RESOLUTION NO. 19-173

A RESOLUTION GRANTING FINAL PLAT APPROVAL OF A 12-LOT RESIDENTIAL SUBDIVISION TO BE KNOWN AS FOREST GLEN SUBDIVISION, PHASE VI.

WHEREAS, Forest Glen North, LLC, represented by Tweedt Engineering & Construction, Inc., has requested review and approval of a final subdivision plat for a 12-lot residential subdivision to be known as Forest Glen Subdivision, Phase VI; and

WHEREAS, The proposed subdivision consists of 15.18 +/- acres of land, 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, and is legally described as being 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.; 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 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.

WHEREAS, The Community Development Department recommends final plat approval of a 12-lot residential subdivision to be known as Forest Glen Subdivision, Phase VI, as legally described above and as shown on Attachment 'C', subject to all comments stated above and following conditions:

a. 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.
b. All comments and technical corrections stated in case staff report shall be addressed on the final plat prior to it being executed.
c. Conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements.
d. 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.
e. 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.
f. All utilities shall be installed underground at no cost to the City.
g. 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.
h. 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 Forest Glen Subdivision, Phase VI final plat stating language to that effect.

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

That the final plat approval for 12-lot residential subdivision to be known as Forest Glen Subdivision, Phase VI, 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 July 22, 2019.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

Planning Case No. #SUB-19-006