RESOLUTION NO. 22-276

A RESOLUTION GRANTING 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.

WHEREAS, James M. Duggan has requested 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 in Attachment "B"; and

WHEREAS, The proposed subdivision is comprised of 14.26 acres located on undeveloped land lying northwest of the intersection of Easter Hills Drive and Deveron Drive; 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. 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 30 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 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.

E. 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.

F. 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.

G. All lots will be serviced with utilities (e.g., sanitary/storm sewers, water, electricity, etc.).

H. 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.

I. 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.

J. 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.

K. 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.

L. The Council Bluffs Permits and Inspections Division stated they approve of the request.

M. 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 exampled set forth in the Staff Report attached herein.

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

1. 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.
2. Rename Ardmore Street to West Ardmore Street, North Ardmore Street, or something else consistent with Public Works street naming requirements.
3. 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'; and

WHEREAS, 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:

A. The Public Works Department shall accept all infrastructure into the City's inventory prior to the final plat being signed and recorded; and

B. 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

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

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

E. 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.

F. 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.

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

That the request for final plat approval for a 30-lot residential subdivision to be known as Hills of Cedar Creek Central Phase 1, as shown on Attachment "B", 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 November 14, 2022.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk