TO:

Planning and Zoning Commission

FROM:

Matt Wyant March 1, 2022

DATE:

RE:

Case #SUB-2024-01

REQUEST:

Preliminary plat approval of Cedar Woods Addition

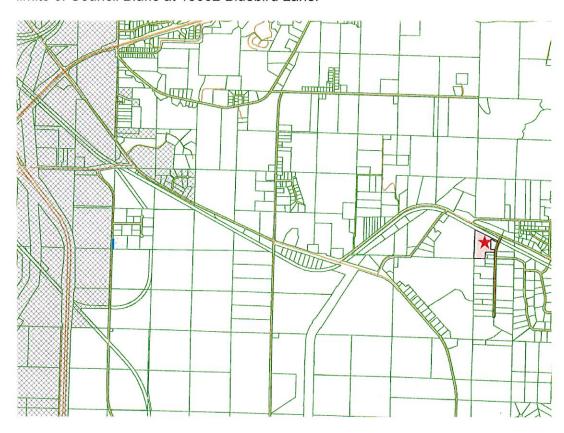
LOCATION:

Lewis Township

LEGAL DESCRIPTION:

15-74-43 WLY348.4' S338.6' & WLY518.4' N36.28' LT 4 & WLY518.4' & NLY50' ELY259.4' LT 2 SW NE & W348.4' LT 2 NW SE & CEDAR HILLS SUB LT 6

The subject property is located approximately 2 1/4 miles to the east of the city limits of Council Bluffs at 13602 Bluebird Lane.



PROPERTY

OWNER:

Ronnie G Kopaska

SURVEYOR:

Wilke Surveying

GENERAL

INFORMATION:

The applicant has made this request in order to allow him to split his property into two lots via a minor subdivision. The property meets the criteria as stated in 9.01.065 Exceptions of the Pottawattamie County, Iowa Subdivision Ordinance (see below).

SITE REVIEW:

The parcel consists of 9.61 acres. There is a single family dwelling, four outbuildings, septic system and drinking water well and geo thermal wells.



AREA REVIEW:

The subject property is located immediately adjacent to Bluebird Lane, an official bituminous County Road.

The majority of the properties in the immediate area are a rural residential acreages.



ZONING:

The subject property is currently located in a Class A-4 (Loess Hills) District.

8.014.010

INTENT: The Class A-4 District is intended to preserve the unique natural and environment characteristics of the Loess Hills' rare soils and topographic region of western Pottawattamie County, lowa and at the same time allow for appropriate types and scales of development. Primary uses of these lands has historically been grasslands with significant regions cultivated for farming, as well as many farm dwellings and non-farm households adjacent or having access to hard surfaced street. (Ordinance #2015-05/12-18-2015)

Subsection 8.014.020.04 of the Pottawattamie County, Iowa, Code, lists "Platted minor subdivisions for single-family dwellings, when located on a hard surfaced street or an official bituminous road", as a permitted principal use in the Class A-4 District.

The minimum standards for the A-4 District with individual septic systems and wells are as follows:

	Minimum
Lot Size	2.0 Acres
Lot Width	175'
Lot Depth	300'

It appears that the proposed lot sizes, lot widths and lot depths conform to the minimums.

SUBDIVISION ORDINANCE:

Subsection 9.01.065 states:

9.01.065 **EXCEPTIONS**: A minor subdivision plat may be prepared for an existing parcel being divided if it meets these allowed exceptions: (Ordinance #2018-03/05-10-18)

- .01 A minor subdivision plat may be prepared for an existing parcel being divided into two lots where the tract of record has previously been divided into more than four (4) parcels if all of the following are met:
 - A. Zoning requirements for minimum size and access can be met.
 - Adjoins buildable platted property (not outlots) on rear and sides or property has double frontage.
 - C. Existing parcel is more than four times the minimum parcel size in respective zoning district.
 - D. Does not cause conflict with future access or development to subject parcel and/or adjacent parcels.

SEWAGE DISPOSAL:

Where an adequate public or common sanitary sewer system is not reasonably accessible or not required, onsite wastewater treatment and disposal systems may be used for the purpose of providing a private means of sewage disposal for each lot in the subdivision.

A. The developer shall submit, with the preliminary plat, acceptable evidence of the suitability of the soil for onsite wastewater treatment and disposal systems on the site. The developer may be required to make one (1) or more soil boring tests and/or preliminary percolation tests within the boundaries of the subdivision if the evidence is deemed unacceptable by the County Board. Each test hole shall be numbered and its location and results shown on the final construction plans. All tests shall be performed in accordance with the Pottawattamie County, Iowa, Onsite Wastewater Treatment and Disposal System Ordinance.

- B. Lots where onsite wastewater treatment and disposal systems are proposed shall provide adequate space for two (2) such systems. The area dedicated for the second system is provided as a back up when the first system fails.
- C. Onsite wastewater treatment and disposal systems, if approved, may be installed at the expense of the developer, or at the expense of a subsequent lot owner at the time development of the lot takes place. (SEE ATTACHMENT 1)

WATER SUPPLY: The current home has a well. (SEE ATTACHMENT 2)

COVENANTS: None proposed.

COMMENTS:

OTHER AGENICES A copy of the preliminary plat has been forwarded to the following agencies.

Pottawattamie County Engineer (no comment received) Lewis Central (no comment received)

Lewis Township Department (no comment received)

Pottawattamie County Sheriff (no comment)

EXTERIOR ROAD: The lots will have direct access onto Bluebird Lane. There are already two existing

entrances. The County Subdivision regulations require that all subdivisions be in areas in which the property lies immediately adjacent to and has access to a hardsurfaced street. This proposed subdivision, as previously noted, meets this requirement. The lowa Department of Transportation Traffic Flow Map indicated an average traffic flow of

160 vehicles per day.

LAND USE PLAN: In 2015 the County Comprehensive Plan 2030 was adopted. That Plan designates the

Future Land Use of the subject property as Loess Hills.

FLOOD HAZARD: The Flood Insurance Study prepared by the Federal Emergency Management Agency

for the County designates in the Flood Insurance Rate Maps that the majority of the

property as being in a Zone X-Areas of minimum flooding.

Case File # SUB-2024-01 A-Hachment 1



Midwest Septic & Excavating LLC

22377 Sumac Road | Neola, Iowa 51559 (402) 980-5287 | midwestsepticllc@gmail.com | https://www.midwestsepticandexcavating.com/

RECIPIENT:

Ron Kopaska

13602 Bluebird Lane Council Bluffs, Iowa 51503

Invoice #146	
Issued	Feb 08, 2024
Due	Mar 09, 2024
Total	\$0.00
Account Balance	\$0.00

Proposed Septic System

Product/Service	Description	Qty.	Unit Price	Total
Feb 08, 2024			,	
Proposed Septic System	The property of 13602 Bluebird Lane, Council Bluffs, lowa 51503 is compatible for a conventional septic system for a new home build. Property has enough room for a 5BR home or greater. Site check was done on 02/08/24	1	\$0.00	\$0.00

Thank you for your business. Please contact us with any questions regarding this invoice.

Total	\$0.00
Account balance	\$0.00

Case File# 5UB-2024-01

Council Bluffs Well Drilling LLC

Attachment 2

ESTIMATE	#94
EXPIRATION DATE	Feb 23, 2024
TOTAL	\$0.00

Ron Kopaska 13602 Bluebird Ln Council Bluffs, IA 51503 CONTACT US

19714 Concord Loop Council Bluffs, IA 51503

(402) 871-7958 knkprop@aol.com

(712) 323-7461

sethweilage@gmail.com

ESTIMATE

Well on new lot

1.0

\$0.00

\$0.00

I believe there is ample room and a good aquifer at this property. There are good existing wells all around this property on large lots.

Seth Weilage

Council Bluffs Well Drilling LLC

Total

\$0.00

INDEX LEGEND

DATE OF SURVEY: 1/16/2024

SURVEYOR: Dean A. Wilke, PLS #17048

COUNTY: Pottawattamie

SECTION: 15 TOWNSHIP: 74N RANGE: 43W

ALIQUOT PART: SW1/4 NE1/4 & NW1/4 SE1/4

TAX ADDRESS: 13602 Bluebird Land Council Bluffs, IA 51503

PROPRIETOR(S): Ronnie G. Kopaska

REQUESTED BY: Ron Kopaska

WILKE LAND SURVEYING INC. - 401 1800TH ST. PANAMA, IOWA 51562 - PHONE (712)489-2898 CELL (712)579-0551

PAGE 1 OF 2 JOB #2023149

PRELIMINARY PLAT OF CEDAR WOODS ADDITION

PART OF LOTS 2 & 4 OF THE AUDITOR'S SUBDIVISION OF THE SW1/4 NE1/4, PART OF LOT 2 OF THE AUDITOR'S SUBDIVISION OF THE NW1/4 SE1/4, AND ALL OF LOT 6 OF CEDAR HILL SUBDIVISION, ALL IN SECTION 15, T74N, R43W OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA

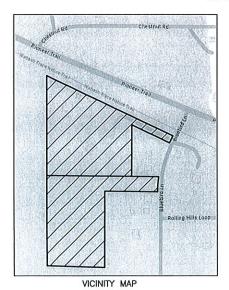
LEGAL DESCRIPTION:

A parcel of land containing part Lots 2 and 4 of the Auditor's Subdivision of the Southwest Quarter of the Northeast Quarter, part of Lot 2 of the Auditor's Subdivision of the Northwest Quarter of the Southeast Quarter, and all of Lot 6 of Cedar Hill Subdivision, all in Section 15, Township 74 North, Range 43 West of the 5th Principal Meridian, Pottawattamie County, Iowa, described as follows:

Beginning at the Southwest Corner of the Southwest Quarter of the Northeast Quarter of said Section 15; thence North 00°05′49″ East (Assumed Bearing) along a portion of the West line of said Southwest Quarter of the Northeast Quarter a distance of 956.54 feet to the Northwest Corner of said Lot 2 of the Auditor's Subdivision of the Southwest Quarter of the Northeast Quarter; thence South 64°24′23″ East along the North line of said Lot 2 a distance of 884.46 feet to the Centerline of Bluebird Lane; thence South 26°20′11″ West along a portion of said centerline a distance of 49.58 feet to the Northeast Corner of a tract of land described on a deed of record as Inst. No. 2020—04995 at the Pottawattamie County Recorder's Office; thence along the North, West, and South lines of said tract of land the following three (3) courses: 1) thence North 64′21′59″ West a distance of 262.77 feet; 2) thence South 00′17′19″ West a distance of 325.31 feet; 3) thence South 89′22′43″ East a distance of 169.66 feet to the Southwest Corner of said tract of land, also being the Northeast Corner of Lot 6 of Cedar Hill Subdivision; thence Southwesterly 96.28 feet along a 673.35 foot radius curve concave to the East with a chord bearing of South 04°14′20″ West and a chord length of 96.20 feet to the Southeast Corner of said Lot 6; thence North 89°23′05″ West along the South line of said Lot 6 a distance of 332.88 feet to the Southwest Corner of said Lot 6; thence South 00°15′16″ West along a portion of the West line of said Cedar Hill Subdivision a distance of 480.85 feet to the Southwest Corner of said Cedar Hill Subdivision, said Corner being on the South line of said South line a distance of 364.44 feet to the Southeast Quarter; thence North 88°17′00″ West along a portion of said South line a distance of 364.44 feet to the Southwest Corner of said Lot 2, said Corner being on the West line of the Northwest Quarter of the Southeast Quarter; thence North 00°28′24″ West along said West line a distance of 245.73 feet to the point of beginn

SURVEYOR NOTES:

- FEMA Flood Insurance Rate Map Number 19155C0584E (effective 2/4/2005) shows the subject property in an area of minimal flood hazard (Zone X).
- 2. Bluebird Lane has a ±20' wide seal coat surface.
- Lot 1 contains an existing residence and other structures with an existing address of 13602 Bluebird Lane Council Bluffs, IA 51503.
- 4. Lot 2 is proposed for residential use.
- 5. Lots 1 & 2 each have their own public street access/frontage.
- 6. Lots 1 has an existing private water well. Lot 2 is proposed to have a private water well.
- 7. Lots 1 has an existing private septic system. Lot 2 is proposed to have private septic system.
- 8. The contours and contour elevations shown hereon are approximate.
- Bench Mark Elevation: 1059.48' NAVD 88 (lowa Dept. of Trans. RTN GPS Network Zone 6) top of a 1" diameter pinched pipe as the R.O.W. monument at the NW Corner of Lot 3 of Rolling Hills Estates.



DEAN A. OWA

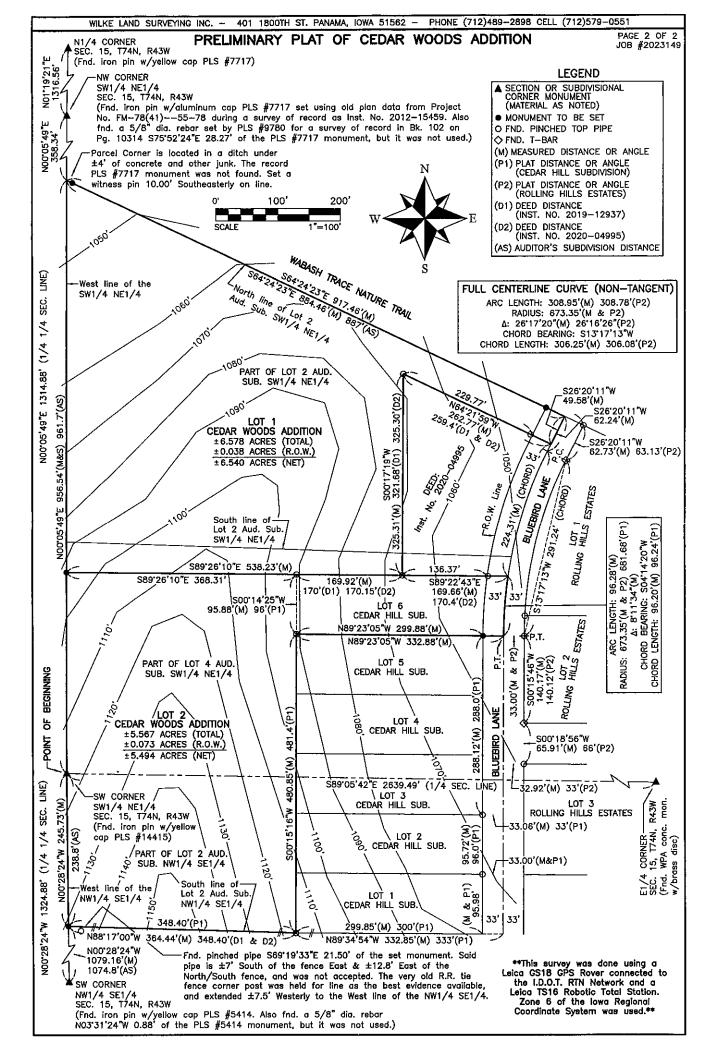
I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of lows.

0 111:14

License number 17048

My license renewal date is December 31, 2025

Pages or sheets covered by this seal: Pages 1 & 2 of this document.



TO:

Planning and Zoning Commission

FROM:

Matt Wyant

DATE:

March 1, 2022

RE:

Case #SUB-2024-02

REQUEST:

Preliminary plat approval of Leinen Subdivision

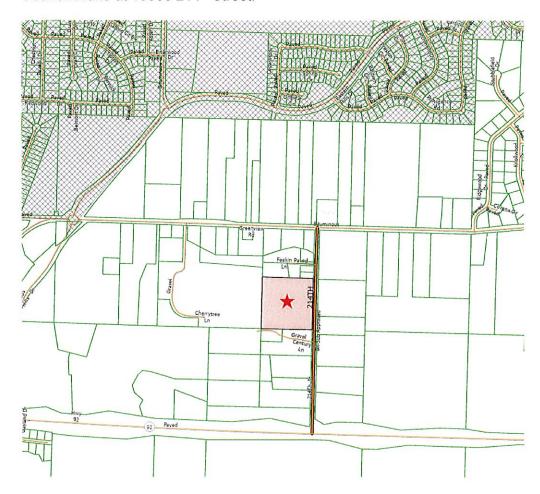
LOCATION:

Lewis Township

LEGAL DESCRIPTION:

3-74-43 SW NE SW

The subject property is located approximately $\frac{1}{2}$ mile south of the city limits of Council Bluffs at 15380 214th Street.



PROPERTY

OWNER:

Jonah - Amanda Leinen

SURVEYOR:

Rogers Surveying

GENERAL INFORMATION:

The applicants have made this request in order to allow them to split their 10 acre property into two lots via a minor subdivision. The property meets the criteria as stated in 9.01.065 Exceptions of the Pottawattamie County, Iowa Subdivision Ordinance (see below).

SITE REVIEW:

The parcel consists of 10 acres. There is a single family dwelling, four outbuildings,

septic system and drinking water well.



AREA REVIEW:

The subject property is located immediately adjacent to 214^{th} Street, an official bituminous County Road.

The majority of the properties in the immediate area are a rural residential acreages and

ag ground.



ZONING:

The subject property is currently located in a Class R-2 (Urban Transitional) District.

8.020.010

INTENT: The Class R-2 District is intended to provide for single-family residential areas at suburban densities. It is intended that this district shall provide residential areas which combines certain of the advantages of both urban and rural locations by limiting the concentration of development and by permitting limited number of animals to be kept on the premises. (Ordinance #2007-01/03-09-07)

Subsection 8.020.020.04 of the Pottawattamie County, Iowa, Code, lists "Platted minor subdivisions for single-family dwellings, when located on a hard surfaced street or an official bituminous road", as a permitted principal use in the Class R-2 District.

The minimum standards for the R-2 District with individual septic systems and wells are as follows:

	Minimum
Lot Size	2.0 Acres
Lot Width	175'
Lot Depth	300'

It appears that the proposed lot sizes, lot widths and lot depths conform to the minimums.

SUBDIVISION ORDINANCE:

Subsection 9.01.065 states:

9.01.065 **EXCEPTIONS**: A minor subdivision plat may be prepared for an existing parcel being divided if it meets these allowed exceptions: (Ordinance #2018-03/05-10-18)

- .01 A minor subdivision plat may be prepared for an existing parcel being divided into two lots where the tract of record has previously been divided into more than four (4) parcels if all of the following are met:
 - A. Zoning requirements for minimum size and access can be met.
 - Adjoins buildable platted property (not outlots) on rear and sides or property has double frontage.
 - C. Existing parcel is more than four times the minimum parcel size in respective zoning district.
 - D. Does not cause conflict with future access or development to subject parcel and/or adjacent parcels.

SEWAGE DISPOSAL:

Where an adequate public or common sanitary sewer system is not reasonably accessible or not required, onsite wastewater treatment and disposal systems may be used for the purpose of providing a private means of sewage disposal for each lot in the subdivision.

- A. The developer shall submit, with the preliminary plat, acceptable evidence of the suitability of the soil for onsite wastewater treatment and disposal systems on the site. The developer may be required to make one (1) or more soil boring tests and/or preliminary percolation tests within the boundaries of the subdivision if the evidence is deemed unacceptable by the County Board. Each test hole shall be numbered and its location and results shown on the final construction plans. All tests shall be performed in accordance with the Pottawattamie County, Iowa, Onsite Wastewater Treatment and Disposal System Ordinance.
- B. Lots where onsite wastewater treatment and disposal systems are proposed shall provide adequate space for two (2) such systems. The area dedicated for the second system is provided as a back up when the first system fails.
- C. Onsite wastewater treatment and disposal systems, if approved, may be installed at the expense of the developer, or at the expense of a subsequent lot owner at the time development of the lot takes place.

(SEE ATTACHMENT 1)

WATER SUPPLY:

The current home has a well. The new home will also have a well.

(SEE ATTACHMENT 2)

COVENANTS: None proposed.

OTHER AGENICES A copy of the preliminary plat has been forwarded to the following agencies.

COMMENTS:

Pottawattamie County Engineer (no comment received)

Lewis Central (no comment received)

Lewis Township Department (no comment received)

Pottawattamie County Sheriff (no comment)

EXTERIOR ROAD: The lots will have direct access onto 214th Street. There are already two existing

entrances. The County Subdivision regulations require that all subdivisions be in areas in which the property lies immediately adjacent to and has access to a hardsurfaced street. This proposed subdivision, as previously noted, meets this requirement. The lowa Department of Transportation Traffic Flow Map indicated an average traffic flow of

330 vehicles per day.

LAND USE PLAN: In 2015 the County Comprehensive Plan 2030 was adopted. That Plan designates the

Future Land Use of the subject property as Urban Transitional.

FLOOD HAZARD: The Flood Insurance Study prepared by the Federal Emergency Management Agency

for the County designates in the Flood Insurance Rate Maps that the majority of the

property as being in a Zone X-Areas of minimum flooding.

Case#suB-2024-02 AHachment I

McIntosh Plumbing

To whom it may concern:

Regarding the property located at 15380 214th Street Council Bluffs IA, belonging to Jonah and Amanda Leinen, the site has been evaluated for the purpose of further development requiring future septic installations. It is my opinion that the soil on this property, and the distance that would be between properties, would be suitable for future septic systems to be installed.

Thank you,

Jason McIntosh McIntosh Plumbing

712-256-6038



Attachment 2

ESTIMATE	#95
ESTIMATE DATE	Jan 31, 2024
EXPIRATION DATE	Feb 28, 2024
TOTAL	\$0.00

Jonah Leinen 15380 214th St Council Bluffs, IA 51503 CONTACT US

19714 Concord Loop Council Bluffs, IA 51503

(712) 314-2198

(712) 323-7461

sethweilage@gmail.com

jonahleinen@hotmail.com

ESTIMATE

Service - 4" PVC Well

1.0 \$0.00

\$0.00

I believe there is ample room for a well and a good aquifer at this property. There are several neighboring wells on large lots.

Seth Weilage Council Bluffs Well Drilling LLC

Total

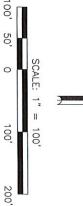
\$0.00

Please Send a Check
Due Upon Receipt
1 1/2 % Interest after 30 days
THANK YOU!

DEN! EXISTING G 546′ 2.1 ACRE 443 214TH STREET

LEINEN SUBDIVISION PRELIMINARY PLAT OF

BEING THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POTTAWATTAMIE COUNTY, IOWA.



LEGAL DESCRIPTION:

THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POTTAWATTAMIE COUNTY, IOWA.

ZONING:

EXISTING AND PROPOSED ZONING FOR PROPOSED LEINEN SUBDIVISION IS CLASS R-2 DISTRICT.

EXISTING ZONING OF ALL LAND ABUTTING PROPOSED LEINEN SUBDIVISION IS CLASS R-2 DISTRICT.

NOTE:

PROPOSED SEWER: INDIVIDUAL SEPTIC TANKS AND LATERALS. PROPOSED WATER: INDIVIDUAL WELLS.

BUILDING SETBACKS:

FRONT: 75' MINIMUM FROM RIGHT OF WAY SIDEYARD: 25' MINIMUM REARYARD: 50' MINIMUM

NOTE:

THE CONTOURS AND IMAGERY WERE TAKEN FROM GIS MAPPING, POTTAWATTAMIE COUNTY, IOWA.

1688 ROLLING HILLS LOOP COUNCIL BLUI	COUNCIL BLUFFS, IOWA
SCALE: 1" = 100' PHONE:	DRAWN BY: S.R.R
DATE: 12-08-2023 (402) 689-1549	REVISED
THE PRELIMINARY PLAT	7
CLIENT: JONAH LEINEN 15380 214TH STREET COUNCIL BLUFFS, IOWA 51503	SHEET 1 OF 1