RESOLUTION NO. 23-115

A RESOLUTION GRANTING FINAL PLAT APPROVAL OF AN EIGHT-LOT SUBDIVISION TO BE KNOWN AS PARK RIDGE SUBDIVISION, BEING A REPLAT OF PROPERTY LEGALLY DESCRIBED AS LOTS 2 THROUGH 5 AND A PART OF THE VACATED NORTH/SOUTH ALLEY ADJACENT, WELLS PARK ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, Yoder Construction Inc. is requesting final plat approval of an eight-lot minor subdivision to be known as Park Ridge Subdivision, being a replat of property legally described as Lots 2 through 5 and a part of the vacated north/south alley adjacent, Wells Park Addition, City of Council Bluffs, Pottawattamie County, Iowa; and

WHEREAS, The proposed subdivision is comprised of 0.64 acres (20,192 square feet), more or less, of land, and will consist of eight single-family attached residential lots; 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-2/Two-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. The minimum lot area for 'single-family dwellings, attached' in the R-2 District is 2,500 square feet, as per Section 15.09.050, Site Development Regulations, R-2/Two-Family Residential District, of the Council Bluffs Municipal Code (Zoning Ordinance). Proposed Lots 1, 2, 4, 5 and 7 exceed minimum R-2 District lot size requirements. Proposed Lots 3, 6 and 8 vary between 2,378 square feet and 2,470 square feet in area, thus do not meet minimum R-2 District lot size requirements. Since the dimensions of the existing platted lots of record limit the size of proposed Lots 3, 6 and 8, the applicant is requesting a variance from minimum R-2 District lot size requirements.

   Section 14.11.040(A) of the Council Bluffs Municipal Code (Subdivision Ordinance) states: *"Where it can be shown that due to special conditions, a literal enforcement of this ordinance will result in an unnecessary hardship, the City shall have the power to vary such regulation so that substantial justice will be accomplished, provided that such variance would:*

   1. *Not be in contrary to the public interest;*
   2. *Be in the best interest of the City;*
   3. *Be within the spirit and intent of this title;*
   4. *Not be detrimental to the future residents in and near the proposed subdivision;*

5. *Be consistent with the City's comprehensive plan."*

The Community Development Department has reviewed the applicant's variance request and recommends approval for the following reasons:

1. The proposed subdivision is designed to be compatible with existing development in the surrounding area. The subdivision variances are not anticipated to be detrimental to the future residents in and/or adjacent to the subdivision.
2. The proposed subdivision is part of an infill development project in the Park/Glen Avenues National Historic District. The proposed 'single-family dwellings, attached' are generally compatible with existing land uses in the vicinity, which primarily consist of 'single-family dwellings, detached'. The architectural design of the proposed 'single-family dwellings, attached' is intended to replicate the historic nature of the surrounding neighborhood.
3. Although proposed Lots 3, 6 and 8 do not meet minimum R-2 District lot size requirements, they are still considered developable as a new 'single-family dwelling, attached' could be constructed on said lots in compliance with the site development standards in Section 15.09.050, Site Development Regulations, R-2/Two-Family Residential District, of the Council Bluffs Municipal Code (Zoning Ordinance). The proposed attached single-family homes, as shown on previous submittals by the applicant, appear to meet all setback, lot coverage and building height requirements on each property.
4. The applicant is proposing to construct four 'single-family dwellings, attached' as part of this project, which will provide a total of eight dwelling units. The proposed development addresses the need for additional housing in Council Bluffs.
5. The Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) encourages housing diversity in order to meet the needs of the community and ensure the long-term stability of residential neighborhoods. The proposed development is consistent with this policy and is in the best of the City as it will increase access to housing and diversify housing options in Council Bluffs.

C. All lots have direct frontage on a public right-of-way (Park Avenue).

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

E. All development activity within this subdivision shall comply with the standards set forth in Section 15.09.050, Site Development Regulations, R-2/Two-Family Residential District, of the Council Bluffs Municipal Code (Zoning Ordinance); and

WHEREAS, The Community Development Department recommends final plat approval of an eight-lot subdivision to be known as Park Ridge Subdivision, subject to the comments stated above and 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 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.

D. Granting a variance to allow Lots 3, 6 and 8, Park Ridge Subdivision to have lot sizes less than 2,500 square feet, as required in Section 15.09.050, Site Development Regulations, R-2/Two-Family Residential District, of the Council Bluffs Municipal Code (Zoning Ordinance), based on the reasons stated above.

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

That the request for final plat approval for an eight-lot subdivision to be known as Park Ridge Subdivision, 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 April 24, 2023.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk