



AGENDA
PLANNING COMMISSION
COUNCIL BLUFFS PUBLIC LIBRARY, MEETING ROOM A
400 WILLOW AVENUE, COUNCIL BLUFFS, IA
Tuesday, May 14, 2019 - 6:00 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. ADOPTION OF AGENDA**
- 4. APPROVAL OF MINUTES**
- 5. PROOF OF PUBLICATION**
- 6. REVIEW OF MEETING PROCEDURES**
- 7. PUBLIC HEARINGS**

A. CASE #SAV-19-005

Public hearing on the request of Joseph McKenzie, Jr. to vacate and dispose of the section of Lindberg Drive extending from the east right-of-way line of Madison Avenue and abutting the West 40 feet of Lot 9, and all of Lot 10, Block 1, Oak Grove Addition; Lot 10, Block 2, Oak Grove Addition; and Lots 3-6 and Lot 8, Block 3, Oak Grove Addition.

Location: Lying east of Madison Avenue and west of the intersection of Lindberg Drive and Hazel Street.

B. Case #ZC-19-002

Public hearing on the request of Adnan Ibrahim Mohammed and Miriam Hodge to rezone properties legally described as Lots 1 and 2, except a strip of ground 2 feet in width off the North end, and Lot 3, except a strip of ground 1 foot in width off the North end, all in Original Plat Lot 83, along with Lots 5 through 8, Casady's Subdivision of Original Plat Lot 82, and Lot 223, except right-of-way, Original Plat of Council Bluffs, from C-4/Commercial District to R-3/Low Density Multi-Family Residential District.

Location: 102, 104, 110, 116, 118, 126, 128, 130, 134, 140, 142, 146, 148, 150, 152 and 154 Vine Street.

8. OTHER BUSINESS

- A. CASE #SUB-18-007 - North Shore Preliminary Subdivision Plan - Extension of Time**

9. ADJOURNMENT

If you plan to attend this meeting and require special assistance please contact the Community Development Department at (712) 328-4629 at least 48 hours before the meeting.

Planning Commission Communication

Department: Community

Development

Case/Project No.: Case #SAV-19-005

CASE #SAV-19-005

Council Action: 5/14/2019

Submitted by: Christopher Meeks,
Planner

Description

Public hearing on the request of Joseph McKenzie, Jr. to vacate and dispose of the section of Lindberg Drive extending from the east right-of-way line of Madison Avenue and abutting the West 40 feet of Lot 9, and all of Lot 10, Block 1, Oak Grove Addition; Lot 10, Block 2, Oak Grove Addition; and Lots 3-6 and Lot 8, Block 3, Oak Grove Addition.

Location: Lying east of Madison Avenue and west of the intersection of Lindberg Drive and Hazel Street.

Background/Discussion

See attachments

Recommendation

ATTACHMENTS:

Description

Type

Upload Date

Case #SAV-19-005 Staff Report and Attachments

Other

5/9/2019

City Planning Commission

Department: Community Development	Resolution of Intent No. _____	Planning Commission: 05/14/2019
Case #SAV-19-005	Resolution to Dispose No. _____	Set Public Hearing:
Applicant: Joseph McKenzie, Jr. 5061 S. 135 th Street, #5308 Omaha, NE 68137		Public Hearing:

Subject/Title

Request: Public hearing on the request of Joseph McKenzie, Jr. to vacate and dispose of the section of Lindberg Drive located East of the right-of-way line of Madison Avenue, and abutting the West 40 feet of Lot 9, and all of Lot 10, Block 1, Oak Grove Addition; Lot 10, Block 2, Oak Grove Addition; and Lots 3-6 and Lot 8, Block 3, Oak Grove Addition.

Background

The Community Development Department has received an application from Joseph McKenzie Jr. to vacate and dispose of as section of the unimproved Lindberg Drive right-of-way as described above. The applicant has submitted an offer to purchase three surrounding city-owned properties, legally described as being Lots 8-10, Block 2, Oak Grove Addition, Lots 3-5, Block 3, Oak Grove Addition, and Lots 6-8, Block 3, Oak Grove Addition. The purchase of the subject right-of-way would make the three existing parcels contiguous, and would allow the applicant to execute a final subdivision plat to combine the entirety of the subject right-of-way and parcels into one buildable lot. Without the execution of the final subdivision plat, the vacation of the right-of-way of Lindberg Drive would leave four lots of record with no frontage to a publically dedicated roadway, therefore taking their ability to be built upon.

The following attachments have been included for reference:

Attachment A: Location and Zoning Map

Attachment B: Site Photos

On August 25, 2003 the City Council amended the adopted *Policy and Procedures for Alley, Street and Right-of-way Vacations*. The objectives of the amended Policy are as follows:

1. *To provide due process and citizen participation in the application and review process for vacations.*
 There are four separate property owners with land that abuts the subject right-of-way. The owners of these properties are as follows:
 North – A parcel owned by the City of Council Bluffs (proposed to be purchased by Joseph McKenzie, Jr.)
 A parcel owned by Jeff Kraft
 A parcel owned by the John S. and Ramona L. Crookham Trust (724 Hazel Street)
 South – Two parcels owned by the City of Council Bluffs (proposed to be purchased by Joseph McKenzie, Jr.)

All abutting property owners were mailed petitions asking if they are in favor of/opposed to and/or willing to/not willing to acquire the portion of the alley that abuts their property, if vacated. Responses to these petitions are summarized in Comment #10 below.

2. *To ensure that no property owner is deprived of required and reasonable access.*

If the proposed vacation of Lindberg Drive is approved, four lots (Lots 3-6, Block 3, Oak Grove Addition) will lose access to a publically dedicated right-of-way. Currently, those lots are all owned by the City of Council Bluffs, and have been proposed to be purchased by Joseph McKenzie, Jr. If the sale of those properties is approved by the City Council, a final plat will need to be executed to combine those lots into a new platted lot that would have access to a City right-of-way.

3. *To discourage the creation and eliminate or reduce existing dead-end alleys, streets or other rights-of-way.*

The vacation of the subject right-of-way will turn Grove Street into a dead-end right-of-way, and the north/south alleyway platted in Block 1, Oak Grove Addition into a dead end alley as it will remove their southern outlets. Both Grove Street and the alleyway are not fully improved, and the section of Lindberg Drive is also unimproved, so there will be no change in access created as a result of this vacation.

4. *To reduce or eliminate hazardous and dangerous traffic conditions.* The subject right-of-way is unimproved and is not used for vehicular and/or pedestrian traffic.

5. *To protect all existing and proposed public utilities located in the right-of-way and to maintain necessary utility easements.*

All City Departments and utilities were notified of the request. The following responses were received:

- The Fire Marshall stated he has no comments.
- The Parks Department stated they have no comments.
- The Permits and Inspections Division stated they have no comments.
- Public Works Department stated there is a sanitary sewer line that runs through the current right-of-way of Lindberg Drive, and a 30' utility easement would need to be maintained over the sewer if the vacation is approved. The Public Works department did specify that if the vacation would be approved, the property owner would be able to pave a driveway in the easement area.
- Black Hills Energy stated they have no concerns with the proposed right-of-way vacation.
- CenturyLink stated they have no issues with the proposed right-of-way vacation.
- Council Bluffs Water Works stated they have no utilities in the subject right-of-way, and have no comments in regards to the vacation.
- Cox Communications stated they have facilities in the subject alleyway, and stated that if vacated, an easement must remain.
- MidAmerican Energy stated they have no objections to the proposed vacation and have no facilities located within the subject right-of-way. MidAmerican Energy did state that the applicant must contact MEC directly to discuss the requirements for extending electric facilities for any future development.

