



**Study Session Agenda  
City of Council Bluffs, Iowa  
June 8, 2020, 3:45 PM  
Council Chambers, 2nd Floor, City Hall  
209 Pearl Street**

**STUDY SESSION AGENDA**

- A. Humane Society Discussion - Nikki Cruichshank & Alex Gum
- B. Covid CDBG - Brandon Garrett & Courtney Harter
- C. Review Agenda
- D. 657A housing redevelopment pilot program - Matt Mardensen

**Executive Session**

- A. Property Acquisition - Courtney Harter
- B. Pending Litigation - Dick Wade





**Council Agenda, City of Council Bluffs, Iowa  
Regular Meeting June 8, 2020, 7:00 PM  
Council Chambers, 2nd Floor, City Hall  
209 Pearl Street**

**AGENDA**

**1. PLEDGE OF ALLEGIANCE**

**2. 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://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.

**3. CONSENT AGENDA**

- A. Approval of Agenda & tape recordings of these proceedings to be incorporated into the official minutes.
- B. Reading, correction and approval of the May 18, 2020 & June 1, 2020 City Council Meeting Minutes.

**C. Ordinance 6414**

Ordinance to amend Chapter 15.23 "Off-Street Parking, Loading and Unloading" (Zoning Ordinance,) and setting a Public Hearing for June 22, 2020 at 7:00 p.m., by amending Section 15.23.020 "General Provisions." ZT-20-001

**D. Ordinance 6415**

Ordinance to amend the zoning map as adopted by reference in section 15.02.070, and setting a Public Hearing for June 22, 2020 at 7:00 p.m., by rezoning Lots 16-30, Block 37, Brown's Subdivision and the east/west alleyway adjacent from P-C/Planned Commercial District to C-2/Commercial District as defined in chapter 15.15. Location: Northwest corner of South 35th Street and 14th Avenue. ZC-20-003



- E. Ordinance 6416  
Ordinance to amend chapter 15.19 "P-I/Planned Industrial District" (Zoning Ordinance) and setting a Public Hearing for June 22, 2020 at 7:00 p.m. by amending section 15.19.020 "Principal Uses" to include "Manufacturing, General" and "Retail Shopping Establishment" and by amending section 15.19.030 "Conditional Uses" to remove "Manufacturing, General." ZT-20-002
- F. Resolution 20-138  
Resolution of intent to vacate and setting a Public Hearing for June 22, 2020 at 7:00 p.m. for city property described as Lot 8, Catalpa Block Subdivision. Location: the property was formerly addressed as 3133 Avenue B. OTB-20-005
- G. Resolution 20-139  
Resolution setting a public hearing for 7:00 p.m. on June 22, 2020 for right-of-way authorization in connection with the West Broadway Reconstruction, Segment 5. Project # PW21-20
- H. Resolution 20-140  
Resolution of intent to dispose of and setting a Public Hearing for June 22, 2020 at 7:00 p.m. for city property described as Lots 9 and 10, Block 5, McMahon Cooper and Jefferis Addition. Location: the property was formerly addressed as 1228 6th Avenue. OTB-20-007
- I. Resolution 20-141  
Resolution of intent to dispose of and setting a Public Hearing for June 22, 2020 at 7:00 p.m. for city property described as Lot 8, Catalpa Block Subdivision. Location: the property was formerly addressed as 3133 Avenue B. OTB-20-008
- J. Resolution 20-142  
Resolution of intent and setting a public hearing for June 22, 2020 at 7:00 p.m. to dispose of certain property interests legally described as being the West five feet of the North 327.15 feet and the West 15 feet of the South 15 feet of Block 4, River's Edge Subdivision, by granting an easement for the benefit of MidAmerican Energy Company. Location: Lying southeast of the intersection of Avenue 'B' and North 40th Street within the River's Edge Development.
- K. Resolution 20-143  
Resolution accepting the work of Carley Construction, LLC as complete and authorizing release of retainage after 30 days if no claims are filed in connection with the South 1st Street Neighborhood Rehab, Phase IX. Project #PW19-12
- L. Resolution 20-144  
Resolution accepting the work of Huffman Engineering, Inc. as complete and authorizing release of retainage after 30 days if no claims are filed in connection with the SCADA Upgrade, Phase 1 (WPCP). Project #PW17-23



- M. Mayor's Appointments
  - Parks and Recreation Commission
- N. Claims
- O. Notice of Right of Redemption
- P. Lawsuits

#### **4. ORDINANCES ON 2ND READING**

- A. Ordinance 6411
  - Ordinance establishing the 5th & West Broadway Urban Revitalization Area.
- B. Ordinance 6412
  - Ordinance establishing the 14th Avenue Urban Revitalization Area
- C. Ordinance 6413
  - An Ordinance to amend Chapter 12.02 "Miscellaneous Provisions" of the 2015 Municipal Code of Council Bluffs, Iowa, by amending Section 12.02.056 "Open Burn Prohibited".

#### **5. ORDINANCES ON 3RD READING**

- A. Ordinance 6408
  - Ordinance to amend the zoning map as adopted by reference in section 15.02.070, by rezoning property legally described as Lot 7 and the east 5 feet of Lot 8, Block 9, Everett's Addition, and the property legally described as the west 50 feet of Lot 8, Block 9, Everett's Addition, from R-2/Two-Family Residential District to R-3/Low Density Multifamily Residential District as defined in chapter 15.10. Location: 1728 and 1730 3rd Avenue.

#### **6. RESOLUTIONS**

- A. Resolution 20-145
  - Resolution authorizing the purchase of a 2020 F450 Ambulance for the Council Bluffs Fire Department
- B. Resolution 20-146
  - Resolution authorizing the City Clerk to certify assessments against properties to the Pottawattamie County Treasurer for unreimbursed costs incurred by the city for the abatement of weeds and the removal of solid waste nuisances upon properties and directing them to be collected in the same manner as a property tax
- C. Resolution 20-147
  - Resolution authorizing a joint application to the Iowa Economic Development Authority (IEDA) by the City of Council Bluffs and Pottawattamie County Development Corporation D/B/A The 712 Initiative for Disaster Workforce Housing Tax Incentive Program - Disaster Recovery benefits.



- D. Resolution 20-148  
Resolution accepting the bid of Carley Construction, LLC for the Oakland Drive Rehabilitation. Project # PW20-15
- E. Resolution 20-149  
Resolution abolishing one Division Secretary position and creating the position of Customer Services Specialist.
- F. Resolution 20-150  
Resolution authorizing the Mayor to execute the Order Accepting Acknowledgment/Settlement Agreement from Dollar General Store #1574, 2731 E. Kaneshville Blvd., Council Bluffs, IA 51503 for violation of Iowa Code Section 453A.2(1).
- G. Resolution 20-151  
Resolution authorizing the Mayor and City Clerk to execute a Real Estate Exchange Agreement with Council Bluffs Water Works in connection with Levee Certification Project, Geotechnical MR\_3. Project PW17-06C
- H. Resolution 20-152  
Resolution approving the use of 2020 Community Development Block Grant-COVID 19 (CDBG-CV) funds and directing the mayor to submit the 2019 Amendment to the Annual Action Plan to the City of Omaha and the U.S. Department of Housing and Urban Development (HUD)

## **7. APPLICATIONS FOR PERMITS AND CANCELLATIONS**

- A. Liquor Licenses
  - 1. Barley's, 114 W Broadway
  - 2. Bike Night (Summer Special Events), 100 Block of W Broadway
  - 3. Caddy Shack, 1426 4th Avenue
  - 4. Latino Market, 1535 Avenue G
  - 5. Salty Dog Bar and Grill, 2411 S 24th Street, Ste 6
  - 6. Spillway Grill and Bar, 1840 Madison Avenue
  - 7. StreetSide Lounge, 319 N 16th Street
  - 8. Super Convenience Store, 2547 2nd Avenue
  - 9. The Hub Fly Zone (New), 7 S 4th Street
  - 10. Walgreens #03700, 535 E Broadway
  - 11. Walgreens #04405, 2508 W Broadway
  - 12. Walgreens #05306, 301 W Bennett Avenue
- B. Tobacco Permits



## **8. CITIZENS REQUEST TO BE HEARD**

### **A. Citizen's Request to be Heard**

Request of PL Storage Solutions LLC to purchase City-owned property legally described as the East 14 feet of Lot 29, the entirety of Lot 30, and the West 6 feet of Lot 31, all in Block 2, Twin City Place, and the South half of the vacated alley adjacent. Location: the property was formerly addressed as 2710 2nd Avenue. OTB-20-006

## **9. OTHER BUSINESS**

## **10. ADJOURNMENT**

### **DISCLAIMER:**

*If you plan on attending this meeting and require assistance please notify the City Clerk's office at (712) 890-5261, by 5:00 p.m., three days prior to the meeting.*



## Council Communication

Department: City Clerk  
Case/Project No.:  
Submitted by:

Review Agenda  
ITEM C.

Council Action: 6/8/2020

<b>Description</b>
--------------------

<b>Background/Discussion</b>
------------------------------

<b>Recommendation</b>
-----------------------



## Council Communication

Department: City Clerk  
Case/Project No.:  
Submitted by:

657A housing redevelopment pilot  
program - Matt Mardensen  
ITEM D.

Council Action: 6/8/2020

<b>Description</b>
--------------------

<b>Background/Discussion</b>
------------------------------

<b>Recommendation</b>
-----------------------





## City Council Meeting Minutes May 18, 2020

### CALL TO ORDER

Meeting was held electronically with Zoom meetings pursuant to administrative action taken by City Council on March 23, 2020 regarding the Covid-19 pandemic.

Mayor Matthew Walsh called the meeting to order at 7:00 p.m. on Monday May 18, 2020.

Council Members present: Joe Disalvo, Chad Hannan, Melissa Head, Roger Sandau and Mike Wolf.

Staff Present: Matt Mardesen, Richard Wade and Jodi Quakenbush.

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://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.

### CONSENT AGENDA

Approval of Agenda & tape recordings of these proceedings to be incorporated into the official minutes.

Reading, correction and approval of the May 4, 2020 City Council Meeting Minutes.

Resolution 20-125

Resolution accepting the work of Bluffs Paving and Utility Co. Inc. as complete and authorizing release of retainage after 30 days if no claims are filed in connection with the S. 6th Street Reconstruction.

Project #PW18-08

Resolution 20-126

Resolution of necessity and intent and setting a Public Hearing for June 22, 2020 at 7:00 p.m. to amend the South Pointe Urban Revitalization Area as legally described in the Council packet. Location: South 19th Street from Veteran's Memorial Highway to Gifford Road.



## March FY20 Financial Reports & Notice of Right of Redemption

Roger Sandau and Melissa Head moved and seconded approval of Consent Agenda. Unanimous, 5-0 vote.

### **MAYORS PROCLAMATIONS**

Mayor read National Foster Care Month Proclamation.

### **PUBLIC HEARINGS**

#### Ordinances 6406 & 6407

Ordinance 6406 to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning the Gerald W. Kim Middle School campus, more specifically described in the Council packet, from R-3/Low Density Multifamily Residential District to A-P/Administrative-Professional District as defined in chapter 15.13. Location: the northwest corner of the intersection of East Kanesville Boulevard and North Avenue.

Ordinance 6407 to amend the zoning map as adopted by reference in section 15.02.070, by rezoning the Hoover Elementary School campus, more specifically described in the Council packet, from R-3/Low Density Multifamily Residential District to A-P/Administrative-Professional District as defined in chapter 15.13. Location: 1205 North Broadway Street.

Mike Wolf and Melissa Head moved and seconded approval of Second Consideration of Ordinances 6406 & 6407. Unanimous, 5-0 vote.

Roger Sandau and Chad Hannan moved and seconded approval of Motion to waive Third Consideration of Ordinances 6406 & 6407. Ordinances pass to Law. Unanimous, 5-0 vote.

#### Ordinance 6408

Ordinance to amend the zoning map as adopted by reference in section 15.02.070, by rezoning property legally described as Lot 7 and the east 5 feet of Lot 8, Block 9, Everett's Addition, and the property legally described as the west 50 feet of Lot 8, Block 9, Everett's Addition, from R-2/Two-Family Residential District to R-3/Low Density Multifamily Residential District as defined in chapter 15.10. Location: 1728 and 1730 3rd Avenue.

Chad Hannan and Mike Wolf moved and seconded approval of Second Consideration of Ordinance 6408. Third Consideration will be held June 8, 2020 at 7:00 p.m. Unanimous, 5-0 vote.



Resolution 20-127

Resolution to vacate and dispose of the east/west alley platted in Block 1, Mynster Place. Location: 1615 Henry Street and 124 Elliott Street.

Chad Hannan and Mike Wolf moved and seconded approval of Resolution 20-127. Unanimous, 5-0 vote.

Resolution 20-128

Resolution to approve a proposed amendment to the current city budget for the fiscal year ending June 30, 2020.

Mike Wolf and Chad Hannan moved and seconded approval of Resolution 20-128. Unanimous, 5-0 vote.

Resolution 20-129

Resolution to dispose of city property described as the East 14 feet of Lot 66, Belmont Addition. Location: Between 1500 N. 17th Street and the northern parking lot for Stan Bahnsen Park on Avenue O.

Roger Sandau and Melissa Head moved and seconded approval of Resolution 20-129. Unanimous, 5-0 vote.

Resolution 20-134

Resolution approving the Urban Revitalization Plan for the 14th Avenue Urban Revitalization Area. URV-20-003

Heard from Chris Richleau, 1425 9th Avenue

Roger Sandau and Joe Disalvo moved and seconded approval of Resolution 20-134. Unanimous, 5-0 vote.

Resolution 20-135

Resolution approving the Urban Revitalization Plan for the 5th & West Broadway Urban Revitalization Area. URV-20-002

Chad Hannan and Melissa Head moved and seconded approval of Resolution 20-135. Unanimous, 5-0 vote.

**ORDINANCES ON 1ST READING**

Ordinance 6411

Ordinance establishing the 5th & West Broadway Urban Revitalization Area.

Melissa Head and Roger Sandau moved and seconded approval of First Consideration of Ordinance 6411. Second Consideration will be June 8, 2020 at 7:00 p.m. Unanimous, 5-0 vote.



#### Ordinance 6412

Ordinance establishing the 14th Avenue Urban Revitalization Area

Roger Sandau and Melissa Head moved and seconded approval of First Consideration of Ordinance 6412. Second Consideration will be June 8, 2020 at 7:00 p.m.. Unanimous, 5-0 vote.

#### Ordinance 6413

An Ordinance to amend Chapter 12.02 "Miscellaneous Provisions" of the 2015 Municipal Code of Council Bluffs, Iowa, by amending Section 12.02.056 "Open Burn Prohibited".

Mike Wolf and Chad Hannan moved and seconded approval of First Consideration of Ordinance 6413. Second Consideration will be June 8, 2020 at 7:00 p.m.. Unanimous, 5-0 vote.

### **ORDINANCES ON 2ND READING**

#### Ordinance 6410

Ordinance to amend Chapter 2.08 "Schedule of Fees" of the 2015 Municipal Code of Council Bluffs, Iowa, by amending Section 2.08.030 "Waiver Of Fees".

Melissa Head and Roger Sandau moved and seconded approval of Second Consideration of Ordinances 6410. Unanimous, 5-0 vote.

Mike Wolf and Chad Hannan moved and seconded approval of Motion to waive Third Consideration of Ordinances 6410. Ordinance passes to Law.. Unanimous, 5-0 vote.

#### Ordinance 6409

Ordinance establishing the Veterans Memorial Highway Urban Revitalization Area with the City of Council Bluffs.

Chad Hannan and Roger Sandau moved and seconded approval of Second Consideration of Ordinance 6409. Unanimous, 5-0 vote.

Chad Hannan and Melissa Head moved and seconded approval of Motion to waive Third Consideration of Ordinance 6409. Ordinance passes to Law. Unanimous, 5-0 vote.

### **RESOLUTIONS**

#### Resolution 20-130

Resolution authorizing the City of Council Bluffs Legal Department to proceed as proposed in executive session held on February 24, 2020.

Mike Wolf and Chad Hannan moved and seconded approval of Resolution 20-130. Unanimous, 5-0 vote.



Resolution 20-131

Resolution accepting the bid of Compass Utility, LLC for the East Manawa Sewer Rehab, Phase IX. Project # PW21-09

Roger Sandau and Melissa Head moved and seconded approval of Resolution 20-131. Unanimous, 5-0 vote.

Resolution 20-132

Resolution to set the non-union wage increase for FY21

Mike Wolf and Chad Hannan moved and seconded approval of Resolution 20-132. Unanimous, 5-0 vote.

Resolution 20-133

Resolution authorizing the Mayor to execute the Order Accepting the Acknowledgement/Settlement Agreement from 42 Degrees Pipes and Tobacco, 3030 W. Broadway; Bucky's #17, 1759 Madison Avenue; Fareway Stores, Inc. #73, 310 McKenzie Avenue; Hy-Vee Food Store #2, 1745 Madison Avenue; Mega Saver, 3540 W. Broadway AND White Oak Station, 2024 5th Avenue.

Roger Sandau and Melissa Head moved and seconded approval of Resolution 20-133. Passed, 5-0 vote.

Resolution 20-136

Resolution adopting a site-specific signage plan for Gerald W. Kim Middle School campus located at the northwest corner of the intersection of East Kanesville Boulevard and North Avenue.

Mike Wolf and Joe Disalvo moved and seconded approval of Resolution 20-136. , 5-0 vote.

**APPLICATIONS FOR PERMITS AND CANCELLATIONS**

Liquor Licenses: 1) Big Kel's Pizza & Wings, 40 Arena Way, Ste 11 (NEW), 2) Bucky's #16, 7 North 16th Street, 3) Bucky's #17, 1759 Madison Avenue, 4) Bucky's #22, 3434 Nebraska Avenue, 5) Bucky's #27, 2711 S 24th Street, 6) Bucky's #34, 3501 W Broadway, 7) Eagles Club, 1530 Avenue F, 8) Full Fledged Brewing Company, 40 Arena Way, Ste 40-2, 9) Jonesy's Corner, 2752 W Broadway, 10) Main Street Tavern, 519 South Main Street, 11) O Face Bar, 2400 9th Avenue

Cigarette Permits

Roger Sandau and Melissa Head moved and seconded approval of Application for permits and cancellations, Item 8A 1-11 & 8B. Unanimous, 5-0 vote.



## **CITIZENS REQUEST TO BE HEARD**

Heard from Kendal Esteves regarding National Foster Care Month Proclamation.

## **ADJOURNMENT**

Mayor Walsh adjourned the meeting at 7:24 p.m.

The tape recording of this proceeding, though not transcribed, is part of the record of each respective action of the City Council. The tape recording of this proceeding is incorporated into these official minutes of this Council meeting as if they were transcribed herein.

---

Matthew J. Walsh, Mayor

---

Attest: Jodi Quakenbush, City Clerk





## **City Council Special Meeting Minutes June 1, 2020**

### **CALL TO ORDER**

Meeting was held electronically with Zoom meetings pursuant to administrative action taken by City Council on March 23, 2020 regarding the Covid-19 pandemic.

Mayor Matthew Walsh called the special meeting to order at 2:00 p.m. on Monday

June 1, 2020.

Council Members present: Joe Disalvo, Chad Hannan, Melissa Head, Roger Sandau and Mike Wolf.

Staff Present: Matt Mardesen, Richard Wade and Jodi Quakenbush.

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://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.

### **RESOLUTIONS**

Resolution 20-137

Resolution setting the dates and times to permit the discharge of consumer fireworks for year 2020

Roger Sandau and Chad Hannan moved and seconded approval of Resolution 20-137, as amended to add Thursday July 2, 2020 from 6:00 p.m. to 11:00 p.m. to the dates listed.. Unanimous, 5-0 vote.

### **CITIZENS REQUEST TO BE HEARD**

None



## **ADJOURNMENT**

Mayor Walsh adjourned the meeting at 2:10 p.m.

The tape recording of this proceeding, though not transcribed, is part of the record of each respective action of the City Council. The tape recording of this proceeding is incorporated into these official minutes of this Council meeting as if they were transcribed herein.

---

Matthew J. Walsh, Mayor

---

Attest: Jodi Quakenbush, City Clerk



## Council Communication

Department: Community  
Development  
Case/Project No.: ZT-20-001  
Submitted by: Chris Meeks,  
Planner

Ordinance 6414  
ITEM 3.C.

Council Action: 6/8/2020

### Description

Ordinance to amend Chapter 15.23 "Off-Street Parking, Loading and Unloading" (Zoning Ordinance,) and setting a Public Hearing for June 22, 2020 at 7:00 p.m., by amending Section 15.23.020 "General Provisions." ZT-20-001

### Background/Discussion

See attachments.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
ZT-20-001 Staff Report	Other	5/28/2020
ZT-20-001 Attachment A	Other	5/28/2020
Public Hearing Notice	Other	5/28/2020
Ordinance 6414	Ordinance	6/3/2020



### City Council Communication

Department: Community Development  Case #ZT-20-001  Applicant: City of Council Bluffs	Ordinance No.	Planning Commission: 5/12/2020  1 <sup>st</sup> Consideration: 6/08/2020 2 <sup>nd</sup> Consideration: 6/22/2020 3 <sup>rd</sup> Consideration: Request to be waived
<p style="text-align: center;"><b>Subject/Title</b></p> <p>CASE #ZT-20-001: Public hearing on the request of the Community Development Department to amend Section 15.23.020(A) General Provisions relative to the applicability of when off-street parking, loading, and unloading areas shall comply with the standards specified in Chapter 15.23 Off-Street Parking, Loading and Unloading of the Council Bluffs Municipal Code (Zoning Ordinance).</p>		
<p style="text-align: center;"><b>Background</b></p> <p>The Community Development Department is proposing a text amendment to Title 15 of the Municipal Code (Zoning Ordinance) to replace the existing Section 15.23.020(A) which states “Whenever an addition to an existing structure is proposed, all of the applicable provisions contained within this chapter regarding number of spaces, area or usability of existing parking, loading, and unloading spaces or other areas requiring a paved surface, shall be complied with.” with the following:</p> <p><i>Section 15.23.020 (A) All of the applicable provisions contained within this chapter regarding number of spaces, area or usability of existing parking, loading, and unloading spaces or other areas requiring a paved surface shall be complied with when any of the following actions occur:</i></p> <ol style="list-style-type: none"> <li>1. <i>Construction of any new residential and/or non-residential development;</i></li> <li>2. <i>Building additions, expansions, and/or remodels for existing development:</i> <ol style="list-style-type: none"> <li>a. <i>Non-residential uses: Any building addition(s), expansion(s), and/or remodel(s) that results an increase in the total number of required off-street parking spaces for a premises by 50% or more; and</i></li> <li>b. <i>Residential uses: Any addition or remodel that increases the total number of dwelling units on a premises, or any conversion of an existing dwelling into a group care home, boarding, lodging, or rooming house and/or bed and breakfast use.</i></li> </ol> </li> <li>3. <i>Building additions and/or detached accessory structures that are designed in a manner where they are capable of being used for parking motorized vehicles, recreational vehicles, and/or boats, or which are intended to be used for loading/unloading, warehousing and distributing stored items, materials, and/or products shall be accessed by a hard-surfaced paved driveway in accordance with the standards stated in this Chapter; and</i></li> <li>4. <i>All off-street parking requirements associated with any special zoning overlay, development plan, or master planned area in the City shall supersede the requirements stated in this Chapter.</i></li> </ol> <p>The purpose of the proposed text amendment to §15.23.020(A) is to allow greater flexibility to private residences and businesses to construct minor additions to principal structures on the property that would not otherwise affect the parking needs of said use, and would not need to bring the entirety of the property into compliance with the parking lot standards outlined in the Zoning Ordinance. Currently, any addition to a principal structure on a property requires full compliance of the parking lots on the property, regardless of whether the addition would have any other impacts on the site, including the number of parking stalls required. For residential properties, full parking area compliance would not be required until additional dwelling units are added on the premises (i.e. converting a single family dwelling into a multifamily dwelling or duplex), or a dwelling is converted into a higher intensive use such as a boarding, lodging, and/or rooming</p>		



house. On commercial properties, full parking area compliance would not be required until the number of required parking spaces (as required by Section 15.23.060 *Parking Spaces Required*) increases by 50% or more (i.e. a business that requires 10 parking spaces can expand until such time that the business would require 15 parking spaces).

The proposed standard A.3 provides clarification that buildings that are designed or constructed as being capable of providing parking for a vehicle would require that a driveway be paved to a roadway or alley.

If approved, the proposal would not allow any nonconforming parking areas to be expanded in a manner that would increase the area of nonconformity of a parking area. This amendment is providing an equitable solution which would allow businesses to expand or remodel to a point where off-street parking compliance is required. The proposed text amendment would not supersede any zoning overlay districts, development plans, master plan requirements, or conditional use permit regulations, and those subject properties would be subject to the compliance requirements of those plans.

All City departments and utility providers received a copy of the proposed text amendments. The Council Bluffs Fire Marshall and Council Bluffs Water Works all responded that they have no comments on the request.

No other comments have been received.

### **Recommendation**

The Community Development Department recommends approval of the request to amend Section 15.23.020(A) General Provisions of the Off-Street Parking, Loading and Unloading Chapter of the Council Bluffs Municipal Code (Zoning Ordinance), replacing the existing text with the following:

“Section 15.23.020 (A) All of the applicable provisions contained within this chapter regarding number of spaces, area or usability of existing parking, loading, and unloading spaces or other areas requiring a paved surface shall be complied with when any of the following actions occur:

1. Construction of any new residential and/or non-residential development;
2. Building additions, expansions, and/or remodels for existing development:
  - a. Non-residential uses: Any building addition(s), expansion(s), and/or remodel(s) that results an increase in the total number of required off-street parking spaces for a premises by 50% or more; and
  - b. Residential uses: Any addition or remodel that increases the total number of dwelling units on a premises, or any conversion of an existing dwelling into a group care home, boarding, lodging, or rooming house and/or bed and breakfast use.
3. Building additions and/or detached accessory structures that are designed in a manner where they are capable of being used for parking motorized vehicles, recreational vehicles, and/or boats, or which are intended to be used for loading/unloading, warehousing and distributing stored items, materials, and/or products shall be accessed by a hard-surfaced paved driveway in accordance with the standards stated in this Chapter; and
4. All off-street parking requirements associated with any special zoning overlay, development plan, or master planned area in the City shall supersede the requirements stated in this Chapter.”

### **Public Hearing**

Staff speakers for the request:

1. Christopher Meeks, Planner, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503
2. Christopher Gibbons, Planning Manager, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503



Speakers in favor: None

Speakers against: None

**Planning Commission Recommendation**

The Planning Commission recommended approval to amend Section 15.23.020(A) *General Provisions* relative to the applicability of when off-street parking, loading, and unloading areas shall comply with the standards specified in Chapter 15.23 Off-Street Parking, Loading and Unloading of the Council Bluffs Municipal Code (Zoning Ordinance), as per staff's recommendation.

VOTE: AYE 11    NAY 0    ABSTAIN 0    ABSENT 0    VACANT 0    Motion: Carried

**Attachment**

**Attachment A:** Proposed text amendment

Prepared by: Chris Meeks, Planner



### **15.23.20 General Provisions**

- A. ~~Whenever an addition to an existing structure is proposed, a~~All of the applicable provisions contained within this chapter regarding number of spaces, area or usability of existing parking, loading, and unloading spaces or other areas requiring a paved surface shall be complied with when ~~any of~~ the following actions occur:
1. ~~Construction of any new residential and/or non-residential development;~~
  2. ~~Building additions, expansions, and/or remodels for existing development:~~
    - a. ~~Non-residential uses: Any building addition(s), expansion(s), and/or remodel(s) that cause results an increase in the total number of required off-street parking spaces for a premises by 50% or more; and~~
    - b. ~~Residential uses: Any addition or remodel that increases the total number of dwelling units on a premises, or any conversion of an existing dwelling into a group care home, boarding, lodging, or rooming house and/or bed and breakfast use.~~
  3. ~~Building additions and/or detached accessory structures that are designed in a manner where they are capable of being used for parking motorized vehicles, recreational vehicles, and/or boats, or which are intended to be used for loading/unloading, warehousing and distributing stored items, materials, and/or products shall be accessed by a hard-surfaced paved driveway in accordance with the standards stated in this Chapter; and~~
  4. ~~All off-street parking requirements associated with any special zoning overlay, development plan, or master planned area in the City shall supersede the requirements stated in this Chapter.~~
- B. Contractual agreements may be made between uses which generate parking and at different intervals in such a manner that the requirements of more than one use may be met by the same space, provided the parking demand for each use involved is met. All other required parking spaces shall be located a distance not to exceed four hundred (400) feet from the building or use which they are required to serve, measured in a straight line from the building.
- C. In the event several uses occupy a structure or parcel of land, the total requirements for off-street parking or loading and unloading spaces shall be the sum of the requirements of the several uses computed separately.
- D. Parking and loading or unloading spaces shall not be located in a required front yard with the exception of commercial and industrial districts, but may be located within a required side or rear yard.
- E. All such off-street parking lots and areas, sales lots, apron space and loading and unloading spaces shall be so drained as to prevent damage to abutting properties and/or public streets;
- F. All off-street parking lots and areas, sales lots and loading and unloading spaces, including entrances, exits and driveway approaches shall be constructed of hard surface concrete, brick, or asphalt to prevent mud, dust, or loose material. Asphalt grindings and seal coats are not acceptable surfaces. Paving standards contained in this section should be considered minimum standards.
- G. In non one and two family uses, all parking surfaces, spaces, circulation and aisles along the outer boundaries of a parking lot, vehicle entry paths, apron spaces, all driveways and other traveled areas shall be set back a minimum of five feet from the property line unless required for approved access.



- H. Barriers must be located for lots over seven thousand five hundred (7,500) square feet in area to contain the parking within the approved parking lot. For parking lots with less than seven thousand five hundred (7,500) square feet in area the following setbacks shall only apply to the side(s) that directly abut public right-of-way. However, appropriate barriers are needed to protect adjacent buildings and structures on a zero setback side.

<b>Barrier</b>	<b>Setback from Property Line</b>	<b>Setback from Parking Surface</b>
A curb at least six inches in height	5 feet	0
Bump rail at least four inches in height	5 feet	3 feet
Guardrail barrier of eighteen to thirty (30) inches in height	5 feet	0
Post and cable barrier or bollard and chain of eighteen to thirty (30) inches in height	5 feet	0
Concrete, brick, metal or iron fence of twenty-four to forty-eight inches in height	5 feet	0

- I. Lighting which illuminates parking lots shall be consistent with CBMC 15.24.050.
- J. When a computation of required parking spaces results in a fraction of .5 or greater, the requirement shall be rounded up to the next whole number.

(Ord. 5532 § 1 (part), 2001)



## NOTICE OF PUBLIC HEARING

### TO WHOM IT MAY CONCERN:

A public hearing is to be held by the City Council of the City of Council Bluffs, Iowa, on the 22<sup>nd</sup> day of June, 2020 at 7:00 p.m. in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

The hearing is in regards to the City's intent to amend §15.23.020(A) of the Council Bluffs Municipal Code (Zoning Ordinance) by replacing the existing text: "Whenever an addition to an existing structure is proposed, all of the applicable provisions contained within this chapter regarding number of spaces, area or usability of existing parking, loading, and unloading spaces or other areas requiring a paved surface, shall be complied with" with the following new text: "All of the applicable provisions contained within this chapter regarding number of spaces, area or usability of existing parking, loading, and unloading spaces or other areas requiring a paved surface shall be complied with when any of the following actions occur:

1. Construction of any new residential and/or non-residential development;
2. Building additions, expansions, and/or remodels for existing development:
  - a. Non-residential uses: Any building addition(s), expansion(s), and/or remodel(s) that results an increase in the total number of required off-street parking spaces for a premises by 50% or more; and
  - b. Residential uses: Any addition or remodel that increases the total number of dwelling units on a premises, or any conversion of an existing dwelling into a group care home, boarding, lodging, or rooming house and/or bed and breakfast use.
3. Building additions and/or detached accessory structures that are designed in a manner where they are capable of being used for parking motorized vehicles, recreational vehicles, and/or boats, or which are intended to be used for loading/unloading, warehousing and distributing stored items, materials, and/or products shall be accessed by a hard-surfaced paved driveway in accordance with the standards stated in this Chapter; and
4. All off-street parking requirements associated with any special zoning overlay, development plan, or master planned area in the City shall supersede the requirements stated in this Chapter."

(CASE ZT-20-001)



**ORDINANCE NO. 6414**

**AN ORDINANCE TO AMEND CHAPTER 15.23 “OFF-STREET PARKING, LOADING AND UNLOADING” OF THE 2015 MUNICIPAL CODE (ZONING ORDINANCE) BY AMENDING SECTION 15.23.020 “GENERAL PROVISIONS”.**

**BE IT ORDAINED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA**

**SECTION 1.** That Chapter 15.23 “Off-Street Parking, Loading and Unloading” of the 2015 Municipal Code (Zoning Ordinance) is hereby amended by amending Section 15.23.020 “General Provisions” to read as follows:

**15.23.020 General Provisions**

- A. All of the applicable provisions contained within this chapter regarding number of spaces, area or usability of existing parking, loading, and unloading spaces or other areas requiring a paved surface shall be complied with when any of the following actions occur:
1. Construction of any new residential and/or non-residential development;
  2. Building additions, expansions, and/or remodels for existing development:
    - a. Non-residential uses: Any building addition(s), expansion(s), and/or remodel(s) that results an increase in the total number of required off-street parking spaces for a premises by 50% or more;
    - b. Residential uses: Any addition or remodel that increases the total number of dwelling units on a premises, or any conversion of an existing dwelling into a group care home, boarding, lodging, or rooming house and/or bed and breakfast use.
  3. Building additions and/or detached accessory structures that are designed in a manner where they are capable of being used for parking motorized vehicles, recreational vehicles, and/or boats, or which are intended to be used for loading/unloading, warehousing and distributing stored items, materials, and/or products shall be accessed by a hard-surfaced paved driveway in accordance with the standards stated in this Chapter;
  4. All off-street parking requirements associated with any special zoning overlay, development plan, or master planned area in the City shall supersede the requirements stated in this Chapter.
- B. Contractual agreements may be made between uses which generate parking and at different intervals in such a manner that the requirements of more than one use may be met by the same space, provided the parking demand for each use involved is met. All other required parking spaces shall be located a distance not to exceed four hundred (400) feet from the building or use which they are required to serve, measured in a straight line from the building.
- C. In the event several uses occupy a structure or parcel of land, the total requirements for off-street parking or loading and unloading spaces shall be the sum of the requirements of the several uses computed separately.



- D. Parking and loading or unloading spaces shall not be located in a required front yard with the exception of commercial and industrial districts, but may be located within a required side or rear yard.
- E. All such off-street parking lots and areas, sales lots, apron space and loading and unloading spaces shall be so drained as to prevent damage to abutting properties and/or public streets;
- F. All off-street parking lots and areas, sales lots and loading and unloading spaces, including entrances, exits and driveway approaches shall be constructed of hard surface concrete, brick, or asphalt to prevent mud, dust, or loose material. Asphalt grindings and seal coats are not acceptable surfaces. Paving standards contained in this section should be considered minimum standards.
- G. In non one and two family uses, all parking surfaces, spaces, circulation and aisles along the outer boundaries of a parking lot, vehicle entry paths, apron spaces, all driveways and other traveled areas shall be set back a minimum of five feet from the property line unless required for approved access.
- H. Barriers must be located for lots over seven thousand five hundred (7,500) square feet in area to contain the parking within the approved parking lot. For parking lots with less than seven thousand five hundred (7,500) square feet in area the following setbacks shall only apply to the side(s) that directly abut public right-of-way. However, appropriate barriers are needed to protect adjacent buildings and structures on a zero setback side.

<b>Barrier</b>	<b>Setback from Property Line</b>	<b>Setback from Parking Surface</b>
A curb at least six inches in height	5 feet	0
Bump rail at least four inches in height	5 feet	3 feet
Guardrail barrier of eighteen to thirty (30) inches in height	5 feet	0
Post and cable barrier or bollard and chain of eighteen to thirty (30) inches in height	5 feet	0
Concrete, brick, metal or iron fence of twenty-four to forty-eight inches in height	5 feet	0

- I. Lighting which illuminates parking lots shall be consistent with CBMC 15.24.050.
- J. When a computation of required parking spaces results in a fraction of .5 or greater, the requirement shall be rounded up to the next whole number.

(Ord. 5532 § 1 (part), 2001)

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.



**SECTION 3. SEVERABILITY CLAUSE.** If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED  
AND  
APPROVED

June 22, 2020.

\_\_\_\_\_  
MATTHEW J. WALSH

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH

\_\_\_\_\_  
City Clerk

First Consideration: 6-8-20

Second Consideration: 6-22-20

Public Hearing: 6-22-20

Third Consideration: \_\_\_\_\_



## Council Communication

Department: Community  
Development  
Case/Project No.: ZC-20-003  
Submitted by: Chris Meeks,  
Planner

Ordinance 6415  
ITEM 3.D.

Council Action: 6/8/2020

### Description

Ordinance to amend the zoning map as adopted by reference in section 15.02.070, and setting a Public Hearing for June 22, 2020 at 7:00 p.m., by rezoning Lots 16-30, Block 37, Brown's Subdivision and the east/west alleyway adjacent from P-C/Planned Commercial District to C-2/Commercial District as defined in chapter 15.15. Location: Northwest corner of South 35th Street and 14th Avenue. ZC-20-003

### Background/Discussion

See attachments.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
ZC-20-003 Staff Report	Other	5/28/2020
ZC-20-003 Attachments A - J	Other	5/28/2020
Public Hearing Notice	Other	5/28/2020
Ordinance 6415	Ordinance	6/3/2020



City Council Communication

<p>Department: Community Development Department</p> <p>CASES #ZC-20-003 and #SAV-20-002</p> <p>Applicant: Cherry Ridge Construction, Inc. Rep. Chris Rochleau 1425 9<sup>th</sup> Avenue Council Bluffs, IA 51501</p> <p>Property Owner: 92 Investments, LLC 22735 James Drive Council Bluffs, IA 51501</p>	<p>Ordinance No. _____</p> <p>Resolution No. _____</p>	<p>Planning Commission: 5/12/2020</p> <p>CASE#ZC-20-003 1<sup>st</sup> Consideration: 2<sup>nd</sup> Consideration: 3<sup>rd</sup> Consideration</p> <p>CASE#SAV-20-002 Resolution of Intent: Resolution to Dispose:</p>
---	--	--

**Subject/Title**

**Request:** Combined public hearing on the request of Cherry Ridge Construction, represented by Chris Rochleau, to rezone the properties legally described as Lots 16-30, Block 37, Brown's Subdivision and the east/west alleyway adjacent, City of Council Bluffs, Pottawattamie County, Iowa from P-C/Planned Commercial to C-2/Commercial District, and to vacate said east/west alleyway platted in Block 37, Brown's Subdivision.

**Location:** Northwest Corner of South 35<sup>th</sup> Street and 14<sup>th</sup> Avenue

**Background/Discussion**

*These cases were first heard by the Planning Commission on April 14, 2020, at which time the Commission voted to postpone the request to allow the applicant additional time to submit an engineered site plan with storm sewer, stormwater detention, a utility plan, and a parking plan. The applicant has submitted the requested plans, and the document has been included as Attachment C.*

The Community Development Department has received an application from Cherry Ridge Construction, represented by Chris Rochleau, to rezone the property described above, and to vacate the east/west alleyway platted in Block 37, Brown's Subdivision. The applicant is requesting the rezoning to build two contractor shops that will have 12 bays each in two phases. The rezoning has been requested because contractor shops are not a permitted use in the P-C/Planned Commercial District, in which the property is currently zoned, but is a permitted principal use in the C-2/Commercial District. The applicant has requested that the adjacent alleyway be vacated to allow additional space for setbacks, and to access the rear of the buildings that are to be constructed on the property.

The following attachments are included with this report for reference purposes:

- Attachment A: Case Map
- Attachment B: Letter of Intent
- Attachment C: Site and Utility Plan
- Attachment D: Building Renderings
- Attachment E: Building 1 Interior Layout
- Attachment F: Letter of Support from Frank Krejci
- Attachment G: Letter of Support and Attachments from John Jerkovich
- Attachment H: Letter in Opposition from Petersen Law on behalf of Property Investments Inc.



Attachment I: Letter in Opposition and Attachments from Mark McKeever  
Attachment J: Letter of Support from Tyler Borman, DEB Partnership (Received after Planning Commission Meeting)

### **Comments**

The following comments have been received from City Departments and utility providers on the proposals:

1. The Council Bluffs Fire Marshal stated they have no comments on the requests.
2. The Council Bluffs Public Works Department stated they have no comments on the requests.
3. The Iowa Department of Transportation stated the cases do not appear to create any conflicts with the Interstate 20 reconstruction project.
4. Black Hills Energy stated they have no concerns on the requests.
5. Council Bluffs Water Works stated they have no comments on the proposal.
6. MidAmerican Energy stated they have no concerns with the proposal, though the developer should contact MidAmerican Energy to identify costs and requirements for extending electric service.

Public notices were mailed to all property owners within 200 feet of the requests. Prior to the April 14, 2020 City Planning Commission Meeting, one letter of opposition was received and is included with this report as Attachment H. One letter of support was also received prior to the meeting and was read into the record but was not included in the staff report, that letter has been included with this report as Attachment F.

After the April 14, 2020 Planning Commission meeting, one letter of support and one letter of opposition were received, these letters are included as Attachment G and Attachment I.

After the May 12, 2020 Planning Commission meeting, one letter of support was received, and has been included as Attachment J.

### **CASE #ZC-20-003 Discussion:**

#### **Land Use and Zoning**

The following zoning and land uses surround the subject properties:

- North: Land that is zoned P-C/Planned Commercial District and is occupied by Union Pacific Railroad tracks.
- South: 14<sup>th</sup> Avenue and land that is zoned P-C/Planned Commercial District and contains one parcel which houses a hotel, and two undeveloped parcels.
- East: South 35<sup>th</sup> Street and land that is zoned I-2/General Industrial District that is occupied by a truck/trailer repair facility and Union Pacific Railroad land.
- West: Land that is zoned P-C/Planned Commercial District that is currently undeveloped.

The future land use plan of the Bluffs Tomorrow 2030 (Comprehensive Plan) designates the subject property as “Public Park”. This same future land use plan designation is applied to other properties in the City that are undeveloped and located immediately adjacent to an existing railroad corridor and generally serves as a buffer until a transitional use that is compatible with the railroad and adjacent neighborhoods/properties can be determined. In this particular case, the “Public Parks” designation serves as a buffer between the elevated Union Pacific railroad tracks and the commercial/industrial areas located immediately south and east of the subject property. The C-2 District will function as a transitional zoning district that will allow for a variety of land uses that are compatible with the surrounding area and will not be detrimental to the long term development of areas along South 35<sup>th</sup> Street.



1. If approved, the subject property will exceed the minimum lot area of 5,000 square feet and the minimum dimensions of 50 feet wide by 100 feet deep for property in the C-2 District, as the property is approximately 2.08 acres (90,604 square feet) and has the dimensions of 137 feet by 660 feet
2. As is proposed by the applicant the property would contain 2 buildings which would house approximately 12 bays of contractor shops each. In the C-2/Commercial District, contractor shops are considered a permitted principal use. Outside storage is not allowed under the “Contractor Shop” definition.
3. If approved, the contractor shop, or other uses that are allowed in the C-2/Commercial District would be in conformance with the general character of the area. In order to further conform with P-C/Planned Commercial District standards, as many of the surrounding properties are zoned, the applicant is proposing to add landscaping to the property and will construct the building with a stone accent along the front (South face) and side (East face) of the building (as is shown on Attachment D).
4. The subject property abuts Union Pacific Railroad tracks, which greatly limits the desirability to develop the property with uses allowed in the P-C/Planned Commercial District. The applicant is proposing two buildings which would provide storage and work space for businesses, and is anticipating employment numbers of 36 to 60 individuals per building.
5. Existing land uses along this segment of South 35th Street range from commercial hotels and restaurant to industrial truck maintenance facilities and various trade shops. While the subject property does not have any other C-2 properties directly adjacent, it would be a compatible and complimentary use to the neighboring P-C/Planned Commercial District, as well as the I-2/Industrial District property to the East, and would serve as a transition area between the two districts.
6. Objecting parties to the proposed rezoning considers the proposal to be a case of spot zoning, which is the creation of an island of property with restrictions on its use different that those imposed on surrounding property. In previous spot zoning cases in Iowa, the Iowa Supreme Court has considered three factors on determining the validity of a spot zoning case; (1) whether the new zoning is germane to an object within the police power; (2) whether there is a reasonable basis for making a distinction between the spot zoned land and the surrounding property; and (3) whether the rezoning is consistent with the comprehensive plan. While the proposed rezoning is to a different zoning district than any of the surrounding properties, all of the abutting properties on the West side of South 35<sup>th</sup> street are, and would continue to be zoned commercially, in the C-2/Commercial District and the P-C/Planned Commercial District. Because the subject property abuts the elevated Union Pacific railroad tracks, there is a unique circumstance on the subject property that could make the subject property less desirable to certain uses that would otherwise be drawn to nearby properties, such as restaurants and hotels. The proposed building could also be considered a buffer from the railroad tracks to consumer based businesses, which would also consider the proposal to be in line with the Bluffs Tomorrow 2030 (Comprehensive Plan).

#### **CASE #SAV-20-002 Discussion:**

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 two property owners which abut the subject alleyway. 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.*  
Access to the adjacent properties will not change as a result of this vacation, as the applicant's property maintains access to 14<sup>th</sup> Avenue and South 35<sup>th</sup> Street, and the abutting properties to the North are owned by the Union Pacific Railroad and maintain access to the railroad tracks and the platted 13<sup>th</sup> Avenue. The Union Pacific Railroad properties appear to be primarily used as an access road to the railroad tracks.
3. *To discourage the creation and eliminate or reduce existing dead-end alleys, streets or other rights-of-way.* The subject alleyway currently dead-ends approximately 660 feet from the West right-of-way line of South 35<sup>th</sup> Street, as the subdivision to the West of the subject alleyway does not contain a continuation of the alleyway. The proposal is to vacate the entirety of the alleyway, therefore eliminating a dead-end alley.
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, none indicated any objections or requirement that any easements be maintained.
6. *To maintain appropriate right-of-way width to ensure that an adequate pedestrian and vehicular circulation system is retained.* There is no pedestrian or vehicular circulation through the subject alleyway.
7. *To discourage the vacation of a portion of an existing alley, street or other right-of-way.* This request is to vacate the entire east/west alleyway in Block 37, Brown's Subdivision.
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. Each abutting property owner is eligible to receive their portion in consideration of the vacation application fee, which has already been paid. The following responses were received:
  - 92 Investments, LLC, owns the property legally described as Lots 16-30, Block 37, Brown's Subdivision, and as the applicant of the request is in favor of the vacation and willing to acquire the portion of alleyway abutting their property.
  - Union Pacific Railroad, owner of Lots 1-15, Block 37, Brown's Subdivision, indicated they received the petition to vacated the alleyway, but did not indicate whether they were in favor or opposed to the vacation, nor did they indicated if they were willing to acquire the portion of alleyway adjacent to their property.



### **Recommendation**

The Community Development Department recommends the following:

- Case #ZC-20-003: Approval of the request to rezone the property legally described as Lots 16-30, Block 37, Brown's Subdivision and the alleyway adjacent from the P-C/Planned Commercial District to the C-2/Commercial District.
  1. The rezoning shall become effective once the applicant, Cherry Ridge Construction, takes ownership of the subject property.
- Case #SAV-20-002: Approval of the request to vacate the east/west alleyway in Block 37, Brown's Subdivision, with the entirety of the alleyway being combined with the property owned by 92 Investments, LLC (the applicant) that is legally described as Lots 16-30, Block 37, Brown's Subdivision.

### **Public Hearing**

Staff speakers for the request:

1. Christopher Meeks, Planner, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503
2. Christopher Gibbons, Planning Manager, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor:

1. Chris Rochleau, 1425 9<sup>th</sup> Avenue, Council Bluffs, IA 51501
2. John Jerkovich, 535 West Broadway, Suite 100, Council Bluffs, IA 51503

Speakers against:

1. Deb Petersen, 215 South Main Street, Council Bluffs, IA 51503
2. Mark McKeever, 1032 Woodbury Avenue, Council Bluffs, IA 51503

### **Planning Commission Recommendation**

The Planning Commission recommended:

1. Case #ZC-20-003: Approval to rezone the property legally described as Lots 16-30, Block 37, Brown's Subdivision and the alleyway adjacent from the P-C/Planned Commercial District to the C-2/Commercial District, subject to the following condition:
  - The rezoning shall become effective once the applicant, Cherry Ridge Construction, takes ownership of the subject property.
2. Case #SAV-20-002: Approval to vacate and dispose of the east/west alleyway in Block 37, Brown's Subdivision, with the entirety of the alleyway being combined with the property owned by 92 Investments, LLC (the applicant) that is legally described as Lots 16-30, Block 37, Brown's Subdivision.

VOTE: AYE 5    NAY 4    ABSTAIN 2    ABSENT 0    VACANT 0    Motion: Carried

### **Attachments**

Attachment A: Case Map  
Attachment B: Letter of Intent  
Attachment C: Site and Utility Plan  
Attachment D: Building Renderings  
Attachment E: Building 1 Interior Layout



Attachment F: Letter of Support from Frank Krejci  
Attachment G: Letter of Support and Attachments from John Jerkovich  
Attachment H: Letter in Opposition from Petersen Law on behalf of Property Investments Inc.  
Attachment I: Letter in Opposition and Attachments from Mark McKeever  
Attachment J: Letter of Support from Tyler Borman, DEB Partnership (Received after Planning  
Commission Meeting)

Prepared by: Chris Meeks, Planner





# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION

## CASE #ZC-20-003, #SAV-20-002 LOCATION/ZONING MAP

### Map Legend

 Case #ZC-20-003 Area proposed to be rezoned from P-C to C-2.

 Case #SAV-20-002 Alleyway proposed to be vacated.

 Parcels

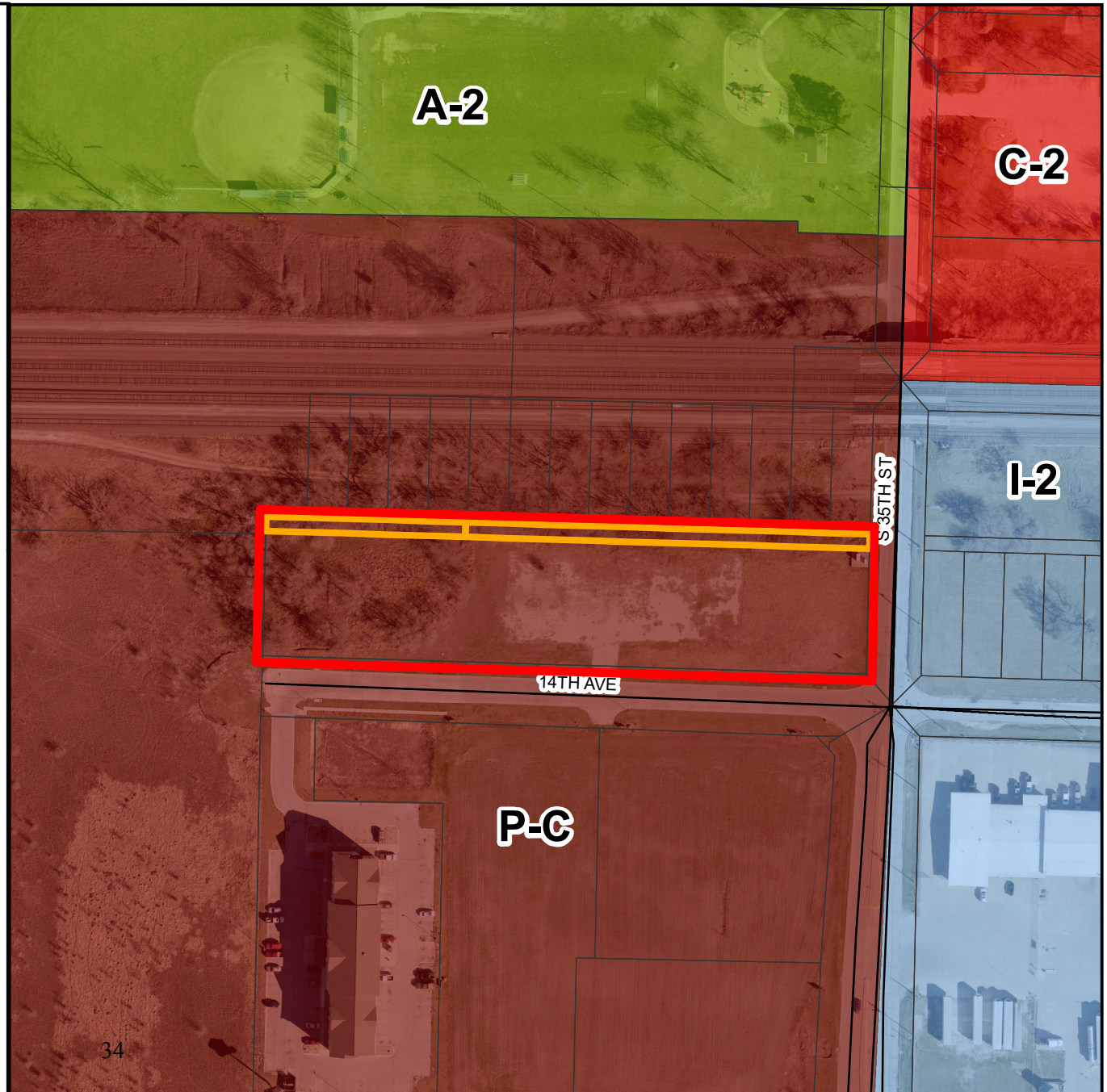


0 80 160  
1 Inch = 170 Feet

Last Amended: 3/20/2020

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

**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.





## Attachment B

March 17, 2020

RE: River's Edge Business Park

3540 14<sup>th</sup> Avenue

Council Bluffs, IA 51501

Parcel Number: 7544 33 476 001



Mr. Chris Gibbon's and the rest of the planning commission,

My name is Chris Rochleau. I am the owner of Cherry Ridge Construction. I am presenting a letter of my intent for the property located at 3540 14<sup>th</sup> Avenue that I have requested to be zoned C-2. It is currently Zoned PC – Planned Commercial. We have spent a tremendous amount of time over the last several months working with City officials, including those in the zoning department to develop an attractive building that would be an incubator for business and provide budding business's an opportunity to get established and grow in our community.

This would bring jobs, provide an improved tax base and be aesthetically appealing. On the site that we are developing we are planning to complete two (2) buildings throughout two (2) separate phases with twelve (12) business spaces per building. I am anticipating three (3) to five (5) employees per space with a total number of employees to be 36 to 60 per building.

We have developed a paving and landscape plan that would meet the necessary requirements and be aesthetically appealing to that area. There are a variety of business that we are wanting to attract to this type of building.

In order to make this project work and provide business opportunities to start up and small businesses we are also requesting the revitalization 10 year tax abatement. This is a WIN – WIN for the City. There is an immediate increase in the tax base, and it will exponentially increase over the next 10 years. It also provides new business opportunities and a place for existing businesses to grow.

I anticipate the development costs with land to be between 1.3mm to 1.5mm per building with a total investment between 2.6mm and 3.0mm.

As you can see from the artist renderings, we are putting stone across the front and East side of the building, upgrading the color scheme and the signage layout. We are in the process of finalizing the exterior lighting plan and are considering a few more upgrades to the landscaping plan.

I have also submitted an application and request for the vacated alley adjacent to the North property line. This is an area that has been unmaintained and a harbor for homeless and criminal activity. I would maintain that area as part of this property with lighting across the back of the building and green space.

This is going to be different than any other building that has been built in our community. Significant costs are being incurred to make the business park attractive and conducive to start up and small businesses. We have also applied for a conditional use permit so that we can provide a variety of business opportunities to those that are looking.

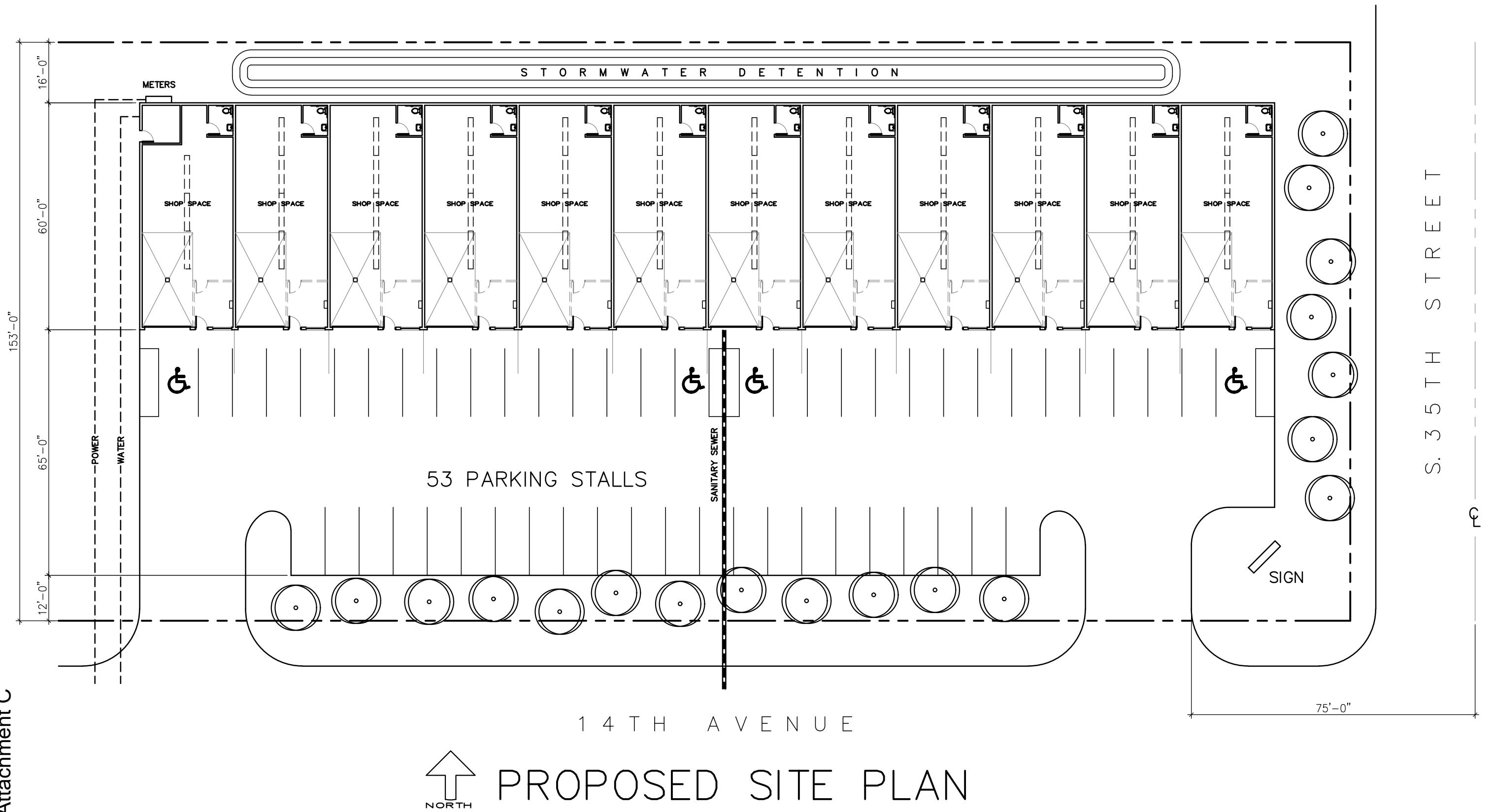
Sincerely,

A handwritten signature in cursive script, appearing to read 'Chris Rochleau'.

**Chris Rochleau**

President – Cherry Ridge Construction







Attachment D:  
Building Renderings





REVISION TABLE		REVISION	DATE	BY
1			8/21/2018	AKB

CHERRY RIDGE CONSTRUCTION  
1425 9TH AVE, COUNCIL BLUFFS IA  
OFFICE: (712) 256-2279

COMMERCIAL SPEC BUILDING

CHRIS ROCHLEAU (402) 813-8113  
AARON BIERMAN (402) 669-3019  
ANDY WATTS (402) 659-8938

DATE:

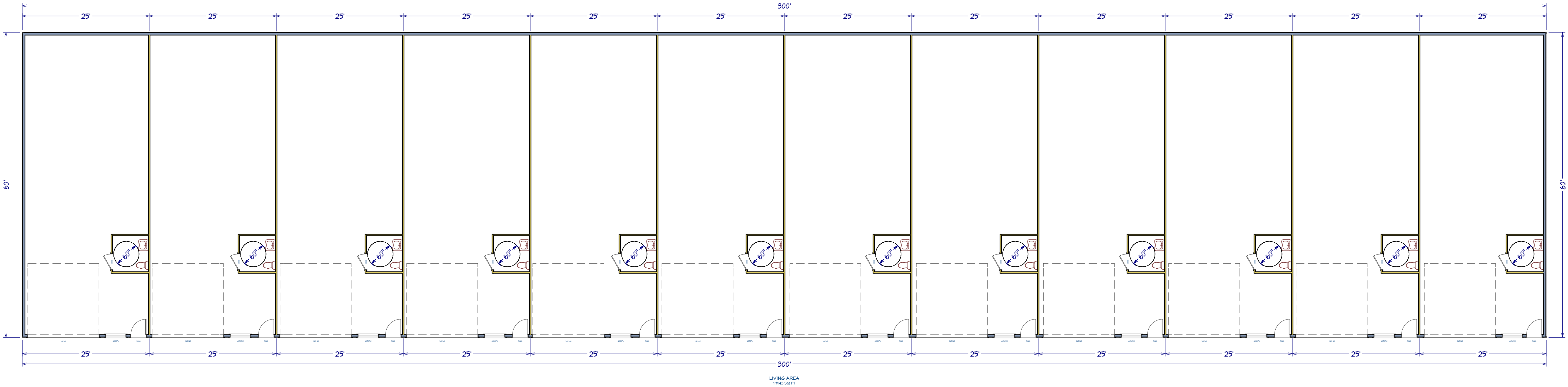
1/29/2020

SCALE:

SHEET:

P-3

# BUILDING #1



1st Floor

MAIN LEVEL



LETTER OF SUPPORT

April 10, 2020

Mr. Christopher Gibbons  
City Hall  
209 Pearl Street  
Council Bluffs, IA

Re: Planning Commission Hearing, April 14, 2020  
3540 14<sup>th</sup> Avenue – Northwest corner of S. 35<sup>th</sup> Street and 14<sup>th</sup> Avenue

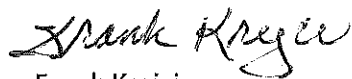
Dear Mr. Gibbons:

Please accept this letter in support for the request to rezone the above-named property that has been submitted to the City Planning Commission.

I am the contract purchaser of the 29.64 acre site to the South which is currently owned by D E B Partnership. Being a major developer myself, and having developed a multitude of properties, Cherry Ridge Construction's request for rezoning from P-C/Planned Commercial to C-2/Commercial District will not affect for our future development.

In conclusion, I fully support the efforts of Cherry Ridge Construction as they seek approval.

Sincerely,

A handwritten signature in black ink that reads "Frank Krejci". The signature is written in a cursive, flowing style.

Frank Krejci  
Contract Purchaser





712.325.0445

535 W Broadway, Suite 100  
Council Bluffs, IA 51503

**April 24, 2020**

**Planning Commission Meeting**

Property Investments, Inc. (Mark McKeever) owns 5.19 total acres; Mark bought the ground in 1996 and at that time it was zoned general manufacturing. He rezoned it to PC in 1996. All of the remaining ground abutting his property remained Industrial zoned until 2001 including the area around the Mid-American remained industrial zoned.

GreenTree Investments, Inc. own an industrial building in the Mid-America which has had multiple tenants over the years. Sometimes with outside storage and currently with Multi docks and semi traffic. 92 Investments, Frank, Bob and myself, own the ground directly south. We have never complained or will complain about it as it was currently existing before the Arena and surrounding property was rezoned and developed. It is a non-conforming use in a PC district but is rightfully grandfathered it.

The properties directly across the street to the East are all zone 1-2 which include HTL Trucking and 2 body shops that take up approximately 861' of frontage on S. 35<sup>th</sup> Street which commences at the beginning of Property Investments property line.

There is 89.33 acres of vacant ground zoned P-C for sale in the Lake Manawa Power Center.

There is 8.53 acres of vacant ground zoned P-CV in the Market Place development where JC Penney's is off 24<sup>th</sup> St and Interstate 80.

There is 86 acres for sale zoned P-C in the Mid-America Complex and adjoining property.

A majority of the property is in a prime area and priced less than Mark's in many cases.

There 29.61 acres Zoned P-C north and south of Mark that has been sale for 25 years.

In 2014, Wayne Hoovestol has the property rezoned subject to the actual project occurring when it was approved to an I-1 Zoning for Lone Mountain Truck Leasing. It was subject to the project occurring or the zoning would not change. That is what we propose here. I want it to look great and not have a negative impact on the abutting properties.

In the last meeting I mentioned Frank Krejci and Lockwood Development. I was going to be a 25% partner and only wanted them involved because that is what they do and have a ton of experience. I have done my fair share of developing in Pott County, the City of Council Bluffs. I believed that without an expert's help, we could not achieve developing the project. The world of retail has changed and will continue to change. It is becoming harder and harder for large commercial developments.

After the meeting, I was disappointed in the delay and outcome and would have soon went straight to the City Council. I truly believe this project on the 2 acres with the property design will be an added benefit to the area or Mark should buy it if he wants to control it.

The City of Council Bluffs will scrutinize and make Chris apply to all aspects of developing. Storm water control, Building codes, parking requirements, etc. There were no negative comments at the Planning Commission Meeting. The Planning Commission wanted complete engineered and architectural plans. one does that until they feel comfortable that the plan is moving forward because of the cost only conceptual drawing are submitted.





I would not support this project if I thought it would hurt the values. The location is below average compared to everything else on the market.

This is not spot zoning, it is rezoning and recognizing the market has changed and will continue. This is the reality of this meeting. Not dreaming for another 24 years.

I have some traffic counts to share. See Attached Maps and traffic counts from MAPA.

  
John Jerkovich



# Available Land Near Mid America Center Arena



For More Information  
Contact:

**John H. Jerkovich**

(402) 681.4812 M

(712) 388.2212 D

[jhj@heartlandproperties.com](mailto:jhj@heartlandproperties.com)

Information contained herein is taken from sources deemed reliable. Every effort has been made to assure accuracy. However, the information is not guaranteed. Any item that you believe to be important regarding your decision to purchase or lease the subject property should be independently verified.



535 West Broadway · Suite 100  
Council Bluffs, IA 51503  
[www.HeartlandProperties.com](http://www.HeartlandProperties.com)  
712.325.0445



# S. 24th Street - Available Land



Information contained herein is taken from sources deemed reliable. Every effort has been made to assure accuracy. However, the information is not guaranteed. Any item that you believe to be important regarding your decision to purchase or lease the subject property should be independently verified.



John H. Jerkovich  
 jhj@heartlandproperties.com  
 402.681.4812 M  
 712.388.2212 D

535 West Broadway Suite 100 • Council Bluffs, Iowa 51503 • 712.325.0445 • [www.heartlandproperties.com](http://www.heartlandproperties.com)



# Manawa Power Centre - Available Land



Information contained herein is taken from sources deemed reliable. Every effort has been made to assure accuracy. However, the information is not guaranteed. Any item that you believe to be important regarding your decision to purchase or lease the subject property should be independently verified.



John H. Jerkovich  
 jhj@heartlandproperties.com  
 402.681.4812 M  
 712.388.2212 D

535 West Broadway Suite 100 • Council Bluffs, Iowa 51503 • 712.325.0445 • [www.heartlandproperties.com](http://www.heartlandproperties.com)





**PETERSEN LAW**  
P L L C

Deborah L. Petersen  
Tyler J. Grevengoed  
215 S. Main Street, Suite 301  
Council Bluffs, IA 51503  
**p: 712-328-8808**  
f: 712-328-1562

April 7, 2020

Mr. Chris Meeks, Planner  
City of Council Bluffs  
Community Development Department

VIA EMAIL: [cmeeks@councilbluffs-ia.gov](mailto:cmeeks@councilbluffs-ia.gov)

Re: Property Investments  
Planning Commission Case # ZC-20-003

Dear Chris:

We are writing to you regarding this rezoning case. Our client, Property Investments, owns the adjacent property on the South side of 14<sup>th</sup> Avenue at South 35<sup>th</sup> Street. That property was one parcel and was platted into four lots at that time. To achieve approval of the Final Plat, it was necessary for our client to install a substantial sewer extension and provide other utility upgrades. They also installed the electrical to all the lots and placed the transformer boxes. Once the subdivision was created, one lot was sold to the hotel that is currently on 14<sup>th</sup> Avenue. Then, the economy took a downturn and nothing further was developed.

Property Investments has been waiting for the Interstate improvements being undertaken by the State of Iowa to open the area up to even further development. It seems to us that the 24<sup>th</sup> Street exit from the interstate has extensive commercial truck traffic and impedes the access to the Mid-America Center area. Hopefully, the Interstate improvements will enhance the Nebraska Avenue exit, thereby increasing traffic to Mid-America Center, while also creating more development potential for the properties in this area. While the property has been vacant and undeveloped, it seemed like the time was almost ripe for potential development in the area. In the meantime, the unprecedented pandemic going on may further impact that potential as well.

The big concern is rezoning one tract of land for the benefit of one user. A quick review of the uses allowed in the Planned Commercial District shows that the majority of the uses intended by the potential developer for this parcel are already allowed in that P-C district. Of course, there are a few exceptions. But the bigger issue is that once the property would be rezoned to C-2 Commercial District, then the City and the adjacent property owners lose any control over any planned development in that area. When one views the zoning map, it is clear this is a prime example of spot zoning, which has always been frowned on and can clearly impact neighboring properties.



Mr. Chris Meeks, Planner  
April 7, 2020  
Page Two

Further, the rezoning application appears to be made by Cherry Ridge Construction, who apparently has a purchase agreement with the current owner. Therefore, there is no guarantee this would be the actual use of the property if the rezoning is granted. Thus, any use in C-2 zoning would be allowed, without input from the City for considering the neighboring property owners or other potential development in the area. The Planned Commercial District zoning was designed to provide for the development of shopping centers, hotels, motels, office parks and resorts, according to the City's own reports. This includes major commercial retail shopping and service areas adjacent to major traffic corridors, such as South 35<sup>th</sup> Street.

There is no reason the intended uses, with the exception of contractor shops, could not proceed with the Planned Commercial zoning. Those uses, would then also be subject to the approval of the City to be sure they meet with the intended development of the general area. In fact, the communication from the City indicates that the rezoning is "proposed because contractor shops are allowed" in C-2 and are not in the Planned Commercial District. That is not a valid reason to change zoning and clearly does not support such spot zoning in this area. Also, the City's Comprehensive Plan designates the future use of the property as a public park. While the City may not have that intention at this point, it still does not justify the rezoning nor does it rationalize spot zoning for this area.

The owner of Property Investments, Mark McKeever, is very familiar with this area, not only the property his company owns, but the property subject to this application, as well as the surrounding property to the south and west. He has worked with other investors and developers trying to make a plan for the entire area, but has not yet been successful in achieving that plan. Let us know if we can provide you any other information prior to the hearing. We do plan to attend the hearing on April 14, 2020. Thank you for your consideration and please include our comments in your staff report to the Planning Commission.

Sincerely,

PETERSEN LAW PLLC

*Deborah L. Petersen*

DEBORAH L. PETERSEN  
[deborah@petersenlawcb.com](mailto:deborah@petersenlawcb.com)

DLP:dcp

cc: Property Investments



## Christopher Meeks

---

**From:** Mark McKeever <MMcKeever@npdodge.com>  
**Sent:** Friday, April 24, 2020 11:05 AM  
**To:** Christopher Meeks; Christopher Gibbons  
**Cc:** Deborah L. Petersen (deborah@petersenlawcb.com)  
**Subject:** 35th & 14th Ave / Near Ave exit area  
**Attachments:** A1.01 12-10-19.pdf

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Meeks  
Mr. Gibbons

Please click on the attached PDF. As you know this is my plan for this area. I mentioned this at the planning commission meeting. I plan on a Valley View Village West like the strip mall we developed at 928 Valley View Dr. along with the other buildings on the PDF layout. This will be professionally done. I'm sending you some PDF photos of some business park areas in Omaha that I would like you to take a look at. The plan that Cherry Ridge Construction is proposing is nothing more than storage units with 24 garage doors across the front. This site is not deep enough for this type of project to put in the correct parking and deliveries for shipping or receiving. They do not have enough parking per building with the number of employees Chris mentioned in his letter. It stated 36-60 employees per building. There is no drainage plan. The photos of the business parks I'm sending you have store fronts with shipping and receiving in back of the properties. Even the Industrial site photos I'm sending you of these type of buildings are way more appealing than what Chris Rochleau is presenting.

John Jerkovich mentioned in the Planning Commission meeting that Council Bluffs has a lot of C 2 Zoning vacant ground available everywhere. I recommend they put the Cherry Ridge Construction plan somewhere else that is more suitable for this type of project.

If the zoning was changed it would be 2 acres out of a 37 acre area total and that just doesn't seem right to me and my partners. We consider this 2 acre parcel Spot Zoning. Even if this zoning was approved for this 2 acre parcel the city loses a lot of control after the C 2 Zoning. This project proposed could get scrapped and even something worse could go there. With the P C Zoning the City remains in control of the type of project for the betterment of this area and Council Bluffs.

This is one of the main sites with easy access off and on the new interstate system. It is close to Omaha. Please let's do this area right.

I don't know anyone that has put more time and money into this 35<sup>th</sup> & 14<sup>th</sup> Ave area than we have. We paid for the following with no help from the city. The City had no funds to help. So we ran sanitary sewer from 34<sup>th</sup> St. and 16<sup>th</sup> Ave west to 35<sup>th</sup> St. Up 35<sup>th</sup> St. north 2 more blocks to 14<sup>th</sup> Ave. west on 14<sup>th</sup> Ave. 2 more blocks to the Hotel. We paved city street 14<sup>th</sup> Ave from 35<sup>th</sup> St. to the Hotel. We also upgraded and installed larger new water lines with the Water Works. We installed new storm drains. We installed street lights and all new electrical transformers and raceways to the area.

I also want to mention the development and building that my companies have done over the years has created millions of dollars per year in property taxes for our City. I plan on creating millions more in tax base for our City.

I will send the PDF photos separate for each site to make it less confusing which photos go together rather than a group of photos all together. I will send them next.



Please make sure that the Planning Commission and City Council receive copies of all the letters and photos sent by Deb Petersen and I throughout this 2 acre zoning request from PC zoning to C 2 zoning.

Thanks so much. I appreciate it.

Mark McKeever, President  
Property Investments Inc.  
Developer / Builder / Realtor  
1032 Woodbury Ave.  
Council Bluffs IA 51503  
Call or Text – (402) 639-7320

**IMPORTANT NOTICE ABOUT WIRE FRAUD:**

Never trust changes to wiring instructions sent via email. Never change wiring instructions based on an email. Cyber criminals are hacking email accounts and sending emails with fraudulent wiring instructions. These emails are convincing and sophisticated. Always independently confirm wiring instructions in person or via a telephone call to a trusted and verified phone number just before wiring the funds. Never wire money without double-checking that the wiring instructions are correct.

Attention: The information contained herein is personal and confidential. Unauthorized distribution of this document is forbidden and may be punishable by applicable law. If you do not receive all the information described herein or if you have received this document in error, please destroy this document and call sender immediately upon receipt at the phone number listed above.





N  
A.1 SITE PLAN  
SCALE: 1"=30'-0"

<p>© Ayres &amp; Ayres, LLC All rights reserved. No part of this publication may be reproduced without prior written permission from Ayres &amp; Ayres, LLC.</p>	<p>14-017 Preliminary not for construction</p>	<p>Drawn by December 10, 2018</p>	<p>New Building River Valley 35th &amp; 14th Council Bluffs, IA SITE PLAN</p>	<p>Ayres &amp; Ayres, Inc. 1011 11th Street Omaha, Nebraska 68102 Tel: 402.334.1000 Fax: 402.334.1001 www.ayresandayres.com</p>	<p>ARCHITECTURE ETCETERA 1011 11th Street Omaha, Nebraska 68102 Tel: 402.334.1000 Fax: 402.334.1001</p>	<p>ARCHI + ETC., LLC ARCHITECTURE ETCETERA</p>
--	--	---------------------------------------	---	---	---	--













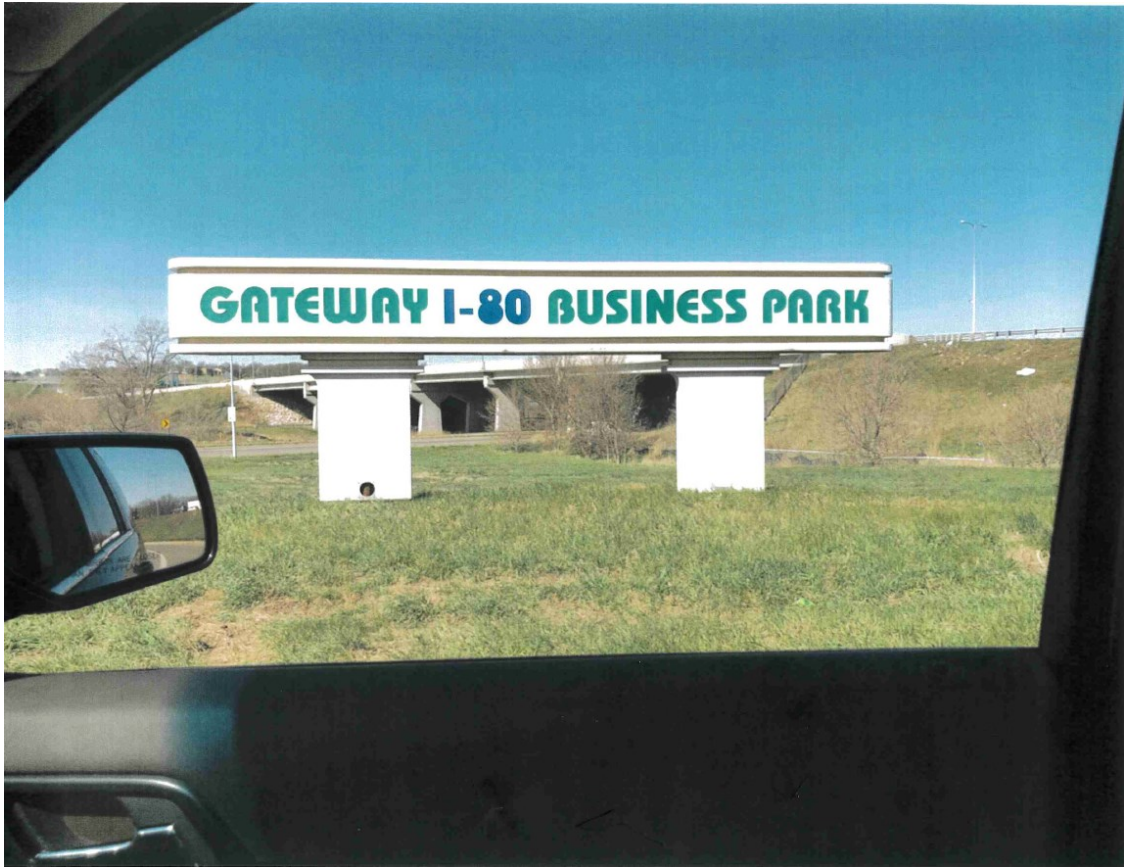






















LETTER OF SUPPORT

May 18, 2020

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

Re: 3540 14<sup>th</sup> Avenue – Northwest corner of S. 35<sup>th</sup> Street and 14<sup>th</sup> Avenue

Dear Mr. Gibbons:

Please accept this letter in support for the project Cherry Ridge Construction is seeking approval to construct two contractor shops.

I am a partner/owner in D E B Partnership of which we own the 29.64 acres to the West and South of the proposed project. I understand this will be a two-phase project and that the design will be attractive with stone on the South and East sides and the landscaping and paving plan they intend to implement will be aesthetically appealing and will meet all necessary City requirements.

I feel this would be a great addition to the area and could potentially stir up activity in the immediate area.

Concluding, I have no objections and I fully support the efforts of Cherry Ridge Construction as they seek approval.

Sincerely,

*Tyler W. Borman - Partner*

D E B Partnership



## **NOTICE OF PUBLIC HEARING**

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on an ordinance to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning property legally described as Lots 13 through 30, Block 37, Brown's Subdivision, and the east/west alleyway adjacent, City of Council Bluffs, Pottawattamie County, Iowa from P-C/Planned Commercial District to C-2/Commercial District.

You are further notified that the Public Hearing on said matters will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 22<sup>nd</sup> Day of June, 2020, in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

---

Jodi Quakenbush, City Clerk

CWM  
Case #ZC-20-003



**ORDINANCE NO. 6415**

**AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.02.070 OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING THE PROPERTIES LEGALLY DESCRIBED AS LOTS 16-30, BLOCK 37, BROWN'S SUBDIVISION AND THE EAST/WEST ALLEYWAY ADJACENT, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA FROM P-C/PLANNED COMMERCIAL DISTRICT TO C-2/COMMERCIAL DISTRICT AS DEFINED IN CHAPTER 15.15 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.**

**BE IT ORDAINED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA**

**SECTION 1.** That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.070 of the 2015 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended to rezone the properties legally described as Lots 16-30, Block 37, Brown's Subdivision and the east/west alleyway adjacent, City of Council Bluffs, Pottawattamie County, Iowa from P-C/Planned Commercial District to C-2/Commercial District as defined in Chapter 15.15 of the Municipal Code of Council Bluffs, Iowa.

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3. SEVERABILITY CLAUSE.** If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

ADOPTED  
AND  
APPROVED

June 22, 2020.

\_\_\_\_\_  
MATTHEW J. WALSH

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH

\_\_\_\_\_  
City Clerk

First Consideration: 6-8-20  
Second Consideration: 6-22-20  
Public Hearing: 6-22-20  
Third Consideration: \_\_\_\_\_



## Council Communication

Department: Community  
Development  
Case/Project No.: ZT-20-002  
Submitted by: Christopher N.  
Gibbons, AICP, Planning Manager

Ordinance 6416  
ITEM 3.E.

Council Action: 6/8/2020

### Description

Ordinance to amend chapter 15.19 "P-I/Planned Industrial District" (Zoning Ordinance) and setting a Public Hearing for June 22, 2020 at 7:00 p.m. by amending section 15.19.020 "Principal Uses" to include "Manufacturing, General" and "Retail Shopping Establishment" and by amending section 15.19.030 "Conditional Uses" to remove "Manufacturing, General." ZT-20-002

### Background/Discussion

See attachments.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
ZT-20-002 Staff Report	Other	5/28/2020
ZT-20-002 Attachment A	Code Section	5/28/2020
Public Hearing Notice	Other	5/28/2020
Ordinance 6416	Ordinance	6/3/2020



## City Council Communication

Department: Community Development		Planning Commission: 5/12/2020
Case #ZT-20-002	Ordinance No.	1 <sup>st</sup> Consideration: 6/08/2020 2 <sup>nd</sup> Consideration: 6/22/2020 3 <sup>rd</sup> Consideration: Request to be waived
Applicant: City of Council Bluffs		

### Subject/Title

Request: Public hearing on the request of the Community Development Department to amend Section 15.19.020 by adding ‘Manufacturing, general’ as defined by §15.03.460, and adding ‘Retail Shopping Establishment’, as defined in §15.03.592 as principal uses in the P-I/Planned Industrial District, and to amend Section 15.19.030 “Conditional Uses” of the P-I District by removing ‘Manufacturing, general’, all in the Municipal Code (Zoning Ordinance) of Council Bluffs, Iowa.

### Background

The Community Development Department proposes to amend Title 15 of the Municipal Code (Zoning Ordinance) by adding ‘Manufacturing, general’ and ‘Retail shopping establishment’ as principal uses in the P-I/Planned Industrial District.

Per Section 15.19.010, Statement of Intent, of the Municipal Code (Zoning Ordinance), the P-I/Planned Industrial District is intended to “*provide for the development of assemblage facilities, manufacturing facilities, research and development activities, business services, storage and distribution centers in an industrial park setting. The facilities in the planned industrial district are designed to be used in common by sharing ingress and egress roads, ensuring appropriate design with respect to traffic arteries and compatibility with surrounding uses. Business and industrial activities shall be primarily enclosed operations with significant screening and landscaping of exterior operations and storage. Final authority over development plans shall be retained by the city council, with extensive review by the planning commission*”. Currently, the following land uses are allowed in the P-I District as either a principal use, meaning they are allowed by-right, or as a conditional use which requires review and approval by the Council Bluffs Zoning Board of Adjustment:

#### **15.19.020 Principal Uses**

The following principal uses shall be permitted outright in a P-I district:

- A. Business, professional office;
- B. Business goods and service establishment;
- C. Equipment sales and rental;
- D. General government use;
- E. Local utility services;
- F. Manufacturing, light;
- G. Warehousing and distribution, limited.

#### **15.19.030 Conditional Uses**

The following conditional uses shall be permitted in a P-I district in accordance with the requirements set forth in CBMC 15.27:

- A. Communication tower;
- B. Manufacturing, general;
- C. Day care services.



Section 15.03.460 of the Municipal Code (Zoning Ordinance) defines a ‘manufacturing, general’ use as “*an establishment engaged in the processing, manufacturing, compounding, assembly, package, treatment or fabrication of materials and products from prepared materials or from raw materials without noticeable noise, odor, vibration or air pollution effects across property lines. Such uses will include the manufacture, processing and packaging of food and kindred items, asphalt, stone, clay, glass, plastic, paper, cement, and other products, welding shops, sawmills, petroleum storage and distribution, foundries and storage of chemicals*”. Currently, a ‘manufacturing, general use’ is allowed as a conditional use in the P-I District and as a principal use in the I-2/General Industrial and I-3/Heavy Industrial Districts.

Section 15.03.592 of the Municipal Code (Zoning Ordinance) defines a ‘retail shopping establishment’ use as “*a store or shop engage in the sale of commodities or goods to individuals consumers for personal use rather than for resale, including by limited to, the following:*

- A. Antique stores;*
- B. Appliance, television and radio sales;*
- C. Art galleries, commercial;*
- D. Art supplies;*
- E. Auto parts and accessory stores, including the machining of parts as an accessory use, but not including in-vehicle installation facilities;*
- F. Bakeries;*
- G. Bicycle sales and repair shop;*
- H. Bookstores;*
- I. Candy and ice cream stores;*
- J. Clothing, clothing accessories and dry goods;*
- K. Department stores;*
- L. Drug stores;*
- M. Floor coverings;*
- N. Florists;*
- O. Furniture stores;*
- P. Greenhouse;*
- Q. Gift and card shop;*
- R. Grocery, delicatessen and specialty food store;*
- S. Hardware, paint and wallpaper stores;*
- T. Jewelry, leather goods and luggage stores;*
- U. Lawn and garden supply (including nursery stock) stores;*
- V. Meat market, retail, provided that no killing, eviscerating, skinning, plucking, or smoking of food products occurs on the premises;*
- W. Music stores;*
- X. News and tobacco stores;*
- Y. Photographic equipment and supplies;*
- Z. Rental of small tools for household use;*
- AA. Shoe stores;*
- AB. Sporting goods;*
- AC. Toy and hobby stores; and*
- AD. Variety stores”.*



Currently, a 'retail shopping establishment' is allowed as a principal use in the following City zoning districts: MCR/Mixed Commercial Residential District; C-1/Neighborhood Commercial District; C-2/General Commercial District; C-3/Central Business District; C-4/Downtown Business District; P-C/Planned Commercial District; and I-1/Light Industrial District.

The proposed zoning text amendment requests will result in the following changes to the P-I District land use categories, as highlighted in red below:

**15.19.020 Principal Uses**

The following principal uses shall be permitted outright in a P-I district:

- A. Business, professional office;
- B. Business goods and service establishment;
- C. Equipment sales and rental;
- D. General government use;
- E. Local utility services;
- F. Manufacturing, **general and** light;
- G. Warehousing and distribution, limited;
- H. **Retail shopping establishment.**

**15.19.030 Conditional Uses**

The following conditional uses shall be permitted in a P-I district in accordance with the requirements set forth in CBMC 15.27:

- A. Communication tower; **and**
- B. **~~Manufacturing, general;~~**
- C. Day care services.

The purpose of these amendments is to accomplish the following planning and zoning objectives:

1. Eliminating redundancy in the City's review process for allowing a 'manufacturing, general' land use in a P-I District; and
2. Allowing a mixture of land uses that are consistent with the purpose and intent of the P-I District and that are compatible with uses within and adjacent to a P-I District.

All City departments and local utility providers received a copy of the proposed text amendment. The Council Bluffs Fire Department and Council Bluffs Water Works stated they have no comments for the proposed amendment. The Community Development Department provided the following comments:

1. All development proposals within a P-I/Planned Industrial District are required to adopt a planned industrial development plan that addresses building setbacks and heights, landscaping, off-street parking, outdoor lighting, building architecture, signage, stormwater management, utility connections, buffering/screening, and other site design elements. The development plan is reviewed by the City's Planning Commission and then formally adopted by City Council. In a P-I District a 'manufacturing, general' use is classified as a conditional use which requires issuance a conditional use permit by the Zoning Board of Adjustment, prior to the use operating. Therefore, in order for a 'manufacturing, general' use to operate in a P-I District it is subject to three regulatory reviews: City Planning Commission and City Council for adopting a development plan, and the Zoning Board of Adjustment for approval of a conditional use permit. The Community Development Department supports reclassifying a 'manufacturing, general' use in a P-I District from a conditional use to a principal use in order to eliminate a redundancy in the review and approval process for such use in this District. The development plan functions as a regulatory document for how sites and projects in a P-I District are designed and development, and any changes or modifications to the adopted development plan



must be reviewed by the City Planning Commission and approved by City Council. Requiring a separate conditional use permit is an inefficiency in the review and approval process for a ‘manufacturing, general’ use in a P-I District, and creates confusion between which regulatory standards (development plan or conditional use permit) are applicable to a development project. Changing the classification of a ‘manufacturing, general’ use from a conditional use to a principal use will eliminate this redundancy.

2. Adding a ‘retail shopping establishment’ as a principal use in the P-I is intended to encourage a mixture of land uses that can occur within a master planned mid-to-large scale industrial development (e.g., industrial, business, and logistics parks). It will provide employers and employees access to services and shopping opportunities that are compatible with the land uses allowed in P-I District, while also functioning as a transitional land use between commercial and residential land uses that are adjacent to an industrial development zoned P-I District.

### **Recommendation**

The Community Development Department recommends approval to amend to amend Section 15.19.020 by adding ‘Manufacturing, general’ as defined by §15.03.460, and adding ‘Retail Shopping Establishment’, as defined in §15.03.592 as principal uses in the P-I/Planned Industrial District, and to amend Section 15.19.030 “Conditional Uses” of the P-I District by removing ‘Manufacturing, general’, all in the Municipal Code (Zoning Ordinance) of Council Bluffs, Iowa, based on reasons stated above.

### **Public Hearing**

Staff speaker for the request:

1. Christopher Gibbons, Planning Manager, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor: None

Speakers against: None

### **Planning Commission Recommendation**

The Planning Commission recommended approval to amend to amend Section 15.19.020 by adding ‘Manufacturing, general’ as defined by §15.03.460, and adding ‘Retail Shopping Establishment’, as defined in §15.03.592 as principal uses in the P-I/Planned Industrial District, and to amend Section 15.19.030 “Conditional Uses” of the P-I District by removing ‘Manufacturing, general’, all in the Municipal Code (Zoning Ordinance) of Council Bluffs, Iowa, as per staff’s recommendation.

VOTE: AYE 11    NAY 0    ABSTAIN 0    ABSENT 0    VACANT 0    Motion: Carried

### **Attachment**

**Attachment A:** Proposed text amendment

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



## **Chapter 15.19 - P-I/PLANNED INDUSTRIAL DISTRICT**

[15.19.010 Statement Of Intent](#)

[15.19.020 Principal Uses](#)

[15.19.030 Conditional Uses](#)

[15.19.040 Accessory Uses](#)

[15.19.050 Site Development Regulations](#)

[15.19.060 Development Plan Review Procedure](#)

[15.19.470 Signs](#)

[15.19.080 Additional Regulations](#)

### **15.19.010 Statement Of Intent**

The P-I district is intended to provide for the development of assemblage facilities, manufacturing facilities, research and development activities, business services, storage and distribution centers in an industrial park setting. The facilities in the planned industrial district are designed to be used in common by sharing ingress and egress roads, ensuring appropriate design with respect to traffic arteries and compatibility with surrounding uses. Business and industrial activities shall be primarily enclosed operations with significant screening and landscaping of exterior operations and storage. Final authority over development plans shall be retained by the city council, with extensive review by the planning commission.

(Ord. 5688 § 1 (part), 2002)

### **15.19.020 Principal Uses**

The following principal uses shall be permitted outright in a P-I district:

- A. Business, professional office;
- B. Business goods and service establishment;
- C. Equipment sales and rental;
- D. General government use;
- E. Local utility services;
- F. Manufacturing, **general and** light;
- G. Warehousing and distribution, limited.

(Ord. 5688 § 1 (part), 2002)

### **15.19.030 Conditional Uses**

The following conditional uses shall be permitted in a P-I district in accordance with the requirements set forth in CBMC 15.27:

- A. Communication tower;
- ~~B. Manufacturing, general;~~
- B. Day care services.

(Ord. 5688 § 1 (part), 2002)

### **15.19.040 Accessory Uses**

The following accessory uses shall be permitted in a P-I district:

- A. Uses of land or structures customarily incidental and subordinate to one of the principal uses in the P-I district, unless otherwise excluded.

## **ATTACHMENT A**



(Ord. 5688 § 1 (part), 2002)

**15.19.050 Site Development Regulations**

Minimum tract size, lot size, setback requirements, height, lot coverage, signage and landscaping shall be determined through the development plan review procedures described in this chapter. The components of an approved development plan shall prevail over conflicting standards or regulations elsewhere in this title.

(Ord. 5688 § 1 (part), 2002)

**15.19.060 Development Plan Review Procedure**

The development plan review procedure shall be as follows:

- A. Application. A completed application form and ten (10) copies of the development plan along with the required fee shall be submitted to community development department. The development plan shall be reviewed in accordance with the procedures outlined below. The following information shall be submitted to the community development department:
1. A letter of intent stating the proposed uses, improvements necessary to serve the development, construction time frame and proposed phasing of the project;
  2. The development name and legal description of the boundary;
  3. A north arrow, scale, bar scale and date;
  4. The names and addresses of the owner, and the architect or engineer preparing the plan;
  5. A location map showing the proposed development and its relationship to existing abutting subdivisions and community facilities such as streets, schools, parks and commercial areas;
  6. All established floodway or floodway fringe encroachment limits;
  7. A soils and drainage report prepared by the engineer. The report shall show the general soil and drainage conditions and include preliminary recommendations pertaining to the adaptability of the property proposed for development;
  8. Location and size of any sites to be considered for dedication for public use;
  9. Layout, numbers and dimensions of all proposed lots;
  10. The location, width, name, grade and typical cross-sections of all proposed streets within the development and the width and name of any platted street located within two hundred (200) feet of the site;
  11. The location and width of other public ways, railroad right of ways, utility and all other easements, existing or proposed within the development and within two hundred (200) feet;
  12. Existing and proposed contour intervals of not more than five feet;
  13. All existing and proposed underground installations within the proposed development or adjacent thereto or the location of the nearest available facilities;
  14. The location of all existing and proposed structures, proposed parking areas, pedestrian ways, private and public streets and landscaping;
  15. Proposed landscaping plan;
  16. Proposed signage plan;
  17. On projects twenty (20) acres or more in area, or as deemed necessary by the community development director, a traffic impact study to include: (i) data on existing peak hour traffic volumes and conditions; (ii) directional distribution estimates of added traffic; (iii) projections of added traffic volumes for all of the appropriate critical hours; determination of needed improvements, controls, driving locations, and their

**ATTACHMENT A**



design; (iv) and identification of any need for additional right-of-way which could be secured from the developer, shall be submitted;

18. Architectural drawings, renderings, or other visual documents which illustrate proposed building design. The community development department director shall determine the adequacy and completeness of the development plan application. The community development department director may require additional information prior to scheduling review by the city planning commission.

- B. Review by City Planning Commission. The city planning commission, in reviewing the development plan, shall take into consideration conformance with the comprehensive plan, recognized principles of land use planning, landscaping, architecture, the conservation and stabilization of the value of property, adequate open space for light and air, congestion of public streets, the promotion of public safety, health, convenience and comfort and the general welfare of persons using the facility. In addition to the proposed use meeting the general requirements herein set forth, the commission in recommending approval of the proposed development plan may recommend certain conditions to be attached to such use which the commission deems necessary in order to carry out the intent and purpose of this title. Such conditions may include, but are not limited to an increase in the required lot or yard area, control of the location and number of vehicular access points to the property, limitations on the net square footage of signs, lot coverage limitations and/or height of buildings because of obstruction to view and reduction of light and air to adjacent property, required screening and landscaping where necessary to reduce noise and glare and designation of responsibility for maintenance of the property.
- C. Review by City Council. After review of the development plan by the city planning commission, it shall be forwarded to the city council, with its written recommendations whether for approval or denial, whereupon the city council may take action on the plan. Approval of the development plan shall be by city council resolution.
- D. Building Permit Review. The community development department director shall review all building and public works construction permits for compliance with the approved development plan. No building or public works construction permit shall be issued if it is determined by the community development department director to be inconsistent with the approved development plan. However, the community development department director shall have the authority to approve minor changes to the development plan. If the community development department director determines that major changes are requested, review and approval by the city planning commission and city council shall be required.

(Ord. 5688 § 1 (part), 2002)

#### **15.19.470 Signs**

In addition to the signage approved in the development plan, signage in this district shall comply with CBMC 15.33, "Signs."

(Ord. 5688 § 1 (part), 2002)

#### **15.19.080 Additional Regulations**

Business and industrial activities shall be primarily enclosed operations with significant screening and landscaping of exterior operations and storage.

(Ord. 5688 § 1 (part), 2002)

## **ATTACHMENT A**



## NOTICE OF PUBLIC HEARING

### TO WHOM IT MAY CONCERN:

A public hearing is to be held by the City Council of the City of Council Bluffs, Iowa, on the 22nd day of June, 2020 at 7:00 p.m. in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

The hearing is in regards to the City's intent to amend Section 15.19.020 by adding 'Manufacturing, general' as defined by §15.03.460, and adding 'Retail Shopping Establishment', as defined in §15.03.592 as principal uses in the P-I/Planned Industrial District, and to amend Section 15.19.030 "Conditional Uses" of the P-I District by removing 'Manufacturing, general', all in the Municipal Code (Zoning Ordinance) of Council Bluffs, Iowa.

---

Jodi Quakenbush, City Clerk



**ORDINANCE NO. 6416**

**AN ORDINANCE TO AMEND CHAPTER 15.19 “P-I/PLANNED INDUSTRIAL DISTRICT” OF THE 2015 MUNICIPAL CODE (ZONING ORDINANCE) BY AMENDING SECTION 15.19.020 “PRINCIPAL USES” TO INCLUDE “MANUFACTURING, GENERAL” AND “RETAIL SHOPPING ESTABLISHMENT” AND BY AMENDING SECTION 15.19.030 “CONDITIONAL USES” TO REMOVE “MANUFACTURING, GENERAL”.**

**BE IT ORDAINED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA**

**SECTION 1.** That Chapter 15.19 “P-I/Planned Industrial District” of the 2015 Municipal Code (Zoning Ordinance) is hereby amended by amending Section 15.19.020 “Principal Uses” and Section 15.19.030 “Conditional Uses” to read as follows:

**15.19.020 Principal Uses**

The following principal uses shall be permitted outright in a P-I district:

- A. Business, professional office;
- B. Business goods and service establishment;
- C. Equipment sales and rental;
- D. General government use;
- E. Local utility services;
- F. Manufacturing, general and light;
- G. Warehousing and distribution, limited;
- H. Retail shopping establishment.

(Ord. 5688 § 1 (part), 2002)

**15.19.030 Conditional Uses**

The following conditional uses shall be permitted in a P-I district in accordance with the requirements set forth in CBMC 15.27:

- A. Communication tower;
- B. Day care services.

(Ord. 5688 § 1 (part), 2002)

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3. SEVERABILITY CLAUSE.** If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from



said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED  
AND  
APPROVED June 22, 2020.

\_\_\_\_\_  
MATTHEW J. WALSH Mayor

Attest: \_\_\_\_\_  
JODI QUAKENBUSH City Clerk

First Consideration: 6-8-20  
Second Consideration: 6-22-20  
Public Hearing: 6-22-20  
Third Consideration: \_\_\_\_\_



## Council Communication

Department: Community  
Development  
Case/Project No.: OTB-20-005  
Submitted by: Chris Meeks,  
Planner

Resolution 20-138  
ITEM 3.F.

Council Action: 6/8/2020

### Description

Resolution of intent to vacate and setting a Public Hearing for June 22, 2020 at 7:00 p.m. for city property described as Lot 8, Catalpa Block Subdivision. Location: the property was formerly addressed as 3133 Avenue B. OTB-20-005

### Background/Discussion

See attachments.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
OTB-20-005 Staff Report	Other	5/28/2020
OTB-20-005 Attachment A	Map	5/28/2020
OTB-20-005 Attachment B	Letter	5/28/2020
OTB-20-005 Attachment C	Other	5/28/2020
Public Hearing Notice	Other	5/28/2020
Resolution 20-138	Resolution	6/3/2020



## Council Communication

Department: Community Development  CASE #OTB-20-005  Applicant: NeighborWorks Home Solutions Attn: David Hazelwood 222 S. 6 <sup>th</sup> Street Council Bluffs, IA 51501	Resolution of Intent No. _____  Resolution to Dispose No. _____	Set Public Hearing: 6/8/2020  Public Hearing: 6/22/2020						
<b>Subject/Title</b>								
Request of NeighborWorks Home Solutions, represented by David Hazelwood, to purchase property described as Lot 8, Catalpa Block Subdivision, City of Council Bluffs, Pottawattamie County, Iowa. The property was formerly addressed as 3133 Avenue B								
<b>Background/Discussion</b>								
<p>The City has received an offer to purchase the property described above. The property is classified as ‘transitional dispose’ and ‘buildable’. The applicant wishes to acquire the lot to construct a new affordable residential dwelling in the next 4 months that would be sold to a homebuyer in the community. According to the adopted policy of April 23, 2018, the property should be priced at the most recent assessed value, which on this property would be \$10,517.00.</p> <p>The applicant has submitted the entirety of the value of the property, \$10,517.00 as the down payment. As is stated in the adopted Inventory and Disposal Policy for Surplus City Policy, any property that has been listed on the Disposal list for greater than 12 months is eligible to be sold to non-profit homebuilders using a forgivable mortgage. Because this property has only been actively marketed for approximately one month, the property is not eligible for a forgivable mortgage.</p> <p>The following costs have been incurred on this property:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Legal Department:</td> <td style="text-align: right;">\$ 235.00- Filing Fee</td> </tr> <tr> <td>Permits and Inspections Division:</td> <td style="text-align: right;">\$14,496.28- Demolition</td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>\$14,731.28</b></td> </tr> </table> <p>The subject property is 42.23 feet wide by 120 feet deep, which is 5,040 square feet in area, and is located in the R-2/Two-Family Residential District. While the subject property does not meet the required 50 foot lot width for a property located in the R-2 Zoning District, the property is considered buildable as a home with a width of at least 20 feet and an area of 500 square feet can be constructed on the lot and still meet all required setbacks.</p> <p>There is a competing offer with on this same property that has been assigned the case number of #OTB-20-008. The competing offer is from USA Builders, represented by Miguel Santacruz, who also proposes to construct a single family dwelling on the property. The two offers are currently scheduled to be reviewed at the same public hearing.</p>			Legal Department:	\$ 235.00- Filing Fee	Permits and Inspections Division:	\$14,496.28- Demolition	<b>Total</b>	<b>\$14,731.28</b>
Legal Department:	\$ 235.00- Filing Fee							
Permits and Inspections Division:	\$14,496.28- Demolition							
<b>Total</b>	<b>\$14,731.28</b>							



<p style="text-align: center;"><b>Recommendation</b></p> <p>The Community Development Department recommends setting a public hearing on the disposal of the property legally described as Lot 8, Catalpa Block Subdivision, City of Council Bluffs, Pottawattamie County, Iowa on the June 22, 2020 City Council Meeting.</p> <p><b>Attachment A:</b> Location map</p> <p><b>Attachment B:</b> Letter of Intent</p> <p><b>Attachment C:</b> Proposed Site Plan and Home Plans</p> <p><b>Prepared By:</b> Chris Meeks, Planner, Community Development Department</p>
---



# CASE #OTB-20-005



## Legend



Case #OTB-20-005



20 10 0 20 Feet







May 6, 2020

Community Development Department  
City of Council Bluffs  
209 Pearl Street  
Council Bluffs, IA 51503

Community Development Department:

NeighborWorks® Home Solutions is submitting an Application to Purchase City Property for Parcel 754427354006; 3133 Avenue B; Catalpa Block LT 8. We are requesting to purchase the parcel for the assessed value of \$10,517.00.

Granting NeighborWorks® Home Solutions this property would allow us to construct one single family dwelling in partnership with the City's Infil Program in a 4-month timeline. Development of our single-family project would provide a profound social impact by contributing an energy efficient and sustainable affordable house for a homebuyer in our community. This project in collaboration with other dwellings in the neighborhood would allowed us to engage in the positive evolution of the neighborhood and its vitality. Housing construction is its own economic engine that simultaneously enhances a communities' ability to attract new business, generate local income by construction, create & support existing jobs, stimulate wages and increase local taxes base. Our project would have a long-term impact to our community on many different levels.

Sincerely,

A handwritten signature in blue ink, appearing to read 'David Hazlewood'.

David Hazlewood  
Chief Operating Officer

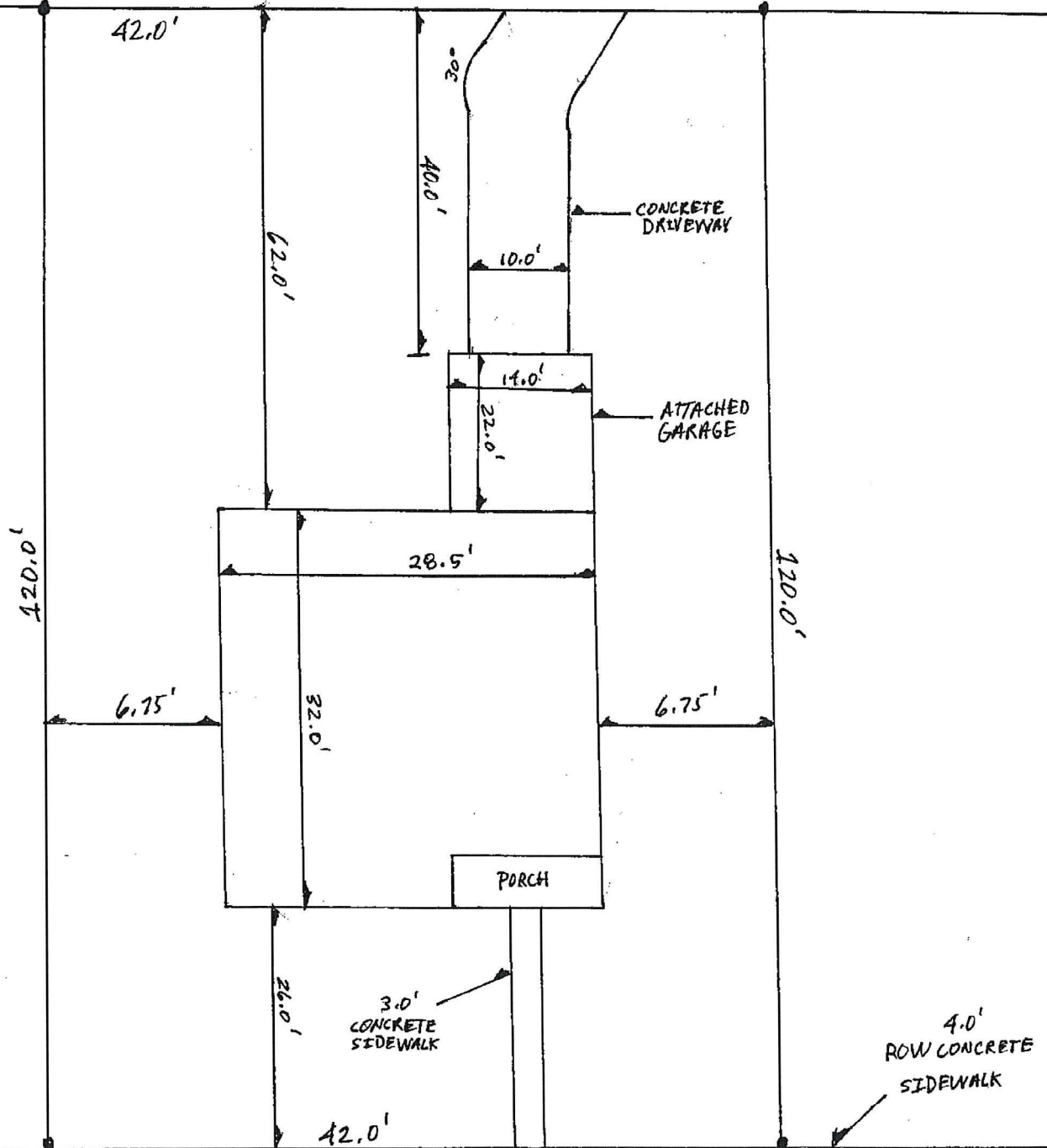
Enclosed:  
Application  
Administrative Fee  
Full Payment  
Residential Plan  
Plot Plan





3133 AVENUE B

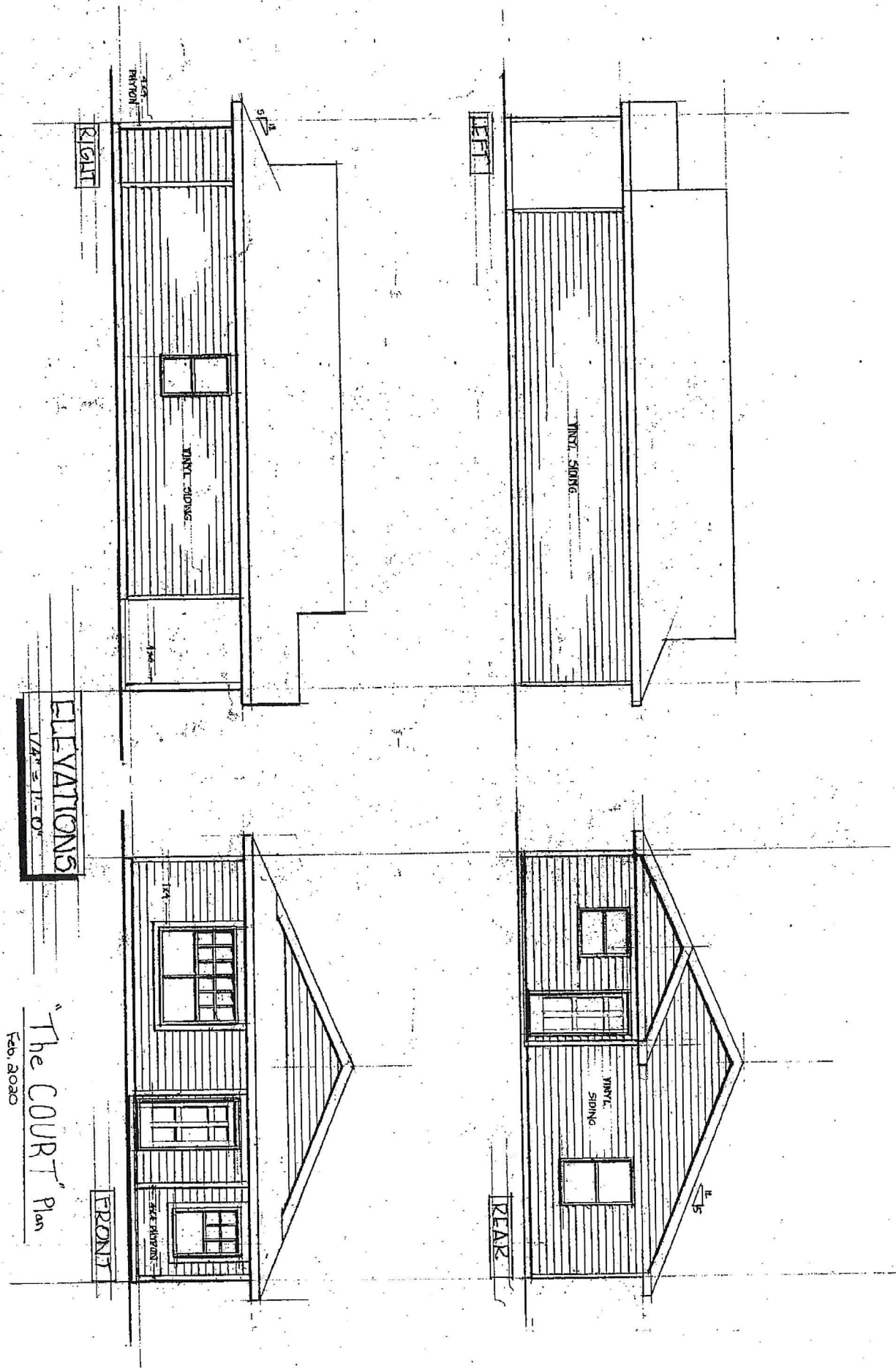
ALLEY ACCESS



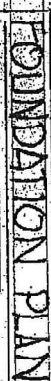
ROW

AVENUE B

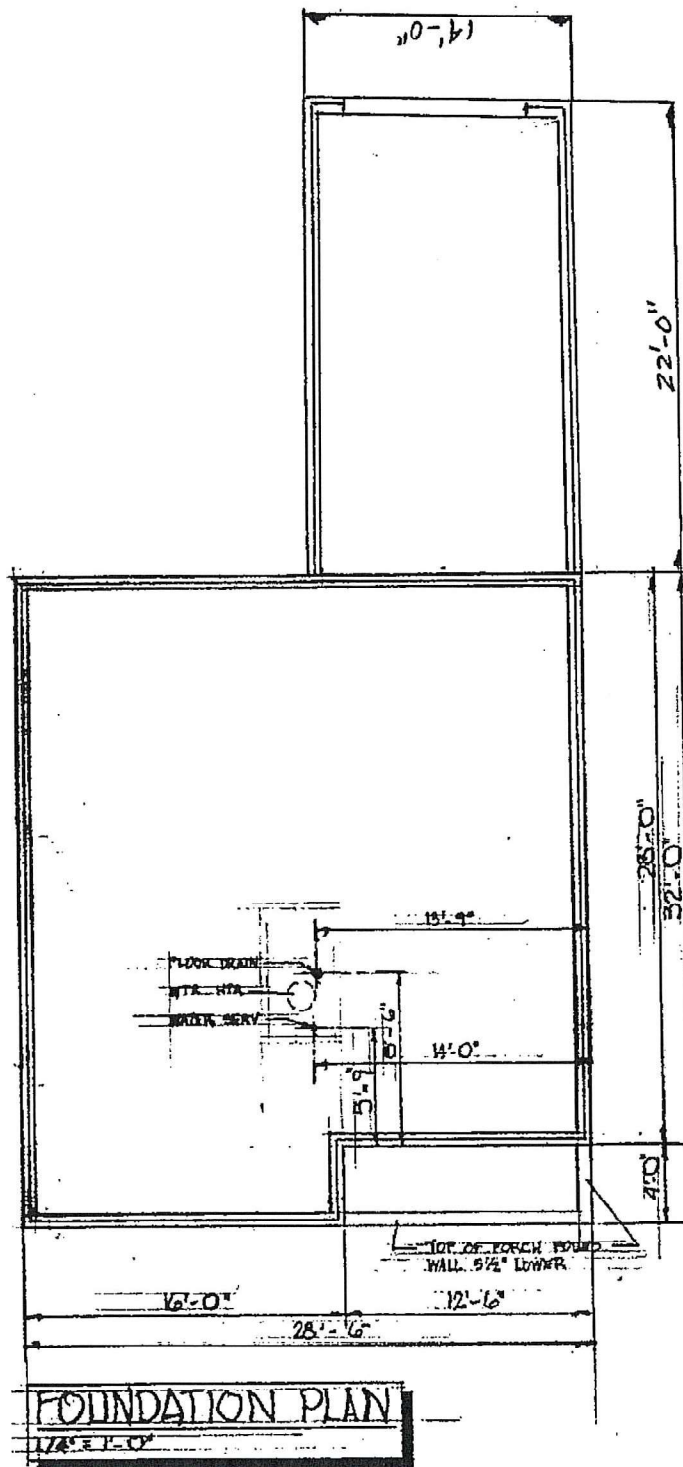












FOUNDATION PLAN ADDENDUM  
 14'-0" x 22'-0" ATTACHED GARAGE







**NOTICE OF PUBLIC HEARING  
ON INTENT TO DISPOSE AND CONVEY CITY PROPERTY**

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request to dispose of property described as Lot 8, Catalpa Block Subdivision, City of Council Bluffs, Pottawattamie County, Iowa.

You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 22<sup>nd</sup> day of June, 2020, in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

\_\_\_\_\_  
Jodi Quakenbush

\_\_\_\_\_  
City Clerk

CWM



Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 890-5350  
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 890-5261

RESOLUTION NO. 20-138

A RESOLUTION OF INTENT TO DISPOSE OF CITY PROPERTY DESCRIBED AS LOT 8, CATALPA BLOCK SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City has received an offer from NeighborWorks Home Solutions, represented by David Hazelwood, to purchase the City owned property described as Lot 8, Catalpa Block Subdivision, City of Council Bluffs, Pottawattamie County, Iowa.

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

That the City does hereby express its intent to dispose of City owned property described as Lot 8, Catalpa Block Subdivision, City of Council Bluffs, Pottawattamie County, Iowa; and

BE IT FURTHER RESOLVED

That a public hearing be scheduled for June 22, 2020.

ADOPTED  
AND  
APPROVED:

June 8, 2020

\_\_\_\_\_  
Matthew J. Walsh Mayor

ATTEST: \_\_\_\_\_  
Jodi Quakenbush City Clerk

(Case #OTB-20-005)



## Council Communication

Department: Public Works Admin  
Case/Project No.: PW21-20  
Submitted by: Matthew Cox, Public  
Works Director

Resolution 20-139  
ITEM 3.G.

Council Action: 6/8/2020

### Description

Resolution setting a public hearing for 7:00 p.m. on June 22, 2020 for right-of-way authorization in connection with the West Broadway Reconstruction, Segment 5. Project # PW21-20

### Background/Discussion

West Broadway is a major arterial street and critical to the City's roadway network. It serves as a significant commercial corridor and commuter route and its reconstruction is an essential part of the economic redevelopment plan for the west end of Council Bluffs. There is also a strong community desire to enhance the aesthetics of the corridor and to create a connection between the River's Edge development and downtown Council Bluffs.

The City has assumed responsibility of West Broadway from the Iowa DOT. The transfer of jurisdiction of the roadway formerly designated as US 6, included payments totaling \$20 million from Iowa DOT.

Segments 1 through 3 of the reconstruction project from 36th Street to east of 25th Street are complete.

Construction of Segment 4 from east of 25th Street to 19th Street is now underway.

The Segment 5 project will reconstruct West Broadway from just west of 19th Street to 15th Street. It will include the replacement of pavement, traffic signals, street lights, sidewalks, and storm sewer. Streetscape features consistent with the Corridor Master Plan will also be incorporated. Construction is planned for 2021.

New right-of-way will be required at intersection locations to accommodate new sidewalks, ADA compliant curb ramps, traffic signal poles and streetscape elements. A permanent easement will be required for one of two bus shelter locations near the 16th Street intersection. A total of 11 properties will be impacted.

This project was included in the FY21 CIP with a preliminary budget of \$9,000,000 with funding from IDOT, Sales Tax funds, and GO Bonds. The Iowa West Foundation has agreed to reimburse the City for costs associated with the streetscape amenities. Conceptual estimates based on the unit prices from Segment 4 indicate that additional project funding may be necessary.

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description	Type	Upload Date
Notice of Public Hearing	Other	5/29/2020
Resolution 20-139	Resolution	6/3/2020







Notice of Public Hearing  
for  
Right-of-way Authorization  
for the  
West Broadway Reconstruction, Segment 5  
PW21-20

A public hearing will be held on June 22, 2020 at 7:00 p.m. in the council chambers of City Hall, 209 Pearl Street, Council Bluffs, Iowa, for right-of-way authorization between 19<sup>th</sup> Street and 15<sup>th</sup> Street, for the West Broadway Reconstruction, Segment 5 project. At said hearing, any interested person may appear and file objections to such plans and specifications.

By Order of the City Council

of the

City of Council Bluffs, Iowa

Jodi Quakenbush, City Clerk



**RESOLUTION**  
**NO 20-139**

**RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE  
AND SETTING A PUBLIC HEARING FOR  
AUTHORIZING THE RIGHT-OF-WAY PROCESS  
IN CONNECTION WITH THE  
WEST BROADWAY RECONSTRUCTION, SEGMENT 5  
PROJECT #PW21-20**

WHEREAS, the city wishes to make improvements known as the West Broadway Reconstruction, Segment 5 within the city, as therein described; and

WHEREAS, right-of-way acquisition is required for the construction and maintenance of said improvements; and

WHEREAS, the city council deems approval of said improvements to be in the best interest of the City of Council Bluffs.

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

That the City Clerk is hereby ordered to set a public hearing authorizing the right-of-way process to commence for the West Broadway Reconstruction, Segment 5 project setting June 22, 2020 at 7:00 p.m. as the date and time of said hearing.

AND BE IT FURTHER RESOLVED

That the aforementioned project is encompassed by the language of the 1989 Local Option Sales Tax Ballot and as such this is an appropriate expenditure of the Local Option Sales Tax Revenues.

ADOPTED  
AND  
APPROVED

June 8, 2020

\_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk



## Council Communication

Department: Community

Development

Case/Project No.: OTB-20-007

Submitted by: Chris Meeks,

Planner

Resolution 20-140

ITEM 3.H.

Council Action: 6/8/2020

### Description

Resolution of intent to dispose of and setting a Public Hearing for June 22, 2020 at 7:00 p.m. for city property described as Lots 9 and 10, Block 5, McMahon Cooper and Jefferis Addition. Location: the property was formerly addressed as 1228 6th Avenue. OTB-20-007

### Background/Discussion

See attachments.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
OTB-20-007 Staff Report	Other	5/28/2020
Attachment A - Case Map	Map	5/28/2020
Public Hearing Notice	Other	5/28/2020
Resolution 20-140	Resolution	6/3/2020



## Council Communication

<b>Department:</b> Community Development  <b>CASE #</b> OTB-20-007  <b>Applicant:</b> Ambar Rentals LLC Attn: Al Lewis P.O. Box 12242 Omaha, NE 68122	<b>Resolution of Intent No.</b> _____  <b>Resolution to Dispose No.</b> _____	<b>Set Public Hearing:</b> 6/8/2020  <b>Public Hearing:</b> 6/22/2020
<b>Subject/Title</b>		
Request of Ambar Rentals LLC, represented by Al Lewis to purchase property described as Lots 9 and 10, Block 5, McMahon Cooper and Jefferis Addition, City of Council Bluffs, Pottawattamie County, Iowa. The property is generally addressed as 1228 6 <sup>th</sup> Avenue		
<b>Background/Discussion</b>		
<p>The City has received an offer to purchase the property described above. The property is classified as ‘transitional dispose’ and ‘buildable’. The applicant wishes to acquire the lot to construct a new duplex on the property which would be rented to lower income/Section 8 tenants. According to the adopted policy of April 23, 2018, the property should be priced at the most recent assessed value, which on this property would be \$13,455.00. The applicant has submitted a \$1,345.00 down payment.</p> <p>The applicant has requested that the remaining value beyond the \$1,345.00 down payment be forgiven with the construction of a duplex within two years. As is stated in the adopted Inventory and Disposal Policy for Surplus City Policy, any property that has been listed on the Disposal list for greater than 24 months is eligible to be sold using a forgivable mortgage. Because this property was acquired by the City of Council Bluffs in November of 2009, the property would be eligible for a forgivable mortgage.</p> <p>No costs on the subject property have been submitted by City Departments.</p> <p>The subject property is 82.5 feet wide by 130.2 feet deep, and is 10,790 square feet in size, which exceeds the Site Development standards for a property located in the R-3/Low Density Multifamily Residential District that would be used for a single-family detached or single-family attached or duplex structure. The property is large enough to accommodate a two-family residential dwelling, as the applicant has proposed.</p>		
<b>Recommendation</b>		
The Community Development Department recommends setting a public hearing on the disposal of the property legally described as Lots 9 and 10, Block 5, McMahon Cooper and Jefferis Addition, City of Council Bluffs, Pottawattamie County, Iowa on the June 22, 2020 City Council Meeting.		
<b>Attachment A:</b> Location map		
<b>Prepared By:</b> Chris Meeks, Planner, Community Development Department		



# CASE #OTB-20-007



25 12.5 0 25 Feet





**NOTICE OF PUBLIC HEARING  
ON INTENT TO DISPOSE AND CONVEY CITY PROPERTY**

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request to dispose of property described as Lots 9 and 10, Block 5, McMahon Cooper and Jefferis Addition, City of Council Bluffs, Pottawattamie County, Iowa.

You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 22<sup>nd</sup> Day of June, 2020, in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

\_\_\_\_\_  
Jodi Quakenbush

\_\_\_\_\_  
City Clerk

CWM



Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 890-5350  
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 890-5261

RESOLUTION NO. 20-140

A RESOLUTION OF INTENT TO DISPOSE OF CITY PROPERTY DESCRIBED AS LOTS 9 AND 10, BLOCK 5, MCMAHON COOPER AND JEFFERIS ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City has received an offer from Ambar Rentals, LLC, represented by Al Lewis, to purchase the City owned property described as Lots 9 and 10, Block 5, McMahon Cooper and Jefferis Addition, City of Council Bluffs, Pottawattamie County, Iowa.

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

That the City does hereby express its intent to dispose of City owned property described Lots 9 and 10, Block 5, McMahon Cooper and Jefferis Addition, City of Council Bluffs, Pottawattamie County, Iowa; and

BE IT FURTHER RESOLVED

That a public hearing be scheduled for June 22, 2020.

ADOPTED  
AND  
APPROVED:

June 8, 2020

\_\_\_\_\_  
Matthew J. Walsh Mayor

ATTEST: \_\_\_\_\_  
Jodi Quakenbush City Clerk

(Case #OTB-20-007)



## Council Communication

Department: Community

Development

Case/Project No.: OTB-20-008

Submitted by: Chris Meeks,

Planner

Resolution 20-141

ITEM 3.I.

Council Action: 6/8/2020

### Description

Resolution of intent to dispose of and setting a Public Hearing for June 22, 2020 at 7:00 p.m. for city property described as Lot 8, Catalpa Block Subdivision. Location: the property was formerly addressed as 3133 Avenue B. OTB-20-008

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
OTB-20-008 Staff Report	Other	5/28/2020
Attachment A - Case Map	Map	5/28/2020
Public Hearing Notice	Other	5/28/2020
Resolution 20-141	Resolution	6/3/2020



## Council Communication

<b>Department:</b> Community Development  <b>CASE #OTB-20-008</b>  <b>Applicant:</b> USA Builders Attn: Miguel Santacruz 2423 S. 8 <sup>th</sup> Street Council Bluffs, IA 51501	<b>Resolution of Intent No. _____</b>  <b>Resolution to Dispose No. _____</b>	<b>Set Public Hearing:</b> 6/8/2020  <b>Public Hearing:</b> 6/22/2020						
<b>Subject/Title</b>								
Request of USA Builders, represented by Miguel Santacruz, to purchase property described as Lot 8, Catalpa Block Subdivision, City of Council Bluffs, Pottawattamie County, Iowa. The property was formerly addressed as 3133 Avenue B								
<b>Background/Discussion</b>								
<p>The City has received an offer to purchase the property described above. The property is classified as ‘transitional dispose’ and ‘buildable’. The applicant wishes to acquire the property to construct a new single family residential dwelling. According to the adopted policy of April 23, 2018, the property should be priced at the most recent assessed value, which on this property would be \$10,517.00.</p> <p>The applicant has offered \$11,000.00 and has submitted a down payment of \$1,100.00. Because this property has only been actively marketed for approximately one month, the property is not eligible for a forgivable mortgage.</p> <p>The following costs have been incurred on this property:</p> <table style="width: 100%; border-collapse: collapse;"><tr><td style="width: 60%;">Legal Department:</td><td style="text-align: right;">\$ 235.00- Filing Fee</td></tr><tr><td>Permits and Inspections Division:</td><td style="text-align: right;">\$14,496.28- Demolition</td></tr><tr><td><b>Total</b></td><td style="text-align: right;"><b>\$14,731.28</b></td></tr></table> <p>The subject property is 42.23 feet wide by 120 feet deep, which is 5,040 square feet in area, and is located in the R-2/Two-Family Residential District. While the subject property does not meet the required 50 foot lot width for a property located in the R-2 Zoning District, the property is considered buildable as a home with a width of at least 20 feet and an area of 500 square feet can be constructed on the lot and still meet all required setbacks.</p> <p>There is a competing offer with on this same property that has been assigned the case number of #OTB-20-005. The competing offer is from NeighborWorks Home Solutions, who also proposes to construct a single family dwelling on the property. The two offers are currently scheduled to be reviewed at the same public hearing.</p>			Legal Department:	\$ 235.00- Filing Fee	Permits and Inspections Division:	\$14,496.28- Demolition	<b>Total</b>	<b>\$14,731.28</b>
Legal Department:	\$ 235.00- Filing Fee							
Permits and Inspections Division:	\$14,496.28- Demolition							
<b>Total</b>	<b>\$14,731.28</b>							
<b>Recommendation</b>								
The Community Development Department recommends setting a public hearing on the disposal of the property legally described as Lot 8, Catalpa Block Subdivision, City of Council Bluffs, Pottawattamie County, Iowa on the June 22, 2020 City Council Meeting.								
<b>Attachment A:</b> Location map								
<b>Prepared By:</b> Chris Meeks, Planner, Community Development Department								



# CASE #OTB-20-005




## Legend

 Case #OTB-20-005



20 10 0 20 Feet

A scale bar with markings for 20, 10, 0, and 20 feet.



**NOTICE OF PUBLIC HEARING  
ON INTENT TO DISPOSE AND CONVEY CITY PROPERTY**

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request to dispose of property described as Lot 8, Catalpa Block Subdivision, City of Council Bluffs, Pottawattamie County, Iowa.

You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 22<sup>nd</sup> day of June, 2020, in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

\_\_\_\_\_  
Jodi Quakenbush

\_\_\_\_\_  
City Clerk

CWM



Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 890-5350  
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 890-5261

RESOLUTION NO. 20-141

A RESOLUTION OF INTENT TO DISPOSE OF CITY PROPERTY DESCRIBED AS LOT 8, CATALPA BLOCK SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City has received an offer from USA Builders, represented by Miguel Santacruz, to purchase the City owned property described as Lot 8, Catalpa Block Subdivision, City of Council Bluffs, Pottawattamie County, Iowa.

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

That the City does hereby express its intent to dispose of City owned property described as Lot 8, Catalpa Block Subdivision, City of Council Bluffs, Pottawattamie County, Iowa; and

BE IT FURTHER RESOLVED

That a public hearing be scheduled for June 22, 2020.

ADOPTED  
AND  
APPROVED:

June 8, 2020

\_\_\_\_\_  
Matthew J. Walsh Mayor

ATTEST: \_\_\_\_\_  
Jodi Quakenbush City Clerk

(Case #OTB-20-008)



## Council Communication

Department: Community  
Development

Case/Project No.: CASE #MIS-  
20-004

Submitted by: Christopher  
Gibbons, Planning Manager

Resolution 20-142  
ITEM 3.J.

Council Action: 6/8/2020

### Description

Resolution of intent and setting a public hearing for June 22, 2020 at 7:00 p.m. to dispose of certain property interests legally described as being the West five feet of the North 327.15 feet and the West 15 feet of the South 15 feet of Block 4, River's Edge Subdivision, by granting an easement for the benefit of MidAmerican Energy Company. Location: Lying southeast of the intersection of Avenue 'B' and North 40th Street within the River's Edge Development.

### Background/Discussion

See attachments.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
CASE #MIS-20-004 staff report	Other	5/29/2020
CASE #MIS-20-004 Attachment A	Map	5/29/2020
CASE #MIS-20-004 Attachment B	Map	5/29/2020
CASE #MIS-20-004 public hearing notice	Other	5/29/2020
Resolution 20-142	Resolution	6/3/2020



### City Council Communication

Department: Community Development  Case #MIS-20-004  Applicant: City of Council Bluffs	Resolution of Intent No. _____  Resolution to Dispose No. _____	Set Public Hearing: 6-08-2020  Public Hearing: 6-22-2020
<b>Subject/Title</b> A resolution of intent to dispose of certain property interest for property legally described as being the West five feet of the North 327.15 feet and the West 15 feet of the South 15 feet of Block 4, River's Edge Subdivision, City of Council Bluffs, Pottawattamie County, Iowa by granting an easement for the benefit of MidAmerican Energy Company. Location: Lying southeast of the intersection of Avenue 'B' and North 40 <sup>th</sup> Street within the River's Edge Development.		
<b>Background/Discussion</b> MidAmerican Energy Company needs to install underground electrical service across and/or through the West five feet of the North 327.15 feet and the West 15 feet of the South 15 feet of Block 4, River's Edge Subdivision in conjunction with the River's Edge Development and Council Bluffs Interstate System (CBIS) projects. At this time, MidAmerican Energy Company has requested the City's approval to grant the underground easements as shown in Attachments 'A' and 'B' to accommodate this work.		
<b>Staff Recommendation</b> The Community Development Department recommends setting a public hearing for June 22, 2020 to consider disposal of said property rights by granting easements.		
<b>Attachments</b> Attachment A: MidAmerican Energy Company underground easement agreement request Attachment B: Map exhibit showing proposed underground easement locations		

Submitted by: Christopher N. Gibbons, Planning Manager, Community Development Department  
Approved by: Brandon Garrett, Director, Community Development Department



## ATTACHMENT A

Prepared by and return to: Colby Hannasch 712-277-7581  
MIDAMERICAN ENERGY ATTN: RIGHT-OF-WAY SERVICES 401 Douglas Street, Sioux City, Iowa 51101

### MIDAMERICAN ENERGY COMPANY UNDERGROUND ELECTRIC EASEMENT

Folder No.	<u>2020-9321</u>	State of	<u>Iowa</u>
Work Req. No.	<u>2020-</u>	County of	<u>Pottawattamie</u>
Project No.	<u>A1175</u>	Section	<u>28</u> SW1/4
		Township	<u>75</u> North
		Range	<u>44</u> West of the 5 <sup>th</sup> P.M.

1. For and in consideration of the sum of One and no/100---Dollar (\$1.00), and other valuable consideration, in hand paid by MIDAMERICAN ENERGY COMPANY, an Iowa corporation, receipt of which is hereby acknowledged, the undersigned owner(s) **City of Council Bluffs, Pottawattamie County, Iowa,** an Iowa municipal corporation, its successors and assigns ("Grantor"), does hereby grant to MIDAMERICAN ENERGY COMPANY, its successors and assigns ("Grantee"), a perpetual, non-exclusive easement to construct, reconstruct, operate, maintain, replace or remove underground conduits, wires and cables for the transmission and distribution of electric energy and for communication and electrical controls, including other reasonably necessary equipment incident thereto (collectively "Facilities") under and on the surface of the ground, through and across certain property described below, together with the right of ingress and egress to and from the same, and all the rights and privileges incident and necessary to the enjoyment of this easement ("Easement Area").

#### DESCRIPTION OF PROPERTY CONTAINING EASEMENT AREA:

**BLOCK FOUR (4) OF THE RIVERS EDGE SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.**

#### EASEMENT AREA:

An underground electric easement described as follows:

**THE WEST 5 FOOT OF THE NORTH 327.15 FOOT AND THE WEST 15 FOOT OF THE SOUTH 15 FOOT OF BLOCK 4. SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.**

2. Additionally, Grantee shall have the right to remove from the Easement Area described above, any obstructions, including but not limited to, trees, plants, undergrowth, buildings, fences and structures that interfere with the proper operation and maintenance of said Facilities and equipment.



3. Grantor agrees that it will not construct or place any permanent or temporary buildings, structures, fences, trees, plants or other objects on the Easement Area described above or make any changes in ground elevation without written permission from Grantee indicating that said construction or ground elevation changes will not result in inadequate or excessive ground cover, or otherwise interfere with the Grantee's rights to operate and maintain its Facilities.

4. In consideration of such grant, Grantee agrees that it will repair or pay for any damage which may be caused to crops, fences, or other property, real or personal of the Grantor by the construction, reconstruction, maintenance, operation, replacement or removal of the Facilities (except for damage to property placed subsequent to the granting of this easement) that Grantee determines interferes with the operation and maintenance of the Facilities and associated equipment. The cutting, recutting, trimming and removal of trees, branches, saplings, brush or other vegetation on or adjacent to the Easement Area is expected and not considered damage to the Grantor.

5. Additionally, when Grantor provides or installs duct/conduit for said Facilities, this grant shall cover and include all Facilities installed as a part of the Easement Area.

6. Grantor certifies that it is not acting, directly or indirectly, for or on behalf of any person, group, entity or nation named by any Executive Order or the United States Treasury Department as a terrorist, "Specially Designated National and Blocked Person" or any other banned or blocked person, entity, nation or transaction pursuant to any law, order, rule or regulation that is enforced or administered by the Office of Foreign Assets Control; and are not engaged in this transaction, directly or indirectly, on behalf of, any such person, group, entity or nation. Grantor hereby agrees to defend, indemnify and hold harmless the Grantee from and against any and all claims, damages, losses, risks, liabilities and expenses (including attorney's fees and costs) arising from or related to any breach of the foregoing certification.

7. Each of the provisions of this easement shall be enforceable independently of any other provision of this easement and independent of any other claim or cause of action. In the event of any matter of dispute arising out of or related to this easement, it is agreed between the parties that the law of the jurisdiction and location where this easement is recorded (including statute of limitation provisions) will govern the interpretation, validity and effect of this easement without regard to the place of execution or place of performance thereof, or any conflicts or law provisions. TO THE FULLEST EXTENT PERMITTED BY LAW, EACH OF THE PARTIES HERETO WAIVES ANY RIGHT IT MAY HAVE TO A TRIAL BY JURY IN RESPECT OF LITIGATION DIRECTLY OR INDIRECTLY ARISING OUT OF, UNDER OR IN CONNECTION WITH THIS EASEMENT. EACH PARTY FURTHER WAIVES ANY RIGHT TO CONSOLIDATE ANY ACTION IN WHICH A JURY TRIAL HAS BEEN WAIVED WITH ANY OTHER ACTION IN WHICH A JURY TRIAL CANNOT BE OR HAS NOT BEEN WAIVED.

8. Grantor hereby relinquishes all rights of dower, homestead and distributive share in and to the property and waives all rights of exemption as to any of the property. Grantor understands that homestead property is in many cases protected from the claims of creditors and exempt from judicial sale; and that by signing this easement, voluntarily gives up any right to this protection for this property with respect to claims based upon this easement.

9. Grantor warrants to Grantee that Grantor holds title to the Easement Area in fee simple and Grantor has good and lawful authority to grant the rights provided in this easement.

(Acknowledgments on following page)



Dated this \_\_\_\_ day of \_\_\_\_\_, 2020

City of Council Bluffs, Pottawattamie County, Iowa

By: \_\_\_\_\_

Its: \_\_\_\_\_  
Printed Name of Mayor

Attest:

By: \_\_\_\_\_

Its: \_\_\_\_\_  
Printed Name of City Clerk

#### ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss

On this \_\_\_\_ day of \_\_\_\_\_, 2020, before me, the undersigned, a Notary Public in and for the State of Iowa personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Council Bluffs, Pottawattamie County, Iowa, a municipal corporation; that the seal affixed to the foregoing instrument is the corporate seal of the corporation and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Resolution No. \_\_\_\_\_ of the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2020; and \_\_\_\_\_ and \_\_\_\_\_ acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

\_\_\_\_\_  
Notary Public in and for said State

(Notarial Seal)



# EXHIBIT "A"

## Legend

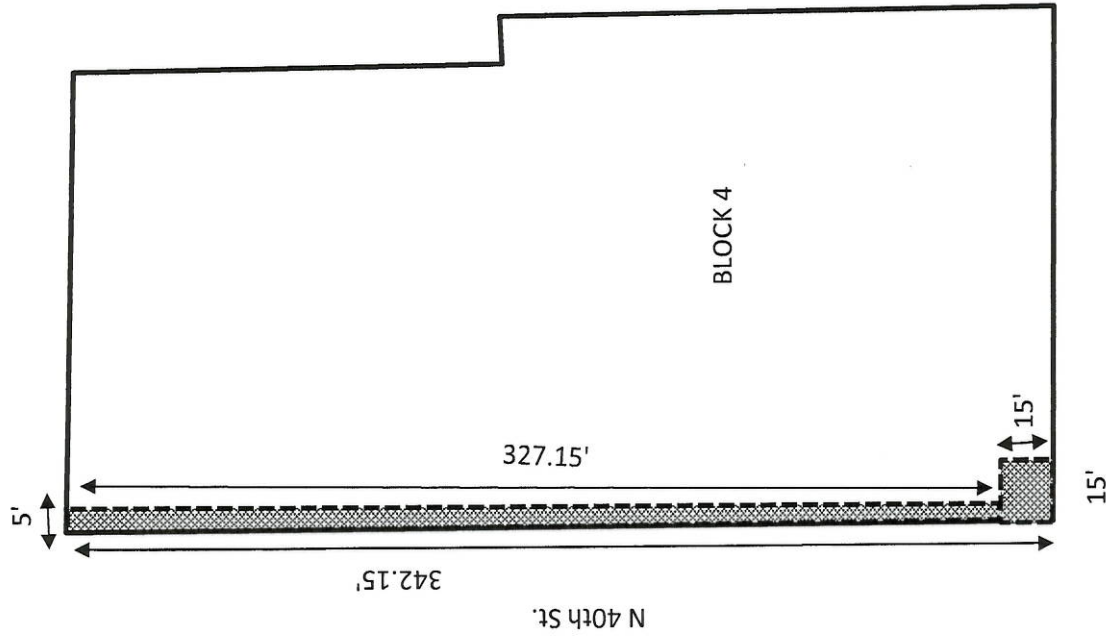
- - Subject Property Line & ROW
-  - Easement area

## Parcel Legal Description:

BLOCK FOUR (4) OF THE RIVERS EDGE  
SUBDIVISION, CITY OF COUNCIL BLUFFS,  
POTTAWATTAMIE COUNTY, IOWA.

## Easement Area:

THE WEST 5 FOOT OF THE NORTH 327.15 FOOT  
AND THE WEST 15 FOOT OF THE SOUTH 15 FOOT  
OF BLOCK 4.



Customer: City of Council Bluffs, Pottawattamie County, Iowa  
Address: 209 Pearl St  
City: Council Bluffs State: Iowa  
Job Desc: New underground electric and transformer

Scale: Not to Scale

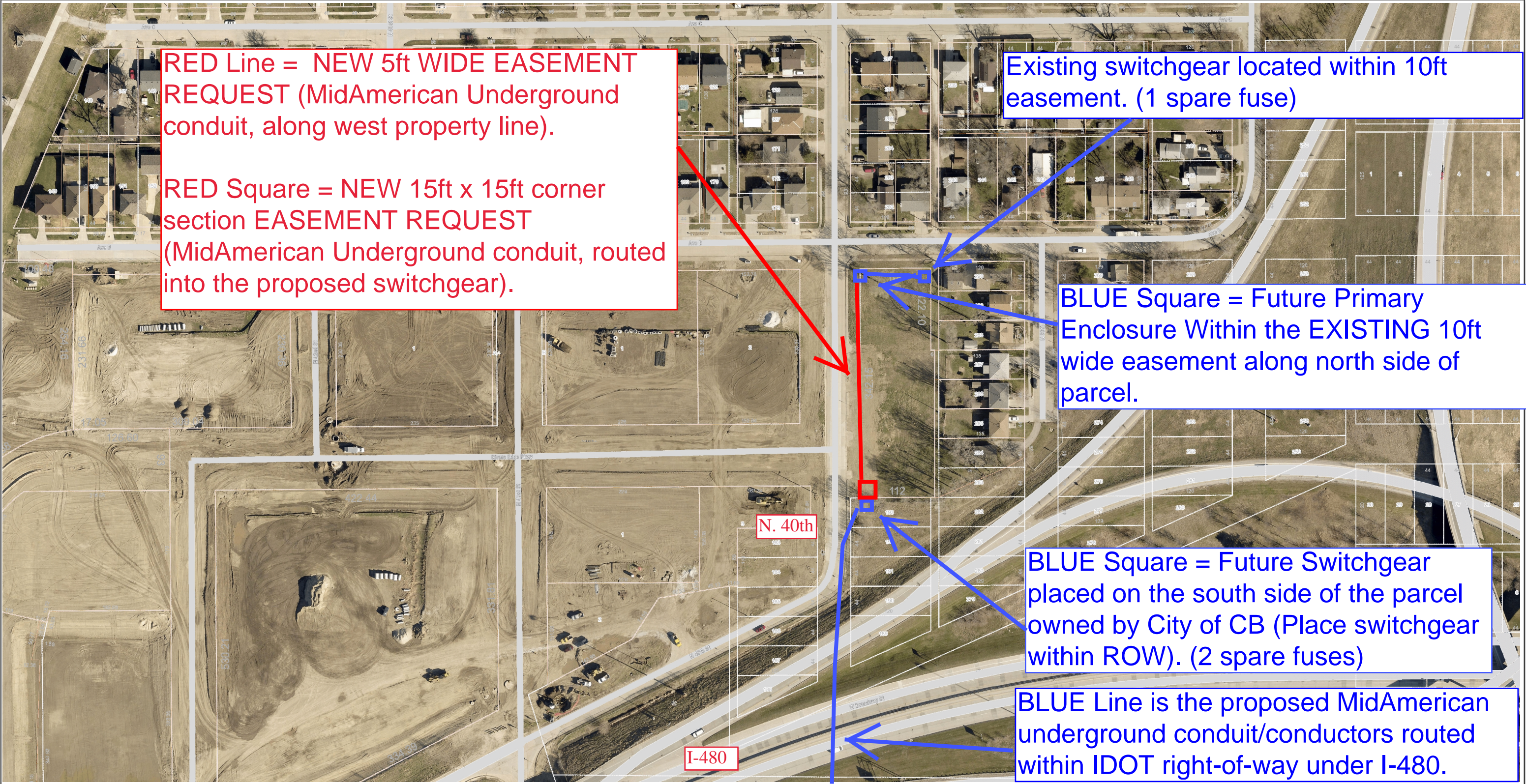
Folder No. 9321  
Date: 5/7/2020

Sec 28, Twp 75, Rng 44





Pottawattamie County Web Map



Pottawattamie County GIS  
223 S. 6th St  
Council Bluffs, IA 51501  
(712) 328-4885  
gis@pottcounty.com  
http://gis.pottcounty.com

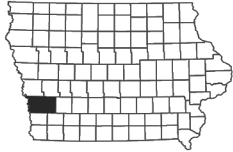


1in = 188ft

Map Published: 6/26/2018

Pottawattamie County makes no representation or warranty as to the accuracy of this map and its information nor to its fitness for use. Any user of this map product accepts this same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold Pottawattamie County harmless from any and all damage, loss, or liability arising from any use of this map.

ATTACHMENT B





**NOTICE OF PUBLIC HEARING  
ON THE INTENT OF THE CITY OF COUNCIL BLUFFS  
TO DISPOSE OF AN INTEREST IN PUBLIC PROPERTY BY  
GRANTING UNDERGROUND UTILITY EASEMENTS ON PORTIONS OF BLOCK 4,  
RIVER'S EDGE SUBDIVISION TO MIDAMERICAN ENERGY COMPANY**

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request of MidAmerican Energy Company to dispose of certain property interest located across and/or through the West five feet of the North 327.15 feet and the West 15 feet of the South 15 feet of Block 4, River's Edge Subdivision, City of Council Bluffs, Pottawattamie County, Iowa by granting an easement for the benefit of Mid-American Energy Company.

You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 22<sup>nd</sup> day of June, 2020 in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

\_\_\_\_\_  
Jodi Quakenbush,

City Clerk



**RESOLUTION NO. 20-142**

**A RESOLUTION OF INTENT TO DISPOSE OF CERTAIN PROPERTY INTEREST LOCATED ON PORTIONS OF BLOCK 4, RIVER'S EDGE SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA BY GRANTING EASEMENTS FOR THE BENEFIT OF MIDAMERICAN ENERGY COMPANY.**

**WHEREAS,** MidAmerican Energy Company needs to install underground electrical service across and/or through the West five feet of the North 327.15 feet and the West 15 feet of the South 15 feet of Block 4, River's Edge Subdivision in conjunction with the River's Edge redevelopment and Council Bluffs Interstate System (CBIS) projects; and

**WHEREAS,** this City Council hereby declares its intent to consider the disposal of certain property interest by granting an easement across and/or through the West five feet of the North 327.15 feet and the West 15 feet of the South 15 feet of Block 4, River's Edge Subdivision for the benefit of MidAmerican Energy Company; and

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

That this City Council hereby declares its intent to consider granting the easements described above; and

BE IT FURTHER RESOLVED

That a public hearing on the City's intent to dispose of this certain property interest is hereby set for June 22, 2020.

ADOPTED  
AND  
APPROVED

June 8, 2020.

\_\_\_\_\_  
MATTHEW J. WALSH

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH

\_\_\_\_\_  
City Clerk



## Council Communication

Department: Public Works Admin  
Case/Project No.: PW19-12  
Submitted by: Matthew Cox, Public  
Works Director

Resolution 20-143  
ITEM 3.K.

Council Action: 6/8/2020

### Description

Resolution accepting the work of Carley Construction, LLC as complete and authorizing release of retainage after 30 days if no claims are filed in connection with the South 1st Street Neighborhood Rehab, Phase IX. Project #PW19-12

### Background/Discussion

The South 1st Street neighborhood bounded by Pierce Street on the north, Palmer Avenue on the south, 1st Street on the west and Franklin Avenue on the east consists of some of the original town subdivision within the city.

Records indicate that the infrastructure in this area dates back prior to the 1950's and is in need of replacement. Storm sewers are lacking or undersized, sanitary sewers are leaking and broken and the pavements are in poor condition. Improvement projects will be phased over several years to replace and upgrade the aged infrastructure.

Phases I thru VII are complete and included portions of Knepper Street, Damon Street, Hill Street, Stutsman Street, Langstrom Street, Franklin Avenue, Platner Street, Carson Avenue, Grace Street, Kappell Avenue, Charles Street, Garden Street, Bloomer Street, Clinton Street, Voorhis Street, Stahl Avenue and Grace Street. The Phase VIII project included portions of Stutsman Avenue, Voorhis Street and Platner Street.

Phase IX included Iowa Avenue, Palmer Avenue, and Grove Street.

This project was included in the FY19 CIP with a budget of \$1,000,000 in Sales Tax Funds.

	Division I <u>General</u>	Division II <u>Pavement</u>	Division III <u>Storm Sewer</u>	Division IV <u>San. Sewer</u>	Division V <u>Water</u>	<u>Total</u>
Original Contract Amount	\$91,253.40	\$397,726.30	\$124,486.50	\$167,738.00	\$204,541.20	\$985,745.40
Change Orders (-11.1%)	(\$70,603.32)	(\$23,701.50)	(\$1,632.50)	\$2,265.60	(\$15,745.25)	(\$109,416.97)
Final Contract Amount	\$20,650.08	\$374,024.80	\$122,854.00	\$170,003.60	\$188,795.95	\$876,328.43
Less Previous Payments	\$19,617.58	\$355,323.56	\$116,711.30	\$161,503.42	\$179,356.15	\$832,512.01
Retainage Due Contractor	\$1,032.50	\$18,701.24	\$6,142.70	\$8,500.18	\$9,439.80	\$43,816.42

The Contractor did not complete the project on time and received one non-compliance notice. Liquidated damages in the amount of \$51,000 were assessed.

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description	Type	Upload Date
Resolution 20-143	Resolution	6/3/2020



**RESOLUTION  
NO 20-143**

**RESOLUTION ACCEPTING THE WORK OF  
CARLEY CONSTRUCTION LLC IN CONNECTION WITH  
THE SOUTH 1<sup>ST</sup> STREET NEIGHBORHOOD REHAB, PHASE IX  
AND AUTHORIZING THE FINANCE DIRECTOR TO ISSUE  
A CITY CHECK IN THE AMOUNT OF \$43,816.42  
PROJECT #PW19-12**

WHEREAS, the City of Council Bluffs, Iowa, entered into an agreement with Carley Construction LLC, Council Bluffs, IA for the South 1<sup>st</sup> Street Neighborhood Rehab, Phase IX; and

WHEREAS, said contractor has fully completed the construction of said improvements in accordance with the terms and conditions of said contract and plans and specifications filed with the city clerk; and

WHEREAS, a request for final payment in the amount of \$43,816.42 to Carley Construction LLC, has been submitted to the city council for approval and payment; and

WHEREAS, final payment is due 30 days after acceptance of the work; and

WHEREAS, the city council of the City of Council Bluffs has been advised and does believe that said \$43,816.42 constitutes a valid obligation of the City and should in its best interest be paid.

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

Said improvements are hereby accepted as having been fully completed in accordance with plans and specifications.

AND BE IT FURTHER RESOLVED

That the finance director is hereby authorized and directed to issue a city check in the amount of \$43,816.42 payable to Carley Construction LLC from budget codes Division I, S36000-676000; Division II, S36000-676200; Division III, S36000-676500; Division IV, S36000-676700; Division V, S36000-678000 Project #1912X.

AND BE IT FURTHER RESOLVED

That the aforementioned project is encompassed by the language of the 1989 Local Option Sales Tax Ballot and as such this is an appropriate expenditure of the Local Option Sales Tax Revenues

ADOPTED  
AND  
APPROVED

June 8, 2020

\_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk



## Council Communication

Department: Public Works Admin  
Case/Project No.: PW17-23  
Submitted by: Matthew Cox, Public  
Works Director

Resolution 20-144  
ITEM 3.L.

Council Action: 6/8/2020

### Description

Resolution accepting the work of Huffman Engineering, Inc. as complete and authorizing release of retainage after 30 days if no claims are filed in connection with the SCADA Upgrade, Phase 1 (WPCP). Project #PW17-23

### Background/Discussion

The City's Water Pollution Control Plant (WPCP) uses a Supervisory Control and Data Acquisition (SCADA) system to monitor operations at the plant and pump stations. The system was antiquated and maintenance was difficult because of the obsolete hardware and unsupported software. The scope of this initial phase included upgrades to the facilities at the WPCP so that data can be reliably gathered, communicated, and monitored within the plant.

An onsite assessment was completed by the consultant and identified two efforts: Immediate needs within the plant; and SCADA procurement and implementation. Immediate needs have been addressed within the WPCP operation budget. This project included new hardware, software and communication equipment at the WPCP.

This project was included in the FY17 CIP and is funded with Sales Tax Funds with a revised budget of \$550,000.

Original contract amount	\$217,800.00
Change Orders (-0.76%)	(\$1,655.00)
Final contract amount	\$216,145.00
Less previous payments	\$205,337.75
Retainage due contractor	\$10,807.25

The Contractor completed the project on time and did not receive any non-compliance notices.

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description	Type	Upload Date
Resolution 20-144	Resolution	6/3/2020



**RESOLUTION**  
**NO 20-144**

**RESOLUTION ACCEPTING THE WORK OF  
HUFFMAN ENGINEERING, INC. IN CONNECTION WITH  
THE SCADA UPGRADE, PHASE 1 (WPCP)  
AND AUTHORIZING THE FINANCE DIRECTOR TO ISSUE  
A CITY CHECK IN THE AMOUNT OF \$10,807.25  
PROJECT #PW17-23**

- WHEREAS, the City of Council Bluffs, Iowa, entered into an agreement with Huffman Engineering, Inc., Lincoln, NE for the SCADA Upgrade, Phase 1 (WPCP); and
- WHEREAS, said contractor has fully completed the construction of said improvements in accordance with the terms and conditions of said contract and plans and specifications filed with the city clerk; and
- WHEREAS, a request for final payment in the amount of \$10,807.25 to Huffman Engineering, Inc., has been submitted to the city council for approval and payment; and
- WHEREAS, final payment is due 30 days after acceptance of the work; and
- WHEREAS, the city council of the City of Council Bluffs has been advised and does believe that said \$10,807.25 constitutes a valid obligation of the City and should in its best interest be paid.

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

Said improvements are hereby accepted as having been fully completed in accordance with plans and specifications.

AND BE IT FURTHER RESOLVED

That the finance director is hereby authorized and directed to issue a city check in the amount of \$10,807.25 payable to Huffman Engineering, Inc. from budget code Division I, S36000-676000; Project #1723X.

AND BE IT FURTHER RESOLVED

That the aforementioned project is encompassed by the language of the 1989 Local Option Sales Tax Ballot and as such this is an appropriate expenditure of the Local Option Sales Tax Revenues

ADOPTED  
AND  
APPROVED

June 8, 2020

\_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk



## Council Communication

Department: City Clerk  
Case/Project No.:  
Submitted by:

Mayor's Appointments  
ITEM 3.M.

Council Action: 6/8/2020

### Description

Parks and Recreation Commission

### Background/Discussion

With City Council concurrence, I would like to make the following reappointments:

#### PARKS AND RECREATION COMMISSION

Reappoint the following with term expiring 5/1/2023:

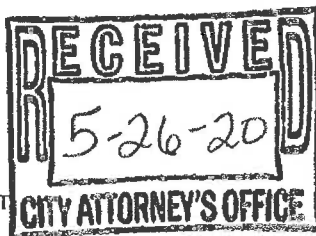
Ken Freudenburg  
510 Oakland Ave

Mathew Preston  
2731 N Broadway

Doug Hutcheson  
1015 Jim Brown Pkwy

### Recommendation





RETURN TO: CITY OF COUNCIL BLUFFS, IOWA  
ATTN: CITY LEGAL DEPARTMENT  
OR CITY CLERK  
209 PEARL STREET  
COUNCIL BLUFFS, IA 51503

CITY CLAIM NO. 20-PD-2065

### NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Clint ~~Charles~~ Smith DAY PHONE: \_\_\_\_\_  
ADDRESS: 7714 S 36 Street Bellevue NE 68147 DOB: 9/6/1939

DATE & TIME OF LOSS/ACCIDENT: 8/10/2019 9:28

LOCATION OF LOSS/ACCIDENT: Service Rd B and 9th Ave and Interstate 29/I29 ramp

DESCRIPTION OF LOSS/ACCIDENT: motor vehicle accident  
See attached accident report

(USE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: \$ unknown at this time

WITNESS(ES) (Name(s), Address(es), Phone No(s)) \_\_\_\_\_

WAS POLICE REPORT FILED ☒ YES ☐ NO

IF MEDICAL ATTENTION WAS REQUIRED, PLEASE PROVIDE NAME, ADDRESS, AND TELEPHONE NO. OF TREATING PHYSICIAN AND FACILITY:

Advanced Chiro Care leg pain  
Jennie Edmundson Hospital

HAVE YOU RESUMED NORMAL ACTIVITIES? ☐ YES ☐ NO

IF YOU INCURRED PROPERTY DAMAGE, PLEASE DESCRIBE AND PROVIDE COPIES OF ESTIMATES, INVOICES, PHOTOGRAPHS, AND ANY

OTHER RELEVANT INFORMATION: Personal injuries

CLERK RCD  
26 MAY 20

LIST INSURANCE PROVIDER AND COVERAGE: \_\_\_\_\_

PM 2:54

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IN SUPPORT OF MY CLAIM IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

NOTE: IT IS A FRAUDULENT PRACTICE PUNISHABLE BY FINE OR IMPRISONMENT TO KNOWINGLY MAKE A FALSE CLAIM (SECTION 714.8(3) CODE OF IOWA)

DATE

5/19/20

J. Hallerman

CLAIMANT'S SIGNATURE

Atty for Claimant



RETURN TO: CITY OF COUNCIL BLUFFS, IOWA  
ATTN: CITY LEGAL DEPARTMENT  
OR CITY CLERK  
209 PEARL STREET  
COUNCIL BLUFFS, IA 51503

CITY CLAIM NO. 20-PK-2066

### NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Paul A. Dillehay DAY PHONE: (712) 323-7324  
ADDRESS: 3014 Ave C DOB: 06-07-1957

DATE & TIME OF LOSS/ACCIDENT: MAY 5, 2020 2pm

LOCATION OF LOSS/ACCIDENT: 3014 Ave C in my Driveway

DESCRIPTION OF LOSS/ACCIDENT: Limbo Fell out of tree on Parking Damaging the Cab and third Brake Light of my truck

(USE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: \$ #1800

WITNESS(ES) (Name(s), Address(es), Phone No(s))

WAS POLICE REPORT FILED ☐ YES ☒ NO Police said it was not a Police matter

IF MEDICAL ATTENTION WAS REQUIRED, PLEASE PROVIDE NAME, ADDRESS, AND TELEPHONE NO. OF TREATING PHYSICIAN AND FACILITY:

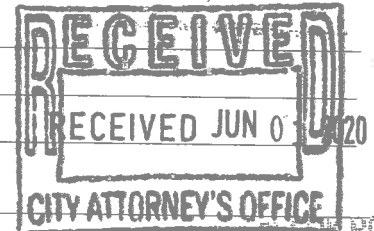
None

HAVE YOU RESUMED NORMAL ACTIVITIES? ☒ YES ☐ NO

IF YOU INCURRED PROPERTY DAMAGE, PLEASE DESCRIBE AND PROVIDE COPIES OF ESTIMATES, INVOICES, PHOTOGRAPHS, AND ANY

OTHER RELEVANT INFORMATION: Enclosed

LIST INSURANCE PROVIDER AND COVERAGE:



I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IN SUPPORT OF MY CLAIM IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. PM 1:02

NOTE: IT IS A FRAUDULENT PRACTICE PUNISHABLE BY FINE OR IMPRISONMENT TO KNOWINGLY MAKE A FALSE CLAIM (SECTION 714.8(3) CODE OF IOWA)

DATE

CLAIMANT'S SIGNATURE



## Council Communication

Department: City Clerk  
Case/Project No.: URV-20-002  
Submitted by: Community  
Development

Ordinance 6411  
ITEM 4.A.

Council Action: 6/8/2020

### Description

Ordinance establishing the 5th & West Broadway Urban Revitalization Area.

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
URV-20-002 Staff Report	Other	5/13/2020
Boundary Map	Map	5/8/2020
5th & West Broadway Urban Revitalization Plan	Other	5/8/2020
Ordinance 6411	Ordinance	5/13/2020



## Council Communication

Department: Community Development  CASE # URV-20-002	Ordinance No. _____	Council Action: 5/18/2020
<b>Subject/Title</b>		
Ordinance establishing the 5 <sup>th</sup> & West Broadway Urban Revitalization Area within the City of Council Bluffs.		
<b>Location</b>		
An area generally bounded by West Kanesville Boulevard to the north, West Broadway Street to the south, North Main Street to the East, and South 6 <sup>th</sup> Street to the west and excludes property commonly known as TS Bank (legally described as Lots 1 through 3, Bluffs Center 1, Replat 1).		
<b>Background/Discussion</b>		
<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>A proposal has been submitted by The 712 Initiative for 530 West Broadway (the former EQ building.) The 3-story brick building, originally completed in 1880, will be fully renovated to include 8,930 sq ft of residential space in 15 units on the 2<sup>nd</sup> and 3<sup>rd</sup> floors. The main floor will consist of four retail bays with a total of 6,178 sq ft of commercial space. The historic character of the building will be maintained in the redevelopment, returning large storefront windows to the street level encouraging walkability and window shopping.</p> <p>Additionally, the 712 Initiative has plans to renovate the old Council Bluffs Community School District building into residential multi-family and construct a new residential multi-family building on the parking area to the north. The City also believes these projects could entice the remaining owner on the block as well as the owners to the east to renovate and rehabilitate their properties to provide new residential and commercial space in the future.</p> <p><u>Discussion</u></p> <p>Iowa Code permits the City to establish urban revitalization areas, which satisfy one of the five conditions outlined in Section 404.1.</p> <p>Staff believes this project meets the criteria under 404.1.2: 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</p>		



## Council Communication

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.

On April 6, 2020, City Council approved Resolution 20-93, which directed staff to initiate the process of creating the 5<sup>th</sup> & West Broadway Urban Revitalization Plan and Area. This resolution set May 18, 2020 as the date of the public hearing.

This matter was brought before the City Planning Commission at their May 12, 2020 meeting. The Commission found the following: 1) That the proposed 5<sup>th</sup> & West Broadway Urban Revitalization Plan furthers the goals of the City's *Bluffs Tomorrow: 2030 Plan*, which is the general plan for the development of the City of Council Bluffs; and 2) That the 5<sup>th</sup> & West Broadway Urban Revitalization Area is an area appropriate for urban revitalization as specified in Section 404.1.2.

Property owners were notified and no written correspondence was received by the Community Development Department either in support or against the proposed plan. Concurrent with the adoption of an urban revitalization plan, an ordinance establishing the urban revitalization area can be considered. Upon adoption of the area and approval of an ordinance, the City is permitted to grant tax abatement to qualified projects.

### Staff Recommendation

The Community Development Department recommends approval of the 5<sup>th</sup> & West Broadway Urban Revitalization Plan and Area and 1<sup>st</sup> consideration of the ordinance.

### Public Hearing

1. Speakers in favor: Sheryl Garst, 1228 S Main St, Council Bluffs, IA 51503
2. No one appeared in opposition.

### Planning Commission Recommendation

The Planning Commission recommends approval of the 5<sup>th</sup> & West Broadway Urban Revitalization Plan and Area.

VOTE: AYE 11 NAY 0 ABSTAIN 0 ABSENT 0 Motion: Carried

### Attachments

Boundary Map  
5<sup>th</sup> & West Broadway Urban Revitalization Plan draft



## 5th & West Broadway Urban Revitalization Area – Boundary Map





# 5<sup>th</sup> & West Broadway Urban Revitalization Plan



Prepared by

Community Development Department  
City of Council Bluffs, Iowa

Adopted by  
City Council on  
[REDACTED], 2020



# TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
INTRODUCTION.....	2
LEGAL DESCRIPTION OF AREA .....	4
PROPERTY OWNERS & ASSESSED VALUATIONS.....	5
EXISTING ZONING & PROPOSED LAND USE .....	6
PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES .....	7
RELOCATION PROVISIONS.....	8
OTHER PUBLIC ASSISTANCE .....	8
APPLICABILITY & TAX EXEMPTION SCHEDULE .....	8
APPLICATION & REVIEW PROCESS .....	9
ATTACHMENT A: TAX PARCEL INFORMATION.....	11
ATTACHMENT B: 530 W BROADWAY CONCEPT PLAN.....	45
ATTACHMENT C: 530 W BROADWAY SCHEMATICS .....	46



## **INTRODUCTION**

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 renovation of a blighted area. 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.

The City of Council Bluffs concluded that the 5th & West Broadway Urban Revitalization Area meets the criteria of element 2. Consequently, on April 6, 2020, the City Council adopted Resolution No. 20-93, which directed staff to prepare a plan for the proposed revitalization area. Illustration 1 is the City Council Resolution.

## 5th & West Broadway Urban Revitalization Area

### Illustration 1 – Resolution

#### RESOLUTION NO. 20-93

A RESOLUTION OF NECESSITY AND INTENT TO ESTABLISH THE 5<sup>TH</sup> AND WEST BROADWAY URBAN REVITALIZATION AREA LEGALLY DESCRIBED AS THE PORTION OF BLOCK 6, MYNSTER'S ADDITION SOUTHEAST OF THE RIGHT-OF-WAY OF KANESVILLE BOULEVARD; THE PORTION OF LOTS C AND D, AUDITOR'S SUBDIVISION OF BLOCK 6 MYNSTER'S ADDITION AND BLOCK 2 BAYLISS 1<sup>ST</sup> ADDITION LOCATED SOUTHEAST OF THE RIGHT-OF-WAY OF KANESVILLE BOULEVARD, AND THE ENTIRETY OF THE ALLEYWAY ADJACENT TO LOT D; LOTS E-P, AUDITOR'S SUBDIVISION OF BLOCK 6 MYNSTER'S ADDITION AND BLOCK 2 BAYLISS 1<sup>ST</sup> ADDITION, AND THE VACATED ALLEY ADJACENT TO LOT N; LOT 5, BLOCK 2, BAYLISS ADDITION TO COUNCIL BLUFFS; AND: LOTS 1-13, AUDITOR'S SUBDIVISION OF LOT 5, BLOCK 5 MYNSTER'S ADDITION AND BLOCK 1, BAYLISS 1<sup>ST</sup> ADDITION, AND THE ALLEYWAY ADJACENT; LOT 2 EXCLUDING CITY RIGHT-OF-WAY, LOTS 3 AND 4, AND LOTS 6-10, MYNSTER'S ADDITION, ALL IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the subject area is an appropriate area as defined in Section 404.1.2 of the Iowa Code; and

WHEREAS, a proposal has been submitted for the redevelopment of the 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 404.1.2.

**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 no later than May 8, 2020.

**BE IT FURTHER RESOLVED**

That the City Council directs the City Clerk to set this matter for public hearing on May 18, 2020.

**ADOPTED  
AND  
APPROVED:**

April 6, 2020

  
Matthew J. Walsh

Mayor

**ATTEST:**

  
Jodi Quakenbush

City Clerk



## **LEGAL DESCRIPTION**

The 5th & West Broadway Urban Revitalization Area is legally described as:

The portion of Block 6, Mynster's Addition Southeast of the right-of-way of Kanesville Boulevard; The portion of Lots C and D, Auditor's Subdivision of Block 6 Mynster's Addition and Block 2 Bayliss 1st Addition located Southeast of the right-of-way of Kanesville Boulevard, and the entirety of the alleyway adjacent to Lot D; Lots E-P, Auditor's Subdivision of Block 6 Mynster's Addition and Block 2 Bayliss 1st Addition, and the vacated alley adjacent to Lot N; Lot 5, Block 2, Bayliss Addition to Council Bluffs;

And:

Lots 1-13, Auditor's Subdivision of Lot 5, Block 5 Mynster's Addition and Block 1, Bayliss 1st Addition, and the alleyway adjacent; Lot 2 excluding City right-of-way, Lots 3 and 4, and Lots 6-10, Mynster's Addition, all in the City of Council Bluffs, Pottawattamie County, Iowa.

Illustration 2 shows the location and the boundary of the 5th & West Broadway Urban Revitalization Area, which consists of 3.75 acres.

### **5th & West Broadway Urban Revitalization Area**

#### **Illustration 2 – Boundary**





## **PROPERTY OWNERS AND ASSESSED VALUATIONS**

The 5th & West Broadway Urban Revitalization Area will be comprised of 3.75 acres of land owned by multiple parties. The area includes parcels 754425391009, 754425391005, 754425391008, 754425391006, 754425391002, 754425391001, 754425454010, 754425454007, 754425454011, 754425454006, and 754425454012.

Valuation was obtained from the records of the Pottawattamie County Assessor. Land valuation for the area is estimated at \$945,500.

<b>Parcel Number</b>	<b>Zoning</b>	<b>Owner &amp; Address</b>	<b>Land Valuation</b>	<b>Dwelling Valuation</b>	<b>Building Valuation</b>	<b>Total Valuation</b>
754425391009	C-4/ Commercial District	Kjeldgaard Real Estate LLC 7 N 6th St Council Bluffs, IA 51503	\$121,800	\$ -	\$197,000	\$318,800
754425391005	C-4/ Commercial District	535 West Broadway LLC C/O Mark Hanwright 535 W Broadway St, Ste 100 Council Bluffs, IA 51503	\$162,700	\$ -	\$35,400	\$198,100
754425391008	C-4/ Commercial District	Pottawattamie County Development Corp 1228 S Main St Council Bluffs, IA 51503	\$80,000	\$ -	\$332,000	\$412,000
754425391006	C-4/ Commercial District	Pottawattamie County Development Corp 1228 S Main St Council Bluffs, IA 51503	\$81,000	\$ -	\$165,500	\$246,500
754425391002	C-4/ Commercial District	Council Bluffs, City of 209 Pearl St Council Bluffs, IA 51503	\$ -	\$ -	\$ -	\$ -
754425391001	C-4/ Commercial District	MAC Investments Inc 32 Scott St Council Bluffs, IA 51503	\$6,300 \$11,200	\$25,848	\$45,952	\$89,300
754425454010	C-4/ Commercial District	500 West LLC 500 W Broadway St Council Bluffs, IA 51503	\$175,700	\$ -	\$292,200	\$467,900
754425454011	C-4/ Commercial District	Council Bluffs, City of 209 Pearl St Council Bluffs, IA 51503	\$ -	\$ -	\$ -	\$ -
754425454007	C-4/ Commercial District	500 West LLC 500 W Broadway St Council Bluffs, IA 51503	\$135,800	\$ -	\$6,200	\$142,000
754425454006	C-4/ Commercial District	KJC LLC C/O Bonnie Culjat 18465 Jaylen Dr Council Bluffs, IA 51503	\$171,000	\$ -	\$150,700	\$321,700
754425454012	C-4/ Commercial District	Council Bluffs, City of 209 Pearl St Council Bluffs, IA 51503	\$ -	\$ -	\$ -	\$ -
<b>Total</b>			<b>\$945,500</b>	<b>\$25,848</b>	<b>\$1,224,952</b>	<b>\$2,196,300</b>



## **EXISTING ZONING AND PROPOSED LAND USE**

The entirety of the 5th & West Broadway Urban Revitalization area is currently zoned C-4. The C-4/Commercial District is intended to provide an intensive business zone which will accommodate large office concentrations and other similar uses.

Surrounding properties to the north, east, and south are also zoned C-4. To the west lies a green space, where Kaneshville and West Broadway merge, zoned A-2/Parks, Estates, and Agricultural District. Existing land uses in the general vicinity include: Omni Business Park to the east, and a bank and office building to the south across West Broadway. Another bank is to the north plus a pharmacy across Kaneshville Boulevard. Beyond that are residential properties in an area zoned R-3/Low Density Multifamily Residential District. Illustration 3 depicts the existing on-site and surrounding zoning.

In *The Downtown Council Bluffs Plan* this area is part of the City Center, the traditional downtown retail core along West Broadway from 2nd to 8th Streets. According to the plan, “This area, once Downtown’s prime location, includes strategic but underutilized property and should be a major focus for future development.” The *Bluffs Tomorrow: 2030 Comprehensive Plan* designates the subject property as Downtown/Mixed-use.

A redevelopment proposal has been submitted by The 712 Initiative for parcel # 754425391008, which is 530 West Broadway (the former EQ building.) The 3-story brick building, originally completed in 1880, will be fully renovated to include 8,930 sq ft of residential space in 15 units on the 2<sup>nd</sup> and 3<sup>rd</sup> floors. The main floor will consist of four retail bays with a total of 6,178 sq ft of commercial space. The historic character of the building will be maintained in the redevelopment, returning large storefront windows to the street level (see Attachment C) encouraging walkability and window shopping. A mixed commercial/residential structure is a principal use permitted in a C-4 district.

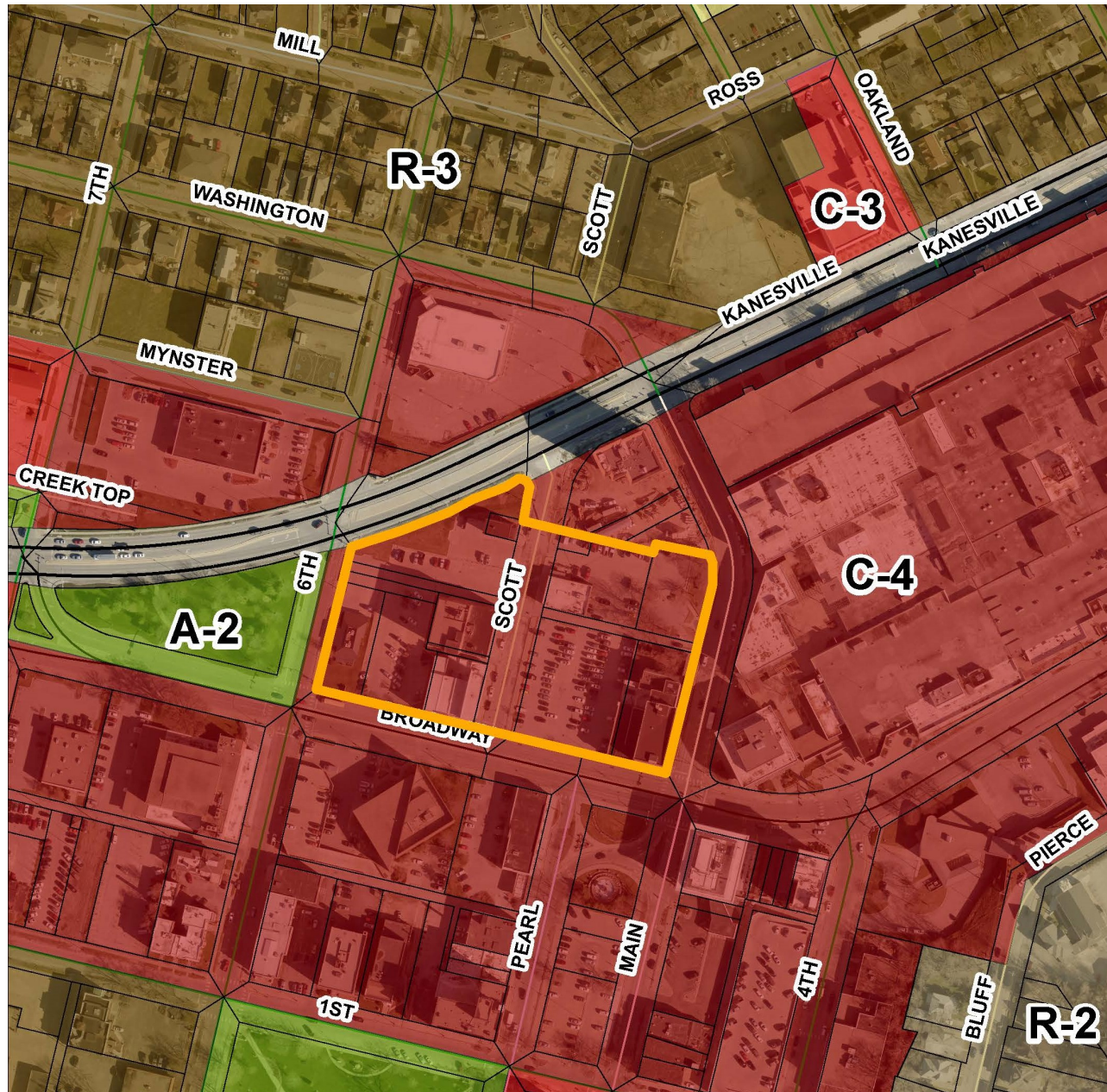
The current assessed building valuation is \$412,000 with a projected assessed value of \$1,700,000 after a full renovation.



---

**5th & West Broadway Urban Revitalization Area**  
**Illustration 3 – Zoning**

---



---

**PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES**

The proposed 5th & West Broadway Urban Revitalization Area is currently served with all municipal services (sanitary sewer, water and storm sewer) and can be accessed by a dedicated roadway. Electricity and gas service are also available to the project. The plan area is generally located between Kanesville Boulevard on the northerly side and West Broadway to the south, which are adequate to handle the additional traffic generated by this proposed project.



## **RELOCATION PROVISIONS**

The proposed 5th & West Broadway Urban Revitalization area contains three parcels owned by the City of Council Bluffs and several commercial entities including Advanced ChiroCare at 7 N 6<sup>th</sup> Street, Homesteads Group Property Rentals at 32 Scott Street, Buck Snort Restaurant and Sports Bar at 25 Scott Street, the vacant building at 12 Scott Street owned by Pottawattamie County Development Corp, and a four-story commercial building at 500 West Broadway, which is also vacant.

The only current proposal is for 530 West Broadway, which is partially vacant. The first floor has a service tenant that will relocate by December 2020. The rest of the building is vacant; therefore, the City will not displace any residential or non-residential tenants as a result of proposed improvements in the urban revitalization area.

## **OTHER PUBLIC ASSISTANCE**

The developer has applied for a Community Catalyst Building Remediation grant and also plans to request Workforce Housing Tax Credits through the Iowa Economic Development Authority.

## **APPLICABILITY AND TAX EXEMPTION SCHEDULE**

1. Eligibility – The 5th & West Broadway Urban Revitalization Plan will apply to commercial and multi-family residential (12 or more units).

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. New construction of multi-family structures containing 12 or more units or the renovation of existing multi-family properties containing 3 or more units will also be eligible for property tax exemption under the plan.

2. Term - The term of this Plan shall be until December 31, 2040 or 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.

4. Multi-Family New Construction (12 or more units) - All eligible multi-family construction shall be eligible to receive a 100% exemption for a period of four years.

5. Multi-Family Rehabilitation (3 or more units) - All eligible multi-family rehabilitation projects shall be eligible to receive a 100% exemption for a period of ten 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. Improvements involving multi-family projects shall include new construction of projects resulting in 12 or more units or the rehabilitation of existing multi-family projects containing 3 or more units (assessed as commercial property). In addition, all improvements must result in the following increases in value:

- 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.
- For residential property, the improvement must increase the actual value of the structure by at least 10%.
- 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 1<sup>st</sup> 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 1<sup>st</sup> as required by Chapter 404 of the Iowa Code.



[Find Property](#)   [Res Sales](#)   [Comm/Ind Sales](#)

7544 25 391 009

--- Permanent Property Address ---

KJELDGAARD REAL ESTATE LLC

7 N 6TH ST

COUNCIL BLUFFS, IA 51503

----- Mailing Address -----

KJELDGAARD REAL ESTATE LLC

7 N 6TH ST

COUNCIL BLUFFS, IA 51503

District: 000 CO BLUFFS CITY/CO BLUFFS

===== REAL ESTATE TAXES ON TREASURER'S WEBPAGE =====

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754425391009>

===== TAX DESCRIPTION\* =====

\* Not to be used on legal documents

AUD SUB BLK 6 MYNSTER &amp; BLK 2 BAYLISS 1ST S173.5' W18' LT E &amp; BAYLISS 1ST LT 5 EXC CITY

===== ASSESSED VALUE =====

\* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$121,800	\$0		\$197,000	\$318,800		2018	C
\$121,800	\$0		\$197,000	\$318,800		2019	C
\$121,800	\$0		\$197,000	\$318,800		2020	C

===== EXEMPTIONS &amp; CREDITS =====

===== OWNERS =====

\* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D KJELDGAARD REAL ESTATE LLC book/page: [2010/16616](#) D

===== ASSESSMENT DATA =====

PDF: 8 MAP: 4-8 C.B COMMERCIAL

Interior Listing: Inspected Date Listed: 03/21/16 ZLL Date Reviewed: 10/25/16 BL

LAND.....12180 sqFt .28 acres

Lot 1: Frontage	Rear	Side-1	Side-2	Rear-Lot
70	70	174	174	

Commercial Building 1 of 1 -- Office - Medical / Dental (502)

DBA: ADVANCED CHIRO CARE

STRUCTURE....1 story 2964 base SF 0 bsmt SF 2964 gross SF

Year Built: 1982 Eff Year: 1982 Condition: Very Good

VERTICALS....Ext Wall: EIFS

Int Wall: Drywall or Equiv.

Front/Doors: Average Cost Front

Windows: Aluminum

HORIZONTALS..Roof: Mtl/ Frm/ Insul.

Ceiling: Suspended Blk-Mineral

Struc Floor: R'Concrete

Floor Cover: Softwood

Carpet

Quarry Tile

Partitions: Office Buildings

Framing: Wood - Average

HVAC: Combination FHA - AC

PLUMBING.....Toilet Room (3)

Urinal - Wall (1)

Sink-Kitchen (1)

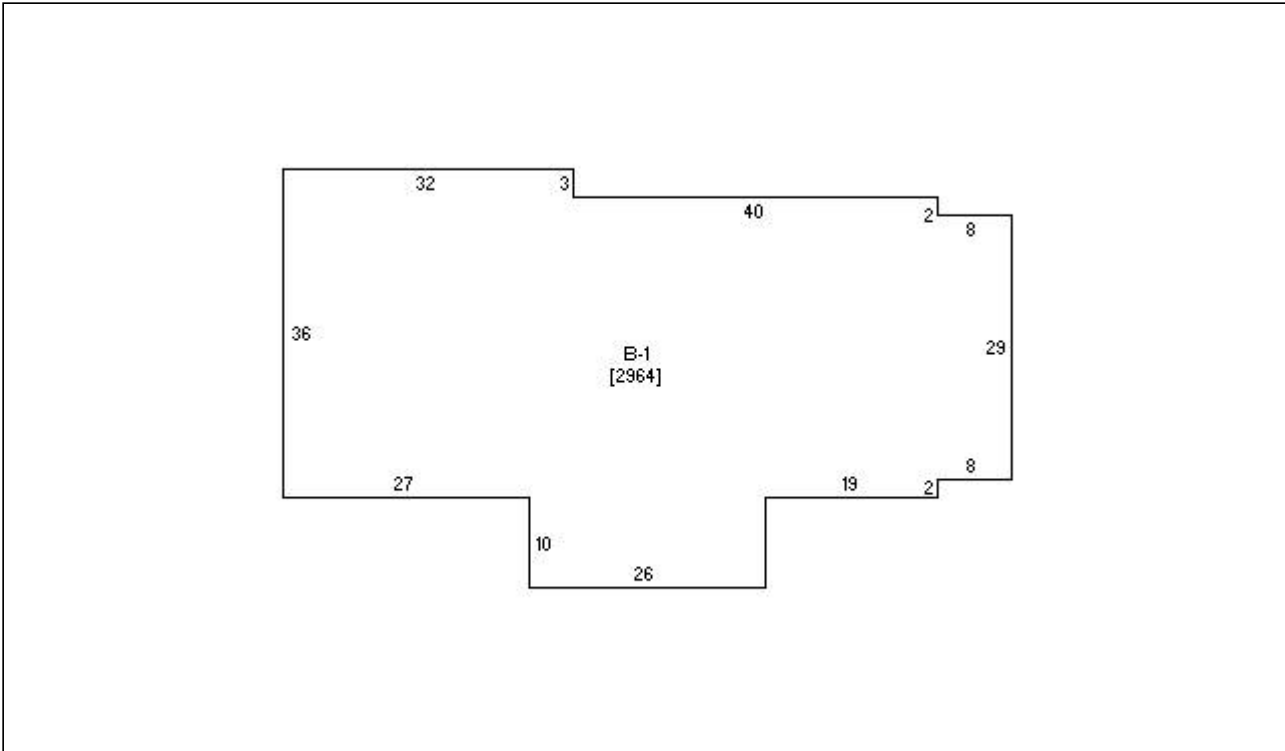
YARD EXTRAS..Paving - Concrete 3,300 SF, Concrete Parking

**ATTACHMENT A**

129

11





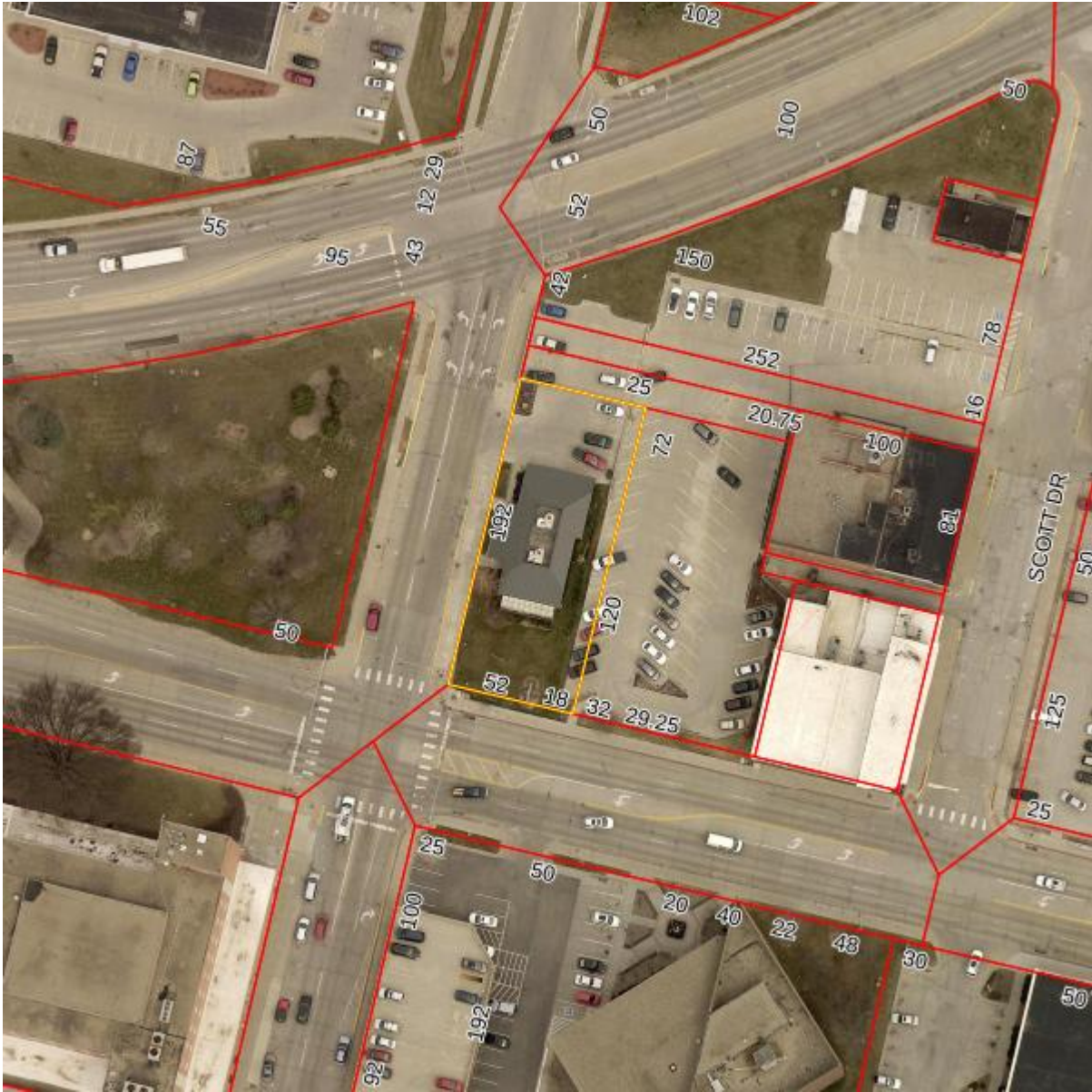
7 N 6TH ST, KJELDGAARD REAL ESTATE LLC



7 N 6TH ST, KJELDGAARD REAL ESTATE LLC, 1 03/21/2016



[Zoom Out](#)   [Zoom In](#)



600ft x 600ft

[Click any parcel to go to its web page](#)  
See [more maps](#) at the [County GIS Department](#).

As of:

[Find Property](#)   [Res Sales](#)   [Comm/Ind Sales](#)



[Find Property](#)   [Res Sales](#)   [Comm/Ind Sales](#)

7544 25 391 005

--- Permanent Property Address ---  
535 WEST BROADWAY LLC

----- Mailing Address -----  
535 WEST BROADWAY LLC  
C/O MARK HANWRIGHT  
535 W BROADWAY ST STE 100  
COUNCIL BLUFFS, IA 51503

=====  
District: 000 CO BLUFFS CITY/CO BLUFFS

===== REAL ESTATE TAXES ON TREASURER'S WEBPAGE =====

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754425391005>

===== TAX DESCRIPTION\* =====

\* Not to be used on legal documents

AUD SUB BLK 6 MYNSTER & BLK 2 BAYLISS 1ST N72' E7' LT E & ALL LTS F,G,H,I & O & ALL VAC ALLEY ADJ G,H & O

===== ASSESSED VALUE =====

\* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$162,700	\$0		\$35,400	\$198,100		2018	C
\$162,700	\$0		\$35,400	\$198,100		2019	C
\$162,700	\$0		\$35,400	\$198,100		2020	C

===== EXEMPTIONS & CREDITS =====

2018 BPTC \$2,960.07

===== OWNERS =====

\* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D 535 WEST BROADWAY LLC book/page: [2011/8598](#) D

===== SALES HISTORY =====

Sale Date	Amount	Code	Book/Page	
07/07/2011	0	<a href="#">D7</a>	<a href="#">2011/08598</a>	<a href="#">multiple parcel sale</a>
09/20/2004	115000	<a href="#">D034</a>	0105/06090	<a href="#">multiple parcel sale</a>
11/21/1996	68251	<a href="#">D002</a>	0097/22321	
07/09/1992	1	<a href="#">C038</a>	0093/23741	

===== ASSESSMENT DATA =====

PDF: 8 MAP: 4-8 C.B COMMERCIAL

Interior Listing: Inspected Date Listed: 03/21/16 ZLL Date Reviewed: 10/25/16 BL

LAND.....16268 sqFt .37 acres

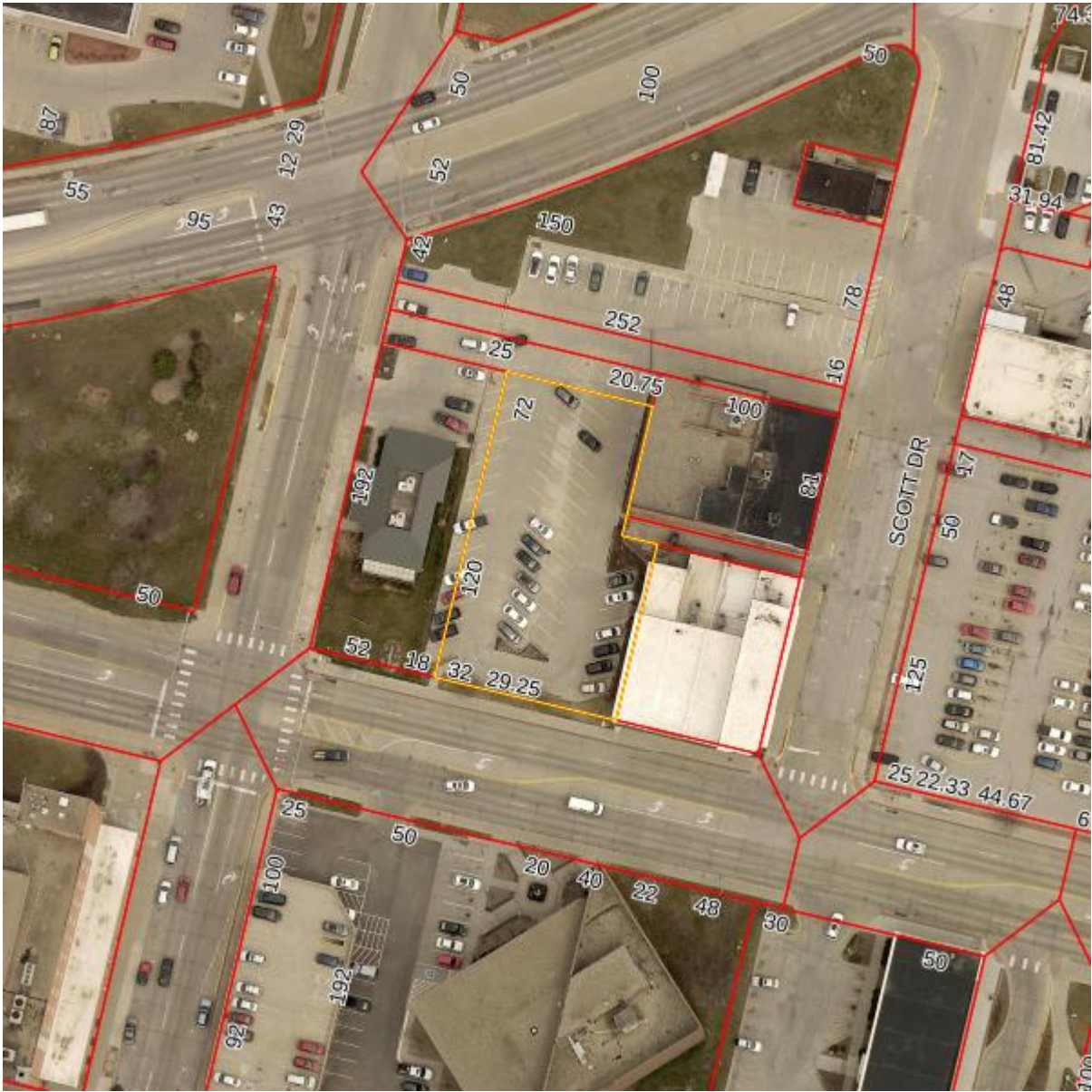
YARD EXTRAS..Paving 14,100 SF, Concrete Parking





535 WEST BROADWAY LLC, 1 03/21/2016

[Zoom Out](#)   [Zoom In](#)



600ft x 600ft

133



Click any parcel to go to its web page  
See [more maps](#) at the [County GIS Department](#).

As of:

[Find Property](#) [Res Sales](#) [Comm/Ind Sales](#)



[Find Property](#) [Res Sales](#) [Comm/Ind Sales](#)

7544 25 391 008

--- Permanent Property Address ---

----- Mailing Address -----

POTTAWATTAMIE COUNTY DEVELOPMENT CORP

POTTAWATTAMIE COUNTY DEVELOPMENT CORP

530 W BROADWAY ST

1228 S MAIN ST

COUNCIL BLUFFS, IA 51503

COUNCIL BLUFFS, IA 51503

District: 000 CO BLUFFS CITY/CO BLUFFS

===== REAL ESTATE TAXES ON TREASURER'S WEBPAGE =====

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754425391008>

===== TAX DESCRIPTION\* =====

\* Not to be used on legal documents

AS BLK 6 MYNSTER-BLK 2 BAYLISS LTS J,K,L &amp; M

===== ASSESSED VALUE =====

\* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$80,000	\$0		\$332,000	\$412,000		2018	C
\$80,000	\$0		\$332,000	\$412,000		2019	C
\$80,000	\$0		\$332,000	\$412,000		2020	C

===== EXEMPTIONS &amp; CREDITS =====

2018 BPTC \$3,762.29

===== OWNERS =====

\* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D POTTAWATTAMIE COUNTY DEVELOPME book/page: [2018/11365](#) D

===== SALES HISTORY =====

Sale Date	Amount	Code	Book/Page
08/31/2018	450000	<a href="#">D2</a>	<a href="#">2018/11365</a>
12/18/2003	300000	<a href="#">D050</a>	0104/16007
02/04/1997	175000	<a href="#">D000</a>	0097/32909

===== ASSESSMENT DATA =====

PDF: 8 MAP: 4-8 C.B COMMERCIAL

Interior Listing: Inspected Date Listed: 03/21/16 ZLL Date Reviewed: 10/29/18 MEC

LAND.....8000 sqFt .18 acres

Lot 1: Frontage	Rear	Side-1	Side-2	Rear-Lot
80	80	100	100	

Commercial Building 1 of 1 -- Store - Retail Small (201)

STRUCTURE....3 story 5526 base SF 5526 bsmt SF 18906 gross SF

Year Built: 1925 Eff Year: 1925 Condition: Above Normal

VERTICALS....Ext Wall: Solid Brick - 12"

Int Wall: Drywall or Equiv.

Plaster on Metal Stud

Front/Doors: Average Cost Front

Windows: Aluminum

HORIZONTALS..Basement: Incl. w / Base

Roof: 4-Ply Compo/ Wood Deck

Ceiling: Suspended Blk-M'Ral

Plaster and Lath

Struc Floor: Wd Deck on Wood Joist

Floor Cover: Vinyl Tile-Solid

Carpet

Partitions: Retail Store(Small)

Apartment

Framing: Wood - Heavy

HVAC: Combination FHA - AC

No HVAC

PLUMBING.....Toilet Room (3)

Lavatory (9)



Sink-Kitchen (1)  
ADJUSTMENTS..A/C - no upper (11052)  
Heat - none (11052)  
Bsmt Finish (4375)  
BLDG EXTRAS..1 Porches,Decks,Patios,etc.: 18 SF, Porch

Commercial Building 1 of 1 Addition 1 -- Store - Retail Small (201)  
STRUCTURE....1 story 600 base SF 600 bsmt SF  
Year Built: 1930 Eff Year: 1930 Condition: Above Normal  
VERTICALS....Ext Wall: Solid Brick - 8"  
Int Wall: Drywall or Equiv.  
Front/Doors: Incl. w / Base  
Windows: Incl. w / Base  
HORIZONTALS..Basement: Incl. w / Base  
Roof: Rubber Membrane/Wood  
Ceiling: Suspended Blk-Mineral  
Struc Floor: Wd Deck on Wood Joist  
Floor Cover: Carpet  
Asphalt Tile  
Partitions: Incl. w / Base  
Framing: Wood - Average  
HVAC: Combination FHA - AC  
ADJUSTMENTS..Bsmt Finish (500)

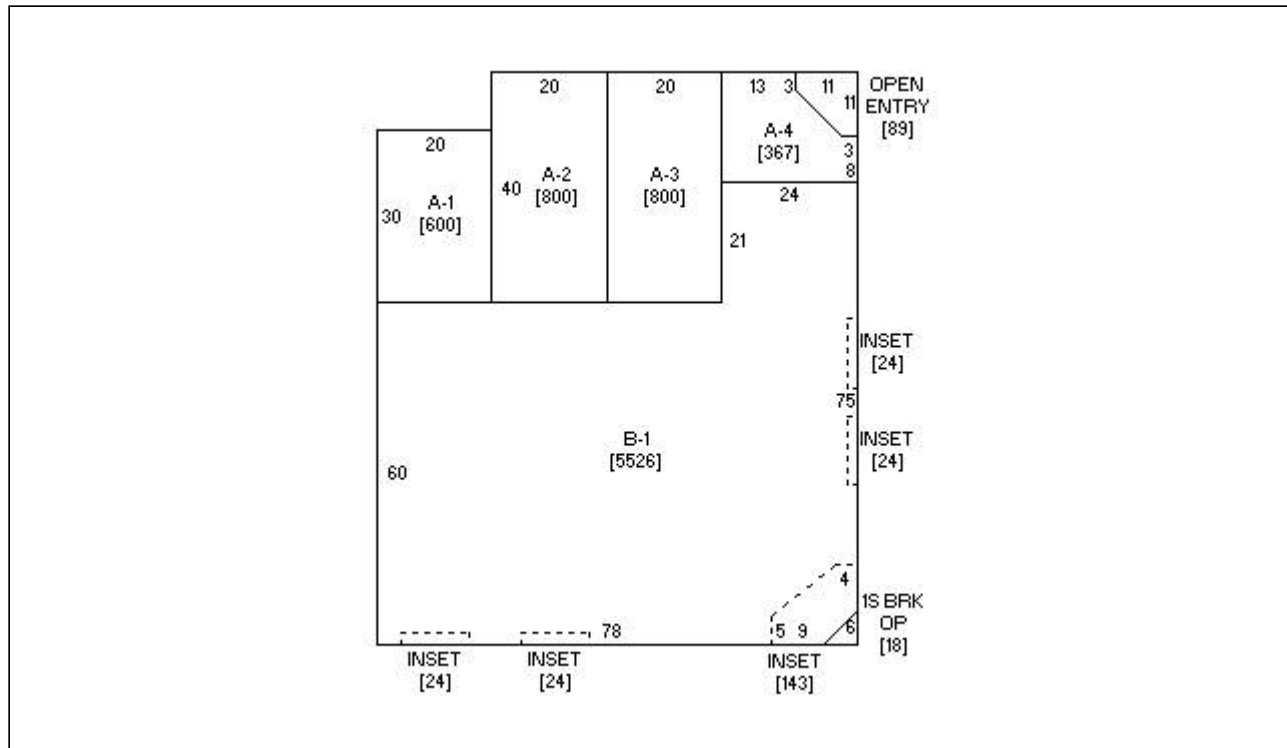
Commercial Building 1 of 1 Addition 2 -- Store - Retail Small (201)  
STRUCTURE....1 story 800 base SF 800 bsmt SF  
Year Built: 1930 Eff Year: 1930 Condition: Above Normal  
VERTICALS....Ext Wall: Solid Brick - 8"  
Int Wall: Drywall or Equiv.  
Front/Doors: Incl. w / Base  
Windows: Incl. w / Base  
HORIZONTALS..Basement: Incl. w / Base  
Roof: Rubber Membrane/Wood  
Ceiling: Suspended Blk-Mineral  
Struc Floor: Wd Deck on Wood Joist  
Floor Cover: Carpet  
Asphalt Tile  
Partitions: Incl. w / Base  
Framing: Wood - Average  
HVAC: Combination FHA - AC  
ADJUSTMENTS..Bsmt Finish (675)

Commercial Building 1 of 1 Addition 3 -- Store - Retail Small (201)  
STRUCTURE....1 story 800 base SF 800 bsmt SF  
Year Built: 1930 Eff Year: 1930 Condition: Above Normal  
VERTICALS....Ext Wall: Solid Brick - 8"  
Int Wall: Drywall or Equiv.  
Front/Doors: Incl. w / Base  
Windows: Incl. w / Base  
HORIZONTALS..Basement: Incl. w / Base  
Roof: Rubber Membrane/Wood  
Ceiling: Suspended Blk-Mineral  
Struc Floor: Wd Deck on Wood Joist  
Floor Cover: Carpet  
Asphalt Tile  
Partitions: Incl. w / Base  
Framing: Wood - Average  
HVAC: Combination FHA - AC  
ADJUSTMENTS..Bsmt Finish (675)

Commercial Building 1 of 1 Addition 4 -- Store - Retail Small (201)  
STRUCTURE....1 story 367 base SF 367 bsmt SF  
Year Built: 1930 Eff Year: 1930 Condition: Above Normal  
VERTICALS....Ext Wall: Solid Brick - 8"  
Int Wall: Drywall or Equiv.



Front/Doors: Incl. w / Base  
 Windows: Incl. w / Base  
 HORIZONTALS..Basement: Incl. w / Base  
 Roof: Rubber Membrane/Wood  
 Ceiling: Suspended Blk-Mineral  
 Struc Floor: Wd Deck on Wood Joist  
 Floor Cover: Carpet  
                   Asphalt Tile  
 Partitions: Incl. w / Base  
 Framing: Wood - Average  
 HVAC: Combination FHA - AC  
 ADJUSTMENTS..Bsmt Finish (275)  
 BLDG EXTRAS..1 Porches,Decks,Patios,etc.: 89 SF, Porch



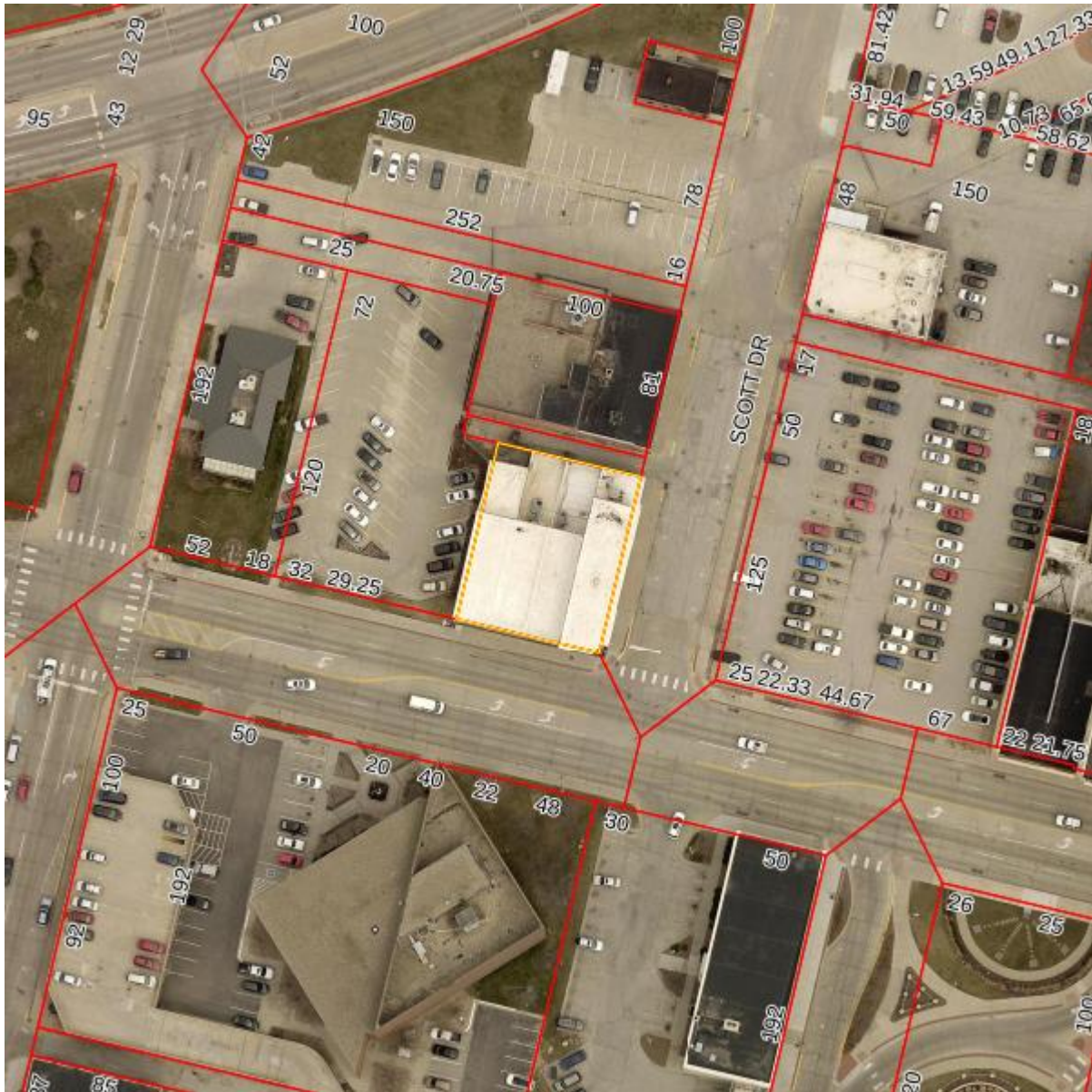
530 W BROADWAY ST, POTTAWATTAMIE COUNTY DEVELOPMENT CORP



530 W BROADWAY ST, POTTAWATTAMIE COUNTY DEVELOPMENT CORP, 1 10/29/2018



[Zoom Out](#)      [Zoom In](#)



600ft x 600ft

Click any parcel to go to its web page

See [more maps](#) at the [County GIS Department](#).

As of: On Web ▼ Get Card

[Find Property](#)   [Res Sales](#)   [Comm/Ind Sales](#)



[Find Property](#)   [Res Sales](#)   [Comm/Ind Sales](#)

7544 25 391 006

--- Permanent Property Address ---

POTTAWATTAMIE COUNTY DEVELOPMENT CORP

12 SCOTT ST

COUNCIL BLUFFS, IA 51503

----- Mailing Address -----

POTTAWATTAMIE COUNTY DEVELOPMENT CORP

1228 S MAIN ST

COUNCIL BLUFFS, IA 51503

District: 000 CO BLUFFS CITY/CO BLUFFS

===== REAL ESTATE TAXES ON TREASURER'S WEBPAGE =====

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754425391006>

===== TAX DESCRIPTION\* =====

\* Not to be used on legal documents

AS BLK 6 MYNSTER-BLK 2 BAYLISS LT N

===== ASSESSED VALUE =====

\* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$81,000	\$0		\$155,100	\$236,100		2018	C
\$81,000	\$0		\$165,500	\$246,500		2019	C
\$81,000	\$0		\$165,500	\$246,500		2020	C

===== EXEMPTIONS &amp; CREDITS =====

2018 BPTC \$3,527.87

===== OWNERS =====

\* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D POTTAWATTAMIE COUNTY DEVELOPME book/page: [2018/11377](#) D

===== SALES HISTORY =====

Sale Date	Amount	Code	Book/Page
08/31/2018	325000	<a href="#">D2</a>	<a href="#">2018/11377</a>
08/10/2015	95000	<a href="#">D2</a>	<a href="#">2015/10595</a>
01/01/1986	0	<a href="#">D000</a>	0086/22734

===== ASSESSMENT DATA =====

PDF: 8 MAP: 4-8 C.B COMMERCIAL

Interior Listing: Inspected Date Listed: 10/26/16 GK Date Reviewed: 10/29/18 MEC

LAND.....8100 sqFt .19 acres

Lot 1: Frontage	Rear	Side-1	Side-2	Rear-Lot
81	81	100	100	

Commercial Building 1 of 1 -- Office - General (501)

STRUCTURE....3 story 4560 base SF 4560 bsmt SF 20148 gross SF

Year Built: 1920 Eff Year: 1920 Condition: Normal

VERTICALS....Ext Wall: Brick on Block - 8"

Int Wall: Plaster with Lath

Drywall or Equiv.

WallFace: Incl. w /Walls

Front/Doors: Average Cost Front

Windows: Wood/Vinyl

HORIZONTALS..Basement: Excavation, Floor, Lighting

Roof: Tar and Gravel/ Wood Dk

Ceiling: Suspended Blk-Mineral

Plaster and Lath

Struc Floor: Concrete 4"

Wd Deck on Wood Joist

Floor Cover: Carpet

Partitions: Office Buildings

Framing: Wood - Average

HVAC: Hot Water

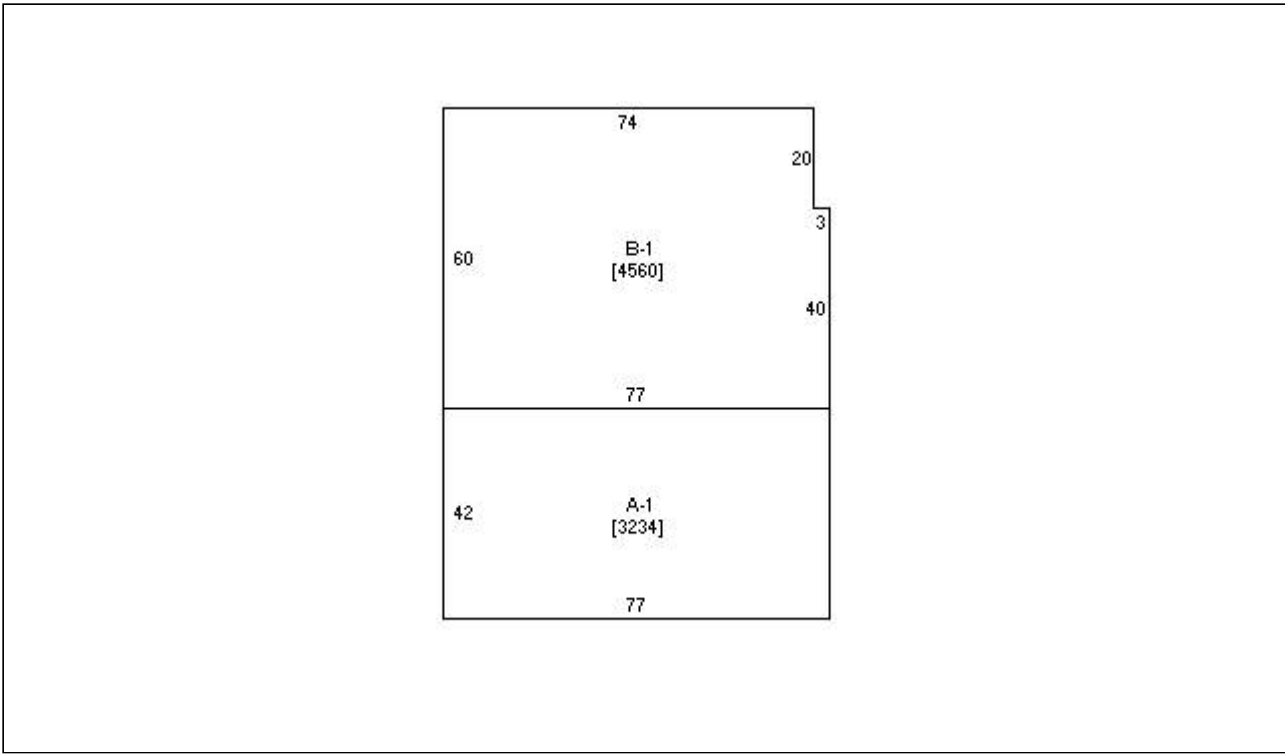
Central AC

PLUMBING....Water Closet (7)

Lavatory (3)



Urinal - Wall (3)  
BLDG EXTRAS...1 Elevator - Pass. Electric: Geared, 100 Ft/Min, 4 Stops, 2,100 Lb Capacity  
  
Commercial Building 1 of 1 Addition 1 -- Office - General (501)  
STRUCTURE....2 story    3234 base SF    3234 bsmt SF  
Year Built: 1920    Eff Year: 1920    Condition: Normal  
VERTICALS....Ext Wall:    Brick on Block - 8"  
Int Wall:    Drywall or Equiv.  
Plaster with Lath  
WallFace:    Incl. w /Walls  
Front/Doors: Average Cost Front  
Windows:    Wood/Vinyl  
HORIZONTALS..Basement:    Excavation, Floor, Lighting  
Roof:    Tar and Gravel/ Wood Dk  
Ceiling:    Suspended Blk-Mineral  
Struc Floor: 4" R'Concrete  
Wd Deck on Wood Joist  
Floor Cover: Carpet  
Partitions: Office Buildings  
Framing:    Wood - Average  
HVAC:    Hot Water  
Central AC  
PLUMBING.....Water Closet (6)  
Lavatory (4)



12 SCOTT ST, POTTAWATTAMIE COUNTY DEVELOPMENT CORP





12 SCOTT ST, POTTAWATTAMIE COUNTY DEVELOPMENT CORP, 1 10/29/2018

[Zoom Out](#)   [Zoom In](#)



600ft x 600ft

141



Click any parcel to go to its web page

See [more maps](#) at the [County GIS Department](#).

As of:

[Find Property](#) [Res Sales](#) [Comm/Ind Sales](#)



[Find Property](#)   [Res Sales](#)   [Comm/Ind Sales](#)

7544 25 391 002

--- Permanent Property Address ---  
COUNCIL BLUFFS, CITY OF

----- Mailing Address -----  
COUNCIL BLUFFS, CITY OF  
209 PEARL  
COUNCIL BLUFFS, IA 51503

=====  
District: 000 CO BLUFFS CITY/CO BLUFFS

===== REAL ESTATE TAXES ON TREASURER'S WEBPAGE =====

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754425391002>

===== TAX DESCRIPTION\* =====

\* Not to be used on legal documents

AS BLK 6 MYNSTER-BLK 2 BAYLISS N65 LT 1,2,3,C,D LYING SLY OF KANESVILLE-LOT P-NLY PART OF  
LTS5,E,F,G AND H(PARKING LOT)

===== ASSESSED VALUE =====

\* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$0	\$0		\$0	\$0		2018	C
\$0	\$0		\$0	\$0		2019	C
\$0	\$0		\$0	\$0		2020	C

===== EXEMPTIONS & CREDITS =====

2018 MGOV	\$0.00	MUNICIPAL GOVERNMENT
2019 MGOV	\$0.00	MUNICIPAL GOVERNMENT
2020 MGOV	\$415,700.00	MUNICIPAL GOVERNMENT

===== OWNERS =====

\* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D COUNCIL BLUFFS, CITY OF      book/page:

===== ASSESSMENT DATA =====

PDF: 30    MAP: 4-8 C.B COMMERCIAL

Interior Listing: Inspected    Date Listed: 05/13/19 MEC    Date Reviewed: 05/15/19 MEC

LAND.....37560 sqFt      .86 acres

YARD EXTRAS..Paving - Concrete 13,560 SF, Concrete w/Curbs, Lighting: Average



[Zoom Out](#)      [Zoom In](#)



600ft x 600ft

Click any parcel to go to its web page

See [more maps](#) at the [County GIS Department](#).

As of: On Web ▼ Get Card

[Find Property](#)   [Res Sales](#)   [Comm/Ind Sales](#)



[Find Property](#)   [Res Sales](#)   [Comm/Ind Sales](#)

7544 25 391 001

--- Permanent Property Address ---

----- Mailing Address -----

MAC INVESTMENTS INC

MAC INVESTMENTS INC

32 SCOTT ST

32 SCOTT ST

COUNCIL BLUFFS, IA 51503

COUNCIL BLUFFS, IA 51503

District: 000 CO BLUFFS CITY/CO BLUFFS

District: 000 CO BLUFFS CITY/CO BLUFFS

===== REAL ESTATE TAXES ON TREASURER'S WEBPAGE =====

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754425391001>

===== TAX DESCRIPTION\* =====

\* Not to be used on legal documents

AUD SUB BLK 6 MYNSTER BLK 2 BAYLISS S35' LT 1

===== ASSESSED VALUE =====

\* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$6,300	\$25,848	\$11,200	\$45,952	\$89,300		2018	M/C
\$6,300	\$25,848	\$11,200	\$45,952	\$89,300		2019	M/C
\$6,300	\$25,848	\$11,200	\$45,952	\$89,300		2020	M/C

===== EXEMPTIONS &amp; CREDITS =====

2018 BPTC \$853.98

===== OWNERS =====

\* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D MAC INVESTMENTS INC

book/page: [2015/17191](#) D

===== SALES HISTORY =====

Sale Date	Amount	Code	Book/Page
12/29/2015	0	<a href="#">D1</a>	<a href="#">2015/17191</a>
03/27/2007	0	<a href="#">D001</a>	<a href="#">2007/05101</a>
06/16/2004	0	<a href="#">D001</a>	0104/27775
03/25/2004	0	<a href="#">D001</a>	0104/21267
03/08/2004	77500	<a href="#">D035</a>	0104/26533

===== ASSESSMENT DATA =====

PDF: 8 MAP: 4-8 C.B COMMERCIAL

Interior Listing: Estimated Date Listed: 03/22/16 ZLL Date Reviewed: 10/29/18 MEC

LAND.....1750 sqFt .04 acres

Lot 1: Frontage	Rear	Side-1	Side-2	Rear-Lot
35	35	50	50	

Commercial Building 1 of 1 -- Office - General (501) Units: 0

DBA: THE HOMESTEADS GROUP

STRUCTURE....1 story 1008 base SF 504 bsmt SF 2016 gross SF

Year Built: 1925 Eff Year: 1925 Condition: Above Normal

VERTICALS....Ext Wall: Solid Brick - 8"

Int Wall: Drywall or Equiv.  
Plaster on Metal Stud

Front/Doors: Incl. w / Base

Windows: Wood Double Hung

HORIZONTALS...Basement: Incl. w / Base

Roof: Incl. w / Base

Ceiling: Drywall  
Plaster and Lath

Struc Floor: Wd Deck on Wood Joist

Floor Cover: Carpet

Partitions: Office Buildings

Framing: Wood - Average

HVAC: Combination FHA - AC

PLUMBING.....Toilet Room (1)



BLDG EXTRAS..1 Porch (Commercial): 126 SF, Porch  
 1 Porches,Decks,Patios,etc.: 96 SF, Wood Deck

Commercial Building 1 of 1 Addition 1 -- Apartment (702) Units: 1

DBA: THE HOMESTEADS GROUP

STRUCTURE....1 story 1008 base SF 504 bsmt SF

Year Built: 1925 Eff Year: 1925 Condition: Above Normal

VERTICALS....Ext Wall: Solid Brick - 8"

Int Wall: Drywall or Equiv.

Plaster on Metal Stud

Front/Doors: Incl. w / Base

Windows: Wood Double Hung

HORIZONTALS..Basement: Incl. w / Base

Roof: Rubber Membrane/Wood

Ceiling: Drywall

Plaster and Lath

Struc Floor: Wd Deck on Wood Joist

Floor Cover: Carpet

Partitions: Apartment

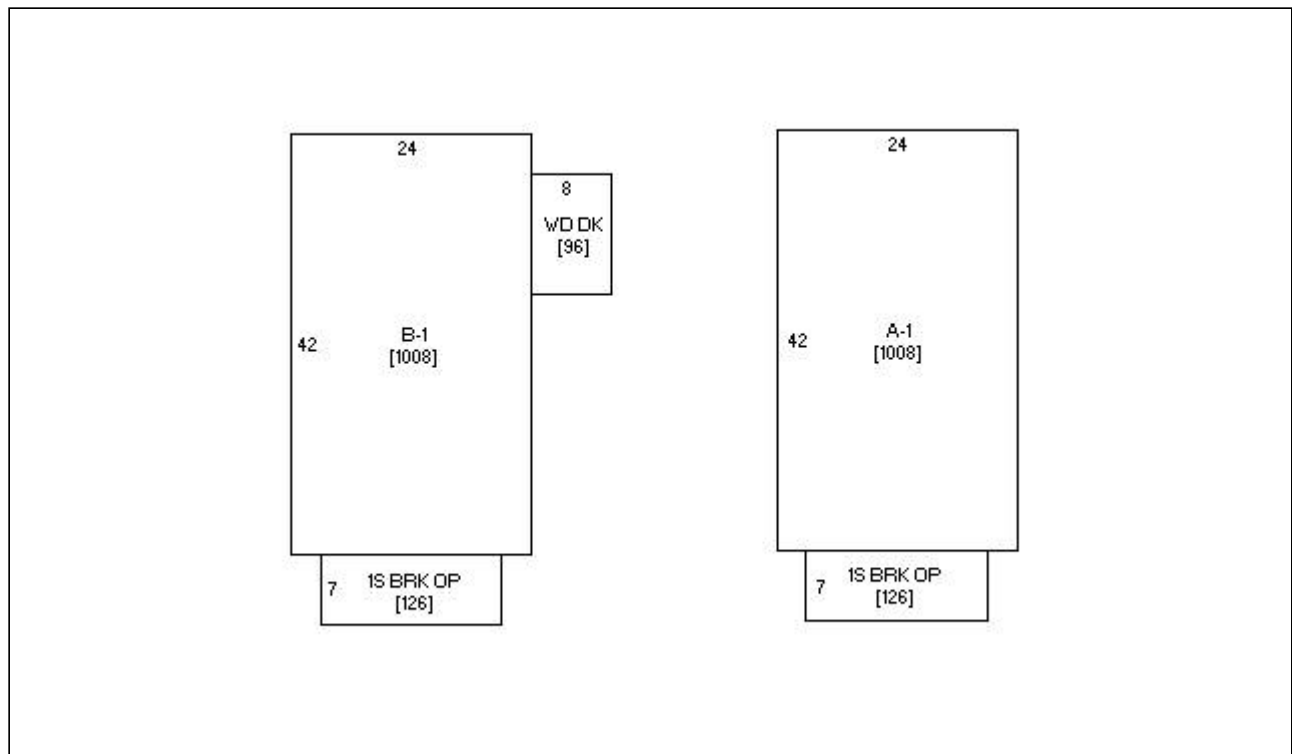
Framing: Wood - Average

HVAC: Combination FHA - AC

PLUMBING.....3-Fixture Bathroom (1)

Sink-Kitchen (1)

BLDG EXTRAS..1 Porch (Commercial): 126 SF, Porch



32 SCOTT ST, MAC INVESTMENTS INC





32 SCOTT ST, MAC INVESTMENTS INC, 1 10/29/2018

[Zoom Out](#)   [Zoom In](#)



600ft x 600ft

147



Click any parcel to go to its web page

See [more maps](#) at the [County GIS Department](#).

As of:

[Find Property](#) [Res Sales](#) [Comm/Ind Sales](#)



[Find Property](#) [Res Sales](#) [Comm/Ind Sales](#)

7544 25 454 010

--- Permanent Property Address ---      ----- Mailing Address -----  
 500 WEST LLC      500 WEST LLC  
 500 W BROADWAY ST      500 W BROADWAY ST  
 COUNCIL BLUFFS, IA 51503      COUNCIL BLUFFS, IA 51503

District: 000 CO BLUFFS CITY/CO BLUFFS

===== REAL ESTATE TAXES ON TREASURER'S WEBPAGE =====

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754425454010>

===== TAX DESCRIPTION\* =====

\* Not to be used on legal documents

AUD SUB LT 5 BLK 5 MYNSTER ADD & BLK 1 BAYLISS 1ST ADD LTS 7 THRU 13 & W1' MAIN ST ADJ LTS 9 THRU  
 12 & N2' BROADWAY ST ADJ LT 9

===== ASSESSED VALUE =====

\* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$175,700	\$0		\$292,200	\$467,900		2018	C
\$175,700	\$0		\$292,200	\$467,900		2019	C
\$175,700	\$0		\$292,200	\$467,900		2020	C

===== EXEMPTIONS &amp; CREDITS =====

===== OWNERS =====

\* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D 500 WEST LLC      book/page: [2017/16340](#) D

===== SALES HISTORY =====

Sale Date	Amount	Code	Book/Page	
10/12/2017	0	<a href="#">D7</a>	<a href="#">2017/16340</a>	<a href="#">multiple parcel sale</a>
01/19/2017	1	<a href="#">D46</a>	<a href="#">2017/01078</a>	
11/03/2003	140000	<a href="#">D050</a>	<a href="#">0104/13743</a>	<a href="#">multiple parcel sale</a>

===== ASSESSMENT DATA =====

PDF: 8    MAP: 4-8 C.B COMMERCIAL

Interior Listing: Inspected    Date Listed: 05/18/17 JC    Date Reviewed: 10/29/18 MEC

LAND.....17567 sqFt    .40 acres

Commercial Building 1 of 1 -- Office - General (501)

STRUCTURE....4 story    4324 base SF    4324 bsmt SF    34884 gross SF

Year Built: 1900    Eff Year: 1900    Condition: Below Normal

VERTICALS....Ext Wall: Solid Brick - 12"

Int Wall: Drywall or Equiv.

Panel - Softwood

Front/Doors: Incl. w / Base

Windows: Incl. w / Base

HORIZONTALS..Basement: Incl. w / Base

Roof: Rubber Membrane/Wood

Ceiling: Composition Block

Suspended Blk-Fiber

Suspended Blk-M'Ral

Struc Floor: Wd Deck on Wood Joist

Floor Cover: Carpet

Asphalt Tile

Partitions: Office Buildings

Framing: Wood - Heavy

HVAC: Combination FHA - AC

Sprinklers: Exposed Wet

PLUMBING.....3-Fixture Bathroom (2)

Toilet Room (8)

Water Closet (7)

Urinal - Wall (3)

Lavatory (5)

Sink-Service (Porcelain) (2)

ADJUSTMENTS..Sprinkler - exposed wet (17296)

BLDG EXTRAS..1 Elevator - Pass. Electric: Geared, 200 Ft/Min, 4 Stops, 2,000 Lb Capacity

1 BANK - VAULT: Record - C'Blk, 144 SF

1 Bank - Vault Door: Class M: 2" - 3" thick Thickness, No

1 Bank - Vault: Money - Conc./ Steel, 144 SF

Commercial Building 1 of 1 Addition 1 -- Office - General (501)

STRUCTURE....2 story    1804 base SF    1804 bsmt SF

Year Built: 1900    Eff Year: 1900    Condition: Below Normal

VERTICALS....Ext Wall: Solid Brick - 12"

Int Wall: Drywall or Equiv.

Panel - Softwood

Front/Doors: Incl. w / Base

Windows: Incl. w / Base

HORIZONTALS..Basement: Incl. w / Base

Roof: Rubber Membrane/Wood

Ceiling: Composition Block

Suspended Blk-M'Ral

Suspended Blk-Fiber

Struc Floor: Wd Deck on Wood Joist

Floor Cover: Carpet

Asphalt Tile



Quarry Tile  
 Partitions: Incl. w / Base  
 Framing: Wood - Average  
 HVAC: Combination FHA - AC  
 Sprinklers: Exposed Wet  
 ADJUSTMENTS..Sprinkler - exposed wet (3608)

Commercial Building 1 of 1 Addition 2 -- Office - General (501)  
 STRUCTURE....2 story 1992 base SF 1992 bsmt SF  
 Year Built: 1900 Eff Year: 1900 Condition: Below Normal

VERTICALS....Ext Wall: Solid Brick - 12"  
 Int Wall: Drywall or Equiv.  
 Front/Doors: Incl. w / Base  
 Windows: Incl. w / Base

HORIZONTALS..Basement: Incl. w / Base  
 Roof: Rubber Membrane/Wood  
 Ceiling: Suspended Blk-Fiber  
 Suspended Blk-M'Ral  
 Unfinished  
 Struc Floor: Wd Deck on Wood Joist  
 Floor Cover: Carpet  
 Partitions: Incl. w / Base  
 Framing: Wood - Average  
 HVAC: Combination FHA - AC  
 No HVAC  
 Sprinklers: Exposed Wet  
 ADJUSTMENTS..Open Unfin. Uppers (1992)  
 Sprinkler - exposed wet (1992)

Commercial Building 1 of 1 Addition 3 -- Office - General (501)  
 STRUCTURE....1 story 824 base SF 824 bsmt SF  
 Year Built: 1900 Eff Year: 1900 Condition: Below Normal

VERTICALS....Ext Wall: Solid Brick - 12"  
 Int Wall: Drywall or Equiv.  
 Front/Doors: Incl. w / Base  
 Windows: Incl. w / Base

HORIZONTALS..Basement: Incl. w / Base  
 Roof: Rubber Membrane/Wood  
 Ceiling: Suspended Blk-Fiber  
 Suspended Blk-M'Ral  
 Struc Floor: Wd Deck on Wood Joist  
 Floor Cover: Carpet  
 Partitions: Incl. w / Base  
 Framing: Wood - Average  
 HVAC: Combination FHA - AC  
 Sprinklers: Exposed Wet  
 ADJUSTMENTS..Sprinkler - exposed wet (824)

Commercial Building 1 of 1 Addition 4 -- Office - General (501)  
 STRUCTURE....1 story 660 base SF 660 bsmt SF  
 Year Built: 1900 Eff Year: 1900 Condition: Below Normal

VERTICALS....Ext Wall: Solid Brick - 12"  
 Int Wall: Drywall or Equiv.  
 Front/Doors: Incl. w / Base  
 Windows: Incl. w / Base

HORIZONTALS..Basement: Incl. w / Base  
 Roof: Rubber Membrane/Wood  
 Ceiling: Suspended Blk-Fiber  
 Suspended Blk-M'Ral  
 Struc Floor: Wd Deck on Wood Joist  
 Floor Cover: Carpet  
 Partitions: Incl. w / Base  
 Framing: Wood - Average  
 HVAC: Combination FHA - AC  
 Sprinklers: Exposed Wet  
 ADJUSTMENTS..Sprinkler - exposed wet (660)

Commercial Building 1 of 1 Addition 5 -- Office - General (501)  
 STRUCTURE....3 story 840 base SF 840 bsmt SF  
 Year Built: 1900 Eff Year: 1900 Condition: Below Normal

VERTICALS....Ext Wall: Solid Brick - 12"  
 Int Wall: Drywall or Equiv.  
 Panel - Softwood  
 Front/Doors: Incl. w / Base  
 Windows: Incl. w / Base

HORIZONTALS..Basement: Incl. w / Base  
 Roof: Rubber Membrane/Wood  
 Ceiling: Suspended Blk-M'Ral  
 Unfinished  
 Struc Floor: Wd Deck on Wood Joist  
 Floor Cover: Carpet  
 Asphalt Tile  
 Partitions: Incl. w / Base  
 Framing: Wood - Average  
 HVAC: Combination FHA - AC  
 Sprinklers: Exposed Wet  
 ADJUSTMENTS..Open Unfin. Uppers (840)  
 Sprinkler - exposed wet (1680)

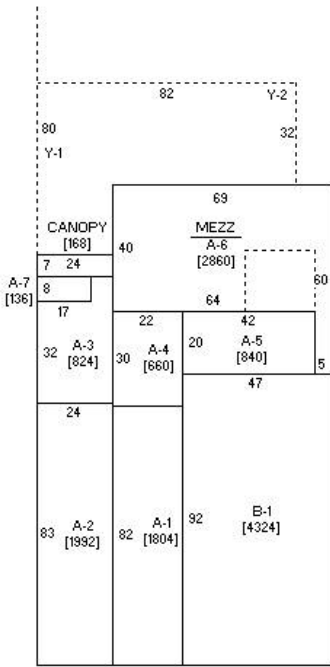
BLDG EXTRAS..1 ELEVATOR-PASSENGER ELECTRIC: Geared, 200 Ft/Min, 3 Stops, 2,000 Lb Capacity



Commercial Building 1 of 1 Addition 6 -- Office - General (501)  
 STRUCTURE....2 story 2860 base SF 2860 bsmt SF  
 Year Built: 1962 Eff Year: 1962 Condition: Below Normal  
 VERTICALS....Ext Wall: Brick on Block - 8"  
 Int Wall: Drywall or Equiv.  
 Panel - Softwood  
 Front/Doors: Incl. w / Base  
 Windows: Incl. w / Base  
 HORIZONTALS..Basement: Incl. w / Base  
 Roof: Rubber Membrane/Stl  
 Ceiling: Suspended Blk-Fiber  
 Suspended Blk-M'Ral  
 Struc Floor: Bar Jst/Mtl Dk/Conc. Topping  
 Floor Cover: Carpet  
 Asphalt Tile  
 Partitions: Incl. w / Base  
 Framing: Steel - Average  
 HVAC: Combination FHA - AC  
 Sprinklers: Exposed Wet  
 PLUMBING.....Toilet Room (1)  
 Sink-Service (Porcelain) (6)  
 ADJUSTMENTS..Mezzanine - finished(no a/c) (418)  
 Sprinkler - exposed wet (5720)  
 Bsmt Fin - office (825)  
 BLDG EXTRAS..1 Bank - Vault: Record - C'Blk, 612 SF  
 1 Bank - Vault Door: Class M: 2" - 3" thick Thickness, No  
 1 Bank - Vault: Record - C'Blk, 400 SF  
 1 Bank - Record Vault Door: 4 Hour Rating

Commercial Building 1 of 1 Addition 7 -- Office - General (501)  
 STRUCTURE....2 story 136 base SF 136 bsmt SF  
 Year Built: 1962 Eff Year: 1962 Condition: Below Normal  
 VERTICALS....Ext Wall: Brick on Block - 8"  
 Int Wall: Unfinished  
 Front/Doors: Incl. w / Base  
 Windows: Incl. w / Base  
 HORIZONTALS..Basement: Incl. w / Base  
 Roof: Rubber Membrane/Wood  
 Ceiling: Unfinished  
 Struc Floor: Wd Deck on Wood Joist  
 Partitions: Incl. w / Base  
 Framing: Wood - Average  
 HVAC: No HVAC  
 ADJUSTMENTS..Interior - No Finish (272)  
 Canopy - attached (168)  
 A/C - deduct (272)  
 YARD EXTRAS..SOLID BRK WALL/FENCE Quantity=80.00 Lineal Feet, Height=12  
 BRK/BLK WALL Quantity=114.00 Lineal Feet, Height=6





500 W BROADWAY ST, 500 WEST LLC



500 W BROADWAY ST, 500 WEST LLC, 1 03/22/2016



Zoom In



Click any parcel to go to its web page

See [more maps](#) at the [County GIS Department](#).

As of: On Web ▼ Get Card

[Find Property.](#)   [Res Sales](#)   [Comm/Ind Sales](#)



[Find Property](#)   [Res Sales](#)   [Comm/Ind Sales](#)

7544 25 454 011

--- Permanent Property Address ---  
COUNCIL BLUFFS, CITY OF

----- Mailing Address -----  
COUNCIL BLUFFS, CITY OF  
209 PEARL ST  
COUNCIL BLUFFS, IA 51503

District: 000 CO BLUFFS CITY/CO BLUFFS

===== REAL ESTATE TAXES ON TREASURER'S WEBPAGE =====

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754425454011>

===== TAX DESCRIPTION\* =====

\* Not to be used on legal documents

AUD SUB LT 5 MYNSTER-BLK 1 BAYLISS LTS 1 THRU 6

===== ASSESSED VALUE =====

\* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$0	\$0		\$0	\$0		2018	C
\$0	\$0		\$0	\$0		2019	C
\$0	\$0		\$0	\$0		2020	C

===== EXEMPTIONS &amp; CREDITS =====

2018 MGOV	\$361,500.00	MUNICIPAL GOVERNMENT
2019 MGOV	\$361,500.00	MUNICIPAL GOVERNMENT
2020 MGOV	\$361,500.00	MUNICIPAL GOVERNMENT

===== OWNERS =====

\* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D COUNCIL BLUFFS, CITY OF book/page:

===== ASSESSMENT DATA =====

PDF: 30 MAP: 4-8 C.B COMMERCIAL

Interior Listing: Inspected Date Listed: 01/01/90 TG Date Reviewed: 05/25/95 TG

LAND.....30528 sqFt .70 acres

Lot 1: Frontage	Rear	Side-1	Side-2	Rear-Lot
159	159	192	192	

YARD EXTRAS..Paving - Asphalt 30,528 SF, Asphalt Parking



Zoom Out      Zoom In



600ft x 600ft

Click any parcel to go to its web page

See [more maps](#) at the [County GIS Department](#).

As of: On Web ▼ Get Card

[Find Property](#)   [Res Sales](#)   [Comm/Ind Sales](#)



[Find Property](#)   [Res Sales](#)   [Comm/Ind Sales](#)

7544 25 454 007

--- Permanent Property Address ---  
500 WEST LLC

----- Mailing Address -----  
500 WEST LLC  
500 W BROADWAY ST  
COUNCIL BLUFFS, IA 51503

District: 000 CO BLUFFS CITY/CO BLUFFS

===== REAL ESTATE TAXES ON TREASURER'S WEBPAGE =====

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754425454007>

===== TAX DESCRIPTION\* =====

\* Not to be used on legal documents

MYNSTER ADD S44' LT 2 &amp; ALL LTS 3 &amp; 4 BLK 5 EXC STREET

===== ASSESSED VALUE =====

\* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$135,800	\$0		\$6,200	\$142,000		2018	C
\$135,800	\$0		\$6,200	\$142,000		2019	C
\$135,800	\$0		\$6,200	\$142,000		2020	C

===== EXEMPTIONS &amp; CREDITS =====

===== OWNERS =====

\* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D 500 WEST LLC

book/page: [2017/16340](#) D

===== SALES HISTORY =====

Sale Date	Amount	Code	Book/Page	
10/12/2017	0	<a href="#">D7</a>	<a href="#">2017/16340</a>	<a href="#">multiple parcel sale</a>
01/24/2017	1	<a href="#">D46</a>	<a href="#">2017/01077</a>	
11/03/2003	140000	<a href="#">D001</a>	0104/13743	<a href="#">multiple parcel sale</a>

===== ASSESSMENT DATA =====

PDF: 8 MAP: 4-8 C.B COMMERCIAL

Interior Listing: Inspected Date Listed: 03/21/16 ZLL Date Reviewed: 10/25/16 BL

LAND.....13580 sqFt .31 acres

Lot 1: Frontage	Rear	Side-1	Side-2	Rear-Lot
140	140	97	97	

YARD EXTRAS..Paving 7,400 SF, Asphalt Parking, Lighting: Avera



500 WEST LLC, 1 03/21/2016

156



[Zoom Out](#)   [Zoom In](#)



600ft x 600ft

[Click any parcel to go to its web page](#)  
See [more maps](#) at the [County GIS Department](#).

As of:

[Find Property](#)   [Res Sales](#)   [Comm/Ind Sales](#)



[Find Property](#) [Res Sales](#) [Comm/Ind Sales](#)

7544 25 454 006

--- Permanent Property Address ---

KJC LLC

25 SCOTT ST

COUNCIL BLUFFS, IA 51503

----- Mailing Address -----

KJC LLC

C/O BONNIE CULJAT

18465 JAYLEN DR

COUNCIL BLUFFS, IA 51503

District: 000 CO BLUFFS CITY/CO BLUFFS

===== REAL ESTATE TAXES ON TREASURER'S WEBPAGE =====

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754425454006>

===== TAX DESCRIPTION\* =====

\* Not to be used on legal documents

MYNSTER ADD LTS 6 &amp; 7 &amp; S27' LTS 8 &amp; 9 BLK 5 ALL LYING SE OF INDIAN CRK

===== ASSESSED VALUE =====

\* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$171,000	\$0		\$150,700	\$321,700		2018	C
\$171,000	\$0		\$150,700	\$321,700		2019	C
\$171,000	\$0		\$150,700	\$321,700		2020	C

===== EXEMPTIONS &amp; CREDITS =====

2018 BPTC \$3,762.29

===== OWNERS =====

\* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D KJC LLC

book/page: 100/51529 D

===== SALES HISTORY =====

Sale Date	Amount	Code	Book/Page
04/12/2000	80000	<a href="#">D050</a>	0100/51529
06/01/1995	180000	<a href="#">D050</a>	0095/30410 <a href="#">multiple parcel sale</a>

===== ASSESSMENT DATA =====

PDF: 8 MAP: 4-8 C.B COMMERCIAL

Interior Listing: Inspected Date Listed: 03/22/16 ZLL Date Reviewed: 10/29/18 MEC

LAND.....17100 sqFt .39 acres

Commercial Building 1 of 1 -- Bars and Lounges (303)

DBA: THE BUCK SNORT

STRUCTURE....1 story 3532 base SF 1950 bsmt SF 3532 gross SF

Year Built: 1920 Eff Year: 1920 Condition: Very Good

VERTICALS....Ext Wall: Solid Brick - 12"

Int Wall: Unfinished

Glassboard Paneling

Front/Doors: Average Cost Front

Windows: Aluminum

HORIZONTALS...Basement: Incl. w / Base

Roof: Rubber Membrane/Wood

Ceiling: Unfinished

Struc Floor: Wd Deck on Wood Joist

Floor Cover: Hardwood

Ceramic

Partitions: Incl. w / Base

Framing: Wood - Average

HVAC: Combination FHA - AC

PLUMBING.....Toilet Room (4)

Water Closet (2)

Urinal - Wall (3)

Lavatory (1)

Sink-Kitchen (2)

Stainless Stl Triple Sinks - 4' (1)

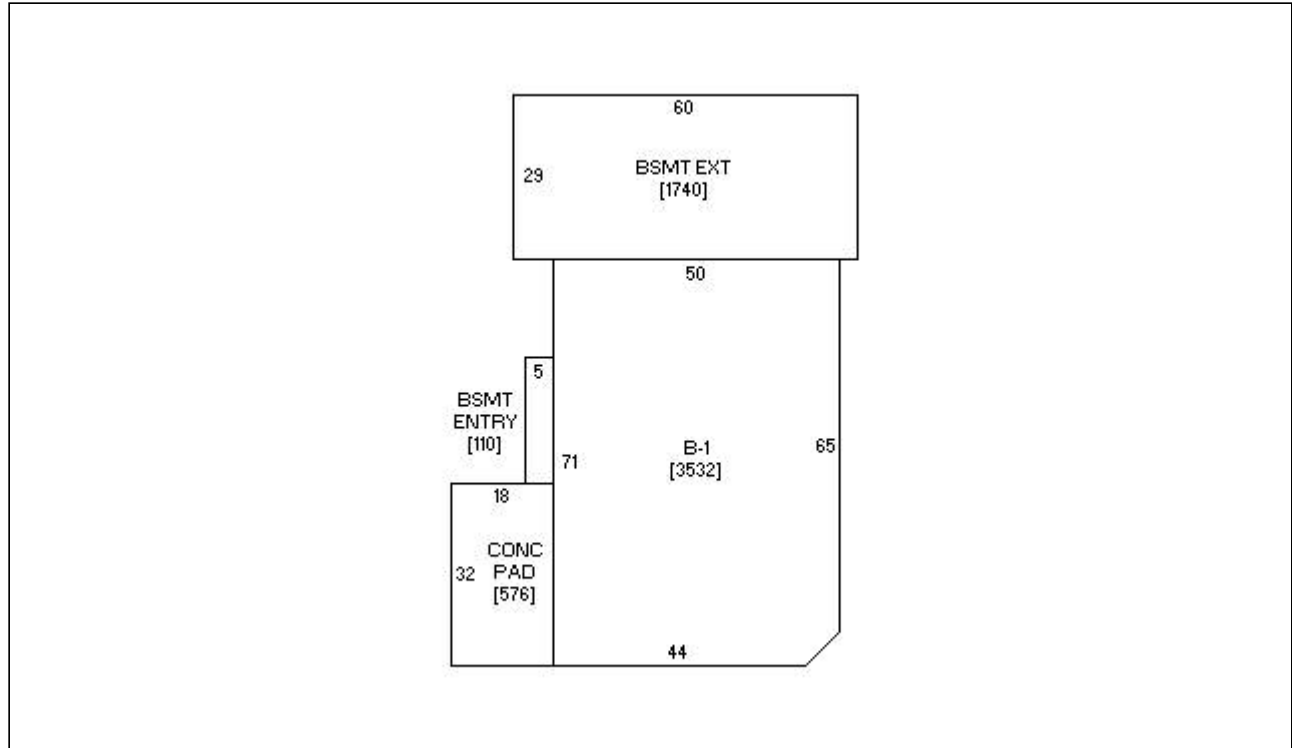


ADJUSTMENTS..Ceiling - none (3532)

BLDG EXTRAS..1 Porch (Commercial): 576 SF, Patio - Conc / Brick

1 BSMT EXT: Quantity=1,740.00 Square Feet, Height=0

YARD EXTRAS..PAVING 11,700 SF, Asphalt Parking



25 SCOTT ST, KJC LLC



25 SCOTT ST, KJC LLC, 1 03/21/2016



[Zoom Out](#)   [Zoom In](#)



600ft x 600ft

[Click any parcel to go to its web page](#)  
See [more maps](#) at the [County GIS Department](#).

As of:

[Find Property](#)   [Res Sales](#)   [Comm/Ind Sales](#)



[Find Property](#)   [Res Sales](#)   [Comm/Ind Sales](#)

7544 25 454 012

--- Permanent Property Address ---  
COUNCIL BLUFFS, CITY OF

----- Mailing Address -----  
COUNCIL BLUFFS, CITY OF  
209 PEARL ST  
COUNCIL BLUFFS, IA 51503

District: 000 CO BLUFFS CITY/CO BLUFFS

===== REAL ESTATE TAXES ON TREASURER'S WEBPAGE =====

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754425454012>

===== TAX DESCRIPTION\* =====

\* Not to be used on legal documents

MYNSTER ADD S27' LT 10 BLK 5

===== ASSESSED VALUE =====

\* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$0	\$0		\$0	\$0		2018	C
\$0	\$0		\$0	\$0		2019	C
\$0	\$0		\$0	\$0		2020	C

===== EXEMPTIONS &amp; CREDITS =====

2018 MGOV	\$0.00	MUNICIPAL GOVERNMENT
2019 MGOV	\$0.00	MUNICIPAL GOVERNMENT
2020 MGOV	\$18,900.00	MUNICIPAL GOVERNMENT

===== OWNERS =====

\* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D COUNCIL BLUFFS, CITY OF      book/page: [2014/11810](#) D

===== SALES HISTORY =====

Sale Date	Amount	Code	Book/Page	
06/01/1995	180000	<a href="#">C050</a>	0095/30410	<a href="#">multiple parcel sale</a>

===== ASSESSMENT DATA =====

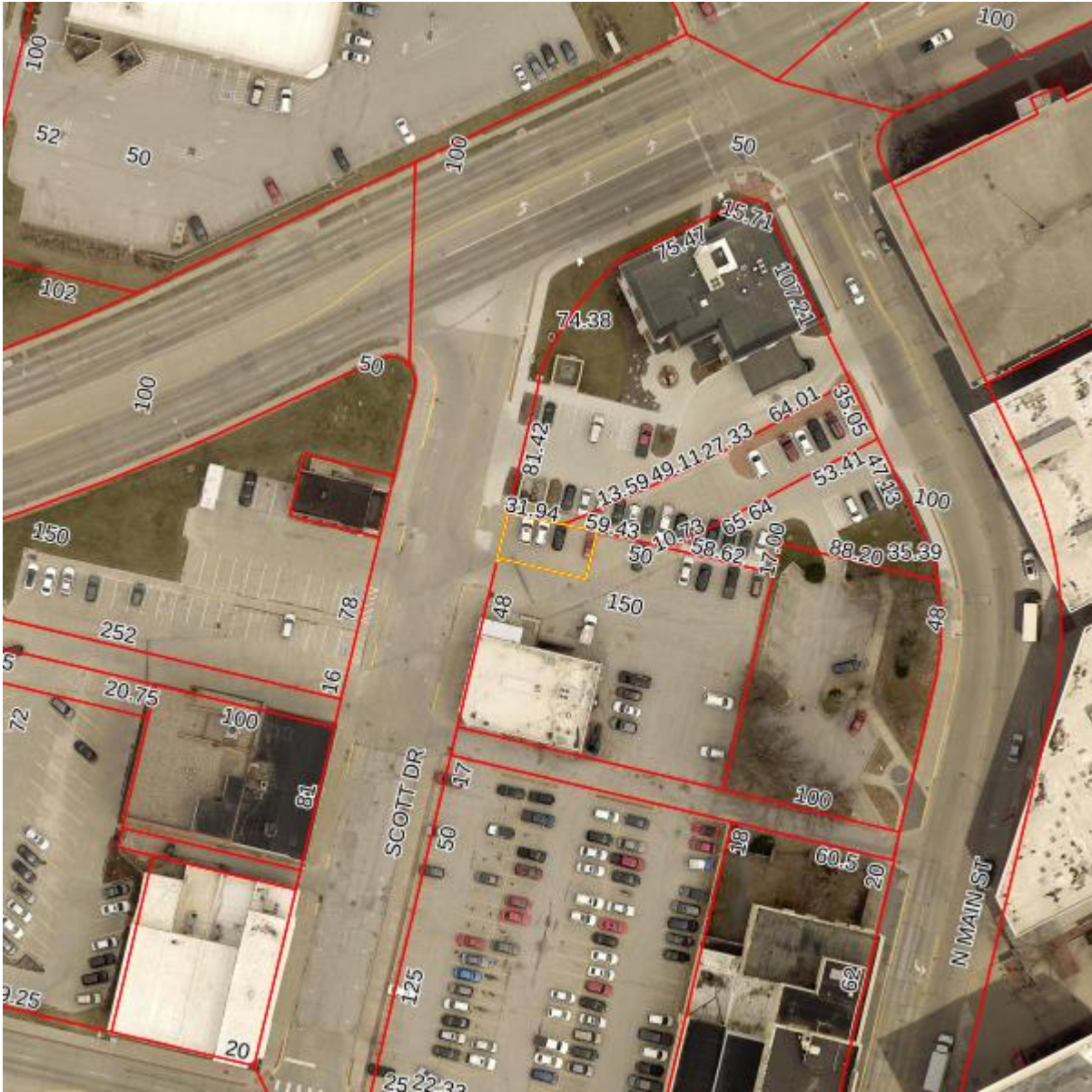
PDF: 30    MAP: 4-8 C.B COMMERCIAL

Interior Listing: Outbuildings Only    Date Listed: 08/21/19 MEC    Date Reviewed: 08/21/19 MEC

LAND.....1306 sqFt      .03 acres  
YARD EXTRAS..Paving 3,000 SF, Asphalt Parking  
Paving 3,600 SF, Asphalt Parking



[Zoom Out](#)   [Zoom In](#)



600ft x 600ft

[Click any parcel to go to its web page](#)  
See [more maps](#) at the [County GIS Department](#).

As of:

[Find Property](#)   [Res Sales](#)   [Comm/Ind Sales](#)



#### Urban Revitalization Request:

530 W Broadway, a very visible landmark of the community, has been underutilized for at least the past 30 years. The site was selected for redevelopment based on its close proximity to downtown employment, amenities, and reuse of an existing building (3-story brick building was completed in 1880). bringing activity to the west entrance of downtown Council Bluffs. The completed project will bring activity to the west entrance of downtown and spur development for Bayliss Park (the heart of the community) and adjacent properties. This is a transformative project for Council Bluffs that will:

- Increase the existing tax base and district rents to achieve economic vitality and
- Create a sense of place where businesses and residents want to work, live and play through the physical transformation of the area while maintaining the character and integrity of Council Bluffs downtown.

The 712 Initiative is requesting a 10-year tax abatement for the project. Current assessed is \$412,000 with projected assessed value of \$1,700,000 after a full renovation.

1. Building use(s) with square feet for each use:  
Residential: 2<sup>nd</sup> and 3<sup>rd</sup> floors = 8,930 sq ft  
Commercial: 1<sup>st</sup> floor = 6,178 sq ft
2. Number of residential units as well as number of affordable units:  
Total of 15 residential units – requesting HOME funds for 2 affordable units
3. Copies of conceptual drawings and floorplans:  
See attached
4. Timeline  
Complete fundraising: September 2020  
Final plans and specs: December 2020  
Competitive Bid: January 2021  
Construction: March 2021  
Construction complete: December 2022

#### 5. Overall budget

Item	Cost	%
Acquisition	\$ 450,000	8%
Construction	\$ 3,570,000	66%
Professional Fees	\$ 1,031,000	19%
Construction & Permanent Finance	\$ 144,000	3%
Soft Costs	\$ 31,000	1%
Reserves	\$ 154,000	3%

**TOTAL \$ 5,380,000**

6. Partners on the project (bank, architect, engineer, etc):  
Architect: Alley Poyner Machietto Architecture  
Construction Management: Pending  
Bank: Pending



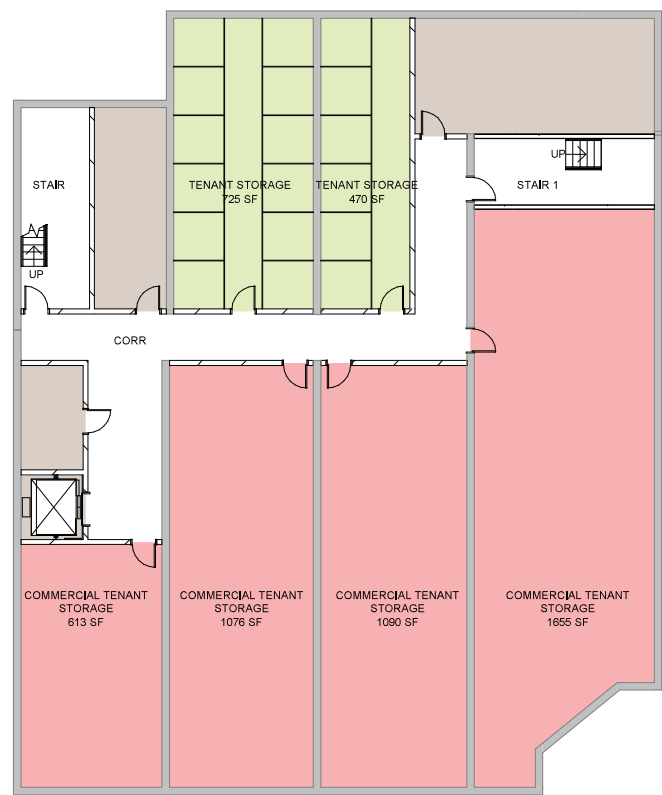
**530 WEST BROADWAY**  
EXTERIOR SKETCH



**ATTACHMENT C**

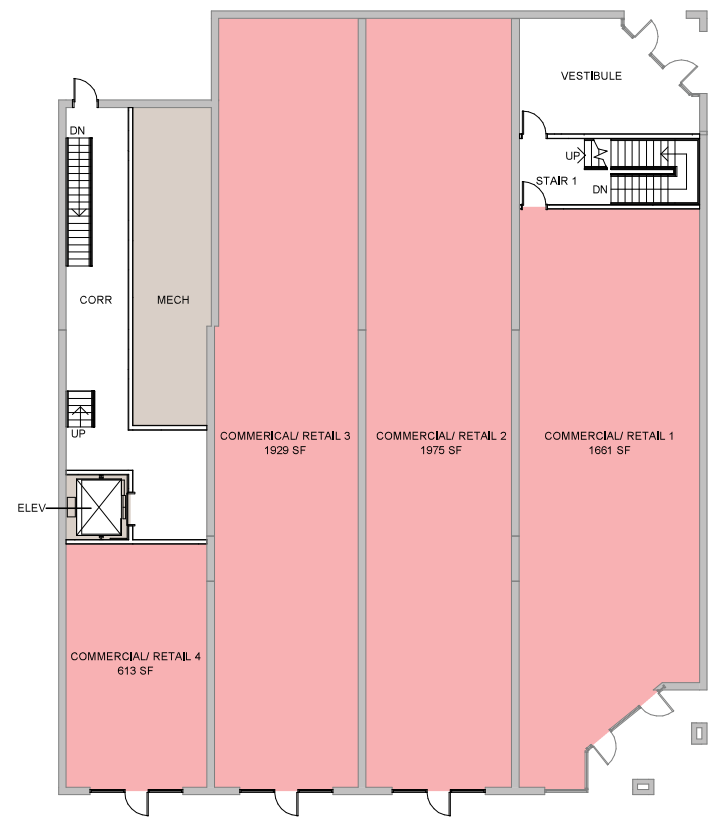


# 530 WEST BROADWAY FLOOR PLANS



 LOWER LEVEL FLOOR PLAN  
SCALE: 1/16" = 1'-0"

-  CORE/BUILDING SERVICES
-  AMENITY/COMMUNITY SPACES
-  LIVING UNITS
-  COMMERCIAL/RETAIL

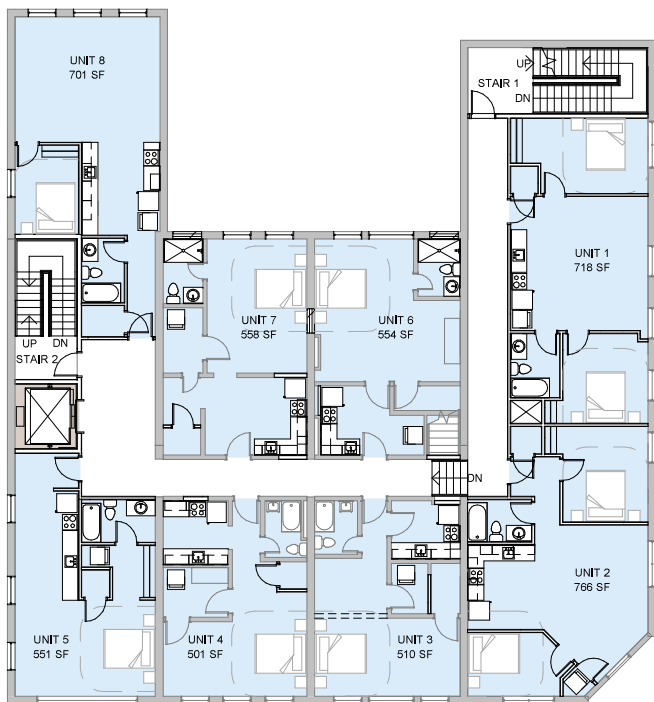


 FIRST LEVEL FLOOR PLAN  
SCALE: 1/16" = 1'-0"



# 530 WEST BROADWAY

## FLOOR PLANS



**SECOND LEVEL FLOOR PLAN**  
SCALE: 1/16" = 1'-0"

- CORE/BUILDING SERVICES
- AMENITY/COMMUNITY SPACES
- LIVING UNITS
- COMMERCIAL/RETAIL



**THIRD LEVEL FLOOR PLAN**  
SCALE: 1/16" = 1'-0"



## 530 WEST BROADWAY PROJECT STATISTICS (4 OLD BUILDINGS)

### UNITS

STUDIO 500SF-620SF	10 UNITS
1 - BED ~700SF	1 UNITS
2 - BED ~720-770SF	4 UNITS

**TOTAL 15 UNITS**

**ACCESSIBLE UNITS 1 TOTAL**  
\*ASSUMES 2% REQUIREMENT

### COMMERCIAL/RETAIL TENANTS

TENANT 1	1,661 SF
TENANT 2	1,975 SF
TENANT 3	1,929 SF
TENANT 4	613 SF

**TOTAL 6,178 SF**

### BUILDING AREA

FIRST LEVEL SECOND	7,966 GSF
LEVEL THIRD LEVEL	6,250 GSF
	5,664 GSF

**TOTAL 19,880 GSF**

**NET RENTABLE 15,108 NSF**



**ORDINANCE NO. 6411**

**AN ORDINANCE ESTABLISHING THE 5<sup>TH</sup> AND WEST BROADWAY URBAN REVITALIZATION AREA WITHIN THE CITY OF COUNCIL BLUFFS.**

**WHEREAS,** the City of Council Bluffs has the authority under Chapter 404 of the Code of Iowa to declare an area as an urban revitalization area to be known as the “5<sup>th</sup> & West Broadway Urban Revitalization Area;” and

**WHEREAS,** the City of Council Bluffs is contemplating exercising said authority by designating an area legally described as the portion of Block 6, Mynster’s Addition Southeast of the right-of-way of Kanessville Boulevard; The portion of Lots C and D, Auditor’s Subdivision of Block 6 Mynster’s Addition and Block 2 Bayliss 1st Addition located Southeast of the rightof-way of Kanessville Boulevard, and the entirety of the alleyway adjacent to Lot D; Lots E-P, Auditor’s Subdivision of Block 6 Mynster’s Addition and Block 2 Bayliss 1st Addition, and the vacated alley adjacent to Lot N; Lot 5, Block 2, Bayliss Addition to Council Bluffs; And: Lots 1-13, Auditor’s Subdivision of Lot 5, Block 5 Mynster’s Addition and Block 1, Bayliss 1st Addition, and the alleyway adjacent; Lot 2 excluding City right-of-way, Lots 3 and 4, and Lots 6-10, Mynster’s Addition, all in the City of Council Bluffs,2Pottawattamie County, Iowa., as an urban revitalization area, thus allowing tax abatement for qualified projects; and

**WHEREAS,** this City Council of the City of Council Bluffs, Iowa, finds that the subject area is appropriate as an urban revitalization area as outlined in Section 404.1(2) of the Iowa Code; and

**WHEREAS,** on April 6, 2020, the City Council passed a Resolution of Necessity and Intent to establish an urban revitalization area for the 5<sup>th</sup> & West Broadway Urban Revitalization Area, directing staff to prepare the required revitalization plan and a public hearing was set for May 18, 2020; and



**WHEREAS,** the Revitalization Plan has been written and packaged, notification sent to all the property owners and tenants affected and published notification has appeared in the daily newspaper; and

**WHEREAS,** at its May 12, 2020, meeting, the City Planning Commission reviewed the plan for the 5<sup>th</sup> & West Broadway Urban Revitalization Area and has forwarded its recommendation to this City Council.

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

**SECTION 1.** That the urban revitalization plan for the 5<sup>th</sup> & West Broadway Urban Revitalization Area, known as the "5<sup>th</sup> & West Broadway Urban Revitalization Plan," attached hereto and made a part hereof, is hereby approved as to form and content.

**SECTION 2.** That the proposed 5<sup>th</sup> & West Broadway Urban Revitalization Area be and the same is hereby approved, pursuant to the proposed plan attached hereto and incorporated herein by this reference.

**SECTION 3.** EFFECTIVE DATE. That this ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

ADOPTED  
AND  
APPROVED

June 8, 2020

\_\_\_\_\_  
Matthew J. Walsh

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush

\_\_\_\_\_  
City Clerk

PUBLIC HEARING: June 8, 2020

FIRST CONSIDERATION: May 18, 2020

SECOND CONSIDERATION: June 8, 2020

THIRD CONSIDERATION: REQUEST TO WAIVE



## Council Communication

Department: City Clerk  
Case/Project No.: URV-20-003  
Submitted by: Community  
Development

Ordinance 6412  
ITEM 4.B.

Council Action: 6/8/2020

### Description

Ordinance establishing the 14th Avenue Urban Revitalization Area

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
URV-20-003 Staff Report	Other	5/13/2020
Boundary Map	Map	5/8/2020
14th Avenue Urban Revitalization Plan	Other	5/8/2020
Ordinance 6412	Ordinance	5/13/2020



## Council Communication

Department: Community Development  CASE # URV-20-003	Ordinance No. _____	Council Action: 5/18/2020
<b>Subject/Title</b> Ordinance establishing the 14 <sup>th</sup> Avenue Urban Revitalization Area within the City of Council Bluffs.		
<b>Location</b> 3540 14th Avenue		
<b>Background/Discussion</b> <u>Background</u> 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.  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.  A proposal has been submitted by Chris Rochleau of Cherry Ridge Construction for 3540 14th Avenue. Cherry Ridge Construction intends to add two mixed-use commercial buildings to the currently vacant site for contractor shops, office space, and auto repair.  <u>Discussion</u> Iowa Code permits the City to establish urban revitalization areas, which satisfy one of the five conditions outlined in Section 404.1.  Staff believes this project meets the criteria under 404.1.4: 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.”  On April 6, 2020, City Council approved Resolution 20-92, which directed staff to initiate the process of creating the 14 <sup>th</sup> Avenue Urban Revitalization Plan and Area. This resolution set May 18, 2020 as the date of the public hearing.  This matter was brought before the City Planning Commission at their May 12, 2020 meeting. The Commission found the following: 1) That the proposed 14 <sup>th</sup> Avenue Urban Revitalization Plan furthers the goals of the City’s <i>Bluffs Tomorrow: 2030 Plan</i> , which is the general plan for the development of the City of Council Bluffs; and 2) That the 14 <sup>th</sup> Avenue Urban Revitalization Area is an area appropriate for urban revitalization as specified in Section 404.1.4.		



## Council Communication

Property owners were notified and no written correspondence was received by the Community Development Department either in support or against the proposed plan. Concurrent with the adoption of an urban revitalization plan, an ordinance establishing the urban revitalization area can be considered. Upon adoption of the area and approval of an ordinance, the City is permitted to grant tax abatement to qualified projects.

### Staff Recommendation

The Community Development Department recommends approval of the 14<sup>th</sup> Avenue Urban Revitalization Plan and Area and 1<sup>st</sup> consideration of the ordinance.

### Public Hearing

1. Speakers in favor: Chris Rochleau, 1425 9th Avenue, Council Bluffs, IA 51501
2. No one appeared in opposition.

### Planning Commission Recommendation

The Planning Commission recommends approval of the 14<sup>th</sup> Avenue Urban Revitalization Plan and Area.

VOTE: AYE 11 NAY 0 ABSTAIN 0 ABSENT 0 Motion: Carried

### Attachments

Boundary Map  
14<sup>th</sup> Avenue Urban Revitalization Plan



## 14<sup>th</sup> Avenue Urban Revitalization Area – Boundary Map





# 14<sup>th</sup> Avenue Urban Revitalization Plan



Prepared by

Community Development Department  
City of Council Bluffs, Iowa

Adopted by  
City Council on  
[REDACTED], 2020



# TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
INTRODUCTION.....	2
LEGAL DESCRIPTION OF AREA .....	4
PROPERTY OWNERS & ASSESSED VALUATIONS.....	5
EXISTING ZONING & PROPOSED LAND USE .....	5
PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES .....	6
RELOCATION PROVISIONS.....	6
OTHER PUBLIC ASSISTANCE .....	6
APPLICABILITY & TAX EXEMPTION SCHEDULE .....	7
APPLICATION & REVIEW PROCESS .....	8
ATTACHMENT A: TAX PARCEL INFORMATION.....	9
ATTACHMENT B: LETTER OF INTENT .....	11
ATTACHMENT C: SITE PLAN.....	12



## **INTRODUCTION**

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 renovation of a blighted area. 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.



The City of Council Bluffs concluded that the 14th Avenue Urban Revitalization Area meets the criteria of element 4. Consequently, on April 6, 2020, the City Council adopted Resolution No. 20-92, which directed staff to prepare a plan for the proposed revitalization area. Illustration 1 is the City Council Resolution.

## **14th Avenue Urban Revitalization Area**

### **Illustration 1 – Resolution**

#### **RESOLUTION NO. 20-92**

**A RESOLUTION OF NECESSITY AND INTENT TO ESTABLISH THE 14<sup>th</sup> AVENUE URBAN REVITALIZATION AREA LEGALLY DESCRIBED AS LOTS 16-30, BLOCK 37, BROWN'S SUBDIVISION, 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, a proposal has been submitted for the redevelopment of the 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 no later than May 8, 2020.


#### **BE IT FURTHER RESOLVED**

That the City Council directs the City Clerk to set this matter for public hearing on May 18, 2020.

**ADOPTED  
AND  
APPROVED:**

April 6, 2020

  
Matthew J. Walsh Mayor

  
Jodi Quakenbush City Clerk

**ATTEST:**



## **LEGAL DESCRIPTION**

The 14th Avenue Urban Revitalization Area is a tract of land containing parcel number 754433476001, legally described as:

Lots 16-30, Block 37, Brown's Subdivision, Council Bluffs, Pottawattamie County, Iowa

Illustration 2 shows the location and the boundary of the 14th Avenue Urban Revitalization Area, which consists of 2.08 acres.

---

**14th Avenue Urban Revitalization Area**  
**Illustration 2 – Boundary**

---





## **PROPERTY OWNERS AND ASSESSED VALUATIONS**

The 14th Avenue Urban Revitalization Area will be comprised of 2.08 acres on one parcel of land owned by 92 Investments LLC. Valuation was obtained from the records of the Pottawattamie County Assessor.

Chris Rochleau of Cherry Ridge Construction has a purchase agreement with the current owner of the property. The land is currently vacant.

<b>Parcel Number</b>	<b>Zoning</b>	<b>Owner &amp; Address</b>	<b>Land Valuation</b>	<b>Dwelling Valuation</b>	<b>Building Valuation</b>	<b>Total Valuation</b>
754433476001	P-C/ Planned Commercial District	92 Investments LLC 22735 James Dr Council Bluffs, IA 51503	\$202,200	\$ -	\$ -	\$202,200

## **EXISTING ZONING AND PROPOSED LAND USE**

The 14th Avenue Urban Revitalization Area is currently zoned P-C in parcel 754433476001. The P-C/Planned Commercial District is intended to provide for the development of retail shopping centers, hotel/motel services, destination resorts, and office parks.

Chris Rochleau of Cherry Ridge Construction has a purchase agreement with the current owner of the subject property, and intends to add two buildings to the site to be known as Rivers Edge Business Park (Attachment C.) Cherry Ridge Construction has requested with the Zoning Board of Adjustment that the property be rezoned C-2/Commercial District. The C-2 district is intended to provide for major commercial retail shopping and service areas adjacent to major traffic corridors. This district also provides a variety of commercial services to the community and adjacent residential neighborhoods.

Cherry Ridge Construction intends to add two mixed-use commercial buildings to the site for contractor shops, office space, and auto repair. These are among the principal uses permitted in a C-2 district. The case will be presented to the Zoning Board of Adjustment on 4/21/2020.

Surrounding properties to the west, north and south are also zoned P-C. Properties east of the subject property are zoned I-2/General Industrial District. Properties northeast of the subject property are zoned C-2/Commercial District. Illustration 3 depicts the existing on-site and surrounding zoning.

Existing land uses in the general vicinity include: a hotel to the south; a trucking company to the east; a rail line to the north; and undeveloped parcels of land to the west and also to the south.

The future land use map of the *Bluffs Tomorrow: 2030 Comprehensive Plan* designates the subject property as Public Park. Westwood Park lies north of the train tracks north of the property.

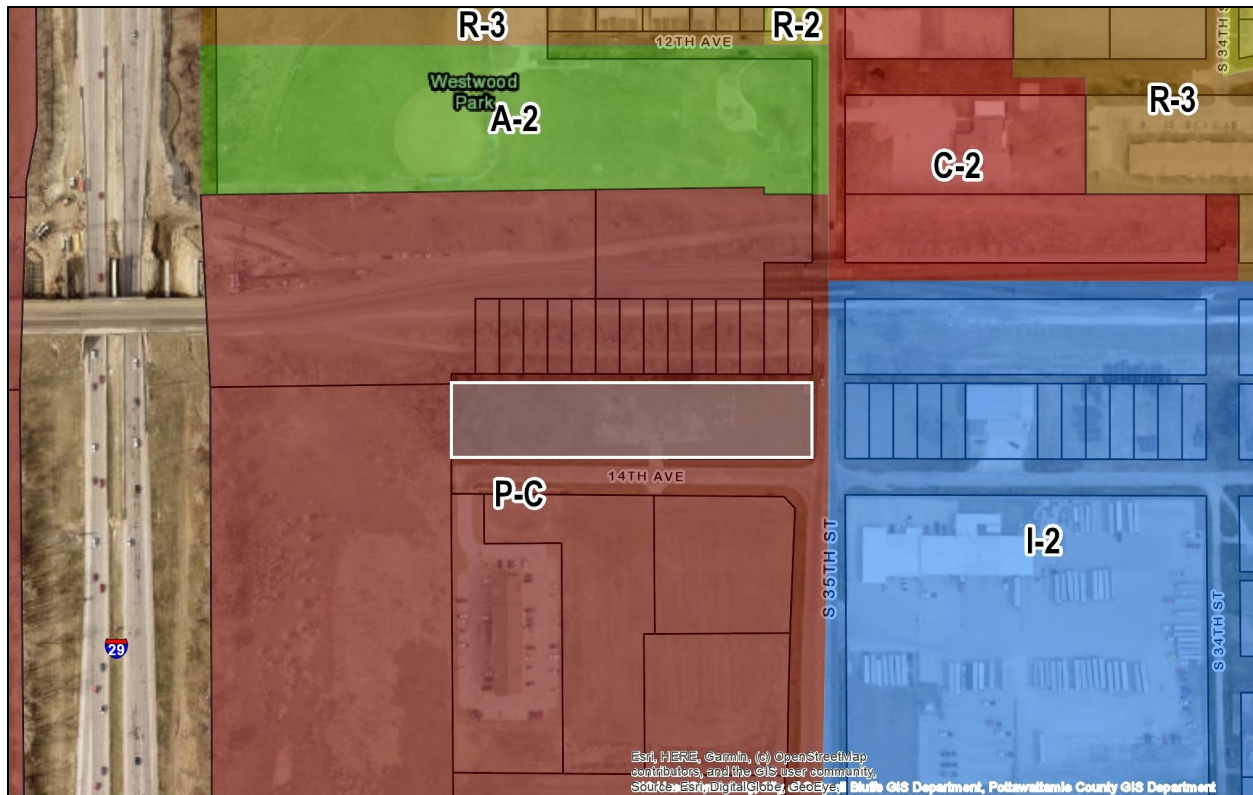


---

## 14th Avenue Urban Revitalization Area

### Illustration 3 – Zoning

---



---

### **PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES**

The proposed 14th Avenue Urban Revitalization Area is currently served with all municipal services (sanitary sewer, water and storm sewer) and can be accessed by a dedicated roadway. Electricity and gas service are also available to the project. The project is located along 14<sup>th</sup> Avenue, just off South 35<sup>th</sup> Street. Both are adequate to handle the additional traffic generated by this proposed project.

### **RELOCATION PROVISIONS**

The proposed 14th Avenue Urban Revitalization Area consists of one vacant parcel; therefore, the City will not displace any residential or non-residential tenants as a result of proposed improvements in the urban revitalization area.

### **OTHER PUBLIC ASSISTANCE**

The developer has not requested any additional public assistance.



## **APPLICABILITY AND TAX EXEMPTION SCHEDULE**

1. Eligibility – The 14th Avenue 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, 2040 or 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.

4. 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. In addition, all improvements must result in the following increases in value:

- 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.



5. 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 1<sup>st</sup> 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 1<sup>st</sup> as required by Chapter 404 of the Iowa Code.



[Find Property](#)   [Res Sales](#)   [Comm/Ind Sales](#)

7544 33 476 001

--- Permanent Property Address ---

92 INVESTMENTS LLC

----- Mailing Address -----

92 INVESTMENTS LLC

22735 JAMES DR

COUNCIL BLUFFS, IA 51503

District: 000 CO BLUFFS CITY/CO BLUFFS

===== REAL ESTATE TAXES ON TREASURER'S WEBPAGE =====

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754433476001>

===== TAX DESCRIPTION\* =====

\* Not to be used on legal documents

BROWN SUB LTS 16 THRU 30 BLK 37

===== ASSESSED VALUE =====

\* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$202,200	\$0		\$0	\$202,200		2018	C
\$202,200	\$0		\$0	\$202,200		2019	C
\$202,200	\$0		\$0	\$202,200		2020	C

===== EXEMPTIONS &amp; CREDITS =====

2018 BPTC \$3,021.33

===== OWNERS =====

\* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D 92 INVESTMENTS LLC book/page: [2009/9919](#) D

===== SALES HISTORY =====

Sale Date	Amount	Code	Book/Page
07/08/2009	52400	<a href="#">D034</a>	<a href="#">2009/09919</a>
05/30/2008	52290	<a href="#">D034</a>	<a href="#">2008/08122</a>
04/23/2007	135000	<a href="#">D034</a>	<a href="#">2007/07050</a>

===== ASSESSMENT DATA =====

PDF: 8 MAP: 19-8 C.B COMMERCIAL

Interior Listing: Inspected Date Listed: 10/13/15 JAC Date Reviewed: 10/10/16 TG

LAND.....90604 sqFt 2.08 acres



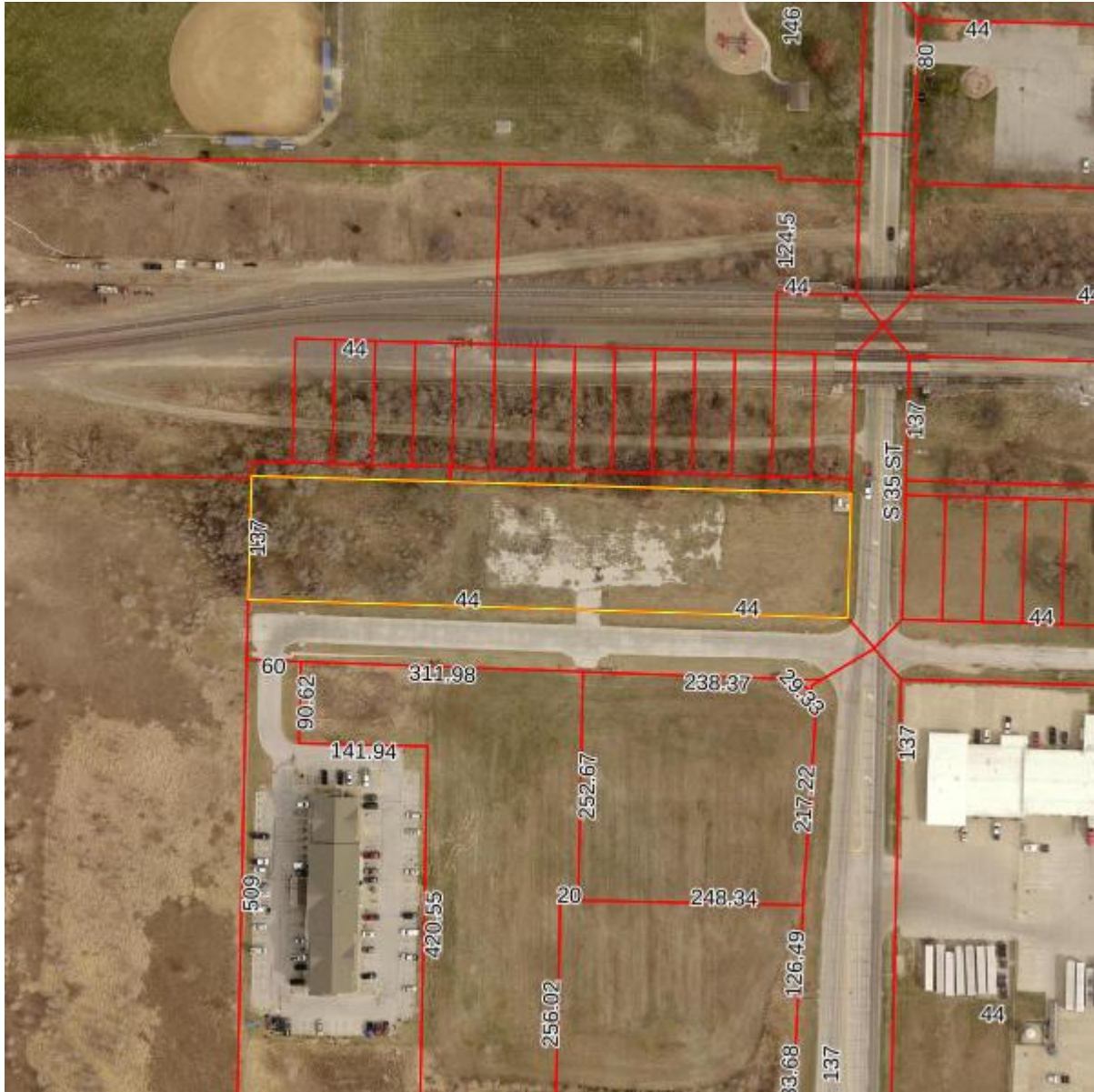
92 INVESTMENTS LLC, 1 10/13/2015

**ATTACHMENT A**

183



[Zoom Out](#)      [Zoom In](#)



1200ft x 1200ft

Click any parcel to go to its web page

See [more maps](#) at the [County GIS Department](#).

As of: On Web ▼ Get Card

[Find Property](#)   [Res Sales](#)   [Comm/Ind Sales](#)



March 17, 2020

RE: River's Edge Business Park  
3540 14<sup>th</sup> Avenue  
Council Bluffs, IA 51501  
Parcel Number: 7544 33 476 001



Mr. Chris Gibbon's and the rest of the planning commission,

My name is Chris Rochleau. I am the owner of Cherry Ridge Construction. I am presenting a letter of my intent for the property located at 3540 14<sup>th</sup> Avenue that I have requested to be zoned C-2. It is currently Zoned PC – Planned Commercial. We have spent a tremendous amount of time over the last several months working with City officials, including those in the zoning department to develop an attractive building that would be an incubator for business and provide budding business's an opportunity to get established and grow in our community.

This would bring jobs, provide an improved tax base and be aesthetically appealing. On the site that we are developing we are planning to complete two (2) buildings throughout two (2) separate phases with twelve (12) business spaces per building. I am anticipating three (3) to five (5) employees per space with a total number of employees to be 36 to 60 per building.

We have developed a paving and landscape plan that would meet the necessary requirements and be aesthetically appealing to that area. There are a variety of business that we are wanting to attract to this type of building.

In order to make this project work and provide business opportunities to start up and small businesses we are also requesting the revitalization 10 year tax abatement. This is a WIN – WIN for the City. There is an immediate increase in the tax base, and it will exponentially increase over the next 10 years. It also provides new business opportunities and a place for existing businesses to grow.

I anticipate the development costs with land to be between 1.3mm to 1.5mm per building with a total investment between 2.6mm and 3.0mm.

As you can see from the artist renderings, we are putting stone across the front and East side of the building, upgrading the color scheme and the signage layout. We are in the process of finalizing the exterior lighting plan and are considering a few more upgrades to the landscaping plan.

I have also submitted an application and request for the vacated alley adjacent to the North property line. This is an area that has been unmaintained and a harbor for homeless and criminal activity. I would maintain that area as part of this property with lighting across the back of the building and green space.

This is going to be different than any other building that has been built in our community. Significant costs are being incurred to make the business park attractive and conducive to start up and small businesses. We have also applied for a conditional use permit so that we can provide a variety of business opportunities to those that are looking.

Sincerely,

**Chris Rochleau**  
President – Cherry Ridge Construction

**ATTACHMENT B**

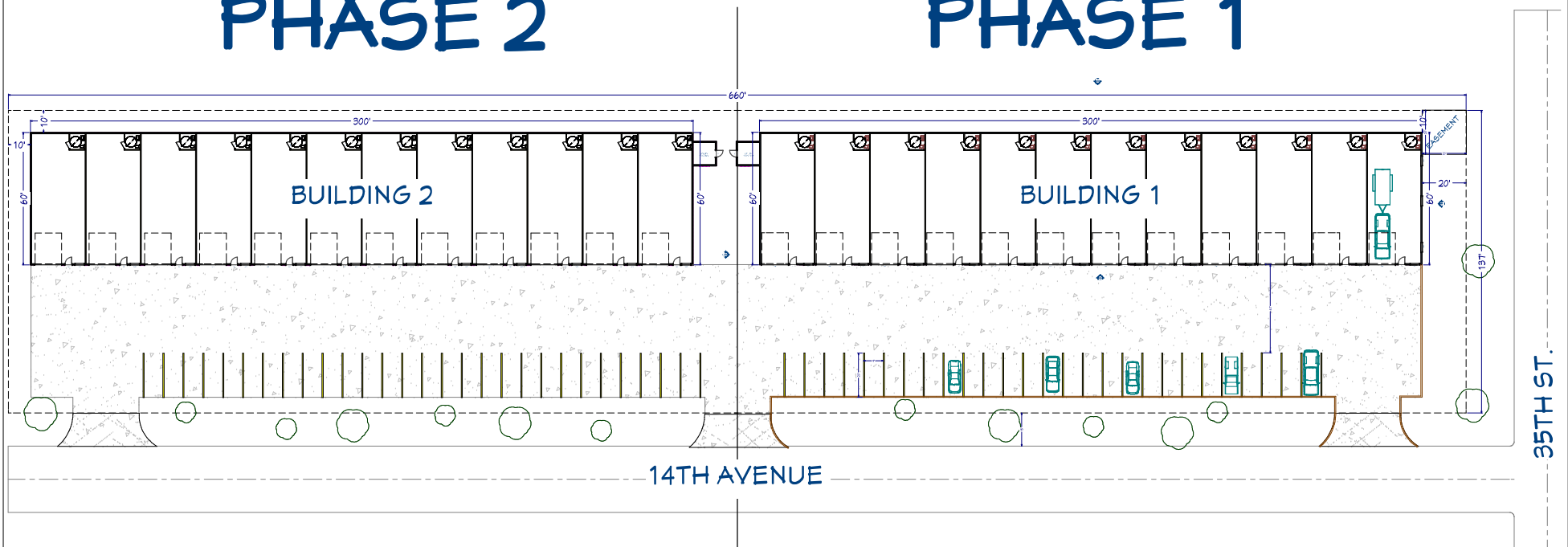


# RIVERS EDGE BUSINESS PARK



## PHASE 2

## PHASE 1



PHASE 1  
BUILDING 1 = 18,000 SQFT  
PARKING = 19,402 SQFT

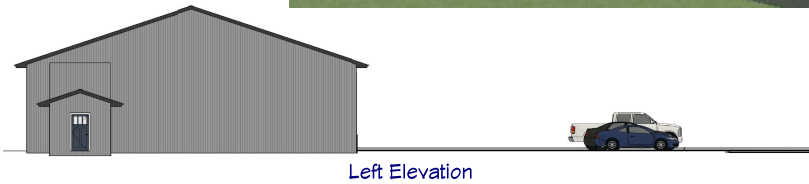
**SITE PLAN**

REVISION TABLE	
NUMBER	DATE
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
CHERRY RIDGE CONSTRUCTION 1425 4TH AVE, COUNCIL BLUFFS IA OFFICE: (712) 256-2274	
COMMERCIAL SPEC BUILDING	
CHRIS ROCHEAU (402) 815-8113 AARON BIERMAN (402) 664-3014 ANDY MATTS (402) 654-2838	
DATE:	
3/17/2020	
SCALE:	
SHEET:	
P-1	

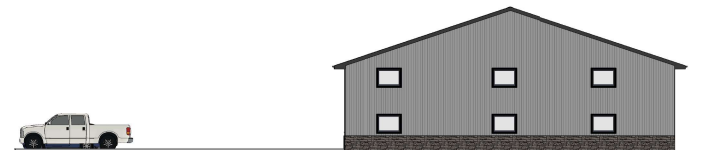


# RIVERS EDGE BUSINESS PARK

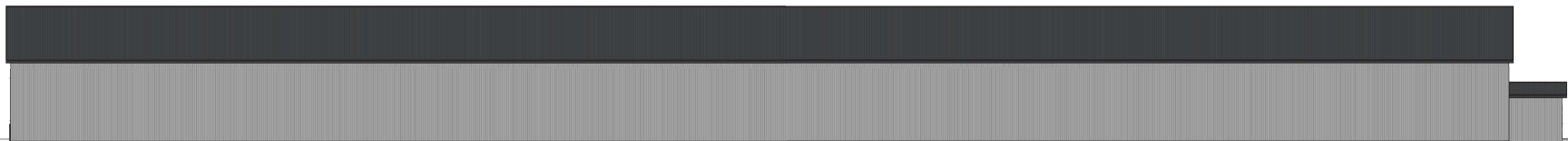
## BUILDING 1



Left Elevation



Right Elevation



Rear Elevation



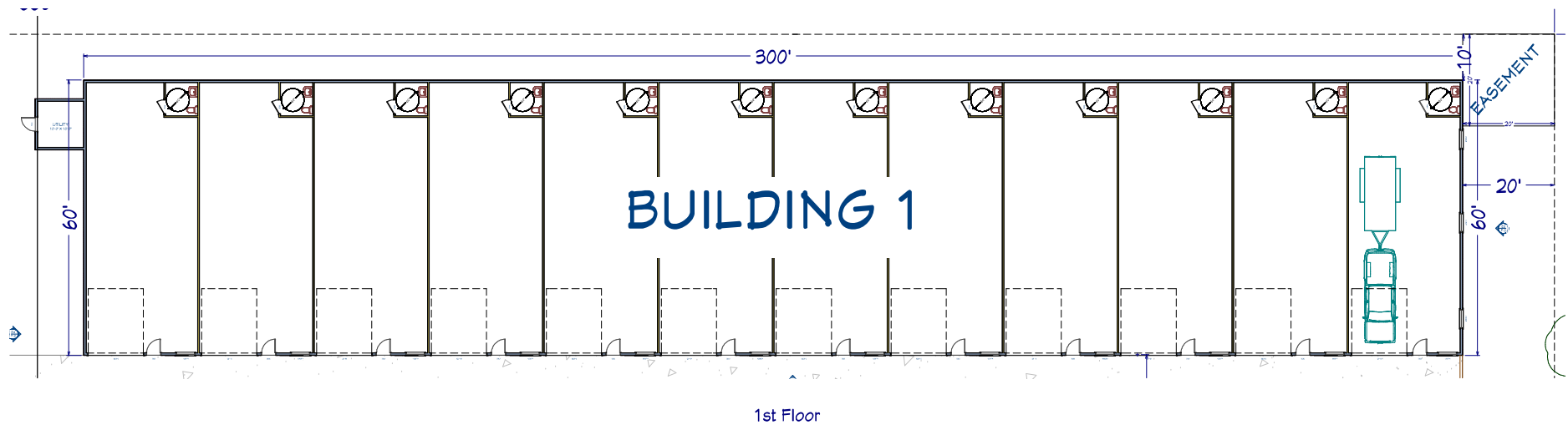
Front Elevation

ELEVATIONS

CHERRY RIDGE CONSTRUCTION	
REVISION TABLE	
NUMBER	DATE
1	02/17/2018
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	
37	
38	
39	
40	
41	
42	
43	
44	
45	
46	
47	
48	
49	
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
70	
71	
72	
73	
74	
75	
76	
77	
78	
79	
80	
81	
82	
83	
84	
85	
86	
87	
88	
89	
90	
91	
92	
93	
94	
95	
96	
97	
98	
99	
100	
101	
102	
103	
104	
105	
106	
107	
108	
109	
110	
111	
112	
113	
114	
115	
116	
117	
118	
119	
120	
121	
122	
123	
124	
125	
126	
127	
128	
129	
130	
131	
132	
133	
134	
135	
136	
137	
138	
139	
140	
141	
142	
143	
144	
145	
146	
147	
148	
149	
150	
151	
152	
153	
154	
155	
156	
157	
158	
159	
160	
161	
162	
163	
164	
165	
166	
167	
168	
169	
170	
171	
172	
173	
174	
175	
176	
177	
178	
179	
180	
181	
182	
183	
184	
185	
186	
187	
188	
189	
190	
191	
192	
193	
194	
195	
196	
197	
198	
199	
200	
201	
202	
203	
204	
205	
206	
207	
208	
209	
210	
211	
212	
213	
214	
215	
216	
217	
218	
219	
220	
221	
222	
223	
224	
225	
226	
227	
228	
229	
230	
231	
232	
233	
234	
235	
236	
237	
238	
239	
240	
241	
242	
243	
244	
245	
246	
247	
248	
249	
250	
251	
252	
253	
254	
255	
256	
257	
258	
259	
260	
261	
262	
263	
264	
265	
266	
267	
268	
269	
270	
271	
272	
273	
274	
275	
276	
277	
278	
279	
280	
281	
282	
283	
284	
285	
286	
287	
288	
289	
290	
291	
292	
293	
294	
295	
296	
297	
298	
299	
300	
301	
302	
303	
304	
305	
306	
307	
308	
309	
310	
311	
312	
313	
314	
315	
316	
317	
318	
319	
320	
321	
322	
323	
324	
325	
326	
327	
328	
329	
330	
331	
332	
333	
334	
335	
336	
337	
338	
339	
340	
341	
342	
343	
344	
345	
346	
347	
348	
349	
350	
351	
352	
353	
354	
355	
356	
357	
358	
359	
360	
361	
362	
363	
364	
365	
366	
367	
368	
369	
370	
371	
372	
373	
374	
375	
376	
377	
378	
379	
380	
381	
382	
383	
384	
385	
386	
387	
388	
389	
390	
391	
392	
393	
394	
395	
396	
397	
398	
399	
400	
401	
402	
403	
404	
405	
406	
407	
408	
409	
410	
411	
412	
413	
414	
415	
416	
417	
418	
419	
420	
421	
422	
423	
424	
425	
426	
427	
428	
429	
430	
431	
432	
433	
434	
435	
436	
437	
438	
439	
440	
441	
442	
443	
444	
445	
446	
447	
448	
449	
450	
451	
452	
453	
454	
455	
456	
457	
458	
459	
460	
461	
462	
463	
464	
465	
466	
467	
468	
469	
470	
471	
472	
473	
474	
475	
476	
477	
478	
479	
480	
481	
482	
483	
484	
485	
486	
487	
488	
489	
490	
491	
492	
493	
494	
495	
496	
497	
498	
499	
500	
501	
502	
503	
504	
505	
506	
507	
508	
509	
510	
511	
512	
513	
514	
515	
516	
517	
518	
519	
520	
521	
522	
523	
524	
525	
526	
527	
528	
529	
530	
531	
532	
533	
534	
535	
536	
537	
538	
539	
540	
541	
542	
543	
544	
545	
546	
547	
548	
549	
550	
551	
552	
553	
554	
555	
556	
557	
558	
559	
560	
561	
562	
563	
564	



# BUILDING #1



MAIN LEVEL

REVISION TABLE	NUMBER	DATE	REVISION	DESCRIPTION
1	02/17/2019	AKB	1	FIRST DRAFT

CHERRY RIDGE CONSTRUCTION  
1425 4TH AVE. COUNCIL BLUFFS IA  
OFFICE: (712) 256-2274

COMMERCIAL SPEC BUILDING

CHRIS ROCHLEAU (402) 815-8113  
AARON BIERMAN (402) 664-3014  
ANDY MATTS (402) 654-2938

DATE:  
3/17/2020

SCALE:

SHEET:  
P-3



**ORDINANCE NO. 6412**

**AN ORDINANCE ESTABLISHING THE 14<sup>TH</sup> AVENUE URBAN REVITALIZATION AREA WITHIN THE CITY OF COUNCIL BLUFFS.**

- WHEREAS,** the City of Council Bluffs has the authority under Chapter 404 of the Code of Iowa to declare an area as an urban revitalization area to be known as the “14<sup>th</sup> Avenue Urban Revitalization Area;” and
- WHEREAS,** the City of Council Bluffs is contemplating exercising said authority by designating an area legally described as Lots 16-30, Block 37, Brown’s Subdivision, Council Bluffs, Pottawattamie County, Iowa, as an urban revitalization area, thus allowing tax abatement for qualified projects; and
- WHEREAS,** this City Council of the City of Council Bluffs, Iowa, finds that the subject area is appropriate as an urban revitalization area as outlined in Section 404.1(4) of the Iowa Code; and
- WHEREAS,** on April 6, 2020, the City Council passed a Resolution of Necessity and Intent to establish an urban revitalization area for the 14<sup>th</sup> Avenue Urban Revitalization Area, directing staff to prepare the required revitalization plan and a public hearing was set for May 18, 2020; and
- WHEREAS,** the Revitalization Plan has been written and packaged, notification sent to all the property owners and tenants affected and published notification has appeared in the daily newspaper; and
- WHEREAS,** at its May 12, 2020, meeting, the City Planning Commission reviewed the plan for the 14<sup>th</sup> Avenue Urban Revitalization Area and has forwarded its recommendation to this City Council.



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

**SECTION 1.** That the urban revitalization plan for the 14<sup>th</sup> Avenue Urban Revitalization Area, known as the "14<sup>th</sup> Avenue Urban Revitalization Plan," attached hereto and made a part hereof, is hereby approved as to form and content.

**SECTION 2.** That the proposed 14<sup>th</sup> Avenue Urban Revitalization Area be and the same is hereby approved, pursuant to the proposed plan attached hereto and incorporated herein by this reference.

**SECTION 3.** EFFECTIVE DATE. That this ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

ADOPTED  
AND  
APPROVED

June 8, 2020

\_\_\_\_\_  
Matthew J. Walsh

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush

\_\_\_\_\_  
City Clerk

PUBLIC HEARING: June 8, 2020

FIRST CONSIDERATION: May 18, 2020

SECOND CONSIDERATION: June 8, 2020

THIRD CONSIDERATION: REQUEST TO WAIVE



## Council Communication

Department: City Clerk  
Case/Project No.:  
Submitted by: Graham Jura

Ordinance 6413  
ITEM 4.C.

Council Action: 6/8/2020

### Description

An Ordinance to amend Chapter 12.02 “Miscellaneous Provisions” of the 2015 Municipal Code of Council Bluffs, Iowa, by amending Section 12.02.056 “Open Burn Prohibited”.

### Background/Discussion

In coordination with the Council Bluffs Fire Department, it was determined that 12.02.056 “Open Burn Prohibited” needed to be updated to reflect that the health department is no longer under control of the City and should instead list the Fire Department as the main department of contact. It was also changed to address a growing concern with the burning of construction lumber (treated and untreated), as well as updating the specifics for Bonfires in accordance with the International Fire Code, as well as other grammatical cleanup.

### Recommendation

The City Legal Department recommends updated 12.02.056 “Open Burn Prohibited” under the terms described herein.

### ATTACHMENTS:

Description	Type	Upload Date
Ordinance-red line version	Other	4/30/2020
Ordinance 6413	Ordinance	5/13/2020



#### 12.02.056 Open Burn Prohibited

For the purpose of this chapter, open burning means the burning of any material wherein air contaminants resulting from combustion are emitted directly into the ambient air without passing through a stack or chimney from any enclosed chamber. A chamber shall be regarded as enclosed when, during the time combustion takes place, only such apertures, ducts, stacks, flues, or chimneys as are necessary to provide combustion air and to permit the escape of exhaust gases are open.

- A. It is unlawful for any person to open burn any refuse or to permit open burning of any refuse within the city of Council Bluffs, Iowa. Except as hereinafter provided, this section shall apply to all refuse, including but not limited to waste paper, boxes, market wastes, garden wastes, trees, tree limbs, ~~construction lumber (treated and untreated)~~, automobiles and parts thereof, and any and all materials other than material used as fuel in a furnace or boiler.
- B. This section shall not apply to outdoor fireplaces or barbeque grills used solely for the noncommercial preparation of food. Such outdoor fireplaces or grills may be used at other than daylight hours, but shall not be used for burning of refuse or combustible waste.

Fire containment devices, such as fire pits and chimneys, may be used but are subject to the provisions hereinafter set forth:

1. No outdoor burning is permitted if the wind speed exceeds ten (10) mph;
  2. The fire must be constantly attended and supervised by a responsible adult until the fire has been completely extinguished;
  3. Fire containment devices shall not be permitted within fifteen (15) feet of any combustible or structure, or within ten (10) feet of a lot line unless mutually agreed upon by the neighboring property owner;
  4. Fire pits or other fire containment devices shall not exceed three feet in diameter;
  5. Flames shall be kept below two feet in height above the pit or other fire containment device;
  6. A portable fire extinguisher or other approved extinguishing equipment, such as a garden hose, must be readily available;
  7. Burning that is offensive or objectionable to a reasonable person because of smoke or odor emissions, or when atmospheric conditions or local circumstances making such fires hazardous, shall be prohibited.
  8. The fire chief or fire chief's designee has the authority to enforce the regulations contained within CBMC 12.02.056.
- C. The ~~Fire Chief or Fire Chief's~~ designee may permit an open fire for the following purposes and subject to the provisions hereinafter set forth:
    1. City crews operating under the authority of the department of public works;
    2. The instruction of public employees in methods of fighting fires;
    3. On private property used for industrial purposes for the instruction of employees in the methods of fighting fires;
    4. For public gatherings under the legitimate sponsorship of civic, fraternal, religious, educational or similar organizations;
    5. ~~Bonfires~~
      - a. Permit application and applicable fee is required;
      - b. Fire ring free of grass and weeds is required;
      - c. Water source must be available at the proposed site;
      - d. Fire containment devices shall not be permitted within ~~fifty (50)~~ feet of any combustible or structure, or within ten (10) feet of a lot line unless mutually agreed upon by the neighboring property owner;
  - D. Authorization to permit an open fire will not be granted by the ~~Fire Chief or the Fire Chief's~~ designee when such conditions arise that the fire chief deems such fires to be a safety hazard.
  - E. Exceptions.

Deleted: aneas

Deleted: director of public health or the director's

Deleted: Recreational bonfire

Deleted: twenty-five (25)

Deleted: director of public health or the director's



1. This section shall not apply to flare stacks used for the open burning or flaring of waste gases, provided such open burning or flaring is conducted in compliance with Iowa State Code.
2. This section shall not apply to prescription burns of native grasses when the following conditions are met.
  - a. Submittal of a Council Bluffs prescription burn application and associated fee to the fire department.
  - b. Develop and submit a site fire management plan with Fire department.
    - (1) Plan shall contain: Site background information, fire management justification, fire regime proposal, smoke management plan, neighbor and community relationships and associated aerial maps.
  - c. Develop and submit a burn prescription.
    - (1) Prescription shall: Identify proper location and owner, plans for unit preparation, ignition and holding operations, identify the unit and all hazards, identify the objectives of the burn, outline contingency plans, describe the weather conditions required, and present plans to notify proper authorities.
  - d. All pertinent information must be reviewed and approved by the fire department prior to any prescription burn.
  - e. Credentialed burnboss shall be utilized for site fire management plan, burn prescription as well as the actual burn.

Deleted: health

Deleted: s

Deleted: burn

(Ord. No. 6369, § 1, 10-22-2018)



**ORDINANCE NO. 6413**

**AN ORDINANCE TO AMEND CHAPTER 12.02 “MISCELLANEOUS PROVISIONS” OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 12.02.056 “OPEN BURN PROHIBITED”.**

**BE IT ORDAINED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA**

**SECTION 1.** That Chapter 12.02 “Miscellaneous Provisions” of the 2015 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by amending Section 12.02.056 “Open Burn Prohibited”, to read as follows:

**12.02.056 Open Burn Prohibited**

For the purpose of this chapter, open burning means the burning of any material wherein air contaminants resulting from combustion are emitted directly into the ambient air without passing through a stack or chimney from any enclosed chamber. A chamber shall be regarded as enclosed when, during the time combustion takes place, only such apertures, ducts stacks, flues, or chimneys as are necessary to provide combustion air and to permit the escape of exhaust gases are open.

- A. It is unlawful for any person to open burn any refuse or to permit open burning of any refuse within the city of Council Bluffs, Iowa. Except as hereinafter provided, this section shall apply to all refuse, including but not limited to waste paper, boxes, market wastes, garden wastes, trees, tree limbs, construction lumber (treated and untreated), automobiles and parts thereof, and any and all materials other than material used as fuel in a furnace or boiler.
- B. This section shall not apply to outdoor fireplaces or barbeque grills used solely for the noncommercial preparation of food. Such outdoor fireplaces or grills may be used at other than daylight hours, but shall not be used for burning of refuse or combustible waste.

Fire containment devices, such as fire pits and chimneys may be used but are subject to the provisions hereinafter set forth:

- 1. No outdoor burning is permitted if the wind speed exceeds ten (10) mph;
- 2. The fire must be constantly attended and supervised by a responsible adult until the fire has been completely extinguished;
- 3. Fire containment devices shall not be permitted within fifteen (15) feet of any combustible or structure, or within ten (10) feet of a lot line unless mutually agreed upon by the neighboring property owner;
- 4. Fire pits or other fire containment devices shall not exceed three feet in diameter;
- 5. Flames shall be kept below two feet in height above the pit or other fire containment device;
- 6. A portable fire extinguisher or other approved extinguishing equipment, such as a garden hose, must be readily available;
- 7. Burning that is offensive or objectionable to a reasonable person because of smoke or odor emissions, or when atmospheric conditions or local circumstances making such fires hazardous, shall be prohibited.
- 8. The fire chief or fire chief’s designee has the authority to enforce the regulations contained within CBMC 12.02.056.



- C. The Fire Chief or Fire Chief's designee may permit an open fire for the following purposes and subject to the provisions hereinafter set forth:
1. City crews operating under the authority of the department of public works;
  2. The instruction of public employees in methods of fighting fires;
  3. On private property used for industrial purposes for the instruction of employees in the methods of fighting fires;
  4. For public gatherings under the legitimate sponsorship of civic, fraternal, religious, educational or similar organizations;
  5. Bonfires:
    - a. Permit application and applicable fee is required;
    - b. Fire ring free of grass and weeds is required;
    - c. Water source must be available at the proposed site;
    - d. Fire containment devices shall not be permitted within fifty (50) feet of any combustible or structure, or within ten (10) feet of a lot line unless mutually agreed upon by the neighboring property owner;
- D. Authorization to permit an open fire will not be granted by the Fire Chief or the Fire Chief's designee when such conditions arise that the fire chief deems such fires to be a safety hazard.
- E. Exceptions.
1. This section shall not apply to flare stacks used for the open burning or flaring of waste gases, provided such open burning or flaring is conducted in compliance with Iowa State Code.
  2. This section shall not apply to prescription burns of native grasses when the following conditions are met.
    - a. Submittal of a Council Bluffs prescription burn application and associated fee to the fire department.
    - b. Develop and submit a site fire management plan with Fire department.
      - (1) Plan shall contain: Site background information, fire management justification, fire regime proposal, smoke management plan, neighbor and community relationships and associated aerial maps.
    - c. Develop and submit a burn prescription.
      - (1) Prescription shall: Identify proper location and owner, plans for unit preparation, ignition and holding operations, identify the unit and all hazards, identify the objectives of the burn, outline contingency plans, describe the weather conditions required, and present plans to notify proper authorities.
    - d. All pertinent information must be reviewed and approved by the fire department prior to any prescription burn.
    - e. Credentialed burn boss shall be utilized for site fire management plan, burn prescription as well as the actual burn.

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3. SEVERABILITY CLAUSE.** If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.



**SECTION 4. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED  
AND  
APPROVED

June 8, 2020.

\_\_\_\_\_  
MATTHEW J. WALSH

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH

\_\_\_\_\_  
City Clerk

First Consideration: 5-18-20  
Second Consideration: 6-8-20  
Public Hearing: N/A  
Third Consideration:



## Council Communication

Department: City Clerk  
Case/Project No.: ZC-20-004  
Submitted by: Moises Monrroy,  
Planner

Ordinance 6408  
ITEM 5.A.

Council Action: 6/8/2020

### Description

Ordinance to amend the zoning map as adopted by reference in section 15.02.070, by rezoning property legally described as Lot 7 and the east 5 feet of Lot 8, Block 9, Everett's Addition, and the property legally described as the west 50 feet of Lot 8, Block 9, Everett's Addition, from R-2/Two-Family Residential District to R-3/Low Density Multifamily Residential District as defined in chapter 15.10. Location: 1728 and 1730 3rd Avenue.

### Background/Discussion

See attachments.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
ZC-20-004 Staff Report	Other	4/24/2020
Attachment A - Case Map	Map	4/24/2020
Public Hearing Notice	Other	4/24/2020
Ordinance 6408	Ordinance	4/29/2020



## City Council Communication

Department: Community Development  CASE # ZC-20-004  Applicant/Property Owner: Dew Right Properties, LLC 1409 Dorene Boulevard Carter Lake, IA 51510	Ordinance No. _____	Planning Commission: 4/14/2020  1 <sup>st</sup> Consideration: 5/4/2020  2 <sup>nd</sup> Consideration: 5/18/2020  3 <sup>rd</sup> Consideration: 6/8/2020
<p style="text-align: center;"><b>Subject/Title</b></p> <p><b>Request:</b> Public hearing on the request of Dew Right Properties LLC, represented by Joe Dew, to rezone property legally described as Lot 7 and the East 5 feet of Lot 8, Block 9, Everett's Addition from R-2/Two-Family Residential District to R-3/Low Density Multi-Family Residential District. The Community Development Department expanded the request to rezone the neighboring property legally described as the West 50 feet of Lot 8, Block 9, Everett's Addition, City of Council Bluffs, Pottawattamie County, Iowa from R-2/Two-Family Residential District to R-3/Low Density Multi-Family Residential District for zoning consistency purposes.</p> <p><b>Location:</b> 1728 and 1730 3<sup>rd</sup> Avenue</p>		
<p style="text-align: center;"><b>Background</b></p> <p>The Community Development Department has received an application from Dew Right Properties, LLC, represented by Joe Dew, to rezone property they own, addressed as 1728 3<sup>rd</sup> Avenue and legally described as Lot 7 and the East 5 feet of Lot 8, Block 9, Everett's Addition, City of Council Bluffs, Pottawattamie County, Iowa from R-2/Two-Family Residential District to R-3/Low Density Multi-Family Residential District. The Community Development Department has expanded the request to include the neighboring property, addressed as 1730 3<sup>rd</sup> Avenue and legally described as the West 50 feet of Lot 8, Block 9, Everett's Addition, City of Council Bluffs, Pottawattamie County, Iowa, for zoning consistency purposes.</p> <p>There are two structures located on the subject property. The westerly structure is used as a detached single-family dwelling and is renter-occupied. The easterly structure is currently vacant and was previously a commercial structure. The applicant wishes to repair the vacant building and convert it into another residential structure. As per Section 15.09.050 of the Council Bluffs Municipal Code (Zoning Ordinance), only one principal structure is allowed per lot in an R-2 District, therefore the applicant would not be allowed to repurpose said vacant building into a residential structure since the occupied building is currently used as a residence. The purpose of this request is to allow the applicant to have more than one principal structure on the subject property since there are no limit on the number of principal structures allowed per lot in the R-3 District.</p> <p><u><b>Land Use and Zoning</b></u></p> <p>The following zoning and land uses surround the subject properties:</p> <ul style="list-style-type: none"> <li>North: Residential properties that are zoned R-2/Two-Family Residential District.</li> <li>South: Residential properties that are zoned R-2/Two-Family Residential District.</li> <li>East: Residential properties that are zoned R-2/Two-Family Residential District.</li> <li>West: Residential properties that are zoned R-3/Low Density Multi-Family Residential District.</li> </ul> <p>The future land use plan of the Bluffs Tomorrow 2030 (Comprehensive Plan) designates the subject properties as Low-Density Residential.</p> <p>Public notices were mailed to all property owners within 200 feet of the request. The following comments were received:</p>		



1. Marvin E. Tippet, owner of the property addressed as 1730 3<sup>rd</sup> Avenue, contacted the Community Development Department and inquired about the purpose of the rezoning. Mr. Tippet also inquired about the impact of the proposed rezoning on his property taxes. Mr. Tippet stated he is not in opposition of the request.

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

- The Permits and Inspections Division stated that since the building will change Occupancy classification, the entire structure will be required to be brought up to the current IRC and other adopted Codes. They also stated the exterior wall to the west will be impacted with respect to fire resistivity. They expressed concern that there will be multiple issues within the building that must be addressed, including a manifolded sewer and water service to the buildings.
- The Public Works Department stated they have no comments on this request.
- Council Bluffs Water Works stated they have no comments on this request.
- Mid-American Energy Company stated they have no conflicts with this request. They also stated that they have existing electric facilities on these properties and recommend that the applicant should contact them to determine any costs that may be associated with future service needs.

The following attachments are included with the case staff report:

- Attachment A: Location/Zoning Map

### **Discussion**

1. The property at 1728 3<sup>rd</sup> Avenue meets minimum lot size requirements of the R-2 and R-3 Districts. Proposed rezoning will not impact its conformity with the Council Bluffs Zoning Ordinance.
2. Since the property at 1730 3<sup>rd</sup> Avenue is 50 feet in width as opposed to the 55 feet required for a corner lot in the R-2 District, it is considered a nonconforming parcel. If rezoned to R-3, the property would be brought into conformance with the Zoning Ordinance as it does not have a minimum lot width requirement.
3. None of the existing structures located on the north side of 3<sup>rd</sup> Avenue between South 17<sup>th</sup> and South 18<sup>th</sup> Streets meet the minimum front yard setback requirements of the R-2 and R-3 Districts. As per Section 15.24.090 of the Council Bluffs Municipal Code (Zoning Ordinance), "the required front yard shall be as stated in each zoning district, except when forty-five (45) percent or more of the frontage on one side of a street between two intersecting streets is improved with buildings and a majority of the improved frontage have front yard setbacks less than those required for that zoning district, then the minimum required front yard setback for new construction shall be the average distance of the improved frontage." The average front yard setback for the 1700 block of 3<sup>rd</sup> Avenue is approximately 10 feet and 9 inches. All new construction along this frontage shall be set at 10 feet and 9 inches from the front property line.
4. The property at 1730 3<sup>rd</sup> Avenue contains 6,900 square feet of land. The existing detached single-family dwelling and accessory structures at this property comprise approximately 2,780 square feet in area, or 40% of the total lot area. This exceeds the maximum lot coverage allowed in the R-2 District of 35%. The maximum lot coverage allowed in the R-3 District is 45%, which would bring this property into conformance with the Zoning Ordinance.
5. If rezoned to the R-3 District, the applicant will be allowed to repair the vacant building and convert into a residential structure. All proposed repairs and new construction shall meet all applicable building, fire and zoning codes.
6. The Bluffs Tomorrow 2030 (Comprehensive Plan) designates the subject properties as Low Density Residential. The R-3 District allows for a variety of residential uses, including single- and two-family dwellings, as well as low density multi-family, which are consistent land uses with the Low Density Residential classification. The proposed R-3 District will allow for the existing and proposed residential uses on the subject properties.



7. 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 approval of the request of Dew Right Properties, LLC, represented by Joe Dew, to rezone property legally described as Lot 7 and the East 5 feet of Lot 8, Block 9, Everett's Addition, City of Council Bluffs, Pottawattamie County, Iowa, and to rezone property legally described as the West 50 feet of Lot 8, Block 9, Everett's Addition, City of Council Bluffs, Pottawattamie County, Iowa, from R-2/Two-Family Residential District to R-3/Low Density Multi-Family Residential District, based on the reasons stated above.

### **Public Hearing**

Staff speaker for the request:

1. Christopher Gibbons, Planning Manager, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor:

1. Joe Dew, 1409 Dorene Boulevard, Carter Lake, IA 51510

Speakers against: None

### **Planning Commission Recommendation**

The Planning Commission recommended approval to rezone property legally described as Lot 7 and the East 5 feet of Lot 8, Block 9, Everett's Addition, City of Council Bluffs, Pottawattamie County, Iowa, and to rezone property legally described as the West 50 feet of Lot 8, Block 9, Everett's Addition, City of Council Bluffs, Pottawattamie County, Iowa, from R-2/Two-Family Residential District to R-3/Low Density Multi-Family Residential District, as per staff's recommendation.

VOTE: AYE 9    NAY 0    ABSTAIN 0    ABSENT 2    VACANT 0    Motion: Carried

### **Attachments**

Attachment A: Location/Zoning Map

Prepared by: Moises Monrroy, Planner, Community Development Department



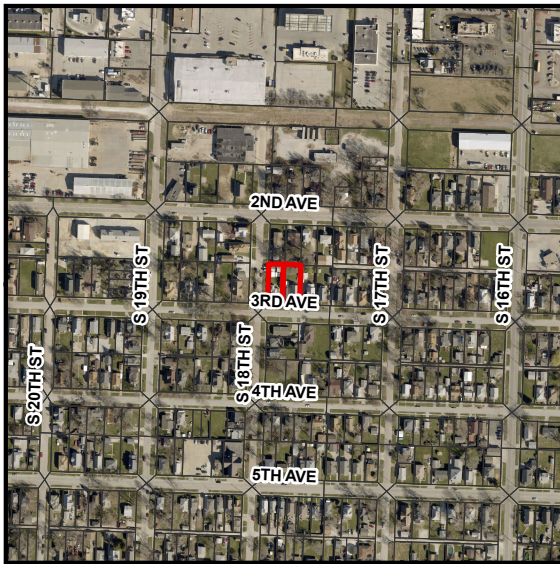
## ATTACHMENT A

# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASE #ZC-20-004 LOCATION/ZONING MAP

### Legend

 Subject Properties

0 20 40  
1 Inch = 42 Feet



Last Amended: 3/20/20



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 or 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.





## NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on an ordinance to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning property legally described as Lot 7 and the East 5 feet of Lot 8, Block 9, Everett's Addition, City of Council Bluffs, Pottawattamie County, Iowa, and the property legally described as the West 50 feet of Lot 8, Block 9, Everett's Addition, City of Council Bluffs, Pottawattamie County, Iowa, from R-2/Two-Family Residential District to R-3/Low Density Multifamily Residential District.

You are further notified that the public hearing on said matters will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 18<sup>th</sup> day of May, 2020, in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

---

Jodi Quakenbush, City Clerk



**ORDINANCE NO. 6408**

**AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.02.070 OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTY LEGALLY DESCRIBED AS LOT 7 AND THE EAST 5 FEET OF LOT 8, BLOCK 9, EVERETT'S ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, AND THE PROPERTY LEGALLY DESCRIBED AS THE WEST 50 FEET OF LOT 8, BLOCK 9, EVERETT'S ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, FROM R-2/TWO-FAMILY RESIDENTIAL DISTRICT TO R-3/LOW DENSITY MULTIFAMILY RESIDENTIAL DISTRICT AS DEFINED IN CHAPTER 15.10 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.**

**BE IT ORDAINED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA**

**SECTION 1.** That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.070 of the 2015 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended to rezone property legally described as Lot 7 and the East 5 feet of Lot 8, Block 9, Everett's Addition, City of Council Bluffs, Pottawattamie County, Iowa, and the property legally described as the West 50 feet of Lot 8, Block 9, Everett's Addition, City of Council Bluffs, Pottawattamie County, Iowa, from R-2/Two-Family Residential District to R-3/Low Density Multifamily Residential District as defined in Chapter 15.10 of the Municipal Code of Council Bluffs, Iowa.

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3. SEVERABILITY CLAUSE.** If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

ADOPTED  
AND  
APPROVED

May 18, 2020.

\_\_\_\_\_  
MATTHEW J. WALSH

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH

\_\_\_\_\_  
City Clerk

First Consideration: 5-4-20

Second Consideration: 5-18-20

Public Hearing: 5-18-20

Third Consideration: \_\_\_\_\_



## Council Communication

Department: City Clerk  
Case/Project No.: FD21-01  
Submitted by: Justin James, Fire  
Chief

Resolution 20-145  
ITEM 6.A.

Council Action: 6/8/2020

### Description

Resolution authorizing the purchase of a 2020 F450 Ambulance for the Council Bluffs Fire Department

### Background/Discussion

- On May 22nd 2020 bids were opened for a new 2020 F450 Ambulance and were as follows:

Klocke's Emergency Vehicles (Lifeline) \$240,958.00  
American Response Vehicles \$232,351.00

- All bids were opened and the exceptions were examined for the two ambulance manufacturers that bid. The bid is for a custom built ambulance to match the current fleet of ambulances and have similar layout and options. We will be trading in a 2009 ambulance.
- The city plans on an ambulance to be in service for about 9-10 years before replacement and thus the quality of construction and warrantee of electrical, paint, and module of the ambulance is the reason for many of the specifications.

### Recommendation



## Council Communication

Department: Public Works Building  
Division  
Case/Project No.:  
Submitted by:

Resolution 20-146  
ITEM 6.B.

Council Action: 6/8/2020

### Description

Resolution authorizing the City Clerk to certify assessments against properties to the Pottawattamie County Treasurer for unreimbursed costs incurred by the city for the abatement of weeds and the removal of solid waste nuisances upon properties and directing them to be collected in the same manner as a property tax

### Background/Discussion

Weed & solid waste abatements that remain unpaid.  
4th quarter of 2019 & 1st quarter of 2020.

### Recommendation

Approval

### ATTACHMENTS:

Description	Type	Upload Date
4th quarter of 2019 & 1st quarter of 2020	Other	6/3/2020
Resolution 20-146	Resolution	6/3/2020



## 2019 FOURTH QUARTER LIEN LIST

Parcel	Name	Address	Zip	Contractor Bill No.	Nuisance Lien	Lien Fee	Total Amount
754427428004	Thompson, Clifford	2527 Avenue G	51501	1293	\$ 380.00	\$ 5.00	\$ 385.00
754434110009	Palmer, Marvin & Dorothy	3140 - 4th Ave	51501	1304	\$ 247.00	\$ 5.00	\$ 252.00
754435267002	Kinser, Jake	708 S. 16th Street	51503	1306	\$ 220.00	\$ 5.00	\$ 227.00
75442630804	Vale, LLC	2213 Ave G	51501	1308	\$ 328.00	\$ 5.00	\$ 333.00
		99999 Unknown (vacant lot adjacent to					
754426406006	Dillon Real Estate Co	1602 Ave G)	51501	1309	\$ 255.00	\$ 5.00	\$ 260.00
754434334013	Kalar, Justin	1023 Ash Street	51501	1310	\$ 191.00	\$ 5.00	\$ 196.00
754433282004	Allen, Harold & Janice	3441 - 6th Ave	51501	1311	\$ 220.00	\$ 5.00	\$ 225.00
754425362009	Sellars, Michael	903 Ave A	51501	1312	\$ 301.00	\$ 5.00	\$ 306.00
		99999 Unknown (vacant lot adjacent to					
754425278005	Berner, William & Jennifer	278 Benton St)	51501	1313	\$ 220.00	\$ 5.00	\$ 225.00
754436251005	SE Land Realty, LLC	219 Bluff St	51501	1314	\$ 299.00	\$ 5.00	\$ 304.00
754428459002	Tock, Marjorie	3547 Ave A	51501	1315	\$ 272.00	\$ 5.00	\$ 277.00
754433430005	Lachin, Bradley	3443 - 9th Ave	51501	1316	\$ 191.00	\$ 5.00	\$ 196.00
754331112027	Diaz, Javier O	703 Madison Ave	51503	1317	\$ 191.00	\$ 5.00	\$ 196.00
754436251005	SE Land Realty, LLC	219 Bluff St	51501	1318	\$ 191.00	\$ 5.00	\$ 196.00
754434187012	Reed, Robert W	2914 - 8th Ave	51501	1319	\$ 326.00	\$ 5.00	\$ 331.00
754435186008	Pacific Union Finanacial LLC	1801 - 6th Ave	51501	1320	\$ 326.00	\$ 5.00	\$ 331.00



## 2020 FIRST QUARTER LIEN LIST

<b>Parcel</b>	<b>Property Owner</b>	<b>Legal Description</b>	<b>Address</b>	<b>Total Amount</b>
754436231005	Billie Jo Kester	ORIG PLAT N38' LT 100 & S27' LT 101	324 S. 1st Street	\$ 220.00
754436251005	S E Land Realty LLC	AS O/L 2 & 3 JACKSONS ADD LT 6	219 Bluff Street	\$ 323.00
754435277011	Betty Anderson	MCMAHON-COOPER-JEFFERIS LT 7 BLK 2	1220 5th Avenue	\$ 190.00
754425330003	Brian Meehan	MYNSTER ADD E98' LT 5 BLK 11	312 Curtis	\$ 360.00



## **RESOLUTION NO. 20-146**

**A RESOLUTION AUTHORIZING THE CITY CLERK TO CERTIFY ASSESSMENTS AGAINST PROPERTIES TO THE POTTAWATTAMIE COUNTY TREASURER FOR UNREIMBURSED COSTS INCURRED BY THE CITY FOR THE ABATEMENT OF WEEDS AND THE REMOVAL OF SOLID WASTE NUISANCES UPON PROPERTIES AND DIRECTING THEM TO BE COLLECTED IN THE SAME MANNER AS A PROPERTY TAX.**

- WHEREAS,** Council Bluffs' City Ordinance No. 4849, passed and approved by the Council Bluffs City Council on April 15, 1988, requires all property owners within the City of Council Bluffs, Iowa, to cut or destroy all weeds exceeding 18 inches in height; and
- WHEREAS,** Council Bluffs' City Ordinance No. 5219 and 5220, passed and approved by the Council Bluffs City Council on May 22, 1995, requires all property owners to abate any solid waste nuisance upon public right-of-way of materials stored for more than 24 hours, or materials stored on private property for more than 3 days; and
- WHEREAS,** all property owners in Council Bluffs were notified of the above requirements by ordinance and failed to abate or remove the nuisances in the allotted time; and
- WHEREAS,** the City, through its contractors, has attempted to cut or destroy all weeds exceeding 18 inches and/or has removed all solid waste materials in violation; and
- WHEREAS,** more than ten days have elapsed since the City has billed each property owner by mail for the cost of abatement of weeds or solid waste materials from their properties; and
- WHEREAS,** the cost of abatement or removal on these properties has been incurred by the City and remains unpaid; and
- WHEREAS,** the City Council may have these unpaid costs assessed against the properties pursuant to CBMC 4.19.030 and 10.02.070 as authorized by Iowa Code §364.



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

That the unreimbursed costs incurred by the City for the abatement of weeds and solid waste materials found upon the properties be assessed against said properties; and

**BE IT FURTHER RESOLVED**

That the City Clerk is hereby authorized, empowered and directed to certify assessments against said properties to the Pottawattamie County Treasurer to be collected in the same manner as a property tax.

ADOPTED  
AND  
APPROVED

June 8, 2020.

\_\_\_\_\_  
MATTHEW J. WALSH

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH

\_\_\_\_\_  
City Clerk



## Council Communication

Department: Community

Development

Case/Project No.: WHTIP-20-002

Submitted by: Community

Development Department

Resolution 20-147

ITEM 6.C.

Council Action: 6/8/2020

### Description

Resolution authorizing a joint application to the Iowa Economic Development Authority (IEDA) by the City of Council Bluffs and Pottawattamie County Development Corporation D/B/A The 712 Initiative for Disaster Workforce Housing Tax Incentive Program - Disaster Recovery benefits.

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
WHTIP-20-002 Staff Report	Other	5/28/2020
WHTIP-20-002 Attachment A	Map	5/28/2020
Resolution 20-147	Resolution	6/3/2020



## Council Communication

Department: Community Development	Ordinance No.: N/A	City Council: 6-8-2020
Case/Project No.: WHTIP-20-002	Resolution No.: 20-	
<b>Subject/Title</b>		
Application for Workforce Housing Tax Incentive Program – Disaster Recovery		
<b>Applicant</b>		
Pottawattamie County Development Corporation D/B/A the 712 Initiative		
<b>Location</b>		
Intersection of Main Street and Worth Street		
<b>Background/Discussion</b>		
<p><u>Background</u></p> <p>The State of Iowa established the Workforce Housing Tax Incentive Program (WHTIP) pursuant to Iowa Code Section 15.106A and the 2014 Iowa Acts, House File 2448, Section 18. The purpose of the program is to assist the development of workforce housing in Iowa communities by providing incentives for housing projects that are targeted towards middle-income households and that focus on the redevelopment or repurposing of existing structures. This program replaced the Housing Enterprise Zone Program. In 2019, the program set aside funding for counties that received presidential disaster declarations due to the 2019 flooding. The Workforce Housing Tax Incentive Program – Disaster Recovery (WHTIP-DR) identifies Pottawattamie County as an eligible applicant under this set aside.</p> <p>To receive workforce housing tax incentives pursuant to the program, a proposed housing project shall include at least one of the following:</p> <ol style="list-style-type: none"> <li>(1) Four or more single-family dwelling units.</li> <li>(2) One or more multiple dwelling unit buildings each containing three or more individual dwelling units.</li> <li>(3) Two or more dwelling units located in the upper story of an existing multi-use building.</li> </ol> <p>The average dwelling unit cost cannot exceed \$200,000 per dwelling unit or \$250,000 per dwelling unit if the project involves the rehabilitation, repair, redevelopment or preservation of eligible property. This limitation only applies to those costs that are directly attributable to the improvement of the property or the structures and is defined in the Iowa Administrative Code.</p> <p>Additionally, the WHTIP-DR requires a city match pledge for each housing project in an amount equal to at least \$1,000 per dwelling unit, in the form of cash, cash equivalent, a local property tax exemption, rebate, refund or reimbursement.</p> <p><u>Discussion</u></p> <p>Pottawattamie County Development Corporation D/B/A the 712 Initiative has submitted a request for WHTIP-DR benefits on the property located at 9<sup>th</sup> Avenue at Main Street and Worth Street (currently vacant land). The proposed project will include 12 multi-family units with one and two bedroom units.</p>		



## **Council Communication**

The total residential project investment is \$2,456,000. The total financial workforce housing tax incentive available to the project is estimated to be \$160,200.

Based on review of the applicant's request, the project discussed above meets the requirements for Workforce Housing Tax Incentive Program – Disaster Recovery benefits. As a result, the applicant is eligible for the following benefits: 10% investment tax credit and 100% rebate of state sales and utility use taxes.

The application fee of \$1,000 per dwelling unit will provide the \$12,000 needed to meet the local match requirement. Any final approval of this application is contingent upon the City receiving this cash for the project from the entity listed above.


### **Staff Recommendation**

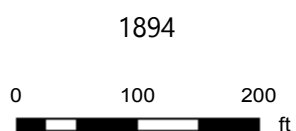
The Community Development Department recommends approval of the Workforce Housing Tax Incentive Program – Disaster Recovery application submitted by Pottawattamie County Development Corporation D/B/A the 712 Initiative.



# Proposed 712 Initiative Project



L 2018  
e CLR18  
g   
e  
n  
d World Imagery (Map Service)



Users of Pottawattamie County (The County) GIS data agree that he/she will at all times indemnify and hold The County and its officers, employees, and agents harmless from any damages, claims, lawsuits, costs, or liability arising from any act, omission, or commission with respect to the release and use of information in this Agreement and any of the terms thereof. The County makes no claim as to the accuracy of the spatial data and its associated data tables and assumes no responsibility for their positional or content accuracy. The County makes no claim as to the ability of the spatial data to fulfill the Contracting Organization's application requirements. In providing data (or access to data), the County assumes no obligation to assist in the use of the data, or in the development, use, or maintenance of any applications applied to the data. In no event shall The County be liable for any direct, indirect, incidental, consequential or special damages that may result from the use of the GIS data.

Pottawattamie County GIS  
223 S 6th St.  
Council Bluffs, IA 51501  
(712) 328-4885  
gis@pottcounty-ia.gov  
<https://gis.pottcounty-ia.gov>



5/28/202



**RESOLUTION NO. 20-147**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS AUTHORIZING A JOINT APPLICATION TO THE IOWA ECONOMIC DEVELOPMENT AUTHORITY (IEDA) BY THE CITY OF COUNCIL BLUFFS AND POTTAWATTAMIE COUNTY DEVELOPMENT CORPORATION D/B/A THE 712 INITIATIVE FOR DISASTER WORKFORCE HOUSING TAX INCENTIVE PROGRAM – DISASTER RECOVERY (WHTIP-DR) BENEFITS.**

**WHEREAS,** the State of Iowa established the Disaster Workforce Housing Tax Incentive Program – Disaster Recovery (WHTIP-DR) pursuant to Iowa Code Section 15.106A and the 2014 Iowa Acts, House File 2448, Section 18; and

**WHEREAS,** the State of Iowa has earmarked funding for counties receiving a Presidential Disaster Declaration in 2019; and

**WHEREAS,** the purpose of the program is to assist the development of workforce housing in Iowa communities by providing incentives for housing projects that are targeted at middle-income households and that focus on the redevelopment or repurposing of existing structures; and

**WHEREAS,** the Pottawattamie County Development Corporation D/B/A the 712 Initiative proposes to construct twelve (12) multi-family units and has requested WHTIP-DR benefits for the property locally known as Main Street and Worth Street; and

**WHEREAS,** the projects are eligible for WHTIP-DR under the category of “new construction, rehab, repair, or redevelopment of dwelling units in a county that received a Presidential Disaster Declaration in 2019 due to flooding; and

**WHEREAS,** the legal description of the project location is Lots 3, 4, 5 and the S 34 feet of Lot 6, Block 1, Riddles Subdivision, Council Bluffs, Pottawattamie County, Iowa; and

**WHEREAS,** the average dwelling unit cost equals the costs directly related to the housing project divided by the total number of dwelling units in the housing project and does not exceed \$200,000 per dwelling unit; and

**WHEREAS,** the developer certifies that their units when completed and made available for occupancy will meet the U.S. Department of Housing and Urban Development’s housing quality standards and all applicable local safety standards; and

**WHEREAS,** the City of Council Bluffs commits to local matching funds of \$12,000 (\$1,000 per unit), as required by the program; and

**WHEREAS,** after review and consideration of the request, the City of Council Bluffs has determined that the Pottawattamie County Development Corporation D/B/A the 712 Initiative project meets the requirements to qualify for benefits.



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

**Section 1.0** The City Council declares the Pottawattamie County Development Corporation D/B/A the 712 Initiative an eligible entity for WHTIP-DR benefits.

**Section 2.0** The City Council approves the Pottawattamie County Development Corporation D/B/A the 712 Initiative request for a 20% state investment tax credit and 100% rebate of state sales and utility use taxes subject to entering an agreement with the City. The tax credit, if not entirely used during the first year, can be carried over and applied against state tax liability for the next seven years or until depleted, whichever occurs first.

**Section 3.0** The Mayor is hereby authorized to take such further actions as deemed necessary in order to carry into effect the provisions of this resolution.

**Section 4.0** The provisions of this resolution shall be governed by the laws of the State of Iowa.

**Section 5.0** That all resolutions and parts thereof in conflict therewith are hereby repealed to the extent of such conflict.

**Section 6.0** That the provisions of this resolution are hereby declared to be separable and if any section, phrase, or provision shall be any reason be declared to be invalid, such declaration shall not effect the validity of the remainder of the sections, phrases and provisions hereof.

**Section 7.0** That the approval of any and all WHTIP-DR benefits is contingent upon the Pottawattamie County Development Corporation D/B/A the 712 Initiative meeting all other applicable City codes and ordinances.

**Section 8.0** That this resolution shall become effective immediately upon its passage and approval.

ADOPTED  
AND  
APPROVED:

June 8, 2020

\_\_\_\_\_  
Matthew J. Walsh

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush

\_\_\_\_\_  
City Clerk



STATE OF IOWA     )  
COUNTY OF            )ss  
POTTAWATTAMIE)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2020, before me the undersigned, a Notary Public in and for said County and State, personally appeared Matthew J. Walsh and Jodi Quakenbush, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the said City of Council Bluffs, Iowa, a Municipal Corporation, that the seal affixed hereto is the seal of said Municipal Corporation; that said instrument was signed and sealed on behalf of the said City of Council Bluffs, Iowa, by authority of its City Council; and that said Matthew J. Walsh and said Jodi Quakenbush, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

---

Notary Public in and for said State



## Council Communication

Department: Public Works Admin  
Case/Project No.: PW20-15  
Submitted by: Matthew Cox, Public Works  
Director

Resolution 20-148  
ITEM 6.D.

Council Action: 6/8/2020

### Description

Resolution accepting the bid of Carley Construction, LLC for the Oakland Drive Rehabilitation. Project # PW20-15

### Background/Discussion

On May 19, 2020 bids were received in the office of the city clerk as follows:

	Division I General	Division II Pavement	Division III Storm Sewer	Division IV San. Sewer	Division V Water Main	Total
Carley Construction, LLC, Council Bluffs, IA	\$110,735.00	\$632,973.00	\$218,592.00	\$113,746.00	\$105,505.00	\$1,181,551.00
Compass Utility, LLC, Council Bluffs, IA	\$139,889.08	\$659,666.61	\$261,780.61	\$132,341.23	\$114,509.53	\$1,308,187.06
Bluffs Paving and Utility Co. Inc., Crescent, IA	\$106,237.73	\$659,387.54	\$256,481.34	\$138,411.79	\$125,451.91	\$1,285,970.31
Engineer's Opinion (Snyder)	\$160,070.00	\$634,285.00	\$216,155.00	\$137,250.00	\$109,525.00	\$1,257,285.00

Oakland Drive is a narrow roadway with a steep grade and tight switchback curve which connects Military Avenue to Oak Park Road and Oakland Avenue. It is the only roadway that provides access for residents along Oak Park Road. Oakland Drive has no storm sewers and the pavement is in poor condition. The existing sanitary sewer is clay pipe from the 1950's and needs to be replaced.

The project will include reconstruction of Oakland Drive from Military Avenue to Lafayette Avenue and Lafayette Avenue from Oakland Drive to Oakland Avenue. Reconstruction will include new pavement, storm sewer, sanitary sewer, and water main. The storm sewer from Military Avenue, north of Avenue G, to Curtis Street will be reconstructed to increase the capacity of the storm sewer. The storm sewer is the collector line for Oakland Drive and is currently under sized and surcharges during rain events.

The project was included in the FY20 CIP with funding from Local Option Sales Tax and Road Use Funds. The total project budget is \$1,500,000.

The project schedule is as follows:

Award	June 8, 2020
Construction Start	June/July 2020

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description	Type	Upload Date
Resolution 20-148	Resolution	6/3/2020



**RESOLUTION**  
**NO 20-148**

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK  
TO EXECUTE AN AGREEMENT WITH  
CARLEY CONSTRUCTION, LLC FOR THE  
OAKLAND DRIVE REHABILITATION  
PROJECT #PW20-15**

WHEREAS, the plans, specifications, and form of contract for the Oakland Drive Rehabilitation are on file in the office of the City Clerk; and

WHEREAS, a Notice of Public Hearing was published, as required by law, and a public hearing was held on May 4, 2020, and the plans, specifications and form of contract were approved; and

WHEREAS, Carley Construction, LLC has submitted a low bid in the amount of \$1,181,551.00 for this contract.

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

That the bid of Carley Construction, LLC in the amount of \$1,181,551.00 is hereby accepted as the lowest and best bid received for said work; and

BE IT FURTHER RESOLVED

That the City Council does hereby award the contract in connection with the Oakland Drive Rehabilitation; and

BE IT FURTHER RESOLVED

That the Mayor and City Clerk are hereby authorized, empowered, and directed to execute an agreement with Carley Construction, LLC for and on behalf of the City of Council Bluffs, upon approval by the City Attorney of the certificate of insurance and payment and performance bonds as required by the contract specifications.

AND BE IT FURTHER RESOLVED

That the aforementioned project is encompassed by the language of the 1989 Local Option Sales Tax Ballot and as such this is an appropriate expenditure of the Local Option Sales Tax Revenues.

ADOPTED  
AND  
APPROVED

June 8, 2020

\_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk



## Council Communication

Department: Public Works Admin  
Case/Project No.:  
Submitted by: Matthew Cox, Public  
Works Director

Resolution 20-149  
ITEM 6.E.

Council Action: 6/8/2020

### Description

Resolution abolishing one Division Secretary position and creating the position of Customer Services Specialist.

### Background/Discussion

Currently Public Works Operations handles over 12,000 customer phone calls annually. During snow season and other disaster events, the volume of calls increases significantly.

Many of the calls received are requesting services for issues related to potholes or other street maintenance, snow removal, signs, lighting, and sewer maintenance. A large number of our customer calls are also seeking information, not only information pertaining to Public Works, but other departments, organizations, utilities, and municipal activities within our city.

Public Works has developed technology and information resources that could provide a more online-friendly central source of information to our customers, along with an improved services requestor system. With the information available online, the public will not have to make multiple phone calls to find the answers to their questions.

The Public Works Customer Service Specialist is a proactive approach to providing information and updates to residents and the travelling public. The Public Works Information/Call Center will create and maintain resources and maps pertaining to snow removal, road construction, and other traffic disruptions, and make these resources readily available to the public.

The Customer Service Specialist will also consolidate functions and resources and serve as a central point for all divisions within Public Works where customer requests to repair infrastructure deficiencies are processed and managed through completion. The service request process includes receiving citizen reports of infrastructure deficiencies via telephone, internet, or in person; providing the appropriate level of service; data entry of pertinent service information; dispatching of the appropriate work center and/or assigning service requests; tracking and managing requests in the INFOR work order system; and providing accurate informative responses to our citizens.

Additionally, whereas the Division Secretary simply receives and reports or re-directs citizen inquiries and complaints, the Customer Service Specialist will see the complaint through to completion. They will track and manage requests to provide accurate and timely responses. Ultimately, we want to provide a caller with an answers, rather than an unwelcome response of “someone will call you back” or “you need to call this division/department instead”.

For the aforementioned reasons, Public Works is proposing to abolish one Division Secretary position and create a position of Customer Services Specialist.

The new position will be placed under the CWA bargaining unit at grade 16.



The position will be paid from two funding sources, 50% from the Sewer Fund and 50% from the Road Use Tax Fund. With the elimination of the secretary position, the additional cost for the new position is estimated to be \$3,857 annually.

**Recommendation**

Approval of this resolution.

**ATTACHMENTS:**

Description	Type	Upload Date
Job Description	Other	5/29/2020
Resolution 20-149	Resolution	6/3/2020





# City of Council Bluffs

## Job Description

### Public Works Customer Service Specialist

**Department:** Public Works

**Supervisor:** Operations Director

**Location:** Operations

**FLSA Status:** Non-Exempt

**Prepared By:** Mallory Davis, Recruiter

**Prepared Date:** April 2020

**Union:** CWA

**Pay Grade:** 16

**Summary:** An employee in this class is responsible for the planning and organization of the Public Works Information Team in the intake, processing, and analysis of the service related information systems; serves as a central point of communication within the Public Works Department; and provides service to customers as well as providing clerical and administrative support functions to office personnel.

**Essential Duties and Responsibilities:**

- Performs customer service and clerical support duties for the Public Works Information Center
- Assists with organization and planning functions of the Public Works Customer Service Team
- Answers department telephone calls; receives and greets visitors to the department; and provides information to callers and visitors
- Follows up on complaints from customers involving gathering information from several City, Departmental, and intra-Departmental sources
- Dispatches information to key Public Works personnel, as necessary
- Responds to citizens' questions and comments in a courteous and timely manner
- Communicates and coordinates regularly with Department team leaders and others to maximize the effectiveness and efficiency of interdepartmental operation and activities
- Coordinates with other City Departments in implementing events that may affect traffic disruptions
- Prepares correspondence, lists, and other documents on computer
- Gathers, assembles, updates, distributes, and/or files a variety of information, forms, records, and data, as requested



- Provides regular updates to the Public Works website pertaining to snow removal, road construction, and other traffic disruptions and makes these resources readily available to the public
- Receives and assures customer requests to repair infrastructure deficiencies are processed and managed through completion
- Provides appropriate assigning of service requests, tracking, and managing of requests utilizing the current asset management/work order system
- Attends meetings, conferences, workshops, training sessions, reviews publications, and reviews audio-visual materials to become and remain current on principles, practices, and new developments in assigned work areas
- Regular and predictable attendance is required
- Other duties as assigned

#### **Supervisory Responsibilities:**

This job has no supervisory responsibilities.

#### **Qualifications:**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

#### **Education and/or Experience:**

- Associate's Degree in Public Works, Construction, or a related area of study
- Minimum of four (4) years of customer service experience
- Any equivalent combination of education and experience which provides the required knowledge, skills, and abilities necessary to perform the work.

#### **Certificates, Licenses, Registrations:**

- Valid Driver's License

#### **Physical Demands:**

- While performing the duties of this job, the employee is frequently required to stand; walk; sit; use hands to finger, handle, or feel; reach with hands and arms; climb or balance; stoop, kneel, crouch, or crawl; and see, talk, and hear.
- The work environment is an office setting that is normally quiet.

#### **Other Skills and Abilities:**

- Thorough knowledge of current practices and procedures involved in customer service
- Thorough knowledge of Public Works services, policies, construction programs, and processes
- Thorough knowledge of the names and locations of principal streets and buildings within the City of Council Bluffs
- Thorough knowledge of modern office procedures, practices, and equipment
- Ability to deal with a wide range of persons, including situations in which individuals may be upset over some issue involved with City activities and policies



- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language
- Ability to understand and follow oral and/or written policies, procedures, and instructions
- Ability to prepare and present accurate and reliable reports containing findings and recommendations
- Ability to operate a personal computer using standard or customized software applications appropriate to assigned tasks
- Ability to understand and process information from Advanced Vehicle Location software and the City's GIS mapping systems
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology
- Ability to maintain effective interpersonal relationships with the public and City staff



**RESOLUTION**  
**NO 20-149**

**RESOLUTION ABOLISHING ONE DIVISION SECRETARY POSITION AND  
CREATING A NEW POSITION OF CUSTOMER SERVICE SPECIALIST  
WITHIN THE PUBLIC WORKS DEPARTMENT**

WHEREAS, Public Works routinely responds to requests for information by citizens, and wishes to provide enhanced personal communication, online resources and mapping tools for the public; and

WHEREAS, The new Public Works Information/Call Center will create and maintain information resources and visual maps pertaining to snow removal, road construction, and other traffic disruptions, and make the information readily available and easily accessed; and

WHEREAS, the duties of the Division Secretary will be transferred to the Customer Service Specialist position.

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

That 1 FTE position of Division Secretary is hereby abolished.

AND BE IT FURTHER RESOLVED

That 1 FTE position of Customer Service Specialist is created within the Public Works Department.

ADOPTED  
AND  
APPROVED

June 8, 2020

\_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk



## Council Communication

Department: Legal  
Case/Project No.:  
Submitted by: Graham Jura

Resolution 20-150  
ITEM 6.F.

Council Action: 6/8/2020

### Description

Resolution authorizing the Mayor to execute the Order Accepting Acknowledgment/Settlement Agreement from Dollar General Store #1574, 2731 E. Kanesville Blvd., Council Bluffs, IA 51503 for violation of Iowa Code Section 453A.2(1).

### Background/Discussion

Compliance checks in Council Bluffs earlier this year resulted in a citation being issued to an employee of Dollar General Store #1574, 2731 E. Kanesville Blvd., Council Bluffs, IA 51503 on or about February 11, 2020 and the mandatory civil penalty of \$300.00 has been paid by this business.

### Recommendation

It is in the best interest of the City to execute an Order accepting the Acknowledgment/Settlement Agreement.

### ATTACHMENTS:

Description	Type	Upload Date
Dollar General-proposed Order	Other	5/29/2020
Dollar General-signed Agreement	Other	5/29/2020
Resolution 20-150	Resolution	6/3/2020



BEFORE THE CITY COUNCIL  
FOR THE CITY OF COUNCIL BLUFFS, IOWA

IN RE:

Dollar General Store #1574  
2731 E. Kanesville Blvd.  
Council Bluffs, IA 51503

**ORDER ACCEPTING THE  
ACKNOWLEDGMENT/SETTLEMENT  
AGREEMENT (FIRST VIOLATION)**

ON this \_\_\_ day of June, 2020, in lieu of a public hearing on the matter, the City Council approves the attached Acknowledgment/Settlement Agreement between the above-captioned permittee and the City of Council Bluffs, Iowa.

The City Council FINDS that the permit holder acknowledged in the Agreement that a first violation of Iowa Code Section 453A.2 occurred on February 11, 2020 and that the mandatory sanction for this violation is a \$300.00 civil penalty. The permit holder has submitted a check in the amount of \$300.00 with the executed Agreement.

IT IS THEREFORE ORDERED that the Acknowledgment/Settlement Agreement be approved. This sanction is consistent with the Iowa Code section 453A.22(2)(a) for a first violation.

\_\_\_\_\_  
MATTHEW J. WALSH                      Mayor

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH                      City Clerk



IN RE:

Dollar General Store #1574  
2731 E. Kanawha Blvd.  
Council Bluffs, IA 51503

**ACKNOWLEDGMENT/SETTLEMENT  
AGREEMENT**

I/We hereby knowingly and voluntarily acknowledge that we have received the **Complaint and Hearing Notice** in the above case. I/We hereby knowingly and voluntarily acknowledge the facts and allegations contained in the complaint, attached hereto and incorporated herein by reference, and knowingly and voluntarily admit that the same are true and correct. I/We hereby knowingly and voluntarily waive hearing, and submit to the statutory penalties prescribed by Iowa law. I/We understand that this penalty will count as an official "First Violation" of Iowa Code Section 453A.2 pursuant to Iowa Code Section 453A.22. I/We have enclosed a check in the amount of \$300.00, made payable to the City of Council Bluffs, Iowa, to settle the above-referenced complaint. The above-captioned permit holder hereby waives all jurisdictional claims.

DATED this: 15<sup>th</sup> day of April, 2020.

Auta Gordy

Sk. Business Analyst

**NOTE:** This must be signed by an individual cigarette permittee or, in the case of another business entity, by individual(s) who have authority to bind the entity.

If you decide to sign this Acknowledgment/Settlement Agreement and waive your appearance at a hearing, this document (properly signed and dated), along with your \$300.00 check made payable to: City of Council Bluffs, and should be returned to:

Council Bluffs Legal Department  
City Hall  
209 Pearl Street  
Council Bluffs, IA 51503



**RESOLUTION NO. 20-150**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE ORDER ACCEPTING THE ACKNOWLEDGMENT/SETTLEMENT AGREEMENT FROM DOLLAR GENERAL STORE #1574, 2731 E. KANESVILLE BLVD., COUNCIL BLUFFS, IA 51503 FOR VIOLATION OF IOWA CODE SECTION 453A.2(1).**

**WHEREAS,** the Iowa Alcoholic Beverages Division has enacted a comprehensive program aimed at reducing underage tobacco use; and

**WHEREAS,** compliance checks in Council Bluffs earlier this year resulted in a citation being issued to an employee of Dollar General Store #1574, 2731 E. Kanessville Blvd., Council Bluffs, IA 51503 on or about February 11, 2020; and

**WHEREAS,** the mandatory civil penalty of \$300.00 has been paid by this business and it is in the best interest of the City to execute an Order accepting the Acknowledgment/Settlement Agreement.

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

That the Mayor is hereby authorized to execute the Order Accepting the Acknowledgment/Settlement Agreement from Dollar General Store #1574 for violation of Iowa Code Section 453A.2.

ADOPTED  
AND  
APPROVED

June 8, 2020.

\_\_\_\_\_  
MATTHEW J. WALSH

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH

\_\_\_\_\_  
City Clerk



## Council Communication

Department: Public Works Admin  
Case/Project No.: PW17-06C  
Submitted by: Matthew Cox, Public  
Works Director

Resolution 20-151  
ITEM 6.G.

Council Action: 6/8/2020

### Description

Resolution authorizing the Mayor and City Clerk to execute a Real Estate Exchange Agreement with Council Bluffs Water Works in connection with Levee Certification Project, Geotechnical MR\_3. Project PW17-06C

### Background/Discussion

The City of Council Bluffs owns or sponsors multiple levee segments which encompass the City Federal Levee System, providing flood protection from the Missouri River, Mosquito Creek, and Indian Creek. These levee systems are currently shown on FEMA floodplain maps as being accredited and are identified as providing protection from the 100-year flood or 1% annual chance flood event.

In order to maintain the level of protection identified on the FEMA Flood Insurance Rate Map, it is necessary to provide documentation to FEMA that complies with the requirements of 44 CFR 65.10. If the levees are not certified, they will be de-accredited and FEMA will begin the process of updating maps. Areas previously protected by the levees will be identified as flood-prone.

In order to meet the criteria for levee certification, improvements to each of the levee systems will be necessary. The purpose of the Geotechnical MR\_3 project is to resolve levee seepage and stability deficiencies. The project improvements extend beyond the existing levee easement and require the acquisition of additional lands.

In discussions with Council Bluffs Water Works, it was determined that it would be mutually beneficial to swap lands. CBWW has a desire to expand their well fields and the City desires to expand the levee footprint. The Real Estate Exchange Agreement documents the exchange in real estate.

The property owned by the City, to be transferred to CBWW was acquired using FEMA funding as part of a flood buyout program. The land is subject to certain restrictions which shall remain in effect with the deed transfer. FEMA is in agreement with the transfer.

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description	Type	Upload Date
Exhibit A	Other	5/29/2020
Exhibit B	Other	5/29/2020
Exhibit C	Other	5/29/2020
Exhibit D	Other	5/29/2020



Exhibit E  
Real Estate Exchange Agreement  
Resolution 20-151

Other	5/29/2020
Agreement	5/29/2020
Resolution	6/3/2020



**EASEMENT FOR LEVEE  
RIGHT-OF-WAY**

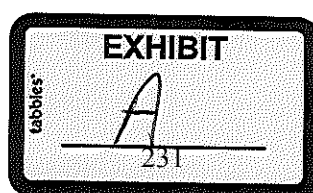
For the consideration of One and 00/100---\$1.00---Dollars and other valuable consideration in hand paid by City of Council Bluffs, a municipal corporation of the State of Iowa, City of Council Bluffs Board of Water Works Trustees does hereby grant to City of Council Bluffs, a municipal corporation of the State of Iowa, and its agents, contractors and assigns, a permanent easement for the purpose of constructing, reconstructing, repairing, enlarging and maintaining a Levee together with necessary appurtenances thereto in, on, over, and across the following described real estate:

Parcel of land located Part of Lots E and F and the accretions thereto located in section 22 & 23, TWP. 75, R 44W of the 5<sup>th</sup> P.M., City of Council Bluffs, Pottawattamie County, Iowa, as shown on Easement Exhibit "A" – 2 pages attached hereto and Exhibit "B"-2 pages and by reference made a part hereof. Contains 221,513 Square feet or 5.086 Acres.

This easement shall be subject to the following terms and conditions:

1. **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.
2. **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.
3. **SURFACE USE PROHIBITED:** Grantor shall not use or alter the surface vegetation of the Easement Area for any purpose. There shall be no agricultural uses within the Easement Area, including but not limited to, the planting of crops, livestock grazing, erection of fences, and planting of trees and shrubs. The City shall mow the Easement Area as deemed necessary for levee maintenance purposes.
4. **RIGHT OF ACCESS:** City shall have the right of access to the Easement Area and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the Easement Area as herein described.
5. **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.
6. **SURFACE RESTORATION:** City's liability to restore the surface within the Easement Area shall be limited only to grading and seeding.
7. **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.
8. **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.

Grantors do hereby covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and grantors covenant to warrant and defend the real estate against the lawful claims of all persons except as may be above stated. .





Words and phrases herein, including acknowledgement hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Date: \_\_\_\_\_

Seller: City of Council Bluffs Board of Water Works Trustees

By: \_\_\_\_\_

STATE OF IOWA )  
 ) ss.  
COUNTY OF POTTAWATTAMIE)

On this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_, before me, a notary public in and for said county and said state, personally appeared \_\_\_\_\_, to me known to be the identical person(s) whose name(s) affixed to the foregoing instrument as owner(s) and acknowledged the same to be a voluntary act and deed.

Notary Public in and for the State of Iowa



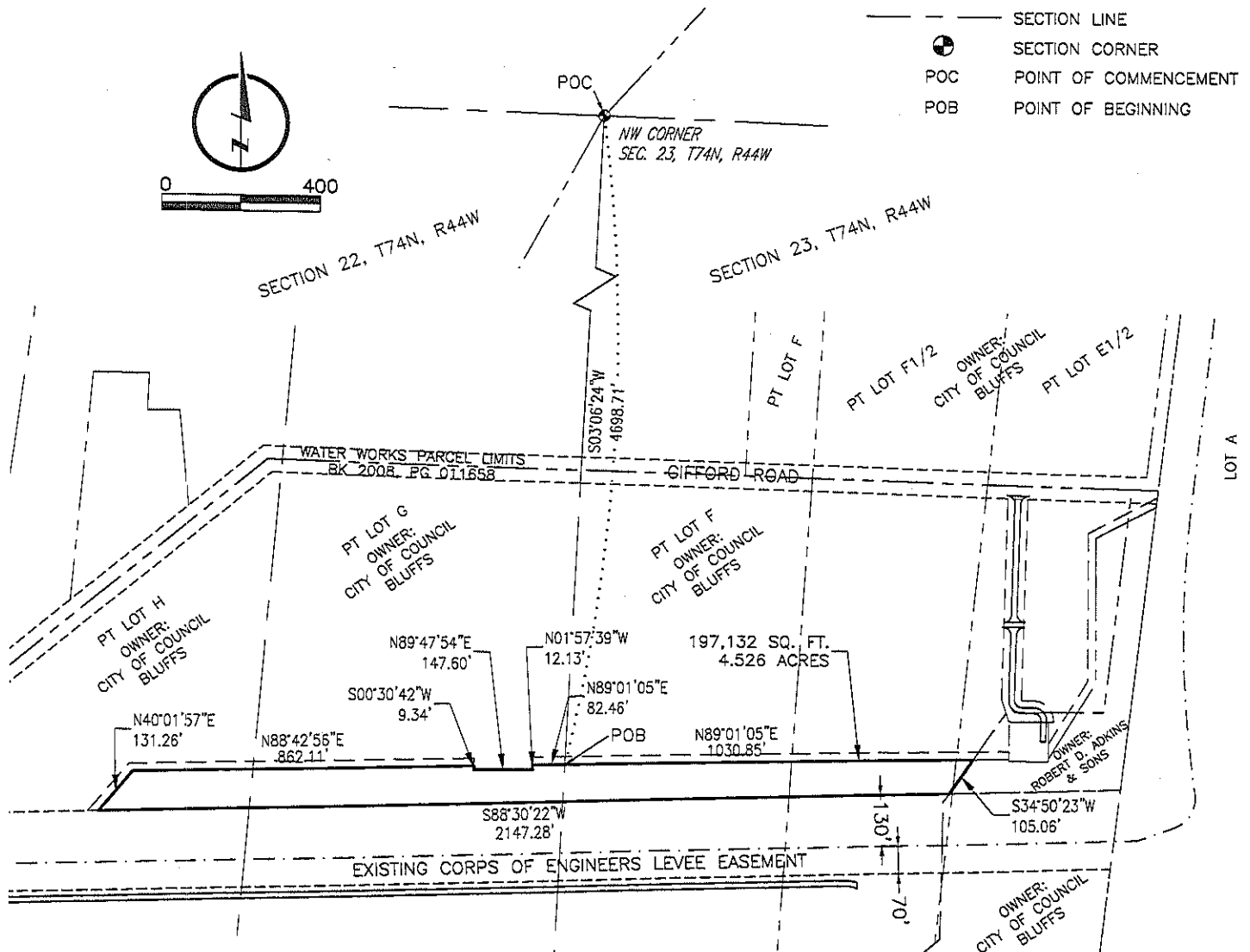
# EASEMENT EXHIBIT EXHIBIT "A"

## LEGAL DESCRIPTION

A PERMANENT EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF LEVEE OVER PART OF LOTS F, F 1/2 AND E 1/2 AND THE ACCRETIONS THERETO LOCATED IN SECTION 23, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA, TOGETHER WITH PART OF LOT G AND LOT H AND THE ACCRETIONS THERETO LOCATED IN SECTION 22, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA, DESCRIBED AS FOLLOWS: (SEE ATTACHED SHEET)

## LEGEND

- EASEMENT LINE
- EXISTING EASEMENT LINE
- LOT LINE
- PERMANENT EASEMENT
- TEMPORARY EASEMENT
- ☉ OF LEVEE
- SECTION LINE
- SECTION CORNER
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING



SHEET 1 OF 2



**LAMP RYNEARSON  
& ASSOCIATES**

14710 West Dodge Road, Suite 100 402.496.2498 | P  
Omaha, Nebraska 68154-2027 402.496.2730 | F  
www.LRA-Inc.com

DRAWN BY  
RER

DESIGNED BY

REVIEWED BY  
TLW

PROJECT - TASK NUMBER  
0115103.03-421

DATE  
4/27/18

BOOK AND PAGE

REVISIONS

L:\Engineering\0115103\SURVEY\DRAWINGS\15103EXH-16-WATER WORKS.dwg, 5/6/2019 8:23:43 PM, ELISE A. MOLLAK, LAMP RYNEARSON & ASSOCIATES



EASEMENT EXHIBIT  
EXHIBIT "A"

LEGAL DESCRIPTION

A PERMANENT EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF LEVEE OVER PART OF LOTS F, F 1/2 AND E 1/2 AND THE ACCRETIONS THERETO LOCATED IN SECTION 23, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA, TOGETHER WITH PART OF LOT G AND LOT H AND THE ACCRETIONS THERETO LOCATED IN SECTION 22, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 23;  
THENCE SOUTH 03°06'24" WEST (ASSUMED BEARINGS) FOR 4698.71 FEET ON THE WEST LINE OF SAID SECTION 23 TO THE TRUE POINT OF BEGINNING;  
THENCE NORTH 89°01'05" EAST FOR 1030.85 FEET;  
THENCE SOUTH 34°50'23" WEST FOR 105.06 FEET TO THE NORTH EASEMENT LINE OF THE CORPS OF ENGINEERS LEVEE;  
THENCE SOUTH 88°30'22" WEST FOR 2147.28 FEET ON SAID EASEMENT LINE;  
THENCE NORTH 40°01'57" EAST FOR 131.26 FEET;  
THENCE NORTH 88°42'56" EAST FOR 862.11 FEET;  
THENCE SOUTH 00°30'42" WEST FOR 9.34 FEET;  
THENCE NORTH 89°47'54" EAST FOR 147.60 FEET;  
THENCE NORTH 01°57'39" WEST FOR 12.13 FEET;  
THENCE NORTH 89°01'05" EAST FOR 82.46 FEET TO THE POINT OF BEGINNING.  
CONTAINS 197,132 SQUARE FEET OR 4.526 ACRES.

SHEET 2 OF 2



LAMP RYNEARSON  
& ASSOCIATES

14710 West Dodge Road, Suite 100 402.496.2498 | P  
Omaha, Nebraska 68154-2027 402.496.2730 | F  
www.LRA-Inc.com

DRAWN BY  
RER

DESIGNED BY

REVIEWED BY  
TLW

PROJECT - TASK NUMBER  
0115103.03-421

DATE  
4/27/18

BOOK AND PAGE

REVISIONS

L:\Engineering\0115103\SURVEY\DRAWINGS\15103EXH-16-WATER WORKS.dwg, 5/6/2019 8:23:48 PM, CLISE A. MOLLAK, LAMP RYNEARSON & ASSOCIATES



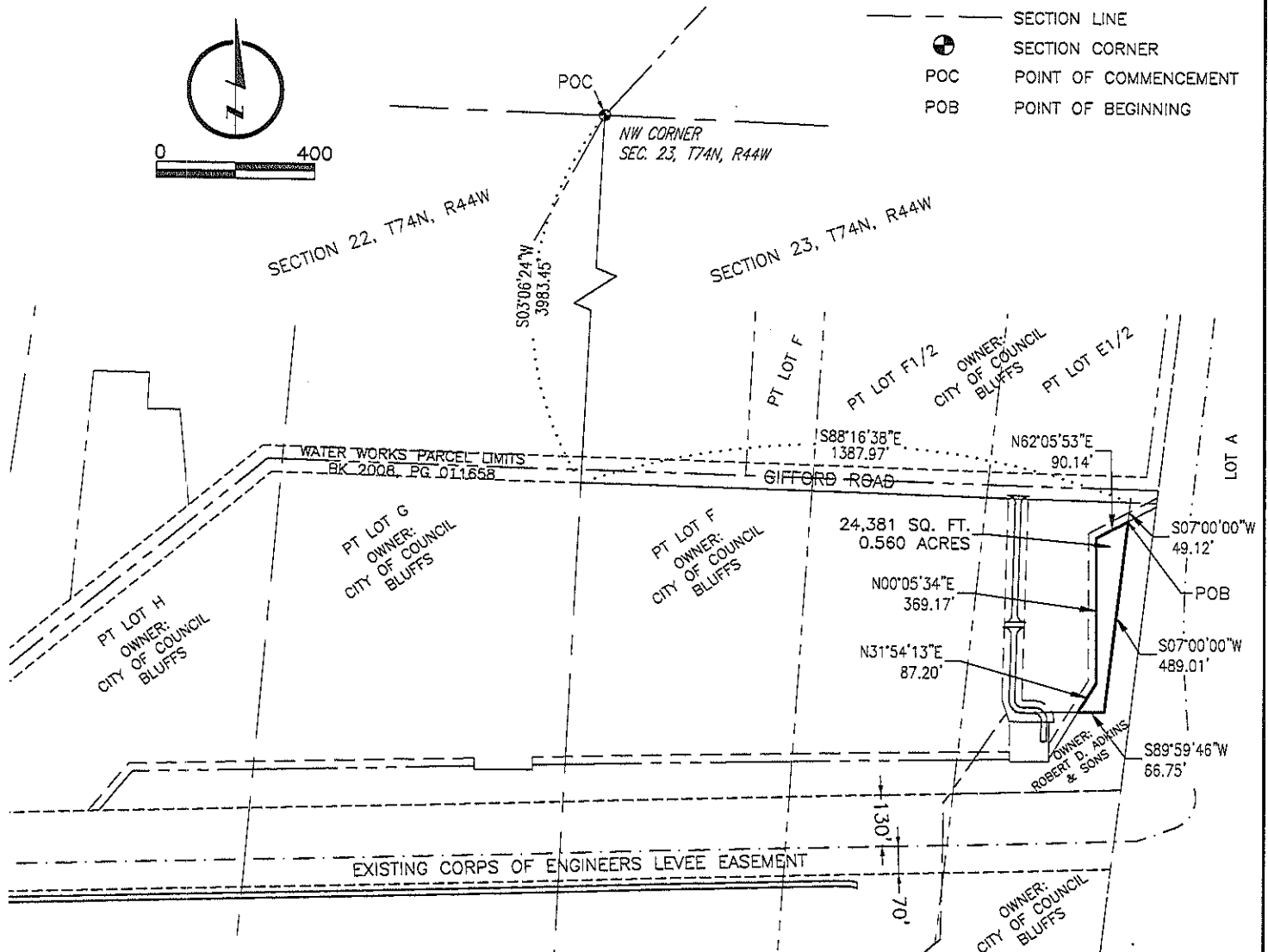
# EASEMENT EXHIBIT EXHIBIT "B"

## LEGAL DESCRIPTION

A PERMANENT EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF LEVEE OVER PART OF LOT E 1/2 AND THE ACCRETIONS THERETO LOCATED IN SECTION 23, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA, DESCRIBED AS FOLLOWS: (SEE ATTACHED SHEET)

## LEGEND

	EASEMENT LINE
	EXISTING EASEMENT LINE
	LOT LINE
	PERMANENT EASEMENT
	TEMPORARY EASEMENT
	CL OF LEVEE
	SECTION LINE
	SECTION CORNER
POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING



SHEET 1 OF 2



**LAMP RYNEARSON  
& ASSOCIATES**

14710 West Dodge Road, Suite 100 402.496.2498 | P  
Omaha, Nebraska 68154-2027 402.496.2730 | F  
www.LRA-Inc.com

DRAWN BY  
RER

DESIGNED BY

REVIEWED BY  
TLW

PROJECT - TASK NUMBER  
0115103.03-421

DATE  
4/27/18

BOOK AND PAGE

REVISIONS

L:\Engineering\0115103\SURVEY\DRAWINGS\15103EXH-16A-WATER WORKS.dwg, 5/6/2019 8:24:08 PM, ELISE A. MOLLAK, LAMP RYNEARSON & ASSOCIATES



EASEMENT EXHIBIT  
EXHIBIT "B"

LEGAL DESCRIPTION

A PERMANENT EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF LEVEE OVER PART OF LOT E 1/2 AND THE ACCRETIONS THERETO LOCATED IN SECTION 23, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 23;  
THENCE SOUTH 03°06'24" WEST (ASSUMED BEARINGS) FOR 3983.45 FEET ON THE WEST LINE OF SAID SECTION 23 TO THE SOUTH RIGHT OF WAY LINE OF GIFFORD ROAD;

THENCE SOUTH 88°16'38" EAST FOR 1387.97 FEET ON SAID RIGHT OF WAY LINE;

THENCE SOUTH 07°00'00" WEST FOR 49.12 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 07°00'00" WEST FOR 489.01 FEET;

THENCE SOUTH 89°59'46" WEST FOR 66.75 FEET;

THENCE NORTH 31°54'13" EAST FOR 87.20 FEET;

THENCE NORTH 00°05'34" EAST FOR 369.17 FEET;

THENCE NORTH 62°05'53" EAST FOR 90.14 FEET TO THE POINT OF BEGINNING.

CONTAINS 24,381 SQUARE FEET OR 0.560 ACRES.

SHEET 2 OF 2



LAMP RYNEARSON  
& ASSOCIATES

14710 West Dodge Road, Suite 100 402.496.2498 | P  
Omaha, Nebraska 68154-2027 402.496.2730 | F  
www.LRA-Inc.com

DRAWN BY  
RER

DESIGNED BY

REVIEWED BY  
TLW

PROJECT - TASK NUMBER  
0115103.03-421

DATE  
4/27/18

BOOK AND PAGE

REVISIONS

L:\Engineering\0115103\SURVEY\DRAWINGS\15103EXH-16A-WATER WORKS.dwg, 5/6/2019 8:24:13 PM, ELISE A. MOLLAK, LAMP RYNEARSON & ASSOCIATES











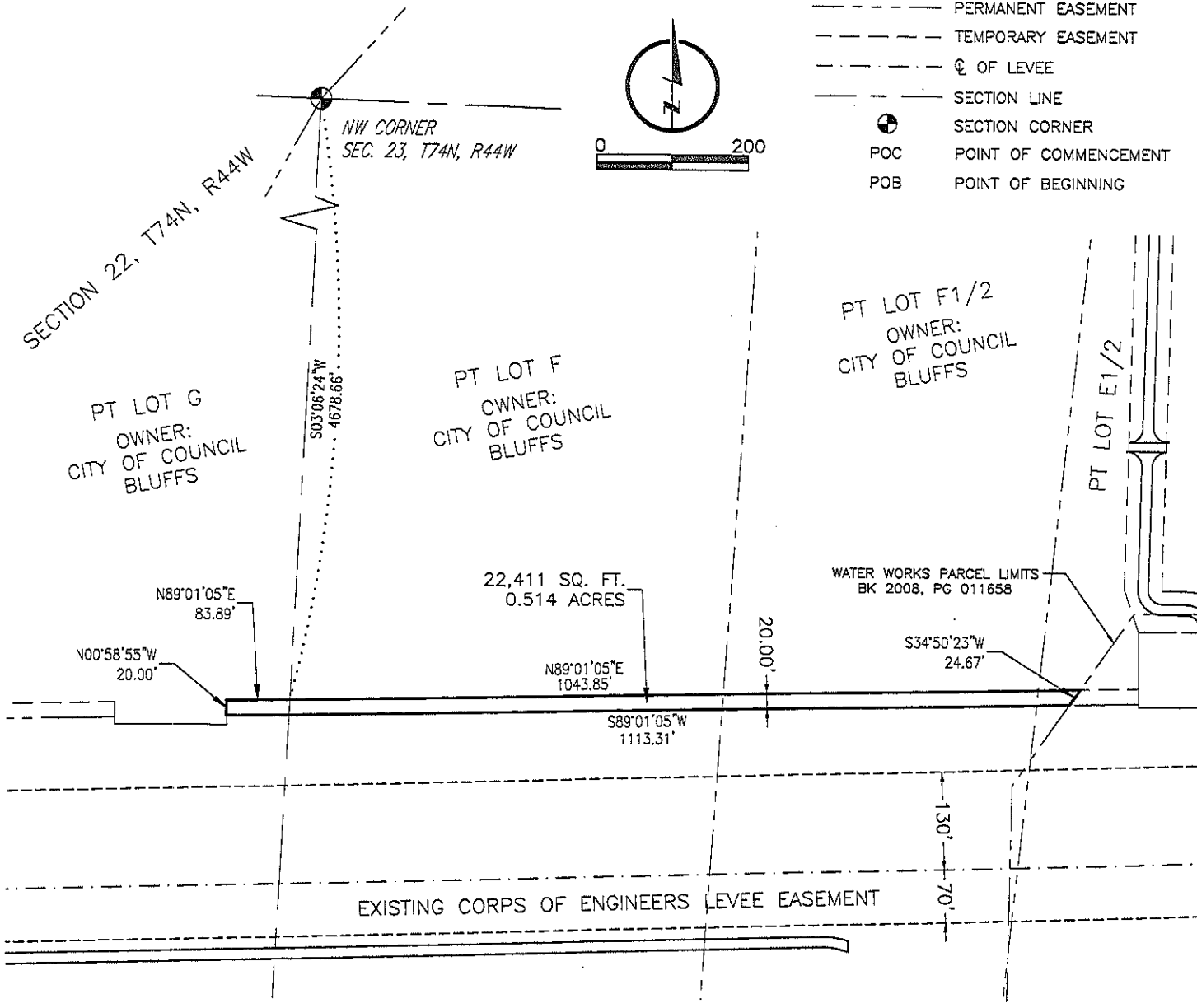
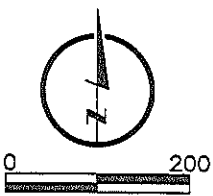
TEMPORARY EASEMENT EXHIBIT  
EXHIBIT "B"

LEGAL DESCRIPTION

A TWENTY FOOT (20.00') WIDE TEMPORARY EASEMENT FOR CONSTRUCTION AND REPAIR OF LEVEE OVER PART OF LOT F, F 1/2 AND E 1/2 AND THE ACCRETIONS THERETO LOCATED IN SECTION 23, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA, TOGETHER WITH PART OF LOT G AND THE ACCRETIONS THERETO LOCATED IN SECTION 22, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA.  
CONTAINS 22,411 SQUARE FEET.

LEGEND

- EASEMENT LINE
- EXISTING EASEMENT LINE
- LOT LINE
- PERMANENT EASEMENT
- TEMPORARY EASEMENT
- Q OF LEVEE
- SECTION LINE
- SECTION CORNER
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING



LAMP RYNEARSON  
& ASSOCIATES

14710 West Dodge Road, Suite 100 402.496.2498 | P  
Omaha, Nebraska 68154-2027 402.496.2730 | F  
www.LRA-Inc.com

DRAWN BY RER	DESIGNED BY	REVIEWED BY TLW	PROJECT - TASK NUMBER 0115103.03-421	DATE 4/26/18	BOOK AND PAGE	REVISIONS
-----------------	-------------	--------------------	---	-----------------	---------------	-----------

L:\Engineering\0115103\SURVEY\DRAWINGS\15103EXH-19-WATER WORKS.dwg, 5/6/2019 8:25:01 PM, ELISE A. MOLLAK, LAMP RYNEARSON & ASSOCIATES



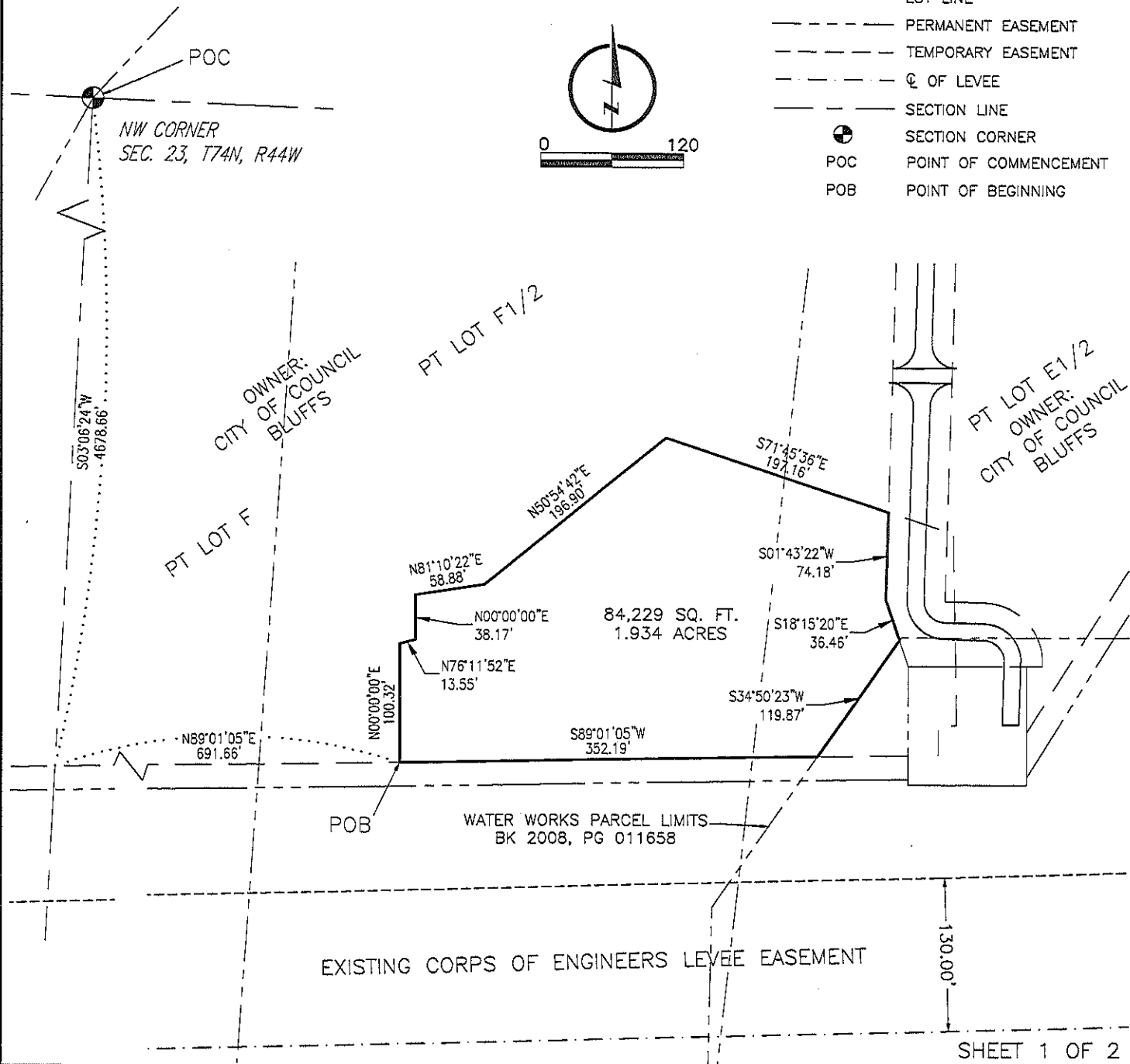
TEMPORARY EASEMENT EXHIBIT  
EXHIBIT "C"

LEGAL DESCRIPTION

A TEMPORARY EASEMENT FOR CONSTRUCTION OF LEVEE OVER PART OF LOT F 1/2 AND LOT E 1/2 AND THE ACCRETIONS THERETO LOCATED IN SECTION 23, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA, DESCRIBED AS FOLLOWS: (SEE ATTACHED SHEET)

LEGEND

- EASEMENT LINE
- EXISTING EASEMENT LINE
- LOT LINE
- PERMANENT EASEMENT
- TEMPORARY EASEMENT
- Q OF LEVEE
- SECTION LINE
- SECTION CORNER
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING



LAMP RYNEARSON  
& ASSOCIATES

14710 West Dodge Road, Suite 100 402.496.2498 | P  
Omaha, Nebraska 68154-2027 402.496.2730 | F  
www.LRA-Inc.com

DRAWN BY  
RER

DESIGNED BY

REVIEWED BY  
TLW

PROJECT - TASK NUMBER  
0115103.03-421

DATE  
3/16/18

BOOK AND PAGE

REVISIONS

L:\Engineering\0115103\SURVEY\DRAWINGS\15103EXH-20-WATER WORKS.dwg, 5/6/2019 8:25:20 PM, ELISE A. MOLLAK, LAMP RYNEARSON & ASSOCIATES



TEMPORARY EASEMENT EXHIBIT  
EXHIBIT "C"

LEGAL DESCRIPTION

A TEMPORARY EASEMENT FOR CONSTRUCTION OF LEVEE  
OVER PART OF LOT F 1/2 AND LOT E 1/2 AND THE  
ACCRETIONS THERETO LOCATED IN SECTION 23, TOWNSHIP 74  
NORTH, RANGE 44 WEST OF THE 5TH P.M., POTTAWATTAMIE  
COUNTY, IOWA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID  
SECTION 23;

THENCE SOUTH 03°06'24" WEST (ASSUMED BEARINGS)  
FOR 4678.66 FEET ON THE WEST LINE OF SAID SECTION 23;

THENCE NORTH 89°01'05" EAST FOR 691.66 FEET TO THE  
TRUE POINT OF BEGINNING;

THENCE NORTH 00°00'00" EAST FOR 100.32 FEET;

THENCE NORTH 76°11'52" EAST FOR 13.55 FEET;

THENCE NORTH 00°00'00" EAST FOR 38.17 FEET;

THENCE NORTH 81°10'22" EAST FOR 58.88 FEET;

THENCE NORTH 50°54'42" EAST FOR 196.90 FEET;

THENCE SOUTH 71°45'36" EAST FOR 197.16 FEET;

THENCE SOUTH 01°43'22" EAST FOR 74.18 FEET;

THENCE SOUTH 18°15'20" EAST FOR 36.46 FEET;

THENCE SOUTH 34°50'23" WEST FOR 119.87 FEET;

THENCE SOUTH 89°01'05" WEST FOR 352.19 FEET TO  
THE POINT OF BEGINNING.

CONTAINS 84,229 SQUARE FEET OR 1.934 ACRES.

SHEET 2 OF 2



LAMP RYNEARSON  
& ASSOCIATES

14710 West Dodge Road, Suite 100 402.496.2498 | P  
Omaha, Nebraska 68154-2027 402.496.2730 | F  
www.LRA-Inc.com

DRAWN BY  
RER

DESIGNED BY

REVIEWED BY  
TLW

PROJECT - TASK NUMBER  
0115103.03-421

DATE  
4/27/18

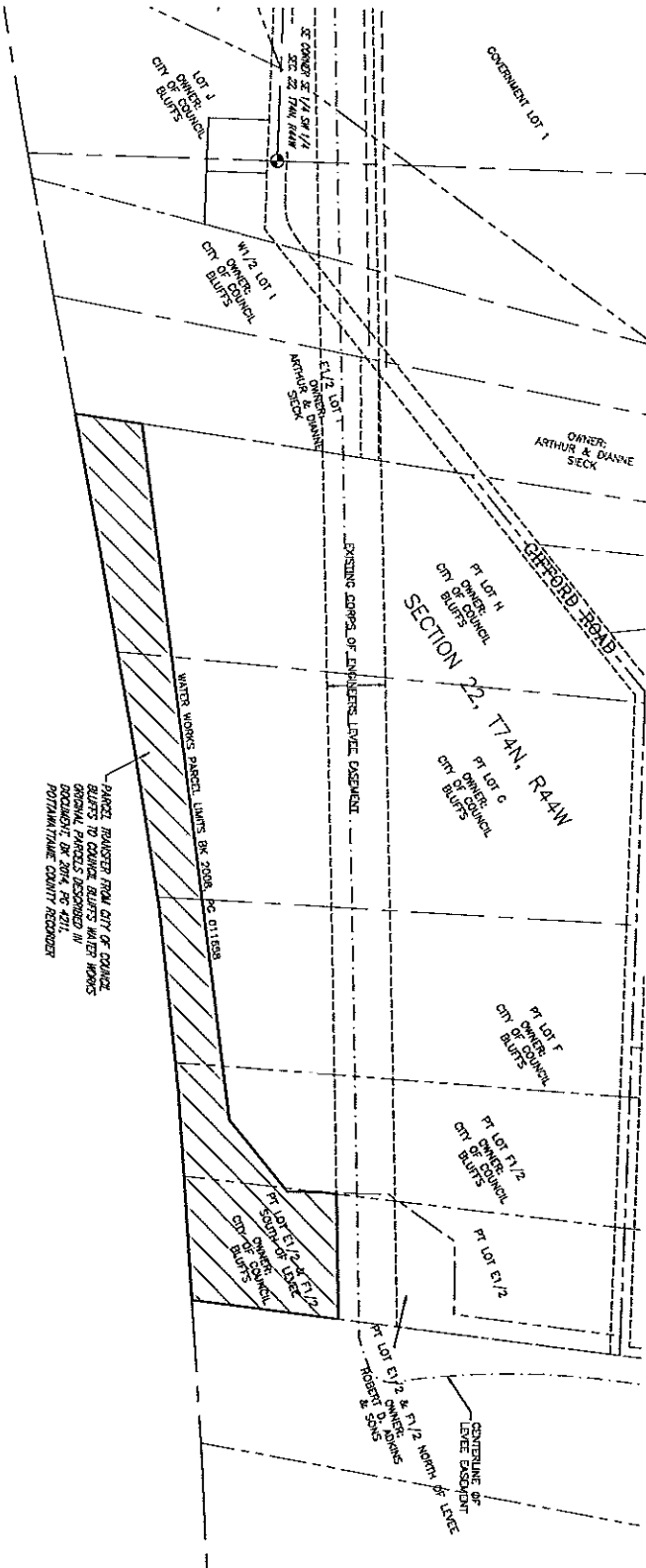
BOOK AND PAGE

REVISIONS

L:\Engineering\0115103\SURVEY\DRAWINGS\15103EXH-20-WATER WORKS.dwg, 5/6/2019 8:25:23 PM, ELISE A. MOLLAK, LAMP RYNEARSON & ASSOCIATES

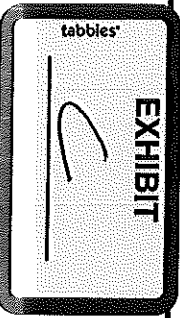


# PARCEL TRANSFER EXHIBIT



<b>LAMP RYNEARSON</b>	
14710 W. DOODGE RD. STE. 100 OMAHA, NE 68154 Lamp@ryneason.com	
OWNER / DIVISION	PROJECT NUMBER
DATE	SURFACE LOCATION
BOOK AND PAGE	

PARCEL TRANSFER  
FROM: CITY OF COUNCIL BLUFFS  
TO: COUNCIL BLUFFS WATER WORKS





AND:

PARCEL 2:

That part of Government Lot 3 and Accretion Lot "H" in Section 22, Township 74 North, Range 44 West of the 5th P.M., Pottawattamie County, Iowa, also known and further described as Government Lot 3 in Section 22, Township 74, Range 44; Also Lot "H" in the Partition of accretions as shown on plat recorded in Comp. Rec. A on Page 450 of the Complete Records of the District Court of Pottawattamie County, Iowa, at Council Bluffs, Iowa, lying South of Sieck Levee, all subject to legal easements of record and highways established for public use.

Except that part of the above-described property described as follows:

Part of Lot "H", Accretion to Government Lot 3, SE1/4 of Section 22, Township 74, Range 44, more particularly described as follows:

Beginning at the intersection of the center line of Gifford Road as now located and the Easterly line of said Lot "H", thence Southwesterly along the center line of Gifford Road, a distance of 937.0 feet to the Westerly line of Lot "H", thence N 6° 39' E along said line, a distance of 990.0 feet, thence due East 637.0 feet to the Easterly line of Lot "H", thence S 3° 25' W along said Easterly line of Lot "H", a distance of 375.97 feet to Point of Beginning, said tract containing 10.0 acres, more or less.

AND EXCEPT that part of Government Lot 3, and Accretion Lot "H" described as follows:

A parcel of land being a portion of Lot "H", Accretion to Government Lot 3 in the Southeast Quarter of Section 22, Township 74 North, Range 44 West of the 5th Principal Meridian, and a portion of Accretion Lots "G", "F", "F1/2" and "E1/2" as shown on a Plat recorded in Comp. Rec. A, on Page 450 of the complete records of the District Court of Pottawattamie County, Iowa, all in the City of Council Bluffs, Pottawattamie County, Iowa, being more fully described as follows:

Commencing at the Northeast corner of said Lot "H"; thence along the East line of said Lot "H", South 05 degrees 17 minutes 26 seconds West, 2636.54 feet to the true point of beginning, said point being on the centerline of Gifford Road; thence along said centerline the following 2 courses: 1) South 88 degrees 13 minutes 16 seconds East, 750.51 feet; 2) South 88 degrees 16 minutes 24 seconds East, 1394.87 feet; thence South 07 degrees 00 minutes 14 seconds West, 571.27 feet; thence South 90 degrees 00 minutes 00 seconds West, 245.83 feet; thence South 34 degrees 50 minutes 37 seconds West, 277.85 feet; thence South 01 degree 16 minutes 24 seconds West, 348.18 feet; thence South 50 degrees 02 minutes 05 seconds West, 314.74 feet; thence South 82 degrees 30 minutes 19 seconds West, 1583.50 feet; thence South 82 degrees 14 minutes 09 seconds West, 798.83 feet to a point on the West line of said Lot "H", thence along said West line, North 08 degrees 31 minutes 41 seconds East, 1143.00 feet to a point on the centerline of said Gifford Road; thence along said centerline the following 2 courses: 1) North 50 degrees 54 minutes 11 seconds East, 944.90 feet; 2) South 88 degrees 13 minutes 59 seconds East, 37.50 feet to the true point of beginning.

Said parcel contains an area 88.077 acres (including 2.373 acres of Gifford Road right-of-way and 11.488 acres of Sieck levee right-of-way) more or less.



## LEGAL DESCRIPTION:

PARCEL 1: That part of the accretions to part of Lots 1 and 2 in Section 14, Township 74, Range 44, that lie South of the South line of Lot 2 in Section 22, Township 74, Range 44, extended East known as Lots "F", "F1/2", and "E1/2" as established in partition suit, recorded in Complete Record A, Page 450 et seq., in the District Court of Pottawattamie County, lying South of Sieck Levee.

EXCEPT that part deeded to the City of Council Bluffs described as: A parcel of land being a portion of Lot "H", Accretion to Government Lot 3 in the Southeast Quarter of Section 22, Township 74 North, Range 44 West of the 5th Principal Meridian, and a portion of Accretion Lots "G", "F", "F1/2" and "E1/2" as shown on a Plat recorded in Comp. Rec. A, on page 450 of the complete records of the District Court of Pottawattamie County, Iowa, all in the City of Council Bluffs, Pottawattamie County, Iowa, being more fully described as follows:

Commencing at the Northeast corner of said Lot "H"; thence along the East line of said Lot "H", South 05 degrees 17 minutes 26 seconds West, 2636.54 feet to the true point of beginning, said point being on the centerline of Gifford Road; thence along said centerline the following 2 courses: 1) South 88 degrees 13 minutes 16 seconds East, 750.51 feet; 2) South 88 degrees 16 minutes 24 seconds East, 1394.87 feet; thence South 07 degrees 00 minutes 14 seconds West, 571.27 feet; thence South 90 degrees 00 minutes 00 seconds West, 245.83 feet; thence South 34 degrees 50 minutes 37 seconds West, 277.85 feet; thence South 01 degree 16 minutes 24 seconds West, 348.18 feet; thence South 50 degrees 02 minutes 05 seconds West, 314.74 feet; thence South 82 degrees 30 minutes 19 seconds West, 1583.50 feet; thence South 82 degrees 14 minutes 09 seconds West, 798.83 feet to a point on the West line of said Lot "H"; thence along said West line, North 08 degrees 31 minutes 41 seconds East, 1143.00 feet to a point on the centerline of said Gifford Road; thence along said centerline the following 2 courses: 1) North 50 degrees 54 minutes 11 seconds East, 944.90 feet; 2) South 88 degrees 13 minutes 59 seconds East, 37.50 feet to the true point of beginning. Said parcel contains an area 88.077 acres (including 2.373 acres of Gifford Road right-of-way and 11.488 acres of Sieck levee right-of-way), more or less.

AND:

That part of Lot "G" lying South of Sieck Levee in the Partition of Accretions to Section 22, Township 74 North, Range 44 West, City of Council Bluffs, Pottawattamie County, Iowa. Lot "G" described as follows:

Beginning at a point where to the North line of Government Lot 1 in said Section 22, Township 74, Range 44 produced East intersects the Westerly line of said Lot "G", thence along said line (said line being in the East-West portion of Gifford Road) N 89° 53' 20" E 750.81 feet to the Easterly line Lot "G", thence along said line S 1° 18' 00" W 1710.96 feet to a point on the high bank line of the Missouri River, thence Southwesterly along said line S 79° 51' 06" W 835.90 feet to the Westerly line Lot "G", thence along said line N 3° 25' 00" E 1859.65 feet to the point of beginning. Said parcel includes Gifford Road R.O.W. and also Sieck Levee R.O.W.

Note: Bearings are based upon a recorded survey by F.W. Mann dated 10/11/65.

Formerly described as:

The 50.88 Acres, part of Lot "G" of Accretions to Section 22, Township 74, Range 44, as described in Deed recorded in Book 537, Page 177 as follows: Part of Lot "G" in the partition of accretions shown by Plat recorded in Complete Record "A", Page 450, records District Court of Pottawattamie County, Iowa, described as follows: Commencing at a point where the North line of Government Lot 1 in Section 22, Township 74, Range 44, would if produced East intersect the Westerly line of said Lot "G", said point being South 3° 25' West 40.07 chains, from the Southeast corner of said Lot 4, in said Section 22; thence East 11.41 chains, or to the East line of Lot "G", thence South 1° 18' West 41.90 chains, thence South 75° 30' West 13.58 chains; thence North 3° 25' East 45.18 chains to place of beginning, it being the intention to convey all the land being and contained between the side lines and the line on the North and the Missouri River on the South as the said River now runs.



## MITIGATION MODEL DEED RESTRICTION

In reference to the property or properties ("Property") conveyed by the Deed between Robert D. Adkins, Sr. and Betty Jean Adkins, husband and wife, and Robert D. Adkins & Sons, an Iowa Partnership, participating in the federally-assisted acquisition project ("the Grantor") and the City of Council Bluffs, Iowa, ("the Grantee"), its successors and assigns:

**WHEREAS**, the Robert T. Stafford Disaster Relief and Emergency Assistance Act, ("The Stafford Act"), 42 U.S.C. § 5121 et seq., identifies the use of disaster relief funds under § 5170c, **Hazard Mitigation Grant Program ("HMGP")**, including the acquisition and relocation of structures in the floodplain;

**WHEREAS**, the mitigation grant program provides a process for a local government, through the State, to apply for federal funds mitigation assistance to acquire interests in property, including the purchase of structures in the floodplain, to demolish and/or remove the structures, and to maintain the use of the Property as open space in perpetuity;

**WHEREAS**, the State of Iowa has applied for and been awarded such funding from the Department of Homeland Security, Federal Emergency Management Agency ("FEMA"), and has entered into a mitigation grant program Grant Agreement, dated June 6, 2008 and herein incorporated by reference; making it a mitigation grant program grantee.

**WHEREAS**, the Property is located in Council Bluffs, Iowa, City of Council Bluffs participates in the National Flood Insurance Program ("NFIP") and is in good standing with NFIP as of the date of the Deed;

**WHEREAS**, the City of Council Bluffs, acting by and through the City Council, has applied for and been awarded federal funds pursuant to an agreement with Iowa dated August 25, 2012 ("State-Local Agreement") and herein incorporated by reference, making it a mitigation grant program subgrantee;

**WHEREAS**, the terms of the mitigation grant program statutory authorities, Federal program requirements consistent with 44 C.F.R. Part 80, the Grant Agreement, and the State-local Agreement require that the Grantee agree to conditions that restrict the use of the land to open space in perpetuity in order to protect and preserve natural floodplain values;

**NOW**, therefore, the grant is made subject to the following terms and conditions:

**1. Terms.** Pursuant to the terms of HMGP program statutory authorities, Federal program requirements consistent with 44 C.F.R. Part 80, the Grant agreement, and the State-local agreement, the following conditions and restrictions shall apply in perpetuity to the Property described in the attached deed and acquired by the Grantee pursuant to FEMA program requirements concerning the acquisition of property for open space:

**a. Compatible uses.** The property shall be dedicated and maintained in perpetuity as open space for the conservation of natural floodplain functions. Such uses may include: parks for outdoor recreational activities; wetlands management; nature reserves; cultivation; grazing; camping (except where adequate warning time is not



available to allow evacuation); unimproved, unpaved parking lots; buffer zones; and other uses consistent with FEMA guidance for open space acquisition, Hazard Mitigation Assistance, Requirements for Property Acquisition and Relocation for Open Space.

**b. Structures.** No new structures or improvements shall be erected on the property other than:

- (1) A public facility that is open on all sides and functionally related to a designated open space or recreational use;
- (2) A public restroom; or
- (3) A structure that is compatible with open space and conserves the natural function of the floodplain, including the uses described in Paragraph 1.a, above, and approved by the FEMA Administrator in writing before the construction of the structure begins.

Any improvements on the Property shall be in accordance with proper floodplain management policies and practices. Structures built on the Property according to paragraph b. of this section shall be floodproofed or elevated to at least the base flood level plus 1 foot of freeboard, or greater, if required by FEMA, or if required by any State, Tribal, or local ordinance, and in accordance with criteria established by the FEMA Administrator.

**c. Disaster Assistance and Flood Insurance.** No Federal entity or source may provide disaster assistance for any purpose with respect to the Property, nor may any application for such assistance be made to any federal entity or source. The Property is not eligible for coverage under the NFIP for damage to structures on the property occurring after the date of the property settlement, except for pre-existing structures being relocated off the property as a result of the project.

**d. Transfer.** The Grantee, including successors in interest, shall convey any interest in the Property only if the FEMA Regional Administrator, through the State, gives prior written approval of the transfer in accordance with this paragraph.

i. The request by the Grantee, through the State, to the FEMA Regional Administrator must include a signed statement from the proposed transferee that it acknowledges and agrees to be bound by the terms of this section, and documentation of its status as a qualified conservation organization if applicable.

ii. The Grantee may convey a property interest only to a public entity or to a qualified conservation organization. However, the Grantee may convey an easement or lease to a private individual or entity for purposes compatible with the uses described in paragraph (a), of this section, with the prior approval of the FEMA Regional Administrator, and so long as the conveyance does not include authority to control and enforce the terms and conditions of this section.

iii. If title to the Property is transferred to a public entity other than one with a conservation mission, it must be conveyed subject to a conservation easement that shall be recorded with the deed and shall incorporate all terms and conditions set forth in this section, including the easement holder's responsibility to enforce the easement. This shall be accomplished by one of the following means:



a) The Grantee shall convey, in accordance with this paragraph, a conservation easement to an entity other than the title holder, which shall be recorded with the deed, or

b) At the time of title transfer, the Grantee shall retain such conservation easement, and record it with the deed.

iv. Conveyance of any property interest must reference and incorporate the original deed restrictions providing notice of the conditions in this section and must incorporate a provision for the property interest to revert to the State, Tribe, or local government in the event that the transferee ceases to exist or loses its eligible status under this section.

**2. Inspection.** FEMA, its representatives and assigns including the State or Tribe shall have the right to enter upon the Property, at reasonable times and with reasonable notice, for the purpose of inspecting the Property to ensure compliance with the terms of this part, the Property conveyance and of the grant award.

**3. Monitoring and Reporting.** Every three years on December 31st the Grantee (mitigation grant program subgrantee), in coordination with any current successors in interest, shall submit through the State to the FEMA Regional Administrator report certifying that the Grantee has inspected the Property within the month preceding the report, and that the Property continues to be maintained consistent with the provisions of 44 C.F.R. Part 80, the property conveyance, and the grant award.

**4. Enforcement.** The Grantee (mitigation grant program subgrantee), the State, FEMA, and their respective representatives, successors and assigns, are responsible for taking measures to bring the Property back into compliance if the Property is not maintained according to the terms of 44 C.F.R. Part 80, the property conveyance, and the grant award. The relative rights and responsibilities of FEMA, the State, the Grantee and subsequent holders of the property interest at the time of enforcement, shall include the following:

a. The State will notify the Grantee and any current holder of the property interest in writing and advise them that they have 60 days to correct the violation.

i. If the Grantee or any current holder of the property interest fails to demonstrate a good faith effort to come into compliance with the terms of the grant within the 60-day period, the State shall enforce the terms of the grant by taking any measures it deems appropriate, including but not limited to bringing an action at law or in equity in a court of competent jurisdiction.

ii. FEMA, its representatives, and assignees may enforce the terms of the grant by taking any measures it deems appropriate, including but not limited to 1 or more of the following:

a) Withholding FEMA mitigation awards or assistance from the State or Tribe, and Grantee; and current holder of the property interest.

b) Requiring the transfer of title. The Grantee or the current holder of the property interest shall bear the costs of bringing the Property back into compliance with the terms of the grant; or



c) Bringing an action at law or in equity in a court of competent jurisdiction against any or all of the following parties: the State, the Tribe, the local community, and their respective successors.

5. **Amendment.** This agreement may be amended upon signatures of FEMA, the State, and the Grantee only to the extent that such amendment does not affect the fundamental and statutory purposes underlying the agreement.

6. **Severability.** Should any provision of this grant or the application thereof to any person or circumstance be found to be invalid or unenforceable, the rest and remainder of the provisions of this grant and their application shall not be affected and shall remain valid and enforceable.

Robert D. Adkins Sr.

Grantor's Signature

Robert D. Adkins, Sr.

Name (printed or typed)

2-21-2014

Date

Betty Jean Adkins

Grantor's Signature

Betty Jean Adkins

Name (printed or typed)

2-21-2014

Date

Robert D. Adkins Sr. P.F.R.

Grantee's Signature

Robert D. Adkins, Sr., Partner

Name & Title (printed or typed)

2-21-2014

Date

Matthew J. Walsh

Grantee's Signature

Matthew J. Walsh, Mayor

Name & Title (printed or typed)

2/26/2014

Date

Marcia L. Worden

Grantee's Signature

Marcia L. Worden, City Clerk

Name & Title (printed or typed)

2/26/2014

Date

State of Iowa

County of Pottawattamie

Signed and sworn to (or affirmed) before me on the 26<sup>th</sup> day of <sup>February</sup> April, 2014 by  
Matthew J. Walsh, Mayor of the City of Council Bluffs, Iowa.



Lora L. Floom  
Notary Public



State of Iowa

County of Pottawattamie

Signed and sworn to (or affirmed) before me on the 26<sup>th</sup> day of <sup>February</sup> ~~April~~, 2014 by Marcia L. Worden, City Clerk of the City of Council Bluffs, Iowa.

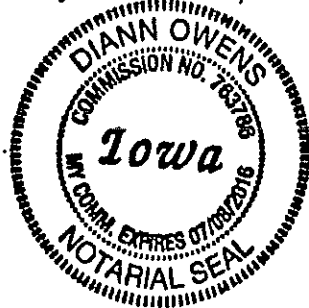


[Signature]  
Notary Public

State of Iowa

County of Pottawattamie

Signed and sworn to (or affirmed) before me on the 21 day of <sup>February</sup> ~~March~~, 2014 by Robert D. Adkins, Sr. and Betty Jean Adkins, husband and wife.



[Signature]  
Notary Public

State of Iowa

County of Pottawattamie

Signed and sworn to (or affirmed) before me on the 21 day of <sup>February</sup> ~~March~~, 2014 by Robert D. Adkins, Sr., Partner of Robert D. Adkins & Sons, an Iowa Partnership.



[Signature]  
Notary Public





# Council Bluffs Water Works

COUNCIL BLUFFS, IOWA — 51501

*Office*  
2000 NORTH 23<sup>RD</sup> STREET  
*Mailing Address*  
P.O. BOX No. 309 — 51502

*Board of Trustees:*

MARTIN L. BROOKS, *Chairperson*  
CARL L. HEINRICH  
MAUREEN R. KRUSE  
MICHAEL J. WALLNER  
CAITLIN A. BERESFORD  
*CEO & General Manager & Secretary of Board*  
DOUGLAS P. DRUMMEY

January 22, 2020

Mr. Jonathan Pogones  
Homeland Security and Emergency Management Department  
7900 Hickman Rd  
Windsor Heights, IA 50324

Re: Real Estate Exchange with the City of Council Bluffs, Iowa

Dear Mr. Pogones:

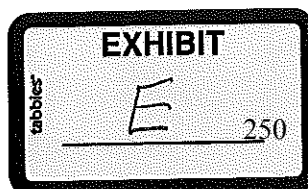
In accordance with Section 1(d)(i-iv) of the "Mitigation Model Deed Restriction" Agreement ("Agreement"), attached as Exhibit "A" to Warranty Deed filed April 17, 2014, at Book 2014, Page 04211, Pottawattamie County Recorder's Office, Pottawattamie County, IA, the Board of Water Works Trustees of the City of Council Bluffs, Iowa, hereby certifies that it is a public entity as designated in the Agreement, that the Board agrees to be bound by the aforementioned Section with regards to any property transfer under the Agreement, and that the Board stipulates that any property interest conveyed to the Board under the Agreement shall reference and incorporate the original deed restrictions providing notice of the conditions in this Agreement and shall incorporate a provision for the property interest to revert to the State, Tribe, or local government in the event that the Board, as transferee, ceases to exist or loses its eligible status under this section.

Best regards,

The Board of Water Works Trustees of the City of Council Bluffs, Iowa

By:

  
Martin L. Brooks, Chairperson





## REAL ESTATE EXCHANGE AGREEMENT

THIS AGREEMENT dated this \_\_\_\_ day of \_\_\_\_\_, 2020, by and between the City of Council Bluffs, Iowa (“City”) and Council Bluffs Water Works (“Works”), is hereby entered into and binding as of the date last written below.

**WHEREAS,** City is required to undertake a levee rehabilitation project to maintain floodplain map certification by the Federal Emergency Management Agency (FEMA”);

**WHEREAS;** such project shall require both permanent easement and temporary construction easement access across certain real estate owned by Works;

**WHEREAS;** in exchange for such easement access, City has agreed to exchange certain real estate owned by the City, in fee, to Works; and

**WHEREAS;** the City owned real estate to be exchanged with Works is subject to a conservation easement, as established by FEMA through a mitigation model deed restriction, to be maintained by the City in accordance with terms described herein.

**NOW, THEREFORE,** the parties hereby agree as followed:

1. Works hereby agrees to transfer to City, subject to easements and restrictions as outlined therein, the permanent easement access across the real estate parcels as legally described in Exhibit “A” which is attached hereto and incorporated herein.
2. Works hereby agrees to transfer to City, subject to easements and restrictions as outlined therein, the temporary easement access across the real estate parcels as legally described in Exhibit “B” which is attached hereto and incorporated herein.
3. City hereby agrees to transfer to Works the real estate parcels as legally described in Exhibit “C” which is attached hereto and incorporated herein.
4. City shall maintain a conservation easement on the parcel described in paragraph 3 above in accordance with the mitigation model deed restriction as found in Exhibit “D” which is attached hereto and incorporated herein. Such deed restriction shall be attached to the deed transferring the real estate in paragraph 3 above to Works.



5. Works has agreed, pursuant to vote of their Board of Trustees, to be bound by the conservation easement as outlined in paragraph 4 above. *See Exhibit "E" which is attached hereto and incorporated herein.*

\_\_\_\_\_  
Matt Walsh, Mayor  
City of Council Bluffs  
("City")

\_\_\_\_\_  
Martin L. Brooks, Chairperson  
Council Bluffs Water Works  
("Works")

State of \_\_\_\_\_, County of \_\_\_\_\_, ss.

This record was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by  
Matt Walsh.

\_\_\_\_\_  
Notary Public

State of \_\_\_\_\_, County of \_\_\_\_\_, ss.

This record was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by  
Martin L. Brooks.

\_\_\_\_\_  
Notary Public



**RESOLUTION**  
**NO 20-151**

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK  
TO EXECUTE A REAL ESTATE EXCHANGE AGREEMENT  
WITH COUNCIL BLUFFS WATER WORKS  
IN CONNECTION WITH  
LEVEE CERTIFICATION PROJECT, GEOTECHNICAL MR\_3  
PROJECT #PW17-06C**

- WHEREAS, the city wishes to make improvements known as  
Levee Certification Project, Geotechnical MR\_3  
within the city, as therein described; and
- WHEREAS, said project requires the acquisition of easements across  
certain real estate owned by Council Bluffs Water Works; and
- WHEREAS, in exchange for easement access, City has agreed to  
exchange certain real estate owned by the City, in fee; and
- WHEREAS, the city council deems approval of said agreement  
to be in the best interest of the City of Council Bluffs.

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

That the Mayor and City Clerk are hereby authorized and directed to execute a Real Estate Exchange Agreement with Council Bluffs Water Works in connection with Levee Certification Project, Geotechnical MR\_3.

ADOPTED  
AND  
APPROVED

June 8, 2020

\_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk



## Council Communication

Department: Community  
Development  
Case/Project No.:  
Submitted by:

Resolution 20-152  
ITEM 6.H.

Council Action: 6/8/2020

### Description

Resolution approving the use of 2020 Community Development Block Grant-COVID 19 (CDBG-CV) funds and directing the mayor to submit the 2019 Amendment to the Annual Action Plan to the City of Omaha and the U.S. Department of Housing and Urban Development (HUD)

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Other	5/29/2020
Amended 2019 CDBG Budget	Other	5/29/2020
Resolution 20-152	Resolution	6/3/2020



## Council Communication

Department: Community Development	Resolution No.: 20 -	City Council: June 8, 2020						
<b>Subject/Title</b>								
2019 Amendment to the Annual Action Plan for Community Development Block (CDBG) funds.								
<b>Background/Discussion</b>								
<u>Background</u> <p>The City of Council Bluffs is an entitlement community under the Community Development Block Grant (CDBG) program, which results in annual funding from the U.S. Department of Housing and Urban Development (HUD). In order to receive these funds, the City is required to submit to HUD an Annual Plan, which was already submitted and approved by Council. In May 2020, the City of Council Bluffs received addition funding due to coronavirus (COVID-19) as part of its entitlement status with HUD; therefore, this amendment to the Annual Plan is required. HUD requested we amend our 2019 Annual Action plan to include the additional resources.</p> <p>The Annual Plan details the City’s objectives, revenues, expenditures and other actions. This document is prepared by the Community Development Department with input from the Community Development Advisory Committee (CDAC). In FY2019, the City received approximately \$967,131 in CDBG funding. Eligible projects had to meet the following national objectives: benefit to persons of low-to-moderate income, elimination of slum and blight and urgent need. In addition to the 2019 Annual funding, the City of Council Bluffs received \$580,840 in CDBG-COVID-19 (CV) assistance to provide immediate funding to prevent, prepare for and respond to the COVID-19. These funds were also allocated to the City through HUD CDBG entitlement designation. The total CDBG program budget is \$1,547,971 and includes the following sources of revenue:</p>								
<table><tr><td>2019 Annual CDBG Grant</td><td>967,131</td></tr><tr><td>CDBG-CV Grant</td><td>580,840</td></tr><tr><td><b>Total</b></td><td><b>1,547,971</b></td></tr></table>			2019 Annual CDBG Grant	967,131	CDBG-CV Grant	580,840	<b>Total</b>	<b>1,547,971</b>
2019 Annual CDBG Grant	967,131							
CDBG-CV Grant	580,840							
<b>Total</b>	<b>1,547,971</b>							
<u>Discussion</u> <p>No changes to the Annual CDBG grant are required. The CDBG-CV funding is earmarked to provide COVID-19 specific assistance to local residents and businesses to ensure sustainability during the nationwide pandemic. Locally, funding is needed for direct assistance to residents and business who have lost income directly related to COVID-19. A listing of the programs and projects for CDBG-CV funds is outlined in “Attachment A” and the draft guidelines for the funds are in “Attachment B” for your review. Staff plans to request applications from local nonprofits to assist with implementation and distribution of funding. The Community Development Department and Community Development Advisory Committee (CDAC) are now recommending the allocation of the CDBG-CV funds.</p> <p>Upon City Council approval, the Community Development Department will forward the amendment to the 2019 Annual Plan to the City of Omaha and to HUD.</p>								
<b>Staff Recommendation</b>								
The Community Development Department recommends that City Council adopt a resolution approving the use of the CDBG-CV funds as outlined in the attached budgets; direct the Mayor to submit the 2019 Amendment to the Annual Plan to the City of Omaha and to HUD; and direct the Mayor to execute contracts with HUD for the use of the CDBG-CV funds.								
<b>Community Development Advisory Committee</b>								
On May, 27, 2020, CDAC met to review the CDBG-CV funds and recommend their approval. CDAC recommends the following for approval:								
1. Amending the 2019 Annual Action Plan and allocating CDBG-CV funds to activities as outlined in “Attachment A.” Motion carried by unanimous voice vote of those present. VOTE: AYE: Schlott, Rowe, Mathews, Adkins, Heining; NAY – None; ABSTAIN –None; ABSENT – None.								



## SECTION I - 2019 COMMUNITY DEVELOPMENT PROGRAM AND PROJECT EXPENDITURES

Attachment A

	2018	2019	Staff CDBG Recommended	Projected Program Income (PI)*	CDAC & Staff CDBG + PI Recommended	Notes & Source of Program Income
<b>Community Development Program</b>	<b>Allocation</b>	<b>Request</b>				
<b>Part I - Housing Development</b>						
<b>Housing Rehabilitation</b>						Admin: \$95,600 Emergency Repairs: \$25,000 Loan Payments: \$15,000 incoming Lead Hazard Control CDBG: \$512,000/3yrs Grant: \$2,300,000/3yrs Landlord Match: \$100,000/3yrs
Home Improvement Program	\$ 330,000.00	\$ 330,000.00	\$ 315,000.00	\$ 15,000.00	\$ 330,000.00	
Lead Hazard Control Rehab	\$ -	\$ -	\$ 170,666.67	\$ 800,000.00	\$ 970,666.67	
League of Human Dignity	\$ 25,000.00	\$ 30,000.00	\$ 25,000.00		\$ 25,000.00	
Infill (NWHS)	\$ 120,000.00	\$ 150,000.00	\$ 150,000.00		\$ 150,000.00	
<b>Housing Development</b>						
Habitat for Humanity	\$ -	\$ 45,000.00	\$ 45,000.00		\$ 45,000.00	
<b>Subtotal - Housing Development</b>	<b>\$ 475,000.00</b>	<b>\$ 555,000.00</b>	<b>\$ 705,666.67</b>	<b>\$ 815,000.00</b>	<b>\$ 1,520,666.67</b>	
<b>Part II - Economic Development</b>						
<b>Subtotal - Economic Development</b>		\$ -	\$ -	\$ -	\$ -	
<b>Part III - Public Services/Facilities</b>						
<b>Homeless/Transitional</b>						
MICAH House	\$ 33,600.00	\$ 50,000.00	\$ 37,000.00		\$ 37,000.00	
Catholic Charities	\$ 8,400.00	\$ 20,000.00	\$ 11,500.00		\$ 11,500.00	
HFS - Heartland Homes	\$ 11,550.00	\$ 15,000.00	\$ 11,550.00		\$ 11,550.00	
HFS - PCHO	\$ 15,750.00	\$ 20,000.00	\$ 15,750.00		\$ 15,750.00	
New Visions - MOHM's Place	\$ 33,600.00	\$ 17,000.00	\$ 17,000.00		\$ 17,000.00	
New Visions - Joshua House	\$ -	\$ 35,000.00	\$ 20,000.00		\$ 20,000.00	Max 15% of \$972,094 = \$145,814.10 Current total \$157,000
<b>Public Facilities and Improvements</b>						
HFS - HH and Transitions Renovations	\$ 30,000.00	\$ 105,000.00	\$ 50,000.00		\$ 50,000.00	
New Visions - Timothy House Renovation	\$ -	\$ 50,000.00	\$ 50,000.00		\$ 50,000.00	
Senior Center - Pool Room Renovation	\$ 10,000.00	\$ -	\$ -		\$ -	
MICAH House - Heat Treatment Room	\$ 35,000.00	\$ -	\$ -		\$ -	
<b>Housing Counseling</b>						
FHAS	\$ 26,000.00	\$ 46,000.00	\$ 30,000.00		\$ 30,000.00	
<b>Subtotal - Public Services/Facilities</b>	<b>\$ 203,900.00</b>	<b>\$ 358,000.00</b>	<b>\$ 242,800.00</b>	<b>\$ -</b>	<b>\$ 242,800.00</b>	
<b>Public Services - COVID-19</b>						
COVID-19 Administration	\$ -	\$ 116,168.00	\$ 116,168.00	\$ -		No cap on public services for CDBG-CV.
Food Security	\$ -	\$ 174,252.00	\$ 174,252.00	\$ -		
Direct Financial Assistance	\$ -	\$ 174,252.00	\$ 174,252.00	\$ -		
Business Support	\$ -	\$ 116,168.00	\$ 116,168.00	\$ -		
<b>Subtotal</b>	<b>\$ -</b>	<b>\$ 580,840.00</b>	<b>\$ 580,840.00</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>Part IV - Planning/Administration/Project Supervision</b>						
CD Project Delivery Costs	\$ 70,250.00	\$ 90,000.00	\$ 90,000.00	\$ -	\$ 90,000.00	
Administration	\$ 264,750.00	\$ 185,000.00	\$ 210,000.00	\$ -	\$ 210,000.00	
<b>Subtotal - CD Department</b>	<b>\$ 335,000.00</b>	<b>\$ 275,000.00</b>	<b>\$ 300,000.00</b>	<b>\$ -</b>	<b>\$ 300,000.00</b>	
<b>Part V - Undesignated</b>						
Undesignated Funds	\$ 347,100.00					
<b>Subtotal - Undesignated</b>	<b>\$ 347,100.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>Total CD Program</b>	<b>\$ 1,361,000.00</b>	<b>\$ 1,768,840.00</b>	<b>\$ 1,829,306.67</b>	<b>\$ 815,000.00</b>	<b>\$ 2,063,466.67</b>	
<b>Community Development Projects</b>						
Neighborhood Development (1st Ave Construction)	\$ 100,000.00	\$ -	\$ -	\$ -	\$ -	CIP CD20-02 \$100,000
Neighborhood Development (South 19th Street)	\$ -	\$ 400,000.00	\$ 400,000.00	\$ 100,000.00	\$ 500,000.00	
Neighborhood Development (Opportunities)	\$ 282,900.00		\$ 250,000.00	\$ -	\$ 250,000.00	
Neighborhood Development (TBD)	\$ 250,000.00		\$ 235,579.04	\$ -	\$ 235,579.04	
Neighborhood Development (South 13th St)	\$ 350,000.00		\$ -	\$ -	\$ -	
Mid-City Cleanup (Slum and Blight)	\$ 150,000.00	\$ 150,000.00	\$ -	\$ 50,000.00	\$ 50,000.00	Gen Fund CD-20-03 (\$50,000)
Mid-City Acquisitions (Storage Units) (Slum and Blight)	\$ -	\$ 850,000.00	\$ 850,000.00	\$ -	\$ 850,000.00	Acquisition, relocation, demolition (3 yrs slum and blight)
Blighted Program (22nd Ave and S 6th St)	\$ -	\$ -	\$ -	\$ -	\$ -	
Blighted Program (South End-1218 22nd Ave)	\$ 60,000.00	\$ -	\$ -	\$ -	\$ -	
Blighted (NWHS)	\$ 15,000.00	\$ -	\$ -	\$ -	\$ -	
<b>Total CD Projects</b>	<b>\$ 1,207,900.00</b>	<b>\$ 1,400,000.00</b>	<b>\$ 1,735,579.04</b>	<b>\$ 150,000.00</b>	<b>\$ 1,885,579.04</b>	
<b>Total CD Program and Projects</b>	<b>\$ 2,568,900.00</b>	<b>\$ 3,168,840.00</b>	<b>\$ 3,564,885.71</b>	<b>\$ 965,000.00</b>	<b>\$ 3,949,045.71</b>	

## SECTION II - 2017 COMMUNITY DEVELOPMENT PROGRAM AND PROJECT REVENUES

<b>Part I - CDBG Grants and Carryover</b>	<b>\$ Amounts</b>
CDBG 2019 Entitlement	\$ 900,000.00
CDBG COVID-19	580,840.00
Obligated Carryover	\$ 2,083,045.71
Unobligated Carryover	\$ -
Miscellaneous Fees or Refunds	\$ 1,000.00
<b>Subtotal - CDBG Grants and Unobligated Income</b>	<b>\$ 3,564,885.71</b>
<b>Part II - CDBG Obligated Program Income</b>	<b>\$ Amounts</b>
Home Improvement Program (Loan Payments)	\$ 15,000.00
Mid-City Corridor	\$ 50,000.00
Neighborhood Development (South 19th Street)	\$ 100,000.00
Lead Hazard Control Rehab	\$ 800,000.00
<b>Subtotal - CDBG Obligated Income</b>	<b>\$ 965,000.00</b>
<b>Total CD Program and Project Income</b>	<b>\$ 4,529,885.71</b>
	<b>\$ 0.00</b>

\* Program income includes the following activities: grant funds awarded, loan payments and CIP.

5/22/2020



**RESOLUTION NO. 20-152**

**A RESOLUTION APPROVING THE USE OF 2020 COMMUNITY DEVELOPMENT BLOCK GRANT-COVID 19 (CDBG-CV) FUNDS AND DIRECTING THE MAYOR TO SUBMIT THE 2019 AMENDMENT TO THE ANNUAL ACTION PLAN TO THE CITY OF OMAHA AND THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).**

- WHEREAS, the City of Council Bluffs, an entitlement community, annually receives CDBG funds from HUD; and
- WHEREAS, the City of Council Bluffs also receives CDBG-CV funds from HUD as an entitlement community; and
- WHEREAS, on May 27, 2020, the Community Development Advisory Committee held a public hearing via a Zoom Teleconference; and
- WHEREAS, the Community Development Department and the Community Development Advisory Committee received requests from the public for CDBG-CV funding; and
- WHEREAS, on May 27, 2020, the Community Development Advisory Committee prepared recommendations on said funding requests; and
- WHEREAS, it is the opinion of the City Council that it would be in the best interest of the City to allocate 2019 CDBG-CV funds as outlined in Attachment A.

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

That the projects listed in Attachment A with the corresponding 2020 CDBG-CV amounts are hereby approved.

**BE IT FURTHER RESOLVED**

That the Mayor is hereby directed to cause the preparation of a 2019 Amendment to the Annual Action Plan which outlines the proposed use of funds as required by the U.S. Department of Housing and Urban Development (HUD) and authorized to execute contracts with HUD for the use of the CDBG-CV funds.

ADOPTED  
AND  
APPROVED

June 8, 2020

---

Matthew J. Walsh, Mayor

---

Jodi Quakenbush, City Clerk



## Council Communication

Department: City Clerk  
Case/Project No.:  
Submitted by:

Liquor Licenses  
ITEM 7.A.

Council Action: 6/8/2020

### Description

1. Barley's, 114 W Broadway
2. Bike Night (Summer Special Events), 100 Block of W Broadway
3. Caddy Shack, 1426 4th Avenue
4. Latino Market, 1535 Avenue G
5. Salty Dog Bar and Grill, 2411 S 24th Street, Ste 6
6. Spillway Grill and Bar, 1840 Madison Avenue
7. StreetSide Lounge, 319 N 16th Street
8. Super Convenience Store, 2547 2nd Avenue
9. The Hub Fly Zone (New), 7 S 4th Street
10. Walgreens #03700, 535 E Broadway
11. Walgreens #04405, 2508 W Broadway
12. Walgreens #05306, 301 W Bennett Avenue

### Background/Discussion

#### Barleys

06-29-20—At 2:09 am, Officers patrolling the 100 block, noticed someone restraining a man in front of Barley's. It turned out to be the man's father. The man was arrested for public intoxication.

02-20-20—At 12:39 am, Officers were dispatched to Barley's for a man who had entered the bar and was causing a physical disturbance with another patron. The man left prior to the arrival of Officers.

#### Caddy Shack

07-18-19—At 10:52 pm, Officers were sent to Caddy Shack for an assault report. A male and female got into an argument inside the bar and then went to the parking lot, where the male assaulted the female. The male was arrested for aggravated domestic abuse.

#### Salty Dog Bar and Grill

09-02-19—At 1:56 am, Officers were dispatched to the Salty Dog for a disturbance. Upon arrival, they encountered a man standing outside, who was clearly intoxicated. The man was arrested for public intoxication.

#### The Spillway

09-20-19—At 9:54 pm, Officers were dispatched to The Spillway for Disturbance. The Officers did not locate any disturbance when they arrived.

There were no calls at the other listed businesses.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Applications	Resolution	6/3/2020









State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION  
[Home](#)  
[About](#)  
[Alcohol](#)  
[Tobacco](#)  
[Links](#)  
[Contact](#)

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <i>an</i>	Local Amt	
FIRE <i>AF</i>	Endorsed	
BUILDING <i>8</i>	Issued	
ZONING <i>10</i>	Expires	
	Council	

[Help](#)
[License Search](#)
[License List](#)
[On-Demand Reporting](#)
[Keg Registration Search](#)
[User Profile](#)
[Logoff](#)

- License
- Privileges
- Applicant
- Status Of Business
- Ownership
- Criminal History
- Premises
- General Premises
- Applicant Signature
- Dram Cert
- Local Endorse
- History

## Applicant LC0031431, Barley's, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen. The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor Name/Partnership Name(s): Repetitions, Inc. (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Barley's

Address of Premise: 114 W Broadway

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 322-0306

Cell / Home Phone:

Same Address

Mailing Address: 114 W. Broadway

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51503

Contact Name: Matt Johnson, Owner

Phone: (712) 332-0306

Email Address: barleysbar@gmail.com

[Prev](#)

[Next](#)

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

[Terms and Conditions](#)  
[Privacy Policy](#)

Copyright ©2009 State of Iowa  
Alcoholic Beverages Division. All Rights Reserved.





State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION

Home  
About  
Alcohol  
Tobacco  
Links  
Contact

<input type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input checked="" type="checkbox"/> SPECIAL EVENT
POLICE <u>CA</u>	Local Amt _____	
FIRE <u>Ar</u>	Endorsed _____	
BUILDING <u>SC</u>	Issued _____	
ZONING <u>CA</u>	Expires _____	
Council _____		

Help	License Search	<b>License List</b>	On-Demand Reporting	Keg Registration Search	User Profile	Logoff
------	----------------	---------------------	---------------------	-------------------------	--------------	--------

- ▶ License
- ▶ Privileges
- ▶ **Applicant**
- ▶ Status Of Business
- ▶ Ownership
- ▶ Criminal History
- ▶ Premises
- ▶ General Premises
- ▶ Applicant Signature
- ▶ Dram Cert
- ▶ Local Endorse
- ▶ History

## Applicant BW\_V\_92769, Bike Night, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.  
The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor Name/Partnership Name(s): 100 Block Events LLC (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Bike Night

Address of Premise: 100 Block of W Broadway

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (402) 659-2110

Cell / Home Phone:

Same Address

Mailing Address: 114 W Broadway

Mailing Address Line 2:

City: Council Bluffs

Zip: 51503

State: Iowa

Contact Name: Matt Johnson

Phone: (402) 659-2110

Email Address: mattj@barleysbar.com

Prev

Next

Follow us with RSS, Facebook or Twitter



### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

Terms and Conditions  
Privacy Policy

Copyright ©2009 State of Iowa  
Alcoholic Beverages Division. All Rights Reserved.





State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION  
Home  
About  
Alcohol  
Tobacco  
Links  
Contact

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <i>dr</i>	Local Amt	
FIRE <i>AF</i>	Endorsed	
BUILDING <i>SR</i>	Issued	
LOTTING <i>B</i>	Expires	
		Council

[Help](#)
[License Search](#)
[License List](#)
[On-Demand Reporting](#)
[Keg Registration Search](#)
[User Profile](#)
[Logoff](#)

- License
- Privileges
- Applicant
- Status Of Business
- Ownership
- Criminal History
- Premises
- General Premises
- Applicant Signature
- Dram Cert
- Local Endorse
- History

## Applicant LC0021161, Caddy Shack, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.  
The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor Name/Partnership Name(s): Caddy Shack, Inc. (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Caddy Shack

Address of Premise: 1426 4th Avenue

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501-0000

Business Phone: (402) 210-6500

Cell / Home Phone:

Same Address

Mailing Address: 5005 Providence Road

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51503

Contact Name: Robin Helm

Phone: (402) 210-6500

Email Address: robinhelm17@gmail.com

[Prev](#)

[Next](#)

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

[Terms and Conditions](#)  
[Privacy Policy](#)

Copyright ©2009 State of Iowa  
Alcoholic Beverages Division. All Rights Reserved.





State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION  
Home  
About  
Alcohol  
Tobacco  
Links  
Contact

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>CV</u>	Local Amt _____	
FIRE <u>AT</u>	Endorsed _____	
BUILDING <u>Se</u>	Issued _____	
ZONING <u>Se</u>	Expires _____	
Council _____		

[Help](#)
[License Search](#)
[License List](#)
[On-Demand Reporting](#)
[Keg Registration Search](#)
[User Profile](#)
[Logoff](#)

- License
- Privileges
- **Applicant**
- Status Of Business
- Ownership
- Criminal History
- Premises
- General Premises
- Applicant Signature
- Local Endorse
- History

## Applicant BC0030157, LATINO MARKET LLC, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen. The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor: LATINO MARKET LLC (Sole Proprietorship, Partnership, Corporation, etc.)

Name/Partnership Name(s): LATINO MARKET LLC

Name of Business (D/B/A): LATINO MARKET LLC

Address of Premise: 1535 AVE G COUNCIL BLUFFS IA 51501

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (402) 212-9608

Cell / Home Phone: (402) 212-9608

Same Address

Mailing Address: 1535 AVE G COUNCIL BLUFFS IA 51501

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51501

Contact Name: MARTHA RIOS

Phone: (402) 213-2775

Email Address: alfredollc@yahoo.com

[Prev](#)

[Next](#)

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

[Terms and Conditions](#)  
[Privacy Policy](#)

Copyright ©2009 State of Iowa  
Alcoholic Beverages Division. All Rights Reserved.





State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION  
[Home](#)  
[About](#)  
[Alcohol](#)  
[Tobacco](#)  
[Links](#)  
[Contact](#)

<input checked="" type="checkbox"/> RENEWAL <input type="checkbox"/> NEW TO SPECIAL EVENT	
POLICE <u>CR</u>	Local Amt _____
FIRE <u>AT</u>	Endorsed _____
BUILDING <u>SE</u>	Issued _____
ZONING <u>CB</u>	Expires _____
	Council _____

- |      |                |                     |                     |                         |              |        |
|------|----------------|---------------------|---------------------|-------------------------|--------------|--------|
| Help | License Search | <b>License List</b> | On-Demand Reporting | Keg Registration Search | User Profile | Logoff |
|------|----------------|---------------------|---------------------|-------------------------|--------------|--------|

- ▶ License
- ▶ Privileges
- ▶ **Applicant**
- ▶ Status Of Business
- ▶ Ownership
- ▶ Criminal History
- ▶ Premises
- ▶ General Premises
- ▶ Applicant Signature
- ▶ Dram Cert
- ▶ Local Endorse
- ▶ History

## Applicant LC0036936, The Salty Dog Bar and Grill , Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.  
The navigation links on the top may also be used to move around the application.

**Corporation Name/Sole Proprietor** Salty Dog Inc.

(Sole Proprietorship, Partnership, Corporation, etc.)

**Name/Partnership Name(s):**

**Name of Business (D/B/A):** The Salty Dog Bar and Grill

**Address of Premise:** 2411 South 24th Street, Suite 6

**Address Line 2:**

**City:** Council Bluffs ▼

**County:** Pottawattamie ▼

**Zip:** 51501

**Business Phone:** (402) 779-1041

**Cell / Home Phone:** (402) 779-1041

**Same Address**

**Mailing Address:** 2411 S 24th Street

**Mailing Address Line 2:** Suite 6

**City:** Council Bluffs

**Zip:** 51501

**State:** Iowa ▼

**Contact Name:** Jayme Cadwallader

**Phone:** (402) 779-1041

**Email Address:** Jayme@saltydogcb.com

**Prev**

**Next**

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

[Terms and Conditions](#)  
[Privacy Policy](#)

Copyright ©2009 State of Iowa  
Alcoholic Beverages Division. All Rights Reserved.





State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION  
[Home](#)  
[About](#)  
[Alcohol](#)  
[Tobacco](#)  
[Links](#)  
[Contact](#)

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <i>cm</i>	Local Amt _____	
FIRE <i>AF</i>	Endorsed _____	
BUILDING <i>8</i>	Issued _____	
ZONING <i>CB</i>	Expires _____	
Council _____		

[Help](#)
[License Search](#)
[License List](#)
[On-Demand Reporting](#)
[Keg Registration Search](#)
[User Profile](#)
[Logoff](#)

- License
- Privileges
- **Applicant**
- Status Of Business
- Ownership
- Criminal History
- Premises
- General Premises
- Applicant Signature
- Dram Cert
- Local Endorse
- History

## Applicant LC0035481, Spillway Grill and Bar, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen. The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor Name/Partnership Name(s): Klemco Inc (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Spillway Grill and Bar

Address of Premise: 1840 Madison Ave

Address Line 2: Ste 8,9,10&11

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 322-9261

Cell / Home Phone:

Same Address

Mailing Address: 1840 Madison Ave

Mailing Address Line 2: Ste 8,9,10&11

City: Council Bluffs

Zip: 51503

State: Iowa

Contact Name: Stephanie Coppock

Phone: (712) 322-9261

Email Address: klemco07@hotmail.com

[Prev](#)

[Next](#)

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

[Terms and Conditions](#)  
[Privacy Policy](#)

Copyright ©2009 State of Iowa  
Alcoholic Beverages Division. All Rights Reserved.





State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION  
[Home](#)  
[About](#)  
[Alcohol](#)  
[Tobacco](#)  
[Links](#)  
[Contact](#)

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>CL</u>	Local Amt _____	
FIRE <u>AF</u>	Endorsed _____	
BUILDING <u>2</u>	Issued _____	
ZONING <u>CD</u>	Expires _____	
	Council _____	

- |      |                |                     |                     |                         |              |        |
|------|----------------|---------------------|---------------------|-------------------------|--------------|--------|
| Help | License Search | <b>License List</b> | On-Demand Reporting | Keg Registration Search | User Profile | Logoff |
|------|----------------|---------------------|---------------------|-------------------------|--------------|--------|

- License
- Privileges
- **Applicant**
- Status Of Business
- Ownership
- Criminal History
- Premises
- General Premises
- Applicant Signature
- Dram Cert
- Local Endorse
- History

## Applicant LC0042687, StreetSide Lounge , Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.  
The navigation links on the top may also be used to move around the application.

**Corporation Name/Sole Proprietor Name/Partnership Name(s):** Wiclepok LLC (Sole Proprietorship, Partnership, Corporation, etc.)

**Name of Business (D/B/A):** StreetSide Lounge

**Address of Premise:** 319 N 16th Street

**Address Line 2:**

**City:** Council Bluffs

**County:** Pottawattamie

**Zip:** 51501

**Business Phone:** (206) 250-2886 **Cell / Home Phone:** (206) 250-2886

**Same Address**

**Mailing Address:** 1513 Avenue D

**Mailing Address Line 2:**

**City:** Council Bluffs **State:** Iowa

**Zip:** 51501

**Contact Name:** Tina M Kopelciw **Phone:** (206) 250-2886 **Email Address:** Tkopelciw@gmail.com

Prev

Next

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

[Terms and Conditions](#)  
[Privacy Policy](#)

Copyright ©2009 State of Iowa  
Alcoholic Beverages Division. All Rights Reserved



<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>CR</u>	Local Amt _____	
FIRE <u>AF</u>	Endorsed _____	
BUILDING <u>R</u>	Issued _____	
ZONING <u>CR</u>	Expires _____	
	Council _____	



State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION

Home  
About  
Alcohol  
Tobacco  
Links  
Contact

Help	License Search	License List	On-Demand Reporting	Keg Registration Search	User Profile	Logoff
------	----------------	--------------	---------------------	-------------------------	--------------	--------

- > License
- > Privileges
- > Applicant
- > Status Of Business
- > Ownership
- > Criminal History
- > Premises
- > General Premises
- > Applicant Signature
- > Bond Cert
- > Local Endorse
- > History

## Applicant LE0003095, Super Convenience Store, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen. The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor Name/Partnership Name(s): Super Convenience Store, LLC (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Super Convenience Store

Address of Premise: 2547 2nd Avenue

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (402) 612-0716

Cell / Home Phone:

Same Address

Mailing Address: 2547 2nd Avenue

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51501

Contact Name: Merhawi Kahsay

Phone: (402) 612-0716

Email Address: s.merhawi@yahoo.com

Prev

Next

Follow us with RSS, Facebook or Twitter



### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

Terms and Conditions  
Privacy Policy

Copyright ©2009 State of Iowa  
Alcoholic Beverages Division. All Rights Reserved.





State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION  
Home  
About  
Alcohol  
Tobacco  
Links  
Contact

<input type="checkbox"/> RENEWAL	<input checked="" type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>en</u>	Local Amt _____	
FIRE <u>AF</u>	Endorsed _____	
BUILDING <u>8</u>	Issued _____	
ZONING <u>19</u>	Expires _____	
Council _____		

Help	License Search	License List	On-Demand Reporting	Keg Registration Search	User Profile	Logoff
------	----------------	--------------	---------------------	-------------------------	--------------	--------

## Applicant BW\_V\_92779, The Hub Fly Zone, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen. The navigation links on the top may also be used to move around the application.

- License
- Privileges
- Applicant
- Status Of Business
- Ownership
- Criminal History
- Premises
- General Premises
- Applicant Signature
- Local Endorse
- History

Corporation Name/Sole Proprietor: The Hub  
Name/Partnership Name(s): \_\_\_\_\_ (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): The Hub Fly Zone

Address of Premise: 7 S 4th Street

Address Line 2: \_\_\_\_\_

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 310-2090

Cell / Home Phone: \_\_\_\_\_

Same Address

Mailing Address: PO Box 416

Mailing Address Line 2: \_\_\_\_\_

City: Council Bluffs

Zip: 51503

State: Iowa

Contact Name: Brooke Hubbard

Phone: (402) 490-0885

Email Address: thehubcb@gmail.com

Prev

Next

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

[Terms and Conditions](#)  
[Privacy Policy](#)

Copyright ©2009 State of Iowa  
Alcoholic Beverages Division. All Rights Reserved.





State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION  
Home  
About  
Alcohol  
Tobacco  
Links  
Contact

<input checked="" type="checkbox"/> RENEWAL		<input type="checkbox"/> NEW		<input type="checkbox"/> SPECIAL EVENT	
POLICE	<i>CM</i>	Local Amt			
FIRE	<i>AF</i>	Endorsed			
BUILDING	<i>SE</i>	Issued			
ZONING	<i>CS</i>	Expires			
		Council			

[Help](#)
[License Search](#)
[License List](#)
[On-Demand Reporting](#)
[Keg Registration Search](#)
[User Profile](#)
[Logoff](#)

- License
- Privileges
- **Applicant**
- Status Of Business
- Ownership
- Criminal History
- Premises
- General Premises
- Applicant Signature
- Bond Cert
- Local Endorse
- History

## Applicant LE0002188, Walgreens #03700, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen. The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor Name/Partnership Name(s): Walgreen Co. (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Walgreens #03700

Address of Premise: 535 E Broadway

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 329-0930

Cell / Home Phone:

Same Address

Mailing Address: 300 Wilmot Rd, MS 3301

Mailing Address Line 2:

City: Deerfield

State: Illinois

Zip: 60015

Contact Name: Toni Franklin

Phone: (847) 527-4402

Email Address: toni.franklin@walgreens.com

Prev

Next

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

[Terms and Conditions](#)  
[Privacy Policy](#)

Copyright ©2009 State of Iowa  
Alcoholic Beverages Division. All Rights Reserved.





State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION

Home  
About  
Alcohol  
Tobacco  
Links  
Contact

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <i>cn</i>	Local Amt _____	
FIRE <i>AF</i>	Endorsed _____	
BUILDING <i>8</i>	Issued _____	
ZONING <i>10</i>	Expires _____	
Council _____		

[Help](#)
[License Search](#)
[License List](#)
[On-Demand Reporting](#)
[Keg Registration Search](#)
[User Profile](#)
[Logoff](#)

## Applicant LE0002187, Walgreens #04405, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen. The navigation links on the top may also be used to move around the application.

- License
- Privileges
- Applicant
- Status Of Business
- Ownership
- Criminal History
- Premises
- General Premises
- Applicant Signature
- Bond Cert
- Local Endorse
- History

Corporation Name/Sole Proprietor: Walgreen Co. (Sole Proprietorship, Partnership, Corporation, etc.)

Name/Partnership Name(s):  
Name of Business (D/B/A): Walgreens #04405

Address of Premise: 2508 W Broadway

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 238-2266

Cell / Home Phone:

Same Address

Mailing Address: 302 Wilmet Rd, MS 3353

Mailing Address Line 2:

City: Deerfield

Zip: 60015

State: Illinois

Contact Name: Toni Franklin

Phone: (847) 527-4402

Email Address: taxlicenser renewals@walgreens.c

[Prev](#)

[Next](#)

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABO (866.469.2223)  
Local 515.281.7400

[Terms and Conditions](#)  
[Privacy Policy](#)

Copyright ©2009 State of Iowa  
Alcoholic Beverages Division. All Rights Reserved.





State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION  
[Home](#)  
[About](#)  
[Alcohol](#)  
[Tobacco](#)  
[Links](#)  
[Contact](#)

<input checked="" type="checkbox"/> RENEWAL <input type="checkbox"/> NEW <input type="checkbox"/> SPECIAL EVENT	
POLICE	Local Amt _____
FIRE	Endorsed _____
BUILDING	Issued _____
ZONING	Expires _____
Council _____	

[Help](#)
[License Search](#)
[License List](#)
[On-Demand Reporting](#)
[Keg Registration Search](#)
[User Profile](#)
[Logoff](#)

- License
- Privileges
- **Applicant**
- Status Of Business
- Ownership
- Criminal History
- Premises
- General Premises
- Applicant Signature
- Bond Cert
- Local Endorse
- History

## Applicant LE0002186, Walgreens #05306, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.  
The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor: Walgreen Co. (Sole Proprietorship, Partnership, Corporation, etc.)

Name/Partnership Name(s): Walgreen Co.

Name of Business (D/B/A): Walgreens #05306

Address of Premise: 301 W Bennett Ave

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 325-0619

Cell / Home Phone:

Same Address

Mailing Address: 302 Wilnot Rd, MS 3353

Mailing Address Line 2:

City: Deerfield

State: Illinois

Zip: 60015

Contact Name: Toni Franklin

Phone: (847) 527-4402

Email Address: taxlicenser renewals@walgreens.c

Prev

Next

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

[Terms and Conditions](#)  
[Privacy Policy](#)

Copyright ©2009 State of Iowa  
Alcoholic Beverages Division. All Rights Reserved.



**Instructions on the reverse side**

For period (MM/DD/YYYY) 7/1/2020 through June 30, 2021

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA D'S Xpress  
Physical Location Address 1220 N. 25th St. City Co Bluffs ZIP 51501  
Mailing Address 2924 N. Broadway City Co Bluffs State IA ZIP 51503  
Business Phone Number 712-322-2170

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐  
Name of sole proprietor, partnership, corporation, LLC, or LLP Trace Enterprises Inc.  
Mailing Address 714 Redwood Drive City Co Bluffs State IA ZIP 51503  
Phone Number 712-322-2170 Fax Number \_\_\_\_\_ Email ddoebelin@cox.net

**Retail Information:**

Types of Sales: Over-the-counter ☒ Vending machine ☐  
Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☒  
Types of Products Sold: (Check all that apply)  
Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☒ Vapor Products ☐

**Type of Establishment: (Select the option that best describes the establishment)**

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☒ Drug store ☐  
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐  
Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

**Signature of Owner(s), Partner(s), or Corporate Official(s)**

Name (please print) Don Doebelein Name (please print) \_\_\_\_\_  
Signature Don Doebelein Signature \_\_\_\_\_  
Date 5-1-2020 Date \_\_\_\_\_

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 6.8.2020
- Fill in the permit number issued by the city/county: 810719
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375



**Instructions on the reverse side**For period (MM/DD/YYYY) 7 / 1 / 2020 through June 30, 2021

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA Das Express  
Physical Location Address 2924 North Broadway City Co. Bluffs ZIP 51503  
Mailing Address Same City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
Business Phone Number 712-322-4403

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐  
Name of sole proprietor, partnership, corporation, LLC, or LLP Trace Enterprises Inc.  
Mailing Address 714 Redwood Drive City Co. Bluffs State IA ZIP 51503  
Phone Number 712-322-4403 Fax Number \_\_\_\_\_ Email ddoebelin@cox.net

**Retail Information:**

Types of Sales: Over-the-counter ☒ Vending machine ☐  
Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☒  
Types of Products Sold: (Check all that apply)  
Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☒ Vapor Products ☐

**Type of Establishment: (Select the option that best describes the establishment)**

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☒ Drug store ☐  
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐  
Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

**Signature of Owner(s), Partner(s), or Corporate Official(s)**

Name (please print) Don Doebelin Name (please print) \_\_\_\_\_  
Signature [Signature] Signature \_\_\_\_\_  
Date 5-21-2020 Date \_\_\_\_\_

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 6.8.2020
- Fill in the permit number issued by the city/county: 810720
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375



**Instructions on the reverse side**

For period (MM/DD/YYYY) 07 / 01 / 2020 through June 30, 2021

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA Dollar General Store #1574  
Physical Location Address 2731 E. Kanessville Blvd city Council Bluffs ZIP 51503  
Mailing Address 100 Mission Ridge city Goodlettsville State TN ZIP 37072  
Business Phone Number 712-796-0022

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☐ LLC ☒ LLP ☐  
Name of sole proprietor, partnership, corporation, LLC, or LLP Dolgencorp, LLC  
Mailing Address 100 Mission Ridge city Goodlettsville State TN ZIP 37072  
Phone Number 615 855 4000 Fax Number 877 364 4130 Email tax-beerandwine

license@dollargeneral.com

**Retail Information:**

Types of Sales: Over-the-counter ☒ Vending machine ☐  
Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☒  
Types of Products Sold: (Check all that apply)  
Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☐ Vapor Products ☐

**Type of Establishment: (Select the option that best describes the establishment)**

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☐ Drug store ☐  
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐  
Has vending machine that assembles cigarettes ☐ Other ☒ Retail-General Merch

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

**Signature of Owner(s), Partner(s), or Corporate Official(s)**

Name (please print) Kelly Harper Name (please print) \_\_\_\_\_  
Signature Kelly Harper Signature \_\_\_\_\_  
Date 5/1/2020 Date \_\_\_\_\_

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100
- Fill in the date the permit was approved by the council or board: 6-8-20
- Fill in the permit number issued by the city/county: 813837
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375



**Instructions on the reverse side**

For period (MM/DD/YYYY) 04/01 / 2020 through June 30, 2021

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA HyVee Food Stores #2  
Physical Location Address 1745 Madison Ave City Council Bluffs ZIP 51503  
Mailing Address SAME City \_\_\_\_\_ State Ia ZIP \_\_\_\_\_  
Business Phone Number 712-322-9260

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐  
Name of sole proprietor, partnership, corporation, LLC, or LLP \_\_\_\_\_  
Mailing Address \_\_\_\_\_ City HYVEE FOOD STORES INC. ZIP \_\_\_\_\_  
Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_  
5520 Westown Parkway  
West Des Moines, IA 50260

**Retail Information:**

Types of Sales: Over-the-counter ☒ Vending machine ☐  
Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☒  
Types of Products Sold: (Check all that apply)  
Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☐ Vapor Products ☐

**Type of Establishment: (Select the option that best describes the establishment)**

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☐ Drug store ☐  
Grocery store ☒ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐  
Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

**Signature of Owner(s), Partner(s), or Corporate Official(s)**

Name (please print) Mitch Streit, Director Name (please print) \_\_\_\_\_  
Signature \_\_\_\_\_ Signature \_\_\_\_\_  
Date 5/14/20 Date \_\_\_\_\_

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 6.8.2020
- Fill in the permit number issued by the city/county: 812 982
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375



Iowa Department of  
**REVENUE**

**Iowa Retail Permit Application  
for Cigarette/Tobacco/Nicotine/Vapor**

<https://tax.iowa.gov>

**Instructions on the reverse side**

For period (MM/DD/YYYY) 06 / 30 / 2020 through June 30, 21

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA REW, Inc. The Hut  
Physical Location Address 1925 W. Broadway City Council Bluffs ZIP 51501  
Mailing Address 1925 W. Broadway City Council Bluffs State IA ZIP 51501  
Business Phone Number 712-325-0199

**Legal Ownership Information:**

Type of Ownership: ☐ Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐  
Name of sole proprietor, partnership, corporation, LLC, or LLP \_\_\_\_\_  
Mailing Address P.O. Box 358 City Osawa State IA ZIP 51040  
Phone Number 402-321-5593 Fax Number 712-433-1002 Email woodie292@aol.com

**Retail Information:**

Types of Sales: Over-the-counter ☒ Vending machine ☐  
Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☒  
Types of Products Sold: (Check all that apply)  
Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☒ Vapor Products ☒

**Type of Establishment: (Select the option that best describes the establishment)**

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☒ Drug store ☐  
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐  
Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

**Signature of Owner(s), Partner(s), or Corporate Official(s)**

\* Name (please print) John Greywieser Name (please print) \_\_\_\_\_  
\* Signature [Signature] Signature \_\_\_\_\_  
\* Date 6/24/20 Date \_\_\_\_\_

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

**FOR CITY CLERK/COUNTY AUDITOR ONLY -- MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 6.8.2020
- Fill in the permit number issued by the city/county: 810764
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [tapledge@iowaabd.com](mailto:tapledge@iowaabd.com)
- Fax: 515-281-7375

70-014a (06/22/17)



**Instructions on the reverse side**For period (MM/DD/YYYY) 07 / 01 / 2020 through June 30, 2021

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA Heartland Co-op/Lakeside Ampride  
Physical Location Address 4040 S Expressway City Council Bluffs ZIP 51501  
Mailing Address Same City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
Business Phone Number 712-366-1132

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐  
Name of sole proprietor, partnership, corporation, LLC, or LLP Heartland Co-op  
Mailing Address 2829 Westown Pkwy City West Des Moines State IA ZIP 50266  
Phone Number 515-225-1334 Fax Number 712-323-7667 Email gfellman@heartlandco-op.com

**Retail Information:**

Types of Sales: Over-the-counter ☒ Vending machine ☐  
Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☒  
Types of Products Sold: (Check all that apply)  
Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☐ Vapor Products ☐

**Type of Establishment: (Select the option that best describes the establishment)**

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☒ Drug store ☐  
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐  
Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

**Signature of Owner(s), Partner(s), or Corporate Official(s)**

Name (please print) Heartland Co-op is Name (please print) Gary Fellman  
Signature owned by it's Members. Signature [Signature]  
Date \_\_\_\_\_ Date 4/23/20

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 6.8.2020
- Fill in the permit number issued by the city/county: 812657
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375



**Instructions on the reverse side**

For period (MM/DD/YYYY) 07 / 01 / 2020 through June 30, 2021

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA I-80 Liquor  
Physical Location Address 2411 S 24th St City Council Bluffs ZIP 51503  
Mailing Address 2411 S 24th St City Council Bluffs State IA ZIP 51501  
Business Phone Number 712-323-1807

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐  
Name of sole proprietor, partnership, corporation, LLC, or LLP J+R Liquor  
Mailing Address 2411 S 24th St City CB State IA ZIP 51501  
Phone Number 712-323-1807 Fax Number \_\_\_\_\_ Email \_\_\_\_\_

**Retail Information:**

Types of Sales: Over-the-counter ☒ Vending machine ☐  
Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☒ No ☐  
Types of Products Sold: (Check all that apply)  
Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☐ Vapor Products ☒

**Type of Establishment: (Select the option that best describes the establishment)**

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☐ Drug store ☐  
Grocery store ☐ Hotel/motel ☐ Liquor store ☒ Restaurant ☐ Tobacco store ☐  
Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

**Signature of Owner(s), Partner(s), or Corporate Official(s)**

Name (please print) Brandon Ivan Name (please print) \_\_\_\_\_  
Signature Brandon Ivan Signature \_\_\_\_\_  
Date 5/15/20 Date \_\_\_\_\_

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 6.8.2020
- Fill in the permit number issued by the city/county: 812981
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375



**Instructions on the reverse side**For period (MM/DD/YYYY) 06 / 01 / 2020 through June 30, 2021

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA Pheromones Glass + Gifts  
Physical Location Address 1417 W Broadway City CB ZIP 51501  
Mailing Address same Suite B City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
Business Phone Number 712-323-0404

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☐ LLC ☒ LLP ☐  
Name of sole proprietor, partnership, corporation, LLC, or LLP Pheromones Glass + Gifts, LLC  
Mailing Address 1417 W Broadway City CB State IA ZIP 51501  
Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_ Email \_\_\_\_\_

**Retail Information:**

Types of Sales: Over-the-counter ☒ Vending machine ☐  
Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☒  
Types of Products Sold: (Check all that apply)  
Cigarettes ☐ Tobacco ☒ Alternative Nicotine Products ☐ Vapor Products ☐

**Type of Establishment: (Select the option that best describes the establishment)**

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☐ Drug store ☐  
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐  
Has vending machine that assembles cigarettes ☐ Other ☒ Retail

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

**Signature of Owner(s), Partner(s), or Corporate Official(s)**

→ Name (please print) Farah Froehlich Name (please print) Rodney Froehlich  
→ Signature Farah Froehlich Signature R. Froehlich  
Date 5-10-2020 Date \_\_\_\_\_

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 6.8.2020
- Fill in the permit number issued by the city/county: 810718
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375



**Instructions on the reverse side**

For period (MM/DD/YYYY) 07 / 01 / 2020 through June 30, 2021

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA Pilot Travel Center #329

Physical Location Address 2647 South 24th Street City Council Bluffs ZIP 51501

Mailing Address Attn: Tax Dept PO Box 10146 City Knoxville State TN ZIP 37939

Business Phone Number 712-322-0088

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☐ LLC ☒ LLP ☐

Name of sole proprietor, partnership, corporation, LLC, or LLP Pilot Travel Centers LLC

Mailing Address 5508 Lonas Drive City Knoxville State TN ZIP 37909

Phone Number 865-588-7488 Fax Number 865-297-1203 Email Kevin.crawford@pilottravelcenters.com

**Retail Information:**

Types of Sales: Over-the-counter ☒ Vending machine ☐

Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☒

Types of Products Sold: (Check all that apply)

Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☒ Vapor Products ☒

**Type of Establishment: (Select the option that best describes the establishment)**

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☒ Drug store ☐  
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐

Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

**Signature of Owner(s), Partner(s), or Corporate Official(s)**

Name (please print) Kristin Seabrook, VP General Counsel, Secretary

Signature [Signature]

Date 5-4-20

Name (please print) \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 6-8-2020
- Fill in the permit number issued by the city/county: 810715
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375



**Instructions on the reverse side**

For period (MM/DD/YYYY) 07 / 01 / 2020 through June 30, 2021

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA Romantik Council Bluffs

Physical Location Address 3216 1st Avenue City Council Bluffs ZIP 51501-3353

Mailing Address 4655 Colorado Blvd. City Denver State CO ZIP 80216-3217

Business Phone Number (712) 328-2673

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐

Name of sole proprietor, partnership, corporation, LLC, or LLP Books, Inc.

Mailing Address 4655 Colorado Blvd. City Denver State CO ZIP 80216-3217

Phone Number (303) 377-2331 Fax Number \_\_\_\_\_ Email compliance@romantikinc.com

**Retail Information:**

Types of Sales: Over-the-counter ☒ Vending machine ☐

Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☒

Types of Products Sold: (Check all that apply)

Cigarettes ☐ Tobacco ☒ Alternative Nicotine Products ☐ Vapor Products ☐

**Type of Establishment: (Select the option that best describes the establishment)**

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☐ Drug store ☐  
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐

Has vending machine that assembles cigarettes ☐ Other ☒ Adult entertainment, books & videos

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

**Signature of Owner(s), Partner(s), or Corporate Official(s)**

Name (please print) Steven D. Brown, President

Signature [Signature]

Date 5/13/20

Name (please print) \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100
- Fill in the date the permit was approved by the council or board: 6-8-20
- Fill in the permit number issued by the city/county: 813838
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375



**Instructions on the reverse side**For period (MM/DD/YYYY) 07 / 01 / 2021 through June 30, 2021

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA Speedee Mart 1512  
Physical Location Address 3624 9th Ave City Council Bluffs ZIP 51501  
Mailing Address PO Box 10 City Valentine State NE ZIP 69201  
Business Phone Number 712 322-9731

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☐ LLC ☒ LLP ☐  
Name of sole proprietor, partnership, corporation, LLC, or LLP Western Oil II LLC  
Mailing Address PO Box 10 City Valentine State NE ZIP 69201  
Phone Number 402 376 2224 Fax Number 402 376 2226 Email susan@danielskifarms.com

**Retail Information:**

Types of Sales: Over-the-counter ☒ Vending machine ☐  
Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☐  
Types of Products Sold: (Check all that apply)  
Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☐ Vapor Products ☒

**Type of Establishment: (Select the option that best describes the establishment)**

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☒ Drug store ☐  
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐  
Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

**Signature of Owner(s), Partner(s), or Corporate Official(s)**

Name (please print) Thomas Danielski Name (please print) \_\_\_\_\_  
Signature [Signature] Signature \_\_\_\_\_  
Date 5/13/20 Date \_\_\_\_\_

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 6.8.2020
- Fill in the permit number issued by the city/county: 812658
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375



**Instructions on the reverse side**

For period (MM/DD/YYYY) \_\_\_\_/\_\_\_\_/\_\_\_\_ through June 30, \_\_\_\_

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA SUPER convenience store LLC  
Physical Location Address 2547 2nd AVE City COUNCIL BLUFFS ZIP 51501  
Mailing Address 2547 2nd AVE City COUNCIL BLUFFS State IA ZIP 51501  
Business Phone Number 712-435-6183

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☐ LLC ☒ LLP ☐  
Name of sole proprietor, partnership, corporation, LLC, or LLP SUPER convenience store LLC  
Mailing Address 2547 2nd AVE City COUNCIL BLUFFS State IA ZIP 51501  
Phone Number 712-435-6183 Fax Number \_\_\_\_\_ Email s.merhawi@yahoo.com

**Retail Information:** 402-612-0716

Types of Sales: Over-the-counter ☒ Vending machine ☐

Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☒

Types of Products Sold: (Check all that apply)

Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☐ Vapor Products ☒

**Type of Establishment: (Select the option that best describes the establishment)**

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☒ Drug store ☐  
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐  
Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

**Signature of Owner(s), Partner(s), or Corporate Official(s)**

Name (please print) Merhawi Kahsai Name (please print) \_\_\_\_\_  
Signature [Signature] Signature \_\_\_\_\_  
Date 05-11-20 Date \_\_\_\_\_

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 6.8.2020
- Fill in the permit number issued by the city/county: 810711
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375



**Instructions on the reverse side**

For period (MM/DD/YYYY) 06/01/2020 through June 30, 2021

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA Super Quik Stop

Physical Location Address 2800 Twin City Dr City Council Bluffs ZIP 51501

Mailing Address 2800 Twin City Dr City Council Bluffs State IA ZIP 51501

Business Phone Number (712) 366 2375

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☐ LLC ☒ LLP ☐

Name of sole proprietor, partnership, corporation, LLC, or LLP Blue Mile LLC

Mailing Address 2800 Twin City Dr City Council Bluffs State IA ZIP 51501

Phone Number (712) 366 2375 Fax Number \_\_\_\_\_ Email amissganeu@gmail.com

**Retail Information:**

Types of Sales: Over-the-counter ☒ Vending machine ☐

Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☒

Types of Products Sold: (Check all that apply)

Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☐ Vapor Products ☒

**Type of Establishment: (Select the option that best describes the establishment)**

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☒ Drug store ☐  
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐

Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

**Signature of Owner(s), Partner(s), or Corporate Official(s)**

Name (please print) Bisette D. Misganeu

Signature [Signature]

Date 05/11/2020

Name (please print) Negus M Gebremariam

Signature [Signature]

Date 05-11-2020

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 6.8.2020
- Fill in the permit number issued by the city/county: 810766
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375



**Instructions on the reverse side**

For period (MM/DD/YYYY) 7 / 01 / 2020 through June 30, 2021

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA SUPER SAVER #12

Physical Location Address 1141 N BROADWAY City COUNCIL BLUFFS ZIP 51503

Mailing Address 114 N BROADWAY City COUNCIL BLUFFS State IA ZIP 51503

Business Phone Number 712-322-8778

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐

Name of sole proprietor, partnership, corporation, LLC, or LLP B+R Stores, Inc

Mailing Address 4554 W Street City Lincoln State NE ZIP 68503

Phone Number 402-464-6297 Fax Number 402-434-5133 Email accounting@brstores.com

**Retail Information:**

Types of Sales: Over-the-counter ☒ Vending machine ☐

Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☒

Types of Products Sold: (Check all that apply)

Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☒ Vapor Products ☒

**Type of Establishment: (Select the option that best describes the establishment)**

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☐ Drug store ☐  
Grocery store ☒ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐

Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

**Signature of Owner(s), Partner(s), or Corporate Official(s)**

Name (please print) KIPP ITEMARK

Name (please print) \_\_\_\_\_

Signature [Signature]

Signature \_\_\_\_\_

Date 5-5-20

Date \_\_\_\_\_

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 6.8.2020
- Fill in the permit number issued by the city/county: 810714
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375



**Instructions on the reverse side**

For period (MM/DD/YYYY) 06 / 30 / 2020 through June 30, 21

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA JNS, INC DBA Tobacco Hut # 20  
Physical Location Address 429 Vets. Mem. Hwy. City Council Bluffs ZIP 51501  
Mailing Address 429 Vets. Mem. Hwy. City Council Bluffs State IA ZIP 51501  
Business Phone Number 312-856-1295

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐  
Name of sole proprietor, partnership, corporation, LLC, or LLP John Greuniesen  
Mailing Address P.O. Box 358 City Dracena State IA ZIP 51040  
Phone Number 402-321-5593 Fax Number 312-433-1000 Email Woodle29@iol.com

**Retail Information:**

Types of Sales: Over-the-counter ☒ Vending machine ☐  
Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☒ No ☐  
Types of Products Sold: (Check all that apply)  
Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☒ Vapor Products ☒

**Type of Establishment: (Select the option that best describes the establishment)**

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☒ Drug store ☐  
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐  
Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

**Signature of Owner(s), Partner(s), or Corporate Official(s)**

Name (please print) John Greuniesen Name (please print) \_\_\_\_\_  
Signature [Signature] Signature \_\_\_\_\_  
Date 4/24/20 Date \_\_\_\_\_

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 6.8.2020
- Fill in the permit number issued by the city/county: 810717
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375



# Iowa Department of REVENUE

## Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor

<https://tax.iowa.gov>

### Instructions on the reverse side

For period (MM/DD/YYYY) 07 / 01 / 2020 through June 30, 2021

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

### Business Information:

Trade Name/DBA TravelCenters of America  
Physical Location Address 3210 South Seven Grand Council Bluffs ZIP 51501  
Mailing Address 255 Washington Street City Newton State MA ZIP 02458  
Business Phone Number 712-366-2217

### Legal Ownership Information:

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☐ LLC ☒ LLP ☐  
Name of sole proprietor, partnership, corporation, LLC, or LLP TA Operating LLC  
Mailing Address 255 Washington Street City Newton State MA ZIP 02458  
Phone Number 6177968343 Fax Number 6179694697 Email dmichelson@ta-petrol.com

### Retail Information:

Types of Sales: Over-the-counter ☒ Vending machine ☐  
Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☐  
Types of Products Sold: (Check all that apply)  
Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☒ Vapor Products ☒

### Type of Establishment: (Select the option that best describes the establishment)

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☒ Drug store ☐  
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐  
Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

### Signature of Owner(s), Partner(s), or Corporate Official(s)

Name (please print) Mark R. Young Executive Vice President & General Counsel  
Signature By Mark Young  
Date 5/5/2020

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

### FOR CITY CLERK/COUNTY AUDITOR ONLY - MUST BE COMPLETE

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 6.8.2020
- Fill in the permit number issued by the city/county: 810716
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375



**Instructions on the reverse side**For period (MM/DD/YYYY) 07 / 01 / 20 through June 30, 2021

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA Walgreens # 3700  
Physical Location Address 535 E. Broadway City Council Bluffs ZIP 51503  
Mailing Address 535 E. Broadway City Council Bluffs State IA ZIP 51503  
Business Phone Number 712-329-0930

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐  
Name of sole proprietor, partnership, corporation, LLC, or LLP Walgreen Co  
Mailing Address PO Box 901 City Deerfield State IL ZIP 60015  
Phone Number 847-527-4402 Fax Number 847368-6525 Email taxlicenser renewals@walgreens.com

**Retail Information:**

Types of Sales: Over-the-counter ☒ Vending machine ☐  
Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☒  
Types of Products Sold: (Check all that apply)  
Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☐ Vapor Products ☐

**Type of Establishment: (Select the option that best describes the establishment)**

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☐ Drug store ☒  
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐  
Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

**Signature of Owner(s), Partner(s), or Corporate Official(s)**

Name (please print) Susan Halliday, Corporate Officer Name (please print) \_\_\_\_\_  
Signature Susan Halliday Signature \_\_\_\_\_  
Date 5/14/20 Date \_\_\_\_\_

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100
- Fill in the date the permit was approved by the council or board: 6-8-20
- Fill in the permit number issued by the city/county: 813833
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375



**Instructions on the reverse side**

For period (MM/DD/YYYY) 07 / 01 / 20 through June 30, 2021

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA Walgreens # 4405  
Physical Location Address 2508 W. Broadway City Council Bluffs ZIP 51501  
Mailing Address 2508 W. Broadway City Council Bluffs State IA ZIP 51501  
Business Phone Number 712-328-2266

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐  
Name of sole proprietor, partnership, corporation, LLC, or LLP Walgreen Co  
Mailing Address PO Box 901 City Deerfield State IL ZIP 60015  
Phone Number 847-527-4402 Fax Number 847368-6525 Email taxlicenser renewals@walgreens.com

**Retail Information:**

Types of Sales: Over-the-counter ☒ Vending machine ☐  
Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☒  
Types of Products Sold: (Check all that apply)  
Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☐ Vapor Products ☐

**Type of Establishment: (Select the option that best describes the establishment)**

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☐ Drug store ☒  
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐  
Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

**Signature of Owner(s), Partner(s), or Corporate Official(s)**

Name (please print) Susan Halliday, Corporate Officer Name (please print) \_\_\_\_\_  
Signature Susan Halliday Signature \_\_\_\_\_  
Date 9/14/20 Date \_\_\_\_\_

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100
- Fill in the date the permit was approved by the council or board: 6-8-20
- Fill in the permit number issued by the city/county: 813835
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375



**Instructions on the reverse side**For period (MM/DD/YYYY) 07 / 01 / 20 through June 30, 2021

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA Walgreens #5306  
Physical Location Address 301 W. Bennett Ave. City Council Bluffs ZIP 51503  
Mailing Address 301 W. Bennett Ave City Council Bluffs State IA ZIP 51503  
Business Phone Number 112-325-0619

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐  
Name of sole proprietor, partnership, corporation, LLC, or LLP Walgreen Co  
Mailing Address PO Box 901 City Deerfield State IL ZIP 60015  
Phone Number 847-527-4402 Fax Number 847368-6525 Email taxlicenser renewals@walgreens.com

**Retail Information:**

Types of Sales: Over-the-counter ☒ Vending machine ☐  
Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☒  
Types of Products Sold: (Check all that apply)  
Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☐ Vapor Products ☐

**Type of Establishment: (Select the option that best describes the establishment)**

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☐ Drug store ☒  
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐  
Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

**Signature of Owner(s), Partner(s), or Corporate Official(s)**

Name (please print) Susan Halliday, Corporate Officer Name (please print) \_\_\_\_\_  
Signature Susan Halliday Signature \_\_\_\_\_  
Date 5/14/20 Date \_\_\_\_\_

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100
- Fill in the date the permit was approved by the council or board: 6-8-20
- Fill in the permit number issued by the city/county: 813836
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375



## Council Communication

Department: Community

Development

Case/Project No.: OTB-20-006

Submitted by: Chris Meeks,

Planner

Citizen's Request to be Heard  
ITEM 8.A.

Council Action: 6/8/2020

### Description

Request of PL Storage Solutions LLC to purchase City-owned property legally described as the East 14 feet of Lot 29, the entirety of Lot 30, and the West 6 feet of Lot 31, all in Block 2, Twin City Place, and the South half of the vacated alley adjacent. Location: the property was formerly addressed as 2710 2nd Avenue. OTB-20-006

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
OTB-20-006 Staff Report	Other	5/28/2020
OTB-20-006 Attachment A	Letter	5/29/2020
OTB-20-006 Attachment B	Map	5/28/2020



## Council Communication

Department: Community Development  CASE #OTB-20-006  Applicant: PL Storage Solutions, LLC Attn: Petra R. Ladd P.O. Box 1812 Council Bluffs, IA 51502	Citizen Request to be Heard	Meeting Date: 6/8/2020
<b>Subject/Title</b>		
Request of PL Storage Solutions LLC, represented by Petra R. Ladd, to purchase City-owned property legally described as the East 14 feet of Lot 29, the entirety of Lot 30, and the West 6 feet of Lot 31, all in Block 2, Twin City Place, and the South half of the vacated alley adjacent, City of Council Bluffs, Pottawattamie County, Iowa		
<b>Background/Discussion</b>		
<p>The City has received an inquiry from PL Storage Solutions LLC, represented by Petra R. Ladd, to purchase City-owned property which was formerly addressed as 2710 2<sup>nd</sup> Avenue. The property is legally described as the East 14 feet of Lot 29, the entirety of Lot 30, and the West 6 feet of Lot 31, all in Block 2, Twin City Place, and the South half of the vacated alley adjacent, City of Council Bluffs, Pottawattamie County, Iowa.</p> <p>The subject property was recently acquired by the City of Council Bluffs through the 657a legal process, and the dilapidated residential dwelling which was located on the property was demolished due to the state of disrepair. The applicant wishes to purchase the property to expand their storage facility, which is located North of the subject property and is addressed as 106 S. 27<sup>th</sup> Street.</p> <p>The subject property is classified as ‘transitional preserve’. At this time, the Community Development Department requests that the property remain classified as ‘transitional preserve’, and the City retains ownership of the parcel to allow the parcel to potentially be redeveloped in the future. The City of Council Bluffs owns multiple properties in the West Broadway Corridor, in which the parcel is located, and has made significant investments to facilitate redevelopment in the vicinity. The subject parcel could be in the area of future redevelopment, and retaining ownership of the parcel could be an important piece in supporting this redevelopment. Sale of the subject property could hinder future redevelopment in the area, as re-purchasing the subject property could provide challenges to said developer that could be overly burdensome on the project.</p> <p>Per the adopted Inventory and Disposal Policy for Surplus City Property adopted on April 23, 2019, an unappraised parcel with no recent assessed value should be valued using the Street, Alley and Public Ground Vacation fee schedule, which places the land value of this parcel at \$10,795.00. The applicant has offered \$10,795.00 to purchase the subject property, and has submitted a down payment of \$1,079.50.</p>		



According to the Inventory and Disposal Policy for Surplus City Property adopted on April 23, 2018, the City Council has the option to approve or deny this request. Approval of the request would mean initiating the process for this property to be treated as surplus property, including routing the request for comments from other City departments, setting a public hearing date, and a public hearing for the disposal of the property. Denial of the request would complete the process with no sale of the property.

**Recommendation**

The Community Development Department recommends **Denial** of the request, and the parcel remaining classified as ‘transitional preserve’ under the ownership of the City of Council Bluffs.

1. The applicants submitted down payment will be refunded, though the administrative fee will not be refunded, per the adopted Disposal Policy for Surplus City Property.

**Attachment A:** Letter from Brandon Garrett to PL Storage Solutions LLC

**Attachment B:** Location map

**Prepared By:** Chris Meeks, Community Development Department



ATTACHMENT A



COMMUNITY DEVELOPMENT  
(712) 890-5350

May 29, 2020

PL Storage Solutions, LLC  
Attn: Petra R. Ladd  
P.O. Box 1812  
Council Bluffs, IA 51502

Dear Ms. Ladd:

You recently contacted Community Development Department staff with an inquiry to purchase a city owned property that is legally described as the East 14 feet of Lot 29, the entirety of Lot 30, and the West 6 feet of Lot 31, all in Block 2, Twin City Place, and the South half of the vacated alley adjacent, City of Council Bluffs, Pottawattamie County, Iowa. The Parcel Identification Number for this property is 754434203007 and was formerly addressed as 2710 2<sup>nd</sup> Avenue. This letter is to inform you that the property is classified as 'Transitional Preserve', which means the City of Council Bluffs is not actively marketing the property for sale at this time.

Per the adopted Inventory and Disposal Policy for Surplus City Property, you can request that the City Council review your application to purchase the subject property. Per previous conversations with Staff, this request will be submitted to the City Clerk of the City of Council Bluffs, where your case will be placed on the next regularly scheduled Council agenda for which it has been timely filed. If the Council chooses to hear this case based on your request, the procedures for the sale of any surplus city property will be initiated, which will include two additional City Council hearings.

Attached to this letter, you will find a map that shows the property you wish to purchase and a Staff Report explaining the Community Development's reasons for the property remaining under the ownership of the City of Council Bluffs. The Community Development Department has assigned Case #OTB-20-006 to this request.

If you have any questions or require anything further, please do not hesitate to contact our office.

Sincerely,

Brandon Garrett  
Director of Community Development  
Community Development Department



