**Council Communication**

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| Department: Community Development<br><br>CASE #OTB-23-009<br><br>Applicant:<br>Habitat for Humanity of Council Bluffs<br>1228 South Main Street<br>Council Bluffs, IA 51503 | Reso. of Intent No. _____<br><br>Reso. to Dispose No. _____ | Set Public Hearing: 11/13/2023<br><br>Public Hearing: 11/27/2023 |

**Subject/Title**

Request of Habitat for Humanity of Council Bluffs to purchase surplus City-owned property legally described as Lot 3, Block 3, Twin City Place, an addition to the City of Council Bluffs, Pottawattamie County, Iowa.

Location: 2709 2nd Avenue

**Background/Discussion**

The Community Development Department has received an offer from Habitat for Humanity of Council Bluffs to purchase the surplus City-owned property legally described above. The subject property is zoned R-3/Low-Density Multifamily District and is classified as 'transitional dispose' and 'buildable.' The subject property is not located within a flood zone. A location/zoning map has been included with this report as Attachment 'A.'

The applicant proposes to acquire the subject property to construct a detached single-family dwelling (see Attachment 'B' for proposed plot plan and Attachment 'C' for proposed house plan). Per the submitted letter of intent, included as Attachment 'D,' the completed dwelling is intended to be sold for owner occupancy to qualifying buyers through the Habitat for Humanity of Council Bluffs Homeownership Program. The project will be completed in partnership with Thomas Jefferson High School students through the Council Bluffs Schools Tradeworks program. Participating students will start the project on a temporary foundation on the school's property and then move the home to its permanent foundation on the subject property.

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 $15,900.00. The applicant has offered $15,900.00 to purchase the property, and has submitted the required 10% down payment ($1,590.00) and $50.00 application fee.

The subject property was acquired by the City of Council Bluffs on May 10, 2021. 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 City has not incurred any maintenance cost for this property.

The subject property contains 4,323 square feet, which does not meet the minimum 5,000 square foot lot size requirement for single-family detached uses in the R-3 District and is therefore considered a nonconforming lot of record. As per Section 15.26.020 of the Municipal Code (Zoning Ordinance), "*nonconforming lots of record existing at the effective date of the ordinance codified in this chapter shall be exempt, unless otherwise provided, from the minimum lot area and lot width requirements of each zoning district. Such lots may be developed with any principal use allowed by the regulations for the district and must comply with all other density regulations set forth by this chapter*." Although the subject property is a nonconforming lot of record, it is considered buildable as a single-family structure can be constructed on the property that meets all R-3 District site development standards.

**Recommendation**

The Community Development Department recommends setting a public hearing on the disposal of the property legally described as Lot 3, Block 3, Twin City Place, an addition to the City of Council Bluffs, Pottawattamie County, Iowa on the November 27, 2023, City Council Meeting.

**Attachments**

Attachment A: Location/Zoning Map
Attachment B: Proposed Plot Plan
Attachment C: Proposed House Plan
Attachment D: Letter of Intent

Prepared by: Haley Weber, Planner, Community Development Department