



**AGENDA
PLANNING COMMISSION
COUNCIL BLUFFS PUBLIC LIBRARY,
400 WILLOW AVENUE, COUNCIL BLUFFS, IA
Tuesday, June 8, 2021 - 6:00 PM**

1. CALL TO ORDER

- A. ***ALL ATTENDEES THAT HAVE NOT BEEN FULLY VACCINATED AGAINST COVID-19 ARE REQUIRED TO WEAR A FACEMASK AND/OR FACESHIELD AT ALL TIMES***

2. ROLL CALL

3. ADOPTION OF AGENDA

4. APPROVAL OF MINUTES

5. PROOF OF PUBLICATION

6. REVIEW OF MEETING PROCEDURES

7. PUBLIC HEARINGS

A. CASE #ZC-21-006

Public hearing on the requests of Tom Eyeman and Walter & Cynthia Bussey, represented by John Jerkovich, to rezone properties legally described as: Part of the SE1/4 NE1/4 of Section 15-74-44 lying East of 26th Street, West of South 24th Street, and South of 45th Avenue, except the Southerly 435.6 feet of the Easterly 1000 feet of said Section, all in the City of Council Bluffs, Pottawattamie County, Iowa; and the southerly 435.6 feet of the easterly 1000 feet of the SE1/4 NE1/4 of Section 15-74-44, all in the City of Council Bluffs, Pottawattamie County, Iowa; and the East 31 acres of the NE1/4 SE1/4 of Section 15-74-44 and a 10 acre tract in the northeast corner of the SE1/4 SE1/4 of Section 15-74-44 along with part of Government Lot 1 in the SW1/4 SW1/4 of Section 14-74-44 and the Westerly 12.4 acres of Government Lot 1 in the NW1/4 SE1/4 of Section 14-74-44, all in the City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates, and Agricultural District to I-2/General Industrial District. Location: 4445 Gifford Road and undeveloped land lying immediately south and west of Gifford Road.

B. CASE #URN-21-002

Public hearing on the request of City of Council Bluffs Community Development Department, to create and adopt the South Avenue Urban Renewal Area and Plan legally described a parcel of land being all of Mallett's Subdivision, all of Children's Addition, a portion of Mallett's Subdivision of Lot 5, Auditor's Subdivision, a portion of Casady's Addition, a portion of the Southwest Quarter (Sw1/4), a portion of the

Southwest Quarter of the Northwest Quarter (SW1/4 NW 1/4) and a portion of the Southwest Quarter off The Southeast Quarter (SW 1/4 SE 1/4) all in Section 06, a portion off The Northeast Quarter Of The Northwest Quarter (NE 1/4 NW 1/4) and a portion of the Northwest Quarter of the Northeast Quarter all in Section 07, all in Township 74 North, Range 43 West of the 5th Principal Meridian, a portion of Rice's South Avenue Subdivision and a portion of the East Half (E1/2) of Section 01, Township 74 North, Range 44 West of the 5th Principal Meridian all in the City Of Council Bluffs, Pottawattamie County, Iowa, being more particularly described as follows: Beginning at the Southeast corner of the southwest quarter of the southwest quarter (SW 1/4 SW 1/4) of Section 06; thence westerly on the south line of said Section 06, 923 feet more or less to a point on the southerly prolongation of the northeasterly right-of way of 23rd Avenue; thence northwesterly on said southerly prolongation and on northeasterly right-of-way line, 2,523 feet more or less to a point on the easterly right-of-way line of the former BNSF Railway Company (now owned by the City of Council Bluffs, book 2016, Page 15954); thence northerly on said easterly right-of-way line, 2,028 feet more or less to a point on the westerly prolongation of the south right-of-way line of 18th Avenue; thence on said westerly prolongation and on said south right-of-way line and it's easterly prolongation, 1,200 feet more or less to the northeasterly right-of-way line of Harry Langdon Boulevard; thence southeasterly on said northeasterly right-of-way line, 6,642 feet more or less to a point on the easterly prolongation of the southerly right-of-way line of Interstate 80 lying west of said Harry Langdon Boulevard; thence southwesterly on said prolongation and on southerly right-of-way line, 632 feet; thence northwesterly 339 feet more or less to a point on the west line of said northwesterly quarter of the northeasterly quarter (NW1/4 NE 1/4); thence northwesterly 1,242 feet more or less to the point of beginning. Location: generally located west of Harry Langdon Blvd, South of 18th Ave, east of the South Expressway and north of 29th Ave.

C. CASE #URV-21-008

Public hearing on the request of the City of Council Bluffs to amend the South Pointe Urban Revitalization Area by adding property legally described as part of the SE1/4 NE1/4 of Section 15-74-44 lying East of 26th Street, West of South 24th Street, and South of 45th Avenue, except the Southerly 435.6 feet of the Easterly 1000 feet of said Section, all in the City of Council Bluffs, Pottawattamie County, Iowa; AND the southerly 435.6 feet of the easterly 1000 feet of the SE1/4 NE1/4 of Section 15-74-44, all in the City of Council Bluffs, Pottawattamie County, Iowa; AND the East 31 acres of the NE1/4 SE1/4 of Section 15-74-44 and a 10 acre tract in the northeast corner of the SE1/4 SE1/4 of Section 15-74-44 along with part of Government Lot 1 in the SW1/4 SW1/4 of Section 14-74-44 and the Westerly 12.4 acres of Government Lot 1 in the NW1/4 SE1/4 of Section 14-74-44, all in the City of Council Bluffs, Pottawattamie County, Iowa. Location: The property currently addressed as 4445 Gifford Road and undeveloped land lying south of said address.

D. CASE #URV-21-09

Public hearing on the request of the City of Council Bluffs to create the River Road Urban Revitalization Area and adopt the required plan for an area legally described as Lot 1, River Road Subdivision, City of Council Bluffs, Pottawattamie County, Iowa. Location: Undeveloped land lying north of 2849 River Road.

8. OTHER BUSINESS

- A. Greenview Estates Preliminary Subdivision Plan – 2nd Extension of Time
- B. Courtney Harter - Affordable/Workforce Housing Presentation

9. ADJOURNMENT

If you plan to attend this meeting and require special assistance please contact the Community Development Department at (712) 890-5350 at least 48 hours before the meeting.

Planning Commission Communication

Department: Community

Development

Case/Project No.: ZC-21-006

CASE #ZC-21-006

Council Action: 6/8/2021

Submitted by: Christopher N.

Gibbons, AICP, Planning Manager

Description

Public hearing on the requests of Tom Eyeman and Walter & Cynthia Bussey, represented by John Jerkovich, to rezone properties legally described as: Part of the SE1/4 NE1/4 of Section 15-74-44 lying East of 26th Street, West of South 24th Street, and South of 45th Avenue, except the Southerly 435.6 feet of the Easterly 1000 feet of said Section, all in the City of Council Bluffs, Pottawattamie County, Iowa; and the southerly 435.6 feet of the easterly 1000 feet of the SE1/4 NE1/4 of Section 15-74-44, all in the City of Council Bluffs, Pottawattamie County, Iowa; and the East 31 acres of the NE1/4 SE1/4 of Section 15-74-44 and a 10 acre tract in the northeast corner of the SE1/4 SE1/4 of Section 15-74-44 along with part of Government Lot 1 in the SW1/4 SW1/4 of Section 14-74-44 and the Westerly 12.4 acres of Government Lot 1 in the NW1/4 SE1/4 of Section 14-74-44, all in the City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates, and Agricultural District to I-2/General Industrial District. Location: 4445 Gifford Road and undeveloped land lying immediately south and west of Gifford Road.

Background/Discussion

See attachments

Recommendation

ATTACHMENTS:

Description

Type

Upload Date

Staff Report & Attachments

Other

6/3/2021

City Planning Commission Communication

<p>Department: Community Development</p> <p>CASE #ZC-21-006</p> <p>Applicant: Tom Eyman 8506 South 117th St LaVista, NE 68128</p> <p>Applicant/Property Owner: Walter D. Bussey, Jr. & Cynthia S. Bussey 15398 Nall Road Council Bluffs, IA 51503</p> <p>Owner: Robert D. Atkins, Jr. 2919 55th Avenue Council Bluffs, IA 51501</p> <p>Representative: John Jerkovich 535 West Broadway, Suite 100 Council Bluffs, IA 51503</p>	<p>Ordinance No.</p>	<p>Planning Commission: 6/08/2021</p>
Subject/Title		
<p>Request: Public hearing on the requests of Tom Eyman and Walter & Cynthia Bussey, represented by John Jerkovich, to rezone properties legally described as being: Part of the SE1/4 NE1/4 of Section 15-74-44 lying East of 26th Street, West of South 24th Street, and South of 45th Avenue, except the Southerly 435.6 feet of the Easterly 1000 feet of said Section, all in the City of Council Bluffs, Pottawattamie County, Iowa; and the southerly 435.6 feet of the easterly 1000 feet of the SE1/4 NE1/4 of Section 15-74-44, all in the City of Council Bluffs, Pottawattamie County, Iowa; and the East 31 acres of the NE1/4 SE1/4 of Section 15-74-44 and a 10 acre tract in the northeast corner of the SE1/4 SE1/4 of Section 15-74-44 along with part of Government Lot 1 in the SW1/4 SW1/4 of Section 14-74-44 and the Westerly 12.4 acres of Government Lot 1 in the NW1/4 SE1/4 of Section 14-74-44, all in the City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates, and Agricultural District to I-2/General Industrial District.</p> <p>Location: 4445 Gifford Road and undeveloped land lying immediately south and west of Gifford Road.</p>		
Background/Discussion		
<p>The Community Development Department has received applications from Tom Eyman and Walter & Cynthia Bussey, represented by John Jerkovich, to rezone properties legally described above from A-2/Parks, Estates, and Agricultural District to I-2/General Industrial District. The request includes three parcels of land with a combined total of 100.5 acres which have historically been utilized for agricultural production purposes. Mr. Eyman, owner of Eyman Plumbing, has a purchase agreement with Mr. Robert</p>		

D. Atkins Jr. and Mr. and Mrs. Bussey to purchase 4445 Gifford Road (21.90 acres) and the undeveloped land immediately south thereof (9.7 acres). If this rezoning request is approved, Mr. Eyman's plans to build a 20,000 square foot contractor shop for his business on the subject 9.7 acres, and then build a separate 80,000 to 100,000 square foot warehouse facility on the 21.90 acres that would be leased or sold to another private entity (see Attachment A). The additional 69 acres, owned by Mr. and Mrs. Bussey, are proposed to be rezoned to I-2 District in order to encourage additional industrial land development west/southwest of South Pointe Subdivision.

Land Use and Zoning

The following zoning and land uses surround the subject properties:

North: A concrete manufacturing facility (Consolidated Concrete) zoned I-2/General Industrial District, and a residential dwelling zoned A-2/Parks, Estates, and Agricultural District.

South: Undeveloped land zoned A-2/Parks, Estates, and Agricultural District.

East: Council Bluffs Recycling Center, CyrusOne (data center) and undeveloped land zoned I-2/General Industrial District along with undeveloped land and single-family dwellings zoned A-2/Parks, Estates, and Agricultural District.

West: Undeveloped land and Fox Run Golf Course zoned A-2/Parks, Estates, and Agricultural District.

The future land use plan of the Bluffs Tomorrow: 2030 Comprehensive Plan designates the northerly 31.6 acres of this request as Office/Industrial and the southerly 69 acres as Heavy Industrial.

Public notices were mailed to all property owners within 200 feet of the request. One letter addressed to C1 Council Bluffs LLC c/o CyrusOne LLC 2101 was returned to the City as undeliverable.

- Aaron Luth, representing Consolidated Concrete (4500 Gifford Road), stated he fully supports the rezoning requests as it will facilitated new industrial development on properties adjacent to his concrete manufacturing facility.

All City Departments and local utilities were notified of the proposed rezoning. No comments in opposition of this request were received.

Discussion

1. All properties included in the proposed rezoning exceed the minimum lot size requirements of the I-2/General Industrial District.
2. All proposed land uses (contractor shop, manufacturing, and warehousing/distribution) are permitted uses by right in the I-2/General Industrial District. If this request is approved, the existing single-family dwelling at 4445 Gifford Road will become non-conforming as residential uses are not permitted in an I-2 District.
3. The subject properties are immediately west/southwest of an existing industrial park (South Pointe Subdivision). Approval of the rezoning will allow for new industrial businesses to locate within an area of the City that has adequate utilities (e.g., water, sewer, gas, etc.) and road infrastructure (Gifford Road) to support industrial land uses.
4. The future land use plan of the Bluffs Tomorrow: 2030 Comprehensive Plan designates the northerly 31.6 acres as Office/Industrial and the southerly 69 acres as Heavy Industrial. The proposed rezoning request is consistent with the Bluffs Tomorrow: 2030 future land use plan.

Recommendation

The Community Development Department recommends approval of the request by Tom Eyman and Walter & Cynthia Bussey, represented by John Jerkovich, to rezone properties legally described as being

part of the SE1/4 NE1/4 of Section 15-74-44 lying East of 26th Street, West of South 24th Street, and South of 45th Avenue, except the Southerly 435.6 feet of the Easterly 1000 feet of said Section, all in the City of Council Bluffs, Pottawattamie County, Iowa; and the southerly 435.6 feet of the easterly 1000 feet of the SE1/4 NE1/4 of Section 15-74-44, all in the City of Council Bluffs, Pottawattamie County, Iowa; and the East 31 acres of the NE1/4 SE1/4 of Section 15-74-44 and a 10 acre tract in the northeast corner of the SE1/4 SE1/4 of Section 15-74-44 along with part of Government Lot 1 in the SW1/4 SW1/4 of Section 14-74-44 and the Westerly 12.4 acres of Government Lot 1 in the NW1/4 SE1/4 of Section 14-74-44, all in the City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates, and Agricultural District to I-2/General Industrial District, based on reasons stated above.

Attachments

Attachment A: Letter of Intent from Mr. Tom Eyman

Attachment B: Location/zoning map

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

TOM EYMAN, BUYER

PROPOSED PLAN FOR 9.70 ACRES OWNED CURRENTLY BY BUSSEY.

The current proposal for the 9.70 acre tract will be for a building to accommodate the expansion of Eyman Plumbing Inc into Iowa. For years, Eyman has worked in Council Bluffs, western Iowa and as far east as Shenandoah on a regular basis. Thus, the need to expand the operations into Iowa. At least one building similar to the current Eyman building of 20,000 square foot in LaVista, Nebraska, which was developed and built by Tom Eyman. [Photos of the Eyman building in LaVista are attached.] Additional buildings maybe required depending on the new business developed and the need for indoor storage.

Again, as with warehouse, sufficient surface parking is a requirement since Eyman would locate plumbing trucks and equipment on the property to accommodate plumbing and utility work. The Eyman building would be completely finished, both exterior and interior, with the ability for future expansion.

The plan would be to work with a local engineering company and the City to meet or exceed all local rules and requirements.

The expansion into Iowa would initially involve approximately 20 to 40 new jobs. Currently, Eyman has approximately 125 to 140 full time employees depending on the projects.

All buildings would be permitted and connected to City utilities.

The requested zoning change is a necessity in order to expand the operations of Eyman into Iowa.

EYMAN PLUMBING HEATING & AIR



RECEIVING
→





EYMAN PLUMBING HEATING & AIR



TOM EYMAN, BUYER

PROPOSED PLAN FOR 21.90 ACRES OWNED CURRENTLY BY ADKINS.

The current proposal for the 21.90 acre tract will be for a warehouse(s) similar to the 83000 square foot warehouse in LaVista, Nebraska, which was developed, built and marketed by Tom Eyman and presently leased long term to the United States Postal Service. [Photos of LaVista warehouse and property attached.] In fact, a distribution company currently located in the same Iowa industrial park as the 21.90 acre tract attempted to lease the warehouse in LaVista but was late as the United States Postal Service had already secured the property.

Properties for lease with sufficient surface parking are underserved at present and this 21.90 acre tract has sufficient surface area to accommodate even the high usage needs for parking. Therefore, depending on the interest developed this may expand to a single 100,000 plus square feet building if one company desires the entire property or two separate 83,000 square foot buildings with each utilizing approximately a 10 acre tract of the property for parking. The buildings would initially be built without inside improvements since most companies want the interior to be specific for their requirements. Then, depending on the lease, the interior is finished by a local contractor to fit the particular requirements of the lessee.

The plan would be to work with a local engineering company and the City to meet or exceed all local rules and requirements.

From past experience these type of developed properties should generate at a minimum 50 jobs per company.

All buildings would be permitted and connected to City utilities.

The requested zoning change is a necessity in order to attract companies willing to commit long term to the property and the creation of jobs.



UNITED STATES
POSTAL SERVICE
Atoll Consolidation Annex
Omaha, NE







CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION

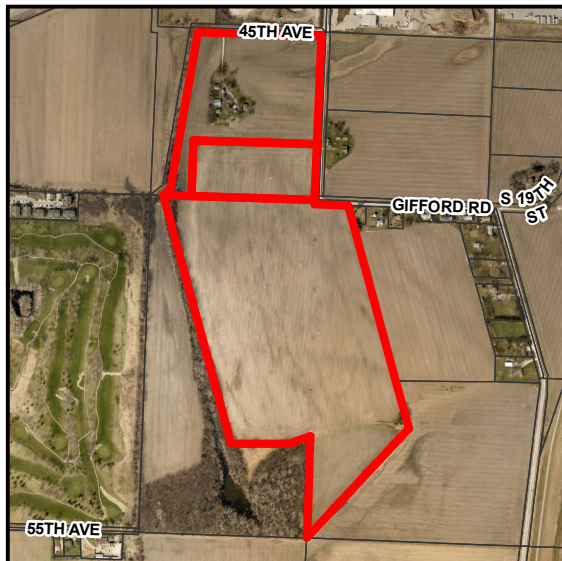
CASE #ZC-21-006 LOCATION/ZONING MAP

ATTACHMENT B

Legend

- ZC-21-006 Subject Properties
- Parcels

0 350 700
1 inch = 700 feet



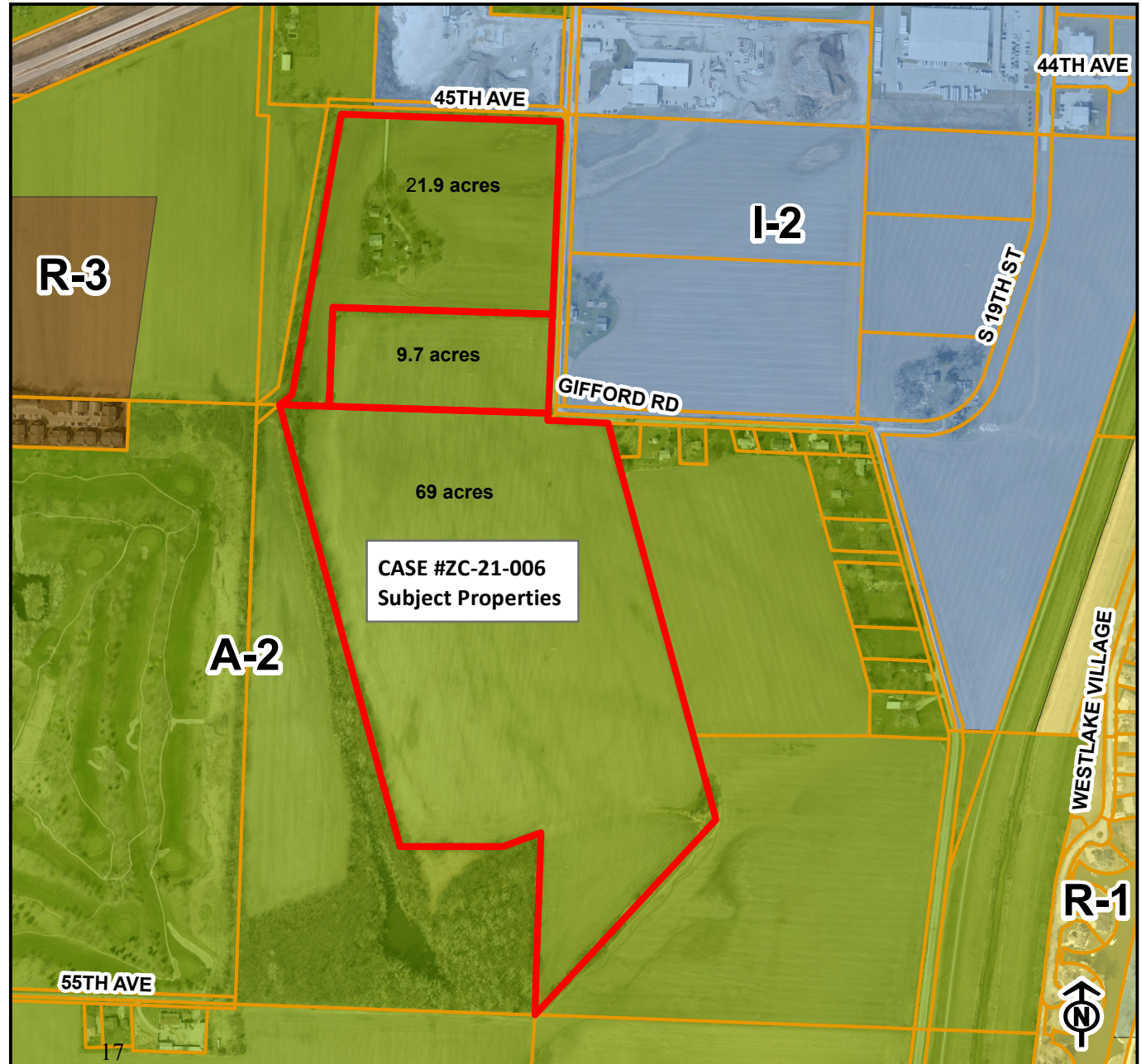
Last Amended: 5/18/2021



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.



Planning Commission Communication

Department: Community

Development

Case/Project No.: URN-21-002

CASE #URN-21-002

Council Action: 6/8/2021

Submitted by: Housing &

Economic Development

Description

Public hearing on the request of City of Council Bluffs Community Development Department, to create and adopt the South Avenue Urban Renewal Area and Plan legally described a parcel of land being all of Mallett's Subdivision, all of Children's Addition, a portion of Mallett's Subdivision of Lot 5, Auditor's Subdivision, a portion of Casady's Addition, a portion of the Southwest Quarter (Sw1/4), a portion of the Southwest Quarter of the Northwest Quarter (SW1/4 NW 1/4) and a portion of the Southwest Quarter off The Southeast Quarter (SW 1/4 SE 1/4) all in Section 06, a portion off The Northeast Quarter Of The Northwest Quarter (NE 1/4 NW 1/4) and a portion of the Northwest Quarter of the Northeast Quarter all in Section 07, all in Township 74 North, Range 43 West of the 5th Principal Meridian, a portion of Rice's South Avenue Subdivision and a portion of the East Half (E1/2) of Section 01, Township 74 North, Range 44 West of the 5th Principal Meridian all in the City Of Council Bluffs, Pottawattamie County, Iowa, being more particularly described as follows: Beginning at the Southeast corner of the southwest quarter of the southwest quarter (SW 1/4 SW 1/4) of Section 06; thence westerly on the south line of said Section 06, 923 feet more or less to a point on the southerly prolongation of the northeasterly right-of-way of 23rd Avenue; thence northwesterly on said southerly prolongation and on northeasterly right-of-way line, 2,523 feet more or less to a point on the easterly right-of-way line of the former BNSF Railway Company (now owned by the City of Council Bluffs, book 2016, Page 15954); thence northerly on said easterly right-of-way line, 2,028 feet more or less to a point on the westerly prolongation of the south right-of-way line of 18th Avenue; thence on said westerly prolongation and on said south right-of-way line and it's easterly prolongation, 1,200 feet more or less to the northeasterly right-of-way line of Harry Langdon Boulevard; thence southeasterly on said northeasterly right-of-way line, 6,642 feet more or less to a point on the easterly prolongation of the southerly right-of-way line of Interstate 80 lying west of said Harry Langdon Boulevard; thence southwesterly on said prolongation and on southerly right-of-way line, 632 feet; thence northwesterly 339 feet more or less to a point on the west line of said northwesterly quarter of the northeasterly quarter (NW1/4 NE 1/4); thence northwesterly 1,242 feet more or less to the point of beginning. Location: generally located west of Harry Langdon Blvd, South of 18th Ave, east of the South Expressway and north of 29th Ave.

Background/Discussion

See attachments

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report & Attachment	Other	6/2/2021

Council Communication

Department: Community Development Case/Project No.: URN-21-02	Ordinance No.: Resolution No.: 21-	City Council: 5-24-2021 Planning Commission: 6-8-2021 P.H. and First Reading: 6-28-2021 Second Reading: 7-12-2021 Third Reading: Request Waive
Subject/Title		
Creation and adoption of the South Avenue Urban Renewal Plan		
Location		
Generally located west of Harry Langdon Blvd, South of 18 th Ave, east of South Expressway, north of I-80		
Legal Description: Attached		
Background/Discussion		
<p><u>Background</u></p> <p>In 2021, the City began working with TSL Holding Company, Limited to assist with their multi-modal project from the railroad to the interstate. This \$28 million project will relocate their business from Omaha to Council Bluffs will relocate 38 positions to Council Bluffs. TSL plans to apply for a Targeted Jobs Withholding Tax Credit which requires a local match by the City and/or County. TSL has requested the City contribute \$1,075,800 towards their match requirement in the form of Tax Increment Financing (TIF) through the Urban Renewal law.</p> <p>Under Chapter 403 of the Iowa Code, Iowa law allows municipalities to establish urban renewal areas to finance public improvements such as streets, sewers, sidewalks, and other infrastructure related to residential, commercial, or industrial development; to redevelop slum or blighted areas; to fund private economic development; and to finance construction of low and moderate income housing.</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"> 6-8-2021 City Planning Commission hearing and review 6-9-2021 Consultation meeting to be held with other taxing jurisdictions 6-28-2021 City Council public hearing on the proposed urban renewal plan <p>The consultation hearing will be held on June 9, 2021. Any public comment shall be provided at the City Council meeting June 28, 2021.</p> <p>Iowa statutes require the City Planning Commission to review the plan for conformity to the comprehensive plan and to forward a recommendation to City Council prior to the public hearing. An urban renewal plan conforming to the requirements of Chapter 403 of the Iowa Code has been prepared and is attached for your review.</p> <p>The South Avenue Urban Renewal Area is being designated as an economic development area, conforming to Section 403.2(3) of the Iowa Code. Designation is necessary to assist and promote local commercial</p>		

Council Communication

enterprises to strengthen and revitalize the economy. Tax Increment Financing (TIF) will be utilized to provide assistance to the developer for the needed site improvements.

Staff Recommendation

The Community Development Department recommends approval of the South Avenue Urban Renewal Plan and Area.

Attachments

South Avenue Urban Renewal Area Plan

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

**SOUTH AVENUE
URBAN RENEWAL PLAN**

for the

**SOUTH AVENUE
URBAN RENEWAL AREA**

CITY OF COUNCIL BLUFFS, IOWA

JUNE 2021

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EXHIBITS

- A. LEGAL DESCRIPTION OF SOUTH AVENUE URBAN RENEWAL AREA
- B. SOUTH AVENUE URBAN RENEWAL AREA MAP

**South Avenue Urban Renewal Plan
for the
South Avenue Urban Renewal Area
City of Council Bluffs, Iowa**

A. INTRODUCTION

The South Avenue Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the South Avenue Urban Renewal Area (“Area” or “Urban Renewal Area”) has been developed to help local officials 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 industrial development.

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 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 of designates this Urban Renewal Area as an area that is appropriate for the promotion of economic development (commercial and industrial).

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/ZONING

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 I-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. PLAN OBJECTIVES

Renewal activities are designed to provide opportunities, incentives, and sites to promote new economic development (commercial and industrial) within the Area. More specific objectives for development within the Urban Renewal Area are as follows:

1. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities, and strengthening the tax base.
2. To plan for and provide sufficient land for industrial development in a manner that is efficient from the standpoint of providing municipal services.
3. To provide for the installation of public works and facilities including, but not limited to, water, sanitary sewer and other public improvements, which contribute to the revitalization of the area and to the sound development of the entire City.
4. To encourage commercial and industrial growth and expansion through governmental policies which make it economically feasible to do business.
5. To provide a more marketable and attractive investment climate through the use of various federal, state and local incentives.
6. To stimulate, through public action and commitment, private investment in new and existing commercial and industrial development.
7. To improve the conditions and opportunities for economic development (commercial and industrial).
8. To help develop a sound economic base that will serve as the foundation for future growth and development.

9. To enhance the Council Bluffs community by fostering an entrepreneurial climate, diversifying the local economy, encouraging opportunities for new businesses, and supporting retention of existing businesses.

G. 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 arrange for or cause to be provided the construction or repair of public infrastructure including but not limited to streets, curb and gutter, street lighting, water, sanitary sewer, public utilities or other facilities in connection with urban renewal projects.
3. To make loans, forgivable loans, grants, tax rebate payments or other types of economic development grants or incentives to private persons, local development organizations, or businesses for economic development purposes on such terms as may be determined by the City Council.
4. To borrow money and to provide security therefor.
5. To acquire or dispose of property.
6. To provide for the construction of specific site improvements such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.
7. To acquire property through a variety of means (purchase, lease, option, etc.) and to hold, clear, or prepare the property for redevelopment.
8. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.
9. 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.

H. 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. Public Improvements

Urban Renewal Project Description	Estimated Time Period	Estimated Cost to be reimbursed by tax increment financing	Rationale
Reconstruction of South Avenue and Harry Langdon Intersections	2022-2024	\$750,000	Road improvements are necessary to promote industrial development within the Urban Renewal Area
Total		Not to exceed \$750,000	

2. Development Agreements

A. *Development Agreement with TSL Company Holdings, Ltd (or a related entity)*: The proposed urban renewal project anticipates the City entering into a development agreement with TSL Company Holdings, Ltd (or a related entity) to provide for the renovation of an existing facility, which will be used as an intermodal container freight station. Construction is expected to be completed in December 2026. It is estimated that total construction costs for the building will be approximately \$28,000,000 and will result in the creation and/or retention of jobs in the Urban Renewal Area. The City expects to make annual grants to TSL Company Holdings, Ltd in the form of rebates of incremental taxes generated by the project. The cost of such grants shall not exceed \$1,075,800 and will be subject to the terms and conditions of a detailed development agreement with both parties.

B. *Future Development Agreements*: The City expects to consider requests for development agreements for projects that are consistent with this Plan, in the City's sole discretion. Such agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to land, loans, grants, tax rebates, infrastructure assistance and other incentives. The costs of such development agreements will not exceed \$6,000,000.

3. Planning, engineering fees (for urban renewal plans), attorney fees, other related costs to support urban renewal projects and planning

Project	Date	Estimated cost
Fees and costs	Undetermined	Not to exceed \$50,000

I. FINANCIAL DATA

1.	July 1, 2020 constitutional debt limit:	\$274,870,388
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, 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:	\$7,875,800 This total does not include financing costs related to debt issuance, which will be incurred over the life of the Area.

J. 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.

K. PROPERTY ACQUISITION/DISPOSITION

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

L. 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.

M. 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.

N. 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.

O. 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.

P. EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the City Council and will remain in effect as a Plan until it is repealed by the City Council.

With respect to the property included within the Urban Renewal Area, which is also included in a TIF Ordinance that provides for the “division of revenue” as those words are used in Chapter 403 of the Code of Iowa, the division of revenue is limited to twenty (20) years beginning with the first calendar year following the calendar 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 TIF Ordinance of the Urban Renewal Area. The division of revenues shall continue on the Urban Renewal Area, for the maximum period allowed by law.

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 SOUTH AVENUE URBAN RENEWAL AREA

A PARCEL OF LAND BEING ALL OF MALLETT'S SUBDIVISION, ALL OF CHILDREN'S ADDITION, A PORTION OF MALLETT'S SUBDIVISION OF LOT 5, AUDITOR'S SUBDIVISION, A PORTION OF CASADY'S ADDITION, A PORTION OF THE SOUTHWEST QUARTER (SW1/4), A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW1/4NW1/4) AND A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4) ALL IN SECTION 06, A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) AND A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER ALL IN SECTION 07, ALL IN TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, A PORTION OF RICE'S SOUTH AVENUE SUBDIVISION AND A PORTION OF THE EAST HALF (E1/2) OF SECTION 01, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN ALL IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW1/4SW1/4) OF SAID SECTION 06;

THENCE WESTERLY ON THE SOUTH LINE OF SAID SECTION 06, 923 FEET MORE OR LESS TO THE EASTERLY RIGHT-OF-WAY LINE OF THE C.B.E.C. RAILROAD;

THENCE NORTHWESTERLY ON SAID EASTERLY RIGHT-OF-WAY, 556 FEET MORE OR LESS TO THE SOUTHERLY RIGHT-OF-WAY LINE OF 29TH AVENUE;

THENCE WESTERLY ON SAID SOUTHERLY RIGHT-OF-WAY LINE, 1,177 FEET MORE OR LESS TO A POINT ON THE SOUTHERLY PROLONGATION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 23RD AVENUE;

THENCE NORTHWESTERLY ON SAID SOUTHERLY PROLONGATION AND ON NORTHEASTERLY RIGHT-OF-WAY LINE, 2,523 FEET MORE OR LESS TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE FORMER B.N.S.F. RAILWAY COMPANY (NOW OWNED BY THE CITY OF COUNCIL BLUFFS, BOOK 2016, PAGE 15954);

THENCE NORTHERLY ON SAID EASTERLY RIGHT-OF-WAY LINE, 2,028 FEET MORE OR LESS TO A POINT ON THE WESTERLY PROLONGATION OF THE SOUTH RIGHT-OF-WAY LINE OF 18TH AVENUE;

THENCE ON SAID WESTERLY PROLONGATION AND ON SAID SOUTH RIGHT-OF-WAY LINE AND IT'S EASTERLY PROLONGATION, 1,200 FEET MORE OR LESS TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF HARRY LANGDON BOULEVARD;

THENCE SOUTHEASTERLY ON SAID NORTHEASTERLY RIGHT-OF-WAY LINE, 6,642 FEET MORE OR LESS TO A POINT ON THE EASTERLY PROLONGATION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE 80 LYING WEST OF SAID HARRY LANGDON BOULEVARD;

THENCE SOUTHWESTERLY ON SAID PROLONGATION AND ON SOUTHERLY RIGHT-OF-WAY LINE, 632 FEET;

THENCE NORTHWESTERLY 339 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF SAID NORTHWESTERLY QUARTER OF THE NORTHEASTERLY QUARTER (NW1/4NE1/4);
THENCE NORTHWESTERLY 1,242 FEET MORE OR LESS TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 290 ACRES, MORE OR LESS.

EXHIBIT B

MAP OF SOUTH AVENUE URBAN RENEWAL AREA



01882799-1\10342-169

Planning Commission Communication

Department: Community

Development

Case/Project No.: URV-21-008

CASE #URV-21-008

Council Action: 6/8/2021

Submitted by: Housing &

Economic Development

Description

Public hearing on the request of the City of Council Bluffs to amend the South Pointe Urban Revitalization Area by adding property legally described as part of the SE1/4 NE1/4 of Section 15-74-44 lying East of 26th Street, West of South 24th Street, and South of 45th Avenue, except the Southerly 435.6 feet of the Easterly 1000 feet of said Section, all in the City of Council Bluffs, Pottawattamie County, Iowa; AND the southerly 435.6 feet of the easterly 1000 feet of the SE1/4 NE1/4 of Section 15-74-44, all in the City of Council Bluffs, Pottawattamie County, Iowa; AND the East 31 acres of the NE1/4 SE1/4 of Section 15-74-44 and a 10 acre tract in the northeast corner of the SE1/4 SE1/4 of Section 15-74-44 along with part of Government Lot 1 in the SW1/4 SW1/4 of Section 14-74-44 and the Westerly 12.4 acres of Government Lot 1 in the NW1/4 SE1/4 of Section 14-74-44, all in the City of Council Bluffs, Pottawattamie County, Iowa. Location: The property currently addressed as 4445 Gifford Road and undeveloped land lying south of said address.

Background/Discussion

See attachments

Recommendation

ATTACHMENTS:

Description

Type

Upload Date

Staff Report & Attachments

Other

6/2/2021

Planning Commission Communication

Department: Community Development CASE # URV-21-008 Applicant: Community Development Department	Resolution No. _____	Resolution of Intent: 5/24/2021 Planning Commission: 6/8/2021 Public Hearing & First Reading: 6/28/2021 Second Reading: 7/12/2021 Third Reading: Request to Waive
Subject/Title		
Request: Recommendation of approval of the 2021 Amendment #2 to the South Pointe Urban Revitalization Plan.		
Location		
The property currently addressed as 4445 Gifford Road and undeveloped land lying south of said address.		
Background/Discussion		
<u>Background</u> Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property. Urban revitalization tax abatement incentives can apply to residential, commercial and industrial development. Both new construction on vacant or unimproved land and rehabilitation of existing structures are eligible for tax abatement. On November 26, 2018, City Council adopted Resolution No. 18-325 approving the South Pointe Urban Revitalization Plan. Subsequent to this action, Ordinance No. 6375 was adopted on December 27, 2018, which established the Urban Revitalization Area. 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. On February 22, 2021, City Council adopted Resolution No. 21-49, which directed staff to initiate the process of amending the South Pointe Urban Revitalization Plan and Area. Then on April 26, 2021, Ordinance No. 6449 was adopted to amend the Area. The Community Development Department wishes to again amend the Urban Revitalization Area by adding three additional parcels with development potential. Community Development staff anticipates receiving a proposal for the development of an industrial/manufacturing center on the properties. Staff has prepared amendments to the Plan in accordance with Section 404.2 of the Iowa Code and is now scheduling the matter for City Council consideration. The amendment consists of adding approximately 100.6 acres southwest of the existing Area.		
<u>Discussion</u> The original Plan and Area was established under economic development. Staff believes an economic development finding is appropriate for the properties to be added. Of the three parcels to be added, two are undeveloped. The third parcel currently addressed as 4445 Gifford Road is a vacant single-family residential home, which will be demolished by the existing property		

Planning Commission Communication

owners. The undeveloped parcels are south of 4445 Gifford Road. This expands the current Amended South Pointe Urban Revitalization Area farther south along Gifford Road.

On May 24, 2021, City Council approved a Resolution of Necessity which initiated the process of amending the South Pointe Urban Revitalization Plan and set June 28, 2021 as the public hearing date. Although Chapter 404 of the Iowa Code does not specifically require review by the City Planning Commission, staff believes that such review is appropriate.

Notification was sent to the owners of the properties within the amended urban revitalization area. No comments have been received.

Staff specifically asks that the Commission consider the following:

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

Recommendation

The Community Development Department recommends approval of the 2021 Amendment #2 to the South Pointe Urban Revitalization Plan and Area.

Attachments

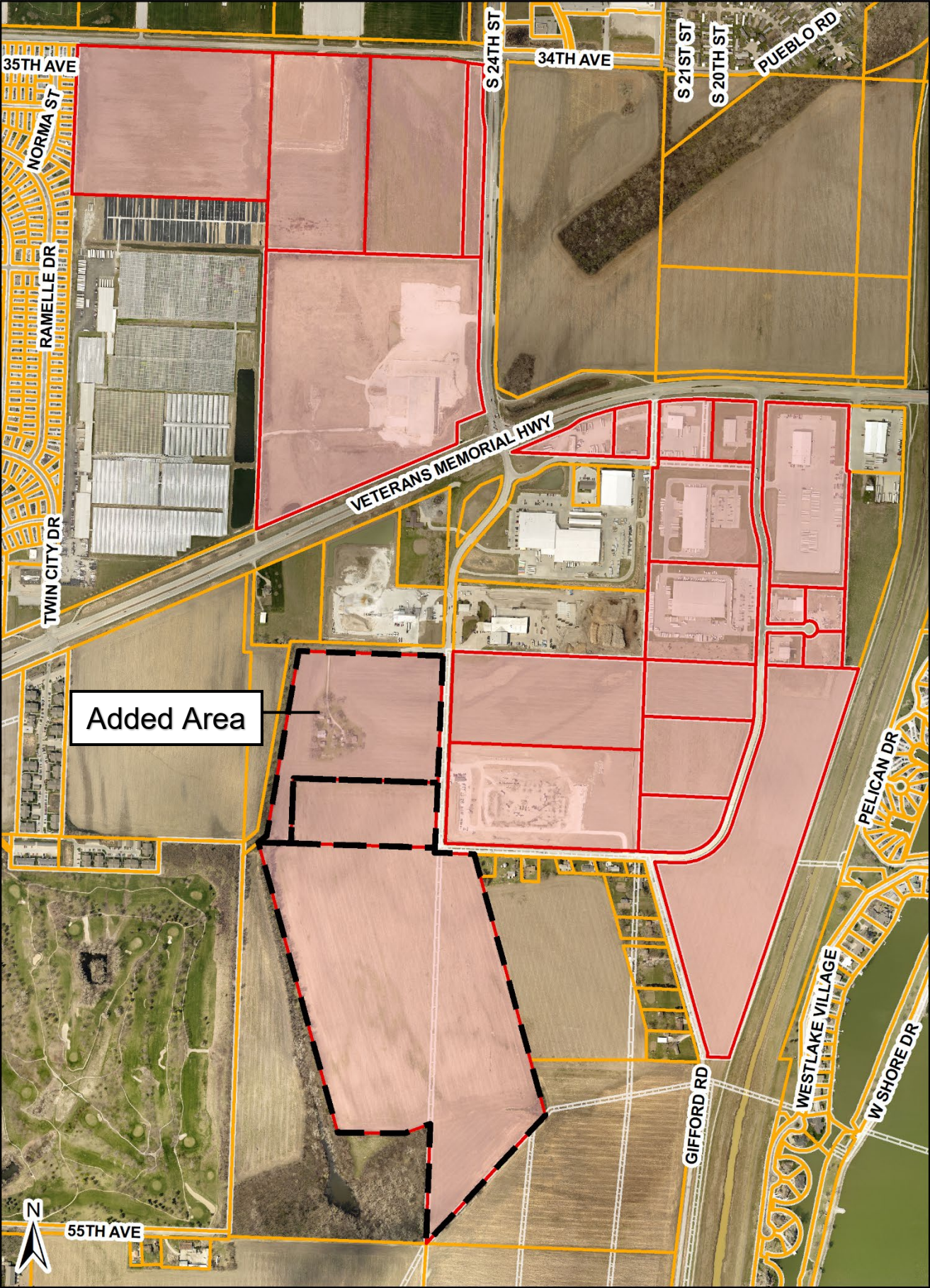
- A) Boundary Map
- B) Draft Plan

Prepared by: Tiffany Schmitt, Community Development Technician, Community Development Department

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

Attachment A

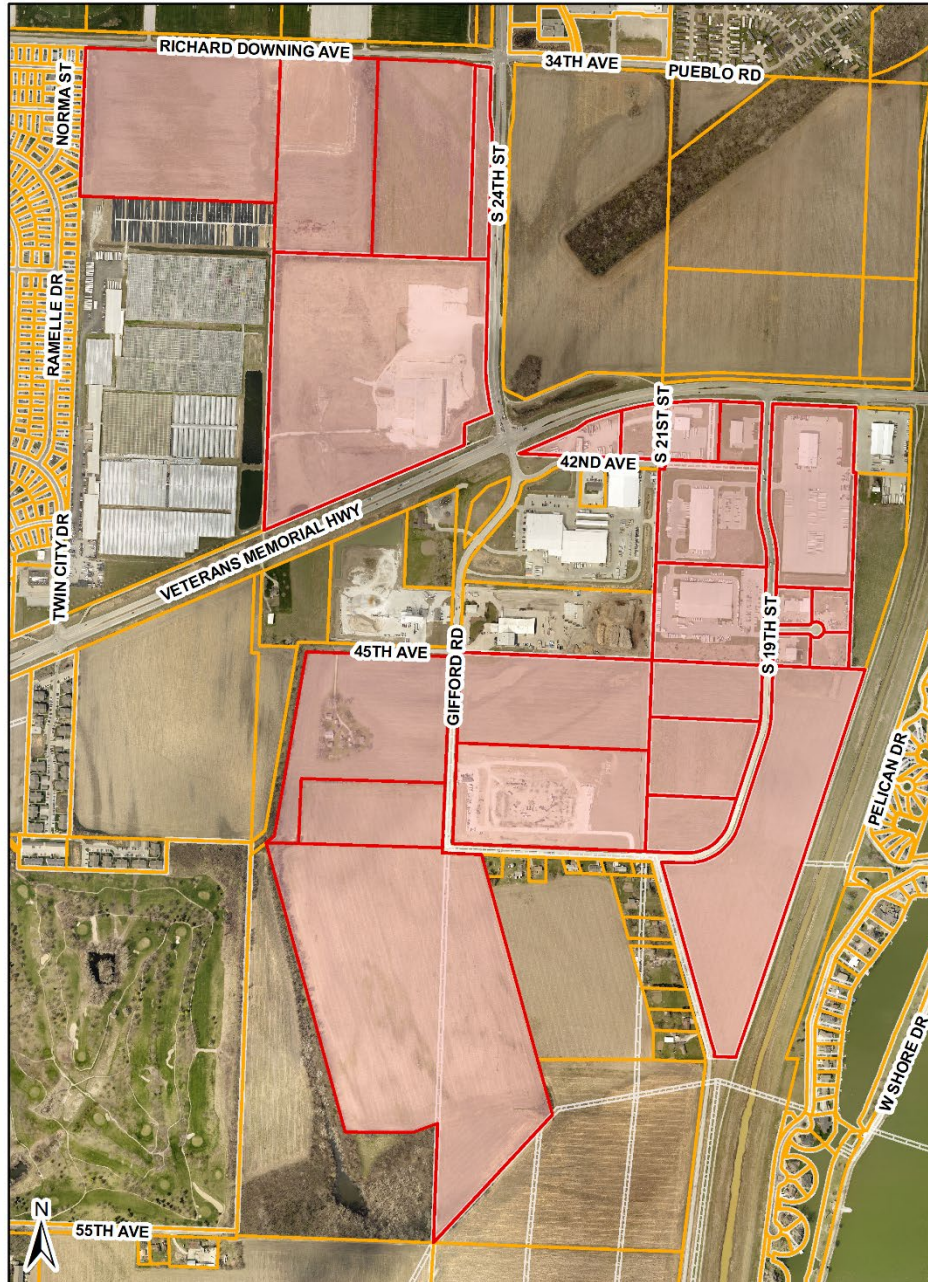
Amended South Pointe Urban Revitalization Area - Boundary Map



2021 Amendment #2 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 April 26, 2021
Amended _____, 2021

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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). In 2021, the plan was amended again to include five additional parcels along South 24th Street (Ordinance 6449).

The newly proposed amendment will add 3 additional parcels to the existing South Pointe Urban Revitalization Plan to attract new development adjacent to Gifford Road.

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 previous 2020 and 2021 amendments 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

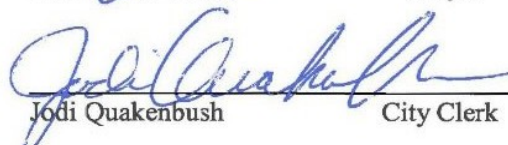
That the City Council directs the City Clerk to set this matter for public hearing on November 26, 2018.

**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

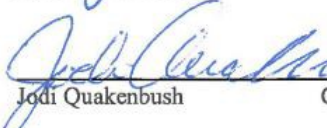
That the City Council directs the City Clerk to set this matter for public hearing on June 22, 2020.

**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

**Amended South Pointe Urban Revitalization Plan
Illustration 4 – Amended Plan Resolution**

RESOLUTION NO. 21-151

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, on April 12, 2021, City Council adopted Resolution No. 21-103 amending the South Pointe Urban Revitalization Plan; and
- WHEREAS, the Community Development Department recommends amending the plan to add three additional parcels 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 28, 2021.

BE IT FURTHER RESOLVED


That the City Council directs the City Clerk to set this matter for public hearing on June 28, 2021.

**ADOPTED
AND
APPROVED:**

May 24, 2021


Matthew J. Walsh Mayor

ATTEST:


Allison Head Acting 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 previously Added Area includes the following legally described parcels:

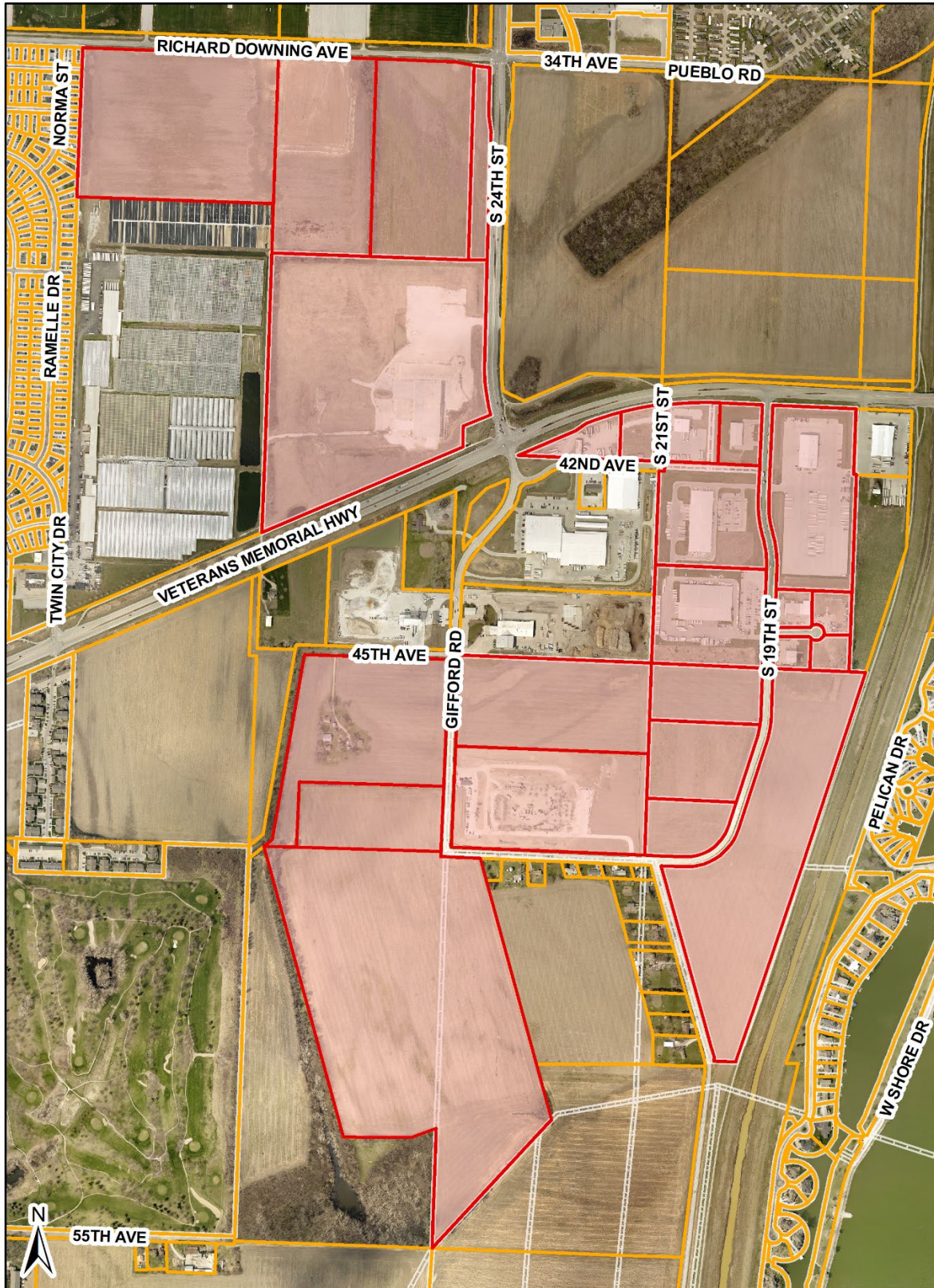
Lots 1 and 2, South 24th and Highway 275 Industrial Subdivision, along with the North ½ of the SE ¼ of Section 10-74-44, except the south 10.01 acres of said NW ¼ SE ¼ in Section 10-74-44 and Richard Downing Avenue right-of-way, all in the City of Council Bluffs, Pottawattamie County, Iowa.

The newly proposed Added Area includes the following legally described parcels:

Part of the SE1/4 NE1/4 of Section 15-74-44 lying East of 26th Street, West of South 24th Street, and South of 45th Avenue, except the Southerly 435.6 feet of the Easterly 1000 feet of said Section, all in the City of Council Bluffs, Pottawattamie County, Iowa; AND the southerly 435.6 feet of the easterly 1000 feet of the SE1/4 NE1/4 of Section 15-74-44, all in the City of Council Bluffs, Pottawattamie County, Iowa; AND the East 31 acres of the NE1/4 SE1/4 of Section 15-74-44 and a 10 acre tract in the northeast corner of the SE1/4 SE1/4 of Section 15-74-44 along with part of Government Lot 1 in the SW1/4 SW1/4 of Section 14-74-44 and the Westerly 12.4 acres of Government Lot 1 in the NW1/4 SE1/4 of Section 14-74-44, all in the City of Council Bluffs, Pottawattamie County, Iowa.

The existing Amended South Pointe Road Urban Revitalization Area is approximately 266.02 acres in size. The newly proposed 2021 Added Area consists of 100.60 acres, for a total Amended Area of 366.62 acres.

Amended South Pointe Road Urban Revitalization Area
Illustration 5 – Amended Boundary



PROPERTY OWNERS AND ASSESSED VALUES

The newly Amended South Pointe Urban Revitalization Area contains 22 parcels of land that total 366.62 acres in size. The total valuation (\$) for all land, dwellings, and buildings in this urban revitalization area are as follows:

Land Valuation: \$10,259,000.00
Dwelling Valuation: \$104,200.00
Building Valuation: \$9,560,600.00
Total Valuation: \$19,923,800.00

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 previous 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 newly proposed Added Area's information is outlined in the attachment titled *Attachment D – 2021 Amendment #2 to the South Pointe Urban Revitalization Plan – Added Property Owners List*. The information stated in these attachments was obtained from records in the Pottawattamie County Assessor's Office.

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

EXISTING ZONING AND PROPOSED LAND USE

The 2021 newly proposed Added Area is zoned A-2/Parks, Estates and Agricultural District (see Illustration 6). 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. Applications have been submitted for the properties currently zoned A-2 in the Amended Area to be rezoned to I-2/General Industrial District.

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 Amended South Pointe Urban Revitalization Area is partially located within a designated Recreational-Tourism Overlay (RO) (see Illustration 7). 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.

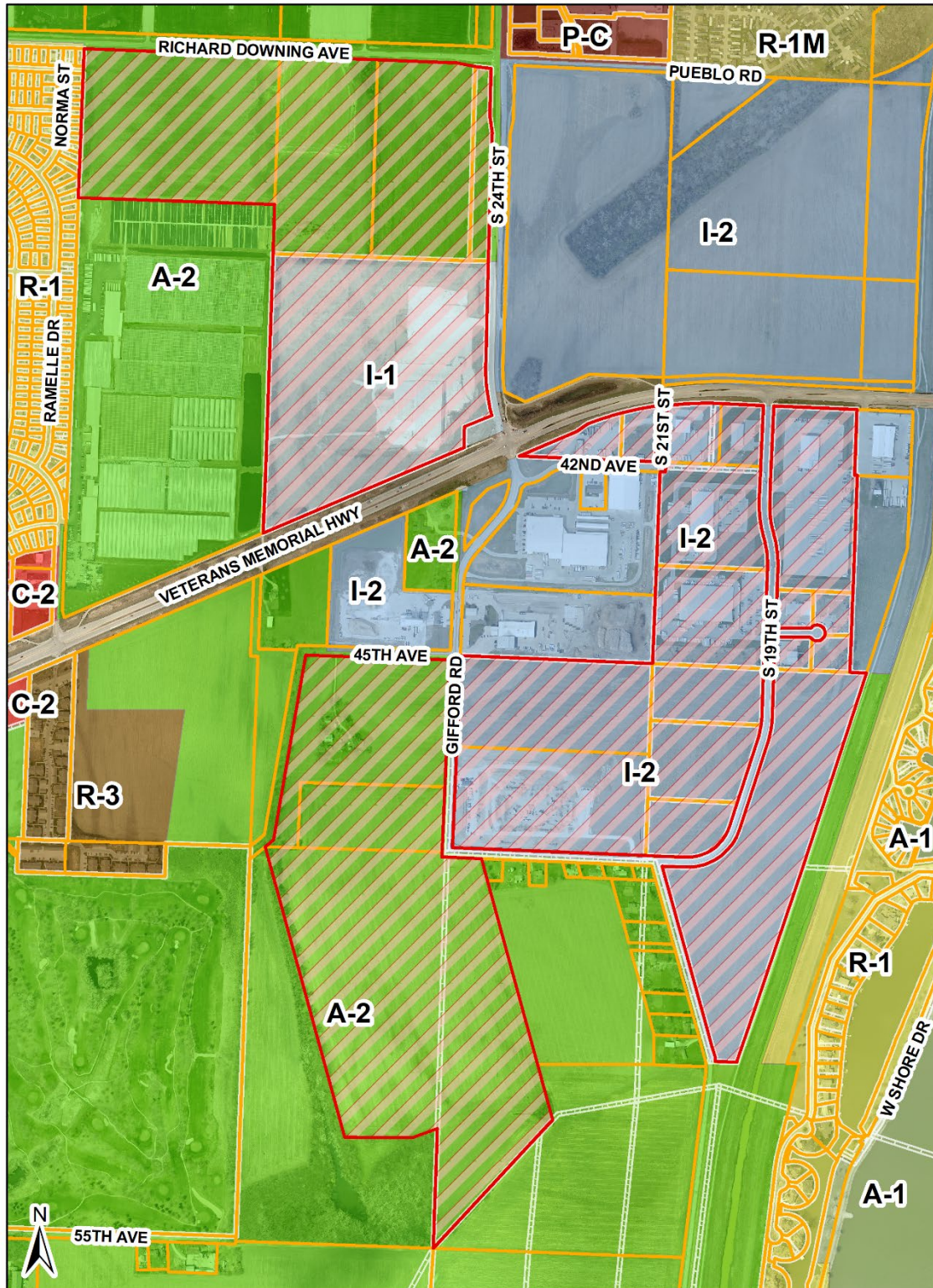
Surrounding zoning in the general vicinity of the Added Area includes: I-2/General Industrial District and A-2/Parks, Estates, and Agricultural District to the north and east and A-2/Parks, Estates, and Agricultural District to the south and west.

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:

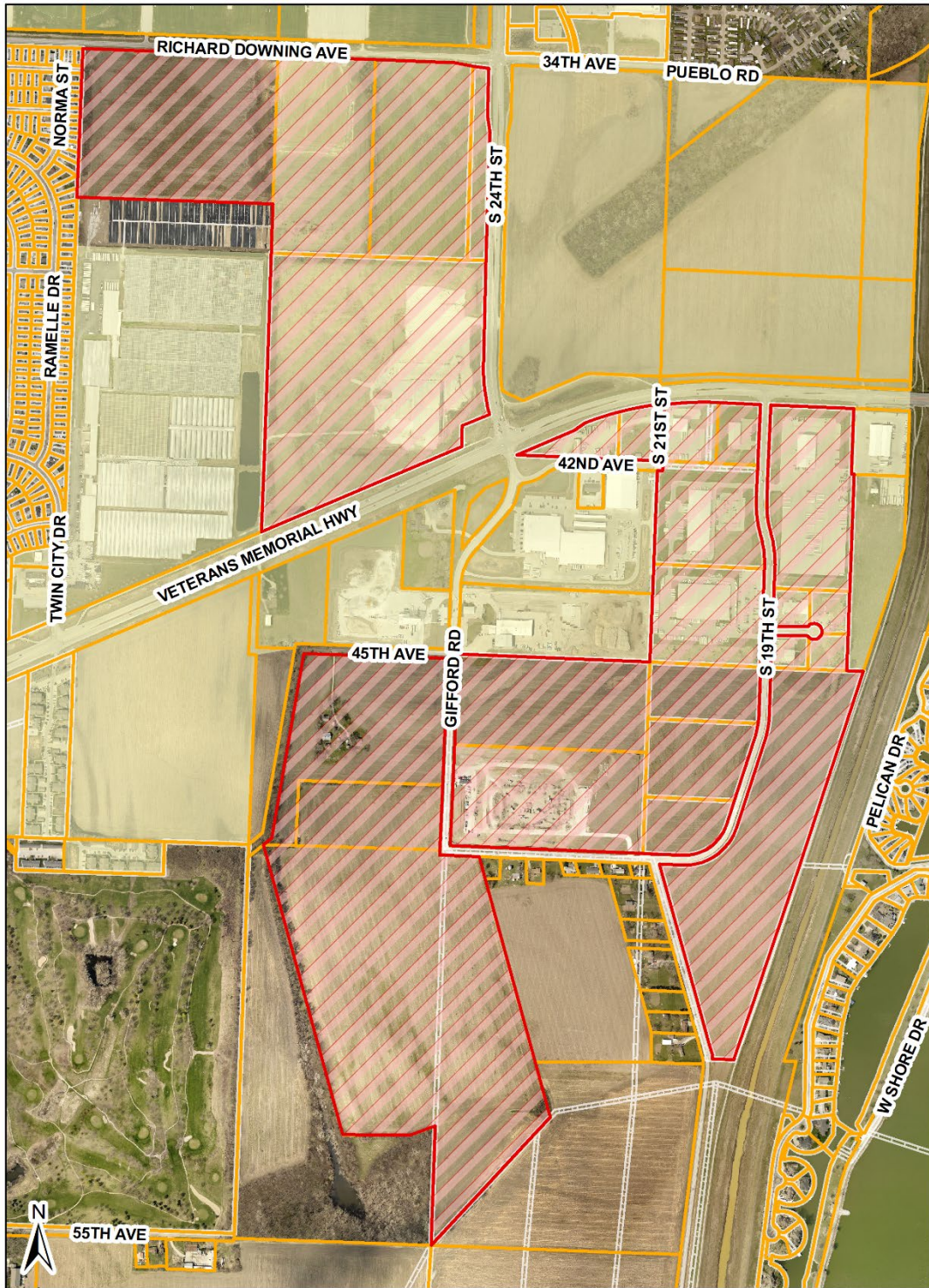
1. Matheson Tri-Gas – 4106 South 19th Street (PIN #744411377004)
2. Fremont Contract Carriers (FCC) – 4303 South 19th Street (PIN #744411379001)
3. FedEx Freight – 4306 South 19th Street (PIN #744414126003)
4. FedEx Freight – 4406 South 19th Street (PIN #744414126002)
5. Pro-Tech Sales – 4343 South 19th Street (PIN #744414127003)
6. TEQ Supply Inc. – 4405 South 19th Street (PIN #744414127005)
7. Rogers Auto – 2105 Veterans Memorial Hwy (PIN # 744411352002)
8. Loffredo Fresh Produce – 4105 S 21st Street (PIN # 744411377007)
9. CyrusOne – 4700 Gifford Road (PIN # 744414176009)

A single-family residential home located at 4445 Gifford Road is currently vacant and will be demolished by the existing property owners. The remaining properties in the proposed Amended 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 6 – Amended Zoning Map



Amended South Pointe Urban Revitalization Plan
Illustration 7 – Recreation-Tourism Overlay



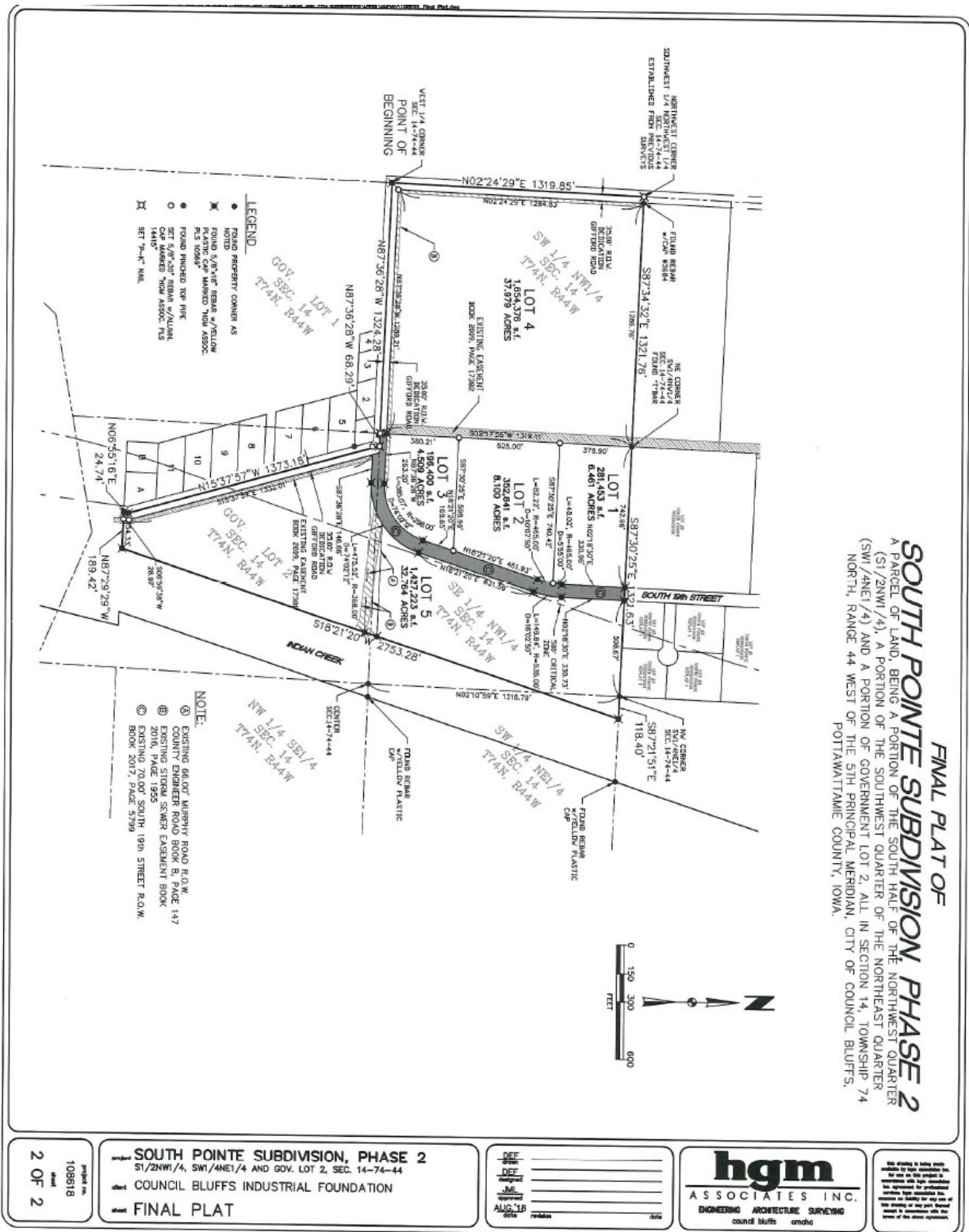
 **RO/Recreation-Tourism Overlay**

FINAL PLAT
SOUTH POINTE SUBDIVISION



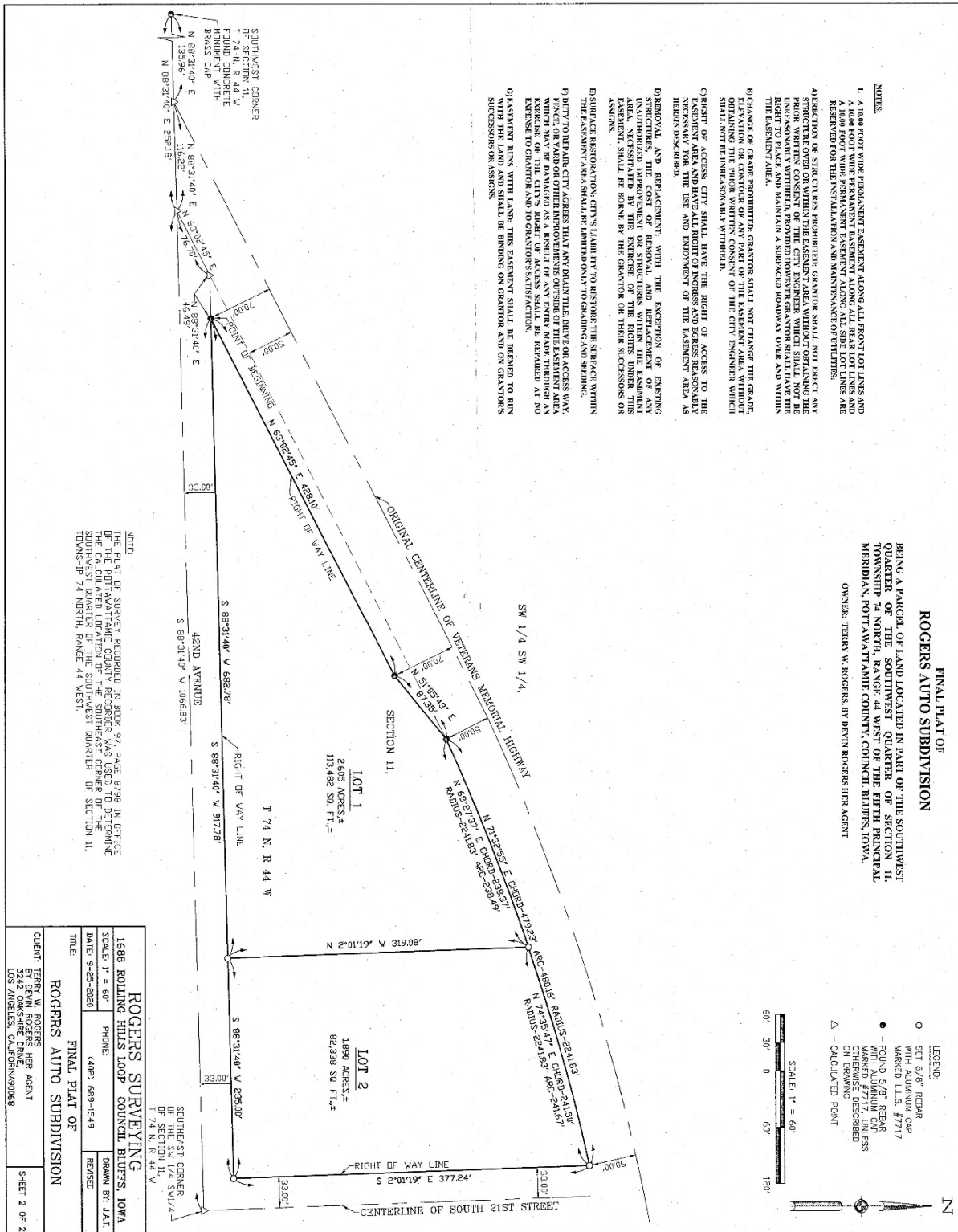
Amended South Pointe Urban Revitalization Plan

Illustration 9 – South Pointe Subdivision, Phase 2 Final Plat



Amended South Pointe Urban Revitalization Plan

Illustration 10 – Rogers Auto Subdivision Final Plat



[illegible]

SOUTH 224th AND HIGHWAY 275 INDUSTRIAL
 AN LOTION TO THE CITY OF CANADA, BLUESKY DANA, LOCATED IN THE NORTHWEST
 ONE-QUARTER OF SECTION 15, TOWNSHIP 74 NORTH, RANGE 44 WEST,
 THE SOUTHWEST ONE-QUARTER OF SECTION 11, TOWNSHIP 74 NORTH, RANGE 44 WEST,
 AND THE SOUTHWEST ONE-QUARTER OF SECTION 12, TOWNSHIP 74 NORTH, RANGE 44 WEST,
 TO FORM A NORTH RANGE ACROSS 15, TOWNSHIP 74 NORTH, RANGE 44 WEST, OF THE
 NORTHWEST ONE-QUARTER OF SECTION 15, TOWNSHIP 74 NORTH, RANGE 44 WEST, ALL
 LOCATED IN THE 5th P.M., RIVINGTON COUNTY, IOWA.
 LOTS 1 AND 2

LOIS 1 AND 2

SCHEMMER
ARCHITECTS | ENGINEERS | PLANNERS

SOUTH 24th AND HIGHWAY 275 INDUSTRIAL
POTTAWATTAMIE COUNTY, IOWA

FINAL PLAT

55

PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES

The proposed Added Area is served with sanitary sewer and storm sewer. Utility extensions may be required based on the future layout of the development and would be at the expense of the developer. The area is accessible by seven public roadways, as follows: Veterans Memorial Highway (US 275/92), South 24th Street, South 21st Street, South 19th Street, 44th 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 21st Street, and South 19th 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.

RELOCATION PROVISIONS

Relocation is not anticipated with the implementation of this plan. A single-family residential home located at 4445 Gifford Road is currently vacant and will be demolished by the existing property owners. However, if either a residential or non-residential tenant relocation occurs as a result of actions taken by a developer qualifying for the benefits under the Urban Revitalization Act, the tenant shall receive compensation from the developer of one month's rent and actual moving expenses, provided that the tenant has occupied the same unit continuously for a one year period prior to the adoption of this plan.

OTHER PUBLIC ASSISTANCE

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

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

APPLICABILITY AND TAX EXEMPTION SCHEDULE

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

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

2. Term - The term of this Plan shall be until December 31, 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 1st to the Community Development Department. As part of the acceptance procedure, the Community Development Department shall review the submission for completeness. If there is a deficiency, the Department shall notify the applicant within seven (7) days.
3. The Department shall review the application according to the following criteria:
1) conformance with the Urban Revitalization Plan; 2) a finding that the site is within a designated area; 3) a finding that the work has been completed within the time required to qualify for abatement in the assessment year; 4) a finding that the application is consistent with Chapter 404 of the Iowa Code; and 5) a finding that the application is consistent with all applicable city codes and ordinances.
4. Upon review of the application, the Community Development Department will prepare a recommendation and schedule the proposal for City Council consideration.
5. By resolution, the City Council will accept the application and improvements as consistent with the intent of this plan and state law.
6. The City Council will then direct the Community Development Department to transmit a copy of the case file to the Assessor's Office by March 1st as required by Chapter 404 of the Iowa Code.

Attachment A

Attachment A - South Pointe Urban Revitalization Area Plan - Property Owners List						
Parcel Number	Owner & Tax Address	Land Valuation	Dwelling Valuation	Building Valuation	Total Valuation	Acreage
744411377007	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502 R A H Council Bluffs LLC	\$290,200.00	\$0	\$0	\$290,200.00	3.28
744411377004	c/o Matheson Tri Gas Inc. 155 Allen Road, Suite 302 Basking Ridge, NJ 07920 J A K K Investments LLC	\$263,000.00	\$0	\$489,200.00	\$752,200.00	2.63
744411379001	865 Bud Boulevard Fremont, NE 68025 ARC Fechia001 LLC	\$1,474,000.00	\$0	\$3,704,600.00	\$5,178,600.00	14.74
744414126003	c/o American Realty Capital 200 Dryden Road, Suite 1100 Dresher, PA 19025 ARC Fechia001 LLC	\$1,101,000.00	\$0	\$1,394,800.00	\$2,495,800.00	11.01
744414126002	38 Washington Square Newport, RI 02840 McAllen Properties Omaha	(address updated 10-25-18 from original plan draft)				
744414127003	18045 Bent Tree Ridge Council Bluffs, IA 51503 Glenn, Ross B-Patricia E	\$150,000.00	\$0	\$420,800.00	\$570,800.00	1.50
744414127004	4343 S 19th Street Council Bluffs, IA 51501 TEQ Properties, LLC	\$144,000.00	\$0	\$0.00	\$144,000.00	1.60
744414127005	c/o Greg Petersen 11664 Pierce Street Omaha, NE 68144	\$124,000.00	\$0	\$403,700.00	\$527,700.00	1.24
744414127006	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502	\$121,500.00	\$0	\$0	\$121,500.00	1.35
744414176001	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502	\$75,700.00	\$0	\$0	\$75,700.00	34.42
744414151002	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502	\$70,100.00	\$0	\$0	\$70,100.00	36.24
744414151001	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502	\$15,800.00	\$0	\$0	\$15,800.00	1.66
	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502	\$35,800.00	\$0	\$0	\$35,800.00	16.00
		\$4,988,100.00	\$0	\$9,318,500	\$14,306,600.00	136.90

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

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

Attachment B

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 950 S 10th St Ste 100 Omaha, NE 68108	\$4,545,400.00	\$0.00	\$0.00	\$4,545,400.00	50.56
744411301004	C F Realty Group LLC 6457 Frances St Ste 100 Omaha, NE 68106	\$4,600.00	\$0.00	\$0.00	\$4,600.00	3.53
744410400003	C F Realty Group LLC 6457 Frances St Ste 100 Omaha, NE 68106	\$22,200.00	\$0.00	\$0.00	\$22,200.00	19.94
744410400002	Krejci, Frank R Trust 1505 N 203rd St Elkhorn, NE 68022	\$22,400.00	\$0.00	\$0.00	\$22,400.00	20.00
744410400007	T D J Holdings LLC 2802 Twin City Dr 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

Attachment D - 2021 Amendment #2 to the South Pointe Urban Revitalization Area Plan

Added Property Owners List

Parcel Number	Owner & Tax Address	Land Valuation	Dwelling Valuation	Building Valuation	Total Valuation	Acreage
744415200007	Adkins, Robert D Jr 2919 55th Ave Council Bluffs, IA 51501	\$26,100.00	\$104,200.00	\$400.00	\$130,700.00	21.90
744415200008	Bussey, Walter D Jr-Cynthia S 15398 Nail Rd Council Bluffs, IA 51503	\$13,300.00	\$0.00	\$0.00	\$13,300.00	9.70
744415400002	Bussey, Walter D Jr-Cynthia S 15398 Nail Rd Council Bluffs, IA 51503	\$88,100.00	\$0.00	\$0.00	\$88,100.00	69.00
Previous 2021 Amended Area		\$10,131,500.00	\$0.00	\$9,560,200.00	\$19,691,700.00	266.02
Total with 2021 Amendment #2		\$10,259,000.00	\$104,200.00	\$9,560,600.00	\$19,923,800.00	366.62

Planning Commission Communication

Department: Community
Development

Case/Project No.: URV-21-009

CASE #URV-21-09

Council Action: 6/8/2021

Submitted by: Housing &
Economic Development

Description

Public hearing on the request of the City of Council Bluffs to create the River Road Urban Revitalization Area and adopt the required plan for an area legally described as Lot 1, River Road Subdivision, City of Council Bluffs, Pottawattamie County, Iowa. Location: Undeveloped land lying north of 2849 River Road.

Background/Discussion

See attachments

Recommendation

ATTACHMENTS:

Description

Type

Upload Date

Staff Report & Attachments

Other

6/2/2021

Planning Commission Communication

Department: Community Development CASE # URV-21-009 Applicant: Community Development Department	Resolution No. _____	Resolution of Intent: 5/24/2021 Planning Commission: 6/8/2021 Public Hearing & First Reading: 6/28/2021 Second Reading: 7/12/2021 Third Reading: Request to Waive
Subject/Title		
Request: Recommendation of approval of the River Road Urban Revitalization Plan		
Location		
Undeveloped land lying north of 2849 River Road.		
Background/Discussion		
<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>The Community Development Department wishes to create the Urban Revitalization Area consisting of one parcel with development potential. Staff has prepared an Urban Revitalization Plan in accordance with Section 404.2 of the Iowa Code and has scheduled the matter for City Council consideration. The River Road Urban Revitalization Area will consist of approximately 39.48 acres on undeveloped land lying north of 2849 River Road.</p> <p><u>Discussion</u></p> <p>A development proposal has been submitted to Community Development for the construction of a new manufacturing and distribution center to be built on property currently owned by the City of Council Bluffs located on River Road.</p> <p>On May 24, 2021, City Council approved a Resolution of Necessity, which initiated the process of creating the River Road Urban Revitalization Plan and set June 28, 2021 as the public hearing date. No notification was sent to the owners of properties that are within the urban revitalization area as the parcel is already owned by the City of Council Bluffs. Although Chapter 404 of the Iowa Code does not specifically require review by the City Planning Commission, staff believes that such review is appropriate.</p> <p>Concurrent with the adoption of an urban revitalization plan, an ordinance establishing the urban revitalization area can be considered. Upon adoption of the area, the City is permitted to grant tax abatement to qualified projects.</p> <p>Staff specifically asks that the Commission consider the following:</p>		

Planning Commission Communication

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

Recommendation

The Community Development Department recommends approval of the River Road Urban Revitalization Plan and Area.

Attachments

- A) Boundary Map
- B) Draft Plan

Prepared by: Tiffany Schmitt, Community Development Technician, Community Development Department

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

River Road Urban Revitalization Area - Boundary Map



River Road Urban Revitalization Plan



Prepared by

Community Development Department
City of Council Bluffs, Iowa

Adopted by

City Council on [REDACTED], 2021

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INTRODUCTION

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

The City of Council Bluffs wishes to utilize property tax abatement incentives under the Urban Revitalization act to facilitate the renovation or construction of new commercial structures resulting in additional employment in the community. The preparation and subsequent adoption of an Urban Revitalization Plan is required by the Iowa Code prior to the provision of property tax abatement.

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

1. An area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime and which is detrimental to the public health, safety or welfare.
2. An area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety or welfare in its present condition and use.
3. An area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use.
4. An area which is appropriate as an economic development area as defined in Section 403.17(10) of the Iowa Code which states “an area of a municipality designated by the local governing body as appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate income families, including single or multifamily housing.”

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

The City of Council Bluffs concluded that the River Road Urban Revitalization Area meets the criteria of element 4. Consequently, on May 24, 2021, the City Council adopted Resolution No. 21-150, which directed staff to prepare a plan for the proposed revitalization area. Illustration 1 is the City Council Resolution.

River Road Urban Revitalization Area
Illustration 1 – Resolution

RESOLUTION NO. 21-150

A RESOLUTION OF NECESSITY AND INTENT TO ESTABLISH THE RIVER ROAD URBAN REVITALIZATION AREA LEGALLY DESCRIBED AS LOT 1, RIVER ROAD SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

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

WHEREAS, a proposal has been submitted for the construction of a manufacturing and distribution center; and

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

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

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

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

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

BE IT FURTHER RESOLVED

That the City Council directs staff to prepare a final plan pursuant to Section 404.2 of the Iowa Code by no later than May 28, 2021.

BE IT FURTHER RESOLVED

That the City Council directs the City Clerk to set this matter for public hearing on June 28, 2021.

**ADOPTED
AND
APPROVED:**

May 24, 2021


Matthew J. Walsh Mayor

ATTEST:


Allison Head Acting City Clerk

LEGAL DESCRIPTION

The River Road Urban Revitalization Area is a tract of land consisting of parcel number 744404401001, legally described as:

Lot 1, River Road Subdivision, City of Council Bluffs, Pottawattamie County, Iowa

Illustration 2 shows the location and the boundary of the River Road Urban Revitalization Area, which consists of 39.48 acres.

River Road Urban Revitalization Area
Illustration 2 – Boundary



PROPERTY OWNERS AND ASSESSED VALUATIONS

The River Road Urban Revitalization Area will be comprised of 39.48 acres on one undeveloped parcel of land owned by the City of Council Bluffs. The total valuation (\$) for all land, dwellings, and buildings in this urban revitalization area are as follows:

Land Valuation: \$0

Dwelling Valuation: \$0

Building Valuation: \$0

Total Valuation: \$0

A listing of the parcels, ownership, land/dwelling/building valuation, and acreage information is outlined in Attachment A. Valuation was obtained from the records of the Pottawattamie County Assessor.

EXISTING ZONING AND PROPOSED LAND USE

The River Road Urban Revitalization Area is currently zoned I-2. 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 proposed principal uses of the River Road Urban Revitalization Area are manufacturing and distribution, which are permitted uses in an I-2/General Industrial District.

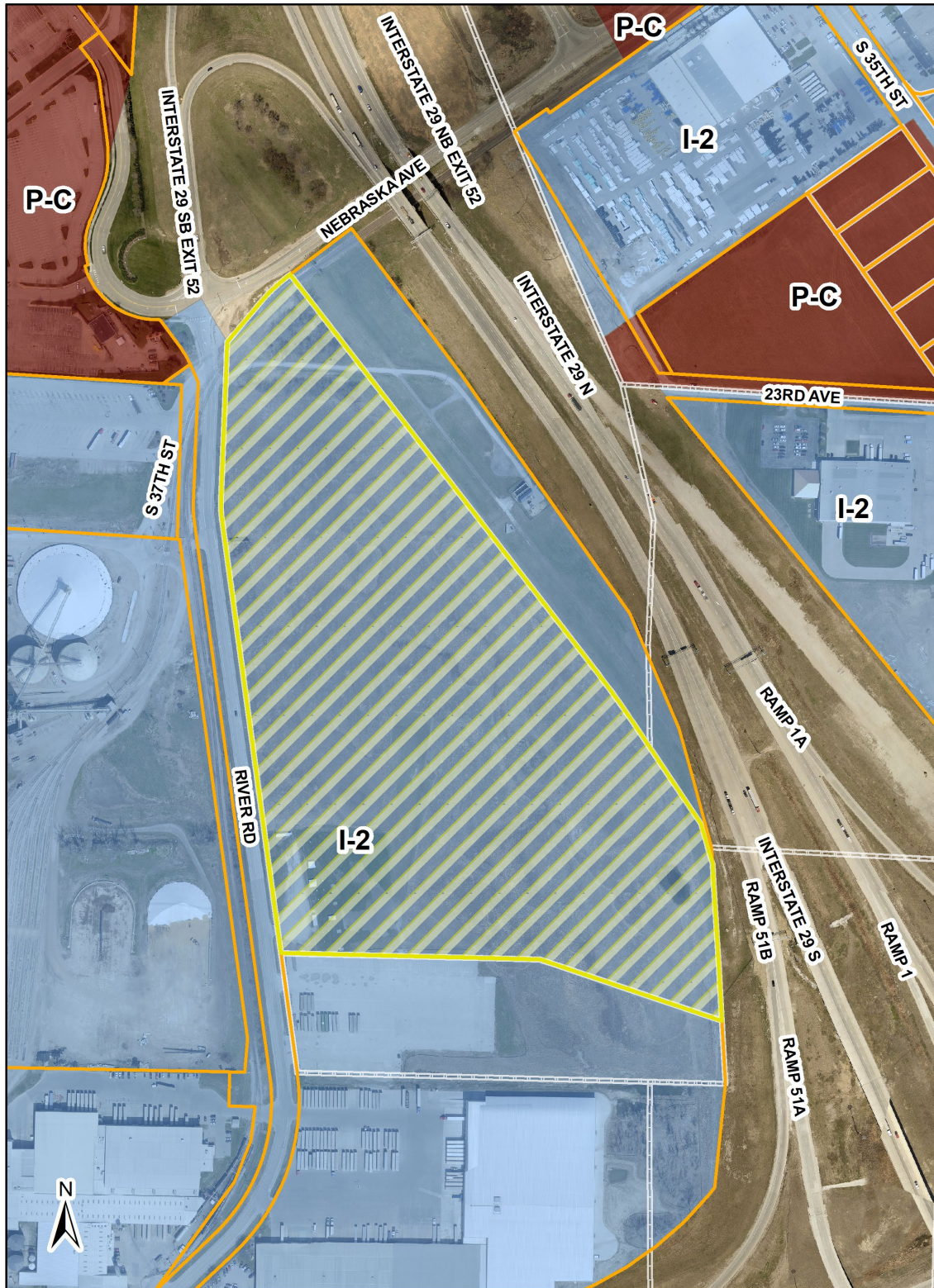
The River Road Urban Revitalization Area is located within a designated Recreational-Tourism Overlay (RO) (see Illustration 4). The Recreation-Tourism Overlay (RO) is intended to maintain and enhance the aesthetic quality of areas around the National Historic Trails Center and land-based and riverboat gaming facilities. This Overlay is intended to mitigate any negative impact associated with these facilities.

Surrounding properties to the northeast, east, south, and west are also zoned I-2. Properties northwest and northeast of the subject property are zoned P-C/Planned Commercial District. Illustration 3 depicts the existing on-site and surrounding zoning.

