Meeting No. 08-05 March 27, 2008

CITY OF BONDURANT

PLANNING AND ZONING COMMISSION

MINUTES

A meeting of the City of Bondurant Planning & Zoning Commission was held in the Community Room at the Bondurant City Center on March 27, 2008, at 7:00 p.m.

Present: Commission Chair John Bein
Commission Member Roland Mark
Commission Member Deborah Baker
Commission Member Roy McCleary
City Council Member Michele Bailey
City Administrator Mark J. Arentsen
Finance Director Lori Dunham

Absent: Commission Member Judi Mendenhall
Commission Member Marvin Skinner
Commission Member David Higgins

Notice of the meeting was posted at the Bondurant City Center, Casey's General Stores, Legacy Bank and the Bondurant Post Office on March 21, 2008. All proceedings hereafter shown were taken while the convened meeting was open to the public.

Commission Chair Bein called the meeting to order at 7:03 p.m. Roll call was taken and a quorum was declared. Motion made by Commission Member Mark, seconded by Commission Member McCleary, to approve the agenda. Roll call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Commission Member McCleary, seconded by Commission Member Mark, to approve the Planning and Zoning Commission Minutes of February 28, 2008. Roll call: Ayes: 4. Nays: 0. Motion carried.

Mr. Gene Gabus, representing Mallard Creek Development, and Mr. David Bentz, Bishop Engineering, 3501 104th Street, Des Moines, Iowa, presented a revised Concept Plan for Mallard Creek Plat 1, Bondurant, Polk County, Iowa. The plat, located on the west side of Mallard Pointe development, was revised to show 50' lot sizes instead of 40' lot sizes, which was presented at the February 28th Planning & Zoning Commission meeting. The developer is requesting approval to start with 50 to 100 lots. The depth of the lots would be 110'. The homes built on the lots would be 40' wide leaving 5' on each side of the home with 25' on the front and back. The valuation of the homes would be around $149,000. The revised plat

has more green space and a little more trail shown. The streets would remain at 31' and 26' wide. Retention basins remain in the northeast and southwest section of the plat.

Commission Member Baker questioned why the side lot remained at 5'. She thought that was not favored at the February 28th Planning & Zoning Commission meeting. Ms. Baker is not in favor of the presented 895 sq. ft. home design, which is just too small. City Administrator Arentsen noted that the minimum square footage requirement in Planning & Zoning Resolution No. PZ-08-07 was incorrect. It should state a minimum of 1,045 sq. ft., instead of 1,500 sq. ft.

Public comment from Mr. Todd Omundson, 8852 Northeast Morgan Drive, rural Bondurant, thought it was unfair to the Mallard Pointe residents that are adjacent to Mallard Creek to have 50' lots with cheaper homes next to them. Mr. Bentz stated that the size of the lot does not determine the value of the home. You can have a 30' wide lot with a $250,000 home on it.

Public comment from Ms. Heather Daniels, 1104 14th Street, Southeast, Bondurant, suggested that changing the Mallard Creek development to a Planned Unit Development pretty much opened the door to the developer on what they could do. Wolf Creek has been great for Bondurant but has killed the resale value of all of the existing homes on the market. Bondurant used to have a really good resale market. Also, the size of the lot does determine the value of the home. She is also concerned with the number of lots in the plat and the strain on the sewer system and the school system. Mr. Bentz agreed, the size of the lot does determine the value of the home in some places. But like in Clive, the Council can put a minimum valuation at $200,000 for homes on lot size 30' x 100'. That is one way to get around that.

Public comment from Mr. Brad Pfaltzgraff, 110 Fifth Street, Northeast, Bondurant, noted that he was disappointed in the lot size next to Mallard Pointe. He thought that Mallard Creek had the potential of continuing Mallard Pointe type housing. He was disappointed that the City would consider another lower-end price housing development, making it harder to attract higher end home building in the future. None of the green space is located in the first phase. Mr. Bentz said that the southwest corner of green space could be developed in phase one and dedicated to the City. Also, the average price of home being sold has declined. A Des Moines Register article recently said the average new home valuation was around $160,000 and is now down at around $145,000. We also have development approved that we could put twin townhomes on with 80' lots, 2 units on each lot. He would rather see this type of development go up than the Triton homes, which are about the same in price. This is a concept plan only.

City Administrator Arentsen commented that Mr. Gabus is looking for approval of only 100 lots. The rest of the plat is designed at 65' lots. In order for the balance of the plat to be changed, the developer would have to come back and ask for approval to change another section. The City is not approving the concept plan for the whole area, just the 100 lots. The homes required are stick built homes, 1,045 sq. ft. with a two car attached garage and full basement. Mr. Arentsen thinks that is a reasonable minimum standard for a development.

Mr. Bentz commented that Mr. Gabus has strict covenants that he does enforce. He is not going to let crazy stuff go on with people not taking care of their property. He does not allow campers or boats in the driveways, fence restrictions, etc. He recognized that the size of the lot was at issue. In Urbandale, there is a development that has 45' lots next to 80' lots. The valuations of the homes are not dramatically different. It has been functioning for 40 years. They can coincide next to each other.

Commission Member Baker agreed with that but when you start out with a cheaper home, you tend to attract those that don't have the resources or wherewithal to maintain the property the way we hope they would. In looking to the future, there is a place for the smaller homes. She thought that 100 lots was too aggressive. Mr. Bentz said that the developer would do the dirt work for 100 homes and the utilities and streets for the first 50.

Public comment from Mr. Josh Bryant, 502 Mallard Pointe Drive, Northwest, Bondurant, recommended that the Commission follow the Comprehensive Plan that says that the City needs to look at higher end housing for the future.

Public comment from Council Member Michele Bailey, 129 Patterson Street, Southeast, Bondurant, noted that you cannot compare this plan to Meadow Brook South. Most of the homes in Meadow Brook do not have basements. There is a huge need for homes this size. She doesn't necessarily think that it means that people will not take care of their houses. If the home is kept up well, there is not a resale problem.

Motion made by Commission Member McCleary, seconded by None, to approve Resolution No. PZ-08-07, a resolution acknowledging receipt of a Revised Mallard Creek Development Concept Plan, with 50' lots and a minimum size home of 1,045 square feet, and Expressing Support for Platting a portion of the Concept Plan. Motion failed for lack of a second to the motion.

Public comment from Randy Meyers, 709 Brick Street, Southeast, Bondurant, questioned what an individual could do with a 50' lot. There is no option for a third stall driveway. Commission Chair Bein said that it was a moot point, discussion was over, motion has died.

Commission Member McCleary suggested that the Commission needs to reconsider what happened tonight and the way we handled the motion. He would like to see the full Commission address this. He stated that there are three strong members that are absent. He would like to make the motion that we reconsider this resolution when we have all seven members present. City Administrator Arentsen said that the Commission Members not present may request to have the issue revisited. He would check with City Attorney Brick.

Motion made by Commission Member McCleary, seconded by Commission Member Mark, to reconsider the revised Mallard Creek Concept Plan when we have all Commission members present. Roll call: Baker-Yes, Bein-No, McCleary-Yes, Mark-Yes.

The following items were discussed as part of Commission Members' comments:

- Commission Member Baker – The Commission needs to stand by rules established.
- Commission Member Mark – Wanted update on old Union 76 station debris. Questioned the grandfather clause requested by Glenn Stoll and allowing horses. The Commission should have something in writing granting permission for future occupants of the property the option to have horses. That should eliminate problems in the future.
- Commission Member McCleary – The Commission needs to draw a line in the sand as far as policy so we know what we believe.

The following items were discussed as part of City Administrator Arentsen's comments:

- No Comment.

The following items were discussed as part of Commission Chair Bein comments:

- The Commission needs to be very careful when we back pedal and change the rules and regulations, which we spent a lot of time putting together. There were valid arguments on both sides and I want to see the community grow also. The economy is tough right now but it is very difficult to go back on the rule changing. He felt that this is over with now. Mr. Gabus can come back with a different proposal and the Commission will consider it.

Motion made by Commission Member McCleary, seconded by Commission Member Mark, to adjourn the meeting. Roll call: Ayes: 4. Nays: 0. Motion carried. Commission Chair Bein declared the meeting adjourned at 8:32 p.m.

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John Bein
Chair

ATTEST:

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Lori Dunham
Finance Director