RESOLUTION NO. 18-287

A RESOLUTION GRANTING FINAL PLAT APPROVAL OF A 31 LOT RESIDENTIAL SUBDIVISION TO BE KNOWN AS EAST FOX RUN SUBDIVISION.

WHEREAS, Western Iowa Land Development, LLC has requested review and approval of a final subdivision plat for a 31-lot residential subdivision to be known as East Fox Run Subdivision; and

WHEREAS, The proposed land consists of 7.81 acres, more or less, of land, and is located East of Council Point Road, as an extension of Carriage Road, and is legally described as: Being a replat of all of Parcel "B" in Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa; 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. The entirety of the East Fox Run Subdivision is to be rezoned upon execution of the final plat from A-2/Parks, Estates, and Agricultural District to R-2/Two Family Residential with a PR/Planned Residential Overlay District applied. The rezoning was approved by Ordinance 6317, and the Development Plan was approved by Resolution 18-74.
3. Lots 1 through 30 in East Fox Run Subdivision will be developed with attached single-family dwellings and will comply with minimum R-2/Two Family Residential District lot size requirements. Outlot A will not be a developable lot, as it will be used for stormwater management.
4. 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.
5. The Council Bluffs Public Works Department provided the following comments:
    a. The Public Works Department has not completed a walkthrough of the subdivision to accept the new infrastructure into the City's inventory.
    b. The engineer will need to submit the grading certification, PCSMP feature installation certification, and recorded maintenance and easement agreement.
    c. The plat document needs a dedication of Outlot A to the homeowners or like entity for maintenance and repair purposes.
6. The Council Bluffs Fire Department stated they have no comments for the proposed final plat.
7. Council Bluffs Water Works stated all water mains have been installed in the East Fox Run Subdivision.
8. MidAmerican Energy Company stated they have no objections to the final plat, and noted they have entered an agreement with the developer to extend electric facilities in the area.

9. 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.
10. The plat does not indicate if any private restrictions and/or covenants will be established for the subdivision, though notes if there are any they will be recorded with the Pottawattamie County Recorder's Office. A copy of said private restrictions and/or covenants shall be provided to the City of Council Bluffs, if applicable.

WHEREAS, The Community Development Department recommends final plat approval of a 31-lot residential subdivision to be known as East Fox Run Subdivision, 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 Public Works Department shall accept all infrastructure into the City's inventory prior to the final plat being signed and recorded; 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 31-lot residential subdivision to be known as East Fox Run Subdivision, 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 October 8, 2018.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk