RESOLUTION NO. 18-253

A RESOLUTION GRANTING FINAL PLAT APPROVAL OF A SIX LOT RESIDENTIAL SUBDIVISION TO BE KNOWN AS NEW HORIZON SUBDIVISION, REPLAT 2.

WHEREAS, 92 Investments, LLC has requested review and approval of a final subdivision plat for a five lot (and one additional outlot) residential subdivision to be known as New Horizon Subdivision, Replat 2; and

WHEREAS, The proposed land consists of 21.82 acres, more or less, of land, and is located South of College Road, North of Interstate 80, and East of Valley View Drive, and is legally described as: Being a replat of all of Lot 2, New Horizon Subdivision, Replat 1; and

WHEREAS, The following comments were provided for the proposed subdivision request:

1. The proposed subdivision is consistent with the purpose and intent of the Council Bluffs Municipal Subdivision and Zoning Ordinances.
2. Lots 1-4, New Horizon Subdivision, Replat 2, was rezoned to the R-3/Low Density Multifamily Residential District, and Lot 5 and Outlot A rezoned to the R-2/Two-Family Residential District by Ordinance #6308 on October 9, 2017. The rezoning takes effect with the approval of the final subdivision plat.
3. Lots 1 through 4 in New Horizon Subdivision, Replat 2 comply with minimum R-3/Low Density Multi-Family Residential District lot size requirements. Lot 5 complies with minimum R-2/Two-Family Residential District lot size requirements.
4. Lot 3 is landlocked and will be accessed by an easement through Lots 1, 2, and 4. The location and size of said access easement is shown on the final plat.
5. All electric, cable and communication facilities shall be installed underground. All costs to construct, remove and/or relocate any utilities for the proposed subdivision shall be the responsibility of the applicant and not the City.
6. The Council Bluffs Public Works Department provided the following comments:
   a. A performance guarantee will be required for the sanitary sewer improvements.
   b. The engineer has submitted an acceptable OPC for the sanitary sewer work.
7. The Council Bluffs Fire Department stated they have no comments for the proposed final plat.
8. Council Bluffs Water Works stated a main extension agreement has been signed that will cover water main frontage for Lots 1-4. Lot 5 already has water main frontage on College Road.
9. MidAmerican Energy Company stated they have no objections to this replat, and will work with the developer on the extension agreements for each lot.

10. A public sidewalk shall be installed along the frontages of each lot prior to issuance of a Certificate of Occupancy for a building on each lot, at no cost to the City.
11. The plat does not indicate if any private restrictions and/or covenants will be established for the subdivision. The plat shall be revised to state whether any private restrictions and/or covenants will be established for the subdivision and a copy of said private restrictions and/or covenants shall be provided to the City of Council Bluffs; and

WHEREAS, The Community Development Department recommends final plat approval of a five residential lot, and one outlot subdivision, to be known as New Horizon Subdivision, Replat 2, as legally described above and as shown on Attachment 'A', subject to all comments stated above and following conditions:

a. All technical corrections discussed above shall be made on the final plat prior to execution of the document.
b. The required performance guarantee or satisfactory installation of all utilities must be obtained prior to recordation of the final plat; and
c. The final plat shall be recorded within 90 days of City Council approval or the plat shall become null and void unless an extension of has been requested and granted by the Community Development Department Director; and
d. Conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements; and
e. All utilities shall be installed underground. Any cost to remove and/or relocate any utilities shall be the sole expense of the applicant and not the City; and
f. The applicant shall provide a copy of any proposed covenants and/or private restrictions associated with the subdivision to the City; and
g. A public sidewalk shall be installed along the frontages of each lot prior to issuance of a Certificate of Occupancy for a dwelling unit on each lot, at no cost to the City; and
h. The developer shall provide the City with two sets of as-built construction drawings and a two-year maintenance bond, upon acceptance of all required improvements.

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

That the final plat approval for six lot residential subdivision to be known as New Horizon Subdivision, Replat 2, as legally described above, is hereby approved subject to 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 August 27, 2018.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk