RESOLUTION NO. 19-160

A RESOLUTION GRANTING PRELIMINARY PLAN APPROVAL FOR A 19-LOT RESIDENTIAL SUBDIVISION TO BE KNOWN AS GREENVIEW ESTATES SUBDIVISION.

WHEREAS, 92 Investments LLC is requesting preliminary plan approval for a 19-lot residential subdivision to be known as Greenview Estates Subdivision, being a part of the SW ¼ NE ¼ of Section 4-74-43, City of Council Bluffs, Pottawattamie County, Iowa, being more particularly described as follows: commencing at the Northwest Corner of the SW1/4 NE1/4 of said Section 4 also being the point of beginning; thence South 88 degrees 19 minutes 57 seconds East along the North line of said SW1/4 NE1/4, 1,236.86 feet to a point on the Westerly right-of-way line of Eastern Hills Drive; thence Southerly along said Westerly right-of-way line for the next eleven segments: 1) thence South 39 degrees 29 minutes 54 seconds West, 512.39 feet; 2) thence Southwesterly along a curve concave Northwesterly, whose arc length is 104.99 feet, whose radius is 1,011.00 feet, and whose chord bears South 42 degrees 03 minutes 52 seconds West, 104.95 feet; 3) thence South 45 degrees 23 minutes 33 seconds, 267.38 feet; 4) thence Southwesterly along a curve concave Northwesterly, whose arc length is 125.87 feet, whose radius is 1,031.00 feet, and whose chord bears South 47 degrees 47 minutes 28 seconds West, 125.79 feet; 5) thence South 51 degrees 25 minutes 12 seconds West, 247.39 feet; 6) thence South 55 degrees 13 minutes 45 seconds West, 89.58 feet; 7) thence Southwesterly along a curve concave Southeasterly, whose arc length is 132.82 feet, whose radius is 374.00 feet, and whose chord bears South 41 degrees 46 minutes 24 seconds West, 132.12 feet; 8) thence Southerly along a curve concave Easterly, whose arc length is 114.97 feet, whose radius is 469.00 feet, and whose chord bears South 23 degrees 32 minutes 35 seconds West, 114.68 feet; 9) thence Southwesterly along a curve concave Northwesterly, whose arc length is 37.54 feet, whose radius is 39.00 feet, and whose chord bears South 46 degrees 44 minutes 43 seconds West, 36.11 feet; 10) thence Southwesterly along a curve concave Southeasterly, whose arc length is 86.74 feet, whose radius is 122.00 feet, and whose chord bears South 53 degrees 57 minutes 08 seconds West, 84.92 feet; 11) thence Southwesterly along a curve concave Northwesterly, whose arc length is 32.68, whose radius is 39.00 feet, and whose chord bears South 57 degrees 35 minutes 29 seconds West, 31.73 feet to a point on the North right-of-way line of Greenview Road; thence Westerly along said North right-of-way for the next two segments: 1) thence South 81 degrees 35 minutes 55 seconds West, 19.67 feet; 2) thence North 88 degrees 15 minutes 04 seconds West, 18.56 feet; thence North 01 degree 21 minutes 10 seconds East, 55.17 feet; thence North 88 degrees 38 minutes 50 seconds West, 25.06 feet; thence North 01 degree 17 minutes 32 seconds East, 1,229.19 feet to the point of beginning; City of Council Bluffs, Pottawattamie County, Iowa; and

WHEREAS, The proposed subdivision is comprised of 19.78 acres, more or less, of undeveloped land that is located at the northwest corner of the intersection of Greenview Road and State Orchard Road, which will be replaced by Eastern Hills Drive later this year; and

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

1. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, 'but is deemed to be an authorization to proceed with the preparation of the final construction plans or performance guarantee and the final plat' (§14.11.060.04—Subdivision Ordinance). A final plat application for the first phase must be filed within one year of the date of action by the City Council. A request for extension may be made by the sub-divider in writing prior to the expiration date. One-year extensions are considered by the City Planning Commission. Subsequent phases are automatically granted a one-year extension.
2. The proposed subdivision is currently zoned R-3/Low Density Multi-Family Residential District, with a P-R/Planned Residential Overlay appended. The applicant proposes to adopt a planned residential development plan (see Case #PR-19-001).
3. Lots 1 through 18 range in size from 5,584 square feet (0.13 acres) to 16,956 square feet (0.39 Acres). Lot 19 is comprised of 15.23 acres of land.
4. All of the lots comply with the minimum lot size requirement in an R-3 District, and preliminary building drawings appear to show that the lots will comply with structure coverage standards.
5. Lots 3 through 19 will have direct access to a new 1,100-foot standard residential street built within a 50 foot-wide right-of-way. The proposed street will extend from Eastern Hills Drive to the east and then north to connect to Oran Drive. Lots 1 and 2 will have direct access to the extension of Oran Drive.
6. The developer will not connect Tipton Drive with the proposed street due to significant grade issues.
7. The proposed street and the extension of Oran Drive will be constructed by the applicant and dedicated to the City of Council Bluffs.
8. The proposed subdivision name "Greenview Estates" must be changed as it is a duplicate name of an existing residential subdivision development in Pottawattamie County.
9. The subdivision is located in a Flood Zone X as per FEMA Map #19155C0418F, dated April 16, 2013.
10. All lots will be serviced with utilities (e.g., sanitary/storm sewers, water, electricity, etc.).
11. All utilities 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.
12. Sidewalk installation along the frontage of each proposed lot shall be completed prior to issuance of a Certificate of Occupancy for each residence.

13. 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.
14. The Permits and Inspections Division stated they will require analysis from the engineer of record on structural fill if it is planned to be built on, including proctor results for compaction, and if not, the locations in which the fill is intended to be placed so that builders will be able to ascertain foundation cuts necessary to get to virgin soils.
15. The Public Works Departments provided the following comments:
    a. Proposed street name should be submitted for review;
    b. Public Works will continue to work with the engineer of record concerning stormwater management. Stormwater management will be designed to full compliance for both quantity and quality;
    c. Road profile shall be developed for Public Works to review;
    d. Sanitary sewer has a connection fee for the connection at State Orchard Road/Eastern Hills Drive;
    e. Sanitary sewer laterals shall be extended two feet into each proposed lot.
16. Council Bluffs Water Works stated the developer will have to contact them for a water main extension.
17. MidAmerican Energy stated they have no objections to the request and that they will work with the developer and the City regarding the extension of the electric facilities and installation of electric services and street lighting; and

WHEREAS, The Community Development Department recommends the following for land legally described as being a part of the SW ¼ NE ¼ of Section 4-74-43, City of Council Bluffs, Pottawattamie County, Iowa:

1. Preliminary plan approval for a 19-lot residential subdivision to be known as Greenview Estates Subdivision, subject to compliance with all above stated comments and the following conditions:
    a. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, but is 'deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat'. (§14.11.060.04—Subdivision Ordinance).
    b. With adequate engineering and construction controls, the land is suitable for the proposed development. Construction plans for streets, sanitary sewer and storm drainage shall be submitted to the Public Works Department for review and approval prior to beginning construction. Construction plans and comprehensive plans for grading, drainage and erosion control, including right-

of-way during site preparation, utility installation and construction shall be submitted to the Public Works Department for review and approval prior to beginning any earth disturbing activity. All applicable permits necessary to meet local, state and federal requirements shall be the developer's responsibility.

c. An erosion and sediment control along with a grading plan shall be submitted with the construction plans. The erosion and sediment control plan will include temporary and permanent vegetative cover, structural measures, phasing and a maintenance and inspection program to address removal of sediment during construction and following any rainfall.

d. All utilities shall be installed underground.

e. Sidewalks shall be installed along the street frontage of each lot at no expense to the City, prior to issuance of a certificate of occupancy for each house.

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

That preliminary plan approval for a 19-lot residential subdivision to be known as Greenview Estates Subdivision, as legally described above, and shown on Attachment D attached hereto, is hereby approved subject to the comments and conditions set forth above.

ADOPTED
AND June 24, 2019.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk