City Council Communication

Department: Community Development CASE #SUB-22-013 Applicant: James M. Duggan 1473 Abercorn Dr Council Bluffs, IA 51503 Property Owner: Aberdeen Partners, LLC 11040 Oakmont Street Overland Park, KS 66210 Engineer/Surveyor: Ehrhart Griffin & Associates c/o Terry L. Morrison 142 W Broadway, Suite 136 Council Bluffs, IA 51503	Resolution No. _____	City Council: 11/14/2022

Subject/Title

Request: Final plat approval of a 30-lot residential subdivision to be known as Hills of Cedar Creek Central Phase 1, legally described as being a portion of the NW ¼ SE ¼ and the NE ¼ SE ¼ of Section 34-75-43, City of Council Bluffs, Pottawattamie County, Iowa, being more particularly described on the final plat (Attachment 'B').

Location: Undeveloped land lying northwest of the intersection of Eastern Hills Drive and Deveron Drive.

Background/Discussion

The Community Development Department has received an application from James M. Duggan, for final plat approval of a 30-lot major residential subdivision to be known as Hills of Cedar Creek Central Phase 1, legally described as being a portion of the NW ¼ SE ¼ and the NE ¼ SE ¼ of Section 34-75-43, City of Council Bluffs, Pottawattamie County, Iowa, being more particularly described above. The proposed subdivision is comprised of 14.26 acres (621,165.6 square feet), more or less, of land, and will consist of 30 single-family residential lots and four outlots (Outlots A-D). The proposed subdivision also includes the dedication of Ardmore Street, which connects into Eastern Hills Drive, and Quenby Drive, Hampton Drive, and Fannin Circle, which connect into Ardmore Street, to the City of Council Bluffs.

Comments

1. 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.

2. Proposed Lots 1 through 30 each contain more than 5,000 square feet in area and thus exceed minimum R-1 lot size requirements.
3. 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).
4. The proposed subdivision includes Outlots 'A' and 'B,' which will function as landscaped buffers 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 Outlots A and B is dedicated to the homeowner's association or management group.
5. The proposed subdivision also contains Outlots 'C' and 'D.' Both outlots and a portion of the undeveloped land lying south of Outlot 'C' and west of Lot 14 will contain a portion of a sanitary sewer extension that will serve the proposed subdivision. Said sanitary sewer extension shall have a 30-foot wide utility easement dedicated to the benefit of the City to allow for maintenance. Outlot 'D' also contains a stormwater detention basin and will contain a segment of stormwater pipe, which shall also require a 30-foot wide utility easement dedicated to the benefit of the City. The applicant shall coordinate with the Public Works Department on the specific locations of these easements.
6. The developer has completed construction of a portion of Ardmore Street that connects into Eastern Hills Drive, as well as Fannin Circle and portions of Hampton Drive and Quenby Drive, which all connect into Ardmore Street. The developer will dedicate all new streets to the City of Council Bluffs as part of the proposed subdivision. All proposed lots will have direct frontage onto at least one of the new streets.
7. All lots will be serviced with utilities (e.g., sanitary/storm sewers, water, electricity, etc.).
8. All utilities were installed during the construction of the above-mentioned streets 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.
9. 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.
10. Sidewalks built to city standards shall be installed along the Ardmore Street frontages of Outlots 'A,' 'B,' and 'D' prior to execution of the final plat.
11. 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.
12. The Council Bluffs Permits and Inspections Division stated they approve of the request.
13. The Council Bluffs Public Works Department stated that Outlot 'D' contains a detention/sedimentation basin that must be maintained by the developer until such time that a HOA is in place. This basin will also be used for development to the north, and as such the final plat shall contain notes similar to the following example:

PERPETUAL STORM SEWER AND DRAINAGE EASEMENT FOR THE DETENTION BASINS LOCATED IN OUT LOTS "E", "I" AND "M" ARE RESERVED BY THE DEVELOPE
L SUCH TIME THE EASEMENTS ARE ASSIGNED TO THE HILLS OF CEDAR CREEK HOME OWNERS ASSOCIATION. THE DEVELOPER AND LATER THE HILLS OF
AR CREEK HOME OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE CONTINUED MAINTENANCE OF SAID EASEMENTS INCLUDING, BUT NOT LIMITED TO THE
ITENANCE OF ALL IMPROVEMENTS ON SAID EASEMENTS WHICH WERE DESIGNED AND CONSTRUCTED BY THE DEVELOPER TO ADDRESS SURFACE WATER
NAGE AND TO CONTROL SURFACE WATER RUNOFF. SUFFICIENT RUNOFF VOLUMES MUST BE MAINTAINED WITHIN THE EASEMENT AREAS. MINIMUM VOLUMES
T SHALL BE MAINTAINED ARE AS FOLLOWS:

	OUT LOT "E" POND	OUT LOT "I" POND	OUT LOT "M" POND
SURFACE WATER RUNOFF AND SEDIMENT VOLUME	101500 C.F. 2.33 ACRE FT.	104110 C.F. 2.39 ACRE FT	128500 C.F. 2.95 ACRE FT.
SURFACE WATER RUNOFF DETENTION VOLUME	69260 C.F. 1.59 ACRE FT.	67953.6 C.F. 1.56 ACRE FT.	78840 C.F. 1.81 ACRE FT.
SOIL EXCAVATION TO COMMENCE AT ELEVATION	1125	1177	1133.5

ACHIEVE THIS REQUIREMENT, EXCAVATION MUST BEGIN IMMEDIATELY WHEN SEDIMENT HAS REACHED A LEVEL 4.0 FEET BELOW THE 100 YEAR WATER DETENTION
FACE ELEVATION. THE DEVELOPER AND LATER THE HILLS OF CEDAR CREEK HOME OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE CONTINUED
ITENANCE OF SAID EASEMENT. THE DEDICATION OF THESE EASEMENT GRANTS SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

14. The Council Bluffs Fire Department stated they have no comments on the request.
15. No other comments have been received as of the writing of this report.
16. The following technical corrections shall be made to the plat prior to being executed:
    a. Rename Hampton Drive to something else to prevent potential confusion with existing Hampton Lane, and change all references to said street on the final plat to reflect the name change.

b. Rename Ardmore Street to West Ardmore Street, North Ardmore Street, or something else consistent with Public Works street naming requirements.
c. Indicate a 30-foot wide utility easement dedicated to the benefit of the City around the sanitary sewer line extension through Outlots 'C' and 'D' and the undeveloped land lying south of Outlot 'C' and west of Lot 14, as well as around the storm sewer line running through Outlot 'D.'

Recommendation

The Community Development Department recommends approval of the proposed 30-lot residential subdivision to be known as Hills of Cedar Creek Central Phase 1, subject to the comments above and the conditions below:

1. The Public Works Department shall accept all infrastructure into the City's inventory prior to the final plat being signed and recorded; and
2. 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; and
3. Conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements; and
4. All comments and technical corrections stated in case staff report shall be addressed on the final plat prior to execution of the document; and
5. 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.
6. 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.

Attachments

Attachment A: Location/Zoning Map
Attachment B: Hills of Cedar Creek Central Phase 1 Final Plat

Prepared by: Brandon Siracuse, Planner, Community Development Department