City Council Communication

Department: Community Development CASE #SUB-25-002 Applicant/Owner: HCC Investments, LLC James M. Duggan 10730 Pacific Street, Suite 230 Omaha, NE 68114 Engineer/Surveyor: Bill White Ehrhart Griffin & Associates 3552 Farnam Street Omaha, NE 68131	Resolution No. _____	City Council: 3/24/2025

Subject/Title

Request: Public hearing on the request of HCC Investments, LLC, represented by James M. Duggan, for final plat approval of a one-lot residential subdivision to be known as The Hills of Cedar Creek Phase 1 Replat 6, being a replat of Outlot 'J', The Hills of Cedar Creek Phase 1, City of Council Bluffs, Pottawattamie County, Iowa.

Location: West of 1422 Abercorn Drive.

Background/Discussion

The Community Development Department has received a request from HCC Investments, LLC, represented by James M. Duggan, for final plat approval of a one-lot residential subdivision to be known as The Hills of Cedar Creek Phase 1 Replat 6, being a replat of Outlot 'J', The Hills of Cedar Creek Phase 1, City of Council Bluffs, Pottawattamie County, Iowa. The proposed subdivision is comprised of 7,935 square feet, more or less, of land.

The subject property is Outlot 'J' of The Hills of Cedar Creek Phase 1 subdivision. This land was designated as an outlot for storm sewer/drainage purposes. The purpose of this request is to convert the subject property into a buildable lot. The applicant intends to construct a single-family home on the subject property, as shown on Attachment 'C.'

Land Use and Zoning – The subject property is zoned R-1/Single-Family Residential District. All properties in the vicinity of the subject property are also zoned R-1 District and primarily consist of single-family homes. The Future Land Use Plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property as 'Low Density Residential.'

Comments

A. The proposed subdivision is comprised of 7,935 square feet, more or less, of land. The proposed subdivision is generally consistent with the purpose and intent of Title 14: Subdivisions and Title 15: Zoning of the Council Bluffs Municipal Code.

B. Proposed Lot 1 will comply with the minimum lot size requirements in the R-1 District.

C. All construction activity that occurs on the proposed subdivision shall comply with the site development standards set forth in Section 15.08B.050, Site Development Regulations, R-1/Single-Family Residential District, of the Council Bluffs Municipal Code (Zoning Ordinance).

   1. Based on the submitted site plan (see Attachment 'C'), the proposed home will comply with the minimum setback requirements and the maximum lot coverage allowed in the R-1 District.

D. Proposed Lot 1 will have direct frontage onto Abercorn Drive. No new public roadway extensions are proposed at this time.

E. There is adequate access to utilities (i.e., water, sanitary sewer, storm sewers, electricity, gas, cable, communication facilities, etc.) to service the proposed single-family. All utilities 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.

F. Sidewalk installation along the frontage(s) of proposed Lot 1 shall be completed prior to issuance of the Certificate of Occupancy for the single-family home, at no cost to the City.

G. A blanket easement for storm sewer and drainage was retained over the subject property when The Hills of Cedar Creek Phase 1 was originally platted. This easement shall be released as part of the proposed replatting.

H. The plat does not indicate if any private restrictions and/or covenants will be established for the subdivision. The plat shall be updated to state if any private restrictions and/or covenants will be recorded. A copy of said private restrictions and/or covenants shall be provided to the City. If none are proposed, a note shall be placed on the final plat indicating none will be recorded.

I. The Council Bluffs Public Works Department stated that they do not have any issues with the requested replat as there are no infrastructure improvements required until the proposed home is built. They also stated that they will coordinate a sewer connection with the home builder.

J. The Council Bluffs Police Department stated that they have no comments or objections to the request.

K. The Council Bluffs Fire Department stated that they have no comments on the request.

L. Council Bluffs Water Works stated that they have no comments on the request.

M. MidAmerican Energy stated that they have no conflicts or concerns with the request.

Recommendation

The Community Development Department recommends final plat approval of a one-lot residential subdivision to be known as The Hills of Cedar Creek Phase 1 Replat 6, being a replat of Outlot 'J', The Hills of Cedar Creek Phase 1, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated above and the following conditions:

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 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.

D. Sidewalk installation along the frontage(s) of proposed Lot 1 shall be completed prior to issuance of the Certificate of Occupancy for the single-family home, at no cost to the City.

E. The applicant shall provide a copy of any proposed covenants and/or private restrictions associated with the subdivision to the City, or place a note on the final plat indicating none will be recorded.

F. The blanket easement for storm sewer and drainage retained over Outlot 'J', The Hills of Cedar Creek Phase 1 shall be released as part of the replatting process.

Attachments

Attachment A: Location/Zoning Map
Attachment B: The Hills of Cedar Creek Phase 1 – Replat 6 Final Plat
Attachment C: Conceptual Site Plan

Prepared by: Moises Monrroy, Planner, Community Development Department