**Council Communication**

| | | |
|---|---|---|
| Department:<br>Community Development<br><br>CASE #SUB-19-003<br><br>Owner/Applicant:<br>HCC Investments, LLC<br>11040 Oakmont<br>Overland Park, KS 66210<br><br>Engineer:<br>Ehrhart Griffin & Associates<br>Attn: Terry L. Morrison<br>142 West Broadway, Suite 136<br>Council Bluffs, IA 51503 | Resolution No. _____ | City Council: 2/11/2019 |

**Subject/Title**

**Request**: Final plat approval of a 25-lot residential subdivision to be known as Hills of Cedar Creek East, Phase 2, legally described as being a Portion of the Southeast Quarter of the Southeast Quarter of Section 34, Township 75 North, Range 43 West, City of Council Bluffs, Pottawattamie County, Iowa.

Location: East of Eastern Hills Drive, and being an extension of Abercorn Drive and a new section of Steven Road.

**Background/Discussion**

The Community Development Department has received a request from Western Iowa Land Development, LLC for final plat approval of a 25-lot residential subdivision to be known as Hills of Cedar Creek East, Phase 2. The proposed subdivision consists of 7.424 acres, more or less, of land, and is located East of Eastern Hills Drive. Access to the lots will come from an extension of Steven Road (with access to Eastern Hills Drive), extensions of Abercorn Drive and Ardmore Street, and the creation of Sage Street.

The Hills of Cedar Creek East preliminary plan was approved by the Council Bluffs City Council with Resolution 17-143 on June 26, 2017, and was proposed to consist of 53 lots, constructed in two phases. The Hills of Cedar Creek East, Phase 1 was approved by the Council Bluffs City Council with Resolution 18-05 on January 8, 2018, and included Lots 1-30 on Abercorn Drive. The Hills of Cedar Creek East, Phase 2, will feature lot numbers 31-55.

**Comments**

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 Hills of Cedar Creek East, Phase 2 is to be rezoned upon execution of the final plat from a combination of R-3/Low Density Multifamily Residential, and C-1/Commercial District to R-1/Single Family Residential. The rezoning was approved by Ordinance 6323.
3. All lots in the subdivision except Lot 44 exceed all Site Development Regulations of the R-1/Single Family Residential District, and will be considered developable. Lot 44 will need to be widened to meet the 50 foot minimum lot width in the R-1/Single Family Residential District.

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:
    1. The first utility note needs to be reworded for the phase being platted. Dayan Drive was in the Hills of Cedar Creek East, Phase 1.
    2. Temporary easements need to be included for all roadway terminations that have constructed hammer-head turnarounds that extend beyond the right-of-way.
6. The Council Bluffs Fire Department stated they have no comments for the proposed final plat.
7. Council Bluffs Water Works stated they are in the process of placing water main within the Hills of Cedar Creek East, Phase 2 subdivision, and have an installation agreement with the developer.
8. MidAmerican Energy Company has a preliminary layout of primary lines in the subdivision, and stated conduit crossing under roadways have already been installed. MidAmerican Energy Company and the developer also have an Electric Distribution System Agreement in place. The Final Plat shall not be executed until the underground electric utilities are installed.
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.

**Recommendation**

The Community Development Department recommends final plat approval of a 25-lot residential subdivision to be known as Hills of Cedar Creek East, Phase 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 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.

**Attachment**

Attachment A: Case Map
Attachment B: Hills of Cedar Creek East, Phase 2 Final Plat

Engineer: Terry L. Morrison, Ehrhart Griffin & Associates

Prepared by: Chris Meeks, Planner