RESOLUTION NO. 21-52

A RESOLUTION GRANTING FINAL PLAT APPROVAL OF A TWO-LOT MINOR SUBDIVISION TO BE KNOWN AS CLUB CARWASH ADDITION LEGALLY DESCRIBED AS A REPLAT OF BLOCK 1, STREET'S ADDITION, EXCEPT CITY RIGHT-OF-WAY, AND BLOCK 3, COCHRAN'S ADDITION, ALONG WITH ALL VACATED ALLEYS ADJACENT, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, The Community Development Department has received a request from Club Carwash Operating, LLC, requesting final plat approval for a two-lot minor subdivision to be known as Club Carwash Addition, legally described as A replat of Block 1, Street's Addition, except City right-of-way, and Block 3, Cochran's Addition, along with all vacated alleys adjacent, City of Council Bluffs, Pottawattamie County, Iowa and more specifically described on Attachment 'A'; and

WHEREAS, The subject property is comprised of Sundel Plaza and Performance In Motion Chiropractic near the 22nd block of West Broadway and measures 2.63 acres more/less in size; 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. All lots in the subdivision exceed the minimum C-2/Commercial District lot size requirements and have direct frontage on multiple public roadways (West Broadway, South 22nd Street and South 23rd Street). Lot 2 has direct frontage onto 1st Avenue which is envisioned and planned to be a future multi-modal corridor that will link downtown Council Bluffs with downtown Omaha and areas beyond. A note shall be placed on the final plat which dedicates all rights of direct vehicular access from Lot 2 onto 1st Avenue to the City of Council Bluffs in order to preserve the viability of future transit in 1st Avenue.

C. The final site plan layout for the proposed Club Carwash is unknown at this time. The Community Development Department encourages the developer to design their site in a manner that allows for cross vehicular access between Lots 1 and Lot 2 in order to minimize the number of curb cuts onto the adjacent streets. Where feasible, the cross vehicular access route(s) should be identified and retained in an easement on the final plat.

D. All development activity within the subdivision shall comply C-2/Commercial District and the West Broadway Corridor Design Overlay standards.

E. 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 the sole responsibility of the developer, and not the City of Council Bluffs.

F. 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 developer, and not the City.

G. There are sidewalks located along portions of the subdivision abutting South 22nd and South 23rd Streets. There are no sidewalks along 1st Avenue at this time. It's anticipated that some of the existing driveways that provide ingress/egress to South 22nd and South 23rd Street will removed and a new curbline re-established as part of Club Carwash's redevelopment project. This creates an opportunity to fill-in sidewalk gaps and repair damaged sidewalks adjacent to the subdivision in order to provide a safe, walkable urban environment within the West Broadway Corridor. As part of this subdivision approval, the developer shall construct sidewalks along South 22nd and South 23rd Streets, and 1st Avenue in the following manner:
   1. Sidewalks along South 22nd and 23rd Streets shall be constructed at the time Lot 1 is redeveloped;
   2. Sidewalks along 1st Avenue shall be constructed at the time Lot 2 is redeveloped; and
   3. All sidewalks shall be constructed in accordance with Public Works standards. All costs associated with constructing said sidewalks shall be the sole responsibility of the developer and not the City.

H. MidAmerican Energy Company stated they have no concerns regarding the final plat.

I. The Council Bluffs Fire Department stated they have no comments for the final plat.

J. Council Bluffs Public Works stated there is an existing sanitary line along the northerly portion of proposed Lot 2. It is unclear at this time if the sanitary sewer line will remain in place or be relocated/removed to facilitate development on Lot 2. If the sewer line remains it place it must be protected by a dedicated 30 foot-wide easement on the plat. If the sewer line is planned to be removed/relocated to the side streets (e.g., S. 22nd and S. 23rd Streets) the easement is not needed. The developer will need to clarify their plans for this existing sewer line with Public Works prior to the final plat being executed.

K. The following technical corrections/edits shall be made to the final plat prior to being executed by the City of Council Bluffs:
   1. Provide a metes and bound description for the subdivision boundary;
   2. Notate the total number of acres in the subdivision;
   3. Remove all setback notations on the plat map as these requirements are subject to change in the future;
   4. Notate the book/page number for the existing public utility easement located in the northwest corner of proposed Lot 2;

5. Provide a 30' wide easement over the existing sanitary sewer line on the northerly portion of Lot 2 and
6. Specify on the plat if any private restrictions and/or covenants will be recorded with the subdivision. If none, state that no private restrictions and/or covenants will be recorded with the subdivision on the plat; and

WHEREAS, The Community Development Department recommends final plat approval of the proposed two-lot minor subdivision to be known as Club Carwash Addition, as shown on Attachment A, 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 case staff report shall be addressed on the final plat prior to execution of the document.
D. All utilities shall be installed underground. Any costs to construct, remove and/or relocate any utilities shall be the responsibility of the applicant and/or developer, and not the City.
E. Sidewalks shall be installed along South 22nd and South 23rd Streets by the developer at the time Lot 1 is redeveloped. Sidewalks along 1st Avenue shall be constructed at the time Lot 2 is redeveloped. All sidewalks shall be constructed in accordance with Public Works Department standards. All costs associated with constructing said sidewalks shall be the sole responsibility of the developer and not the City of Council Bluffs.

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

That the final plat approval of a proposed two-lot minor subdivision to be known as Club Carwash Addition, as legally described and shown on Attachment "A" 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 February 22, 2021.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk