



**Study Session Agenda  
City of Council Bluffs, Iowa  
April 26, 2021, 3:45 PM  
Council Chambers, 2nd Floor, City Hall  
209 Pearl Street**

**STUDY SESSION AGENDA**

- A. Pottawattamie County Community Foundation - Donna Dostal
- B. Review Agenda



**Council Agenda, City of Council Bluffs, Iowa  
Regular Meeting April 26, 2021, 7:00 PM  
Council Chambers, 2nd Floor, City Hall  
209 Pearl Street**

**AGENDA**

**1. PLEDGE OF ALLEGIANCE**

**2. CALL TO ORDER**

**3. CONSENT AGENDA**

- A. Approval of Agenda and tape recordings of these proceedings to be incorporated into the official minutes.
- B. Reading, correction and approval of the April 12, 2021 City Council Meeting Minutes.
- C. Ordinance 6452

Ordinance to amend the zoning map as adopted by reference in section 15.02.070, and setting a Public Hearing for May 10, 2021 at 7:00 p.m., by rezoning property legally described as the East 1/2 of Lot 3 and Lots 4 through 12, Auditor's Subdivision, more specifically described in the Council Packet, from R-1/Single-Family Residential District to R-2/Two-Family Residential District as defined in Chapter 15.09. Location: 20, 40 and 100 Norton Avenue, 1326 North Broadway, and an undeveloped parcel of land west of 100 Norton Avenue. ZC-21-004

- D. Ordinance 6453

Ordinance to amend the zoning map as adopted by reference in Section 15.02.070, and setting a Public Hearing for May 10, 2021 at 7:00 p.m., by rezoning property legally described as Lot 2, Arbor Creek Subdivision from A-2/Parks, Estates, and Agricultural District to R-2/Two-Family Residential District as defined in Chapter 15.09, and appending a PR/Planned Residential Overlay as defined in Chapter 15.28 of the Municipal Code of Council Bluffs, Iowa, to said property. Location: Undeveloped land lying south of 1020 Railroad Avenue. ZC-21-002



E. Ordinance 6454

Ordinance to amend the zoning map as adopted by reference in Section 15.02.070, and setting a Public Hearing for May 10, 2021 at 7:00 p.m., by rezoning property legally described as Lot 1, Franklin Heights Subdivision from A-P/Administrative Professional District to R-2/Two-Family Residential District, as defined in Chapter 15.09., and appending a P-R/Planned Residential Overlay onto said property as defined in Chapter 15.28 of the Municipal Code of Council Bluffs. Location: Northwest corner of Franklin and Bennett Avenues. ZC-21-003

F. Resolution 21-114

Resolution setting a public hearing for May 10th, 2021 for the proposed amendment to the City's budget for the fiscal year ending June 30, 2021

G. Resolution 21-115

Resolution setting a public hearing for 7:00 p.m. on May 10, 2021 for the East Manawa Sewer Rehab, Phase X. Project # PW22-09

H. Resolution 21-116

Resolution accepting the work of Judds Bros. Construction Co. as complete and authorizing release of the retainage after 30 days if no claims are filed in connection with the 6th Avenue Pump Station Trash Rack Rehab. Project #PW20-14

I. Resolution 21-117

Resolution setting a public hearing for 7:00 p.m. on May 10, 2021 for the South 1st Street Neighborhood Rehab, Phase XII. Project # PW22-12

J. Resolution 21-119

Resolution determining the necessity and setting dates of a consultation and a public hearing on the New Horizon Urban Renewal Area for the City of Council Bluffs.

K. Mayor's Appointment

L. 2020 City Planning Commission Annual Report (R&F)

M. February FY21 Financial Reports

N. Claims

**4. PUBLIC HEARINGS**

A. Resolution 21-118

Resolution authorizing an application to apply for FY2022 State Transit Assistance through the Iowa Department of Transportation.

B. Resolution 21-120

Resolution approving the plans and specifications and form of contract for the Hillside Estates Subdivision Infrastructure Project.

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

### **A. Ordinance 6449**

Ordinance approving the 2021 Amendment to the South Pointe Urban Revitalization Area. Location: The northwest corner of the intersection of South 24th Street and Veterans Memorial Highway. URV-21-006

### **B. Ordinance 6450**

An Ordinance to amend Chapter 9.16 "Signs and Signals" of the 2020 Municipal Code of Council Bluffs, Iowa, by Section 9.16.055 "Automated Red Light Enforcement".

### **C. Ordinance 6451**

Ordinance amending the South Main Urban Renewal Area to removing the "2021 Removal Parcel" from the TIF District.

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

### **A. Ordinance 6447**

Ordinance to amend the zoning map as adopted by reference in section 15.02.070 by rezoning property legally described as Lot 3 and the Westerly 60 feet of Lot 5, Auditor's Subdivision of the SE 1/4 SE 1/4 of Section 36-75-44, from R-1/Single-Family Residential District to R-3/Low-Density Multifamily Residential District as defined in Chapter 15.10. Location: 147 15th Avenue. ZC-21-001

### **B. Ordinance 6448**

Ordinance to amend Title 2 – Revenue and Finance Chapter 2.08.050 - Fees and charges authorized in Title 5 – Sewers.

## **7. RESOLUTIONS**

### **A. Resolution 21-121**

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.

### **B. Resolution 21-122**

Resolution authorizing the Mayor to execute the Order assessing a civil penalty of \$300.00 to Tobacco Vape and Food Mart for violation of Iowa Code Section 453A.2(1) on January 27, 2021.

### **C. Resolution 21-123**

Resolution approving the reallocation of Capital Improvement Program (CIP) Funds for the South 19th Street Infrastructure Project to the Hillside Estates Infrastructure Project.

- D. Resolution 21-124  
Resolution adopting the planned commercial development plan on property legally described as being the West 200 feet of the North 290 feet of the NW 1/4 SE 1/4 of Section 3-74-44, more specifically described in the Council packet. Location: 2747 23rd Avenue. PC-21-003
- E. Resolution 21-125  
Resolution authorizing the City of Council Bluffs' Information Technology Department to provide Private Cloud Hosting Services to other state agencies or political subdivisions in our community.
- F. Resolution 21-126  
Resolution authorizing and setting the Drainage District annual assessment for Mosquito Creek #22, Sieck #32, and West Lewis #35 for fiscal year 2022.
- G. Resolution 21-127  
Resolution accepting the bid of Compass Utility, LLC, for the Lake Manawa Power Center Entrance Enhancement. Project # CD21-01
- H. Resolution 21-128 & Resolution 21-129  
Resolution 21-128, abolishing one Street and Sewer Supervisor II position and one Street Foreman position and creating two new Street and Sewer Supervisor positions  
  
Resolution 21-129, abolishing one Fleet Foreman position and creating one Fleet Supervisor position within the Public Works Department.
- I. Resolution 21-130  
Resolution authorizing the City of Council Bluffs Legal Department to proceed as proposed in executive session held on April 12, 2021.
- J. Resolution 21-131  
Resolution to award contract to Oldcastle Materials Midwest co. dba Omni Engineering in the amount of \$292,199.30 for the city wide trail system upgrade project.
- K. Resolution 21-132  
Resolution setting the dates and times to permit the discharge of consumer fireworks for the 2021 season.
- L. Resolution 21-133  
Resolution temporarily vacating portions of First Avenue and West Broadway in connection with special event applications.
- M. Resolution 21-134  
Resolution confirming the appointment of Kristi Meckna in the position of Director of Finance the City of Council Bluffs and approving the wage and benefit package offered to her

N. Resolution 21-135

Resolution authorizing the Mayor to proceed with the acquisition of certain properties as proposed in executive session held on April 12, 2021.

**8. APPLICATIONS FOR PERMITS AND CANCELLATIONS**

A. Liquor Licenses

1. Council Bluffs Country Club, 4500 Piute Street
2. Dusty's Lounge, 1501 Avenue A
3. 1892 German Beer Haus, 142 W Broadway
4. Full Fledged Brewing Co., 40 Arena Way (Special Event – 8 month license)

B. Cigarette Permits

C. Noise Variance Request

Noise Variance Request for extension until 11:30p for the annual summer Bikes on the 100 Block event nights. Dates requested are: Thursdays on May 20, June 17, July 15, and August 19.

**9. CITIZENS REQUEST TO BE HEARD**

**10. OTHER BUSINESS**

**11. 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.*



## **City Council Meeting Minutes April 12, 2021**

### **CALL TO ORDER**

Mayor Walsh called the meeting to order at 7:00 p.m. on Monday April 12, 2021.

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

Staff Present: Matthew Mardesen, Richard Wade, Jodi Quakenbush and Allison Head.

### **CONSENT AGENDA**

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

Reading, correction and approval of the March 22, 2021 City Council Meeting Minutes.

Resolution 21-98

Resolution directing the City Clerk to publish notice and setting a public hearing for April 26, 2021 at 7:00 p.m. on the plans, specifications and form of contract for the Hillside Estates Infrastructure project.

January FY21 Financial Reports, Right of Redemption and Claims.

Mike Wolf and Chad Hannan moved and seconded approval of Consent Agenda. Unanimous, 5-0 vote.

### **MAYORS PROCLAMATIONS**

A. Week of the Young Child

Proclamation accepted by Merilee Mescher of Heartland Child Development at afternoon study session.

## **PUBLIC HEARINGS**

### **Ordinance 6447**

Ordinance to amend the zoning map as adopted by reference in section 15.02.070 by rezoning property legally described as Lot 3 and the Westerly 60 feet of Lot 5, Auditor's Subdivision of the SE 1/4 SE 1/4 of Section 36-75-44, from R-1/Single-Family Residential District to R-3/Low-Density Multifamily Residential District as defined in Chapter 15.10. Location: 147 15th Avenue. ZC-21-001

Heard from Deric Poldberg, 147 15th Avenue.

Roger Sandau and Melissa Head moved and seconded approval of Second Consideration of Ordinance 6447 per staff recommendation. Third Consideration to be held April 26, 2021 at 7:00 p.m. Unanimous, 5-0 vote.

### **Ordinance 6448**

Ordinance to amend Title 2 – Revenue and Finance Chapter 2.08.050 - Fees and charges authorized in Title 5 – Sewers.

Chad Hannan and Joe Disalvo moved and seconded approval of Second Consideration of Ordinance 6448. Third Consideration to be held April 26, 2021 at 7:00 p.m. Unanimous, 5-0 vote.

### **Resolution 21-99**

Resolution to dispose of City property described as the South 58 feet of Lot 47, Johnsons Addition. Location: Property formerly addressed as 315 Benton Street. OTB-21-003

Roger Sandau and Mike Wolf moved and seconded approval of Resolution 21-99. Unanimous, 5-0 vote.

### **Resolution 21-100**

Resolution to dispose of City property described as the South 30 feet of Lot 48 and the North 2 feet of Lot 47, Johnsons Addition. Location: Property formerly 319 Benton St. OTB-21-004

Chad Hannan and Melissa Head moved and seconded approval of Resolution 21-100. Unanimous, 5-0 vote.

### **Resolution 21-101**

Resolution to vacate and dispose of the northwesterly/southeasterly alley abutting Lot N and Lots I through M, Auditor's Subdivision of Block 6, Mynster's Addition and Block 2, Bayliss 1st Addition. Location: Between 530 W. Broadway and 12 Scott St. SAV-21-001

Heard from Sheryl Garst, 1228 South Main St. Motion to Receive and File by Sandau, seconded by Head. Unanimous.

Chad Hannan and Joe Disalvo moved and seconded approval of Resolution 21-101. Unanimous, 5-0 vote.

#### Resolution 21-102

Resolution approving final plat approval of a two-lot minor commercial subdivision to be known as Council Bluffs Medical Park, legally described as being a replat of part of Lots 1 and 3, Auditor's Subdivision of the SE1/4 SW1/4, and part of Lots 3 and 6, Auditor's Subdivision of the NE1/4 SW1/4, all in Section 32-75-43. Location: 1288 Valley View Drive.

Heard from John with NX Council Bluffs MOB, LLC.

Roger Sandau and Mike Wolf moved and seconded approval of Resolution 21-102. Passed, 5-0 vote.

#### Resolution 21-103

Resolution approving the 2021 Amendment to the South Pointe Urban Revitalization Area. Location: The northwest corner of the intersection of South 24th Street and Veterans Memorial Highway. URV-21-006

Mike Wolf and Melissa Head moved and seconded approval of Resolution 21-103. Passed, 5-0 vote.

### **ORDINANCES ON 1ST READING**

#### Ordinance 6449

Ordinance approving the 2021 Amendment to the South Pointe Urban Revitalization Area. Location: The northwest corner of the intersection of South 24th Street and Veterans Memorial Highway. URV-21-006

Roger Sandau and Melissa Head moved and seconded approval of First Consideration of Ordinance 6449. Second Consideration to be held April 26, 2021 at 7:00 p.m.. Unanimous, 5-0 vote.

#### Ordinance 6450

An Ordinance to amend Chapter 9.16 "Signs and Signals" of the 2020 Municipal Code of Council Bluffs, Iowa, by Section 9.16.055 "Automated Red Light Enforcement".

Chad Hannan and Mike Wolf moved and seconded approval of First Consideration of Ordinance 6450. Second Consideration to be held April 26, 2021 at 7:00 p.m. Unanimous, 5-0 vote.

#### Ordinance 6451

Ordinance amending the South Main Urban Renewal Area to removing the "2021 Removal Parcel" from the TIF District.

Melissa Head and Mike Wolf moved and seconded approval of First Consideration of Ordinance 6451. Second Consideration to be held April 26, 2021 at 7:00 p.m. Unanimous, 5-0 vote.

## RESOLUTIONS

### Resolution 21-87 (Reconsidered)

Resolution approving revisions of four Personnel Policies 801, 211, 713, and 203.

Mike Wolf and Chad Hannan moved and seconded approval of Resolution 21-87. Unanimous, 5-0 vote.

### Resolution 21-104

Resolution authorizing the mayor to execute an agreement with Felsburg Holt & Ullevig for engineering services in connection with Power Drive Extension. Project #PW21-11

Mike Wolf and Melissa Head moved and seconded approval of Resolution 21-104. Unanimous, 5-0 vote.

### Resolution 21-105

Resolution accepting the bid of Dixon Construction Co. for the North Broadway Bridge over Indian Creek. Project #PW21-13

Chad Hannan and Mike Wolf moved and seconded approval of Resolution 21-105. Unanimous, 5-0 vote.

### Resolution 21-106

Resolution authorizing City staff to use Illuminating Engineering Society and International Dark Sky Association's Model Lighting Ordinance (MLO) as a guide to draft an ordinance addressing and setting restrictions for light pollution in the City of Council Bluffs.

Mike Wolf and Melissa Head moved and seconded approval of Resolution 21-106. Unanimous, 5-0 vote.

### Resolution 21-107

Resolution authorizing the Mayor on behalf of the City of Council Bluffs, Iowa to accept the Offer for Real Estate from the Bluffs Corporation to acquire approximately 2.75 acres of land described as Parcel No. 7444 12 402 003, as well as an additional strip of land to be utilized to provide access from the proposed roadway to Parcel No. 7444 12 451 004.

Chad Hannan and Melissa Head moved and seconded approval of Resolution 21-107. Unanimous, 5-0 vote.



Resolution 21-108

Resolution authorizing the Mayor to execute the Order Accepting the Acknowledgment/Settlement Agreement from TFL, Inc. d/b/a Mega Saver, 3540 W. Broadway, Council Bluffs, Iowa 51501 for violation of Iowa Code Section 453A.2(1).

Mike Wolf and Chad Hannan moved and seconded approval of Resolution 21-108. Passed, 5-0 vote.

Resolution 21-109

Resolution authorizing the Mayor to execute the Order Accepting the Acknowledgment/Settlement Agreements from the following businesses for violation of Iowa Code Section 453A.2(1): Bucky's #34, 3501 W. Broadway, Council Bluffs, IA 51501; Pilot Travel Center #329, 2647 S. 24th Street, Council Bluffs, IA 51501; Super Quik Stop, 2800 Twin City Drive, Council Bluffs, IA 51501; Tobacco Hut 2, 3134 Manawa Centre Dr., Ste. 9, Council Bluffs, IA 51501.

Mike Wolf and Chad Hannan moved and seconded approval of Resolution 21-109. Unanimous, 0-0 vote.

Resolution 21-110

Resolution authorizing the Mayor to execute the Joint Agreement with Pottawattamie County for the Heartland Ridge Subdivision Urban Renewal Area.

Melissa Head and Roger Sandau moved and seconded approval of Resolution 21-110. Unanimous, 5-0 vote.

Resolution 21-111

Resolution authorizing the elimination of two (2) Engineer positions and the creation of two (2) Captain's position within the Council Bluffs Fire Department.

Chad Hannan and Joe Disalvo moved and seconded approval of Resolution 21-111. Unanimous, 5-0 vote.

Resolution 21-112

Resolution authorizing the elimination of one (1) Engineer's position and the creation of one (1) Captain's position within the Council Bluffs Fire Department.

Joe Disalvo and Chad Hannan moved and seconded approval of Resolution 21-112. Unanimous, 5-0 vote.

Resolution 21-113

Resolution in support for the City's application to the Cindy Axne Community Project Funding program for a South End Housing Redevelopment Program.

Roger Sandau and Melissa Head moved and seconded approval of Resolution 21-113. Unanimous, 5-0 vote.

## **APPLICATIONS FOR PERMITS AND CANCELLATIONS**

Cigarette Permits

Salvage/Storage Yard Licenses

Liquor Licenses: 1) Buffalo Wild Wings, 3701, Metro Drive; 2) Casey's General Store #2284, 1030 Veteran Memorial Hwy; 3) Dusty's Lounge, 1501 Avenue A; 4) Speedee Mart #1515, 2301 S 24th Street (NEW); 5) Squirrel Cage Jail, 226 Pearl Street; 6) T'z, 128 W Broadway.

Chad Hannan and Melissa Head moved and seconded approval of Applications for Permits and Cancellations, Items 8A, 8B and 8C 1-6. Unanimous, 5-0 vote.

## **CITIZENS REQUEST TO BE HEARD**

Heard from:

Tom Bouska, 218 Harmony Street; Nancy Stahl, 214 Harmony Street; Linda Emge, 244 Harmony Street; Geraldine Emge, 244 Harmony Street; Steve Gorman, 203 5th Avenue; Ted Gray, 4807 Navajo; Tony Beraldi, 238 Harmony Street, motion to Receive and File by Hannan, seconded by Wolf. Unanimous. Heard from Sheryl Garst, 1228 South Main Street.

## **ADJOURNMENT**

Mayor Walsh adjourned the meeting at 7:58 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.: ZC-21-004

Submitted by: Moises Monrroy,

Planner

Ordinance 6452

ITEM 3.C.

Council Action: 4/26/2021

### Description

Ordinance to amend the zoning map as adopted by reference in section 15.02.070, and setting a Public Hearing for May 10, 2021 at 7:00 p.m., by rezoning property legally described as the East 1/2 of Lot 3 and Lots 4 through 12, Auditor's Subdivision, more specifically described in the Council Packet, from R-1/Single-Family Residential District to R-2/Two-Family Residential District as defined in Chapter 15.09. Location: 20, 40 and 100 Norton Avenue, 1326 North Broadway, and an undeveloped parcel of land west of 100 Norton Avenue. ZC-21-004

### Background/Discussion

See attachments

### Recommendation

### ATTACHMENTS:

| Description  | Type         | Upload Date |
|--|--------------|-------------|
| Staff Report   | Staff Report | 4/15/2021   |
| Attachment A - Location and Zoning Map                 | Map          | 4/15/2021   |
| Attachment B - Signatures of Property Owners           | Other        | 4/15/2021   |
| Attachment C - Lumen Technologies Utility Location Map | Other        | 4/15/2021   |
| Public Hearing Notice                                  | Notice       | 4/15/2021   |
| Ordinance 6452   | Ordinance    | 4/20/2021   |

## City Council Communication

|   |                            |  |
|---|----------------------------|--|
| <p>Department: Community Development</p> <p>CASE # ZC-21-004</p> <p>Applicant/Property Owner:<br/>Tim and Matt Storey<br/>21350 McPherson Avenue<br/>Council Bluffs, IA 51503</p> <p>Property Owners:<br/>Chad R. Taylor<br/>1326 North Broadway<br/>Council Bluffs, IA 51503</p> <p>Lorelie Dawn Porter<br/>20 Norton Avenue<br/>Council Bluffs, IA 51503</p> <p>Anthony W. Hale<br/>40 Norton Avenue<br/>Council Bluffs, IA 51503</p> <p>Dionisio Trazell Browder<br/>100 Norton Avenue<br/>Council Bluffs, IA 51503</p>  | <p>Ordinance No. _____</p> | <p>1<sup>st</sup> Consideration: 4/26/2021<br/>2<sup>nd</sup> Consideration: 5/10/2021<br/>3<sup>rd</sup> Consideration: 5/24/2021</p> <p>Planning Commission: 4/13/2021</p> |
|   |                            |  |
| <b>Subject/Title</b>  |                            |  |
| <p><b>Request:</b> Public hearing on the request of Tim and Matt Storey to rezone properties legally described as the East ½ of Lot 3 and Lots 4 through 12, Auditor’s Subdivision of part of Lot 4 in the NE ¼ NW ¼ and that part of Lot 1 in the NW ¼ NW ¼ all in Section 30-75-43, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-Family Residential District to R-2/Two-family Residential District.</p> <p><b>Location:</b> 20, 40 and 100 Norton Avenue, 1326 North Broadway, and an undeveloped parcel of land west of 100 Norton Avenue</p>  |                            |  |
|   |                            |  |
| <b>Background</b>   |                            |  |
| <p>The Community Development Department has received an application from Tim and Matt Storey to rezone properties legally described as the East ½ of Lot 3 and Lots 4 through 12, Auditor’s Subdivision of part of Lot 4 in the NE ¼ NW ¼ and that part of Lot 1 in the NW ¼ NW ¼ all in Section 30-75-43, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-Family Residential District to R-2/Two-family Residential District. The purpose of this request is to allow the applicants to construct a duplex on property they own located west of 100 Norton Avenue.</p> <p>The property owned by the applicants is an undeveloped parcel of land. Since a ‘two-family dwelling’ is not a permitted use in the R-1 District, the applicants are requesting to rezone their property to the R-2 District. Properties addressed at 20 Norton Avenue, 40 Norton Avenue, 100 Norton Avenue and 1326 North Broadway have been included in this request for zoning consistency purposes.</p> |                            |  |

Land Use and Zoning

The following zoning and land uses surround the subject properties:

- North: An undeveloped parcel of land owned by Jennie Edmundson Memorial Hospital that is zoned R-3/Low Density Multifamily Residential District.
- South: Residential properties that are zoned R-2/Two-Family Residential District.
- East: Residential properties that are zoned R-1/Single-Family Residential District.
- West: Residential properties that are zoned R-1/Single-Family Residential District.

The future land use plan of the Bluffs Tomorrow: 2030 (Comprehensive Plan) designates the subject properties as Low-Density Residential.

Public notices were mailed to all property owners within 200 feet of the request. No comments have been received by the Community Development Department as of the date of this report.

- Anthony Hale, owner of 40 Norton Avenue, contacted the Community Development Department and had a general inquiry relative to the construction of the duplex proposed by the applicants.

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

- The Permits and Inspections Division stated they have no comments on the request.
- The Public Works Department stated they have no comments on the request.
- The Fire Department stated they have no comments on the request.
- Council Bluffs Water Works stated they have no comments on the request.
- Mid-American Energy Company stated they have no conflict with the request. They also stated that the developer or their agents should contact Mid-American Energy directly and provide finalized plans to identify costs and timelines associated with any relocation or extension of new electric facilities to accommodate the proposed uses of the site.
- Lumen Technologies provided a map of Lumen utilities located in the general vicinity of the subject property (see Attachment 'D').

**Discussion**

1. All subject properties included in the proposed rezoning exceed the minimum lot size requirements of the R-2/Two-Family Residential District.
2. A 'two-family dwelling' is not a permitted use in the R-1 District. As such, the proposed rezoning to the R-2 District is necessary to allow the applicants to construct a duplex on the undeveloped parcel of land they own.
3. If proposed rezoning is approved, any construction that occurs on the undeveloped parcel of land owned by the applicants shall conform to the site development standards in Section 15.09.050, Site Development Regulations in the R-2 District, of the Council Bluffs Municipal Code (Zoning Ordinance).
4. The applicants, at the recommendation of the Community Development Department, have included 20 Norton Avenue, 40 Norton Avenue, 100 Norton Avenue and 1326 North Broadway in the request for zoning consistency purposes.
5. A 'single-family dwelling, detached' is a permitted use in the R-2 District. As such, the proposed rezoning will not have an adverse impact on the conformity of the existing single-family residential uses on 20 Norton Avenue, 40 Norton Avenue, 100 Norton Avenue and 1326 North Broadway.
6. Since the site development regulations in the R-1 and R-2 Districts are virtually identical, the proposed rezoning will not create or resolve any nonconformities relative to the existing residential structures (i.e., lot coverage, setbacks and height).

7. If approved, the subject properties will be zoned to a district that remains consistent with the general character of the surrounding residential neighborhood. The proposed two-family residential use is compatible with the existing development in the area and will not have an adverse impact on properties in the vicinity.
8. The Bluffs Tomorrow 2030 (Comprehensive Plan) designates the subject properties as Low-Density Residential. The R-2 District is generally consistent with the Low-Density Residential classification.
9. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are available to accommodate the uses permitted in the R-2 District.

### **Recommendation**

The Community Development Department recommends approval of the request of Tim and Matt Storey to rezone properties legally described as the East ½ of Lot 3 and Lots 4 through 12, Auditor's Subdivision of part of Lot 4 in the NE ¼ NW ¼ and that part of Lot 1 in the NW ¼ NW ¼ all in Section 30-75-43, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-Family Residential District to R-2/Two-family Residential District.

### **Public Hearing**

Staff speaker for the request:

1. Moises Monrroy, Planner, City of Council Bluffs, 209 Pearl Street, Council Bluffs, Iowa 51503

Speakers in favor: None

Speakers against: None

### **Planning Commission Recommendation**

The Planning Commission recommended approval of the request of Tim and Matt Storey to rezone properties legally described as the East ½ of Lot 3 and Lots 4 through 12, Auditor's Subdivision of part of Lot 4 in the NE ¼ NW ¼ and that part of Lot 1 in the NW ¼ NW ¼ all in Section 30-75-43, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-Family Residential District to R-2/Two-family Residential District.

VOTE: AYE – Bass, Danielsen, Halm, Haner, Hutcheson, Rater, Rew, Scott, Stroebele, and VanHouten  
NAY - None ABSTAIN - None ABSENT – None VACANT - One Motion: Carried.

### **Attachments**

Attachment A: Location/Zoning Map

Attachment B: Signatures of Property Owners Included in the Request

Attachment C: Lumen Technologies Utility Location Map

Prepared by: Moises Monrroy, Planner, Community Development Department



# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASE #ZC-21-004 LOCATION/ZONING MAP

## Legend

Subject Properties

0 40 80  
1 Inch = 83 Feet



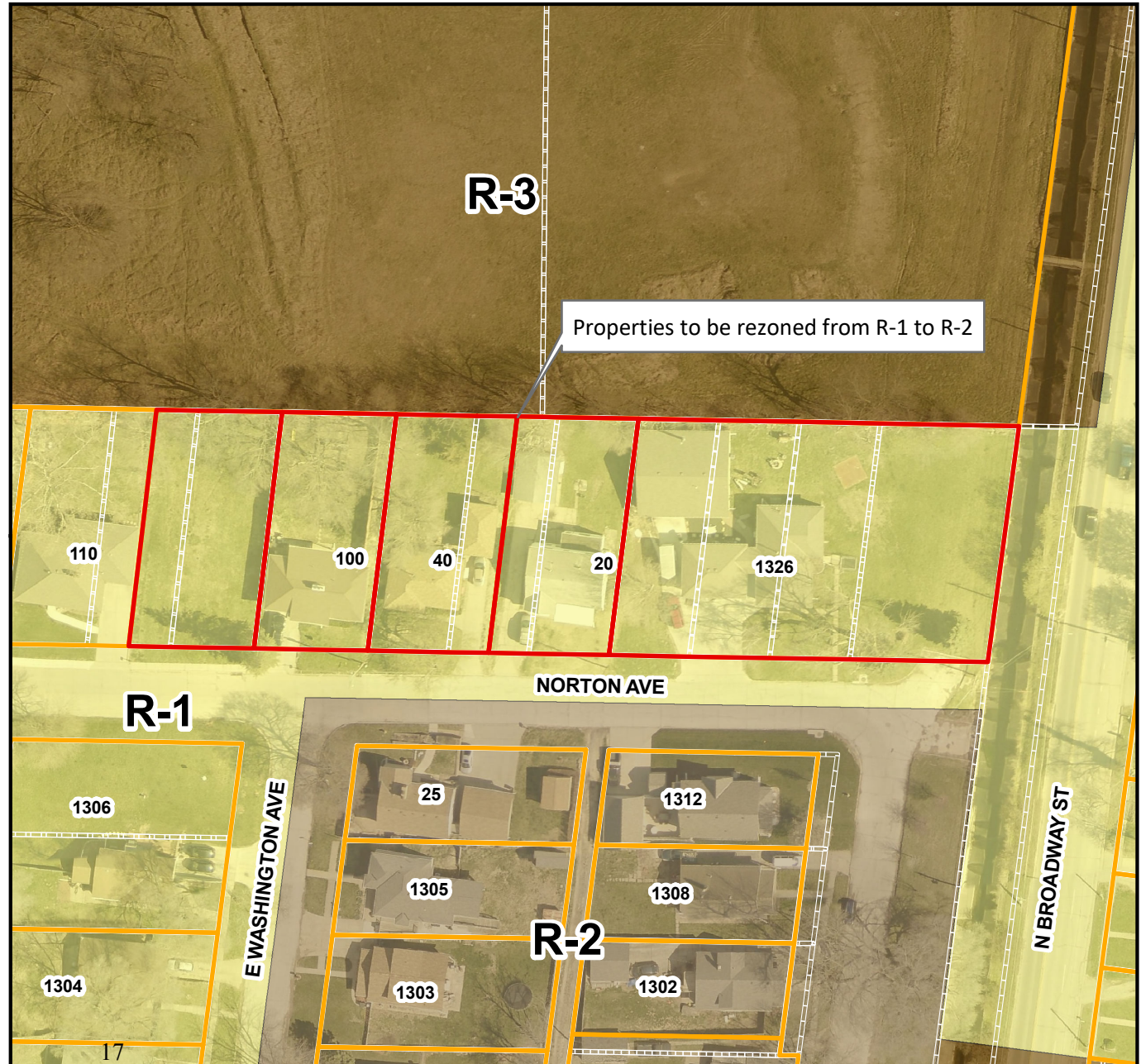
Last Amended: 3/22/2021



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

### DISCLAIMER

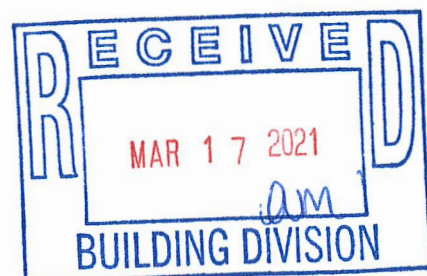
This map is prepared and compiled from City documents, plans and other public records data. Users of this map are hereby notified that the City expressly denies any and all responsibilities for errors, if any, in the information contained on this map, the manner of its use by the user or anyone else. 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.



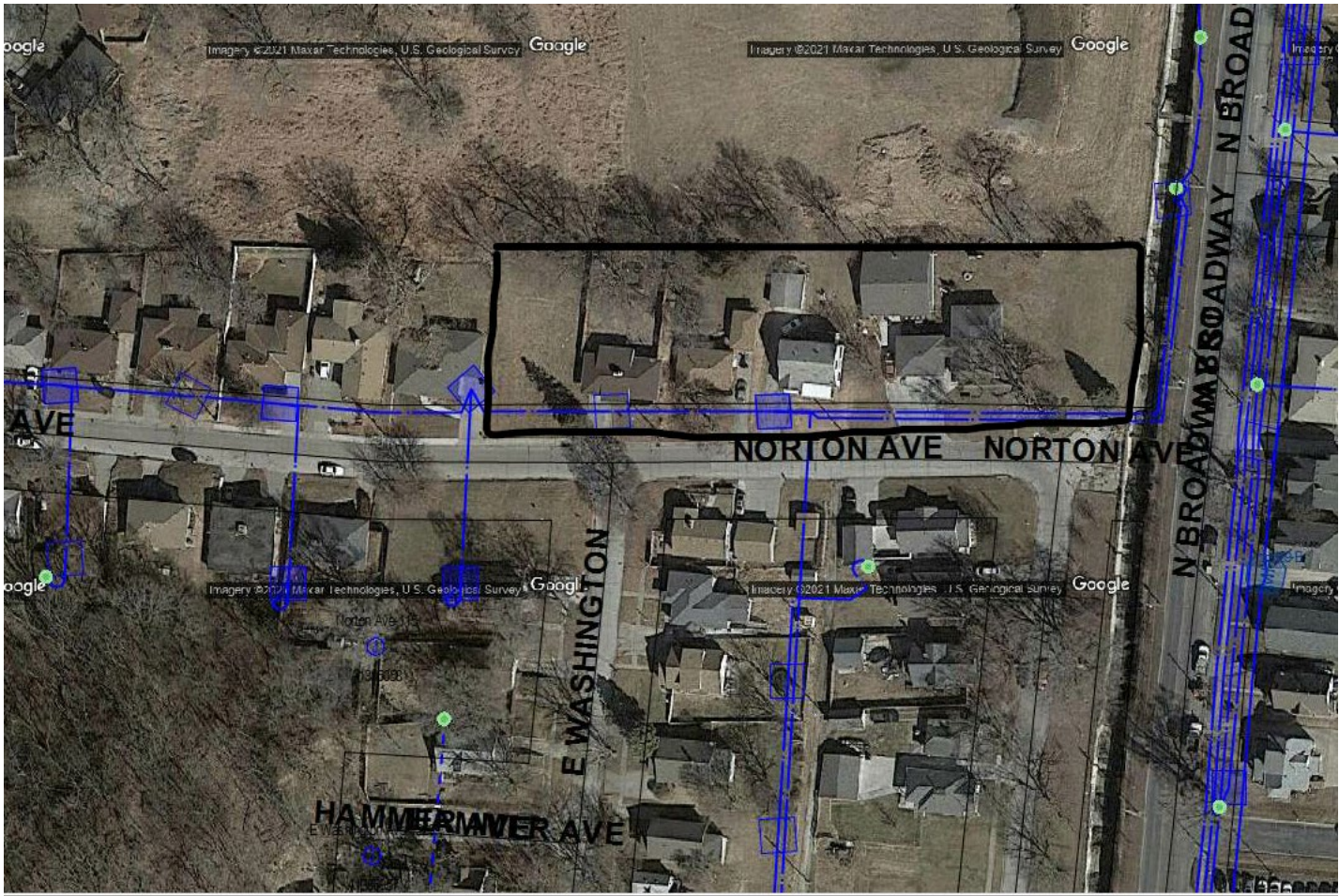
## Attachment B

We the undersigned fully support Tim and Matt Storey in their plan to build single family attached residences on the lot on Norton Avenue and allowing the rezoning from R1 to R2.

| Name (Printed)   | Address (Printed) | Signature        |
|------------------|-------------------|------------------|
|                  | 100               |                  |
|                  | <del>100</del>    |                  |
| Lorelie Porter   | 20                | Lorelie Porter   |
| Mandi Nielsen    | 1326 U-BR         | Mandi Nielsen    |
| Anthony Hale     | 40 Norton Ave     |                  |
| Diane Darrington | 110 Norton Ave    | Diane Darrington |
|                  |                   |                  |
|                  |                   |                  |
|                  |                   |                  |
|                  |                   |                  |







## 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 the request of Tim and Matt Storey to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning properties legally described as the East ½ of Lot 3 and Lots 4 through 12, Auditor's Subdivision of part of Lot 4 in the NE ¼ NW ¼ and that part of Lot 1 in the NW ¼ NW ¼ all in Section 30-75-43, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-Family Residential District to R-2/Two-family Residential District, as defined in Chapter 15.09 of the Municipal Code of Council Bluffs, Iowa.

You are further notified that the 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 10<sup>th</sup> day of May, 2021 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. 6452**

**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 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTY LEGALLY DESCRIBED AS THE EAST ½ OF LOT 3 AND LOTS 4 THROUGH 12, AUDITOR'S SUBDIVISION OF PART OF LOT 4 IN THE NE ¼ NW ¼ AND THAT PART OF LOT 1 IN THE NW ¼ NW ¼ ALL IN SECTION 30-75-43, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, FROM R-1/SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-2/TWO-FAMILY RESIDENTIAL DISTRICT AS DEFINED IN CHAPTER 15.09 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 2020 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended by rezoning property legally described as the East ½ of Lot 3 and Lots 4 through 12, Auditor's Subdivision of part of Lot 4 in the NE ¼ NW ¼ and that part of Lot 1 in the NW ¼ NW ¼ all in Section 30-75-43, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-Family Residential District to R-2/Two-Family Residential District as defined in Chapter 15.09 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 10, 2021.

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

\_\_\_\_\_  
Mayor

Attest:

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

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

First Consideration: 4-26-21  
Second Consideration: 5-10-21  
Public Hearing: 5-10-21  
Third Consideration: \_\_\_\_\_

## Council Communication

Department: Community  
Development  
Case/Project No.: ZC-21-002  
Submitted by: Christopher N.  
Gibbons, AICP, Planning Manager

Ordinance 6453  
ITEM 3.D.

Council Action: 4/26/2021

### Description

Ordinance to amend the zoning map as adopted by reference in Section 15.02.070, and setting a Public Hearing for May 10, 2021 at 7:00 p.m., by rezoning property legally described as Lot 2, Arbor Creek Subdivision from A-2/Parks, Estates, and Agricultural District to R-2/Two-Family Residential District as defined in Chapter 15.09, and appending a PR/Planned Residential Overlay as defined in Chapter 15.28 of the Municipal Code of Council Bluffs, Iowa, to said property. Location: Undeveloped land lying south of 1020 Railroad Avenue. ZC-21-002

### Background/Discussion

See attachments.

### Recommendation

### ATTACHMENTS:

| Description   | Type         | Upload Date |
|---|--------------|-------------|
| Staff Report  | Staff Report | 4/15/2021   |
| Attachment A - Letter of Intent                         | Letter       | 4/15/2021   |
| Attachment B - Preliminary subdivision plans            | Other        | 4/15/2021   |
| Attachment C - Drainage Study                           | Other        | 4/15/2021   |
| Attachment D - Location/zoning map                      | Map          | 4/15/2021   |
| Attachment E - PR site and landscaping plans            | Other        | 4/15/2021   |
| Attachment F - Architectural renderings and floor plans | Other        | 4/15/2021   |
| Attachment G - Council Bluffs street tree guide         | Other        | 4/15/2021   |
| Exhibit A - Letter in opposition                        | Letter       | 4/15/2021   |
| Public Hearing Notice                                   | Notice       | 4/15/2021   |
| Ordinance 6453  | Ordinance    | 4/20/2021   |

## City Council Communication

|   |  |   |
|---|--|---|
| <p>Department:<br/>Community Development</p> <p>CASES #SUB-21-005, ZC-21-002,<br/>and PR-21-001</p> <p>Applicant:<br/>Arbor Creek, LLC<br/>2023 South 181<sup>st</sup> Circle<br/>Omaha, NE 68130</p> <p>Property Owner:<br/>City of Council Bluffs<br/>209 Pearl Street<br/>Council Bluffs, IA 51503</p> <p>Engineer/Surveyor:<br/>E&amp;A Consulting Group, Inc.<br/>10909 Mill Valley Road, Suite 100<br/>Omaha, NE 68154</p>  | <p>Resolution No. _____</p> <p>Resolution No. _____</p> <p>Ordinance No. _____</p> | <p>CASE #SUB-21-005: 5/10/2021</p> <p>CASE #ZC-21-002<br/>1<sup>st</sup> Consideration: 4/26/2021<br/>2<sup>nd</sup> Consideration: 5/10/2021<br/>3<sup>rd</sup> Consideration: 5/24/2021</p> <p>CASE #PR-21-001: 5/10/2021</p> <p>Planning Commission: 4/13/2021</p> |
| <b>Subject/Title</b>  |  |   |
| <p><b>Requests:</b> Combined public hearing on the request of Arbor Creek, LLC, represented by Neal Drickey for: 1) preliminary plan approval for a 27-lot residential subdivision to be known as Arbor Creek 2nd Addition, legally described as being a replat of Lot 2, Arbor Creek Subdivision, along with variances for minimum lot size and lot widths, and maximum lot depth to width ratios; and 2) rezoning said property from A-2/Parks, Estates, and Agricultural District to R-2/Two-Family Residential District; and 3) appending a PR/Planed Residential Overlay and adopting the associated planned residential development plan for said property.</p> <p><b>Location:</b> Undeveloped land lying south of 1020 Railroad Avenue</p>  |  |   |
| <b>Background</b>   |  |   |
| <p>In July 2020, City Council directed the Community Development Department to release a Request for Proposals (RFP) for the subject property (Lot 2, Arbor Creek Subdivision) as an alternative plan to the offer to buy submitted by the Midlands Humane Society (MHS). The City received one response to the published RFP from Neal Drickey and his development team (“the applicant/developer”). Their original proposal included two alternatives with 34 and 36 housing units respectively, and was a combination of single-family detached and rowhouse units. City Council reviewed the proposals from MHS and Mr. Drickey, and then encouraged both entities to work together on a subdivision design that allows Mr. Drickey to build new residential dwellings, and for MHS to acquire a portion of the land for a future expansion of their animal rescue shelter. Mr. Drickey, after meeting with MHS, submitted two amended proposals to the City for a 35-unit (16 townhomes/19 single-family) development, and a 26-unit (12 townhomes/14 single-family) development for Council’s consideration. Their proposals included land set aside for MHS and an offer to purchase the property for \$200,000.00. Additionally, their updated project pro-forma included a request for tax increment financing (TIF) to help offset infrastructure costs (e.g., roads, sewers, gas, etc.) within the</p> |  |   |

subdivision, and to help cover the financial gap for constructing 45% of the dwelling units for households at or below 80% of the median family income. On November 9, 2020, City Council approved Resolution No. 20-247 which disposed of the subject property to Mr. Drickey for \$200,000.00 and directed him to enter into a development agreement with the City.

The applicant has submitted the following requests to the Community Development Department for review and approval by the City for the subject property legally described as Lot 2, Arbor Creek Subdivision:

- Preliminary plan approval for a 27-lot residential subdivision to be known as Arbor Creek 2nd Addition, legally described as being a replat of Lot 2, Arbor Creek Subdivision, along with variances for minimum lot size and lot widths, and maximum lot depth to width ratios; and
- Rezoning said property from A-2/Parks, Estates, and Agricultural District to R-2/Two-Family Residential District; and
- Appending a PR/Planned Residential Overlay and adopting the associated planned residential development plan for said property.

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

Attachment A: Letter of intent

Attachment B: Preliminary subdivision plans

Attachment C: Drainage study

Attachment D: Location/zoning map

Attachment E: PR site and landscaping plans

Attachment F: Architectural renderings and floor plans

Attachment G: Council Bluffs street tree guide

#### **CASE #SUB-21-005 (See Attachments B & C)**

The proposed Arbor Creek 2<sup>nd</sup> Addition subdivision is comprised of 6.19 acres (more/less) of land and contains 27 buildable lots and one outlot. Lots 1 - 12 and Lots 25 - 26 will be developed with single-family detached dwellings, and Lots 13 through 24 will be developed with townhome units. Lot 27 will be retained by the applicant so that it may be sold to MHS, or developed with additional housing units, at a future date. Outlot 'A' will function as a storm water detention basin and will be maintained by the Arbor Creek 2<sup>nd</sup> Addition homeowner's association. A new public street to be known as Arbor Creek Drive will be constructed by the applicant and then dedicated to the City. All proposed lots will be fully served with utilities (e.g., sanitary/storm sewers, water, gas, electricity, telecommunications, etc.). The applicant intends to develop the entire subdivision, with exception of Lot 27, in one phase.

#### **Comments**

1. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, "but shall be deemed to be an authorization to proceed with the preparation of the final construction plans or performance guarantee and the final plat" (§14.11.060(D)—Subdivision Ordinance). A final plat application for the first phase must be filed within one year of the date of action by the City Council. A request for extension may be made by the sub-divider in writing prior to the expiration date. One-year extensions are considered by the City Planning Commission.
2. The proposed subdivision is generally consistent with the purpose and intent of Title 14: Subdivisions and Title 15: Zoning of the Council Bluffs Municipal Code. The future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property as Rural/Agricultural. This designation is expected change to a residential classification as part of an effort by the City's Community Development Department to update the future land use plan of the Bluffs Tomorrow: 2030 Plan.
3. The proposed subdivision is currently zoned A-2/Parks, Estates, and Agricultural District and the applicant has requested to rezone it to R-2/Two-Family Residential District and append a PR/Planned

Residential Overlay to allow for a mixture of single-family detached and townhome dwellings (see Case #ZC-21-002).

4. The subdivision will consist of 27 lots (12 townhomes and 14 single-family detached dwellings and one undeveloped lot reserved for MHS). Lots 1 through 12 and Lots 25-26 will be developed with single-family detached dwellings. Lots 13-24 will be developed with townhomes. Lot 27 is being reserved by the applicant to potentially sell to MHS at a future date, or developed with additional dwellings in the event MHS does not purchase said lot. Single-family detached dwellings are allowed as a principal use in the R-2 District. Townhomes are allowed as a principal use in the R-2 District with an adopted PR/Planned Residential development plan.
5. The subdivision's layout and associated lot configuration/dimensions are influenced by the layout of Lot 27, which is being reserved by the applicant to sell to MHS in the future. As a result of the size and shape of proposed Lot 27, the applicant is requesting subdivision variances for minimum lot size/lot width and maximum lot depth-to-width ratio as follows:

a. Variances from minimum R-2 District Lot Sizes

Minimum required R-2 District lot sizes: 5,000 square feet (interior lot), 5,500 square feet (corner lot), and 5,000 square feet (townhome lots).

Proposed Lot 7 (4,939 square foot interior lot for a single-family dwelling) and Lots 14-24 (all townhomes lots less than 5,000 square feet) do not comply with minimum R-2 District lot size requirements.

b. Variances from minimum R-2 District Lot Width

Minimum required R-2 District lot width: 50 feet (interior lot) and 55 feet (corner lot)

Proposed Lots 4 & 5 and Lots 9-11 have lot widths less than the minimum 50' required in an R-2 District.

c. Variances from maximum 3:1 Lot Depth to Width Ratio

Section 14.14.020(3), Lot Layout, of the Council Bluffs Subdivision Ordinance states "*excessive lot depth in relation to width shall be avoided. A proportion of three to one respectively shall be considered as a maximum*".

Proposed Lots 14-16 and Lots 18-24 are all townhome lots that exceed the maximum 3:1 lot depth to width ratio.

Section 14.11.040, Variance(s), of the Council Bluffs Subdivision Ordinance states: "*where it can be shown that due to special conditions, a literal enforcement of the ordinance will result in an unnecessary hardship, the City shall have the power to vary such regulations to that substantial justice will be accomplished, provided that such variance would:*

- a) *Not be contrary to the public interest;*
- b) *Be in the best interest of the City;*
- c) *Be within the spirit and intent of the this title;*
- d) *Not be detrimental to the future residents in and near the proposed subdivision; and*
- e) *Be consistent with the city's comprehensive plan.*

The Community Development Department has reviewed the applicant's variance requests and recommends approval for following reasons:



- a. There are existing utility easements (natural gas and water) that extend through the westerly and easterly portions of the subject property that create a hardship for designing the subdivision's road in a manner that complies with R-2 District site development standards and creates developable lots.
  - b. The applicant has configured the subdivision in a manner that honors City Council's desire to see new residential dwellings constructed on the property, and some land reserved for Midlands Humane Society to potentially purchase from the applicant at a future date. The applicant has reserved Lot 27 for MHS to potentially purchase at a later date; however the lot's size and irregular shape influences the layout and configuration of all other lots in the subdivision.
  - c. The subject property is surrounded by existing development, College Road, and Railroad Avenue. The applicant does not have the ability to acquire additional undeveloped land in the general vicinity in order to design the subdivision with lots that conform to all City subdivision/zoning standards;
  - d. The Bluffs Tomorrow: 2030 Plan encourages a variety of housing types in order to meet the needs of the Council Bluffs community. The applicant's proposals includes 12 townhomes and 14 detached single-family dwellings. These homes will be a combination of market-rate housing, as well as, workforce housing for households at or below 80% of the median family income. The applicant's subdivision proposal is consistent with the goals and objectives of the Bluffs Tomorrow: 2030 Plan to provide a variety of housing in the Council Bluffs community.
  - e. The applicant has engineered and designed the subdivision to be compatible with existing development in the surrounding area. The subdivision variances are not anticipated to be detrimental to the future residents in and/or adjacent to the subdivision.
6. Outlot 'A' is designed to handle all storm water run-off from the subdivision. The Council Bluffs Public Works Department stated a note shall be stated on the final plat that dedicates all maintenance of Outlot 'A' (including basin maintenance) to the subdivision's homeowners association.
  7. The proposed subdivision includes dedication of a new public street (Arbor Creek Drive) to the City of Council Bluffs. All lots within this subdivision will have direct access to this new public street. The applicant has required a variance from Section 5C-1 of the Iowa Statewide Urban Design and Specifications (SUDAS) to allow a reduction of the minimum horizontal curves for Arbor Creek Drive. The Council Bluffs Public Works Department has reviewed the request and is not opposed to reducing the horizontal curves for Arbor Creek Drive, as the request does not create a public safety hazard.
  8. The land within this subdivision is located within Flood Zones 'AE' and '0.2%' according to FEMA map panel number 19155C0418F, dated 4/16/2013. With adequate engineering and construction controls, the land in this subdivision is suitable for development, subject to compliance with all applicable floodplain regulations.
  9. All future street lights shall meet the Public Works Department standards and shall be installed when Arbor Creek Drive is constructed. All costs associated with the installation of street lights shall be the responsibility of the developer and not the City.
  10. All proposed lots will be fully served with utilities (e.g., sanitary/storm sewers, water, gas, electricity, telecommunications, etc.). Any costs to construct, remove, and/or relocate any utilities for the proposed subdivision shall be the responsibility of the applicant and not the City.
  11. A minimum four-foot wide sidewalk shall be constructed along the frontage(s) of Lots 1 through 27 prior to the issuance of a Certificate of Occupancy for structures on said lots. A minimum four-foot wide sidewalk shall be constructed along the frontage areas of Outlot 'A' at the time Arbor Creek Drive is constructed and shall connect into the trail along Railroad Avenue. All costs to construct said sidewalks shall be at the expense of the applicant and not the City of Council Bluffs.
  12. Council Bluffs Fire Department stated they have no comments for the proposed subdivision.
  13. Council Bluffs Water Works stated they applicant will need to enter into a water main extension agreement to service the lots in this subdivision.
  14. Council Bluffs Public Works Department stated the following:



- a. Final plat requires a dedication page and all signatures need to be identified, and all standard easements notated.
  - b. Sanitary sewer connection point is noted. Sanitary sewer along Railroad Avenue may be in conflict with trail and street trees. The applicant will need to continue working with Public Works on the proper placement of the sewer to avoid said conflicts.
  - c. Drainage report and storm sewer connection point noted. Stormwater management required for both water quantity and quality.
  - d. Detention basin and calculation noted in the drainage report. Public Works will continue to work with the applicant's engineer to finalize the drainage report.
  - e. Ground water elevation not provided. Geotechnical report is required to be submitted to the Public Works Department prior to commencement of work.
  - f. Street profile noted. Pavement thickness noted and rock subgrade is required.
  - g. Lot 27 must have maintenance standards identified on the final plat, or platted as outlot with maintenance assigned to the homeowner's association.
15. MidAmerican Energy stated they have no conflicts with the proposed subdivision provided the required 5-foot and 10-foot franchise utility easements, along all front, side, and rear yard property lines, are stated on the final plat. MidAmerican Energy also stated the applicant and/or their engineers should contact them to discuss project timelines and provide the necessary documentation for extending electrical service within the development.
16. Lumen stated the subdivision does not conflict with their existing utilities in the adjacent rights-of-way.

#### **CASE #ZC-21-002**

The subject property is zoned A-2/Parks, Estates, and Agricultural District (see **Attachment D**). The applicant proposes to rezone it to R-2/Two-Family Residential District to allow for a mixture of housing typologies (e.g., single-family detached and townhouses) within their subdivision. A P-R/Planned Residential Overlay is also proposed to be appended to the subject property to regulate building architecture, off-street parking, landscaping, and site development standards (see Case #PR-21-001).

Surrounding land uses and zoning within the general vicinity of the subject property includes:

- North – Midlands Humane Society and undeveloped land – *A-2/Parks, Estates, and Agricultural District*
- South – College Road, single-family residential dwellings, undeveloped land, and railroad line - *A-2/Parks, Estates, and Agricultural District*
- East – Railroad Avenue and single-family residential dwellings – *A-2/Parks, Estates, and Agricultural District*
- West – Single-family residential dwellings and undeveloped land – *R-1/Single-Family Residential District*

The future land use plan of the Bluffs Tomorrow 2030 (comprehensive plan) currently designates the subject property as Rural Residential/Agricultural. The westerly portion of the property is designated as "Loess Hills Preservation Area".

Public notices were mailed to all property owners within 200 feet of the request as well as to the Midlands Humane Society. One letter was returned to the City as undeliverable. No public comments were received for these requests, as of the date of this report.

#### **Discussion**

1. All proposed lots will be zoned R-2/Two-Family Residential District. The applicant intends to develop a total of 12 townhomes and 14 single-family detached dwellings within the subdivision. Lot 27 is included in the rezoning and is being reserved by the applicant to sell to MHS at future date, or developed

with additional residential dwellings in the event that MHS does not purchase the lot. If the lot is purchased by MHS, the new owner must rezone it to an appropriate zoning designation that allows an 'Animal shelter (non-profit)' as a principal or conditional use.

2. The applicant is proposing to append a P-R/Planned Residential Overlay to the entirety of the proposed subdivision. A planned residential development plan which establishes standards for site development, architecture, landscaping, parking, and signage will be adopted as part of this development.
3. The future land use plan of the Bluffs Tomorrow 2030 (comprehensive plan) currently designates the subject property as Rural Residential/Agricultural. The westerly portion of the property is designated as "Loess Hills Preservation Area". The Community Development Department is evaluating the future land use plan of the Bluffs Tomorrow: 2030 Plan and anticipates the "Rural Residential/Agriculture" designation applied to this property will change to "Medium Density Residential" due to recent development trends occurring along College Road and Railroad Avenue.

**Case #PR-20-001 (see Attachments E & F)**

Section 15.28.010, *Statement of Intent, P-R/Planned Residential Overlay*, of the Council Bluffs Municipal Code (Zoning Ordinance) states that "the planned residential overlay is established to permit flexibility in the use and design of structures and land in situations where conventional development may be inappropriate and where modifications of the requirements of the underlying zone would not be inconsistent with the Comprehensive Plan or harmful to the neighborhood in which it is located." The applicant proposes to append a P-R/Planned Residential Overlay and adopt a development plan for Arbor Creek 2<sup>nd</sup> Addition for the purpose of regulating site development standards, building architecture, landscaping, off-street parking, stormwater management, signage, etc. associated with this subdivision, as follows:

**1. Site Development**

- a. The minimum tract of land required for a P-R/Planned Residential Overlay is 1.5 acres. The subject property contains 6.19 acres, which complies with minimum lot size requirement of the P-R Overlay.
- b. All land uses within the subdivision shall comply with Chapter 15.09 *R-2/Two-Family Residential District* and Chapter 15.28 *P-R/Planned Residential Overlay* of the Municipal Code (Zoning Ordinance). Any home occupations within the subdivision shall comply with Chapter 15.24.030, Home Occupations, of the Municipal Code (Zoning Ordinance).
- c. All land development activity within the subdivision shall comply with R-2/Two-Family Residential District standards, as per Section 15.09.050, *Site Development Regulations*, with the following exception:
  - i. The maximum lot coverage for all lots shall not exceed 40 percent rather than the 35 percent maximum allowed in an R-2 District.
- d. All fencing in the subdivision shall comply with the standards stated in Section 15.24.040, *Fence Regulations*, of the Council Bluffs Municipal Code (Zoning Ordinance).
- e. All exterior lighting shall comply with the standards stated in Section 15.24.050, *Lighting Controls*, of the Council Bluffs Municipal Code (Zoning Ordinance).
- f. Minor modifications to building setbacks, heights, and/or lot coverage which are deemed to be compatible with other homes in the subdivision, and are not detrimental to the subdivision and/or properties outside the boundary of the subdivision, shall be administratively approved by the Community Development Director or their designee.

**2. Off-Street Parking**

- a. Per Section 15.23.060, *Parking Spaces Required*, of the Council Bluffs Municipal Code (Zoning Ordinance) the required number of off-street parking spaces for single-family detached and townhome dwellings is two (2) spaces per unit. All proposed single-family detached units are being constructed with a two or three-car garage. All proposed townhome dwellings are being constructed

- with a single-car garage. One (1) additional required parking space shall be allowed in the required front yard setback for the townhomes so long as all parking occurs on a paved surface and the placement of vehicles does not interfere with the public right-of-way (e.g., sidewalk encroachment).
- b. All off-street parking areas, driveways and drive aisles shall be constructed and designed to comply with the standards stated in Chapter 15.23, Off-Street Parking, Loading and Unloading, of the Council Bluffs Municipal Code (Zoning Ordinance).
  - c. Parking and storage of recreational vehicles on lots in the subdivision shall comply with standards stated in Chapter 15.23, Off-Street Parking, Loading and Unloading, of the Council Bluffs Municipal Code (Zoning Ordinance).

### **3. Architecture**

- a. The submitted house plans, included as Attachment 'F,' are generally acceptable in design and layout and shall be adopted as submitted with the following considerations:
  - i. Each townhome unit shall have a minimum of 40 square feet of stone, brick, and/or decorative architectural metal on the front façade;
  - ii. Each set of townhomes shall be painted in manner that no two attached townhome units are painted with the exact same color.
  - iii. Minor modifications to design, layout, or appearance of the single-family detached dwellings and/or townhomes, which are deemed to be compatible with the other homes in the subdivision, shall be approved administratively by the Community Development Director or their designee.

### **4. Landscaping**

- a. The submitted landscaping plan shows deciduous street trees throughout the subdivision, as well as, deciduous trees planted along the northerly boundary of Outlot 'A'. Additionally, a row of shrubs is proposed to be planted along the outer perimeter of the detention basin to help screen it from view along College Road and Railroad Avenue. The proposed landscaping plan is generally acceptable and shall be adopted as submitted with the following conditions:
  - i. All proposed trees within the City's right-of-way shall be reviewed and approved by the City prior to installation and shall comply with the Council Bluffs Street Tree Guide (see Attachment 'G');
  - ii. All landscaping shall be appropriately maintained and dead plant material replaced at a time appropriate to planting seasons but in all cases shall be replaced within one year;
  - iii. All landscaping plantings within Outlot 'A' shall be installed once the detention basin is constructed and shall be maintained by the homeowner's association at all times;
  - iv. Minor modifications to the submitted landscaping plan shall be approved administratively by the Community Development Director or their designee.
- b. All street trees along Arbor Creek Drive, as shown on the submitted landscaping plan, shall be planted prior to issuance of a Certificate of Occupancy for each lot. All costs associated with the installation and maintenance of street trees shall be the responsibility of the applicant and/or homeowner's association, and not the City.

### **5. Signage**

- a. A signage plan was not submitted with the development plan. All signage (detached and attached) shall comply with Section 15.33.160(C), P-R/Planned Residential District Sign Regulations, of the Municipal Code (Zoning Ordinance).

### **Recommendations**

The Community Development Department recommends the following for the subject property legally described as described as Lot 2, Arbor Creek Subdivision, City of Council Bluffs, Pottawattamie County, Iowa:

1. Approval of a preliminary plan for a 27-lot residential subdivision to be known as Arbor Creek 2<sup>nd</sup> Addition, legally described as being a replat of Lot 2, Arbor Creek Subdivision, subject to the comments above and the following conditions:
  - a. Approval of the preliminary plans is tentative and does not constitute acceptance of the final plat, but is “deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat” (Section 14.11.060(D)—Subdivision Ordinance).
  - b. All applicable permits necessary to meet all local, state, and federal requirements shall be the developer’s responsibility.
  - c. All utilities shall be installed underground. All costs to construct, remove, and/or relocate any utilities for the proposed subdivision shall be the responsibility of the developer and not the City.
  - d. Sidewalks shall be installed along the frontage of each proposed lot prior to issuance of a Certificate of Occupancy for each lot. A sidewalk along frontages of Outlot ‘A’ shall be installed at the time Arbor Creek Drive is constructed. All sidewalks shall be built to City standards.
  - e. The applicant shall assume all maintenance responsibility for Lot 27, or assign it to the subdivision’s homeowners association on the final plat, until such time the lot is sold to Midlands Humane Society or developed with additional dwellings.
  - f. All future streetlights shall meet Public Works Department standards. All costs associated with the installation of streetlights shall be the responsibility of the developer and not the City.
  - g. Approval of the requested subdivision variances relative to lot size, lot width, and maximum lot depth to width ratios, based on reasons stated above.
2. Approval of the request to rezone Lot 2, Arbor Creek Subdivision, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates, and Agricultural District to R-2/Two-Family Residential District, based on the reasons stated above.
3. Approval of the request to append a P-R/Planned Residential Overlay and adopt a planned residential development plan for Arbor Creek 2<sup>nd</sup> Addition, subject to the comments above and following condition:
  - a. Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed by City Planning Commission and approved by City Council prior to such changes being made. Minor modifications to the adopted development plan that result in a product that is considered compatible with the overall development may be administratively approved by the Community Development Director or their designee.

### **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. Mark Westergard, E&A Consulting Group Inc., 10909 Mill Valley Road, Suite 100, Omaha, NE 68151
2. Clint Brunow, representing Arbor Creek, LLC, 2023 South 181<sup>st</sup> Circle, Omaha, NE 68130

Speakers against:

1. Ed Cain, 26 Indian Hills Road, Council Bluffs, IA 51503

2. Ron Wolfe, representing the College Road-Indian Hills Road Neighborhood Association, 536 College Road, Council Bluffs, IA 51503
3. Marti Nerenstone, Attorney for the College Road-Indian Hills Road Neighborhood Association, 33 Indian Hills Road, Council Bluffs, IA 51503

### **Planning Commission Recommendation**

The Planning Commission recommended:

1. Approval of a preliminary plan for a 27-lot residential subdivision to be known as Arbor Creek 2<sup>nd</sup> Addition, legally described as being a replat of Lot 2, Arbor Creek Subdivision, subject to the comments above and the following conditions:
  - a. Approval of the preliminary plans is tentative and does not constitute acceptance of the final plat, but is “deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat” (Section 14.11.060(D)—Subdivision Ordinance).
  - b. All applicable permits necessary to meet all local, state, and federal requirements shall be the developer’s responsibility.
  - c. All utilities shall be installed underground. All costs to construct, remove, and/or relocate any utilities for the proposed subdivision shall be the responsibility of the developer and not the City.
  - d. Sidewalks shall be installed along the frontage of each proposed lot prior to issuance of a Certificate of Occupancy for each lot. A sidewalk along frontages of Outlot ‘A’ shall be installed at the time Arbor Creek Drive is constructed. All sidewalks shall be built to City standards.
  - e. The applicant shall assume all maintenance responsibility for Lot 27, or assign it to the subdivision’s homeowners association on the final plat, until such time the lot is sold to Midlands Humane Society or developed with additional dwellings.
  - f. All future streetlights shall meet Public Works Department standards. All costs associated with the installation of streetlights shall be the responsibility of the developer and not the City.
  - g. Approval of the requested subdivision variances relative to lot size, lot width, and maximum lot depth to width ratios, based on reasons stated above.
4. Approval of the request to rezone Lot 2, Arbor Creek Subdivision, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates, and Agricultural District to R-2/Two-Family Residential District, based on the reasons stated above.
5. Approval of the request to append a P-R/Planned Residential Overlay and adopt a planned residential development plan for Arbor Creek 2<sup>nd</sup> Addition, subject to the comments above and following condition:
  - a. Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed by City Planning Commission and approved by City Council prior to such changes being made. Minor modifications to the adopted development plan that result in a product that is considered compatible with the overall development may be administratively approved by the Community Development Director or their designee.

VOTE: AYE - Bass, Danielsen, Haner, Rater, Rew, Scott, Stroebele, and Van Houten NAY - Hutcheson and Halm ABSTAIN - None ABSENT - None VACANT One Motion: Carried

### **Attachments**

Attachment A: Letter of intent  
Attachment B: Preliminary subdivision plans  
Attachment C: Drainage study  
Attachment D: Location/zoning map

Attachment E: PR site and landscaping plans  
Attachment F: Architectural renderings and floor plans  
Attachment G: Council Bluffs street tree guide

Exhibit A: Ed Cain Letter of Opposition

Prepared by: Christopher N. Gibbons, AICP, Planning Manager, Community Development Department

March 16, 2021

Christopher Gibbons  
Planning Manager  
Community Development Department  
City of Council Bluffs  
209 Pearl Street  
Council Bluffs, IA 51503

RE: Arbor Creek 2<sup>nd</sup> Addition – Preliminary Plat & PR Development Plan Submittal  
E & A File: P2020.240.001

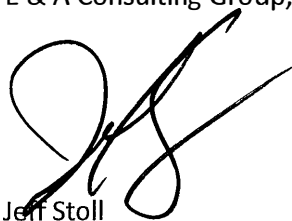
Dear Chris,

On behalf of our client, Arbor Creek, LLC, we hereby submit an application for the above referenced project. The subject property is located at Lot 2, Arbor Creek; located near College Road and Railroad Avenue. This subdivision proposes a change of zone from A-2 to R-2.

Several variances will be requested as part of the development plan. Variances including: the reduction of the minimum horizontal curves (Section 5C-1 of the Iowa Statewide Urban Design and Specifications), Interior Lot Area, Corner Lot Width and Interior Lot Width (Section 15.09.50), and Lot Depth and width ratio (Section 14.14.020). The justification for the request is to eliminate the need to any additional intersections and also provide the maximum amount of area for future use by either the Humane Society or for additional residential development.

All documents included are listed on the attached transmittal. If you have any questions regarding this application, please contact me at 402-895-4700 or at [jstoll@eacg.com](mailto:jstoll@eacg.com).

Sincerely,  
E & A Consulting Group, Inc



Jeff Stoll  
Platting Services Assistant Manager



**E & A CONSULTING GROUP, INC.**

*Engineering Answers*

10909 Mill Valley Road, Suite 100 • Omaha, NE 68154-3950

P 402.895.4700 • F 402.895.3599

[www.eacg.com](http://www.eacg.com)

March 16, 2021

Christopher Gibbons  
Planning Manager  
Community Development Department  
City of Council Bluffs  
209 Pearl Street  
Council Bluffs, IA 51503

RE: Arbor Creek 2<sup>nd</sup> Addition – PR Development Plan Letter of Intent  
E & A File: P2020.240.001

Dear Chris,

On behalf of our client, Arbor Creek. LLC, we hereby submit an application for the above referenced project. The subject property is located at Lot 2, Arbor Creek; located near College Road and Railroad Avenue.

A 27-lot single family development is proposed as Arbor Creek 2nd Addition. This development will be zoned R-2 and will be a mix of detached of unattached single development, with one outlot will be designated for greenspace and a storm water detention and water quality detention. The proposed outlot will be owned and maintained by the developer or HOA. Lot 27 will be reserved for Midlands Humane Society to purchase and use as part of their development. If no agreement cannot be reached, Lot 27 will be a part of a 2nd phase development. In this 2<sup>nd</sup> phase, Lot 27 will be developed as more detached or unattached single-family houses that is in line with the first phase. Until Lot 27 is either purchased by Midlands Humane Society or is developed, this lot will be owned and maintained by the developer.

This development will be served by a new 700-foot street bisecting the residential lots, to be known as Arbor Creek Drive. The proposed street will be designed to meet City of Council Bluffs standards, with pavement centered in the 50-foot-wide right-of-way which will be dedicated to the City. The development will be served by a proposed 8" sanitary sewer main running within the proposed right-of-way. Service connections will be made as part of this project and will be extended from the proposed sewer main to the proposed right-of-way line. A storm sewer network of pipes and inlets will also be constructed to convey storm water runoff to the proposed detention system within the subdivision. This development will be served by an extension of water main as determined by the Council Bluff Water Works.

Installation of the street lights, electric and gas services, and communication utilities are also planned for the subdivision, we will work with the various utility companies regarding installation to this development. Any driveways or sidewalks will be constructed as each individual lot is developed.



The applicant and E & A Consulting Group, Inc. will continue to work with the City of Council Bluffs Planning Department and Public Works Department regarding any issue related to the development plan.

Site grading is scheduled to start in late summer with all public improvements (included storm sewer, sanitary sewer, street pavement, and water main) scheduled to be completed in early 2022.

If you have any questions regarding this application, please contact me at 402-895-4700 or at [jstoll@eacg.com](mailto:jstoll@eacg.com).

Sincerely,

E & A Consulting Group, Inc

A handwritten signature in black ink, appearing to read 'J. Stoll', with a long horizontal stroke extending to the right.

Jeff Stoll

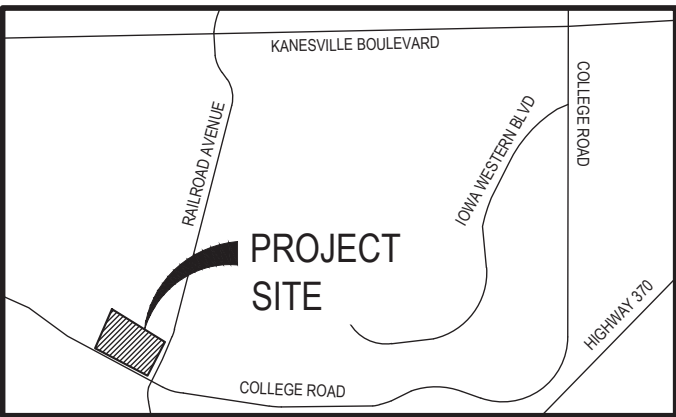
Platting Services Assistant Manager

ATTACHMENT B

ARBOR CREEK 2ND ADDITION

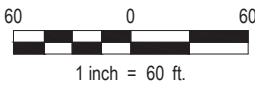
LOTS 1 THRU 27 & OUTLOT "A" INCLUSIVE

LOT 2, ARBOR CREEK, A SUBDIVISION LOCATED IN PART OF THE NE1/4 OF SECTION 29, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA.



LEGEND

- BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- EASEMENTS
- SETBACK LINE
- EXIST. MAJOR CONTOURS
- EXIST. MINOR CONTOURS
- G --- GAS LINE
- UGW --- WATER LINE (UNDERGROUND)
- OHP --- POWER LINE (OVERHEAD)
- UGP --- POWER LINE (UNDERGROUND)
- UGC --- COMMUNICATION LINE (UNDERGROUND)
- SS --- SANITARY SEWER LINE
- ST --- STORM SEWER LINE
- UFO --- FIBER OPTICS LINE (UNDERGROUND)



| CENTERLINE CURVE TABLE |         |
|------------------------|---------|
| CURVE                  | RADIUS  |
| 1                      | 100.00' |
| 2                      | 100.00' |
| 3                      | 100.00' |

LEGAL DESCRIPTION

LOT 2, ARBOR CREEK, A SUBDIVISION LOCATED IN PART OF THE NE1/4 OF SECTION 29, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA.

SAID TRACT OF LAND CONTAINS 269,659 SQUARE FEET OR 6.191 ACRES, MORE OR LESS.

DEVELOPER

ARBOR CREEK, LLC  
2023 S 181ST CIRCLE  
OMAHA, NE 68130

OWNER

CITY OF COUNCIL BLUFFS  
209 PEARL STREET  
COUNCIL BLUFFS, IOWA 51503

ZONING:

|           |                       |
|-----------|-----------------------|
| EXISTING  | A-2                   |
| PROPOSED: | R-2, LOTS 1 THRU 27   |
|           | 4.788 AC              |
|           | R-2 OUTLOT "A"        |
|           | 0.683 AC              |
|           | PROPOSED RIGHT-OF-WAY |
|           | 0.720 AC              |
|           | TOTAL                 |
|           | 6.191 AC              |

NOTES:

- DIRECT VEHICULAR ACCESS WILL NOT BE ALLOWED TO COLLEGE ROAD OR TO RAILROAD DRIVE FROM ANY LOTS ABUTTING SAID STREETS.
- TYPICAL UTILITY EASEMENTS WILL BE DEDICATED WITH THE FINAL PLAT.
- A STORM SEWER AND DRAINAGE EASEMENT IS GRANTED OVER ALL OF OUTLOT "A".

| LOT AREAS |             | LOT AREAS |             | LOT AREAS |             |
|-----------|-------------|-----------|-------------|-----------|-------------|
| LOT NO.   | SQ. FOOTAGE | LOT NO.   | SQ. FOOTAGE | LOT NO.   | SQ. FOOTAGE |
| 1         | 5,989       | 11        | 7,867       | 21        | 3,042       |
| 2         | 5,385       | 12        | 7,273       | 22        | 2,732       |
| 3         | 5,883       | 13        | 5,951       | 23        | 2,766       |
| 4         | 7,669       | 14        | 2,308       | 24        | 3,240       |
| 5         | 5,941       | 15        | 2,302       | 25        | 5,086       |
| 6         | 6,620       | 16        | 3,675       | 26        | 5,000       |
| 7         | 4,939       | 17        | 4,209       |           |             |
| 8         | 5,972       | 18        | 2,334       |           |             |
| 9         | 7,076       | 19        | 2,323       |           |             |
| 10        | 6,151       | 20        | 2,765       |           |             |

|              |               |           |             |
|--------------|---------------|-----------|-------------|
| Proj No:     | P2020.240.001 | Revisions |             |
| Date:        | 03/16/2021    | Date      | Description |
| Designed By: | JRS           |           |             |
| Drawn By:    | TRH           |           |             |
| Scale:       | 1" = 60'      |           |             |
| Sheet:       | 1 of 1        |           |             |

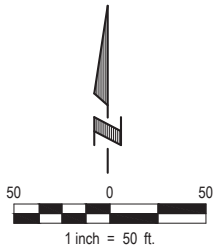
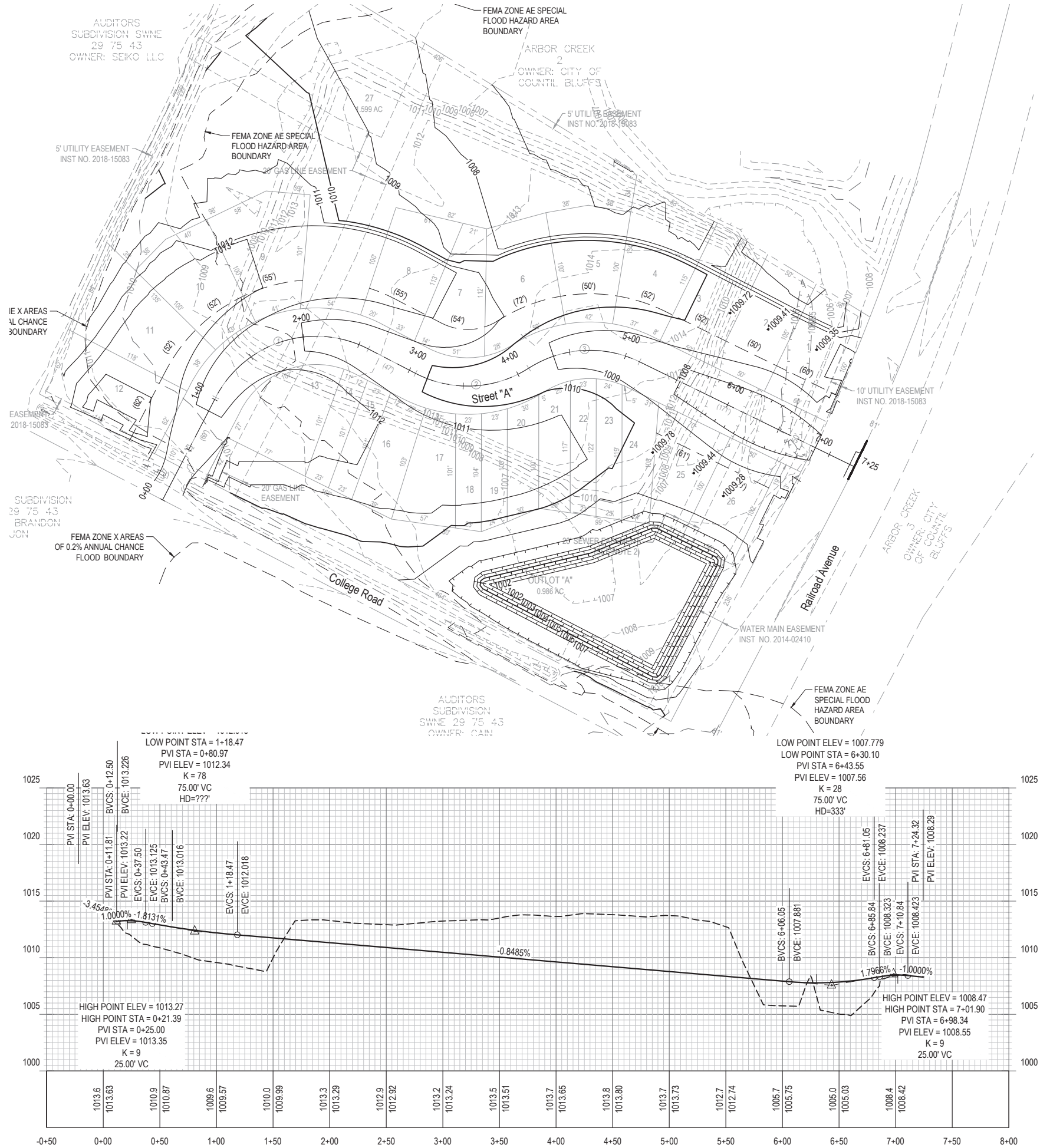
PRELIMINARY PLAT

ARBOR CREEK 2ND ADDITION  
LOTS 1 THRU 27 AND OUTLOT "A" INCLUSIVE  
COUNCIL BLUFFS, IOWA



E & A CONSULTING GROUP, INC.  
Engineering • Planning • Environmental & Field Services

10909 Mill Valley Road, Suite 100 • Omaha, NE 68154  
Phone: 402.895.4700 • Fax: 402.895.3599  
www.eacg.com



Proj No: P2020.240.001

Date: 3/16/2021

Designed By: MAW

Drawn By: ASB

Scale: AS SHOWN

Sheet: 1 of 1

Revisions

| Date      | Description |
|-----------|-------------|
| 3/16/2021 | MAW         |
| 3/16/2021 | ASB         |

3/16/2021 10:11 AM K:\Projects\2020\240\001\Engineering\CAD Files\Grading\GP-TIN-000.dwg

Adam Baerger

E & A CONSULTING GROUP, INC.

Engineering • Planning • Environmental & Field Services

e+a

E & A CONSULTING GROUP, INC.

Engineering Answers

ARBOR CREEK 2nd ADDITION  
LOTS 1 THRU 27 AND  
OUTLOT "A" INCLUSIVE  
COUNCIL BLUFFS, IOWA

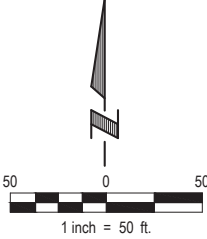
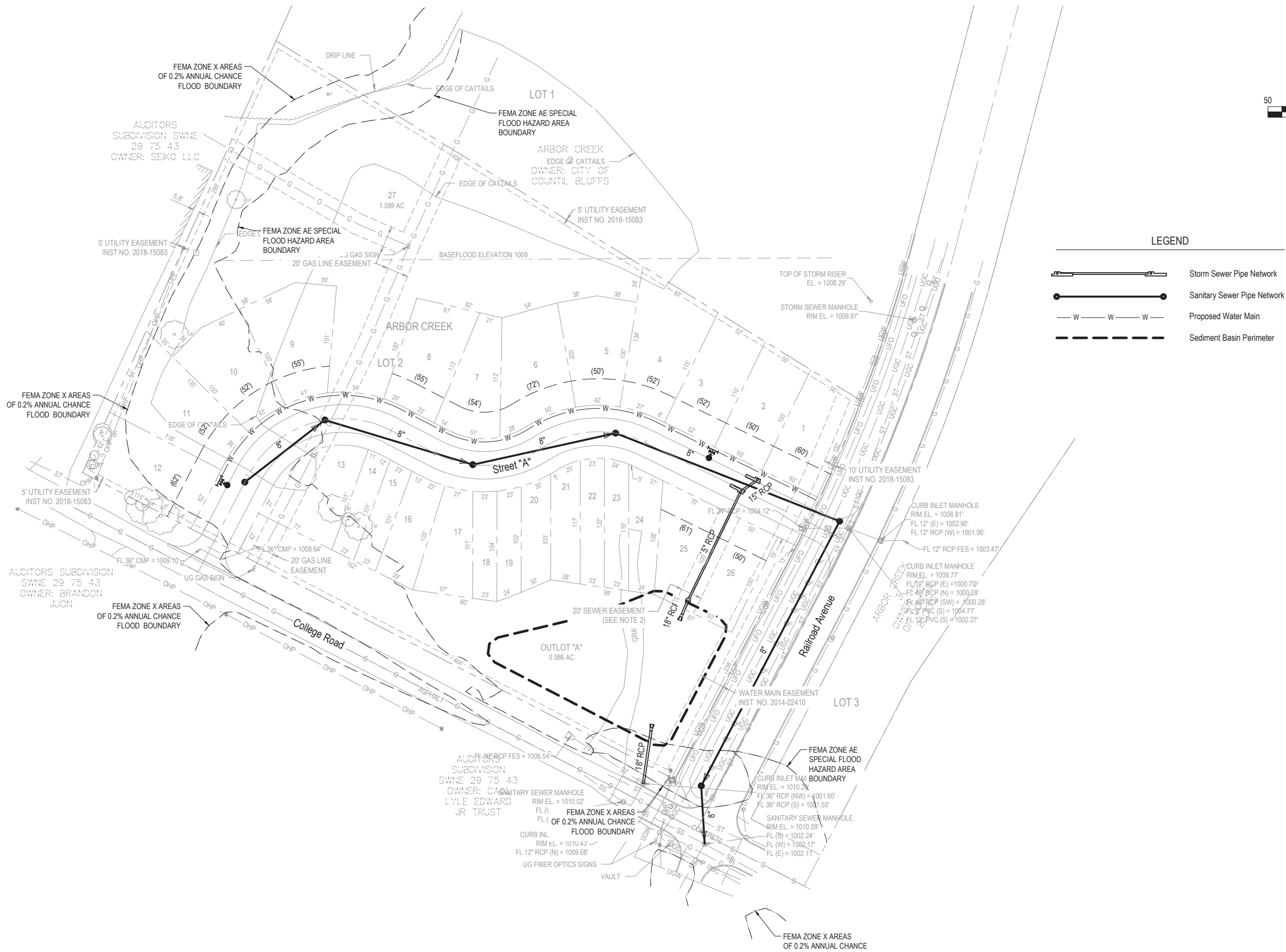
GRADING PLAN

10309 Mill Valley Road, Suite 100 • Omaha, NE 68154  
Phone: 402.895.7700 • Fax: 402.895.3599  
www.eacg.com

10309 Mill Valley Road, Suite 100 • Omaha, NE 68154  
Phone: 402.895.7700 • Fax: 402.895.3599  
www.eacg.com

37





Proj No: P2020.240.001

Date: 3/16/2021

Designed By: MAW

Drawn By: ASB

Scale: AS SHOWN

Sheet: 1 of 1

Revisions

| Date      | Description |
|-----------|-------------|
| 3/16/2021 | MAW         |
|           | ASB         |

3/15/2021 10:59 AM

K:\Projects\2020\240\201\Engineering\CAD Files\Plan Exhibit\Plan Utility Exhibit - 000.dwg

Adam Bauegger

E & A CONSULTING GROUP, INC.

Engineering • Planning • Environmental & Field Services

E & A CONSULTING GROUP, INC.

Engineering Answers

ARBOR CREEK 2nd ADDITION

LOTS 1 THRU 27 AND

OUTLOT "A" INCLUSIVE

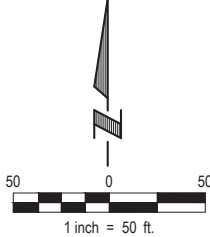
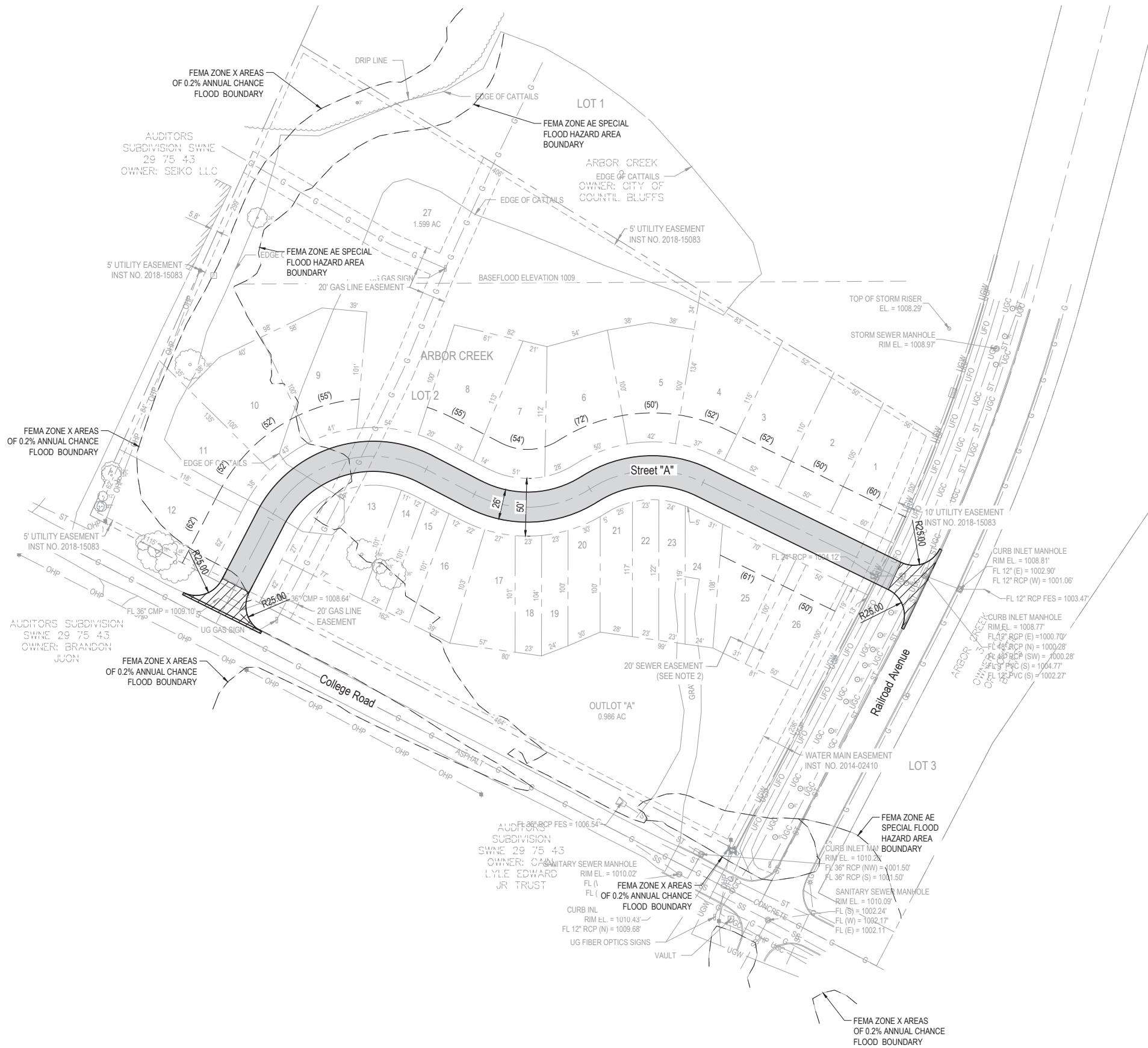
COUNCIL BLUFFS, IOWA

10309 Mill Valley Road, Suite 100 • Omaha, NE 68154

Phone: 402.895.7700 • Fax: 402.895.3559

www.eacg.com

38



- LEGEND
- Proposed 7" P.C.C. Pavement
  - Proposed 7" General Obligation P.C.C. Pavement

**E & A CONSULTING GROUP, INC.**  
Engineering • Planning • Environmental & Field Services



**ARBOR CREEK 2nd ADDITION**  
LOTS 1 THRU 27 AND  
OUTLOT 'A' INCLUSIVE  
COUNCIL BLUFFS, IOWA

**PAVING EXHIBIT**

| Revisions | Date      | Description |
|-----------|-----------|-------------|
| 1         | 3/16/2021 | MAV         |
| 2         |           | ASB         |
| 3         |           | AS SHOWN    |
| 4         |           | 1 of 1      |

Proj No: P2020.240.001  
Date: 3/16/2021  
Designed By: MAV  
Drawn By: ASB  
Scale: AS SHOWN  
Sheet: 1 of 1  
Adam Bauegger 3/15/2021 10:07 AM K:\Projects\2020\240\201\Engineering\CAD Files\Plan Exhibits\Plan Paving Exhibit - 000.dwg

**DRAINAGE REPORT**

**FOR**

**ARBOR CREEK 2<sup>ND</sup> ADDITION**  
**LOTS 1 THRU 27 & OUTLOT "A" INCLUSIVE**

**College Road & Railroad Avenue**  
**Council Bluffs, Iowa**

Prepared By:



**E & A Consulting Group, Inc.**  
10909 Mill Valley Road, Suite 100  
Omaha, NE 68154  
Ph. 402-895-4700

E & A Project Number: P2020.240.001

**March 16<sup>th</sup>, 2021**



## Table of Contents

|  |          |
|--|----------|
| <b>1. Executive Summary .....</b>                                    | <b>2</b> |
| 1.1 Project Description .....  | 2        |
| 1.2 Pre-Developed Site .....   | 2        |
| 1.2.1 Existing Usage of Land .....                                   | 2        |
| 1.2.2 Wetlands and Preservation of Natural Areas .....               | 2        |
| 1.2.3 Site Soil Information .....                                    | 2        |
| 1.2.4 Existing Topography .....                                      | 2        |
| 1.2.5 Pre-Development Site Hydrology .....                           | 3        |
| 1.3 Post Developed Site .....  | 4        |
| 1.3.1 Proposed Usage of Land .....                                   | 4        |
| 1.3.2 Post-Development Site Hydrology .....                          | 4        |
| 1.3.3 Culverts .....   | 5        |
| <b>2. Post Construction Stormwater Management Plan (PCSMP) .....</b> | <b>5</b> |
| 2.1 Jurisdiction and Requirements .....                              | 5        |
| 2.2 Best Management Practices (BMPs) .....                           | 5        |
| 2.2.1 Proposed Treatment BMPs .....                                  | 5        |
| 2.2.2 Water Quality Control .....                                    | 7        |
| <b>3. References .....</b>   | <b>8</b> |
| <b>4. Appendix .....</b>   | <b>9</b> |
| A. Site Vicinity Map   |          |
| B. Soil Information  |          |
| C. Pre-Development Drainage Map                                      |          |
| D. PCSMP Map   |          |
| E. Post Development Drainage Map                                     |          |
| F. Storm Drain Sizing Calculations                                   |          |
| G. Hydraflow Software Model Report                                   |          |



## **1. Executive Summary**

### **1.1 Project Description**

Arbor Creek 2<sup>nd</sup> Addition is a new development that consists of developing 6.19 acres of open land into a single family residential development. This development falls under the jurisdiction of Pottawattamie County with an approximate location of College Road and Railroad Avenue (reference Appendix A - Site Vicinity Map). The project includes the following improvements:

- 27 Residential Lots
- (1) Detention Basins
- Sanitary Sewer Infrastructure
- Storm Sewer Infrastructure
- Domestic / Fire Water Service
- Grading / Paving

This report presents a hydrology and hydraulics (H & H) study of existing conditions and the proposed development with incorporated Best Management Practices (BMPs) for storm water runoff.

### **1.2 Pre-Developed Site**

#### **1.2.1 Existing Usage of Land**

The existing site is vacant fair condition grass land.

#### **1.2.2 Wetlands and Preservation of Natural Areas**

There are no wetlands or natural areas within the project boundaries. This section does not apply.

#### **1.2.3 Site Soil Information**

Soil classification for stormwater runoff calculations is referenced from the USDA National Cooperative Soil Survey. The survey classifies the project site with hydrologic soil Type B. For additional information on soil type please reference Appendix B, Soil Information.

#### **1.2.4 Existing Topography**

Existing site topography was provided by the E & A, Survey Department. Existing topography of the surrounding areas was obtained using LIDAR information as provided by ArcGIS.

### 1.2.5 Pre-Development Site Hydrology

Calculation of runoff was performed using the Hydraflow Hydrographs modeling software. The model was set to use the SCS, TR-55 method with distributed Type II precipitation and a 6-minute minimum Time of Concentration.

The following assumptions were made in the calculation of pre-development runoff.

**Table 1.0 – Referenced ORSDM 24-hr rainfall**

| <b>24-Hour Design Rainfall</b> |                          |
|--------------------------------|--------------------------|
| <b>Storm Event</b>             | <b>Rainfall (inches)</b> |
| 2-Year                         | 3.0                      |
| 5-Year                         | 3.96                     |
| 10-Year                        | 4.6                      |

**Table 2.0 – Used SCS Curve Numbers in Calculation of Pre-Development Runoff**

| <b>SCS Method Curve Numbers (CN)</b> |           |
|--------------------------------------|-----------|
| <b>Land Classification</b>           | <b>CN</b> |
| Open lawn fair condition             | 69        |

The following table summarizes the calculated pre-development runoff. For a visual representation of areas please reference Appendix C, Pre-Development Drainage Map. For details on calculated flows, reference Appendix I, PCSMP Hydraflow Software Model Report.

**Table 3.0 – Pre-Development Runoff per Impact Point Summary**

| <b>Impact Point</b> | <b>Pre-Development Area (ID)</b> | <b>Area (acres)</b> | <b>CN</b> | <b>Time of Concentration</b> | <b>5-YR Peak Flow (cfs)</b> |
|---------------------|----------------------------------|---------------------|-----------|------------------------------|-----------------------------|
| A                   | EX. A                            | 6.20                | 69        | 6 min.                       | 13.04                       |

## 1.3 Post Developed Site

### 1.3.1 Proposed Usage of Land

The proposed usage will be residential. It is best described as Residential District with average lot size being 1/4 ac or less.

### 1.3.2 Post-Development Site Hydrology

The proposed site is composed of new residential lots that drain into the public right of way. Maintaining similar flow direction as pre-development, the site was graded into one major watershed. Runoff is collected from the street and directed through a new storm drain system to a detention basin located at the southwest corner of the site. The basin then releases the runoff at controlled rates into an adjacent development to the south into a swale that was designed to handle our site.

The new storm drain system was sized using the Rational Method. This method was chosen as opposed to the SCS method for its natural computational factor of safety. Pipes and structures were designed to carry the 10-year storm while the worst case 100-year storm being carried with a combination of the pipe system and surface flow within the public right-of-way.

**Table 4.0** – Summary of ORSDM Referenced Assumptions for Pipe Sizing Calculations.

| Pipes Sizing Calculations                |                            |                    |
|--|----------------------------|--------------------|
| Time of Concentration,<br>Minimum (min.) | Rainfall Intensity (in/hr) | Runoff Coefficient |
| 10                                       | 6.9                        | 0.57               |

For a visual representation of the new storm drain system please reference Appendix D, Post Development Drainage Map. For calculation details reference Appendix E, Storm Drain Sizing Calculations

The following tables summarize the calculated Post Development runoff and assumptions made for calculations. For a visual representation of areas please see Appendix H, Post Construction Stormwater Management Plan. For details on calculated flows, reference Appendix I, PCSMP Hydraflow Software Model Report.

**Table 5.0 – Used SCS Curve Numbers in Calculation of Post Development Runoff.**

| <b>SCS Method Curve Numbers (CN)</b> |           |
|--------------------------------------|-----------|
| <b>Land Classification</b>           | <b>CN</b> |
| Residential District, 1/4 ac or less | 75        |

**Table 6.0 – Post Development Runoff per Area Summary.**

| <b>Impact Point</b> | <b>Post Development Area (ID)</b> | <b>Area (acres)</b> | <b>CN</b> | <b>TC (min.)</b> | <b>5-YR Peak Flow (cfs)</b> |
|---------------------|-----------------------------------|---------------------|-----------|------------------|-----------------------------|
| A                   | DEV A                             | 20.30               | 75        | 6                | 0.31                        |

**Table 7.0 – Pre-Developed vs Developed Runoff per Impact Point Summary.**

| <b>Impact Point</b> | <b>Tributary</b> | <b>5-YR Peak Flow (cfs)</b> | <b>5-YR Lower or Equal to Pre-Development Runoff?</b> |
|---------------------|------------------|-----------------------------|---|
| A                   | EX A             | 13.04                       | YES   |
|                     | DEV A            | 0.31                        |   |

### 1.3.3 Culverts

There are no culverts within the project limits. This section does not apply.

## 2. Post Construction Stormwater Management Plan (PCSMP)

### 2.1 Jurisdiction and Requirements

This project is located in Pottawattamie County and shall meet the following requirements:

- PCSMP that includes BMP's.
- Provide water quality control of the first 1-1/2-inch site runoff.
- Maintain runoff to equal or less than pre-project 5-year storm event.
- Maintain "No Adverse Impact" downstream.

### 2.2 Best Management Practices (BMPs)

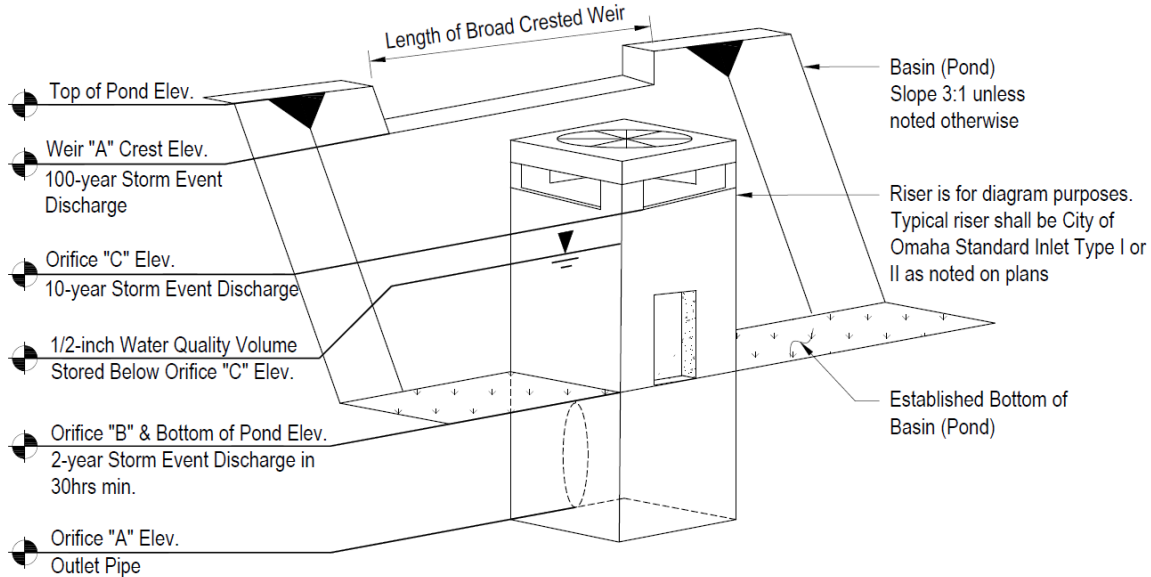
#### 2.2.1 Proposed Treatment BMPs

The installation of detention basins was the chosen BMP to mitigate the following requirements:

- Provide Water Quality Control of the 1-1/2-inch of site runoff.
- Maintain Post Development runoff to equal or less than Pre-Development.
- Maintain “No Adverse Impact” Downstream.

Basins are able to treat storm water pollutants and reduce the amount of suspended solids by detaining water and allowing the solids to settle while bacteria and established vegetation help remove hydrocarbons, phosphorus and nitrogen.

In addition, the basins were designed to control the discharge rates of Post Development. This was accomplished through the design of a multi-stage release system. The diagram below details the storm event and the orifice it is allowed to pass. The orifice is sized to discharge the corresponding storm event at a rate equal or less than Pre-Development. Appendix E, PCSMP Map shows the proposed basins and tributary areas. Reference Appendix I, PCSMP Hydraflow Software Model Report for detailed basin sizing calculations.



**Figure 1.0** – Diagram of Multi-Stage Basin Release System and as modeled in Hydraflow.

## 2.2.2 Water Quality Control

The required Water Quality Volume (WQV) is calculated with the following formula:

$$WQV, ft^3 = (1-1/2\text{-inch runoff}) (1/12) \times (Tributary Area, ft^2)$$

The following table summarizes the required and provided WQV per installed Basin.

**Table 8.0** – Post Development Water Quality Volume (WQV) Summary.

| PCSMP - Water Quality Volume |                        |  |  |           |
|------------------------------|------------------------|--|--|-----------|
| Basin                        | Tributary Area (acres) | Water Quality Volume Required (ft <sup>3</sup> ) | Water Quality Volume Provided (ft <sup>3</sup> ) | Adequate? |
| Basin A                      | 6.20                   | 33,759   | 34,934   | YES       |

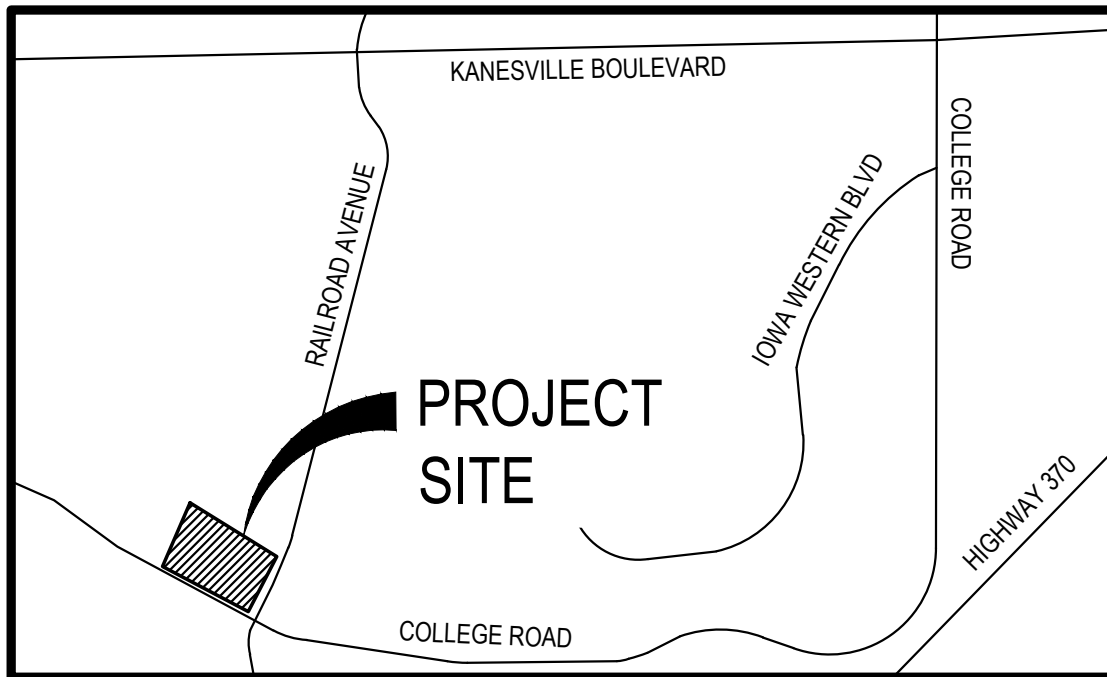
### 3. References

1. Agriculture, U. S. (n.d.). *Web Soil Survey*. Retrieved from Natural Resources Conservation Service:  
<https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>
2. Iowa Statewide Urban Design and Specifications SUDAS (February 2021).  
Ames, IA, USA

## **Appendix A - Site Vicinity Map**







## VICINITY MAP



### E & A CONSULTING GROUP, INC.

Engineering • Planning • Environmental & Field Services  
10909 Mill Valley Road Suite 100 Omaha, NE 68154 Phone: 402.895.4700 Fax: 402.895.3599

Job No.: P2020.240.001

Date: 2/09/2021

Drawn by: JAS

Scale: AS SHOWN

Sht: 1 of 1

ARBOR CREEK 2ND ADDITION  
LOTS 1 THRU 27 & OUTLOT "A" INCLUSIVE  
POTTAWATTAMIE COUNTY, IOWA



## **Appendix B - Soil Information**

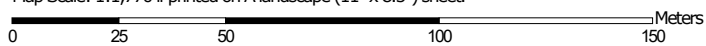


# Hydrologic Soil Group—Pottawattamie County, Iowa (College Road)



Soil Map may not be valid at this scale.

Map Scale: 1:1,770 if printed on A landscape (11" x 8.5") sheet.




Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 15N WGS84



## MAP LEGEND

### Area of Interest (AOI)









 Area of Interest (AOI)

### Soils

#### Soil Rating Polygons





 A  
 A/D  
 B  
 B/D  
 C  
 C/D  
 D  
 Not rated or not available

#### Soil Rating Lines

 A  
 A/D  
 B  
 B/D  
 C  
 C/D  
 D  
 Not rated or not available

#### Soil Rating Points




 A  
 A/D  
 B  
 B/D

 C  
 C/D  
 D  
 Not rated or not available


### Water Features

 Streams and Canals

### Transportation

 Rails  
 Interstate Highways  
 US Routes  
 Major Roads  
 Local Roads

### Background

 Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Pottawattamie County, Iowa  
 Survey Area Data: Version 26, Jun 10, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Feb 1, 2014—Dec 1, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Hydrologic Soil Group

| Map unit symbol                    | Map unit name                           | Rating | Acres in AOI | Percent of AOI |
|------------------------------------|---|--------|--------------|----------------|
| 1F                                 | Ida silt loam, 20 to 30 percent slopes  | B      | 0.2          | 2.9%           |
| 12B                                | Napier silt loam, 2 to 5 percent slopes | B      | 4.7          | 66.1%          |
| 12C                                | Napier silt loam, 5 to 9 percent slopes | B      | 1.2          | 16.2%          |
| 70                                 | McPaul silt loam, 0 to 2 percent slopes | B/D    | 1.1          | 14.8%          |
| <b>Totals for Area of Interest</b> |   |        | <b>7.1</b>   | <b>100.0%</b>  |

## Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.



## Rating Options

*Aggregation Method:* Dominant Condition

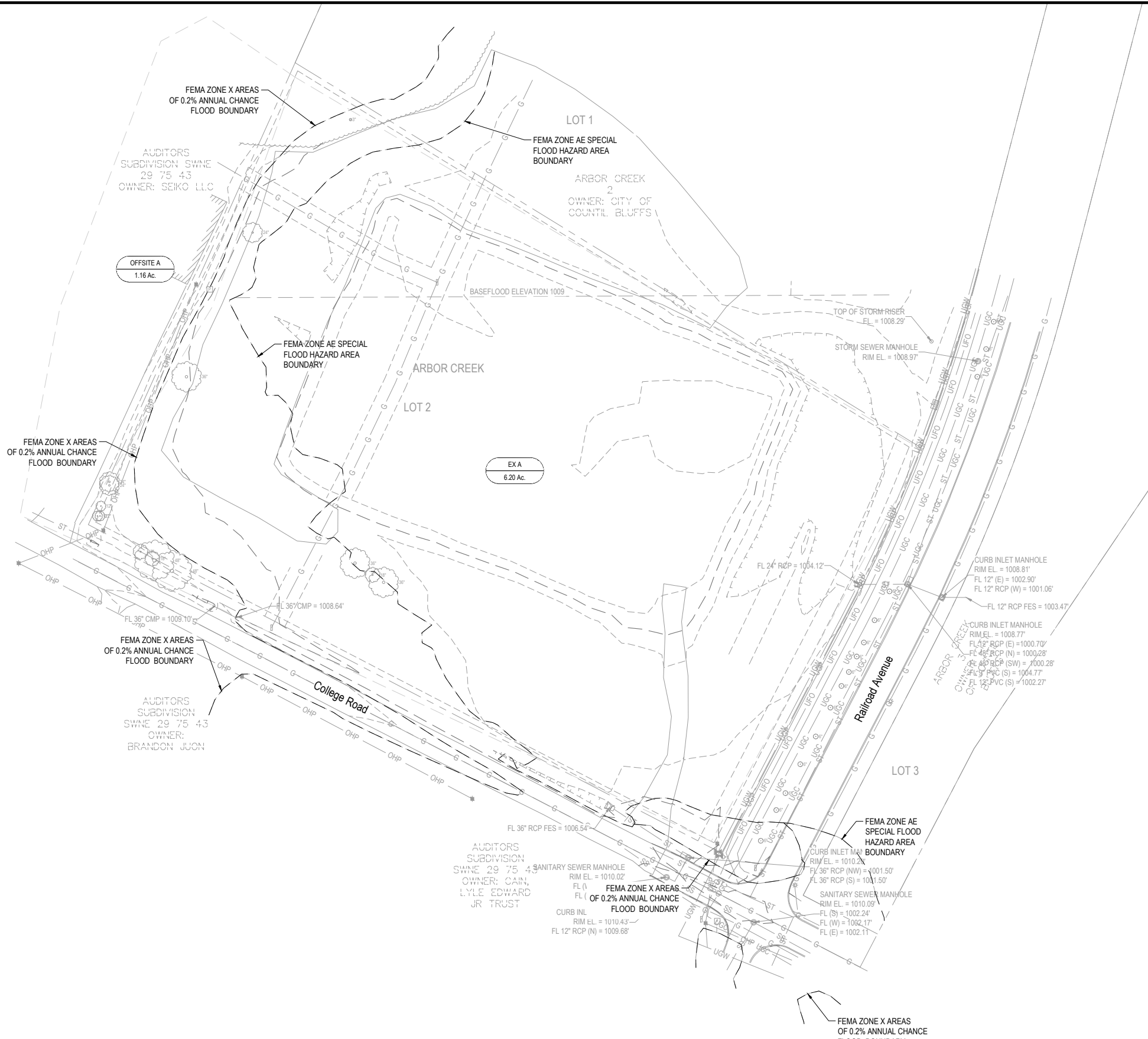
*Component Percent Cutoff:* None Specified

*Tie-break Rule:* Higher



## **Appendix C - Pre-Development Drainage Map**





50 0 50  
1 inch = 50 ft.

**LEGEND**

Proposed Storm Sewer System

Proposed Contours

Proposed Drainage Area Boundary

Drainage Area Label

PCSMP Basin

**E & A CONSULTING GROUP, INC.**  
Engineering • Planning • Environmental & Field Services

10309 Mill Valley Road, Suite 100 • Omaha, NE 68154  
Phone: 402.895.7700 • Fax: 402.895.3599  
www.eacg.com



**E & A CONSULTING GROUP, INC.**  
Engineering Answers

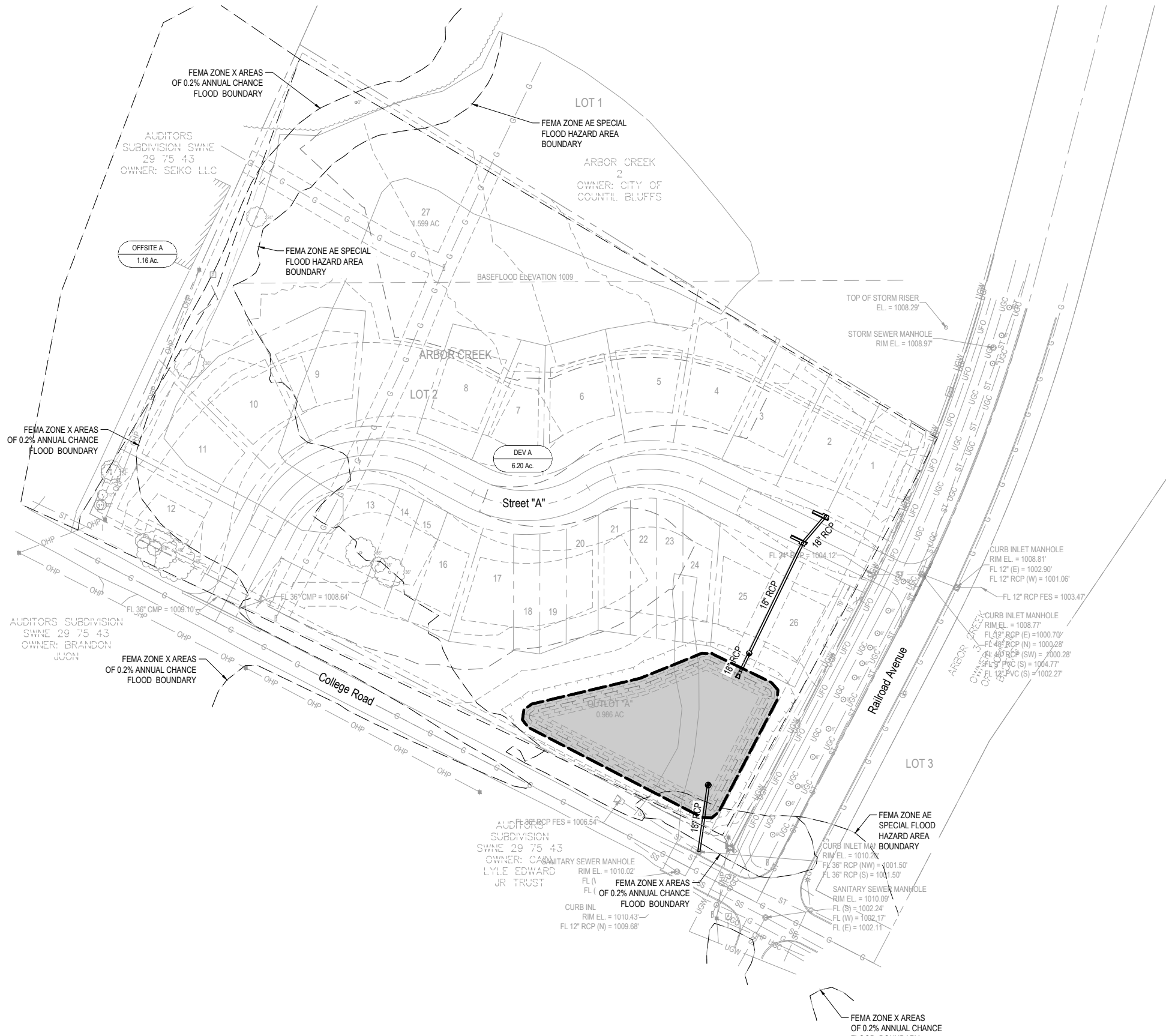
**ARBOR CREEK 2ND EDITION**  
COUNCIL BLUFFS, IOWA

**EXISTING EXHIBIT**

| Proj No:     | P2020.240.001 | Revisions |             |
|--------------|---------------|-----------|-------------|
|              |               | Date      | Description |
| Date:        | 1/28/2021     |           |             |
| Designed By: | MAW           |           |             |
| Drawn By:    | ASB           |           |             |
| Scale:       | AS SHOWN      |           |             |
| Sheet:       | 1 of 1        |           |             |

## **Appendix D - PCSMP Map**





50050

1 inch = 50 ft.

LEGEND

Proposed Storm Sewer System

Proposed Contours

Proposed Drainage Area Boundary

X  
0.00 Ac.

Drainage Area Label

PCSMF Basin

Proj No: P2020.240.001

Date: 1/26/2021

Designed By: MAW

Drawn By: ASB

Scale: AS SHOWN

Sheet: 1 of 1

Revisions

| Date      | Description |
|-----------|-------------|
| 1/26/2021 | MAW         |
|           | ASB         |

E & A CONSULTING GROUP, INC.

Engineering • Planning • Environmental & Field Services

E & A CONSULTING GROUP, INC.

Engineering Answers

ARBOR CREEK 2ND EDITION

COUNCIL BLUFFS, IOWA

PCSMF EXHIBIT

10309 Mill Valley Road, Suite 100 • Omaha, NE 68154

Phone: 402.895.7700 • Fax: 402.895.3559

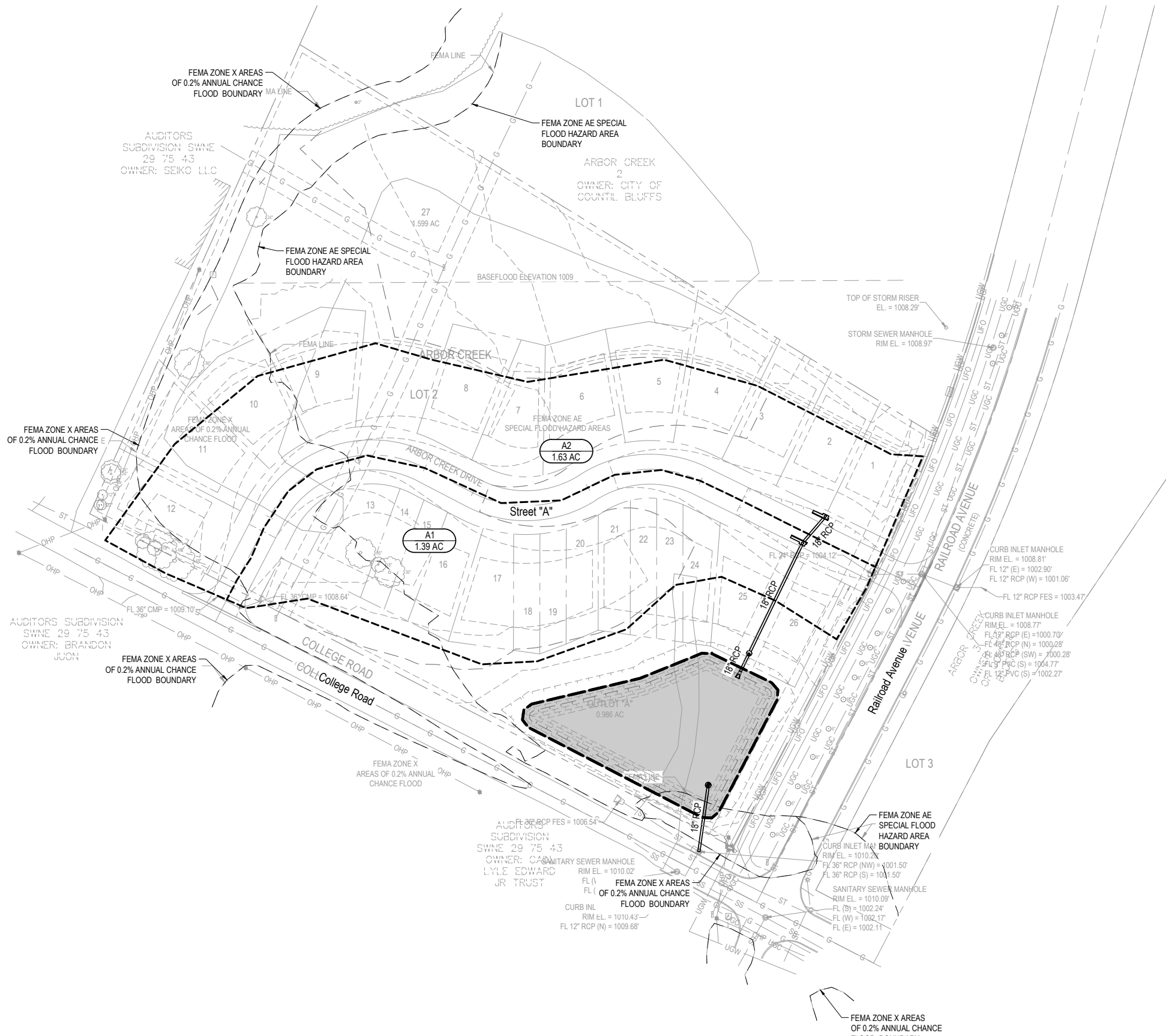
www.eacg.com

Jared L. Hengstler 3/15/2021 1:17 PM K:\Projects\2020\240\001\Engineering\CAD Files\Drawings Study\Drainage Study.dwg



## **Appendix E - Post-Development Drainage Map**





500501 inch = 50 ft.

LEGEND

Proposed Storm Sewer System

Proposed Contours

Proposed Drainage Area Boundary

X

0.00 Ac.

Drainage Area Label

PCSMP Basin

Proj No: P2020.240.001

Date: 1/26/2021

Designed By: MAW

Drawn By: ASB

Scale: AS SHOWN

Sheet: 1 of 1

Revisions

| Date      | Description |
|-----------|-------------|
| 1/26/2021 | MAW         |
| 1/26/2021 | ASB         |

ARBOR CREEK 2ND EDITION

COUNCIL BLUFFS, IOWA

E & A CONSULTING GROUP, INC.

Engineering • Planning • Environmental & Field Services

E & A

E & A CONSULTING GROUP, INC.

Engineering Answers

10309 Mill Valley Road, Suite 100 • Omaha, NE 68154  
Phone: 402.895.7700 • Fax: 402.895.3599  
www.eacg.com

Jared L. Hengill 3/13/2021 1:18 PM K:\Projects\2020\240\001\Engineering\CAD Files\Drawings Study\Drainage Study.dwg

## **Appendix F - Storm Drain Sizing Calculations**



| STORM DRAIN COMPUTATION FORM<br>BY THE RATIONAL METHOD AND MANNING'S PIPE FLOW EQUATION |      |     |               |            |           |     |          |                     |          |       |        |        |                 |           |      |        |          |               |                    | Date:           | 2/8/2020          | Project             | Arbor Creek 2nd Add. |        |             |         |              |
|---|------|-----|---------------|------------|-----------|-----|----------|---------------------|----------|-------|--------|--------|-----------------|-----------|------|--------|----------|---------------|--------------------|-----------------|-------------------|---------------------|----------------------|--------|-------------|---------|--------------|
|   |      |     |               |            |           |     |          |                     |          |       |        |        |                 |           |      |        |          |               |                    | Calculated by:  | JAS               | Project No.         | P2020-240            |        |             |         |              |
|   |      |     |               |            |           |     |          |                     |          |       |        |        |                 |           |      |        |          |               |                    |                 | Basin A           | Design Storm:       | 19 Year              |        |             |         |              |
| Conveyance  |      |     | Direct Runoff |            |           |     |          |                     |          |       |        |        | System Design   |           |      |        |          |               |                    | Total Runoff    |                   |                     |                      |        |             | Remarks |              |
| Pipe Id.  | From | To  | Sub Basin Id. | O.F.L. ft. | W.C. Type | S % | V f.p.s. | T <sub>i</sub> min. | i in/hr. | A Ac. | C (11) | q (12) | System Q c.f.s. | Pipe      |      | Slope  |          | V des. f.p.s. | Pipe Full C.c.f.s. | Pipe Length ft. | time in pipe min. | T <sub>c</sub> min. | i in/hr.             | Comp C | Total A Ac. |         | Des Q c.f.s. |
|   |      |     |               |            |           |     |          |                     |          |       |        |        |                 | Size (in) | Type | min. % | design % |               |                    |                 |                   |                     |                      |        |             |         |              |
| (1)   | (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)         |
| P3  |      |     | A2            |            |           |     |          | 10.0                | 6.9      | 1.63  | 0.57   | 6.41   | 6.41            | 18        | RCP  | 0.38   | 1.00     | 6.24          | 10.50              | 30              | 0.08              | 10.0                | 6.9                  | 0.57   | 1.6         | 6.41    |              |
| P2  |      |     | A1            |            |           |     |          | 10.0                | 6.9      | 1.39  | 0.57   | 5.47   | 11.88           | 18        | RCP  | 1.28   | 1.50     | 8.38          | 12.86              | 107             | 0.21              | 10.0                | 6.9                  | 0.57   | 3.0         | 11.88   |              |
| P1  |      |     |               |            |           |     |          | 10.0                | 6.9      | 0.00  | 0.57   | 0.00   | 11.88           | 18        | RCP  | 1.28   | 1.50     | 8.38          | 12.86              | 17              | 0.03              | 10.0                | 6.9                  | 0.57   | 3.0         | 11.88   |              |
| * Watercourse Legend  |      |     |               |            | Notes:    |     |          |                     |          |       |        |        |                 |           |      |        |          |               |                    | Sheet           |                   |                     |                      |        |             |         |              |
| FOR - Forest NBG - Near Bare Ground   |      |     |               |            |           |     |          |                     |          |       |        |        |                 |           |      |        |          |               |                    |                 |                   |                     |                      |        |             |         |              |
| FAL - Fallow GWW - Grass Waterway   |      |     |               |            |           |     |          |                     |          |       |        |        |                 |           |      |        |          |               |                    |                 |                   |                     |                      |        |             |         |              |
| GRA - Grass SGF - Shallow Gutter Flow   |      |     |               |            |           |     |          |                     |          |       |        |        |                 |           |      |        |          |               |                    |                 |                   |                     |                      |        |             |         |              |

1 of 1

## **Appendix G - Hydraflow Software Model Report**





**Watershed Model Schematic..... 1**

**Hydrograph Return Period Recap..... 2**

**5 - Year**

**Summary Report..... 3**

**Hydrograph Reports..... 4**

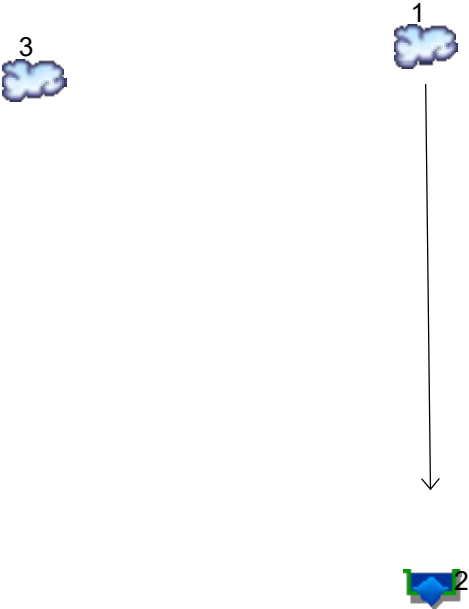
        Hydrograph No. 1, SCS Runoff, Dev A..... 4

        Hydrograph No. 2, Reservoir, Thru Pond A..... 5

        Hydrograph No. 3, SCS Runoff, Existing A..... 6

# Watershed Model Schematic

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020



**Legend**

| Hyd. | Origin     | Description |
|------|------------|-------------|
| 1    | SCS Runoff | Dev A       |
| 2    | Reservoir  | Thru Pond A |
| 3    | SCS Runoff | Existing A  |



# Hydrograph Summary Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

| Hyd. No.      | Hydrograph type (origin) | Peak flow (cfs) | Time interval (min) | Time to Peak (min) | Hyd. volume (cuft)     | Inflow hyd(s) | Maximum elevation (ft) | Total strge used (cuft) | Hydrograph Description |
|---------------|--------------------------|-----------------|---------------------|--------------------|------------------------|---------------|------------------------|-------------------------|------------------------|
| 1             | SCS Runoff               | 17.24           | 2                   | 718                | 34,534                 | -----         | -----                  | -----                   | Dev A                  |
| 2             | Reservoir                | 0.313           | 2                   | 1066               | 32,293                 | 1             | 1006.13                | 23,038                  | Thru Pond A            |
| 3             | SCS Runoff               | 13.04           | 2                   | 718                | 26,178                 | -----         | -----                  | -----                   | Existing A             |
| Hydraflow.gpw |                          |                 |                     |                    | Return Period: 50 Year |               |                        | Tuesday, 02 / 9 / 2021  |                        |

# Hydrograph Report

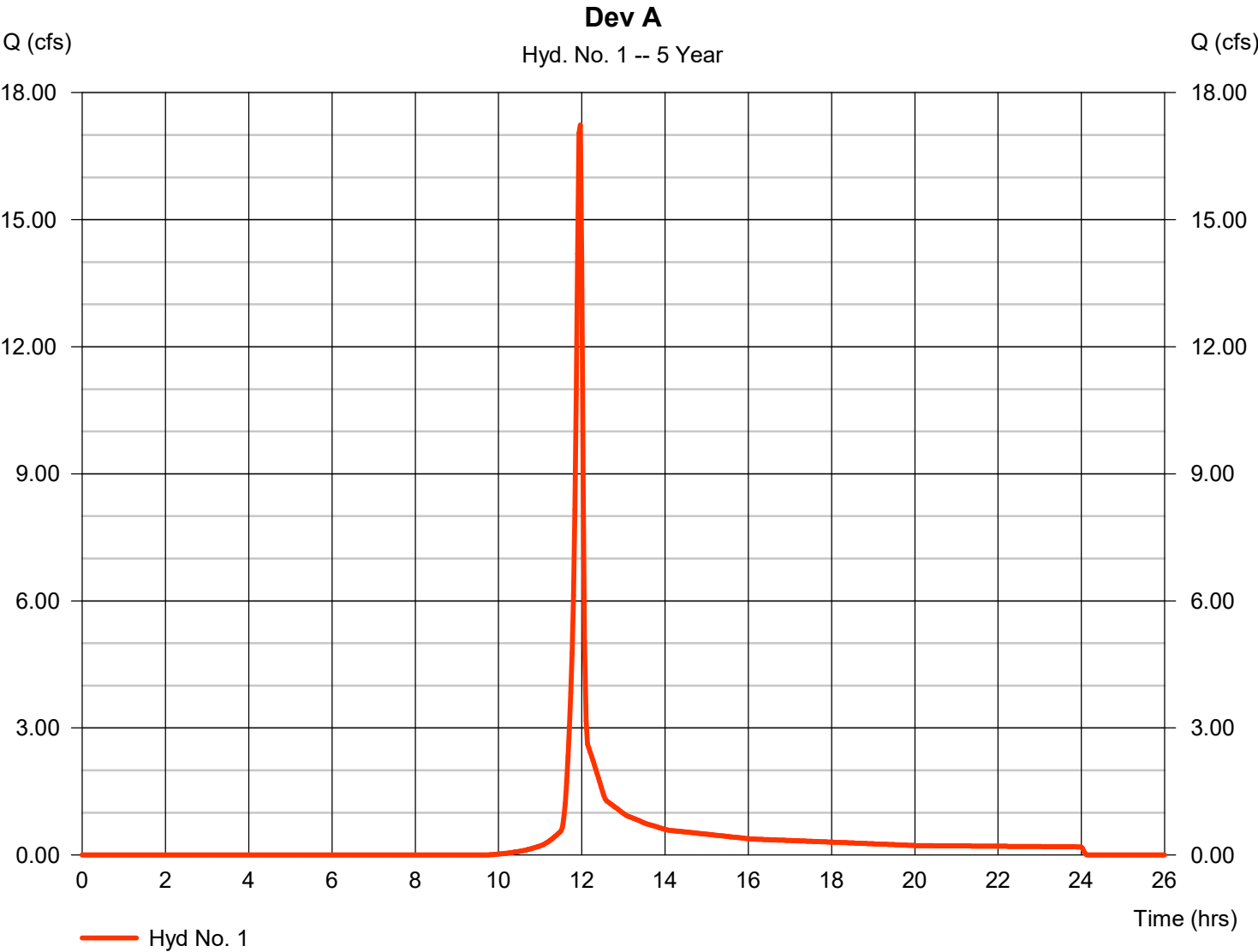
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

Tuesday, 02 / 9 / 2021

## Hyd. No. 1

Dev A

|                 |              |                    |               |
|-----------------|--------------|--------------------|---------------|
| Hydrograph type | = SCS Runoff | Peak discharge     | = 17.24 cfs   |
| Storm frequency | = 5 yrs      | Time to peak       | = 11.97 hrs   |
| Time interval   | = 2 min      | Hyd. volume        | = 34,534 cuft |
| Drainage area   | = 6.200 ac   | Curve number       | = 75          |
| Basin Slope     | = 0.0 %      | Hydraulic length   | = 0 ft        |
| Tc method       | = User       | Time of conc. (Tc) | = 6.00 min    |
| Total precip.   | = 3.96 in    | Distribution       | = Type II     |
| Storm duration  | = 24 hrs     | Shape factor       | = 484         |



# Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

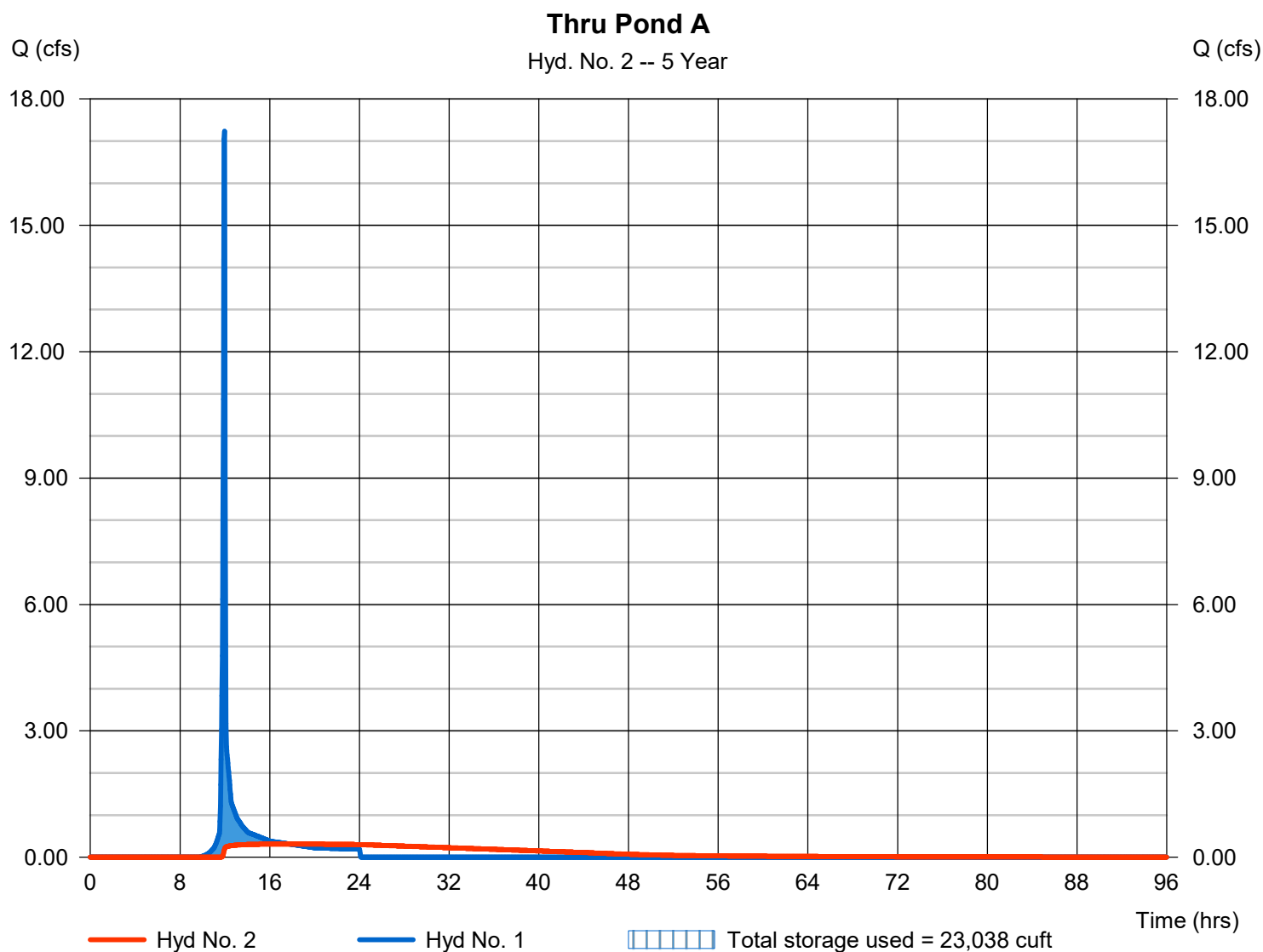
Tuesday, 02 / 9 / 2021

## Hyd. No. 2

Thru Pond A

|                 |             |                |               |
|-----------------|-------------|----------------|---------------|
| Hydrograph type | = Reservoir | Peak discharge | = 0.313 cfs   |
| Storm frequency | = 5 yrs     | Time to peak   | = 17.77 hrs   |
| Time interval   | = 2 min     | Hyd. volume    | = 32,293 cuft |
| Inflow hyd. No. | = 1 - Dev A | Max. Elevation | = 1006.13 ft  |
| Reservoir name  | = Pond A    | Max. Storage   | = 23,038 cuft |

Storage Indication method used.



# Hydrograph Report

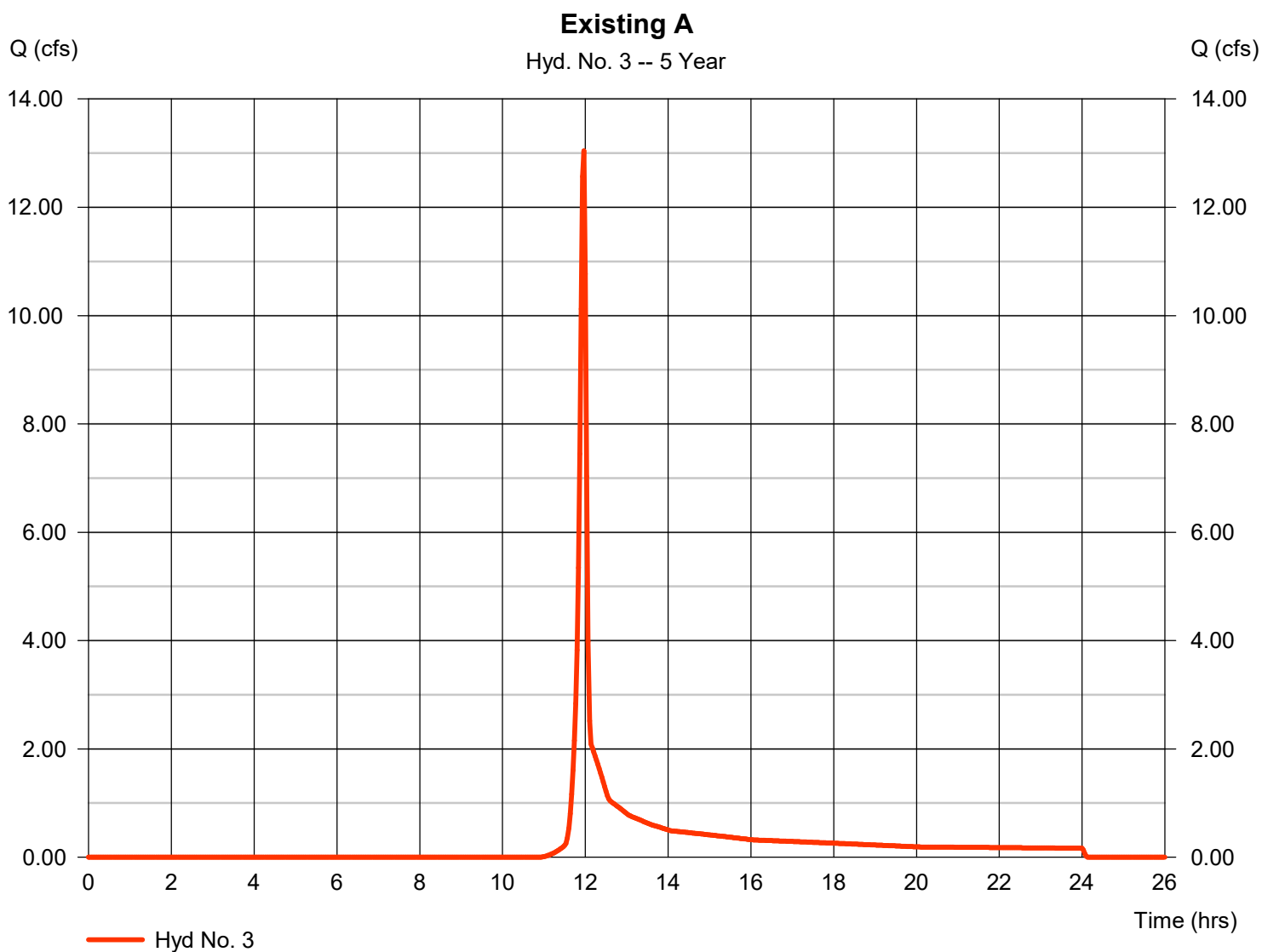
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

Tuesday, 02 / 9 / 2021

## Hyd. No. 3

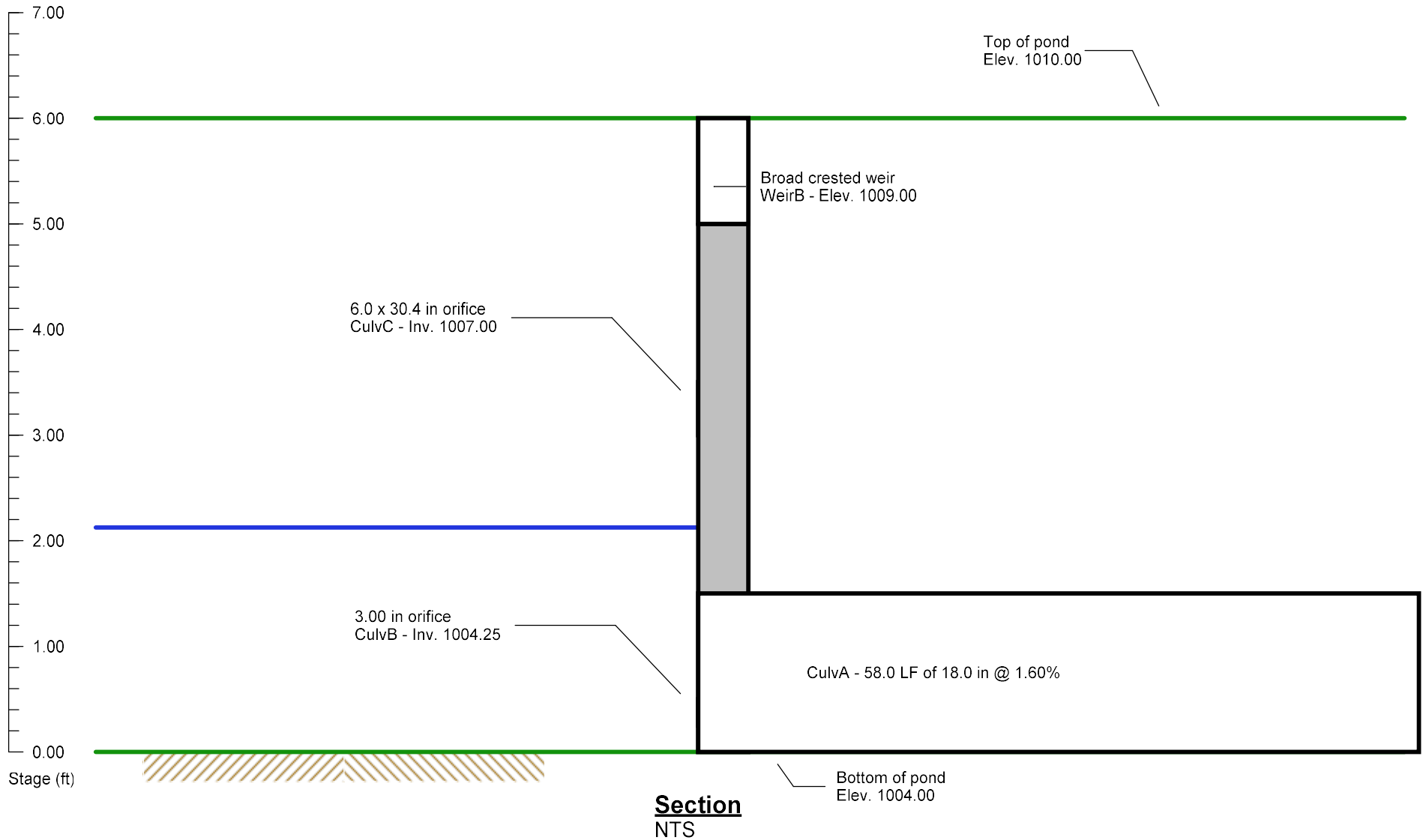
Existing A

|                 |              |                    |               |
|-----------------|--------------|--------------------|---------------|
| Hydrograph type | = SCS Runoff | Peak discharge     | = 13.04 cfs   |
| Storm frequency | = 5 yrs      | Time to peak       | = 11.97 hrs   |
| Time interval   | = 2 min      | Hyd. volume        | = 26,178 cuft |
| Drainage area   | = 6.200 ac   | Curve number       | = 69          |
| Basin Slope     | = 0.0 %      | Hydraulic length   | = 0 ft        |
| Tc method       | = User       | Time of conc. (Tc) | = 6.00 min    |
| Total precip.   | = 3.96 in    | Distribution       | = Type II     |
| Storm duration  | = 24 hrs     | Shape factor       | = 484         |



# Pond No. 1 - Pond A

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020



5-yr



Inflow hydrograph = 1. SCS Runoff - Dev A



# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASES #ZC-21-002, SUB-21-005, & PR-21-001 LOCATION/ZONING MAP

ATTACHMENT D

## Legend

-  Cases ZC-21-002, SUB-21-005, and PR-21-001 Subject Property
-  Parcels

0 100 200  
1 inch = 200 feet

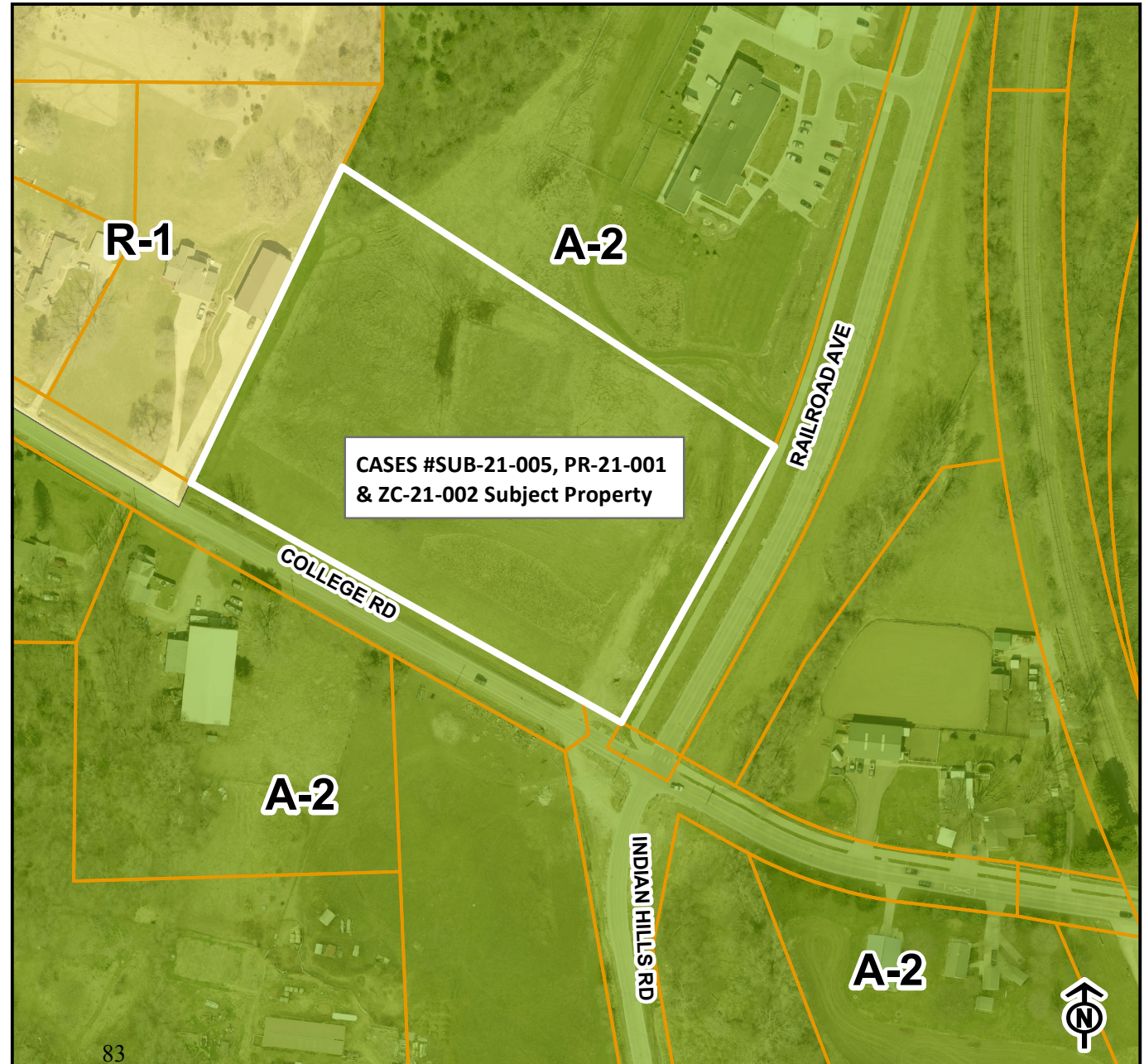


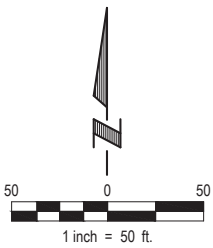
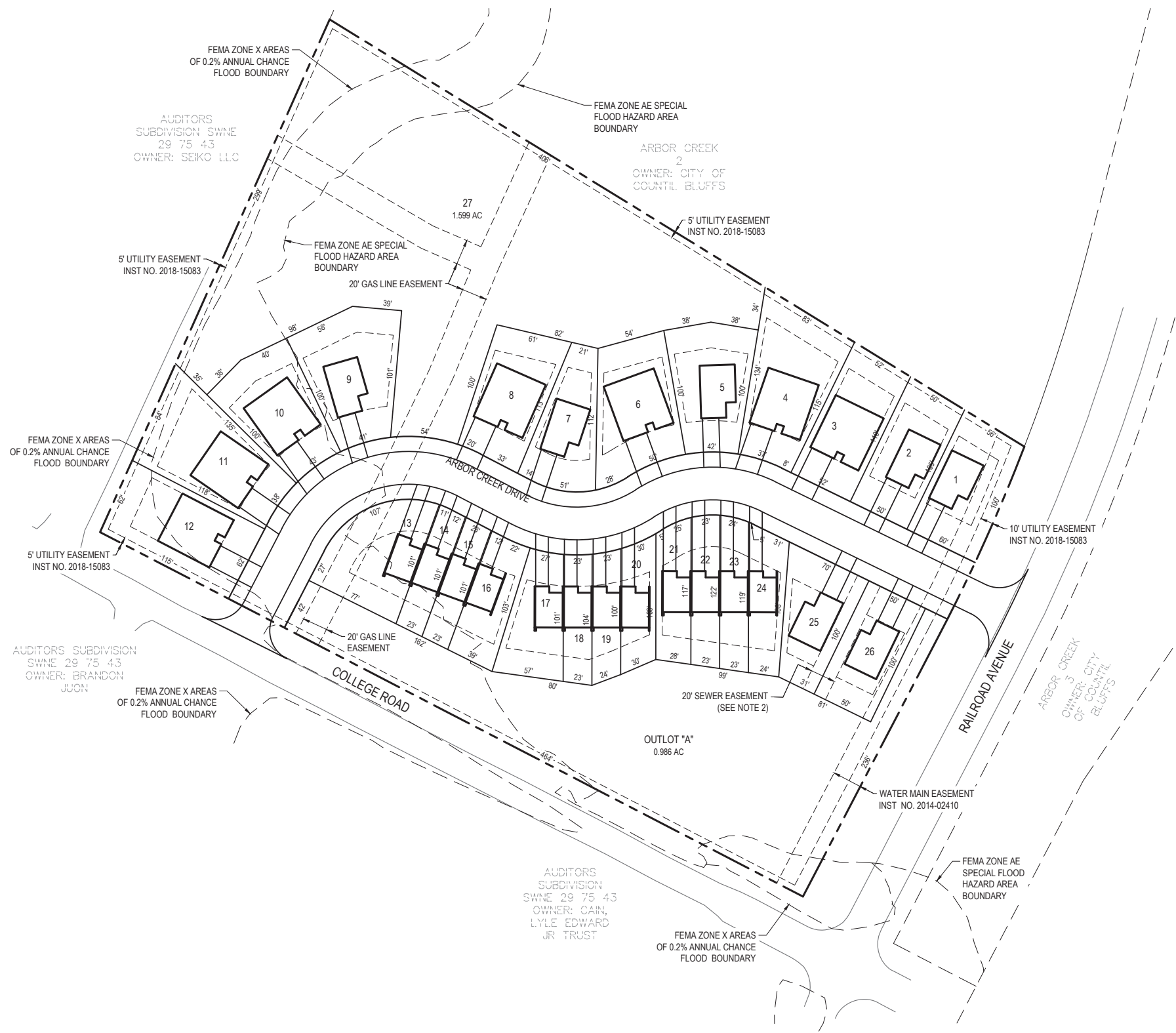
Last Amended: 3/21/2021



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, 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.





| SETBACK TABLE (LOTS 1 THRU 26) |      |
|--------------------------------|------|
| FRONT YARD                     | 25'  |
| INTERIOR SIDE YARD             | 0/5" |
| STREET SIDE YARD               | 15'  |
| REAR YARD                      | 20'  |

\*INTERIOR SIDE YARD ALONG A COMMON WALL CAN BE SET A ZERO-LOT SETBACK AS LONG AS THE OPPOSITE SIDE YARD IS AT THE REQUESTED SIDE YARD SETBACK REQUIREMENT.

ZONING WAIVER REQUESTS

- ① SEC. 15.09.050  
INTERIOR LOT AREA  
REQUIRED 2,500 S.F. MIN.  
PROVIDED 2,300 S.F.
- ② SEC. 15.09.050  
CORNER LOT WIDTH  
REQUIRED 55' MIN.  
PROVIDED 50'
- ③ SEC. 15.09.050  
INTERIOR LOT WIDTH  
REQUIRED 50' MIN.  
PROVIDED 23'
- ④ SEC. 14.14.020 (3)  
LOT DEPTH TO WIDTH RATIO  
REQUIRED 3:1 MAX.  
PROVIDED 5.2:1

Proj No: P2020.240.001  
Date: 03/16/2021  
Designed By: MAW  
Drawn By: NMN  
Scale: AS SHOWN  
Sheet: 1 of 2

Revisions  
Date  
Description

3/15/2021 1:44 PM  
K:\Projects\2020\240\201\Planning & Rating\Planning\PRR20-001.dwg  
Nicola Napierata

Planned Residential  
Site Plan

E & A CONSULTING GROUP, INC.  
Engineering • Planning • Environmental & Field Services  
10309 Mill Valley Road, Suite 100 • Omaha, NE 68154  
Phone: 402.895.7700 • Fax: 402.895.3559  
www.eacg.com

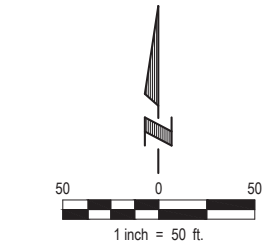
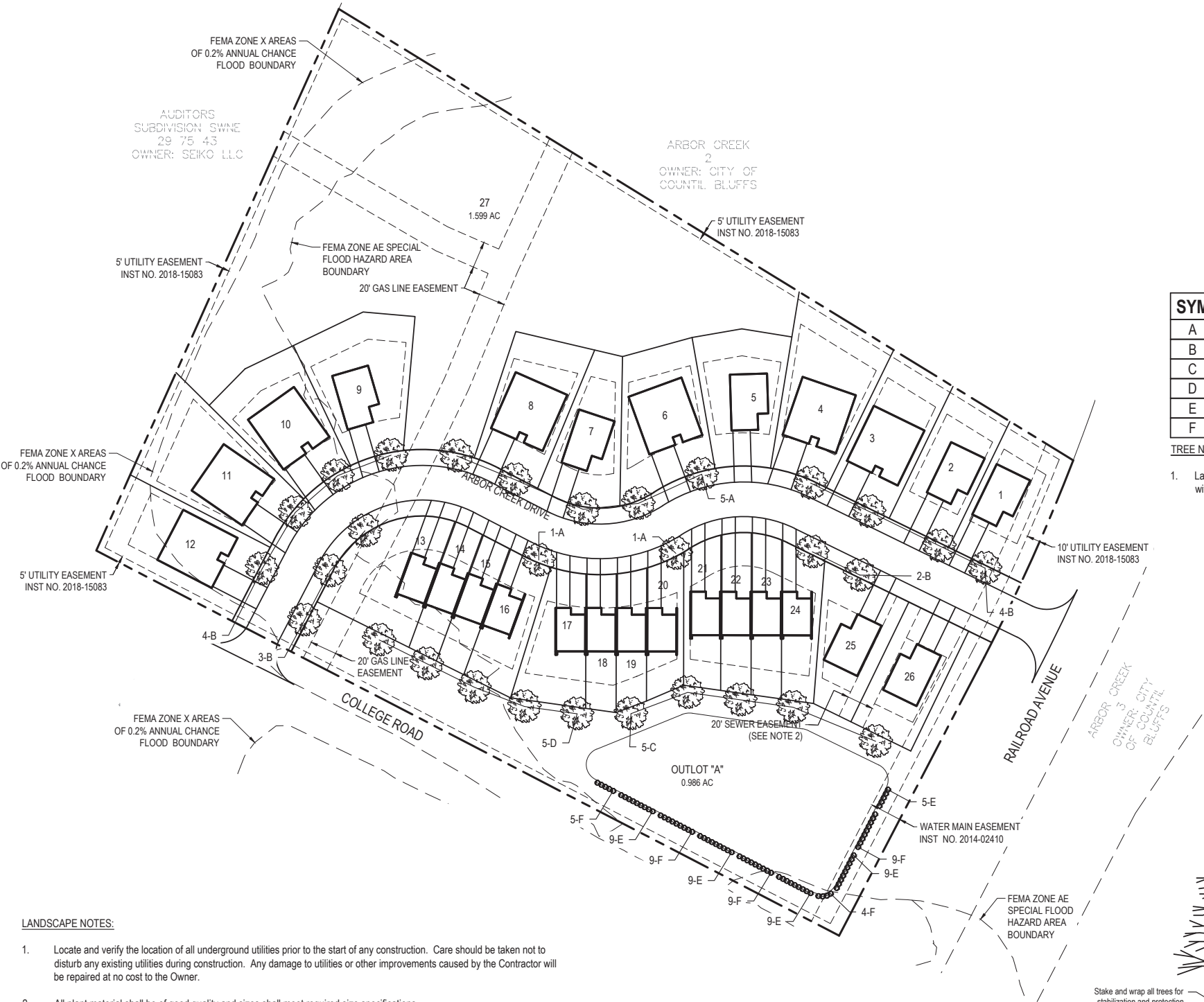
E & A CONSULTING GROUP, INC.  
Engineering Answers

ARBOR CREEK  
2ND ADDITION  
LOTS 1 THRU 27 AND  
OUTLOT "A" INCLUSIVE  
COUNCIL BLUFFS, IOWA

E & A CONSULTING GROUP, INC.  
Engineering • Planning • Environmental & Field Services

84

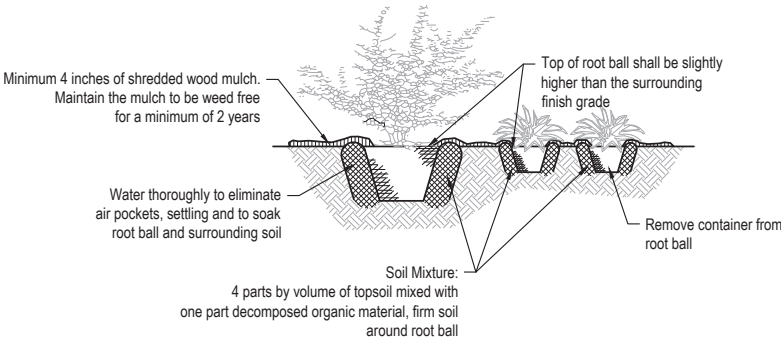




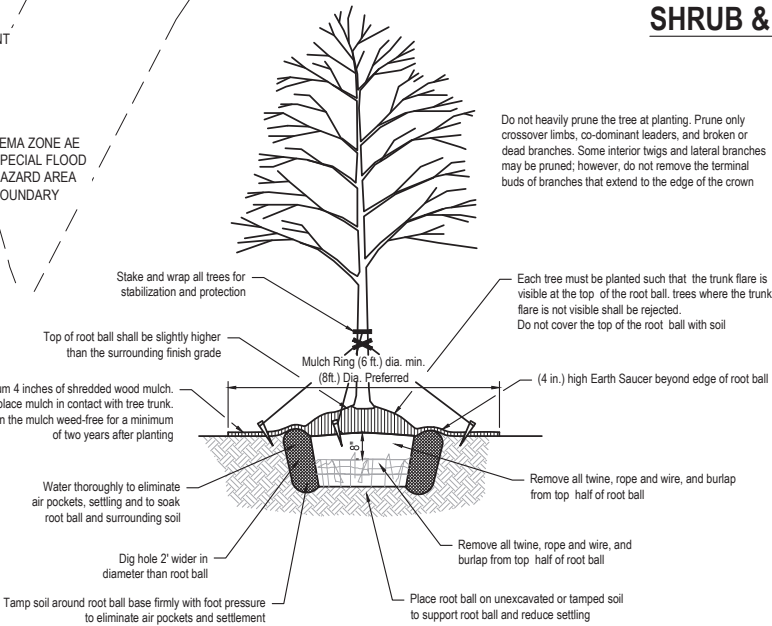
PLANT SCHEDULE

| SYM | QTY | BOTANICAL NAME                  | COMMON NAME                    | SIZE   | TYPE |
|-----|-----|---------------------------------|--------------------------------|--------|------|
| A   | 7   | Gleditsia triacanthos 'Skyline' | Skyline Honeylocust            | 2"     | B&B  |
| B   | 13  | Acer freemanii 'Jeffersred'     | Autumn Blaze Maple             | 2"     | B&B  |
| C   | 5   | Quercus bicolor                 | Swamp White Oak                | 2"     | B&B  |
| D   | 5   | Quercus rubra                   | Red Oak                        | 2"     | B&B  |
| E   | 41  | Viburnum dentatum 'Christom'    | Blue Muffin Arrowwood Viburnum | 3 Gal. | Cont |
| F   | 36  | Juniperus chinensis 'Monlep'    | Mint Julep Juniper             | 3 Gal. | Cont |

- TREE NOTES:
- Landscape contractor must coordinate with all utilities and general contractor to field verify all utility locations that may conflict with all proposed tree planting locations on the project site.



SHRUB & PERENNIAL PLANTING DETAIL  
NOT TO SCALE

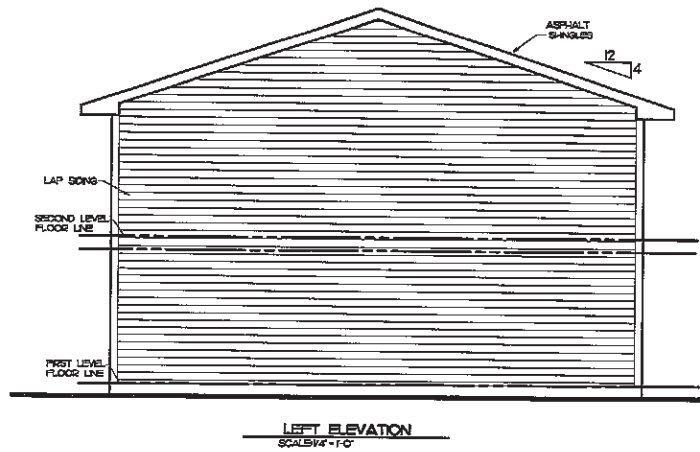
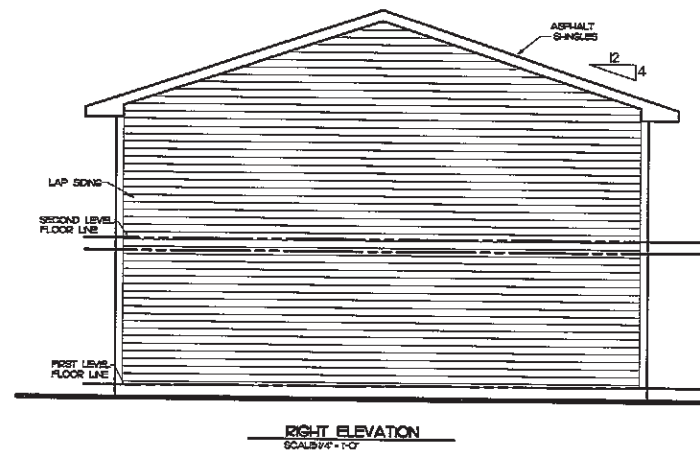


TREE PLANTING DETAIL - B & B TREE  
NOT TO SCALE

- LANDSCAPE NOTES:
- Locate and verify the location of all underground utilities prior to the start of any construction. Care should be taken not to disturb any existing utilities during construction. Any damage to utilities or other improvements caused by the Contractor will be repaired at no cost to the Owner.
  - All plant material shall be of good quality and sizes shall meet required size specifications.
  - All plants are to be watered in immediately after planting and then watered once a week for a period of two months from time of planting.
  - All plant material shall be guaranteed to be in a live and healthy growing condition for two full growing seasons (trees) and one full growing season (perennials & shrubs) after final project acceptance or shall be replaced free of charge with the same grade and species including labor.
  - Verify all dimensions and conditions prior to starting construction. The location of plant material is critical and shall be installed as indicated on plans. Field adjustments may be necessary based on field conditions (i.e., root ball and drop inlet conflict). All adjustments must be approved by the landscape architect.
  - The Landscape Contractor shall remove all construction debris and materials injurious to plant growth from planting pits and beds prior to backfilling with planting mix. All planting areas shall be free of weeds and debris prior to any work.
  - Provide locally available shredded hardwood mulch on all trees and in all planting beds to a 3-4 inch minimum depth unless otherwise noted. Mulch ring to extend 1'-0" minimum beyond planting pit. Minor site grading to be included if needed.
  - All trees are to be staked for a period of not less than one year from time of planting.
  - Contractor to coordinate work with other amenities contractors.

Attachment F

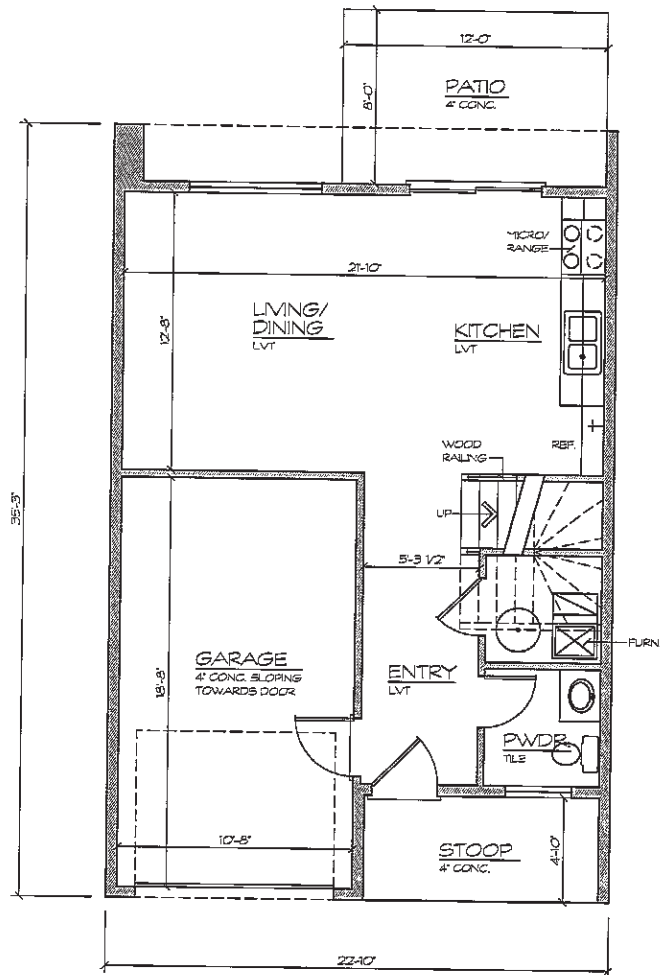




THIS DOCUMENT IS NOT AN OFFICIAL OF THE  
 ARMY, NAVY, AIR FORCE, OR MARINE CORPS  
 AND DOES NOT REPRESENT THE OFFICIAL  
 POSITION OF THE ARMY, NAVY, AIR FORCE,  
 OR MARINE CORPS. IT IS THE PROPERTY  
 OF THE ARMY, NAVY, AIR FORCE, OR  
 MARINE CORPS AND IS NOT TO BE  
 REPRODUCED OR TRANSMITTED IN ANY  
 FORM OR BY ANY MEANS, ELECTRONIC  
 OR MECHANICAL, INCLUDING PHOTOCOPYING,  
 RECORDING, OR BY ANY INFORMATION  
 STORAGE AND RETRIEVAL SYSTEM.

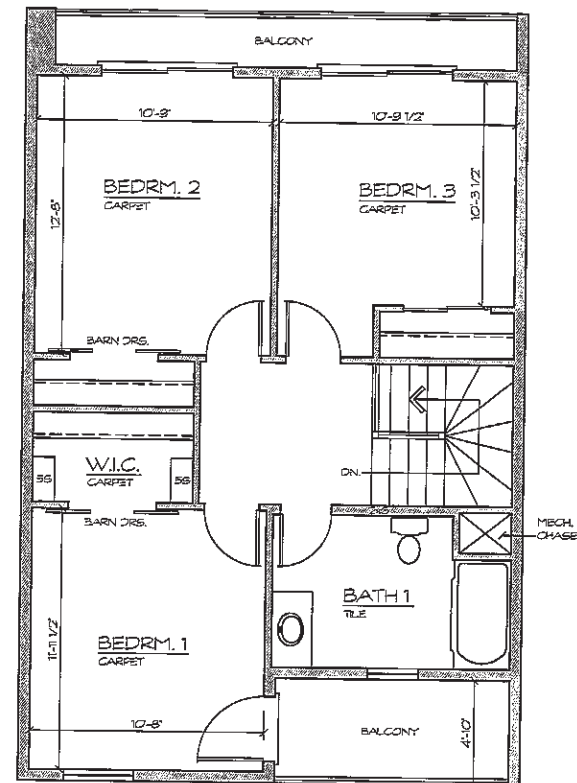
JPR ENTERPRISES

TEK  
 Building & Construction  
 402-572-0888  
 Associates



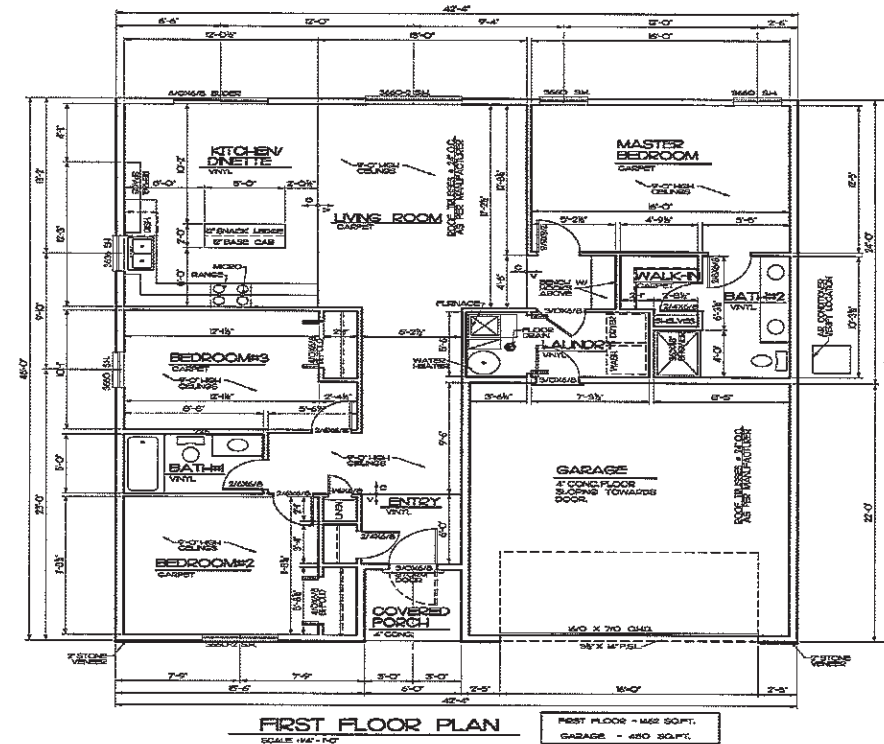
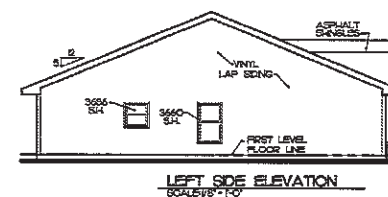
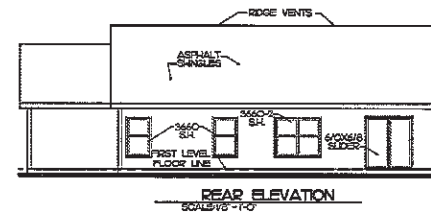
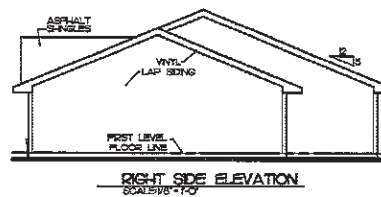
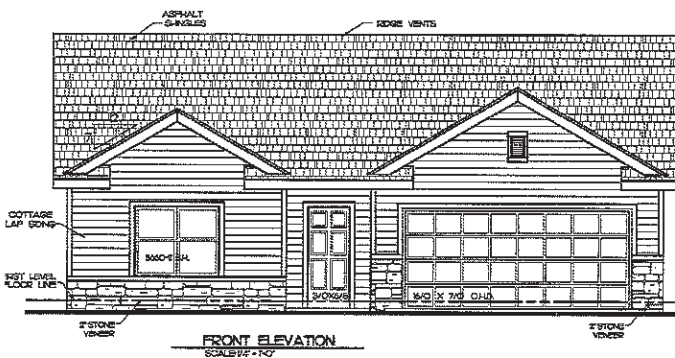
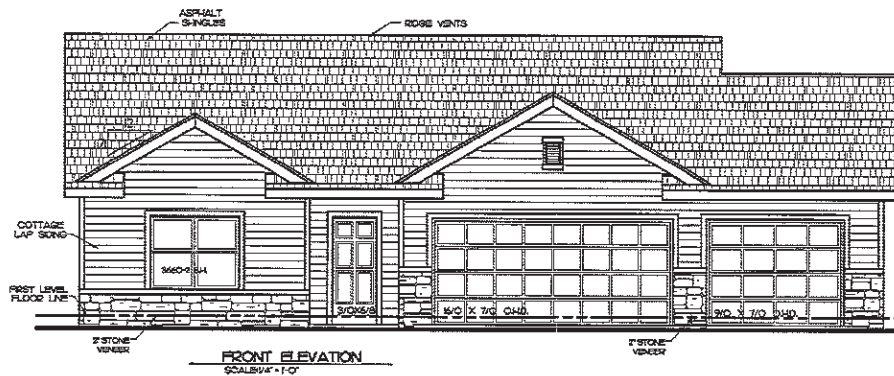
|              |              |
|--------------|--------------|
| MAIN LEVEL   | 475 SQ. FT.  |
| SECOND LEVEL | 647 SQ. FT.  |
| TOTAL        | 1122 SQ. FT. |
| GARAGE       | 216 SQ. FT.  |

① MAIN LEVEL FLOOR PLAN  
SCALE: 1/4" = 1'-0"



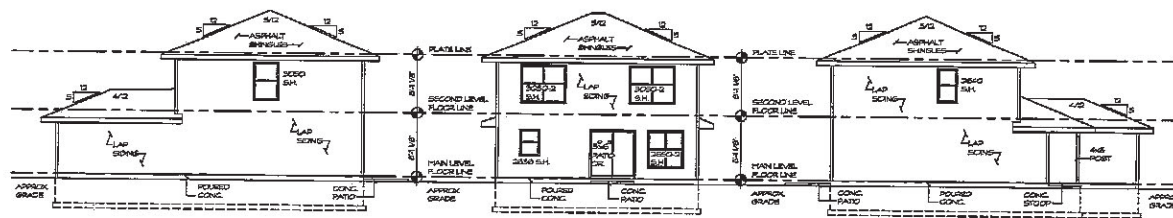
② SECOND LEVEL FLOOR PLAN  
SCALE: 1/4" = 1'-0"

# Layla 2/3 Car Garage





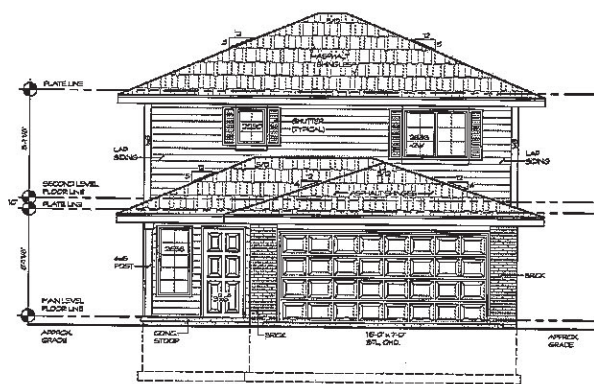
# Stern 2 Story



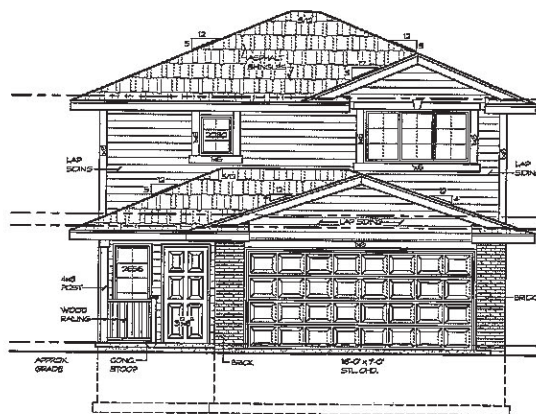
1 RIGHT SIDE ELEVATION  
SCALE: 1/8" = 1'-0"

② REAR ELEVATION

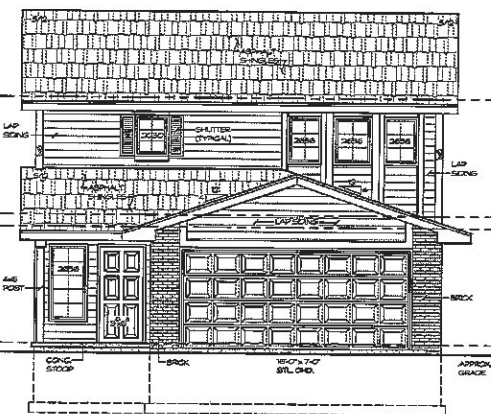
3 LEFT SIDE ELEVATION  
SCALE: 1/8" = 1'-0"



2 "OPTION A"  
FRONT ELEVATION  
SCALE: 1/8" = 1'-0"

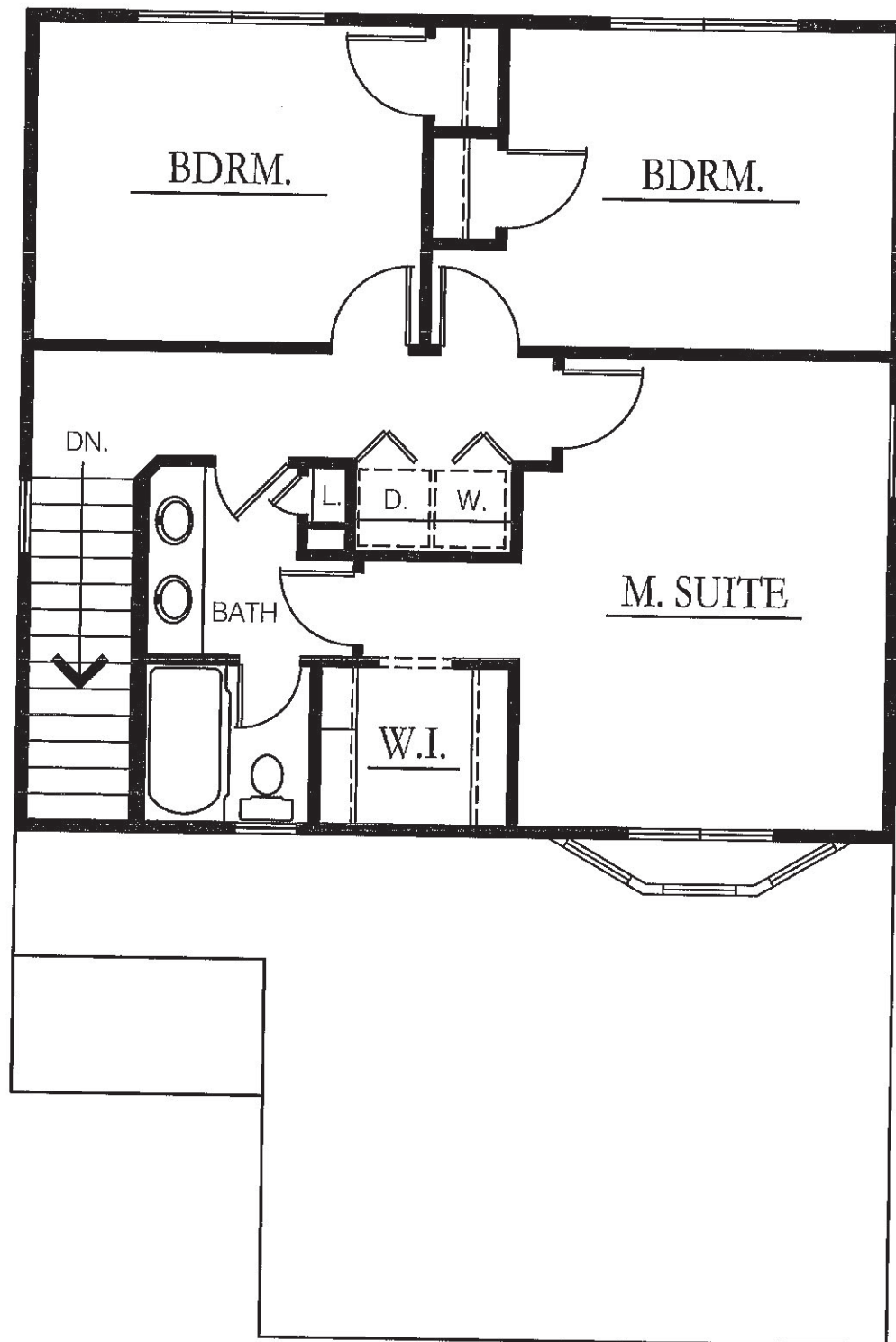


④ \* OPTION B \*  
FRONT ELEVATION  
SCALE: 1/4" = 1'-0"

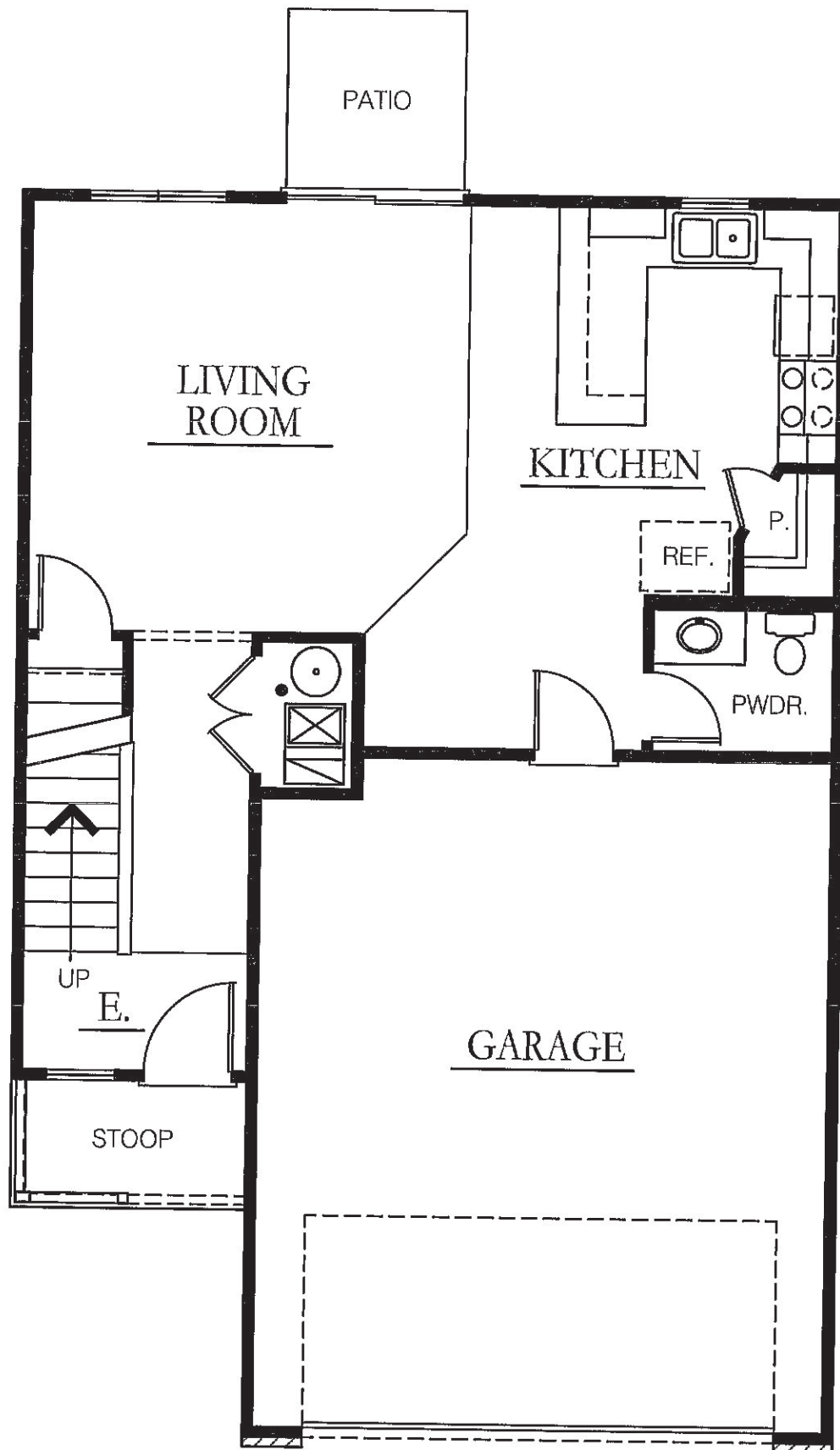


5 "OPTION C"  
FRONT ELEVATION  
SCALE: 1/4"=1'-0"





SECOND LEVEL



MAIN LEVEL



| Species                | Spacing | Size Category |
|------------------------|---------|---------------|
| Magnolia               | 10-20'  | Small         |
| Dogwood                | 20'     | Small         |
| Purple Plum            | 20'     | Small         |
| Service Berry          | 20'     | Small         |
| Redbud                 | 20-25'  | Small         |
| Hawthorn (thornless)   | 20-25'  | Small         |
| Crabapple (all)        | 20-25'  | Small         |
| Lilac Tree             | 20-25'  | Small         |
| Black Gum              | 20-30'  | Small-Medium  |
| Ornamental Cherry      | 25-35'  | Small-Medium  |
| Birch (River or Clump) | 30'     | Medium        |
| Golden Rain            | 35'     | Medium        |
| Hornbeam               | 35-40'  | Medium        |
| Japanese Pagoda        | 40'     | Medium        |
| Buckeye                | 40'     | Medium        |
| Tulip Tree             | 40'     | Medium        |
| Red Oak                | 45'     | Large         |
| Bur Oak                | 45'     | Large         |
| White Oak              | 45'     | Large         |
| Yellowwood             | 45'     | Large         |
| Lindens                | 50'     | Large         |
| Locust                 | 50'     | Large         |
| Gingko (male)          | 50'     | Large         |
| Kentucky Coffee Bean   | 50-60'  | Large         |
| Chinquapink Oak        | 50-60'  | Large         |
| Swamp White Oak        | 50-60'  | Large         |
| Sycamore               | 60'     | Large         |

Small = 20-30'

Medium = 30-45'

Large = 45' and taller

There are other varieties we can recommend, please call 712-890-5291 for more information.

Tree we do not permit on City properties include: Willows, Poplars, Pin Oak, Tree of Heaven, Persimmon, Boxelder, Mulberry, Cottonwoods, Evergreens, Russian Olive, Weeping crab, Birch (weeping or paper), Hawthorn (with thorns), Elms, Ash, select Maples - call for more information), and fruit trees.

Ed Cain

26 Indian Hills Road

Council Bluffs, Iowa, 51503

To whom it may concern,

My name is Ed Cain, I own the property directly south of the proposed subdivision, my land is mostly zoned A-2 and R-1, and I live on a designated Century Farm. The first piece of the farm was purchased by my great grandfather in 1907.

After reviewing the preliminary plan for the 27 lot subdivision and with the statement that the developer intends to develop lot 27 as a future phase of the subdivision that would almost certainly include as many units as possible to maximize profits, I object to the change in zoning from A-2 Parks, Estates and Agricultural District to R-2/ Family Residential District on the grounds that the change would leave the proposal too open ended and allow for far more density than the neighborhood is comprised of, (most of nearby property is zoned A-2) and certainly more traffic than the already overused streets can handle. Also, the proposed request includes variances for lot size, lot widths, and lot depth to width ratios, for a zoning designation that allows for a density level of 100% 2 family structures.

Looking at the City code of Ordinances, Chapter 15.01.020-Purpose of a zoning ordinance, some points that stand out;

- A. Development of the city in accordance with the comprehensive plan
- B. Preserve agricultural and environmentally sensitive lands
- C. Minimize traffic congestion
- D. Protect value of property
- E. Avoid undue concentration of population

It appears that a suitable compromise would be to allow a change of the zoning to R-1. The subdivision proposal could be modified to fit the zoning requirements, the townhomes removed from the proposal, and replaced with single family homes, and the future development of lot 27 would be restricted to single family homes.

These changes to the proposed subdivision would still have a higher density of population than the College Road neighborhood, but would add less to the area than 2 family units, and considering the recent addition of the developments on the east side of the railroad tracks, and IWCC, the traffic has already increased considerably on the area roads.

Respectfully,

Ed Cain

## **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 the request of Arbor Creek, LLC, represented by Neal Drickey, to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning property legally described as Lot 2, Arbor Creek Subdivision from A-2/Parks, Estates, and Agricultural District to R-2/Two-family Residential District, as defined in Chapter 15.09 of the Municipal Code of Council Bluffs, Iowa, and appending a Planned Residential Overlay and adopting a planned residential development plan for said property, as per Chapter 15.28 of the Municipal Code of Council Bluffs, Iowa.

You are further notified that the 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 10<sup>th</sup> day of May, 2021 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. 6453**

**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 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTY LEGALLY DESCRIBED AS BEING LOT 2, ARBOR CREEK SUBDIVISION FROM A-2/PARKS, ESTATES AND AGRICULTURAL DISTRICT TO R-2/TWO-FAMILY RESIDENTIAL DISTRICT AS DEFINED IN CHAPTER 15.09 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, AND APPENDING A PLANNED RESIDENTIAL OVERLAY TO SAID PROPERTY, AS DEFINED IN CHAPTER 15.28 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 2020 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended by rezoning property legally described as being Lot 2, Arbor Creek Subdivision from A-2/Parks, Estates and Agricultural District to R-2/Two-Family Residential District as defined in Chapter 15.09 of the Municipal Code of Council Bluffs, Iowa, and appending a Planned Residential Overlay to said property, as defined in Chapter 15.28 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 and upon preliminary plat approval of Arbor Creek 2<sup>nd</sup> Addition.

ADOPTED  
AND  
APPROVED

May 10, 2021.

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

\_\_\_\_\_  
Mayor

Attest:

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

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

First Consideration: 4-26-21  
Second Consideration: 5-10-21  
Public Hearing: 5-10-21  
Third Consideration: \_\_\_\_\_

## Council Communication

Department: Community  
Development  
Case/Project No.: ZC-21-003  
Submitted by: Haley Weber,  
Planner

Ordinance 6454  
ITEM 3.E.

Council Action: 4/26/2021

### Description

Ordinance to amend the zoning map as adopted by reference in Section 15.02.070, and setting a Public Hearing for May 10, 2021 at 7:00 p.m., by rezoning property legally described as Lot 1, Franklin Heights Subdivision from A-P/Administrative Professional District to R-2/Two-Family Residential District, as defined in Chapter 15.09., and appending a P-R/Planned Residential Overlay onto said property as defined in Chapter 15.28 of the Municipal Code of Council Bluffs. Location: Northwest corner of Franklin and Bennett Avenues. ZC-21-003

### Background/Discussion

See attachments.

### Recommendation

### ATTACHMENTS:

| Description                                       | Type         | Upload Date |
|---|--------------|-------------|
| Staff Report                                      | Staff Report | 4/16/2021   |
| Attachment A - Letter of Intent                   | Letter       | 4/15/2021   |
| Attachment B - Hillside Estates Preliminary Plans | Other        | 4/15/2021   |
| Attachment C - Preliminary drainage study         | Other        | 4/15/2021   |
| Attachment D - Cox Communications Facilities Map  | Map          | 4/15/2021   |
| Attachment E - Location/Zoning map                | Map          | 4/15/2021   |
| Attachment F - Proposed House Plans               | Other        | 4/15/2021   |
| Attachment G - Council Bluffs street tree guide   | Other        | 4/15/2021   |
| Public Hearing Notice                             | Notice       | 4/15/2021   |
| Ordinance 6454                                    | Ordinance    | 4/20/2021   |

## City Council Communication

|   |  |   |
|---|--|---|
| <p>Department: Community Development</p> <p>CASES #SUB-21-006, #PR-21-002, #ZC-21-003</p> <p>Applicant:<br/>Community Development Department<br/>209 Pearl Street<br/>Council Bluffs, IA 51503</p> <p>Property Owner:<br/>City of Council Bluffs</p> <p>Developer:<br/>Turn The Paige Investments, LLC<br/>Attn: Jarrod C. McIntyre<br/>19627 Brookside Lane<br/>Gretna, NE 68028</p> <p>Engineer/Surveyor:<br/>Terry Morrison, P.E.<br/>Ehrhart Griffin and Associates<br/>142 West Broadway, Suite 136<br/>Council Bluffs, IA</p>   | <p>Ordinance No. _____</p> <p>Resolution No. _____</p> | <p>CASE #SUB-21-006: 5/10/2021</p> <p>CASE #ZC-21-003<br/>1<sup>st</sup> Consideration: 4/26/2021<br/>2<sup>nd</sup> Consideration: 5/10/2021<br/>3<sup>rd</sup> Consideration: 5/24/2021</p> <p>CASE #PR-21-002: 5/10/2021</p> <p>Planning Commission: 4/13/21</p> |
| <p style="text-align: center;"><b>Subject/Title</b></p> <p><b>Request:</b> Combined public hearings on the request of the Community Development Department to rezone property legally described as Lot 1, Franklin Heights Subdivision from A-P/Administrative Professional District to R-2/Two-family Residential District; along with preliminary subdivision plan approval of a 27-lot residential subdivision to be known as Hillside Estates Subdivision and to append a PR/Planned Residential Overlay and adopt the associated planned residential development plan for Hillside Estates Subdivision, all on property legally described as being a replat Lot 1, Franklin Heights Subdivision, City of Council Bluffs, Pottawattamie County, Iowa.</p> <p><b>Location:</b> The northwest corner of Franklin and Bennett Avenues</p>  |  |   |
| <p style="text-align: center;"><b>Background</b></p> <p>In September 2020, the project developer, Turn the Paige Investments, represented by Jarrod McIntyre, went through the City's offer-to-buy process to acquire the subject property, legally described above. Through this process, the City has agreed to commit Community Development Block Grant (CDBG) funding for road construction, grading work, stormwater management installation, and landscaping. In exchange for these funds, the builder has agreed to dedicate a minimum of 51 percent of the housing units as low-to-moderate income housing units, which are priced at or below 80 percent of the area's median income. The Community Development Department is representing this project as the applicant and is proposing the following items on property legally described above:</p> <p style="margin-left: 40px;">(1) Case #SUB-21-006: Preliminary plan approval of a 27-lot residential subdivision to be known as Hillside Estates Subdivision. The subject property is comprised of 6.36 acres (more/less) located at the</p> |  |   |



northwest corner of the intersection of Franklin and Bennett Avenues and will be served by a new cul-de-sac, Paige Lane, that connects to Franklin Avenue. The proposed subdivision will consist of 27 lots and four (4) outlots. The submitted preliminary site layout plan shows a total of seven (7) single-family attached homes on Lots 1-6, 13, 14, 19, 20, and 24-27 and a total of thirteen (13) single-family detached homes on Lots 7-12, 15-18, and 21-23. The proposed request will include subdivision variances for lot depth to width ratios, lot widths, and lot size.

- (2) Case #PR-21-002: Appending a PR/Planned Residential Overlay and adoption of a planned residential development plan for Franklin Heights Subdivision. The Community Development Department is requesting variances through the proposed planned residential development plan to allow the second required parking space to be located within the required front yard setback and increased maximum lot coverage.
- (3) Case #ZC-21-003: Rezone the property legally described above from A-P/Administrative Professional District to R-2/Two-Family Residential District to accommodate the proposed 27-lot residential subdivision described above (Case #SUB-21-006).

The applicant's letter of intent is included with this report as Attachment 'A.'

#### **CASE #SUB-21-006**

The proposed residential subdivision is comprised of 6.36 acres (277,041 square feet), more or less, of land and will consist of 27 lots and 4 outlots. The applicant proposes to develop a total of seven (7) single-family attached homes on Lots 1 through 6, 13, 14, 19, 20, and 24-27, and a total of thirteen (13) single-family detached homes on Lots 7-12, 15-18, and 21-23. All lots within the proposed subdivision will have direct access to Paige Lane, a new public street. All lots will be fully served with utilities (e.g., sanitary/storm sewers, water, gas, electric, etc.). The applicant intends to develop the entire subdivision in one phase. The preliminary plans are included with this report as Attachment 'B' and a preliminary drainage study is included as Attachment 'C.'

#### **Comments**

1. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, "but shall be deemed to be an authorization to proceed with the preparation of the final construction plans or performance guarantee and the final plat" (§14.11.060(D)—Subdivision Ordinance). A final plat application must be filed within one year of the date of action by the City Council. A request for extension may be made by the sub-divider in writing prior to the expiration date. One-year extensions are considered by the City Planning Commission.
2. The proposed subdivision is consistent with the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) as well as the purpose and intent of Title 14: Subdivisions and Title 15: Zoning of the Council Bluffs Municipal Code. The future land use plan of the Bluffs Tomorrow: 2030 Comprehensive Plan designates the subject property as "High-Density Residential." A portion of the northwest corner of the property is designated as "Loess Hills Preservation Area."
3. The proposed subdivision is currently zoned A-P/Administrative Professional District and is proposed to be rezoned to R-2/Two-Family Residential District (see Case #ZC-21-003) and a PR/Planned Residential Overlay appended to allow for a mixture of attached and detached single-family dwellings. (see Case #PR-21-002).
4. The subdivision's layout and associated lot configuration/dimensions are influenced by the unique topographic nature of the site, preservation of the Loess Hills, and incorporation of stormwater management areas. As a result of these development constraints, the applicant is requesting subdivision variances for minimum lot size/lot width and maximum lot depth-to-width ratios as follows:
  - a. Variances from minimum R-2 District Lot Sizes  
Minimum required R-2 District lot sizes: 5,000 square feet (interior lot) and 5,500 square feet (corner lot)

Proposed Lot 22 (4,870 square foot interior lot for a single-family detached dwelling), Lot 2 (4,924 square foot interior lot for a single-family detached dwelling) and Lot 27 (5,280 square foot corner lot for a single-family attached dwelling) do not comply with minimum R-2 District lot size requirements.

b. Variance from minimum R-2 District Lot Width

Minimum required R-2 District lot width: 50 feet (interior lot), 55 feet (corner lot), and ‘the building setback line’ (cul-de-sac lots)

Proposed lots Lots 2-6, 10-20, 22, and 24-26 have lot widths less than the minimum required in the R-2 District.

c. Variances from maximum 3:1 Lot Depth to Width Ratio

Section 14.14.020, Lot Layout, of the Council Bluffs Municipal Code (Subdivision Ordinance) states ‘*Excessive lot depth in relation to width shall be avoided. A proportion of three to one respectively shall be considered as a maximum.*’

Proposed Lots 2-8, 13, 14, 18, 19 and 24-26 exceed the maximum 3:1 lot depth-to-width ratio.

Section 14.14.040, Variances, of the Council Bluffs Municipal Code (Subdivision Ordinance) states: “*where it can be shown that due to special conditions, a literal enforcement of this ordinance will result in an unnecessary hardship, the City shall have the power to vary such regulation so that substantial justice will be accomplished, provided that such variance would:*

- 1. Not be in contrary to the public interest;*
- 2. Be in the best interest of the City;*
- 3. Be within the spirit and intent of this title;*
- 4. Not be detrimental to the future residents in and near the proposed subdivision;*
- 5. Be consistent with the City’s comprehensive plan.”*

The Community Development Department has reviewed the applicant’s variance requests and recommends approval for the following reasons:

- a. The subject property is a challenging setting for residential development as the north half of the property is comprised of steep Loess Hills preservation area. Additionally, the area is further bounded by existing residential developments to the west and north and by Franklin and Bennett Avenues to the south and east. The proposed subdivision variances allow the applicant to develop the property in a sustainable manner that minimizes grading of the Loess Hills Preservation area and prevents erosion of the site.
  - b. The City’s Comprehensive Plan encourages a variety of housing types in order to meet the needs of the community. The applicant’s proposal includes fourteen (14) single-family attached dwellings and thirteen (13) single-family detached dwellings which will be marketed to households of varying income levels. The mixture of housing typologies and market-rate and workforce housing in the community which is in the overall best interest of the City.
  - c. The applicant has engineered and designed the subdivision to be compatible with existing development in the surrounding area. The subdivision variances are not anticipated to be detrimental to the future residents in and/or adjacent to the subdivision.
5. Section 15.23.060, Parking spaces required, of the Council Bluffs Municipal Code (Zoning Ordinance) requires a minimum two (2) parking spaces for single-family attached and detached dwellings. Additionally, Section 15.23.020, General Provisions, of the Council Bluffs Municipal Code (Zoning Ordinance) states, ‘*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.*’ The proposed

- single-family attached lots show one (1) of the two (2) required parking spaces in the required front yard setback. A variance to allow the required parking in the front yard setback for all single-family attached dwellings is included with the planned residential development plan (see Case #PR-21-002).
6. The submitted site plan shows the single-family attached homes on proposed Lots 19 and 20 with a single-stall attached garage for each unit. The applicant has indicated that they intend to reduce the size of Lot 18 and increase the size of Lots 19 and 20 to allow for a two-car garage on the latter two lots prior to execution of a final plat. The applicant has been advised that a minimum 5-foot interior yard setback shall be maintained.
  7. Per Section 15.09.050, *Site Development Standards*, the maximum lot coverage for all structures in the R-2/Two Family Residential District is 35 percent. A variance to allow a maximum 40 percent lot coverage as opposed to the 35 percent maximum is included with the planned residential development plan (Case #PR-21-002).
  8. Turn the Paige Investments, LLC has proposed to construct all homes with a 20-foot front yard setback to reduce the amount of grading required to develop the lots. A variance to allow a 20-foot front yard setback as opposed to the required 25-foot setback is included with the planned residential development plan for the subject property (see Case #PR-21-002).
  9. The proposed subdivision includes four (4) outlots, A-D. Outlot 'A' extends along Franklin and Bennett Avenues and serves as a landscape buffer between the residential properties and public right-of-ways. Outlots 'B' and 'C' will serve as stormwater detention areas. Outlot 'D' will be combined with City-owned Clark Cemetery located immediately north of the subject property through a lot line adjustment at a later date. Outlots 'A'-'C' shall be maintained by the Home Owners Association (HOA).
  10. The applicant intends to create an additional outlot to encompass the retaining wall and natural area behind Lots 2-11 so that the HOA shall be responsible for the ongoing maintenance of the wall and natural area north of the wall rather than individual homeowners. This outlot is not currently shown on the preliminary site development plans but shall be shown on the final plat prior to execution.
  11. The developer, Turn the Paige Investments, LLC, went through the City's offer-to-buy process to acquire the subject property. Through this process, the City has agreed to commit Community Development Block Grant (CDBG) funding for road construction, grading work, stormwater management installation, and landscaping. In exchange for these funds, the builder has agreed to dedicate a minimum of 51 percent of the housing units as low-to-moderate income housing units, which are priced at or below 80 percent of the area's median income. Fourteen (14) of the proposed 27 units (51.9%) will be dedicated to low-to-moderate income housing units.
  12. All proposed lots will have access to Paige Lane, a new public street, that will be built and dedicated by the City, and will align with Wendy Heights Road to the south.
  13. All lots will be serviced with utilities (e.g., sanitary/storm sewers, water, electricity, etc.) that shall be installed underground. All costs to construct, remove and/or relocate any utilities for the proposed subdivision shall be the responsibility of the developer and not the City.
  14. Sidewalk installation along the frontage of each proposed lot shall be completed prior to issuance of a Certificate of Occupancy for each lot. A sidewalk shall also be installed along Outlot 'C' and shall be installed at the time of street construction. All sidewalks shall be built to City standards.
  15. Street trees shall be planted along the frontage of each proposed lot (as shown on the submitted landscaping plan - Sheet C4.1 of Attachment 'B') prior to issuance of a Certificate of Occupancy for each lot. The submitted landscaping plan shows street trees along Franklin Avenue on the north side of the sidewalk. The plan shall be revised to show the street trees south of the sidewalk in order to provide a barrier between pedestrians and traffic along Franklin Avenue. The sidewalk shall be set back approximately six (6) to eight (8) feet from the curb to accommodate the planting of said street trees. All costs associated with the installation and maintenance of street trees shall be the responsibility of the developer and/or HOA and not the City. All proposed trees within the City's right-of-way shall comply with the Council Bluffs Street Tree Guide and be reviewed and approved by the City prior to installation.
  16. All future streetlights shall meet Public Works Department standards. All costs associated with the installation of streetlights shall be the responsibility of the developer and not the City.

17. The subject property is not located within a flood zone.
18. The Council Bluffs Fire Department stated that they have no comments regarding the request.
19. The Council Bluffs Public Works Department provided the following comments:
  - a. The connection to Franklin has been noted as aligning with Wendy Heights Road;
  - b. The retaining wall will be required to be designed and sealed by a registered professional engineer;
  - c. The drainage report noted the following:
    1. A hydro dynamic separator in this setting will not be sustainable and Public Works will work with the Engineer on the drainage issues;
    2. Basins located on steep slopes have been minimally successful in the past. Both basins require a minimum 10' top to allow for maintenance; and
    3. Basins shall be maintained by an HOA with maintenance requirements identified in an Operation and Maintenance Agreement.
  - d. The road profile has been noted;
  - e. The sanitary sewer connection has been noted;
  - f. A geotechnical report is required.
20. The Permits and Inspections Division stated concerns regarding the continued structural integrity of the proposed retaining wall and noted that the addition of terraces on the uphill slope could mitigate and minimize the potential failure of the retaining wall.
21. Council Bluffs Water Works stated that the City will need to contact them about main extension requirements to serve the development.
22. MidAmerican Energy provided the following comments:
  - a. They have no conflict with the proposal.
  - b. The City should contact MidAmerican Energy directly to discuss the project timeline and provide the documentation necessary for a formal design and proposal to extend electric service within the development.
  - c. MidAmerican Energy will require the standard platted 10-foot front lot line and 5-foot side and rear lot line easements for the proposed development.
23. Cox Communications provided a map (Attachment 'D') showing the location of their facilities near the subject property and asked that the City contact them with any additional questions.

#### **CASE #ZC-21-003**

The subject property is currently zoned A-P/Administrative Professional District. The applicant intends to rezone the property to R-2/Two-Family Residential District to accommodate the proposed 27-lot residential subdivision (Case #SUB-21-006). A P-R/Planned Residential Overlay is proposed to be appended to the subject property along with the proposed rezoning (Case #PR-21-002).

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

- North
  - Lindsey Manor Apartment Building - *R-3/Low-Density Multifamily Residential District*
  - City-owned Clark Cemetery - *R-3/Low-Density Multifamily Residential District*
  - Arbor Ridge Condominiums - *R-4/High-Density Multifamily Residential District*
- South
  - Gas station - *C-2/Commercial District*
  - Small, undeveloped City-owned property - *A-P/Administrative Professional District*
  - Residential properties - *R-1/Single-Family Residential District*
- East
  - Greenbriar Apartments – *R-3/Low-Density Multifamily Residential District*
- West
  - Mink Apartments - *R-3/Low-Density Multifamily Residential District*
  - Deerfield Apartments - *R-3/Low-Density Multifamily Residential District*

A location/zoning map has been included with this report as Attachment 'E.'

The future land use plan of the Bluffs Tomorrow: 2030 Comprehensive Plan designates the subject property as "High-Density Residential." A portion of the northwest corner of the property is designated as "Loess Hills Preservation Area."

Public notices were mailed to all property owners within 200 feet of the request. As of the date of this report, no comments were received.

### **Discussion**

1. All proposed lots will be zoned R-2/Two-Family Residential District. The applicant intends to develop a total of seven (7) single-family attached homes on Lots 1 through 6, 13, 14, 19, 20, and 24-27, and a total of thirteen (13) single-family detached homes on Lots 7-12, 15-18, and 21-23. Proposed Lots 22, 23, and 27 do not meet the minimum lot size requirements of the R-2/Two-Family Residential District.
2. The applicant is proposing to append a P-R/Planned Residential Overlay to the entirety of the proposed subdivision. A planned residential development plan which establishes standards for site development, architecture, landscaping, parking, and signage will be adopted as part of this development.
3. The Bluffs Tomorrow: 2030 Comprehensive Plan designates the subject property "High-Density Residential" and a portion of the northwest corner of the property as Loess Hills Preservation Area. The proposed rezoning is consistent the Future Land Use Plan. The portion of the property designated as "Loess Hills Preservation Area" is especially steep terrain and will remain primarily undisturbed.
4. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are available to accommodate the uses permitted in the R-2 District.

### **Case #PR-21-002**

Section 15.28.010, Statement of Intent, P-R/Planned Residential Overlay, of the Council Bluffs Municipal Code (Zoning Ordinance) states that "the planned residential overlay is established to permit flexibility in the use and design of structures and land in situations where conventional development may be inappropriate and where modifications of the requirements of the underlying zone would not be inconsistent with the Comprehensive Plan or harmful to the neighborhood in which it is located." The applicant proposes to append a P-R/Planned Residential Overlay to the entire subdivision to be known as Hillside Estates Subdivision in order to regulate the design and layout of the proposed development. Due to the unique topographic nature of the site and the need for designated stormwater management areas, certain variances are requested to allow for sustainable development of the subject property that minimizes erosion.

### **1. Site Development**

- a. The minimum tract of land required for P-R Overlay is 1.5 acres. The subject property contains 6.36 acres, which exceeds the minimum lot size requirement of the P-R Overlay.
- b. All proposed lots shall be developed to R-2/Two-Family Residential District site development standards, as per Section 15.09.050, Site Development Regulations, with the following exceptions
  - i. The minimum front yard setback for principal structures on all lots shall be 20 feet rather than the minimum 25 feet.
  - ii. The maximum lot coverage for all structures shall be 40 percent rather than the 35 percent maximum.
- c. All fencing in the subdivision shall comply with the standards stated in Section 15.24.040, Fence Regulations, of the Council Bluffs Municipal Code (Zoning Ordinance).
- d. All utilities shall be installed underground. Any cost to remove, relocate, modify, and/or extend utilities to this site shall be at the sole cost of the developer and not the City.

### **2. Off-Street Parking**

- a. Per Section 15.23.060, Parking Spaces Required, of the Council Bluffs Municipal Code (Zoning Ordinance) the required number of off-street parking spaces for single-family detached and single-family attached dwellings is two (2) spaces per dwelling unit. All proposed single-family detached units are being constructed with a two-car garage. All proposed single-family attached dwellings are being constructed with a single-car garage. One (1) additional required parking space shall be allowed in the required front yard setback so long as all parking occurs on a paved surface and the placement of vehicles does not interfere with the City's right-of-way.
- b. All off-street parking areas, driveways and drive aisles shall comply with the standards stated in Chapter 15.23, Off-Street Parking, Loading and Unloading, of the Council Bluffs Municipal Code (Zoning Ordinance).

### **3. Architecture**

- a. The submitted house plans, included as Attachment 'F,' are generally acceptable in design and layout and shall be adopted as submitted with the following considerations:
  - i. Each dwelling unit shall have a minimum of 40 square feet of stone, brick, and/or decorative architectural metal on the front façade;
  - ii. The submitted site plan shows the single-family attached dwellings on proposed Lots 19 and 20 with a single-stall attached garage for each unit. The applicant has indicated that they intend to reduce the size of Lot 18 and increase the size of Lots 19 and 20 to allow for a two-car garage on the latter two lots prior to execution of a final plat. The applicant has not provided house plans for the proposed single-family attached dwellings on Lots 19-20 at this time. The house plans for Lots 19-20 shall be compatible in design and layout with the rest of the subdivision.
  - iii. Minor modifications deemed to be compatible with the other homes in the subdivision shall be approved administratively by the Community Development Director or their designee.

### **4. Landscaping**

- a. The submitted landscaping plan (Sheet No. C4.1 of Attachment 'B') shows the locations of proposed street trees throughout the subdivision and proposed shrub plantings on Outlot 'C.' The proposed landscaping plan is generally acceptable and shall be adopted as submitted with the following modifications:
  - i. The submitted landscaping plan shall be revised to show the street trees along Franklin Avenue on the south side of the sidewalk in order to provide a barrier between pedestrians and traffic along Franklin Avenue. The sidewalk shall be setback approximately six to eight feet from the curb to accommodate the planting of said street trees. All costs associated with the installation and maintenance of street trees shall be the responsibility of the developer and not the City. All proposed trees within the City's right-of-way shall be reviewed and approved by the City prior to installation and shall comply with the Council Bluffs Street Tree Guide (see Attachment 'G');
  - ii. All landscaping shall be appropriately maintained and dead plant material replaced at a time appropriate to planting seasons but in all cases shall be replaced within one year; and
  - iii. Minor modifications to the submitted landscaping plan shall be approved administratively by the Community Development Director or their designee.
- b. All street trees along Paige Lane and the shrub plantings on Outlot 'C' as shown on the submitted landscaping plan shall be planted at the time of street construction. Street Trees along Franklin and Bennett Avenues, as shown on the submitted landscaping plan, shall be planted prior to issuance of a Certificate of Occupancy for each lot.

### **5. Signage**

- a. A signage plan was not submitted with the development plan. All signage (detached and attached) shall comply with Section 15.33.160(C), P-R/Planned Residential District Sign Regulations, of the Municipal Code (Zoning Ordinance).

### **Recommendation**

The Community Development Department recommends the following for the subject property legally described as described as Lot 1, Franklin Heights Subdivision, City of Council Bluffs, Pottawattamie County, Iowa:

1. Approval of the preliminary plan for the 27-lot residential subdivision to be known as Hillside Estates Subdivision, legally described as being a replat of Lot 1, Franklin Height Subdivision, subject to the comments above and the following conditions:
  - a. Approval of the preliminary plans is tentative and does not constitute acceptance of the final plat, but is “deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat” (Section 14.11.060(D)—Subdivision Ordinance).
  - b. All applicable permits necessary to meet all local, state, and federal requirements shall be the developer’s responsibility.
  - c. All utilities shall be installed underground. All costs to construct, remove, and/or relocate any utilities for the proposed subdivision shall be the responsibility of the developer and not the City.
  - d. The submitted landscaping plan shall be revised to show the street trees along Franklin Avenue on the south side of the sidewalk in order to provide a barrier between pedestrians and traffic along Franklin Avenue. The sidewalk shall be set back approximately six to eight feet from the curb to accommodate the planting of said street trees. All costs associated with the installation and maintenance of street trees shall be the responsibility of the developer and not the City. All proposed trees within the City’s right-of-way shall be reviewed and approved by the City prior to installation and shall comply with the Council Bluffs Street Tree Guide.
  - e. Sidewalks shall be installed along the frontage of each proposed lot prior to issuance of a Certificate of Occupancy for each lot. A sidewalk shall also be installed along Outlot ‘C’ and shall be installed at the time of street construction. All sidewalks shall be built to City standards.
  - f. The proposed additional outlot that will encompass the retaining wall and natural area behind Lots 2-11 shall be shown on the final plat prior to execution. The HOA shall be responsible for the ongoing maintenance of the wall and natural area north of the wall.
  - g. All future streetlights shall meet Public Works Department standards. All costs associated with the installation of streetlights shall be the responsibility of the developer and not the City.
  - h. Approval of the requested variances relative to lot size, lot width, and maximum lot depth to width ratios, based on the reasons stated above.
2. Approval of the request to rezone, Lot 1, Franklin Heights Subdivision, City of Council Bluffs, Pottawattamie County, Iowa from A-P/Administrative Professional District to R-2/Two-Family Residential District, based on the reasons stated above and subject to final plat approval of Franklin Heights Subdivision.
3. Approval of the request to append a P-R/Planned Residential Overlay and adopt a planned residential development plan for Hillside Estates Subdivision, legally described as being a replat of Lot 1, Franklin Heights Subdivision, subject to the following conditions:
  - a. Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed by City Planning Commission and approved by City Council prior to such changes being made. Minor modifications to the adopted development plan that result in a product that is considered compatible with the overall development may be administratively approved by the Community Development Director or their designee.

### **Public Hearing**

Staff speaker for the request:

1. Haley Weber, Planner, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor:

1. Jared McIntyre, Turn the Paige Investments, LLC, 19267 Brookside Lane, Gretna, NE 68028

Speakers against: None

### **Planning Commission Recommendation**

The Planning Commission recommended:

The Community Development Department recommends the following for the subject property legally described as described as Lot 1, Franklin Heights Subdivision, City of Council Bluffs, Pottawattamie County, Iowa:

1. Approval of the preliminary plan for 27-lot residential subdivision to be known as Hillside Estates Subdivision, legally described as being a replat of Lot 1, Franklin Height Subdivision, subject to the comments above and the following conditions:
  - a. Approval of the preliminary plans is tentative and does not constitute acceptance of the final plat, but is “deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat” (Section 14.11.060(D)—Subdivision Ordinance).
  - b. All applicable permits necessary to meet all local, state, and federal requirements shall be the developer’s responsibility.
  - c. All utilities shall be installed underground. All costs to construct, remove, and/or relocate any utilities for the proposed subdivision shall be the responsibility of the developer and not the City.
  - d. The submitted landscaping plan shall be revised to show the street trees along Franklin Avenue on the south side of the sidewalk in order to provide a barrier between pedestrians and traffic along Franklin Avenue. The sidewalk shall be set back approximately six to eight feet from the curb to accommodate the planting of said street trees. All costs associated with the installation and maintenance of street trees shall be the responsibility of the developer and not the City. All proposed trees within the City’s right-of-way shall be reviewed and approved by the City prior to installation and shall comply with the Council Bluffs Street Tree Guide.
  - e. Sidewalks shall be installed along the frontage of each proposed lot prior to issuance of a Certificate of Occupancy for each lot. A sidewalk shall also be installed along Outlot ‘C’ and shall be installed at the time of street construction. All sidewalks shall be built to City standards.
  - f. The proposed additional outlot that will encompass the retaining wall and natural area behind Lots 2-11 shall be shown on the final plat prior to execution. The HOA shall be responsible for the ongoing maintenance of the wall and natural area north of the wall.
  - g. All future streetlights shall meet Public Works Department standards. All costs associated with the installation of streetlights shall be the responsibility of the developer and not the City.
  - h. Approval of the requested variances relative to lot size, lot width, and maximum lot depth to width ratios, based on the reasons stated above.
2. Approval of the request to rezone, Lot 1, Franklin Heights Subdivision, City of Council Bluffs, Pottawattamie County, Iowa from A-P/Administrative Professional District to R-2/Two-Family Residential District, based on the reasons stated above and subject to final plat approval of Franklin Heights Subdivision.
3. Approval of the request to append a P-R/Planned Residential Overlay and adopt a planned residential development plan for Hillside Estates Subdivision, legally described as being a replat of Lot 1, Franklin Heights Subdivision, subject to the following conditions:
  - a. Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed by City Planning Commission and approved by City Council prior to such changes being made. Minor modifications to the adopted



development plan that result in a product that is considered compatible with the overall development may be administratively approved by the Community Development Director or their designee.

VOTE: AYE - Bass, Danielsen, Halm, Haner, Hutcheson, Rater, Scott, Stroebele, and Van Houten  
NAY - None ABSTAIN - Rew ABSENT - None VACANT One Motion: Carried

#### **Attachments**

Attachment A: Letter of Intent  
Attachment B: Hillside Estates Preliminary Plans  
Attachment C: Preliminary Drainage Study  
Attachment D: Cox Communications Facilities Map  
Attachment E: Location/Zoning Map  
Attachment F: Proposed House Plans and Architectural Renderings  
Attachment G: Council Bluffs Street Tree Guide

Prepared by: Haley Weber, Planner, Community Development Department

## Hillside Estates Letter of Intent

Turn The Paige Homes wishes to purchase said property to create a subdivision consisting of single-family, low-to-moderate income housing and open market “workforce” housing. Each phase of construction will focus on low-to-moderate income and workforce sale prices ranging from \$165,000 to \$260,000. A total of 27 homes will be constructed following final site-plan and rezoning approval. Turn The Paige Homes commits to selling at least 51% of the constructed units to households at or below 80% of the median family income (MFI) if the City completes required infrastructure to ensure the affordability of the units.

The new subdivision will tackle the growing need and demand in Council Bluffs for brand new homes in this price range. These new houses will be modern, energy efficient, and aesthetically pleasing while still maintaining the design integrity of the surrounding neighborhoods. We strongly believe this subdivision will be a welcomed extension of the Franklin Heights area.

## Hillside Estates LMI versus OPEN MARKET

The LMI homes will be very attractive and have similar exteriors to the OPEN MARKET houses. Simply put, the LMI homes will be smaller on the inside but just as impressive on the outside. The *curb appeal* will remain fluid throughout the development. The increase in price from LMI to OPEN MARKET is a result of three characteristics: basements, interior finishes, and square footage; all of which will not affect the exterior aesthetics. Furthermore, there will be covenants for the subdivision to maintain the integrity of the neighborhood, as well as our vision as the developer. The subdivision will not be a “cookie cutter” site plan. We will have over 10 floor plans to choose from ranging from ranches, two stories, slabs and basements. Hillside Estates will have a diverse array of houses resulting in a cozy, but modern subdivision.

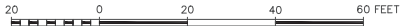
## Hillside Estates Standard Finishes and Upgrades

**Standard** finishes in our LMI and OPEN MARKET homes will include some/all of the following:

- Stainless steel appliance package (including french door refrigerator)
- LVP flooring (luxury vinyl plank)
- Granite countertops in bathrooms
- Tile surround package for master bathrooms
- 9’ ceilings to enhance our open floor plans
- Walk-in closet in master bedroom
- Laundry on the main or second floor
- Finished trim and cabinet package

**Optional** finish upgrades available to the buyer will include all of the following:

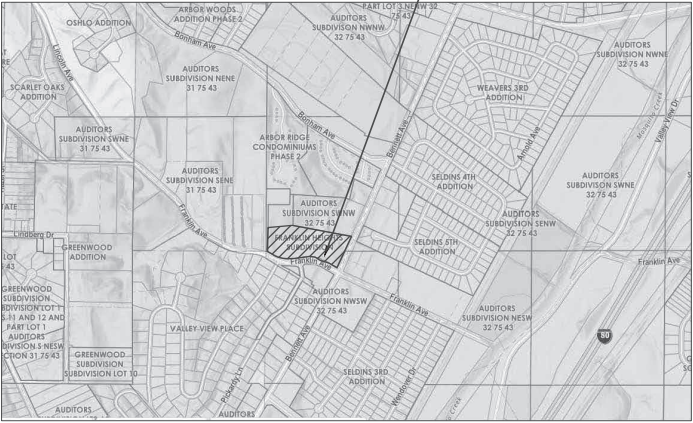
- Additional exterior stone percentage
- Garage heater and insulation
- Gas stoves
- Sod and sprinkler system
- Additional LVP flooring throughout
- Granite countertop package in kitchen
- Privacy fence
- Finished basement package



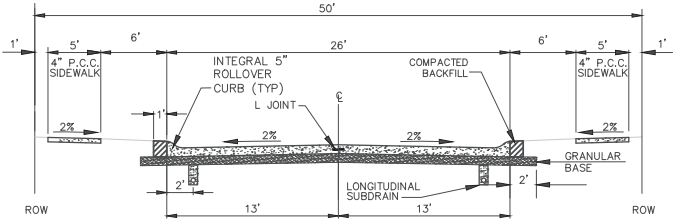
NOTE:  
UNDERGROUND UTILITY LOCATIONS SHOWN ARE FROM INFORMATION PROVIDED TO US FROM UTILITY COMPANIES. UTILITY COMPANIES MAKE NO WARRANTIES OR GUARANTEES REGARDING THE ACCURACY OF THE INFORMATION CONTAINED IN THEIR DOCUMENTS AND PROVIDES IT ONLY AS GENERAL INFORMATION TO THE RECEIVER. FOR SPECIFIC LOCATIONS DURING CONSTRUCTION CALL "IOWA ONE CALL" 800/292-8989 PRIOR TO DIGGING.

LEGEND

- PROJECT BOUNDARY LINE
- PROPERTY LINE
- PROPOSED PAVEMENT
- PROPOSED SIDEWALK
- B.L. BUILDING LINE
- SETBACK LINE



VICINITY MAP



- NOTES:
- ON GRADES GREATER THAN 5%, GRANULAR BASE, TRANSVERSE SUBDRAIN, AND CURTAIN WALLS SHALL BE REQUIRED. ON GRADES LESS THAN 5%, GRANULAR BASE AND LONGITUDINAL SUBDRAIN WILL BE REQUIRED AT THE DIRECTION OF THE CITY ENGINEER.
  - GRANULAR BASE SHALL HAVE A MINIMUM THICKNESS OF 6", MEET IDOT GRADATION #12A OR #12B AND MAY REQUIRE USE OF ENGINEERING FABRIC.
  - SUBDRAIN SHALL BE PER SUDAS FIGURE 4040.231 AND THE CITY OF COUNCIL BLUFFS TRANSVERSE SUBDRAIN DETAIL.
  - P.C.C. PAVEMENT SHALL HAVE 7" THICKNESS.
  - ALL JOINTS SHALL BE PER SUDAS FIGURE 7010.101.
  - CURBS SHALL BE 5" ROLLOVER CURB.

LOCAL STREET CROSS SECTION  
NO PARKING BAY NO SCALE

OWNER/DEVELOPER  
CHRISTOPHER GIBBONS  
CITY OF COUNCIL BLUFFS  
COMMUNITY DEVELOPMENT DEPT.  
209 PEARL STREET  
COUNCIL BLUFFS, IA. 51503

ENGINEER  
TERRY MORRISON, P.E.  
EHRHART GRIFFIN & ASSOCIATES  
142 WEST BROADWAY, SUITE 136  
COUNCIL BLUFFS, IOWA  
(712) 256-5248

PROJECT NO.  
EGA201169

| REVISIONS | NO. | DESCRIPTION | DATE | BY |
|-----------|-----|-------------|------|----|
|           |     |             |      |    |
|           |     |             |      |    |
|           |     |             |      |    |
|           |     |             |      |    |

EHRHART  
GRIFFIN &  
ASSOCIATES

142 West Broadway  
Suite 136  
Council Bluffs, Iowa 51503  
712 / 256-5248

- ENGINEERING
- PLANNING
- LAND SURVEYING

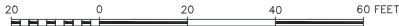
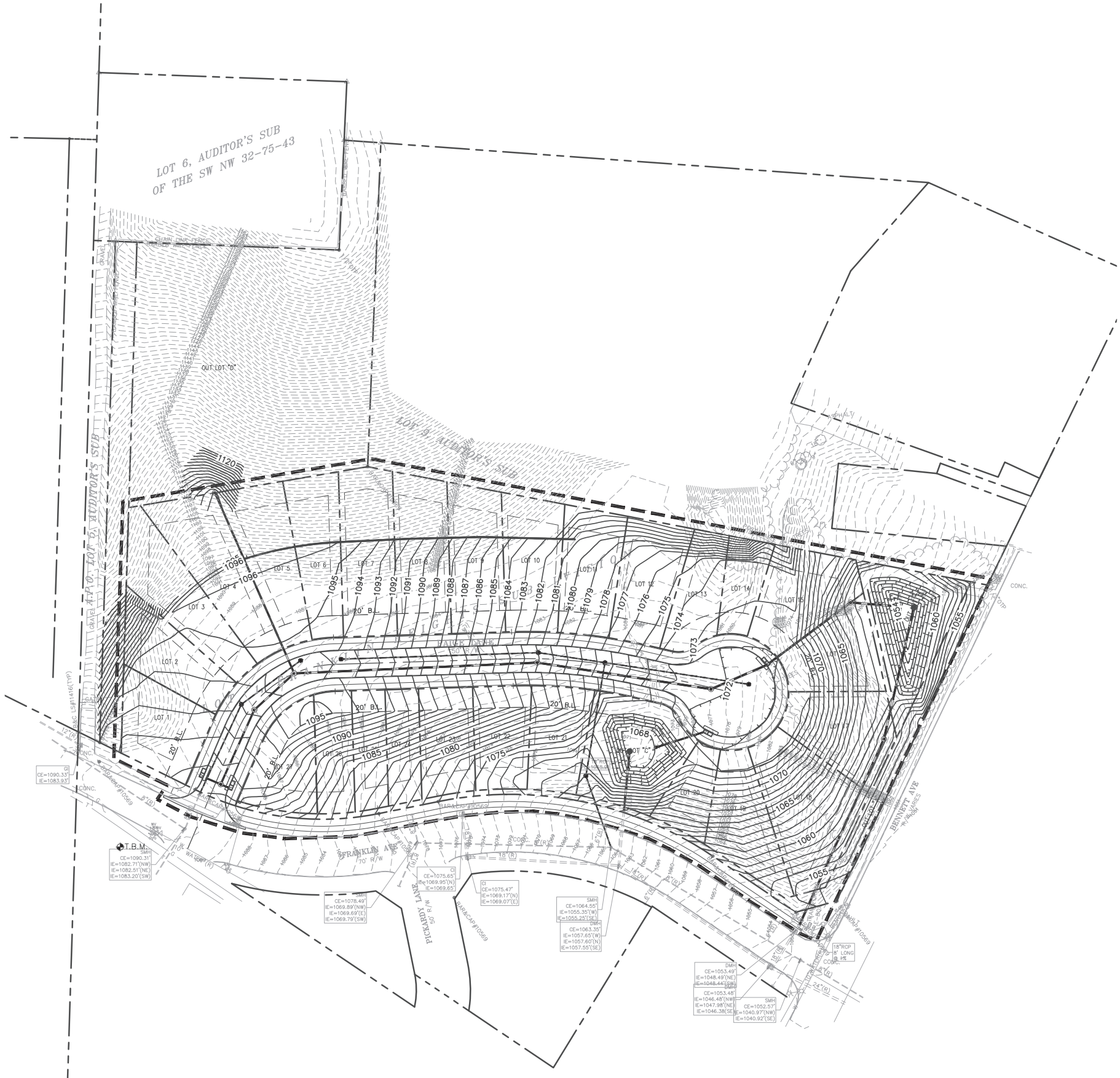
PRELIMINARY SITE LAYOUT PLAN  
HILLSIDE ESTATES SUBDIVISION  
FRANKLIN AND BENNETT AVE.  
COUNCIL BLUFFS, IOWA

DATE: 3/3/21  
DESIGNED BY: TLM  
DRAWN BY: JRB  
CHECKED BY: TLM

SHEET NO.  
C.1.1



S:\201169-FRANKLIN AVE SUB\ENGINEERING\PRELIMINARY PLANS\Preliminary Grading\_201169.dwg, 3/3/2021 12:26:17 PM



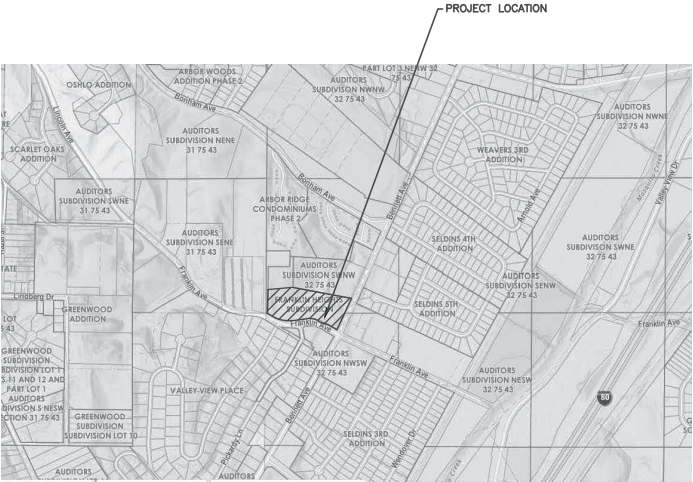
NOTE:  
UNDERGROUND UTILITY LOCATIONS SHOWN ARE FROM INFORMATION PROVIDED TO US FROM UTILITY COMPANIES. UTILITY COMPANIES MAKE NO WARRANTIES OR GUARANTEES REGARDING THE ACCURACY OF THE INFORMATION CONTAINED IN THEIR DOCUMENTS AND PROVIDES IT ONLY AS GENERAL INFORMATION TO THE RECEIVER. FOR SPECIFIC LOCATIONS DURING CONSTRUCTION CALL "IOWA ONE CALL" 800/292-8989 PRIOR TO DIGGING.

LEGEND

- LIMITS OF CONSTRUCTION
- PROPERTY LINE
- B.L. --- BUILDING LINE
- SETBACK LINE
- EXISTING CONTOURS
- 1220--- PROPOSED CONTOURS
- PROPOSED RETAINING WALL
- PROPOSED STORM PIPE
- PROPOSED SANITARY PIPE
- PROPOSED SANITARY SEWER MANHOLE
- PROPOSED STORM SEWER MANHOLE
- PROPOSED INLETS
- EXISTING SANITARY PIPE
- EXISTING STORM PIPE
- EXISTING INLET
- EXISTING MANHOLE

**OWNER/DEVELOPER**  
CHRISTOPHER GIBBONS  
CITY OF COUNCIL BLUFFS  
COMMUNITY DEVELOPMENT DEPT.  
209 PEARL STREET  
COUNCIL BLUFFS, IA. 51503

**ENGINEER**  
TERRY MORRISON, P.E.  
EHRHART GRIFFIN & ASSOCIATES  
142 WEST BROADWAY, SUITE 136  
COUNCIL BLUFFS, IOWA  
(712) 256-5248



VICINITY MAP



PROJECT NOTES:

- ALL STREETS ARE LOCAL STREETS.
- THIS AREA IS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS PER POTTAWATTAMIE COUNTY, IOWA FLOOD INSURANCE RATE MAP COMMUNITY OF THE CITY OF COUNCIL BLUFFS (COMMUNITY NUMBER - 190235), MAP NUMBER 19155C0414E, DATED FEBRUARY 4, 2005
- ALL APPROPRIATE PUBLIC UTILITIES SHALL BE PROVIDED TO EACH LOT WITHIN THE SUBJECT PROPERTY.
- UTILITY EASEMENTS AND BOXES SHALL BE COORDINATED WITH UTILITY COMPANIES, BE INCONSPICUOUS AS POSSIBLE.

PROJECT NO.  
EGA201169

| REVISONS | DESCRIPTION | DATE | BY |
|----------|-------------|------|----|
|          |             |      |    |
| NO.      |             |      |    |

**EHRHART GRIFFIN & ASSOCIATES**

142 West Broadway  
Suite 136  
Council Bluffs, Iowa 51503  
712 / 256-5248

- ENGINEERING
- PLANNING
- LAND SURVEYING

PRELIMINARY SITE GRADING PLAN

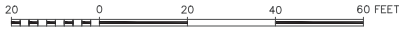
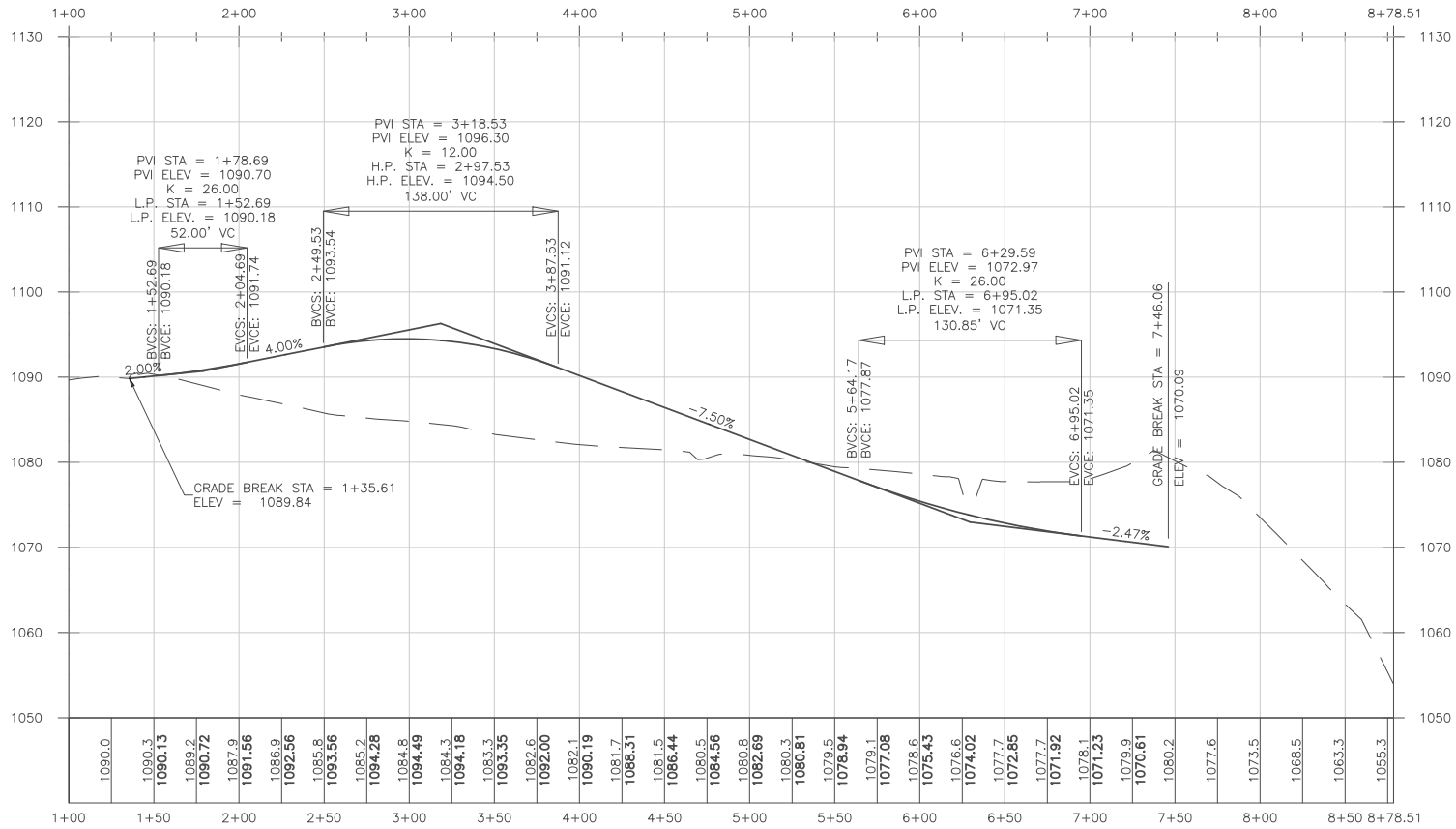
HILLSIDE ESTATES SUBDIVISION

FRANKLIN AND BENNETT AVE.

COUNCIL BLUFFS, IOWA

DATE: 3/3/21  
DESIGNED BY: TLM  
DRAWN BY: JRB  
CHECKED BY: TLM

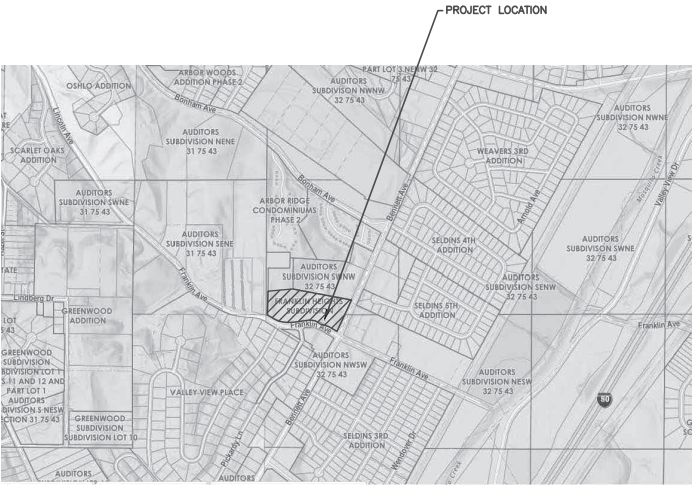
SHEET NO.  
C2.1



NOTE:  
UNDERGROUND UTILITY LOCATIONS SHOWN ARE FROM INFORMATION PROVIDED TO US FROM UTILITY COMPANIES. UTILITY COMPANIES MAKE NO WARRANTIES OR GUARANTEES REGARDING THE ACCURACY OF THE INFORMATION CONTAINED IN THEIR DOCUMENTS AND PROVIDES IT ONLY AS GENERAL INFORMATION TO THE RECEIVER. FOR SPECIFIC LOCATIONS DURING CONSTRUCTION CALL "IOWA ONE CALL" 800/292-8889 PRIOR TO DIGGING.

**OWNER/DEVELOPER**  
CHRISTOPHER GIBBONS  
CITY OF COUNCIL BLUFFS  
COMMUNITY DEVELOPMENT DEPT.  
209 PEARL STREET  
COUNCIL BLUFFS, IA. 51503

**ENGINEER**  
TERRY MORRISON, P.E.  
EHRHART GRIFFIN & ASSOCIATES  
142 WEST BROADWAY, SUITE 136  
COUNCIL BLUFFS, IOWA  
(712) 256-5248



VICINITY MAP  
NORTH  
NOT TO SCALE

PROJECT NO.  
EGA201169

| REVISIONS | NO. | DESCRIPTION | DATE | BY |
|-----------|-----|-------------|------|----|
|           |     |             |      |    |
|           |     |             |      |    |
|           |     |             |      |    |
|           |     |             |      |    |
|           |     |             |      |    |
|           |     |             |      |    |

**EHRHART GRIFFIN & ASSOCIATES**

142 West Broadway  
Suite 136  
Council Bluffs, Iowa 51503  
712 / 256-5248

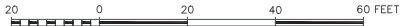
- ENGINEERING
- PLANNING
- LAND SURVEYING

**PRELIMINARY SITE PROFILES**  
**HILLSIDE ESTATES SUBDIVISION**  
FRANKLIN AND BENNETT AVE.  
COUNCIL BLUFFS, IOWA

DATE: 3/3/21  
DESIGNED BY: TLM  
DRAWN BY: JRB  
CHECKED BY: TLM

SHEET NO.  
C2.2

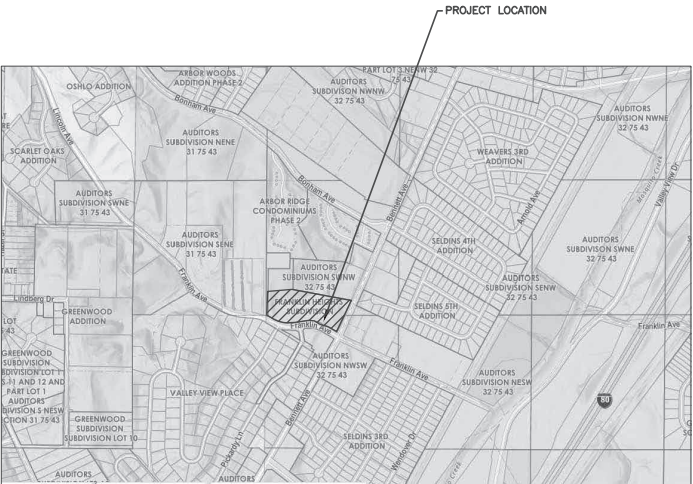




NOTE:  
UNDERGROUND UTILITY LOCATIONS SHOWN ARE FROM INFORMATION PROVIDED TO US FROM UTILITY COMPANIES. UTILITY COMPANIES MAKE NO WARRANTIES OR GUARANTEES REGARDING THE ACCURACY OF THE INFORMATION CONTAINED IN THEIR DOCUMENTS AND PROVIDES IT ONLY AS GENERAL INFORMATION TO THE RECEIVER. FOR SPECIFIC LOCATIONS DURING CONSTRUCTION CALL "IOWA ONE CALL" 800/292-8989 PRIOR TO DIGGING.

LEGEND

- LIMITS OF CONSTRUCTION
- PROPERTY LINE
- B.L. --- BUILDING LINE
- SETBACK LINE
- PROPOSED STORM PIPE
- PROPOSED SANITARY PIPE
- PROPOSED SANITARY SEWER MANHOLE
- PROPOSED STORM SEWER MANHOLE
- PROPOSED INLETS
- W --- PROPOSED WATER
- EXISTING SANITARY PIPE
- EXISTING STORM PIPE
- EXISTING INLET
- EXISTING MANHOLE



VICINITY MAP



OWNER/DEVELOPER  
CHRISTOPHER GIBBONS  
CITY OF COUNCIL BLUFFS  
COMMUNITY DEVELOPMENT DEPT.  
209 PEARL STREET  
COUNCIL BLUFFS, IA. 51503

ENGINEER  
TERRY MORRISON, P.E.  
EHRHART GRIFFIN & ASSOCIATES  
142 WEST BROADWAY, SUITE 136  
COUNCIL BLUFFS, IOWA  
(712) 256-5248

PROJECT NO.  
EGA201169

| REVISIONS | NO. | DESCRIPTION | DATE | BY |
|-----------|-----|-------------|------|----|
|           |     |             |      |    |
|           |     |             |      |    |
|           |     |             |      |    |
|           |     |             |      |    |
|           |     |             |      |    |
|           |     |             |      |    |
|           |     |             |      |    |

EHRHART  
GRIFFIN &  
ASSOCIATES

142 West Broadway  
Suite 136  
Council Bluffs, Iowa 51503  
712 / 256-5248

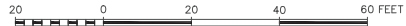
- ENGINEERING
- PLANNING
- LAND SURVEYING

PRELIMINARY SITE UTILITIES PLAN  
HILLSIDE ESTATES SUBDIVISION  
FRANKLIN AND BENNETT AVE.  
COUNCIL BLUFFS, IOWA

DATE: 3/3/21  
DESIGNED BY: TLM  
DRAWN BY: JRB  
CHECKED BY: TLM

SHEET NO.  
C3.1

S:\201169-FRANKLIN AVE SUB\ENGINEERING\PRELIMINARY PLANS\Preliminary Landscape Plan\_201169.dwg, 3/16/2021 8:44:28 AM



NOTE:  
UNDERGROUND UTILITY LOCATIONS SHOWN ARE FROM INFORMATION PROVIDED TO US FROM UTILITY COMPANIES. UTILITY COMPANIES MAKE NO WARRANTIES OR GUARANTEES REGARDING THE ACCURACY OF THE INFORMATION CONTAINED IN THEIR DOCUMENTS AND PROVIDES IT ONLY AS GENERAL INFORMATION TO THE RECEIVER. FOR SPECIFIC LOCATIONS DURING CONSTRUCTION CALL "IOWA ONE CALL" 800/292-8989 PRIOR TO DIGGING.

#### LEGEND

- PROJECT BOUNDARY LINE
- - - PROPERTY LINE
- ▨ PROPOSED PAVEMENT
- ▤ PROPOSED SIDEWALK
- B.L. BUILDING LINE
- - - SETBACK LINE
- PROPOSED STREET TREE
- PROPOSED SHRUBS (18" - 24" TALL)



VICINITY MAP



**OWNER/DEVELOPER**  
CHRISTOPHER GIBBONS  
CITY OF COUNCIL BLUFFS  
COMMUNITY DEVELOPMENT DEPT.  
209 PEARL STREET  
COUNCIL BLUFFS, IA. 51503

**ENGINEER**  
TERRY MORRISON, P.E.  
EHRHART GRIFFIN & ASSOCIATES  
142 WEST BROADWAY, SUITE 136  
COUNCIL BLUFFS, IOWA  
(712) 256-5248

PROJECT NO.  
EGA201169

| NO. | DESCRIPTION | REVISIONS |    |
|-----|-------------|-----------|----|
|     |             | DATE      | BY |
|     |             |           |    |
|     |             |           |    |
|     |             |           |    |
|     |             |           |    |
|     |             |           |    |

**EHRHART  
GRIFFIN &  
ASSOCIATES**

142 West Broadway  
Suite 136  
Council Bluffs, Iowa 51503  
712 / 256-5248

- ENGINEERING
- PLANNING
- LAND SURVEYING

## PRELIMINARY SITE LANDSCAPE PLAN HILLSIDE ESTATES SUBDIVISION FRANKLIN AND BENNETT AVE. COUNCIL BLUFFS, IOWA

DATE: 3/16/21  
DESIGNED BY: TLM  
DRAWN BY: JRB  
CHECKED BY: TLM

SHEET NO.

C4.1

# Hillside Estates Subdivision

## Preliminary Drainage Report

The proposed subdivision is located in FEMA Flood Zone “X”. The 6.36 acre site is located at the northwest corner of the intersection of Franklin Avenue and Bennett Avenue. The natural topography of the site slopes substantially (12% on average) from the northwest in a southeasterly direction with the drainage entering curb inlets along both Franklin Avenue and Bennett Avenue along the south and east side of the site.

Proposed pipes and inlet structures will be designed to convey runoff underground within the subdivision. Any runoff not captured by inlets will utilize overland flow directed towards two detention areas on-site. Additional runoff not routed to the detention areas will surface flow offsite to existing curb inlets along Franklin Avenue and Bennett Avenue. The site will utilize two dry detention basins to store the 100-year storm event. The pond on the south side of the site has a detention volume of approximately 12,900 cubic feet. The pond in the northeast corner of the site has a detention volume of approximately 13,300 cubic feet. Runoff from the site will be treated with two hydrodynamic separator manholes, located at the outlets of the two dry detention basins, to meet water quality requirements determined by the Iowa Department of Natural Resources. The captured runoff will be discharged to the public storm sewer infrastructure adjacent to the site following the detention and water quality processes. See Table 1 below for existing and proposed runoff rates for the site.

**Table 1. Discharge Rate Summary**

| Design Storm (year) | Existing Q, cfs | Proposed Q, cfs (without detention) | Proposed Q, cfs (with detention) | Peak Flow Reduction (cfs)* |
|---------------------|-----------------|-------------------------------------|----------------------------------|----------------------------|
| 2                   | <b>15.01</b>    | 22.28                               | <b>7.33</b>                      | 7.68                       |
| 10                  | <b>22.38</b>    | 33.23                               | <b>10.71</b>                     | 11.67                      |
| 100                 | <b>39.45</b>    | 58.56                               | <b>31.36</b>                     | 8.08                       |

\*This represents a reduction from the existing condition to the final proposed condition

The roadway profiles will be designed to follow existing grades and minimize earthwork haul-off/import due to the steep topography of the site. Profile grades will be designed with a minimum of 0.5% slope and inlets will be located so gutter spread does not exceed SUDAS Design Standards.

Prepared By: Terry L. Morrison, P.E.



Ehrhart Griffin & Associates  
142 West Broadway, Suite 136  
Council Bluffs, IA 51503

EGA Project No.: 201169  
March 16, 2024

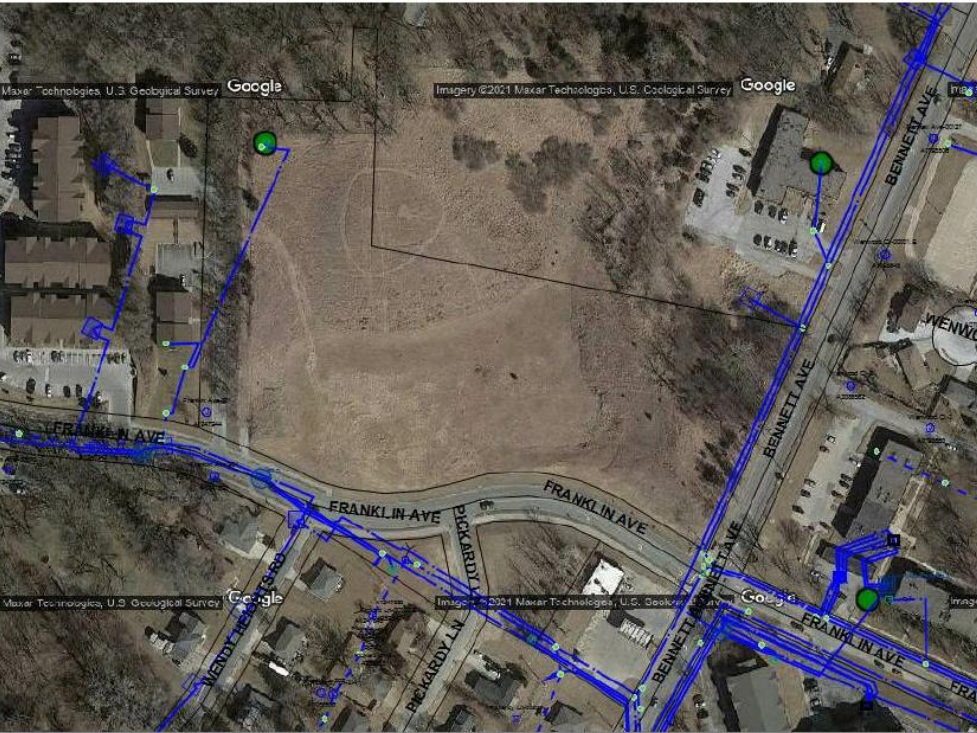


Attachment D

Cox Communications Facilities Map

Below you will be able to view where the Lumen facilities are located in the area of this development. All of our facilities are in blue. Some routes may not be in the exact location as shown.


Let me know if you have any questions.






# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASES #ZC-21-003, SUB-21-006, & PR-21-002 LOCATION/ZONING MAP

## Legend

 Subject Property for Case  
#SUB-21-006, Case #PR-21-  
002, Case #ZC-21-003

 Parcels

0 87.5 175  
1 inch = 175 feet



Last Amended: 3/22/2021



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, 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.



**Hillside Estates Minimum Requirements**  
**27 Total Units**

(For a more detailed summary of requirements, Covenants will be provided upon request)

***LMI Townhomes (single family attached)*** **10**  
***units***

***LMI Houses (single family detached)*** **4**  
***units***

- LMI housing will consist of 14 total structures (10 Townhomes and 4 Houses)
- Minimum requirement of 1200 square feet
- Minimum requirement of 3 bedrooms and 2 bathrooms
- Maximum purchase price of \$165,000
- LMI Townhomes will be slab on grade only
- Minimum requirement of one garage stall for Townhomes
- Minimum requirement of two garage stalls for Houses
- Spec homes with predetermined finish packages

***OPEN MARKET Townhomes (single family attached)*** **4**  
***units***

***OPEN MARKET Houses (single family detached)*** **9**  
***units***

- OPEN MARKET housing will consist of 13 total structures (4 Townhomes and 9 Houses)
- Target minimum requirement of 1300 square feet for ranch plans with unfinished basements
- Target minimum requirement of 1600 square feet for ranch plans, slab on grade
- Target minimum requirement of 1700 square feet for two-story, slab on grade
- Target purchase price of \$240,000-\$260,000 depending on semi-custom upgrades
- Finishing basements will be an optional upgrade
- Minimum requirement of two garage stalls
- Spec homes with predetermined finish packages and semi-custom options

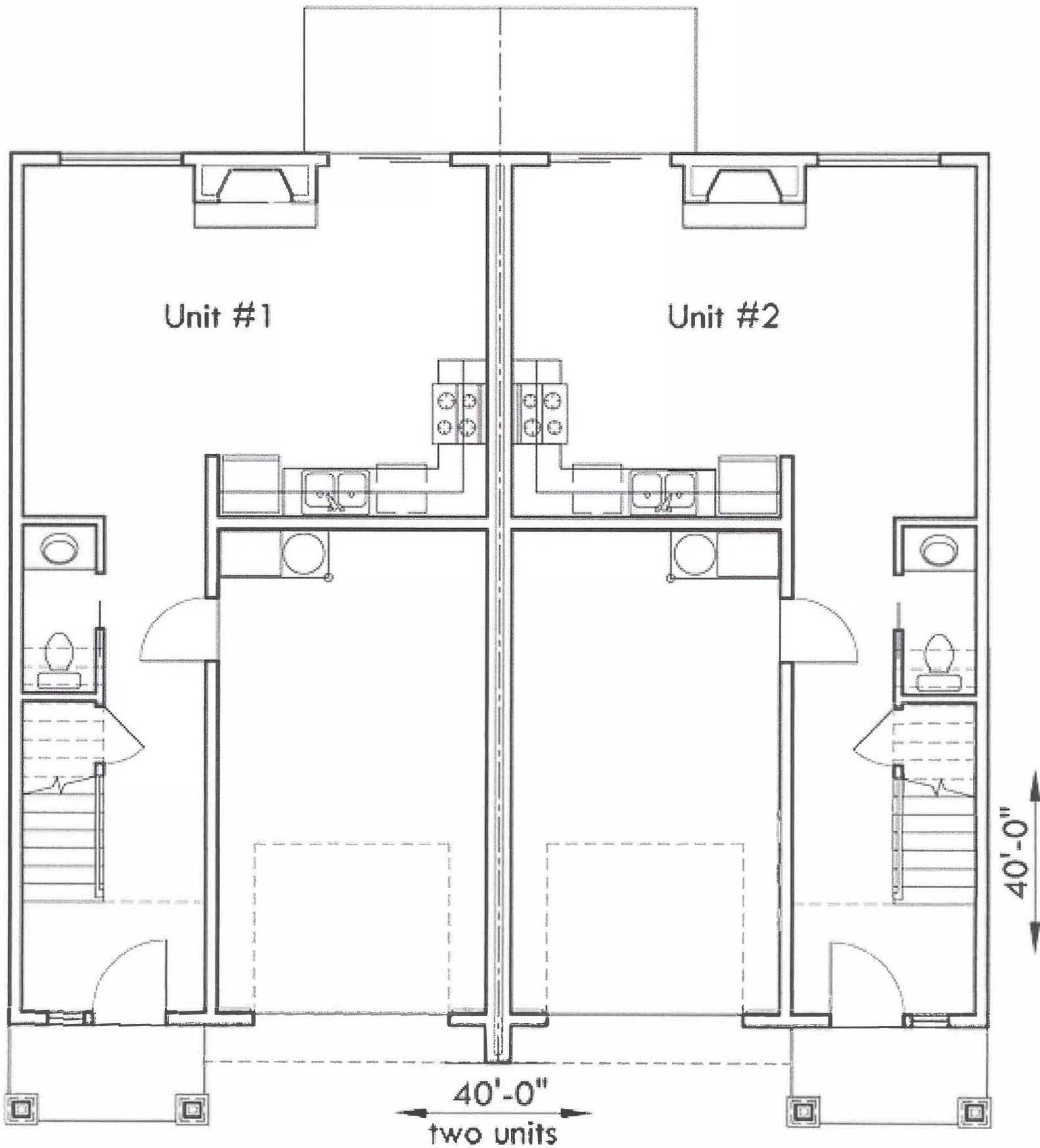


## Townhome Lots 1 & 2

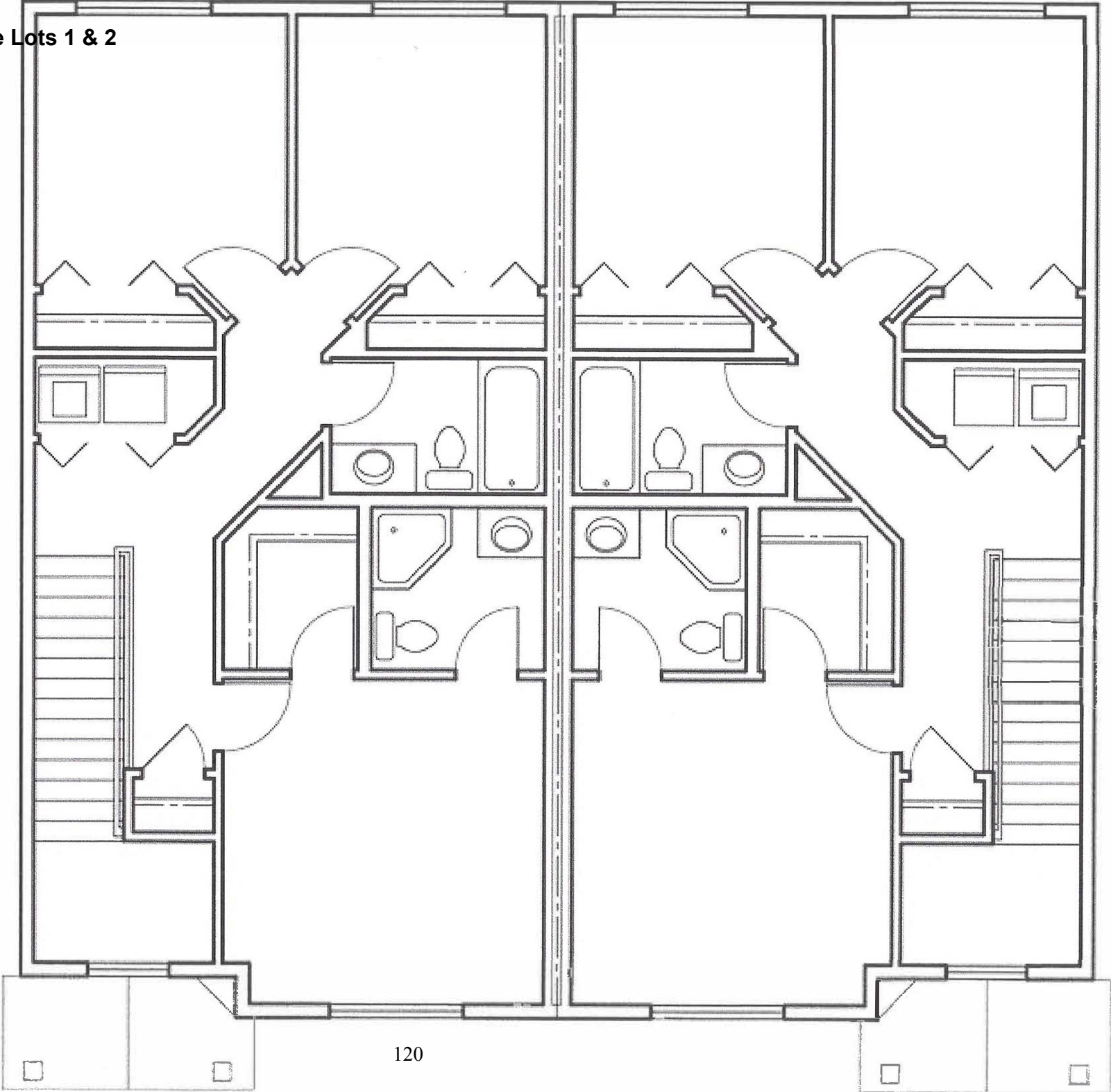




Townhome Lots 1 & 2



Townhome Lots 1 & 2





3/4

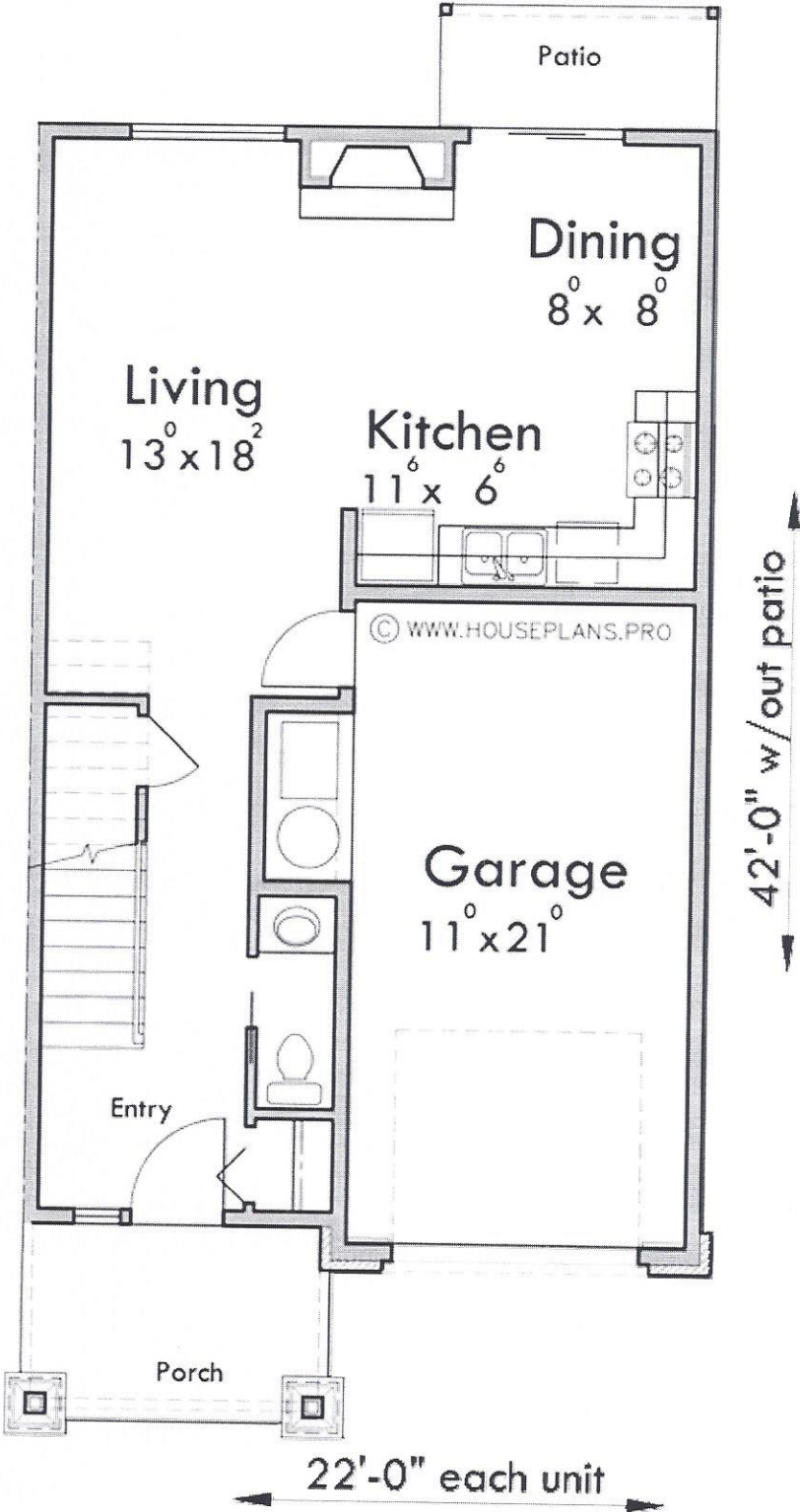
5/6

24/25

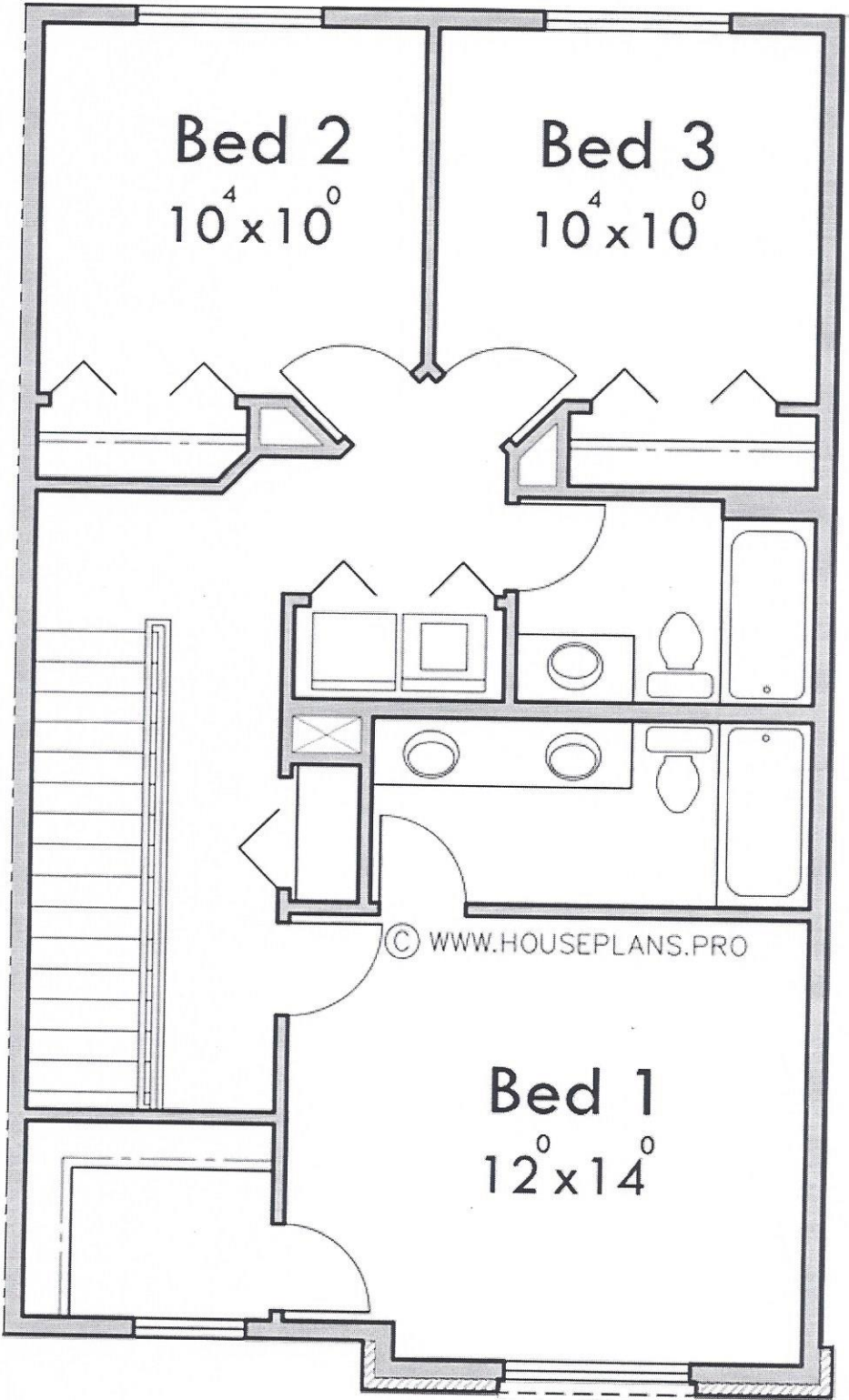




Townhome Lots 3 & 4 and 24 & 25







3/4

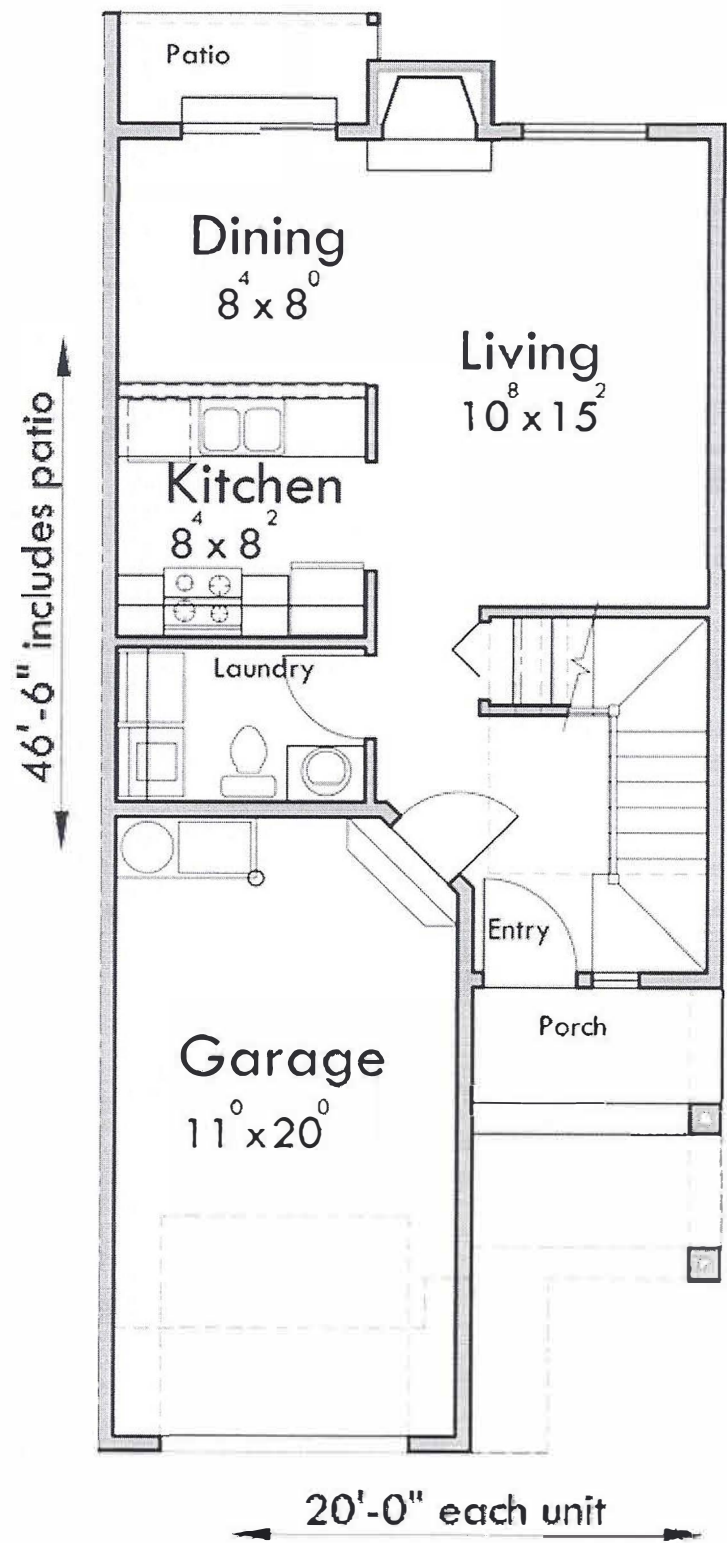
5/6

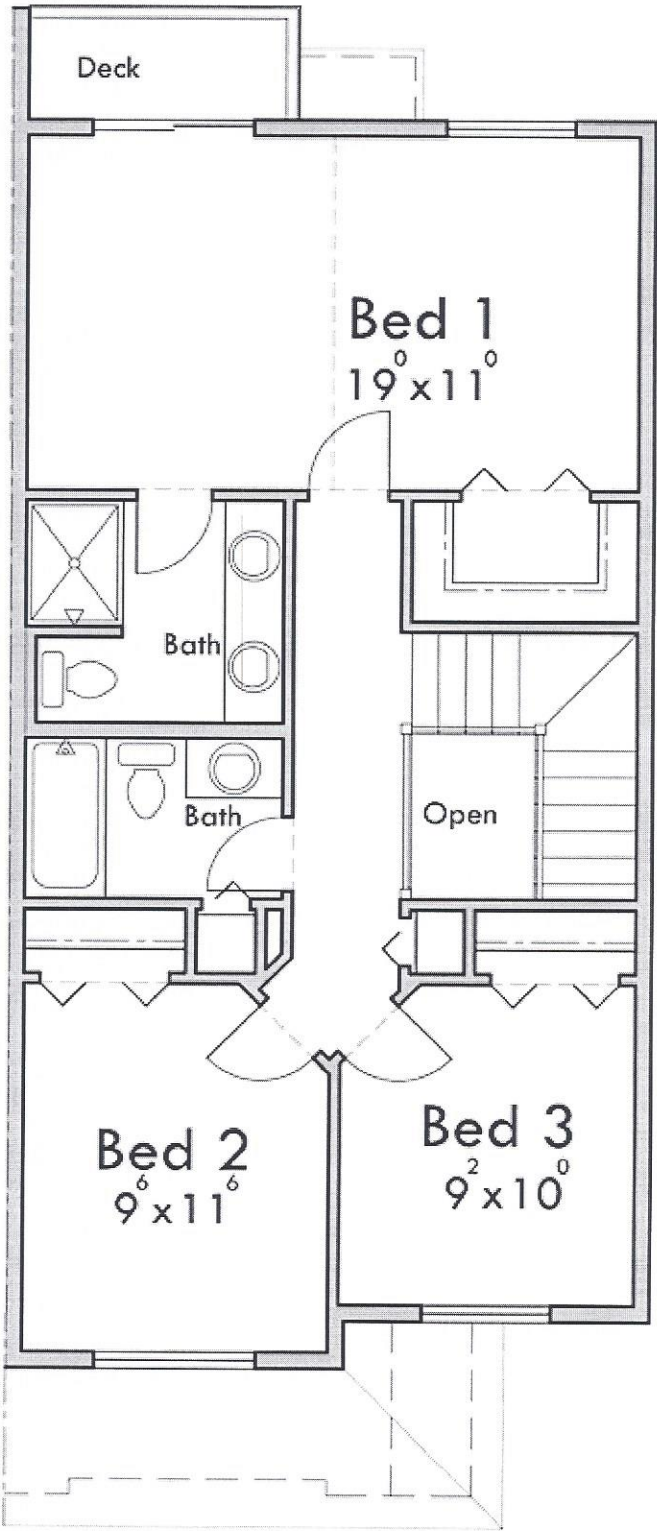
24/25



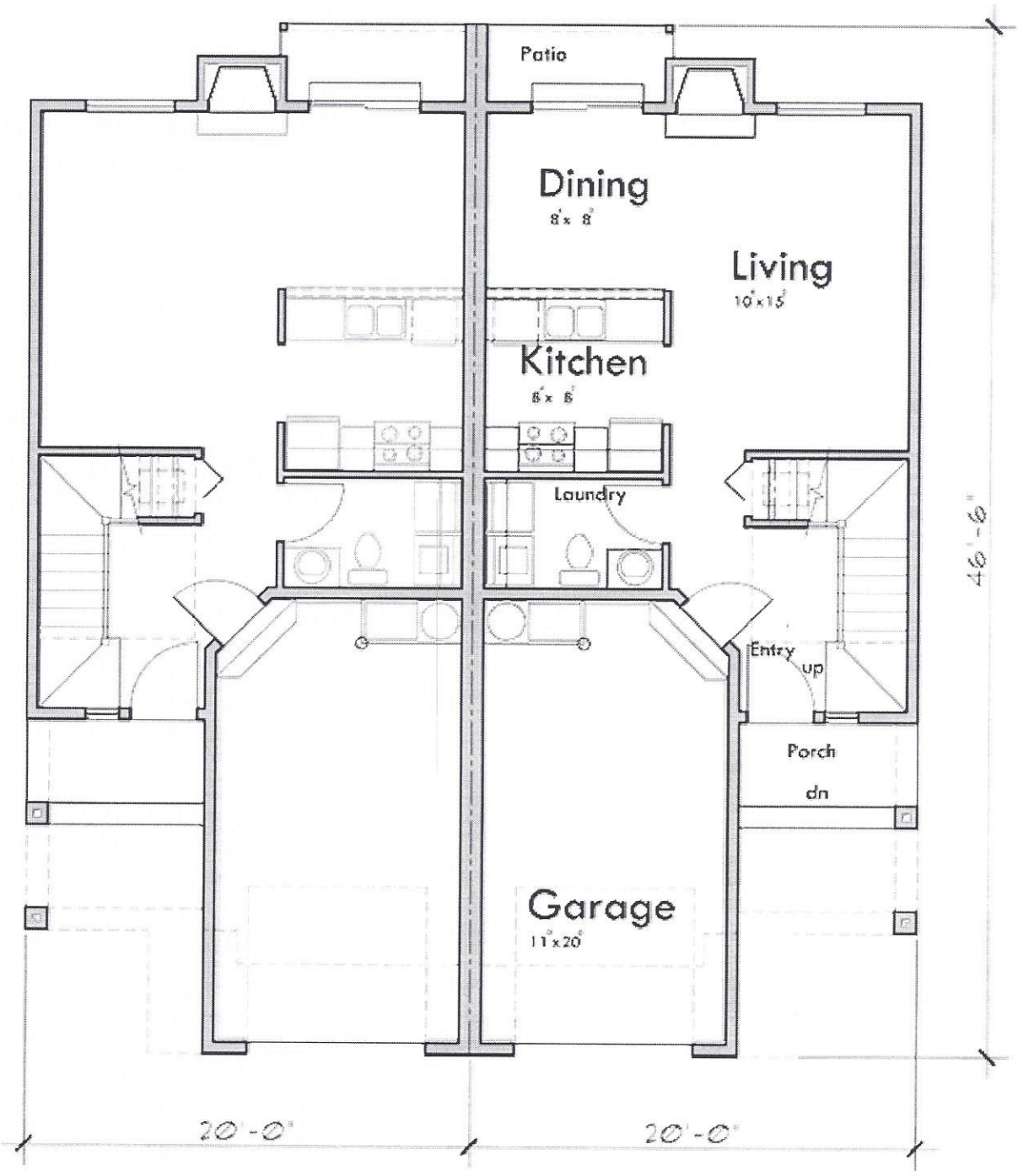


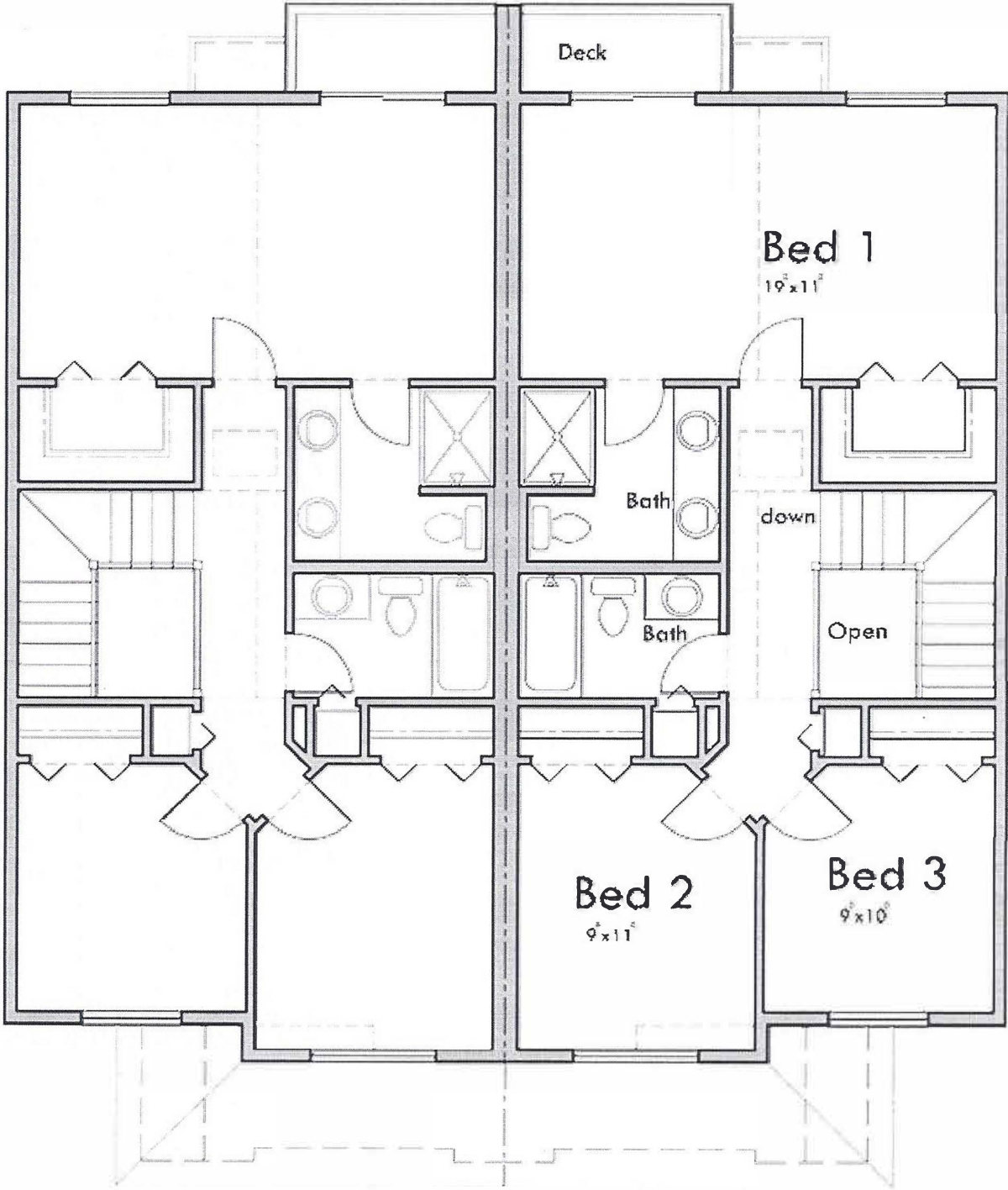
Townhome Lots 5 & 6 and 26 & 27



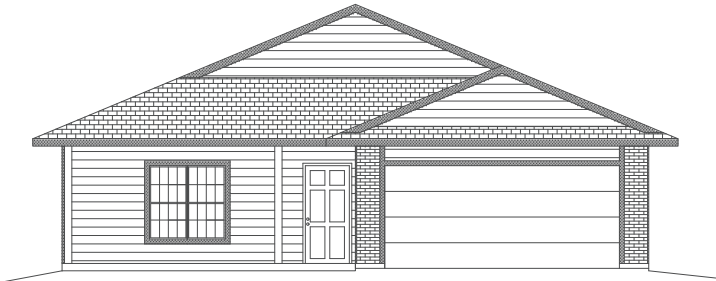
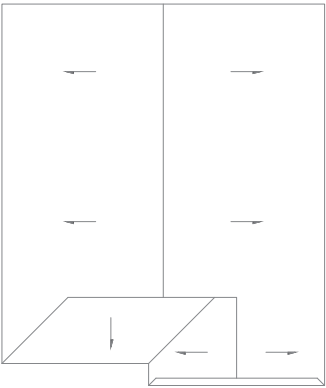
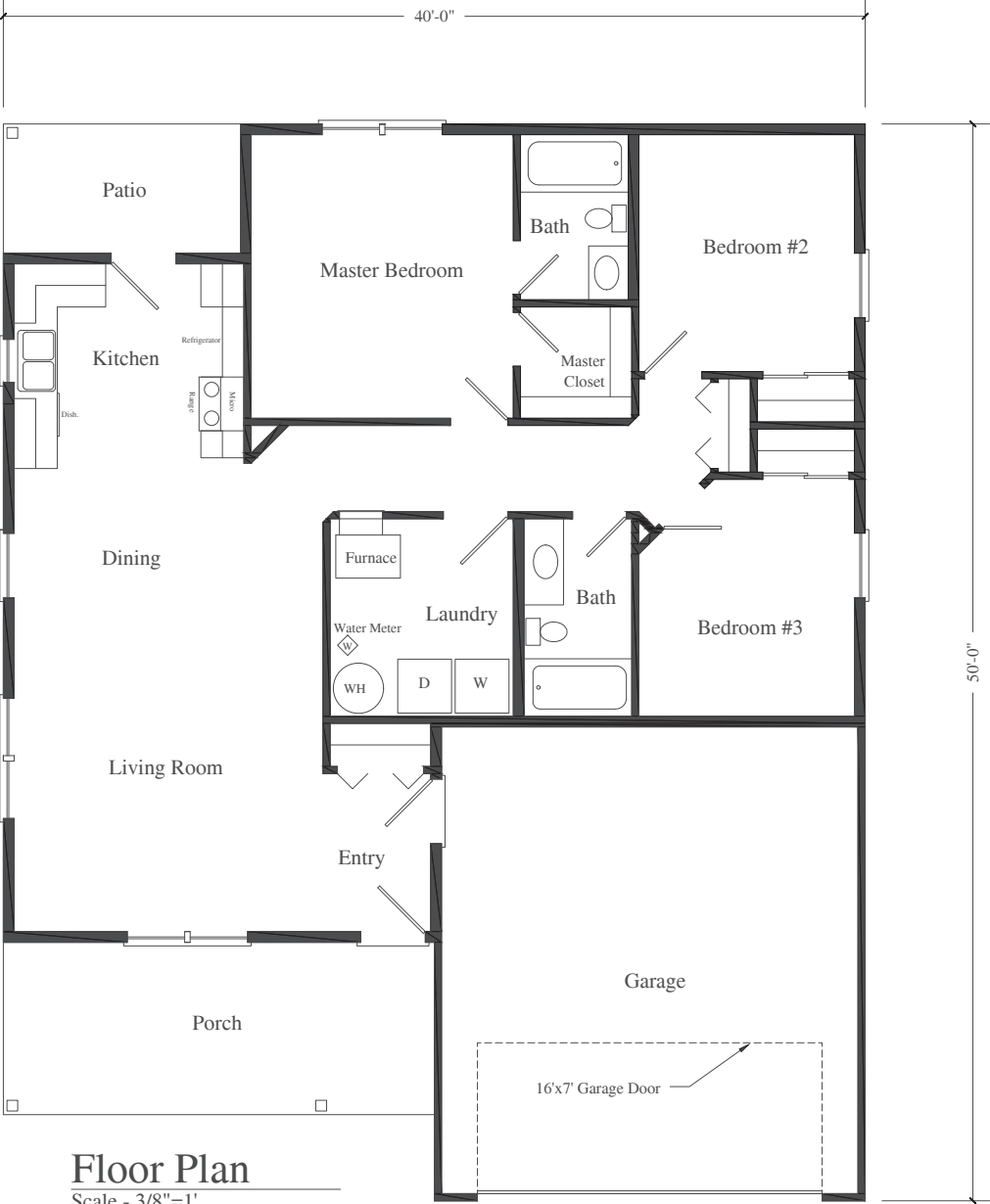


Townhome Lots 5 & 6 and 26 & 27



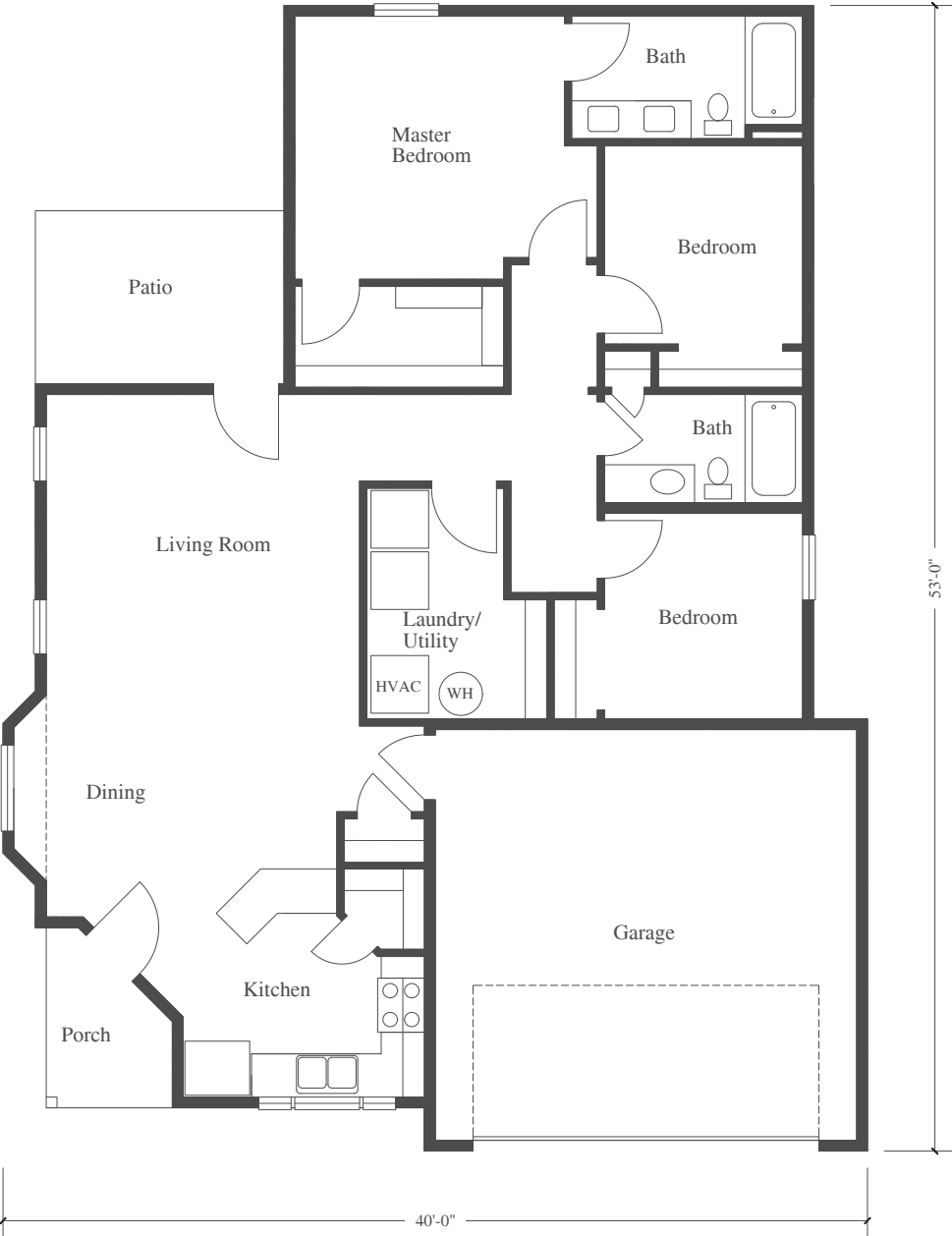


House Lots 7 & 22

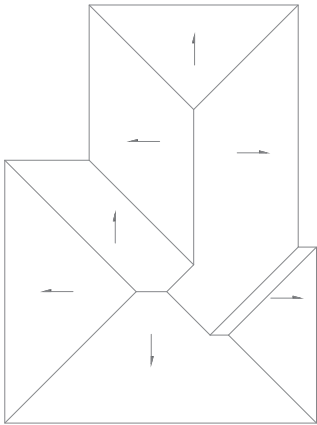


Notes:  
Total Finished Area: 1257 sqft  
Garage Area: 440 sqft

Slab Lot 8



**Floor Plan**  
Scale - 1/4"=1'



**Roof Plan**  
Scale - 1/8"=1'



**Front Elevation**  
Scale - 1/4"=1'

Notes:  
Main Level: 1296 sqft  
Garage: 410 sqft

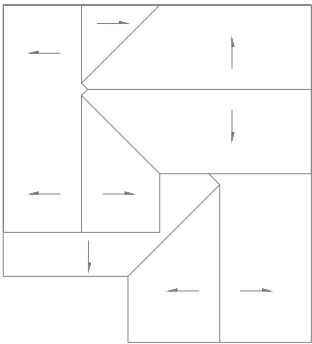
|                |                  |
|----------------|------------------|
| Atlas Builders |                  |
| Lot 8          | Hillside Estates |
| Rev 1          | 2/1/21           |
| Rev 2          |                  |
| Rev 3          |                  |
| Sheet          | 1/1              |



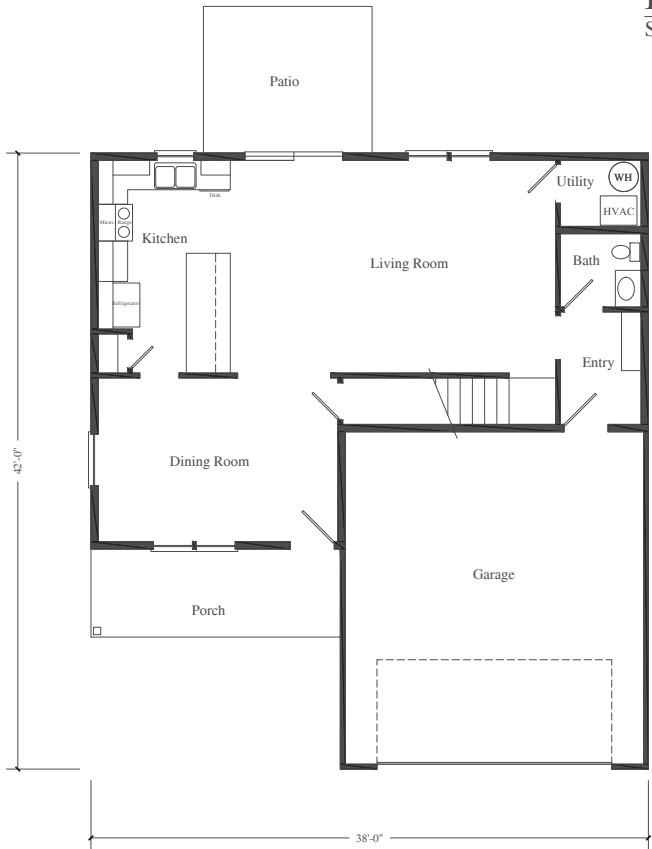




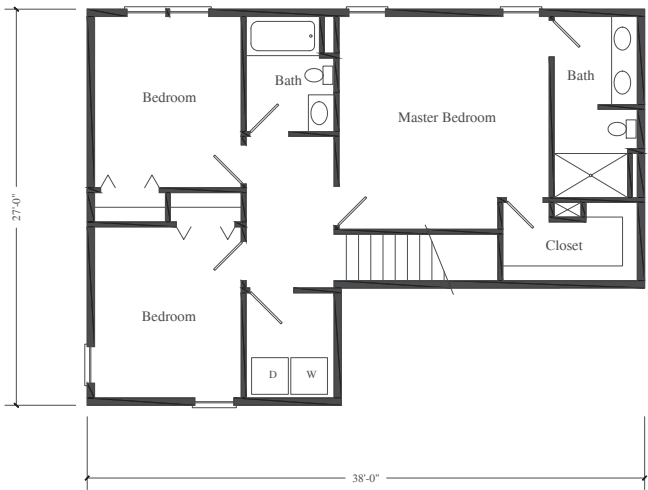
Front Elevation  
Scale - 1/4"=1'



Roof Plan  
Scale - 1/4"=1'



1st Floor Plan  
Scale - 1/4"=1'



2nd Floor Plan  
Scale - 1/4"=1'

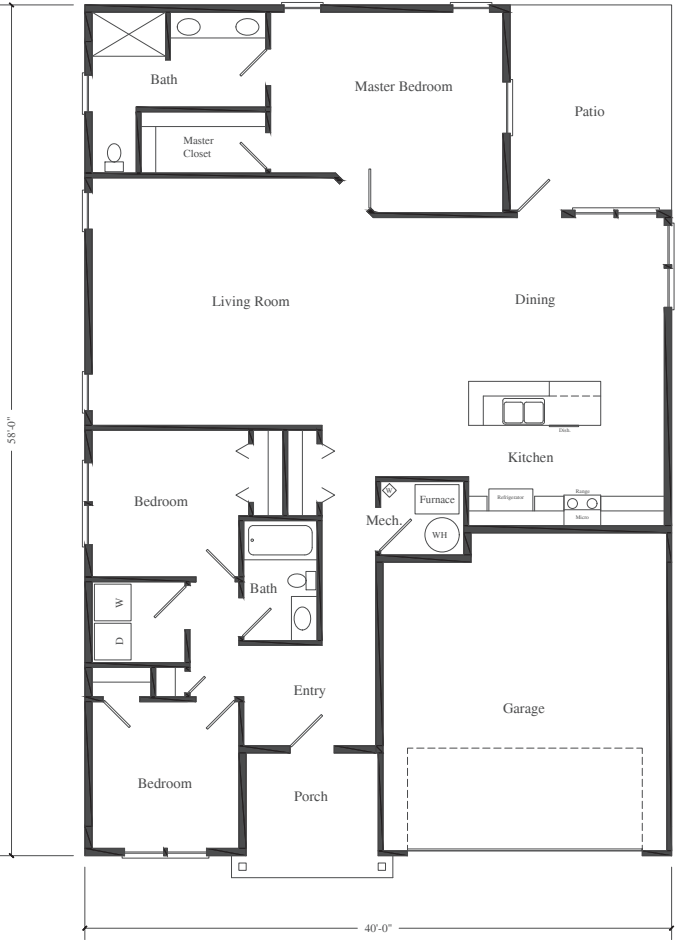
Notes:

|                 |           |
|-----------------|-----------|
| 1st Floor:      | 860 sqft  |
| 2nd Floor:      | 860 sqft  |
| Total Finished: | 1720 sqft |

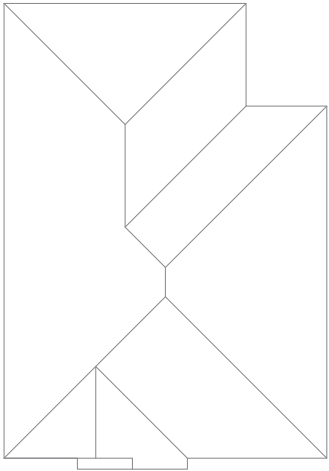


Slab Lots 9 & 12

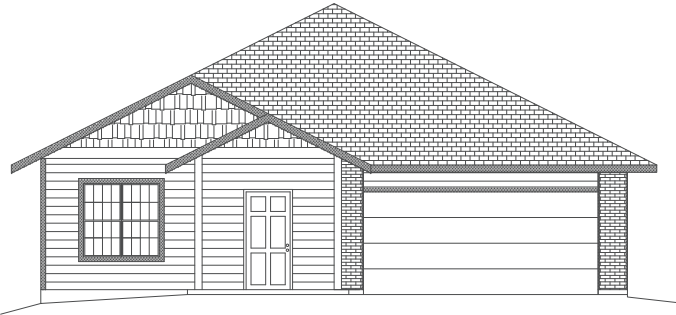




Floor Plan  
Scale - 1/4"=1'



Roof Plan  
Scale - 1/8"=1'



Front Elevation  
Scale - 1/4"=1'

Notes:  
Total Finished Area: 1680 sqft  
Garage Area: 440 sqft

|                |                  |
|----------------|------------------|
| Atlas Builders |                  |
| Lot 10         | Hillside Estates |
| Rev 1          | 4/1/21           |
| Rev 2          |                  |
| Rev 3          |                  |
| Sheet          | 1/1              |



**Plan #F06-011D-0307**

Dimensions: 40' W x 57' D  
Heated Sq. Ft.: 1,529  
Bedrooms: 3 Bathrooms: 2  
Foundation: Joisted crawl space or post & beam standard; slab for a fee of \$101; basement for a fee of \$328  
Exterior Walls: 2" x 6"  
PDF File: \$932  
5-Sets: \$1,032  
CAD File: \$1,864  
*Pricing subject to change*

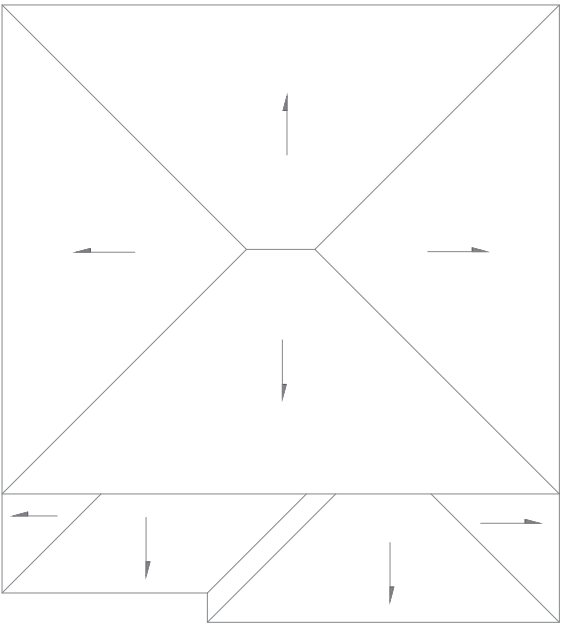


Images provided by  
designer/architect





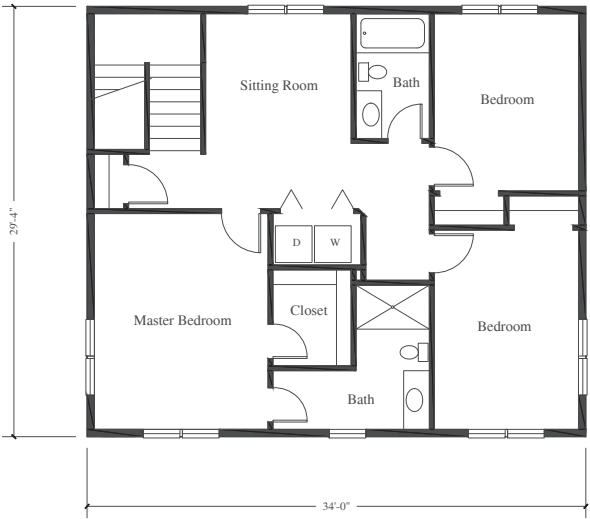
Front Elevation  
Scale - 1/4"=1'



Roof Plan  
Scale - 1/4"=1'



1st Floor Plan  
Scale - 1/4"=1'



2nd Floor Plan  
Scale - 1/4"=1'

Notes:  
1st Floor: 747 sqft  
2nd Floor: 997 sqft  
Total Finished: 1744 sqft







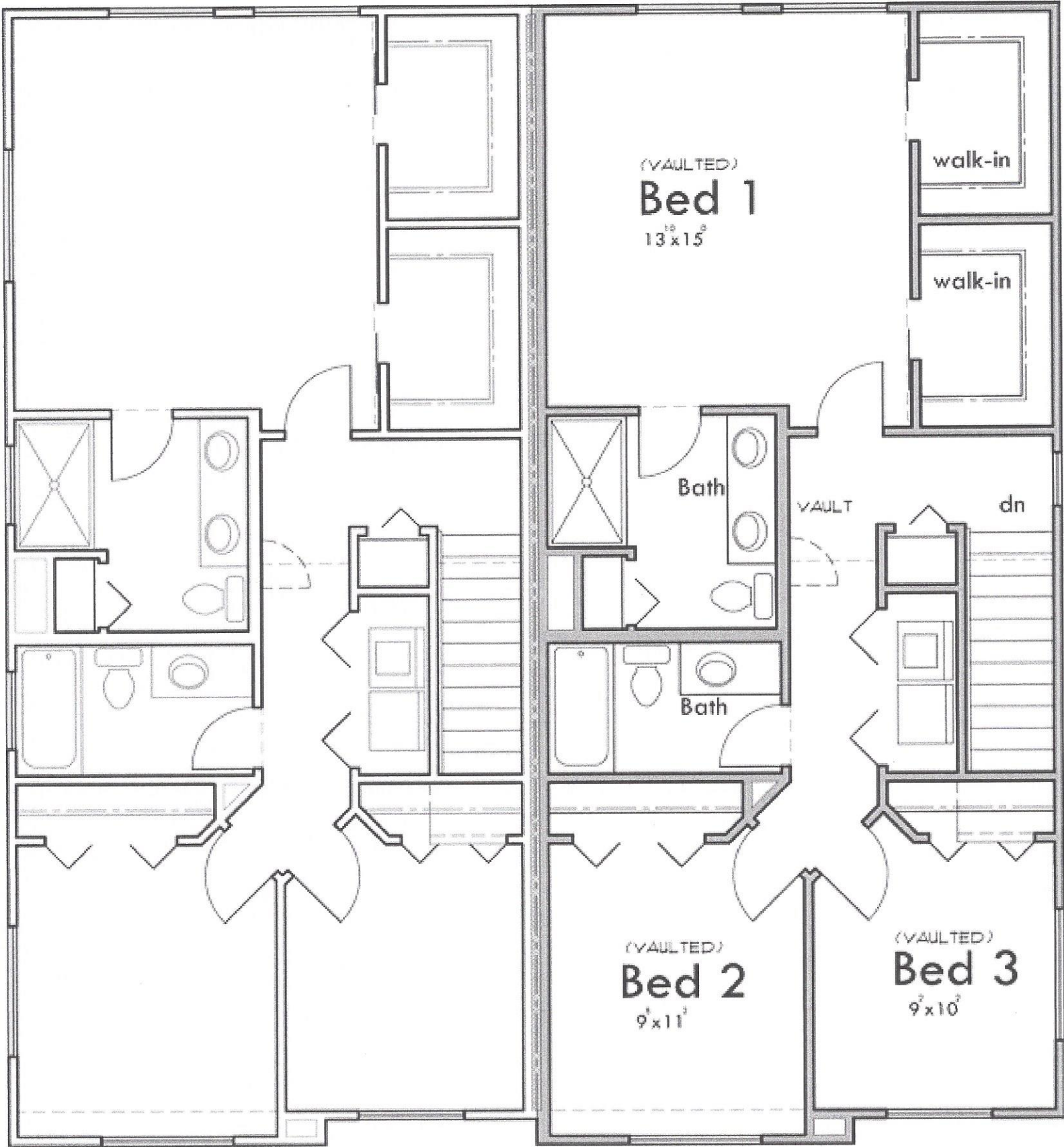
## Townhome Lots 13 & 14



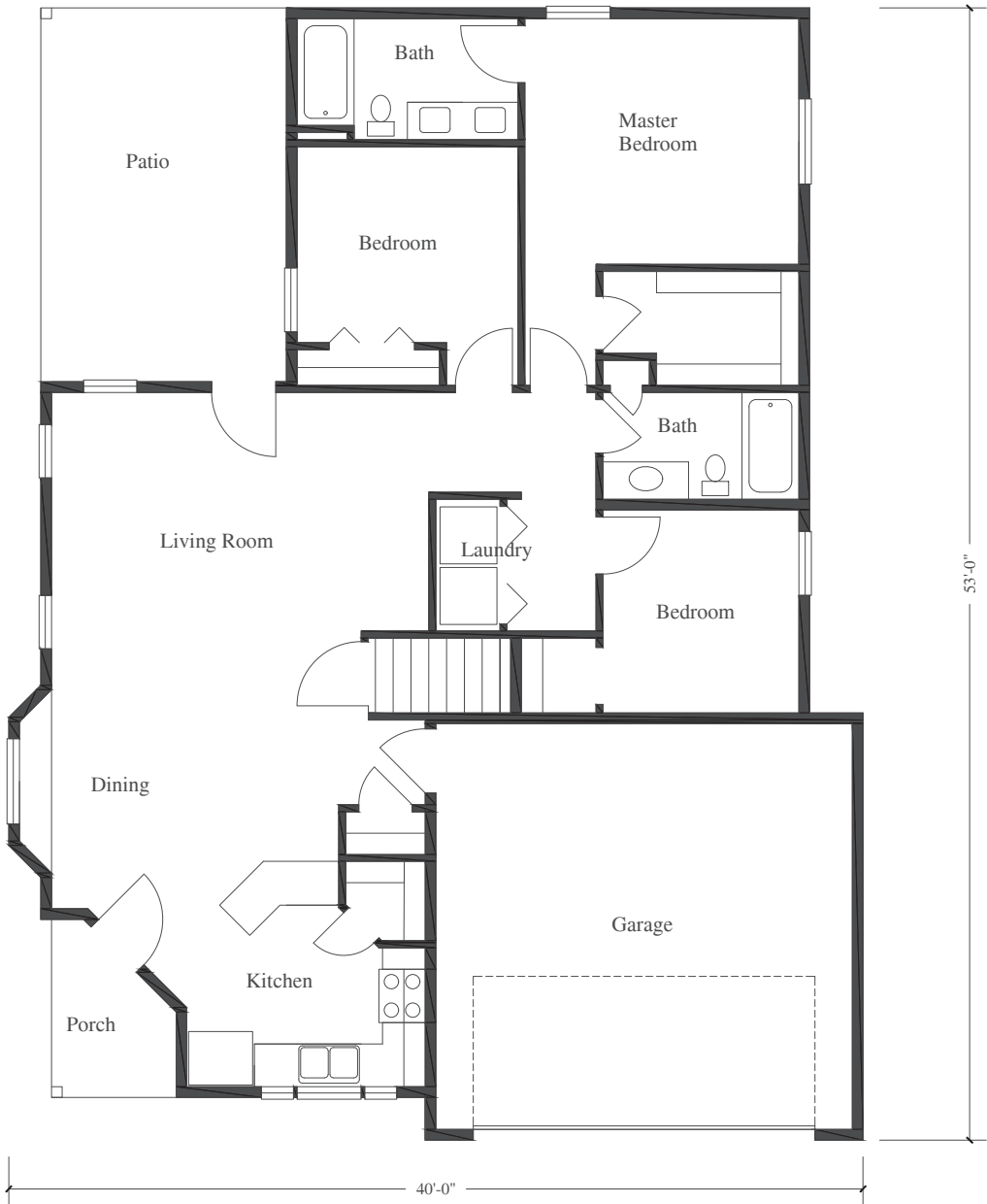


Townhome Lots 13 & 14





Walkout Lots 15 & 17



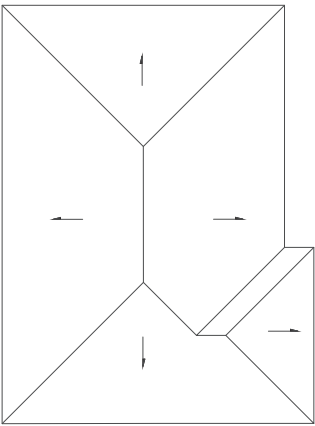
Floor Plan

Scale - 3/8"=1'



Front Elevation

Scale - 1/4"=1'



Roof Plan

Scale - 1/8"=1'

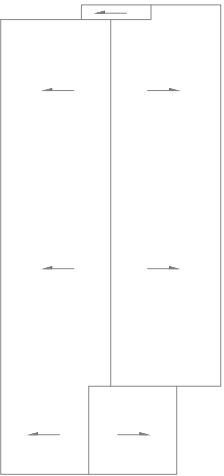
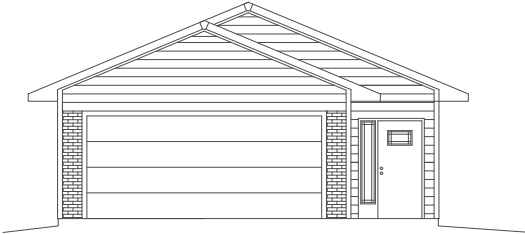
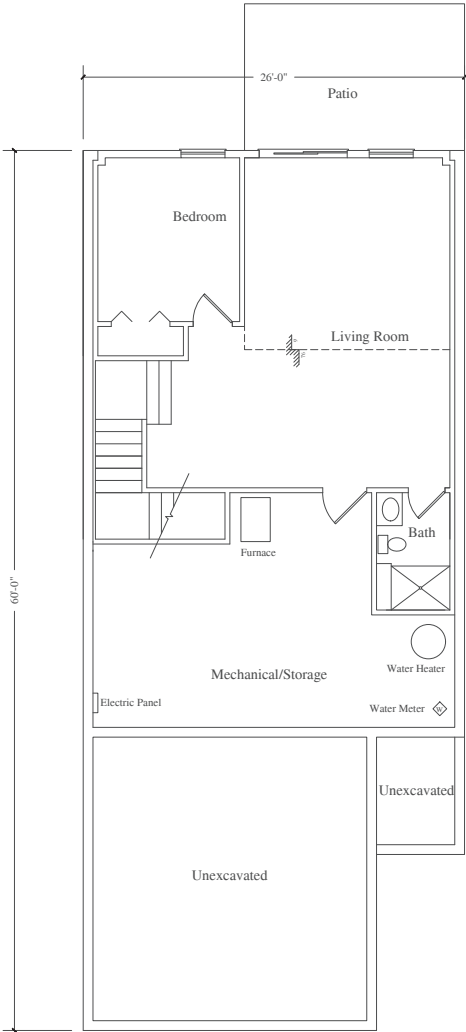
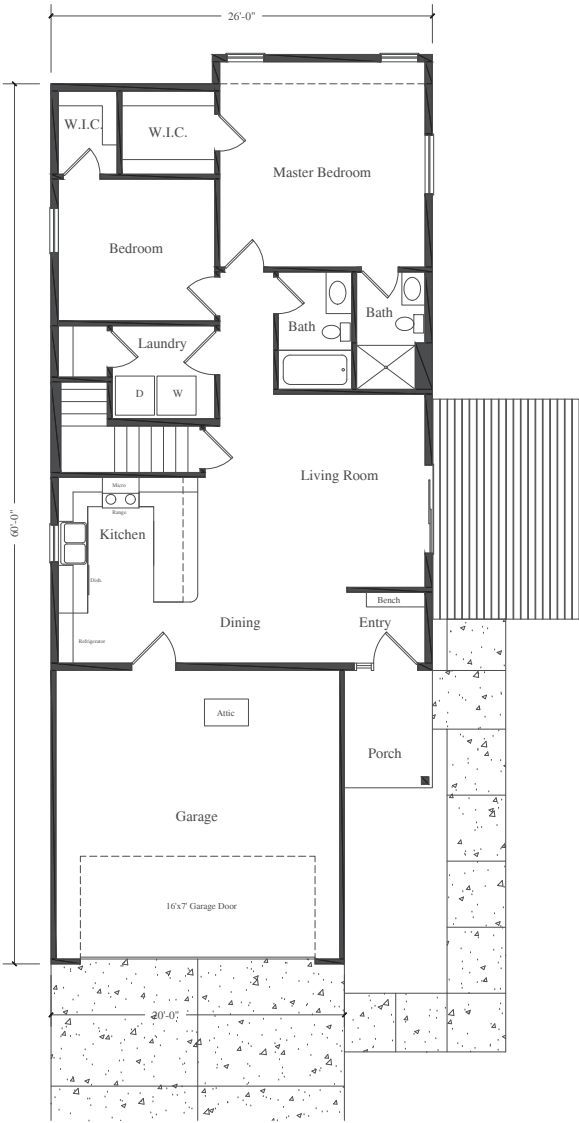
Notes:  
Basement: 1286 sqft  
Main Level: 1296 sqft  
Total Finished: 1296 sqft

|                 |         |
|-----------------|---------|
| Atlas Builders  |         |
| Lot 15 & Lot 17 |         |
| Rev 1           | 3/29/21 |
| Rev 2           |         |
| Rev 3           |         |
| Sheet           | 1/1     |





Walkout Lot 18

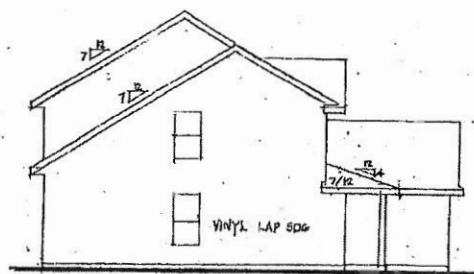


Notes:

Basement: 660 sqft  
Main Level: 1070 sqft  
Total Finished: 1730 sqft

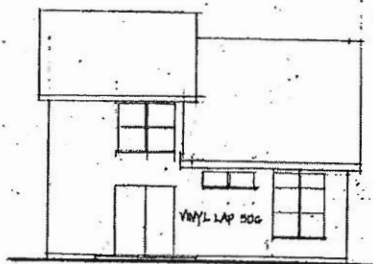
|                                    |                   |        |
|------------------------------------|-------------------|--------|
| Rev 1<br>3/12/21<br>Rev 2<br>Rev 3 | Atlas<br>Builders | Lot 18 |
|                                    |                   |        |
|                                    |                   |        |
|                                    |                   |        |
| Sheet<br>1 / 1                     |                   |        |

# House Lots 21 & 23



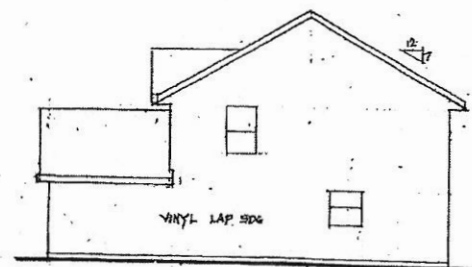
LEFT ELEVATION

1/8" = 1'-0"



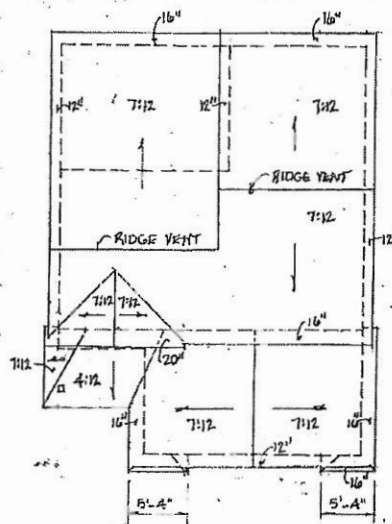
REAR ELEVATION

1/8" = 1'-0"



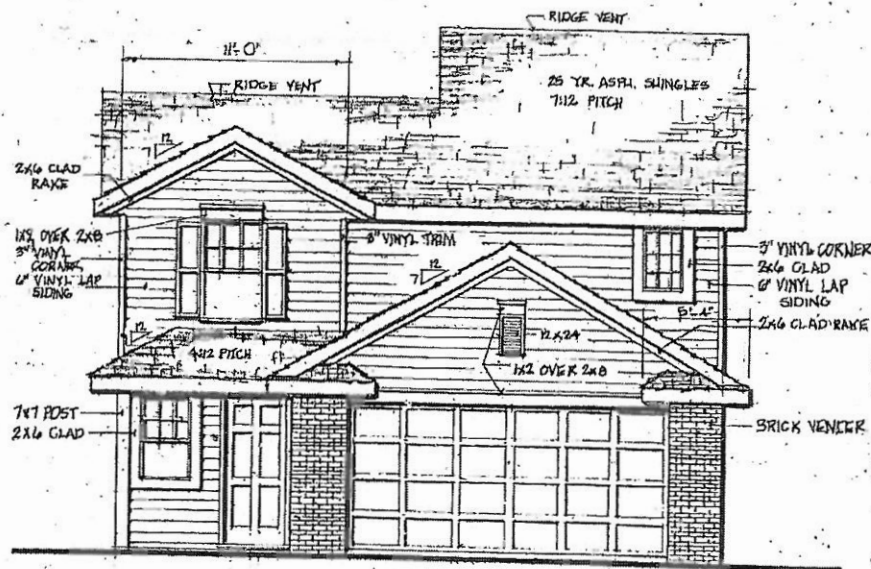
RIGHT ELEVATION

1/8" = 1'-0"



ROOF PLAN

1/8" = 1'-0"



FRONT ELEVATION

1/4" = 1'-0"

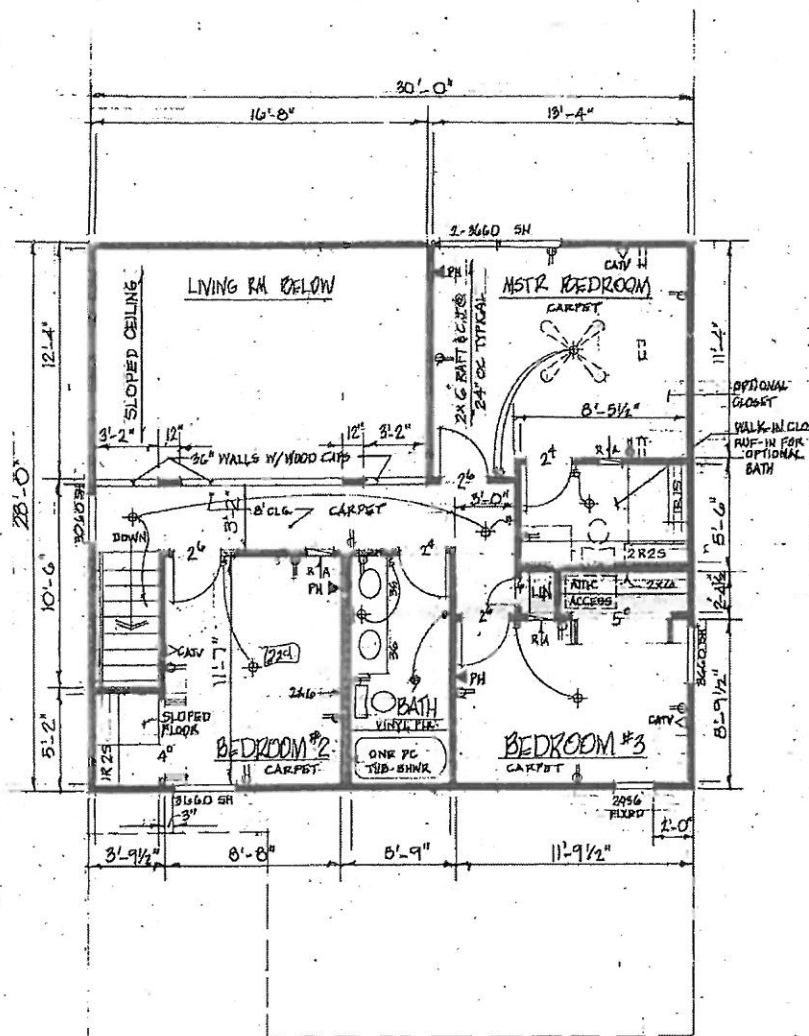
COPYRIGHT MAY, 2011

5355 Paragon Dr.  
Omaha, NE 68152  
Sherrill Super, President  
Ph 402-616-5188

Design &  
Construction, Inc.

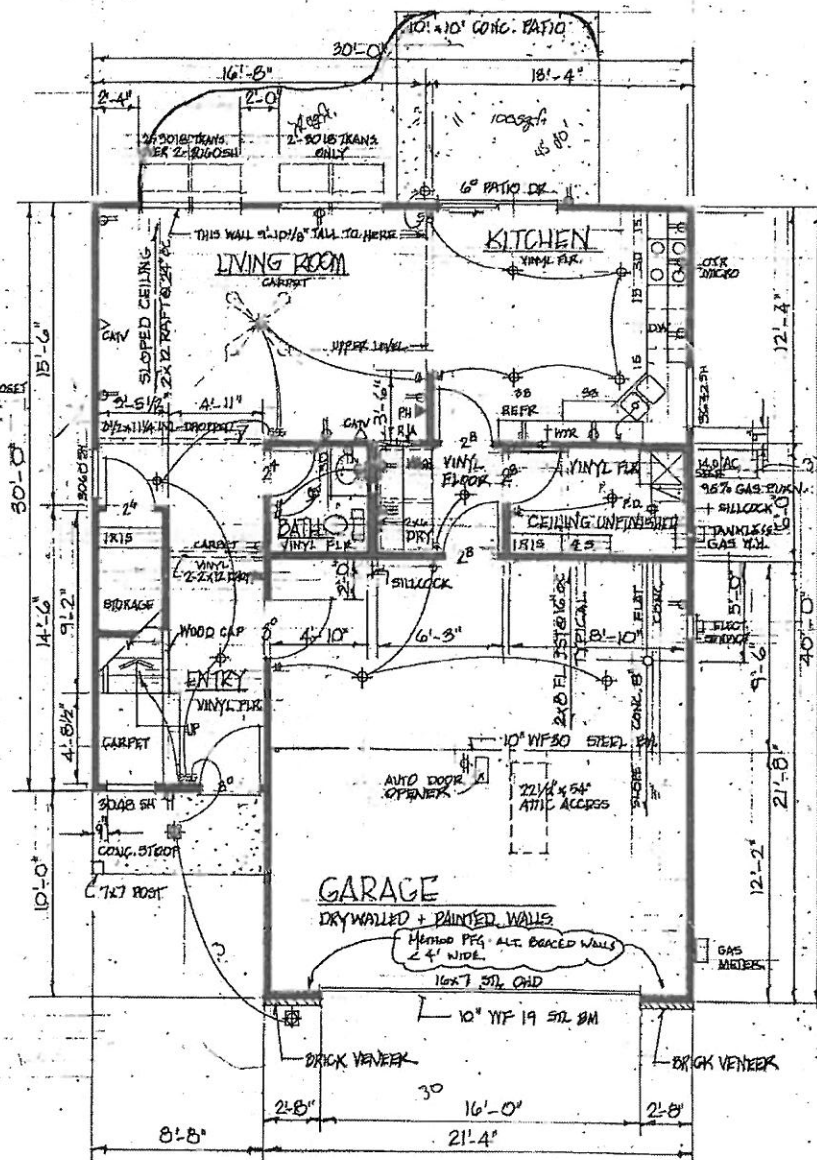
ENCORE





|          |        |
|----------|--------|
| FINISHED | 50. FT |
| UPPER    | 634    |
| MAIN     | 603    |
| TOTAL    | 1237   |
| Garage   | 420    |

UPPER LEVEL PLAN -  $1/4" = 1'-0"$



# MAIN LEVEL PLAN

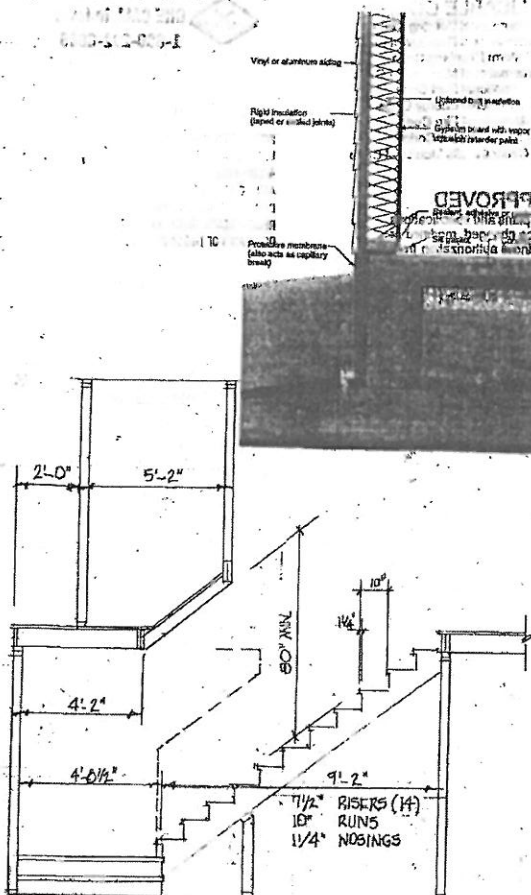
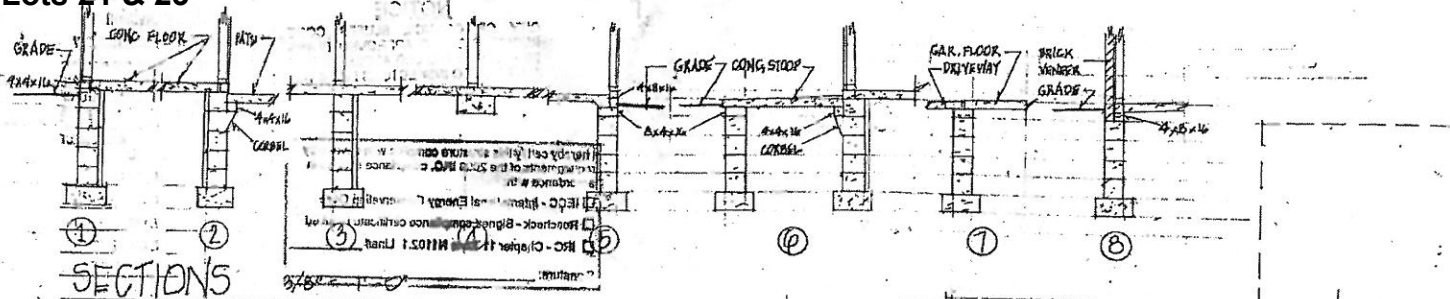
COPYRIGHT: MAY, 2011

5355 Parsonage Dr.  
Omaha, NE 68152  
Sherrin Super, President  
402-618-5103

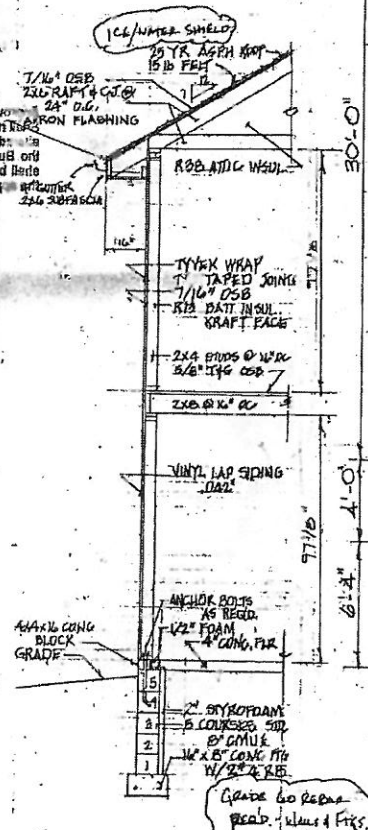
**Design &  
Construction, Inc.**

# ENCORE

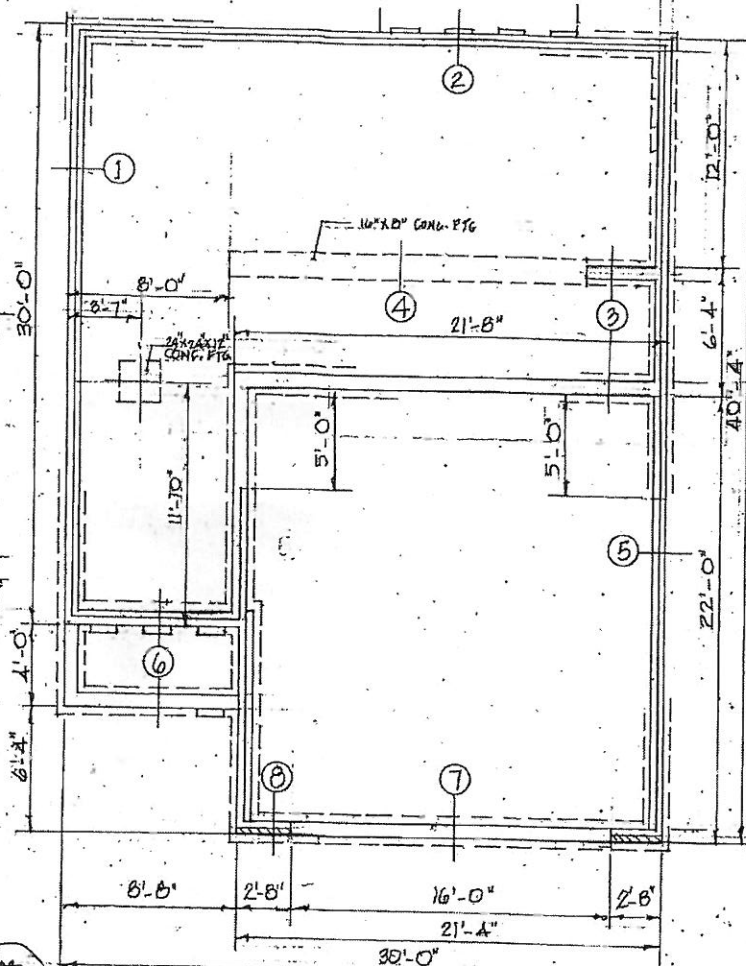
## House Lots 21 & 23



STAIR SECTION      3/8" = 1' - 0"



TYPICAL SECTION  $3/8" = 1'-0"$



FOUNDATION PLAN - 1/4" = 1'-0"

# ENCORE

Design &  
Construction, Inc.

5355 Panama Dr.  
Omaha, NE 68152  
Sherm Elper, President  
Ph 402-618-5113

COPIED MAY 20 1964



| Species                | Spacing | Size Category |
|------------------------|---------|---------------|
| Magnolia               | 10-20'  | Small         |
| Dogwood                | 20'     | Small         |
| Purple Plum            | 20'     | Small         |
| Service Berry          | 20'     | Small         |
| Redbud                 | 20-25'  | Small         |
| Hawthorn (thornless)   | 20-25'  | Small         |
| Crabapple (all)        | 20-25'  | Small         |
| Lilac Tree             | 20-25'  | Small         |
| Black Gum              | 20-30'  | Small-Medium  |
| Ornamental Cherry      | 25-35'  | Small-Medium  |
| Birch (River or Clump) | 30'     | Medium        |
| Golden Rain            | 35'     | Medium        |
| Hornbeam               | 35-40'  | Medium        |
| Japanese Pagoda        | 40'     | Medium        |
| Buckeye                | 40'     | Medium        |
| Tulip Tree             | 40'     | Medium        |
| Red Oak                | 45'     | Large         |
| Bur Oak                | 45'     | Large         |
| White Oak              | 45'     | Large         |
| Yellowwood             | 45'     | Large         |
| Lindens                | 50'     | Large         |
| Locust                 | 50'     | Large         |
| Gingko (male)          | 50'     | Large         |
| Kentucky Coffee Bean   | 50-60'  | Large         |
| Chinquapink Oak        | 50-60'  | Large         |
| Swamp White Oak        | 50-60'  | Large         |
| Sycamore               | 60'     | Large         |

Small = 20-30'

Medium = 30-45'

Large = 45' and taller

There are other varieties we can recommend, please call 712-890-5291 for more information.

Tree we do not permit on City properties include: Willows, Poplars, Pin Oak, Tree of Heaven, Persimmon, Boxelder, Mulberry, Cottonwoods, Evergreens, Russian Olive, Weeping crab, Birch (weeping or paper), Hawthorn (with thorns), Elms, Ash, select Maples - call for more information), and fruit trees.

## **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 the request of Community Development Department to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning property legally described as Lot 1, Franklin Heights Subdivision from A-P/Administrative Professional District to R-2/Two-family Residential District, as defined in Chapter 15.09 of the Municipal Code of Council Bluffs, Iowa, and appending a Planned Residential Overlay and adopting a planned residential development plan for said property, as per Chapter 15.28 of the Municipal Code of Council Bluffs, Iowa.

You are further notified that the 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 10<sup>th</sup> day of May, 2021 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. 6454**

**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 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTY LEGALLY DESCRIBED AS BEING LOT 1, FRANKLIN HEIGHTS SUBDIVISION FROM A-P/ ADMINISTRATIVE-PROFESSIONAL DISTRICT TO R-2/TWO-FAMILY RESIDENTIAL DISTRICT AS DEFINED IN CHAPTER 15.09 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, AND APPENDING A PLANNED RESIDENTIAL OVERLAY TO SAID PROPERTY, AS DEFINED IN CHAPTER 15.28 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 2020 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended by rezoning property legally described as Lot 1, Franklin Heights Subdivision from A-P/Administrative-Professional District to R-2/Two-Family Residential District as defined in Chapter 15.09 of the Municipal Code of Council Bluffs, Iowa, and appending a Planned Residential Overlay to said property, as defined in Chapter 15.28 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 10, 2021.

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

\_\_\_\_\_  
Mayor

Attest:

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

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

First Consideration: 4-26-21  
Second Consideration: 5-10-21  
Public Hearing: 5-10-21  
Third Consideration: \_\_\_\_\_

## Council Communication

Department: Finance  
Case/Project No.:  
Submitted by: Kathryn Knott

Resolution 21-114  
ITEM 3.F.

Council Action: 4/26/2021

### Description

Resolution setting a public hearing for May 10th, 2021 for the proposed amendment to the City's budget for the fiscal year ending June 30, 2021

### Background/Discussion

It is requested the Council set a public hearing for persons to comment and discuss the amended budget for the City of Council Bluffs for the fiscal year ending June 30, 2021.

At your regular meeting of April 26, 2021, please establish Monday, May 10th, at 7:00 p.m. as the date, time and place for public input in the Council Chambers at City Hall.

Staff will be requesting approval of the amended budget at the May 10th, 2021 meeting

### Recommendation

Approval of the Resolution

### ATTACHMENTS:

| Description       | Type       | Upload Date |
|-------------------|------------|-------------|
| Resolution 21-114 | Resolution | 4/20/2021   |



Resolution 21-114

A RESOLUTION TO SET A PUBLIC HEARING TO RECEIVE COMMENT REGARDING A PROPOSED AMENDMENT TO THE CURRENT CITY BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2021. SAID HEARING TO TAKE PLACE ON MONDAY MAY 10, 2021 AT 7:00 P.M. IN COUNCIL CHAMBERS OF CITY HALL, 209 PEARL STREET IN COUNCIL BLUFFS.

WHEREAS, the city of Council Bluffs is proposing an amendment to the City of Council Bluffs budget for the year ending June 30, 2021, and

WHEREAS, the city wishes to obtain public comment on the proposed amendment, and

WHEREAS, notice of the proposed budget amendment must be published with sufficient notice in advance of the public hearing,

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

That the City of Council Bluffs set a public hearing regarding the proposed amendment to the current city budget for Monday May 10, 2021 at 7:00 p.m. in Council Chambers.

ADOPTED  
AND  
APPROVED:

April 26, 2021

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

\_\_\_\_\_  
Mayor

ATTEST;

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

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

STATE OF IOWA )  
COUNTY OF )ss  
POTTAWATTAMIE)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2021 before me the undersigned, a Notary Public in and for said County and said 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.

## Council Communication

Department: Public Works Admin  
Case/Project No.: PW22-09  
Submitted by: Matthew Cox, Public  
Works Director

Resolution 21-115  
ITEM 3.G.

Council Action: 4/26/2021

### Description

Resolution setting a public hearing for 7:00 p.m. on May 10, 2021 for the East Manawa Sewer Rehab, Phase X. Project # PW22-09

### Background/Discussion

The area of East Manawa is very flat with open ditches. There are no storm sewers in this area and the streets are thin asphalt or seal-coated rock roads. During rainfall events, considerable surface ponding occurs due to the poor drainage.

Due to the narrow right-of-way (30 ft.) and the high water table in the area, conventional storm sewer construction is not practical. The use of porous pavement in conjunction with a drainable granular base and shallow subdrain/conveyance system was determined to be the most cost effective means available to improve the area drainage.

The rehab program also includes installation of new sanitary sewers utilizing a vacuum system.

Phase I and II of the program included Huron Circle from Navajo to north of Osage Street. Phase III of the program was construction of the sanitary sewer vacuum pump station. Phase IV was the first phase of vacuum sewer installation with the porous pavement and subdrain system on Huron Circle from Navajo to just west of Blackhawk Street. Phases V through IX continued the rehab and completed Huron Circle, Blackhawk Street, Osage Street, Victor Street, Aztec Street, East Navajo Street and extended the vacuum sewer along Navajo Street.

Phase X includes Pickard Lane from Hall Walk (Alley) south to Navajo Street.

This project is included in the FY22 CIP and includes a budget of \$1,200,000 in Sales Tax Funds.

|                                     |                     |                |
|-------------------------------------|---------------------|----------------|
| The project schedule is as follows: | Set Public Hearing  | April 26, 2021 |
|                                     | Hold Public Hearing | May 10, 2021   |
|                                     | Bid Letting         | June 3, 2021   |
|                                     | Award               | June 14, 2021  |
|                                     | Construction Start  | July 2021      |

### Recommendation

Approval of this resolution. This project continues the infrastructure improvements for the neighborhood.

### ATTACHMENTS:

| Description | Type | Upload Date |
|-------------|------|-------------|
|-------------|------|-------------|

Location Map  
Notice of Public Hearing  
Resolution 21-115

Map 4/15/2021  
Other 4/15/2021  
Resolution 4/20/2021



PW 22-09  
EAST MANAWA  
SEWER REHAB PH X



PROJECT LOCATION

ALLEY

PICKARD LN

NAVAJO ST

AZTEC ST

VICTOR ST

BLACKHAWK ST

OSAGE ST

VICTOR ST

AZTEC ST

HURON CIR

E NAVAJO ST

WALLACE AVE

MOHAWK ST

Legend

 PW22-09



Notice of Public Hearing  
on the  
Plans, Specifications, Form of Contract and Cost Estimate  
for the  
East Manawa Sewer Rehab, Phase X  
Project # PW22-09

A public hearing will be held on May 10, 2021, at 7:00 p.m. in the council chambers of City Hall, 209 Pearl Street, Council Bluffs, Iowa, on the proposed plans, specifications, form of contract and cost estimate for the East Manawa Sewer Rehab, Phase X project. The project will include construction of 441 tons of asphalt, 1,093 square yards of concrete pavement, 703 lineal feet of storm sewer, and 864 lineal feet of sanitary sewer. 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

**R E S O L U T I O N**  
**NO 21-115**

**RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE  
AND SETTING A PUBLIC HEARING ON THE  
PLANS, SPECIFICATIONS, FORM OF CONTRACT  
AND COST ESTIMATE FOR THE  
EAST MANAWA SEWER REHAB, PHASE X  
PROJECT #PW22-09**

WHEREAS, the City wishes to make improvements known as the East Manawa Sewer Rehab, Phase X, within the City, as therein described; and

WHEREAS, the plans, specifications, form of contract and cost estimate are on file in the office of the city clerk.

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 on the plans, specifications, form of contract and cost estimate for the East Manawa Sewer Rehab, Phase X setting May 10, 2021, at 7:00 p.m. as the date and time of said hearing.

ADOPTED  
AND  
APPROVED

April 26, 2021

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

ATTEST:

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



## Council Communication

Department: Public Works Admin  
Case/Project No.: PW20-14  
Submitted by: Matthew Cox, Public  
Works Director

Resolution 21-116  
ITEM 3.H.

Council Action: 4/26/2021

### Description

Resolution accepting the work of Judds Bros. Construction Co. as complete and authorizing release of the retainage after 30 days if no claims are filed in connection with the 6th Avenue Pump Station Trash Rack Rehab. Project #PW20-14

### Background/Discussion

The 6th Avenue sanitary sewer pump station is the third largest station in the sanitary collection system with nearly 35% of the City's sewage passing through this station.

The wastewater entering the pump station is screened for solids and debris. This removal process protects the pumps from clogging and limits the potential for damage. Larger stations, like 6th Avenue, utilize a mechanically operated trash rack to clean the screens.

The pump station still has the original bar screen units constructed in 1992. This project will replace the trash rack system which has reached its service life limit. The newer technology of a modern trash rack will provide reliable removal, handling, storage, and disposal of the screenings.

The project will include the necessary modifications to the screenings room and electrical controls to accommodate the new system.

Supervisory and process control panels modified in 1992, with portions dating back to the early 1980's, will be removed and replaced.

This project was included in the FY20 CIP and included a budget of \$600,000 in sales tax funds.

|                          | Division       |              |
|--------------------------|----------------|--------------|
|                          | <u>General</u> | <u>Total</u> |
| Original Contract Amount | \$297,500.00   | \$297,500.00 |
| Change Orders (+5.33%)   | \$15,845.01    | \$15,845.01  |
| Final Contract Amount    | \$313,345.01   | \$313,345.01 |
| Less Previous Payments   | \$297,677.76   | \$297,677.76 |
| Retainage Due Contractor | \$15,667.25    | \$15,667.25  |

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

### Recommendation

Approval of this resolution. This project replaced the aged trash rack and electronics with modern systems and technology.

**ATTACHMENTS:**

| Description       | Type       | Upload Date |
|-------------------|------------|-------------|
| Resolution 21-116 | Resolution | 4/20/2021   |

**RESOLUTION  
NO 21-116**

**RESOLUTION ACCEPTING THE WORK OF  
JUDDS BROS. CONSTRUCTION CO. IN CONNECTION WITH THE  
6<sup>TH</sup> AVENUE PUMP STATION TRASH RACK REHAB  
AND AUTHORIZING THE FINANCE DIRECTOR TO ISSUE  
A CITY CHECK IN THE AMOUNT OF \$15,667.25  
PROJECT #PW20-14**

WHEREAS, the City of Council Bluffs, Iowa, entered into an agreement with Judds Bros. Construction Co., Lincoln, NE, for the 6<sup>th</sup> Avenue Pump Station Trash Rack Rehab; 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 \$15,667.25 to Judds Bros. Construction Co. 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 \$15,667.25 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 \$15,667.25 payable to Judds Bros. Construction Co. from budget code Division I S36000-676000; Project #2014X.

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

April 26, 2021

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

ATTEST:

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

## Council Communication

Department: Public Works Admin  
Case/Project No.: PW22-12  
Submitted by: Matthew Cox, Public  
Works Director

Resolution 21-117  
ITEM 3.I.

Council Action: 4/26/2021

### Description

Resolution setting a public hearing for 7:00 p.m. on May 10, 2021 for the South 1st Street Neighborhood Rehab, Phase XII. Project # PW22-12

### 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 X 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, Iowa Avenue, Palmer Avenue, and Grove Street. Phase XI is substantially complete with only punch list items and seeding remaining and included portions of Franklin Avenue, Charles Street and Hazel Street.

Phase XII is scheduled for construction in 2021 and will complete the reconstruction of Grace Street from just north of Langstrom Street to Charles Street and Langstrom Street from Grace Street west approx. 200 feet. This is the final phase of the South 1st Street Neighborhood Rehabilitation program.

This project is included in the FY22 CIP and includes a budget of \$1,250,000 in Sales Tax Funds.

|                                     |                     |                |
|-------------------------------------|---------------------|----------------|
| The project schedule is as follows: | Set Public Hearing  | April 26, 2021 |
|                                     | Hold Public Hearing | May 10, 2021   |
|                                     | Bid Letting         | June 1, 2021   |
|                                     | Award               | June 14, 2021  |
|                                     | Construction Start  | July 2021      |

### Recommendation

Approval of this resolution. This project completes the infrastructure improvements for the neighborhood.

### ATTACHMENTS:

| Description  | Type | Upload Date |
|--------------|------|-------------|
| Location Map | Map  | 4/15/2021   |

Notice of Public Hearing  
Resolution 21-117

Other 4/15/2021  
Resolution 4/20/2021



PW 22-12  
S. 1ST NEIGHBORHOOD  
REHAB PH 12



PROJECT LOCATION

LANGSTROM ST

FRANKLIN AVE

GRACE ST

CHARLES ST

KAPPELL AVE

Legend

 PW22-12



Notice of Public Hearing  
on the  
Plans, Specifications, Form of Contract and Cost Estimate  
for the  
South 1<sup>st</sup> Street Neighborhood Rehab, Phase XII  
Project #PW22-12

A public hearing will be held on May 10, 2021, at 7:00 p.m. in the council chambers of City Hall, 209 Pearl Street, Council Bluffs, Iowa, on the proposed plans, specifications, form of contract and cost estimate for the South 1<sup>st</sup> Street Neighborhood Rehab, Phase XII project. The project will include construction of 3,390 square yards of concrete pavement, 405 lineal feet of storm sewer and 845 lineal feet of sanitary sewer. 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 21-117**

**RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE  
AND SETTING A PUBLIC HEARING ON THE  
PLANS, SPECIFICATIONS, FORM OF CONTRACT  
AND COST ESTIMATE FOR THE  
SOUTH 1<sup>ST</sup> STREET NEIGHBORHOOD REHAB, PHASE XII  
PROJECT #PW22-12**

WHEREAS, the City wishes to make improvements known as the  
South 1<sup>st</sup> Street Neighborhood Rehab, Phase XII  
within the City, as therein described; and

WHEREAS, the plans, specifications, form of contract and cost  
estimate are on file in the office of the city clerk.

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 on the plans, specifications, form of  
contract and cost estimate for the South 1<sup>st</sup> Street Neighborhood Rehab, Phase XII.

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

April 26, 2021

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

ATTEST:

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

## Council Communication

Department: Community

Development

Case/Project No.:

Submitted by: Courtney Harter,

HED Manager

Resolution 21-119

ITEM 3.J.

Council Action: 4/26/2021

### Description

Resolution determining the necessity and setting dates of a consultation and a public hearing on the New Horizon Urban Renewal Area for the City of Council Bluffs.

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

| Description                         | Type         | Upload Date |
|-------------------------------------|--------------|-------------|
| Staff Report                        | Staff Report | 4/16/2021   |
| Site Map                            | Map          | 4/16/2021   |
| New Horizons Urban Renewal Plan     | Other        | 4/19/2021   |
| Certificate of Publishers Affidavit | Other        | 4/19/2021   |
| Notice of Public Hearing            | Other        | 4/19/2021   |
| Certificate of Mailing              | Other        | 4/19/2021   |
| Notice of Consultation              | Other        | 4/19/2021   |
| Resolution 21-119                   | Resolution   | 4/20/2021   |

## Council Communication

|  |   |   |
|--|---|---|
| Department:<br>Community Development<br><br>Case/Project No.: N/A  | Ordinance No.:<br><br>Resolution No.: 21- | City Council: 4-26-2021<br>Planning Commission: 5-11-2021<br>P.H. and First Reading: 5-24-2021<br>Second Reading: 6-14-2021<br>Third Reading: Request Waive |
| <b>Subject/Title</b>   |   |   |
| Resolution of Necessity for the New Horizon Urban Renewal Area   |   |   |
| <b>Location</b>  |   |   |
| Generally located along College Road: south of Iowa Western Community College and east of St. Patrick's Catholic Church  |   |   |
| Legal Description: Attached  |   |   |
| <b>Background/Discussion</b>   |   |   |
| <p><u>Background</u></p> <p>In 2020, the City began working with Bob McCarthy interested in constructing a 40-unit townhouse development along College Road. The project is primarily undeveloped land (greenspace) with an option to acquire one single-family house. City Council approved the preliminary plan known as New Horizon Subdivision, Replat 3 (Resolution 21-65) on February 22, 2021. Mr. McCarthy now requests the City form an urban renewal area for this development to assist in the payment of public improvements (extensions of road, water, stormwater, sanitary sewer). The estimated cost of these improvements is approximately \$500,000-\$575,000.</p> <p>The primary goal of the Plan is to stimulate, through public involvement and commitment, private investment in new housing and residential development as defined in the Code of Iowa Section 403.17(12). With the adoption of this Plan, the City designates this Urban Renewal Area as an economic development area that is appropriate for the provision of public improvements related to housing and residential development.</p> <p><u>Discussion</u></p> <p>If the City Council concurs to utilize urban renewal powers for the area described above, a resolution will be necessary to cause several actions. These actions include the preparation of an urban renewal plan, establishing a date for consultation with other taxing jurisdictions, City Planning Commission hearing and review, setting a date for City Council hearing and other appropriate legal notices. A resolution, which calls for these activities, has been prepared and is attached for your review and consideration.</p> <p>This resolution establishes the following timeframe:</p> <ul style="list-style-type: none"> <li>5-4-2021 Consultation meeting to be held with other taxing jurisdictions</li> <li>5-11-2021 City Planning Commission hearing and review</li> <li>5-24-2021 City Council public hearing on the proposed urban renewal plan</li> </ul> |   |   |
| <b>Staff Recommendation</b>  |   |   |
| The Community Development Department recommends that City Council adopt a resolution of necessity setting the dates of a consultation and public hearing on the New Horizon Urban Renewal Area Plan for the City of Council Bluffs.  |   |   |
| <b>Attachments</b>   |   |   |
| <ol style="list-style-type: none"> <li>1. Proposed New Horizon Urban Renewal Area Map</li> <li>2. Resolution of Necessity</li> <li>3. Notice of Consultation</li> <li>4. Notice of Public Hearing</li> <li>5. Draft New Horizon Urban Renewal Area Plan</li> </ol>   |   |   |

Prepared by: Courtney Harter, Housing & Economic Development Manager, Community Development Department  
 Approved by: Courtney Harter, Housing & Economic Development Manager, Community Development Department

# New Horizons URA



## Legend

- World Imagery (Map Service)
- World Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations
- 2.4m Resolution Metadata

8815

0 450 900  
ft

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>



4/9/2021

**NEW HORIZON  
URBAN RENEWAL PLAN**

**for the**

**NEW HORIZON  
URBAN RENEWAL AREA**

**CITY OF COUNCIL BLUFFS, IOWA**

**May 2021**



# TABLE OF CONTENTS

## ***SECTION***

- A. INTRODUCTION
- B. DESCRIPTION OF THE URBAN RENEWAL AREA
- C. AREA DESIGNATION
- D. BASE VALUE
- E. DEVELOPMENT PLAN
- F. RESIDENTIAL DEVELOPMENT
- G. PLAN OBJECTIVES
- H. TYPES OF RENEWAL ACTIVITIES
- I. ELIGIBLE URBAN RENEWAL PROJECTS
- J. FINANCIAL INFORMATION
- K. URBAN RENEWAL FINANCING
- L. PROPERTY ACQUISITION/DISPOSITION
- M. RELOCATION
- N. STATE AND LOCAL REQUIREMENTS
- O. SEVERABILITY
- P. URBAN RENEWAL PLAN AMENDMENTS
- Q. EFFECTIVE PERIOD

## ***EXHIBITS***

- A. LEGAL DESCRIPTION OF NEW HORIZON URBAN RENEWAL AREA
- B. NEW HORIZON URBAN RENEWAL AREA MAP

**New Horizon Urban Renewal Plan  
for the  
New Horizon Urban Renewal Area  
City of Council Bluffs, Iowa**

**A. INTRODUCTION**

The New Horizon Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the New Horizon Urban Renewal Area (“Area” or “Urban Renewal Area”) has been developed to help local officials respond to and promote economic development in the City of Council Bluffs, Iowa (the “City”). The primary goal of the Plan is to stimulate, through public involvement and commitment, private investment in new housing and residential development as defined in the *Code of Iowa* Section 403.17(12).

In order to achieve this objective, the City intends to undertake urban renewal activities pursuant to the powers granted to it under Chapter 403 and Chapter 15A of the *Code of Iowa*, as amended.

**B. DESCRIPTION OF THE URBAN RENEWAL AREA**

The Urban Renewal Area is described in Exhibit “A” and illustrated in Exhibit “B.” The Urban Renewal Area has never previously been subject to the division of revenue under Iowa Code 403.19 as a residential project.

The City reserves the right to modify the boundaries of the Area at some future date.

**C. AREA DESIGNATION**

With the adoption of this Plan, the City designates this Urban Renewal Area as an economic development area that is appropriate for the provision of public improvements related to housing and residential development.

**D. BASE VALUE**

If the Urban Renewal Area is legally established, a Tax Increment Financing (TIF) ordinance is adopted to establish a TIF district in the Area, and debt related to the Area is certified prior to December 1, 2021, the taxable valuation as of January 1, 2020, will be considered the frozen “base valuation” for the portion of the Urban Renewal Area identified in the TIF ordinance. If a TIF ordinance is not adopted until a later date, or debt is not first certified prior to December 1, 2021, the frozen “base value” will be the assessed value of the taxable property within that area covered by the TIF ordinance as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt related to the Area, in accordance with Iowa Code Section 403.19. It may be that more than one ordinance will be adopted within the Area. If so, the frozen base values may vary among subareas of the Area.

## **E. DEVELOPMENT PLAN**

Council Bluffs has a general plan for the physical development of the City as a whole, outlined in the Bluffs Tomorrow: 2030 Comprehensive Plan, adopted in 2014 and updated in 2015. The goals and objectives identified in this Plan, and the urban renewal projects described herein, are in conformance with the goals and land use policies identified in the Comprehensive Plan.

This Urban Renewal Plan does not in any way replace the City's current land use planning or zoning regulation process. The land within the Area is currently zoned as R-2.

The need, if any, for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area, is set forth in this Plan. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

## **F. RESIDENTIAL DEVELOPMENT**

The City's objective for the Urban Renewal Area is to promote new housing and residential development. The City realizes that the availability of housing is an important component of attracting new business and industry, responding to new development, and retaining existing businesses.

In anticipation of expected economic development, the City has taken the position of supporting the creation of new housing opportunities, including increasing the number of lots available for the construction of new houses. Providing incentives to developers may ease the cost of extending necessary infrastructure and other factors that can make residential development risky and less profitable than other types of development.

When a city utilizes tax increment financing to support residential development (such support is limited to reimbursement of "public improvement" costs, as defined by Iowa law), a percentage of the incremental revenues (or other revenues) generated by the development must be used to provide assistance to low and moderate income (LMI) families. LMI families are those whose incomes do not exceed 80% of the median Pottawattamie County income.

Unless a reduction is approved by the Iowa Economic Development Authority, the amount of incremental revenues (or other revenues) to be provided for low and moderate income family housing in the community shall be either equal to or greater than the percentage of the original project costs (i.e., the amount of TIF funds used to reimburse infrastructure costs serving the housing development in the Area) that is equal to the percentage of LMI families living in Pottawattamie County. That percentage is currently 46.14%.

The requirement to provide assistance for LMI housing may be met by one, or a combination, of the following three options:

1. Providing that at least 46.14% of the units constructed in the Area are occupied by residents and/or families whose incomes are at or below 80% of the median county income;

2. Setting aside an amount equal to or greater than 46.14% of the project costs to be used for LMI housing activities anywhere in the City; or
3. Ensuring that 46.14% of the houses constructed within the Area are priced at amounts affordable to LMI families.

If funds are set aside, as opposed to constructing a sufficient percentage of LMI housing in the Area, the assistance for LMI family housing may be provided anywhere within the City. The type of assistance provided must benefit LMI residents and/or families and may include, but is not limited to:

1. Construction of LMI affordable housing.
2. Owner/renter-occupied housing rehabilitation for LMI residents and/or families.
3. Grants, credits, or other direct assistance for LMI residents and/or families.
4. Homeownership assistance for LMI residents and/or families.
5. Tenant-based rental assistance for LMI residents and/or families.
6. Down payment assistance for LMI residents and/or families.
7. Mortgage interest buy-down assistance for LMI residents and/or families.
8. Under appropriate circumstances, the construction of public improvements that benefit LMI residents and/or families.

## **G. PLAN OBJECTIVES**

Renewal activities are designed to provide opportunities, incentives, and sites for new residential development within the Area. More specific objectives for development within the Urban Renewal Area are as follows:

1. To increase the availability of housing opportunities, which may, in turn, attract and retain area industries and commercial enterprises that will strengthen and revitalize the economy of the State of Iowa and the City of Council Bluffs.
2. To stimulate, through public action and commitment, private investment in new housing and residential development and redevelopment. The City realizes that the availability of affordable, decent, safe, and sanitary housing is important to the overall economic viability of the community.
3. To plan for and provide sufficient land for residential development in a manner that is efficient from the standpoint of providing municipal services.
4. To help finance the cost of constructing public utility and infrastructure extensions and improvements in support of residential development.

5. To improve housing conditions and increase housing opportunities, including LMI families and/or individuals.
6. To provide a more marketable and attractive investment climate through the use of various federal, state, and local incentives.
7. To encourage residential growth and expansion through governmental policies which make it economically feasible to do business.
8. To encourage residential development that meets the needs of a growing population, while preserving the character of the community.
9. To promote development utilizing any other objectives allowed by Chapter 403 of the *Code of Iowa*.

## **H. TYPES OF RENEWAL ACTIVITIES**

To meet the objectives of this Urban Renewal Plan and to encourage the development of the Area, the City intends to utilize the powers conferred under Chapter 403 and Chapter 15A, *Code of Iowa* including, but not limited to, tax increment financing. Activities may include:

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
2. To provide for the construction of site-specific improvements, such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.
3. To arrange for, or cause to be provided, the construction or repair of public infrastructure in support of residential development, including, but not limited to, streets and sidewalks, traffic lights, water mains, sanitary sewers, storm sewers, public utilities, or other facilities in connection with urban renewal projects.
4. To make loans, forgivable loans, or other types of grants or incentives to private persons, organizations, or businesses for economic development purposes or residential projects, on such terms as may be determined by the City Council.
5. To use tax increment financing to facilitate urban renewal projects, including, but not limited to, financing to achieve a more marketable and competitive land offering price and to provide for necessary physical improvements and infrastructure.
6. To use tax increment for LMI housing assistance.
7. To borrow money and to provide security therefor.
8. To acquire and dispose of property.
9. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.

10. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City of Council Bluffs and the State of Iowa.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

## **I. ELIGIBLE URBAN RENEWAL PROJECTS**

Although certain project activities may occur over a period of years, the eligible urban renewal projects under this Urban Renewal Plan include:

1. ***Development Agreement with Robert McCarthy:*** The City expects to consider a development agreement with Robert McCarthy (or a related entity) (the “Developer”) for Developer to construct approximately 36 Housing Units and the public infrastructure improvements to support the development of those Housing Units within the Urban Renewal Area. The development agreement would provide detailed terms and conditions under which the City may make annual grant payments to the Developer in the amount of 100% of the Tax Increment generated by construction of the Housing Units remaining after any LMI assistance obligations have been satisfied for up to ten (10) fiscal years. The total amount of the grants is not to exceed the lesser of the amount calculated under the applicable formula during the ten fiscal years, \$600,000, or the actual costs incurred by the Developer in constructing the public infrastructure improvements.
2. **Planning, Engineering Fees (for Urban Renewal Plans), Attorney Fees, Administrative, and Other Related Costs to Support Urban Renewal Projects and Planning:**

| <b>Project</b> | <b>Estimated Date</b> | <b>Estimated Cost to be funded by TIF Funds</b> |
|----------------|-----------------------|---|
| Fees and Costs | Undetermined          | Not to Exceed \$50,000                          |

## **J. FINANCIAL INFORMATION**

|    |   |  |
|----|---|--|
| 1. | July 1, 2020, Constitutional Debt Limit   | \$229,442,288  |
| 2. | Current Outstanding General Obligation Debt   | \$51,170,000   |
| 3. | Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects has not yet been determined. This document is for planning purposes only. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City’s constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City’s best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, | <p>\$650,000 plus the applicable percentage of LMI set-aside.</p> <p>This amount does not include financing costs related to debt issuance, which may be</p> |



|  |  |                                     |
|--|--|-------------------------------------|
|  | including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above to be funded by TIF Funds will be approximately as stated in the next column: | incurred over the life of the Area. |
|--|--|-------------------------------------|

## **K. URBAN RENEWAL FINANCING**

The City intends to utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The City has the statutory authority to use a variety of tools to finance physical improvements within the Area. These include:

### **A. Tax Increment Financing.**

Under Section 403.19 of the *Code of Iowa*, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements, economic development incentives, or other urban renewal projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the eligible urban renewal projects. Certain increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City, and in any event upon the expiration of the tax increment district.

### **B. General Obligation Bonds.**

Under Division III of Chapter 384 and Chapter 403 of the *Code of Iowa*, the City has the authority to issue and sell general obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area and for other urban renewal projects or incentives for development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City. It may be, the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates, or other incentives to developers or private entities in connection with the urban renewal projects identified in this Plan. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area for urban renewal projects. Alternatively, the City may determine to use available funds for making such loans or grants or other incentives related to urban renewal projects. In any event, the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

#### **L. PROPERTY ACQUISITION/DISPOSITION**

The City will follow any applicable requirements for the acquisition and disposition of property within the Urban Renewal Area.

#### **M. RELOCATION**

The City does not expect there to be any relocation required of residents or businesses as part of the eligible urban renewal projects; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

#### **N. STATE AND LOCAL REQUIREMENTS**

All provisions necessary to conform to State and local laws will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

#### **O. SEVERABILITY**

In the event one or more provisions contained in the Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized, or unenforceable in any respect, such invalidity, illegality, un-authorization, or unenforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

#### **P. URBAN RENEWAL PLAN AMENDMENTS**

This Urban Renewal Plan may be amended from time to time for a number of reasons including, but not limited to, adding or deleting land, adding or amending urban renewal projects, or modifying objectives or types of renewal activities.

The City Council may amend this Plan in accordance with applicable State law.

#### **Q. EFFECTIVE PERIOD**

This Urban Renewal Plan will become effective upon its adoption by the City Council and shall remain in effect until terminated by the City Council.

With respect to property included within the Urban Renewal Area, which is also included in an ordinance which designates that property as a tax increment district (TIF district) and is designated based on an economic development finding to provide or to assist in the provision of public improvements related to housing and residential development, the use of incremental property tax revenues or the “division of revenue,” as those words are used in Chapter 403 of the *Code of Iowa*, is limited to ten (10) years beginning with the second fiscal year following the year in which the City first certifies to the County Auditor the amount of any loans, advances, indebtedness, or bonds

which qualify for payment from the incremental property tax revenues attributable to that property within the Urban Renewal Area.

Separate TIF ordinances or amendments thereto for separate parcel(s) or subareas may be adopted as development in the Area warrants. In that case, each subarea may have a separate base and separate sunset or expiration date.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness, or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the *Code of Iowa*) by the City for activities carried out under the Urban Renewal Area shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

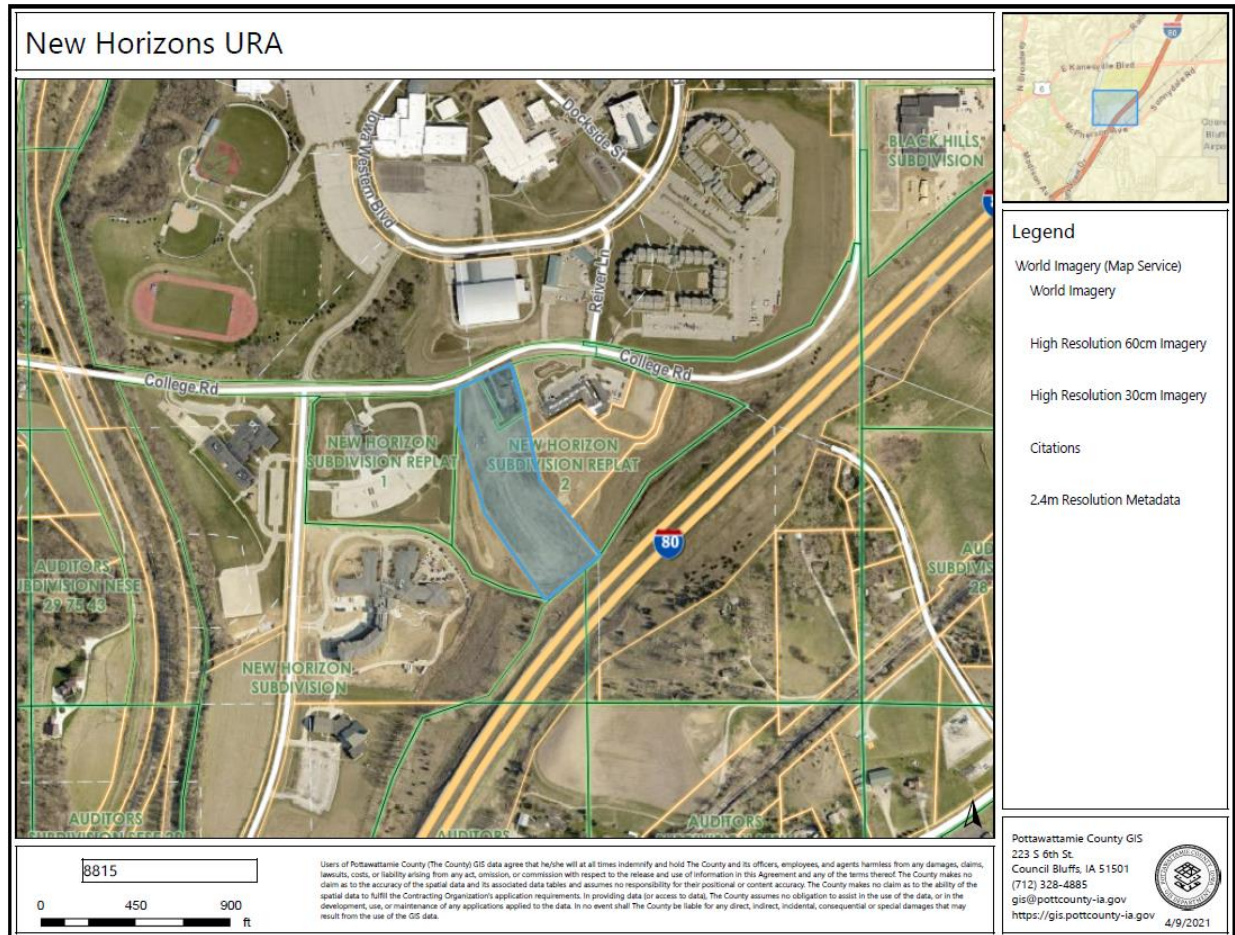
## **EXHIBIT A**

### **LEGAL DESCRIPTION OF NEW HORIZON URBAN RENEWAL AREA**

A PARCEL OF LAND BEING ALL LOT 5, NEW HORIZON SUBDIVISION REPLAT 2 AND A PORTION OF THE SW $\frac{1}{4}$  NW $\frac{1}{4}$  AND PART OF THE NW $\frac{1}{4}$  SW $\frac{1}{4}$  SECTION 28, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5<sup>th</sup> P.M., POTTAWATTAMIE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST  $\frac{1}{4}$  CORNER OF SECTION 28, TOWNSHIP 75, RANGE 43, THENCE ALONG THE WEST LINE NW $\frac{1}{4}$  SECTION 28 N 01 DEGREES 42' 52"W 161.68 FEET TO THE CENTERLINE OF COLLEGE ROAD, THENCE ALONG SAID CENTERLINE N 89 DEGREES 05'05"E 171.06 FEET, THENCE N 87 DEGREES 23'24"E 369.82 FEET TO A POINT OF CURVATURE, THENCE ON A 532.30 FOOT RADIUS CURVE TO THE LEFT AN ARC LENGTH OF 240.45 FEET, THENCE N 61 DEGREES 30'30"E 33.00 FEET TO THE POINT OF BEGINNING, THENCE N 61 DEGREES 30'30"E 36.47 FEET TO A POINT OF CURVATURE, THENCE ON A 870.13 FOOT RADIUS CURVE TO THE RIGHT AN ARC LENGTH OF 141.00 FEET (CHORD BEARS N 66 DEGREES 09'02"E 140.85 FEET), THENCE S 17 DEGREES 06'28"E 272.07 FEET, THENCE S56 DEGREES 00'42"W 156.87 FEET, THENCE N28 DEGREES 29'30"W 43.14 FEET, THENCE N 61 DEGREES 30'30"E 33.00 FEET THENCE, N 28 DEGREES 29'30"W 250.00 FEET TO THE POINT OF BEGINNING, INCLUDING COLLEGE ROAD RIGHT OF WAY, ALL IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

## EXHIBIT B

### MAP OF NEW HORIZON URBAN RENEWAL AREA



01866212-1\10342-167

STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

# NOTICE OF PUBLIC HEARING

\_\_\_\_\_, 2021.

WITNESS my official signature at Council Bluffs, Iowa, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

City Clerk, City of Council Bluffs, State of Iowa

(SEAL)



(One publication required)

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL  
OF A PROPOSED NEW HORIZON URBAN RENEWAL PLAN  
FOR A PROPOSED URBAN RENEWAL AREA IN THE CITY  
OF COUNCIL BLUFFS, STATE OF IOWA

The City Council of the City of Council Bluffs, State of Iowa, will hold a public hearing before itself at its meeting which commences at 7:00 P.M. on May 24, 2021 in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, to consider adoption of a proposed New Horizon Urban Renewal Plan (the "Plan") concerning a proposed Urban Renewal Area in the City of Council Bluffs, State of Iowa.

The New Horizon Urban Renewal Area is proposed to contain the land legally described as follows:

A PARCEL OF LAND BEING ALL LOT 5, NEW HORIZON SUBDIVISION REPLAT 2 AND A PORTION OF THE SW $\frac{1}{4}$  NW $\frac{1}{4}$  AND PART OF THE NW $\frac{1}{4}$  SW $\frac{1}{4}$  SECTION 28, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5<sup>th</sup> P.M., POTTAWATTAMIE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST  $\frac{1}{4}$  CORNER OF SECTION 28, TOWNSHIP 75, RANGE 43, THENCE ALONG THE WEST LINE NW $\frac{1}{4}$  SECTION 28 N 01 DEGREES 42' 52"W 161.68 FEET TO THE CENTERLINE OF COLLEGE ROAD, THENCE ALONG SAID CENTERLINE N 89 DEGREES 05'05"E 171.06 FEET, THENCE N 87 DEGREES 23'24"E 369.82 FEET TO A POINT OF CURVATURE, THENCE ON A 532.30 FOOT RADIUS CURVE TO THE LEFT AN ARC LENGTH OF 240.45 FEET, THENCE N 61 DEGREES 30'30"E 33.00 FEET TO THE POINT OF BEGINNING, THENCE N 61 DEGREES 30'30"E 36.47 FEET TO A POINT OF CURVATURE, THENCE ON A 870.13 FOOT RADIUS CURVE TO THE RIGHT AN ARC LENGTH OF 141.00 FEET (CHORD BEARS N 66 DEGREES 09'02"E 140.85 FEET), THENCE S 17 DEGREES 06'28"E 272.07 FEET, THENCE S56 DEGREES 00'42"W 156.87 FEET, THENCE N28 DEGREES 29'30"W 43.14 FEET, THENCE N 61 DEGREES 30'30"E 33.00 FEET THENCE, N 28 DEGREES 29'30"W 250.00 FEET TO THE POINT OF BEGINNING, INCLUDING COLLEGE ROAD RIGHT OF WAY, ALL IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

A copy of the Plan is on file for public inspection in the office of the City Clerk, City Hall, City of Council Bluffs, Iowa.

The City of Council Bluffs, State of Iowa is the local public agency which, if such Plan is approved, shall undertake the urban renewal activities described in such Plan.

The general scope of the urban renewal activities under consideration in the Plan is to stimulate, through public involvement and commitment, private investment in residential development in the Urban Renewal Area through various public purpose and special financing

activities outlined in the Plan. To accomplish the objectives of the Plan, and to encourage the further economic development of the Urban Renewal Area, the Plan provides that such special financing activities may include, but not be limited to, the making of loans or grants of public funds to private entities under Chapter 15A, Code of Iowa. The City also may reimburse or directly undertake the installation, construction and reconstruction of substantial public improvements, including, but not limited to, street, water, sanitary sewer, storm sewer or other public improvements. The City also may acquire and make land available for development or redevelopment by private enterprise as authorized by law. The Plan provides that the City may issue bonds or use available funds for purposes allowed by the Plan and that tax increment reimbursement of the costs of urban renewal projects may be sought if and to the extent incurred by the City. The Plan initially proposes no specific public infrastructure or site improvements to be undertaken by the City, and provides that the Plan may be amended from time to time.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This notice is given by order of the City Council of the City of Council Bluffs, State of Iowa, as provided by Section 403.5, Code of Iowa.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
City Clerk, City of Council Bluffs, State of Iowa

(End of Notice)

01868758-1\10342-167

Instructions for the Certificate of Mailing of Notices  
IMPORTANT

**All three of the following documents must be signed, dated and MAILED to the taxing entities and attached to the Certificate of Mailing of Notices that should be immediately returned to our office:**

- 1) The single page entitled "Notice of a Consultation" AND
- 2) The 2 page document entitled "Notice of Public Hearing" AND
- 3) The entire resolution with the Plan attached. (The Notice of a Consultation and the Notice of Public Hearing will be repeated in this document, but you will need to mail all three of the documents to the affected taxing entities.)

Make sure to address the envelopes to the county and the public school district(s) in the Urban Renewal Area as follows:

"Board of Supervisors of Pottawattamie County, c/o County Auditor"; and

"Council Bluffs Community School District, c/o President or Secretary of the Board of Directors."

Note: If we don't receive this Certificate (with attachments) back ASAP after it is mailed, we will not be able to determine that the appropriate notices have been sent to start the Plan process.

CERTIFICATE OF MAILING OF NOTICES OF  
CONSULTATION AND HEARING

I, the undersigned, City Clerk of the City of Council Bluffs, State of Iowa, do hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 2021, I caused there to be deposited and mailed in the United States mail at Council Bluffs, Iowa, properly stamped and addressed, a copy of the following-described notices, each in the form attached hereto, to each school district, county or city, as applicable, which levied or certified for levy a property tax on any portion of the taxable property located within the proposed New Horizon Urban Renewal Area in the fiscal year beginning prior to the calendar year in which the Plan was submitted to the City Council for approval:

- 1) NOTICE OF A CONSULTATION TO BE HELD BETWEEN THE CITY OF COUNCIL BLUFFS, STATE OF IOWA, AND ALL AFFECTED TAXING ENTITIES CONCERNING THE PROPOSED NEW HORIZON URBAN RENEWAL PLAN FOR THE CITY OF COUNCIL BLUFFS, STATE OF IOWA; AND
- 2) NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL OF A PROPOSED NEW HORIZON URBAN RENEWAL PLAN FOR A PROPOSED URBAN RENEWAL AREA IN THE CITY OF COUNCIL BLUFFS, STATE OF IOWA.
- 3) RESOLUTION SETTING DATES FOR CONSULTATION AND PUBLIC HEARING WITH PLAN ATTACHED AS EXHIBIT 1.

The affected taxing entities and their mailing addresses are as follows:

Council Bluffs Community School  
District  
\_\_\_\_\_  
c/o Secretary or Board President  
\_\_\_\_\_  
\_\_\_\_\_  
(Insert address)

Board of Supervisors of Pottawattamie  
County  
\_\_\_\_\_  
c/o Pottawattamie County Auditor  
\_\_\_\_\_  
\_\_\_\_\_  
(Insert address)

Note: Community College is not an "affected taxing entity" as of 7/1/2012.

Note: The City has confirmed that the above school(s) and county(ies) are the only entities within the entire urban renewal area. If this is not correct, the notices and resolution must be sent to **all** schools and counties within the **entire** urban renewal area.

WITNESS my hand and the seal of the City at Council Bluffs, Iowa, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2021.

\_\_\_\_\_  
City Clerk, City of Council Bluffs, State of  
Iowa

(SEAL)

**Attach copies of the items listed above, that were mailed to  
this Certificate and send the Certificate and attachments  
to Ahlers & Cooney, P.C.**

01866281-1\10342-167

NOTICE OF A CONSULTATION TO BE HELD BETWEEN THE  
CITY OF COUNCIL BLUFFS, STATE OF IOWA AND ALL  
AFFECTED TAXING ENTITIES CONCERNING THE  
PROPOSED NEW HORIZON URBAN RENEWAL PLAN FOR  
THE CITY OF COUNCIL BLUFFS, STATE OF IOWA

The City of Council Bluffs, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1), Code of Iowa, as amended, commencing at 10:00 A.M. on May 4, 2021, in the Lower Level Conference Room, City Hall, 209 Pearl Street, Council Bluffs, Iowa concerning a proposed New Horizon Urban Renewal Plan for a proposed New Horizon Urban Renewal Area, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the proposed Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the proposed Urban Renewal Area, and the duration of any bond issuance included in the Plan.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The Housing & Economic Development Manager, or her delegate, as the designated representative of the City of Council Bluffs, State of Iowa, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed New Horizon Urban Renewal Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the City Council of the City of Council Bluffs, State of Iowa, as provided by Section 403.5, Code of Iowa, as amended.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

---

City Clerk, City of Council Bluffs, State of Iowa

(End of Notice)



**Resolution 21-119**

**ITEM TO INCLUDE ON AGENDA**

**CITY OF COUNCIL BLUFFS, IOWA**

April 26, 2021

7:00 P.M.

New Horizon Urban Renewal Plan

- Resolution determining the necessity and setting dates of a consultation and a public hearing on a proposed New Horizon Urban Renewal Plan for a proposed Urban Renewal Area in the City of Council Bluffs, State of Iowa.

**IMPORTANT INFORMATION**

1. The above agenda items should be included, along with any other agenda items, in the meeting agenda. The agenda should be posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting. If no such office exists, the notice must be posted at the building in which the meeting is to be held.
2. If you do not now have a bulletin board designated as above mentioned, designate one and establish a uniform policy of posting your notices of meeting and tentative agenda.
3. Notice and tentative agenda must be posted at least 24 hours prior to the commencement of the meeting.

**NOTICE MUST BE GIVEN PURSUANT TO CHAPTER 21,  
CODE OF IOWA, AND THE LOCAL RULES OF THE CITY.**

April 26, 2021

The City Council of the City of Council Bluffs, State of Iowa, met in \_\_\_\_\_ session, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 P.M., on the above date. There were present Mayor \_\_\_\_\_, in the chair, and the following named Council Members:

\_\_\_\_\_

Absent: \_\_\_\_\_

Vacant: \_\_\_\_\_

\* \* \* \* \*

Council Member \_\_\_\_\_ then introduced the following proposed Resolution entitled "RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED NEW HORIZON URBAN RENEWAL PLAN FOR A PROPOSED URBAN RENEWAL AREA IN THE CITY OF COUNCIL BLUFFS, STATE OF IOWA", and moved that the same be adopted. Council Member \_\_\_\_\_ seconded the motion to adopt. The roll was called, and the vote was:

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Mayor declared the Resolution duly adopted as follows:

RESOLUTION NO. 21-119

RESOLUTION DETERMINING THE NECESSITY AND  
SETTING DATES OF A CONSULTATION AND A PUBLIC  
HEARING ON A PROPOSED NEW HORIZON URBAN  
RENEWAL PLAN FOR A PROPOSED URBAN RENEWAL  
AREA IN THE CITY OF COUNCIL BLUFFS, STATE OF IOWA

WHEREAS, it is hereby found and determined that one or more economic development areas, as defined in Chapter 403, Code of Iowa, exist within the City and the rehabilitation, conservation, redevelopment, development, or combination thereof, of the area is necessary in the interest of the public health, safety, or welfare of the residents of the City; and

WHEREAS, this Council has caused there to be prepared a proposed New Horizon Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the New Horizon Urban Renewal Area ("Area" or "Urban Renewal Area"), which proposed Plan is attached hereto as Exhibit 1 and which is incorporated herein by reference; and

WHEREAS, the purpose of the Plan is to form the New Horizon Urban Renewal Area as an area suitable for residential economic development and to include a list of proposed projects to be undertaken within the Urban Renewal Area, and a copy of the Plan has been placed on file for public inspection in the office of the City Clerk; and

WHEREAS, the property proposed to be included in the Urban Renewal Area is legally described in the Plan and this Council has reasonable cause to believe that the Area described in the Plan satisfies the eligibility criteria for designation as an urban renewal area under Iowa law and; and

WHEREAS, it is desirable that the area be redeveloped as part of the overall redevelopment covered by the Plan; and

WHEREAS, the Iowa statutes require the City Council to submit the proposed Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for development of the City as a whole prior to Council approval of such Plan, and further provides that the Planning and Zoning Commission shall submit its written recommendations thereon to this Council within thirty (30) days of its receipt of such proposed Urban Renewal Plan; and

WHEREAS, the Iowa statutes require the City Council to notify all affected taxing entities of the consideration being given to the proposed Urban Renewal Plan and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, Code of Iowa, as amended; and

WHEREAS, the Iowa statutes further require the City Council to hold a public hearing on the proposed Urban Renewal Plan subsequent to notice thereof by publication in a newspaper

having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the Plan and shall outline the general scope of the urban renewal project under consideration, with a copy of the notice also being mailed to each affected taxing entity.

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

Section 1. That the consultation on the proposed Urban Renewal Plan required by Section 403.5(2), Code of Iowa, as amended, shall be held on the May 4, 2021, in the Lower Level Conference Room, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 10:00 A.M., and the Housing & Economic Development Manager, or her delegate, is hereby appointed to serve as the designated representative of the City for purposes of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2), Code of Iowa.

Section 2. That the City Clerk is authorized and directed to cause a notice of such consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), Code of Iowa, along with a copy of this Resolution and the proposed Urban Renewal Plan, the notice to be in substantially the following form:

NOTICE OF A CONSULTATION TO BE HELD BETWEEN THE  
CITY OF COUNCIL BLUFFS, STATE OF IOWA AND ALL  
AFFECTED TAXING ENTITIES CONCERNING THE  
PROPOSED NEW HORIZON URBAN RENEWAL PLAN FOR  
THE CITY OF COUNCIL BLUFFS, STATE OF IOWA

The City of Council Bluffs, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1), Code of Iowa, as amended, commencing at 10:00 A.M. on May 4, 2021, in the Lower Level Conference Room, City Hall, 209 Pearl Street, Council Bluffs, Iowa concerning a proposed New Horizon Urban Renewal Plan for a proposed New Horizon Urban Renewal Area, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the proposed Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the proposed Urban Renewal Area, and the duration of any bond issuance included in the Plan.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The Housing & Economic Development Manager, or her delegate, as the designated representative of the City of Council Bluffs, State of Iowa, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed New Horizon Urban Renewal Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the City Council of the City of Council Bluffs, State of Iowa, as provided by Section 403.5, Code of Iowa, as amended.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

---

City Clerk, City of Council Bluffs, State of Iowa

(End of Notice)



Section 3. That a public hearing shall be held on the proposed Urban Renewal Plan before the City Council at its meeting which commences at 7:00 P.M. on May 24, 2021, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa.

Section 4. That the City Clerk is authorized and directed to publish notice of this public hearing in The Daily Nonpareil, once on a date not less than four (4) nor more than twenty (20) days before the date of the public hearing, and to mail a copy of the notice by ordinary mail to each affected taxing entity, such notice in each case to be in substantially the following form:

(One publication required)

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL  
OF A PROPOSED NEW HORIZON URBAN RENEWAL PLAN  
FOR A PROPOSED URBAN RENEWAL AREA IN THE CITY  
OF COUNCIL BLUFFS, STATE OF IOWA

The City Council of the City of Council Bluffs, State of Iowa, will hold a public hearing before itself at its meeting which commences at 7:00 P.M. on May 24, 2021 in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, to consider adoption of a proposed New Horizon Urban Renewal Plan (the "Plan") concerning a proposed Urban Renewal Area in the City of Council Bluffs, State of Iowa.

The New Horizon Urban Renewal Area is proposed to contain the land legally described as follows:

A PARCEL OF LAND BEING ALL LOT 5, NEW HORIZON SUBDIVISION REPLAT 2 AND A PORTION OF THE SW $\frac{1}{4}$  NW $\frac{1}{4}$  AND PART OF THE NW $\frac{1}{4}$  SW $\frac{1}{4}$  SECTION 28, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5<sup>th</sup> P.M., POTTAWATTAMIE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST  $\frac{1}{4}$  CORNER OF SECTION 28, TOWNSHIP 75, RANGE 43, THENCE ALONG THE WEST LINE NW $\frac{1}{4}$  SECTION 28 N 01 DEGREES 42' 52"W 161.68 FEET TO THE CENTERLINE OF COLLEGE ROAD, THENCE ALONG SAID CENTERLINE N 89 DEGREES 05'05"E 171.06 FEET, THENCE N 87 DEGREES 23'24"E 369.82 FEET TO A POINT OF CURVATURE, THENCE ON A 532.30 FOOT RADIUS CURVE TO THE LEFT AN ARC LENGTH OF 240.45 FEET, THENCE N 61 DEGREES 30'30"E 33.00 FEET TO THE POINT OF BEGINNING, THENCE N 61 DEGREES 30'30"E 36.47 FEET TO A POINT OF CURVATURE, THENCE ON A 870.13 FOOT RADIUS CURVE TO THE RIGHT AN ARC LENGTH OF 141.00 FEET (CHORD BEARS N 66 DEGREES 09'02"E 140.85 FEET), THENCE S 17 DEGREES 06'28"E 272.07 FEET, THENCE S56 DEGREES 00'42"W 156.87 FEET, THENCE N28 DEGREES 29'30"W 43.14 FEET, THENCE N 61 DEGREES 30'30"E 33.00 FEET THENCE, N 28 DEGREES 29'30"W 250.00 FEET TO THE POINT OF BEGINNING, INCLUDING COLLEGE ROAD RIGHT OF WAY, ALL IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

A copy of the Plan is on file for public inspection in the office of the City Clerk, City Hall, City of Council Bluffs, Iowa.

The City of Council Bluffs, State of Iowa is the local public agency which, if such Plan is approved, shall undertake the urban renewal activities described in such Plan.

The general scope of the urban renewal activities under consideration in the Plan is to stimulate, through public involvement and commitment, private investment in residential development in the Urban Renewal Area through various public purpose and special financing

activities outlined in the Plan. To accomplish the objectives of the Plan, and to encourage the further economic development of the Urban Renewal Area, the Plan provides that such special financing activities may include, but not be limited to, the making of loans or grants of public funds to private entities under Chapter 15A, Code of Iowa. The City also may reimburse or directly undertake the installation, construction and reconstruction of substantial public improvements, including, but not limited to, street, water, sanitary sewer, storm sewer or other public improvements. The City also may acquire and make land available for development or redevelopment by private enterprise as authorized by law. The Plan provides that the City may issue bonds or use available funds for purposes allowed by the Plan and that tax increment reimbursement of the costs of urban renewal projects may be sought if and to the extent incurred by the City. The Plan initially proposes no specific public infrastructure or site improvements to be undertaken by the City, and provides that the Plan may be amended from time to time.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This notice is given by order of the City Council of the City of Council Bluffs, State of Iowa, as provided by Section 403.5, Code of Iowa.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

---

City Clerk, City of Council Bluffs, State of Iowa

(End of Notice)

Section 5. That the proposed Urban Renewal Plan, attached hereto as Exhibit 1, for the proposed Urban Renewal Area described therein is hereby officially declared to be the proposed Urban Renewal Plan referred to in the notices for purposes of such consultation and hearing and that a copy of the Plan shall be placed on file in the office of the City Clerk.

Section 6. That the proposed Urban Renewal Plan be submitted to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for the development of the City as a whole, with such recommendation to be submitted in writing to this Council within thirty (30) days of the date hereof.

PASSED AND APPROVED this 26<sup>th</sup> day of April, 2021.

\_\_\_\_\_  
Mayor

ATTEST:

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

Label the Plan as Exhibit 1 (with all exhibits) and attach it to this Resolution.

ATTACH THE PLAN LABELED AS  
EXHIBIT 1 HERE

STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

WITNESS my hand and the seal of the Council hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

(SEAL)

198



2020

# Planning Commission Annual Report

---

City of Council Bluffs, Iowa

Prepared by: Community Development Department  
Address: 209 Pearl Street, Council Bluffs, IA 51503  
Date: //2021





COMMUNITY DEVELOPMENT  
(712) 890-5350

April 13, 2021

The Honorable Matthew J. Walsh, Mayor  
and Members of the City Council

Mayor and Members of the City Council:

The City Planning Commission forwards this copy of the 2020 Annual Report for your information. This report contains a summary of the actions taken by the Commission in handling various cases referred to them during the year.

I would like to take this opportunity to thank the City Council, City Planning Commission members and the Community Development Department staff for their effort and support during the past year. I hope that together we can continue to serve the City of Council Bluffs in a program of progressive community development.

Respectfully Submitted,

David Stroebele, Chair  
City Planning Commission  
City of Council Bluffs, Iowa

**MAYOR**

Matthew J. Walsh

**2020 CITY COUNCIL**

Joe Disalvo

Chad Hannan

Melissa Head

Roger Sandau

Mike Wolf

**2020 CITY PLANNING COMMISSION**

Deborah Bass\*

Lindsey Danielsen

Cati DeMasi\*

Travis Halm (Vice-Chair)

Heath Haner

Tom Holm

Peter Hutcheson

Jody Rater

Douglas Rew

Darian Scott

David Stroebele (Chair)

Dan Van Houten

**COMMUNITY DEVELOPMENT DEPARTMENT**

**Planning Division**

Brandon Garrett, Director

Christopher Gibbons, Planning Manager

Christopher Meeks, Planner\*

Moises Monroy, Planner

Tiffany Schmitt, Community Development Technician

Haley Weber, Zoning Enforcement Officer/Planner

\*Indicates partial year of service

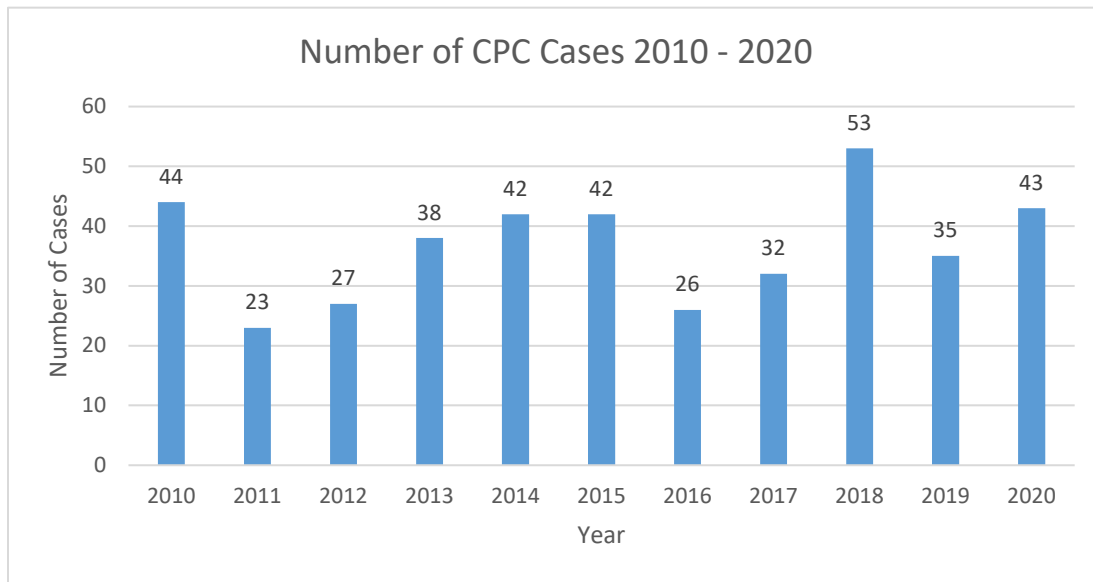
**2020 CITY PLANNING COMMISSION  
MEMBERS, TERMS AND ATTENDANCE**

| Commissioner      | Term                               | Meeting Attendance |        |              |
|-------------------|------------------------------------|--------------------|--------|--------------|
|                   |                                    | Present            | Absent | Attendance % |
| Deborah Bass*     | March 23, 2020 – April 1, 2025     | 8                  | 0      | 100%         |
|                   |                                    |                    |        |              |
| Lindsey Danielsen | December 17, 2020 – April 1, 2025  | 8                  | 1      | 89%          |
|                   |                                    |                    |        |              |
| Cati DeMasi*      | July 13, 2015 – April 1, 2020      | 1                  | 0      | 100%         |
|                   |                                    |                    |        |              |
| Travis Halm       | September 24, 2018 – April 1, 2023 | 9                  | 0      | 100%         |
|                   |                                    |                    |        |              |
| Heath Haner       | September 24, 2018 – April 1, 2023 | 7                  | 2      | 78%          |
|                   |                                    |                    |        |              |
| Tom Holm          | March 13, 2017 – , 2021            | 8                  | 1      | 89%          |
|                   |                                    |                    |        |              |
| Peter Hutcheson   | December 18, 2017 – April 1, 2022  | 8                  | 1      | 89%          |
|                   |                                    |                    |        |              |
| Jody Rater        | March 12, 2019 – April 1, 2024     | 9                  | 0      | 100%         |
|                   |                                    |                    |        |              |
| Douglas Rew       | March 23, 2020 – April 1, 2025     | 9                  | 0      | 100%         |
|                   |                                    |                    |        |              |
| Darian Scott      | December 17, 2018 – April 1, 2023  | 8                  | 1      | 89%          |
|                   |                                    |                    |        |              |
| David Stroebele   | December 17, 2018 – April 1, 2023  | 9                  | 0      | 100%         |
|                   |                                    |                    |        |              |
| Dan Van Houten    | March 23, 2025 – April 1, 2025     | 9                  | 0      | 100%         |

\*Indicates partial year of service

## SUMMARY OF ACTIVITIES

The chart below represents the total of number of cases heard by the City Planning Commission (CPC) beginning in 2010 through 2020. In 2020, the Commission heard a total of **43** cases.



*Source: Community Development Department*

### **Annexations:**

There were no annexation cases in 2020.

### **Comprehensive Plan Amendments:**

The Planning Commission heard two comprehensive plan amendment cases in 2020, as stated below:

- Amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying multiple properties located in the West Broadway Corridor from Light Industrial to Multifamily/Mixed-Use; and
- Amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying the old St. Patrick's Church site from Low Density Residential to Local Commercial.

The Planning Commission and City Council concurred with Staff's recommendation on Case #CP-21-001. On Case #CP-21-002, the Planning Commission voted against Staff's recommendation to approve the request to reclassify of the former St. Patrick's Church site from Low Density Residential to Local Commercial. City Council initially concurred with the Commission's recommendation, but reconsidered their decision at a subsequent meeting and approved the request.

### **Historic Preservation:**

The Planning Commission heard one historic preservation case (Case #HP-20-005) in 2020, as stated below:

- Designate property commonly known as 530 West Broadway as a local historic landmark.

The Historic Preservation Commission, the Planning Commission and City Council all concurred with Staff's recommendation for this case.

### **Miscellaneous:**

The Planning Commission heard four miscellaneous cases in 2020, as stated below:

- Release permanent and perpetual utility easements reserved over vacated east/west alleys in a parcel of land bounded by West Broadway, South 34<sup>th</sup> Street, 2<sup>nd</sup> Avenue and South 32<sup>nd</sup> Street;
- Adopt a site-specific signage plan for the Gerald W. Kirn Middle School campus;
- Adopt a site-specific development plan for the Lewis Central Middle School/High School campus; and
- Review and adopt the Capital Improvement Plan (CIP) for Fiscal Year 2022-2023 through Fiscal Year 2025-2026.

The Planning Commission and City Council concurred with Staff's recommendation on all cases.

### **Mixed Commercial-Residential District – Development Plan Review:**

The Planning Commission heard one mixed commercial-residential district case in 2020, as stated below:

- Adopt a mixed commercial-residential development plan for Main Line Subdivision, a parcel of land bounded by West Broadway, South 34<sup>th</sup> Street, 2<sup>nd</sup> Avenue and South 32<sup>nd</sup> Street.

The Planning Commission and City Council concurred with Staff's recommendation for this case.

### **Planned Commercial District – Development Plan Review:**

There were no planned commercial district cases in 2020.

### **Planned Industrial District – Development Plan Review:**

There were no planned industrial district cases in 2020.

### **Planned Residential Overlay – Development Plan Review:**

The Planning Commission heard three planned residential overlay cases in 2020, as stated below:

- Amend the adopted planned residential development plan on property legally described as Block 12, Bryant and Clark's Subdivision, located south of 1<sup>st</sup> Avenue between South 28<sup>th</sup> Street and South 29<sup>th</sup> Street;
- Append a Planned Residential Overlay and adopt the associated development plan for Grappler's Gate Apartments, located northeast of 830 Franklin Avenue; and
- Append a Planned Residential Overlay and adopt the associated development plan for The Landing on Lake Manawa, located north of Lake Manawa and west of 1113 42<sup>nd</sup> Avenue.

The Planning Commission and City Council concurred with Staff's recommendation on all cases.

### **Rezoning:**

The Planning Commission heard 12 rezoning cases in 2020. The Planning Commission concurred with Staff's recommendation on all cases with the exception of Case #ZC-20-012. On this case,



the Planning Commission voted against Staff's recommendation to approve the request to rezone the old St. Patrick's Church site from R-3/Low Density Multifamily Residential District to A-P/Administrative-Professional District. City Council initially concurred with the Commission's recommendation, but reconsidered their decision at a subsequent meeting and approved the request.

On Case #ZC-20-011, the applicant withdrew their request to rezone properties addressed at 1500 Avenue 'O,' 1506 Avenue 'O' and 1501 Avenue 'P' prior to consideration by City Council.

City Council concurred with the recommendation of both Staff and the Commission on the remaining cases.

### **Street, Alley and Right-of-Way Vacations:**

The Planning Commission heard seven public street, alley and right-of-way vacation cases in 2020. The Planning Commission concurred with Staff's recommendation on all cases with the exception of Case #SAV-20-004. On this case, the Planning Commission voted against Staff's recommendation to approve the request to vacate and dispose of Baughn Street. City Council initially concurred with the Commission's recommendation, but reconsidered their decision at a subsequent meeting and approved the request.

On Case #SAV-21-007, City Council voted against the recommendation of both Staff and the Commission and approved the request to vacate and dispose of the east/west alley abutting 904 North 16<sup>th</sup> Street.

City Council concurred with the recommendation of both Staff and the Commission on the remaining cases.

### **Subdivisions:**

The Planning Commission heard two preliminary subdivision cases and two minor subdivision final plats in 2020. The Commission and City Council concurred with Staff's recommendation on all cases. A total of 207 lots received final plat approval by City Council in 2020.

### **Urban Renewal:**

There were no urban renewal cases in 2020.

### **Urban Revitalization:**

The Planning Commission heard four urban revitalization cases in 2020, as stated below:

- Create the Veterans Memorial Highway Urban Revitalization Area and adopt the required plan;
- Create the 5<sup>th</sup> & West Broadway Urban Revitalization Area and adopt the required plan;
- Create the 14<sup>th</sup> Avenue Urban Revitalization Area and adopt the required plan; and
- Amend the South Pointe Urban Revitalization Area to incorporate property addressed at 2105 Veterans Memorial Highway.

The Planning Commission and City Council concurred with Staff's recommendation on all cases.

### **Zoning Text Amendments:**

The Planning Commission heard five zoning text amendment cases in 2020, as stated below:

- Amend Section 15.33.020(A), Off-Street Parking, Loading and Unloading, General Provisions, relative to the applicability of the off-street parking provisions contained in Chapter 15.23 of the Municipal Code;
- Amend Chapter 15.19, P-I/Planned Industrial District, by adding ‘manufacturing, general’ and ‘retail shopping establishment’ as principal uses in the P-I District;
- Amend Chapter 15.13.050, A-P/Administrative-Professional District, Site Development Regulations, by adding additional language that allows any property, or combination of contiguous properties owned by the same person or entity, which contains a minimum of one and one-half acres of total land area, to adopt a site specific development plan;
- Amend Title 15: Zoning of the Municipal Code by repealing Chapter 15.32, CDO/Corridor Design Overlay and replacing it with Chapter 15.32A, West Broadway Corridor Design Overlay; and
- Amend Section 15.26.030(B), Abandonment of Nonconforming Uses, to allow a nonconforming use to cease for a continuous period of twelve (12) months before the subject use shall be required to conform to the use regulations of Title 15: Zoning of the Municipal Code.

The Planning Commission and City Council concurred with Staff’s recommendation on all cases.

## SUMMARY OF ACTIVITIES

## COMPREHENSIVE PLAN AMENDMENTS – 2020

| Case #    | Request  | Recommendation |          | Final Action  |
|-----------|--|----------------|----------|---|
|           |  | CD             | CPC      | City Council  |
| CP-20-001 | <b>Applicant:</b> City of Council Bluffs<br><br><b>Location:</b> Generally lying between West Broadway and 2 <sup>nd</sup> Avenue from South 19 <sup>th</sup> Street to South 21 <sup>st</sup> Street<br><br><b>Request:</b> Amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying multiple properties located in the West Broadway Corridor from Light Industrial to Multifamily/Mixed-Use | Approval       | Approval | Final Action: Approved<br><br>Resolution No. 20-249<br><br>Date: 10/12/2020 |
| CP-20-002 | <b>Applicant:</b> YMCA of Greater Omaha<br><br><b>Location:</b> West of 235 Harmony Street<br><br><b>Request:</b> Amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying the old St. Patrick's Church site from Low Density Residential to Local Commercial  | Approval       | Denial   | Final Action: Approved<br><br>Resolution No. 20-289<br><br>Date: 1/25/2021  |

## HISTORIC PRESERVATION – 2020

| Case #    | Request  | Recommendation |          | Final Action   |
|-----------|--|----------------|----------|--|
|           |  | CD             | CPC      | City Council   |
| HP-20-005 | <b>Applicant:</b> The 712 Initiative<br><br><b>Location:</b> 530 West Broadway<br><br><b>Request:</b> Local historic landmark designation of property commonly known as the 500 Block of West Broadway | Approval       | Approval | Final Action: Approved<br><br>Ordinance No. 6433<br><br>Date: 12/14/2020 |

## SUMMARY OF ACTIVITIES

## MISCELLANEOUS – 2020

| Case #     | Request   | Recommendation                           |  | Final Action   |
|------------|---|--|--|--|
|            |   | CD                                       | CPC                                      | City Council   |
| MIS-20-001 | <p><b>Applicant:</b> Council Bluffs Community Development Department</p> <p><b>Location:</b> A parcel of land bounded by West Broadway, South 34<sup>th</sup> Street, 2<sup>nd</sup> Avenue and South 32<sup>nd</sup> Street</p> <p><b>Request:</b> Release permanent and perpetual utility easements reserved over vacated east/west alleys in a parcel of land bounded by West Broadway, South 34<sup>th</sup> Street, 2<sup>nd</sup> Avenue and South 32<sup>nd</sup> Street</p> | Approval                                 | Approval                                 | <p>Final Action: Approved</p> <p>Resolution No. 20-32</p> <p>Date: 2/10/2020</p>   |
| MIS-20-003 | <p><b>Applicant:</b> Council Bluffs Community School District</p> <p><b>Location:</b> 100 North Avenue</p> <p><b>Request:</b> Adopt a site-specific signage plan for Gerald W. Kim Middle School</p>  | Approval                                 | Approval                                 | <p>Final Action: Approved</p> <p>Resolution No. 20-136</p> <p>Date: 5/18/2020</p>  |
| MIS-20-006 | <p><b>Applicant:</b> Lewis Central Community School District</p> <p><b>Location:</b> 3504 and 3820 Harry Langdon Boulevard</p> <p><b>Request:</b> Adopt a site-specific development plan for the Lewis Central Middle School/High School Campus</p>   | Approval                                 | Approval                                 | <p>Final Action: Approved</p> <p>Resolution No. 20-191</p> <p>Date: 8/10/2020</p>  |
| MIS-20-007 | <p><b>Applicant:</b> City of Council Bluffs</p> <p><b>Request:</b> Review proposed Capital Improvement Plan (CIP) for FY 2022-23 through FY 2025-26 for consistency with the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan)</p>  | Consistent w/ Bluffs Tomorrow: 2030 Plan | Consistent w/ Bluffs Tomorrow: 2030 Plan | <p>Final Action: Approved</p> <p>Resolution No. 20-280</p> <p>Date: 11/23/2020</p> |

## SUMMARY OF ACTIVITIES

## MIXED COMMERCIAL-RESIDENTIAL DISTRICTS – 2020

| Case #     | Request  | Recommendation |          | Final Action   |
|------------|--|----------------|----------|--|
|            |  | CD             | CPC      | City Council   |
| MCR-20-001 | <p><b>Applicant:</b> Council Bluffs Community Development Department</p> <p><b>Location:</b> A parcel of land bounded by West Broadway, South 34<sup>th</sup> Street, 2<sup>nd</sup> Avenue and South 32<sup>nd</sup> Street</p> <p><b>Request:</b> Adopt a mixed commercial-residential development plan on Lots 1 through 3, Main Line Subdivision</p> | Approval       | Approval | <p>Final Action: Approved</p> <p>Resolution No. 20-41</p> <p>Date: 2/10/2020</p> |

## PLANNED RESIDENTIAL OVERLAYS – 2020

| Case #       | Request   | Recommendation |          | Final Action  |
|--------------|---|----------------|----------|---|
|              |   | CD             | CPC      | City Council  |
| PR-16-003(M) | <p><b>Applicant:</b> Arun Agarwal</p> <p><b>Location:</b> Undeveloped land lying south of 1<sup>st</sup> Avenue between South 28<sup>th</sup> Street and South 29<sup>th</sup> Street</p> <p><b>Request:</b> Amend the adopted planned residential development plan for property legally described as Block 12, Bryant and Clark's Subdivision</p>  | Approval       | Approval | <p>Final Action: Approved</p> <p>Resolution No. 20-183</p> <p>Date: 7/27/2020</p> |
| PR-20-001    | <p><b>Applicant:</b> No Equity Homes</p> <p><b>Location:</b> Undeveloped land located northeast of 830 Franklin Avenue</p> <p><b>Request:</b> Adopt a planned residential development plan as required by the previously appended Planned Residential Overlay on property legally described as Lot 4, Auditor's Subdivision of the SE ¼ NE ¼ of Section 31-75-34, excluding City right-of-way</p> | Approval       | Approval | <p>Final Action: Approved</p> <p>Resolution No. 20-241</p> <p>Date: 9/28/2020</p> |

## SUMMARY OF ACTIVITIES

## PLANNED RESIDENTIAL OVERLAYS – 2020 (continued)

| Case #    | Request   | Recommendation |          | Final Action   |
|-----------|---|----------------|----------|--|
|           |   | CD             | CPC      | City Council   |
| PR-20-002 | <b>Applicant:</b> Knudson Companies<br><b>Location:</b> West of 1113 42 <sup>nd</sup> Avenue<br><b>Request:</b> Append a P-R/Planned Residential Overlay and adopt the associated planned residential development plan for The Landing on Lake Manawa | Approval       | Approval | Final Action: Approved<br>Resolution No. 20-225<br>Date: 9/14/2020 |

## REZONINGS – 2020

| Case #    | Request  | Recommendation |          | Final Action  |
|-----------|--|----------------|----------|---|
|           |  | CD             | CPC      | City Council  |
| ZC-20-001 | <b>Applicant:</b> Council Bluffs Community Development Department<br><b>Location:</b> A parcel of land bounded by West Broadway, South 34 <sup>th</sup> Street, 2 <sup>nd</sup> Avenue and South 32 <sup>nd</sup> Street<br><b>From:</b> C-2/Commercial District<br><b>To:</b> MCR/Mixed Commercial-Residential District | Approval       | Approval | Final Action: Approved<br>Ordinance No. 6405<br>Date: 2/24/2020         |
| ZC-20-002 | <b>Applicant:</b> Council Bluffs Community School District<br><b>Location:</b> 1205 North Broadway and 100 North Avenue<br><b>From:</b> R-3/Low Density Multifamily Residential District<br><b>To:</b> A-P/Administrative-Professional District  | Approval       | Approval | Final Action: Approved<br>Ordinances No. 6406 & 6407<br>Date: 5/18/2020 |



## SUMMARY OF ACTIVITIES

### REZONINGS – 2020 (continued)

| Case #    | Request   | Recommendation |          | Final Action   |
|-----------|---|----------------|----------|--|
|           |   | CD             | CPC      | City Council   |
| ZC-20-003 | <b>Applicant:</b> Cherry Ridge Construction<br><b>Location:</b> Northwest corner of South 35 <sup>th</sup> Street and 14 <sup>th</sup> Avenue<br><b>From:</b> P-C/Planned Commercial District<br><b>To:</b> C-2/Commercial District   | Approval       | Approval | Final Action: Approved<br>Ordinance No. 6415<br>Date: 7/13/2020  |
| ZC-20-004 | <b>Applicant:</b> Dew Right Properties LLC<br><b>Location:</b> 1728 and 1730 3 <sup>rd</sup> Avenue<br><b>From:</b> R-2/Two-Family Residential District<br><b>To:</b> R-3/Low Density Multifamily Residential District  | Approval       | Approval | Final Action: Approved<br>Ordinance No. 6408<br>Date: 6/8/2020   |
| ZC-20-005 | <b>Applicant:</b> Western Iowa Land Development and Authier Properties<br><b>Location:</b> Lying north of property commonly known as 5003 Council Pointe Road<br><b>From:</b> A-2/Parks, Estates and Agricultural District<br><b>To:</b> R-1/Single-Family Residential District | Approval       | Approval | Final Action: Approved<br>Ordinance No. 6430<br>Date: 10/26/2020 |
| ZC-20-006 | <b>Applicant:</b> No Equity Homes<br><b>Location:</b> Undeveloped land located northeast of 830 Franklin Avenue<br><b>From:</b> R-1/Single-Family Residential District<br><b>To:</b> R-3/Low Density Multifamily Residential District   | Approval       | Approval | Final Action: Approved<br>Ordinance No. 6423<br>Date: 9/28/2020  |

## SUMMARY OF ACTIVITIES

## REZONINGS – 2020 (continued)

| Case #    | Request  | Recommendation |          | Final Action   |
|-----------|--|----------------|----------|--|
|           |  | CD             | CPC      | City Council   |
| ZC-20-007 | <b>Applicant:</b> City of Council Bluffs<br><br><b>Location:</b> Generally lying north of Harry Langdon Boulevard, south of West Graham Avenue and east of High Street<br><br><b>From:</b> C-2/Commercial District<br><br><b>To:</b> R-3/Low Density Multifamily Residential District  | Approval       | Approval | Final Action: Approved<br><br>Ordinance No. 6421<br><br>Date: 8/10/2020  |
| ZC-20-008 | <b>Applicant:</b> Lewis Central Community School District<br><br><b>Location:</b> 3504 and 3820 Harry Langdon Boulevard<br><br><b>From:</b> R-1/Single-Family Residential District and C-2/Commercial District<br><br><b>To:</b> A-P/Administrative-Professional District  | Approval       | Approval | Final Action: Approved<br><br>Ordinance No. 6420<br><br>Date: 8/10/2020  |
| ZC-20-009 | <b>Applicant:</b> Knudson Companies<br><br><b>Location:</b> West of 1113 42 <sup>nd</sup> Avenue<br><br><b>From:</b> R-1/Single-Family Residential District and R-3/Low Density Multifamily Residential District<br><br><b>To:</b> R-1/Single-Family Residential District and R-4/High Density Multifamily Residential District  | Approval       | Approval | Final Action: Approved<br><br>Ordinance No. 6424<br><br>Date: 9/14/2020  |
| ZC-20-010 | <b>Applicant:</b> City of Council Bluffs<br><br><b>Location:</b> Generally along 1st Avenue, between South 13 <sup>th</sup> Street and South 16 <sup>th</sup> Street, between South 18 <sup>th</sup> Street and South 21 <sup>st</sup> Street, and between South 27 <sup>th</sup> Street and South 28 <sup>th</sup> Street<br><br><b>From:</b> I-1/Light Industrial District<br><br><b>To:</b> C-2/Commercial District | Approval       | Approval | Final Action: Approved<br><br>Ordinance No. 6426<br><br>Date: 10/26/2020 |

## SUMMARY OF ACTIVITIES

## REZONINGS – 2020 (continued)

| Case #    | Request  | Recommendation |        | Final Action  |
|-----------|--|----------------|--------|---|
|           |  | CD             | CPC    | City Council  |
| ZC-20-011 | <b>Applicant:</b> Caren C. Taylo<br><b>Location:</b> 1500 and 1506 Avenue ‘O’ and 1501 Avenue ‘P’<br><b>From:</b> C-2/Commercial District<br><b>To:</b> R-2/Two-Family Residential District                    | Denial         | Denial | Request withdrawn by applicant prior to consideration by City Council |
| ZC-20-012 | <b>Applicant:</b> YMCA of Greater Omaha<br><b>Location:</b> West of 235 Harmony Street<br><b>From:</b> R-3/Low Density Multifamily Residential District<br><b>To:</b> A-P/Administrative-Professional District | Approval       | Denial | Final Action: Approved<br>Ordinance No. 6435<br>Date: 2/8/2021        |

## STREET, ALLEY and RIGHT-OF-WAY VACATIONS – 2020

| Case #     | Request   | Recommendation |          | Final Action   |
|------------|---|----------------|----------|--|
|            |   | CD             | CPC      | City Council   |
| SAV-20-001 | <b>Applicant:</b> Council Bluffs Community Development Department<br><b>Location:</b> A parcel of land bounded by West Broadway, South 34 <sup>th</sup> Street, 2 <sup>nd</sup> Avenue and South 32 <sup>nd</sup> Street<br><b>Request:</b> Vacate and dispose of South 33 <sup>rd</sup> Street right-of-way lying between Blocks 7 and 8, Bryant and Clark’s Subdivision | Approval       | Approval | Final Action: Approved<br>Resolution No. 20-33<br>Date: 2/10/2020  |
| SAV-20-002 | <b>Applicant:</b> Cherry Ridge Construction<br><b>Location:</b> Northwest corner of South 35 <sup>th</sup> Street and 14 <sup>th</sup> Avenue<br><b>Request:</b> Vacate and dispose of the east/west alley platted in Block 37, Brown’s Subdivision   | Approval       | Approval | Final Action: Approved<br>Resolution No. 20-168<br>Date: 7/13/2020 |

## SUMMARY OF ACTIVITIES

## STREET, ALLEY and RIGHT-OF-WAY VACATIONS – 2020 (continued)

| Case #     | Request   | Recommendation |          | Final Action  |
|------------|---|----------------|----------|---|
|            |   | CD             | CPC      | City Council  |
| SAV-20-003 | <b>Applicant:</b> John M. and Susan L. McKinley<br><b>Location:</b> 1615 Henry Street and 124 Elliot Street<br><b>Request:</b> Vacate and dispose of the east/west alley platted in Block 1, Mynster Place  | Approval       | Approval | Final Action: Approved<br>Resolution No. 20-127<br>Date: 5/18/2020            |
| SAV-20-004 | <b>Applicant:</b> YMCA of Greater Omaha<br><b>Location:</b> Lying between Harmony Street and East Kanesville Boulevard<br><b>Request:</b> Vacate and dispose of Baughn Street right-of-way lying between Harmony Street and East Kanesville Boulevard                           | Approval       | Denial   | Final Action: Approved<br>Resolution No. 20-290<br>Date: 1/25/2021            |
| SAV-20-005 | <b>Applicant:</b> Knudson Companies<br><b>Location:</b> Lying between South 13 <sup>th</sup> Street and Indian Creek<br><b>Request:</b> Vacate and dispose of 42 <sup>nd</sup> Avenue right-of-way lying between South 13 <sup>th</sup> Street and Indian Creek                 | Approval       | Approval | Final Action: Approved<br>Resolution No. 20-224 (Amended)<br>Date: 9/28/2020  |
| SAV-20-006 | <b>Applicant:</b> Shoppes at Manawa LLC<br><b>Location:</b> East of 1030 Wright Road<br><b>Request:</b> Vacate and dispose of Michigan Avenue right-of-way abutting properties legally described as Lots 39 through 42, Raymona Subdivision                                     | Approval       | Approval | Final Action: Approved<br>Resolution No. 20-218 (Amended)<br>Date: 10/12/2020 |
| SAV-20-007 | <b>Applicant:</b> Gibbs Rental, LTD<br><b>Location:</b> North of 904 North 16 <sup>th</sup> Street<br><b>Request:</b> Vacate and dispose of the east/west alley abutting properties legally described as Lots 305 through 313 and Lots 332 through 340, all in Belmont Addition | Denial         | Denial   | Final Action: Approved<br>Resolution No. 20-217<br>Date: 9/14/2020            |

## SUMMARY OF ACTIVITIES

## SUBDIVISIONS – 2020

| Case #     | Request  | Recommendation |          | Final Action   |
|------------|--|----------------|----------|--|
|            |  | CD             | CPC      | City Council   |
| SUB-20-001 | <p><b>Applicant:</b> TS Development LLC</p> <p><b>Location:</b> A continuation of Balsam Street, Blackthorn Street, and Sycamore Street</p> <p><b>Request:</b> Preliminary plan approval of two residential subdivisions to be known as Whispering Oaks Subdivision, Phases III and IV</p>   | Approval       | Approval | <p>Final Action: Approved</p> <p>Resolution No. 20-24</p> <p>Date: 1/27/2020</p>   |
| SUB-20-002 | <p><b>Applicant:</b> Council Bluffs Community Development Department</p> <p><b>Location:</b> A parcel of land bounded by West Broadway, South 34<sup>th</sup> Street, 2<sup>nd</sup> Avenue and South 32<sup>nd</sup> Street</p> <p><b>Request:</b> Final plat approval for a three-lot subdivision to be known as Main Line Subdivision</p> | Approval       | Approval | <p>Final Action: Approved</p> <p>Resolution No. 20-34</p> <p>Date: 2/10/2020</p>   |
| SUB-20-004 | <p><b>Applicant:</b> Western Iowa Land Development and Authier Properties</p> <p><b>Location:</b> Lying north of property commonly known as 5003 Council Pointe Road</p> <p><b>Request:</b> Final plat approval for a two-lot residential subdivision to be known as Fox Run Landing, Replat 4</p>   | Approval       | Approval | <p>Final Action: Approved</p> <p>Resolution No. 20-256</p> <p>Date: 10/26/2020</p> |
| SUB-20-007 | <p><b>Applicant:</b> Knudson Companies</p> <p><b>Location:</b> West of 1113 42<sup>nd</sup> Avenue</p> <p><b>Request:</b> Preliminary plan approval of an 82-lot residential subdivision to be known as The Landing on Lake Manawa</p>   | Approval       | Approval | <p>Final Action: Approved</p> <p>Resolution No. 20-223</p> <p>Date: 9/14/2020</p>  |

## SUMMARY OF ACTIVITIES

## URBAN REVITALIZATION – 2020

| Case #     | Request  | Recommendation |          | Final Action   |
|------------|--|----------------|----------|--|
|            |  | CD             | CPC      | City Council   |
| URV-20-001 | <b>Applicant:</b> City of Council Bluffs<br><b>Location:</b> 706 Veterans Memorial Highway<br><b>Request:</b> Create the Veterans Memorial Highway Urban Revitalization Area and adopt the required plan   | Approval       | Approval | Final Action: Approved<br>Resolution No. 20-69<br>Date: 3/23/2020<br>Ordinance No. 6409<br>Date: 5/18/2020     |
| URV-20-002 | <b>Applicant:</b> City of Council Bluffs<br><b>Location:</b> An area generally bounded by West Kanesville Boulevard, West Broadway, North Main Street and South 6 <sup>th</sup> Street (excludes property commonly known as TS Bank)<br><b>Request:</b> Create the 5 <sup>th</sup> & West Broadway Urban Revitalization Area and adopt the required plan | Approval       | Approval | Final Action: Approved<br>Resolution No. 20-93<br>Date: 4/6/2020<br>Ordinance No. 6411<br>Date: 6/8/2020       |
| URV-20-003 | <b>Applicant:</b> City of Council Bluffs<br><b>Location:</b> Northwest corner of South 35 <sup>th</sup> Street and 14 <sup>th</sup> Avenue<br><b>Request:</b> Create the 14 <sup>th</sup> Avenue Urban Revitalization Area and adopt the required plan   | Approval       | Approval | Final Action: Approved<br>Resolution No. 20-92<br>Date: 4/6/2020<br>Ordinance No. 6412<br>Date: 6/8/2020       |
| URV-20-004 | <b>Applicant:</b> City of Council Bluffs<br><b>Location:</b> 2105 Veterans Memorial Highway<br><b>Request:</b> Amend the South Pointe Urban Revitalization Area by adding property addressed at 2105 Veterans Memorial Highway   | Approval       | Approval | Final Action: Approved<br>Resolution No. 20-126<br>Date: 5/18/2020<br>Resolution No. 20-156<br>Date: 6/22/2020 |



## SUMMARY OF ACTIVITIES

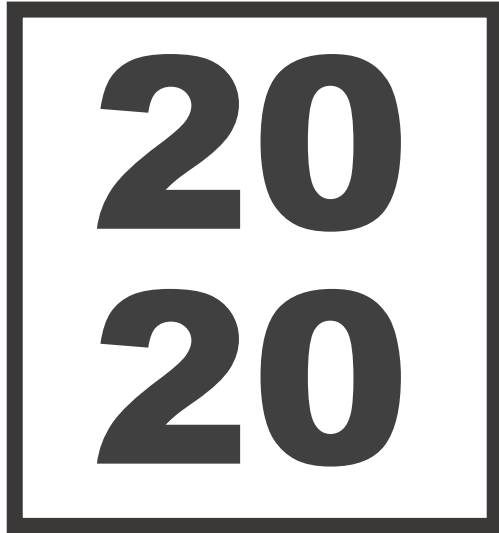
## ZONING TEXT AMENDMENTS – 2020

| Case #    | Request  | Recommendation |          | Final Action   |
|-----------|--|----------------|----------|--|
|           |  | CD             | CPC      | City Council   |
| ZT-20-001 | <b>Applicant:</b> Council Bluffs Community Development Department<br><br><b>Request:</b> Amend Section 15.33.020(A), <u>Off-Street Parking, Loading and Unloading, General Provisions</u> , relative to the applicability of the off-street parking provisions contained in Chapter 15.23 of the Municipal Code  | Approval       | Approval | Final Action: Approved<br><br>Ordinance No. 6414<br><br>Date: 6/22/2020  |
| ZT-20-002 | <b>Applicant:</b> Council Bluffs Community Development Department<br><br><b>Request:</b> Amend Chapter 15.19, <u>P-I/Planned Industrial District</u> , by adding ‘manufacturing, general’ and ‘retail shopping establishment’ as principal uses in the P-I District  | Approval       | Approval | Final Action: Approved<br><br>Ordinance No. 6416<br><br>Date: 7/13/2020  |
| ZT-20-003 | <b>Applicant:</b> Lewis Central Community School District<br><br><b>Request:</b> Amend Chapter 15.13.050, <u>A-P/Administrative-Professional District, Site Development Regulations</u> , by adding additional language that allows any property, or combination of contiguous properties owned by the same person or entity, which contains a minimum of one and one-half acres of total land area, to adopt a site specific development plan | Approval       | Approval | Final Action: Approved<br><br>Ordinance No. 6422<br><br>Date: 8/10/2020  |
| ZT-20-004 | <b>Applicant:</b> City of Council Bluffs<br><br><b>Request:</b> Amend Title 15: <u>Zoning</u> of the Municipal Code by repealing Chapter 15.32, <u>CDO/Corridor Design Overlay</u> , and replacing it with Chapter 15.32A, <u>West Broadway Corridor Design Overlay</u>  | Approval       | Approval | Final Action: Approved<br><br>Ordinance No. 6427<br><br>Date: 10/12/2020 |

## SUMMARY OF ACTIVITIES

## ZONING TEXT AMENDMENTS – 2020 (continued)

| Case #    | Request  | Recommendation |          | Final Action  |
|-----------|--|----------------|----------|---|
|           |  | CD             | CPC      | City Council  |
| ZT-20-005 | <p><b>Applicant:</b> Council Bluffs Community Development Department</p> <p><b>Request:</b> Amend Section 15.26.030(B), <u>Abandonment of Nonconforming Uses</u>, to allow a nonconforming use to cease for a continuous period of twelve (12) months before the subject use shall be required to conform to the use regulations of Title 15: Zoning of the Municipal Code</p> | Approval       | Approval | <p>Final Action: Approved</p> <p>Ordinance No. 6434</p> <p>Date: 12/14/2020</p> |



## **ZONING ENFORCEMENT SUMMARY REPORT**

Prepared by: Community Development Department  
Address: 209 Pearl Street, Council Bluffs, IA 51503  
Date: April 21, 2021

## OVERVIEW

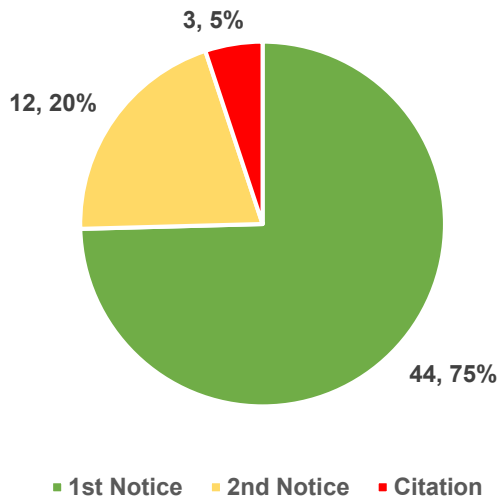
The 2020 Zoning Enforcement Summary Report provides an update on enforcement of the City's Zoning Ordinance. Zoning code enforcement is carried out by Community Development Department staff who oversee compliance with Title 15: Zoning of the Municipal Code. Some of the most common violation categories include: sign, parking, fence, lighting, and land use.

This document provides a summary of all zoning code enforcement cases in 2020, including all cases resulting from citizen complaints and observation by staff.

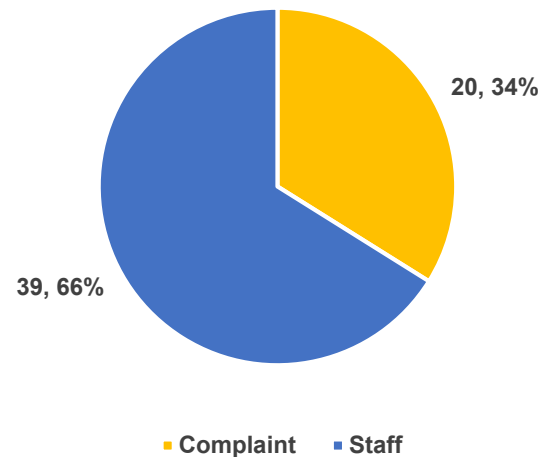
## SUMMARY OF ENFORCEMENT

The figures below summarize the results of all closed zoning enforcement cases that were between January 1, 2020 and December 31, 2020. A total of 69 cases were opened, 86 percent of which were closed.

HIGHEST ENFORCEMENT ACTION TAKEN FOR COMPLIANCE



COMPLAINT V. STAFF OBSERVATION



## SUMMARY OF CASES BY VIOLATION TYPE

Of the 59 cases that were closed, the majority of cases were closed after the first notice of violation (75 percent). Twenty percent were closed after the second notice of violation. Only three (3) citations were issued, resulting in a 95 percent voluntary compliance rate.

The 59 cases spanned over eight violation types, referred to throughout this report as: living in RV, vehicle, illegal use, illegal structure, fence, sign, RV and boat. These violation types are defined below:

**Living in RV**—a living in an RV violation occurs when a recreational vehicle is occupied for living, sleeping or housekeeping purposes for a period not exceeding seventy-two (72) consecutive hours and not more than fourteen (14) days in any calendar year.

**Vehicle**—a vehicle violation occurs when a vehicle is parked on an unpaved surface and/or in the front yard setback.

**Illegal use**—an illegal use violation occurs when any use outside those listed as principal or conditional in any given zoning district is present. Violations of conditional use permits are also included in this category.

**Illegal structure**—an illegal structure violation occurs when any structure is in violation of the site development regulations of the zoning ordinance, including: minimum required setbacks, maximum height restrictions, or lot coverage violations.

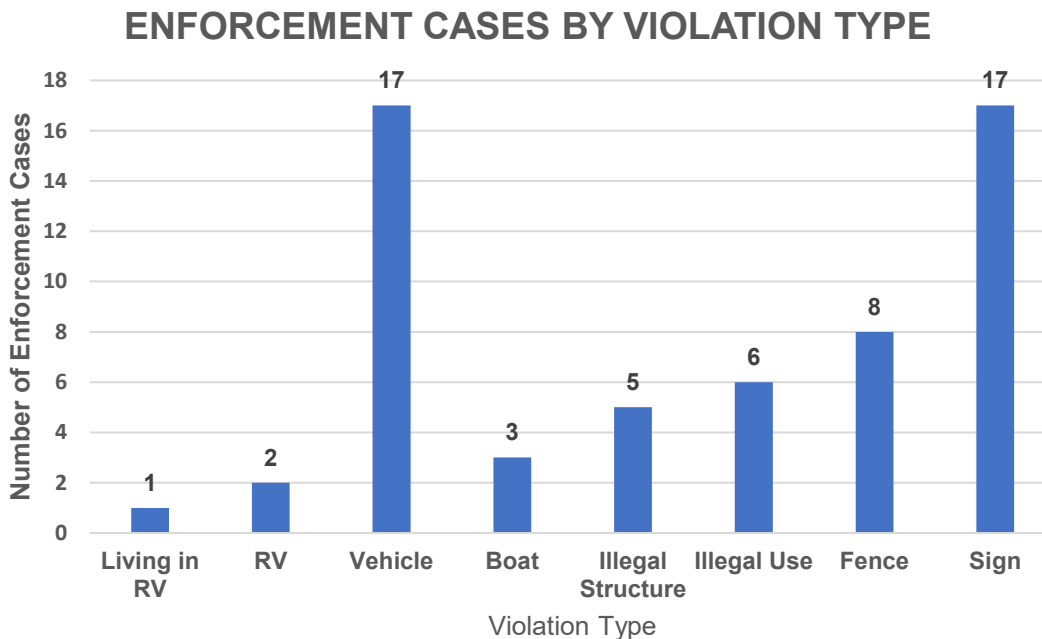
**Fence**—a fence violation occurs when a fence exceeds the maximum height allowed uses barbed wire or is electrically charged outside of the allowed zoning districts; is placed inside a sight triangle; has the finished side facing inward; or has not been properly maintained.

**Sign**—a sign violation includes the use of prohibited sign types (i.e. portable, above peak roof, off-premises, inflatable, etc.) and the installation of a sign without an approved permit.

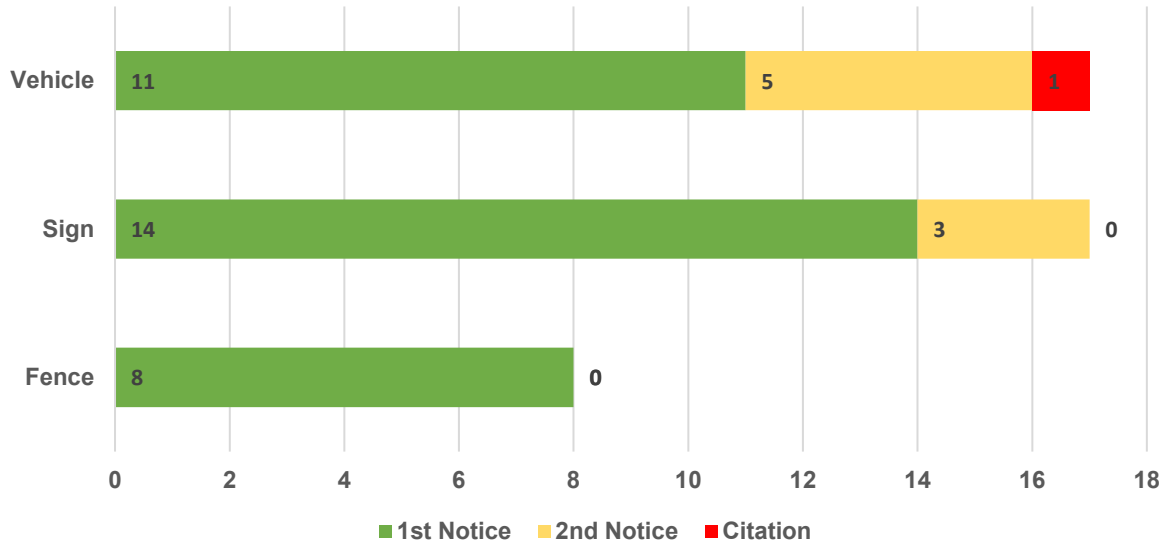
**RV**—a recreational vehicle (RV) violation occurs when a RV is parked on an unpaved surface and/or in the front yard setback.

**Boat**—a boat violation occurs when a boat is parked on an unpaved surface and/or in the front yard setback

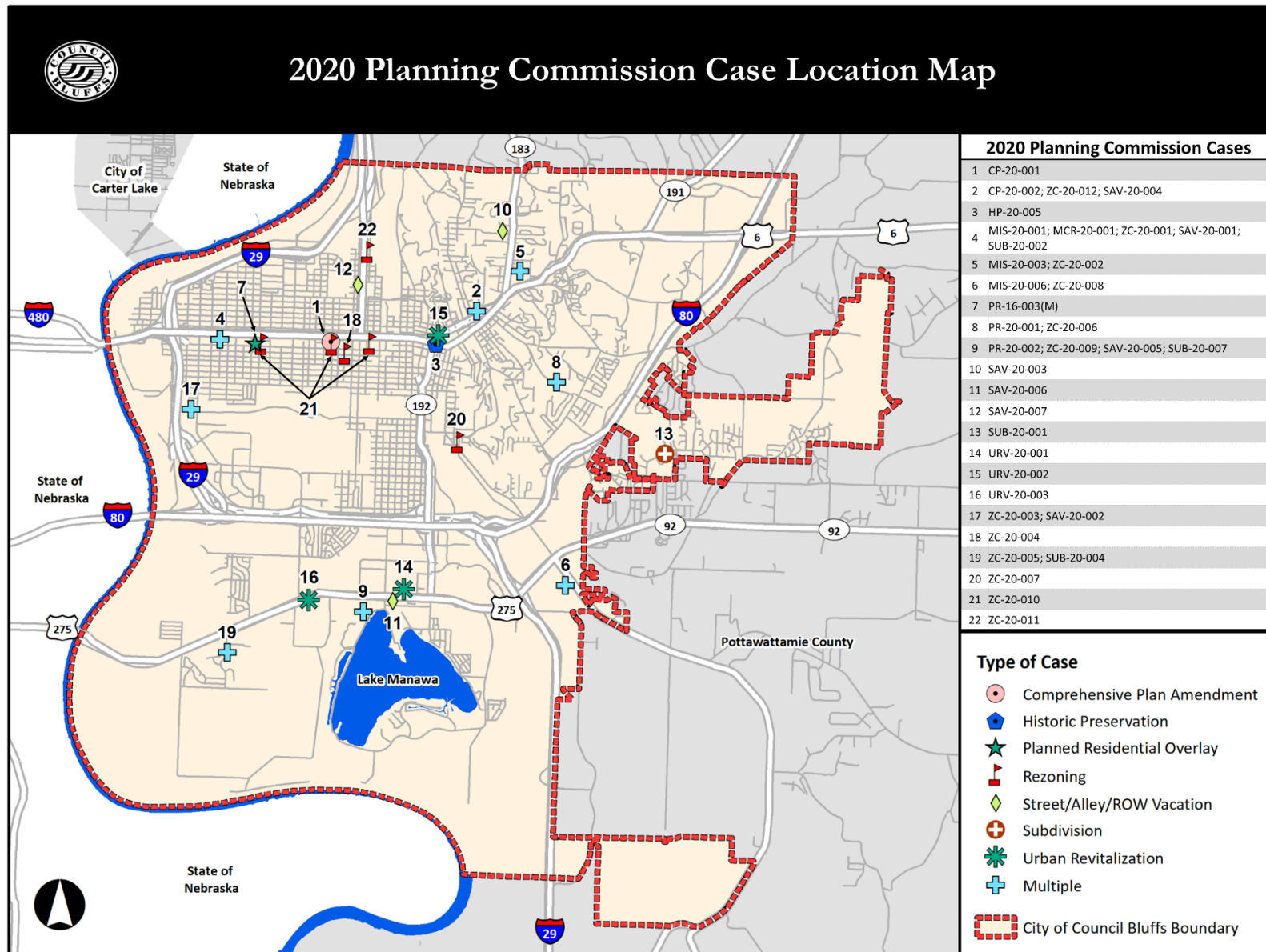
The top three violation types were: vehicles (28%), signs (28%), and fences (14%).



## ENFORCEMENT ACTION FOR TOP 3 VIOLATIONS

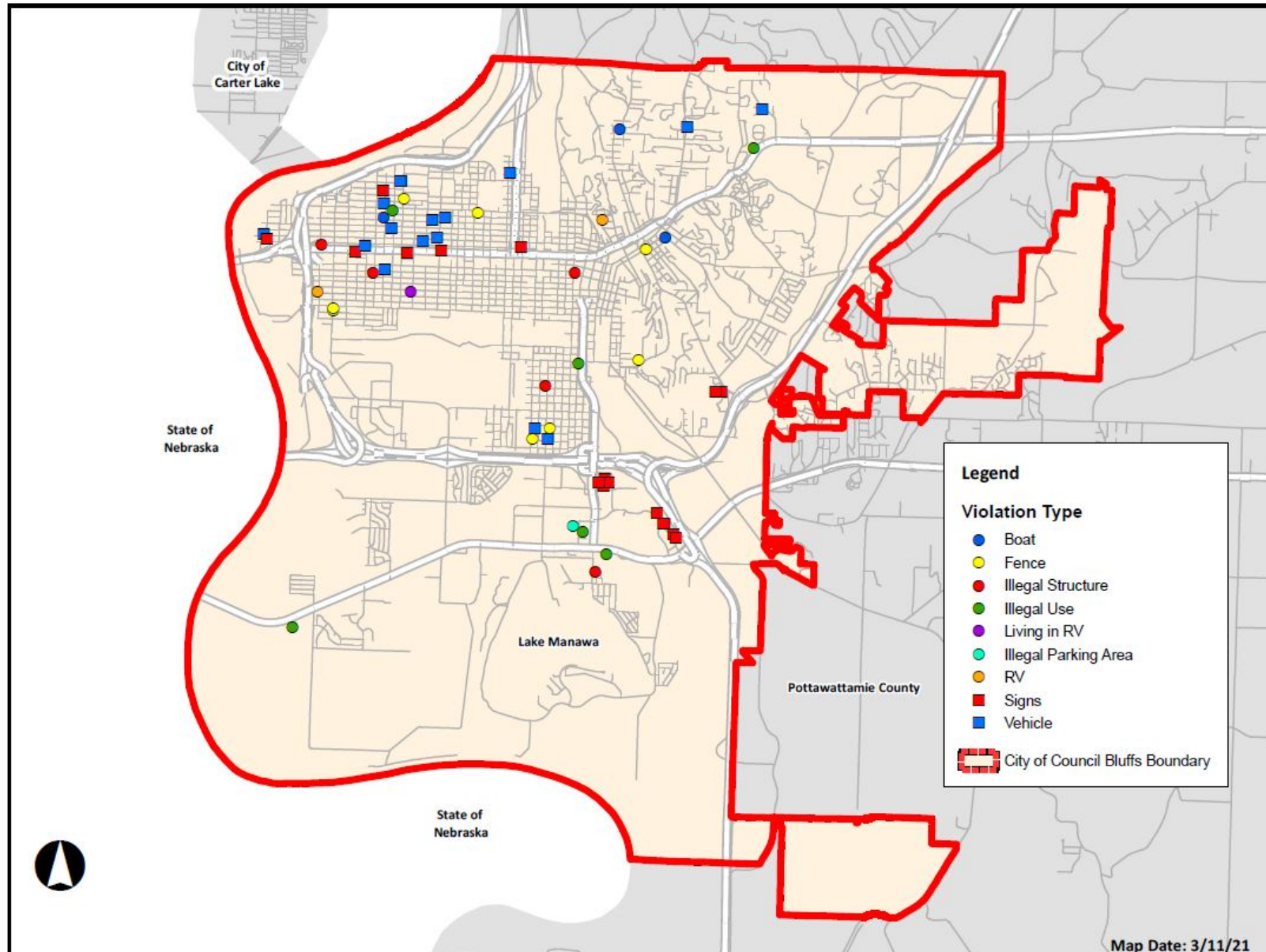




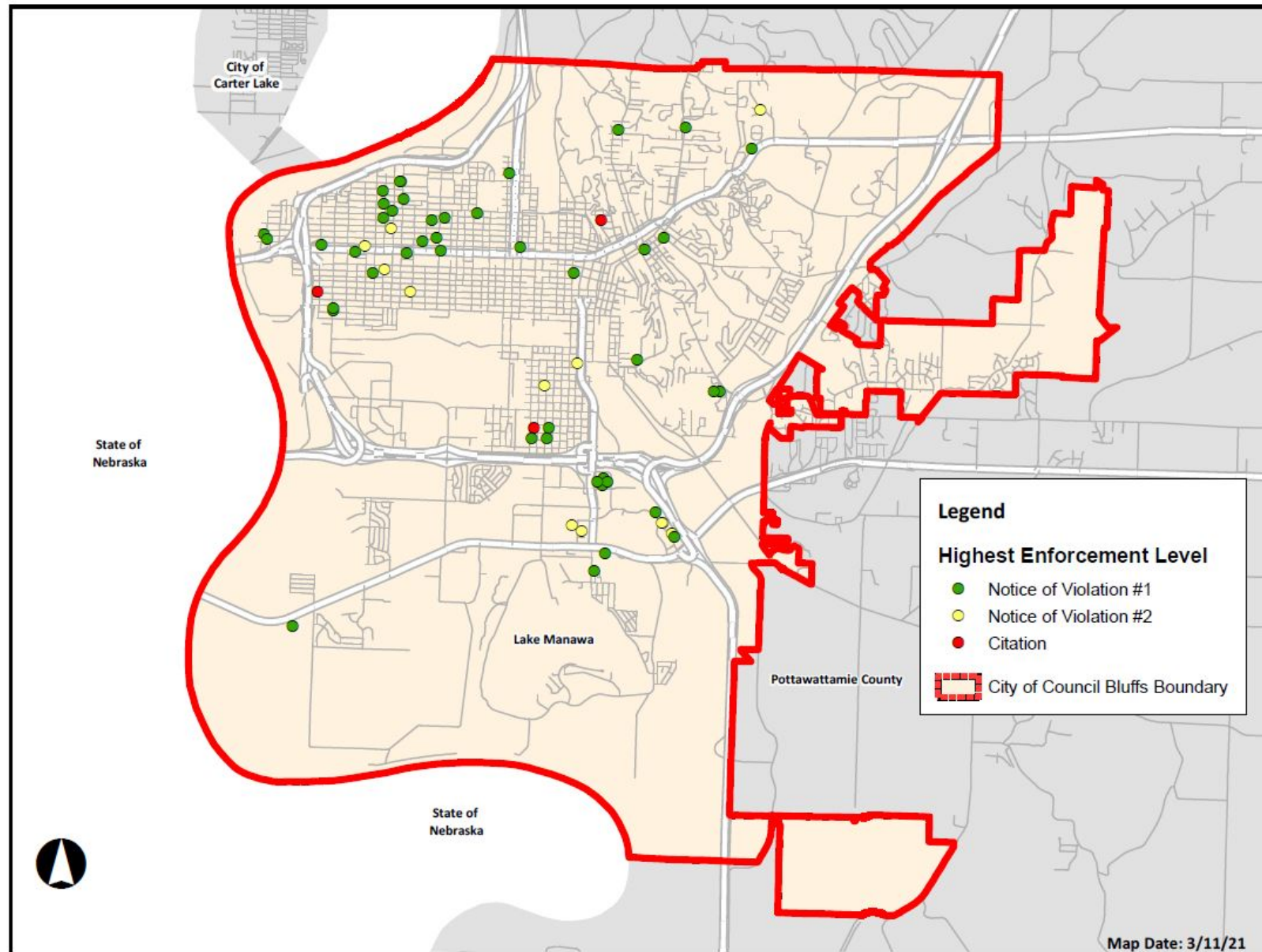


Map Date: 3/17/21

## Zoning Enforcement Closed Cases 2020 - By Violation Type

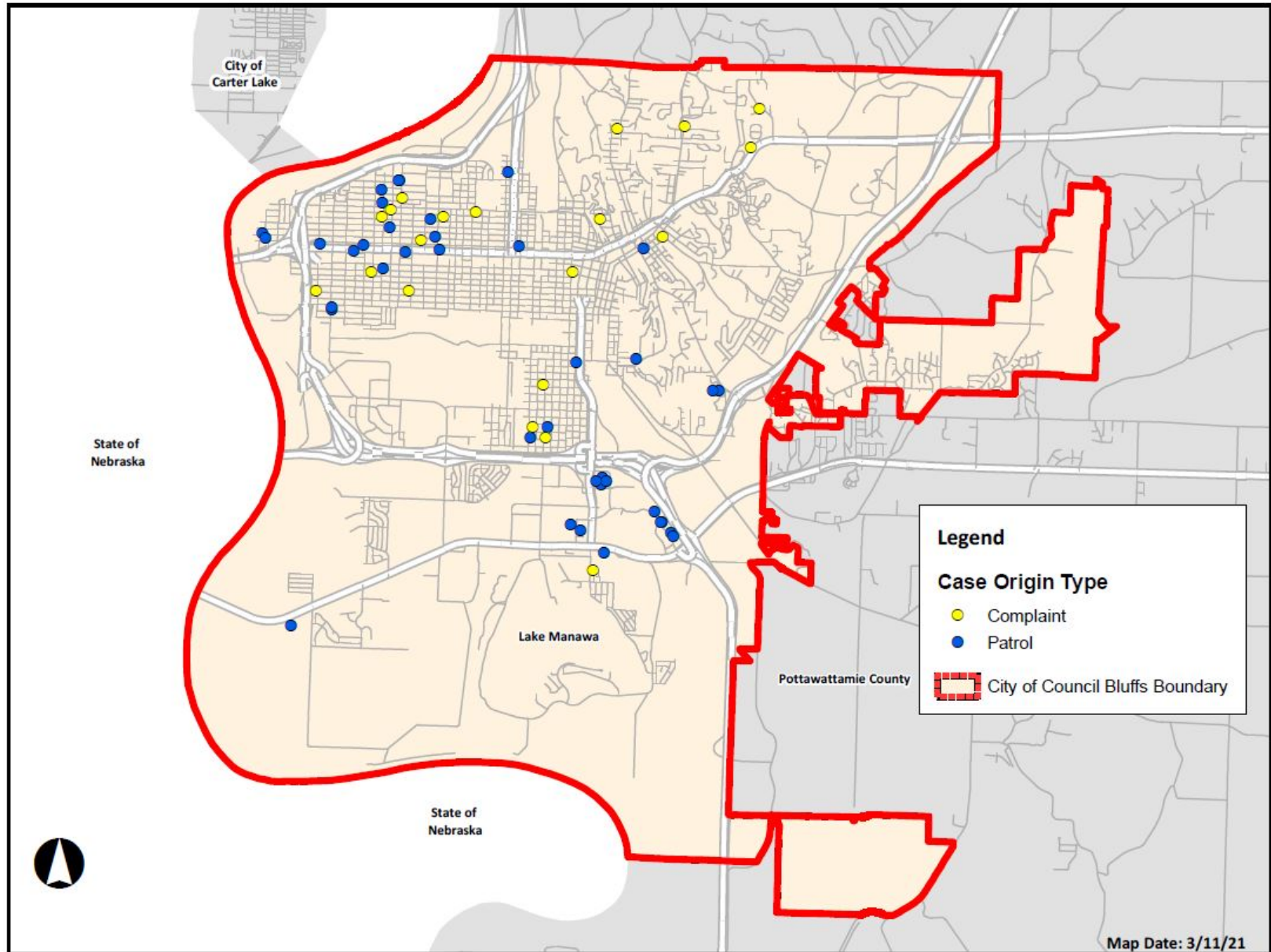


## Zoning Enforcement Closed Cases 2020 - By Enforcement Level





## Zoning Enforcement Closed Cases 2020 - By Case Origin Type



## Council Communication

Department: Finance  
Case/Project No.:  
Submitted by: Finance

February FY21 Financial Reports  
ITEM 3.M.

Council Action: 4/26/2021

### Description

### Background/Discussion

### Recommendation

### ATTACHMENTS:

| Description                       | Type  | Upload Date |
|-----------------------------------|-------|-------------|
| Expenditures by Vendor            | Other | 4/15/2021   |
| Expenditures by Amount            | Other | 4/15/2021   |
| Receipts and Expenditures by Fund | Other | 4/15/2021   |

**CITY OF COUNCIL BLUFFS**  
**EXPENDITURES**  
**FEBRUARY FY21**  
**(\$'S)**

| VENDOR                                   | AMOUNT       | DESCRIPTION               |
|--|--------------|---------------------------|
| 2ND WIND EXERCISE EQUIPMENT INC          | \$370.00     | EQUIPMENT/PARTS           |
| A + UNITED RADIATOR REPAIR INC.          | \$550.00     | REPAIRS & MAINTENANCE     |
| ABLE LOCKSMITHS                          | \$1,910.00   | PROFESSIONAL SVCS         |
| ACTION TARGET                            | \$295,483.00 | EQUIPMENT/PARTS           |
| AGRIVISION EQUIPMENT GROUP               | \$1,513.83   | EQUIPMENT/PARTS           |
| AHLERS & COONEY P.C                      | \$2,759.50   | LEGAL SERVICES            |
| AIR CLEANING TECHNOLOGIES INC            | \$554.75     | EQUIPMENT/PARTS           |
| ALEGENT CREIGHTON HEALTH                 | \$16,367.62  | PROFESSIONAL SVCS         |
| ALEXIA J GREGG                           | \$3,500.00   | LEGAL CLAIM               |
| ALLEY POYNER MACCHIETTO ARCHITECTURE INC | \$1,220.00   | REPAIRS & MAINTENANCE     |
| ALLIED ELECTRONICS INCORPORATED          | \$1,729.00   | SUPPLIES                  |
| ALLIED OIL & TIRE COMPANY                | \$1,143.58   | SUPPLIES                  |
| ALUMITANK INCORPORATED                   | \$864.90     | EQUIPMENT/PARTS           |
| ALVARADO UPHOLSTERING                    | \$775.00     | REPAIRS & MAINTENANCE     |
| AMERICAN FENCE STORE INC                 | \$1,261.56   | REPAIRS & MAINTENANCE     |
| AMERICAN NATIONAL BANK                   | \$58.25      | BANK SERVICES             |
| AMERITAS LIFE INS CORP                   | \$32.35      | DODGE OPERATING EXPENSE   |
| AQSEPTENCE GROUP INC                     | \$1,716.53   | EQUIPMENT/PARTS           |
| ARNOLD MOTOR SUPPLY, LLP                 | \$6,343.43   | EQUIPMENT/PARTS           |
| ATHLETICO EXCEL NEBRASKA LLC             | \$35.00      | PROFESSIONAL SVCS         |
| B & K MECHANICAL CONTRACTORS LLC         | \$649.50     | REPAIRS & MAINTENANCE     |
| B G PETERSON COMPANY                     | \$351.40     | SUPPLIES                  |
| BAKER & TAYLOR INC                       | \$6,727.63   | BOOKS/PERIODICALS/SUB     |
| BARNHART CRANE & RIGGING                 | \$2,760.00   | EQUIPMENT/PARTS           |
| BAUM HYDRAULICS CORP                     | \$26.46      | EQUIPMENT/PARTS           |
| BENJAMIN VAN RAALTE                      | \$375.00     | PROFESSIONAL SVCS         |
| BGNE INC.                                | \$373.26     | SUPPLIES                  |
| BLACK HILLS UTILITY HOLDINGS, INC.       | \$22,888.19  | NATURAL GAS               |
| BLACKSTONE AUDIO INC                     | \$1,153.33   | BOOKS/PERIODICALS/SUB     |
| BLUFFS ELECTRIC INC                      | \$18,220.13  | ELECTRICAL REPAIR         |
| BLUFFS TAXI & COURIER                    | \$565.20     | TRANSIT SERVICES          |
| BOBCAT OF OMAHA                          | \$1,884.31   | EQUIPMENT/PARTS           |
| BOFA                                     | \$163.69     | MAC OPERATING EXPENSE     |
| BOLTON & MENK                            | \$1,385.75   | CONSULTANT                |
| BOMGAARS SUPPLY INC                      | \$276.16     | SUPPLIES                  |
| BOUND TO STAY BOUND BOOKS INC            | \$576.15     | BOOKS/PERIODICALS/SUB     |
| BOUND TREE MEDICAL LLC                   | \$2,075.84   | MEDICAL SUPPLIES          |
| BRADLEY DEAN WILKENING                   | \$200.00     | PROFESSIONAL SVCS         |
| BRETT MCGEE                              | \$149.00     | REIMB EMPLOYEE EXPENSE    |
| BROADWAY PLAZA LLC                       | \$6,326.00   | PROPERTY ACQUISITION      |
| BROOMERS INC                             | \$450.00     | RE PARKING GARAGE EXPENSE |
| BUCK'S INC.                              | \$556.46     | VEHICLE WASH              |
| C & J INDUSTRIAL SUPPLY                  | \$383.50     | JANITORIAL SERVICE        |
| CABANA COFFEE                            | \$480.92     | MAC OPERATING EXPENSE     |
| CAESARS ENTERTAINMENT                    | \$70,000.00  | MAC OPERATING EXPENSE     |
| CALEB RAINEY                             | \$150.00     | PROFESSIONAL SVCS         |
| CANON SOLUTIONS AMERICA INC              | \$146.10     | COPY/PRINTER MAINTANCE    |

|   |              |                             |
|---|--------------|-----------------------------|
| CARLEY CONSTRUCTION LLC                 | \$55,256.81  | CONSTRUCTION                |
| CAROLINA SOFTWARE INC                   | \$169.53     | HARDWARE/SOFTWARE           |
| CATHERINE L PRUCHA                      | \$1,250.00   | LEGAL CLAIM                 |
| CAVENDISH SQUARE PUBLISHING LLC         | \$195.54     | BOOKS/PERIODICALS/SUB       |
| CENTER POINT LARGE PRINT                | \$269.64     | BOOKS/PERIODICALS/SUB       |
| CENTURYLINK                             | \$714.45     | TELEPHONE                   |
| CERTIFIED TRANSMISSION                  | \$3,355.55   | REPAIRS & MAINTENANCE       |
| CHAMPLIN TIRE RECYCLING INC             | \$1,852.50   | TIRE DISPOSAL               |
| CHEMSEARCH FE                           | \$528.39     | SUPPLIES                    |
| CHILD SUPPORT SERVICES DIVISION         | \$514.32     | PAYROLL RELATED             |
| CHRISTINE D ANDERSON                    | \$15.12      | REIMB EMPLOYEE EXPENSE      |
| CITY OF COUNCIL BLUFFS-DEPENDENT        | \$3,966.62   | PAYROLL RELATED             |
| CITY OF COUNCIL BLUFFS-FLEX             | \$8,180.12   | PAYROLL RELATED             |
| CITY OF OMAHA                           | \$130,000.00 | CONTRACT AGREEMENT          |
| CITY TREASURER                          | \$2,738.12   | DODGE OPERATING EXPENSE     |
| CIVICPLUS                               | \$1,134.35   | HARDWARE/SOFTWARE           |
| CLARK EQUIPMENT COMPANY                 | \$8,581.59   | EQUIPMENT/PARTS             |
| CLOVERLEAF TOOL CO                      | \$1,529.42   | SUPPLIES                    |
| COLLECTION SERVICES CENTER              | \$8,186.68   | PAYROLL RELATED             |
| COMPASSCOM SOFTWARE CORPORATION         | \$6,208.27   | HARDWARE/SOFTWARE           |
| CONCRETE HOLDINGS OMAHA, INC            | \$1,446.25   | STREET MAINTENANCE SUPLS    |
| CONTINENTAL ALARM & DETECTION CO        | \$460.00     | REPAIRS & MAINTENANCE       |
| CORNHUSKER INTERNATIONAL TRUCKS         | \$2,078.93   | EQUIPMENT/PARTS             |
| COUNCIL BLUFFS AIRPORT AUTHORITY        | \$5,502.58   | AIRPORT AUTH TAX            |
| COUNCIL BLUFFS WATER WORKS              | \$5,994.94   | WATER                       |
| COUNCIL BLUFFS WINSUPPLY                | \$52.17      | SUPPLIES                    |
| COX BUSINESS                            | \$126.18     | DODGE OPERATING EXPENSE     |
| COX COMMUNICATION INC                   | \$16,525.58  | PHONE/INTERNET SVC          |
| COX SUBSCRIPTIONS                       | \$126.48     | SUBSCRIPTION                |
| CREDIT BUREAU OF COUNCIL BLUFFS, INC    | \$11.00      | PROFESSIONAL SVCS           |
| CSI/SSP INC                             | \$670.88     | PRINTING/BINDING            |
| D & D CONSTRUCTION SERVICES INC         | \$29,050.00  | CONSTRUCTION                |
| D&K PROJECTS                            | \$295.21     | DODGE OPERATING EXPENSE     |
| DAILY NONPAREIL                         | \$144.53     | ADVERTISEMENT               |
| DALES TRASH SERVICE INC                 | \$143.00     | RENTAL EXPS                 |
| DAVID C ANDERSEN                        | \$572.00     | CONSTRUCTION                |
| DAVID W WOODY                           | \$149.50     | SUPPLIES                    |
| DAVID'S ELECTRIC INC                    | \$2,100.00   | ELECTRICAL REPAIR           |
| DAVIS EQUIPMENT CORPORATION             | \$302.80     | EQUIPMENT/PARTS             |
| DELL MARKETING L P                      | \$4,086.90   | HARDWARE/SOFTWARE           |
| DEX MEDIA, INC.                         | \$1,067.50   | ADVERTISEMENT               |
| DH PACE COMPANY INC                     | \$11,986.39  | REPAIRS & MAINTENANCE       |
| DIAMOND MARKETING SOLUTIONS GROUP, INC. | \$13,104.40  | POSTAGE & PRINTING          |
| DIANA PEREZ                             | \$200.00     | DODGE OPERATING EXPENSE     |
| DMG INC                                 | \$12,412.46  | ELECTRICAL REPAIR           |
| DODGE BANK & CR CARD FEES               | \$125.77     | DODGE OPERATING EXPENSE     |
| DODGE RIVERSIDE PAYROLL                 | \$16,084.01  | DODGE OPERATING EXPENSE     |
| DODGE RIVERSIDE SALES TAX               | \$391.00     | DODGE OPERATING EXPENSE     |
| DOLL DISTRIBUTING LLC                   | \$387.30     | DODGE OPERATING EXPENSE     |
| DONALD W MATHEWS                        | \$1,608.16   | VEHICLE REPAIR              |
| DONS PIONEER UNIFORMS                   | \$1,033.70   | UNIFORMS                    |
| DRAKE-WILLIAMS STEEL INC                | \$300.00     | REPAIRS & MAINTENANCE       |
| DUANE D FOSTER                          | \$10,000.00  | BUSINESS ASSISTANCE PROGRAM |
| DUKE RENTALS                            | \$462.70     | RENTAL EXPS                 |
| DULTMEIER SALES LLC                     | \$80.00      | SUPPLIES                    |



|  |              |                         |
|--|--------------|-------------------------|
| ECHO GROUP                             | \$9,991.05   | SUPPLIES                |
| ECOSOLUTIONS INC                       | \$714.75     | SUPPLIES                |
| EDWARD JAMES BREWSTER JR               | \$150.00     | PROFESSIONAL SVCS       |
| EDWARDS CHEVROLET-CADILLAC INC         | \$2,847.88   | EQUIPMENT/PARTS         |
| EFTPS                                  | \$574,841.70 | PAYROLL RELATED         |
| EHRHART GRIFFIN & ASSOCIATES INC       | \$42,951.25  | CONSULTANT              |
| ELAVON INC                             | \$5,885.97   | FEES                    |
| ELECTRIC PUMP                          | \$10,999.27  | EQUIPMENT/PARTS         |
| EMPLOYERS MUTUAL CASUALTY COMPANY      | \$107,717.36 | INSURANCE               |
| ENDRESS & HAUSER                       | \$1,887.12   | SUPPLIES                |
| ENTERPRISE FM TRUST                    | \$699.88     | RENTAL EXPS             |
| ERRIN GUNDERSON                        | \$105.00     | MOWING/GROUNDS MAINT    |
| FACTORY MOTOR PARTS                    | \$1,625.54   | EQUIPMENT/PARTS         |
| FAMILY HOUSING ADVISORY SERVICES, INC. | \$30,000.00  | GRANT REIMBURSEMENT     |
| FED EX                                 | \$18.07      | DODGE OPERATING EXPENSE |
| FEH ASSOCIATES INC                     | \$20,167.75  | CONSULTANT              |
| FELD FIRE                              | \$125.22     | EQUIPMENT/PARTS         |
| FELSBURG HOLT & ULLEVIG INC            | \$21,426.66  | PROFESSIONAL SVCS       |
| FIRST NATIONAL BANK PCARDS             | \$576.69     | DODGE OPERATING EXPENSE |
| FORCE AMERICA DISTRIBUTING LLC         | \$39.41      | EQUIPMENT/PARTS         |
| FORTE PAYMENT SYSTEMS INC              | \$355.52     | EQUIPMENT/PARTS         |
| FOSTERS INC                            | \$3,056.30   | EQUIPMENT/PARTS         |
| FOUNTAIN PEOPLE INC                    | \$2,591.00   | EQUIPMENT/PARTS         |
| FUNNEL CAKE                            | \$466.64     | MAC OPERATING EXPENSE   |
| GALLS PARENT HOLDING, LLC              | \$318.09     | EQUIPMENT/PARTS         |
| GARAGE DOOR SERVICES                   | \$85.00      | REPAIRS & MAINTENANCE   |
| GELCO SUPPLY INC                       | \$945.92     | EQUIPMENT/PARTS         |
| GENIE PEST CONTROL                     | \$35.00      | DODGE OPERATING EXPENSE |
| GENIE SERVICES LLC                     | \$238.40     | PEST CONTROL            |
| GREAT AMERICA FINANCIAL SERV           | \$123.38     | DODGE OPERATING EXPENSE |
| GREATAMERICA FINANCIAL SERVICES CORP   | \$291.09     | LEASE                   |
| GRP & ASSOCIATES                       | \$123.00     | SUPPLIES                |
| HACH COMPANY                           | \$831.00     | EQUIPMENT/PARTS         |
| HARBIN CONSTRUCTION INC                | \$32,243.25  | CONSTRUCTION            |
| HARRIS GOLF CARS                       | \$250.00     | DODGE OPERATING EXPENSE |
| HDR ENGINEERING INC                    | \$55,247.92  | PROFESSIONAL SVCS       |
| HEARTLAND CO-OP                        | \$38.00      | FUEL                    |
| HEARTLAND DOCUMENT SERVICES INC.       | \$1,289.00   | JANITORIAL SERVICE      |
| HEARTLAND FAMILY SERVICES              | \$16,951.50  | CONSULTANT              |
| HEARTLAND TIRES & TREADS INC           | \$4,488.73   | TIRE REPLACEMENT/REPAIR |
| HGM ASSOCIATES INC                     | \$75,295.15  | CONSULTANT              |
| HISTORIC GENERAL DODGE HOUSE INC       | \$18,750.00  | CONTRIBUTIONS           |
| HUMAN SERVICES ADVISORY COUNCIL INC    | \$50.00      | DUES/MEMBERSHIP         |
| I-80 LIQUOR & TOBACCO                  | \$300.95     | DODGE OPERATING EXPENSE |
| IA INSPECTION & APPEALS                | \$300.00     | DODGE OPERATING EXPENSE |
| ICMA RETIREMENT TRUST - 457            | \$14,027.48  | PAYROLL RELATED         |
| IMPACT7G INC                           | \$3,800.00   | PROFESSIONAL SVCS       |
| INFO USA MARKETING INC                 | \$270.00     | FEES                    |
| INLAND TRUCK PARTS COMPANY INC         | \$624.25     | EQUIPMENT/PARTS         |
| INTERSTATE INDUSTRIAL INSTR., INC.     | \$259.31     | SUPPLIES                |
| IOWA DEPARTMENT OF HUMAN SERVICES      | \$2,413.16   | AMBULANCE BILLING FEE   |
| IOWA DEPARTMENT OF NATURAL RESOURCE    | \$59,415.00  | FEES                    |
| IOWA DEPARTMENT OF PUBLIC HEALTH       | \$750.00     | TRAINING                |
| IOWA DEPARTMENT OF REVENUE             | \$528.81     | PAYROLL RELATED         |
| IOWA DEPT OF INSPECTIONS & APPEALS     | \$300.00     | TRAINING                |

|   |              |                             |
|---|--------------|-----------------------------|
| IOWA DEPT OF REVENUE                      | \$120,339.00 | PAYROLL RELATED             |
| IOWA DEPT OF REVENUE                      | \$7,571.00   | MAC OPERATING EXPENSE       |
| IOWA DEPT OF TRANSPORTATION               | \$7,630.00   | CONSULTANT                  |
| IOWA DIVISION OF LABOR SERVICES           | \$200.00     | FEES                        |
| IOWA GOLF ASSOCIATION                     | \$690.00     | DODGE OPERATING EXPENSE     |
| IOWA HAZARDOUS MATERIALS TASK FORCE       | \$100.00     | DUES/MEMBERSHIP             |
| IOWA LAW ENFORCEMENT ACADEMY              | \$6,875.00   | TRAINING                    |
| IOWA LEAGUE OF CITIES                     | \$30.00      | FEES                        |
| IOWA MUNICIPAL FINANCE OFFICERS ASSOC     | \$50.00      | DUES/MEMBERSHIP             |
| IOWA PARK & RECREATION ASSOCIATION        | \$60.00      | TICKET SALES                |
| IOWA PRISON INDUSTRIES                    | \$7,554.71   | SUPPLIES                    |
| IOWA WASTE SERVICES HOLDINGS INC          | \$42,918.41  | SOLID WASTE DISPOSAL        |
| IOWA WORKFORCE DEVELOPMENT                | \$24,169.49  | UNEMPLOYEMENT               |
| IPERS                                     | \$212,318.73 | PAYROLL RELATED             |
| IPFS CORPORATION                          | \$598.11     | DODGE OPERATING EXPENSE     |
| JEFFREY T KOUBA                           | \$114.85     | PROFESSIONAL SVCS           |
| JEO CONSULTING GROUP INC                  | \$33,956.76  | CONSULTANT                  |
| JERICO SERVICES INC                       | \$2,156.04   | SUPPLIES                    |
| JERRY KENNEDY                             | \$600.00     | RENTAL EXPS                 |
| JIM HAWK TRUCK TRAILERS INC.              | \$185.50     | EQUIPMENT/PARTS             |
| JON NELSON                                | \$10,000.00  | BUSINESS ASSISTANCE PROGRAM |
| JONES AUTOMOTIVE                          | \$3,318.33   | EQUIPMENT/PARTS             |
| KELLY SUPPLY COMPANY                      | \$317.98     | EQUIPMENT/PARTS             |
| KELTEK, INCORPORATED                      | \$5,016.80   | EQUIPMENT/PARTS             |
| KEVIN J WOOD                              | \$250.00     | PROFESSIONAL SVCS           |
| KONICA MINOLTA BUSINESS SOLUTIONS USA     | \$812.00     | LEASE                       |
| KRONOS INCORPORATED                       | \$2,000.00   | HARDWARE/SOFTWARE           |
| KYLE RODENBURG                            | \$16.57      | REIMB EMPLOYEE EXPENSE      |
| LANDSCAPES GOLF MANAGEMENT                | \$11,080.45  | DODGE OPERATING EXPENSE     |
| LAWSON PRODUCTS INC                       | \$2,984.92   | SUPPLIES                    |
| LINKEDIN CORP                             | \$6,440.00   | DUES/MEMBERSHIP             |
| LOGAN CONTRACTORS SUPPLY INC              | \$521.53     | SUPPLIES                    |
| LORA FLOM                                 | \$80.95      | REIMB EMPLOYEE EXPENSE      |
| LORETTA GOESCHEL                          | \$19.04      | REIMB EMPLOYEE EXPENSE      |
| LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN | \$3,680.00   | PAYROLL RELATED             |
| LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN | \$280.00     | PAYROLL RELATED             |
| LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN | \$4,350.00   | PAYROLL RELATED             |
| LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN | \$1,250.00   | PAYROLL RELATED             |
| MARCO HOLDINGS, LLC                       | \$37,371.88  | COPY/PRINTER MAINTANCE      |
| MATHESON TRI GAS INC.                     | \$937.42     | SUPPLIES                    |
| MATTHEW BALL                              | \$250.00     | PROFESSIONAL SVCS           |
| MATTHEW KUHLMANN                          | \$1,040.00   | MAC OPERATING EXPENSE       |
| MAX I WALKER UNIFORM & APPAREL            | \$918.37     | UNIFORMS                    |
| MCINTOSH PLUMBING INC                     | \$557.00     | PLUMBING NEW OR REPAIR      |
| MCMULLEN FORD INC                         | \$1,074.59   | EQUIPMENT/PARTS             |
| MECHANICAL SALES INC.                     | \$165.00     | SUPPLIES                    |
| METRO COALITION                           | \$4,057.37   | FEES                        |
| MFPRSI                                    | \$467,784.32 | PAYROLL RELATED             |
| MICHAEL O'BRADOVICH                       | \$2,400.00   | PROFESSIONAL SVCS           |
| MICHAEL TODD AND COMPANY INC              | \$1,590.79   | EQUIPMENT/PARTS             |
| MID AMERICAN ENERGY CO                    | \$1,431.33   | RE PARKING GARAGE EXPENSE   |
| MID STATES BANK                           | \$219.72     | MAC OPERATING EXPENSE       |
| MIDAMERICAN ENERGY COMPANY                | \$5.33       | ELECTRICITY                 |
| MIDLANDS HUMANE SOCIETY                   | \$10,328.17  | CONTRACT AGREEMENT          |
| MIDSTATES BANK, NA                        | \$174.80     | BANK SERVICES               |

|   |                |                            |
|---|----------------|----------------------------|
| MIDWEST BOX COMPANY                       | \$127.88       | SUPPLIES                   |
| MIDWEST DCM INC                           | \$395.00       | RE PARKING GARAGE EXPENSE  |
| MIDWEST DCM INC                           | \$790.00       | RE PARKING GARAGE EXPENSE  |
| MIDWEST RESEARCH & SETTLEMENT SERVICES,   | \$200.00       | PROFESSIONAL SVCS          |
| MIDWEST TAPE, LLC                         | \$1,245.63     | DVD/AUDIO/CD               |
| MIDWEST TITLE INC                         | \$86,491.45    | PROPERTY ACQUISITION       |
| MIDWEST TURF & IRRIGATION                 | \$5,348.10     | EQUIPMENT/PARTS            |
| MOBOTREX INC                              | \$8,111.38     | STREET MAINTENANCE SUPLS   |
| MONROE TRUCK EQUIPMENT, INC.              | \$1,634.34     | EQUIPMENT/PARTS            |
| MUNICIPAL CODE CORPORATION                | \$350.00       | SUBSCRIPTION               |
| MUNICIPAL EMERGENCY SERVICES INC          | \$4,332.00     | EQUIPMENT/PARTS            |
| MURPHY TRACTOR & EQUIPMENT CO CORP        | \$8,881.87     | EQUIPMENT/PARTS            |
| NAPA AUTO PARTS                           | \$3,256.53     | EQUIPMENT/PARTS            |
| NATIONWIDE RETIREMENT SOLUTIONS INC       | \$66,747.06    | PAYROLL RELATED            |
| NEBRASKA AIR FILTER INC                   | \$2,297.16     | SUPPLIES                   |
| NEBRASKA CHILD SUPPORT PAYMENT CTR        | \$496.62       | PAYROLL RELATED            |
| NEBRASKA GOLF AND TURF                    | \$536.99       | DODGE OPERATING EXPENSE    |
| NEBRASKA IOWA SUPPLY CO INC               | \$8,505.00     | FUEL                       |
| NEW VISIONS HOMELESS SERVICES             | \$28,545.53    | GRANT REIMBURSEMENT        |
| NMC INC.                                  | \$2,787.91     | EQUIPMENT/PARTS            |
| NODDLE DEVELOPMENT CO                     | \$2,061.92     | RE PARKING GARAGE EXPENSE  |
| NOODLE SERVICES LLC                       | \$220.06       | RE PARKING GARAGE EXPENSE  |
| O KEEFE ELEVATOR CO INC                   | \$184.04       | RE PARKING GARAGE EXPENSE  |
| OCLC INC                                  | \$1,255.86     | SUBSCRIPTION               |
| OMAHA DOOR & WINDOW CO INC                | \$205.75       | REPAIRS & MAINTENANCE      |
| OMNI ENGINEERING                          | \$2,488.87     | STREET MAINTENANCE SUPLS   |
| ONE SOURCE THE BACKGROUND CHECK COMPANY   | \$379.30       | CONSULTANT                 |
| O'REILLY AUTOMOTIVE INC                   | \$661.59       | EQUIPMENT/PARTS            |
| OVERDRIVE INC                             | \$2,203.93     | BOOKS/PERIODICALS/SUB      |
| PARAMOUNT GAS PRODUCTS LLC                | \$2,500.00     | SAFETY EQUIP & MAINTENANCE |
| PARAMOUNT LINEN & UNIFORMS                | \$83.31        | DODGE OPERATING EXPENSE    |
| PAY-LESS OFFICE PRODUCTS INC              | \$114.16       | SUPPLIES                   |
| PAYROLL                                   | \$1,962,029.92 | CITY EMPLOYEE PAYROLL      |
| PAYROLL                                   | \$59,844.58    | MAC OPERATING EXPENSE      |
| PEERLESS WIPING CLOTH CO                  | \$292.00       | SUPPLIES                   |
| PER MAR SECURITY & RESEARCH CORP          | \$399.24       | ALARM SECURITY             |
| PITNEY BOWES INC.                         | \$3,126.65     | POSTAGE & PRINTING         |
| PIX4D INC                                 | \$499.00       | EQUIPMENT/PARTS            |
| PLEIGER PLASTICS COMPANY                  | \$2,229.70     | SUPPLIES                   |
| POTTAWATTAMIE COUNTY CLERK OF COURT       | \$1,070.87     | COURT COSTS                |
| POTTAWATTAMIE COUNTY TREASURER            | \$38,132.18    | FEES                       |
| PREMIER GLAZER'S BEVS                     | \$179.90       | DODGE OPERATING EXPENSE    |
| PREMIER MIDWEST BEVERAGE                  | \$293.60       | MAC OPERATING EXPENSE      |
| PRIME COMMUNICATIONS INC                  | \$400.53       | HARDWARE/SOFTWARE          |
| PROTECH COMMERCIAL VEHICLE OUTFITTERS INC | \$5,260.24     | EQUIPMENT/PARTS            |
| RASMUSSEN MECHANICAL SERVICES INC         | \$5,045.16     | EQUIPMENT/PARTS            |
| RECORCE CETNER                            | \$360.00       | DODGE OPERATING EXPENSE    |
| RELIANCE STANDARD LIFE INSURANCE CO       | \$20,163.71    | PAYROLL RELATED            |
| RELIANT FIRE APPARATUS INC                | \$1,295.86     | EQUIPMENT/PARTS            |
| RICK IDEAS INC                            | \$360.00       | PROFESSIONAL SVCS          |
| RICOH USA INC                             | \$28.16        | LEASE                      |
| RIVERS EDGE BANK FEES                     | \$45.30        | RE PARKING GARAGE EXPENSE  |
| RIVERS EDGE MASTER PROPERTY OWNERS ASSOC  | \$1,122.83     | RE PARKING GARAGE EXPENSE  |
| ROBERT PRACHT                             | \$1,920.00     | PROFESSIONAL SVCS          |
| ROSE EQUIPMENT, LLC                       | \$754.94       | EQUIPMENT/PARTS            |

|   |              |                         |
|---|--------------|-------------------------|
| RYNE JEFFRIES                           | \$4,860.00   | CONSTRUCTION            |
| SAFETY GUARD INC                        | \$3,680.00   | REPAIRS & MAINTENANCE   |
| SANDRY FIRE SUPPLY LLC                  | \$384.00     | SUPPLIES                |
| SAPP BROTHERS INC                       | \$57,975.27  | FUEL                    |
| SCHINDLER ELEVATOR CORPORATION          | \$361.48     | REPAIRS & MAINTENANCE   |
| SECURITY EQUIPMENT INCORPORATED         | \$26,513.50  | ALARM SECURITY          |
| SILVERSTONE GROUP INC.                  | \$22,211.00  | INSURANCE               |
| SIRSI CORPORATION                       | \$54,832.20  | HARDWARE/SOFTWARE       |
| SJ ELECTRO SYSTEMS INC                  | \$9,534.00   | EQUIPMENT/PARTS         |
| SNYDER & ASSOCIATES INC                 | \$22,707.05  | CONSULTANT              |
| SOLARWINDS INC                          | \$1,185.60   | HARDWARE/SOFTWARE       |
| SOUTHWEST IOWA PLANNING COUNCIL         | \$25,818.17  | TRANSIT SERVICES        |
| SPRINT SOLUTIONS INC                    | \$60.02      | CELL PHONE              |
| STATE OF IOWA                           | \$789.70     | TRAINING                |
| STERN OIL CO INC                        | \$852.76     | SUPPLIES                |
| STOP STICK LTD                          | \$4,559.00   | SUPPLIES                |
| STUDIO 15 COMMERCIAL INTERIORS INC      | \$45,028.05  | PROFESSIONAL SVCS       |
| SWAGIT PRODUCTIONS LLC                  | \$1,375.00   | PROFESSIONAL SVCS       |
| SYSCO-LINCOLN                           | \$646.08     | DODGE OPERATING EXPENSE |
| TECH INC                                | \$827.00     | SUPPLIES                |
| TED'S MOWER SALES & SERVICE INC         | \$266.49     | EQUIPMENT/PARTS         |
| THE ABY MANUFACTURING GROUP INC         | \$660.90     | SUPPLIES                |
| THE DAVEY TREE EXPERT COMPANY           | \$2,875.00   | TREE WORK               |
| THERMAL SERVICES                        | \$31.20      | REPAIRS & MAINTENANCE   |
| THERMO KING CHRISTENSEN                 | \$3,200.00   | SUPPLIES                |
| TOMASEK MACHINE SHOP INC                | \$1,707.52   | REPAIRS & MAINTENANCE   |
| TOYNE INC                               | \$3,395.37   | EQUIPMENT/PARTS         |
| TRAFFIC & PARKING CONTROL CO            | \$5,156.00   | HARDWARE/SOFTWARE       |
| TRANSIT AUTHORITY OF THE CITY OF OMAHA  | \$96,410.00  | BUS SERVICE             |
| TREASURER STATE OF IOWA/SALES TAX       | \$15,815.00  | SALES TAX               |
| TRU PRO CONSTRUCTION INC                | \$36,400.00  | CONSTRUCTION            |
| TRUCK EQUIPMENT INC                     | \$27.63      | EQUIPMENT/PARTS         |
| TS DEVELOPMENT LLC                      | \$14,025.00  | DEVLPMNT CONTRACT       |
| TWO RIVERS INSURANCE COMPANY, INC.      | \$895,202.43 | EMPLOYEE INSURANCE      |
| U.S. VENTURE, INC.                      | \$2,291.56   | EQUIPMENT/PARTS         |
| UNION BANK & TRUST/OMNIFY               | \$9.00       | DODGE OPERATING EXPENSE |
| UNITED PARCEL SERVICE                   | \$71.23      | FREIGHT/POSTAGE         |
| UNITED PHOENIX FIREFIGHTERS ASSOCIATION | \$1,500.00   | SUBSCRIPTION            |
| UNIVERSITY OF IOWA                      | \$220.00     | PROFESSIONAL SVCS       |
| UNIVERSITY OF NEBRASKA AT OMAHA         | \$75.00      | TRAINING                |
| US BANK                                 | \$120,096.26 | CREDIT CARD PURCHASES   |
| VANDER HAAG'S INCORPORATED              | \$2,121.22   | EQUIPMENT/PARTS         |
| VERIZON WIRELESS SERVICES LLC           | \$6,014.67   | CELL PHONE              |
| VERMEER SALES & SERVICE INC             | \$2,803.42   | EQUIPMENT/PARTS         |
| VISION INDUSTRIAL SALES INC             | \$5,599.35   | SUPPLIES                |
| VOICE & DATA SYSTEMS INC                | \$228.00     | TELEPHONE               |
| VOYA RETIREMENT INSURANCE & ANNUITY     | \$8,140.00   | PAYROLL RELATED         |
| W.W. GRAINGER, INC.                     | \$1,691.21   | EQUIPMENT/PARTS         |
| WALDSTEIN HVAC LLC                      | \$111,880.00 | EQUIPMENT/PARTS         |
| WASTE CONNECTIONS                       | \$256.50     | DODGE OPERATING EXPENSE |
| WASTE CONNECTIONS OF IOWA               | \$222,890.90 | HOUSEHOLD TRASH         |
| WATER ENGINEERING INC                   | \$254.57     | MOWING/GROUNDS MAINT    |
| WEST PUBLISHING CORPORATION             | \$716.33     | SUBSCRIPTION            |
| WILLIAM E CARPENTER JR                  | \$92.00      | REIMB EMPLOYEE EXPENSE  |

|                              |                       |                       |
|------------------------------|-----------------------|-----------------------|
| WINDSTREAM CORPORATION       | \$2,500.00            | TELEPHONE             |
| WINTER EQUIPMENT COMPANY INC | \$3,036.36            | EQUIPMENT/PARTS       |
| WOLSELEY INVESTMENTS INC     | \$1,890.91            | EQUIPMENT/PARTS       |
| WOODHOUSE FORD CHRYLSEY INC  | \$1,585.33            | EQUIPMENT/PARTS       |
| YANT EQUIPMENT               | \$358.88              | REPAIRS & MAINTENANCE |
| YMCA OF GREATER OMAHA        | \$520.00              | DUES/MEMBERSHIP       |
| <b>TOTAL</b>                 | <b>\$7,236,386.03</b> |                       |

**CITY OF COUNCIL BLUFFS**  
**EXPENDITURES**  
**FEBRUARY FY21**  
**(\$'S)**

| VENDOR                                 | AMOUNT         | DESCRIPTION            |
|--|----------------|------------------------|
| PAYROLL                                | \$1,962,029.92 | CITY EMPLOYEE PAYROLL  |
| TWO RIVERS INSURANCE COMPANY, INC.     | \$895,202.43   | EMPLOYEE INSURANCE     |
| EFTPS                                  | \$574,841.70   | PAYROLL RELATED        |
| MFPRSI                                 | \$467,784.32   | PAYROLL RELATED        |
| ACTION TARGET                          | \$295,483.00   | EQUIPMENT/PARTS        |
| WASTE CONNECTIONS OF IOWA              | \$222,890.90   | HOUSEHOLD TRASH        |
| IPERS                                  | \$212,318.73   | PAYROLL RELATED        |
| CITY OF OMAHA                          | \$130,000.00   | CONTRACT AGREEMENT     |
| IOWA DEPT OF REVENUE                   | \$120,339.00   | PAYROLL RELATED        |
| US BANK                                | \$120,096.26   | CREDIT CARD PURCHASES  |
| WALDSTEIN HVAC LLC                     | \$111,880.00   | EQUIPMENT/PARTS        |
| EMPLOYERS MUTUAL CASUALTY COMPANY      | \$107,717.36   | INSURANCE              |
| TRANSIT AUTHORITY OF THE CITY OF OMAHA | \$96,410.00    | BUS SERVICE            |
| MIDWEST TITLE INC                      | \$86,491.45    | PROPERTY ACQUISITION   |
| HGM ASSOCIATES INC                     | \$75,295.15    | CONSULTANT             |
| CAESARS ENTERTAINMENT                  | \$70,000.00    | MAC OPERATING EXPENSE  |
| NATIONWIDE RETIREMENT SOLUTIONS INC    | \$66,747.06    | PAYROLL RELATED        |
| PAYROLL                                | \$59,844.58    | MAC OPERATING EXPENSE  |
| IOWA DEPARTMENT OF NATURAL RESOURCE    | \$59,415.00    | FEES                   |
| SAPP BROTHERS INC                      | \$57,975.27    | FUEL                   |
| CARLEY CONSTRUCTION LLC                | \$55,256.81    | CONSTRUCTION           |
| HDR ENGINEERING INC                    | \$55,247.92    | PROFESSIONAL SVCS      |
| SIRSI CORPORATION                      | \$54,832.20    | HARDWARE/SOFTWARE      |
| STUDIO 15 COMMERCIAL INTERIORS INC     | \$45,028.05    | PROFESSIONAL SVCS      |
| EHRHART GRIFFIN & ASSOCIATES INC       | \$42,951.25    | CONSULTANT             |
| IOWA WASTE SERVICES HOLDINGS INC       | \$42,918.41    | SOLID WASTE DISPOSAL   |
| POTTAWATTAMIE COUNTY TREASURER         | \$38,132.18    | FEES                   |
| MARCO HOLDINGS, LLC                    | \$37,371.88    | COPY/PRINTER MAINTANCE |
| TRU PRO CONSTRUCTION INC               | \$36,400.00    | CONSTRUCTION           |
| JEO CONSULTING GROUP INC               | \$33,956.76    | CONSULTANT             |
| HARBIN CONSTRUCTION INC                | \$32,243.25    | CONSTRUCTION           |
| FAMILY HOUSING ADVISORY SERVICES, INC. | \$30,000.00    | GRANT REIMBURSEMENT    |
| D & D CONSTRUCTION SERVICES INC        | \$29,050.00    | CONSTRUCTION           |
| NEW VISIONS HOMELESS SERVICES          | \$28,545.53    | GRANT REIMBURSEMENT    |
| SECURITY EQUIPMENT INCORPORATED        | \$26,513.50    | ALARM SECURITY         |
| SOUTHWEST IOWA PLANNING COUNCIL        | \$25,818.17    | TRANSIT SERVICES       |
| IOWA WORKFORCE DEVELOPMENT             | \$24,169.49    | UNEMPLOYEMENT          |
| BLACK HILLS UTILITY HOLDINGS, INC.     | \$22,888.19    | NATURAL GAS            |
| SNYDER & ASSOCIATES INC                | \$22,707.05    | CONSULTANT             |
| SILVERSTONE GROUP INC.                 | \$22,211.00    | INSURANCE              |
| FELSBURG HOLT & ULLEVIG INC            | \$21,426.66    | PROFESSIONAL SVCS      |
| FEH ASSOCIATES INC                     | \$20,167.75    | CONSULTANT             |
| RELIANCE STANDARD LIFE INSURANCE CO    | \$20,163.71    | PAYROLL RELATED        |
| HISTORIC GENERAL DODGE HOUSE INC       | \$18,750.00    | CONTRIBUTIONS          |
| BLUFFS ELECTRIC INC                    | \$18,220.13    | ELECTRICAL REPAIR      |
| HEARTLAND FAMILY SERVICES              | \$16,951.50    | CONSULTANT             |

|   |             |                             |
|---|-------------|-----------------------------|
| COX COMMUNICATION INC                     | \$16,525.58 | PHONE/INTERNET SVC          |
| ALEGENT CREIGHTON HEALTH                  | \$16,367.62 | PROFESSIONAL SVCS           |
| DODGE RIVERSIDE PAYROLL                   | \$16,084.01 | DODGE OPERATING EXPENSE     |
| TREASURER STATE OF IOWA/SALES TAX         | \$15,815.00 | SALES TAX                   |
| ICMA RETIREMENT TRUST - 457               | \$14,027.48 | PAYROLL RELATED             |
| TS DEVELOPMENT LLC                        | \$14,025.00 | DEVLPMNT CONTRACT           |
| DIAMOND MARKETING SOLUTIONS GROUP, INC.   | \$13,104.40 | POSTAGE & PRINTING          |
| DMG INC                                   | \$12,412.46 | ELECTRICAL REPAIR           |
| DH PACE COMPANY INC                       | \$11,986.39 | REPAIRS & MAINTENANCE       |
| LANDSCAPES GOLF MANAGEMENT                | \$11,080.45 | DODGE OPERATING EXPENSE     |
| ELECTRIC PUMP                             | \$10,999.27 | EQUIPMENT/PARTS             |
| MIDLANDS HUMANE SOCIETY                   | \$10,328.17 | CONTRACT AGREEMENT          |
| DUANE D FOSTER                            | \$10,000.00 | BUSINESS ASSISTANCE PROGRAM |
| JON NELSON                                | \$10,000.00 | BUSINESS ASSISTANCE PROGRAM |
| ECHO GROUP                                | \$9,991.05  | SUPPLIES                    |
| SJ ELECTRO SYSTEMS INC                    | \$9,534.00  | EQUIPMENT/PARTS             |
| MURPHY TRACTOR & EQUIPMENT CO CORP        | \$8,881.87  | EQUIPMENT/PARTS             |
| CLARK EQUIPMENT COMPANY                   | \$8,581.59  | EQUIPMENT/PARTS             |
| NEBRASKA IOWA SUPPLY CO INC               | \$8,505.00  | FUEL                        |
| COLLECTION SERVICES CENTER                | \$8,186.68  | PAYROLL RELATED             |
| CITY OF COUNCIL BLUFFS-FLEX               | \$8,180.12  | PAYROLL RELATED             |
| VOYA RETIREMENT INSURANCE & ANNUITY       | \$8,140.00  | PAYROLL RELATED             |
| MOBOTREX INC                              | \$8,111.38  | STREET MAINTENANCE SUPLS    |
| IOWA DEPT OF TRANSPORTATION               | \$7,630.00  | CONSULTANT                  |
| IOWA DEPT OF REVENUE                      | \$7,571.00  | MAC OPERATING EXPENSE       |
| IOWA PRISON INDUSTRIES                    | \$7,554.71  | SUPPLIES                    |
| IOWA LAW ENFORCEMENT ACADEMY              | \$6,875.00  | TRAINING                    |
| BAKER & TAYLOR INC                        | \$6,727.63  | BOOKS/PERIODICALS/SUB       |
| LINKEDIN CORP                             | \$6,440.00  | DUES/MEMBERSHIP             |
| ARNOLD MOTOR SUPPLY, LLP                  | \$6,343.43  | EQUIPMENT/PARTS             |
| BROADWAY PLAZA LLC                        | \$6,326.00  | PROPERTY ACQUISITION        |
| COMPASSCOM SOFTWARE CORPORATION           | \$6,208.27  | HARDWARE/SOFTWARE           |
| VERIZON WIRELESS SERVICES LLC             | \$6,014.67  | CELL PHONE                  |
| COUNCIL BLUFFS WATER WORKS                | \$5,994.94  | WATER                       |
| ELAVON INC                                | \$5,885.97  | FEES                        |
| VISION INDUSTRIAL SALES INC               | \$5,599.35  | SUPPLIES                    |
| COUNCIL BLUFFS AIRPORT AUTHORITY          | \$5,502.58  | AIRPORT AUTH TAX            |
| MIDWEST TURF & IRRIGATION                 | \$5,348.10  | EQUIPMENT/PARTS             |
| PROTECH COMMERCIAL VEHICLE OUTFITTERS INC | \$5,260.24  | EQUIPMENT/PARTS             |
| TRAFFIC & PARKING CONTROL CO              | \$5,156.00  | HARDWARE/SOFTWARE           |
| RASMUSSEN MECHANICAL SERVICES INC         | \$5,045.16  | EQUIPMENT/PARTS             |
| KELTEK, INCORPORATED                      | \$5,016.80  | EQUIPMENT/PARTS             |
| RYNE JEFFRIES                             | \$4,860.00  | CONSTRUCTION                |
| STOP STICK LTD                            | \$4,559.00  | SUPPLIES                    |
| HEARTLAND TIRES & TREADS INC              | \$4,488.73  | TIRE REPLACEMENT/REPAIR     |
| LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN | \$4,350.00  | PAYROLL RELATED             |
| MUNICIPAL EMERGENCY SERVICES INC          | \$4,332.00  | EQUIPMENT/PARTS             |
| DELL MARKETING L P                        | \$4,086.90  | HARDWARE/SOFTWARE           |
| METRO COALITION                           | \$4,057.37  | FEES                        |
| CITY OF COUNCIL BLUFFS-DEPENDENT          | \$3,966.62  | PAYROLL RELATED             |
| IMPACT7G INC                              | \$3,800.00  | PROFESSIONAL SVCS           |
| LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN | \$3,680.00  | PAYROLL RELATED             |
| SAFETY GUARD INC                          | \$3,680.00  | REPAIRS & MAINTENANCE       |
| ALEXIA J GREGG                            | \$3,500.00  | LEGAL CLAIM                 |



|   |            |                            |
|---|------------|----------------------------|
| TOYNE INC                               | \$3,395.37 | EQUIPMENT/PARTS            |
| CERTIFIED TRANSMISSION                  | \$3,355.55 | REPAIRS & MAINTENANCE      |
| JONES AUTOMOTIVE                        | \$3,318.33 | EQUIPMENT/PARTS            |
| NAPA AUTO PARTS                         | \$3,256.53 | EQUIPMENT/PARTS            |
| THERMO KING CHRISTENSEN                 | \$3,200.00 | SUPPLIES                   |
| PITNEY BOWES INC.                       | \$3,126.65 | POSTAGE & PRINTING         |
| FOSTERS INC                             | \$3,056.30 | EQUIPMENT/PARTS            |
| WINTER EQUIPMENT COMPANY INC            | \$3,036.36 | EQUIPMENT/PARTS            |
| LAWSON PRODUCTS INC                     | \$2,984.92 | SUPPLIES                   |
| THE DAVEY TREE EXPERT COMPANY           | \$2,875.00 | TREE WORK                  |
| EDWARDS CHEVROLET-CADILLAC INC          | \$2,847.88 | EQUIPMENT/PARTS            |
| VERMEER SALES & SERVICE INC             | \$2,803.42 | EQUIPMENT/PARTS            |
| NMC INC.                                | \$2,787.91 | EQUIPMENT/PARTS            |
| BARNHART CRANE & RIGGING                | \$2,760.00 | EQUIPMENT/PARTS            |
| AHLERS & COONEY P.C                     | \$2,759.50 | LEGAL SERVICES             |
| CITY TREASURER                          | \$2,738.12 | DODGE OPERATING EXPENSE    |
| FOUNTAIN PEOPLE INC                     | \$2,591.00 | EQUIPMENT/PARTS            |
| PARAMOUNT GAS PRODUCTS LLC              | \$2,500.00 | SAFETY EQUIP & MAINTENANCE |
| WINDSTREAM CORPORATION                  | \$2,500.00 | TELEPHONE                  |
| OMNI ENGINEERING                        | \$2,488.87 | STREET MAINTENANCE SUPLS   |
| IOWA DEPARTMENT OF HUMAN SERVICES       | \$2,413.16 | AMBULANCE BILLING FEE      |
| MICHAEL OBRADOVICH                      | \$2,400.00 | PROFESSIONAL SVCS          |
| NEBRASKA AIR FILTER INC                 | \$2,297.16 | SUPPLIES                   |
| U.S. VENTURE, INC.                      | \$2,291.56 | EQUIPMENT/PARTS            |
| PLEIGER PLASTICS COMPANY                | \$2,229.70 | SUPPLIES                   |
| OVERDRIVE INC                           | \$2,203.93 | BOOKS/PERIODICALS/SUB      |
| JERICO SERVICES INC                     | \$2,156.04 | SUPPLIES                   |
| VANDER HAAG'S INCORPORATED              | \$2,121.22 | EQUIPMENT/PARTS            |
| DAVID'S ELECTRIC INC                    | \$2,100.00 | ELECTRICAL REPAIR          |
| CORNHUSKER INTERNATIONAL TRUCKS         | \$2,078.93 | EQUIPMENT/PARTS            |
| BOUND TREE MEDICAL LLC                  | \$2,075.84 | MEDICAL SUPPLIES           |
| NODDLE DEVELOPMENT CO                   | \$2,061.92 | RE PARKING GARAGE EXPENSE  |
| KRONOS INCORPORATED                     | \$2,000.00 | HARDWARE/SOFTWARE          |
| ROBERT PRACHT                           | \$1,920.00 | PROFESSIONAL SVCS          |
| ABLE LOCKSMITHS                         | \$1,910.00 | PROFESSIONAL SVCS          |
| WOLSELEY INVESTMENTS INC                | \$1,890.91 | EQUIPMENT/PARTS            |
| ENDRESS & HAUSER                        | \$1,887.12 | SUPPLIES                   |
| BOBCAT OF OMAHA                         | \$1,884.31 | EQUIPMENT/PARTS            |
| CHAMPLIN TIRE RECYCLING INC             | \$1,852.50 | TIRE DISPOSAL              |
| ALLIED ELECTRONICS INCORPORATED         | \$1,729.00 | SUPPLIES                   |
| AQSEPTENCE GROUP INC                    | \$1,716.53 | EQUIPMENT/PARTS            |
| TOMASEK MACHINE SHOP INC                | \$1,707.52 | REPAIRS & MAINTENANCE      |
| W.W. GRAINGER, INC.                     | \$1,691.21 | EQUIPMENT/PARTS            |
| MONROE TRUCK EQUIPMENT, INC.            | \$1,634.34 | EQUIPMENT/PARTS            |
| FACOTRY MOTOR PARTS                     | \$1,625.54 | EQUIPMENT/PARTS            |
| DONALD W MATHEWS                        | \$1,608.16 | VEHICLE REPAIR             |
| MICHAEL TODD AND COMPANY INC            | \$1,590.79 | EQUIPMENT/PARTS            |
| WOODHOUSE FORD CHRYLSEY INC             | \$1,585.33 | EQUIPMENT/PARTS            |
| CLOVERLEAF TOOL CO                      | \$1,529.42 | SUPPLIES                   |
| AGRIVISION EQUIPMENT GROUP              | \$1,513.83 | EQUIPMENT/PARTS            |
| UNITED PHOENIX FIREFIGHTERS ASSOCIATION | \$1,500.00 | SUBSCRIPTION               |
| CONCRETE HOLDINGS OMAHA, INC            | \$1,446.25 | STREET MAINTENANCE SUPLS   |
| MID AMERICAN ENERGY CO                  | \$1,431.33 | RE PARKING GARAGE EXPENSE  |
| BOLTON & MENK                           | \$1,385.75 | CONSULTANT                 |

|   |            |                           |
|---|------------|---------------------------|
| SWAGIT PRODUCTIONS LLC                    | \$1,375.00 | PROFESSIONAL SVCS         |
| RELIANT FIRE APPARATUS INC                | \$1,295.86 | EQUIPMENT/PARTS           |
| HEARTLAND DOCUMENT SERVICES INC.          | \$1,289.00 | JANITORIAL SERVICE        |
| AMERICAN FENCE STORE INC                  | \$1,261.56 | REPAIRS & MAINTENANCE     |
| OCLC INC                                  | \$1,255.86 | SUBSCRIPTION              |
| CATHERINE L PRUCHA                        | \$1,250.00 | LEGAL CLAIM               |
| LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN | \$1,250.00 | PAYROLL RELATED           |
| MIDWEST TAPE, LLC                         | \$1,245.63 | DVD/AUDIO/CD              |
| ALLEY POYNER MACCHIETTO ARCHITECTURE INC  | \$1,220.00 | REPAIRS & MAINTENANCE     |
| SOLARWINDS INC                            | \$1,185.60 | HARDWARE/SOFTWARE         |
| BLACKSTONE AUDIO INC                      | \$1,153.33 | BOOKS/PERIODICALS/SUB     |
| ALLIED OIL & TIRE COMPANY                 | \$1,143.58 | SUPPLIES                  |
| CIVICPLUS                                 | \$1,134.35 | HARDWARE/SOFTWARE         |
| RIVERS EDGE MASTER PROPERTY OWNERS        | \$1,122.83 | RE PARKING GARAGE EXPENSE |
| MCMULLEN FORD INC                         | \$1,074.59 | EQUIPMENT/PARTS           |
| POTTAWATTAMIE COUNTY CLERK OF COURT       | \$1,070.87 | COURT COSTS               |
| DEX MEDIA, INC.                           | \$1,067.50 | ADVERTISEMENT             |
| MATTHEW KUHLMANN                          | \$1,040.00 | MAC OPERATING EXPENSE     |
| DONS PIONEER UNIFORMS                     | \$1,033.70 | UNIFORMS                  |
| GELCO SUPPLY INC                          | \$945.92   | EQUIPMENT/PARTS           |
| MATHESON TRI GAS INC.                     | \$937.42   | SUPPLIES                  |
| MAX I WALKER UNIFORM & APPAREL            | \$918.37   | UNIFORMS                  |
| ALUMITANK INCORPORATED                    | \$864.90   | EQUIPMENT/PARTS           |
| STERN OIL CO INC                          | \$852.76   | SUPPLIES                  |
| HACH COMPANY                              | \$831.00   | EQUIPMENT/PARTS           |
| TECH INC                                  | \$827.00   | SUPPLIES                  |
| KONICA MINOLTA BUSINESS SOLUTIONS USA     | \$812.00   | LEASE                     |
| MIDWEST DCM INC                           | \$790.00   | RE PARKING GARAGE EXPENSE |
| STATE OF IOWA                             | \$789.70   | TRAINING                  |
| ALVARADO UPHOLSTERING                     | \$775.00   | REPAIRS & MAINTENANCE     |
| ROSE EQUIPMENT, LLC                       | \$754.94   | EQUIPMENT/PARTS           |
| IOWA DEPARTMENT OF PUBLIC HEALTH          | \$750.00   | TRAINING                  |
| WEST PUBLISHING CORPORATION               | \$716.33   | SUBSCRIPTION              |
| ECOSOLUTIONS INC                          | \$714.75   | SUPPLIES                  |
| CENTURYLINK                               | \$714.45   | TELEPHONE                 |
| ENTERPRISE FM TRUST                       | \$699.88   | RENTAL EXPS               |
| IOWA GOLF ASSOCIATION                     | \$690.00   | DODGE OPERATING EXPENSE   |
| CSI/SSP INC                               | \$670.88   | PRINTING/BINDING          |
| O'REILLY AUTOMOTIVE INC                   | \$661.59   | EQUIPMENT/PARTS           |
| THE ABY MANUFACTURING GROUP INC           | \$660.90   | SUPPLIES                  |
| B & K MECHANICAL CONTRACTORS LLC          | \$649.50   | REPAIRS & MAINTENANCE     |
| SYSCO-LINCOLN                             | \$646.08   | DODGE OPERATING EXPENSE   |
| INLAND TRUCK PARTS COMPANY INC            | \$624.25   | EQUIPMENT/PARTS           |
| JERRY KENNEDY                             | \$600.00   | RENTAL EXPS               |
| IPFS CORPORATION                          | \$598.11   | DODGE OPERATING EXPENSE   |
| FIRST NATIONAL BANK PCARDS                | \$576.69   | DODGE OPERATING EXPENSE   |
| BOUND TO STAY BOUND BOOKS INC             | \$576.15   | BOOKS/PERIODICALS/SUB     |
| DAVID C ANDERSEN                          | \$572.00   | CONSTRUCTION              |
| BLUFFS TAXI & COURIER                     | \$565.20   | TRANSIT SERVICES          |
| MCINTOSH PLUMBING INC                     | \$557.00   | PLUMBING NEW OR REPAIR    |
| BUCK'S INC.                               | \$556.46   | VEHICLE WASH              |
| AIR CLEANING TECHNOLOGIES INC             | \$554.75   | EQUIPMENT/PARTS           |
| A + UNITED RADIATOR REPAIR INC.           | \$550.00   | REPAIRS & MAINTENANCE     |
| NEBRASKA GOLF AND TURF                    | \$536.99   | DODGE OPERATING EXPENSE   |

|   |          |                           |
|---|----------|---------------------------|
| IOWA DEPARTMENT OF REVENUE                | \$528.81 | PAYROLL RELATED           |
| CHEMSEARCH FE                             | \$528.39 | SUPPLIES                  |
| LOGAN CONTRACTORS SUPPLY INC              | \$521.53 | SUPPLIES                  |
| YMCA OF GREATER OMAHA                     | \$520.00 | DUES/MEMBERSHIP           |
| CHILD SUPPORT SERVICES DIVISION           | \$514.32 | PAYROLL RELATED           |
| PIX4D INC                                 | \$499.00 | EQUIPMENT/PARTS           |
| NEBRASKA CHILD SUPPORT PAYMENT CTR        | \$496.62 | PAYROLL RELATED           |
| CABANA COFFEE                             | \$480.92 | MAC OPERATING EXPENSE     |
| FUNNEL CAKE                               | \$466.64 | MAC OPERATING EXPENSE     |
| DUKE RENTALS                              | \$462.70 | RENTAL EXPS               |
| CONTINENTAL ALARM & DETECTION CO          | \$460.00 | REPAIRS & MAINTENANCE     |
| BROOMERS INC                              | \$450.00 | RE PARKING GARAGE EXPENSE |
| PRIME COMMUNICATIONS INC                  | \$400.53 | HARDWARE/SOFTWARE         |
| PER MAR SECURITY & RESEARCH CORP          | \$399.24 | ALARM SECURITY            |
| MIDWEST DCM INC                           | \$395.00 | RE PARKING GARAGE EXPENSE |
| DODGE RIVERSIDE SALES TAX                 | \$391.00 | DODGE OPERATING EXPENSE   |
| DOLL DISTRIBUTING LLC                     | \$387.30 | DODGE OPERATING EXPENSE   |
| SANDRY FIRE SUPPLY LLC                    | \$384.00 | SUPPLIES                  |
| C & J INDUSTRIAL SUPPLY                   | \$383.50 | JANITORIAL SERVICE        |
| ONE SOURCE THE BACKGROUND CHECK           | \$379.30 | CONSULTANT                |
| BENJAMIN VAN RAALTE                       | \$375.00 | PROFESSIONAL SVCS         |
| BGNE INC.                                 | \$373.26 | SUPPLIES                  |
| 2ND WIND EXERCISE EQUIPMENT INC           | \$370.00 | EQUIPMENT/PARTS           |
| SCHINDLER ELEVATOR CORPORATION            | \$361.48 | REPAIRS & MAINTENANCE     |
| RECORCE CETNER                            | \$360.00 | DODGE OPERATING EXPENSE   |
| RICK IDEAS INC                            | \$360.00 | PROFESSIONAL SVCS         |
| YANT EQUIPMENT                            | \$358.88 | REPAIRS & MAINTENANCE     |
| FORTE PAYMENT SYSTEMS INC                 | \$355.52 | EQUIPMENT/PARTS           |
| B G PETERSON COMPANY                      | \$351.40 | SUPPLIES                  |
| MUNICIPAL CODE CORPORATION                | \$350.00 | SUBSCRIPTION              |
| GALLS PARENT HOLDING, LLC                 | \$318.09 | EQUIPMENT/PARTS           |
| KELLY SUPPLY COMPANY                      | \$317.98 | EQUIPMENT/PARTS           |
| DAVIS EQUIPMENT CORPORATION               | \$302.80 | EQUIPMENT/PARTS           |
| I-80 LIQUOR & TOBACCO                     | \$300.95 | DODGE OPERATING EXPENSE   |
| DRAKE-WILLIAMS STEEL INC                  | \$300.00 | REPAIRS & MAINTENANCE     |
| IA INSPECTION & APPEALS                   | \$300.00 | DODGE OPERATING EXPENSE   |
| IOWA DEPT OF INSPECTIONS & APPEALS        | \$300.00 | TRAINING                  |
| D&K PROJECTS                              | \$295.21 | DODGE OPERATING EXPENSE   |
| PREMIER MIDWEST BEVERAGE                  | \$293.60 | MAC OPERATING EXPENSE     |
| PEERLESS WIPING CLOTH CO                  | \$292.00 | SUPPLIES                  |
| GREATAMERICA FINANCIAL SERVICES CORP      | \$291.09 | LEASE                     |
| LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN | \$280.00 | PAYROLL RELATED           |
| BOMGAARS SUPPLY INC                       | \$276.16 | SUPPLIES                  |
| INFO USA MARKETING INC                    | \$270.00 | FEES                      |
| CENTER POINT LARGE PRINT                  | \$269.64 | BOOKS/PERIODICALS/SUB     |
| TED'S MOWER SALES & SERVICE INC           | \$266.49 | EQUIPMENT/PARTS           |
| INTERSTATE INDUSTRIAL INSTR., INC.        | \$259.31 | SUPPLIES                  |
| WASTE CONNECTIONS                         | \$256.50 | DODGE OPERATING EXPENSE   |
| WATER ENGINEERING INC                     | \$254.57 | MOWING/GROUNDS MAINT      |
| HARRIS GOLF CARS                          | \$250.00 | DODGE OPERATING EXPENSE   |
| KEVIN J WOOD                              | \$250.00 | PROFESSIONAL SVCS         |
| MATTHEW BALL                              | \$250.00 | PROFESSIONAL SVCS         |
| GENIE SERVICES LLC                        | \$238.40 | PEST CONTROL              |
| VOICE & DATA SYSTEMS INC                  | \$228.00 | TELEPHONE                 |

|   |          |                           |
|---|----------|---------------------------|
| NOODLE SERVICES LLC                     | \$220.06 | RE PARKING GARAGE EXPENSE |
| UNIVERSITY OF IOWA                      | \$220.00 | PROFESSIONAL SVCS         |
| MID STATES BANK                         | \$219.72 | MAC OPERATING EXPENSE     |
| OMAHA DOOR & WINDOW CO INC              | \$205.75 | REPAIRS & MAINTENANCE     |
| BRADLEY DEAN WILKENING                  | \$200.00 | PROFESSIONAL SVCS         |
| DIANA PEREZ                             | \$200.00 | DODGE OPERATING EXPENSE   |
| IOWA DIVISION OF LABOR SERVICES         | \$200.00 | FEES                      |
| MIDWEST RESEARCH & SETTLEMENT SERVICES, | \$200.00 | PROFESSIONAL SVCS         |
| CAVENDISH SQUARE PUBLISHING LLC         | \$195.54 | BOOKS/PERIODICALS/SUB     |
| JIM HAWK TRUCK TRAILERS INC.            | \$185.50 | EQUIPMENT/PARTS           |
| O KEEFE ELEVATOR CO INC                 | \$184.04 | RE PARKING GARAGE EXPENSE |
| PREMIER GLAZER'S BEVS                   | \$179.90 | DODGE OPERATING EXPENSE   |
| MIDSTATES BANK, NA                      | \$174.80 | BANK SERVICES             |
| CAROLINA SOFTWARE INC                   | \$169.53 | HARDWARE/SOFTWARE         |
| MECHANICAL SALES INC.                   | \$165.00 | SUPPLIES                  |
| BOFA                                    | \$163.69 | MAC OPERATING EXPENSE     |
| CALEB RAINEY                            | \$150.00 | PROFESSIONAL SVCS         |
| EDWARD JAMES BREWSTER JR                | \$150.00 | PROFESSIONAL SVCS         |
| DAVID W WOODY                           | \$149.50 | SUPPLIES                  |
| BRETT MCGEE                             | \$149.00 | REIMB EMPLOYEE EXPENSE    |
| CANON SOLUTIONS AMERICA INC             | \$146.10 | COPY/PRINTER MAINTANCE    |
| DAILY NONPAREIL                         | \$144.53 | ADVERTISEMENT             |
| DALES TRASH SERVICE INC                 | \$143.00 | RENTAL EXPS               |
| MIDWEST BOX COMPANY                     | \$127.88 | SUPPLIES                  |
| COX SUBSCRIPTIONS                       | \$126.48 | SUBSCRIPTION              |
| COX BUSINESS                            | \$126.18 | DODGE OPERATING EXPENSE   |
| DODGE BANK & CR CARD FEES               | \$125.77 | DODGE OPERATING EXPENSE   |
| FELD FIRE                               | \$125.22 | EQUIPMENT/PARTS           |
| GREAT AMERICA FINANCIAL SERV            | \$123.38 | DODGE OPERATING EXPENSE   |
| GRP & ASSOCIATES                        | \$123.00 | SUPPLIES                  |
| JEFFREY T KOUBA                         | \$114.85 | PROFESSIONAL SVCS         |
| PAY-LESS OFFICE PRODUCTS INC            | \$114.16 | SUPPLIES                  |
| ERRIN GUNDERSON                         | \$105.00 | MOWING/GROUNDS MAINT      |
| IOWA HAZARDOUS MATERIALS TASK FORCE     | \$100.00 | DUES/MEMBERSHIP           |
| WILLIAM E CARPENTER JR                  | \$92.00  | REIMB EMPLOYEE EXPENSE    |
| GARAGE DOOR SERVICES                    | \$85.00  | REPAIRS & MAINTENANCE     |
| PARAMOUNT LINEN & UNIFORMS              | \$83.31  | DODGE OPERATING EXPENSE   |
| LORA FLOM                               | \$80.95  | REIMB EMPLOYEE EXPENSE    |
| DULTMEIER SALES LLC                     | \$80.00  | SUPPLIES                  |
| UNIVERSITY OF NEBRASKA AT OMAHA         | \$75.00  | TRAINING                  |
| UNITED PARCEL SERVICE                   | \$71.23  | FREIGHT/POSTAGE           |
| SPRINT SOLUTIONS INC                    | \$60.02  | CELL PHONE                |
| IOWA PARK & RECREATION ASSOCIATION      | \$60.00  | TICKET SALES              |
| AMERICAN NATIONAL BANK                  | \$58.25  | BANK SERVICES             |
| COUNCIL BLUFFS WINSUPPLY                | \$52.17  | SUPPLIES                  |
| HUMAN SERVICES ADVISORY COUNCIL INC     | \$50.00  | DUES/MEMBERSHIP           |
| IOWA MUNICIPAL FINANCE OFFICERS ASSOC   | \$50.00  | DUES/MEMBERSHIP           |
| RIVERS EDGE BANK FEES                   | \$45.30  | RE PARKING GARAGE EXPENSE |
| FORCE AMERICA DISTRIBUTING LLC          | \$39.41  | EQUIPMENT/PARTS           |
| HEARTLAND CO-OP                         | \$38.00  | FUEL                      |
| ATHLETICO EXCEL NEBRASKA LLC            | \$35.00  | PROFESSIONAL SVCS         |
| GENIE PEST CONTROL                      | \$35.00  | DODGE OPERATING EXPENSE   |
| AMERITAS LIFE INS CORP                  | \$32.35  | DODGE OPERATING EXPENSE   |
| THERMAL SERVICES                        | \$31.20  | REPAIRS & MAINTENANCE     |

|                                      |                       |                         |
|--------------------------------------|-----------------------|-------------------------|
| IOWA LEAGUE OF CITIES                | \$30.00               | FEES                    |
| RICOH USA INC                        | \$28.16               | LEASE                   |
| TRUCK EQUIPMENT INC                  | \$27.63               | EQUIPMENT/PARTS         |
| BAUM HYDRAULICS CORP                 | \$26.46               | EQUIPMENT/PARTS         |
| LORETTA GOESCHEL                     | \$19.04               | REIMB EMPLOYEE EXPENSE  |
| FED EX                               | \$18.07               | DODGE OPERATING EXPENSE |
| KYLE RODENBURG                       | \$16.57               | REIMB EMPLOYEE EXPENSE  |
| CHRISTINE D ANDERSON                 | \$15.12               | REIMB EMPLOYEE EXPENSE  |
| CREDIT BUREAU OF COUNCIL BLUFFS, INC | \$11.00               | PROFESSIONAL SVCS       |
| UNION BANK & TRUST/OMNIFY            | \$9.00                | DODGE OPERATING EXPENSE |
| MIDAMERICAN ENERGY COMPANY           | \$5.33                | ELECTRICITY             |
| <b>TOTAL</b>                         | <b>\$7,236,386.03</b> |                         |

**City of Council Bluffs**

**Receipts by Fund  
For the Month of February FY21**

|                       |                            |
|-----------------------|----------------------------|
| General Fund          | 1,227,395.88               |
| Special Revenue       | 660,971.63                 |
| Debt Service          | 63,288.75                  |
| Capital Project       | 49,029.21                  |
| Enterprise            | 1,448,621.19               |
| <b>Total Receipts</b> | <b><u>3,449,306.66</u></b> |

**Expenditures by Fund  
For the Month of February FY21**

|                           |                            |
|---------------------------|----------------------------|
| General Fund              | 5,200,317.17               |
| Special Revenue           | 728,766.67                 |
| Debt Service              | 0.00                       |
| Capital Project           | 714,820.35                 |
| Enterprise                | 592,481.84                 |
| <b>Total Expenditures</b> | <b><u>7,236,386.03</u></b> |

**Transfer from City Operating Accounts**

|                        |                    |
|------------------------|--------------------|
| to Mid America Center  | 0.00               |
| to Dodge Riverside     | 0.00               |
| to RE Parking Garage   | 0.00               |
| <b>Total Transfers</b> | <b><u>0.00</u></b> |

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

CITY CLAIM NO. 21-PD-2111

### NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Leroy Wilson DAY PHONE: \_\_\_\_\_  
ADDRESS: 3341 11<sup>th</sup> Ave DOB: \_\_\_\_\_  
DATE & TIME OF LOSS/ACCIDENT: 3/22/2002 11:19 PM  
LOCATION OF LOSS/ACCIDENT: 3341 11<sup>th</sup> Ave C.B. Iowa  
DESCRIPTION OF LOSS/ACCIDENT: Officer Back Truck Dented the Back  
Panel

TOTAL DAMAGES CLAIMED: \$ See Estimates (USE BACK OF FORM, IF NECESSARY)  
WITNESS(ES) (Name(s), Address(es), Phone No(s)) \_\_\_\_\_

WAS POLICE REPORT FILED \_\_\_\_\_ YES \_\_\_\_\_ NO Dont know

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

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: Damage on back of Truck, See Estimates

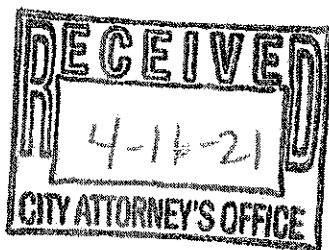
LIST INSURANCE PROVIDER AND COVERAGE: Auto Owners Insurance

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 3/16/2002

Leroy Wilson  
CLAIMANT'S SIGNATURE



CLERK RCVD

19 APR '21

AM 10:26

Action by Council:

Receive & File:

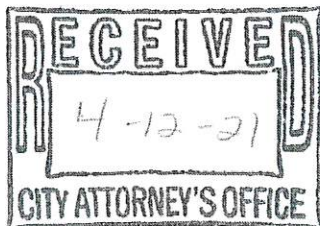
Date: 4.26.21



RETURN TO: CITY OF COUNCIL BLUFFS, IOWA CITY CLAIM NO. 21-PW-2110 ATTN: CITY LEGAL DEPARTMENT  
OR CITY CLERK  
209 PEARL STREET  
COUNCIL BLUFFS, IA 51503

### NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Mark D Holt DAY PHONE: \_\_\_\_\_  
ADDRESS: 2411 Eagle Ridge Drive COUNCIL BLUFFS IA 51503 DOB: \_\_\_\_\_  
DATE & TIME OF LOSS/ACCIDENT: 02 - 13 - 2021 at 9:30am  
LOCATION OF LOSS/ACCIDENT: 2411 Eagle Ridge Drive Council Bluffs IA  
DESCRIPTION OF LOSS/ACCIDENT: Public Sanitary Backup that affected 2411 and 2407 Eagle Ridge Drive. Raw sewerage was entering our house (2411) through a basement floor drain, 2 basement showers and 2 basement toilets. This sewer damaged all flooring, baseboard, door casings and bottom 2 feet of all finished walls in 1 bedroom, laundry room, 1 bathroom and portions of the open family room in our fully finished basement. Roto Rooter assessed our property and found no blockages within our property. Furthermore, we experienced the same backup to a lesser degree in June of 2019. We were refused compensation at this point, see claim made 08-27-2019, and are extremely disappointed that the city has neglected this to such a degree it has happened again. Public Works Sewer Division has acknowledged in a e-mail conversation March 10, 2021 that there is a belly/ low spot in the sewer in front of our house. (USE BACK OF FORM, IF NECESSARY)  
TOTAL DAMAGES CLAIMED: \$ 32,745.97  
WITNESS(ES) (Name(s), Address(es), Phone No(s)) 1. Reg Symington 16500 Irwindale Way, LAKEVILLE MN 55044 C Our Son and Daughter  
that were visiting for the weekend) 2. Dustin Holt 2144 Greenview Road COUNCIL BLUFFS son that visited our house during the clean up)  
3. Roto-Rooter Services Company 5711 F Street OMAHA NE 68117 Contact: Tim  
WAS POLICE REPORT FILED ☐ YES ☒ NO  
IF MEDICAL ATTENTION WAS REQUIRED, PLEASE PROVIDE NAME, ADDRESS, AND TELEPHONE NO. OF TREATING PHYSICIAN AND FACILITY.  
N/A  
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: See attached Invoice from Roto-Rooter for Clean up and Estimate from American Water Damage for Restoration Services. I have also attached photographs of the damage.  
LIST INSURANCE PROVIDER AND COVERAGE: Safeco Insurance Coverage: \$5,000.00  
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)  
Mark Holt DATE CLAIMANT'S SIGNATURE



CLERK RCVD  
13 APR '21

AM9:17

Action by Council:

Receive & File:

Date: 4.26.21

## Council Communication

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

Resolution 21-118  
ITEM 4.A.

Council Action: 4/26/2021

### Description

Resolution authorizing an application to apply for FY2022 State Transit Assistance through the Iowa Department of Transportation.

### Background/Discussion

Every year the City of Council Bluffs is required to submit an Authorizing Resolution for State Transit Assistance (STA) for transit operations with the Iowa Department of Transportation's Joint Participation Agreement to provide Transit Assistance to Iowa's public transit system.

Prior to receiving the funding, the City is required to submit to the Iowa DOT Office of Public Transit a notice of public hearing on the use of STA funds for the City's public transit systems, the Authorizing Resolution for Transit Assistance with the Iowa Department of Transportation, and a copy of city council minutes of the meeting where the public hearing is held.

The State Transit Assistance formula is based on ridership, revenue miles, operating expense and local match.

The Iowa Department of Transportation has indicated that the City will be eligible for an estimated \$238,631 in STA payments for FY2022. Currently the 2021 STA payments are anticipated to total approximately \$230,000 which was estimated last year at this time to be \$222,249. Application for the assistance has been prepared by city staff and must be submitted to the Iowa DOT.

The projected FY2022 budget for transit is \$1,873,616 in expenditures and projected revenues of \$1,323,921 in transit tax levy, \$238,631 in State Transit Assistance, \$144,000 from Metro Area Transit in reimbursement, \$44,520 in Enhanced Mobility of Seniors and Individuals with Disabilities Grants (5310), \$43,000 in Special Transit Assistance fares and \$92,000 in Metro fares.

### Recommendation

Approval of this resolution to continue receiving state funding for transit operations.

### ATTACHMENTS:

| Description       | Type       | Upload Date |
|-------------------|------------|-------------|
| Resolution 21-118 | Resolution | 4/20/2021   |

RESOLUTION  
NO. 21-118

RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION  
FOR FY2022 STATE TRANSIT ASSISTANCE.

- WHEREAS, the City of Council Bluffs will be eligible for an estimated amount of \$238,631 in State Transit Assistance for use in operating its transit system during FY2022; and
- WHEREAS, a public hearing notice was published as required by law, and the Public Hearing was held on April 26, 2021; and
- WHEREAS, the City Council of the City of Council Bluffs believes that it is in the best interest of the City to submit an Authorizing Resolution for State Transit Assistance to the Iowa DOT; and
- .

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

That the Mayor is hereby authorized and directed to submit an Authorizing Resolution for FY2022 State Transit Assistance and to enter into any necessary related contracts with the Iowa DOT.

ADOPTED  
AND  
APPROVED

April 26, 2021

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

ATTEST:

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

## Council Communication

Department: Community

Development

Case/Project No.:

Submitted by: Courtney Harter,

HED Manager

Resolution 21-120

ITEM 4.B.

Council Action: 4/26/2021

### Description

Resolution approving the plans and specifications and form of contract for the Hillside Estates Subdivision Infrastructure Project.

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

| Description       | Type         | Upload Date |
|-------------------|--------------|-------------|
| Site Map          | Map          | 4/19/2021   |
| Staff Report      | Staff Report | 4/19/2021   |
| Resolution 21-120 | Resolution   | 4/20/2021   |



### LEGEND

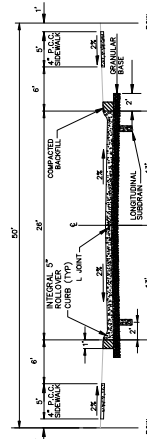
- PROJECT BOUNDARY LINE  
 - PROPERTY LINE  
 - PROPOSED PAVEMENT  
 - PROPOSED SIDEWALK  
 - BUILDING LINE  
 - SETBACK LINE

- ENGINEERING
- PLANNING
- LAND SURVEYING

FRANKLIN AND BENNETT AVE.  
COUNCIL BLUFFS, IOWA

SHEET NO. C1.1

**LOCAL STREET CROSS SECTION**  
NO PARKING BAY NO SCALES



NOTES:

1. ON GRADES GREATER THAN 6" TRANSVERSE SUBGRAN. AND CURTAIN WALLS SHALL BE USED. LESS THAN 6" ON GRANULAR BASE AND LONGITUDINAL SUBGRAN WILL BE REQUIRED AT THE DIRECTION OF THE CITY ENGINEER.
2. GRANULAR BASE SHALL HAVE A MINIMUM THICKNESS OF 6". MEET DOT GRADATION #12A OR #12B AND MAY REQUIRE USE OF ENGINEERING FIBRE.
3. LONGITUDINAL SUBGRAN SHALL BE PER SDAS FIGURE 400.031 AND THE CITY OF COUNCIL BLUFFS TRANSVERSE SUBGRAN DETAIL.
4. P.C.C. PAVEMENT SHALL HAVE 7" THICKNESS.
5. ALL JOINTS SHALL BE PER SDAS FIGURE 7010.101.

## ENGINEERING

**TERRY MORRISON, P.E.**  
**EHRHART GRIFFIN & ASSOCIATES**  
 142 WEST BROADWAY, SUITE 136  
 COUNCIL BLUFFS, IOWA  
 (712) 256-5248

## Council Communication

|  |   |  |
|--|---|--|
| Department:<br>Community Development   | Ordinance No.: N/A<br><br>Resolution No.: 21- | Public Hearing: April 26, 2021<br>Contract Award: May 24, 2021 |
| <b>Subject/Title</b>   |   |  |
| Public hearing to approve the plans, specifications and form of contract for the Hillside Estates Subdivision Infrastructure Project.  |   |  |
| <b>Location</b>  |   |  |
| The northeast corn of the Franklin and Bennett Avenue  |   |  |
| Legally described as: Lot 1, Franklin Heights Subdivision, City of Council Bluffs, Pottawattamie County, Iowa.   |   |  |
| <b>Background/Discussion</b>   |   |  |
| <u>Background</u><br>In 2020, the City began working with Turn the Paige Development on a proposed subdivision on a city-owned parcel located on the corner of Franklin and Bennett Avenues. The original proposal consisted of 25-35 homes consisting of single-family attached and detached units. City Council approve the sale of the property (Resolution 20-235) for the appraised value of \$275,000.   |   |  |
| As part of the proposed project, the developer wished to utilize Community Development Block Grant (CDBG) funds to complete the needed infrastructure improvements. The developer committed to 51% of the units being sold to households earning at or below 80% of the median family income (MFI), which meets the requirements set by the Department of Housing and Urban Development (HUD) for the use of CDBG funds support for persons of low-to-moderate income. City Council approved the FY2021 CDBG budget (Resolution 20-259) which included an allocation to this project of \$1 million. |   |  |
| <u>Discussion</u><br>The City wishes to construct the infrastructure for the 27-unit subdivision that will include 14 units sold to households with incomes at or below 80% MFI. This will include 14 attached and 13 detached single-family units. The infrastructure is funded through the Community Development Block Grant (CDBG) allocation of \$1 million for FY2021. Additional costs incurred shall be funded through CDBG or additional sources identified locally.   |   |  |
| The timeline shall be as follows:  |   |  |
| Public Hearing   | April 26, 2021                                |  |
| Distribute Bid Documents   | April 27, 2021                                |  |
| Bid Opening  | May 14, 2021                                  |  |
| City Council Award Contract  | May 24, 2021                                  |  |
| Start  | June 1, 2021                                  |  |
| Because CDBG funds are being used on the property, the infrastructure project must be completed by the City prior to transfer to the developer. Upon completion, the offer to buy process will be completed.   |   |  |
| <b>Staff Recommendation</b>  |   |  |
| Staff recommends approval of the resolution approving the plans, specifications and form of contract for the Hillside Estates Infrastructure Project.  |   |  |
| <b>Attachment</b>  |   |  |
| 1. Site Plan   |   |  |
| Plans are on file with the City Clerk’s Office.  |   |  |

Submitted by: Courtney Harter, Housing & Economic Development Manager, Community Development Department  
Approved by: Courtney Harter, Housing & Economic Development Manager, Community Development Department

**RESOLUTION NO. 21-120**

**A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS AND FORM OF CONTRACT FOR THE HILLSIDE ESTATES INFRASTRUCTURE PROJECT AND DIRECTING THE CITY CLERK TO ADVERTISE FOR BIDS SETTING MAY 14, 2021 AT 10:00 A.M. AS THE DATE AND TIME FOR THE BID OPENING FOR THE PROJECT.**

**WHEREAS,** The City wishes to undertake a project known as the Hillside Estates Infrastructure Project within the City; and

**WHEREAS,** this project will involve the construction of a new public road and utilities to; and

**WHEREAS,** such project is required to accommodate the construction of a 27-unit single-family subdivision; and

**WHEREAS,** The plans, specifications and form of contract for the Hillside Estates Infrastructure Project 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 April 26, 2021.

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

That the plans, specifications and form of contract for the Hillside Estates Infrastructure Project are hereby approved and the City Clerk is hereby authorized to advertise for bids for such project, setting May 14, 2021 at 10:00 a.m. as the date and time for the bid opening. Bids will be opened in the IonWave System.

ADOPTED  
AND  
APPROVED:

April 26, 2021

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

\_\_\_\_\_  
Mayor

ATTEST:

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

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



## Council Communication

Department: City Clerk  
Case/Project No.: URV-21-006  
Submitted by: Courtney Harter,  
Housing & Economic Development  
Manager

Ordinance 6449  
ITEM 5.A.

Council Action: 4/26/2021

### Description

Ordinance approving the 2021 Amendment to the South Pointe Urban Revitalization Area. Location: The northwest corner of the intersection of South 24th Street and Veterans Memorial Highway. URV-21-006

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

| Description                                    | Type         | Upload Date |
|--|--------------|-------------|
| Staff Report                                   | Staff Report | 4/1/2021    |
| Attachment A - Boundary Map                    | Map          | 4/1/2021    |
| Attachment B - Draft Urban Revitalization Plan | Other        | 4/1/2021    |
| Ordinance 6449                                 | Resolution   | 4/7/2021    |

## Council Communication

|   |   |   |
|---|---|---|
| Department: Community Development<br><br>Case No.: URV-21-006<br><br>Submitted by: Housing & Economic Development   | Resolution No. _____<br><br>Ordinance No. _____ | Resolution of Intent: 2/22/2021<br>Planning Commission: 3/9/2021<br>Public Hearing & First Reading: 4/12/2021<br>Second Reading: 4/26/2021<br>Third Reading: Request to Waive |
| <b>Subject/Title</b>  |   |   |
| Establishment of the 2021 Amendment to the South Pointe Urban Revitalization Area   |   |   |
| <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>On November 26, 2018, City Council adopted Resolution No. 18-325 approving the South Pointe Urban Revitalization Plan. Subsequent to this action, Ordinance No. 6375 was adopted on December 27, 2018, which established the South Pointe Urban Revitalization Area. On May 18, 2020, City Council adopted Resolution No. 20-126 amending the South Pointe Urban Revitalization Plan, and on July 13, 2020, Ordinance No. 6418 was adopted to amend the Urban Revitalization Area.</p> <p>The Community Development Department wishes to again amend the Urban Revitalization Area by adding additional parcels with redevelopment potential. Staff has prepared amendments to the Plan in accordance with Section 404.2 of the Iowa Code. The amendment consists of adding approximately 124.2 acres northwest of the existing Area.</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 404.1.4: 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.”</p> <p>The original Plan and Area was also established under economic development. Staff believes an economic development finding is appropriate for the new properties, which are currently vacant.</p> |   |   |

## Council Communication

On February 22, 2021, City Council approved Resolution 21-49, which directed staff to initiate the process of amending the South Pointe Urban Revitalization Plan and Area. This resolution set April 12, 2021 as the date of the public hearing.

This matter was brought before the City Planning Commission at their March 9, 2021 meeting. The Commission found the following: 1) That the proposed Amended South Pointe Urban Revitalization Plan and Area furthers the goals of the City's Comprehensive Plan; and 2) That the Amended South Pointe Urban Revitalization Area is an area appropriate for urban revitalization designation as specified in Iowa Code Section 404.1.4 which discusses areas that are appropriate for economic development as defined by Section 403.17.

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 amendment of an urban revitalization plan, an ordinance amending the urban revitalization area can be considered. Upon adoption of the amended 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 2021 Amendment to the South Pointe Urban Revitalization Plan and Area and 1<sup>st</sup> consideration of the ordinance.

### **Planning Commission Public Hearing**

Staff speakers for the request:

1. Christopher Gibbons, Planning Manager, City of Council Bluffs

Speakers in favor: None

Speakers in opposition: None

### **Planning Commission Recommendation**

The Planning Commission recommended approval of the Amended South Pointe Urban Revitalization Plan and Area.

Vote: 10-0 (1 vacant)

A YE – Bass, Danielsen, Halm, Haner, Hutcheson, Rater, Rew, Scott, Stroebele and Van Houten

NAY – None

ABSTAIN – None

Motion: Carried

### **Attachments**

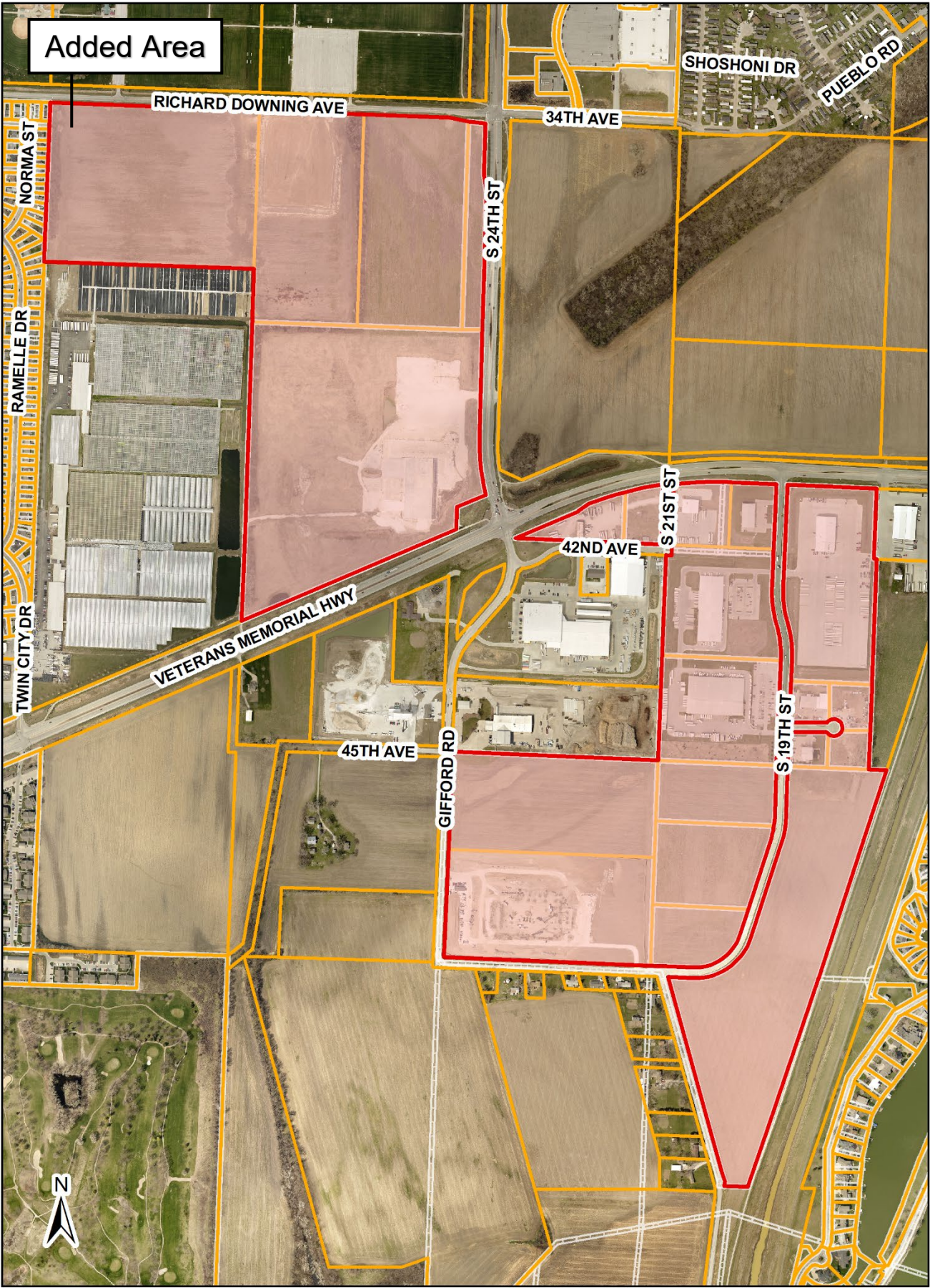
Attachment A - Boundary Map

Attachment B - Draft of the 2021 Amendment to the South Pointe Urban Revitalization Plan

Prepared by: Tiffany Schmitt, Community Development Technician, Community Development Department  
Submitted by: Courtney Harter, Housing & Economic Development Manager, Community Development Department

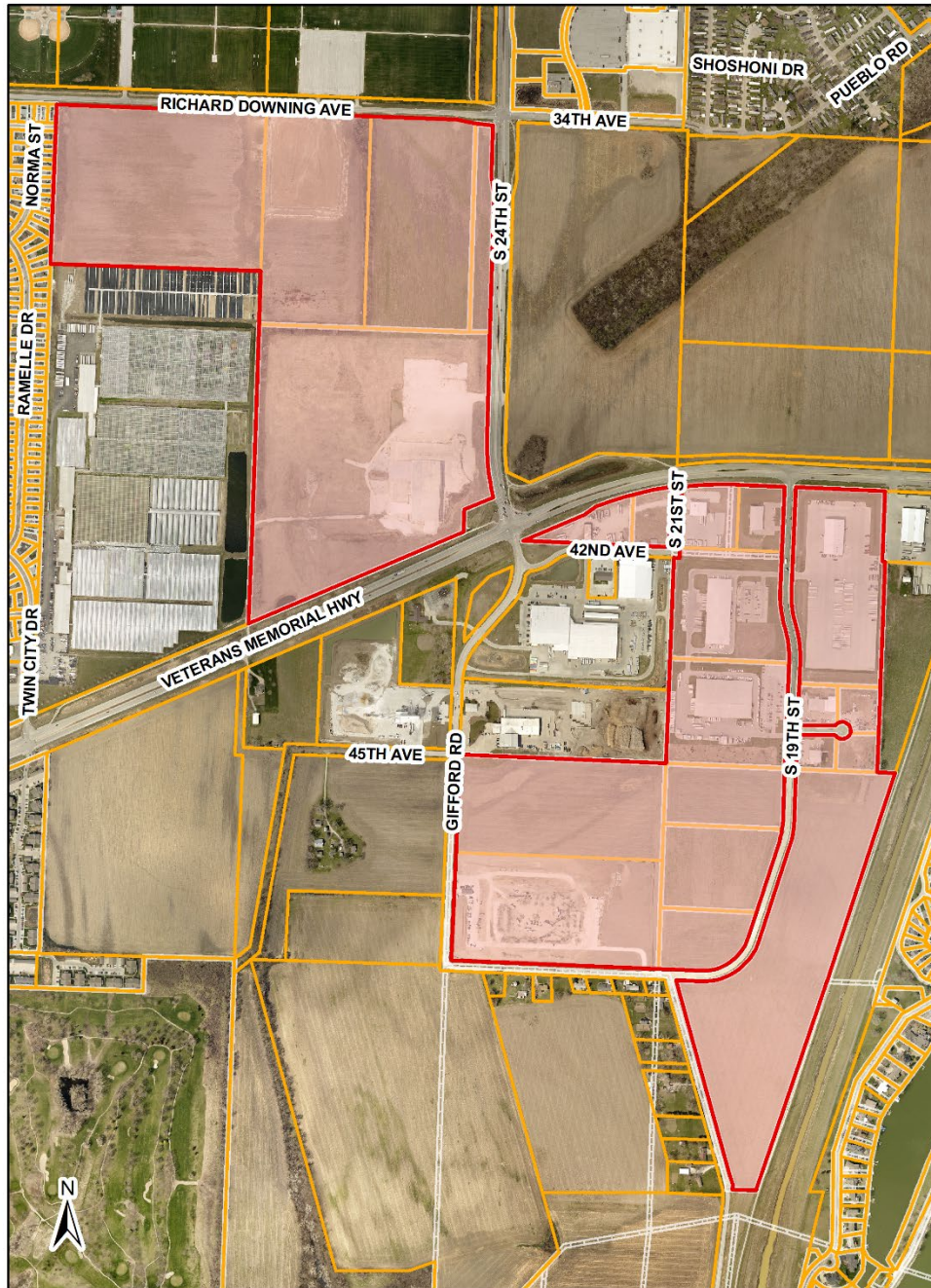


2021 Amended South Pointe Urban Revitalization Area - Boundary Map





# 2021 Amendment to the South Pointe Urban Revitalization Plan



Prepared by

Community Development Department  
City of Council Bluffs, Iowa

Original Area Adopted by  
City Council on December 27, 2018  
Amended July 13, 2020  
Amended \_\_\_\_\_, 2021

# TABLE OF CONTENTS

| <u>SECTION</u>   | <u>PAGE</u> |
|--|-------------|
| INTRODUCTION.....  | 3-7         |
| LEGAL DESCRIPTION OF AREA.....                                 | 8-9         |
| PROPERTY OWNERS & ASSESSED VALUATIONS .....                    | 10          |
| EXISTING ZONING & PROPOSED LAND USE .....                      | 10-17       |
| PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES.....        | 18          |
| RELOCATION PROVISIONS.....                                     | 18          |
| OTHER PUBLIC ASSISTANCE .....                                  | 18          |
| APPLICABILITY & TAX EXEMPTION SCHEDULE .....                   | 19-20       |
| APPLICATION AND REVIEW PROCESS .....                           | 20          |
| ATTACHMENT A: ORIGINAL TAX PARCEL INFORMATION .....            | 21          |
| ATTACHMENT B: ADDED TAX PARCEL INFORMATION (2020 AMENDMENT) .. | 22          |
| ATTACHMENT C: ADDED TAX PARCEL INFORMATION (2021 AMENDMENT) .. | 23          |

## **INTRODUCTION**

On November 22, 2004, the Council Bluffs City Council adopted Ordinance No. 5823, which established the South 19th Urban Revitalization Area. This revitalization area consisted of eight parcels of land that were located west of Indian Creek, south of Veterans Memorial Highway (US 275/92) and east of Gifford Road and totaled 80.09 acres in size. The plan was valid was 10 years from the date of City Council adoption and helped attract new economic development projects in the South Pointe Industrial Park and along Gifford Road. In 2018, the Industrial Foundation expressed the need for additional assistance to attract new businesses to the industrial park and the South Pointe Urban Revitalization Plan was adopted (Ordinance 6375). In 2020, the plan was amended to include an additional parcel in order to attract new development directly adjacent to Veterans Memorial Highway (Ordinance 6418).

The proposed amendment will add 5 additional parcels to the existing South Pointe Urban Revitalization Plan to attract new development adjacent to Veterans Memorial Highway.

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

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

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

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



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

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

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

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

In December 2018, the City of Council Bluffs adopted the South Pointe Urban Revitalization Plan and established the South Pointe Urban Revitalization Area under the criteria of element 4. Element 4 was also invoked for the 2020 amendment to the plan, and the City now again desires to amend the Plan and Area (herein referred to as the “Amended Plan” and “Amended Area”) to include additional commercial property under the criteria of element 4 .

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

**RESOLUTION NO. 18-282**

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

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

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

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

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

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

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

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

**BE IT FURTHER RESOLVED**

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

**BE IT FURTHER RESOLVED**

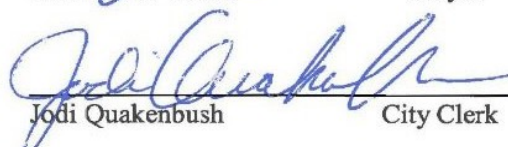
That the City Council directs the City Clerk to set this matter for public hearing on November 26, 2018.

**ADOPTED  
AND  
APPROVED:**

October 8, 2018

  
Matthew J. Walsh Mayor

**ATTEST:**

  
Jodi Quakenbush City Clerk

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

**RESOLUTION NO. 20-126**

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

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

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

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

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

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

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

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

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

**BE IT FURTHER RESOLVED**

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

**BE IT FURTHER RESOLVED**

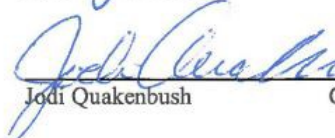
That the City Council directs the City Clerk to set this matter for public hearing on June 22, 2020.

**ADOPTED  
AND  
APPROVED:**

May 18, 2020

  
Matthew J. Walsh Mayor

**ATTEST:**

  
Jodi Quakenbush City Clerk

**Amended South Pointe Urban Revitalization Plan  
Illustration 3 – Amended Plan Resolution**

**RESOLUTION NO. 21-49**

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

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

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

WHEREAS, on May 18, 2020, City Council adopted Resolution No. 20-126 amending the South Pointe Urban Revitalization Plan; and

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

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

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

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

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

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

**BE IT FURTHER RESOLVED**


That the City Council directs staff to prepare a final plan pursuant to Section 404.2 of the Iowa Code by March 12, 2021.

**BE IT FURTHER RESOLVED**

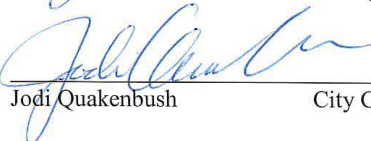
That the City Council directs the City Clerk to set this matter for public hearing on April 12, 2021.

**ADOPTED  
AND  
APPROVED:**

February 22, 2021

  
Matthew J. Walsh Mayor

**ATTEST:**

  
Jodi Quakenbush City Clerk

## **LEGAL DESCRIPTION**

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

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

The area added in 2020 included the following legally described parcel:

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

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

NOTE: The South line of the Southwest Quarter of the Southwest Quarter of said Section 11 is assumed to bear North 88° 31' 40" East for this description.

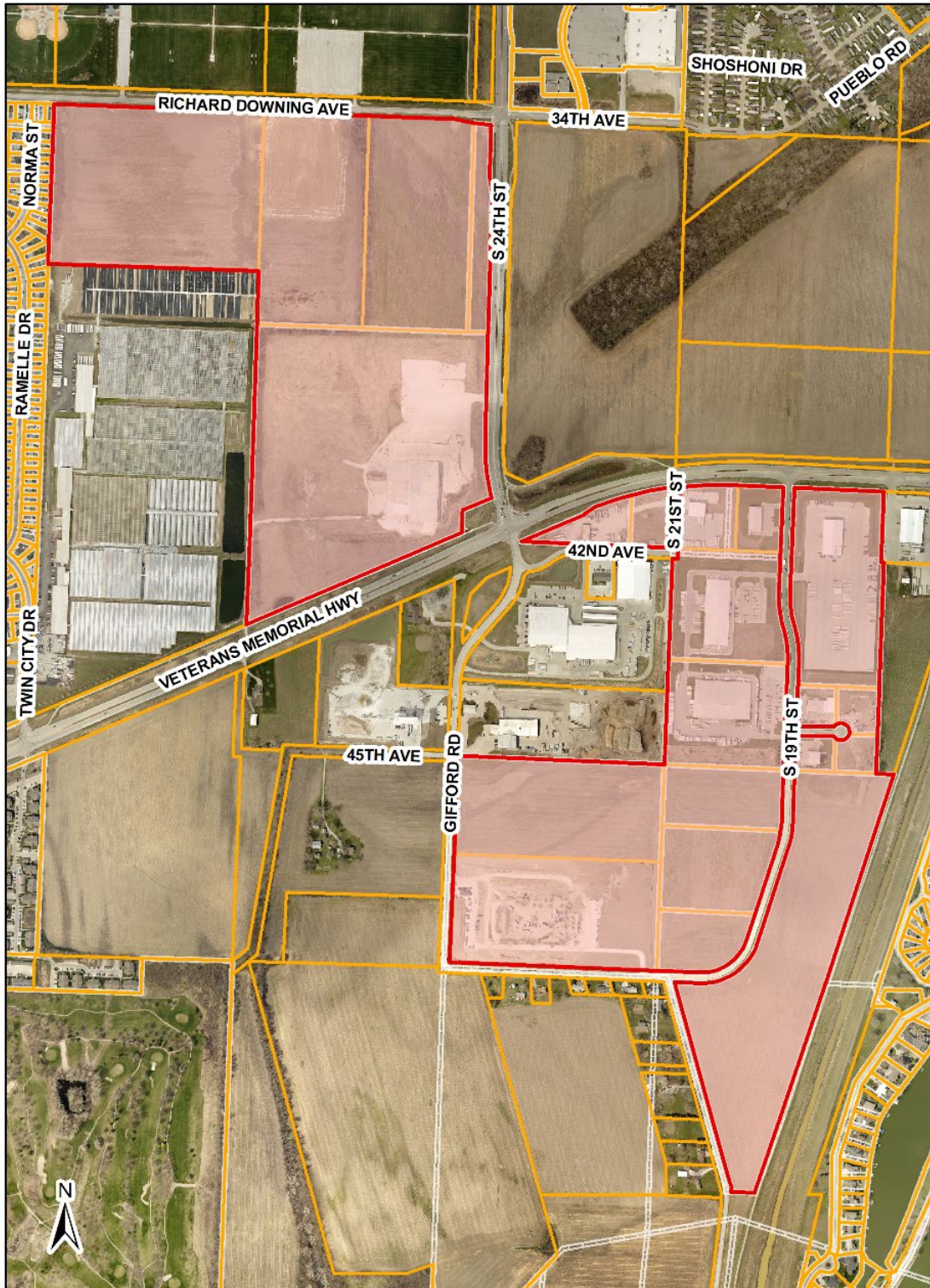
The 2021 proposed Added Area includes the following legally described parcels:

Lots 1 and 2, South 24<sup>th</sup> and Highway 275 Industrial Subdivision, along with the North ½ of the SE ¼ of Section 10-74-44, except the south 10.01 acres of said NW ¼ SE ¼ in Section 10-74-44 and Richard Downing Avenue right-of-way, all in the City of Council Bluffs, Pottawattamie County, Iowa.



The existing Amended South Pointe Road Urban Revitalization Area is approximately 142.00 acres in size. The 2021 proposed Added Area consists of 124.02 acres, for a total Amended Area of 266.02 acres.

### Amended South Pointe Road Urban Revitalization Area Illustration 4 – Amended Boundary



## **PROPERTY OWNERS AND ASSESSED VALUES**

The 2021 Amended South Pointe Urban Revitalization Area contains 19 parcels of land that total 266.02 acres in size. The total valuation (\$) for all land, dwellings, and buildings in this urban revitalization area are as follows:

Land Valuation: \$10,131,500.00  
Dwelling Valuation: \$0  
Building Valuation: \$9,560,200.00  
Total Valuation: \$19,691,700.00

A listing of the original parcels, ownership, land/dwelling/building valuation, and acreage information is outlined in the attachment titled *Attachment A – South Pointe Urban Revitalization Area Plan – Property Owners List*. The 2020 Added Area's parcel, ownership, land/dwelling/building valuation, and acreage information is outlined in the attachment titled *Attachment B – Amended South Pointe Urban Revitalization Area Plan – Added Property Owners List*. The 2021 Added Area's parcels, ownership, land/dwelling/building valuation, and acreage information is outlined in the attachment titled *Attachment C – 2021 Amended South Pointe Urban Revitalization Area Plan – Added Property Owners List*. The information stated in these attachments was obtained from records in the Pottawattamie County Assessor's Office.

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

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

The 2021 Amended South Pointe Urban Revitalization Area is zoned I-1/Light Industrial District, I-2/General Industrial District, and A-2/Parks, Estates and Agricultural District (see Illustration 5). The I-1/Light Industrial District is intended to provide for the development of light manufacturing and industrial areas. This district also accommodates a mixture of commercial services and light industrial uses with relatively limited external effects. The I-2/General Industrial District is intended to provide for the development of general manufacturing and industrial areas. This district is designed to accommodate industrial uses with moderate external effects.

The A-2/Parks, Estates and Agricultural District is intended to preserve lands best suited for agricultural, recreational and large-parcel residential uses. It is also intended to preserve land suited for eventual development, pending proper timing for economical and practical provisions of streets, utilities, schools and other facilities so that reasonably compact development will occur. Properties currently zoned A-2 in the Amended Area will need be rezoned at the time of development.



The 2021 Amended South Pointe Urban Revitalization Area is partially located within a designated Recreational-Tourism Overlay (RO) (see Illustration 6). The Recreation-Tourism Overlay (RO) is intended to maintain and enhance the aesthetic quality of areas around the National Historic Trails Center and land-based and riverboat gaming facilities. This Overlay is intended to mitigate any negative impact associated with these facilities.

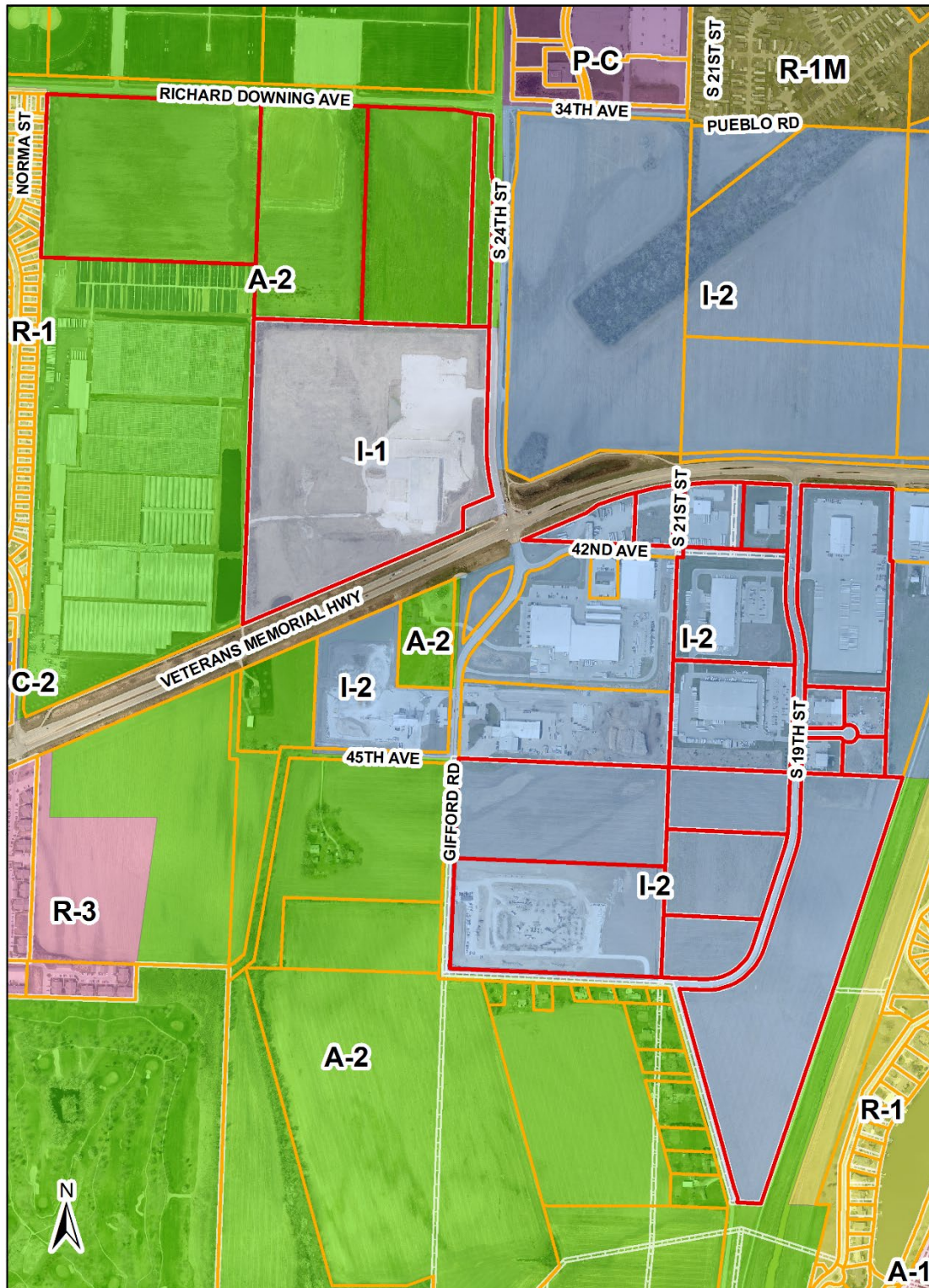
Surrounding zoning in the general vicinity of the 2021 Amended South Pointe Urban Revitalization area includes: I-2/General Industrial District and A-2/Parks, Estates, and Agricultural District to the north; I-2/General Industrial District, C-2/Commercial District, R-1/Single Family Residential District, and R-3/Low Density Multi-Family Residential District to the east; I-2/General Industrial District and A-2/Parks, Estates, and Agricultural District to the south; along with R-1/Single Family Residential District, I-2/General Industrial District and A-2/Parks, Estates, and Agricultural District to the west.

The 2021 Amended South Pointe Urban Revitalization Area contains a mixture of industrial, undeveloped, and agricultural land uses. Existing businesses within this urban revitalization area include the following:

1. Matheson Tri-Gas – 4106 South 19<sup>th</sup> Street (PIN #744411377004)
2. Fremont Contract Carriers (FCC) – 4303 South 19<sup>th</sup> Street (PIN #744411379001)
3. FedEx Freight – 4306 South 19<sup>th</sup> Street (PIN #744414126003)
4. FedEx Freight – 4406 South 19<sup>th</sup> Street (PIN #744414126002)
5. Pro-Tech Sales – 4343 South 19<sup>th</sup> Street (PIN #744414127003)
6. TEQ Supply Inc. – 4405 South 19<sup>th</sup> Street (PIN #744414127005)
7. Rogers Auto – 2105 Veterans Memorial Hwy (PIN # 744411352002)
8. Loffredo Fresh Produce – 4105 S 21<sup>st</sup> Street (PIN # 744411377007)
9. CyrusOne – 4700 Gifford Road (PIN # 744414176009)

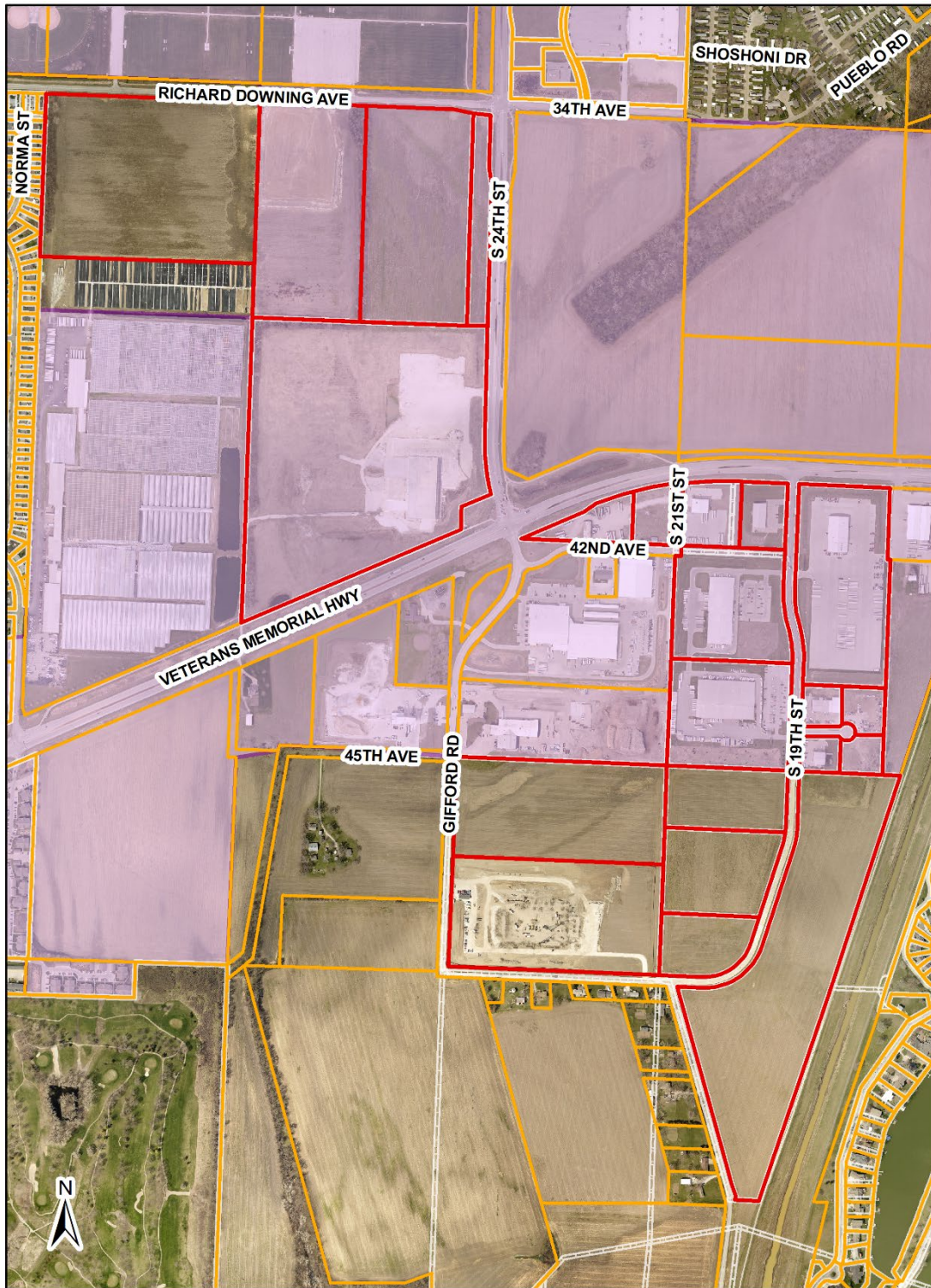
The remaining properties in the proposed South Pointe Urban Revitalization Area are undeveloped. All land uses in the proposed Amended South Pointe Urban Revitalization Area will be commercial or industrial.

**Amended South Pointe Urban Revitalization Plan**  
**Illustration 5 – Amended Zoning Map**





**Amended South Pointe Urban Revitalization Plan**  
**Illustration 6 – Recreation-Tourism Overlay**



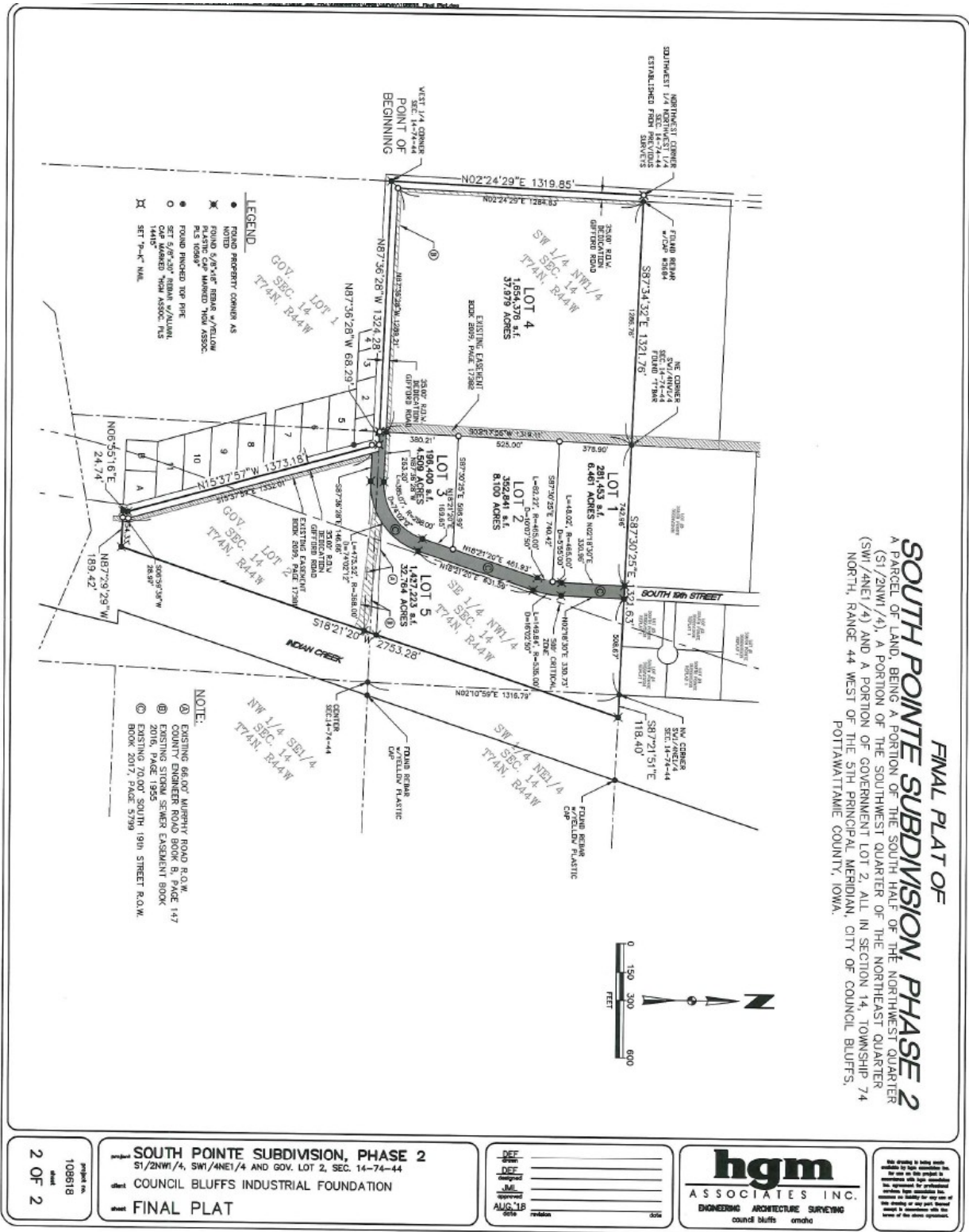
 RO/Recreation-Tourism Overlay

# FINAL PLAT SOUTH POINTE SUBDIVISION



# Amended South Pointe Urban Revitalization Plan

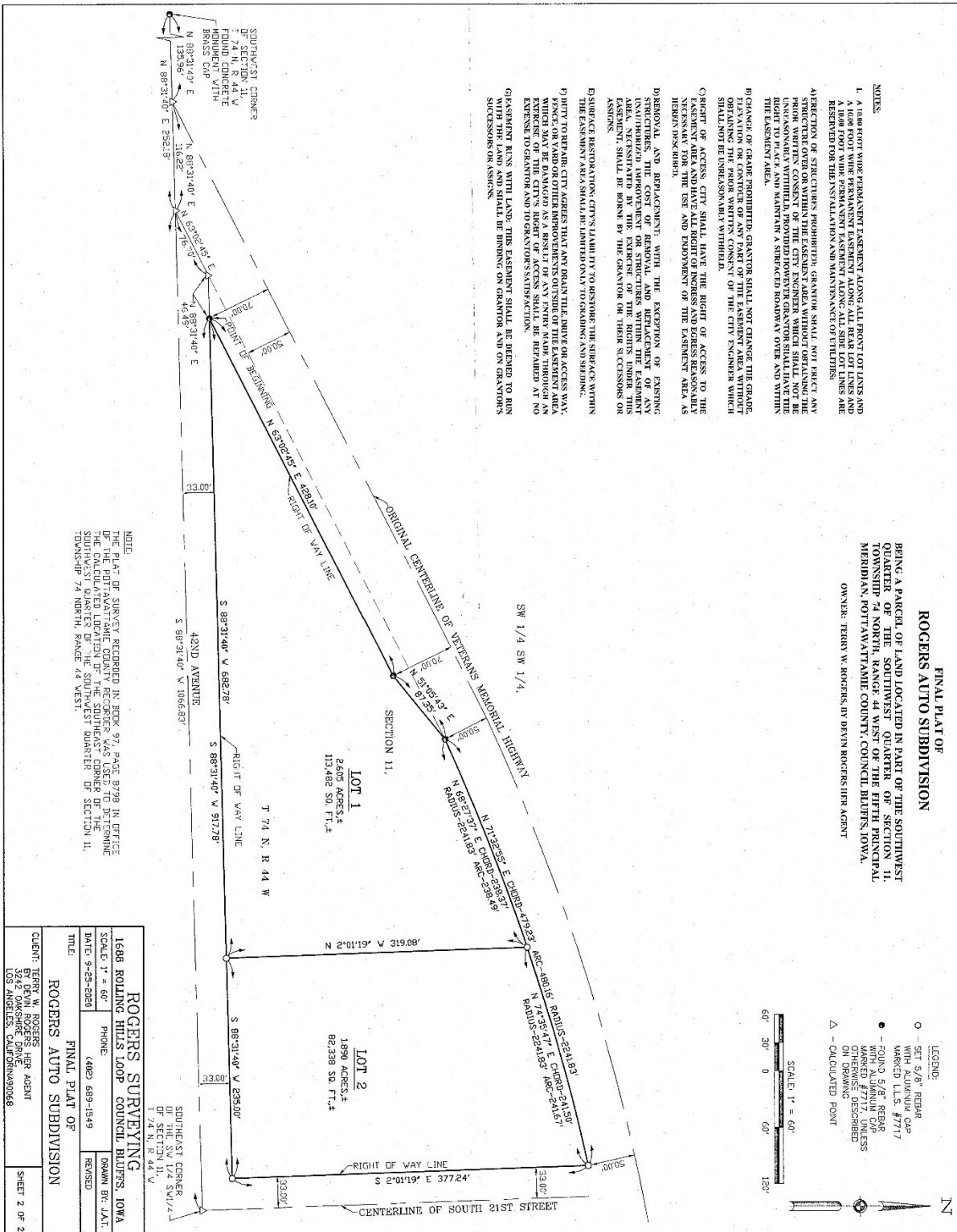
## Illustration 8 – South Pointe Subdivision, Phase 2 Final Plat





# Amended South Pointe Urban Revitalization Plan

## Illustration 9 – Rogers Auto Subdivision Final Plat



DOI: 10.1002/anie.201500015





## **PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES**

The proposed 2021 Amended South Pointe Urban Revitalization Area is served with all municipal utilities (sanitary sewer, water, and storm sewer) as well as electricity and gas. The area is accessible by seven public roadways, as follows: Veterans Memorial Highway (US 275/92), South 24<sup>th</sup> Street, South 21<sup>st</sup> Street, South 19<sup>th</sup> Street, 44<sup>th</sup> Avenue, Gifford Road, and Richard Downing Avenue. In the last five years the City and/or other private entities have reconstructed portions of Gifford Road, South 21<sup>st</sup> Street, and South 19<sup>th</sup> Street to meet current City standards. Most said roadways operate at a level of service (LOS) that can adequately handle additional traffic generated by new projects in this proposed urban revitalization area. A right turn lane will be added to South 24<sup>th</sup> Street. A traffic study will be done to determine if the street will also need to be widened.

## **RELOCATION PROVISIONS**

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

## **OTHER PUBLIC ASSISTANCE**

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

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

## **APPLICABILITY AND TAX EXEMPTION SCHEDULE**

1. Eligibility - The 2021 Amended South Pointe Urban Revitalization Plan will apply to commercial and industrial land uses.

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

2. Term - The term of this Plan shall be until December 31, 2041 or as amended by City Council.

3. Commercial and Industrial

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

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

-OR-

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

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

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

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

## **APPLICATION AND REVIEW PROCESS**

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

1. The applicant requests a conference with the Community Development Department to discuss applicability of the request to established policy and review the application process.
2. The applicant completes the required forms and submits them along with all required data by February 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.

| Attachment A - South Pointe Urban Revitalization Area Plan - Property Owners List |   |                |                    |                    |                 |         |
|---|---|----------------|--------------------|--------------------|-----------------|---------|
| Parcel Number   | Owner & Tax Address   | Land Valuation | Dwelling Valuation | Building Valuation | Total Valuation | Acreage |
| 744411377007  | Council Bluffs Industrial Foundation<br>PO Box 1565, Council Bluffs, IA 51502   | \$290,200.00   | \$0                | \$0                | \$290,200.00    | 3.28    |
| 744411377004  | R A H Council Bluffs LLC<br>c/o Matheson Tri Gas Inc.<br>155 Allen Road, Suite 302<br>Basking Ridge, NJ 07920                             | \$263,000.00   | \$0                | \$489,200.00       | \$752,200.00    | 2.63    |
| 744411379001  | J A K K Investments LLC<br>865 Bud Boulevard<br>Fremont, NE 68025   | \$1,474,000.00 | \$0                | \$3,704,600.00     | \$5,178,600.00  | 14.74   |
| 744414126003  | ARC Fechia001 LLC<br>c/o American Realty Capital<br>200 Dryden Road, Suite 1100<br>Dresher, PA 19025                                      | \$1,101,000.00 | \$0                | \$1,394,800.00     | \$2,495,800.00  | 11.01   |
| 744414126002  | ARC Fechia001 LLC<br>38 Washington Square<br>Newport, RI 02840<br>McAllen Properties Omaha<br>3950 Commercial Avenue<br>Madison, WI 53714 | \$1,123,000.00 | \$0                | \$2,905,400.00     | \$4,028,400.00  | 11.23   |
| 744414127003  | Glenn, Bernard L Trust<br>18045 Bent Tree Ridge<br>Council Bluffs, IA 51503   | \$150,000.00   | \$0                | \$420,800.00       | \$570,800.00    | 1.50    |
| 744414127004  | Glenn, Ross B-Patricia E<br>4343 S 19th Street<br>Council Bluffs, IA 51501  | \$144,000.00   | \$0                | \$0.00             | \$144,000.00    | 1.60    |
| 744414127005  | TEQ Properties, LLC<br>c/o Greg Petersen<br>11664 Pierce Street<br>Omaha, NE 68144  | \$124,000.00   | \$0                | \$403,700.00       | \$527,700.00    | 1.24    |
| 744414127006  | Council Bluffs Industrial Foundation<br>PO Box 1565, Council Bluffs, IA 51502   | \$121,500.00   | \$0                | \$0                | \$121,500.00    | 1.35    |
| 744414176001  | Council Bluffs Industrial Foundation<br>PO Box 1565, Council Bluffs, IA 51502   | \$75,700.00    | \$0                | \$0                | \$75,700.00     | 34.42   |
| 744414151002  | Council Bluffs Industrial Foundation<br>PO Box 1565, Council Bluffs, IA 51502   | \$70,100.00    | \$0                | \$0                | \$70,100.00     | 36.24   |
| 744414151001  | Council Bluffs Industrial Foundation<br>PO Box 1565, Council Bluffs, IA 51502   | \$15,800.00    | \$0                | \$0                | \$15,800.00     | 1.66    |
|   | Council Bluffs Industrial Foundation<br>PO Box 1565, Council Bluffs, IA 51502   | \$35,800.00    | \$0                | \$0                | \$35,800.00     | 16.00   |
|   |   | \$4,988,100.00 | \$0                | \$9,318,500        | \$14,306,600.00 | 136.90  |

(address updated 10-25-18 from original plan draft)

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

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

## Attachment C - 2021 Amended South Pointe Urban Revitalization Area Plan - Added Property Owners List

| Parcel Number             | Owner & Tax Address   | Land Valuation  | Dwelling Valuation | Building Valuation | Total Valuation | Acreage |
|---------------------------|---|-----------------|--------------------|--------------------|-----------------|---------|
| 744410400006              | 80/29 Access LLC<br>950 S 10th St Ste 100<br>Omaha, NE 68108        | \$4,545,400.00  | \$0.00             | \$0.00             | \$4,545,400.00  | 50.56   |
| 744411301004              | C F Realty Group LLC<br>6457 Frances St Ste 100<br>Omaha, NE 68106  | \$4,600.00      | \$0.00             | \$0.00             | \$4,600.00      | 3.53    |
| 744410400003              | C F Realty Group LLC<br>6457 Frances St Ste 100<br>Omaha, NE 68106  | \$22,200.00     | \$0.00             | \$0.00             | \$22,200.00     | 19.94   |
| 744410400002              | Krejci, Frank R Trust<br>1505 N 203rd St<br>Elkhorn, NE 68022       | \$22,400.00     | \$0.00             | \$0.00             | \$22,400.00     | 20.00   |
| 744410400007              | T D J Holdings LLC<br>2802 Twin City Dr<br>Council Bluffs, IA 51501 | \$38,800.00     | \$0.00             | \$0.00             | \$38,800.00     | 29.99   |
| 2020 Amended Area         |   | \$5,498,100.00  | \$0.00             | \$9,560,200.00     | \$15,058,300.00 | 142.00  |
| Total with 2021 Amendment |   | \$10,131,500.00 | \$0.00             | \$9,560,200.00     | \$19,691,700.00 | 266.02  |

**ORDINANCE NO. 6449**

**AN ORDINANCE AMENDING THE SOUTH POINTE 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 “South Pointe Urban Revitalization Area;” and
- WHEREAS,** the City of Council Bluffs is contemplating amending the current Plan to include the area legally described as Lots 1 and 2, South 24th and Highway 275 Industrial Subdivision, along with the North  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of Section 10-74-44, except the south 10.01 acres of said NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  in Section 10-74-44 and Richard Downing Avenue right-of-way, all in the City of 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 February 22, 2021, the City Council passed a Resolution of Necessity and Intent to establish an amended urban revitalization plan for the South Pointe Urban Revitalization Area, directing staff to prepare the required revitalization plan and a public hearing was set for April 12, 2021; 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 March 9, 2021 meeting, the City Planning Commission reviewed the amended plan for the South Pointe 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 amended urban revitalization plan for the South Pointe Urban Revitalization Area, known as the "2021 Amendment to the South Pointe Urban Revitalization Plan," attached hereto and made a part hereof, is hereby approved as to form and content.

**SECTION 2.** That the proposed Amended South Pointe 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

April 26, 2021

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

\_\_\_\_\_  
Mayor

ATTEST:

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

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

PUBLIC HEARING: N/A

FIRST CONSIDERATION: 4-12-2021

SECOND CONSIDERATION: 4-26-2021

THIRD CONSIDERATION: REQUEST TO WAIVE

## Council Communication

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

Ordinance 6450  
ITEM 5.B.

Council Action: 4/26/2021

### Description

An Ordinance to amend Chapter 9.16 "Signs and Signals" of the 2020 Municipal Code of Council Bluffs, Iowa, by Section 9.16.055 "Automated Red Light Enforcement".

### Background/Discussion

This Ordinance is outdated with regard to the actual process for the penalty/appeals for the red light enforcement program. These proposed changes will accurately reflect the current administrative process being utilized within the City.

### Recommendation

Recommendation of this Ordinance is recommended.

### ATTACHMENTS:

| Description                | Type      | Upload Date |
|----------------------------|-----------|-------------|
| Ordinance-red line version | Other     | 4/1/2021    |
| Ordinance 6450             | Ordinance | 4/7/2021    |

### **9.16.055 Automated Red Light Enforcement**

- A. General. The city of Council Bluffs, in accordance with the police powers authorized it by the state of Iowa for governing safe traffic flow, may erect or cause to have erected an automated traffic enforcement system for making photographs, video, or digital images of vehicles that fail to obey red light traffic signals at intersections designated by the mayor or his/her designee. The system may be managed by the private contractor that owns and operates the requisite equipment with supervisory control vested in the city's police department. Photographs, video, or digital images shall be provided to the police department by the contractor for review. The police department will determine which vehicle owners are in violation of the city's red light ordinance and are to receive a notice of violation for the offense.
- B. Definitions.  
Automated traffic enforcement system: An electronic system consisting of a photographic, video, or electronic camera and a vehicle sensor installed to work in conjunction with an official traffic controller and to automatically produce photographs, video, or digital images of each vehicle violating a standard traffic control.
- C. Vehicle owner: The person or entity identified by the Iowa Department of Transportation, or registered with any other state vehicle registration office, as the registered owner of a vehicle.
- D. Offense.
  - 1. The vehicle owner shall be liable for a fine as imposed below if such vehicle crosses a marked stop line or the intersection plane at a system location when the traffic signal for that vehicle's direction is emitting a steady red light or red arrow.
  - 2. The violation may be rebutted by a showing that a stolen vehicle report was made on the vehicle encompassing the period in question.
  - 3. The citation will in no event be sent or reported to the Iowa Department of Transportation or similar department of any other state for the purpose of being added to the vehicle owner's driving record.
- E. Penalty and Appeal.
  - 1. Any violation of paragraph C,1 shall be considered a civil violation for which a penalty of one hundred dollars (\$100.00) shall be imposed, payable as directed on the citation.
  - 2. A recipient of an automated red light citation may dispute the citation by requesting an administrative review of the citation by the Council Bluffs City Attorney's Office, or their designee. Any such request for administrative review shall comply with the written instructions as designated on the citation, including any stated deadline for submission. Such administrative review shall be in person, and at a set date and time, as determined by the Council Bluffs City Attorney's Office. As a result of the appeal herein, the citation may be dismissed, paid by the appellant, or may result in the issuance of a municipal infraction citation, at the request of the appellant, pursuant to Iowa Code 364.22 and Council Bluffs Municipal Code 1.95.

Such municipal infraction citation will result in a required court appearance by the recipient and in the scheduling of a trial before a judge or magistrate at the Pottawattamie County Courthouse. The issuance of a municipal infraction citation will cause the imposition of state mandated court costs to be added to the amount of the violation.

3. If a recipient of an automated right light citation does not pay the fine, or request administrative review, by the stated due date or request a trial before a judge or magistrate, the citation shall be referred by the private contractor to a collection agency for collection in accordance with the laws of the State of Iowa, including any applicable fees or costs that may be associated with such collection..

(Ord. 5870 § 1, 2005)

(Ord. No. 6036, § 1, 8-24-2009; Ord. No. 6121, § 1, 2-28-2011)

## **ORDINANCE NO. 6450**

**AN ORDINANCE TO AMEND CHAPTER 9.16 “SIGNS AND SIGNALS” OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 9.16.055 “AUTOMATED RED LIGHT ENFORCEMENT”.**

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

**SECTION 1.** That Chapter 9.16 “Signs and Signals” of the 2020 Municipal Code of Council Bluffs, Iowa, is hereby amended by amending Chapter 9.16.055 “Automated Red Light Enforcement” as follows:

**9.16.055 Automated Red Light Enforcement**

- A. General. The city of Council Bluffs, in accordance with the police powers authorized it by the state of Iowa for governing safe traffic flow, may erect or cause to have erected an automated traffic enforcement system for making photographs, video, or digital images of vehicles that fail to obey red light traffic signals at intersections designated by the mayor or his/her designee. The system may be managed by the private contractor that owns and operates the requisite equipment with supervisory control vested in the city's police department. Photographs, video, or digital images shall be provided to the police department by the contractor for review. The police department will determine which vehicle owners are in violation of the city's red light ordinance and are to receive a notice of violation for the offense.
- B. Definitions.
- Automated traffic enforcement system: An electronic system consisting of a photographic, video, or electronic camera and a vehicle sensor installed to work in conjunction with an official traffic controller and to automatically produce photographs, video, or digital images of each vehicle violating a standard traffic control.
- Vehicle owner: The person or entity identified by the Iowa Department of Transportation, or registered with any other state vehicle registration office, as the registered owner of a vehicle.
- C. Offense.
1. The vehicle owner shall be liable for a fine as imposed below if such vehicle crosses a marked stop line or the intersection plane at a system location when the traffic signal for that vehicle's direction is emitting a steady red light or red arrow.
  2. The violation may be rebutted by a showing that a stolen vehicle report was made on the vehicle encompassing the period in question.
  3. The citation will in no event be sent or reported to the Iowa Department of Transportation or similar department of any other state for the purpose of being added to the vehicle owner's driving record.
- D. Penalty and Appeal.
1. Any violation of paragraph C,1 shall be considered a civil violation for which a penalty of one hundred dollars (\$100.00) shall be imposed, payable as directed on the citation.

2. A recipient of an automated red light citation may dispute the citation by requesting an administrative review of the citation by the Council Bluffs City Attorney's Office, or their designee. Any such request for administrative review shall comply with the written instructions as designated on the citation, including any stated deadline for submission. Such administrative review shall be in person, and at a set date and time, as determined by the Council Bluffs City Attorney's Office. As a result of the appeal herein, the citation may be dismissed, paid by the appellant, or may result in the issuance of a municipal infraction citation, at the request of the appellant, pursuant to Iowa Code 364.22 and Council Bluffs Municipal Code 1.95. Such municipal infraction citation will result in a required court appearance by the recipient and in the scheduling of a trial before a judge or magistrate at the Pottawattamie County Courthouse. The issuance of a municipal infraction citation will cause the imposition of state mandated court costs to be added to the amount of the violation.
3. If a recipient of an automated right light citation does not pay the fine, or request administrative review, by the stated due date or request a trial before a judge or magistrate, the citation shall be referred by the private contractor to a collection agency for collection in accordance with the laws of the State of Iowa, including any applicable fees or costs that may be associated with such collection..

(Ord. 5870 § 1, 2005)

(Ord. No. 6036, § 1, 8-24-2009; Ord. No. 6121, § 1, 2-28-2011)

**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

April 26, 2021.

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

\_\_\_\_\_  
Mayor

Attest:

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

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

First Consideration: 4-12-21

Second Consideration: 4-26-21

Public Hearing: N/A

Third Consideration:

## Council Communication

Department: City Clerk

Case/Project No.:

Submitted by: Courtney Harter,  
HED Manager

Ordinance 6451  
ITEM 5.C.

Council Action: 4/26/2021

### Description

Ordinance amending the South Main Urban Renewal Area to removing the “2021 Removal Parcel” from the TIF District.

### Background/Discussion

Please see attached staff report.

### Recommendation

### ATTACHMENTS:

| Description                                    | Type         | Upload Date |
|--|--------------|-------------|
| Staff Report                                   | Staff Report | 4/2/2021    |
| South Main Urban Renewal Area and TIF District | Map          | 4/2/2021    |
| Site Map                                       | Map          | 4/2/2021    |
| Ordinance - Certificate                        | Ordinance    | 4/2/2021    |
| Ordinance - Auditors Certificate               | Ordinance    | 4/2/2021    |
| Ordinance 6451                                 | Ordinance    | 4/7/2021    |

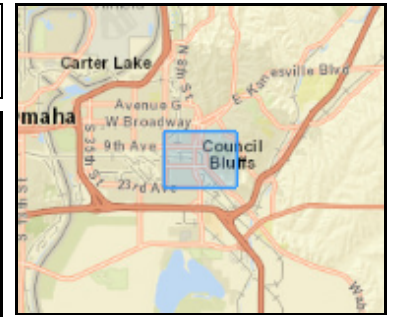
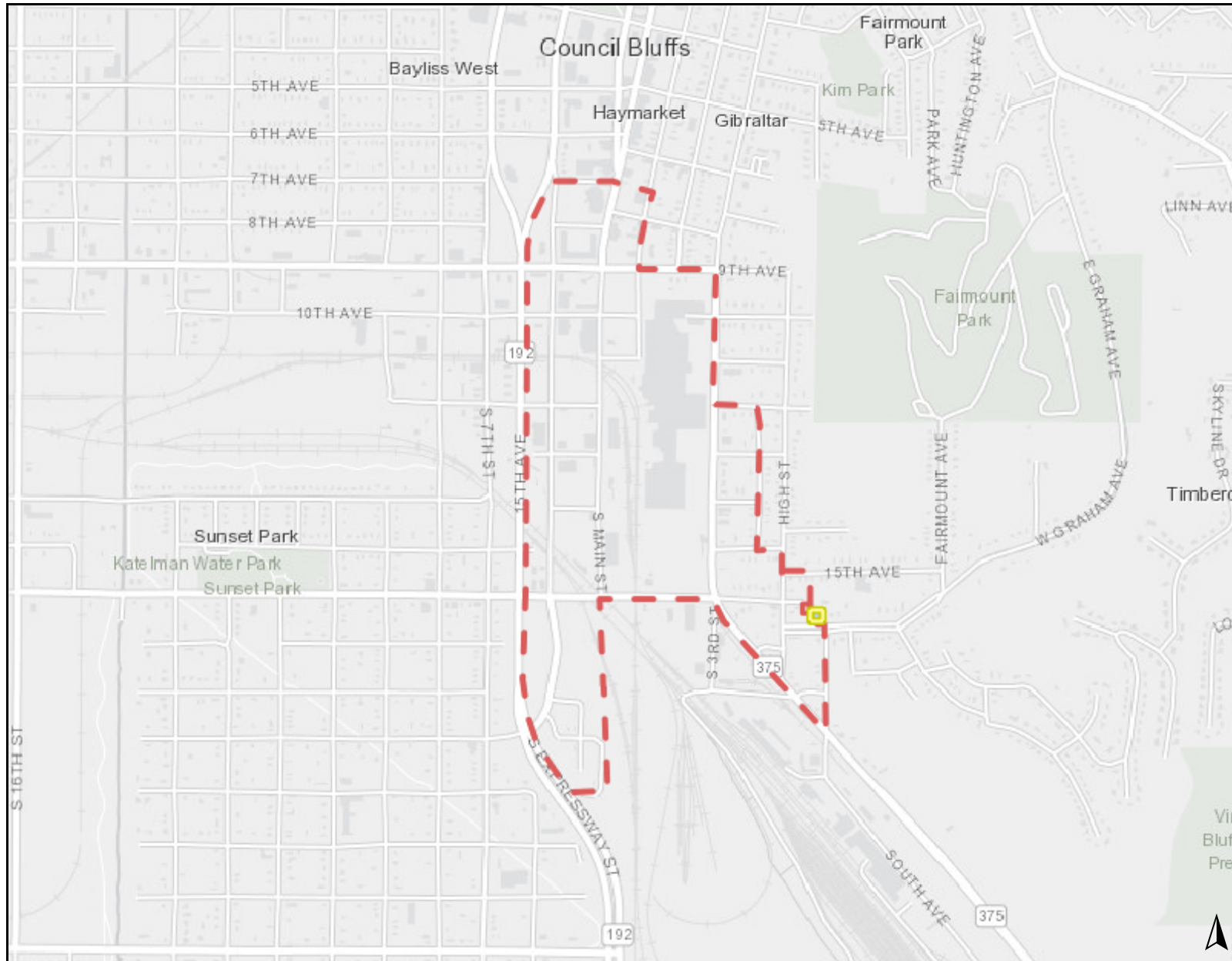


### Council Communication

|   |  |  |
|---|--|--|
| Department:<br>Community Development  | Ordinance No.: ____<br><br>Resolution No.: N/A | City Council 1 <sup>st</sup> Reading: April 12, 2021<br>2 <sup>nd</sup> Reading: April 26, 2021<br>3 <sup>rd</sup> Reading: Request to be Waived |
| <b>Subject/Title</b><br>Adoption of ordinance amending the South Main Urban Renewal Area to removing the “2021 Removal Parcel” from the TIF District.   |  |  |
| <b>Location</b><br>Legally described as the North ½ of Lot 13, Chapman’s Addition<br><br>Generally located on 16 <sup>th</sup> Avenue east of High Street   |  |  |
| <b>Background/Discussion</b><br><u>Background</u><br>In 1998, the South Main Urban Renewal Area was passed as part of the revitalization for the area generally located from 6 <sup>th</sup> Avenue (north), 20 <sup>th</sup> Avenue (south), South Expressway (west) and Tostevin Street (east). The corresponding tax increment financing (TIF) district follows the same boundaries.<br><br><u>Discussion</u><br>On October 20, 2020, the property owner was granted a variance by the Zoning Board of Adjustment to construct an accessory structure in front of their dwelling. The variance was granted based on the configuration of the lots and as part of the approval they are required to combine both lots into one parcel. The property owner has attempted to combine both lots with the County; however, the properties cannot be combined as one is located (Lot 13) within the South Main TIF District and the other parcel (178 West Graham) is not.<br><br>TIF law requires boundaries follow lot lines. This means the owner cannot proceed with the proposed project until Lot 13 is either removed from the TIF district or 178 West Graham is added to the district. The TIF district does not expire until 2030 so the decision was made to remove the parcel and keep the remaining district. |  |  |
| <b>Staff Recommendation</b><br>Staff adoption of the ordinance amending the South Main TIF District to remove the “2021 Removal Parcel.”  |  |  |
| <b>Attachment</b><br><ol style="list-style-type: none"><li>1. Location Map</li><li>2. Ordinance</li><li>3. Ordinance Certificate</li><li>4. URA Ordinance – Auditors Certificate</li></ol>  |  |  |

Submitted by: Courtney Harter, Housing & Economic Development Manager, Community Development Department  
Approved by: Courtney Harter, Housing & Economic Development Manager, Community Development Department

# South Main Urban Renewal Area and TIF District



## Legend

World\_Light\_Gray\_Reference  
Light Gray Canvas Reference

World\_Light\_Gray\_Base  
Light Gray Canvas Base

17629

0 500 1000  
ft

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.

288

Pottawattamie County GIS  
223 S 6th St.  
Council Bluffs, IA 51501  
(712) 328-4885  
gis@pottcounty-ia.gov  
<https://gis.pottcounty-ia.gov>



4/2/2021

# South Main Urban Renewal Area and TIF District - Zoomed In



## Legend

World Imagery (Map Service)  
1.2m Resolution Metadata

4407

0 200 400  
ft

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](mailto:gis@pottcounty-ia.gov)  
<https://gis.pottcounty-ia.gov>



4/2/2021



## ORDINANCE CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

1. I certify that Ordinance Number \_\_\_\_\_, of which a true copy is attached, was duly adopted by the City Council of the City of Council Bluffs, State of Iowa, signed by the Mayor and published as required by law and is now in effect. I further certify that the consideration(s) and votes taken for the enactment of the Ordinance were as follows:

- a. First consideration - Date: \_\_\_\_\_  
Vote: In favor \_\_\_\_\_, Opposed \_\_\_\_\_,  
Absent or Abstain \_\_\_\_\_.
- b. Second consideration - Date: \_\_\_\_\_  
Vote: In favor \_\_\_\_\_, Opposed \_\_\_\_\_,  
Absent or Abstain \_\_\_\_\_.
- c. Final Consideration - Date: \_\_\_\_\_  
Vote: In favor \_\_\_\_\_, Opposed \_\_\_\_\_,  
Absent or Abstain \_\_\_\_\_.
- d. Publication Date: \_\_\_\_\_.

2. The Ordinance was not considered on any date after its first consideration as shown above when it did not receive an affirmative vote for passage.

3. On the date of \_\_\_\_\_, 2021, the City Council adopted a motion for the suspension of the rule requiring separate consideration at three meetings and voted the final adoption of the Ordinance. The vote for suspension of the rules was by three-fourths of the full City Council, voting \_\_\_\_ in favor, \_\_\_\_ opposed and \_\_\_\_ absent, vacant or abstaining and was duly recorded.

4. I further certify that each meeting for the consideration of the Ordinance was duly and publicly held, with a notice of the meeting and tentative agenda naming the consideration of the Ordinance timely posted and upon reasonable advance notice to the media as required by the Chapter 21 of the Code of Iowa and rules of the Council then governing.

5. I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective city offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation

is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the City hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

**(Attach Affidavit of Publication to this Certificate  
and send Certificate and Affidavit to Ahlers & Cooney, P.C.)**

01844623-1\10342-069

CITY CLERK'S CERTIFICATION TO COUNTY AUDITOR

I hereby certify that attached hereto is a true and correct copy of the Tax Increment Ordinance approved by the City Council of the City of Council Bluffs, State of Iowa, designated as Ordinance Number \_\_\_\_\_, entitled:

AN ORDINANCE AMENDING ORDINANCE NO. 5889  
AND PROVIDING THAT GENERAL PROPERTY TAXES  
SHALL NO LONGER BE DIVIDED **ON CERTAIN  
PROPERTY** LOCATED WITHIN THE SOUTH MAIN  
URBAN RENEWAL PROJECT AREA, IN THE CITY OF  
COUNCIL BLUFFS, COUNTY OF POTTAWATTAMIE,  
STATE OF IOWA (**REMOVING "2021 REMOVAL  
PARCEL" FROM DIVISION OF TAXES ONLY**)

approved by the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2021, and duly published on the \_\_\_\_\_ day of \_\_\_\_\_, 2021, the original of which is on file in the records of the undersigned.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Clerk of the City of Council Bluffs

(CITY SEAL)

-----  
COUNTY AUDITOR'S CERTIFICATE

I, \_\_\_\_\_, County Auditor of Pottawattamie County, Iowa, hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 2021, there was filed in my office a copy of the Tax Increment Ordinance of the City of Council Bluffs, State of Iowa, Ordinance Number \_\_\_\_\_, approved by the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2021, all duly certified upon the form attached above.

\_\_\_\_\_  
County Auditor of Pottawattamie County, Iowa

(COUNTY SEAL)

01844618-1\10342-069

-1-  
ORDINANCE NO. 6451

AN ORDINANCE AMENDING ORDINANCE NO. 5889 AND PROVIDING THAT GENERAL PROPERTY TAXES SHALL NO LONGER BE DIVIDED **ON CERTAIN PROPERTY** LOCATED WITHIN THE SOUTH MAIN URBAN RENEWAL PROJECT AREA, IN THE CITY OF COUNCIL BLUFFS, COUNTY OF POTTAWATTAMIE, STATE OF IOWA (**REMOVING "2021 REMOVAL PARCEL" FROM DIVISION OF TAXES ONLY**)

WHEREAS, the City Council of the City of Council Bluffs, State of Iowa, in 1998, adopted an Urban Renewal Plan for an urban renewal area known as the South Main Urban Renewal Project Area ("Urban Renewal Area"), amended the Urban Renewal Plan in 2003, and, in Ordinance No. 5889, adopted in 2006, provided for the division of taxes within the Urban Renewal Area, pursuant to Iowa Code Section 403.19; and

WHEREAS, due to changes in property lot lines, the City Council of the City of Council Bluffs has determined that certain property in the Urban Renewal Area should be removed from Ordinance No. 5889 and should cease being subject to the division of taxes under Ordinance No. 5889 and under Iowa Code Section 403.19.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, STATE OF IOWA, THAT:

Section 1: That the following portion of the Urban Renewal Area (the "2021 Removal Parcel") shall be removed from the application of Ordinance No. 5889 and shall no longer be subject to the division of taxes under Iowa Code Section 403.19 under said Ordinance:

North ½ of Lot 13, Chapman's Addition

Section 2. That nothing herein shall be interpreted as altering the boundaries of, or removing any property from, the Urban Renewal Area (for purposes of clarity, while the 2021 Removal Parcel is no longer subject to the division of revenue provided for in Iowa Code Section 403.19, the 2021 Removal Parcel will remain a part of the South Main Urban Renewal Project Area).

Section 3. That the portion of the Urban Renewal Area that is not being removed from Ordinance No. 5889 by this Ordinance shall be and remains subject to all of the provisions of Ordinance No. 5889 and shall retain its previously established base value.

Section 4. That if any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance or any section, provision or part thereof not adjudged invalid or unconstitutional.



Section 5. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 6. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this 26<sup>th</sup> day of April, 2021.

\_\_\_\_\_  
Mayor

ATTEST:

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

Read First Time: April 12, 2021

Read Second Time: April 26, 2021

Read Third Time: request to waive

PASSED AND APPROVED: \_\_\_\_\_, 2021.

I, \_\_\_\_\_, City Clerk of the City of Council Bluffs, State of Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. \_\_\_\_\_ passed and approved by the City Council of the City at a meeting held \_\_\_\_\_, 2021, signed by the Mayor on \_\_\_\_\_, 2021, and published in The Daily Nonpareil on \_\_\_\_\_, 2021.

\_\_\_\_\_  
City Clerk, City of Council Bluffs, State of  
Iowa

(SEAL)

01844624-1\10342-069

## Council Communication

Department: City Clerk  
Case/Project No.: ZC-21-001  
Submitted by: Moises Monrroy,  
Planner

Ordinance 6447  
ITEM 6.A.

Council Action: 4/26/2021

### Description

Ordinance to amend the zoning map as adopted by reference in section 15.02.070 by rezoning property legally described as Lot 3 and the Westerly 60 feet of Lot 5, Auditor's Subdivision of the SE 1/4 SE 1/4 of Section 36-75-44, from R-1/Single-Family Residential District to R-3/Low-Density Multifamily Residential District as defined in Chapter 15.10. Location: 147 15th Avenue. ZC-21-001

### Background/Discussion

See attachments.

### Recommendation

### ATTACHMENTS:

| Description                            | Type         | Upload Date |
|--|--------------|-------------|
| Staff Report                           | Staff Report | 3/12/2021   |
| Attachment A - Location and Zoning Map | Map          | 3/12/2021   |
| Attachment B - Letter of Intent        | Letter       | 3/12/2021   |
| Public Hearing Notice                  | Notice       | 3/12/2021   |
| Ordinance 6447                         | Ordinance    | 3/17/2021   |

## City Council Communication

|  |                     |   |
|--|---------------------|---|
| Department: Community Development<br><br>CASE # ZC-21-001<br><br>Applicant/Property Owner:<br>Triple Play Holdings, LLC<br>101 North 69 <sup>th</sup> Street, Apt. 31<br>Omaha, NE 68132   | Ordinance No. _____ | 1 <sup>st</sup> Consideration: 3/22/2021<br>2 <sup>nd</sup> Consideration: 4/12/2021<br>3 <sup>rd</sup> Consideration: 4/26/2021<br><br>Planning Commission: 3/9/2021 |
| <p style="text-align: center;"><b>Subject/Title</b></p> <p><b>Request:</b> Public hearing on the request of Triple Play Holdings, LLC, represented by Deric Poldberg, to rezone property legally described as Lot 3 and the Westerly 60 feet of Lot 5, Auditor's Subdivision of the SE ¼ SE ¼ of Section 36-75-44, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-Family Residential District to R-3/Low-Density Multifamily Residential District.</p> <p><b>Location:</b> 147 15<sup>th</sup> Avenue</p>   |                     |   |
| <p style="text-align: center;"><b>Background</b></p> <p>The Community Development Department has received an application from Triple Play Holdings, LLC, represented by Deric Poldberg, to rezone property addressed at 147 15<sup>th</sup> Avenue and legally described as Lot 3 and the Westerly 60 feet of Lot 5, Auditor's Subdivision of the SE ¼ SE ¼ of Section 36-75-44, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-Family Residential District to R-3/Low-Density Multifamily Residential District. The applicant is requesting the proposed rezoning in order to obtain a conditional use permit for the baseball training facility at this site.</p> <p>The subject property, formerly used as Pusey Elementary School, is split-zoned R-1/Single-Family Residential District and R-3/Low Density Multifamily Residential District. The school building is located in the R-1 District, and the associated parking lot and playground are located in the R-3 District. After the school closed down in 2010, the previous property owner, the Council Bluffs Community School District, leased the subject property to Heartland Family Service until 2014. In January 2015, the applicant began leasing the subject property from the school district to operate a baseball training facility (Triple Play Sports) at the former school building. The applicant also maintained the building safe from vandalism during this time on behalf of the school district. The applicant purchased the subject property in October 2020. The applicant intends to rezone the subject property and obtain a conditional use permit from the Zoning Board of Adjustment in order to bring the baseball training facility into conformance with Title 15: <u>Zoning</u> of the Council Bluffs Municipal Code.</p> <p><u>Land Use and Zoning</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-1/Single-Family Residential District.</li> <li>South: Residential properties that are zoned R-1/Single-Family Residential District and R-3/Low Density Multifamily Residential District.</li> <li>East: Residential properties that are zoned R-1/Single-Family Residential District.</li> <li>West: Residential properties that are zoned R-1/Single-Family Residential District and R-3/Low Density Multifamily Residential District.</li> </ul> |                     |   |

The future land use plan of the Bluffs Tomorrow: 2030 (Comprehensive Plan) designates the subject properties as Public/Semi-Public.

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

- Bryce Triplett, owner of 110 15<sup>th</sup> Avenue, stated that approval of the proposed rezoning should be subject to a condition which requires the subject property to revert to the R-1/Single-Family Residential District if the existing baseball training facility ceases to operate. The purpose of this request is to avoid the subject property being developed as multifamily housing.

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

- The Public Works Department stated they have no comments on the request.
- The Fire Department stated they have no comments on the request.
- Council Bluffs Water Works stated they have no comments on the request.
- Mid-American Energy Company stated they have no conflict with the request. They also stated that the developer or their agents should contact Mid-American Energy directly and provide finalized plans to identify costs and timelines associated with any relocation or extension of new electric facilities to accommodate the proposed uses of the site.

### **Discussion**

1. The subject property is currently split-zoned R-1/Single-Family Residential District and R-3/Low Density Multifamily Residential District. If approved, the proposed rezoning will provide one consistent zoning classification for the entire premises.
2. The baseball training facility located on the subject property is considered a ‘commercial recreation’ establishment, as defined in Sections 15.03.156 and 15.03.157 of the Council Bluffs Municipal Code (Zoning Ordinance). While ‘commercial recreation (indoor and outdoor)’ is a conditional use in the R-3 District, it is not permitted in the R-1 District. As such, the baseball training facility is an existing illegal use since it was established after the effective date of the current Zoning Ordinance without the necessary regulatory approval. The Community Development Department communicated this information to the applicant prior to them purchasing the subject property.
3. The proposed rezoning is the first step in the process to bring the existing baseball training facility into conformance with Title 15: Zoning of the Council Bluffs Municipal Code.
4. If the proposed rezoning is approved, the applicant shall obtain a conditional use permit (CUP) from the Zoning Board of Adjustment to allow ‘commercial recreation (indoor and outdoor)’ in the R-3 District. Site development regulations and off-street parking standards will be addressed as part of the CUP review process.
5. The subject property exceeds the minimum lot size requirements of the R-3 District.
6. As per the submitted letter of intent (see Attachment ‘B’), the applicant plans to lease part of the former school building to other businesses and/or non-profit organizations in order to generate additional revenue. Only land uses allowed in the R-3 District shall occur on the subject property.
7. The Bluffs Tomorrow: 2030 (Comprehensive Plan) designates the subject property as Public/Semi-Public, which is intended for larger areas that support activities for the benefit of the general public. The R-3 District and the existing ‘commercial recreation’ establishment on the subject property are generally consistent with the intent of the Public/Semi-Public land use designation. The Comprehensive Plan also indicates that the City should work to adaptively reuse schools, local libraries, churches and other supporting uses that have since been vacated and left behind structures that may become dilapidated. If the existing baseball training facility were to cease operations, the subject property could accommodate other uses, such as housing, social

services, local offices or other institutional uses that complement the surrounding neighborhood. The proposed rezoning would facilitate the adaptive reuse of the subject property.

8. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are available to accommodate the uses permitted in the R-3 District.

### **Recommendation**

The Community Development Department recommends approval of the request of Triple Play Holdings, LLC, represented by Deric Poldberg, to rezone property legally described as Lot 3 and the Westerly 60 feet of Lot 5, Auditor's Subdivision of the SE ¼ SE ¼ of Section 36-75-44, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-Family Residential District to R-3/Low-Density Multifamily Residential District.

### **Public Hearing**

Staff speaker for the request:

1. Moises Monrroy, Planner, City of Council Bluffs, 209 Pearl Street, Council Bluffs, Iowa 51503

Speakers in favor:

1. Deric Poldberg, Triple Play Holdings, LLC, 101 North 69<sup>th</sup> Street, Apt. 31, Omaha, NE 68132

Speakers against: None

### **Planning Commission Recommendation**

The Planning Commission recommended approval of the request of Triple Play Holdings, LLC, represented by Deric Poldberg, to rezone property legally described as Lot 3 and the Westerly 60 feet of Lot 5, Auditor's Subdivision of the SE ¼ SE ¼ of Section 36-75-44, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-Family Residential District to R-3/Low-Density Multifamily Residential District.

VOTE: AYE – Bass, Daniels, Halm, Haner, Hutcheson, Rater, Rew, Scott, Stroebale, and VanHouten  
NAY - None ABSTAIN - None ABSENT – None VACANT - One Motion: Carried.

### **Attachments**

Attachment A: Location/Zoning Map  
Attachment B: Letter of Intent

Prepared by: Moises Monrroy, Planner, Community Development Department

# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASE #ZC-21-001 LOCATION/ZONING MAP

## Legend

Subject Property

0 40 80  
1 Inch = 83 Feet



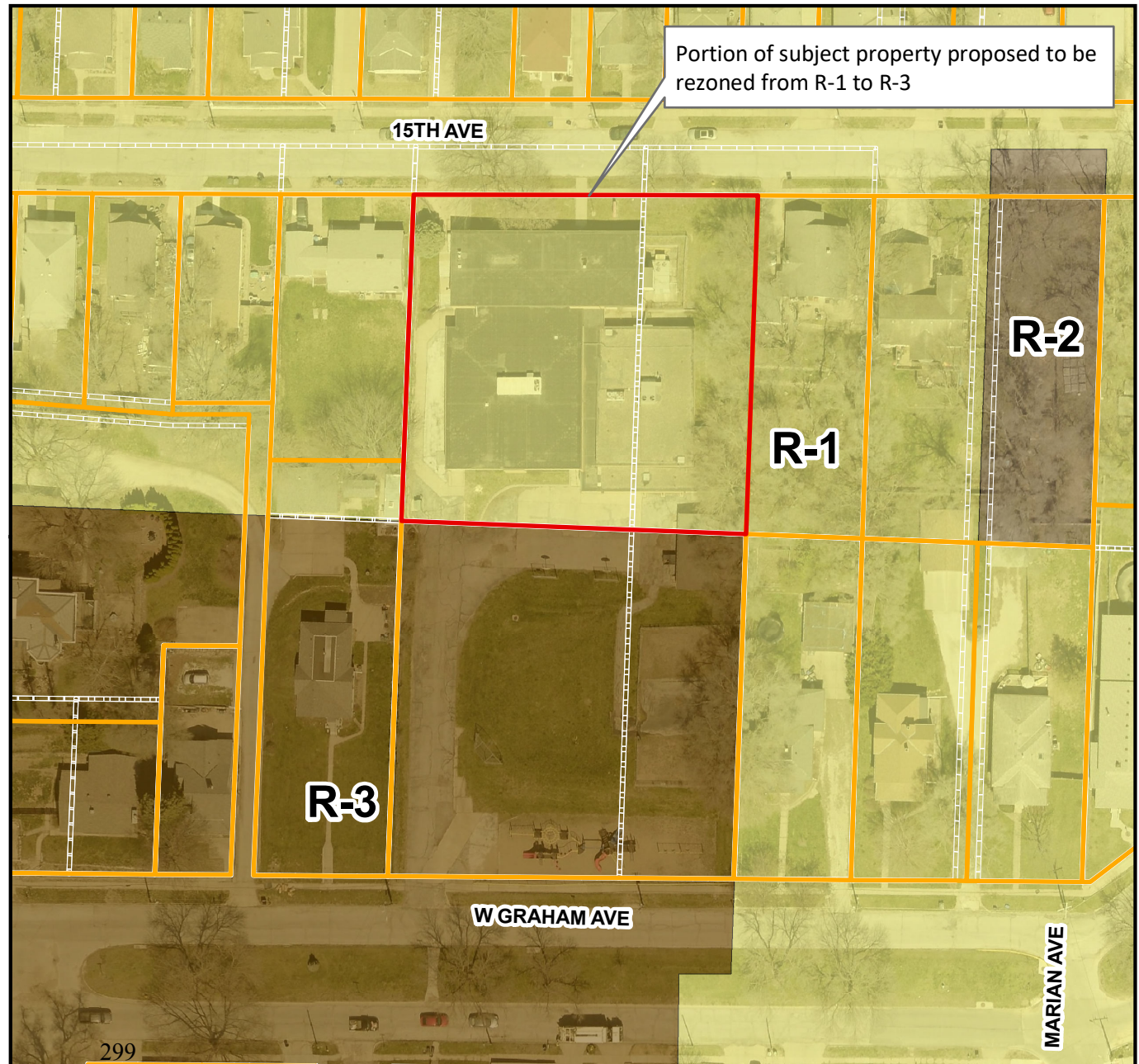
Last Amended: 2/11/2021



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.





## Attachment B



City of Council Bluffs, Iowa  
Attn: Moises Monrroy  
209 Pearl Street  
Council Bluffs, IA 51503

January 19, 2021

RE: Statement of Intent

Dear Mr. Monrroy,

Triple Play Holdings, LLC is dedicated to providing a world-class baseball and softball training facility for the student athletes of Southwest Iowa. Our facility provides those students athletes with an opportunity to reach their highest level of personal growth, athletic achievement, and a chance to compete for college scholarships.

Triple Play Holdings, LLC is committed to making sure our primary lessor, Triple Play Sports, has every opportunity to succeed and sustain the property year over year. We will utilize our R-3 zoning distinction to pursue other lease opportunities with those businesses/non-profits that offer complimentary services or continue to improve the overall health and well-being of the Council Bluffs community.

If you have any further questions, please do not hesitate to call me at 402-709-3335 or email me at [dpoldberg@gmail.com](mailto:dpoldberg@gmail.com). We truly appreciate the City of Council Bluffs' continued support of us and our organization.

Sincerely,



Deric Poldberg  
Managing Member  
Triple Play Holdings



## **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 the request of Triple Play Holdings, LLC to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning property legally described as Lot 3 and the Westerly 60 feet of Lot 5, Auditor's Subdivision of the SE ¼ SE ¼ of Section 36-75-44, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-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.

You are further notified that the 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 12<sup>th</sup> day of April, 2021 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. 6447**

**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 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTY LEGALLY DESCRIBED AS LOT 3 AND THE WESTERLY 60 FEET OF LOT 5, AUDITOR'S SUBDIVISION OF THE SE ¼ SE ¼ OF SECTION 36-75-44, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, FROM R-1/SINGLE-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 2020 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended by rezoning property legally described as Lot 3 and the Westerly 60 feet of Lot 5, Auditor's Subdivision of the SE ¼ SE ¼ of Section 36-75-44, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-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

April 12, 2021.

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

\_\_\_\_\_  
Mayor

Attest:

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

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

First Consideration: 3-22-21  
Second Consideration: 4-12-21  
Public Hearing: 4-12-21  
Third Consideration: \_\_\_\_\_

## Council Communication

Department: City Clerk

Case/Project No.:

Submitted by: Matthew Cox, Public  
Works Director

Ordinance 6448  
ITEM 6.B.

Council Action: 4/26/2021

### Description

Ordinance to amend Title 2 – Revenue and Finance Chapter 2.08.050 - Fees and charges authorized in Title 5 – Sewers.

### Background/Discussion

On October 26, 2020, Ordinance 6425 was approved to amend Title 2 Revenue and Finance, Chapter 2.08 “Schedule of Fees” by amending Section 2.08.050 “Fees and charges authorized in Title 5 Sewers”.

The ordinance updated sewer rates for residential, commercial, and industrial customers to address increases in operation and maintenance costs and the replacement of aging infrastructure.

Included in the updates were increases to the monthly residential flat rate sewerage service charge and residential minimum sewerage service charge. The units of measure were inadvertently changed to per 100 cubic feet, but should have remained as per residential unit.

Due to the timing of this amendment and the required city council hearings, the April 1, 2021 effective date for the rate increase is no longer feasible. For consistency, the new proposed effective date for all residential sewer rate increases for the first year have been revised to May 1, 2021.

It is requested that the 3rd Reading be waived due to the minor correction that is proposed.

### Recommendation

Approval of this ordinance to amend the unit of measure and effective date of residential sewer rate increases.

### ATTACHMENTS:

| Description              | Type      | Upload Date |
|--------------------------|-----------|-------------|
| Notice of Public Hearing | Notice    | 3/11/2021   |
| Ordinance - redlined     | Ordinance | 3/11/2021   |
| Ordinance 6448 Clean     | Ordinance | 3/17/2021   |

Notice of Public Hearing

for

Amending Title 2 - Revenue and Finance Chapter 2.08 "Schedule of Fees"

Of the 2020 Municipal Code of Council Bluffs, Iowa

By amending Section 2.08.050

A public hearing will be held on April 12, 2021, at 7:00 p.m. in the council chambers of City Hall, 209 Pearl Street, Council Bluffs, Iowa, for amending Title 2 - Revenue and Finance Chapter 2.08.050 - Fees and charges authorized in Title 5 - Sewers. At said hearing, any interested person may appear and file objections to such plans.

By Order of the City Council

of the

City of Council Bluffs, Iowa

Jodi Quakenbush, City Clerk

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND TITLE 2 REVENUE AND FINANCE, CHAPTER 2.08  
“SCHEDULE OF FEES” OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS,  
IOWA, BY AMENDING SECTION 2.08.050.**

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

**SECTION 1.** That Chapter 2.08 “Schedule of Fees” of the 2020 Municipal Code of Council Bluffs, Iowa, is hereby amended by amending Section 2.08.050 to read as follows:

2.08.050 - Fees and charges authorized in Title 5.

| Municipal Code<br>Section<br>Authorizing<br>License, Fee or<br>Permit | Description of License, Fee, or Permit                      | Charge  |
|---|---|---|
| 5.22.010  | New service charge, rate or rental, inside the city limits: |   |
|   | Rate per hundred cubic feet per month                       | <del>April-May</del> 1, 2021 - \$3.60/100 cubic ft.<br>July 1, 2022 - \$3.90/100 cubic ft.<br>July 1, 2023 - \$4.22/100 cubic ft.<br>July 1, 2024 - \$4.57/100 cubic ft.<br>July 1, 2025 - \$4.95/100 cubic ft. |
|   | Sewer service charge based upon monthly average             |   |

|          |   |   |
|----------|---|---|
|          | For residential and commercial users whose total metered water usage is less than 2,000 hundred cubic feet per month, sewer service charges throughout the year will be based on the daily average water usage during the billing periods which most closely correspond with the months November through March. |   |
|          | New service charge, rate or rental, outside the city limits:  |   |
|          | Rate per hundred cubic feet per month   | <del>April</del> <u>May</u> 1, 2021 - \$4.48/100 cubic ft.<br>July 1, 2022 - \$4.85/100 cubic ft.<br>July 1, 2023 - \$5.25/100 cubic ft.<br>July 1, 2024 - \$5.69/100 cubic ft.<br>July 1, 2025 - \$6.16/100 cubic ft.  |
|          | Sewer service charge based upon monthly average   |   |
|          | For residential and commercial users whose total metered water usage is less than 2,000 hundred cubic feet per month, sewer service charges throughout the year will be based on the daily average water usage during the billing periods which most closely correspond with the months November through March. |   |
| 5.22.020 | Flat rate sewerage service charge per month   | <del>April</del> <u>May</u> 1, 2021 - \$28.80/ <del>100 cubic ft.</del> <u>Residential unit</u><br>July 1, 2022 - \$28.80/ <del>100 cubic ft.</del> <u>Residential unit</u><br>July 1, 2023 - \$28.80/ <del>100 cubic ft.</del> <u>Residential unit</u><br>July 1, 2024 - \$28.80/ <del>100 cubic ft.</del> <u>Residential unit</u> |

|          |  |   |
|----------|--|---|
|          |  | July 1, 2025 - \$28.80/ <del>100 cubic ft.</del> <u>Residential unit</u>  |
|          | Minimum sewerage service charge per month  | <del>April</del> <u>May</u> 1, 2021 - \$12.50/ <del>100 cubic ft.</del> <u>Residential unit</u><br>July 1, 2022 - \$13.08/ <del>100 cubic ft.</del> <u>Residential unit</u><br>July 1, 2023 - \$13.69/ <del>100 cubic ft.</del> <u>Residential unit</u><br>July 1, 2024 - \$14.33/ <del>100 cubic ft.</del> <u>Residential unit</u><br>July 1, 2025 - \$15.00/ <del>100 cubic ft.</del> <u>Residential unit</u> |
| 5.22.050 | Administrative assessment fee for collection of delinquent sewer bills   | \$50.00   |
| 5.22.060 | Special rates for users who are defined as significant users under the city's pretreatment program based on concentration of raw flow prior to pretreatment shall be as follows: |   |
|          | Flow rate (inside city limits):  | April 1, 2021 - \$3.20/100 cubic ft.<br>July 1, 2022 - \$3.46/100 cubic ft.<br>July 1, 2023 - \$3.73/100 cubic ft.<br>July 1, 2024 - \$4.03/100 cubic ft.<br>July 1, 2025 - \$4.35/100 cubic ft.  |
|          | Flow rate (outside city limits) :  | April 1, 2021 - \$4.52/100 cubic ft.<br>July 1, 2022 - \$4.88/100 cubic ft.<br>July 1, 2023 - \$5.27/100 cubic ft.  |



|  |   |   |
|--|---|---|
|  |   | <p>July 1, 2024 - \$5.69/100 cubic ft.</p> <p>July 1, 2025 - \$6.14/100 cubic ft.</p>   |
|  | Surcharges(inside city):  |   |
|  | For biochemical oxygen demand (BOD) over 350 parts per million, by weight | <p>April 1, 2021 - \$ .291 per pound</p> <p>July 1, 2022 - \$ .291 per pound</p> <p>July 1, 2023 - \$ .291per pound</p> <p>July 1, 2024 - \$ .291per pound</p> <p>July 1, 2025 - \$ .291per pound</p>       |
|  | For suspended solids over 350 parts per million, by weight                | <p>April 1, 2021 - \$ .596 per pound</p> <p>July 1, 2022 - \$ .596 per pound</p> <p>July 1, 2023 - \$ .596 per pound</p> <p>July 1, 2024 - \$ .596 per pound</p> <p>July 1, 2025 - \$ .596 per pound</p>    |
|  | For recoverable oil and grease over 100 parts per million, by weight      | <p>April 1, 2021 - \$ .291 per pound</p> <p>July 1, 2022 - \$ .291 per pound</p> <p>July 1, 2023 - \$ .291 per pound</p> <p>July 1, 2024 - \$ .291 per pound</p> <p>July 1, 2025 - \$ .291 per pound</p>    |
|  | Surcharge (outside city):   |   |
|  | For biochemical oxygen demand (BOD) over 350 parts per million, by weight | <p>April 1, 2021 - \$ .375 per pound</p> <p>July 1, 2022 - \$ . 375 per pound</p> <p>July 1, 2023 - \$ . 375 per pound</p> <p>July 1, 2024 - \$ . 375 per pound</p> <p>July 1, 2025 - \$ .375 per pound</p> |
|  | For suspended solids over 350 parts per million, by weight                | <p>April 1, 2021 - \$ .684 per pound</p> <p>July 1, 2022 - \$ . 684 per pound</p> <p>July 1, 2023 - \$ . 684 per pound</p>  |

|          |  |  |
|----------|--|--|
|          |  | July 1, 2024 - \$ . 684 per pound<br>July 1, 2025 - \$ .684 per pound  |
|          | For recoverable oil and grease over 100 parts per million, by weight | April 1, 2021 - \$ .375 per pound<br>July 1, 2022 - \$ . 375 per pound<br>July 1, 2023 - \$ . 375 per pound<br>July 1, 2024 - \$ . 375 per pound<br>July 1, 2025 - \$ .375 per pound |
| 5.23.020 | Disposal fees for septic tank refuse                                 | \$30.00/1,000 gallons  |

(Ord. 5825 § 1, 2004).

**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

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

\_\_\_\_\_  
Mayor

Attest:

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

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

First Consideration:  
Second Consideration:  
Public Hearing:  
Third Consideration:

**ORDINANCE NO. 6448**

**AN ORDINANCE TO AMEND TITLE 2 REVENUE AND FINANCE, CHAPTER 2.08  
“SCHEDULE OF FEES” OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS,  
IOWA, BY AMENDING SECTION 2.08.050.**

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

**SECTION 1.** That Chapter 2.08 “Schedule of Fees” of the 2020 Municipal Code of Council Bluffs, Iowa, is hereby amended by amending Section 2.08.050 to read as follows:

2.08.050 - Fees and charges authorized in Title 5.

| Municipal Code<br>Section<br>Authorizing<br>License, Fee or<br>Permit | Description of License, Fee, or Permit  | Charge   |
|---|---|--|
| 5.22.010  | New service charge, rate or rental, inside the city limits:   |  |
|   | Rate per hundred cubic feet per month   | May 1, 2021 - \$3.60/100 cubic ft.<br>July 1, 2022 - \$3.90/100 cubic ft.<br>July 1, 2023 - \$4.22/100 cubic ft.<br>July 1, 2024 - \$4.57/100 cubic ft.<br>July 1, 2025 - \$4.95/100 cubic ft. |
|   | Sewer service charge based upon monthly average   |  |
|   | For residential and commercial users whose total metered water usage is less than 2,000 hundred cubic |  |

|          |   |  |
|----------|---|--|
|          | feet per month, sewer service charges throughout the year will be based on the daily average water usage during the billing periods which most closely correspond with the months November through March.   |  |
|          | New service charge, rate or rental, outside the city limits:  |  |
|          | Rate per hundred cubic feet per month   | May 1, 2021 - \$4.48/100 cubic ft.<br>July 1, 2022 - \$4.85/100 cubic ft.<br>July 1, 2023 - \$5.25/100 cubic ft.<br>July 1, 2024 - \$5.69/100 cubic ft.<br>July 1, 2025 - \$6.16/100 cubic ft.                     |
|          | Sewer service charge based upon monthly average   |  |
|          | For residential and commercial users whose total metered water usage is less than 2,000 hundred cubic feet per month, sewer service charges throughout the year will be based on the daily average water usage during the billing periods which most closely correspond with the months November through March. |  |
| 5.22.020 | Flat rate sewerage service charge per month   | May 1, 2021 - \$28.80/Residential unit<br>July 1, 2022 - \$28.80/Residential unit<br>July 1, 2023 - \$28.80/Residential unit<br>July 1, 2024 - \$28.80/Residential unit<br>July 1, 2025 - \$28.80/Residential unit |

|          |  |   |
|----------|--|---|
|          | Minimum sewerage service charge per month  | May 1, 2021 -<br>\$12.50/Residential unit<br>July 1, 2022 -<br>\$13.08/Residential unit<br>July 1, 2023 -<br>\$13.69/Residential unit<br>July 1, 2024 -<br>\$14.33/Residential unit<br>July 1, 2025 -<br>\$15.00/Residential unit |
| 5.22.050 | Administrative assessment fee for collection of delinquent sewer bills   | \$50.00   |
| 5.22.060 | Special rates for users who are defined as significant users under the city's pretreatment program based on concentration of raw flow prior to pretreatment shall be as follows: |   |
|          | Flow rate (inside city limits):  | April 1, 2021 - \$3.20/100 cubic ft.<br>July 1, 2022 - \$3.46/100 cubic ft.<br>July 1, 2023 - \$3.73/100 cubic ft.<br>July 1, 2024 - \$4.03/100 cubic ft.<br>July 1, 2025 - \$4.35/100 cubic ft.                                  |
|          | Flow rate (outside city limits) :  | April 1, 2021 - \$4.52/100 cubic ft.<br>July 1, 2022 - \$4.88/100 cubic ft.<br>July 1, 2023 - \$5.27/100 cubic ft.<br>July 1, 2024 - \$5.69/100 cubic ft.<br>July 1, 2025 - \$6.14/100 cubic ft.                                  |

|          |   |  |
|----------|---|--|
|          | Surcharges(inside city):  |  |
|          | For biochemical oxygen demand (BOD) over 350 parts per million, by weight | April 1, 2021 - \$ .291 per pound<br>July 1, 2022 - \$ .291 per pound<br>July 1, 2023 - \$ .291per pound<br>July 1, 2024 - \$ .291per pound<br>July 1, 2025 - \$ .291per pound       |
|          | For suspended solids over 350 parts per million, by weight                | April 1, 2021 - \$ .596 per pound<br>July 1, 2022 - \$ .596 per pound<br>July 1, 2023 - \$ .596 per pound<br>July 1, 2024 - \$ .596 per pound<br>July 1, 2025 - \$ .596 per pound    |
|          | For recoverable oil and grease over 100 parts per million, by weight      | April 1, 2021 - \$ .291 per pound<br>July 1, 2022 - \$ .291 per pound<br>July 1, 2023 - \$ .291 per pound<br>July 1, 2024 - \$ .291 per pound<br>July 1, 2025 - \$ .291 per pound    |
|          | Surcharge (outside city):   |  |
|          | For biochemical oxygen demand (BOD) over 350 parts per million, by weight | April 1, 2021 - \$ .375 per pound<br>July 1, 2022 - \$ . 375 per pound<br>July 1, 2023 - \$ . 375 per pound<br>July 1, 2024 - \$ . 375 per pound<br>July 1, 2025 - \$ .375 per pound |
|          | For suspended solids over 350 parts per million, by weight                | April 1, 2021 - \$ .684 per pound<br>July 1, 2022 - \$ . 684 per pound<br>July 1, 2023 - \$ . 684 per pound<br>July 1, 2024 - \$ . 684 per pound<br>July 1, 2025 - \$ .684 per pound |
|          | For recoverable oil and grease over 100 parts per million, by weight      | April 1, 2021 - \$ .375 per pound<br>July 1, 2022 - \$ . 375 per pound<br>July 1, 2023 - \$ . 375 per pound<br>July 1, 2024 - \$ . 375 per pound<br>July 1, 2025 - \$ .375 per pound |
| 5.23.020 | Disposal fees for septic tank refuse                                      | \$30.00/1,000 gallons  |



(Ord. 5825 § 1, 2004).

**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 April 12, 2021

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

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH City Clerk

First Consideration: 3-22-21  
Second Consideration: 4-12-21  
Public Hearing: 4-12-21  
Third Consideration:

## Council Communication

Department: Health  
Case/Project No.:  
Submitted by:

Resolution 21-121  
ITEM 7.A.

Council Action: 4/26/2021

### 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

Unpaid solid waste abatements that remain unpaid. Please see attached 2021 1st Quarter Lien list

### Recommendation

Approval

### ATTACHMENTS:

| Description                | Type       | Upload Date |
|----------------------------|------------|-------------|
| 2021 1st quarter lien list | Other      | 4/21/2021   |
| Resolution 21-121          | Resolution | 4/20/2021   |



## **RESOLUTION NO. 21-121**

**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

April 26, 2021.

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

\_\_\_\_\_  
Mayor

Attest:

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

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

## Council Communication

Department: Legal  
Case/Project No.:  
Submitted by: Graham Jura

Resolution 21-122  
ITEM 7.B.

Council Action: 4/26/2021

### Description

Resolution authorizing the Mayor to execute the Order assessing a civil penalty of \$300.00 to Tobacco Vape and Food Mart for violation of Iowa Code Section 453A.2(1) on January 27, 2021.

### Background/Discussion

The Iowa Alcoholic Beverages Division has enacted a comprehensive program aimed at reducing underage tobacco use and compliance checks in Council Bluffs earlier this year resulted in a citation being issued to an employee of Tobacco Vape and Food Mart, 1531 2nd Avenue, Council Bluffs, IA 51501. A hearing was held before this Council on April 12, 2021 and the permit holder failed to appear for the hearing.

### Recommendation

It is recommended that this Resolution be approved and the Order be executed.

### ATTACHMENTS:

| Description       | Type       | Upload Date |
|-------------------|------------|-------------|
| Proposed Order    | Other      | 4/15/2021   |
| Resolution 21-122 | Resolution | 4/20/2021   |

BEFORE THE CITY COUNCIL  
FOR THE CITY OF COUNCIL BLUFFS, IOWA

IN RE:

Tobacco Vape and Food Mart  
1531 2<sup>nd</sup> Avenue  
Council Bluffs, IA 51501

**ORDER**

A hearing was held on April 12, 2021, regarding the mandatory \$300.00 civil penalty against this business as prescribed by Iowa Code Section 453A.22(2)(a).

Notice of the hearing was sent to the Legal Owner's Mailing Address of 1531 2<sup>nd</sup> Avenue, Council Bluffs, IA 51501 on or about February 26, 2021 and March 29, 2021 and neither the business owner nor a legal representative appeared for the hearing.

The City Council FINDS that a first violation of Iowa Code section 453A.2(1), "selling, giving, or otherwise supplying any tobacco, tobacco products, or cigarettes to any person under eighteen years of age" occurred on January 27, 2021 at this business.

IT IS THEREFORE ORDERED that the permit holder is RESPONSIBLE for the mandatory sanction for this violation of \$300.00 civil penalty to be paid by May 10, 2021.

IT IS FURTHER ORDERED that according to Iowa Code Section 453A.22(2)(a), failure to pay the civil penalty shall result in automatic suspension of the permit for fourteen (14 days).

IT IS FURTHER ORDERED this sanction is consistent with the Iowa Code Section 453A.22(2)(a) for a first violation of Iowa Code Section 453A.2(1).

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

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH City Clerk



**RESOLUTION NO. 21-122**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE ORDER ASSESSING A CIVIL PENALTY OF \$300.00 TO TOBACCO VAPE AND FOOD MART FOR VIOLATION OF IOWA CODE SECTION 453A.2(1) ON JANUARY 27, 2021.**

**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 Tobacco Vape and Food Mart, 1531 2<sup>nd</sup> Avenue, Council Bluffs, IA 51501; and

**WHEREAS,** the permit holder's employee was in violation of Iowa Code Section 453A.2(1) on January 27, 2021 and this business is responsible for the civil penalty; and

**WHEREAS,** due to permit holder's failure to pay the civil penalty and sign and return the Acknowledgment/Settlement Agreement, a hearing was scheduled to be held before City Council on April 12, 2021 and the permit holder failed to appear; and

**WHEREAS,** It is in the best interest of the City to execute an Order assessing the \$300.00 civil penalty against Tobacco Vape and Food Mart, 1531 2<sup>nd</sup> Avenue, Council Bluffs, IA 51501.

**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 assessing the civil penalty against Tobacco Vape and Food Mart, 1531 2<sup>nd</sup> Avenue, Council Bluffs, IA 51501 for violation of Iowa Code Section 453A.2.

ADOPTED  
AND  
APPROVED

April 26, 2021.

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

Mayor

Attest:

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

City Clerk

## Council Communication

Department: Community

Development

Case/Project No.:

Submitted by: Courtney Harter,

HED Manager

Resolution 21-123

ITEM 7.C.

Council Action: 4/26/2021

### Description

Resolution approving the reallocation of Capital Improvement Program (CIP) Funds for the South 19th Street Infrastructure Project to the Hillside Estates Infrastructure Project.

### Background/Discussion

see attached report.

### Recommendation

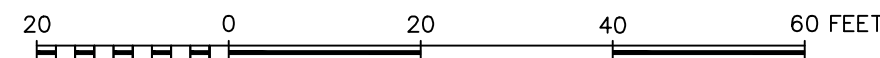
### ATTACHMENTS:

| Description             | Type         | Upload Date |
|-------------------------|--------------|-------------|
| Staff Report            | Staff Report | 4/20/2021   |
| Preliminary Site Layout | Map          | 4/16/2021   |
| Resolution 21-123       | Resolution   | 4/20/2021   |

## Council Communication

|  |   |                         |                     |           |                 |         |             |                |              |                  |
|--|---|-------------------------|---------------------|-----------|-----------------|---------|-------------|----------------|--------------|------------------|
| Department:<br>Community Development<br><br>Case/Project No.: N/A  | Ordinance No.:<br><br>Resolution No.: 21- | City Council: 4-26-2021 |                     |           |                 |         |             |                |              |                  |
| <b>Subject/Title</b>   |   |                         |                     |           |                 |         |             |                |              |                  |
| Resolution approving reprogramming of CIP project CD-20-02 and CD-22-03 from the South 19 <sup>th</sup> Street Extension Project to the Hillside Estates Infrastructure Project.   |   |                         |                     |           |                 |         |             |                |              |                  |
| <b>Location</b>  |   |                         |                     |           |                 |         |             |                |              |                  |
| The intersection of Pickardy Lane and Franklin Avenue  |   |                         |                     |           |                 |         |             |                |              |                  |
| <b>Background/Discussion</b>   |   |                         |                     |           |                 |         |             |                |              |                  |
| <p><u>Background</u></p> <p>City Council adopted the FY20-FY24 and FY22-FY26 Capital Improvement Programs (CIP) which included a road extension and intersection reconstruction projects along South 19<sup>th</sup> Street from 25<sup>th</sup> to 26<sup>th</sup> Avenues (CD-20-02 and CD-22-03). The projects outlined \$250,000 from the City's Community Development Block Grant (CDBG) entitlement funds and \$100,000 from general obligation (GO) funding. An additional CDBG allocation was made in 2022 for \$400,000 with a request of \$150,000 from General Fund-Other to meet the estimated construction cost of approximately \$900,000.</p> <p>This funding for this project was made contingent by the Community Development Department on the development of Beacon 2. This contingency requirement would ensure the City met its CDBG requirements for creation of low-to-moderate income housing. In March 2021, it was determined the development would not meet the needed timeline for spending requirements. Funding must now be reprogrammed.</p> <p><u>Discussion</u></p> <p>Staff wishes to reprogram the CD-20-02 allocation of \$100,000 and the CD-22-03 allocation of \$150,000 made to South 19<sup>th</sup> Street to the Hillside Estates Infrastructure Project. The proposed project will reconstruct Franklin Ave adjacent to Pickardy Lane to create an intersection and extend new infrastructure into the city-owned parcel to the north. This will accommodate the Hillside Estates Development, a 27-unit single-family housing project.</p> <p>Staff believes the transfer of these funds meet the original intent of funding as both projects include affordable housing. Hillside Estates will include at least 14 owner-occupied units that will be sold to households at or below 80% of the median family income.</p> <p>The total infrastructure cost for this project is approximately \$745,000. Public Works has agreed to provide \$150,000 in Local Option Sales Tax (LOST) dollars to assist with the reconstruction of Franklin Avenue. An additional \$100,000 will be used to construct a retaining wall on the property. The remaining balance will be paid through CDBG funds. Project funding will be as follows:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">CD-20-02 GO Bonding</td> <td style="text-align: right;">\$100,000</td> </tr> <tr> <td>LOST (CD-22-03)</td> <td style="text-align: right;">150,000</td> </tr> <tr> <td><u>CDBG</u></td> <td style="text-align: right;"><u>595,000</u></td> </tr> <tr> <td><b>TOTAL</b></td> <td style="text-align: right;"><b>\$845,000</b></td> </tr> </table> <p>Public Works has confirmed that the LOST funding is available and supports reallocation to the Hillside Estates project. Reprogramming of CDBG funds will occur during the regular program cycle.</p> |   |                         | CD-20-02 GO Bonding | \$100,000 | LOST (CD-22-03) | 150,000 | <u>CDBG</u> | <u>595,000</u> | <b>TOTAL</b> | <b>\$845,000</b> |
| CD-20-02 GO Bonding  | \$100,000                                 |                         |                     |           |                 |         |             |                |              |                  |
| LOST (CD-22-03)  | 150,000                                   |                         |                     |           |                 |         |             |                |              |                  |
| <u>CDBG</u>  | <u>595,000</u>                            |                         |                     |           |                 |         |             |                |              |                  |
| <b>TOTAL</b>   | <b>\$845,000</b>                          |                         |                     |           |                 |         |             |                |              |                  |
| <b>Staff Recommendation</b>  |   |                         |                     |           |                 |         |             |                |              |                  |
| Approval of the reallocation of CIP projects CD-20-02 and CD-22-03 funding from South 19 <sup>th</sup> Street to the Hillside Estates Infrastructure Project.  |   |                         |                     |           |                 |         |             |                |              |                  |
| <b>Attachments</b>   |   |                         |                     |           |                 |         |             |                |              |                  |
| Site Map   |   |                         |                     |           |                 |         |             |                |              |                  |

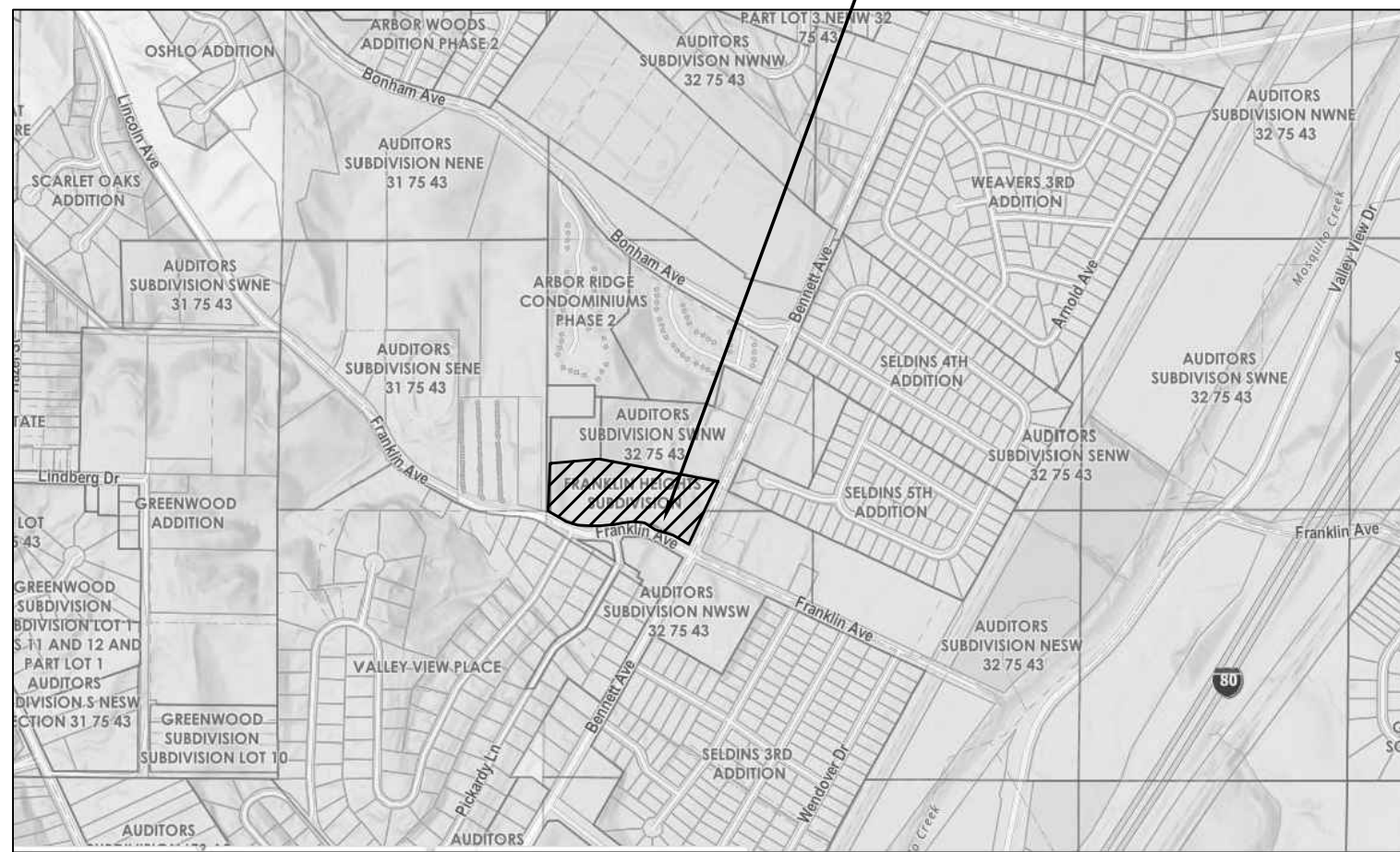
Prepared by: Courtney Harter, Housing & Economic Development Manager, Community Development Department  
 Approved by: Courtney Harter, Housing & Economic Development Manager, Community Development Department



NOTE:  
UNDERGROUND UTILITY LOCATIONS SHOWN ARE FROM INFORMATION PROVIDED TO US FROM UTILITY COMPANIES. UTILITY COMPANIES MAKE NO WARRANTIES OR GUARANTEES REGARDING THE ACCURACY OF THE INFORMATION CONTAINED IN THEIR DOCUMENTS AND PROVIDES IT ONLY AS GENERAL INFORMATION TO THE RECEIVER. FOR SPECIFIC LOCATIONS DURING CONSTRUCTION CALL "IOWA ONE CALL" 800/292-8989 PRIOR TO DIGGING.

LEGEND

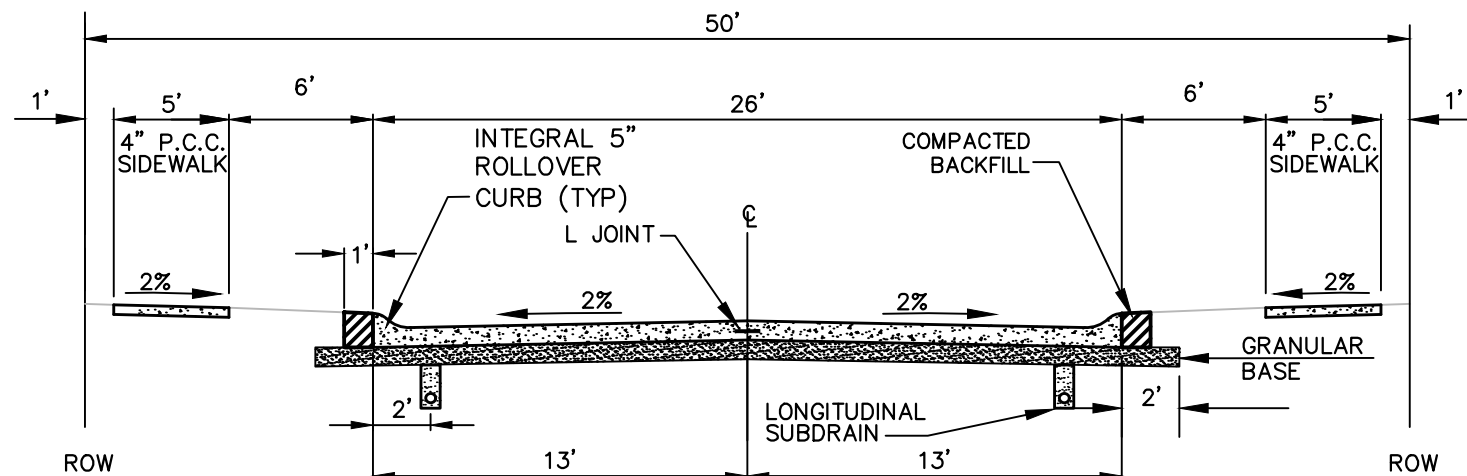
- PROJECT BOUNDARY LINE
- PROPERTY LINE
- PROPOSED PAVEMENT
- PROPOSED SIDEWALK
- B.L. --- BUILDING LINE
- SETBACK LINE



VICINITY MAP



NORTH  
NOT TO SCALE



NOTES:

- ON GRADES GREATER THAN 5%, GRANULAR BASE, TRANSVERSE SUBRAIN, AND CURTAIN WALLS SHALL BE REQUIRED. ON GRADES LESS THAN 5%, GRANULAR BASE AND LONGITUDINAL SUBRAIN WILL BE REQUIRED AT THE DIRECTION OF THE CITY ENGINEER.
- GRANULAR BASE SHALL HAVE A MINIMUM THICKNESS OF 6", MEET IDOT GRADATION #12A OR #12B AND MAY REQUIRE USE OF ENGINEERING FABRIC.
- SUBRAIN SHALL BE PER SUDAS FIGURE 4040.231 AND THE CITY OF COUNCIL BLUFFS TRANSVERSE SUBRAIN DETAIL.
- P.C.C. PAVEMENT SHALL HAVE 7" THICKNESS.
- ALL JOINTS SHALL BE PER SUDAS FIGURE 7010.101.
- CURBS SHALL BE 5" ROLLOVER CURB.

LOCAL STREET CROSS SECTION

NO PARKING BAY NO SCALE

OWNER/DEVELOPER  
CHRISTOPHER GIBBONS  
CITY OF COUNCIL BLUFFS  
COMMUNITY DEVELOPMENT DEPT.  
209 PEARL STREET  
COUNCIL BLUFFS, IA. 51503

ENGINEER  
TERRY MORRISON, P.E.  
EHRHART GRIFFIN & ASSOCIATES  
142 WEST BROADWAY, SUITE 136  
COUNCIL BLUFFS, IOWA  
(712) 256-5248

PROJECT NO.  
EGA201169

| REVISONS | DESCRIPTION | DATE | BY |  |  |  |  |  |  |
|----------|-------------|------|----|--|--|--|--|--|--|
|          |             |      |    |  |  |  |  |  |  |
| NO.      |             |      |    |  |  |  |  |  |  |

EHRHART  
GRIFFIN &  
ASSOCIATES

142 West Broadway  
Suite 136  
Council Bluffs, Iowa 51503  
712 / 256-5248

- ENGINEERING
- PLANNING
- LAND SURVEYING

PRELIMINARY SITE LAYOUT PLAN  
HILLSIDE ESTATES SUBDIVISION  
FRANKLIN AND BENNETT AVE.  
COUNCIL BLUFFS, IOWA

DATE: 4/7/21  
DESIGNED BY: TLM

DRAWN BY: JRB  
CHECKED BY: TLM

SHEET NO.  
C1.1

**RESOLUTION NO. 21-123**

**A RESOLUTION APPROVING THE REALLOCATION OF CAPITAL IMPROVEMENT PROGRAM (CIP) FUNDS FOR THE SOUTH 19<sup>TH</sup> STREET INFRASTRUCTURE PROJECT TO THE HILLSIDE ESTATES INFRASTRUCTURE PROJECT.**

- WHEREAS,** In 2019, the City Council adopted the FY20-FY24 Capital Improvement Program (CIP) which included a road extension and intersection reconstruction project along South 19th Street from 25th to 26th Avenues (CD-20-02); and
- WHEREAS,** funding for this project includes Community Development Block Grant CDBG and Capital Improvement Program (CIP) General Obligation Bonds; and
- WHEREAS,** In 2021, the City Council adopted the FY22-FY26 Capital Improvement Program (CIP) which included a road extension and intersection reconstruction project along South 19th Street from 25th to 26th Avenues (CD-22-03); and
- WHEREAS,** funding for this project includes Community Development Block Grant CDBG and Capital Improvement Program (CIP) General Obligation Bonds-Other; and
- WHEREAS,** this project has been delayed and is unable to meet spending deadlines; and
- WHEREAS,** the City wishes to reallocate CD-20-02 and CD-22-03 funding from this project to an infrastructure project known as the Hillside Estates Infrastructure Project located at the intersection of Pickardy Lane and Franklin Avenue; and
- WHEREAS,** such improvements are required to accommodate the construction of a 27-unit subdivision that will include both attached and detached single-family housing units; and
- WHEREAS,** 51% of the units will be sold to households at or below 80% of the median family income to increase the number of affordable housing options in the City; and
- WHEREAS,** General Obligation Bonds, Local Option Sales Tax and Community Development Block Grant funds will be used to complete this project; and
- WHEREAS,** it is the opinion of the City Council that it would be in the best interest of the City to reallocate CIP funds from the South 19<sup>th</sup> Street Infrastructure Project to the Hillside Estates Infrastructure Project.

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

That the reallocation of Capital Improvement Program (CIP) projects CD-20-02 and CD22-03 are reprogrammed from the South 19<sup>th</sup> Street Infrastructure Project to the Hillside Estates Infrastructure Project is hereby approved.

**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 project is an appropriate expenditure of the Local Option Sales Tax Revenues.

ADOPTED

AND  
APPROVED:

April 26, 2021

\_\_\_\_\_  
Mathew J. Walsh

\_\_\_\_\_  
Mayor

ATTEST:

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

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

## Council Communication

Department: Community

Development

Case/Project No.: PC-21-003

Submitted by: Moises Monrroy,

Planner

Resolution 21-124

ITEM 7.D.

Council Action: 4/26/2021

### Description

Resolution adopting the planned commercial development plan on property legally described as being the West 200 feet of the North 290 feet of the NW 1/4 SE 1/4 of Section 3-74-44, more specifically described in the Council packet. Location: 2747 23rd Avenue. PC-21-003

### Background/Discussion

See attachments

### Recommendation

### ATTACHMENTS:

| Description  | Type         | Upload Date |
|--|--------------|-------------|
| Staff Report   | Staff Report | 4/15/2021   |
| Attachment A - Location and Zoning Map                 | Map          | 4/15/2021   |
| Attachment B - Site Plan                               | Other        | 4/15/2021   |
| Attachment C - Legal Description                       | Other        | 4/15/2021   |
| Attachment D - Lumen Technologies Utility Location Map | Map          | 4/15/2021   |
| Resolution   | Resolution   | 4/15/2021   |
| Resolution 21-124                                      | Resolution   | 4/20/2021   |

## City Council Communication

|  |                      |   |
|--|----------------------|---|
| Department: Community Development<br><br>CASE #PC-21-003<br><br>Applicant/Property Owner:<br>MidAmerican Energy Company<br>c/o Mark Peterson<br>PO Box 657<br>Des Moines, IA 50306<br><br>Engineer:<br>Civil Engineering Consultants, Inc.<br>c/o Marty Dostalík<br>2400 86 <sup>th</sup> Street #12<br>Urbandale, IA 50322  | Resolution No. _____ | City Council: 4/26/2021<br><br>Planning Commission: 4/13/2021 |
| <p style="text-align: center;"><b>Subject/Title</b></p> <p><b>Request:</b> Public hearing on the request of MidAmerican Energy, represented by Mark Peterson, to adopt a planned commercial development plan on property legally described as being the west 200 feet of the north 290 feet of the NW ¼ SE ¼ of Section 3-74-44, lying south of 23<sup>rd</sup> Avenue, except the north 8.5 feet thereof, City of Council Bluffs, Pottawattamie County, Iowa.</p> <p><b>Location:</b> 2747 23<sup>rd</sup> Avenue</p>   |                      |   |
| <p style="text-align: center;"><b>Background</b></p> <p>The Community Development Department has received an application from MidAmerican Energy, represented by Mark Peterson, to adopt a planned commercial development plan on property addressed at 2747 23<sup>rd</sup> Avenue and legally described in Attachment ‘C.’</p> <p>The subject property is located in the general vicinity of the Mid-America Center and is used as an electrical substation. The applicant intends to remove the existing fence along the perimeter of the site and replace it with a ten-foot tall masonry wall and a new chain link fence. Since the subject property is zoned P-C/Planned Commercial District, a development plan must be adopted for these improvements.</p> <p style="text-align: center;"><b>Comments</b></p> <p>All City Departments and local utilities were notified of the proposed development plan. The following comments were received:</p> <ul style="list-style-type: none"> <li>The Public Works Department stated that a curb would need to be installed in place of the existing driveway approach along 23<sup>rd</sup> Avenue that is proposed to be removed. They also noted that the proposed sidewalk would not extend into the neighboring property located to the east (Horseshoe Casino), and asked for clarification regarding the purpose of the existing landscaped corner.</li> <li>The Parks and Recreation Department expressed support for the proposed five-foot sidewalk along the northerly property line. They also stated they have no additional recommendations on the request.</li> <li>The Fire Department stated they have no comments on the request.</li> <li>Council Bluffs Water Works stated they have no comments on the request.</li> </ul> |                      |   |



- Lumen Technologies provided a map of Lumen utilities located in the general vicinity of the subject property (see Attachment ‘D’). It appears that there are no conflicts between existing Lumen utilities and the proposed improvements to the site.

**Development Plan** – The existing layout of the electrical substation, including the gravel surface, shall be approved as part of this development plan. The site development standards outlined below shall be applicable to the proposed improvements on the subject property.

1. The submitted site plan (see Attachment ‘B’) shows a security wall constructed out of precast concrete wall panels with a cobblestone pattern will be installed along the northerly, easterly and westerly property lines. The proposed security wall is generally acceptable and shall be adopted as proposed.
2. The submitted site plan (see Attachment ‘B’) shows a chain link fence constructed out of galvanized metal mesh will be installed along the southerly property line. A 24-foot wide gate will be installed over the existing driveway for access purposes. Since the proposed fence will not be visible from the public right-of-way, it is generally acceptable and shall be adopted as proposed.
3. The maximum height of the proposed security wall and fence shall not exceed ten feet, as measured from grade to the highest point of the structure. As per Section 15.24.040(C), the maximum height of a fence in a commercial district is limited to four feet if located in a front yard or a street side yard, and six feet if located in an interior side yard or a rear yard. Although the proposed security wall and fence exceed these requirements, the subject property is located in a P-C/Planned Commercial District. The P-C District is intended to provide flexible design and site development standards through the adoption of a development plan to address the unique characteristics of each property. In this regard, a ten-foot wall/fence is appropriate at the subject property is appropriate as it provides security to the existing electrical substation while screening it from public view.
4. No portion of the proposed security wall or fence shall project over the property line or be placed in the public right-of-way.
5. No barbed wire shall be allowed on the proposed security wall or fence.
6. The existing landscape trees along the southerly property line are generally acceptable. All disturbed areas without a specific landscape design shall be seeded with sod, turf, and/or prairie grass.
7. The submitted site plan (see Attachment ‘B’) shows a five-foot sidewalk will be constructed along the northerly property line. The proposed sidewalk is generally acceptable as it provides a future connection point to the existing trail/sidewalk network in the Mid-America Center area and will therefore improve pedestrian traffic circulation and connectivity. All sidewalks shall be built to City standards. All costs associated with the installation of sidewalks shall be the responsibility of the developer and not the City.
8. The submitted site plan (see Attachment ‘B’) shows that the existing driveway on the south side of the subject property will be expanded to measure 30 feet in width. Since this driveway will be the main access point to the substation, it shall be hard surfaced in accordance with the standards in Chapter 15.23, *Off-Street Parking, Loading and Unloading*, of the Council Bluffs Municipal Code (Zoning Ordinance).
9. The submitted site plan (see Attachment ‘B’) indicates parking will be available for service vehicles within the area enclosed by the proposed security wall and fence. Since this site is not intended to be accessible to the public, no parking spaces are required to be installed.
10. No exterior storage shall be allowed. This includes the temporary and/or permanent placement of inter-modal storage containers.
11. All exterior lighting shall conform to Section 15.24.050, *Lighting Controls*, of the Council Bluffs Municipal Code (Zoning Ordinance).

### **Recommendation**

The Community Development Department recommends approval of the request to adopt a planned commercial development plan on property legally described above, subject to the following condition:

- a. Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed the City Planning Commission and approved by City Council prior to such changes being made. All minor modifications to the adopted development plan may be administratively approved by the Community Development Director.

### **Public Hearing**

Staff speakers for the request:

1. Moises Monrroy, Planner, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA, 51501

Speakers in favor:

1. Marty Dostalík, Civil Engineering Consultants, Inc., 2400 86<sup>th</sup> Street #12, Urbandale, IA 50322
2. Trudy Johannsen, Mid-American Energy, 3003 South 11<sup>th</sup> Street, Council Bluffs, IA 51501

Speakers against: None

### **Planning Commission Recommendation**

The Planning Commission recommended approval of the request to adopt a planned commercial development plan on property legally described above, subject to the following condition:

- a. Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed the City Planning Commission and approved by City Council prior to such changes being made. All minor modifications to the adopted development plan may be administratively approved by the Community Development Director.

VOTE: AYE – Bass, Danielsen, Halm, Haner, Hutcheson, Rater, Rew, Scott, Stroebele and Van Houten.  
NAY - None ABSTAIN - None ABSENT – None. VACANT - One Motion: Carried.

### **Attachments**

Attachment A: Location/Zoning Map  
Attachment B: Site Plan  
Attachment C: Legal Description  
Attachment D: Lumen Technologies Utility Location Map

Prepared by: Moises Monrroy, Planner, Community Development Department

# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASE #PC-21-003 LOCATION/ZONING MAP

## Legend

 Subject Property

0 40 80  
1 Inch = 83 Feet



Last Amended: 3/22/2021



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

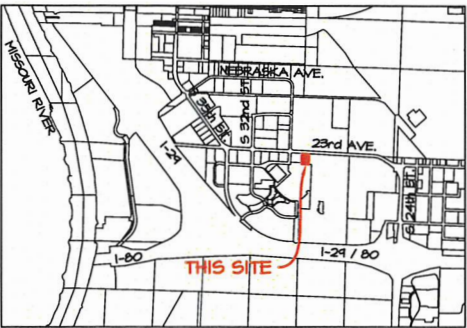
### DISCLAIMER

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, 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.





Q:\E-FILES\80001E8398\_C3D Drawings\Construction Plans\8398 Site Layout.dwg, 3/8/2021 10:48:15 AM, mdostalik, 1:2



**OWNER/APPLICANT**  
MIDAMERICAN ENERGY COMPANY  
P.O. BOX 657  
DES MOINES, IOWA 50306-0657  
563-333-8840  
Jon.Austheim@midamerican.com

**SITE ADDRESS**  
2141 23rd AVE.  
COUNCIL BLUFFS, IA

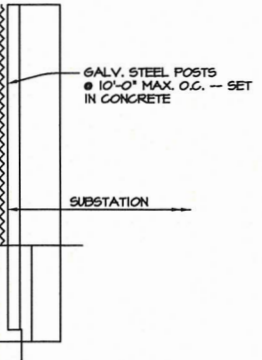
**ZONING**  
P-C PLANNED COMMERCIAL

**LEGAL DESCRIPTION**  
A PART OF THE NW 1/4, SE 1/4 OF SECTION 3, TOWNSHIP 14 NORTH, RANGE 44 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA, IN THE CITY OF COUNCIL BLUFFS, WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTHWEST CORNER OF THE SAID NW 1/4, SE 1/4 OF SECTION 3, TOWNSHIP 14 NORTH, RANGE 44 WEST; THENCE ALONG THE NORTH LINE OF SAID NW 1/4, SE 1/4 OF SECTION 3, 588'23"25"E, 200.00 FEET; THENCE S00°34'35"W, 330.00 FEET; THENCE N88°23'25"W, 200.00 FEET; THENCE ALONG THE SOUTH LINE OF SAID NW 1/4, SE 1/4 OF SECTION 3, N00°34'35"E, 330.00 FEET TO THE POINT OF BEGINNING, EXCEPT THEREFROM THE NORTH 48.5 FEET FOR ROADWAY PURPOSES.

FENCE NOTES

- ALL FENCES SHALL BE BUILT IN ACCORDANCE WITH MIDAMERICAN ENERGY COMPANY'S SPECIFICATIONS AND DETAILS.
- THE SECURITY FENCE SHALL BE 16' L.F. INCLUDING THE VEHICLE GATE, OF 10 FEET HIGH GALVANIZED AMIGUARD 1100 HIGH SECURITY MESH.
- THE DRIVEWAY GATE SHALL BE A SLIDING, 24' WIDE GATE.
- SEE FENCE DETAIL AT BELOW.

10'-0" AMICO "AMIGUARD" FENCE SYSTEM WITH ANTI-CLIMB EXPANDED METAL MESH



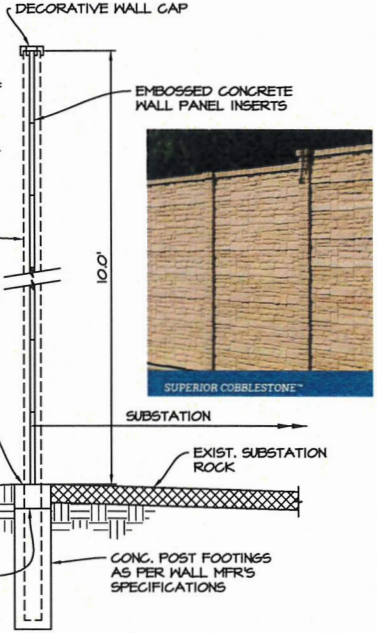
CHAIN LINK FENCE DETAIL  
SCALE: 1/4" = 1'-0"

SCREEN WALL NOTES

- THE SECURITY WALL SHALL BE BUILT IN ACCORDANCE WITH SUPERIOR CONCRETE PRODUCT SPECIFICATIONS AND DETAILS.
- THE SECURITY WALL SHALL BE 505 L.F. OF 10 FEET HIGH CONCRETE PANELS.

NOTE: NO BARBED WIRE WILL BE USED IN CONJUNCTION WITH THE WALL.

CONCRETE POSTS SET IN CONCRETE @ 5'-0" O.C.



SECURITY FENCE DETAIL  
SCALE: 3/8" = 1'-0"

NOTES & DETAILS SHOWN ON ONE DRAWING APPLY TO ALL DRAWINGS INSOFAR AS THEY MAY APPLY.



2400 86th Street, Unit 12 • Des Moines, Iowa 50322  
515.276.4884 • Fax: 515.276.7084 • mail@cecinc.com

1st CITY  
SUBMITTAL  
03-08-2021

LEGEND

- PROPERTY BOUNDARY
- FOUND SECTION CORNER
- SET / FOUND PROPERTY CORNER
- SECTION LINE
- BUILDING SETBACK / EASEMENT LINE
- NEW SUBSTATION SECURITY WALL
- NEW SUBSTATION SECURITY FENCE
- EXISTING SUBSTATION FENCE TO BE REMOVED
- EXIST. STORM SEWER
- WALL MOUNTED SITE LIGHT
- POWER POLE
- EXIST. WATER MAIN

LIST OF SITE PLAN DRAWINGS

| SHEET NO. | DESCRIPTION                       |
|-----------|-----------------------------------|
| C21-40    | SUBSTATION OVERALL LAYOUT & NOTES |

CERTIFICATIONS

I HEREBY CERTIFY THAT THE PORTION OF THIS TECHNICAL SUBMISSION DESCRIBED BELOW WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF IOWA.

DATE: 03-08-2021  
BY: MARTIN M. DOSTALIK, IOWA REG. NO. 344  
MY LICENSE RENEWAL DATE IS: JUNE 30, 2022  
PAGES OR SHEETS COVERED BY THIS SEAL:  
AS NOTED IN LIST OF SITE PLAN DRAWINGS

| REV | DATE | DFTR | APP | DESCRIPTION |
|-----|------|------|-----|-------------|
| 10  |      |      |     |             |
| 09  |      |      |     |             |
| 08  |      |      |     |             |
| 07  |      |      |     |             |
| 06  |      |      |     |             |
| 05  |      |      |     |             |
| 04  |      |      |     |             |
| 03  |      |      |     |             |
| 02  |      |      |     |             |
| 01  |      |      |     |             |



**CONFIDENTIAL:**  
THIS DOCUMENT SHALL BE MAINTAINED CONFIDENTIALLY AS CRITICAL ENERGY INFRASTRUCTURE INFORMATION AND IS AVAILABLE TO MIDAMERICAN ENERGY COMPANY EMPLOYEES, BUT NOT TO MIDAMERICAN ENERGY COMPANY EMPLOYEES WORKING IN THE UNREGULATED RETAIL SERVICES DIVISION. PRIOR WRITTEN AUTHORIZATION IS REQUIRED FOR ACCESS BY ANY OTHER PERSON.



SCALE: 1" = 20'

DATE: 03-08-2021  
DESIGNED: MMD  
DRAWN: MMD  
APPROVED: JWA  
SCALE: 1" = 20'

SUBSTATION 705  
COUNCIL BLUFFS, IOWA  
SITE  
OVERALL LAYOUT PLAN & NOTES

SWF  
C21-40



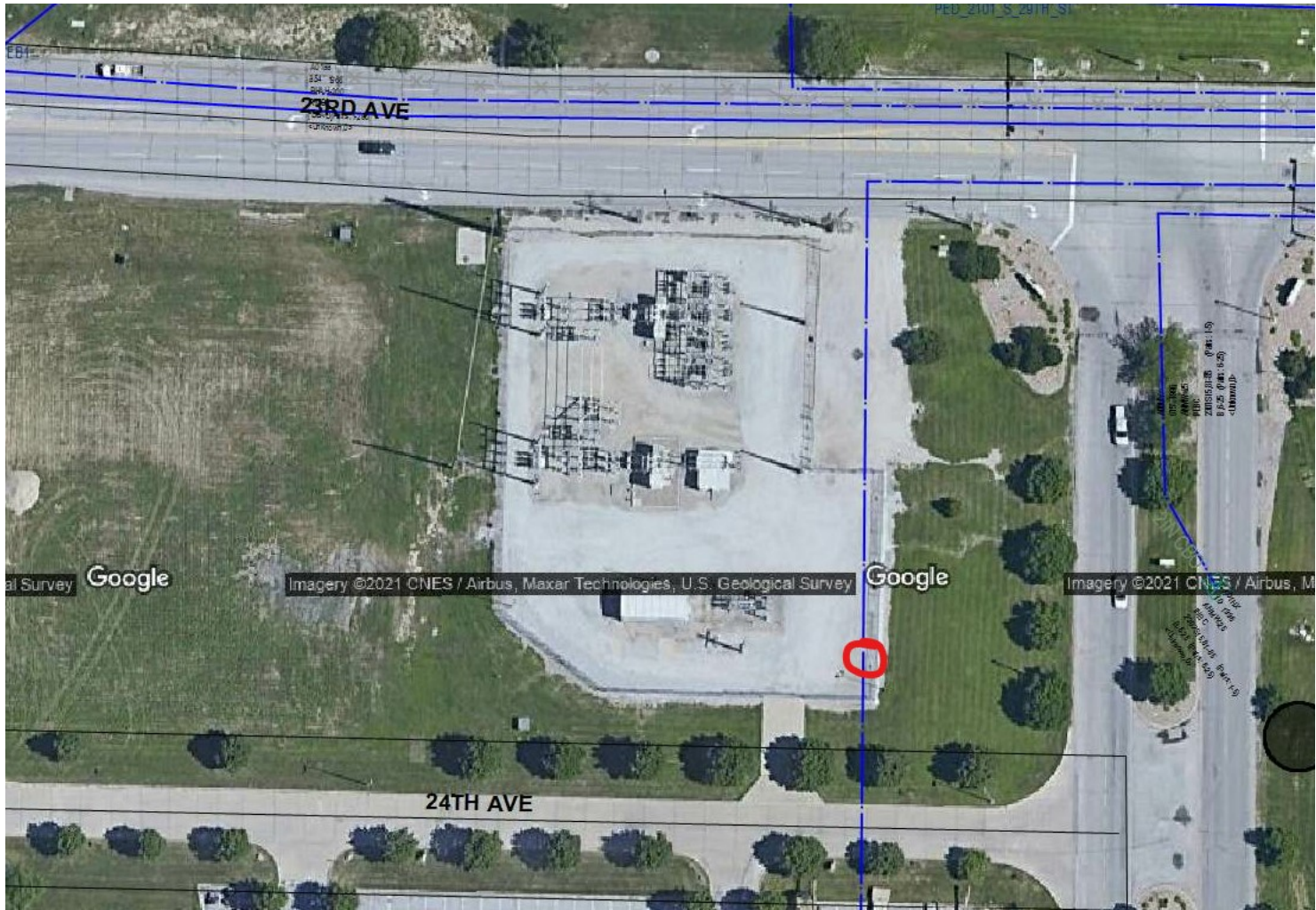
## Attachment C

### Substation 705 – Council Bluffs, Iowa

#### Property Legal Description

A part of the NW 1/4, SE 1/4 of Section 3, Township 74 North, Range 44 West of the 5th P.M., Pottawattamie County, Iowa, in the City of Council Bluffs, which is more particularly described as follows:

Beginning at the Northwest corner of the said NW 1/4, SE 1/4 of Section 3, Township 74 North, Range 44 West; thence along the North line of said NW 1/4, SE 1/4 of Section 3, S88°23'25"E, 200.00 feet; thence S00°39'35"W, 330.00 feet; thence N88°23'25"W, 200.00 feet; thence along the West line of said NW 1/4, SE 1/4 of Section 3, N00°39'35"E, 330.00 feet to the point or beginning, except therefrom the North 48.5 feet for roadway purposes.



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ADOPTING THE PLANNED COMMERCIAL DEVELOPMENT PLAN ON PROPERTY LEGALLY DESCRIBED AS BEING THE WEST 200 FEET OF THE NORTH 290 FEET OF THE NW ¼ SE ¼ OF SECTION 3-74-44, LYING SOUTH OF 23<sup>RD</sup> AVENUE, EXCEPT THE NORTH 8.5 FEET THEREOF, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.**

**WHEREAS,** MidAmerican Energy, represented by Mark Peterson, is requesting adoption of a planned commercial development plan on property addressed at 2747 23<sup>rd</sup> Avenue and legally described as being the west 200 feet of the north 290 feet of the NW ¼ SE ¼ of Section 3-74-44, lying south of 23<sup>rd</sup> Avenue, except the north 8.5 feet thereof, City of Council Bluffs, Pottawattamie County, Iowa, and more particularly described in Attachment ‘C’; and

**WHEREAS,** All City Departments and local utilities were notified of the proposed development plan. The following comments were received:

- A. The Public Works Department stated that a curb would need to be installed in place of the existing driveway approach along 23<sup>rd</sup> Avenue that is proposed to be removed. They also noted that the proposed sidewalk would not extend into the neighboring property located to the east (Horseshoe Casino), and asked for clarification regarding the purpose of the existing landscaped corner.
- B. The Parks and Recreation Department expressed support for the proposed five-foot sidewalk along the northerly property line. They also stated they have no additional recommendations on the request.
- C. Lumen Technologies provided a map of Lumen utilities located in the general vicinity of the subject property (see Attachment ‘D’). It appears that there are no conflicts between existing Lumen utilities and the proposed improvements to the site; and

**WHEREAS,** The existing layout of the electrical substation, including the gravel surface, shall be approved as part of this development plan. The site development standards outlined below shall be applicable to the proposed improvements on the subject property.

- A. The submitted site plan (see Attachment ‘B’) shows a security wall constructed out of precast concrete wall panels with a cobblestone pattern will be installed along the northerly, easterly and westerly property lines. The proposed security wall is generally acceptable and shall be adopted as proposed.
- B. The submitted site plan (see Attachment ‘B’) shows a chain link fence constructed out of galvanized metal mesh will be installed along the southerly property line. A 24-foot wide gate will be installed over the existing driveway for access purposes. Since the proposed fence will not be



visible from the public right-of-way, it is generally acceptable and shall be adopted as proposed.

- C. The maximum height of the proposed security wall and fence shall not exceed ten feet, as measured from grade to the highest point of the structure. As per Section 15.24.040(C), the maximum height of a fence in a commercial district is limited to four feet if located in a front yard or a street side yard, and six feet if located in an interior side yard or a rear yard. Although the proposed security wall and fence exceed these requirements, the subject property is located in a P-C/Planned Commercial District. The P-C District is intended to provide flexible design and site development standards through the adoption of a development plan to address the unique characteristics of each property. In this regard, a ten-foot wall/fence is appropriate at the subject property is appropriate as it provides security to the existing electrical substation while screening it from public view.
- D. No portion of the proposed security wall or fence shall project over the property line or be placed in the public right-of-way.
- E. No barbed wire shall be allowed on the proposed security wall or fence.
- F. The existing landscape trees along the southerly property line are generally acceptable. All disturbed areas without a specific landscape design shall be seeded with sod, turf, and/or prairie grass.
- G. The submitted site plan (see Attachment 'B') shows a five-foot sidewalk will be constructed along the northerly property line. The proposed sidewalk is generally acceptable as it provides a future connection point to the existing trail/sidewalk network in the Mid-America Center area and will therefore improve pedestrian traffic circulation and connectivity. All sidewalks shall be built to City standards. All costs associated with the installation of sidewalks shall be the responsibility of the developer and not the City.
- H. The submitted site plan (see Attachment 'B') shows that the existing driveway on the south side of the subject property will be expanded to measure 30 feet in width. Since this driveway will be the main access point to the substation, it shall be hard surfaced in accordance with the standards in Chapter 15.23, Off-Street Parking, Loading and Unloading, of the Council Bluffs Municipal Code (Zoning Ordinance).
- I. The submitted site plan (see Attachment 'B') indicates parking will be available for service vehicles within the area enclosed by the proposed security wall and fence. Since this site is not intended to be accessible to the public, no parking spaces are required to be installed.
- J. No exterior storage shall be allowed. This includes the temporary and/or permanent placement of inter-modal storage containers.
- K. All exterior lighting shall conform to Section 15.24.050, Lighting Controls, of the Council Bluffs Municipal Code (Zoning Ordinance); and

**WHEREAS,** The Community Development Department recommends approval of the request to adopt a planned commercial development plan on property legally described above, subject to comments above and the following condition:

- A. Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed the City Planning Commission and approved by City Council prior to such changes being made. All minor modifications to the adopted development plan may be administratively approved by the Community Development Director.

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

That the Planned Commercial Development Plan for property legally described as being the west 200 feet of the north 290 feet of the NW ¼ SE ¼ of Section 3-74-44, lying south of 23<sup>rd</sup> Avenue, except the north 8.5 feet thereof, City of Council Bluffs, Pottawattamie County, Iowa and more particularly described on is hereby approved and will be in full force and effect from and after its final passage and publication, as by law provided.

ADOPTED  
AND \_\_\_\_\_, 2021.  
APPROVED

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

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH City Clerk

## **RESOLUTION NO. 21-124**

**A RESOLUTION ADOPTING THE PLANNED COMMERCIAL DEVELOPMENT PLAN ON PROPERTY LEGALLY DESCRIBED AS BEING THE WEST 200 FEET OF THE NORTH 290 FEET OF THE NW ¼ SE ¼ OF SECTION 3-74-44, LYING SOUTH OF 23<sup>RD</sup> AVENUE, EXCEPT THE NORTH 8.5 FEET THEREOF, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.**

**WHEREAS,** MidAmerican Energy, represented by Mark Peterson, is requesting adoption of a planned commercial development plan on property addressed at 2747 23<sup>rd</sup> Avenue and legally described as being the west 200 feet of the north 290 feet of the NW ¼ SE ¼ of Section 3-74-44, lying south of 23<sup>rd</sup> Avenue, except the north 8.5 feet thereof, City of Council Bluffs, Pottawattamie County, Iowa, and more particularly described in Attachment ‘C’; and

**WHEREAS,** All City Departments and local utilities were notified of the proposed development plan. The following comments were received:

- A. The Public Works Department stated that a curb would need to be installed in place of the existing driveway approach along 23<sup>rd</sup> Avenue that is proposed to be removed. They also noted that the proposed sidewalk would not extend into the neighboring property located to the east (Horseshoe Casino), and asked for clarification regarding the purpose of the existing landscaped corner.
- B. The Parks and Recreation Department expressed support for the proposed five-foot sidewalk along the northerly property line. They also stated they have no additional recommendations on the request.
- C. Lumen Technologies provided a map of Lumen utilities located in the general vicinity of the subject property (see Attachment ‘D’). It appears that there are no conflicts between existing Lumen utilities and the proposed improvements to the site; and

**WHEREAS,** The existing layout of the electrical substation, including the gravel surface, shall be approved as part of this development plan. The site development standards outlined below shall be applicable to the proposed improvements on the subject property.

- A. The submitted site plan (see Attachment ‘B’) shows a security wall constructed out of precast concrete wall panels with a cobblestone pattern will be installed along the northerly, easterly and westerly property lines. The proposed security wall is generally acceptable and shall be adopted as proposed.
- B. The submitted site plan (see Attachment ‘B’) shows a chain link fence constructed out of galvanized metal mesh will be installed along the southerly property line. A 24-foot wide gate will be installed over the existing driveway for access purposes. Since the proposed fence will not be

visible from the public right-of-way, it is generally acceptable and shall be adopted as proposed.

- C. The maximum height of the proposed security wall and fence shall not exceed ten feet, as measured from grade to the highest point of the structure. As per Section 15.24.040(C), the maximum height of a fence in a commercial district is limited to four feet if located in a front yard or a street side yard, and six feet if located in an interior side yard or a rear yard. Although the proposed security wall and fence exceed these requirements, the subject property is located in a P-C/Planned Commercial District. The P-C District is intended to provide flexible design and site development standards through the adoption of a development plan to address the unique characteristics of each property. In this regard, a ten-foot wall/fence is appropriate at the subject property is appropriate as it provides security to the existing electrical substation while screening it from public view.
- D. No portion of the proposed security wall or fence shall project over the property line or be placed in the public right-of-way.
- E. No barbed wire shall be allowed on the proposed security wall or fence.
- F. The existing landscape trees along the southerly property line are generally acceptable. All disturbed areas without a specific landscape design shall be seeded with sod, turf, and/or prairie grass.
- G. The submitted site plan (see Attachment 'B') shows a five-foot sidewalk will be constructed along the northerly property line. The proposed sidewalk is generally acceptable as it provides a future connection point to the existing trail/sidewalk network in the Mid-America Center area and will therefore improve pedestrian traffic circulation and connectivity. All sidewalks shall be built to City standards. All costs associated with the installation of sidewalks shall be the responsibility of the developer and not the City.
- H. The submitted site plan (see Attachment 'B') shows that the existing driveway on the south side of the subject property will be expanded to measure 30 feet in width. Since this driveway will be the main access point to the substation, it shall be hard surfaced in accordance with the standards in Chapter 15.23, Off-Street Parking, Loading and Unloading, of the Council Bluffs Municipal Code (Zoning Ordinance).
- I. The submitted site plan (see Attachment 'B') indicates parking will be available for service vehicles within the area enclosed by the proposed security wall and fence. Since this site is not intended to be accessible to the public, no parking spaces are required to be installed.
- J. No exterior storage shall be allowed. This includes the temporary and/or permanent placement of inter-modal storage containers.
- K. All exterior lighting shall conform to Section 15.24.050, Lighting Controls, of the Council Bluffs Municipal Code (Zoning Ordinance); and

**WHEREAS,** The Community Development Department recommends approval of the request to adopt a planned commercial development plan on property legally described above, subject to comments above and the following condition:

- A. Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed the City Planning Commission and approved by City Council prior to such changes being made. All minor modifications to the adopted development plan may be administratively approved by the Community Development Director.

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

That the Planned Commercial Development Plan for property legally described as being the west 200 feet of the north 290 feet of the NW ¼ SE ¼ of Section 3-74-44, lying south of 23<sup>rd</sup> Avenue, except the north 8.5 feet thereof, City of Council Bluffs, Pottawattamie County, Iowa and more particularly described on is hereby approved and will be in full force and effect from and after its final passage and publication, as by law provided.

ADOPTED  
AND  
APPROVED

April 26, 2021.

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

Mayor

Attest:

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

City Clerk

## Council Communication

Department: Legal  
Case/Project No.:  
Submitted by: Richard Wade

Resolution 21-125  
ITEM 7.E.

Council Action: 4/26/2021

### Description

Resolution authorizing the City of Council Bluffs' Information Technology Department to provide Private Cloud Hosting Services to other state agencies or political subdivisions in our community.

### Background/Discussion

The City has been in communication with Green Hills AEA to discuss whether the City can provide a cloud hosting service for them. It is anticipated that our IT Dept. would have the ability to provide these services to them as well as the potential to provide services to school districts and other political subdivisions in the area for a charge of \$60-\$100/month depending upon which service package is being provided.

### Recommendation

It is recommended to approve this Resolution.

### ATTACHMENTS:

| Description            | Type       | Upload Date |
|------------------------|------------|-------------|
| Hosting Services Flyer | Other      | 4/15/2021   |
| Resolution 21-125      | Resolution | 4/20/2021   |



## CITY OF COUNCIL BLUFFS PRIVATE CLOUD HOSTING SERVICES

### FOR A SUCCESSFUL PRIVATE CLOUD



Zero Trust is a security design philosophy that assumes any network, application, server, or user could be compromised.



Network Microsegmentation is the key to the application of "Zero Trust" at the network level.



Configurable easily managed infrastructure foundation.



Whether its data loss prevention or compliance with regulatory mandates, data encryption is key to cybersecurity strategy.

#### STANDARD

**\$60/ MONTH**

2 CORES @ 2.2 GHZ  
500 GB RAID STORAGE  
4 GB RAM  
1 GB BANDWIDTH

#### ENHANCED

**\$80/ MONTH**

4 CORES @ 2.2 GHZ  
500 GB RAID STORAGE  
8 GB RAM  
1 GB BANDWIDTH  
BACKUP INCLUDED (90 DAYS RETENTION)  
8AM-5PM ONSITE SUPPORT  
24X7 MONITORING

#### PREMIUM

**\$100/ MONTH**

4 CORES @ 2.2 GHZ  
500 GB RAID STORAGE  
16 GB RAM  
1 GB BANDWIDTH  
BACKUP INCLUDED (90 DAYS RETENTION)  
8AM-5PM ONSITE SUPPORT  
24X7 MONITORING

#### BACKUP DATA STORAGE

3TB: \$180/ month  
6TB: \$340/ month  
9TB: \$480/ month  
18TB: \$960/ month

Mark Howard, CIO City of Council Bluffs | 712-890-5330

[www.councilbluffs-ia.gov](http://www.councilbluffs-ia.gov)



**RESOLUTION NO. 21-125**

**A RESOLUTION AUTHORIZING THE CITY OF COUNCIL BLUFFS' INFORMATION TECHNOLOGY DEPARTMENT TO PROVIDE PRIVATE CLOUD HOSTING SERVICES TO OTHER STATE AGENCIES OR POLITICAL SUBDIVISIONS IN OUR COMMUNITY.**

**WHEREAS,** The City of Council Bluffs' Information Technology Department has the ability to provide private cloud hosting services to other entities, and

**WHEREAS,** Iowa Code Chapter 23A restricts a political subdivision from offering or providing goods or services which may be offered by private enterprise, unless the political subdivision is specifically authorized to do so by their governing body through statute, rule, ordinance or regulation; and

**WHEREAS,** It is in the best interest of the City of Council Bluffs and the surrounding community to allow the City's Information Technology Department to provide Private Cloud Hosting Services to other entities, so long as they limit their business to other state agencies or political subdivisions as defined in Iowa Code Chapter 23A.

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

That the Information Technology Department for the City of Council Bluffs is hereby authorized to provide Private Cloud Hosting Services to other political subdivisions or governmental agencies in this community, as defined in Iowa Code Chapter 23A.

ADOPTED  
AND  
APPROVED

April 26, 2021.

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

\_\_\_\_\_  
Mayor

Attest:

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

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

## Council Communication

Department: Finance

Case/Project No.:

Submitted by: Finance Dept/Kathy

Knott

Resolution 21-126

ITEM 7.F.

Council Action: 4/26/2021

### Description

Resolution authorizing and setting the Drainage District annual assessment for Mosquito Creek #22, Sieck #32, and West Lewis #35 for fiscal year 2022.

### Background/Discussion

The City of Council Bluffs has authority over the following drainage districts to provide maintenance and establish a special assessment to procure funds to pay the costs and expenses for general upkeep and maintenance within the drainage districts and to create a sinking fund. The City is required to certify the assessments for fiscal year 2022 with Pottawattamie County prior to May 31, 2021.

|                    |          |
|--------------------|----------|
| Mosquito Creek #22 | \$71,229 |
| Sieck #32          | \$36,330 |
| West Lewis #35     | \$63,742 |

### Recommendation

Council approval of the resolution setting the annual assessments for the drainage districts for fiscal year 2022.

### ATTACHMENTS:

| Description           | Type       | Upload Date |
|-----------------------|------------|-------------|
| Council Communication | Resolution | 4/16/2021   |
| Resolution 21-126     | Resolution | 4/20/2021   |

## Council Communication

|  |                        |                         |  |                        |                    |          |           |          |                |          |
|--|------------------------|-------------------------|--|------------------------|--------------------|----------|-----------|----------|----------------|----------|
| Department: Finance  | Resolution No. 21-____ | Council: April 26, 2021 |  |                        |                    |          |           |          |                |          |
| <b>Subject/Title</b>   |                        |                         |  |                        |                    |          |           |          |                |          |
| Drainage District Assessments.   |                        |                         |  |                        |                    |          |           |          |                |          |
| <b>Background/Discussion</b>   |                        |                         |  |                        |                    |          |           |          |                |          |
| <p>The City of Council Bluffs has authority over the following drainage districts to provide maintenance and establish a special assessment to procure funds to pay the costs and expenses for general upkeep and maintenance within the drainage districts and to create a sinking fund. The City is required to certify the assessments for fiscal year 2022 with Pottawattamie County prior to May 31, 2021.</p> <p>The following is the breakdown on the special assessments for the drainage districts.</p> <table style="margin-left: auto; margin-right: auto; border: none;"><tr><td></td><td style="text-align: right;"><u>2022 Assessment</u></td></tr><tr><td>Mosquito Creek #22</td><td style="text-align: right;">\$71,229</td></tr><tr><td>Sieck #32</td><td style="text-align: right;">\$36,330</td></tr><tr><td>West Lewis #35</td><td style="text-align: right;">\$63,742</td></tr></table> |                        |                         |  | <u>2022 Assessment</u> | Mosquito Creek #22 | \$71,229 | Sieck #32 | \$36,330 | West Lewis #35 | \$63,742 |
|  | <u>2022 Assessment</u> |                         |  |                        |                    |          |           |          |                |          |
| Mosquito Creek #22   | \$71,229               |                         |  |                        |                    |          |           |          |                |          |
| Sieck #32  | \$36,330               |                         |  |                        |                    |          |           |          |                |          |
| West Lewis #35   | \$63,742               |                         |  |                        |                    |          |           |          |                |          |
| <b>Recommendation</b>  |                        |                         |  |                        |                    |          |           |          |                |          |
| Council approval of the resolution setting the annual assessments for the drainage districts.  |                        |                         |  |                        |                    |          |           |          |                |          |

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Mayor Signature

RESOLUTION NO. 21-126

A RESOLUTION AUTHORIZING AND SETTING THE DRAINAGE DISTRICT ANNUAL ASSESSMENT FOR MOSQUITO CREEK #22, SIECK #32, AND WEST LEWIS #35 FOR FISCAL YEAR 2021.

WHEREAS, the City of Council Bluffs has authority over the drainage districts to provide maintenance of such district for the public benefit, and conducive to the public health, convenience, and welfare, and

WHEREAS, as the governing body of said district, it is necessary to establish the annual assessment to be levied on all tracts of land, lots, public roads, and railways contained within the boundaries of said districts to procure funds to pay the costs and expenses of general upkeep and maintenance, and to create a sinking fund, and

WHEREAS, the current indebtedness of Mosquito Creek #22 is \$71,229, Sieck #32 is \$36,330, and West Lewis #35 is \$63,742 as of April 26, 2021, and payable to the City of Council Bluffs in one installment for year 2022 paid in full prior to September 30, 2021 without interest.

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

Council approval of the resolution setting the annual assessment for Mosquito Creek #22, Sieck #32, West Lewis #35, and authorizing the Finance Director to certify the annual assessments with the Pottawattamie County Auditor.

ADOPTED  
AND  
APPROVED:

April 26, 2021

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

ATTEST:

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

STATE OF IOWA    )  
COUNTY OF        )ss  
POTTAWATTAMIE)

On this \_\_\_\_\_ day of \_\_\_\_\_, before me the undersigned, a Notary Public in and for said County and said 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.: CD21-01  
Submitted by: Matthew Cox, Public  
Works Director

Resolution 21-127  
ITEM 7.G.

Council Action: 4/26/2021

### Description

Resolution accepting the bid of Compass Utility, LLC, for the Lake Manawa Power Center Entrance Enhancement. Project # CD21-01

### Background/Discussion

On April 13, 2021 bids were received through the City bidding software Ion Wave as follows:

|  | <u>Division<br/>General</u> | <u>Division II<br/>Pavement</u> | <u>Division III<br/>Storm Sewer</u> | <u>Division VI<br/>Traffic Signals</u> | <u>Total</u> |
|--|-----------------------------|---------------------------------|-------------------------------------|--|--------------|
| Compass Utility, LLC<br>Council Bluffs, IA     | \$56,999.22                 | \$278,122.55                    | \$30,525.86                         | \$49,189.91                            | \$414,837.54 |
| Carley Construction, LLC<br>Council Bluffs, IA | \$62,272.00                 | \$327,932.80                    | \$30,378.00                         | \$51,934.00                            | \$472,516.80 |
| Engineer's Opinion                             | \$85,250.00                 | \$361,790.00                    | \$36,640.00                         | \$19,890.00                            | \$503,570.00 |

The Lake Manawa Power Center is a large development with several retail and restaurant destinations near I-80/I-29. 32nd Avenue is one of two main entrances into the shopping center and there is a desire to update the entrance. As part of the Council Bluffs Interstate and Railroad Consolidation projects, the railroad tracks that were located between the South Expressway and Power Center have been removed and relocated. The elimination of the tracks will allow the street to be lowered resulting in an improved street profile.

The project will reconstruct 225 feet of 32nd Avenue from the South Expressway to the east. The project will also construct a sidewalk on the south side of 32nd Ave. from the South Expressway to Manawa Centre Drive and along the west side of Manawa Centre Drive from 32nd Avenue to the existing bus stop just north of the Menard's driveway. Trail stub outs north and south of 32nd Avenue will be constructed for future trail expansion along the South Expressway. The traffic signal at 32nd Avenue will be modified to provide a north-south pedestrian crossing on the east side of the South Expressway.

This project was included in the FY21 CIP and includes a budget of \$150,000 in GO Bond funds and the balance in Sales Tax funds and SSMID funding. The City portion of the construction costs are \$318,816.31 and the SSMID portion is \$96,021.23.

The project schedule is as follows: Construction Start May\June 2021

### Recommendation

Approval of this resolution. This project will improve the street profile by removing the existing railroad crossing along 32nd Ave. and provide additional sidewalk for the Lake Manawa Power Center.

### ATTACHMENTS:

| Description       | Type       | Upload Date |
|-------------------|------------|-------------|
| Location Map      | Map        | 4/16/2021   |
| Resolution 21-127 | Resolution | 4/20/2021   |



# CD 21-01 LAKE MANAWA POWER CENTER ENTRANCE ENHANCEMENT



## Legend

 CD21-01



**RESOLUTION**  
**NO 21-127**

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK  
TO EXECUTE AN AGREEMENT WITH  
COMPASS UTILITY, LLC, FOR THE  
LAKE MANAWA POWER CENTER ENTRANCE ENHANCEMENT  
PROJECT #CD21-01**

WHEREAS, the plans, specifications, and form of contract for the Lake Manawa Power Center Entrance Enhancement 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 March 22, 2021, and the plans, specifications and form of contract were approved; and

WHEREAS, Compass Utility, LLC, has submitted a low bid in the amount of \$414,837.54 for this contract.

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

That the bid of Compass Utility, LLC, in the amount of \$414,837.54 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 Lake Manawa Power Center Entrance Enhancements; and

BE IT FURTHER RESOLVED

That the Mayor and City Clerk are hereby authorized, empowered, and directed to execute an agreement with Compass Utility, 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

April 26, 2021

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

ATTEST:

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

## Council Communication

Department: Public Works Admin  
Case/Project No.:  
Submitted by: Jeremy Noel,  
Operations Manager

Resolution 21-128 & Resolution 21-  
129  
ITEM 7.H.

Council Action: 4/26/2021

### Description

Resolution 21-128, abolishing one Street and Sewer Supervisor II position and one Street Foreman position and creating two new Street and Sewer Supervisor positions

Resolution 21-129, abolishing one Fleet Foreman position and creating one Fleet Supervisor position within the Public Works Department.

### Background/Discussion

Public Works is proposing to adjust supervisor positions within the Street and Fleet Divisions. The changes will create uniform levels of supervision within the department and appropriately allocates staff to accomplish the work more effectively.

The new positions will be Non-Union Grade 22. The abolished positions were previously included in CWA at Grade 21.

The job descriptions for each Supervisor position are attached.

The Street positions are funded with Road Use Tax and with the elimination of the two other positions, the difference in cost is estimated to be a savings of \$1,525 annually.

The Fleet positions are funded with General Funds and the estimated annual increase in salary costs is \$13,070. The additional cost was included in the FY22 Budget.

### Recommendation

Approval of this resolution. The proposed position changes will align supervisor roles across the Divisions within Public Works.

### ATTACHMENTS:

| Description                                 | Type       | Upload Date |
|---|------------|-------------|
| Job Description - Street & Sewer Supervisor | Other      | 4/16/2021   |
| Job Description - Fleet Supervisor          | Other      | 4/16/2021   |
| Resolution 21-128                           | Resolution | 4/20/2021   |
| Resolution 21-129                           | Resolution | 4/20/2021   |



# City of Council Bluffs

## Job Description

### Street & Sewer Supervisor

**Department:** Public Works

**Supervisor:** Manager of Streets & Sewers

**Location:** Public Works Operations

**FLSA Status:** Non-Exempt

**Prepared By:** Mallory Davis, Recruiter

**Prepared Date:** April 2021

**Union:** Non-Union

**Pay Grade:** 22

**Summary:** Under the direction of the Manager of Streets & Sewers, supervises the daily activities of personnel within the Streets & Sewer Divisions of Public Works Operations.

**Essential Duties and Responsibilities:**

- Plans, directs, and organizes the daily activities of the Streets & Sewer Divisions of Public Works Operations:
  - Plans and schedules the repair and maintenance of City streets, alley, bridges, sewers, street cleaning, or related areas
  - Inspects public areas and provides input on what projects need to be scheduled
  - Reviews daily progress reports from designated crew leaders to ensure projects are being completed on a timely basis and investigates any delays
  - Sets job priorities and time frames for completion with assigned personnel
  - Determines when additional staff and resources are necessary to complete duties in a timely manner and coordinates needs with others
  - Keeps immediate supervisor and designated others fully and accurately informed concerning work progress including present and potential work problems and suggestions for new or improved ways of addressing such problems
  - Provides input and implements maintenance programs, policies, and procedures to meet goals of the division
  - Coordinates division manpower and equipment to provide a comprehensive program for snow and ice removal
- Maintains appropriate records:
  - Assures division compliance with City reporting procedures
  - Maintains records of work rule infraction, employee counseling, and other personnel actions

- Maintains complete records of the maintenance activities of the division including computer data input of maintenance programs for the City's Pavement Management Program
- Maintains records of complaints received concerning operation of the division
- Prepares reports and/or presentations using computer programs such as Microsoft Office Word and PowerPoint and the EAM Asset Management System
- Assists in administering the activities of the Operations Division:
  - Provides recommendations, both orally and in writing, in assigned area of authority and expertise
  - Serve as an active member of departmental and City-wide management staff teams created to deal with specific problem issues
  - Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities
  - Coordinates division activities with other divisions and departments of the City
  - Attends meetings, conferences, workshops, and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices, and new developments in assigned work areas
- Deals with the public and other agencies:
  - Handles public complaints and inquiries on an individual basis
  - Serves as liaison to internal and external customers and responds to requests and inquiries concerning programs, policies, procedures, and timelines for construction, maintenance, and repair projects
  - Coordinates activities of the division with other agencies
- Makes budget recommendations and monitors applicable budget
- Regular and predictable attendance is required
- Other duties as assigned

### **Supervisory Responsibilities:**

Directly supervises the employees within Public Works Operations. Carries out supervisory responsibilities in accordance with the organization's policies and applicable laws. Responsibilities include interviewing, hiring, and training employees; planning, assigning, and directing work; appraising performance; rewarding and disciplining employees; addressing complaints and resolving problems.

### **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:**

- High School Diploma or General Education Degree (GED)
- Five (5) years' work experience in an area related to street or sewer maintenance
- Two (2) years of supervisory 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 Class A Commercial Driver's License with Tanker Endorsement

**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 employee must be able to occasionally lift and work with up to ninety (90) pounds.
- The employee must be able to frequently lift and work with up to twenty (20) pounds.
- The employee must be able to continuously lift and work with up to ten (10) pounds.
- The employee must be able to work both in and out of doors, in all weather conditions, in high places, in confined spaces, in dusty environments, in high noise levels, and in heavy traffic.

**Other Skills and Abilities:**

- Considerable knowledge of methods, materials, and techniques used in roadway and/or sewer maintenance
- Demonstrated ability to plan, schedule, assign, and supervise the work of others
- Ability to communicate effectively both orally and in writing
- Ability to maintain effective working relations with supervisors, subordinates, and the general public
- Knowledge and understanding of basic safety principles from the division and Occupational Safety and Health Administration (OSHA)
- Thorough knowledge of traffic hazards and traffic safety principles, practices, and procedures



# City of Council Bluffs

## Job Description

### Fleet Supervisor

**Department:** Public Works

**Supervisor:** Superintendent of Equipment Maintenance

**Location:** Equipment/Fleet Maintenance

**FLSA Status:** Non-Exempt

**Prepared By:** Mallory Davis, Recruiter

**Prepared Date:** April 2021

**Union:** Non-Union

**Pay Grade:** 22

**Summary:** Under direction of the Superintendent of Equipment Maintenance, supervises and participates in all activities of Fleet Maintenance. Work involves repair work on automobiles; light and heavy trucks; tractors; construction equipment; street sweepers; and firefighting, police, and other related auxiliary equipment.

#### **Essential Duties and Responsibilities:**

- Plans, directs, and organizes the daily activities of the Fleet Maintenance Division:
  - Supervises and participates in vehicle maintenance and repair
  - Facilitates fabrication and up-fitting of equipment as necessary
  - Ensures that maintenance practices, policies, and procedures of the division are followed
  - Schedules, prioritizes, and assigns work to be performed
  - Maintains current knowledge on the latest technology regarding maintenance and repair of all equipment
  - Provides technical advice in complex repair situations
- Assures appropriate use and care of equipment utilized by employees under his/her direction
- Oversees comprehensive fleet preventative maintenance and corrective maintenance programs
- Assists with equipment accident reports and repairs
- Supervises the activities related to maintaining the Fleet Division records:
  - Assures City compliance with City reporting procedures
  - Ensures a proper inventory of repair parts and replacement equipment
  - Tracks warranty information and maintains information system database in a standard information management system
  - Creates and checks work orders for accuracy and closes them

- Maintains appropriate records pertaining to equipment and parts inventories, timecards, etc.
- Assists in administering the activities of the Fleet Maintenance Division:
  - Provides recommendations, both orally and in writing, in assigned area of authority and expertise
  - Serve as an active member of departmental and City-wide management staff teams created to deal with specific problem issues
  - Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities
  - Coordinates division activities with other divisions and departments of the City
  - Attends meetings, conferences, workshops, and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices, and new developments in fleet maintenance
- Serves as liaison to internal customers and responds to requests and inquiries concerning programs, policies, procedures, and timelines for maintenance and repair projects
- Makes budget recommendations to the Superintendent
- Regular and predictable attendance is required
- Other duties as assigned

**Supervisory Responsibilities:**

Directly supervises the employees within the Equipment Maintenance Division to include Equipment Mechanics. Carries out supervisory responsibilities in accordance with the organization's policies and applicable laws. Responsibilities include interviewing, hiring, and training employees; planning, assigning, and directing work; appraising performance; rewarding and disciplining employees; addressing complaints and resolving problems.

**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 or graduation from an accredited technical school with major work in Auto or Diesel Mechanics or a related field
- Five (5) years' mechanical experience
- Two (2) years of supervisory experience
- Any equivalent combination of education and experience which provides the required knowledge, skills, and abilities necessary to perform the work.

**Certificates, Licenses, Registrations:**

- Certification by the National Institute for Automotive Service Excellence as a Master Mechanic, preferred
- Must possess or be able to obtain a Class A Commercial Driver's License with Tanker Endorsement within six months of hire



**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 employee must be able to occasionally lift and work with up to seventy (70) pounds.
- The employee must be able to frequently lift and work with up to fifty (50) pounds.
- The employee must be able to continuously lift and work with up to twenty (20) pounds.
- The employee must be able to work both in and out of doors, in all weather conditions, in high places, in confined spaces, in small areas with their arms extended over their head for long periods of time, in dusty environments, and in high noise levels.
- Must be able to work from a ladder at heights greater than four (4) feet and from a lift at heights greater than twenty (20) feet.

**Other Skills and Abilities:**

- Ability to operate heavy equipment
- Knowledge and understanding of basic safety principles from the division and Occupational Safety and Health Administration (OSHA)
- Thorough knowledge of gas and diesel engine repair
- Basic stick and gas welding skills
- Thorough knowledge of hydraulics as it applies to trucks and construction maintenance equipment
- Working knowledge of electrical and electronic circuitry with the ability to track complex circuitry on a schematic
- Ability to safely operate hand and power tools and equipment
- Computer competency including the ability to enter, retrieve, and compile data utilizing an Asset Management program
- Ability to communicate effectively both orally and in writing
- Ability to maintain effective working relations with supervisors, subordinates, and the general public

**RESOLUTION**  
**NO 21-128**

**RESOLUTION ABOLISHING ONE STREET & SEWER SUPERVISOR II  
POSITION AND ONE FOREMAN POSITION AND  
CREATING TWO NEW STREET & SEWER SUPERVISOR POSITIONS  
WITHIN THE PUBLIC WORKS DEPARTMENT**

WHEREAS, Public Works relies on supervisory staff to manage the work in each division within the Department; and

WHEREAS, restructuring the Street Division to establish two new Supervisor positions will create uniform levels of supervision within the department and allocates staff to accomplish the work more effectively; and

WHEREAS, the new positions will be Non-Union Grade 22 to align with other comparable supervisors within the Public Works leadership team; and

WHEREAS, the cost of the new positions will be offset by the Elimination of the Supervisor II and Foreman positions.

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

That 1 FTE position of Street & Sewer Supervisor II and 1 FTE position of Foreman shall be abolished effective upon the filling of the two new Street & Sewer Supervisor positions.

AND BE IT FURTHER RESOLVED

That 2 FTE positions of Street & Sewer Supervisor are created within the Public Works Department.

ADOPTED  
AND  
APPROVED

April 26, 2021

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

ATTEST:

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

**RESOLUTION**  
**NO 21-129**

**RESOLUTION ABOLISHING ONE FLEET FOREMAN POSITION AND  
CREATING A NEW FLEET SUPERVISOR POSITION  
WITHIN THE PUBLIC WORKS DEPARTMENT**

WHEREAS, Public Works relies on supervisory staff to manage the work in each division within the Department; and

WHEREAS, restructuring the Fleet Division to establish a new Supervisor position will create uniform levels of supervision within the department and allocates staff to accomplish the work more effectively; and

WHEREAS, the new position will be Non-Union Grade 22 to align with other comparable supervisors within the Public Works leadership team; and

WHEREAS, the additional cost for the Fleet Supervisor position was included in the approved FY22 budget.

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

That 1 FTE position of Fleet Foreman shall be abolished effective upon the filling of the Fleet Supervisor position.

AND BE IT FURTHER RESOLVED

That 1 FTE position of Fleet Supervisor is created within the Public Works Department.

ADOPTED  
AND  
APPROVED

April 26, 2021

---

Matthew J. Walsh, Mayor

ATTEST:

---

Jodi Quakenbush, City Clerk

## Council Communication

Department: Legal

Case/Project No.:

Submitted by: Sara Bauer, Legal  
Department

Resolution 21-130  
ITEM 7.I.

Council Action: 4/26/2021

### Description

Resolution authorizing the City of Council Bluffs Legal Department to proceed as proposed in executive session held on April 12, 2021.

### Background/Discussion

The City has come to a settlement agreement within the parameters discussed during said Executive Session.

### Recommendation

Approval of this Resolution.

### ATTACHMENTS:

Description

Resolution 21-130

Type

Resolution

Upload Date

4/20/2021

**RESOLUTION NO. 21-130**

**A RESOLUTION AUTHORIZING THE CITY OF COUNCIL BLUFFS LEGAL DEPARTMENT TO PROCEED AS PROPOSED IN EXECUTIVE SESSION HELD ON APRIL 12, 2021.**

**WHEREAS,** the City's Legal Department has been in mediation to settle a matter against the City of Council Bluffs; and

**WHEREAS,** direction and parameters were provided to the City's Legal Department at the City Council's Executive Session held on April 12, 2021; and

**WHEREAS,** the City's Legal Department has come to a settlement agreement within the parameters discussed during said Executive Session; and

**WHEREAS,** it is in the best interest of the City of Council Bluffs to settle this matter.

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

That the City's Legal Department is hereby authorized to proceed forward with the discussed course of action regarding the matter.

ADOPTED  
AND  
APPROVED

April 26, 2021.

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

\_\_\_\_\_  
Mayor

Attest:

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

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

## Council Communication

Department: Parks and Recreation  
Case/Project No.: City-Wide Trail  
System Upgrade  
Submitted by: Vincent M  
Martorello

Resolution 21-131  
ITEM 7.J.

Council Action: 4/26/2021

### Description

Resolution to award contract to Oldcastle Materials Midwest co. dba Omni Engineering in the amount of \$292,199.30 for the city wide trail system upgrade project.

### Background/Discussion

The City has approximately 41 miles of trail within city limits. These trails provide both recreational and alternative transportation value to the community. In 2019, the Parks and Recreation Department completed a condition assessment of the entire trail system in order to prepare a long term capital repair strategy, which prioritizes the portion of the trail system rated either in poor or good. The existing asphalt portions of the trail system is 3"- 4" in depth and this thickness does not lend itself to a grind and inlay method of repair. Instead, an overlay of asphalt 2" in thickness will be placed over the existing trail. Along Valley View Trail, where an overlay cannot be placed on the existing trail due to existing street elevations and drainage pattern, the existing trail will be removed and replaced.

The City bid the project twice because the first bid resulted in the City receiving bids that exceed the project budget. The scope was modified to only include Valley View Trail. On April 16, 2021, the City received one (1) bid from Oldcastle Materials Midwest co. dba Omni Engineering for an amount of \$292,199.30.

### Recommendation

Approve resolution and award the contract to Oldcastle Materials Midwest co. dba Omni Engineering in the amount of \$292,199.30 for the city wide trail system upgrade project.

### ATTACHMENTS:

| Description       | Type       | Upload Date |
|-------------------|------------|-------------|
| Bid Tabulation    | Resolution | 4/19/2021   |
| Resolution 21-131 | Resolution | 4/20/2021   |

|                          |  |                     |                                   |
|--------------------------|--|---------------------|-----------------------------------|
| <b>Event Number</b>      | 2021 - 82                                    | <b>Organization</b> | City of Council Bluffs Purchasing |
| <b>Event Title</b>       | Trail System Repair Re-bid, PR21-05, PR22-0  | <b>Workgroup</b>    | Purchasing                        |
| <b>Event Description</b> | The City of Council Bluffs Public Works Engi | <b>Event Owner</b>  | Kim Riebe                         |
| <b>Event Type</b>        | Public Improvement Project - Bid             | <b>Email</b>        | kriebe@councilbluffs-ia.gov       |
| <b>Issue Date</b>        | 4/5/2021 03:52:07 PM (CT)                    | <b>Phone</b>        |                                   |
| <b>Close Date</b>        | 4/19/2021 10:00:00 AM (CT)                   | <b>Fax</b>          |                                   |

| <b>Responding Supplier</b>           | <b>City</b> | <b>State</b> | <b>Response Submitted</b>  | <b>Lines Responded</b> | <b>Response Total</b> |
|--------------------------------------|-------------|--------------|----------------------------|------------------------|-----------------------|
| Oldcastle Materials Midwest Co Omaha |             | NE           | 4/16/2021 02:34:01 PM (CT) | 30                     | \$387,591.25          |

**Please note: Lines Responded and Response Total only includes responses to specification. No alternate response data is included.**



**RESOLUTION**  
**NO 21-131**

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER  
INTO AN AGREEMENT AND AWARD A CONTRACT IN THE AMOUNT OF \$  
\$292,199.30 TO OLDCASTLE MATERIALS MIDWEST CO. DBA OMNI  
ENGINEERING FOR THE CITY WIDE TRAIL SYSTEM UPGRADE PROJECT**

- WHEREAS, certain portions of the trail system were rated with a condition assessment of either poor or fair, and
- WHEREAS, the City Council has approved funding for reinvestment in trail system within the City's FY 2021 and FY 2022 Capital Improvement Program, and
- WHEREAS, available funding is approximately \$298,000 and the initial investment is proposed to be used to upgrade a significant portion of Valley View Trail from Hwy 92 to Franklin Blvd.
- WHEREAS, the City held a public hearing on the matter March 8, 2021 and the project bid was issued on March 9, 2021; and
- WHEREAS the bid closed on March 26, 2021, and all the bids received exceeded the project budget; and
- WHEREAS the city rebid the project and on April 16, 2021 received one (1) bid from Oldcastle Materials Midwest co. dba Omni Engineering for an amount of \$292,199.30; 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, empowered and directed to execute a contract in the amount of \$292,199.30 to Oldcastle Materials Midwest co. dba Omni Engineering for the city wide trail system upgrade project.

ADOPTED AND APPROVED

April 26, 2021

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

ATTEST:

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

## Council Communication

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

Resolution 21-132  
ITEM 7.K.

Council Action: 4/26/2021

### Description

Resolution setting the dates and times to permit the discharge of consumer fireworks for the 2021 season.

### Background/Discussion

### Recommendation

### ATTACHMENTS:

| Description       | Type       | Upload Date |
|-------------------|------------|-------------|
| Resolution 21-132 | Resolution | 4/20/2021   |

**RESOLUTION NO. 21-132**

**A RESOLUTION SETTING THE DATES AND TIMES TO PERMIT THE DISCHARGE OF CONSUMER FIREWORKS.**

**WHEREAS,** After review of this year's calendar and the days of the week it is in the City's best interest to establish permitted dates and times for the fourth of July holiday;

**WHEREAS,** The permitted dates and times for 2021 shall be \_\_\_\_\_ from noon until 11:00 p.m. on both days so long as all other conditions set out in Section 4.50.060 regarding the discharging of fireworks are complied with; and

**WHEREAS,** it is in the best interest of the City of Council Bluffs to authorize the discharge of consumer fireworks during these permitted dates and times.

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

That the discharge of consumer fireworks are permitted on \_\_\_\_\_, from noon until 11:00 p.m. on both days so long as all other conditions set out in Section 4.50.060 regarding the discharging of fireworks are complied with.

ADOPTED  
AND  
APPROVED

April 26, 2021.

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

\_\_\_\_\_  
Mayor

Attest:

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

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

## Council Communication

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

Resolution 21-133  
ITEM 7.L.

Council Action: 4/26/2021

### Description

Resolution temporarily vacating portions of First Avenue and West Broadway in connection with special event applications.

### Background/Discussion

### Recommendation

### ATTACHMENTS:

| Description       | Type       | Upload Date |
|-------------------|------------|-------------|
| Resolution 21-133 | Resolution | 4/21/2021   |

**RESOLUTION NO. 21-133**

**RESOLUTION TEMPORARILY VACATING PORTIONS OF FIRST AVENUE  
AND WEST BROADWAY IN CONNECTION WITH A SPECIAL EVENT  
APPLICATIONS.**

**WHEREAS,** The City has reviewed special event application “Drag Yourself to Pride” proposed to take place on West Broadway between 1<sup>st</sup> Street and The Hughes Iron Parking Lot Entrance (half of the 100 Block) on Saturday June 12, 2021 from 8:00 am to 3:00 pm;

**WHEREAS,** The City has reviewed another special event application “Farmer’s Market” proposed to take place on First Avenue between South 6<sup>th</sup> Street and Pearl Street every Thursday beginning May 6, 2021 through September 23, 2021 from 4:30 pm to 8:30 pm;

**WHEREAS,** The City has reviewed another special event application “100 Block Bike Nights” proposed to take place on Broadway between First Street and Fourth Street on Thursdays May 20, 2021, June 17, 2021, July 15, 2021 and August 19, 2021, from 3:00 p.m. to 11:30 p.m.;

**WHEREAS,** The proposed activities would be inconsistent with City and State law if West Broadway in these location were not temporarily vacated.

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

That First Avenue and West Broadway be temporarily vacated as described above in connection with the approved special event applications.

ADOPTED  
AND  
APPROVED

April 26, 2021

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

\_\_\_\_\_  
Mayor

Attest:

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

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

## Council Communication

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

Resolution 21-134  
ITEM 7.M.

Council Action: 4/26/2021

### Description

Resolution confirming the appointment of Kristi Meckna in the position of Director of Finance the City of Council Bluffs and approving the wage and benefit package offered to her

### Background/Discussion

### Recommendation

### ATTACHMENTS:

| Description       | Type       | Upload Date |
|-------------------|------------|-------------|
| Resolution 21-134 | Resolution | 4/21/2021   |

A RESOLUTION CONFIRMING THE APPOINTMENT OF KRISTI MECKNA IN THE  
POSITION OF DIRECTOR OF FINANCE THE CITY OF COUNCIL BLUFFS AND  
APPROVING THE WAGE AND BENEFIT PACKAGE OFFERED TO HER

WHEREAS, the City Council has been advised as to the contents of this offer and find it to be in the best interest of the City of Council Bluffs.

That effective on or about April 30, 2021, Kristi Meckna is hereby appointed as Director of Finance the salary of Non-union Pay Grade 34, Step 3, with all other benefits as provided under the City's Personnel Policies.

Matthew J. Walsh, Mayor

Jodi Quakenbush, City Clerk



## Council Communication

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

Resolution 21-135  
ITEM 7.N.

Council Action: 4/26/2021

### Description

Resolution authorizing the Mayor to proceed with the acquisition of certain properties as proposed in executive session held on April 12, 2021.

### Background/Discussion

Council presented a list of properties and the City would like to acquire these properties. These properties were previously discussed at Executive Session on April 12, 2021.

### Recommendation

### ATTACHMENTS:

| Description       | Type       | Upload Date |
|-------------------|------------|-------------|
| Resolution 21-135 | Resolution | 4/21/2021   |

**RESOLUTION NO. 21-135**

**A RESOLUTION AUTHORIZING THE CITY OF COUNCIL BLUFFS MAYOR TO PROCEED WITH THE ACQUISITION OF CERTAIN PROPERTIES AS PROPOSED IN EXECUTIVE SESSION HELD ON APRIL 12, 2021.**

**WHEREAS,** the City would like to acquire certain properties; and

**WHEREAS,** the particular properties were discussed at the City Council's Executive Session held on April 12, 2021 and direction was provided to the Mayor; and

**WHEREAS,** it is in the best interest of the City of Council Bluffs to acquire these properties at this time.

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

That the Mayor is hereby authorized to proceed with acquiring the properties as discussed.

ADOPTED  
AND  
APPROVED

April 26, 2021.

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

\_\_\_\_\_  
Mayor

Attest:

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

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

## Council Communication

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

Liquor Licenses  
ITEM 8.A.

Council Action: 4/26/2021

### Description

1. Council Bluffs Country Club, 4500 Piute Street
2. Dusty's Lounge, 1501 Avenue A
3. 1892 German Beer Haus, 142 W Broadway
4. Full Fledged Brewing Co., 40 Arena Way (Special Event – 8 month license)

### Background/Discussion

There were no alcohol related incidents/arrests at any of the listed businesses this licensing period.

### Recommendation

### ATTACHMENTS:

| Description              | Type  | Upload Date |
|--------------------------|-------|-------------|
| Liquor Licenses, 4.26.21 | Other | 4/20/2021   |

Services <[https://directory.iowa.gov/service/Index?\\_ga=1.101492737.1604613096.1488473035&ia\\_slv=1618838140989](https://directory.iowa.gov/service/Index?_ga=1.101492737.1604613096.1488473035&ia_slv=1618838140989)>

Agencies <[https://directory.iowa.gov/?ia\\_slv=1618838140989](https://directory.iowa.gov/?ia_slv=1618838140989)>

**There is a known issue happening to some users when trying to upload documents. We are aware of this issue and are working to resolve it as soon as possible.**

Social <[https://directory.iowa.gov/social/Index?ia\\_slv=1618838140989](https://directory.iowa.gov/social/Index?ia_slv=1618838140989)>

<[https://www.iowa.gov/search/google?ia\\_slv=1618838140989](https://www.iowa.gov/search/google?ia_slv=1618838140989)>

(App-137585)

Exit (/)

Save and Exit

- ✓ License or Permit Type
- ✓ Privileges / Sub-Permits
- Premises**
- ✓ Ownership
- ✓ Criminal History / Violations
- ✓ Dramshop Verification
- ✓ Document Upload
- Local Authority
- Review
- Attestation / Endorsement

|   |                              |  |
|---|------------------------------|--|
| <input checked="" type="checkbox"/> RENEWAL | <input type="checkbox"/> NEW | <input type="checkbox"/> SPECIAL EVENT |
| POLICE <u>on</u>                            | Local Amt                    |  |
| FIRE <u>AP</u>                              | Endorsed                     |  |
| BUILDING <u>CS</u>                          | Issued                       |  |
| ZONING <u>CS</u>                            | Expires                      |  |
|   | Council                      |  |

Renewal Date 5.6.21

Step 3 of 10

## Premises

NEED HELP ?

### Business Information

\* (required) Name of Legal Entity (The name of the individual, partnership, corporation or other similar legal entity that is receiving the income from the alcoholic beverages sold)

Council Bluffs Country Club, LLC

\* (required) Name of Business (D/B/A)

Council Bluffs Country Club

Indicate how the business will be operated

Limited Liability Company

\* (required) Federal Employer ID #

20-2777448

\* (required) Business Number of Secretary of State

310924

Tentative Expiration Date

May 5, 2022

CHAT WITH AN EXPERT

Services <[https://directory.iowa.gov/service/Index?\\_ga=1.101492737.1604613096.1488473035&ia\\_slv=1618334785894](https://directory.iowa.gov/service/Index?_ga=1.101492737.1604613096.1488473035&ia_slv=1618334785894)>Agencies <[https://directory.iowa.gov/?ia\\_slv=1618334785894](https://directory.iowa.gov/?ia_slv=1618334785894)>Social <[https://directory.iowa.gov/social/Index?ia\\_slv=1618334785894](https://directory.iowa.gov/social/Index?ia_slv=1618334785894)><[https://www.iowa.gov/search/google?ia\\_slv=1618334785894](https://www.iowa.gov/search/google?ia_slv=1618334785894)>

(App-003448)

Exit (/)

Save and Exit

- ✓ License or Permit Type
- ✓ Privileges / Sub-Permits
- Premises**
- ✓ Ownership
- ✓ Criminal History / Violations
- ✓ Dramshop Verification
- ✓ Document Upload
- Local Authority
- Review
- Attestation / Endorsement

|   |                              |  |
|---|------------------------------|--|
| <input checked="" type="checkbox"/> RENEWAL | <input type="checkbox"/> NEW | <input type="checkbox"/> SPECIAL EVENT |
| POLICE <u>AN</u>                            | Local Amt                    |  |
| FIRE <u>AF</u>                              | Endorsed                     |  |
| BUILDING <u>[Signature]</u>                 | Issued                       |  |
| ZONING <u>[Signature]</u>                   | Expires                      |  |
|   | Council                      |  |

Renewal Date 4-15-21

Step 3 of 10

## Premises

NEED HELP ?

## Business Information

\* (required) Name of Legal Entity (The name of the individual, partnership, corporation or other similar legal entity that is receiving the income from the alcoholic beverages sold)

Dusty's Lounge, LLC

\* (required) Name of Business (D/B/A)

Dusty's Lounge

Indicate how the business will be operated

Limited Liability Company

\* (required) Federal Employer ID #

27-2070236

\* (required) Business Number of Secretary of State

394311

Tentative Expiration Date

Apr 14, 2022

CHAT WITH AN EXPERT

Services <[https://directory.iowa.gov/service/Index?\\_ga=1.101492737.1604613096.1488473035&ia\\_slv=1618334731723](https://directory.iowa.gov/service/Index?_ga=1.101492737.1604613096.1488473035&ia_slv=1618334731723)>Agencies <[https://directory.iowa.gov/?ia\\_slv=1618334731723](https://directory.iowa.gov/?ia_slv=1618334731723)>Social <[https://directory.iowa.gov/social/Index?ia\\_slv=1618334731723](https://directory.iowa.gov/social/Index?ia_slv=1618334731723)><[https://www.iowa.gov/search/google?ia\\_slv=1618334731723](https://www.iowa.gov/search/google?ia_slv=1618334731723)>

(App-137314)

Exit (/)

Save and Exit

- ✓ License or Permit Type
- ✓ Privileges / Sub-Permits
- Premises**
- ✓ Ownership
- ✓ Criminal History / Violations
- ✓ Dramshop Verification
- ✓ Document Upload
- Local Authority
- Review
- Attestation / Endorsement

|   |                              |  |
|---|------------------------------|--|
| <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>CB</i>                            | Expires _____                |  |
| Council _____                               |                              |  |

Renewal Date 5.1.21

Step 3 of 10

## Premises

NEED HELP ?

## Business Information

\* (required) Name of Legal Entity (The name of the individual, partnership, corporation or other similar legal entity that is receiving the income from the alcoholic beverages sold)

Quebueno LLC

\* (required) Name of Business (D/B/A)

1892 German Beer Haus

Indicate how the business will be operated

Limited Liability Company

\* (required) Federal Employer ID #

26-3695128

\* (required) Business Number of Secretary of State

370973

Tentative Expiration Date

Apr 30, 2022

CHAT WITH AN EXPERT

Services <[https://directory.iowa.gov/service/Index?\\_ga=1.101492737.1604613096.1488473035&ia\\_slv=1617989833087](https://directory.iowa.gov/service/Index?_ga=1.101492737.1604613096.1488473035&ia_slv=1617989833087)>Agencies <[https://directory.iowa.gov/?ia\\_slv=1617989833087](https://directory.iowa.gov/?ia_slv=1617989833087)>Social <[https://directory.iowa.gov/social/Index?ia\\_slv=1617989833087](https://directory.iowa.gov/social/Index?ia_slv=1617989833087)><[https://www.iowa.gov/search/google?ia\\_slv=1617989833087](https://www.iowa.gov/search/google?ia_slv=1617989833087)>

(App-137177)

Exit (/)

Save and Exit

- ✓ License or Permit Type
- ✓ Privileges / Sub-Permits
- Premises**
- ✓ Business Demographics
- ✓ Criminal History / Violations
- ✓ Dramshop Verification
- ✓ Document Upload
- Local Authority
- Review
- Attestation / Endorsement
- Action Items

|                                  |                              |   |
|----------------------------------|------------------------------|---|
| <input type="checkbox"/> RENEWAL | <input type="checkbox"/> NEW | <input checked="" type="checkbox"/> SPECIAL EVENT |
| POLICE <u>CLM</u>                | Local Amt                    |   |
| FIRE <u>AT</u>                   | Endorsed                     |   |
| BUILDING <u>CLM</u>              | Issued                       |   |
| ZONING <u>CLM</u>                | Expires                      |   |
|                                  | Council                      | <u>4-26-21</u>                                    |

Step 3 of 11

## Premises

NEED HELP ?

Indicate how the business will be operated

Limited Liability Company

\* (required) Business Number of Secretary of State

552786

\* (required) Corporation Name

FUNDAMENTAL BREWING COMPANY, LLC

\* (required) Federal Employer ID #

82-2498000

\* (required) Name of Business (D/B/A)

Full Fledged Brewing Co.

\* (required) Business Phone

(712) 201-6520

\* (required) Tentative Effective Date

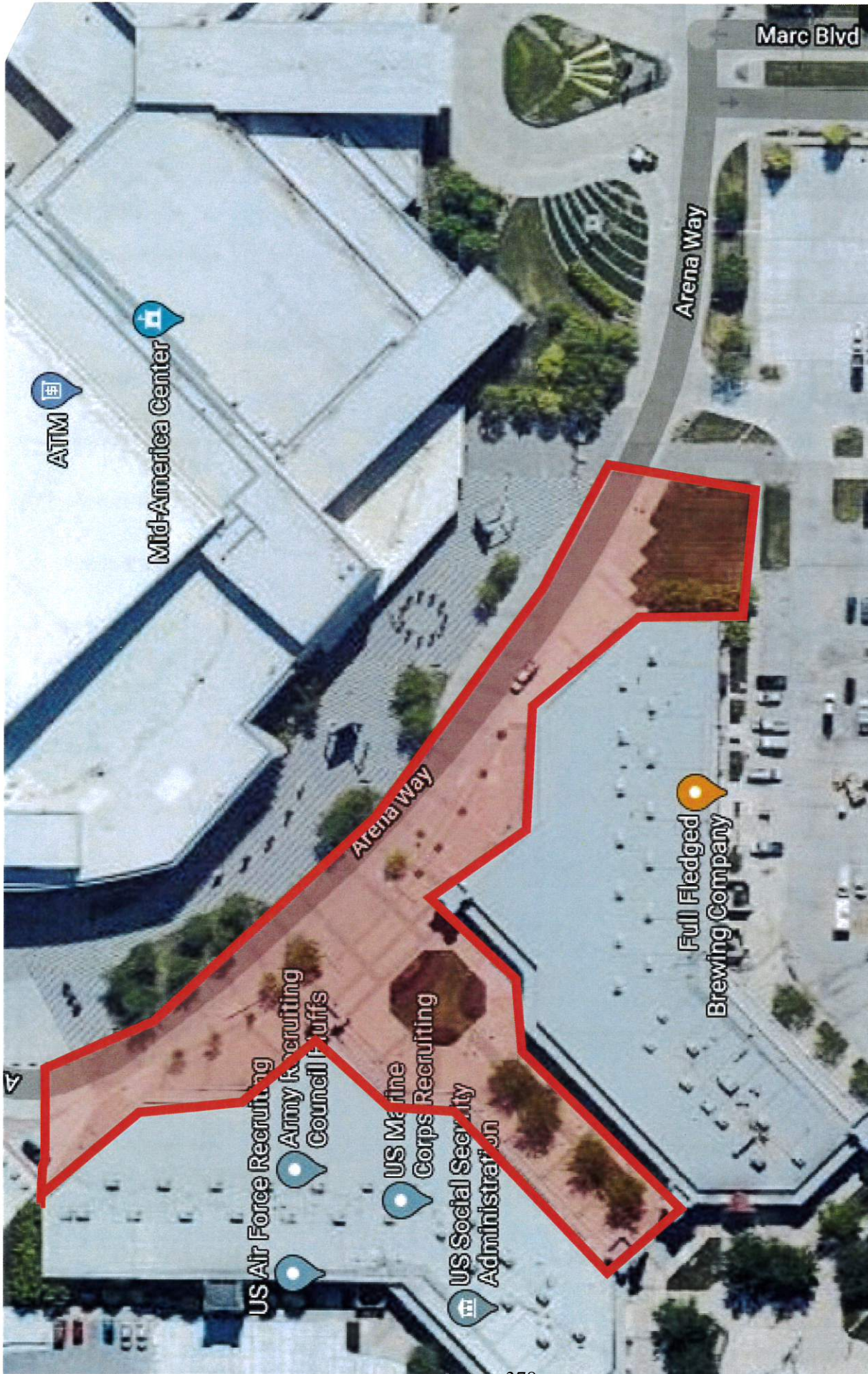
May 1<sup>st</sup>, 2021

377

\* (required) Contact Name

CHAT WITH AN EXPERT







**Instructions on the reverse side**

For period (MM/DD/YYYY) 7 / 1 / 2021 through June 30, 2022

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA CASEY'S MARKETING COMPANY/DBA-CASEY'S #2284  
Physical Location Address 1030 VETERAN MEMORIAL HWY City COUNCIL BLUFFS ZIP 51501  
Mailing Address PO BOX 3001 City ANKENY State IA ZIP 50021  
Business Phone Number 7123660960

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐  
Name of sole proprietor, partnership, corporation, LLC, or LLP CASEY'S GENERAL STORES, INC.  
Mailing Address PO BOX 3001 City ANKENY State IA ZIP 50021  
Phone Number 515-446-6404 Fax Number 515-965-6205 Email JESSICA.FISHER@CASEYS.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) JULIA L. JACKOWSKI, CASEY'S MARKETING SECRETARY Name (please print) \_\_\_\_\_  
Signature *Julia L. Jackowski* Signature \_\_\_\_\_  
Date 4/20/2021 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: 4.26.21
- ☐ Fill in the permit number issued by the city/county: 898332
- ☐ 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 / 2021 through June 30, 2022

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA CASEY'S MARKETING COMPANY/DBA-CASEY'S #3050

Physical Location Address 510 23RD AVE City COUNCIL BLUFFS ZIP 51503

Mailing Address PO BOX 3001 City ANKENY State IA ZIP 50021

Business Phone Number 7122420640

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐

Name of sole proprietor, partnership, corporation, LLC, or LLP CASEY'S GENERAL STORES, INC.

Mailing Address PO BOX 3001 City ANKENY State IA ZIP 50021

Phone Number 515-446-6404 Fax Number 515-965-6205 Email JESSICA.FISHER@CASEYS.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) JULIA L. JACKOWSKI, CASEY'S MARKETING SECRETARY Name (please print) \_\_\_\_\_

Signature *Julia L. Jackowski* Signature \_\_\_\_\_

Date 4/20/2021 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: 4-26-21
- ☐ Fill in the permit number issued by the city/county: 898506
- ☐ 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 / 2021 through June 30, 2022

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**

Trade Name/DBA CASEY'S MARKETING COMPANY/DBA-CASEY'S #3201

Physical Location Address 701 32ND AVE City COUNCIL BLUFFS ZIP 51501

Mailing Address PO BOX 3001 City ANKENY State IA ZIP 50021

Business Phone Number 7123665453

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐

Name of sole proprietor, partnership, corporation, LLC, or LLP CASEY'S GENERAL STORES, INC.

Mailing Address PO BOX 3001 City ANKENY State IA ZIP 50021

Phone Number 515-446-6404 Fax Number 515-965-6205 Email JESSICA.FISHER@CASEYS.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) JULIA L. JACKOWSKI, CASEY'S MARKETING SECRETARY Name (please print) \_\_\_\_\_

Signature  Signature \_\_\_\_\_

Date 4/20/2021 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: 4-26-21
- ☐ Fill in the permit number issued by the city/county: 898333
- ☐ 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 / 2021 through June 30, 2022

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

**Business Information:**Trade Name/DBA CASEY'S MARKETING COMPANY/DBA-CASEY'S #3203Physical Location Address 1928 SHERWOOD DR City COUNCIL BLUFFS ZIP 51503Mailing Address PO BOX 3001 City ANKENY State IA ZIP 50021Business Phone Number 7123289684**Legal Ownership Information:**Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐Name of sole proprietor, partnership, corporation, LLC, or LLP CASEY'S GENERAL STORES, INC.Mailing Address PO BOX 3001 City ANKENY State IA ZIP 50021Phone Number 515-446-6404 Fax Number 515-965-6205 Email JESSICA.FISHER@CASEYS.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) JULIA L. JACKOWSKI, CASEY'S MARKETING SECRETARY

Name (please print) \_\_\_\_\_

Signature Julia L. Jackowski

Signature \_\_\_\_\_

Date 4/20/2021

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: 4.26.21☐ Fill in the permit number issued by the city/county: 898334☐ 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: City Clerk  
Case/Project No.:  
Submitted by:

Noise Variance Request  
ITEM 8.C.

Council Action: 4/26/2021

### Description

Noise Variance Request for extension until 11:30p for the annual summer Bikes on the 100 Block event nights. Dates requested are: Thursdays on May 20, June 17, July 15, and August 19.

### Background/Discussion

### Recommendation

### ATTACHMENTS:

| Description                       | Type  | Upload Date |
|-----------------------------------|-------|-------------|
| Bike Night noise variance request | Other | 4/21/2021   |



## NOISE VARIANCE REQUEST

APPLICATION DATE: \_\_\_\_\_  
REQUESTING PERSON: \_\_\_\_\_  
NAME: Bobby Edwards % CB 100 Block / Edwards Motorsports  
MAILING ADDRESS: 1010 34th Ave  
PHONE NUMBER: 402.881.1335  
EMAIL: bobby.edwards82@gmail.com  
ORGANIZATION/EVENT: Bikes on the 100 Block 2021  
EVENT LOCATION: Downtown CB 100 Block  
EVENT DATE: May 20th, June 17th, July 15th, August 19th  
EVENT TIME: 10:00a - 11:30p

EXPLAIN SOURCE OF NOISE AND SPECIFIC HOURS OF NOISE:

Live band on street

Please return to the City Clerk's Office, 209 Pearl Street, Ste 102, Council Bluffs, IA 51503  
Phone Number: 712-890-5261

Please Note: This application is approved/disapproved by the City Council. Applications **MUST** be received 15 days before the event, to ensure enough time to be reviewed by City Council.

\*\*\*\*\*  
City Council met on \_\_\_\_\_, 20\_\_\_\_, regarding this application requesting noise variance as described above.

APPROVED ( )

DISAPPROVED ( )

APPROVED WITH STIPULATION ( )

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Police have the authority to cease music or require reduction of volume for the remainder of event if complaints are received.

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

\_\_\_\_\_  
Date