

RESOLUTION NO. 20-245

A RESOLUTION GRANTING FINAL PLAT APPROVAL OF A THREE-LOT MINOR SUBDIVISION TO BE KNOWN AS POLLARD GAMES ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, The Community Development Department has received an application from Pollard Realty (US) LTD, requesting final plat approval of a three-lot minor subdivision to be known as Pollard Games Addition, as shown and legally described on Attachment “B”; and

WHEREAS, The proposed subdivision contains 26.257 acres more/less of land and is located North of 34th Avenue, West of the South Expressway, and East of South 11th Street, and containing the addresses of 504, 1010, and 1012 34th Avenue. Proposed Lot 1 will contain 9.291 acres and currently contains an auto sales lot, proposed Lot 2 will contain 9.375 acres of land and currently contains automobile and recreation vehicle sales lots, and proposed Lot 3 will contain 7.591 acres of land and currently contains a manufacturing and distribution warehouse; and

WHEREAS, The following comments have been received:

- A. The proposed subdivision is consistent with the Bluffs Tomorrow: 2030 Plan (comprehensive plan) as well as the purpose and intent of the Council Bluffs Subdivision and Zoning Ordinances.
- B. Both lots in the proposed subdivision exceed the minimum I-2/General Industrial District lot size requirements and have direct frontage on public roadways.
- C. All development in the subdivision shall comply with the standards stated in Section 15.21 I-2/ General Industrial District of the Municipal Code (Zoning Ordinance). Proposed Lots 1 and 3 are considered corner lots as they have frontage along 34th Avenue and South 11th Street, and 34th Avenue and South Expressway, respectively. Chapter 15.03, Definitions, of the Council Bluffs Municipal Code (Zoning Ordinance) defines the ‘front lot line’ of a corner lot as “the shortest lot line along a street other than an alley (§ 15.03.430)”. Based on this definition and the lot dimensions shown on the proposed final plat, the front lot line of Lot 1 will be the western side of the lot adjacent to South 11th Street, and the front lot line of Lot 3 will be the eastern side of the lot facing South Expressway.
- D. Public water, sanitary sewer and storm sewer utilities are available to service all lots in the subdivision. Any cost to construct, extend, remove and/or relocate any utilities within or to this subdivision shall be at the sole expense of the applicant and/or developer, and not the City of Council Bluffs.
- E. All electric, cable and communication facilities shall be installed underground. All costs to construct, remove and/or relocate any utilities in this subdivision shall be the responsibility of the applicant and/or developer, and not the City.
- F. The Council Bluffs Public Works Department stated the plat contained the standard lot line easements, and all other easements as shown on the plat have been noted.

- G. Council Bluffs Water Works stated they have no comments.
- H. Currently, proposed Lots 1 and 2 are shown to be under two separate ownership groups. Re-deeding of the properties or any other resolution to the ownership discrepancy shall be required prior to the recording of the final plat.
- I. The following technical corrections shall be made to the final plat:
 - 1. A course bearing and distance shall be added to the Commencing Point at the southeast corner of the plat.
 - 2. Course Bearing (6) near the southeast corner of the proposed Lot 1 shall be corrected, as there is a discrepancy as to what is written in the legal description, and what is shown on the plat; and

WHEREAS, The Community Development Department recommends final plat approval of the proposed three-lot minor subdivision to be known as Pollard Games Addition, as shown on Attachment “B”, and subject to the comments above and the conditions below:

- A. The final plat shall be recorded within 90 days of City Council approval or the plat will become null and void unless an extension has been requested and granted by the Community Development Department Director.
- B. Conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements.
- C. All comments and technical corrections stated in the case staff report shall be addressed on the final plat prior to execution of the document.

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

That the final plat approval of a three-lot minor subdivision to be known as Pollard Games Addition, as shown and legally described on Attachment “B”, is hereby approved subject to all local, state and federal regulations.

BE IT FURTHER RESOLVED

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

ADOPTED AND APPROVED

October 12, 2020

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk