RESOLUTION NO. 21-307

A RESOLUTION GRANTING PRELIMINARY SUBDIVISION PLAN APPROVAL OF A TWO-LOT INDUSTRIAL SUBDIVISION TO BE KNOWN AS COUNCIL BLUFFS INDUSTRIAL PARK SUBDIVISION ON PROPERTY LEGALLY DESCRIBED AS PART OF THE SE 1/4 OF SECTION 21 AND THE NE 1/4 OF SECTION 28, ALL IN TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA, BEING A PART OF AUDITORS SUBS NW SE LOT 5, NE SE LOT 4, SW SE LOTS 1, 2 & 3, SE SE LOTS 1 & 2 ALL IN SECTION 21, TOWNSHIP 75 NORTH, RANGE 43 WEST AND AUDITORS SUB SW NE PART OF LOT 1 IN SECTION 28, TOWNSHIP 75 NORTH, RANGE 43 WEST AND PART OF THE NE1/4 NE1/4 & NW1/4 NE1/4 ALL IN SECTION 28, TOWNSHIP 75 NORTH, RANGE 43 WEST, BOUNDED NORTHERLY BY U.S. HIGHWAY NO. 6, EASTERLY BY INTERSTATE HIGHWAY NO. 80 AND WESTERLY BY COLLEGE ROAD.

WHEREAS, Nestory Park has submitted a proposal for a two-lot preliminary industrial subdivision plan to be known as Council Bluffs Industrial Park Subdivision comprised of 94 acres, more or less, of land and will consist of two (2) lots. A copy of the preliminary plan is attached hereto as Attachment 'C'; and

WHEREAS, The applicant proposes to develop Lot 1, Council Bluffs Industrial Park Subdivision with three (3) logistics, trucking and distribution buildings that will contain leasable tenant bays with a combined total of 973,500 square feet. The exact number of tenant bays is unknown at this time. Proposed Lot 2, Council Bluffs Industrial Park will be retained by the adjacent Iowa Western Community College (IWCC) for a vocational training school in relation to the logistics campus and both lots within the proposed subdivision will have access to existing public streets and will be fully served with utilities (e.g. sanitary/storm sewers, water, gas, electric, etc.); and

WHEREAS The applicant intends to begin site improvements for the logistics campus in the spring of 2022 with a proposed completion date of fall of 2022; and

WHEREAS, A request to rezone and adopt a planned industrial development plan for this area have also been submitted and are being considered at this time; 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 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 City Planning Commission.

B. The proposed subdivision is consistent with the "Office/Industrial" designation of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan).

C. The proposed subdivision is comprised of two (2) lots; proposed Lot 1 is 87.97 acres and proposed Lot 2 is 4.83 acres. Both lots within the proposed

subdivision comply with Section 15.19.050, *Site Development Regulations*, of the Council Bluffs Municipal Code (Zoning Ordinance).

D. The proposed logistics, trucking and distributing use on Lot 1, Council Bluffs Industrial Park Subdivision, would be classified as "warehousing and distribution, limited" which is an allowed principal use in the P-I/Planned Industrial District. The proposed IWCC training facility on proposed Lot 2 would be classified as a 'school', which a use that is not currently allowed in the P-I District. Concurrent with the subject requests, the Community Development Department is requesting to amend Section 15.19.020, *P-I/Planned Industrial District—Principal Uses*, of the Council Bluffs Municipal Code (Zoning Ordinance) to allow 'school' as a principal use in the P-I District (Case #ZT-21-004), which would allow the proposed IWCC training facility to be located on the southerly lot of the proposed subdivision.

E. The northerly 63.1 acres (more/less) of the proposed subdivision, legally described in Attachment 'A,' is currently zoned P-C/Planned Commercial District and is proposed to be rezoned P-I/Planned Industrial District (see Case #ZC-21-010). The remaining southerly 30.96 acres (more/less) of the proposed subdivision is already zoned P-I District. Adoption of a planned industrial development plan is also requested for proposed Lot 1 (Case #PI-21-001).

F. Both lots in the proposed subdivision have direct frontage to one or more public roadways—College Road and East Kanesville Boulevard/Highway 6. For the purposes of this subdivision, that part of a property line abutting Interstate 80 right-of-way, including ramps, shall not be considered frontage. The submitted plans show Lot 1 will have two (2) access points off College Road to the west and one (1) access point off East Kanesville Boulevard to the north. Black Hills Energy retains a 50-foot wide easement along the southernmost access point off College Road to maintain access to their facility located directly south of proposed Lot 2 (2287 College Road). This easement shall be notated on the final plat and shall allow Iowa Western Community College access to the existing drive off College Road.

G. All lots will be serviced with utilities (e.g. sanitary/storm sewers, water, electricity, etc.) that 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. Sidewalks shall be installed along College Road, and East Kanesville Boulevard (Highway 6), if approved by the Iowa Department of Transportation (IDOT), as well as along all access drives. All sidewalks shall be built to City standards. The developer shall coordinate with the IDOT on sidewalk installation along East Kanesville Boulevard (Highway 6).

I. The Council Bluffs Public Works Department provided the following comments:
   1. The Public Works Department has reviewed the draft traffic impact study and will work with the developer to finalize the study and recommendations to be implemented with the proposed development.
   2. The implementation of the proposed improvements (i.e. traffic signs, turn lanes, etc.) to U.S. Highway 6/East Kanesville Boulevard noted in the draft traffic impact study shall be coordinated with the Iowa Department of Transportation (IDOT) and the City.
   3. The Public Works Department noted the submitted geotechnical report.
   4. The Public Works Department noted the draft drainage analysis report and will work with the developer to finalize said report.
   5. The Public Works Department provided the following comments as it pertains to utilities:
      a. The proposed storm sewer and stormwater management infrastructure concept is noted. The Public Works Department will work with the developer to finalize the construction plans.
      b. The capacity of the existing sanitary sewer system at the proposed connection shall be verified. The potential development of another sanitary sewer outfall will be explored with the developer.
      c. Water, power, and gas service shall be coordinated with the appropriate utility provider.
   6. The truck access road shall be permitted by IDOT.

J. Council Bluffs WaterWorks provided the following comments:
   1. The public water main along College Road shall be extended to the northerly limits of the property. The developer shall work with Council Bluffs WaterWorks on incorporating the proposed public water main into an easement.
   2. There is an eighteen (18) foot water main easement along the western property line of Lot 1, Black Hills Subdivision located immediately south of the subject request. A portion of this easement extends onto proposed Lot 1, Council Bluffs Industrial Park Subdivision. This easement shall be noted on the final plat.
   3. The developer shall contact Council Bluffs WaterWorks in regards to public water main extension, water service, and metering requirements.

K. The subject request was routed to Scott Suhr, Iowa Department of Transportation (IDOT) District Transportation Planner, as a portion of the subject property is located within the IDOT Corridor Preservation Zone. As of the date of this report, no comments from Mr. Suhr or IDOT were received.

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

That preliminary plan approval of a two-lot industrial subdivision to be known as Council Bluffs Industrial Park Subdivision on property legally described as part of the SE 1/4 of Section 21 and the NE 1/4 of Section 28, all in township 75 North, Range 43 West of the 5th P.M., Pottawattamie County, Iowa, being a part of Auditors Subs NW SE Lot 5, NE SE Lot 4, SW SE Lots 1, 2 & 3, SE SE Lots 1 & 2 all in Section 21, Township 75 North, Range 43 West and Auditors Sub SW NE part of Lot 1 in Section 28, Township 75 North, Range 43 West and Part of the NE1/4 NE1/4 & NW1/4 NE1/4 all in Section 28, Township 75 North, Range 43 West, bounded northerly by U.S. Highway No. 6, easterly by Interstate Highway No. 80 and westerly by College Road, is hereby approved.

ADOPTED
AND October 25, 2021.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk