City Council Communication

Department: Community Development CASES #SUB-23-007, #ZC-23-008, #PI-23-001 and #CP-23-003 Applicant: VTRE Development, LLC 4900 Main Street Suite 400 Kansas City, MO 64112 Property Owner: Council Bluffs Industrial Foundation, Inc. 149 W Broadway Suite 1 Council Bluffs, IA 51503 Engineer/Surveyor: John McCarville Olsson, Inc. 2111 S 67th Street Suite 200 Omaha, NE 68106	Resolution No. _____ Ordinance No. _____ Resolution No. _____ Resolution No. _____	CASE #ZC-23-008: 1st Consideration: 6/26/23 2nd Consideration: 7/10/23 3rd Consideration: Request to be waived CASE #CP-23-003: 7/10/23 CASE #PI-23-001: 7/10/23 CASE #SUB-23-007: 7/10/23 Planning Commission: 6/13/2023

Subject/Title

Request: Combined public hearings on the request of VTRE Development, LLC, represented by Ryan Hackenmiller,,for preliminary plan approval of a two-lot major industrial subdivision to be known as the Council Bluffs Commerce Center on property legally described as being a tract of land located in part of Lot 1, Auditor's Subdivision of the SW 1/4 NW 1/4; part of the SE 1/4 NW 1/4; part of Lots 1, 2, and 3, Auditor's Subdivision of the NW 1/4 SW 1/4; and part of the NE 1/4 SW 1/4, all located in Section 22, Township 75 North, Range 43 West of the 5th Principal Meridian, City of Council Bluffs, Pottawattamie County, Iowa; to rezone said property from A-2/Parks, Estates and Agricultural District to P-I/Planned Industrial District; to adopt a Planned Industrial development plan for said property; and to amend the future land use map of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying said property from 'Office/Industrial' to 'Light Industrial.' The Community Development Department has expanded the comprehensive plan amendment request to include additional land north and east of the aforementioned property, legally described as part of the NW ¼ NW ¼, part of the NE ¼ NW ¼ , part of the SE ¼ NW ¼, and part of the NE ¼ SW ¼, all in Section 22-75-43, City of Council Bluffs, Pottawattamie County, Iowa.

Location: Undeveloped land lying northeast of the intersection of Interstate 80 and East Kanesville Blvd/US Highway 6

Background

The Community Development Department has received the following requests from VTRE Development, LLC, represented by Ryan Hackenmiller, for property legally described as being a tract of land located in part of Lot 1, Auditor's Subdivision of the SW 1/4 NW 1/4; part of the SE 1/4 NW 1/4; part of Lots 1, 2, and 3, Auditor's Subdivision of the NW 1/4 SW 1/4; and part of the NE 1/4 SW 1/4, all located in Section 22-75-43, City of Council Bluffs, Pottawattamie County, Iowa:

1. **Case #SUB-23-007:** Preliminary plan approval for a two-lot industrial subdivision to be known as the Council Bluffs Commerce Center on property legally described above;
2. **Case #ZC-23-008:** Rezone the property legally described above from A-2/Parks, Estates and Agricultural District to P-I/Planned Industrial District;
3. **Case #PI-23-001:** Adopt a Planned Industrial development plan for the property legally described above;
4. **Case #CP-23-003:** Amend the future land use map of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying the property legally described above from 'Office/Industrial' to 'Light Industrial' (the Community Development Department is expanding the request to include neighboring properties to the north and east, legally described as part of the NW ¼ NW ¼, part of the NE ¼ NW ¼ , part of the SE ¼ NW ¼, and part of the NE ¼ SW ¼, all in Section 22-75-43).

The subject property contains 57.45 acres, more or less, of undeveloped land and is located northeast of the intersection of Interstate 80 and East Kanesville Boulevard/US Highway 6. The applicant proposes to construct two buildings, one each on Lots 1 and 2, to be developed in phases. The proposed use is warehousing and distribution facilities. The applicant plans no new public streets as part of this development, but utility extensions and other necessary infrastructure improvements will be constructed as needed.

CASES #ZC-23-008 and #CP-23-003

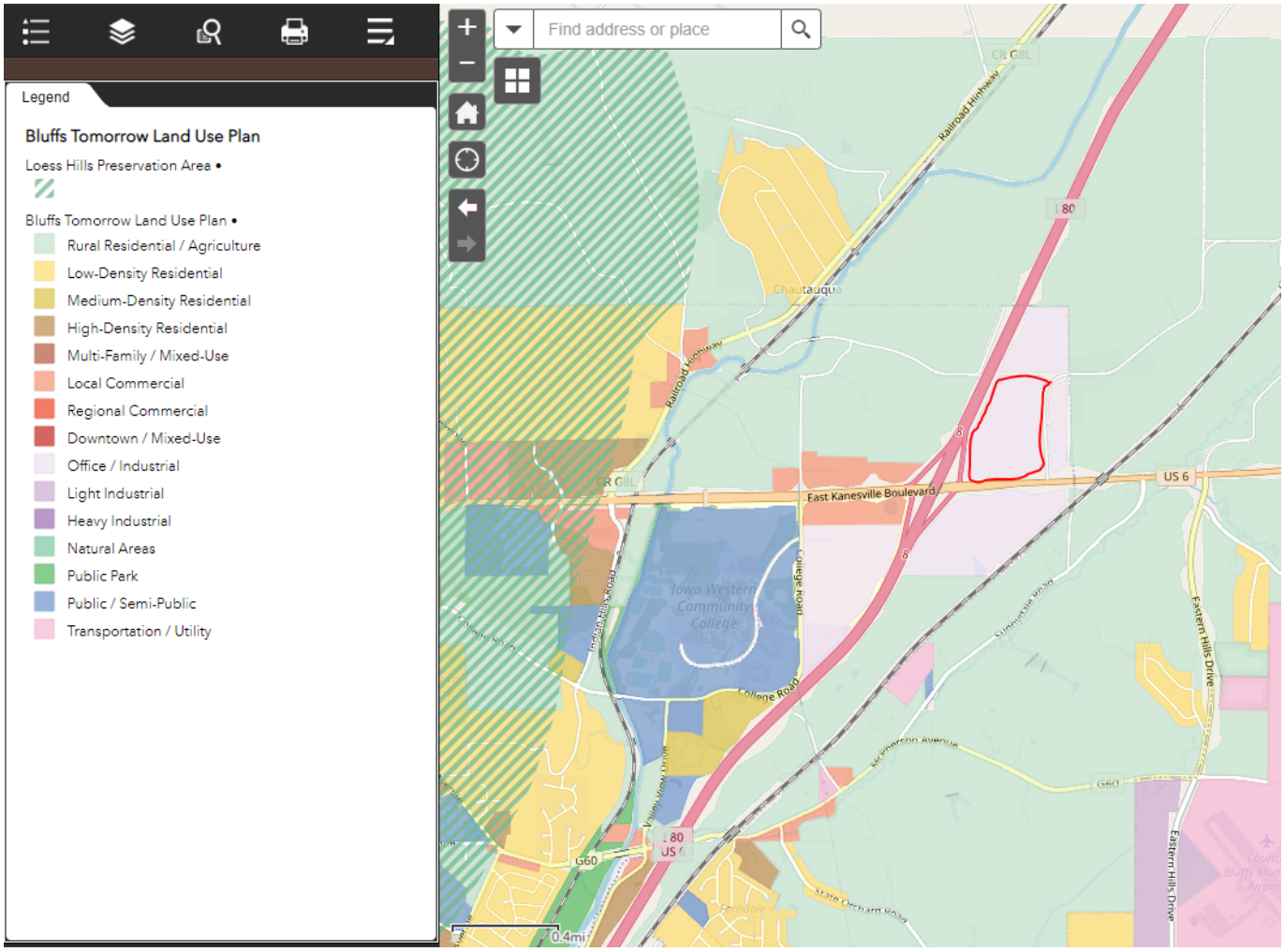
The subject property is zoned A-2/Parks, Estates, and Agricultural District and is surrounded by the following zoning districts and existing land uses:

Direction	Existing Zoning Districts	Existing Land Uses
North	A-2/Parks, Estates and Agricultural District	Crop fields
South	A-2/Parks, Estates and Agricultural District	Crop fields
East	A-2/Parks, Estates and Agricultural District	Crop fields and Iowa State Patrol District #3 office
West	A-2/Parks, Estates and Agricultural District and R-3/Low Density Multifamily Residential District	Crop fields

A location/zoning map is included with this report as Attachment 'A.'

Public notices were mailed to all property owners within 200 feet of the subject property. No responses have been received as of the writing of this report.

The future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property as 'Office/Industrial' (see map below). The applicant has submitted an application to reclassify the property to 'Light Industrial' so that their project is consistent with the City's comprehensive plan. The Community Development Department is also expanding the request to include the remaining property within city limits northeast of the intersection of Interstate 80 and US Highway 6 to promote compatibility and consistency of future land uses in the vicinity.



Discussion

1. The proposed development will consist of a sizeable light industrial park with two large warehousing and distribution buildings in a highly visible location along Interstate 80 and US Highway 6. Rezoning the property from A-2/Parks, Estates and Agricultural District to P-I/Planned Industrial District would be the most sensible option for the subject property, as the P-I District permits 'warehousing and distribution, limited' by-right and requires the adoption of a planned industrial development plan to establish a set of development standards specific to the subject property.
    a. Section 15.03.682 of the Council Bluffs Municipal Code (Zoning Ordinance) describes 'warehousing and distribution, limited' as "storage, warehousing and dispatching of goods within an enclosed structure. Typical uses include wholesale distribution, storage warehouses and moving/storage companies." This description matches the proposed use of the subject property, as stated in the applicant's Letter of Intent.

2. The Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property 'Office/Industrial.' This designation was applied to the property with the understanding that the future extension of utilities east of Interstate 80 would create development opportunities for highway-oriented uses, such as offices or industry. The Comprehensive Plan defines 'Office/Industrial' as follows:

    "Office/Industry development includes uses related to low-impact assembly or distribution activities complemented by employment-intensive, administrative, or professional office functions. In these areas, development should include attractive building and landscape design, and have an overall character that

reflects a professional office environment, and may include open spaces, trails, local commercial or restaurant uses, and other employee-oriented amenities." (p. 44)

The applicant proposes to reclassify the subject property as 'Light Industrial,' which is described by the Comprehensive Plan as follows:

"Light industrial development incudes those areas used for industrial purposes that create minimal impacts on surrounding uses. Activities tend to occur inside structures, with outdoor areas limited to storage or distribution. Where possible, these areas should be developed as a coordinated subdivision with a dedicated roadway." (p. 44)

Because the applicant has proposed a fully industrial subdivision comprised of warehousing and distribution uses, the 'Light Industrial' designation is most appropriate for the subject property.

For land use compatibility and consistency purposes, the Community Development Department recommends reclassifying the properties north and east of the subject property from 'Office/Industrial' to 'Light Industrial' as well. This will help facilitate future development of similar highway-oriented industrial uses in the vicinity.

3. The Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) outlines four industrial "character areas" (i.e., Heavy Industrial, Local Manufacturing, Office/Research, and Distribution/Logistics) that describe the different types of industrial development common in Council Bluffs (p. 54). The applicant's proposal to develop the subject property into warehousing and distribution uses is consistent with the Distribution/Logistics description, and the Industrial Character Areas map on page 55 of the Comprehensive Plan classifies the subject property under the Distribution/Logistics industrial character area.

4. Chapter 11 of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) contains general planning concepts for subareas around the City, including the area around the Interstate 80/US Highway 6 intersection. The subarea plan for this location indicates that the subject property is suitable for industrial uses, stating the following:

   "This area includes a large and relatively flat tract of land. At approximately 43 acres, the site could be subdivided to accommodate large-scale industrial and distribution tenants with an internal roadway that provides easy access to I-80." (p. 106)

   The proposed use on the subject property aligns, more or less, with the vision articulated for the subject property in the Interstate 80/US Highway 6 subarea plan.

CASE #SUB-23-007

The proposed subdivision consists of 57.45 acres, more or less, of land and will consist of two lots. The developer proposes to build one industrial building on each lot, with development to occur in phases. The proposed use is warehousing and distribution. Lot 1 will have direct access to a public road (Hunt Avenue), and Lot 2 will have indirect access to a public road (Hunt Avenue) via a cross-access easement over a private driveway on Lot 1. Both lots will be fully served with utilities (e.g. sanitary/storm sewers, water, gas, electric, etc.). A preliminary plan is shown in Attachment 'C,' and civil site plans are shown in Attachment 'D.'

Comments

1. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, "but shall be deemed to be an authorization to proceed with the preparation of the final construction plans or performance guarantee and the final plat" (§14.11.060(D)—Subdivision Ordinance). A final plat application for the subdivision must be filed within one year of the date of action by the City Council.

A request for extension may be made by the sub-divider in writing prior to the expiration date. One-year extensions are considered by the City Planning Commission.

2. The proposed subdivision is consistent with the purpose and intent of Title 14: Subdivisions of the Council Bluffs Municipal Code. The developer has submitted applications to rezone the subject property and amend its future land use designation (see Cases #ZC-23-008 and #CP-23-003) to ensure the proposed subdivision is consistent with Title 15: Zoning of the Council Bluffs Municipal Code and the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan).

3. The developer is proposing to rezone the property from A-2/Parks, Estates and Agricultural District to P-I/Planned Industrial District. The proposed rezoning to the P-I District will require the adoption of a planned industrial development plan that establishes site development, architecture, landscaping, off-street parking and signage standards for the subject property (see Case #PI-23-001). All construction activity that occurs in the proposed subdivision shall comply with the planned industrial development for the Council Bluffs Commerce Center.

4. The minimum lot size requirements for the proposed subdivision shall be determined through the adoption of the planned industrial development plan for the Council Bluffs Commerce Center.

    a. Proposed Lot 1 will contain 34.793 acres, more or less, in area.
    b. Proposed Lot 2 will contain 22.657 acres, more or less, in area.

5. All proposed lots will have access to a public street. Lot 1 will have direct access to Hunt Avenue, and Lot 2 will have indirect access to Hunt Avenue via a cross-access easement over a private driveway on Lot 1. Cross-access easement rights shall be noted on the final plat. No new public roads are planned to be constructed as part of this subdivision.

6. A traffic study submitted by the developer is currently under review by the Public Works Department. All comments and recommendations by the Public Works Department shall be incorporated into all public roadway improvements. All costs associated with public roadway improvements shall be the responsibility of the developer and not the City.

7. The preliminary subdivision plan for the Council Bluffs Commerce Center indicates that stormwater detention ponds will be constructed on Lot 1 and within the right-of-way near the southeast corner of Lot 2. No outlots are shown on the preliminary plan.

8. All lots will be serviced with utilities (e.g. sanitary sewer, water, electricity, etc.). All utilities shall be installed underground. All costs to construct, remove and/or relocate any utilities for the proposed subdivision shall be the responsibility of the developer and not the City, unless otherwise agreed upon by both the developer and the City.

    a. The city is studying the feasibility and cost of extending sanitary sewer to the subject property from near the intersection of East Kanesville Boulevard and Railroad Highway. The City is considering the use of tax increment financing (TIF) to pay for the new sewer line, and discussions regarding the financing of the necessary sanitary sewer extension are ongoing between the City and the developer.
    b. A water main extension will be constructed along East Kanesville Boulevard and Hunt Avenue to serve the proposed subdivision. The developer shall coordinate the proposed water main extension with Council Bluffs Water Works.
    c. Extensions of private utilities (electricity, gas, etc.) shall be coordinated by the developer through each respective utility provider.

d. The proposed utility plan submitted by the developer indicates installation of overhead power lines along US Highway 6 and Hunt Avenue. All new power lines shall be installed underground, per Section 14.14.080(A) of the Council Bluffs Municipal Code (Subdivision Ordinance), which states the following:

"All utility distribution lines for telephone and electric service to be installed shall be placed underground within easements or dedicated public ways. The installation of such facilities shall be made in compliance with applicable orders, rules and regulations of the State of Iowa now or hereafter effective, and the owner or subdivider of any property to be served from such underground installations shall be responsible for compliance with the rules and regulations of any public utility whose services will be required with respect to the provisions of such underground facilities."

9. The proposed subdivision is located within an X flood zone (outside the 0.2% annual chance or 500-year flood) according to FEMA Flood Insurance Rate Map panels 19155C0420F and 19155C0418F, dated April 16, 2013.

10. The Council Bluffs Public Works Department provided the following comments:
    a. The traffic impact study, drainage report, and geotechnical report submitted by the applicant are currently under review. The developer shall comply with all recommendations from the Public Works Department resulting from the review of these documents.
    b. A sanitary sewer system should be developed with services provided to each lot.
    c. Streets shall be designed to current standards and specifications.
    d. Sidewalk system shall be designed to current standards and specifications.
    e. Utility easements shall be put in place per the City's standard with the required standard notes in the dedication.