Based on the information above, if vacated, a 30' utility easement centered over the existing sanitary sewer line shall be retained.

6. *To maintain appropriate right-of-way width to ensure that an adequate pedestrian and vehicular circulation system is retained.* Access will not change to any developed parcels.

7. *To discourage the vacation of a portion of an existing alley, street or other right-of-way.* This request will vacate the entirety of the right-of-way of Lindberg Drive between Madison Avenue and Hazel Street with the exception of the East 80 feet, which is adjacent to Lots 3-2, Block 3, Oak Grove Addition, and the East 80 feet of Lot 9, Block 1, Oak Grove Addition. The reason this section of Lindberg Drive will remain as right-of-way will be to ensure adequate access to Lots 1-2, block 3, Oak Grove Addition, both of which are lots of record.

8. *To assist in the implementation of the goals and objectives of the Comprehensive Plan.* The request has no impact local access and circulation, and is consistent with the objectives stated in Chapter 6, Transportation of the Bluffs Tomorrow: 2030 Plan (comprehensive plan).
9. *To reduce the City's maintenance liability on previously vacated right-of-way parcels from public improvement projects and various lots acquired through delinquent taxes or assessments.* Not applicable.
10. *To establish an equitable price for surplus public property.* All abutting property owners were notified about this vacation request. The following responses were received:
 - Joseph McKenzie, Jr., the individual who has proposed to purchase the adjacent City owned properties and the applicant of the request, stated he is in favor of the request and willing to acquire his portion of the right-of-way for \$5,798.00.
 - A representative of the John S. and Ramona L. Crookham Trust, owner of the property addressed as 724 Hazel Street, stated they are in favor of the request and willing to acquire his portion of the right-of-way for \$243.75.
 - Jeff Kraft, owner of the property legally described as Lots 10-12, Block 1, Oak Grove Addition, has not responded at the time of this report.

If the owner of Lots 10-12, Block 1, Oak Grove Addition indicate they are not interested in acquiring their portion of the right-of-way or do not respond by the time of the final decision, Joseph McKenzie, Jr. would be also be allowed to purchase their portion for \$8,160.65.

Recommendation

The Community Development Department recommends approval of the request to vacate and dispose of the section of Lindberg Drive located East of the right-of-way line of Madison Avenue, and abutting the West 40 feet of Lot 9, and all of Lot 10, Block 1, Oak Grove Addition; Lot 10, Block 2, Oak Grove Addition; and Lots 3-6 and Lot 8, Block 3, Oak Grove Addition. The approval is subject to the following conditions:

1. A permanent 30' wide utility easement will be maintained over the sanitary sewer line that runs in the former right-of-way of Lindberg Drive.
2. Abutting property owners shall acquire their portion of the vacated Lindberg Drive right-of-way as follows:
 - a. Joseph McKenzie Jr. and all successors in interest: The North ½ of the vacated Lindberg Drive right-of-way abutting Lot 10, Block 1, Oak Grove Addition and the West ½ of the alleyway adjacent; The North ½ of Lindberg Drive right-of-way abutting the right-of-way of Grove Street; The North ½ of Lindberg Drive right-of-way abutting Lot 10, Block 2, Oak Grove Addition; and the South ½ of Lindberg Drive right-of-way abutting Lot 3-6 and Lot 8, Block 3, Oak Grove Addition, for the total fee of \$8,160.65.
 - b. The John S. and Ramona L. Crookham Trust and all successors in interest: The North ½ of the vacated Lindberg Drive right-of-way abutting the West 40 feet of Lot 9, Block 1, Oak Grove Addition, and the East ½ of the vacated Lindberg Drive right-of-way abutting the alleyway platted in Block 1, Oak Grove Addition, for the total fee of \$243.75.

Attachment A – Location and Zoning Map

Attachment B – Site Photos

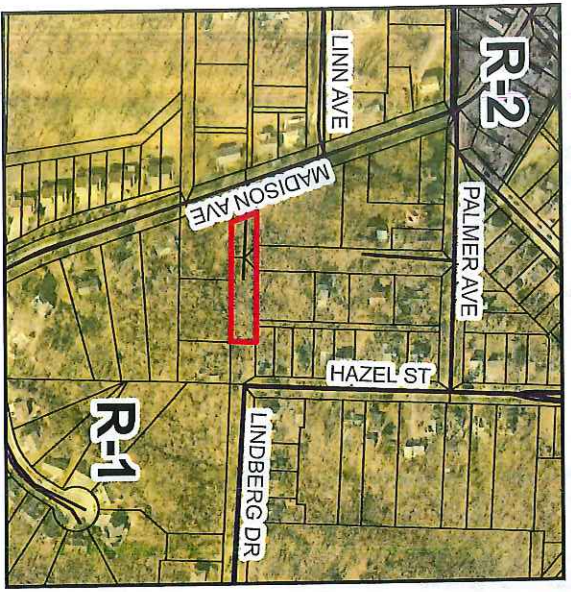
Prepared By: Chris Meeks, Planner, Community Development Department

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION

CASE #SAV-19-005 LOCATION/ZONING MAP

Map Legend

- City-Owned Parcels
- Subject Right-Of-Way

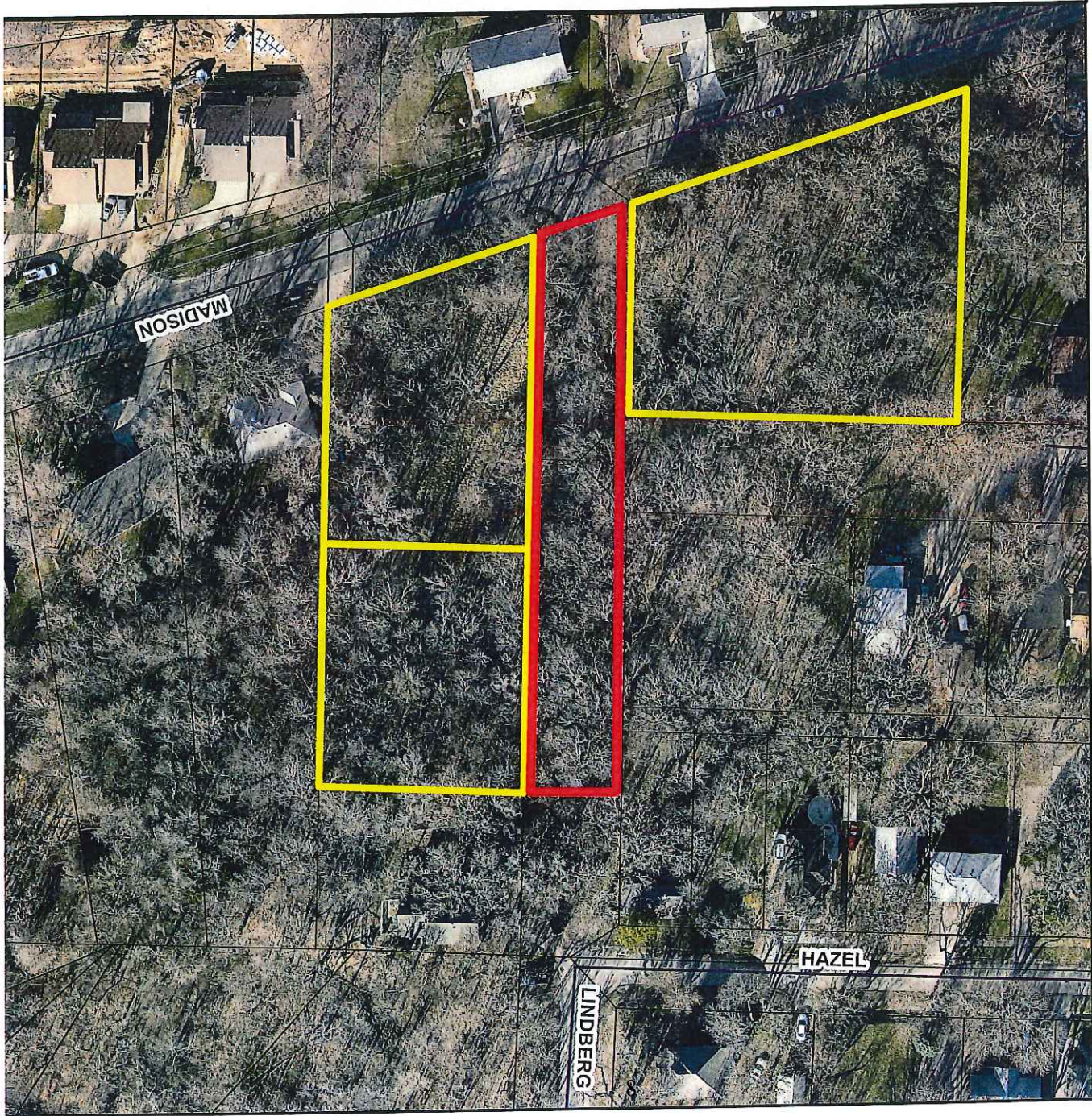


Last Amended: 4/12/19

Council Bluffs Community
Development Department
209 Pearl Street
Council Bluffs, IA 51503
Telephone: (712) 328.4629

DISCLAIMER

This map is for informational purposes only and does not constitute a legal document. The City of Council Bluffs is not responsible for any errors or omissions on this map. The user assumes all responsibility for the use of this map. The City reserves the right to modify this map at any time without notice.



Attachment B:
Site Photos



Aerial Photo of subject right of way and surrounding property (facing East)



Above: View of subject right-of-way from Madison Avenue (facing East)



Above: Subject right-of-way facing West (towards Madison Avenue)

Below: View of subject property facing South.



Below: View of subject property facing North.



Planning Commission Communication

Department: Planning Commission

Case/Project No.: Case #ZC-19-002

Case #ZC-19-002

Council Action: 5/14/2019

Submitted by: Moises Monrroy,
Planner

Description

Public hearing on the request of Adnan Ibrahim Mohammed and Miriam Hodge to rezone properties legally described as Lots 1 and 2, except a strip of ground 2 feet in width off the North end, and Lot 3, except a strip of ground 1 foot in width off the North end, all in Original Plat Lot 83, along with Lots 5 through 8, Casady's Subdivision of Original Plat Lot 82, and Lot 223, except right-of-way, Original Plat of Council Bluffs, from C-4/Commercial District to R-3/Low Density Multi-Family Residential District.

Location: 102, 104, 110, 116, 118, 126, 128, 130, 134, 140, 142, 146, 148, 150, 152 and 154 Vine Street.

Background/Discussion

See attachments

Recommendation

ATTACHMENTS:

Description

Type

Upload Date

Case #ZC-19-002 Staff Report and Attachments

Other

5/9/2019

Planning Commission Communication

<p>Department: Community Development</p> <p>CASE # ZC-19-002</p> <p>Applicant/Property Owner: Adnan Ibrahim Mohammed and Miriam Hodge 231 Benton Street Council Bluffs, IA 51503</p> <p>Property Owners: Kenneth J. and Vivian A. Rostermundt Trusts 21888 Vineyard Hills Drive Council Bluffs, IA 51503</p> <p>Donald W. Gottschalk 15013 South 27th Street Bellevue, NE 68123</p> <p>David E. and Susan K. Parker 110 Vine Street Council Bluffs, IA 51503</p> <p>John F. and Joann C. Peterson 11 Cryer Circle Council Bluffs, IA 51503</p> <p>Matthew Harold Onzay 118 Vine Street Council Bluffs, IA 51503</p> <p>R-R Equities LLC PO Box 121 Council Bluffs, IA 51502</p> <p>Stephanie Rostermundt 419 Wendy Heights Road Council Bluffs, IA 51503</p> <p>Michael S. Royce 15707 South 234th Street Gretna, NE 68028</p> <p>Melissa Williams 2317 Washboard Road Council Bluffs, IA 51503</p> <p>K-P Investments Inc. 17 Ethel Lane Council Bluffs, IA 51503</p>	<p>Ordinance No. _____</p>	<p>Planning Commission: 5/14/2018</p>
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George M. Prine
7306 South 18th Street
Bellevue, NE 68147-2150

John R. and Maureen L. Eickholt
146 Vine Street
Council Bluffs, IA 51503

Johneus LLC
PO Box 358
Onawa, IA 51040

Kallie Diann MendeHall
152 Vine Street
Council Bluffs, IA 51503

Chad R. Taylor
1325 North Broadway Street
Council Bluffs, IA 51503

Subject/Title

Request: Public hearing on the request of Adnan Ibrahim Mohammed and Miriam Hodge to rezone properties described as Lots 1 and 2, except a strip of ground 2 feet in width off the North end, and Lot 3, except a strip of ground 1 foot in width off the North end, all in Original Plat Lot 83, Lots 5 through 8, Casady's Subdivision of Original Plat Lot 82, and Lot 223, except right-of-way, Original Plat of Council Bluffs, from C-4/Commercial District to R-3/Low Density Multifamily Residential District.

Location: 102, 104, 110, 116, 118, 126, 128, 130, 134, 140, 142, 146, 148, 150, 152 and 154 Vine Street.

Background

The Community Development Department has received an application from Adnan Ibrahim Mohammed and Miriam Hodge to rezone property they own at 148 Vine Street from C-4/Commercial District to R-3/Low Density Multifamily Residential District. The applicants expanded the request at the advice of the Community Development Department, and with the permission of adjacent property owners, to rezone adjacent properties, addressed as 102, 110, 116, 118, 128, 134, 140, 142, 150 and 152 Vine Street from C-4/Commercial District to R-3/Low Density Multifamily Residential District. The purpose of expanding the request was to avoid the consideration of rezoning a single small lot, which may be considered "spot zoning." The Community Development Department further expanded the request to include the properties addressed as 104, 126, 130, 146 and 154 Vine Street for zoning consistency purposes. The entirety of the area proposed to be rezoned is legally described as Lots 1 and 2, except a strip of ground 2 feet in width off the North end, and Lot 3, except a strip of ground 1 foot in width off the North end, all in Original Plat Lot 83, Lots 5 through 8, Casady's Subdivision of Original Plat Lot 82, and Lot 223, except right-of-way, Original Plat of Council Bluffs.

Currently, the subject properties are used as single-family residential dwellings, with the exception of the property addressed as 146 Vine Street, which contains a business, professional office. As per Chapter 15.17, *C-4/Commercial District*, of the Council Bluffs Municipal Code (Zoning Ordinance), a single-family residential dwelling is not a permitted use in a C-4 District. Therefore, the single-family dwellings located in the subject

area are considered non-conforming structures. The purpose of this request is to bring those dwellings into conformance with the City's Zoning Ordinance.

As per Section 15.26.010, *Purpose and Intent (Nonconformities)*, of the Municipal Code (Zoning Ordinance), the intent of a "nonconforming uses" clause in a zoning ordinance is: (1) to allow for the reasonable continuation of legally established uses which do not meet current use regulations of their respective zoning districts; and (2) to limit the continuation and provide for the gradual elimination of nonconforming uses. This is reinforced by Section 15.26.030(2), *Abandonment of Nonconforming Uses*, of the Municipal Code (Zoning Ordinance), which states that if any nonconforming use ceases for a continuous period of more than six months, any subsequent use shall conform to the regulations of this title. Since the residential structure on the applicants' property has been vacant for a period of more than six months, it would not be allowed to be used as a single-family dwelling under the current C-4 zoning. If rezoned, the applicants would be allowed to use their property as a single-family dwelling.

Land Use and Zoning

The following zoning and land uses surround the subject properties:

North: Undeveloped land that is zoned A-2/Parks, Estates and Agricultural District.

South: A second hand store, a two-family dwelling, two parking lots, undeveloped land and the 100 Block on West Broadway, all of which are zoned in the C-4/Commercial District.

East: A multi-family dwelling, which is zoned in the C-3/Commercial District.

West: The Omni Centre Business Park, which is zoned in the C-4/Commercial District.

The future land use plan of the Bluffs Tomorrow 2030 (Comprehensive Plan) designates the subject property as Local Commercial.

Public notices were mailed to all property owners within 200 feet of the request. The following comments were received:

1. John Eickholt, owner of the property addressed as 146 Vine Street, contacted the Community Development Department and stated he is in opposition of the request (see Attachment D).
2. Michael Royce, owner of the property addressed as 130 Vine Street, contacted the Community Development Department and had a general inquiry about the rezoning, and stated he is in favor of the request.
3. Aaron Rodenburg, owner of property addressed as 145 Vine Street, contacted the Community Development Department and asked to be included in the rezoning request. The Community Development Department declined Mr. Rodenburg's request to expand the rezoning request as (1) his property is located in the block south of Vine Street and (2) public notices to property owners within 200 feet of the request had already been mailed out.

All City Departments and local utilities were notified of the proposed rezoning. The following comments were received:

- The Permits and Inspections Division stated they are in opposition with the request. They stated that any change in use to another Occupancy classification will require the structures to be brought into compliance with current building code criteria for the new Occupancy. They also stated the subject properties are located in an AE Flood Zone, and if the cost of improvements exceeds 50% of the market value, the entire structure will be required to be brought into compliance with the Flood Plain Regulations of the City of Council Bluffs.
- The Public Works Department stated there is significant infrastructure within the general area, including the Indian Creek Box Culvert.
- Council Bluffs Water Works stated they have no comments on the request.
- Black Hills Energy stated they have no concerns with the request.
- MidAmerican Energy stated they have no objections to the request.
- Cox Communications stated they have no issues with the request.

The following attachments are included with the case staff report:

- Attachment A: Location/Zoning Map
- Attachment B: Location/Zoning Map (Detailed)
- Attachment C: Approval of Property Owners Included in the Rezoning Request
- Attachment D: Eickholt Opposition Letter
- Attachment E: 100 Block and Vine Street Development Plan – Downtown Plan 2003

Discussion

1. As per Section 15.17.050(a), lots and parcels of land less than 2 acres in area zoned in a C-4 District are not subject to minimum lot size requirements. Approval of the rezoning request will make the subject properties into nonconforming lots of record, as they do not meet the minimum lot size for single-family dwellings in an R-3/Low Density Multifamily Residential District (5,000 square feet), with the exception of the property addressed as 134 Vine Street, which is composed of 5,197 square feet of land.
2. The properties addressed as 154 and 152 Vine Street are 27 feet in width, while the property addressed as 150 Vine Street is 29 feet in width. Although there is no minimum lot width requirement in an R-3 District, these properties are not wide enough to build a single-family dwelling that is the required minimum 20 feet in width as they would be unable to meet the required 5-foot interior side yard setback, and in the case of the property addressed as 154 Vine Street, the required 15-foot street side yard setback. Therefore, if the existing single-family structure on each of the aforementioned lots were to be destroyed by 50 percent or more, another single-family structure could not be rebuilt in its place.
3. The average front yard setback along the subject area is 2 feet. As per Section 15.17.050(a), lots and parcels of land less than 2 acres in area zoned in a C-4 District are not subject to setback requirements. If rezoned, the existing structures would be considered nonconforming as they do not meet the minimum front yard setback in an R-3 District of 20 feet.
4. The Downtown Council Bluffs Plan, adopted in June 2003, identifies the Vine Street block as a priority site for redevelopment and envisions it as a transformative feature for Downtown Council Bluffs which reinforces the character of the 100 Block of West Broadway. Specifically, the Downtown Plan shows the Vine Street block and the land where the City parking lot is located as being redeveloped into a large multi-family housing development with no commercial uses. The proposed R-3 zoning can accomplish that goal. However, development along the 100 Block over the past decade has shifted the City's vision for this area, as shown in the future land use plan of the Bluffs Tomorrow 2030 (Comprehensive Plan), adopted in 2015. The City designates this area as Local Commercial to encourage uses oriented towards goods and services, such as grocery stores, convenience stores, pharmacies, banks, auto services, and small offices, within close the proximity of the 100 Block to serve the needs of its residents. The R-3 District only allows certain commercial uses, such as "business, professional office (when the floor area for such use does not exceed 2,000 square feet)," with a conditional use permit.
5. The current C-4 zoning is consistent with the Local Commercial classification and will allow for a variety of commercial uses that are commonly associated with a downtown setting, as well as the mixed-use development that is compatible with the recent redevelopment efforts along the 100 Block.
6. The property at 146 Vine Street is used as a business, professional office, which is allowed in the C-4 District. A business, professional office (when the floor area for such use does not exceed 2,000 square feet) is not a permitted use by right in the R-3 District. Therefore, if the request is approved, said property would no longer be in conformance with the City's Zoning Ordinance.
7. Seven (7) of the sixteen (16) structures located in the subject area are classified "Below Normal" or "Poor" by the County Assessor. Rehabilitation and repair efforts by property owners may be cost prohibitive since the subject properties are located in an AE Flood Zone, which would require compliance with the City's floodplain regulations.
8. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are available to accommodate the uses permitted in the R-3 District.

Recommendation

The Community Development Department recommends denial of the request to rezone properties described as Lots 1 and 2, except a strip of ground 2 feet in width off the North end, and Lot 3, except a strip of ground 1 foot in width off the North end, all in Original Plat Lot 83, Lots 5 through 8, Casady's Subdivision of Original Plat Lot 82, and Lot 223, except right-of-way, Original Plat of Council Bluffs, from C-4/Commercial District to R-3/Low Density Multifamily Residential District, based on reasons stated above.

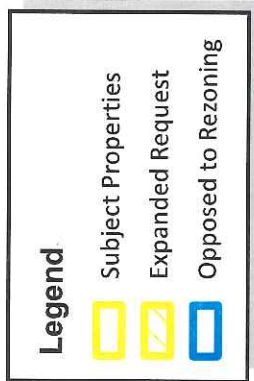
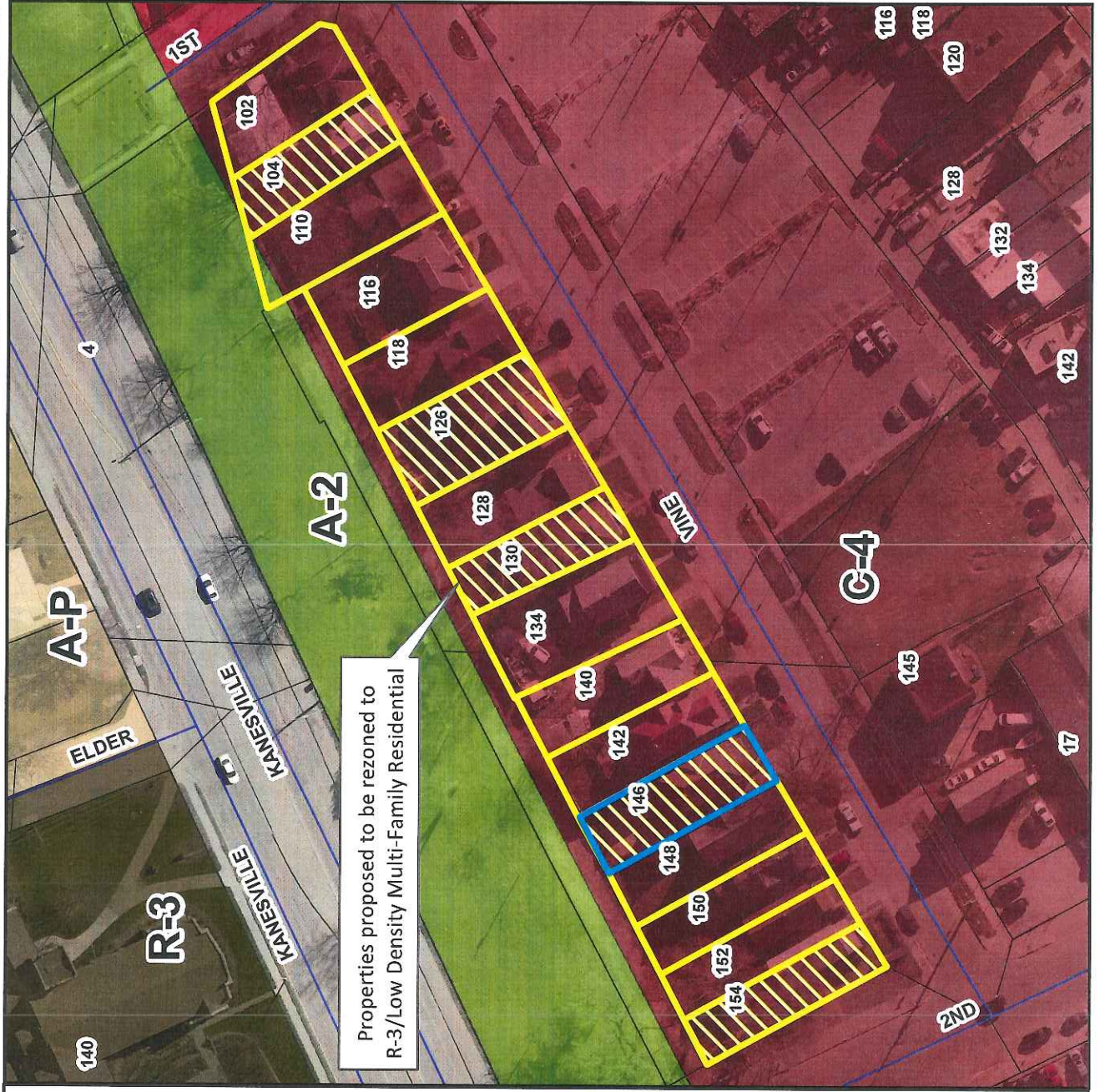
Attachments

Attachment A: Location/Zoning Map
Attachment B: Location/Zoning Map (Detailed)
Attachment C: Approval of Property Owners Included in the Rezoning Request
Attachment D: Eickholt Opposition Letter
Attachment E: 100 Block and Vine Street Development Plan – Downtown Plan 2003

Prepared by: Moises Monrroy, Planner, Community Development Department



CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASE #ZC-19-002 LOCATION/ZONING MAP



Last Amended: 5/8/19

Council Bluffs Community Development Department
209 Pearl Street
Council Bluffs, IA 51503
Telephone: (712) 328.4629

DISCLAIMER
This map is prepared and compiled from various sources and is not intended to be a survey. It is not intended to be used for legal purposes. The City assumes no responsibility for the accuracy or completeness of the information contained herein. The City assumes no responsibility for the accuracy or completeness of the information contained herein.



Petition to rezone my property from C-4/Commercial District to R-3/Low Density Multifamily Residential District.

Name Joni L Venable

Address 150 Vine St

Signature _____

Name Kathleen Marshall

Address 152 Vine St

Signature Kathleen Marshall

Name _____

Address _____

Signature _____

To Community Development Department

From:

George Prine

142 Vine Street

Council Bluffs, Iowa 51503

March 27th 2019

Subject: Case #ZC-19-002

I am the homeowner at 142 Vine Council Bluffs Iowa 51503. I wish to have my property included in the application already filed for the rezoning from C-4 Downtown Business District, to R-3 low density multi family residential district to bring into compliance with the cities zoning ordinance.

Sincerely

George Prine



To Community Development Department


March 27th 2019.

From: Interested Parties.

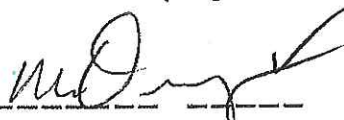
Subject: Case #ZC-19-002

As property owners, we wish to be included in the application already filed for the rezoning area on Vine Street. From C-.4 Downtown Business district, to R-3 low density multi family residential district to bring compliance with the city's zoning ordinance.


Name: Address: Phone: Signature: Tax payer:

George Prime 142 Vine 402-731-2811  ✓

Name: Address: Phone: Signature: Tax payer:

Matthew Onzay 118 Vine St 712-314-7769  ✓

Name: Address: Phone: Signature: Tax payer:

Susanne Parker 110 Vine St 712-323-1839  ✓
1839

Name: Address: Phone: Signature: Tax payer:

K&P Inv. Inc.

George B. Clark 17 Ethel Ln. 402-690-9461 George B. Clark

Name: Address: Phone: Signature: Tax payer:

Stephanie Rostermundt 128 Vine St 402-689-3671 Stephanie Rostermundt

Name: Address: Phone: Signature: Tax payer:

Ken Rostermundt 102 Vine St 402-689-342 Ken Rostermundt

Name: Address: Phone: Signature: Tax payer:

Name: Address: Phone: Signature: Tax payer:

Name: Address: Phone: Signature: Tax payer:

Name: Address: Phone: Signature: Tax payer:

To Community Development Department

March 27th 2019.

From: Interested Parties.

Subject: Case #ZC-19-002

As property owners, we wish to be included in the application already filed for the rezoning area on Vine Street. From C-4 Downtown Business district, to R-3 low density multi family residential district to bring compliance with the city's zoning ordinance.

Name: Address: Phone: Signature: Tax payer:

Melissa 134 Vine St. 402-657-1110 Melissa Wickham

Name: Address: Phone: Signature: Tax payer:

JOHN 116 Vine St 402-630-5090 John Stone

Name: Address: Phone: Signature: Tax payer:

Moises Monrroy Castillo

From: Maureen Eickholt <Maureen.Eickholt@american-national.com>
Sent: Wednesday, March 27, 2019 12:18 PM
To: Moises Monrroy Castillo
Cc: John Eickholt
Subject: Proposed re-zone Vine St

Importance: High

Good Day Moises,

It has been brought to our attention that the new property owner of 148 Vine street is requesting a zoning change in this area from commercial to residential. We own the property at 146 Vine Street and purchased it some years back knowing full well that this area is zoned commercial. Further we believed the cities plan moving forward was to keep this area zoned commercial. The new property owner of 148 Vine was aware of its classification at the time of purchase.

The property at 148 Vine has been vacant and unmaintained since 1996. One of the other properties mentioned is a minimally maintained, high turnover rental unit, and the other is a poorly maintained owner occupied unit which is in constant battle with the city regarding poor living and sanitary conditions. Multiple times the past year they have been evicted due to unsanitary conditions, and the health department, the police department, and animal control are a regular visitors.

We believe the zoning should remain as it is. More dilapidated, rental units are exactly what we don't need on Vine Street.

Thank you.

John Eickholt



MAUREEN EICKHOLT | Agent
146 Vine St | Council Bluffs, IA 51503-4301
O: 712.256.0246 | F: 712.256.0687

SMART THINKING, REWARDED™



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April 2003

100 Block

Council Bluffs Downtown

- 1 100 Block Adaptive Reuse and Façade Rehabilitation
- 2 Canal Apartments
- 3 Vine Street Canal
- 4 Pond and Fountain
- 5 Indian Creek Promenade
- 6 Indian Creek Channel
- 7 Pedestrian Bridge
- 8 Kanesville Greenway
- 9 Valley View - Indian Creek Connector Trail
- 10 First Street Pedestrian Overpass
- 11 Alley Redesign and Parking
- 12 Building Service Areas
- 13 Broadway Passage
- 14 Mid-block Pedestrian Crossing
- 15 Broadway Streetscape
- 16 Mixed Use Buildings
- 17 1st and Broadway Intersection Redesign
- 18 Parking Decks
- 19 Surface Parking and Building Service
- 20 Pierce Street Landscaping and Retaining Wall



RDG Grosse Gartner Shukert, Inc. Landscape Architecture, Planning and Urban Design
900 Farnam St. Suite 100 Omaha, NE 402-392-0136
414 - 61st St. Des Moines, IA 515-274-4925

Planning Commission Communication

Department: Community
Development

Case/Project No.: CASE #SUB-
18-007 - North Shore Preliminary
Subdivision Plan - Extension of
Time

CASE #SUB-18-007 - North
Shore Preliminary Subdivision Plan
- Extension of Time

Council Action: 5/14/2019

Submitted by: Christopher
Gibbons, Planning Coordinator

Description

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Case #SUB-18-007 Staff Report and Attachment - Preliminary Subdivision Plan Extension of Time	Other	5/9/2019

Planning Commission Communication

<p>CASE #SUB-18-007</p> <p>Applicant: Knudson Management Companies 29 South Main Street Council Bluffs, IA 51503</p> <p>Owner: Wooded Lake Mobile Home Park, c/o Steve Levine 333 S Monroe Street #604 Denver, CO 80209</p>		<p>Planning Commission: 5/9/2019</p>
<p>Subject/Title</p>		
<p>Request: Extension of time – Preliminary Subdivision Plan – North Shore Subdivision</p>		
<p>Background/Discussion</p>		
<p>The Community Development Department has received a request from K.C. Knudson of Knudson Management Companies for an extension of time of the North Shore preliminary plan (see Attachments A & B). Section 14.11.060 (05) of the Municipal Code (Subdivision Ordinance) states:</p> <p><i>Within one year from the day the council approves a preliminary plan, the subdivider shall apply for final plat approval, or the first part thereof if phased. If the subdivision is phased, the subdivider shall apply for final plat approval of the second phase within two years, the third phase within three years, the fourth phase and the balance thereof within five years from the date the preliminary plan was approved by the city council. If the subdivider fails to apply for final plat approval within the appropriate time period, the preliminary plan, or remaining phase thereof, shall be void unless the subdivider requests an extension of time prior to the date originally required for submission of the final plat, or any part thereof if phased.</i></p> <p>The City Council approved the preliminary subdivision plan by Resolution No. 18-160 on May 21, 2018. The preliminary subdivision plan will expire on May 21, 2019 and the applicant does not anticipate filing a final plat prior to the expiration. Section 14.11.060 (06) provides a mechanism to grant an extension of time as follows:</p> <p><i>The commission may grant one year extensions from the date required for submission of a final plat or any part thereof if phased. If a subdivider applies for an extension of time for submission of any part of a phased subdivision, which is subsequently granted by the commission, equal extensions are automatically granted for each of the remaining phases. If the commission refused to grant an extension of time, the developer shall apply for approval of the final plat, or the appropriate phase thereof, if phased, to the commission within the appropriate time originally required or sixty days from the day the extension is denied by the commission. In reviewing a request for extension of time, the commission shall consider whether the subdivision is in compliance with the subdivision ordinance, standards for public improvements, comprehensive plan, and all applicable ordinances and resolutions of the city of Council Bluffs."</i></p>		

Recommendation

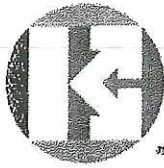
The Community Development Department recommends approval of a one year extension of time to file the final plat of North Shore Subdivision, as approved by Resolution No. 18-160.

Attachments

Attachment A – Extension of time letter from K.C. Knudson dated 4/19/19

Attachment B - North Shore Subdivision – Preliminary Subdivision Plan

Prepared by: Christopher N. Gibbons, AICP, Planning Coordinator



Knudson Management Co., Inc.
PROPERTY MANAGEMENT • REAL ESTATE DEVELOPMENT

April 19, 2019

CHRISTOPHER GIBBONS

Planning Coordinator
City of Council Bluffs
209 Pearl
Council Bluffs, IA 51503

RE: NORTH SHORE SUBDIVISION

Dear Chris,

I request your approval to extend the final plat filing deadline for North Shore Subdivision for one calendar year to May, 2020. We are working diligently on the North Shore Manawa development and appreciate the support shown by you and your team.

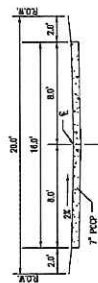
Please let me know if you have any questions or need further information when considering this request.

Sincerely,

NORTH SHORE MANAWA HOLDINGS, LLC

K. C. Knudson
Manager

COUNCIL BLUFFS, IA

[illegible]

② TYPICAL STREET CROSS SECTION

7 TYPICAL ALLEY CROSS SECTION



LOCATION MAP

DRAWING INDEX:	GENERAL
	0 COVER SHEET
	CIVIL
	01-01 EXISTING ZONING PLAN
	02-01 PROPOSED ZONING PLAN
	03-01 PROPOSED PLACID PLAN
	04-01 PROPOSED LOT & STREET LAYOUT PLAN
	05-01 PROPOSED PUBLIC IMPROVEMENT UTILITY PLAN
	06-01 IMPROVEMENT & RESIDENT ADDRESS AREA CONCEPT PLAN
	07-01 PROPOSED CHALKING & STORM SEWER PLAN

PROJECT INFORMATION:	OWNER: WOODCO LANE BARBER TRAIL PARK, INC.
	SITE/LOT NUMBER: 2500 W LANE
	PARCEL & INTEREST ADDRESS: STATE 340
	CITY: WILSON, CALIFORNIA
	MANAGER: CHAIRMAN
	SUBMITTER: MC KEESON
	25 SOUTH MAIN ST
	COLORADO BLVD. A 5103
	THE SCHULZ ASSOCIATES, INC.
	878 VALLEY VIEW DRIVE, STE. 12
COUNCIL BLUFFS, IA 51003	
NOTING:	
ALL PROPERTY WITHIN THE SUBMITTAL BOUNDARY IS CURRENTLY ZONED R-1/RS-A	
FLOODPLAIN: FEMA FLOOD ZONE 1, PROTECTED BY LAKE, NO FLOODWAY OR FLOOD ENCROACHMENTS.	
SPOT ELEVATIONS: THE USUAL SHADING REPRESENTATIONS FOR PUBLIC IMPROVEMENTS, 2012 AND THE CITY OF	

I HEREBY CERTIFY THAT THE DISSEMINATING DOCUMENT WAS DISCLOSED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE, BELIEF AND FAITH WAS NOT FOR THE SAKE OF MALICE.

DATE: _____

MATTHEW J. SUTTON

MY LICENSE EXPIRATION DATE IS 12/31/2018.

PAGES OR SHEET COVERED BY THIS SEAL ALL SHEETS BE DAMAGED PAGES

PROJECT NO.: 07213.001

NORTH SHORE
PRELIMINARY PLANS
COUNCIL BLUFFS, IOWA

Design with Purpose. Build with Confidence.

DESIGNED BY	DATE	ISSUE DATE	REVISIONS	NO.	DATE	BY	DESCRIPTION
-------------	------	------------	-----------	-----	------	----	-------------



C0-02
 PROJECT NO.: 07213.001

NORTH SHORE
 PRELIMINARY PLANS
 COUNCIL BLUFFS, IOWA

PROPOSED ZONING PLAN

SCHEMMER
 Design with Purpose. Build with Confidence.

DATE	BY	DESCRIPTION
04/10/2010	MJS	REVISIONS
	DKM	DESIGNED
	DKM	DRAWN
	DKM	CHECKED

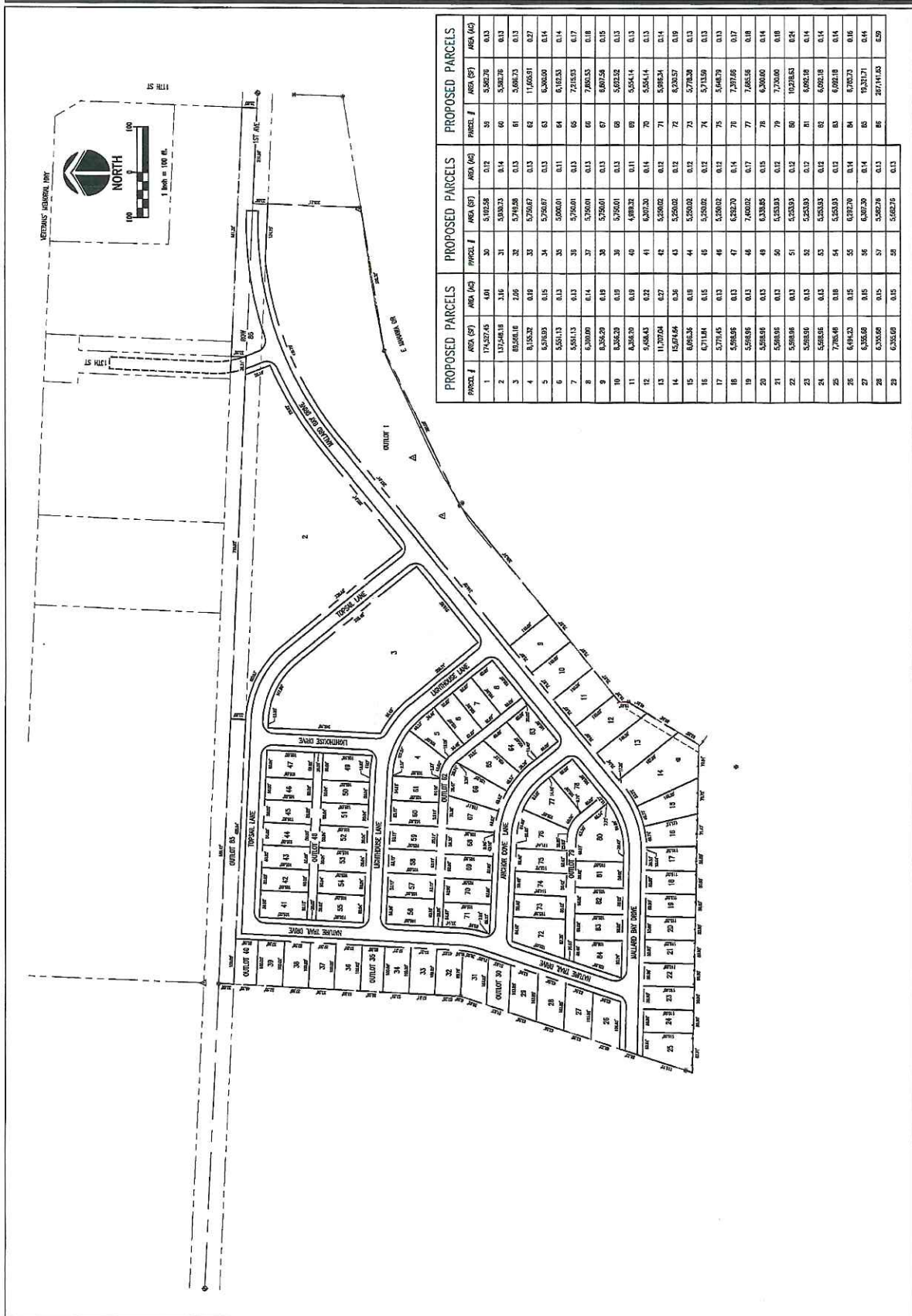


SCHENKER
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Design with Purpose. Build with Confidence.

[illegible]

SCHENKER

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C1-02

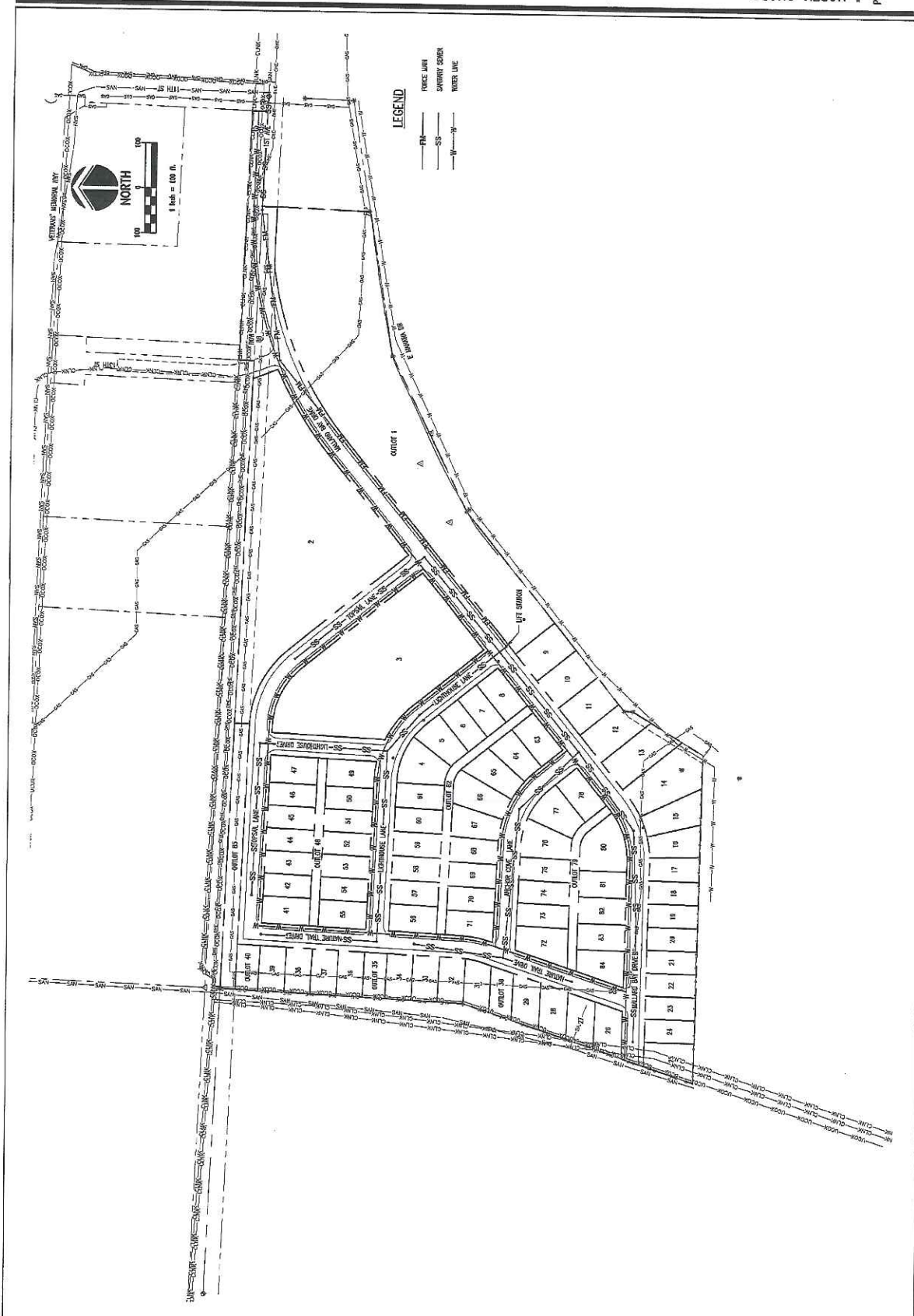
PROJECT NO.: 07213.001

NORTH SHORE
PRELIMINARY PLANS
COUNCIL BLUFFS, IOWA

PROPOSED PUBLIC
IMPROVEMENT UTILITY PLAN

SCHEMMER
Design with Purpose. Build with Confidence.

DESIGNER: MS	DATE: 04/19/2018	REVISIONS:	BY: DESCRIPTION:
CHECKED:			



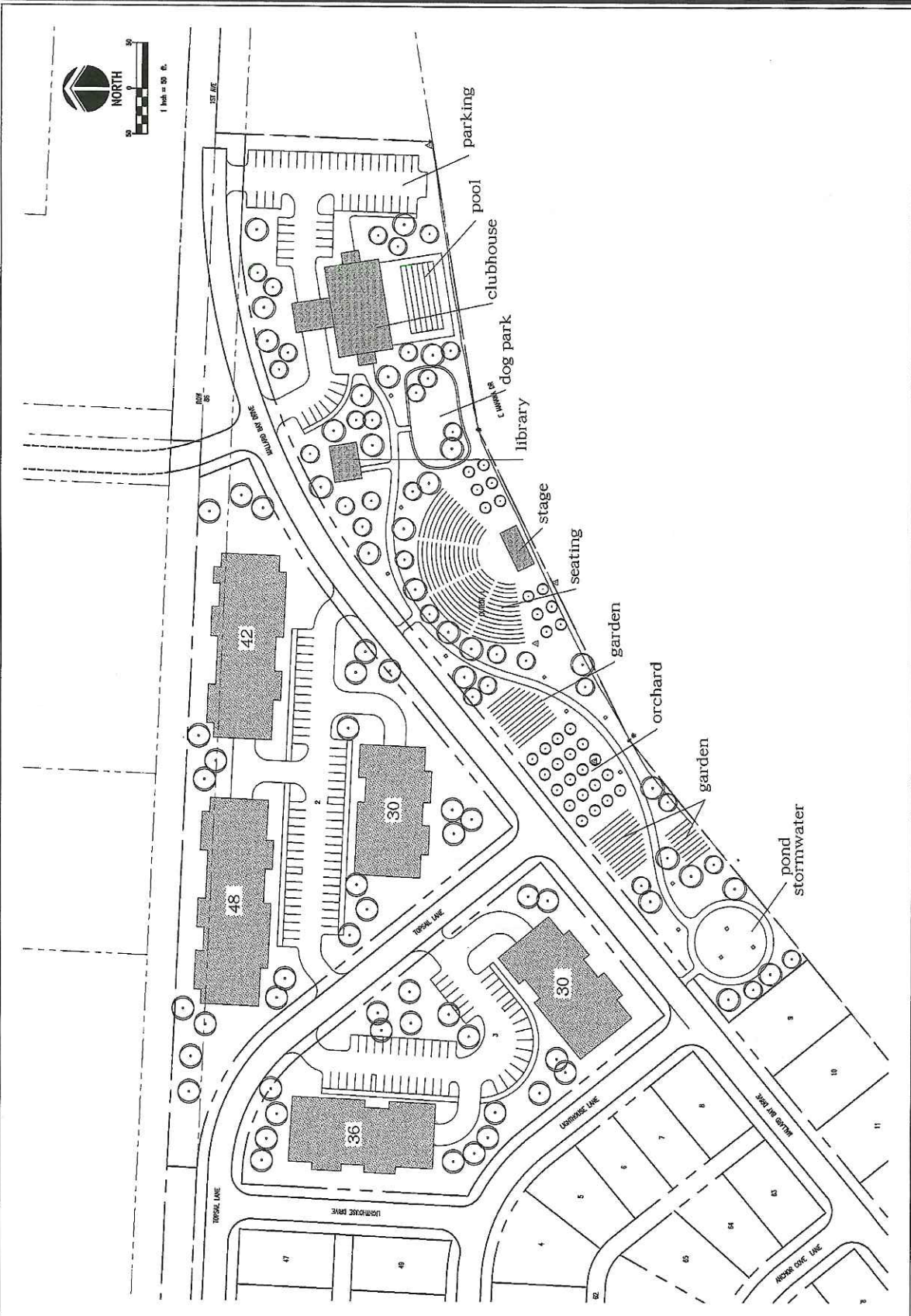
C1-03

PROJECT NO.: 07213.001

NORTH SHORE
PRELIMINARY PLANS
COUNCIL BLUFFS, IOWA
APARTMENT & RESIDENT
AMENITIES AREA
CONCEPT PLAN

SCHEMMER
Design with Purpose. Build with Confidence.

DESIGNED BY:	DATE:	BY:	DESCRIPTION:
REVISIONS:	DATE:	BY:	DESCRIPTION:
ISSUED DATE: 04/09/2016			



SCHENKER
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