

RESOLUTION NO. 21-358

A RESOLUTION GRANTING FINAL PLAT APPROVAL OF A FOUR-LOT RESIDENTIAL SUBDIVISION TO BE KNOWN AS HILLS OF CEDAR CREEK EAST, PHASE 3, LEGALLY DESCRIBED AS BEING A PORTION OF THE SE ¼ SE ¼ AND THE SW ¼ SE ¼ OF SECTION 34-75-43, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, HCC Investments, LLC has requested review and approval of a final subdivision plat for a four-lot residential subdivision to be known as the Hills of Cedar Creek East, Phase 3, located west of 1050 Deveron Drive and legally described as being a portion of the SE ¼ SE ¼ and the SW ¼ SE ¼ of Section 34-75-43, Pottawattamie County, Iowa, being more particularly described as follows:

Beginning at the Northwest corner of Lot 55, Hills of Cedar Creek East Phase 2; thence South 13° 58' 06" West on the West line of said Lot 55 and projection thereon, a distance of 169.99 feet to a point on the North line of the Hills of Cedar Creek Phase 1; thence northwesterly on the North line of said Hills of Cedar Creek being a curve to the right having a radius of 1080.00 feet and a central angle of 15° 52' 42", an arc distance of 299.30 feet (chord = 298.34', chord bearing = North 68° 05' 31" West); thence South 74° 00' 40" West on the North line of said Hills of Cedar Creek, a distance of 20.78 feet to the Easterly right-of-way line of Eastern Hills Drive; thence northeasterly on said Easterly right-of-way line being a curve to the right having a radius of 5150.00 feet and a central angle of 02° 40' 13", an arc distance of 240.01 feet (chord = 239.99', chord bearing = North 29° 04' 41" East); thence South 59° 35' 12" East, a distance of 25.01 feet; thence South 30° 41' 44" East, a distance of 68.31 feet; thence South 59° 33' 38" East, a distance of 122.70 feet; thence South 74° 05' 29" East a distance of 61.29 feet to the point of beginning; and

WHEREAS, The proposed subdivision is comprised of 1.2582 acres (54,805 square feet), more or less, of land, and will consist of four single-family residential lots and one outlot (Outlot A) and includes the dedication of Deveron Drive to the City of Council Bluffs, which connects into Eastern Hills Drive; and

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

- A. The proposed subdivision is currently zoned R-1/Single-Family Residential. The future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property as Low Density Residential. The developer proposes to construct one 'single-family dwelling, detached' on each proposed lot. 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.
- B. Proposed Lots 1 through 4 each contain more than 5,000 square feet in area and thus exceed minimum R-1 lot size requirements.
- C. All development activity within this subdivision shall comply with the standards set forth in Chapter 15.08B, R-1/Single-Family Residential District, of the Council Bluffs Municipal Code (Zoning Ordinance).

- D. The proposed subdivision includes Outlot A, which will function as a landscaped buffer between the proposed subdivision and Eastern Hills Drive. The proposed buffer area is consistent with development along Eastern Hills Drive. A note shall be placed on the final plat that clearly states perpetual ownership and maintenance of Outlot A is dedicated to the homeowner's association or management group.
- E. The developer has completed construction of an extension of Deveron Drive that connects into Eastern Hills Drive. The developer will dedicate the roadway extension to the City of Council Bluffs as part of the proposed subdivision. All proposed lots will have direct frontage onto Deveron Drive.
- F. All lots will be serviced with utilities (e.g., sanitary/storm sewers, water, electricity, etc.).
- G. All utilities were installed during the construction of the Deveron Drive extension and are available to service the proposed subdivision. All costs to construct, remove and/or relocate any utilities in this 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 issuance of a Certificate of Occupancy for each residence. All sidewalks shall be built to City standards.
- 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 following technical corrections shall be made to the plat prior to being executed:
 - 1. Rename "Stevens Road" to "Deveron Drive" on the plat map exhibit.
 - 2. Revise "And said limited liability company does hereby ratify and approve of the disposition of our property as shown on this plat, and that the street to being named Stevens Road (18,526 sf), is dedicated to the City of Council Bluffs, Iowa, for public use" to state "And said limited liability company does hereby ratify and approve of the disposition of our property as shown on this plat, and that the street being named Deveron Drive (18,526 sf), is dedicated to the City of Council Bluffs, Iowa, for public use."; and

WHEREAS, The Community Development Department recommends approval of the proposed four-lot residential subdivision to be known as Hills of Cedar Creek East, Phase 3, subject to the comments above and the conditions below:

- 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 comments and technical corrections stated in case staff report shall be addressed on the final plat prior to execution of the document.
- D. 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.

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

That the final plat approval for four-lot residential subdivision to be known as the Hills of Cedar Creek East, Phase 3, as legally described above, is hereby approved subject to all local, state and federal regulations; and

BE IT FURTHER RESOLVED

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

ADOPTED
AND
APPROVED

December 13, 2021.

MATTHEW J. WALSH

Mayor

Attest: _____

JODI QUAKENBUSH

City Clerk