Council Communication

Department: Community Development CASE #SUB-24-003 Applicant/Property Owner: Danco II 1512 Council Bluffs, LLC 633 W Highway 20 Valentine, NE 69201 Surveyor: Snyder & Associates, Inc. 231 Bennett Avenue Council Bluffs, IA 51503	Resolution No. _____	City Council: 5/20/2024

Subject/Title

Request: Public hearing on the request of Danco II 1512 Council Bluffs, LLC for final approval of a one-lot commercial subdivision to be known as Danco Subdivision, being legally described as a replat of Lots 23 through 30, Block 46, Brown's Subdivision, City of Council Bluffs, Pottawattamie County, Iowa

Location: 3606 and 3624 9th Avenue

Background/Discussion

The Community Development Department has received a request from Danco II 1512 Council Bluffs, LLC for final approval of a one-lot commercial subdivision to be known as Danco Subdivision, legally described as being as replat of Lots 23 through 30, Block 46, Brown's Subdivision, City of Council Bluffs, Pottawattamie County, Iowa (see Attachment A). The proposed subdivision is comprised of properties commonly addressed as 3606 & 3624 9th Avenue and contains a total of 42,604 square feet. The property at 3606 9th Avenue is vacant and 3624 9th Avenue is an existing SpeedeeMart (Shell) gas station. The purpose of the final plat is to combine the two parcels into one lot of record so the applicant can build a new SpeedeeMart gas station (see Attachment B).

Land Use/Zoning

The proposed subdivision is zoned C-2/Commercial District (see Attachment C). Surrounding zoning includes C-2 District to the south; R-2/Two-Family Residential District to the east and north; and A-2/Parks, Estates, and Agricultural District and P-C/Planned Commercial District to the west. Existing land uses in the general vicinity of the subdivision includes: residential dwellings to the north and east; retail shopping establishment (Iowa Cannabis Company) and an automotive service establishment (MegaSaver) to the south; and Interstate 29 and Harrah's Casino to the west. The future land use plan of the Bluffs Tomorrow: 2030 Plan designates the property as 'Local Commercial'.

Comments

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

B. The minimum lot size for property zoned C-2 District is 5,000 square feet, as per Section 15.15.050, Site Development Regulations, C-2/Commercial District of the Council Bluffs Municipal Code (Zoning Ordinance). The proposed subdivision contains a total of 42,834 square feet of land, which complies with minimum C-2 District lot size requirements.

C. All future construction and development within this subdivision shall comply with standards stated in 15.15.050, Site Development Regulations, C-2/Commercial District of the Council Bluffs Municipal Code (Zoning Ordinance).

D. The subdivision is located within a Flood Zone 'X', according to FEMA Map Number 19155C0394E, dated February 4, 2005.

E. The subdivision directly abuts 9th Avenue, S. 36th Street, and the northbound I-29 frontage road. All vehicular access to the subdivision will from 9th Avenue and/or S. 36th Street. No direct vehicular access will be allowed to the northbound I-29 frontage road and no new public roadway extensions are proposed with this request.

F. The proposed subdivision has adequate access to utilities (i.e., water, sanitary sewer, storm sewers, electricity, gas, etc.) for development purposes. All utilities shall be installed 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.

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

H. All City Departments, local utility companies, and the Iowa Department of Transportation (IDOT) were provided a copy of the proposed final plat to review. The following comments were received:

1. Council Bluffs Fire Department stated they have no comments for the request.
2. Council Bluffs Police Department stated they have no comments for the request.
3. Council Bluffs Public Works Department stated they have no comments for the request.
4. Council Bluffs Water Works stated they have no comments for the request.
5. IDOT stated they have no comments/concerns for the proposed final plat.

I. The following technical corrections must be made to the final plat prior to being signed by the City:
   a. Draw and notate Lots 9 and 22, Block 46, Brown's Subdivision on the final plat as these are existing lots of record that are owned by the State of Iowa.

Recommendation

The Community Development Department recommends final approval of a one-lot commercial subdivision to be known as Danco Subdivision, being legally described as a replat of Lots 23 through 30, Block 46, Brown's Subdivision, City of Council Bluffs, Pottawattamie County, Iowa, 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 time has been granted by the Community Development Department Director; and

C. All development shall 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 utilities shall be installed underground. Any cost to remove and/or relocate any utilities shall be the sole expense of the applicant and not the City.

Attachments

Attachment A: Danco Subdivision Final Plat
Attachment B: Proposed site/landscaping plan for new Speedee Mart
Attachment C: Location/zoning map

Surveyor: Tarron Meaike, Synder & Associates

Prepared by: Christopher N. Gibbons, AICP, Planning & Code Compliance Manager