City Council Communication

CASE #SUB-19-006 Department: Community Development Property Owner: Forest Glen North, LLC 1520 Chestnut Drive Council Bluffs, IA 51503 Applicant/Developer: Tweedt Engineering & Construction, Inc. Douglas Tweedt 4030 Greenview Road Council Bluffs, IA 51503 Surveyor: Rogers Surveying 1688 Rolling Hills Loop Council Bluffs, IA 51503	Resolution No._____	City Council: July 22, 2019

Request

Final plat approval of a 12-lot residential subdivision to be known as Forest Glen Subdivision, Phase VI.

Legal Description: Outlot 1, Forest Glen Subdivision, Phase V and a parcel of land located in part of the SW1/4 SE1/4 of Section 33-75-43, City of Council Bluffs, Pottawattamie County, Iowa.

Location: A northerly extension of Chestnut Drive and a westerly extension of Misty Lane.

Background/Discussion

The Community Development Department has received a request from Forest Glen North, LLC, represented by Tweedt Engineering & Construction, Inc., for final plat approval of a 12-lot residential subdivision to be known as Forest Glen Subdivision, Phase VI. The proposed subdivision totals 15.18 +/- acres in size and is located between Forest Glen Subdivision Phase II to the west, Forest Glen Subdivision, Phase V to the south, Briarwood Subdivision, Phase 2 to the east, and undeveloped land to the north. Proposed Lots 210-221 will each be developed with one single-family detached residential dwelling and will accessed by continuation of Chestnut Drive and/or Misty Lane, which will be dedicated to the City with the plat. The subdivision also includes a 33'x1161.26' section of land that is being dedicated to the City of Council Bluffs for a future Steven's Road extension. The proposed five outlot will be used for a variety of different purposes, as specified below:

- Outlot A - Will be sold to the owner of Lot 190, Forest Glen Subdivision, Phase V (under construction).
- Outlot B – Will be sold to the owner of Lot 200, Forest Glen Subdivision, Phase V (3788 Misty Lane)
- Outlot C – Will be sold to the owner of Lot 201, Forest Glen Subdivision, Phase V (3792 Misty Lane)
- Outlot D – Will be sold to the owner of Lot 202, Forest Glen Subdivision, Phase V (3796 Misty Lane)
- Outlot E – Will be used for stormwater management and dedicated to the Forest Glen Subdivision Homeowners Association once all the lots in this subdivision are conveyed.

The preliminary subdivision plan for Forest Glen Subdivision, Phase VI was approved by City Council on March 26, 2018 via Resolution No. 18-99. A one year extension of time was granted by the City Planning Commission on April 9, 2019 to allow the applicant additional time to complete infrastructure improvements in the subdivision without the preliminary plan expiring. The proposed final plat is generally consistent with the approved preliminary subdivision plan.

The following documents are included with the staff report for reference purposes:
Attachment A – Letter of intent
Attachment B – Location/zoning map
Attachment C – Forest Glen Subdivision, Phase VI final plat

Comments

1. The proposed subdivision is consistent with the purpose and intent of the Council Bluffs Municipal Subdivision and Zoning Ordinances.

2. The subdivision is zoned R-1/Single-Family Residential District and is surrounded by like zoning to the east, and south; A-2/Parks, Estates, and Agricultural District to the north; and R-3/ Low Density Multi-Family Residential District to the west. All construction within the subdivision shall comply with the development standards stated in Section 15.08B, R-1/Single-Family Residential District, of the Municipal Code (Zoning Ordinance), except for the required front yard setbacks. City Council granted a five-foot setback variance as part of the preliminary plan approval (refer to Resolution No. 18-99) to allow homes on Lots 210-222 to be constructed with a minimum 20-foot front yard, as opposed to the required 25 feet.

3. Lots 218 and 221 are considered corner lots as they abut Chestnut Drive and future Steven's Road extension right-of-way, and shall be developed to comply with all applicable corner lot standards in the R-1/Single-Family Residential District of the Municipal Code (Zoning Ordinance).

4. Sidewalks shall be installed at no expense to the City along the street frontage of all lots, including cul-de-sacs, prior to issuance a Certificate of Occupancy for each residence. A sidewalk shall be installed, at no expense to the City, along the frontage of Outlot A prior to issuance of a Certificate of Occupancy for a new dwelling on Lot 190, Forest Glen Subdivision, Phase V, as approved by City Council with Resolution No. 18-99. A sidewalk shall be installed, at no expense to the City, along the frontage of Outlot D prior to the City executing the final plat. All sidewalks shall be built to City standards.

5. All electric, gas, cable and communication facilities shall be installed underground. All costs to construct, remove and/or relocate any utilities shall be the responsibility of the developer, and not the City.

6. The Council Bluffs Water Works confirmed the developer installed a water main to service all lots in the subdivision.

7. All streetlights shall meet Public Works Department standards and all costs associated with the installation of these lights shall be the responsibility of the developer.

8. Outlot 1, Forest Glen Subdivision, Phase V, is being replatted to create all, or portions of, proposed Lots 210, 211, 219, 220 and Outlots A-E, Forest Glen Subdivision, Phase VI. When Outlot 1, Forest Glen Subdivision, Phase V was platted it included a stormwater drainage easement that was dedicated to the City of Council Bluffs. The Council Bluffs Public Works Department has requested that the stormwater

drainage easement be released prior to the final plat being executed, as it is no longer a benefit to the City since the land is being replatted for other purposes besides stormwater management. The Council Bluffs Community Development Department requests that City Council release the City's interest said stormwater drainage easement by allowing the developer to place a note on the plat stating language to that effect.

9. Council Bluffs Public Works provided the following comments:
    a. Any overlapping easements from Forest Glen Subdivision, Phase V shall be shown on the final plat prior to being executed.
    b. A note shall be stated on the plat that dedicates Outlots A-E to the developer until such time they are conveyed to other entities.
    c. The westerly portion of Lots 210, 220, 221, and Outlots A and E contain a drainage channel that is used for stormwater management purposes. A dedicated easement shall be placed over said drainage channel on the final plat in order to preserve its function for stormwater management in perpetuity.

10. Council Bluffs Fire Department stated they have no comments for the subdivision.

11. The following technical corrections shall be made to the plat prior to being executed:
    a. Revise the subdivision legal description to state "being a replat of Outlot 1, Forest Glen Subdivision Phase V, and a parcel of land located in part of the SW1/4 SE1/4 of Section 33-75-43, City of Council Bluffs, Pottawattamie County, Iowa".
    b. Correct the course bearing distance for the westerly line of Lot 200, Forest Glen Subdivision, Phase V on the plat map to match the bearing distance stated in subdivision's legal description.
    c. Specify on the plat if any private restrictions and/or covenants will be recorded with the subdivision. If none, state that no private restrictions and/or covenants will be recorded with the subdivision on the plat.
    d. The storm sewer easements shown on parts on Lot 211, 219, 220, and Outlots B and C shall be dedicated to the City of Council Bluffs under the "notes section", and shall be subject to the conditions for installation and maintenance of utilities, as stated on the plat.

Recommendation

The Community Development Department recommends approval of the final plat for a subdivision to be known as Forest Glen Subdivision, Phase VI, subject to compliance with all above stated comments and the following conditions:

1. 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.
2. All comments and technical corrections stated in case staff report shall be addressed on the final plat prior to it being executed.
3. Conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements.
4. 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.
5. The developer shall provide a copy of any proposed covenants and/or private restrictions associated with this subdivision to the City, or place a note on the final plat indicating none will be recorded.
6. All utilities shall be installed underground at no cost to the City.
7. Sidewalks shall be installed at no expense to the City along the street frontage of all lots, including cul-de-sacs, prior to issuance a Certificate of Occupancy for each residence. A sidewalk shall be installed, at no expense to the City, along the frontage of Outlot A prior to issuance of a Certificate of Occupancy for

a new dwelling on Lot 190, Forest Glen Subdivision, Phase V, as approved by City Council with Resolution No. 18-99. A sidewalk shall be installed, at no expense to the City, along the frontage of Outlot D prior to the City executing the final plat.

8. City Council grants approval to release the City's interest in the recorded storm sewer/drainage easement on Outlot 1, Forest Glen Subdivision, Phase V by allowing the developer to place a note on the final plat for Forest Glen Subdivision, Phase VI stating language to that effect.

Attachments

Attachment A – Letter of intent
Attachment B – Location/zoning map
Attachment C – Forest Glen Subdivision, Phase VI final plat

Surveyor: Carl Rogers, Rogers Surveying, 1688 Rolling Hills Loop, Council Bluffs, IA 51503

Prepared by: Christopher N. Gibbons, AICP, Planning Coordinator