11. The Council Bluffs Parks and Recreation Department's future trails map indicates potential for a multi-use paved trail to be constructed along US Highway 6 adjacent to the subject property. Because US Highway 6 is under the jurisdiction of the Iowa Department of Transportation (DOT), the city will not require construction of a trail in this location or payment of a fee in lieu by the developer. Discussions regarding feasibility and construction of a trail in this location will be coordinated with Iowa DOT if/when the agency initiates reconstruction of US Highway 6.

12. The Council Bluffs Fire Department stated it has no comments on the proposed industrial development.

13. Council Bluffs Water Works stated it has no comments on the proposed industrial development.

14. The Iowa Department of Transportation stated it does not see any conflicts between the proposed industrial development and its infrastructure facilities in the area (Interstate 80 and US Highway 6).

CASE #PI-22-002

Section 15.19.010, Statement of Intent, P-I/Planned Industrial District, of the Council Bluffs Municipal Code (Zoning Ordinance) states that "*the P-I district is intended to provide for the development of assemblage facilities, manufacturing facilities, research and development activities, business services, storage and distribution centers in an industrial park setting. The facilities in the planned industrial district are designed to be used in common by sharing ingress and egress roads, ensuring appropriate design with respect to traffic arteries and compatibility with surrounding uses. Business and industrial activities shall be primarily enclosed operations with significant screening and landscaping of exterior operations and storage. Final authority over development plans shall be retained by the city council, with extensive review by the planning commission*." The developer is

proposing to adopt a planned industrial development for the subject property in order to establish site development, architecture, landscaping, off-street parking and signage standards that are appropriate for the operation of the Council Bluffs Commerce Center.

1. Site Development

a. All lots shall contain a minimum of 15,000 square feet in area. Outlots shall be exempt from minimum lot size requirements.
b. All principal and accessory structures shall have a minimum setback of 25 feet from all property lines.
c. The maximum height for all structures shall not exceed 60 feet, as measured from finished grade to the peak of the roof.
d. No more than 60% of the total area of any lot shall be covered with structures.
e. All fences shall be installed in accordance with Section 15.24.040, Fence Regulations, of the Council Bluffs Municipal Code (Zoning Ordinance). No barbed wire or electric fencing visible from a public right-of-way shall be permitted.
f. In the event of the installation of a solar energy conversion system(s) on the subject property, the solar energy conversion system(s) shall be installed in accordance with Chapter 15.34.030, Solar Energy Conversion Systems, of the Council Bluffs Municipal Code (Zoning Ordinance).
g. All trash receptacles and/or dumpsters visible from a public right-of-way shall be enclosed on three sides with a masonry, wood, or vinyl fence and have a lockable gate that when closed properly completely eliminates view of the dumpster.
h. Outdoor storage of materials, products, equipment, or packaging shall not be permitted. While the presence of intermodal storage/shipping containers is customary and incidental to warehousing and distribution uses, the permanent placement of intermodal storage/shipping containers shall not be permitted. Temporary placement of intermodal storage/shipping containers is allowed on the subject property to the extent required for the operation of a warehousing and distribution facility, though intermodal storage/shipping containers shall not be stacked under any circumstance.
i. All utilities shall be installed underground. Any cost to remove, relocate, modify, and/or extend utilities to this site shall be at the sole cost of the developer and not the City, unless otherwise agreed upon by both the developer and the City.
j. All grading and drainage activity for this development shall be completed in accordance with the approved final plans.
k. All noise associated with the development shall conform to Chapter 4.50, Noise Control, of the Council Bluffs Municipal Code (Zoning Ordinance).
l. All exterior lighting shall conform to Section 15.24.050, Lighting Controls, of the Council Bluffs Municipal Code (Zoning Ordinance). Outdoor light poles shall be constructed of painted or finished aluminum or steel. Wood poles shall not be permitted. The maximum height of a freestanding light fixture shall not exceed 30 feet. Building mounted light fixtures shall not extend above the peak of the roof of the building to which they are attached. All exterior light fixtures shall be "full cutoff" in design, meaning they do not directly emit light above the horizontal plane.

2. Off-Street Parking

a. The minimum number of off-street parking spaces shall be calculated using the applicable parking ratio(s) in Chapter 15.23, Off-Street Parking, Loading and Unloading, of the Council Bluffs Municipal Code (Zoning Ordinance).
b. All off-street parking areas, driveways, drive aisles, and loading/unloading areas shall comply with the standards of Chapter 15.23, Off-Street Parking, Loading and Unloading, of the Council Bluffs Municipal Code (Zoning Ordinance) and the Iowa Statewide Urban Design and Specification (SUDAS) manuals for public improvements.

c. All off-street parking lots shall comply with Chapter 661–18, Parking for Persons with Disabilities, of the Iowa Administrative Code.
d. Bicycle parking, if provided, shall be designed as follows:
   i. Designated bicycle parking areas shall be located within a reasonable walking distance of, and clearly visible from, the main entrance of each building. Bicycle parking may alternatively be provided in a publicly accessible designated indoor bicycle parking area within a convenient distance from the main building entrance.
   ii. Outdoor bicycle racks shall be secured to the pavement in a location that does not conflict with pedestrian or vehicular circulation routes.
e. A parking lot permit shall be submitted with every building permit application, and shall include the number, location, and dimension of all drive aisles and spaces, pedestrian ways, islands, landscaped areas, loading areas, and lighting.

3. Architecture

a. Architectural renderings/elevations for the proposed industrial buildings are shown in Attachment 'E.' The proposed exterior architectural design is generally acceptable and shall be adopted as proposed.
b. Generally acceptable exterior façade materials include precast tip-up concrete panels, brick/stone masonry (or similar materials in appearance and durability), concrete masonry units (CMU), glass, decorative architectural metal, and/or other high quality, durable materials approved by the Community Development Director or their assign. Wood or vinyl siding shall not be permitted.
c. Building facades that do not contain loading docks shall be designed with architectural details such as color changes, material changes, minor wall offsets, height variations, wall setbacks, and/or accent lines to articulate building elevations, provide visual interest, and avoid long, expansive blank walls.
d. Awnings and/or other decorative features may be allowed on the façade of a building. Said features must be at least eight feet above the traveled pedestrian way and may not project over drive aisles or parking areas.
e. All rooftop mounted mechanical equipment that is visible from an adjacent public street right-of-way shall be screened from view using architectural design features.
f. All ground-mounted mechanical equipment that is visible from an adjacent public street right-of-way shall be completely screened from view using architectural design features, fencing, masonry wall, landscaping, or a combination thereof.

4. Landscaping

a. A landscaping plan shall be submitted with each building permit application. The plan shall clearly identify plant species, quantity, and size and shall show dimensions of all areas to be landscaped.
b. The landscaping plan shown on sheets L1.0, L1.1, and L1.2 of Attachment 'D' is generally acceptable, except that the landscape buffer on the westerly portion of each lot is shown as being only turf grass. In addition to the trees shown along Hunt Avenue and US Highway 6 in the applicant's landscaping plan, trees with a minimum mature height of 45 feet shall be planted along the westerly portion of each lot to visually screen the industrial buildings from the Interstate.
c. Landscaping shall be required on each lot. Not less than 10% of the total area of each lot shall be landscaped with trees, shrubs, and other plant materials. All parking lot islands and end caps shall be planted with a minimum of one canopy shade tree with ground cover (e.g. shrubs, sod, mulch, river rock, etc.)
d. A minimum five-foot wide landscape strip shall be provided between all parking surfaces and each abutting property line. The five-foot wide strips may be included in the 10% landscaping coverage requirement. This requirement shall be waived where a vehicular connection exists between two adjoining lots.

e. All tree species planted along the frontage of a public right-of-way shall comply with the Council Bluffs Street Tree Guide and be reviewed and approved by the City prior to installation. Trees planted on private property shall consist of drought-tolerant species suitable for the local climate.
f. Landscaping shall not interfere with the sight clearance triangle at any intersection and shall not impede the vision of any person driving, bicycling, or walking at the street, driveway, or any pedestrian way.
g. All disturbed areas without a specific landscape design shall be sodded or seeded with turf or prairie grass.
h. Not more than 10% of the landscaped area shall consist of inorganic materials such as brick, stone, aggregate, metal, or artificial turf. Organic mulch may be used around trees and/or shrubs.
i. All landscaping materials shall be appropriately maintained, and dead plant material shall be removed and replaced at a time appropriate to planting season(s) but in all cases shall be replaced within one year.

5. Signage

a. The developer did not include a detailed signage plan with the development plan request, though the site plan shows one monument sign on each lot. All on-premise signage shall be installed in accordance with all applicable standards in Chapter 15.33, Signs, of the Council Bluffs Municipal Code (Zoning Ordinance) unless otherwise noted in this development plan. A site-specific signage plan may be requested in the future through the initiation of an amendment to this development plan.
b. No attached sign shall extend beyond the corner of the wall to which it is attached or above the roof of the building to which it is attached.
c. No sign listed in Section 15.33.070, Prohibited Signs, of the Council Bluffs Municipal Code (Zoning Ordinance) shall be permitted.
d. Off-premise signs shall not be permitted.
e. Pole signs shall not be permitted.
f. All signage shall be permitted separately.

Recommendation

The Community Development Department recommends the following:

1. Approval of the preliminary plan for a two-lot major industrial subdivision to be known as the Council Bluffs Commerce Center on property legally described as being a tract of land located in part of Lot 1, Auditor's Subdivision of the SW 1/4 NW 1/4; part of the SE 1/4 NW 1/4; part of Lots 1, 2, and 3, Auditor's Subdivision of the NW 1/4 SW 1/4; and part of the NE 1/4 SW 1/4, all located in Section 22, Township 75 North, Range 43 West of the 5th Principal Meridian, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated above and the following conditions:

    a. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, but it "deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat" (§14.11.060(D)—Subdivision Ordinance).
    b. With adequate engineering and construction controls, the land is suitable for the proposed development. Construction plans for streets, sanitary sewer, and storm drainage shall be submitted to the Public Works Department for review and approval prior to beginning construction. Construction plans and comprehensive plans for grading, drainage, and erosion control, including right-of-way during site preparation, utility installation and construction shall be submitted to the Public Works Department for review and approval prior to beginning any earth disturbing activity. All applicable permits necessary to meet local, state, and federal requirements shall be the developer's responsibility.

c. All utilities shall be installed underground. All costs to construct, remove, and/or relocate any utilities for the proposed subdivision shall be the responsibility of the developer and not the City, unless otherwise agreed upon by both the developer and the City.

2. Approval of the request to rezone property legally described as being a tract of land located in part of Lot 1, Auditor's Subdivision of the SW 1/4 NW 1/4; part of the SE 1/4 NW 1/4; part of Lots 1, 2, and 3, Auditor's Subdivision of the NW 1/4 SW 1/4; and part of the NE 1/4 SW 1/4, all located in Section 22, Township 75 North, Range 43 West of the 5th Principal Meridian, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated above.

3. Approval of the request to adopt a planned industrial development plan on property legally described as being a tract of land located in part of Lot 1, Auditor's Subdivision of the SW 1/4 NW 1/4; part of the SE 1/4 NW 1/4; part of Lots 1, 2, and 3, Auditor's Subdivision of the NW 1/4 SW 1/4; and part of the NE 1/4 SW 1/4, all located in Section 22, Township 75 North, Range 43 West of the 5th Principal Meridian, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated above and the following condition:

   a. The proposed planned industrial development plan shall become effective at such time that the applicant closes on the subject property.
   b. Any modifications to the approved development plan which substantially alter the design, layout, configuration, and/or appearance of the project shall be reviewed by the City Planning Commission and approved by the City Council prior to such changes being made. All minor modifications to the adopted development plan may be administratively approved by the Community Development Director.

4. Approval of the request to amend the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying property legally described as being a tract of land located in part of Lot 1, Auditor's Subdivision of the SW 1/4 NW 1/4; part of the SE 1/4 NW 1/4; part of Lots 1, 2, and 3, Auditor's Subdivision of the NW 1/4 SW 1/4; and part of the NE 1/4 SW 1/4, as well as additional land lying north and east of the aforementioned property legally described as part of the NW ¼ NW ¼, part of the NE ¼ NW ¼ , part of the SE ¼ NW ¼, and part of the NE ¼ SW ¼, all located in Section 22, Township 75 North, Range 43 West of the 5th Principal Meridian, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated above.

Public Hearing

Staff speaker for the request:
1. Brandon Siracuse, Planner, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503
2. Christopher Gibbons, Planning Manager, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor:
1. Ryan Hackenmiller, VanTrust Real Estate, 4800 Main St Ste 400, Kansas City, MO 64112
2. Jon McCarville, Olsson, 2111 S 67th St Ste 200, Omaha, NE 68106
3. John Jerkovich, 535 W Broadway Ste 100, Council Bluffs, IA 51503
4. Stan Ullerich, 106 Marinda Dr, Council Bluffs, IA 51503

Speakers against: None

The City Planning Commission recommended the following:

1. Approval of the preliminary plan for a two-lot major industrial subdivision to be known as the Council Bluffs Commerce Center on property legally described as being a tract of land located in part of Lot 1, Auditor's Subdivision of the SW 1/4 NW 1/4; part of the SE 1/4 NW 1/4; part of Lots 1, 2, and 3, Auditor's Subdivision of the NW 1/4 SW 1/4; and part of the NE 1/4 SW 1/4, all located in Section 22, Township 75 North, Range 43 West of the 5th Principal Meridian, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated above and the following conditions:

a. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, but it "deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat" (§14.11.060(D)—Subdivision Ordinance).
b. With adequate engineering and construction controls, the land is suitable for the proposed development. Construction plans for streets, sanitary sewer, and storm drainage shall be submitted to the Public Works Department for review and approval prior to beginning construction. Construction plans and comprehensive plans for grading, drainage, and erosion control, including right-of-way during site preparation, utility installation and construction shall be submitted to the Public Works Department for review and approval prior to beginning any earth disturbing activity. All applicable permits necessary to meet local, state, and federal requirements shall be the developer's responsibility.
c. All utilities shall be installed underground. All costs to construct, remove, and/or relocate any utilities for the proposed subdivision shall be the responsibility of the developer and not the City, unless otherwise agreed upon by both the developer and the City.

2. Approval of the request to rezone property legally described as being a tract of land located in part of Lot 1, Auditor's Subdivision of the SW 1/4 NW 1/4; part of the SE 1/4 NW 1/4; part of Lots 1, 2, and 3, Auditor's Subdivision of the NW 1/4 SW 1/4; and part of the NE 1/4 SW 1/4, all located in Section 22, Township 75 North, Range 43 West of the 5th Principal Meridian, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated above.

3. Approval of the request to adopt a planned industrial development plan on property legally described as being a tract of land located in part of Lot 1, Auditor's Subdivision of the SW 1/4 NW 1/4; part of the SE 1/4 NW 1/4; part of Lots 1, 2, and 3, Auditor's Subdivision of the NW 1/4 SW 1/4; and part of the NE 1/4 SW 1/4, all located in Section 22, Township 75 North, Range 43 West of the 5th Principal Meridian, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated above and the following condition:

   a. The proposed planned industrial development plan shall become effective at such time that the applicant closes on the subject property.
   b. Any modifications to the approved development plan which substantially alter the design, layout, configuration, and/or appearance of the project shall be reviewed by the City Planning Commission and approved by the City Council prior to such changes being made. All minor modifications to the adopted development plan may be administratively approved by the Community Development Director.

4. Approval of the request to amend the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying property legally described as being a tract of land located in part of Lot 1, Auditor's Subdivision of the SW 1/4 NW 1/4; part of the SE 1/4 NW 1/4; part of Lots 1, 2, and 3, Auditor's Subdivision of the NW 1/4 SW 1/4; and part of the NE 1/4 SW 1/4, as well as additional land lying north and east of the aforementioned property legally described as part of the NW ¼ NW ¼, part of the NE ¼ NW ¼ , part of the SE ¼ NW ¼, and part of the NE ¼ SW ¼, all located in Section 22, Township 75 North, Range 43 West of the 5th Principal Meridian, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated above.

VOTE: AYE – Bailey, Hutcheson, Knauss, Rater, Rew, Stroebele, and Van Houten. NAY - None ABSTAIN – Opperman. ABSENT – Bass. VACANT - Two Motion: Carried.

Attachments

Attachment A: Location/Zoning Map
Attachment B: Letter of Intent
Attachment C: Council Bluffs Commerce Center Preliminary Plan
Attachment D: Civil Site Plan Set
Attachment E: Architectural Renderings
Attachment F: Site Lighting Plans

Prepared by: Brandon Siracuse, Planner, and Christopher N. Gibbons, AICP, Planning Manager