RESOLUTION NO. 24-361

A RESOLUTION GRANTING PRELIMINARY PLAN APPROVAL TO DEDICATE 1.8 ACRES OF LAND TO THE CITY FOR THE FUTURE EXTENSION OF POWER DRIVE AND WIDENING OF 35TH AVENUE ON PROPERTY LEGALLY DESCRIBED AS LOT 10, LAKE MANAWA CENTRE SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, EXCEPT A TRACT OF LAND LOCATED IN PART OF LOT 10, LAKE MANAWA CENTRE SUBDIVISION AS PLATTED AND RECORDED IN POTTAWATTAMIE COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED IN ATTACHMENT 'A'.

WHEREAS, The proposed preliminary subdivision is comprised of 13.86 acres, more or less, of land and will consist of one lot located on undeveloped land located immediately east of 100 Power Drive and will contain a 280-unit multifamily development, to be known as the Cornerstone Apartments; and

WHEREAS, The Community Development Department provided the following comments:

A. 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 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.

B. The purpose for the subject preliminary plan request is to facilitate the dedication of 1.8 acres of land to the City for the future extension of Power Drive (1.1 acres) and widening of 35th Avenue (0.7 acres). The applicant plans to construct the segment of Power Drive between 35th Avenue and the westerly drive into the subject property. Power Drive is currently a private drive that provides access to 20 and 100 Power Drive through 35th Avenue. The new public street will be centered in a 66-foot-wide right-of-way. The land dedication along the north of the subject property will go towards a future City endeavor to widen 35th Avenue. The proposed expansion will ensure that the street profile width of 35th Avenue is consistent with Metro Drive. All streets shall be built to City standards.

C. The remaining land area leftover after the proposed land dedication will result in a single lot comprised of 12.06 acres, which is consistent with the purpose and intent of Title 14: Subdivisions and Title 15: Zoning of the Council Bluffs Municipal Code. The proposed 280-unit multi-family residential development will occur on said lot.

D. The subject property is zoned P-C/Planned Commercial District. The applicant has requested to adopt a planned commercial development plan to establish standards for site development, off-street parking, architectural, landscaping and signage standards for the proposed multifamily residential development. All development on the subject property shall comply with said development plan (Case #PC-24-002).

E. Public water, sanitary sewer and storm sewer utilities are either available or will be extended to service the subject property. All utilities shall be installed underground. All costs to construct, remove and/or relocate utilities for the proposed subdivision shall be the responsibility of the developer and not the City.

F. The Lake Manawa Centre Subdivision plat includes five (5) and ten (10) foot wide utility easements which shall be replaced by the proposed ten (10) foot wide utility easement shown around the entire perimeter of the proposed subdivision.

G. The applicant shall coordinate with the City on sidewalk placement and timing of installation. All sidewalks shall be built to City standards. All costs associated with sidewalk installation shall be the responsibility of the developer and not the City.

H. All future streetlights shall meet Public Works Department standards. All costs associated with installation of streetlights shall be the responsibility of the developer and not the City.

I. The subject property is located within an AH flood zone. Any construction that occurs on the proposed subdivision shall comply with all applicable floodplain development regulations.

The Council Bluffs Public Works Department provided the following comments:

A. The proposed right-of-way dedication is as requested for both 35th Avenue and Power Drive.

B. The Public Works Department will continue to work with the developer's engineer on the following items: final drainage analysis and storm sewer design; final pavement construction documents; sanitary sewer improvements; and final grading and erosion control plan.

The Council Bluffs Chief of Staff stated:

A. The multifamily land use is compatible and desirable in this location and within the P-C zoning district.

B. The intent of adding residential units within commercial areas is to help generate additional customer traffic and provide workforce housing for people that work in the area. Adding residential units in the central area of the subject P-C district, between the Manawa Power Center and Metro Crossing, creates opportunities to walk between some of the retail, restaurants, and proposed apartments.

The Council Bluffs Parks and Recreation Department stated:

A. A sidewalk should be installed along 35th Avenue to be consistent with other requests within the subject shopping center.

Council Bluffs Water Works stated:

A. They will require a water main extension down Power Drive and the applicant shall contact Council Bluffs Water Works to discuss said extension.

MidAmerican Energy stated:

A. They have no initial concerns with the proposed development and the developers or their agents shall contact MidAmerican Energy directly to discuss project timelines and identify costs and requirements associated with extending electric service to the development; and

WHEREAS, The Community Development Department recommends preliminary plan approval to dedicate 1.8 acres of land to the City for the future extension of Power Drive and widening of 35th Avenue on property legally described as Lot 10, Lake Manawa Centre Subdivision, City of Council Bluffs, Pottawattamie County, Iowa except a tract of land located in part of Lot 10, Lake Manawa Centre Subdivision as platted and recorded in Pottawattamie County, Iowa, subject to all comments stated above.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the request for a preliminary plan approval to dedicate 1.8 acres of land to the City for the future extension of Power Drive and widening of 35th Avenue on property legally described as Lot 10, Lake Manawa Centre Subdivision, City of Council Bluffs, Pottawattamie County, Iowa except a tract of land located in part of Lot 10, Lake Manawa Centre Subdivision as platted and recorded in Pottawattamie County, Iowa, and more particularly described in 'Attachment A' is hereby approved, subject to all comments and conditions listed above and all local, state and federal regulations.

ADOPTED
AND
APPROVED December 16, 2024

MATTHEW J. WALSH Mayor

ATTEST:

JODI QUAKENBUSH City Clerk

Planning Case No. #SUB-24-008