

COMPARED

5033

RECORDING FEE \$10.00  
RMA FEE \$1.00

RESOLUTION NO. 15-239

A RESOLUTION granting final plat approval for Heartland Heights First Addition - Phase II, generally located at the southwesterly extension of Lori Lane.

WHEREAS, BCD Corporation has requested final plat approval for Phase II of Heartland Heights First Addition under Municipal Code Chapter 14.13; and

WHEREAS, on July 11, 1994, this council passed Resolution 94-170, approving the preliminary plan for what is now Phase II of the development; and

WHEREAS, the applicant has requested a variance from the requirements of Title 14 to install sidewalks; however, the Planning Commission unanimously recommended that sidewalks be installed in all development phases, and this council in resolution 95-215 required sidewalks in Phase I and all subsequent phases; and

WHEREAS, the proposed subdivision is generally consistent with the 1994 Comprehensive Plan and the purpose and intent of the zoning and subdivision ordinances; and

WHEREAS, the final plat of Heartland Heights First Addition - Phase II, is generally consistent with the preliminary plan approved by City Council Resolution No. 94-170; and

WHEREAS, Section 14.14.040 of the Municipal Code requires sidewalks to be installed in all subdivisions. The Community Development and Public Works Departments have recommended against a sidewalk variance, since sidewalks can be installed within the 2 1/2 grade which must be maintained in the right-of-way. With the approval of the Public Works Department, sidewalks could be placed closer to the curb, in instances where the normal location of one foot from the property line is not feasible. The applicant has given no documentation which would warrant granting such a variance.

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

That the final plat for a subdivision to be known as Heartland Heights First Addition - Phase II is approved, subject to the following conditions:

1. Protective covenants, conditions and restrictions shall be recorded concurrently with the final plat.
2. Sidewalks shall be installed at the developer's expense, along the front of each lot, prior to the issuance of a Certificate of Occupancy.
3. A two-year maintenance bond is required for all improvements.
4. As-built construction drawings for paving, storm and sanitary sewers shall be finalized with the Public Works Department.
5. All required technical corrections are made to the final plat as requested by the Public Works Department; and

BE IT FURTHER RESOLVED

STATE OF IOWA, Polk County, Council Bluffs  
Filed for record this 11th day of Dec  
1994 at 2 o'clock PM and recorded  
to book 11677

John Sciorano  
By Susan L. P...  
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COMPARED

RESOLUTION NO. 95-239

PAGE TWO

That the Mayor and City Clerk are authorized and directed to endorse the final plat of Heartland Heights First Addition - Phase II upon completion of the conditions set out above.

ADOPTED  
AND October 23, 1995  
APPROVED

Thomas P. Hanafan  
THOMAS P. HANAFAN Mayor

Attest:

Olga Arellano  
OLGA ARELLANO City Clerk

Planning Case No. SUB-95-008

96-11678

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