City Council Communication

Department: Community Development CASES #SUB-22-007 Applicant(s)/Property Owner(s): Kenneth J. and Corinne Peterson 118 Jordan Street Council Bluffs, IA 51503	Resolution No. _____	City Council: 6/27/2022

Subject/Title

Request: Final plat approval of a one-lot subdivision to be known as Galesburg Addition Replat 1, legally described as being a replat of Lots 11 and 12, Block 13, Galesburg Addition, and the 7 ½-foot strip of vacated Jordan Street right-of-way adjoining, along with the vacated portion of Jordan Street right-of-way lying 1.22 feet west of the existing pavement and east of Outlot C, Oak Ridge Estates Phase III, except the previously vacated south 7 ½ feet of said Jordan Street right-of-way, City of Council Bluffs, Pottawattamie County, Iowa.

Location: 118 Jordan Street

Background/Discussion

The Community Development Department has received an application from the Kenneth J. and Corinne Peterson for final plat approval of a one-lot subdivision to be known as Galesburg Addition Replat 1, legally described as being a replat of Lots 11 and 12, Block 13, Galesburg Addition, and the 7 ½-foot strip of vacated Jordan Street right-of-way adjoining, along with the vacated portion of Jordan Street right-of-way lying 1.22 feet west of the existing pavement and east of Outlot C, Oak Ridge Estates Phase III, except the previously vacated south 7 ½ feet of said Jordan Street right-of-way, City of Council Bluffs, Pottawattamie County, Iowa.

The proposed subdivision is comprised of 20,296 square feet (0.47 acres), more or less, of land area, and is located north of Prospect Park (1000 Harrison Street) and west of New Beginning Christian Church (1100 Harrison Street). The applicants' existing residential property at 118 Jordan Street is included in the proposed subdivision along with former Jordan Street right-of-way adjoining, which was vacated via Resolution No. 21-236 on August 9, 2021. As a condition of approval for the vacation of Jordan Street right-of-way, the applicants are required to execute a final plat to combine the existing residence at 118 Jordan Street and said portion of vacated Jordan Street right-of-way into one lot of record. The purpose of this request is to avoid depriving an existing lot of record—Lot 12, Block 13, Galesburg Addition—from direct access to a public street as a result of the vacation of Jordan Street right-of-way and creating a remnant parcel of land inadequate for development—former Jordan Street right-of-way—that could be sold in the future.

Comments

1. The proposed subdivision is currently zoned R-1/Single-Family Residential District. The future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject properties as Low Density Residential. 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.
2. Proposed Lot 1 will contain 20,296 square feet (0.47 acres) in area, which exceeds minimum R-1 District lot size requirements.
3. Proposed Lot 1 will have direct frontage onto Jordan Street. The existing driveway will continue to be used to access the property.

4. 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).
    a. For the purposes of determining minimum setback requirements, the required front yard for proposed Lot 1 shall be as shown in Attachment 'C.'
5. Public water, sanitary sewer and storm sewer utilities are available to service the proposed subdivision. 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.
6. All utilities (electric, cable and communication facilities, etc.) 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.
7. No new rights-of-way are proposed to be dedicated to the City as part of this subdivision.
8. The Council Bluffs Permits and Inspections Division stated they have no issues with the request.
9. The Council Bluffs Public Works Department stated they have no comments on the request.
10. The Council Bluffs Parks and Recreation Department stated they have no comments on the request.
11. The Council Bluffs Fire Department stated they have no comments on the request.
12. Council Bluffs Water Works stated that they have no comments on the request.
13. MidAmerican Energy stated they have no conflicts or concerns with the request.
14. Lumen Technologies stated they have no objections to the request. They also stated that they have an aerial cable that services the last house before the subject property.
15. The following technical corrections shall be made to the plat prior to being executed:
    a. Revise the plat description to read as follows:

    BEING A REPLATTING OF LOTS 11 AND 12, BLOCK 13, GALESBURG ADDITION AND THE 7-½ FOOT STRIP OF VACATED JORDAN STREET RIGHT-OF-WAY ADJOINING, ALONG WITH THE VACATED PORTION OF JORDAN STREET RIGHT-OF-WAY LYING 1.22 FEET WEST OF THE EXISTING PAVEMENT AND EAST OF OUTLOT C, OAK RIDGE ESTATES PHASE III, EXCEPT THE PREVIOUSLY VACATED SOUTH 7-½ FEET OF SAID JORDAN STREET RIGHT-OF-WAY, ALL LOCATED IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA

    b. Revise the surveyor's certificate/metes and bounds description as follows:
        i. "…being a replatting of Lots 11 and 12, Block 13, Galesburg Addition and the 7-1/2 foot strip of vacated Jordan Street right-of-way adjoining, along with the vacated portion of Jordan Street right-of-way lying 1.22 feet ~~feet~~ west of the existing pavement and east of Outlot C, Oak Ridge Estates Phase III, except the previously vacated south 7-½ feet of said Jordan Street right-of-way, all located in the City of Council Bluffs, Pottawattamie County, Iowa; more particularly described as follows:…"
        ii. "…thence ~~westerly~~ easterly along the north line of said Lots 12 and 11, to the northeast corner of said Lot 11, S 86°42'46" E, 121.17 feet;…"

Recommendation

The Community Development Department recommends final plat approval of a one-lot subdivision to be known as Galesburg Addition Replat 1, subject to the comments stated above, as well as the following conditions:

1. 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.
2. Conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements.

3. All comments and technical corrections stated in case staff report shall be addressed on the final plat prior to execution of the document.
4. 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.

Attachments

Attachment A: Location/Zoning Map
Attachment B: Galesburg Addition Replat 1 Final Plat
Attachment C: Front Yard Illustration

Prepared by: Moises Monrroy, Planner, Community Development Department