RESOLUTION NO. 25-19

A RESOLUTION GRANTING PRELIMINARY PLAN APPROVAL OF A 71-LOT RESIDENTIAL SUBDIVISION TO BE KNOWN AS WHISPERING OAKS, PHASE VI, LEGALLY DESCRIBED AS LOT 1, AUDITOR'S SUBDIVISION OF THE SE1/4 SE1/4 OF SECTION 32-75-43, EXCEPT PLATTED SECTIONS OF WHISPERING OAKS AND WHISPERING OAKS PHASE III; LOT 3, AUDITOR'S SUBDIVISION OF THE SW1/4 SW1/4 OF SECTION 33-75-43, EXCEPT PLATTED SECTIONS OF WHISPERINGS OAKS AND WHISPERING OAKS, PHASE III; AND LOT 2, AUDITOR'S SUBDIVISION OF THE NW1/4 SW1/4 OF SECTION 33-75-43, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, The proposed preliminary subdivision contains 46.15 acres of land (more/less) and will be comprised of 69 buildable lots and two outlots on undeveloped tracts of land lying north of Sycamore Street and west of Franklin Avenue, and immediately south of Green Meadows South Subdivision; and

WHEREAS, All Comments concerning this request are included in the City Council Communication attached hereto; and

WHEREAS, The Community Development Department recommends approval of the request from TS Development, LLC, represented by Charly Huddleston, for preliminary plan approval of a 71-lot residential subdivision to be known as Whispering Oaks Phase VI, legally described as Lot 1, Auditor's Subdivision of the SE1/4 SE1/4 of Section 32-75-43, except platted sections of Whispering Oaks and Whispering Oaks Phase III; Lot 3, Auditor's Subdivision of SW1/4 SW1/4 of Section 33-75-43, except platted sections of Whisperings Oaks and Whispering Oaks, Phase III; and Lot 2, Auditor's Subdivision of the NW1/4 SW1/4 of Section 33-75-43, all in the City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments in the City Council Communication attached hereto, and 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 house.

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

That the request for a preliminary plan approval of a 71-lot residential subdivision to be known as Whispering Oaks Phase VI, legally described as Lot 1, Auditor's Subdivision of the SE1/4 SE1/4 of Section 32-75-43, except platted sections of Whispering Oaks and Whispering Oaks Phase III; Lot 3, Auditor's Subdivision of the SW1/4 SW1/4 of Section 33-75-43, except platted sections of Whisperings Oaks and Whispering Oaks, Phase III; and Lot 2, Auditor's Subdivision of the NW1/4 SW1/4 of Section 33-75-43, all in the City of Council Bluffs, Pottawattamie County, Iowa, is hereby approved.

ADOPTED
AND January 27, 2025.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk