City Council Communication

Department: Community Development CASE #PI-24-001 Applicant: EDC Omaha Landco LLC 30 Old Kings Highway South #1005 Darien, CT 06820 Property Owner: Nestory Council Bluffs LLC 100 Shoreline Highway, Suite 100A Crescent, IA 51526 Representative: Elda Bruza 30 Old Kings Highway South #1005 Darien, CT 06820	Resolution No. _____	City Council: 6/10/2024 Planning Commission: 5/14/2024

Subject/Title

Request: Public hearing on the request of EDC Omaha LLC, represented by Elda Bruza, to adopt a planned industrial development plan for a new 'data center' on property legally described as being a parcel of land located in Section 21-75-43 and Section 28-75-43, City of Council Bluffs, Pottawattamie County, Iowa.

Location: Undeveloped land lying southeast of the intersection of College Road and East Kanesville Boulevard/Highway 6.

Background/Discussion

The Community Development Department has received a request from EDC Omaha LLC, represented by Elda Bruza, to adopt a planned industrial development plan for a new 'data center' on undeveloped land lying southeast of the intersection of College Road and East Kanesville Boulevard/Highway 6. The purpose of this request is to establish standards for site design, building placement, architecture, landscaping, off-street parking, and signage for the project.

The subject property consists of several undeveloped parcels of land located east of the Iowa Western Community College campus. A planned industrial development plan was previously adopted at this site for a logistics park via Resolution No. 21-308 (resolution approved by City Council on October 25, 2021). The project did not move forward and the land has remained undeveloped. The City of Council Bluffs has received a new proposal from EDC Omaha LLC to develop the subject property as a data center. The proposed data center will consist of two 80-foot tall buildings, each containing 450,000 square feet in ground floor area. In total, the proposed data center will occupy 900,000 square feet in area. The applicant is proposing to provide 80 parking stalls for the proposed development. Additionally, MidAmerican Energy will construct a substation on the subject property to service the proposed data center. The new development plan will supersede the previous development plan adopted for the logistics park.

The applicant also intends to subdivide the subject property into two lots (one lot for the data center and one lot for the substation) at a later date. The proposed subdivision should be completed prior to the commencement of

any construction associated with this project; however, the final plat may be executed after to the construction is completed provided the necessary access easements are conveyed during the platting process.

Land Use and Zoning – The following zoning and land uses surround the subject property:

North: East Kanesville Boulevard/Highway 6 and undeveloped land that is zoned C-2/Commercial District and R-3/Low-Density Multifamily District.

South: A Black Hills Energy facility, which is zoned P-I/Planned Industrial District.

East: Interstate 80 and undeveloped land that is zoned A-2/Parks, Estates and Agricultural District.

West: The Iowa Western Community College campus, which is zoned A-2/Parks, Estates and Agricultural District, and housing associated with IWCC that is zoned R-3/Low Density Multifamily Residential.

The Future Land Use Plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property as 'Office/Industrial' and 'Local Commercial.'

City Departments and Utilities – All appropriate City departments and utilities were notified of the planned industrial development plan request. The following comments were received:

A. The Council Bluffs Public Works Department had the following comments:

1. Drainage report has been received. The Public Works Department will continue to work with the Engineer of Record (EOR) to finalize the report with the final design.

2. Traffic memo is noted.

3. Site plan is noted. The Public Works Department will continue to work with the EOR to develop final plans for permitting.

4. Utility plan is noted. The Public Works Department will continue to work with the EOR on development of final plans for permitting:

    a. Stormwater runoff directed to the IDOT ditch will need to be coordinated and permitted with IDOT.

    b. Sanitary sewer design shall be coordinated with the Public Works Department for connection to sewer that is currently under design.

    c. Sanitary sewer design flows shall be represented to the Public Works Director for industrial user permit/agreement.

    d. Water service shall be coordinated with Council Bluffs Water Works.

    e. All other utilities should be coordinated with the property utility provider.

5. The Public Works Department will work with the applicant to finalize the plat for the proposed subdivision.

B. The Council Bluffs Police Department stated they have no comments or objections to the request.

C. The Council Bluffs Fire Department stated they have no comments on the request.

D. Council Bluffs Water Works stated the applicant should contact them to address their water needs.

Development Plan

A. Site Development

1. All principal and accessory structures shall be have a minimum perimeter setback of 25 feet.

2. The maximum height allowed for principal structures shall be 80 feet, as measured from finished grade to the highest point of the parapet wall.

3. The maximum height allowed for accessory structures shall be 50 feet, as measured from finished grade to the peak of the roof.

4. The maximum combined lot coverage for all structures shall not exceed 60% of the total lot area.

5. All fences/walls shall be installed in accordance with Section 15.24.040, Fence Regulations, of the Council Bluffs Municipal Code (Zoning Ordinance).

    a. The submitted site plan (Attachment 'C') shows an anti-climb Ameristar fence will be installed around the perimeter of the data center. The maximum height allowed for the proposed fence shall be 10 feet, as measured from finished grade to the highest point of the fence structure.

    b. The submitted site plan (Attachment 'C') shows a masonry wall will be installed along the north and west sides of the MidAmerican Energy substation. A masonry wall shall also be installed along the northerly 20 feet of the east side of the substation to adequately screen ground-mounted equipment from public view.

        i. The proposed masonry wall shall have a minimum height of 10 feet and a maximum height of 20 feet, as measured from finished grade to the highest point of the wall.

    c. No barbed wire shall be allowed on the proposed fence or masonry wall.

6. Any solar energy conversion systems installed at this site shall be subject to Section 15.34.030, Solar Energy Conversion Systems, of the Council Bluffs Municipal Code (Zoning Ordinance).

7. All exterior lighting shall conform to Section 15.24.050, Lighting Controls, of the Council Bluffs Municipal Code (Zoning Ordinance). All outdoor light poles shall be limited to a maximum height of 40 feet, as measured from finished grade to the highest point of the pole structure. All light poles shall be painted or finished aluminum or steel. Wood poles shall not be allowed.

8. Outdoor storage of materials, products, equipment, or packaging shall not be permitted. This includes the semi-permanent and/or permanent placement of inter-modal storage/shipping containers.

    a. Power generators installed to service the proposed data center are allowed to be stored outdoors.

B. Utilities

1. 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.

    a. Overhead facilities shall only be allowed to service the proposed MidAmerican substation.

2. All grading and drainage activity for this development shall be completed in accordance with Public Works standards.

3. Water, power, and gas service shall be coordinated with the appropriate utility provider.

C. Off-Street Parking

1. The minimum number of off-street parking spaces is typically calculated using the parking requirements in Section 15.23.060, Parking Spaces Required, of the Council Bluffs Municipal Code (Zoning Ordinance). For a data center, the number of required parking spaces would be calculated using Schedule A in Section 15.23.060 of the Council Bluffs Municipal Code (Zoning Ordinance). The warehousing component of the data center would require one (1) space per 5,000 square feet and the office/administrative activity component would require one (1) space per 300 square feet. This would result in approximately 200 parking spaces being required for the proposed data center. The submitted site plan (Attachment 'C') shows 80 parking spaces will be provided at this site. City staff and the applicant have discussed establishing site-specific parking standards for this project to ensure the off-street parking needs for the proposed development are adequately satisfied while not requiring an excessive amount of parking to be provided. In this regard, the applicant shall submit a parking demand memo prior to building plans being finalized for building permit review to verify the amount of parking provided for the proposed development will be sufficient. Shared parking between the two lots that will contain the proposed data center buildings shall be allowed.

2. All off-street parking areas, driveways and drive aisles shall comply with the standards in Chapter 15.23, Off-Street Parking, Loading and Unloading, of the Council Bluffs Municipal Code (Zoning Ordinance), and Iowa's Statewide Urban Design and Specifications (SUDAS) manuals for public improvements.

    a. The ground surface for the proposed MidAmerican Energy substation may be constructed out of gravel.

3. All off-street parking lots shall comply with Chapter 661–18, Parking for Persons with Disabilities, of the Iowa Administrative Code.

4. Bicycle parking shall be incorporated into the overall layout of each lot.

    a. Designated bicycle parking areas shall be located within a reasonable distance of, and clearly visible from, the main entrance of each building. Bicycle parking may alternatively be provided in a publicly accessible indoor location within a convenient distance of the main building entrance.

    b. Bicycle racks shall be secured to the pavement in a location that does not conflict with pedestrian or vehicular circulation routes.

    c. Bicycle parking shall be provided at a rate of one bicycle parking space per 45,000 square feet of ground floor area. Using this calculation, a minimum of 20 bicycle parking spaces shall be provided

for this project. Bicycle parking shall be distributed evenly between the two lots containing the data center buildings.

d. Bicycle parking shall be installed prior to the issuance of the Certificate of Occupancy for the proposed project.

5. A parking lot permit shall be submitted with the building permit application for the proposed data center, and shall include the number, location, and dimension of all drive aisles and spaces, bicycle parking, pedestrian ways, islands, landscaped areas, loading areas and lighting.

6. The submitted site plan in Attachment 'C' shows the proposed data center will be accessed via two driveways on College Road, which includes the shared driveway with the Black Hills Energy facility at 2287 College Road. The applicant shall be subject to the terms and conditions in the shared access easement agreement at all times.

D. Architecture

1. Architectural renderings/elevations for the proposed data center are shown in Attachment 'J.' The renderings show the exterior being constructed out of insulated precast concrete panels. This material is acceptable and shall be painted in a pattern generally consistent with the submitted renderings.

2. 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.

3. 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.

   a. The landscape buffer proposed to be planted along the perimeter of the project site shall be acceptable provided it is sized and planted to adequately screen all ground-mounted equipment from public view.

4. All trash receptacles visible from a public right-of-way shall be enclosed on three sides with a masonry, wood, or vinyl fence and shall be have a lockable gate that, when closed, completely eliminates view of the dumpster.

E. Landscaping

1. A landscaping plan shall be part of every building permit application. The plan shall clearly identify plant materials, quantity, and size and shall show dimensions of all areas to be landscaped.

2. A minimum of one evergreen tree and/or deciduous shade tree shall be planted every 30 linear feet along the frontages abutting College Road, Highway 6, and Interstate 80.

   a. The submitted landscaping plan (Attachment 'G') shows a double-row of deciduous and evergreen trees will be planted on a 3 to 4-foot tall landscape berm along the perimeter of the project site. The Community Development Department finds the proposed amount of landscaping will sufficiently screen the data center from public view.

   b. All tree species planted along the frontage of a public right-of-way shall comply with the Council Bluffs Street Tree Guide and shall be reviewed and approved by the City prior to installation.

3. Not more than 10% of the landscaped area shall be of inorganic material such as brick, stone, aggregate, river rock, metal or artificial turf. Organic mulch may be used around trees and/or shrubs.

4. A minimum five foot-wide strip of landscaping, planted with trees, shrubs, and/or grass, shall be installed between the edge of all parking lot areas and any abutting property line. The five-foot wide strips may be included in the 10% requirement.

5. All parking lot islands shall be planted with a minimum of one canopy shade tree and ground cover vegetation (e.g., shrubs, sod, mulch, or river rock, etc.). Trees planted on along parking lot islands shall consist of drought resistant species native to Iowa.

6. All disturbed areas without a specific landscape design shall be seeded with sod, turf, and/or prairie grass.

7. All trees shall have a minimum caliper width of two inches at the time of planting.

8. Landscaping shall not impede the vision of any pedestrian and/or automobile traffic entering/exiting or circulating on the subject property.

9. All landscaping shall be appropriately maintained and dead plant material replaced at a time appropriate to planting seasons but in all cases shall be replaced within one year.

F. Signage

1. The total maximum amount of signage allowed shall be based on a calculation of one and one-half (1 ½) square feet of signage per each lineal foot of street frontage along a public street right-of-way or private drive. The easterly property line abutting Interstate 80 right-of-way shall be excluded from the calculation to determine the maximum amount of signage allowed for this project.

2. The total amount of attached signage shall be limited to 15% of the building façade to which it is attached. Attached signage can be placed at any location on the building but shall not extend beyond any building wall or above the peak of the roof.

    a. One attached wall sign is proposed to be installed above the main entrance of each building. Sign dimensions were not provided at the time of application submittal.

3. A maximum of one ground/monument sign shall be allowed per street frontage and shall be limited to a maximum height of 10 feet, as measured from finished grade to the highest point of the sign structure. The entire monument sign shall be counted as signage as measured from finished grade to the highest point of the monument and from one side of the monument structure to the other. The maximum sign area shall not exceed 100 square feet of signage per face.

    a. One 5’ × 6’ monument sign is proposed to be installed near the south driveway entrance along College Road. The proposed monument sign is acceptable.

4. On-site directional/wayfinding signage shall count toward the overall amount of signage permitted on the subject property. Each sign shall be limited to a maximum height of six feet, as measured from finished grade to the highest point of the sign structure. The maximum sign area shall not exceed six square feet of signage per face.

5. No sign listed in Section 15.33.070, Prohibited Signs, of the Council Bluffs Municipal Code (Zoning Ordinance) shall be permitted.

6. A sign permit shall be submitted with every building permit application for any attached, detached and/or on-premise directional signage proposed to be installed on the subject property.

Recommendation

The Community Development Department recommends approval of the request adopt a planned industrial development plan for a new 'data center' on property legally described as being a parcel of land located in Section 21-75-43 and Section 28-75-43, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated above and the following conditions:

1. Any modifications to the approved development plan which substantially alter the design, layout, configuration, and/or appearance of the project shall be reviewed the City Planning Commission and approved by 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; and

2. The planned industrial development plan adopted via Resolution No. 21-380 shall be null and void.

Public Hearing

Staff speakers for the request:
1. Moises Monrroy, 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. John Dalton, 30 Old Kings Highway South, #1005, Darien, CT 06820

Speakers against: None

The Planning Commission recommended approval of the request adopt a planned industrial development plan for a new 'data center' on property legally described as being a parcel of land located in Section 21-75-43 and Section 28-75-43, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated above and the following conditions:

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B. The planned industrial development plan adopted via Resolution No. 21-380 shall be null and void.

VOTE: AYE – Hutcheson, Knauss, Freund, Rater, Rew, Stroebele, VanHouten, and Watson. NAY – None. ABSTAIN – None. ABSENT – None. VACANT - Three Motion: Carried.

Attachments

Attachment A: Location/Zoning Map
Attachment B: Letter of Intent

Attachment C: Site Plan
Attachment D: Proposed Subdivision Plan
Attachment E: Grading and Drainage Plan
Attachment F: Utility Plan
Attachment G: Landscaping Plan
Attachment H: Stormwater Management Plan
Attachment I: Traffic Memo
Attachment J: Building Elevations
Attachment K: MidAmerican Energy Substation Screen Wall Examples

Prepared by: Moises Monrroy, Planner, Community Development Department