



AGENDA
PLANNING COMMISSION
COUNCIL BLUFFS PUBLIC LIBRARY, MEETING ROOM A
400 WILLOW AVENUE, COUNCIL BLUFFS, IA
Tuesday, June 9, 2020 - 6:00 PM

1. CALL TO ORDER

A. To participate in the meeting please join our zoom meeting.

You can join via phone, computer or both. You **MUST** enter your first and last name to be admitted into the meeting

<https://us02web.zoom.us/j/6588922517>

Meeting ID: 658 892 2517

888 475 4499 US Toll-free

877 853 5257 US Toll-free

You **MUST** enter your first and last name to be admitted into the meeting.

2. ROLL CALL

3. ADOPTION OF AGENDA

4. APPROVAL OF MINUTES

5. PROOF OF PUBLICATION

6. REVIEW OF MEETING PROCEDURES

7. PUBLIC HEARINGS

A. CASES #SUB-20-004 and #ZC-20-005

Combined public hearings on the request of Western Iowa Land Development and Authier Properties, LLC, represented by Bob McCarthy, John Jerkovich and Jerry Authier, for final plat approval of a two-lot minor residential subdivision to be known as Fox Run Landing Replat 4, legally described as being a replat of a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa being more fully described as follows: commencing at the northwesterly corner of Lot 103 in said Fox Run Landing, said northwesterly corner being on the easterly right-of-way line of Council Pointe Road and on a non-tangent curve, concave westerly to which point a radial line bears south 64 degrees 28 minutes 04 seconds east, 435.00 feet; thence on said easterly right-of-way line and northerly on said curve through a central angle of 20 degrees 24 minutes 51 seconds, 154.99 feet to the point of beginning; thence continuing on said easterly right-of-way line the following two (2) courses: 1) northerly on said curve through a central angle of 03 degrees 11 minutes 17 seconds, 24.21 feet; 2) north 01 degree 55 minutes 48 seconds east, 226.57 feet; thence south 88 degrees 04 minutes 12 seconds east, 125.00 feet; thence south 01

degree 55 minutes 48 seconds west, 226.57 feet to the beginning of a curve concave westerly having a radius of 560.00 feet; thence southerly on said curve through a central angle of 03 degrees 11 minutes 17 seconds, 31.16 feet; thence north 84 degrees 52 minutes 55 seconds west, 125.00 feet to the point of beginning; and to rezone said Fox Run Landing Replat 4, **AS WELL AS** property legally described as a parcel of land being a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa, being more fully described as follows: beginning at the northeast corner of lot 103 in said Fox Run Landing; thence on the north line of said lot 103, north 64 degrees 28 minutes 04 seconds west, 125.00 feet to a point on the easterly right-of-way line of Council Pointe Road, said point also being on a non-tangent curve, concave westerly to which point a radial line bears south 64 degrees 28 minutes 04 seconds east, 435.00 feet; thence on said easterly right-of-way line and northerly on said curve through a central angle of 12 degrees 12 minutes 47 seconds, 92.72 feet; thence south 63 degrees 55 minutes 07 seconds east, 13.55 feet to the beginning of a curve, concave southwesterly having a radius of 47.00 feet; thence southeasterly on said curve through a central angle of 37 degrees 06 minutes 45 seconds, 30.44 feet; thence south 26 degrees 48 minutes 22 seconds east, 100.18 feet; thence south 07 degrees 46 minutes 16 seconds east, 25.00 feet to the point of beginning, **AND** to rezone all said property from A-2/Parks, Estates and Agricultural District to R-1/Single-Family Residential District. **Location:** Lying north of property commonly known as 5003 Council Pointe Road.

B. CASE #URV-20-004

Public hearing on the request of the City of Council Bluffs to amend the South Pointe Urban Revitalization Area by adding property legally described as being a parcel of land located in part of the SW1/4 SW1/4 of Section 11-74-44, City of Council Bluffs, Pottawattamie County, Iowa and being more particularly described as follows: Commencing at the Southwest corner of said Section 11; thence North 93° 31' 40" East, along the South line of said Southwest Quarter of the Southwest Quarter, a distance of 252.18 feet to a point on the Southeasterly right of way line of U.S. Highway No. 275 and Point of Beginning; thence North 63° 02' 45" East, along said Southeasterly right of way line, a distance of 76.70 feet to a point on the North right of way line of 42nd Avenue, said point being 33.00 feet normally distant Northerly from the centerline of said 42nd Avenue; thence North 88° 31' 40" East, along said North right of way line and parallel with said centerline of 42nd Avenue, a distance of 46.49 feet to a point on the Southeasterly right of way line of said U.S. Highway No. 275, said point being 70.00 feet normally distant Southeasterly from the centerline of said U.S. Highway No. 275; thence North 63° 02' 45" East, along said Southeasterly right of way line and parallel with said centerline of U.S. Highway No. 275, a distance of 428.10 feet; thence North 51° 05' 43" East, along said Southeasterly right of way line, a distance of 87.35 feet to a point being 50.00 feet normally distant Southeasterly from said centerline of U.S. Highway No. 275 at Stat on 169+00.00, said point being on a non-tangent curve

concave Southeasterly and having a radius of 2241.83 feet, a radial line of said curve through said point bearing North 24° 35' 14" West; thence Northeasterly along said Southeasterly right of way line, and parallel with said centerline of U.S. Highway No. 275 and along said curve an arc length of 513.65 feet and having a chord bearing and distance of North 71° 58' 36" East, 512.52 feet to a point on the East line of said Southwest Quarter of the Southwest Quarter, said point being on the centerline of a city street and 50.00 feet normally distant Southeasterly from said centerline of U.S. Highway No. 275; thence South 2° 01' 19" East, along the East line of said Southwest Quarter of the Southwest Quarter and along the centerline of said city street, a distance of 416.30 feet to the Southeast corner of said Southwest Quarter of the Southwest Quarter; thence South 88° 31' 40" West, along the South line of said Southwest Quarter of the Southwest Quarter and along the centerline of 42nd Avenue, a distance of 1066.83 feet to the Point of Beginning. The East 33.00 feet of said parcel is subject to an easement for city street right of way, and the South 33.00 feet of said parcel is subject to an easement for 42nd Avenue right of way. **Location:** 2105 Veterans Memorial Highway.

8. OTHER BUSINESS

- A. Greenview Estates Preliminary Subdivision Plan – extension of time request

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.: SUB-20-004 and CASES #SUB-20-004 and #ZC-20-005

Council Action: 6/9/2020

Submitted by: Moises Monrroy,
Planner

Description

Combined public hearings on the request of Western Iowa Land Development and Authier Properties, LLC, represented by Bob McCarthy, John Jerkovich and Jerry Authier, for final plat approval of a two-lot minor residential subdivision to be known as Fox Run Landing Replat 4, legally described as being a replat of a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa being more fully described as follows: commencing at the northwesterly corner of Lot 103 in said Fox Run Landing, said northwesterly corner being on the easterly right-of-way line of Council Pointe Road and on a non-tangent curve, concave westerly to which point a radial line bears south 64 degrees 28 minutes 04 seconds east, 435.00 feet; thence on said easterly right-of-way line and northerly on said curve through a central angle of 20 degrees 24 minutes 51 seconds, 154.99 feet to the point of beginning; thence continuing on said easterly right-of-way line the following two (2) courses: 1) northerly on said curve through a central angle of 03 degrees 11 minutes 17 seconds, 24.21 feet; 2) north 01 degree 55 minutes 48 seconds east, 226.57 feet; thence south 88 degrees 04 minutes 12 seconds east, 125.00 feet; thence south 01 degree 55 minutes 48 seconds west, 226.57 feet to the beginning of a curve concave westerly having a radius of 560.00 feet; thence southerly on said curve through a central angle of 03 degrees 11 minutes 17 seconds, 31.16 feet; thence north 84 degrees 52 minutes 55 seconds west, 125.00 feet to the point of beginning; and to rezone said Fox Run Landing Replat 4, **AS WELL AS** property legally described as a parcel of land being a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa, being more fully described as follows: beginning at the northeast corner of lot 103 in said Fox Run Landing; thence on the north line of said lot 103, north 64 degrees 28 minutes 04 seconds west, 125.00 feet to a point on the easterly right-of-way line of Council Pointe Road, said point also being on a non-tangent curve, concave westerly to which point a radial line bears south 64 degrees 28 minutes 04 seconds east, 435.00 feet; thence on said easterly right-of-way line and northerly on said curve through a central angle of 12 degrees 12 minutes 47 seconds, 92.72 feet; thence south 63 degrees 55 minutes 07 seconds east, 13.55 feet to the beginning of a curve, concave southwesterly having a radius of 47.00 feet; thence southeasterly on said curve through a central angle of 37 degrees 06 minutes 45 seconds, 30.44 feet; thence south 26 degrees 48 minutes 22 seconds east, 100.18 feet; thence south 07 degrees 46 minutes 16 seconds east, 25.00 feet to the point of beginning, **AND** to rezone all said property from A-2/Parks, Estates and Agricultural District to R-1/Single-Family Residential District. **Location:** Lying north of property commonly known as 5003 Council Pointe Road.

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report & Attachments	Other	6/3/2020

Planning Commission Communication

<p>Department: Community Development</p> <p>CASES # SUB-20-004 and ZC-20-005</p> <p>Applicant(s): Western Iowa Land Development, LLC c/o Bob McCarthy and John Jerkovich PO Box 683 Avoca, IA 51521</p> <p>Authier Properties, LLC c/o Jerry Authier 1808 Skyline Drive Elkhorn, NE 68022</p> <p>Engineer/Surveyor: HGM Associates, Inc. David Forsythe 640 5th Avenue Council Bluffs, IA 51501</p>	<p>Resolution No. _____</p> <p>Ordinance No. _____</p>	<p>Planning Commission: 6/9/2020</p>
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Subject/Title

Request: Combined public hearing on the requests of Western Iowa Land Development, LLC and Authier Properties, LLC, represented by Bob McCarthy, John Jerkovich and Jerry Authier, for final plat approval of a two-lot minor residential subdivision to be known as Fox Run Landing Replat 4, legally described as a being a replat of a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa being more fully described as follows: commencing at the northwesterly corner of Lot 103 in said Fox Run Landing, said northwesterly corner being on the easterly right-of-way line of Council Pointe Road and on a non-tangent curve, concave westerly to which point a radial line bears south 64 degrees 28 minutes 04 seconds east, 435.00 feet; thence on said easterly right-of-way line and northerly on said curve through a central angle of 20 degrees 24 minutes 51 seconds, 154.99 feet to the point of beginning; thence continuing on said easterly right-of-way line the following two (2) courses: 1) northerly on said curve through a central angle of 03 degrees 11 minutes 17 seconds, 24.21 feet; 2) north 01 degree 55 minutes 48 seconds east, 226.57 feet; thence south 88 degrees 04 minutes 12 seconds east, 125.00 feet; thence south 01 degree 55 minutes 48 seconds west, 226.57 feet to the beginning of a curve concave westerly having a radius of 560.00 feet; thence southerly on said curve through a central angle of 03 degrees 11 minutes 17 seconds, 31.16 feet; thence north 84 degrees 52 minutes 55 seconds west, 125.00 feet to the point of beginning; and to rezone said Fox Run Landing Replat 4, **AS WELL AS** property legally described as a parcel of land being a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa, being more fully described as follows: beginning at the northeast corner of lot 103 in said Fox Run Landing; thence on the north line of said lot 103, north 64 degrees 28 minutes 04 seconds west, 125.00 feet to a point on the easterly right-of-way line of Council Pointe Road, said point also being on a non-tangent curve, concave westerly to which point a radial line bears south 64 degrees 28 minutes 04 seconds east, 435.00 feet; thence on said easterly right-of-way line and northerly on said curve through a central angle of 12 degrees 12 minutes 47 seconds, 92.72 feet; thence south 63 degrees 55 minutes 07 seconds east, 13.55 feet to the beginning of a curve, concave southwesterly having a radius of 47.00 feet; thence southeasterly on said curve through a central angle of 37 degrees 06 minutes 45 seconds, 30.44 feet; thence south 26 degrees 48 minutes 22 seconds east, 100.18 feet; thence south 07 degrees 46 minutes 16 seconds east, 25.00 feet to the point of beginning, **AND** to rezone all said property from from A-2/Parks, Estates and Agricultural District to R-1/Single-Family Residential District.

Location: Lying north of property commonly known as 5003 Council Pointe Road.

Background

The Community Development Department has received an application from Western Iowa Land Development, LLC, represented by Bob McCarthy and John Jerkovich, for final plat approval of a two-lot minor residential subdivision to be known as Fox Run Landing Replat 4, legally described as being a replat of a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa and being more fully described on Attachment 'D'. The Community Development Department also received an application from Authier Properties, LLC, represented by Jerry Authier and John Jerkovich, to rezone said Fox Run Landing Replat 4, as well as property legally described as a parcel of land being a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa, and being more fully described on Attachment 'C'.

CASE #SUB-20-004

The proposed residential subdivision is comprised of 31,782 square feet (0.730 acres), more or less, of land and consists of two lots. This parcel of land is currently part of the Fox Run Golf Course and is zoned A-2/Parks, Estates and Agricultural District; however, an application to rezone the proposed subdivision to the R-1/Single-Family Residential District has been filed along with the final plat (see Case #ZC-20-005 below). The applicant is proposing to construct a detached single-family dwelling on each lot that will be consistent with City zoning and Fox Run Landing restrictive covenants. Both lots will remain under the ownership of Authier Properties, LLC.

Comments

1. The proposed subdivision is consistent with the purpose and intent of the Council Bluffs Municipal Subdivision and Zoning Ordinances.
2. Proposed Lot 1 is 16,108 square feet in size (128.865 feet by 125 feet), while proposed Lot 2 is comprised of 15,674 square feet (125.39 feet by 125 feet). Both lots exceed the minimum lot size requirements of the R-1 District.
3. All residential dwellings and accessory structures shall comply with the development standards stated in Section 15.08B, R-1/Single-Family Residential District, Site Development Regulations, of the Council Bluffs Municipal Code (Zoning Ordinance).
4. Proposed Lots 1 and 2 have direct access to Council Pointe Road.
5. Both lots will be serviced with utilities (e.g., sanitary/storm sewers, water, electricity, etc.).
6. All utilities shall be installed underground. All costs to construct, remove and/or relocate any utilities for the proposed subdivision shall be the responsibility of the developer and not the City.
7. Sidewalk installation along the frontage of each proposed lot shall be completed prior to issuance of a Certificate of Occupancy for each residence.
8. All future streetlights shall meet Public Works Department standards. All costs associated with the installation of streetlights shall be the responsibility of the developer and not the City.
9. The Public Works Department provided the following comments:
 - a. Lot 2 will need to have access restricted for the driveway to the south 50 feet due to the traffic calming device located within Council Pointe Road just to the north of said lot; and
 - b. Storm sewer drainage easement "A" shown shall be extended to the rear lot lines for both Lot 1 and Lot 2 to accommodate the existing drainage path from the golf course and grades within this easement shall not be adjusted.
10. The Fire Department stated they have no comments on this request.
11. Council Bluffs Water Works stated they have no comments on this request.

The following technical corrections shall be made to the final plat prior to being executed by the City:

1. Place a note on the plat that reads as follows: "Vehicular access to Lot 2 shall be restricted to the south 50 feet due to the traffic calming device within Council Pointe Road just to the north of said lot."

CASE #ZC-20-005

The owner of the Fox Run Golf Course, Authier Properties, LLC, is requesting to rezone the proposed subdivision from the A-2/Parks, Estates and Agricultural District to the R-1/Single-Family Residential District for zoning consistency purposes. Additionally, the applicant is selling a portion of the golf course (see Attachment 'C') to Curtis W. and Diane M. Crouch. Mr. and Mrs. Crouch own property adjoining said portion of the golf course, which is addressed as 5003 Council Pointe Road and legally described as Lot 103, Fox Run Landing. Ownership will be transferred via a lot line adjustment. This parcel of land is included in this rezoning request to ensure the property at 5003 Council Pointe Road is not split-zoned when said parcel is incorporated into it.

Land Use and Zoning – The following zoning and land uses surround the subject properties:

- North: Part of the Fox Run Golf Course, which is zoned A-2/Parks, Estates and Agricultural District; an assisted living facility that is zoned A-P/Administrative-Professional District; and vacant land zoned A-2, A-P and C-2/Commercial District.
- South: Residential properties that are zoned R-1/Single-Family Residential District and part of the Fox Run Golf Course, which is zoned A-2/Parks, Estates and Agricultural District.
- East: Part of Fox Run Golf Course, which is zoned A-2/Parks, Estates and Agricultural District.
- West: Vacant land zoned A-2/Parks, Estates and Agricultural District and residential properties that are zoned R-1/Single-Family Residential District.

The future land use plan of the Bluffs Tomorrow: 2030 Comprehensive Plan designates the subject properties as Public Park, under the section of Public Land Uses.

Public notices were mailed to all property owners within 200 feet of the request. The Community Development Department has not received any correspondence relative to the proposed rezoning request as of the date of this report.

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

- The Public Works Department stated they have no comments on this request.
- The Fire Department stated they have no comments on this request.
- Council Bluffs Water Works stated they have no comments on this request.

Discussion

1. Although a 'single-family dwelling, detached' is a permitted use in the A-2/Parks, Estates and Agricultural District, proposed rezoning to the R-1/Single-Family Residential District will ensure single-family dwellings proposed to be constructed on Lots 1 and 2, Fox Run Landing Replat 4, will be compatible with the residential development in the Fox Run Landing neighborhood.
2. The property located at 5003 Council Pointe Road is currently zoned R-1/Single-Family Residential District. The portion of the golf course to be incorporated into this property is proposed to be rezoned to the R-1 District to avoid a split-zoned parcel of land.
3. Proposed Lots 1 and 2, Fox Landing Replat 4 meet the minimum lot size requirements of the R-1 District. The property at 5003 Council Pointe Road also meets the minimum lot size requirements of the R-1 District and will therefore meet said size requirements once the adjoining parcel proposed to be rezoned is incorporated into it.
4. Since the subject parcels of land are currently undeveloped, proposed rezoning will not affect their conformity with the Zoning Ordinance. The detached single-family dwellings proposed to be constructed on Lots 1 and 2, Fox Run Landing Replat 4, as well as any accessory structures, shall comply with the development

standards stated in Section 15.08B, R-1/Single-Family Residential District, Site Development Regulations, of the Council Bluffs Municipal Code (Zoning Ordinance).

5. The dwelling at 5003 Council Pointe Road currently conforms with the R-1 District development standards. If lot line adjustment is approved, the frontage of this property would increase to 172.78 feet, which would increase the required side yard setback to 17.3 feet. Using GIS data, it is estimated that the existing dwelling is located approximately 18.4 feet from the south property line, which exceeds the new side yard setback requirement.
6. The Bluffs Tomorrow: 2030 Comprehensive Plan designates the subject properties as Public Park, under the Section of Public Land Uses. Single-family housing is generally not consistent with this land designation. However, further residential development is anticipated throughout the Fox Run Golf Course. The proposed detached single-family dwellings are consistent with the development activity occurring in this area of the City.
7. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are available to accommodate the uses permitted in the R-1 District.
8. A sidewalk shall be installed along the frontage of the parcel of land to be incorporated into 5003 Council Pointe Road prior to the approval of the lot line adjustment.
9. Approval of the proposed rezoning shall be contingent on the Fox Run Landing Replat 4 final plat being executed by the City, as well as on the approval of the lot line adjustment at 5003 Council Pointe Road.

Recommendation

The Community Development Department recommends the following:

1. Final plat approval of a two-lot minor residential subdivision to be known as Fox Run Landing Replat 4, legally described as being a replat of a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa and being more fully described on Attachment 'D', subject to the following conditions:
 - a. The final plat shall be recorded within 90 days of City Council approval or the plat shall become null and void unless an extension of has been requested and granted by the Community Development Department Director; and
 - b. Prior to executing the final plat, any corrections required by the Community Development Department and/or Public Works Department shall be incorporated into the final plat; and
 - c. The final plat shall conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements; and
 - d. All utilities shall be installed underground. Any cost to remove and/or relocate any utilities shall be the sole expense of the applicant and not the City; and
 - e. A public sidewalk shall be installed along the frontages of each lot prior to issuance of a Certificate of Occupancy for a dwelling on each lot, at no cost to the City; and
 - f. The developer shall provide a copy of any recorded covenants and/or private restrictions associated with this subdivision to the City, or place a note on the final plat indicating none will be recorded.
2. Approval of the request of Authier Properties, LLC, represented by Jerry Authier and John Jerkovich, to rezone Fox Run Landing Replat 4, as well as property legally described as being a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa, from A-2/Parks, Estates and Agricultural District to R-1/Single-Family Residential District, based on the reasons stated above and subject to the approval of the Fox Run Landing Replat 4 final plat and the lot line adjustment at 5003 Council Pointe Road.

Attachments

Attachment A: Location/Zoning Map

Attachment B: Fox Run Landing Replat 4 Final Plat



Attachment C: Parcel of Land Adjoining Lot 103, Fox Run Landing – Plat of Survey
Attachment D: Lots 1 and 2, Fox Run Landing Replat 4 – Plat of Survey

Prepared by: Moises Monrroy, Planner, Community Development Department

ATTACHMENT A

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASES #ZC-20-005 AND #SUB-20-004 LOCATION/ZONING MAP

Legend

-  Fox Run Landing Replat 4
-  Parcel of land to be incorporated into 5003 Council Pointe Road

0 37.5 75
1 Inch = 75 Feet



Last Amended: 5/15/20



Council Bluffs Community
Development Department
209 Pearl Street
Council Bluffs, IA 51503
Telephone: (712) 890-5350

DISCLAIMER

This map is prepared and compiled from City documents, plans and other public records data. Users of this map are hereby notified that the City expressly denies any and all responsibilities for errors, if any, in the information contained on this map of the misuse of the same by the user or anyone else. The user should verify the accuracy of information/data contained on this map before using it. The City assumes no legal responsibility for the information contained on this map.



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Name: 102420
Date:

RECORDER'S INDEX	
LOT: 117	
BLOCK:	
SUBDIVISION: FOX RUN LANDING	
ALLOT PART:	
SECTION	
SECTION: / TOWNSHIP: / RANGE:	
CITY: COUNCIL BLUFFS	
COUNTY: POTTAWATTAMIE	
PROPRIETOR: AUTHIER PROPERTIES LLC	
REQUESTED BY: WESTERN IOWA LAND DEVELOPMENT LLC	
DATE OF FIELD SURVEY: JANUARY 23, 2020	

PREPARED BY: DAVID E. FORSYTHE, P.L.S., HGM ASSOCIATES INC., 640 5TH AVENUE, COUNCIL BLUFFS, IOWA 51501 (712)323-0530

NOTE:

A 5.00 FOOT WIDE PERMANENT EASEMENT ON EACH SIDE OF ALL SIDE LOT LINES, A 10.00 FOOT WIDE PERMANENT EASEMENT ALONG ALL FRONT LOT LINES, AND A 5.00 FOOT WIDE PERMANENT EASEMENT ALONG ALL REAR LOT LINES, ARE RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES.

CITY COUNCIL

APPROVED BY MAYOR: THE HONORABLE MATTHEW J. WALSH DATE

ATTESTED TO BY:

CITY CLERK: JODI QUAKENBUSH DATE

COMMUNITY DEVELOPMENT DIRECTOR: BRANDON GARRETT DATE

CERTIFICATE OF TREASURER OF POTTAWATTAMIE COUNTY, IOWA

I, THE TREASURER OF POTTAWATTAMIE COUNTY, IOWA, HEREBY CERTIFY THAT THE PROPERTY INCLUDED IN FOX RUN LANDING REPLAT FOUR, IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

TREASURER OF POTTAWATTAMIE COUNTY, IOWA: LEA A. VOSS DATE

WE HEREBY CERTIFY THAT WE WILL MEET ALL EQUAL OPPORTUNITY AND FAIR MARKETING OBJECTIVES CONSISTENT WITH FEDERAL, STATE AND LOCAL GUIDELINES. WE HEREBY CERTIFY THAT THE FOLLOWING DOCUMENTS WILL BE RECORDED WITH THE POTTAWATTAMIE COUNTY RECORDER CONTEMPORANEOUSLY WITH THE FILING OF THE FINAL PLAT;

- ALL PRIVATE RESTRICTIONS AND/OR COVENANTS WILL BE A PART OF THE SUBJECT DEVELOPMENT.
- CERTIFIED RESOLUTION OF EACH GOVERNING BODY APPROVING THE SUBDIVISION OR WAIVING THE RIGHT TO REVIEW.

DEDICATION:

KNOW ALL PERSONS BY THESE PRESENTS THAT AUTHIER PROPERTIES L.L.C., BEING THE SOLE OWNER OF THE PROPERTY DESCRIBED WITHIN THE LEGAL DESCRIPTION AND EMBRACED WITHIN THIS PLAT, HAS CAUSED SAID PROPERTY TO BE SUBDIVIDED AS LOTS 1 AND 2, INCLUSIVE. SAID PROPERTY TO BE KNOWN AS FOX RUN LANDING REPLAT FOUR.

AS PART OF THIS PLATTING, AUTHIER PROPERTIES L.L.C DOES HEREBY GRANT TO CITY OF COUNCIL BLUFFS, A MUNICIPAL CORPORATION OF THE STATE OF IOWA, AND ITS AGENTS, CONTRACTORS AND ASSIGNS, A PERMANENT NONEXCLUSIVE STORM SEWER AND DRAINAGE EASEMENT FOR CONSTRUCTING, RECONSTRUCTING, REPAIRING, ENLARGING AND MAINTAINING STORM SEWERS TOGETHER WITH NECESSARY APPURTENANCES THERETO IN LOT 1 AND LOT 2 AS SHOWN ON THE THE DRAWING WHICH IS PART OF THIS DOCUMENT. THIS EASEMENT SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

- ERECTION OF STRUCTURES PROHIBITED: GRANTOR SHALL NOT ERECT ANY STRUCTURE OVER OR WITHIN THE EASEMENT AREA WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER.
- CHANGE OF GRADE PROHIBITED: GRANTOR SHALL NOT CHANGE THE GRADE, ELEVATION, OR CONTOUR OF ANY PART OF THE EASEMENT AREA WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER.
- RIGHT OF ACCESS: CITY SHALL HAVE THE RIGHT OF ACCESS TO THE EASEMENT AREA AND HAVE ALL RIGHT OF INGRESS AND EGRESS REASONABLY NECESSARY FOR THE USE AND ENJOYMENT OF THE EASEMENT AREA AS HEREIN DESCRIBED.
- REMOVAL AND REPLACEMENT: THE COST OF REMOVAL AND REPLACEMENT OF ANY UNAUTHORIZED IMPROVEMENT OR STRUCTURES WITHIN THE EASEMENT AREA, NECESSITATED BY THE EXERCISE OF THE RIGHTS UNDER THIS EASEMENT, SHALL BE BORNE BY THE GRANTOR OR THEIR SUCCESSORS OR ASSIGNS.
- SURFACE RESTORATION: CITY'S LIABILITY TO RESTORE THE SURFACE WITHIN THE EASEMENT AREA SHALL BE LIMITED ONLY TO GRADING AND SEEDING, AND REPLACEMENT OF GRANTORS SURFACED ROADWAY.
- DUTY TO REPAIR: CITY AGREES THAT ANY DRAIN TILE, DRIVE OR ACCESS WAY, FENCE, OR YARD OR OTHER IMPROVEMENTS OUTSIDE OF THE EASEMENT AREA WHICH MAY BE DAMAGED AS A RESULT OF ANY ENTRY MADE THROUGH AN EXERCISE OF THE CITY'S RIGHT OF ACCESS SHALL BE REPAIRED AT NO EXPENSE TO GRANTOR.
- EASEMENT RUNS WITH LAND: THIS EASEMENT SHALL BE DEEMED TO RUN WITH THE LAND AND SHALL BE BINDING ON GRANTOR AND ON GRANTOR'S SUCCESSORS AND ASSIGNS.
- GRANTOR RESERVATION: GRANTOR RESERVES THE RIGHT TO USE THE EASEMENT AREA FOR OTHER PURPOSES PROVIDED HOWEVER THESE PURPOSES SHALL NOT INTERFERE WITH GRANTEE'S USE OF THE EASEMENT AREA UNDER THE RIGHTS OF THIS AGREEMENT.

FINAL PLAT OF FOX RUN LANDING REPLAT FOUR

BEING A REPLAT OF A PORTION OF LOT 117, FOX RUN LANDING, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A REPLAT OF A PORTION OF LOT 117, FOX RUN LANDING, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 103 IN SAID FOX RUN LANDING, SAID NORTHWESTERLY CORNER BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF COUNCIL POINTE ROAD AND ON A NON-TANGENT CURVE, CONCAVE WESTERLY TO WHICH POINT A RADIAL LINE BEARS SOUTH 64 DEGREES 28 MINUTES 04 SECONDS EAST, 435.00 FEET;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE AND NORTHERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 20 DEGREES 24 MINUTES 51 SECONDS, 154.99 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ON SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:

- NORTHERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 03 DEGREES 11 MINUTES 17 SECONDS, 24.21 FEET;
- NORTH 01 DEGREE 55 MINUTES 48 SECONDS EAST, 226.57 FEET;

THENCE SOUTH 88 DEGREES 04 MINUTES 12 SECONDS EAST, 125.00 FEET;

THENCE SOUTH 01 DEGREE 55 MINUTES 48 SECONDS WEST, 226.57 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 560.00 FEET;

THENCE SOUTHERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 03 DEGREES 11 MINUTES 17 SECONDS, 31.16 FEET;

THENCE NORTH 84 DEGREES 52 MINUTES 55 SECONDS WEST, 125.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 31,782 SQUARE FEET (0.730 ACRE). MORE OR LESS.

IN WITNESS THEREOF, I DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF THE AUTHIER PROPERTIES L.L.C PROPERTY AS CONTAINED HEREIN ON THIS

DAY OF , 2020.

BY: _____

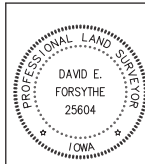
JERRY L. AUTHIER
MANAGER

STATE OF IOWA)
) SS.
COUNTY OF POTTAWATTAMIE)

ON THIS DAY OF , 2020, BEFORE ME A NOTARY PUBLIC IN AND FOR THE STATE OF IOWA, PERSONALLY APPEARED JERRY L. AUTHIER, TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN, DID SAY HE IS A MANAGING MEMBER OF AUTHIER PROPERTIES L.L.C, THAT NO SEAL HAS BEEN PROCURED BY THE SAID LIMITED LIABILITY COMPANY, AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF THE SAID LIMITED LIABILITY COMPANY BY AUTHORITY OF ITS MEMBERS AND THAT SAID JERRY L. AUTHIER ACKNOWLEDGED THE EXECUTION OF THE INSTRUMENT TO BE THE VOLUNTARY ACT AND DEED OF SAID LIMITED LIABILITY COMPANY BY IT VOLUNTARILY EXECUTED.

NOTARY PUBLIC IN AND FOR SAID STATE

MY COMMISSION EXPIRES _____



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 PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

DAVID E. FORSYTHE MAY 8, 2020
DATE
LICENSE NUMBER 25604

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2020.

PAGES OR SHEETS COVERED BY THIS SEAL:

SHEET 1 OF 2 SHEET 2 OF 2

This drawing is being made
in accordance with the
provisions of the Iowa
Professional Land Surveyor
Act, Chapter 177, Iowa
Code, and the rules and
regulations of the Board of
Professional Land Surveyors
of the State of Iowa.
This drawing is made for the
purpose of recording the
same in accordance with the
terms of the survey agreement.

hgm
ASSOCIATES INC.
ENGINEERING ARCHITECTURE SURVEYING
council bluffs omdia

DEF. date
DES. date
DES. date
DEF. date
approved MAR 20
date revision

FOX RUN LANDING REPLAT FOUR
REPLAT PORTION LOT 117, FOX RUN LANDING, COUNCIL BLUFFS, IA
WESTERN IOWA LAND DEVELOPMENT, L.L.C.
P.O. BOX 683, AYCOCA, IOWA 51521
FINAL PLAT

project no.
102420
sheet
2 OF 2

BEING A REPLAT OF A PORTION OF LOT 117, FOX RUN LANDING, CITY OF COUNCIL
BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

this drawing is being made available by hgm associates inc. for use on this project in accordance with hgm associates inc. agreement for professional services. hgm associates inc. assumes no liability for any use of this drawing or any part thereof except in accordance with the terms of the above agreement.

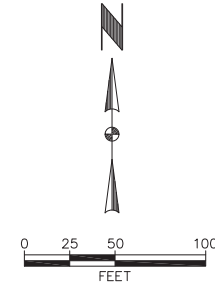
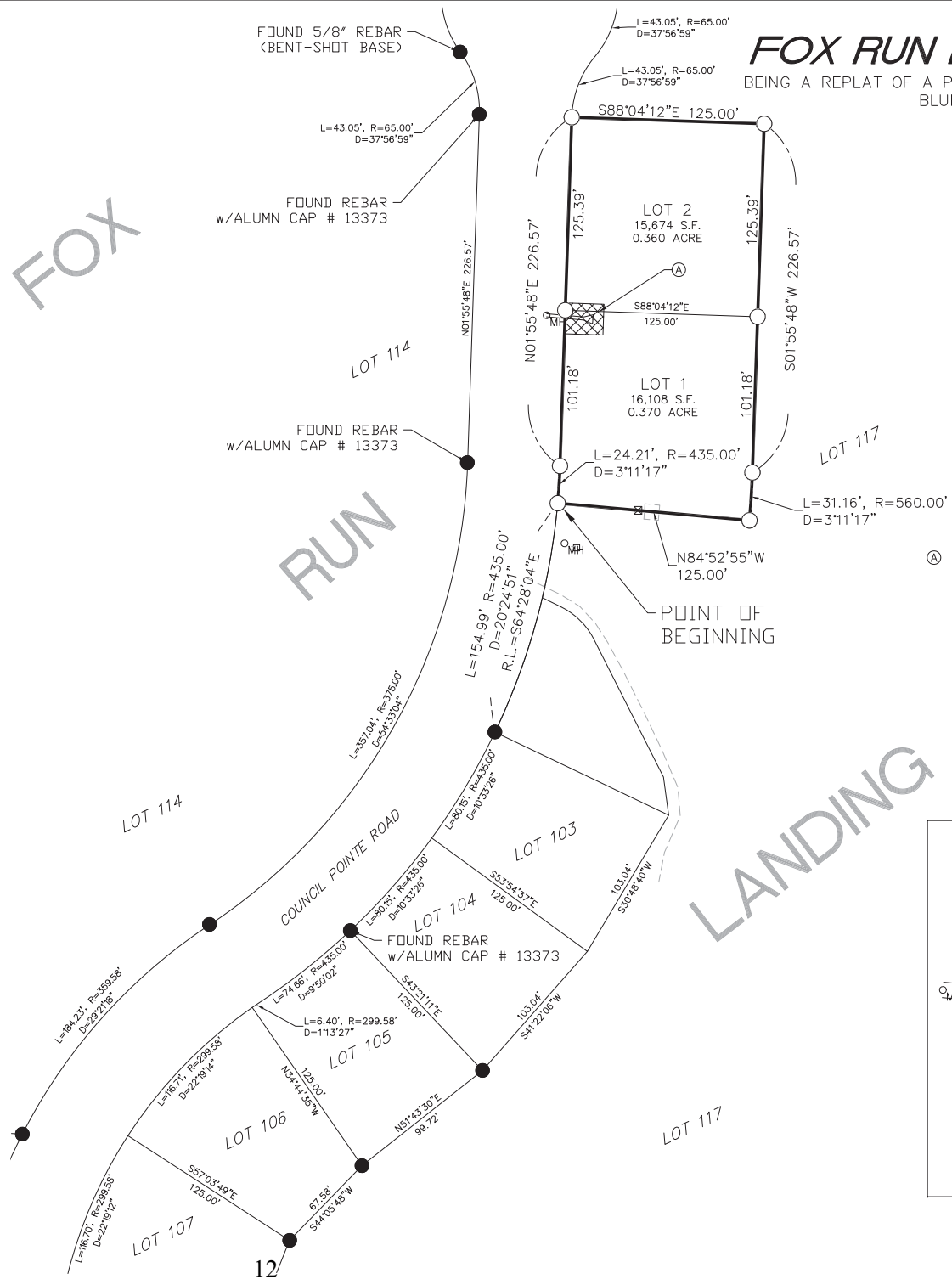
hgm

ASSOCIATES INC.
ENGINEERING ARCHITECTURE SURVEYING
council bluffs omaha

DEF _____
dram _____
DEF _____
designed _____
DEF _____
approved _____
MAR. 20 _____
date _____ revision _____

project: **FOX RUN LANDING REPLAT FOUR**
 REPLAT PORTION LOT 117, FOX RUN LANDING, COUNCIL BLUFFS, IA
 client: **WESTERN IOWA LAND DEVELOPMENT, L.L.C.**
 P.O. BOX 683, AVOCA, IOWA 51521
 sheet: **FINAL PLAT**

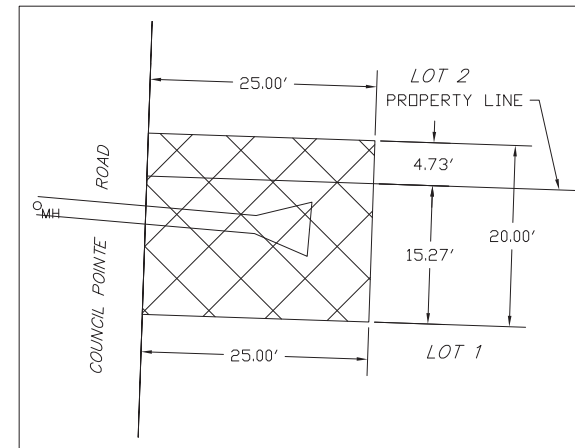
project no.
102420
sheet
2 OF 2



(A) STORM SEWER AND DRAINAGE EASEMENT.
(SEE DETAIL BELOW)

LEGEND

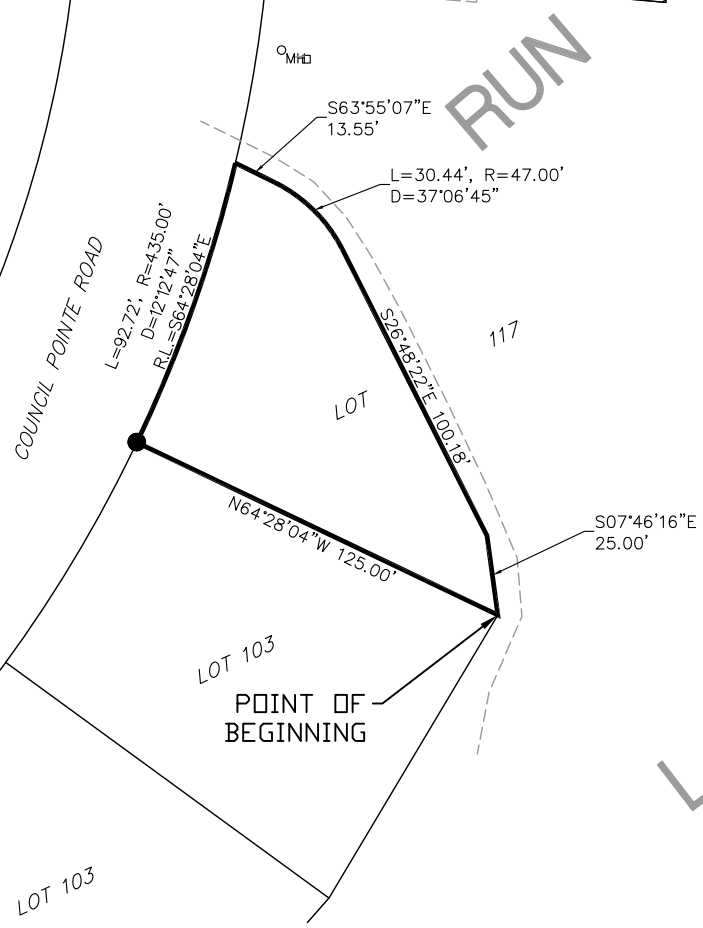
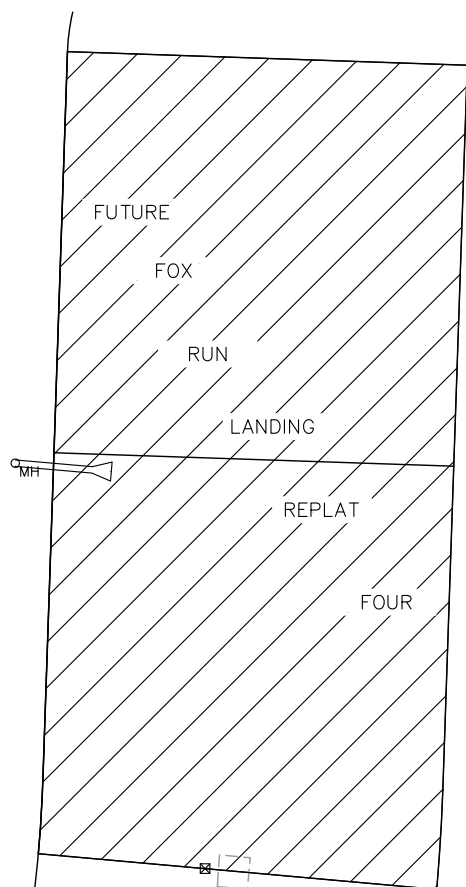
- - FOUND 5/8" REBAR
UNLESS NOTED ON DRAWING
- - SET 5/8" REBAR WITH ALUMN. CAP
MARKED "HGM ASSOC. PLS 25604"



STORM SEWER AND DRAINAGE EASEMENT DETAIL

ZONING EXHIBIT A

FOX



LANDING

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOT 117, FOX RUN LANDING, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 103 IN SAID FOX RUN LANDING; THENCE ON THE NORTH LINE OF SAID LOT 103, NORTH 64 DEGREES 28 MINUTES 04 SECONDS WEST, 125.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF COUNCIL POINTE ROAD, SAID POINT ALSO BEING ON A NON-TANGENT CURVE, CONCAVE WESTERLY TO WHICH POINT A RADIAL LINE BEARS SOUTH 64 DEGREES 28 MINUTES 04 SECONDS EAST, 435.00 FEET; THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE AND NORTHERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 12 DEGREES 12 MINUTES 47 SECONDS, 92.72 FEET; THENCE SOUTH 63 DEGREES 55 MINUTES 07 SECONDS EAST, 13.55 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 47.00 FEET; THENCE SOUTHEASTERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 37 DEGREES 06 MINUTES 45 SECONDS, 30.44 FEET; THENCE SOUTH 26 DEGREES 48 MINUTES 22 SECONDS EAST, 100.18 FEET; THENCE SOUTH 07 DEGREES 46 MINUTES 16 SECONDS EAST, 25.00 FEET TO THE POINT OF BEGINNING.

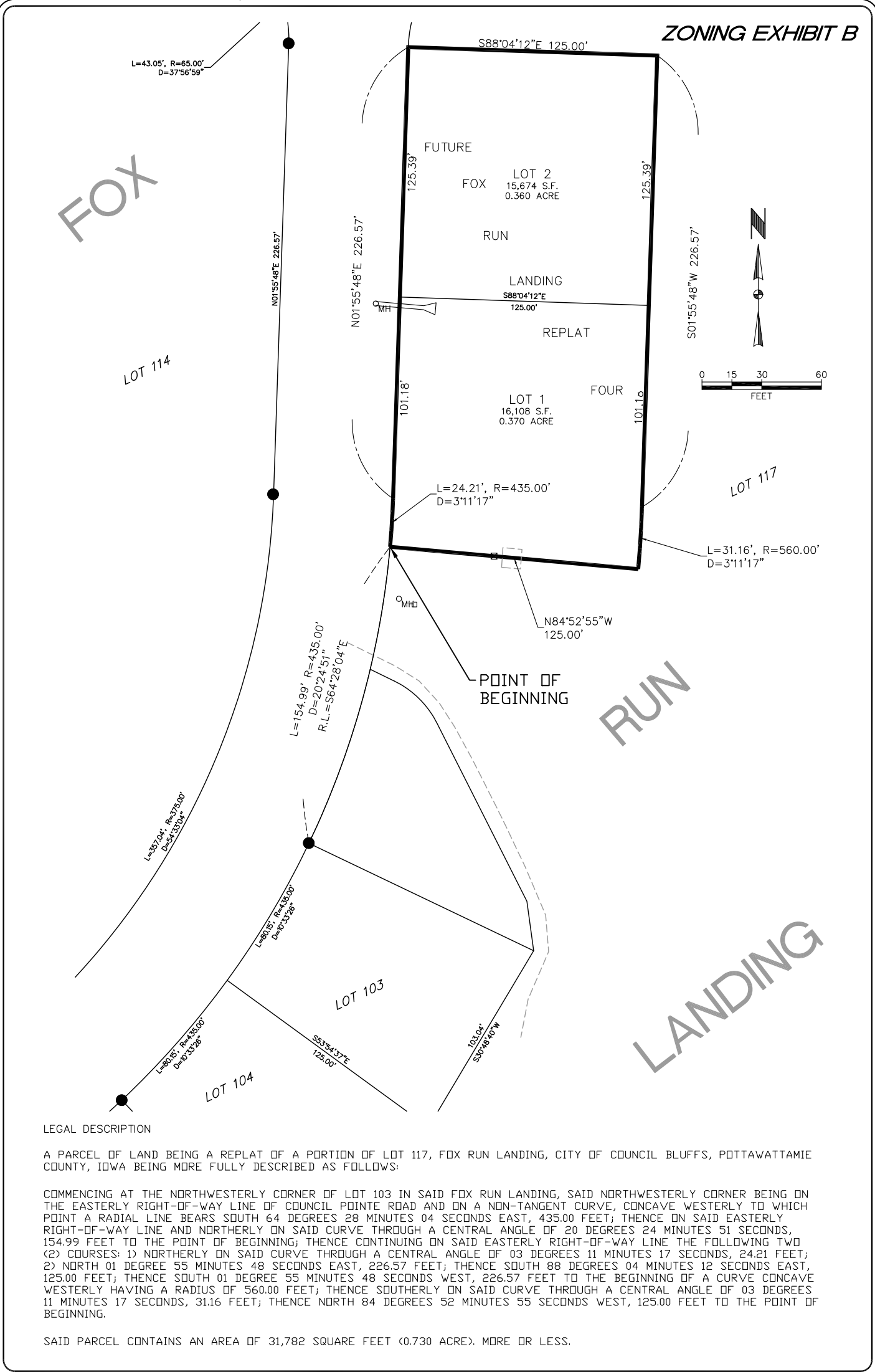
SAID PARCEL CONTAINS AN AREA OF 7,376 SQUARE FEET (0.169 ACRE), MORE OR LESS.

project no.
102420
date
MAY 20
sheet
1 OF 1

project FOX RUN LANDING
client WESTERN IOWA LAND DEVELOPMENT, L.L.C.
sheet ZONING EXHIBIT A

DEF
drawn
DEF
designed
DEF
approved

hgm
ASSOCIATES INC.
ENGINEERING ARCHITECTURE SURVEYING
council bluffs omaha



LEGAL DESCRIPTION

A PARCEL OF LAND BEING A REPLAT OF A PORTION OF LOT 117, FOX RUN LANDING, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA BEING MORE FULLY DESCRIBED AS FOLLOWS:

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SAID PARCEL CONTAINS AN AREA OF 31,782 SQUARE FEET (0.730 ACRE). MORE OR LESS.

1 OF 1

sheet

MAY 20

date

102420

project no.

project

FOX RUN LANDING

client

WESTERN IOWA LAND DEVELOPMENT, L.L.C.

sheet

ZONING EXHIBIT B

DEF

drawn

DEF

designed

DEF

approved

hgm

ASSOCIATES INC.

ENGINEERING ARCHITECTURE SURVEYING

council bluffs omaha

Planning Commission Communication

Department: Community

Development

Case/Project No.: URV-20-004

CASE #URV-20-004

Council Action: 6/9/2020

Submitted by: Community

Development Department

Description

Public hearing on the request of the City of Council Bluffs to amend the South Pointe Urban Revitalization Area by adding property legally described as being a parcel of land located in part of the SW1/4 SW1/4 of Section 11-74-44, City of Council Bluffs, Pottawattamie County, Iowa and being more particularly described as follows: Commencing at the Southwest corner of said Section 11; thence North 93° 31' 40" East, along the South line of said Southwest Quarter of the Southwest Quarter, a distance of 252.18 feet to a point on the Southeasterly right of way line of U.S. Highway No. 275 and Point of Beginning; thence North 63° 02' 45" East, along said Southeasterly right of way line, a distance of 76.70 feet to a point on the North right of way line of 42nd Avenue, said point being 33.00 feet normally distant Northerly from the centerline of said 42nd Avenue; thence North 88° 31' 40" East, along said North right of way line and parallel with said centerline of 42nd Avenue, a distance of 46.49 feet to a point on the Southeasterly right of way line of said U.S. Highway No. 275, said point being 70.00 feet normally distant Southeasterly from the centerline of said U.S. Highway No. 275; thence North 63° 02' 45" East, along said Southeasterly right of way line and parallel with said centerline of U.S. Highway No. 275, a distance of 428.10 feet; thence North 51° 05' 43" East, along said Southeasterly right of way line, a distance of 87.35 feet to a point being 50.00 feet normally distant Southeasterly from said centerline of U.S. Highway No. 275 at Stat on 169+00.00, said point being on a non-tangent curve concave Southeasterly and having a radius of 2241.83 feet, a radial line of said curve through said point bearing North 24° 35' 14" West; thence Northeasterly along said Southeasterly right of way line, and parallel with said centerline of U.S. Highway No. 275 and along said curve an arc length of 513.65 feet and having a chord bearing and distance of North 71° 58' 36" East, 512.52 feet to a point on the East line of said Southwest Quarter of the Southwest Quarter, said point being on the centerline of a city street and 50.00 feet normally distant Southeasterly from said centerline of U.S. Highway No. 275; thence South 2° 01' 19" East, along the East line of said Southwest Quarter of the Southwest Quarter and along the centerline of said city street, a distance of 416.30 feet to the Southeast corner of said Southwest Quarter of the Southwest Quarter; thence South 88° 31' 40" West, along the South line of said Southwest Quarter of the Southwest Quarter and along the centerline of 42nd Avenue, a distance of 1066.83 feet to the Point of Beginning. The East 33.00 feet of said parcel is subject to an easement for city street right of way, and the South 33.00 feet of said parcel is subject to an easement for 42nd Avenue right of way. **Location:** 2105 Veterans Memorial Highway.

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description

Staff Report & Attachments

Type

Other

Upload Date

6/3/2020

Planning Commission Communication

<p>Department: Community Development</p> <p>Case No.: URV-20-004</p> <p>Applicant: Community Development Department</p>	<p>Resolution No.:</p> <p>Ordinance No.:</p>	<p>Resolution of Intent: 5/18/2020</p> <p>Planning Commission: 6/9/2020</p> <p>Public Hearing & First Reading: 6/22/2020</p> <p>Second Reading: 7/13/2020</p> <p>Third Reading: Request to Waive</p>
<p style="text-align: center;">Subject/Title</p> <p>Request: Recommendation of approval of the Amendment to the South Pointe Urban Revitalization Plan</p> <p>Location: 2105 Veterans Memorial Highway</p>		
<p style="text-align: center;">Background/Discussion</p> <p><u>Background</u></p> <p>Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property.</p> <p>Urban revitalization tax abatement incentives can apply to residential, commercial and industrial development. Both new construction on vacant or unimproved land and rehabilitation of existing structures are eligible for tax abatement.</p> <p>On November 26, 2018, City Council adopted Resolution No. 18-325 approving the South Pointe Urban Revitalization Plan. Subsequent to this action, Ordinance No. 6375 was adopted on December 27, 2018, which established the Urban Revitalization Area.</p> <p>The Community Development Department wishes to amend the Urban Revitalization Area by adding an additional parcel with redevelopment potential. Staff has prepared amendments to the Plan in accordance with Section 404.2 of the Iowa Code and is now scheduling the matter for City Council consideration. The amendment consists of adding approximately 5 acres west of the existing Area on the northerly side.</p> <p><u>Discussion</u></p> <p>The original Plan and Area was established under economic development. Staff believes an economic development finding is appropriate for the property to be added, which is currently the location of Rogers Auto.</p> <p>On May 18, 2020, City Council approved a Resolution of Necessity which initiated the process of amending the South Pointe Urban Revitalization Plan and set June 22, 2020 as the public hearing date. Although Chapter 404 of the Iowa Code does not specifically require review by the City Planning Commission, staff believes that such review is appropriate.</p> <p>Notification was sent to the owner of property within the amended urban revitalization area. No comments have been received.</p>		

Planning Commission Communication

Staff specifically asks that the Commission consider the following:

- The proposed Amended South Pointe Urban Revitalization Plan and Area furthers the goals of the City's Comprehensive Plan.
- The Amended South Pointe Urban Revitalization Area is an area appropriate for urban revitalization designation as specified in Iowa Code Section 404.1.4 which discusses areas that are appropriate for economic development as defined by Section 403.17.

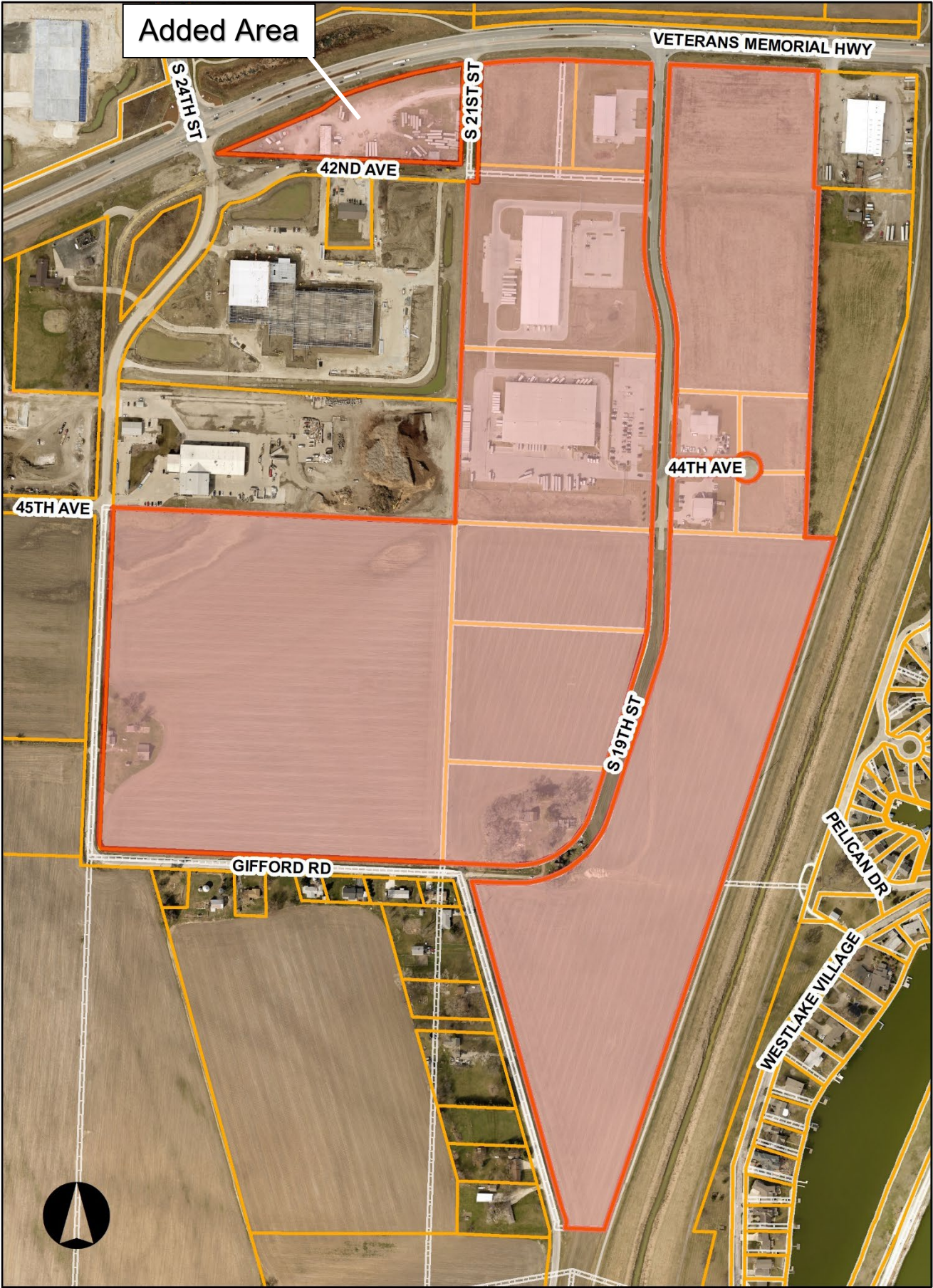
Recommendation

The Community Development Department recommends approval of the Amended South Pointe Urban Revitalization Plan and Area.

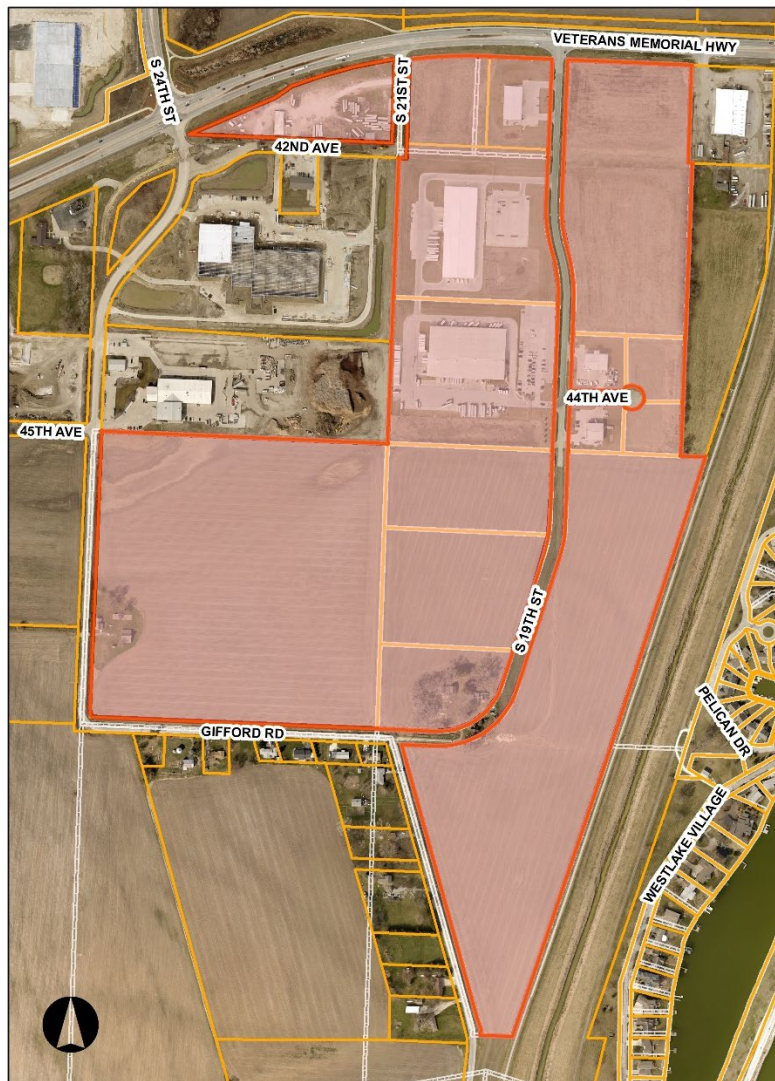
Attachments

- 1) Boundary Map
- 2) Draft Plan

South Pointe Urban Revitalization Area - Boundary Map



2020 Amendment to the South Pointe Urban Revitalization Plan



Prepared by

Community Development Department
City of Council Bluffs, Iowa

Original Area Adopted by
City Council on December 27, 2018
Amended _____, 2020

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
INTRODUCTION.....	3-6
LEGAL DESCRIPTION OF AREA.....	7-8
PROPERTY OWNERS & ASSESSED VALUATIONS	9
EXISTING ZONING & PROPOSED LAND USE	9-13
PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES	14
RELOCATION PROVISIONS.....	14
OTHER PUBLIC ASSISTANCE	14
APPLICABILITY & TAX EXEMPTION SCHEDULE	15-16
APPLICATION AND REVIEW PROCESS	16
ATTACHMENT A: ORIGINAL TAX PARCEL INFORMATION.....	17
ATTACHMENT B: ADDED TAX PARCEL INFORMATION.....	18

INTRODUCTION

On November 22, 2004, the Council Bluffs City Council adopted Ordinance No. 5823, which established the South 19th Urban Revitalization Area. This revitalization area consisted of eight parcels of land that were located west of Indian Creek, south of Veterans Memorial Highway (US 275/92) and east of Gifford Road and totaled 80.09 acres in size. The plan was valid was 10 years from the date of City Council adoption and helped attract new economic development projects in the South Pointe Industrial Park and along Gifford Road. In 2018, the Industrial Foundation expressed the need for additional assistance to attract new businesses to the industrial park and the South Pointe Urban Revitalization Plan was adopted (Ordinance 6375).

The proposed amendment will add an additional parcel to the existing South Pointe Urban Revitalization Plan to attract new development directly adjacent to Veterans Memorial Highway.

The Urban Revitalization Act empowers a municipality to designate an area appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate income families, including single or multifamily housing.

The City of Council Bluffs wishes to utilize property tax abatement incentives under the Urban Revitalization act to facilitate the development of new commercial and industrial land uses. The preparation and subsequent adoption of an Urban Revitalization Plan is required by the Iowa Code prior to the provision of property tax abatement.

Section 404.1 of the Iowa Code stipulates that the Council may, by ordinance, designate an area of the City as the revitalization area, if that area is classified as any of the following:

1. An area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime and which is detrimental to the public health, safety or welfare.
2. An area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards

the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety or welfare in its present condition and use.

3. An area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use.

4. An area which is appropriate as an economic development area as defined in Section 403.17(10) of the Iowa Code which states “an area of a municipality designated by the local governing body as appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate income families, including single or multifamily housing.”

5. An area designated as appropriate for public improvements related to housing and residential development, or construction of housing and residential development, including single or multifamily housing.

In December 2018, the City of Council Bluffs adopted the South Pointe Urban Revitalization Plan and established the South Pointe Urban Revitalization Area under the criteria of element 4. The City now desires to amend the Plan and Area to include additional commercial property (herein referred to as the “Amended Plan” and “Amended Area.”

**Amended South Pointe Urban Revitalization Plan
Illustration 1 – Original Resolution**

RESOLUTION NO. 18-282

A RESOLUTION OF NECESSITY AND INTENT TO ESTABLISH THE SOUTH POINTE REVITALIZATION AREA LEGALLY DESCRIBED AS LOTS 1, 2, 4 AND 5, SOUTH POINTE SUBDIVISION; LOTS 2-5, SOUTH POINTE SUBDIVISION, REPLAT 1; LOT 1, SOUTH POINTE SUBDIVISION, REPLAT 2; AND ALL OF SOUTH POINTE SUBDIVISION, PHASE 2), CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the subject area is an appropriate area as defined in Section 404.1.4 of the Iowa Code; and

WHEREAS, the Council Bluffs Industrial Foundation and others have properties available for economic development in this area; and

WHEREAS, a plan for the area must be developed in accordance with Section 404.2 of the Iowa Code; and

WHEREAS, thirty days notice of public hearing is required to be sent to all property owners and occupants within the area; and

WHEREAS, notice of public hearing is also required in accordance with Section 362.3 of the Iowa Code.

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

That the development of the area is necessary in the interest of the City and the area substantially meets the criteria of Section 404.1.4.

BE IT FURTHER RESOLVED

That the City Council directs staff to prepare a final plan pursuant to Section 404.2 of the Iowa Code by October 25, 2018.

BE IT FURTHER RESOLVED

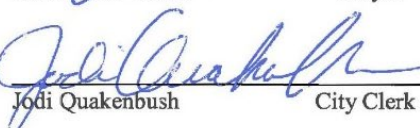
That the City Council directs the City Clerk to set this matter for public hearing on November 26, 2018.

**ADOPTED
AND
APPROVED:**

October 8, 2018


Matthew J. Walsh Mayor

ATTEST:


Jodi Quakenbush City Clerk

**Amended South Pointe Urban Revitalization Plan
Illustration 2 – Amended Plan Resolution**

RESOLUTION NO. 20-126

A RESOLUTION OF NECESSITY AND INTENT TO AMEND THE SOUTH POINTE URBAN REVITALIZATION AREA.

WHEREAS, the subject area is an appropriate area as defined in Section 404.1.4 of the Iowa Code; and

WHEREAS, on November 26, 2018, City Council adopted Resolution No. 18-325 approving the South Pointe Urban Revitalization Plan; and

WHEREAS, the Community Development Department recommends amending the plan to add an additional parcel to the revitalization area; and

WHEREAS, an amended plan must be developed in accordance with Section 404.2 of the Iowa Code; and

WHEREAS, thirty days' notice of public hearing is required to be sent to all property owners and occupants within the area; and

WHEREAS, notice of public hearing is also required in accordance with Section 362.3 of the Iowa Code.

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

That the development of the area is necessary in the interest of the City and the area substantially meets the criteria of Section 404.1.4.

BE IT FURTHER RESOLVED

That the City Council directs staff to prepare a final plan pursuant to Section 404.2 of the Iowa Code by May 22, 2020.

BE IT FURTHER RESOLVED

That the City Council directs the City Clerk to set this matter for public hearing on June 22, 2020.

**ADOPTED
AND
APPROVED:**

May 17, 2020

Matthew J. Walsh

Mayor

ATTEST:

Jodi Quakenbush

City Clerk

LEGAL DESCRIPTION

The original South Pointe Urban Revitalization Area is a tract of land containing the following legally described parcels:

Lots 1, 2, 4, and 5, South Pointe Subdivision; Lots 2 through 5, South Pointe Subdivision, Replat 1; Lot 1, South Pointe Subdivision, Replat 2; and of proposed South Pointe Subdivision, Phase 2, all in the City of Council Bluffs, Pottawattamie County, Iowa.

The Added Area includes the following legally described parcel:

A parcel of land located in part of the Southwest Quarter of the Southwest Quarter of Section 11, Township 74, Range 44, Pottawattamie County, Council Bluffs, Iowa, more particularly described as follows:

Commencing at the Southwest corner of said Section 11; thence North $93^{\circ} 31' 40''$ East, along the South line of said Southwest Quarter of the Southwest Quarter, a distance of 252.18 feet to a point on the Southeasterly right of way line of U.S. Highway No. 275 and Point of Beginning; thence North $63^{\circ} 02' 45''$ East, along said Southeasterly right of way line, a distance of 76.70 feet to a point on the North right of way line of 42nd Avenue, said point being 33.00 feet normally distant Northerly from the centerline of said 42nd Avenue; thence North $88^{\circ} 31' 40''$ East, along said North right of way line and parallel with said centerline of 42nd Avenue, a distance of 46.49 feet to a point on the Southeasterly right of way line of said U.S. Highway No. 275, said point being 70.00 feet normally distant Southeasterly from the centerline of said U.S. Highway No. 275; thence North $63^{\circ} 02' 45''$ East, along said Southeasterly right of way line and parallel with said centerline of U.S. Highway No. 275, a distance of 428.10 feet; thence North $51^{\circ} 05' 43''$ East, along said Southeasterly right of way line, a distance of 87.35 feet to a point being 50.00 feet normally distant Southeasterly from said centerline of U.S. Highway No. 275 at Stat on 169+00.00, said point being on a non-tangent curve concave Southeasterly and having a radius of 2241.83 feet, a radial line of said curve through said point bearing North $24^{\circ} 35' 14''$ West; thence Northeasterly along said Southeasterly right of way line, and parallel with said centerline of U.S. Highway No. 275 and along said curve an arc length of 513.65 feet and having a chord bearing and distance of North $71^{\circ} 58' 36''$ East, 512.52 feet to a point on the East line of said Southwest Quarter of the Southwest Quarter, said point being on the centerline of a city street and 50.00 feet normally distant Southeasterly from said centerline of U.S. Highway No. 275; thence South $2^{\circ} 01' 19''$ East, along the East line of said Southwest Quarter of the Southwest Quarter and along the centerline of said city street, a distance of 416.30 feet to the Southeast corner of said Southwest Quarter of the Southwest Quarter; thence South $88^{\circ} 31' 40''$ West, along the South line of said Southwest Quarter of the Southwest Quarter and along the centerline of 42nd Avenue, a distance of 1066.83 feet to the Point of Beginning. The East 33.00 feet of said parcel is subject to an easement for city street right of way, and the South 33.00 feet of said parcel is subject to an easement for 42nd Avenue right of way.

NOTE: The South line of the Southwest Quarter of the Southwest Quarter of said Section 11 is assumed to bear North $88^{\circ} 31' 40''$ East for this description.

The original area is approximately 136.90 acres in size. The Added Area consists of 5.10 acres, for a total Amended Area of 142.00 acres.

Amended South Pointe Road Urban Revitalization Area
Illustration 3 – Amended Boundary



PROPERTY OWNERS AND ASSESSED VALUES

The Amended South Pointe Urban Revitalization Area contains 14 parcels of land that total 142.00 acres in size. The total valuation (\$) for all land, dwellings, and buildings in this urban revitalization area are as follows:

Land Valuation: \$5,498,100.00
Dwelling Valuation: \$0
Building Valuation: \$9,560,200.00
Total Valuation: \$15,058,300.00

A listing of the original parcels, ownership, land/dwelling/building valuation, and acreage information is outlined in the attachment titled *Attachment A – South Pointe Urban Revitalization Area Plan – Property Owners List*. The Added Area's parcel, ownership, land/dwelling/building valuation, and acreage information is outlined in the attachment titled *Attachment B – Amended South Pointe Urban Revitalization Area Plan – Added Property Owners List*. The information stated in these attachments was obtained from records in the Pottawattamie County Assessor's Office.

On November 22, 2004, the Council Bluffs City Council adopted Ordinance No. 5823, which established the South 19th Urban Revitalization Area. This revitalization area consisted of eight parcels of land that were located west of Indian Creek, south of Veterans Memorial Highway (US 275/92) and east of Gifford Road and totaled 80.09 acres in size. The plan was valid was 10 years from the date of City Council adoption and helped attract new economic development projects in the South Pointe Industrial Park and along Gifford Road. The Amended South Pointe Urban Revitalization Area will include land that was located in the former South 19th Street Urban Revitalization Area.

EXISTING ZONING AND PROPOSED LAND USE

The Amended South Pointe Urban Revitalization Area is currently zoned I-2/General Industrial District and is partially located within a designated Recreational-Tourism Overlay (RO) (see Illustrations 3 and 4). The I-2/General Industrial District is intended to provide for the development of general manufacturing and industrial areas. This district is designed to accommodate industrial uses with moderate external effects. The Recreation-Tourism Overlay (RO) is intended to maintain and enhance the aesthetic quality of areas around the National Historic Trails Center and land based and riverboat gaming facilities. This Overlay is intended to mitigate and negative impact associated with these facilities.

Surrounding zoning in the general vicinity of the Amended South Pointe Urban Revitalization area includes: I-2/General Industrial District and I-1/Light Industrial District to the north; I-2/General Industrial District, A-2/Parks, Estates, and Agricultural District, C-2/Commercial District, R-1/Single Family Residential District, and R-3/Low Density Multi-Family Residential District to the east; A-2/Parks, Estates, and Agricultural District

to the south; along with I-2/General Industrial District and A-2/Parks, Estates, and Agricultural District to the west.

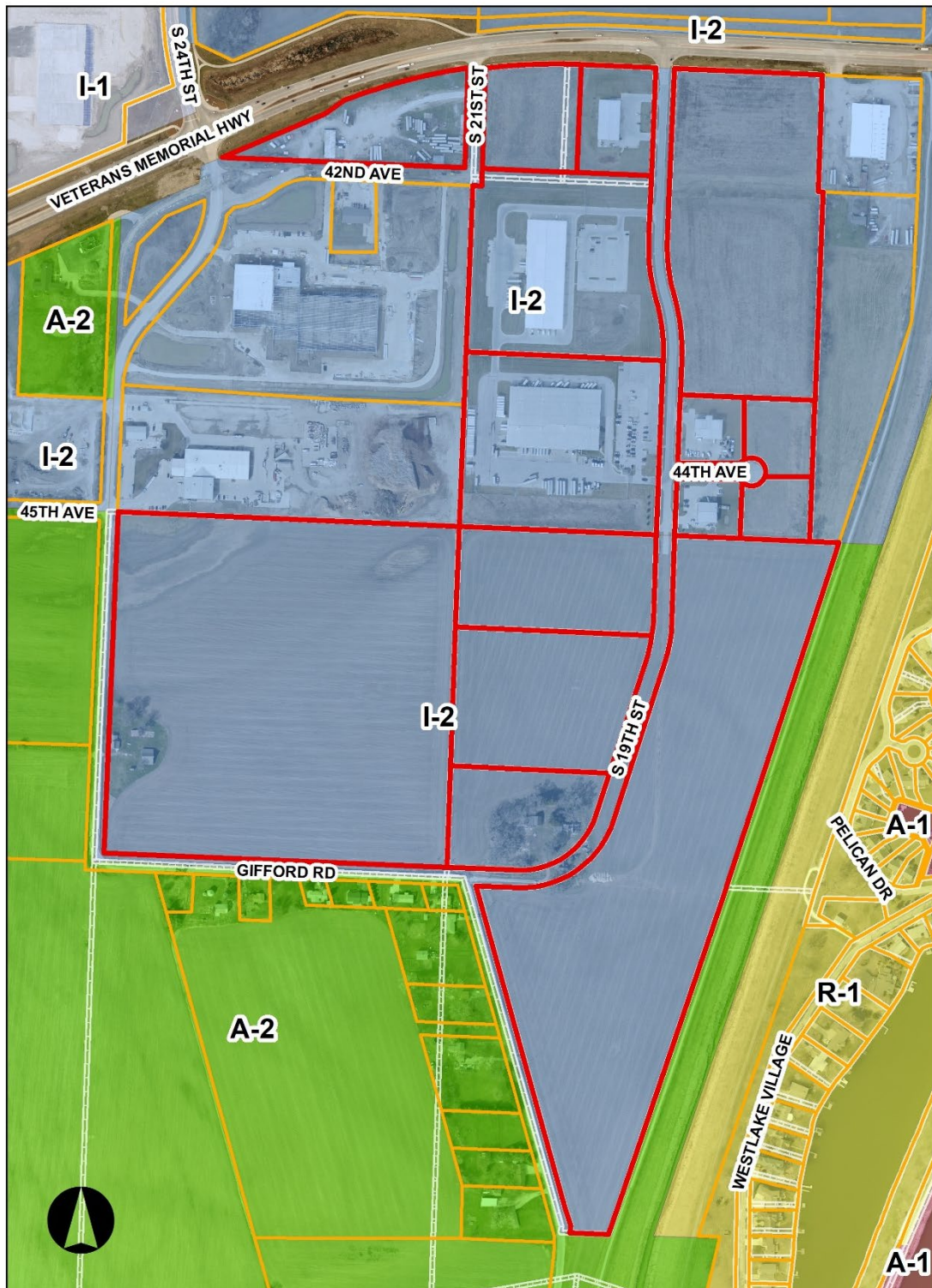
The Amended South Pointe Urban Revitalization Area contains a mixture of industrial, undeveloped, and agricultural land uses. Existing businesses within this urban revitalization area include the following:

1. Matheson Tri-Gas – 4106 South 19th Street (PIN #744411377004)
2. Fremont Contract Carriers (FCC) – 4303 South 19th Street (PIN #744411379001)
3. FedEx Freight – 4306 South 19th Street (PIN #744414126003)
4. FedEx Freight – 4406 South 19th Street (PIN #744414126002)
5. Pro-Tech Sales – 4343 South 19th Street (PIN #74414127003)
6. TEQ Supply Inc. – 4405 South 19th Street (PIN #744414127005)
7. Rogers Auto – 2105 Veterans Memorial Hwy (PIN # 744411352002) (Added Area)

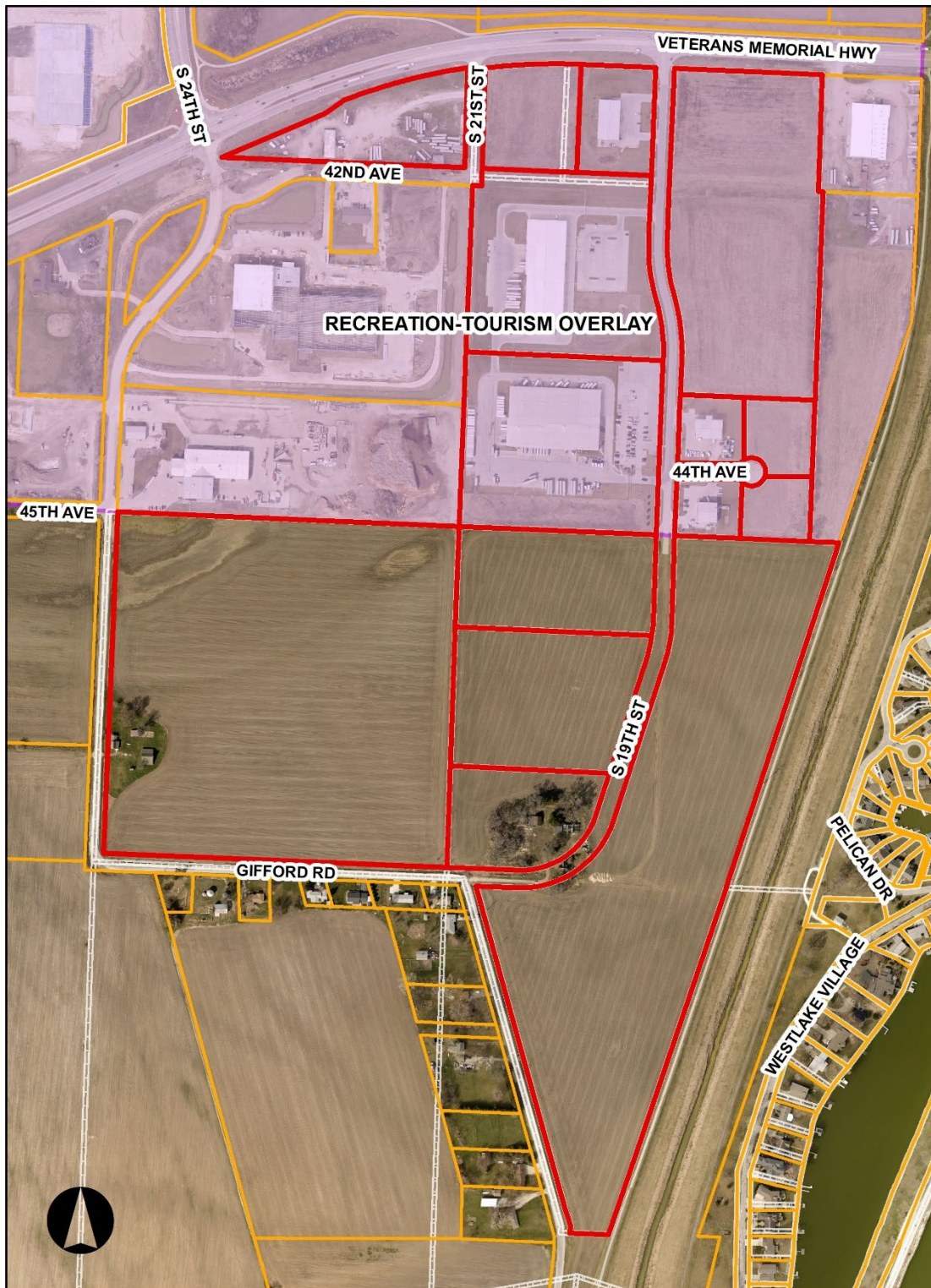
The remaining properties in the proposed South Pointe Urban Revitalization Area are undeveloped. The Council Bluffs Industrial Foundation replatted 95.83 acres of said urban revitalization area into a new five-lot industrial subdivision to be known as South Pointe Subdivision, Phase 2 in 2018 (see Illustration 5). This subdivision is located immediately south of the South Pointe Subdivision and includes an extension of South 19th Street and improvements to Gifford Road. The Council Bluffs Industrial Foundation and the Advance Southwest Iowa Corporation intend to market and sell each lot in the subdivision for new economic development projects in the City.

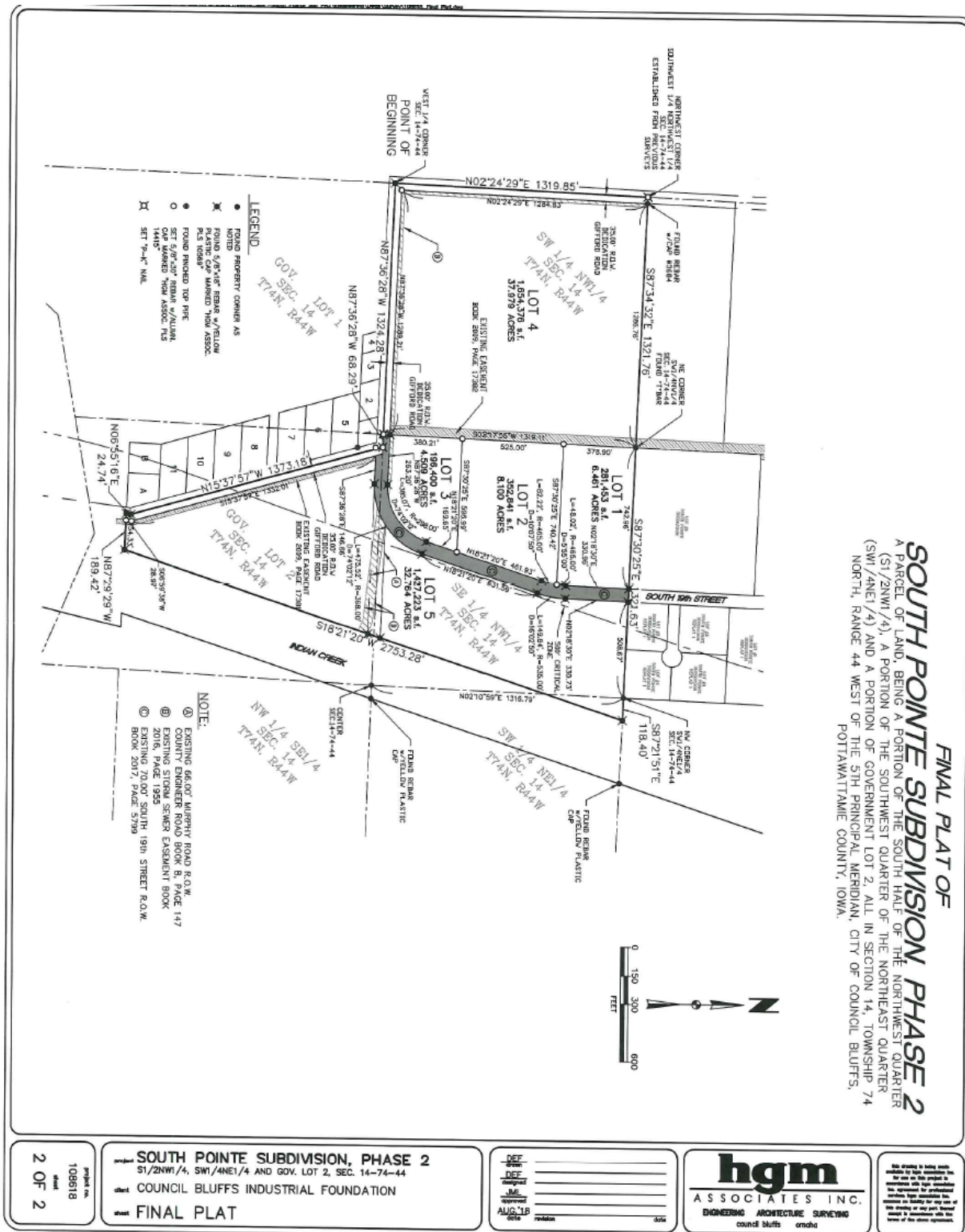
All land uses in the proposed Amended South Pointe Urban Revitalization Area will be commercial or industrial.

Amended South Pointe Urban Revitalization Plan
Illustration 4 – Amended Zoning Map



Amended South Pointe Urban Revitalization Plan
Illustration 5 – Recreation-Tourism Overlay





PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES

The proposed Amended South Pointe Urban Revitalization Area is served with all municipal utilities (sanitary sewer, water and storm sewer) as well as electricity and gas. The area is accessible by five public roadways, as follows: Veterans Memorial Highway (US 275/92), South 21st Street, South 19th Street, 44th Avenue, and Gifford Road. In the last five years the City and/or other private entities have reconstructed portions of Gifford Road, South 21st Street, and South 19th Street to meet current City standards. All said roadways operate at a level of service (LOS) that can adequately handle additional traffic generated by new projects in this proposed urban revitalization area. There are no proposals to expand City services at this time.

RELOCATION PROVISIONS

Relocation is not anticipated with the implementation of this plan. However, if either a residential or non-residential tenant relocation occurs as a result of actions taken by a developer qualifying for the benefits under the Urban Revitalization Act, the tenant shall receive compensation from the developer of one month's rent and actual moving expenses, provided that the tenant has occupied the same unit continuously for a one year period prior to the adoption of this plan.

OTHER PUBLIC ASSISTANCE

The City anticipates the use of other public assistance may be necessary for development of this area. This assistance may include:

1. Property tax exemption
2. Continued use of Capital Improvement Program funds for the improvement or reconstruction of streets, sanitary sewer, storm sewer systems, and railroad crossings.
3. Funding from the State of Iowa (Economic Development Authority, Finance Authority, and Department of Transportation) to provide assistance to qualified businesses locating or expanding in the area or to cause the construction of infrastructure to support economic development projects.
4. Funding from the U.S. Government (Department of Housing and Urban Development, Economic Development Administration, and Federal Highway Administration) to acquire and prepare for private redevelopment or to cause the construction of infrastructure to support economic development projects.

APPLICABILITY AND TAX EXEMPTION SCHEDULE

1. Eligibility - The Amended South Pointe Urban Revitalization Plan will apply to commercial and industrial land uses.

Both new construction and rehabilitation of existing structures will be eligible for tax abatement under the plan. Rehabilitation may include renovation of a structure to bring it to code standards, remodeling and expansion.

2. Term - The term of this Plan shall be until December 31, 2038 or as amended by City Council.

3. Commercial and Industrial

Ten Year - All eligible commercial and industrial real estate is eligible to receive a partial exemption from taxation on the actual value added by the improvements. The exemption is for a period of ten years. The amount of the partial exemption is equal to a percent of the actual value added by the improvements, determined as follows:

- a. For the first year, eighty percent.
- b. For the second year, seventy percent.
- c. For the third year, sixty percent.
- d. For the fourth year, fifty percent.
- e. For the fifth year, forty percent.
- f. For the sixth year, forty percent.
- g. For the seventh year, thirty percent.
- h. For the eighth year, thirty percent.
- i. For the ninth year, twenty percent.
- j. For the tenth year, twenty percent.

-OR-

Three Year - All eligible commercial and industrial real estate is eligible to receive a one hundred percent exemption from taxation on the actual value added by the improvements. The exemption is for a period of three years.

6. Improvements - Improvements shall include commercial and industrial rehabilitation and additions to existing structures as well as new construction on vacant land or on land with existing structures

- For non-residential property, improvements must increase the actual value of the structure by at least 15%. If more than one building is located on the property, the 15% increase requirement applies only to the structure or structures upon which the improvements were made.
- If no structures were located on the property prior to the improvements, any improvements may qualify.

7. Actual Value - Actual value added by the improvements means the actual value added as of the first year for which the exemption was received. However, if such construction was begun one year prior to the adoption by the City of a Plan of Urban Revitalization pursuant to Chapter 404 of the Iowa Code, the value added by such construction, shall not constitute an increase in value for purposes of qualifying for the exemptions listed in this section.

APPLICATION AND REVIEW PROCESS

Upon completion of all improvements made within the assessment year for which the exemption is first claimed, the owner shall use the following procedure to secure the tax exemption.

1. The applicant requests a conference with the Community Development Department to discuss applicability of the request to established policy and review the application process.
2. The applicant completes the required forms and submits them along with all required data by February 1st to the Community Development Department. As part of the acceptance procedure, the Community Development Department shall review the submission for completeness. If there is a deficiency, the Department shall notify the applicant within seven (7) days.
3. The Department shall review the application according to the following criteria: 1) conformance with the Urban Revitalization Plan; 2) a finding that the site is within a designated area; 3) a finding that the work has been completed within the time required to qualify for abatement in the assessment year; 4) a finding that the application is consistent with Chapter 404 of the Iowa Code; and 5) a finding that the application is consistent with all applicable city codes and ordinances.
4. Upon review of the application, the Community Development Department will prepare a recommendation and schedule the proposal for City Council consideration.
5. By resolution, the City Council will accept the application and improvements as consistent with the intent of this plan and state law.
6. The City Council will then direct the Community Development Department to transmit a copy of the case file to the Assessor's Office by March 1st as required by Chapter 404 of the Iowa Code.

Attachment A

Attachment A - South Pointe Urban Revitalization Area Plan - Property Owners List						
Parcel Number	Owner & Tax Address	Land Valuation	Dwelling Valuation	Building Valuation	Total Valuation	Acreage
744411377007	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502	\$290,200.00	\$0	\$0	\$290,200.00	3.28
744411377004	R A H Council Bluffs LLC c/o Matheson Tri Gas Inc. 155 Allen Road, Suite 302 Basking Ridge, NJ 07920	\$263,000.00	\$0	\$489,200.00	\$752,200.00	2.63
744411379001	J A K K Investments LLC 865 Bud Boulevard Fremont, NE 68025	\$1,474,000.00	\$0	\$3,704,600.00	\$5,178,600.00	14.74
7444114126003	ARC Fechia001 LLC c/o American Realty Capital 200 Dryden Road, Suite 1100 Dresher, PA 19025	\$1,101,000.00	\$0	\$1,394,800.00	\$2,495,800.00	11.01
(address updated 10-25-18 from original plan draft)						
7444114126002	ARC Fechia001 LLC 38 Washington Square Newport, RI 02840	\$1,123,000.00	\$0	\$2,905,400.00	\$4,028,400.00	11.23
7444114127003	McAllen Properties Omaha Madison, WI 53714 Glenn, Bernard L Trust 18045 Bent Tree Ridge Council Bluffs, IA 51503	\$150,000.00	\$0	\$420,800.00	\$570,800.00	1.50
7444114127004	Glenn, Ross B-Patricia E 4343 S 19th Street Council Bluffs, IA 51501	\$144,000.00	\$0	\$0.00	\$144,000.00	1.60
7444114127005	TEQ Properties, LLC c/o Greg Petersen 11664 Pierce Street Omaha, NE 68144	\$124,000.00	\$0	\$403,700.00	\$527,700.00	1.24
7444114127006	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502	\$121,500.00	\$0	\$0	\$121,500.00	1.35
7444114176001	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502	\$75,700.00	\$0	\$0	\$75,700.00	34.42
7444114151002	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502	\$70,100.00	\$0	\$0	\$70,100.00	36.24
7444114151001	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502	\$15,800.00	\$0	\$0	\$15,800.00	1.66
	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502	\$35,800.00	\$0	\$0	\$35,800.00	16.00
		\$4,988,100.00	\$0	\$9,318,500	\$14,306,600.00	136.90

Attachment B - Amended South Pointe Urban Revitalization Area Plan - Added Property Owners List

Parcel Number	Owner & Tax Address	Land Valuation	Dwelling Valuation	Building Valuation	Total Valuation	Acreage
744411352002	Rogers, Terry W/ Rogers Auto 2301 Veterans Memorial Hwy Council Bluffs, IA 51503	\$510,000.00	\$0	\$241,700.00	\$751,700.00	5.10
	Original Area	\$4,988,100.00	\$0	\$9,318,500.00	\$14,306,600.00	136.90
	Amended Area Total	\$5,498,100.00	\$0	\$9,560,200.00	\$15,058,300.00	142.00

Attachment B

Planning Commission Communication

Department: Community Development	Greenview Estates Preliminary Subdivision Plan – extension of time request	Council Action: 6/9/2020
Case/Project No.:		
Submitted by:		

Description

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report & Attachments	Other	6/3/2020

Planning Commission Communication

<p>CASE #SUB-18-005</p> <p>Applicant/Owner: 92 Investment LLC 22735 James Drive Council Bluffs, IA 51503</p> <p>Representative: John Jerkovich 535 West Broadway, Suite 100 Council Bluffs, IA 51503</p>		<p>Planning Commission: 6/09/2020</p>
Subject/Title		
<p>Request: Extension of time – Greenview Estates Preliminary Subdivision Plan.</p>		
Background/Discussion		
<p>The Community Development Department has received a request from John Jerkovich, representing the owner 92 Investments, LLC, for an extension of time relative to the preliminary plan approved for Greenview Estates Subdivision (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 Greenview Estates preliminary subdivision plan by Resolution No. 19-160 on June 24, 2019. The preliminary subdivision plan will expire on June 24, 2020 and the applicant does not anticipate filing a final plat prior to the expiration, based on reasons stated in their letter (see Attachment A). Section 14.11.060 (06) of the Municipal Code (Subdivision Ordinance) 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 Greenview Estates Subdivision, as approved by Resolution No. 18-160. The expiration date of the preliminary plan will be June 24, 2021.
Attachments Attachment A – Extension of time letter request from John Jerkovich dated 6/01/2020 Attachment B – Greenview Estates – Preliminary Subdivision Plan
Prepared by: Christopher N. Gibbons, AICP, Planning Manager

ATTACHMENT A

92 Investments, LLC
22735 James Drive
Council Bluffs, Iowa 51503

June 1, 2020

Council Bluffs Community Development
c/o Christopher Gibbons
209 Pearl Street
Council Bluffs, IA 51503

Re: Request for Extension – Greenview Estates Subdivision

Dear City Planning Commission:

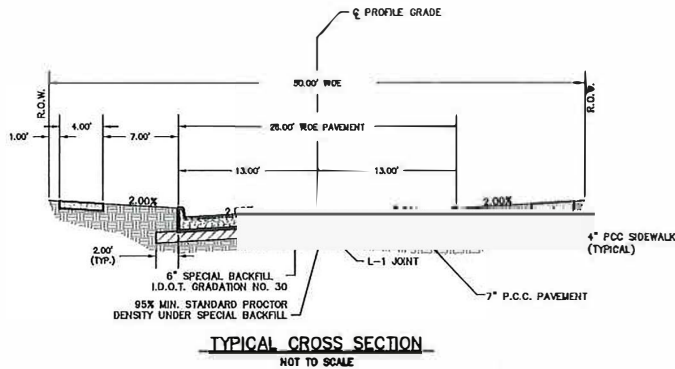
It is my understanding the deadline to execute a final plat for Greenview Estates Subdivision will expire on June 24, 2020. Due to the current construction of the new roundabout, the road not being finished and dirt work yet to be completed at the intersection of Greenview Road and State Orchard Road, we hereby request a one-year extension to prevent our preliminary plan from expiring.

In advance, thank you for your consideration.

Sincerely,


John H. Jerkovich

PRELIMINARY PLAN GREENVIEW ESTATES SUBDIVISION



VERTICAL CONTROL

NAVD '88

BENCH MARK OF ORIGIN: COS LEWIS, 1947

NAVD '88 ELEVATION = 970.20

THE STATION IS LOCATED ABOUT 4-1/2 MILES SOUTHEAST OF THE CENTER OF COUNCIL BLUFFS ON THE RIGHT-OF-WAY OF COUNTY ROUTE 0. IT IS 83 FEET WEST OF THE CENTERLINE OF COUNTY ROUTE 0, 78 FEET NORTHEAST OF THE NORTHEAST CORNER OF A WHITE FRAME HOUSE, 13 FEET OF THE A FENCE LINE, AND 13.7 FEET EAST-SOUTHEAST OF A WHITE WITNESS POST. THE DISK IS STAMPED 1947 AND PROJECTS 4 INCHES.



VICINITY MAP - NO SCALE



LOCATION MAP
COUNCIL BLUFFS, IOWA
NO SCALE

▨ - INDICATES PROJECT LOCATION

CURRENT OWNER/DEVELOPER:

02 INVESTMENTS L.L.C.
ROBERT MCCARTHY
P.O. BOX 883
AYOCA, IOWA 51521

ENGINEER:

HGM ASSOCIATED, INC.
840 FIFTH AVENUE
COUNCIL BLUFFS, IOWA 51502

ZONING:

EXISTING ZONING OF
PROPOSED SUBDIVISION
IS R-3

EXISTING FLOOD PLAIN:

ZONE X - AREA OF MINIMAL FLOOD
HAZARD
NO FLOODWAY OR FRINGE ENCROACHMENT

INDEX

PAGE NO.	DESCRIPTION
A.01	TITLE SHEET
A.02	AREA MAP
C.01	PRELIMINARY PLAN - OVERALL SITE
C.02	PRELIMINARY PLAN - TOWNHOMES

STORM WATER DETENTION:

CONSTRUCTION OF NEW DETENTION IN
ACCORDANCE WITH SUDAS DESIGN STANDARDS.

BOUNDARY SURVEY:

BOUNDARY SURVEY WILL BE PROVIDED BY
HGM ASSOCIATES INC.

NOTES:

PROPOSED SEWER: CONSTRUCT NEW SANITARY
SEWER, WITH PRIVATE LATERAL CONNECTIONS.
CONSTRUCT NEW STORM SEWER AND INTAKES.
NEW SEWER TO BE DEDICATED TO CITY OF
COUNCIL BLUFFS.

PROPOSED WATER: CITY WATER EXTENSION TO BE
DESIGNED BY CBWW

DEDICATION OF R-O-W: YES
1.18 ACRES OF 50' WIDE R-O-W WILL BE
DEDICATED TO CITY OF COUNCIL BLUFFS.

SURFACE RUNOFF: STORM SEWER TO PROPOSED
SUBDIVISION DETENTION.

EASEMENTS: A 5.00 FOOT WIDE PERMANENT
EASEMENT ON EACH SIDE OF ALL SIDE LOT
LINES, A 10.00 FOOT WIDE PERMANENT
EASEMENT ALONG ALL FRONT LOT LINES, AND
A 5.00 FOOT WIDE PERMANENT EASEMENT
ALONG ALL REAR LOT LINES, ARE RESERVED
FOR THE INSTALLATION AND MAINTENANCE OF
UTILITIES.

SPECIFICATIONS

THE URBAN STANDARD SPECIFICATIONS FOR PUBLIC
IMPROVEMENTS, 2010, AND CITY OF COUNCIL BLUFFS
SUPPLEMENTAL SPECIFICATIONS 2019, SHALL APPLY
TO THIS PROJECT.

	I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.
	5/14/19 JOHN E. JORGENSEN
	My license renewal date is December 31, 2019
	Pages or sheets covered by this seal: A.01, A.02, C.01 AND C.02

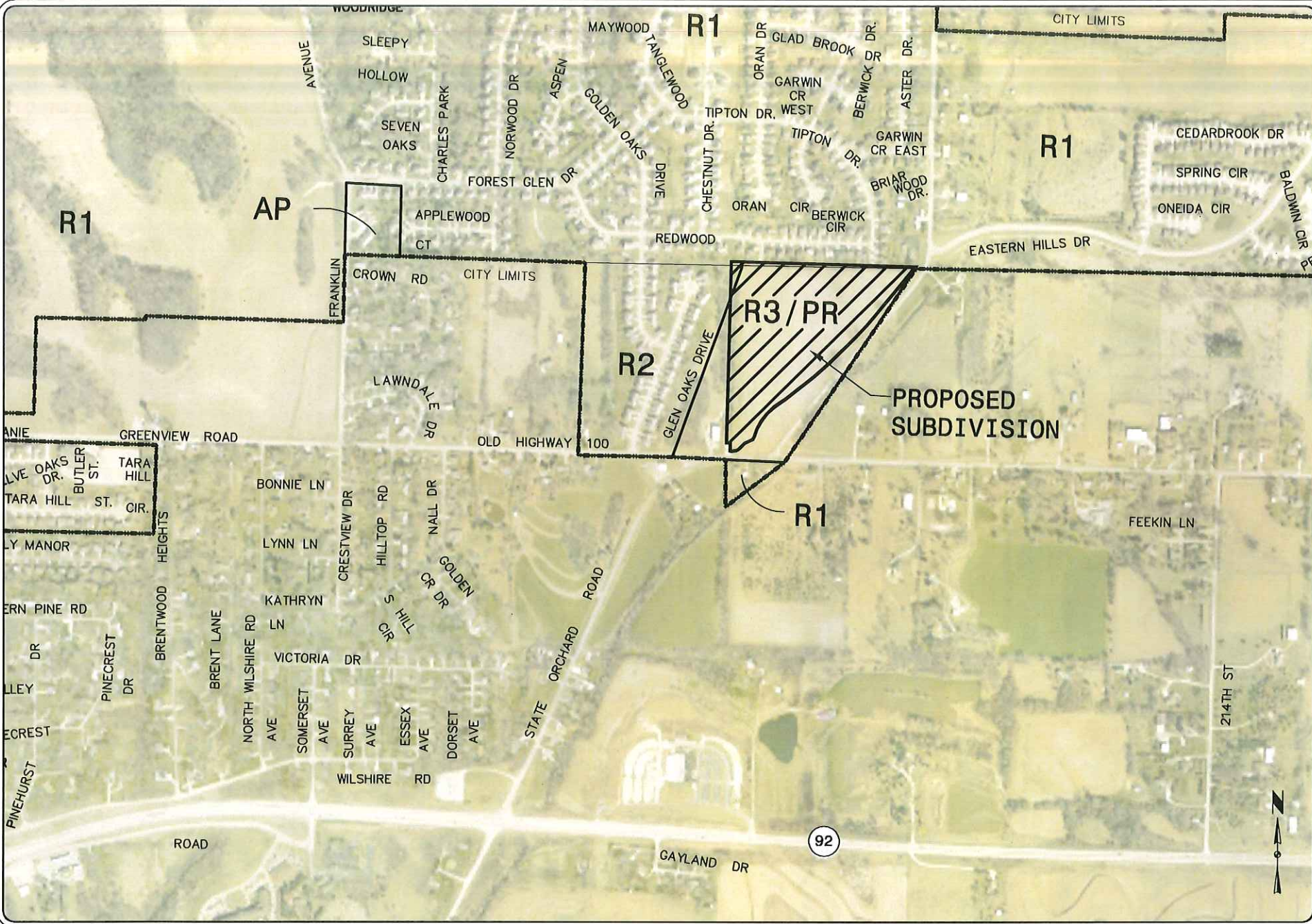
hgm
ASSOCIATES INC.
840 FIFTH AVENUE
COUNCIL BLUFFS, IA
PHONE: 712-323-6530

hgm
ASSOCIATES INC.
840 FIFTH AVENUE
COUNCIL BLUFFS, IA
PHONE: 712-323-6530

PROJECT NO. _____
SHEET NO. _____
DATE _____
BY _____
CHECKED BY _____
APPROVED BY _____

GREENVIEW ESTATES SUBDIVISION
PROJECT
02 INVESTMENTS LLC
P.O. BOX 883, AYOCA, IOWA 51521
TITLE SHEET

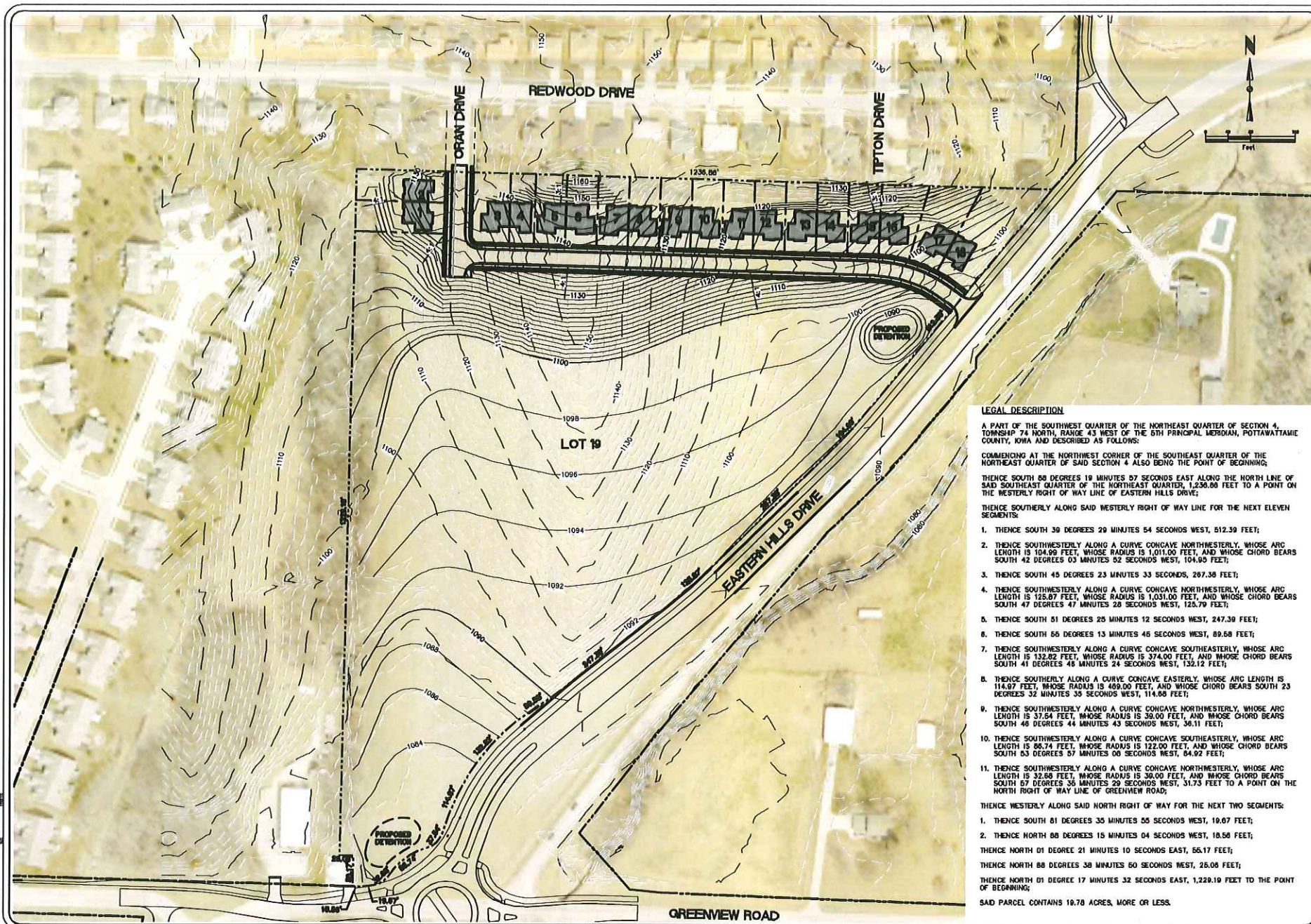
PROJECT NO.
106119
SHEET
A01



hgm
ASSOCIATES INC.
640 FIFTH AVENUE COUNCIL BLUFFS, IA
PHONE: 712-323-0030

PROJECT: GREENVIEW ESTATES SUBDIVISION
SHEET: A02

PROJECT NO. 105119
SHEET A02



LEGAL DESCRIPTION

A PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, POTTAWATTAMIE COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 4 ALSO BEING THE POINT OF BEGINNING;

THENCE SOUTH 88 DEGREES 19 MINUTES 57 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, 1,236.86 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF EASTERN HILLS DRIVE;

THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT OF WAY LINE FOR THE NEXT ELEVEN SEGMENTS:

1. THENCE SOUTH 39 DEGREES 29 MINUTES 54 SECONDS WEST, 512.39 FEET;
2. THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE NORTHWESTERLY, WHOSE ARC LENGTH IS 104.99 FEET, WHOSE RADIUS IS 1,011.00 FEET, AND WHOSE CHORD BEARS SOUTH 42 DEGREES 03 MINUTES 52 SECONDS WEST, 104.99 FEET;
3. THENCE SOUTH 45 DEGREES 23 MINUTES 33 SECONDS, 287.38 FEET;
4. THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE NORTHWESTERLY, WHOSE ARC LENGTH IS 125.67 FEET, WHOSE RADIUS IS 1,031.00 FEET, AND WHOSE CHORD BEARS SOUTH 47 DEGREES 47 MINUTES 28 SECONDS WEST, 120.79 FEET;
5. THENCE SOUTH 51 DEGREES 25 MINUTES 12 SECONDS WEST, 247.39 FEET;
6. THENCE SOUTH 56 DEGREES 13 MINUTES 46 SECONDS WEST, 89.58 FEET;
7. THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY, WHOSE ARC LENGTH IS 132.82 FEET, WHOSE RADIUS IS 374.00 FEET, AND WHOSE CHORD BEARS SOUTH 41 DEGREES 48 MINUTES 24 SECONDS WEST, 130.12 FEET;
8. THENCE SOUTHERLY ALONG A CURVE CONCAVE EASTERLY, WHOSE ARC LENGTH IS 114.67 FEET, WHOSE RADIUS IS 499.00 FEET, AND WHOSE CHORD BEARS SOUTH 23 DEGREES 32 MINUTES 35 SECONDS WEST, 114.67 FEET;
9. THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE NORTHWESTERLY, WHOSE ARC LENGTH IS 37.54 FEET, WHOSE RADIUS IS 39.00 FEET, AND WHOSE CHORD BEARS SOUTH 46 DEGREES 44 MINUTES 43 SECONDS WEST, 36.11 FEET;
10. THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY, WHOSE ARC LENGTH IS 66.74 FEET, WHOSE RADIUS IS 122.00 FEET, AND WHOSE CHORD BEARS SOUTH 63 DEGREES 57 MINUTES 00 SECONDS WEST, 64.92 FEET;
11. THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE NORTHWESTERLY, WHOSE ARC LENGTH IS 32.58 FEET, WHOSE RADIUS IS 38.00 FEET, AND WHOSE CHORD BEARS SOUTH 67 DEGREES 36 MINUTES 29 SECONDS WEST, 31.73 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF GREENVIEW ROAD;

THENCE WESTERLY ALONG SAID NORTH RIGHT OF WAY FOR THE NEXT TWO SEGMENTS:

1. THENCE SOUTH 81 DEGREES 35 MINUTES 50 SECONDS WEST, 18.67 FEET;
2. THENCE NORTH 88 DEGREES 15 MINUTES 04 SECONDS WEST, 18.58 FEET;
- THENCE NORTH 01 DEGREE 21 MINUTES 10 SECONDS EAST, 55.17 FEET;
- THENCE NORTH 88 DEGREES 38 MINUTES 50 SECONDS WEST, 25.05 FEET;
- THENCE NORTH 01 DEGREE 17 MINUTES 32 SECONDS EAST, 1,229.19 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS 19.78 ACRES, MORE OR LESS.

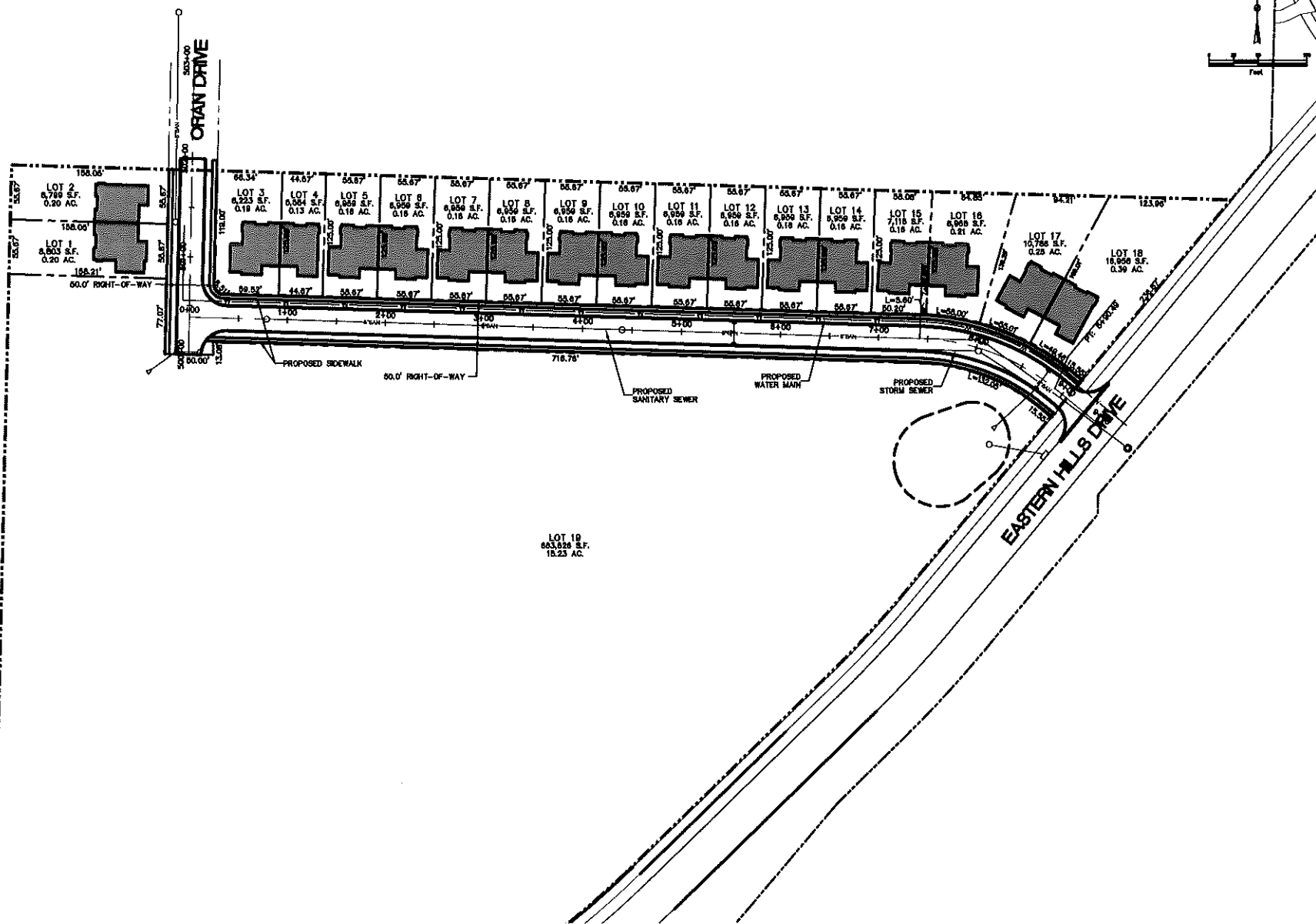
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hgm
ASSOCIATES INC.
ENGINEERING ARCHITECTURE SURVEYING
council bluffs iowa

DATE	10/11/19
BY	J.E.L.
CHECKED	J.E.L.
DATE	10/11/19
BY	J.E.L.
CHECKED	J.E.L.

PROJECT GREENVIEW ESTATES SUBDIVISION
CLIENT 92 INVESTMENTS LLC
P.O. BOX 653, ANOKA, IOWA 51521
SHEET PRELIMINARY PLAN - OVERALL SITE

PROJECT NO. 106119
SHEET C.01



hgm
ASSOCIATES INC.
ENGINEERING ARCHITECTURE SURVEYING
coral bluffs omaha

DATE	10/1/2011
BY	JEL
CHECKED	JEL
APPROVED	JEL
DATE	10/1/2011

PROJECT GREENVIEW ESTATES SUBDIVISION
OWNER S2 INVESTMENTS LLC
P.O. BOX 883, ANCHORAGE, ALASKA 99501
PRELIMINARY PLAN - TOWNHOMES

PROJECT NO. 108119
SHEET C.02