

## **RESOLUTION NO. 18-264**

### **A RESOLUTION GRANTING FINAL PLAT APPROVAL OF A ONE-LOT INDUSTRIAL SUBDIVISION TO BE KNOWN AS BLACK HILLS SUBDIVISION.**

**WHEREAS,** Iowa Western Community College Foundation has submitted a request for final plat approval for one-lot industrial subdivision to be known as Black Hills Subdivision; and

**WHEREAS,** The replat is 10.27 acres of land generally located East of College Road, West of Interstate I-80, and South of East Kaneshville Boulevard (U.S. Highway 6) and is legally described as A PARCEL OF LAND, BEING A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ) AND A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ) ALL IN SECTION 28, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH  $\frac{1}{4}$  CORNER OF SECTION 28; THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ) SOUTH 00 DEGREES 54 MINUTES 08 SECONDS WEST 1015.64 FEET; THENCE SOUTH 88 DEGREES 50 MINUTES 10 SECONDS EAST, 37.58 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COLLEGE ROAD, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 50 MINUTES 10 SECONDS EAST, 858.69 FEET TO A POINT ON THE NORTHWEST RIGHT-OF-WAY LINE OF INTERSTATE 80; THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES; 1) SOUTH 26 DEGREES 08 MINUTES 59 SECONDS WEST 351.54 FEET; 2) SOUTH 54 DEGREES 47 MINUTES 54 SECONDS WEST, 357.26 FEET; 3) SOUTH 50 DEGREES 14 MINUTES 41 SECONDS WEST, 559.84 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 01 DEGREE 11 MINUTES 51 SECONDS EAST, 897.17 FEET TO THE TRUE POINT OF BEGINNING, City of Council Bluffs, Pottawattamie County, Iowa; and

**WHEREAS,** The Community Development Director has determined that the proposed subdivision qualifies as a minor subdivision, then the minor subdivision shall be exempt from major subdivision requirements and procedures of this title. A final subdivision plat approved by the city council must be recorded at the office of the Pottawattamie County Recorder by the subdivider within ninety (90) days of its approval. If a final subdivision plat is not recorded within this time period, the plat shall be null and void, unless an extension of time has been requested by the subdivider and approved by the Community Development Department Director.

1. The proposed subdivision is consistent with the Bluffs Tomorrow: 2030 Plan (comprehensive plan) as well as the purpose and intent of the Council Bluffs Municipal Code (Subdivision & Zoning Ordinances).
2. The proposed lot in the P-I/Planned Industrial District must comply with the

- site development regulations as set forth in the development plan.
3. The subdivision is proposed to be accessed by a private road to the North that will be constructed to City of Council Bluffs Public Works Department standards. Lot 1 of the proposed subdivision will have frontage on to College Road. A 50 foot wide ingress/egress easement for access to the subdivision will be recorded as a separate instrument, but referenced on the final plat.
  4. All lots within the subdivision will be serviced with utilities including: water, sanitary sewer, communications, electricity and natural gas. The applicant must coordinate with all providers to determine construction design. Any cost to relocate and/or remove existing utilities for the construction of this subdivision shall be at the sole expense of the applicant and not the City.
  5. A water main extension agreement with Council Bluffs Water Works has been signed by the developer.
  6. The applicant must enter into an agreement with Mid-American Energy in order to extend electrical distribution facilities to the proposed subdivision. The developer will be responsible to install the transformer pad and conduits, and provide MidAmerican Energy electric loads.
  7. The standard 10 foot and 5 foot utility easements along the front and rear property lines should be stated on the final plat.
  8. Stormwater drainage released through the Iowa Department of Transportation's utilities will require IDOT permitting and approval.
  9. Any future subdivision of the land will also require formal subdivision platting; and

**WHEREAS,** The Community Development Department recommends approval of a one (1) lot subdivision to be known as Black Hills Subdivision, as shown on Attachment C, subject to the comments above and conditions below:

- a) The names of the owner on the final plat must be corrected to "Iowa Western Community College Foundation" as it states on the deed, from "Iowa Western Foundation". This shall be corrected under the "Owner" section and "Dedication" section of the final plat.
- b) A final subdivision plat approved by the city council must be recorded at the office of the Pottawattamie County Recorder by the subdivider within ninety (90) days of its approval. If a final subdivision plat is not recorded within this time period, the plat shall be null and void, unless an extension of time has been requested by the subdivider and approved by the Community Development Department Director.
- c) Stormwater Management will be required for both quantity and quality as noted with a PCSM being developed at the time of development.
- d) Stormwater drainage released through the Iowa Department of Transportation's utilities will require IDOT permitting and approval.
- e) 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 applicant's responsibility.

- f) An erosion and sediment control along with a grading plan shall be submitted with the construction plans. The erosion and sediment control plan will include temporary and permanent vegetative cover, structural measures, phasing and a maintenance and inspection program to address removal of sediment during construction and following any rainfall.
- g) All utilities shall be located underground.
- h) Sidewalks shall be installed along the street frontage of each lot at no expense to the City, prior to issuance of a certificate of occupancy for each building.

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

That the final plat approval for a final plat for one-lot industrial subdivision to be known as Black Hills Subdivision, City of Council Bluffs, Pottawattamie County, Iowa, is hereby approved subject to all local, state and federal regulations; and

**BE IT FURTHER RESOLVED**

That the Mayor and City Clerk are hereby authorized and directed to endorse the final plat.

ADOPTED  
AND  
APPROVED

September 10, 2018.

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MATTHEW J. WALSH

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Mayor

Attest:

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JODI QUAKENBUSH

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City Clerk