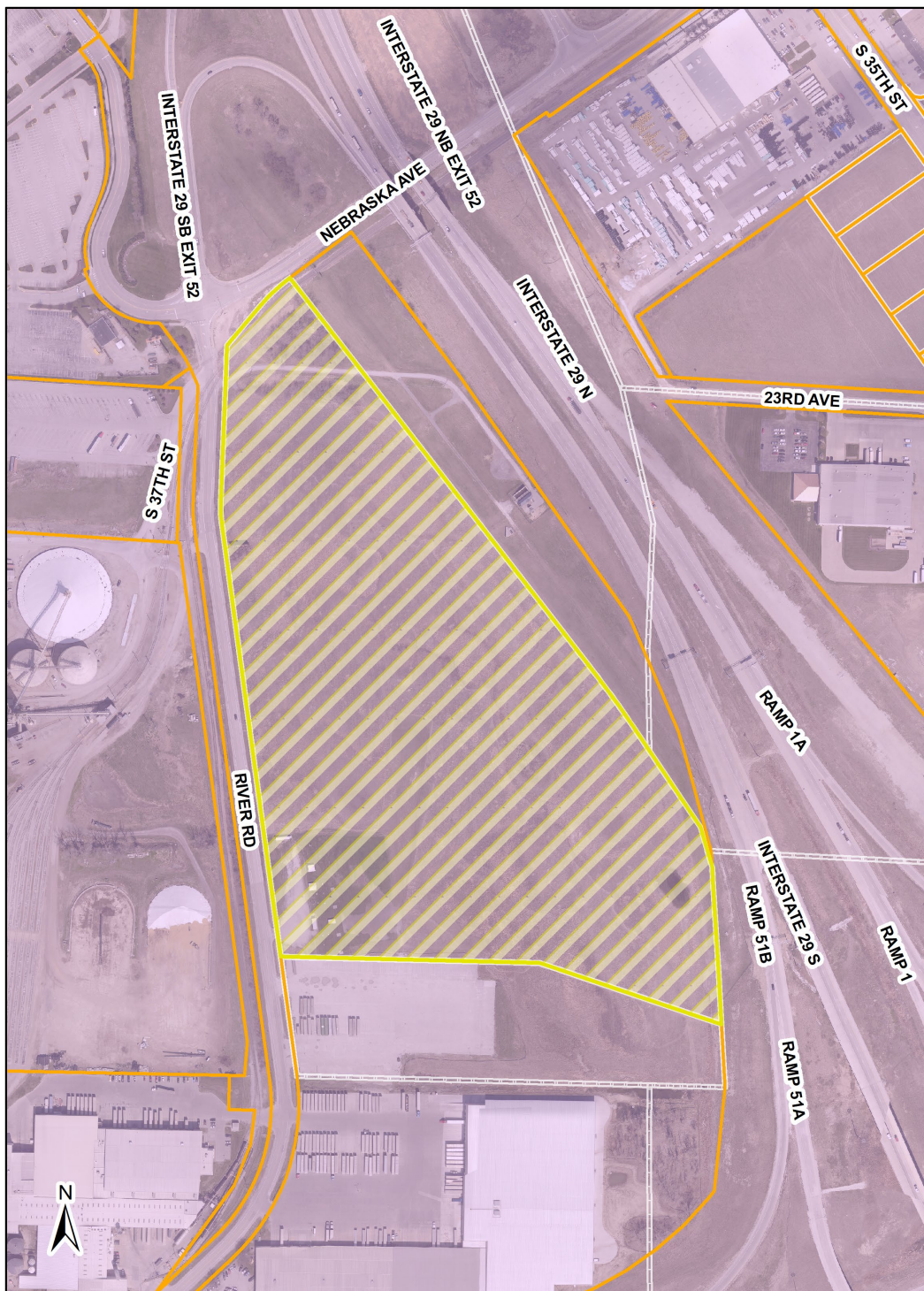
Interstate 29 borders the property to the north and west. Existing land uses in the general vicinity include: a hotel and gaming to the northwest; manufacturing to the northeast across I-29; distribution to the west across I-29; and warehousing and distribution to the south, southwest, and west.

The future land use plan of the Bluffs Tomorrow: 2030 Plan designates the parcel as "Light Industrial." According to the plan, light industrial development includes those areas used for industrial purposes that create minimal impacts on surrounding uses. Activities tend to occur inside structures, with outdoor areas limited to storage or distribution.

River Road Urban Revitalization Area
Illustration 3 – Zoning

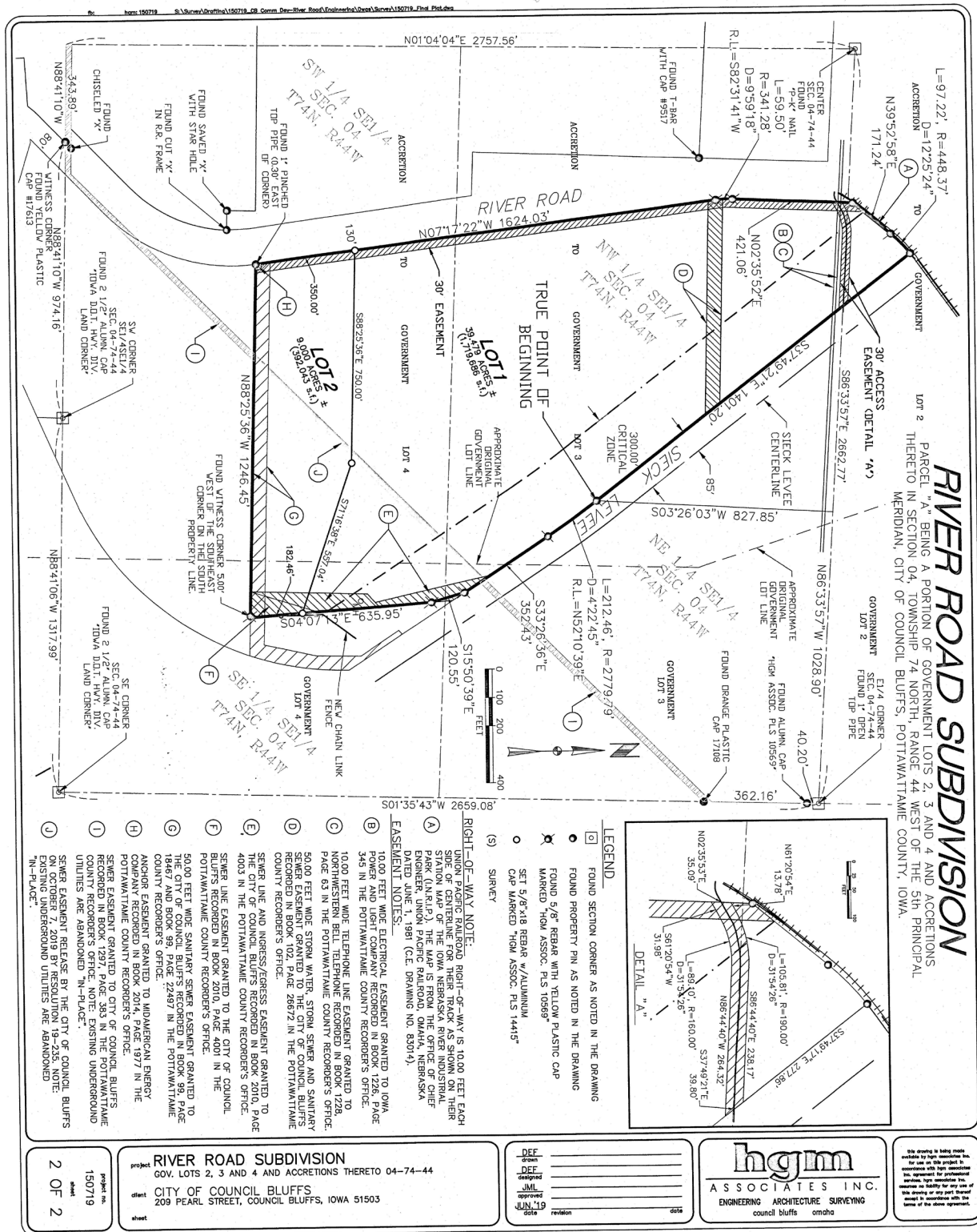


River Road Urban Revitalization Area
Illustration 4 – Recreation-Tourism Overlay



 **RO/Recreation-Tourism Overlay**

Illustration 5 – River Road Subdivision



PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES

The proposed River Road Urban Revitalization Area is currently served with all municipal services (sanitary sewer, water and storm sewer) and can be accessed by a dedicated roadway. Electricity and gas service are also available to the project. The project is located along River Road, which is adequate to handle the additional traffic generated by this proposed project.

RELOCATION PROVISIONS

The proposed River Road Urban Revitalization Area is a single, vacant parcel currently owned by the City of Council Bluffs. There are no tenants at the location; therefore, the City will not displace any residential or non-residential tenants as a result of proposed improvements in the urban revitalization area.

OTHER PUBLIC ASSISTANCE

The developer is requesting property tax exemption. The developer has not requested any additional public assistance.

APPLICABILITY AND TAX EXEMPTION SCHEDULE

1. Eligibility – The River Road 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, 2027 or amended by City Council.

3. Commercial and Industrial

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

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

-OR-

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

4. Improvements - Improvements shall include commercial and industrial rehabilitation and additions to existing structures as well as new construction on vacant land or on land with existing structures. In addition, all improvements must result in the following increases in value:

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

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

APPLICATION AND REVIEW PROCESS

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

1. The applicant requests a conference with the Community Development Department to discuss applicability of the request to established policy and review the application process.
2. The applicant completes the required forms and submits them along with all required data by February 1st to the Community Development Department. As part of the acceptance procedure, the Community Development Department shall review the submission for completeness. If there is a deficiency, the Department shall notify the applicant within seven (7) days.
3. The Department shall review the application according to the following criteria: 1) conformance with the Urban Revitalization Plan; 2) a finding that the site is within a designated area; 3) a finding that the work has been completed within the time required to qualify for abatement in the assessment year; 4) a finding that the application is consistent with Chapter 404 of the Iowa Code; and 5) a finding that the application is consistent with all applicable city codes and ordinances.

4. Upon review of the application, the Community Development Department will prepare a recommendation and schedule the proposal for City Council consideration.
5. By resolution, the City Council will accept the application and improvements as consistent with the intent of this plan and state law.
6. The City Council will then direct the Community Development Department to transmit a copy of the case file to the Assessor's Office by March 1st as required by Chapter 404 of the Iowa Code.

Planning Commission Communication

<p>CASE #SUB-18-005</p> <p>Applicant/Owner: 92 Investment LLC 22735 James Drive Council Bluffs, IA 51503</p> <p>Representative: John Jerkovich 535 West Broadway, Suite 100 Council Bluffs, IA 51503</p>		<p>Planning Commission: 6/08/2021</p>
Subject/Title		
<p>Request: Greenview Estates Preliminary Subdivision Plan - 2nd Extension of time</p>		
Background/Discussion		
<p>The Community Development Department has received a request from John Jerkovich, representing the owner 92 Investments, LLC, for a second extension to time relative to the preliminary plan approved for Greenview Estates Subdivision (see Attachments A & B). Section 14.11.060 (05) of the Municipal Code (Subdivision Ordinance) states:</p> <p><i>Within one year from the day the council approves a preliminary plan, the subdivider shall apply for final plat approval, or the first part thereof if phased. If the subdivision is phased, the subdivider shall apply for final plat approval of the second phase within two years, the third phase within three years, the fourth phase and the balance thereof within five years from the date the preliminary plan was approved by the city council. If the subdivider fails to apply for final plat approval within the appropriate time period, the preliminary plan, or remaining phase thereof, shall be void unless the subdivider requests an extension of time prior to the date originally required for submission of the final plat, or any part thereof if phased.</i></p> <p>The Council Bluffs City Council approved the Greenview Estates preliminary subdivision plan by Resolution No. 19-160 on June 24, 2019. The preliminary subdivision plan was initially set to expire on June 24, 2020 but was granted a one-year extension of time by the City Planning Commission until June 24, 2021. The applicant does not anticipate filing a final plat prior to said expiration date as the site is still being graded and infrastructure is not scheduled to be installed until November 2021 (see Attachment A). Section 14.11.060 (06) of the Municipal Code (Subdivision Ordinance) provides a mechanism for granting an extension of time as follows:</p> <p><i>The commission may grant one year extensions from the date required for submission of a final plat or any part thereof if phased. If a subdivider applies for an extension of time for submission of any part of a phased subdivision, which is subsequently granted by the commission, equal extensions are automatically granted for each of the remaining phases. If the commission refused to grant an extension of time, the developer shall apply for approval of the final plat, or the appropriate phase thereof, if phased, to the commission within the appropriate time originally required or sixty days from the day the extension is denied by the commission. In reviewing a request for extension of time, the commission shall consider whether the subdivision is in compliance with the subdivision ordinance, standards for public improvements, comprehensive plan, and all applicable ordinances and resolutions of the city of Council Bluffs."</i></p>		

Recommendation The Community Development Department recommends approval of a one year extension of time to file the final plat of Greenview Estates Subdivision, as approved by Resolution No. 18-160. The expiration date of the preliminary plan will be June 24, 2022.
Attachments Attachment A – Extension of time letter request from John Jerkovich dated 5/25/2021 Attachment B – Greenview Estates – Preliminary Subdivision Plan
Prepared by: Christopher N. Gibbons, AICP, Planning Manager

92 Investments, LLC

Michael Massman
John Jerkovich

535 West Broadway, Suite 100
Co. Bluffs, IA 51503

May 25, 2021

Christopher Gibbons
Planning Manager
Community Development Department
Co. Bluffs, IA

92 Investments, LLC, is asking for an additional one year extension for the Greenview Estate Subdivision. The timeline will be moving the additional dirt from the site by the first of November and starting the infrastructure at that time.

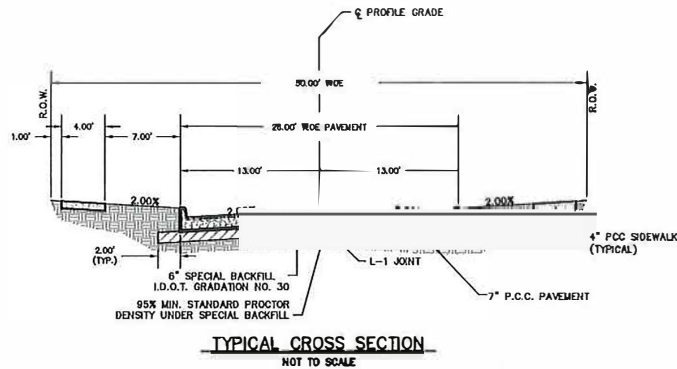
Our intent is to file the final plat in 2022.

Thanks for your consideration.



John H. Jerkovich
Heartland Properties

PRELIMINARY PLAN GREENVIEW ESTATES SUBDIVISION



VERTICAL CONTROL

NAVD '88

BENCH MARK OF ORIGIN: COS LEWIS, 1947

NAVD '88 ELEVATION = 970.20

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



VICINITY MAP - NO SCALE



LOCATION MAP
COUNCIL BLUFFS, IOWA
NO SCALE

▨ - INDICATES PROJECT LOCATION

CURRENT OWNER/DEVELOPER:

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

ENGINEER:

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

ZONING:

EXISTING ZONING OF
PROPOSED SUBDIVISION
IS R-3

EXISTING FLOOD PLAIN:

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

INDEX

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

STORM WATER DETENTION:

CONSTRUCTION OF NEW DETENTION IN
ACCORDANCE WITH SUDAS DESIGN STANDARDS.

BOUNDARY SURVEY:

BOUNDARY SURVEY WILL BE PROVIDED BY
HGM ASSOCIATES INC.

NOTES:

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

PROPOSED WATER: CITY WATER EXTENSION TO BE
DESIGNED BY CBWW

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

SURFACE RUNOFF: STORM SEWER TO PROPOSED
SUBDIVISION DETENTION.

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

SPECIFICATIONS

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

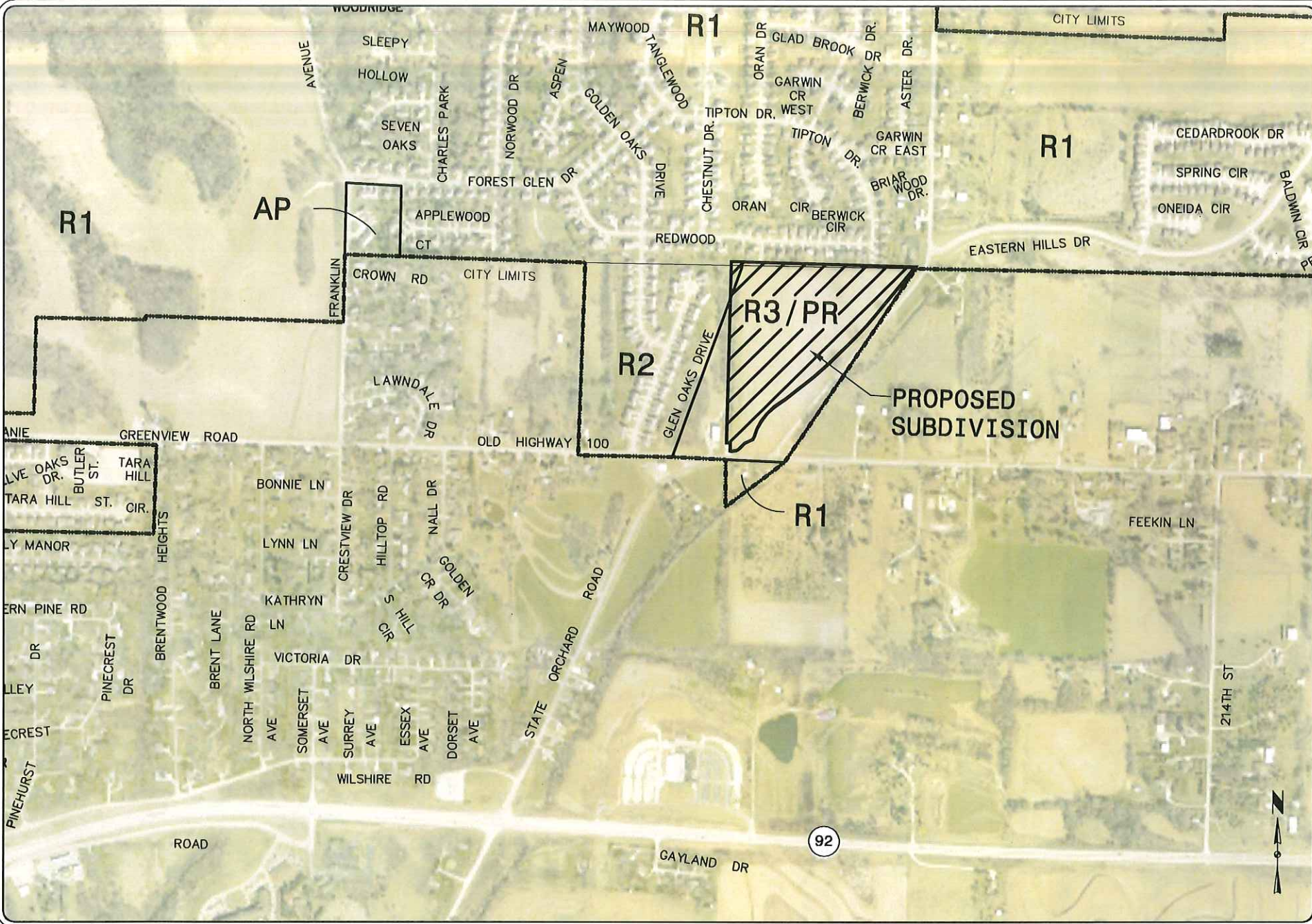
	I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.
	5/14/19 JOHN E. JORGENSEN
	My license renewal date is December 31, 2019
	Pages or sheets covered by this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

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

GREENVIEW ESTATES SUBDIVISION

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

PROJECT NO.
106119
SHEET
A01



Not to be used for any other purpose without the written consent of the engineer. This map is a reproduction of the original map and is not to be used for any other purpose without the written consent of the engineer.

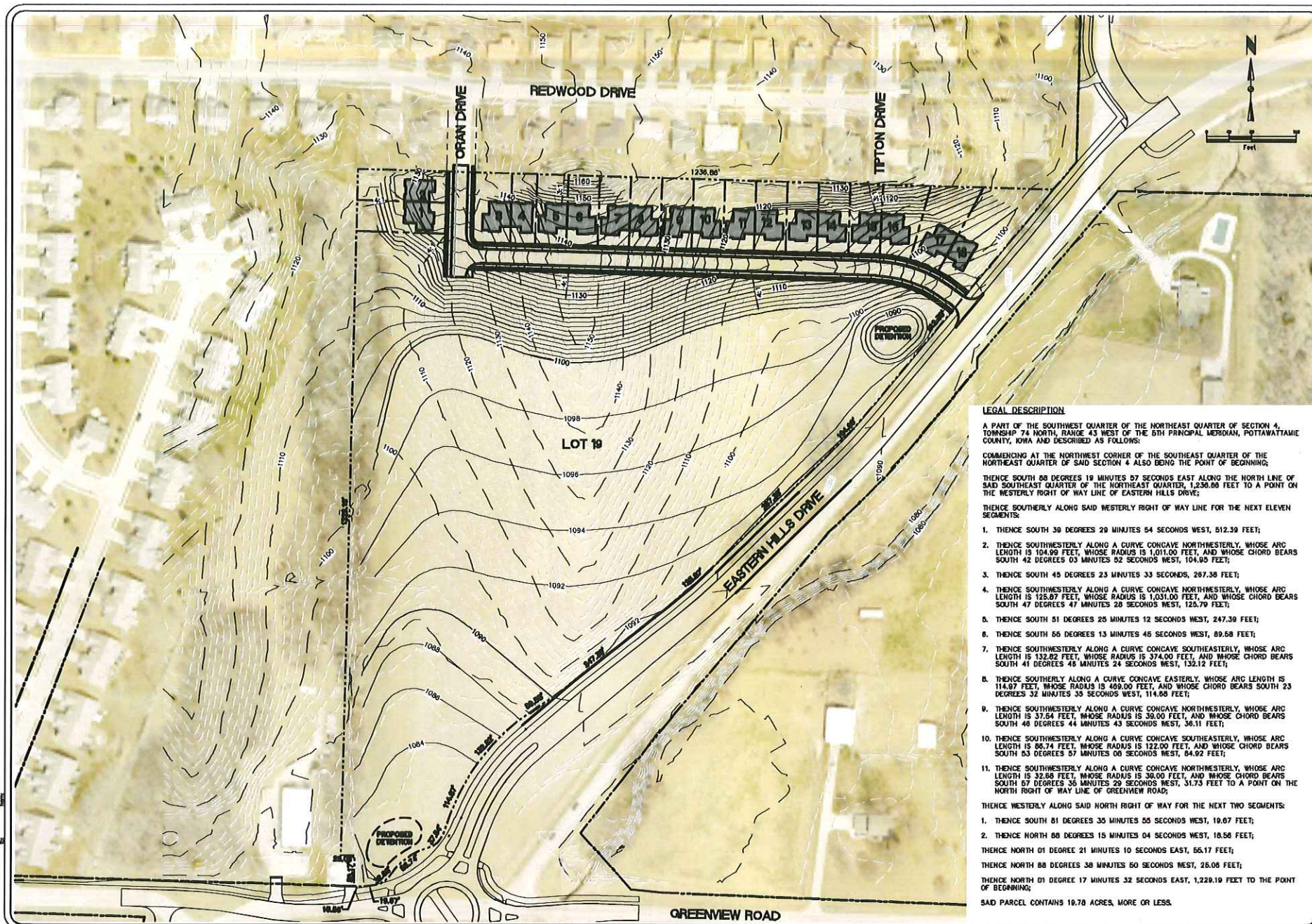
hgm
ASSOCIATES INC.
640 FIFTH AVENUE COUNCIL BLUFFS, IA
PHONE: 712-323-0030

DATE	DATE
DESIGNED	DESIGNED
CHECKED	CHECKED
APPROVED	APPROVED
DATE	DATE

GREENVIEW ESTATES SUBDIVISION

project: 92 INVESTMENTS LLC
sheet: P.O. BOX 583, AVOCA, IOWA 51521
sheet: **AREA MAP**

project no. 105119
sheet **A02**



LEGAL DESCRIPTION

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

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

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

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

1. THENCE SOUTH 39 DEGREES 29 MINUTES 54 SECONDS WEST, 512.39 FEET;
2. THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE NORTHWESTERLY, WHOSE ARC LENGTH IS 104.99 FEET, WHOSE RADIUS IS 1,011.00 FEET, AND WHOSE CHORD BEARS SOUTH 42 DEGREES 03 MINUTES 52 SECONDS WEST, 104.99 FEET;
3. THENCE SOUTH 45 DEGREES 23 MINUTES 33 SECONDS, 287.38 FEET;
4. THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE NORTHWESTERLY, WHOSE ARC LENGTH IS 125.67 FEET, WHOSE RADIUS IS 1,031.00 FEET, AND WHOSE CHORD BEARS SOUTH 47 DEGREES 47 MINUTES 28 SECONDS WEST, 120.79 FEET;
5. THENCE SOUTH 51 DEGREES 25 MINUTES 12 SECONDS WEST, 247.39 FEET;
6. THENCE SOUTH 56 DEGREES 13 MINUTES 46 SECONDS WEST, 89.58 FEET;
7. THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY, WHOSE ARC LENGTH IS 132.82 FEET, WHOSE RADIUS IS 374.00 FEET, AND WHOSE CHORD BEARS SOUTH 41 DEGREES 48 MINUTES 24 SECONDS WEST, 130.12 FEET;
8. THENCE SOUTHERLY ALONG A CURVE CONCAVE EASTERLY, WHOSE ARC LENGTH IS 114.67 FEET, WHOSE RADIUS IS 499.00 FEET, AND WHOSE CHORD BEARS SOUTH 23 DEGREES 32 MINUTES 35 SECONDS WEST, 114.66 FEET;
9. THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE NORTHWESTERLY, WHOSE ARC LENGTH IS 37.54 FEET, WHOSE RADIUS IS 39.00 FEET, AND WHOSE CHORD BEARS SOUTH 46 DEGREES 44 MINUTES 43 SECONDS WEST, 36.11 FEET;
10. THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY, WHOSE ARC LENGTH IS 86.74 FEET, WHOSE RADIUS IS 122.00 FEET, AND WHOSE CHORD BEARS SOUTH 63 DEGREES 57 MINUTES 00 SECONDS WEST, 84.92 FEET;
11. THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE NORTHWESTERLY, WHOSE ARC LENGTH IS 32.58 FEET, WHOSE RADIUS IS 38.00 FEET, AND WHOSE CHORD BEARS SOUTH 67 DEGREES 36 MINUTES 29 SECONDS WEST, 31.73 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF GREENVIEW ROAD;

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

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

SAID PARCEL CONTAINS 19.78 ACRES, MORE OR LESS.

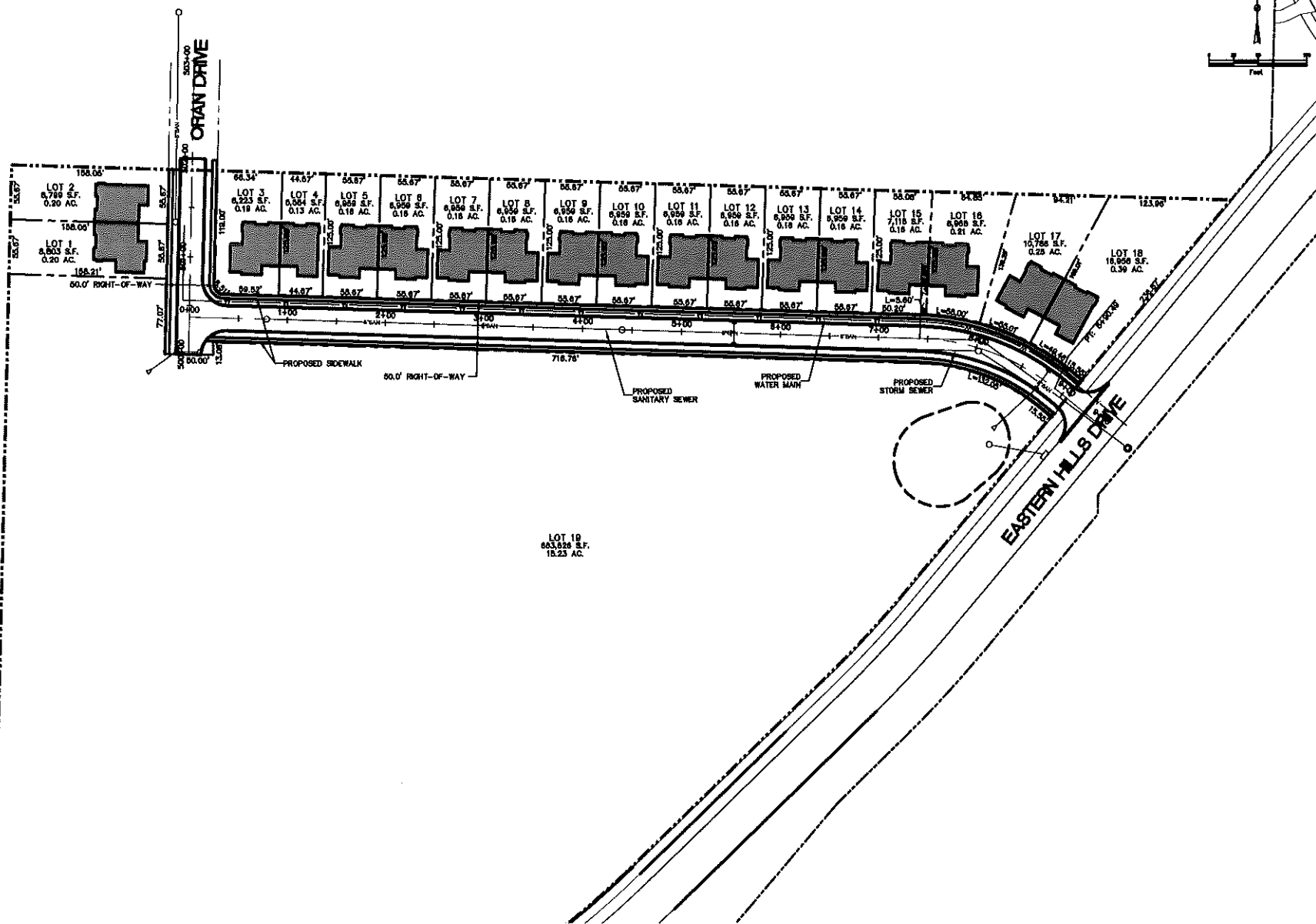
This drawing is being made for the purpose of showing the location of the proposed subdivision. It is not to be used for any other purpose without the written consent of the engineer.

hgm
ASSOCIATES INC.
ENGINEERING ARCHITECTURE SURVEYING
council bluffs iowa

DATE: _____
DRAWN BY: _____
CHECKED BY: _____
APPROVED BY: _____
DATE: _____

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

PROJECT NO.: 106119
SHEET: C.01



hgm ASSOCIATES INC.
ENGINEERING ARCHITECTURE SURVEYING
coral bluffs omaha

DATE	10/1/2011
BY	MLC
CHECKED	MLC
APPROVED	MLC
SCALE	AS SHOWN

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

PROJECT NO.: 108119
SHEET: C.02