Council Communication

Department: Community Development CASE #SUB-24-002 Applicants/Owners: Questa LLC c/o Corporation Service Co. 2801 Centerville Road 1st Floor, PMB 811 Wilmington, DE 19808 MidAmerican Energy Co. P.O. Box 657 Des Moines, IA 50306 Surveyor: David E. Forsythe HGM Associates Inc. 640 5th Avenue Council Bluffs, Iowa 51501	Resolution No. _____	City Council: 4/22/2024

Subject/Title

Request: Public hearing on the request of Questa, LLC and Mid-American Energy for final plat approval of a three-lot industrial subdivision to be known as Southlands Subdivision, as legally described in Attachment A.

Location: Land lying north of property addressed as 2849 River Road.

Background/Discussion

The Community Development Department has received a request from Questa, LLC and Mid-American Energy for final plat approval of a three-lot industrial subdivision to be known as Southlands Subdivision, as legally described in Attachment A.

The proposed subdivision is comprised of a total of 972.94 acres of land (more/less) and includes 5.37 acres of Wabash Avenue right-of-way and 14.937 acres of Pony Creek right-of-way. Proposed Lot 1 will contain 927.65 acres of land and will be owned by Questa, LLC and further developed with data center buildings. Proposed Lots 2 and 3 will contain 5.62 acres and 16.98 acres respectively and will be owned by Mid-American Energy, as said lots are developed with existing Mid-American Energy electrical utility sub-stations. The purpose of this subdivision is to allow Questa, LLC and Mid-American Energy to consolidate their existing parcels into new lots of record, with one uniform boundary, for future growth and development. All existing and proposed easements within Southlands Subdivision are shown on the proposed final plat.

Land Use/Zoning

All land within the proposed Southlands Subdivision is zoned I-2/General Industrial District (see Attachment B). Surrounding zoning includes A-3 (County) and I-1 (County) to the north; A-4 (County) to the east; I-3/Heavy Industrial District, and A-3 (County) to the west; and A-4 (County) and I-2 (County) to the south. Existing land uses in the general vicinity of the request includes Pony Creek and agriculture

farmland to the north; large acreage residential properties and Loess Hills to the east; Bunge Corp to the south; Interstate 29, Mid-American Energy Power Plant, undeveloped land, and a farming operation to the west. The future land use plan of the Bluffs Tomorrow: 2030 Plan designates the property as 'Light Industrial'.

Comments

1. The proposed Southlands Subdivision is generally consistent with the Bluffs Tomorrow: 2030 Plan and the purpose and intent of the Council Bluffs Subdivision and Zoning Ordinances.

2. The minimum lot size property zoned I-2 District is 15,000 square feet, as per Section 15.21.050, Site development regulations, I-2/Industrial District of the Municipal Code (Zoning Ordinance). Proposed Lot 1 will contain 927.65 acres of land and will be owned by Questa, LLC; and proposed Lots 2 and 3 will contain 5.62 acres and 16.98 acres respectively and will be owned by Mid-American Energy. All lots within the proposed subdivision comply with I-2 District lot size requirements.

3. All future construction and development within this subdivision shall comply with standards stated in Section 15.21.050, Site development regulations, I-2/Industrial District of the Municipal Code (Zoning Ordinance).

4. The subdivision is located within a Flood Zone 'X', according to FEMA Map Number 19155C0595E, dated February 4, 2005, and is protected from Missouri River and Pony Creek floods by levees.

5. Proposed Lot 1 has direct access Bunge Avenue. Proposed Lots 2 and 3 will have access to Bunge Avenue via pre-existing ingress/egress easements across Lot 1, as shown on Sheets, 2, 3, 5 and 8 of the proposed final plat. No new public roadway extensions are proposed at this time.

6. All electric, gas, water, cable and communication facilities are available to serve development within the subdivision and shall be installed underground. Overhead transmission lines that connect into Mid-American Energy's substations on Lots 2 and 3 are not required to be buried underground. All costs to construct, remove, and/or relocate any utilities within the proposed subdivision shall be the responsibility of the developers/land owners, and not the City of Council Bluffs.

7. No private restrictions or covenants will be recorded by the City with this plat. A note indicating such is stated on the final plat.

8. All City Departments and local utility companies were provided a copy of the proposed final plat to review. The following comments were received:
   a. Council Bluffs Public Works stated easements all natural drainage ways that flow through the site require easements to be defined over them. Additionally, Public Works has no concerns with the plat not containing standard perimeter easements for utilities as they are all supplied through defined easements paths on the property. Public Works also recommended all of the hatched easements be captured in a legend on the plat with a definition of the easement and ownership.
   b. The Council Bluffs Fire Department stated they have no comments.
   c. Council Bluffs Water Works stated they have no comments.
   d. Council Bluffs Police Department stated they have no comments.

9. The following technical corrections must be made to the final plat prior to being signed by the City:
   a. Sheet 2 of 11: Identify which point on the plat map is the "Point of Beginning".
   b. Sheet 5 of 11: Notate the course bearing distance and linear feet of all property lines shown on the plat.

c. Sheet 8 of 11: Notate the course bearing distance and linear feet of all property lines shown on the plat.

Recommendation

The Community Development Department recommends final plat approval of Questa, LLC and Mid-American Energy for final plat approval of a three-lot industrial subdivision to be known as Southlands Subdivision, as legally described in Attachment A, subject to all comments stated above and following conditions:

a. All technical corrections shall be incorporated into the final plat document prior to being executed; and
b. The final plat shall be recorded within 90 days of City Council approval or the plat shall become null and void unless an extension of has been requested and granted by the Community Development Department Director; and
c. Conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements; and
d. All electric, gas, water, cable and communication facilities shall be installed underground. Overhead transmission lines that connect into Mid-American Energy's substations on Lots 2 and 3 are not required to be buried underground. All costs to construct, remove, and/or relocate any utilities within the proposed subdivision shall be the responsibility of the developers/land owners, and not the City of Council Bluffs.

Attachments

Attachment A: Southlands Subdivision Final Plat
Attachment B: Location/zoning map

Surveyor: David Forsyth, HGM Associates Inc., 640 5th Avenue, Council Bluffs, Iowa 51501

Prepared by: Christopher N. Gibbons, AICP, Planning Manager