City Council Communication

Department: Community Development CASE #OTB-23-006 Applicant: Avalos Construction, LLC 1622 Avenue F Council Bluffs, IA 51501	Reso. of Intent No. _____ Reso. to Dispose No. _____	Set Public Hearing: 7/24/2023 Public Hearing: 8/14/2023

Subject/Title

Request: Public hearing on the request of Avalos Construction, LLC, represented by Adalberto Avalos, to purchase City owned property legally described as the East ½ of Lot 9 and the East ½ of Lot 10, Block 1, William's Subdivision of Mill Lot, City of Council Bluffs, Pottawattamie County, Iowa.

Location: Immediately east of 620 Mill Street

Background/Discussion

The City of Council Bluffs has received an offer from Avalos Construction, LLC, represented by Adalberto Avalos, to purchase City owned property legally described above. The subject property is zoned R-3/Low Density Multifamily Residential and is classified as 'transitional dispose' and 'buildable.' The subject property is located in an AH flood zone and therefore any structure that is built on the subject property shall be required to comply with all applicable floodplain building regulations.

The applicant proposes to acquire the subject property to construct a single-family detached dwelling (see Attachment 'A' for proposed plot plan). According to the adopted *Inventory and Disposal Policy for Surplus City Property*, dated April 23, 2018, the subject property shall be priced at its most recent assessed land value, which is $13,400.00. The applicant has offered $13,400.00 to purchase the property, and has submitted the required 10% down payment ($1,340.00) and $50.00 application fee.

The subject property was acquired by the City of Council Bluffs on May 25, 2010 via a 657a Petition through the Iowa District Courts. As is stated in the adopted *Inventory and Disposal Policy for Surplus City Policy*, the property would be eligible for a forgivable mortgage as it has been actively marketed on the Surplus Property list for more than the required 24 months.

The following costs have been incurred on the subject property:

Legacy Home Development	$ 256.00
Burns Law	$ 1,220.22
Abstract Title	$ 150.00
Anderson Excavating Co.	$ 12,000.00
Total	$ 13,626.22

The subject property is an irregularly shaped lot and contains 5,200 square feet in area, which conforms to the R-3 District minimum lot size requirements for a single-family dwelling. The proposed plot plan, included with this report as Attachment 'A,' shows a 34' x 53'4" dwelling, which is too wide to meet the minimum interior (5 feet with one foot indentation for every story above the first floor) and street side yard (15 feet) setbacks for the R-3 District. The applicant shall utilize a house plan, which complies with R-3 District site development standards, as per Section 15. 10.050, *Site Development Standards*, of the Council Bluffs Municipal Code (Zoning Ordinance).

Recommendation

The Community Development Department recommends disposal of property legally described as the East ½ of Lot 9 and the East ½ of Lot 10, Block 1, William's Subdivision of Mill Lot, City of Council Bluffs, Pottawattamie County, Iowa, subject to the following conditions:

A. The purchase price shall be $13,400, with the remaining balance beyond the submitted $1,340.00 down payment being forgiven by the City of Council Bluffs upon issuance of a Certificate of Occupancy for a completed home on the subject property.
B. Closing shall occur within 60 days of the date of the decision. The applicant shall have 2 years from the date of the decision to construct a residential dwelling on the subject property and receive a Certificate of Occupancy for the completed dwelling.

Attachments

Attachment A: Proposed Plot Plan
Attachment B: Zoning/Location Case Map

Prepared by: Haley Weber, Planner, Community Development Department