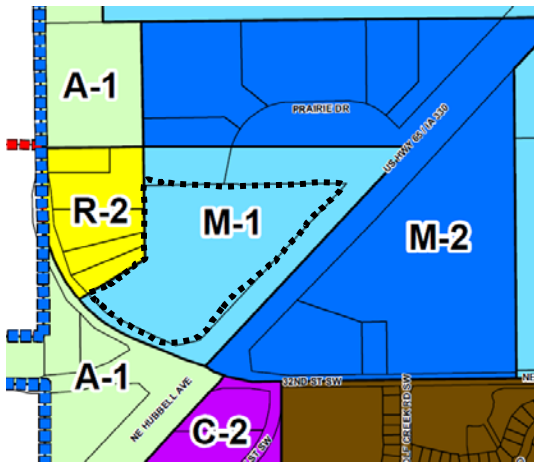
- **Lot 1** – development is currently underway on Lot 1. Lot 1 is 8.85 acres and is home to the Road Machinery & Supplies site.
- **Lot 2** – this lot is 3.94 acres and has had some recent potential development interest.
- **Outlot X** – this lot is a 2.13-acre parcel that will be developed for stormwater detention purposes.

This subdivision is zoned as being within the City’s Limited Industrial (M-1) District and is located along Highway 65 to the east and Franklin Street SW to the south in the area shown below.

**Area Map:**



**Area Zoning Map:**



The developer is seeking Oxbow Developments Final Plat approval prior to completion of all public improvements within the subdivision. The developer is seeking this approval at this time to allow for recording of this Final Plat so that Lot 2 can be sold for development. Final Plat approval by Council prior to finalization of all public improvements is permitted per Section 180.05.5 of the City’s Subdivision Code. This section of the Subdivision Code requires that the developer post performance bonds, in an amount determined by the City Engineer, for the portion of public improvements yet to be installed. Per the Subdivision Code, the public improvements shall be completed within one year of issuance of the performance bonds. Enclosed is the developer’s cost estimates of the remaining public work yet to be completed. The enclosed resolution is worded such that documentation of the executed performance bonds shall be submitted to the City prior to recording of this Oxbow Developments Final Plat.

**ANALYSIS**

When considering final plat review requests, City Council should take into account the following: Future Land Use, Zoning, and Neighborhood Character; Transportation, Sidewalks, and Utilities; and Comments from City Officials.

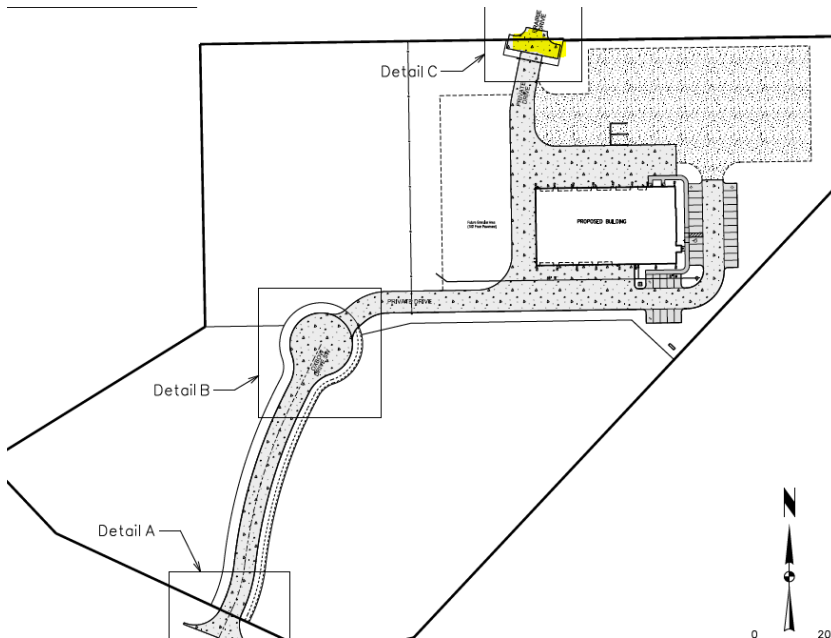
*Future Land Use (Comprehensive Plan), Zoning, and Neighborhood Character:*

- **Future Land Use (Comprehensive Plan)** – the City’s Future Land Use Map as part of its Comprehensive Plan guides for industrial-type development within this subdivision area. This Future Land Use Map designation is consistent with the current M-1 zoning designation of this area. Development within this subdivision is also consistent with Objective 4.12 of the Comprehensive Plan, which reads the following for this South Growth District area of Bondurant: Support the establishment of industrial, office, and commercial service land uses that benefit from being adjacent to each other.
- **Zoning** – this land is currently zoned as being within the City’s Limited Industrial (M-1) District. No rezoning is proposed as part of this subdivision process. The submitted plat shows that the bulk requirements of the M-1 District are met relative to minimum lot size and setbacks.
- **Neighborhood Character** – the type of development allowed within this Oxbow Developments subdivision is consistent with existing uses of the area. This Oxbow Developments subdivision is bordered by industrial uses/zoning on its north, Highway 65 on its east, and Franklin Street SW on its south. While there are residential uses that border this subdivision to the west, there has been some buffering accommodated for as part of the site planning process.

*Transportation, Sidewalks, and Utilities:*

**Transportation.** The enclosed final plat shows that a new public cul-de-sac will be constructed as part of this subdivision. This new cul-de-sac will be called Oxbow Court SW. The new cul-de-sac meets maximum length, minimum right-of-way width, and radius requirements of the City’s Subdivision Code.

As part of the site plan review process back in November 2019, the Commission and Council required that a public hammerhead turnaround be established on the northern portion of the Road Machinery & Supplies site to help accommodate for the turning of vehicles at this south point of Prairie Drive SW. This turnaround was required because the portion of potential future Prairie Drive SW roadway area through the Oxbow Developments subdivision was previously vacated by the City. Below is an excerpt from the approved Construction Drawings which show the required hammerhead area:



**Sidewalks** – per Section 180.05.4.D of the City’s Subdivision Code, installation of public sidewalks along all rights-of-way are required, unless specifically waived at time of subdivision by Council. The Planning & Zoning Commission had some discussion on this sidewalk topic during their April 9<sup>th</sup> meeting; please see their condition of recommended approval Commission Review/Recommendation section below. Staff had indicated that potential sidewalk waiver at time of subdivision could make sense because the Highway 65 corridor just east is not currently designed to accommodate pedestrians crossing the highway. Further, there is no sidewalk connection leading west from this Oxbow Developments. If not required at time of subdivision, the City still has the authority to see that sidewalks get installed at a time of its choosing; per Chapter 136.06 of the City Code, the City of Bondurant may order construction of sidewalks upon any street or court in the City and may specially assess the cost of improvements to the abutting owner.

The City’s Park, Trail & Greenway Master Plan shows a future trail segment along the Franklin Street SW right-of-way in this area. If sidewalks were to be required along this Franklin Street SW area at time of subdivision, these sidewalks would be ripped out if/when the trail segment gets installed.

**Utilities** - the developable lots of this Oxbow Developments subdivision will be serviced by a public 8” sanitary sewer main that runs along Oxbow Court SW. The lots will also be serviced by an 8” public water main that runs along Lot 1 and Lot 2 within the area that is labeled Water Main Easement.

The engineer’s stormwater report for this subdivision was submitted as part of the Road Machinery & Supplies site plan review and approval process. The Outlot X stormwater pond was designed to accommodate all of the stormwater of Lot 1 and up to 80% impervious area of Lot 2. The final plat notes that the Outlot X stormwater pond will be owned and maintained by an owner’s association and not by the City; this ownership is consistent with the City’s practice of private pond ownership for non-regional pond areas.

*Comments from City Officials and Utilities:*

The following comments have been received:

- **Bob Veentsra, City Engineer** – enclosed please find Bob Veenstra’s most recent review.
- **John Horton, Public Works** – provided an initial comment that the plat be updated to accommodate for a sanitary sewer easement through Lot 1 for if a public sanitary main is ever extended from this Oxbow Developments subdivision north to Prairie Drive SW. The enclosed final plat accommodates for this comment.
- **Aaron Kreuder, Fire Chief** – no comments received relative to this submitted final plat; however, Chief Kreuder has been involved in the detailed site plan review for both Lot 1 and Lot 2 of this subdivision.


**PLANNING AND ZONING COMMISSION REVIEW/RECOMMENDATION**

The Planning & Zoning Commission reviewed recommended approval of this Oxbow Developments Final Plat during their meeting on April 9<sup>th</sup>, 2020. The Commission voted on recommended Oxbow Developments Final Plat approval, subject to the following condition:

- 1.) That if sidewalks are not installed at time of subdivision, the City shall require public sidewalk performance bonds or payment up front by the developer for future installation of sidewalks by the City of Bondurant at such time the City of Bondurant would like to see establishment of such public sidewalks.

**Update after P&Z meeting:** Staff followed up with Bob Veenstra after the Commission’s meeting. Bob explained that folding in future installation of sidewalks as part of a performance bond is not possible because there is no City timeline for installation of the trail or sidewalks. Bob also noted that requiring payment up front by the developer for future installation of sidewalks is an option that the City Council could require; however, this is not necessary due to the provision of Chapter 136.06 of the City Code. Also, this payment up front option be riskier for the City in that costs of construction may increase overtime. Bob reiterated that the City Code as it currently worded clearly gives the City of Bondurant the authority to install sidewalks along any street or court at any time through the assessment process.

**ALTERNATIVES:** The option exists for City Council to not approve this resolution; however, this is not recommended by staff, as the City’s Subdivision Code is met for this request when taking into account the conditions of the enclosed resolution.

<input checked="" type="checkbox"/> Resolution _____ <input type="checkbox"/> Ordinance ___ <input type="checkbox"/> Contract ___ <input type="checkbox"/> Other (Specify) _____
Funding Source _____ N/A _____
APPROVED FOR SUBMITTAL _____  _____ City Administrator

**STAFF RECOMMENDATION:** Staff recommends approval of the enclosed resolution approving the Oxbow Developments Final Plat subject to the comment noted below.

1. That the required sidewalks as part of this Oxbow Developments subdivision be temporarily waived until if/when a logical connection exists.
2. That documentation of the executed performance bonds in the amount of \$368,794 shall be submitted to the City prior to Oxbow Developments Final Plat recording.

## V&K's Memo – Oxbow Development's Final Plat:

Based on review of the final plat the following comments are offered:

4. Note No. 2 indicating the developer is to construct the sidewalk along Franklin Street SW has been removed from the plat. It is understood the sidewalk will no longer be constructed.
5. This comment noted there was a small area of sidewalk along Lot No. 1 between the lot boundary and driveway that was not shown for construction. This reach of sidewalk is now shown. The more appropriate question is whether the sidewalk on Lot No. 2 is appropriate given the decision not to require sidewalk along the northerly side of Franklin Street SW.
6. Street Lot A has been changed to Oxbow Court SW.
7. A sanitary sewer easement is now shown extending northerly from the cul-de-sac on Street Lot A northerly where the point the water main and sanitary sewer easements would join. A 30-foot wide combined sanitary sewer and water main easement is shown north of that point. This easement would be considered satisfactory, even though the easement on the west side of the future sanitary sewer would be relatively narrow.
9. The setback lines are now shown on Lot No. 2.

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

VEENSTRA & KIMM, INC.



H. R. Veenstra Jr.

HRVjr:kld  
4285-088

cc: Marketa Oliver, City of Bondurant  
John Horton, City of Bondurant

## Cost Estimates of Remaining Public Improvements:



### DESIGN-BUILD GENERAL CONTRACTOR

1175 S 32nd Street • Fort Dodge, IA 50501 • Phone (515) 573-3292 • Fax (515) 573-5146  
2097 NE 60th Avenue • Des Moines, IA 50313 • Phone (515) 292-5000 • Fax (515) 292-5100

April 17, 2020

Maggie Murray, AICP  
Planning & Community Development Director  
City of Bondurant  
200 2<sup>nd</sup> Street NE Box 37  
Bondurant, IA 50035

RE: Oxbow Developments  
Bondurant, Iowa

Dear Maggie,

Jensen Builders, LTD has been hired by Road Machinery & Supplies Co. to construct their new facility at 3001 Oxbow Court SW. Part of our contract includes the construction of the new Oxbow Court SW and the extension of the public utilities.

An approximate value of the uncompleted portion of Oxbow Court SW and the public utilities is **\$368,794**.

Included in this value:

1. Civil design, survey, staking, testing, general conditions. (\$21,022)
2. Mass grading and subgrade prep for Oxbow Court SW and extension of public utilities. (\$175,932)
3. PCC concrete paving. (\$154,440)
4. (3) streetlights along Oxbow Court SW. (\$12,000)
5. Seeding. (\$5,400)

Sincerely,

A handwritten signature in blue ink that reads 'Alex Bonzer'.

Alex Bonzer  
Project Manager

CITY OF BONDURANT  
RESOLUTION NO. 200420-113

RESOLUTION APPROVING THE OXBOW DEVELOPMENTS FINAL PLAT

WHEREAS, Snyder & Associates submitted the Final Plat for the Oxbow Developments Subdivision; AND

WHEREAS, the owner is Road Machinery & Supplies Co.; AND

WHEREAS, the zoning is Limited Industrial (M-1); AND

WHEREAS, legal description is as follows:

OUTLOT "X", MCCLEARY MEADOWS INDUSTRIAL PARK, AN OFFICIAL PLAT IN THE CITY OF BONDURANT, POLK COUNTY, IOWA,

EXCEPT

MCCLEARY ACRES, AN OFFICIAL PLAT IN THE CITY OF BONDURANT, POLK COUNTY, IOWA AND THE NORTH 2.00 FEET OF THE EAST 597.44 FEET OF SAID OUTLOT "X" AS MEASURED ALONG THE NORTH LINE OF SAID OUTLOT "X".

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bondurant, Iowa, that the Oxbow Developments Final Plat is hereby approved subject to:

1. That the required sidewalks as part of this Oxbow Developments subdivision be temporarily waived until if/when a logical connection exists.
2. That documentation of the executed performance bonds in the amount of \$368,794 shall be submitted to the City prior to Oxbow Developments Final Plat recording.

Passed this 20<sup>th</sup> day of April 2020,

By: \_\_\_\_\_  
Curt Sullivan, Mayor

ATTEST: I, Shelby Hagan, City Clerk of Bondurant, hereby certify that at a meeting of the City Council held on the above date, among other proceedings the above was adopted.

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

\_\_\_\_\_  
Shelby Hagan, City Clerk

Name	Yay	Nay	Abstain	Absent
Cox				
Peffer				
Enos				
McKenzie				
Elrod				

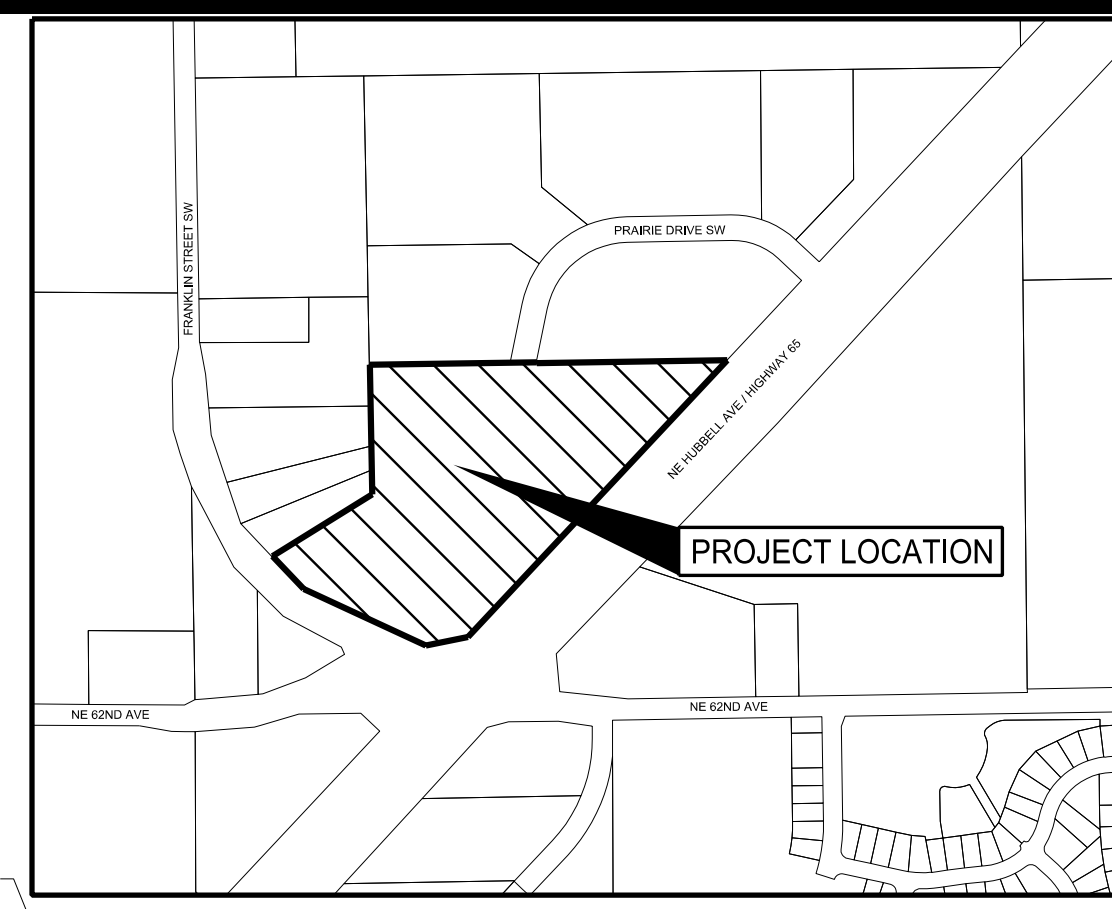
# OXBOW DEVELOPMENTS FINAL PLAT

### CURVE TABLE

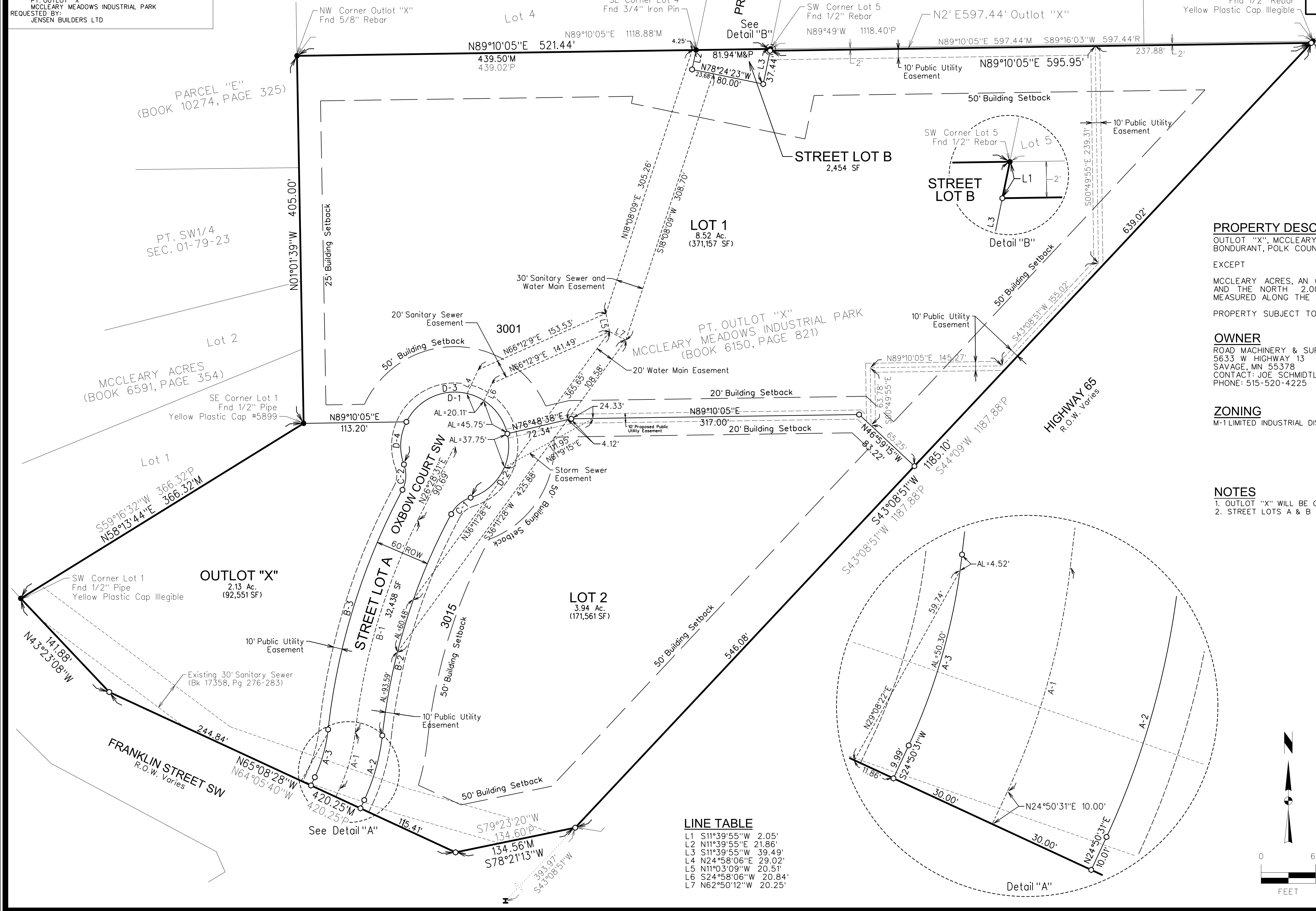
CURVE NO.	DELTA	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING/DISTANCE
A-1	18°28'32" RT	200.00'	64.49'	32.53'	S15°36'15"W 64.21'
A-2	18°28'32" RT	230.00'	74.17'	37.41'	S15°36'15"W 73.84'
A-3	18°28'32" RT	170.00'	54.82'	27.65'	S15°36'15"W 54.58'
B-1	20°06'32" RT	700.00'	245.68'	124.11'	N16°25'15"E 244.42'
B-2	21°59'06" RT	670.00'	257.09'	130.14'	N17°16'39"E 255.51'
B-3	21°49'50" RT	730.00'	278.14'	140.78'	N17°12'45"E 276.46'
C-1	46°24'42" RT	35.50'	28.76'	15.22'	N49°40'52"E 27.98'
C-2	46°24'46" RT	35.50'	28.76'	15.22'	S03°16'09"W 27.98'
D-1	272°49'21" RT	59.50'	283.32'	56.64'	S63°31'27"E 82.05'
D-2	86°04'35" RT	59.50'	89.39'	55.56'	S29°50'55"W 81.22'
D-3	140°13'35" RT	59.50'	145.62'	164.49'	S83°18'10"W 111.90'
D-4	46°31'11" RT	59.50'	48.31'	25.58'	N03°19'28"E 46.99'

AREA ABOVE RESERVED FOR RECORDER

**INDEX LEGEND**  
 SURVEYOR'S NAME / RETURN TO:  
 ERIN D. GRIFFIN  
 SNYDER & ASSOCIATES, INC.  
 2727 SW SNYDER BOULEVARD  
 ANKENY, IOWA 50023  
 515-964-2020  
 EGRIFINS@SNYDER-ASSOCIATES.COM  
 SERVICE PROVIDED BY:  
 SNYDER & ASSOCIATES, INC.  
 SURVEY LOCATED:  
 PT. OUTLOT "X"  
 MCCLEARY MEADOWS INDUSTRIAL PARK  
 REQUESTED BY:  
 JENSEN BUILDERS LTD



VICINITY MAP



### PROPERTY DESCRIPTION

OUTLOT "X", MCCLEARY MEADOWS INDUSTRIAL PARK, AN OFFICIAL PLAT IN THE CITY OF BONDURANT, POLK COUNTY, IOWA,

EXCEPT

MCCLEARY ACRES, AN OFFICIAL PLAT IN THE CITY OF BONDURANT, POLK COUNTY, IOWA AND THE NORTH 2.00 FEET OF THE EAST 597.44 FEET OF SAID OUTLOT "X" AS MEASURED ALONG THE NORTH LINE OF SAID OUTLOT "X".

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

### OWNER

ROAD MACHINERY & SUPPLIES CO.  
 5633 W HIGHWAY 13  
 SAVAGE, MN 55378  
 CONTACT: JOE SCHMIDTLEIN  
 PHONE: 515-520-4225

### ZONING

M-T LIMITED INDUSTRIAL DISTRICT

### BULK REGULATIONS

FRONT YARD SETBACK= 50'  
 REAR YARD SETBACK= 50'  
 SIDE YARD SETBACK= 20', EXCEPT WHEN ADJACENT TO "R" OR "C-1", THEN 25'  
 MAXIMUM HEIGHT= 65'  
 MAXIMUM STORIES= 3  
 MINIMUM OPEN SPACE= 15%

### NOTES

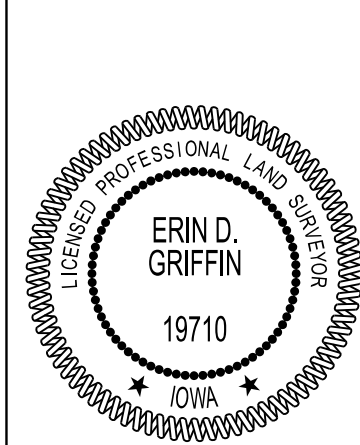
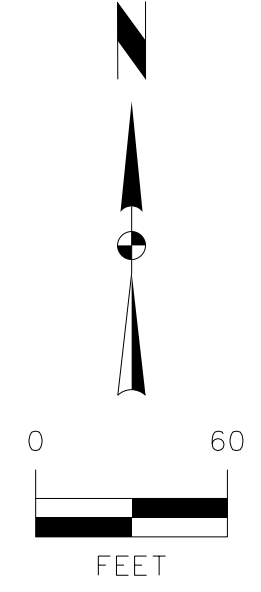
- OUTLOT "X" WILL BE OWNED AND MAINTAINED BY OWNER'S ASSOCIATION.
- STREET LOTS A & B TO BE DEDICATED TO THE CITY.

### LEGEND

Survey	Found	Set
Section Corner	▲	△
1/2" Rebar, Yellow Plastic Cap #19710 (Unless Otherwise Noted)	●	○
ROW Marker	■	□
ROW Rail	—	—
Control Point	⊙	⊙
Bench Mark	⊕	⊕
Plotted Distance	P	P
Measured Bearing & Distance	M	M
Recorded As	R	R
Deed Distance	D	D
Calculated Distance	C	C
Minimum Protection Elevation	MPE	MPE
Centerline	—	—
Section Line	—	—
1/4 Section Line	—	—
1/4 Section Line	—	—
Easement Line	—	—

### LINE TABLE

L1	S11°39'55"W 2.05'
L2	N11°39'55"E 21.86'
L3	S11°39'55"W 39.49'
L4	N24°58'06"E 29.02'
L5	N11°03'09"W 20.51'
L6	S24°58'06"W 20.84'
L7	N62°50'12"W 20.25'



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

Erin D. Griffin, PLS Date  
 License Number 19710  
 My License Renewal Date is December 31, 2021  
 Pages or sheets covered by this seal:  
 Sheets 1 of 1

ADD PUE	KSS	4/09/20	1/17/20	RMM	DATE	BY
1	2	AS PER CITY COMMENTS	REVISION	EDG	11/27/2019	Field Bk: Pg: 119.0286

**BONDURANT, IOWA**

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

**SNYDER & ASSOCIATES, INC.**

**OXBOW DEVELOPMENTS**

**FINAL PLAT**

Project No: 119.0286

Sheet 1 of 1