Meeting No. 10-01 January 14, 2010

CITY OF BONDURANT

PLANNING AND ZONING COMMISSION

MINUTES

A meeting of the City of Bondurant Planning and Zoning Commission was held in the Community Room at the Bondurant City Center on January 14, 2010, at 6:00 p.m.

Present: Commission Chair David Higgins
Commission Member Jennifer Keeler
Commission Member Roland Mark
Commission Member Judi Mendenhall
Commission Member Jolyn Meehan
Commission Member Roy McCleary
Commission Member Brian Lohse
City Council Member Michele Bailey
City Council Member Mike Adams, Sr.
City Administrator Mark J. Arentsen
Finance Director Lori Dunham

Absent: None

Notice of the meeting was posted at the Bondurant City Center, Casey's General Stores, Legacy Bank and the Bondurant Post Office on January 08, 2010. All proceedings hereafter shown were taken while the convened meeting was open to the public.

Commission Chair Higgins called the meeting to order at 6:05 p.m. Roll call was taken and a quorum was declared. Chairman Higgins requested that items 5 and 6 be removed from the agenda. Motion made by Commission Member McCleary, seconded by Commission Member Lohse, to approve the agenda as amended. Roll call: Ayes: 7. Nays: 0. Motion carried.

Motion made by Commission Member Mark, seconded by Commission Member Mendenhall, to approve the Planning and Zoning Commission Minutes of October 08, 2009. Roll call: Ayes: 7. Nays: 0. Motion carried.

Mr. David Bentz, Bishop Engineering Company, 3501 104th Street, Des Moines, Iowa, and Mr. Gene Gabus presented information concerning the Mallard Creek Development and the rezoning request for said development from R-2 One- and Two-Family Residential to R-5 Planned Unit Development (PUD). Mr. Bentz reviewed the history of the development for the benefit of new commission members. The development is an area of 150 acres. The entire plot was originally zoned R-2. The housing crash came and Mr. Gabus asked for the

southeast corner to be rezoned R-5 Planned Unit Development (PUD). That request was approved. The Department of Natural Resources notified them that the southwest corner of the plot was a flood plain and no basement houses could be built in that section. The City engineer informed them that the Mallard Point lift station did not have the capacity to handle the plot's sewer flow. Mr. Gabus is coming back to ask for the whole plot to rezoned R-5 for two reasons. The first reason exists because of the flood plain designated by the DNR. Mr. Gabus can still use that land by building townhomes there without basements. There would be 650 units (houses and townhomes) in the entire development. The townhomes would be a buffer to the commercial zone of the southwest corner. The streets and green space remain the same. The second reason for the rezoning request exists because of the sewer upgrade needed to serve the property. The Mallard Point lift station does not have enough capacity. Mr. Gabus has to extend a 36" trunk line from the lagoon north to the development. The trunk line is lower than the lagoon so a temporary lift station would need to be built. This sewer work needs to be done prior to construction. The sewer work has an estimated cost of $750,000. He is asking the City to reimburse him through a TIF district and/or tax abatement but he will pay for the construction upfront. He said that the trunk line could serve up to 2,000 acres of land west of Bondurant.

Commission Member McCleary asked if anything had changed in the plans with the drainage. Mr. Bentz stated that there had been no change. They plan to detain 100 year storm stormwater while releasing 5 year storm stormwater. The storm water detention would increase as the construction development increased. Commission Member Mendenhall asked where the sewer would run. It would follow the ravine from the lagoon on the west side. Commission Member Mark asked if the property owner that the trunk line will run through had been notified. City Administrator Arentsen had spoken with the Ugulini's last week. Mrs. Sue Ugulini stated that she was notified but has not received any proposal or written plans. Commission Member Mark inquired what the sewer line would entail. City Administrator Arentsen said that the sewer line would run under ground, there would be manholes every 400-500 feet which if needed could be buried 2-3 feet if they are in tillable land. Commission Member Mark inquired about whether the sewer line would be in the way of future development. City Administrator Arentsen stated that the line would run in the ditches and the ditches are unbuildable. The sewer is there for future building. Commission Member McCleary stated that he originally thought that the first 100 lots would be built on before the rezoning issue would be revisited. Mr. Gabus stated that they are asking for the rezoning due to the sewer costs. He needs more lots to pay for the sewer line. Right now, large lots with large houses are not selling. Smaller lots are more desirable to younger buyers who don't want to do yard work. Commission Member Lohse inquired about the purpose of the R-5 zoning. Commission Chair Higgins stated that R-5 was established for small areas that needed flexibility in the standard R-2. R-5 was not intended for whole plats. Commission Member Lohse stated that the water table on the west side of the property is very high. The Tuft house nearby is surrounded by water when it rains. He asked what size

homes would be built. Mr. Gabus said the smallest home would have 1,200 square feet and the largest would have 1,600 square feet.

Council Member Adams stated that one of the problems Bondurant has is we do not have enough diversity in available housing. There is a lot of demand for townhomes. Commission Member Bailey said that her children moved into a townhome in Altoona because there was nothing available here.

Commission Member Lohse asked why this property fit R-5 zoning. Mr. Gabus said that if the City ran sewer to the property, the property could stay zoned as R-2. Economy wise, the smaller lots will sell faster. The zoning requirements were established ten years ago. The economy has changed a lot in the past ten years. Commission Member Mark stated that he appreciated the Council Members' remarks but has concern for the neighbors nearby and their concern for loss of valuation. Council Member Adams said that Bondurant has a lot of sewer issues to deal with and when looking at this development, we need to look at what is good for Bondurant's future. Council Member Bailey stated that we lose residents when we have no alternative for lower cost housing here. Commission Member Mark inquired why the Ugulini's were not being told about the sewer plan. Council Member Adams stated that the impact is too early to say. It is just in the concept plan right now. City Administrator Arentsen stated that it has taken a long time for the plans to development. Alternatives were looked at and set aside when they were deemed not viable. Bondurant does not have the money to build this trunk line. Mr. Gabus is offering to build the line and be reimbursed later. Commission Member McCleary stated that basically to get a 36" sewer line, we are bartering away R-5 zoning. Commission Member Keeler did not understand the concern for the neighboring Mallard Point residents. The east side of Mallard Creek will have R-2 size lots so it will be those neighbors that will be next to the smaller lots. Commission Member Higgins asked about the vision of the development of the plats. Mr. Gabus stated that he hoped to build about 50 to 60 lots per year starting with the southeast corner. He may go up the road to the townhome area on the southwest to bring people in. The 30 houses in the northeast corner would be built last due to flow of the land heading east there. The sewer in that corner would need to go to the Mallard Point lift station so that will be delayed until the hookup to the WRA. It will take ten years to be fully developed. Commission Member Meehan asked about the cost of the homes. Mr. Gabus said that the lowest price would be $135,000. Commission Member Lohse inquired about a homeowners association since there were covenants. There would be no homeowners association. Commission Member Meehan stated that she felt it was important to support diversity. She hoped that her daughter would someday move back here after she finished college.

Motion made by Commission Member McCleary to allow R-5 zoning category but keep the R-2 housing restriction. Due to failure of second motion, motion died. Motion made by Commission Member McCleary, seconded by Commission Member Meehan, to approve Resolution No. PZ-10-03, a Resolution recommending approval of rezoning request for

Mallard Creek Development, located west of Mallard Point Development and north of Second Street, Northwest, Bondurant, Polk County, Iowa, from R-2 One- and Two-Family Residential to R-5 Planned Unit Development (PUD). Roll Call: McCleary-Yes, Meehan-Yes, Lohse-Yes, Mark-Yes, Mendenhall-No, Keeler-Yes, Higgins-No. Motion carried.

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

- Commission Member Meehan – No Comment.
- Commission Member Lohse – His employer has approved his participation in the Bondurant Development Inc., meetings representing the Planning and Zoning Commission; inquired about the railroad line
- Commission Member McCleary – No Comment.
- Commission Member Mark – Inquired about Wolf Creek hooking onto the City of Altoona sewer line.
- Commission Member Mendenhall – No Comment.
- Commission Member Keeler – No Comment.

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

- 72 new building permits have been issued in 2009.
- If members are interested in signing up for the Planning and Zoning classes available to them, the City would pay for the registration. Brochures were at their seats.
- The Highway 65 Access Plan will be coming back for final approval.
- Anticipated the Second Street, Northeast, bike path from the Casey's east to Lake Petocka will be completed this year and will include tying in the storm sewer to serve Paine Heights.
- Garfield Street will be paved this year. The bridge will not be replaced due to the cost of the project and funding unavailable.

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

- Next meeting will be Thursday, January 28, 2010, at 6:00 p.m. The Commission will probably have three plats to review at that meeting.

Motion made by Commission Member McCleary, seconded by Commission Member Mark, to adjourn the meeting. Roll call: Ayes: 7. Nays: 0. Motion carried. Commission Chair Higgins declared the meeting adjourned at 8:00 p.m.

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David Higgins
Chair

ATTEST:

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Lori Dunham
Finance Director