RESOLUTION NO. 23-269

A RESOLUTION GRANTING FINAL PLAT APPROVAL OF A FOUR-LOT MAJOR SUBDIVISION TO BE KNOWN AS THE JILLA SUBDIVISION ON PROPERTY LEGALLY DESCRIBED AS BEING A PART OF LOT 1, AUDITOR'S SUBDIVISION OF THE SW1/4 NE1/4, A PART OF LOT 1, AUDITOR'S SUBDIVISION OF THE SE1/4 NE1/4, AND A PART OF LOT 1, AUDITOR'S SUBDIVISION OF THE NW1/4 SE1/4, ALL IN SECTION 32-75-43, COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, Western Ridge Apartments, LLC is requesting final plat approval for a four-lot major subdivision on undeveloped land located lying at the northeast corner of Valley View Drive and Franklin Avenue; and

WHEREAS, The Community Development Department provided the following comments:

A. The proposed subdivision contains 7.258 acres of land (more/less) currently zoned A-2/Parks, Estates, and Agricultural District and is under consideration to be rezoned to R-4/High Density Multifamily Residential District. The proposed subdivision is consistent with the Bluffs Tomorrow: 2030 Plan (comprehensive plan), which designates the subject property's future land use as 'high density residential,' as well as the purpose and intent of the Council Bluffs Subdivision and Zoning Ordinances.

B. The property is also under consideration to have a PR-1/Planned Residential Overlay appended to it, which, if approved, would allow for a mixture of residential and commercial uses pursuant to Chapter 15.28, P-R/Planned Residential Overlay, of the Municipal Code (Zoning Ordinance).
   1. Lot 1 will be developed with three multifamily residential apartment buildings and will contain the majority (62.2%) of the Jilla Subdivision's land area, satisfying the requirement that the majority of the land area of a planned residential development be used for residential purposes.
   2. Lots 2-4 will be reserved for future commercial development.

C. Each proposed lot exceeds the minimum 5,000 square-foot lot size required within the R-4 zoning district. Lot sizes stated in planned residential development plans for all lots will mirror the lot areas stated on the final plat.

D. All lots in the proposed subdivision have direct frontage onto a public roadway. No new streets are proposed for this subdivision.
   1. Lots 1-4 will have frontage along Valley View Drive.
   2. Lot 1 will have additional frontage along Franklin Avenue.
   3. Street access to Lots 3 and 4 will be achieved via a driveway along the boundary of Lots 1 and 2. Cross access easements shall be noted on the final plat to allow for such access.

E. Storm and sanitary sewer services are available in the vicinity of the proposed subdivision. The applicant has entered into a water main extension agreement with Council Bluffs Water Works to extend water service along Valley View Drive. The developer has submitted a letter of credit to the

City for the cost of the extension and shall maintain a valid letter of credit with the City for the duration of the water main extension project. All utilities shall be installed underground. Any cost to construct, remove, and/or relocate any utilities shall be the responsibility of the developer and not the City.

F. Any private covenants, conditions, or restrictions shall be recorded upon or after recording of the final plat. If any private covenants are to be recorded, a note shall be placed on the final plat that refers to them.

G. All City departments and local utility providers were provided a copy of the proposed final plat to review. The following comments were received:
   1. The Public Works Department stated they will work with the developer and their engineer throughout the development of the site to ensure that all City standards and specifications are met.

H. The following technical corrections must be made to the final plat prior to being signed by the City:
   1. Cross access easements necessary to allow for circulation between the proposed lots shall be noted on the final plat.
   2. A note shall be placed on the final plat stating that private covenants are recorded separately.
   3. If the proposed subdivision has multiple co-owners, a signature line for each co-owner shall be made available on the final plat; and

WHEREAS, The Community Development Department recommends final plat approval of a four-lot major subdivision to be known as the Jilla Subdivsion on property legally described as being a part of Lot 1, Auditor's Subdivision of the SW1/4 NE1/4, a part of Lot 1, Auditor's Subdivision of the SE1/4 NE1/4, and a part of Lot 1, Auditor's Subdivision of the NW1/4 SE1/4, all in Section 32-75-43, Council Bluffs, Pottawattamie County, Iowa, as shown on Attachment 'B', subject to all comments stated above and following conditions:

A. All technical corrections shall be incorporated into the final plat document prior to being executed; and

B. The developer has submitted a letter of credit to the City for the cost of the extension and shall maintain a valid letter of credit with the City for the duration of the water main extension project; and

C. The final plat shall be recorded within 90 days of City Council approval or the plat shall become null and void unless an extension of time has been granted by the Community Development Department Director; and

D. All development shall conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements; and

E. All utilities shall be installed underground. Any cost to remove and/or relocate any utilities shall be the sole expense of the applicant and not the City; and

F. All construction activity within the proposed Jilla Subdivision shall comply with any planned residential development plans applicable to each lot.

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

That the request for final plat approval of a four-lot major subdivision to be known as the Jilla Subdivision on property legally described as being a part of Lot 1, Auditor's Subdivision of the SW1/4 NE1/4, a part of Lot 1, Auditor's Subdivision of the SE1/4 NE1/4, and a part of Lot 1, Auditor's Subdivision of the NW1/4 SE1/4, all in Section 32-75-43, Council Bluffs, Pottawattamie County, is hereby approved.

BE IT FURTHER RESOLVED

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

ADOPTED
AND September 25, 2023.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk