RESOLUTION NO. 21-95

A RESOLUTION GRANTING PRELIMINARY PLAN APPROVAL FOR A TWO-LOT SUBDIVISION TO BE KNOWN AS LAKE MANAWA CENTRE SUBDIVISION, REPLAT 3.

WHEREAS, City+Ventures is requesting preliminary plan approval for an two-lot subdivision to be known as Lake Manawa Centre Subdivision, Replat 3, on property located east of 100 Power Drive, south of 35th Avenue and legally described as being a replat of Lot 10, Lake Manawa Centre Subdivision; and

WHEREAS, The subject property is an undeveloped parcel of land located in the general vicinity of the Manawa Power Center and the applicant's development proposal includes a carwash (Rocket Carwash) and multifamily apartment buildings; and

WHEREAS, The following comments were provided for the proposed subdivision request:

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 for the first phase 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 proposed subdivision is consistent with the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan), as well as the purpose and intent of Title 14: Subdivisions and Title 15: Zoning of the Council Bluffs Municipal Code.

C. Proposed Lots 1 and 2 will contain 2.18 acres and 9.86 acres in area, respectively.

D. The subject property is zoned P-C/Planned Commercial District. The site development, off-street parking, landscaping, architecture and signage standards for the subdivision shall be established via the adoption of a development plan.

1. All setback notations on the preliminary plan shall not be included in the final plat as these requirements will be established via the adoption of the development plan for each lot.

E. The applicant will dedicate land to the City to extend Power Drive along the westerly property line of proposed Lots 1 and 2. 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 City has plans to extend Power Drive to connect 35th Avenue and Veterans Memorial Highway. The applicant will also dedicate land to the City along the northerly boundary of the proposed subdivision 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.

F. A 28-foot wide shared cross access easement, as shown on Sheet 1 of Attachment 'C,' will be established to minimize the number of curb cuts

onto Power Drive and 35th Avenue and facilitate traffic circulation within the proposed subdivision.

G. Public water, sanitary sewer and storm sewer utilities will be extended to service proposed Lots 1 and 2. The existing sanitary sewer at Target will be extended north along city-owned property legally described as Lot B, Lake Manawa Centre Subdivision in order to connect it to proposed Lot 2. A 20-foot public sanitary sewer easement will be established along the north property line of said Lot 2 to service the proposed subdivision. The extension of sanitary sewer will also open up development opportunities for the undeveloped land located east of Sam's Club. All utilities shall be installed underground. All costs to construct, remove and/or relocate any utilities for the proposed subdivision shall be the responsibility of the developer and not the City.

H. Sidewalk installation along the frontage of each proposed lot shall be completed prior to the issuance of its respective Certificate of Occupancy in coordination with the Public Works Department. All sidewalks shall be built to City standards. All costs associated with the installation of sidewalks shall be the responsibility of the developer and not the City.

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

J. The Permits and Inspection Division stated that 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.

K. The Public Works Department provided the following comments:

1. The legal description of additional grounds being dedicated to the City for both 35th Avenue and Power Drive shall be included on the final plat.
2. Standard utility easement notes shall be included on the final plat granting a 5-foot wide utility easement along interior lot lines and 10-foot wide utility easements along front and rear lot lines.
3. The Surveyor's Certificate shall be included on the final plat.
4. Easements can only be assigned on the property owned. The remainder is planned for City-owned property and a construction easement and permits will need to be issued by the City.
5. Private sanitary sewer service to the multifamily dwelling units shall be built to a public sewer standard.
6. The applicant shall indicate whether the detention/retention basins shown on the preliminary plan will be placed within outlots. If an association will be established for maintenance purposes, it shall also be indicated.

7. The storm sewer plan shows Power Drive will be drained into the into the private detention system in the development. The applicant shall indicate whether storm sewer calculations demonstrate that inlets are required at the location shown.
8. Post Construction Stormwater Management shall be required, including application process.
9. Power Drive shall be built to City standards and specifications.
10. Roundabout shall be positioned to accommodate connection to future 35th Avenue.
11. Flume drainage from Power Drive through dissipation into existing detention basin if grades allow.

L. The Fire Department stated they have no comments on these requests.

M. Council Bluffs Water Works stated that the developer should contact them to discuss any water service connections.

N. MidAmerican Energy stated that they have no conflicts with these requests. They also stated that the developer or their agents should contact MidAmerican Energy directly and provide finalized plans to identify costs and timelines associated with any relocation or extension of electric facilities to accommodate and serve the proposed development.

O. Lumen Technologies (formerly CenturyLink) stated they have no utilities on the subject property. They also stated that they have copper along 35th Avenue; and

WHEREAS, The Community Development Department recommends approval of the preliminary plan for a two-lot subdivision to be known as Lake Manawa Centre Subdivision, Replat 3, subject to the following conditions:

A. Approval of the preliminary plans is tentative and does not constitute acceptance of the final plat, but is "deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat" (§14.11.060(D)—Subdivision Ordinance).

B. 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 developer's responsibility.

C. All utilities shall be installed underground. All costs to construct, remove and/or relocate any utilities for the proposed subdivision shall be the responsibility of the developer and not the City.

D. 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 lot.

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

That preliminary plan approval for a two-lot subdivision to be known as Lake Manawa Centre Subdivision, Replat 3, is hereby approved subject to the comments and conditions set forth above.

ADOPTED
AND March 22, 2021.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk