RESOLUTION NO. 20-179

A RESOLUTION GRANTING FINAL PLAT APPROVAL OF A TWO-LOT MINOR RESIDENTIAL SUBDIVISION TO BE KNOWN AS FOX RUN LANDING REPLAT 4, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, The Community Development Department has received requests from Western Iowa Land Development, LLC and Authier Properties, LLC, for final plat approval of a two-lot minor residential subdivision to be known as Fox Run Landing Replat 4, legally described as a being a replat of a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa being more fully described as follows: commencing at the northwesterly corner of Lot 103 in said Fox Run Landing, said northwesterly corner being on the easterly right-of-way line of Council Pointe Road and on a non-tangent curve, concave westerly to which point a radial line bears south 64 degrees 28 minutes 04 seconds east, 435.00 feet; thence on said easterly right-of-way line and northerly on said curve through a central angle of 20 degrees 24 minutes 51 seconds, 154.99 feet to the point of beginning; thence continuing on said easterly right-of-way line the following two (2) courses: 1) northerly on said curve through a central angle of 03 degrees 11 minutes 17 seconds, 24.21 feet; 2) north 01 degree 55 minutes 48 seconds east, 226.57 feet; thence south 88 degrees 04 minutes 12 seconds east, 125.00 feet; thence south 01 degree 55 minutes 48 seconds west, 226.57 feet to the beginning of a curve concave westerly having a radius of 560.00 feet; thence southerly on said curve through a central angle of 03 degrees 11 minutes 17 seconds, 31.16 feet; thence north 84 degrees 52 minutes 55 seconds west, 125.00 feet to the point of beginning; and

WHEREAS, The proposed residential subdivision is currently part of Fox Run Golf Course and is comprised of 31,782 square feet (0.730 acres), more or less, of land and consists of two lots; and

WHEREAS, The following comments have been received:

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

B. Proposed Lot 1 is 16,108 square feet in size (128.865 feet by 125 feet), while proposed Lot 2 is comprised of 15,674 square feet (125.39 feet by 125 feet). Both lots exceed the minimum lot size requirements of the R-1 District.

C. All residential dwellings and accessory structures shall comply with the development standards stated in Section 15.08B, R-1/Single-Family Residential District, Site Development Regulations, of the Council Bluffs Municipal Code (Zoning Ordinance).

D. Proposed Lots 1 and 2 have direct access to Council Pointe Road.

E. Both lots will be serviced with utilities (e.g., sanitary/storm sewers, water, electricity, etc.).

F. 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 developer and not the City.

G. Sidewalk installation along the frontage of each proposed lot shall be completed prior to issuance of a Certificate of Occupancy for each residence.

H. 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.

I. The Public Works Department provided the following comments:

1. Lot 2 will need to have access restricted for the driveway to the south 50 feet due to the traffic calming device located within Council Pointe Road just to the north of said lot; and
2. Storm sewer drainage easement "A" shown shall be extended to the rear lot lines for both Lot 1 and Lot 2 to accommodate the existing drainage path from the golf course and grades within this easement shall not be adjusted; and

J. A note needs to be placed on the plat that reads "Vehicular access to Lot 2 shall be restricted to the south 50 feet due to the traffic calming device within Council Pointe Road just to the north of said lot" and;

WHEREAS, The Community Development Department recommends final plat approval of a two-lot minor residential subdivision to be known as Fox Run Landing Replat 4, legally described as being a replat of a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa and being more fully described above and on Attachment 'D', subject to the following conditions:

A. 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

B. Prior to executing the final plat, any corrections required by the Community Development Department and/or Public Works Department shall be incorporated into the final plat; and

C. The final plat shall conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements; and

D. 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

E. A public sidewalk shall be installed along the frontages of each lot prior to issuance of a Certificate of Occupancy for a dwelling on each lot, at no cost to the City; and

F. The developer shall provide a copy of any recorded 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.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL

OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the final plat approval of a two-lot minor residential subdivision to be known as Fox Run Landing Replat 4, legally described as a being a replat of a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa being more fully described as follows: commencing at the northwesterly corner of Lot 103 in said Fox Run Landing, said northwesterly corner being on the easterly right-of-way line of Council Pointe Road and on a non-tangent curve, concave westerly to which point a radial line bears south 64 degrees 28 minutes 04 seconds east, 435.00 feet; thence on said easterly right-of-way line and northerly on said curve through a central angle of 20 degrees 24 minutes 51 seconds, 154.99 feet to the point of beginning; thence continuing on said easterly right-of-way line the following two (2) courses: 1) northerly on said curve through a central angle of 03 degrees 11 minutes 17 seconds, 24.21 feet; 2) north 01 degree 55 minutes 48 seconds east, 226.57 feet; thence south 88 degrees 04 minutes 12 seconds east, 125.00 feet; thence south 01 degree 55 minutes 48 seconds west, 226.57 feet to the beginning of a curve concave westerly having a radius of 560.00 feet; thence southerly on said curve through a central angle of 03 degrees 11 minutes 17 seconds, 31.16 feet; thence north 84 degrees 52 minutes 55 seconds west, 125.00 feet to the point of beginning, and as shown on Attachment 'B', is hereby approved subject to all local, state and federal regulations.

BE IT FURTHER RESOLVED

That the Mayor and City Clerk are hereby authorized and directed to endorse the final plat.

ADOPTED
AND July 27, 2020.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk