RESOLUTION NO. 22-174

A RESOLUTION GRANTING 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.

WHEREAS, Kenneth J. and Corinne Peterson have requested final plat approval for this property 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).; and

WHEREAS, All City departments and local utility companies were provided a copy of the proposed final plat for review and the following comments were received:

A. 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.

B. Proposed Lot 1 will contain 20,296 square feet (0.47 acres) in area, which exceeds minimum R-1 District lot size requirements.

C. Proposed Lot 1 will have direct frontage onto Jordan Street. The existing driveway will continue to be used to access the property.

D. 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).

1. For the purposes of determining minimum setback requirements, the required front yard for proposed Lot 1 shall be as shown in Attachment 'C.'

E. 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.

F. 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.

G. No new rights-of-way are proposed to be dedicated to the City as part of this subdivision.

H. 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.

I. The following technical corrections shall be made to the plat prior to being executed:

1. 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

2. Revise the surveyor's certificate/metes and bounds description as follows:

a. "…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:…"

b. "…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;…"; and

WHEREAS, 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:

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 a one-lot subdivision to be known as Galesburg Addition Replat 1, as legally described above, is hereby approved subject to all comments and conditions listed above and 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 June 27, 2022.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk