



**AGENDA  
PLANNING COMMISSION  
COUNCIL BLUFFS PUBLIC LIBRARY,  
400 WILLOW AVENUE, COUNCIL BLUFFS, IA  
Tuesday, September 14, 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 #HP-21-010

Public hearing on the request of the Pottawattamie County Development Corporation d/b/a The 712 Initiative for local historic landmark designation of property legally described as Lot 'N' of Auditor's Subdivision of Block 6, Mynster's Addition and Block 2, Bayliss First Addition, commonly known as the Council Bluffs Telephone Exchange Building. Location: 12 Scott Street.

B. CASE #SAV-21-004

Public hearing on the request of Brian Heistand to vacate and dispose of a portion of Ridge Road right-of-way lying east of property legally described as Lot 14, Tower Ridge Estates, Phase II, City of Council Bluffs, Pottawattamie County, Iowa. Location: Immediately east of property addressed as 1128 Tower Ridge Drive.

C. CASES #ZC-21-010 & SAV-21-005

Combined public hearings on the request of Eyman Investments, LLC, represented by Max Kelch, to rezone 6.87 acres of land legally described as Parcel "21219" of the West 1/2 of the NE 1/4 and a portion of SE 1/4 NE 1/4, all in Section 15-74-44, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates, and Agricultural District to I-2/Industrial District; and to vacate the southerly portion of 45th Avenue right-of-way lying west of Gifford Road and south of Veterans Memorial Highway and being legally described as a portion of Parcels 21219 and 21220 of the SE 1/4 NE 1/4 and a portion of the

NE1/4 SE1/4, all in Section 15-74-44, City of Council Bluffs, Pottawattamie County, Iowa. Location: Lying west/southwest of property addressed as 4445 Gifford Road.

D. CASE #ZT-21-004

Public hearing on the request of the City of Council Bluffs to amend Section 15.19.020, P-I/Planned Industrial District – Principal Uses, of the Council Bluffs Municipal Code (Zoning Ordinance) to allow ‘school’ as a principal use in the P-I/Planned Industrial District.

E. CASES #SUB-21-011, #ZC-21-010, and #PI-21-001

Combined public hearings on the request of Nestory Park, represented by Robert DuVall of The Schemmer Associates, to rezone 63.1 acres of land (more/less) legally described as BEGINNING AT THE SW ¼ CORNER OF SAID SECTION 21. THENCE N1°44'24.97"E 908.80 FEET, THENCE S88°15'35.03"E 33.00 FEET. THENCE N8°18'14.97"E 104.12 FEET, THENCE N1°44'37.97"E 112.08 FEET. THENCE N17°11'38.97"E 83.30 FEET, THENCE N2°51'41.97"E 125.50 FEET. THENCE N43°00'25.97"E 142.03 FEET, THENCE S85°33'40.03"E 303.25 FEET, THENCE N88°22'31.97"E 201.15 FEET, THENCE S87°09'46.03"E 249.16 FEET, THENCE N81°48'54.97"E 252.04 FEET, THENCE S77°07'22.03"E 360.92 FEET, THENCE N71°27'57.97"E 368.96 FEET, THENCE N89°44'07.97"E 121.25 FEET, THENCE S49°57'05.03"E 124.55 FEET, THENCE S13°50'39.97"W 822.10 FEET, THENCE S20°26'38.97"W 553.16 FEET, THENCE S27°26'14.25"W 164.36 FEET, THENCE 87°39'03"W 1662.53 FEET TO THE POINT OF BEGINNING from P-C/Planned Commercial District to PI/Planned Industrial District; along with preliminary subdivision plan approval of a two-lot industrial subdivision to be known as Council Bluffs Industrial Park Subdivision on property legally described as part of the SE 1/4 of Section 21-75-43 and the NE 1/4 of Section 28-75-43, City of Council Bluffs, Pottawattamie County, Iowa, being a part of Auditors Subs NW SE Lot 5, NE SE Lot 4, SW SE Lots 1, 2 & 3, SE SE Lots 1 & 2 all in Section 21, Township 75 North, Range 43 West and Auditors Sub SW NE part of Lot 1 in Section 28, Township 75 North, Range 43 West and Part of the NE1/4 NE1/4 & NW1/4 NE1/4 all in Section 28, Township 75 North, Range 43 West, bounded northerly by U.S. Highway No. 6, easterly by Interstate Highway No. 80 and westerly by College Road; and to adopt a planned industrial development plan for Lot 1, Council Bluffs Industrial Park Subdivision, Council Bluffs, Pottawattamie County, Iowa. Location: Undeveloped land lying immediately north of property addressed as 2287 College Road.

F. CASES #SUB-21-010, #SAV-21-003, and #ZC-21-008

Combined public hearings on the request of Anderson Construction, represented by Mark Anderson, for: 1) final plat approval of a one-lot minor

industrial subdivision to be known as the Mark Anderson - Twin City Church Subdivision, legally described as being part of the NE1/4 NE1/4 of Section 15-74-44 and part of the NW1/4 NW1/4 of the Section 14-74-

44, City of Council Bluffs, Pottawattamie County, Iowa; 2) vacate and dispose of former Gifford Road right-of-way lying south of Veterans Memorial Highway (US Highway 275) and west of relocated Gifford Road and 3) to rezone 7.37 acres of land (more/less) legally described as being part of the NE1/4 NE1/4 of Section 15-74-44 and part of the NW1/4 NW1/4 of the Section 14-74-44, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agriculture District to I-2/General Industrial District. Location: 4220 Gifford Road and undeveloped land lying immediately east.

## **8. OTHER BUSINESS**

## **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.: HP-21-010

CASE #HP-21-010

Council Action: 9/14/2021

Submitted by: Christopher N.

Gibbons, AICP, Planning Manager

### Description

Public hearing on the request of the Pottawattamie County Development Corporation d/b/a The 712 Initiative for local historic landmark designation of property legally described as Lot 'N' of Auditor's Subdivision of Block 6, Mynster's Addition and Block 2, Bayliss First Addition, commonly known as the Council Bluffs Telephone Exchange Building. Location: 12 Scott Street.

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

Description

Type

Upload Date

Staff Report & Attachments

Other

9/9/2021



### Planning Commission Communication

<u>Department:</u> Community Development  CASE #HP-21-010  <u>Owner/Applicant:</u> Pottawattamie County Development Corp d/b/a The 712 Initiative c/o Sheryl Garst 1228 S. Main Street Council Bluffs, IA 51503	Ordinance No. _____	Historic Preservation Meeting: 9/1/2021  Planning Commission Meeting: 9/14/2021  City Council, First Reading: 9/27/2021  City Council, Second Reading: 10/11/2021  City Council, Third Reading: 10/25/2021
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#### Subject/Title

Request: Public hearing on the request of the Pottawattamie County Development Corporation d/b/a The 712 Initiative for local historic landmark designation of property legally described as Lot 'N' of Auditor's Subdivision of Block 6, Mynster's Addition and Block 2, Bayliss First Addition, commonly known as the Council Bluffs Telephone Exchange Building.

Location: 12 Scott Street, Council Bluffs, Iowa

#### Background/General Information

The applicant, Pottawattamie County Development Corporation d/b/a The 712 Initiative, is in the process of revitalizing the 500 Block of West Broadway into a vibrant mixed-use area that will provide new opportunities for commercial and residential uses within downtown Council Bluffs. Their revitalization efforts include: repurposing 530 West Broadway into a mixed commercial/residential structure and 12 Scott Street into a multi-family apartment building; redesigning/reconstructing the City's parking lot north of 12 Scott Street; and redeveloping the City's parking lot at the corner of West Broadway and Scott Street with a new multi-family or mixed commercial/residential structure. Additionally, the applicant is committed to preserving the historic architecture of properties they own at 530 West Broadway and 12 Scott Street as part of their revitalization strategy.

In December 2020, the applicant received City Council approval to designate property at 530 West Broadway as a historic local landmark (see Case #HP-20-005, Ordinance No. 6433). They are now seeking approval from the City to designate 12 Scott Street as a historic local landmark, and to support their nomination to list said property on the National Register of Historic Places (NRHP) (see Attachment A). Their request to list 12 Scott Street on the National Register of Historic Places was reviewed and recommended for approval by the Mayor's Office and the City's Historic Preservation Commission (HPC) on September 1, 2021. Both recommendations were forwarded to the State Nominations Review Committee (SNRC), who are scheduled to review the NRHP nomination at their October 8, 2021 meeting.

The subject property was originally constructed in 1904 and served as the headquarters of the Council Bluffs Telephone Exchange for nearly 70 years. In general, the building's exterior facades and interior configurations have retained their original architectural integrity. A complete written description of the subject property's architectural design and history is detailed within the nomination paperwork (see Attachment B). An overview of the process for designating the subject property as a historic local landmark is described below:

### **Local Landmark Designation Procedure**

The Historic Preservation Commission shall follow the procedures stated in Section 16.07.020 of the Municipal Code when designating a landmark, landmark site, or historic district. The Historic Preservation Commission's recommendation will then be forwarded to the City Planning Commission who will consider the request in the same manner as a rezoning. The Planning Commission shall forward their recommendation to the City Council. The City Council will consider the recommendation of both City Commissions and make a decision. The designation will become effective at the time of determination.

The tentative review schedule is as follows:

- City Historic Preservation Commission: 9/1/2021
- City Planning Commission: 9/14/2021
- City Council first consideration: 9/27/2021
- City Council second consideration: 10/11/2021
- City Council third consideration: 10/25/2021

### **Role of the Historic Preservation Commission**

When considering a local landmark site designation, the Commission must use the following criteria as listed in Section 16.07.005 of the Municipal Code to evaluate the request.

1. If it has historical or cultural importance, having significant character, interest or value, as part of a development, history or cultural characteristics of the city, state, or nation;
2. If it is associated with the life of a person significant in the past;
3. If it is the site of a significant historical event;
4. If it exemplifies or reflects a cultural, political, economic, social or historic heritage of the city, state, or nation;
5. If it has potential for yielding information or archeological significance;
6. If it embodies distinctive elements of an architectural or an engineering type, style, materials or method of construction;
7. If it is representative of the notable work of a master builder, designer or architect whose individual genius influenced the city, state or nation;
8. If it represents an established or familiar visual feature of the neighborhood, community or city due to its unique location or singular physical characteristics;
9. If it has geographical importance by being part of or related to a square, park or other distinctive area and should be developed or reserved according to a plan based on an historic, cultural or an architectural motif;
10. If it has a relationship to a landmark, landmark site or historical district;
11. If it has integrity as a natural environment that significantly contributes to the quality of life in the City.

Based on the information stated in the submitted nomination forms the Community Development Department is of the opinion that the subject property demonstrates the following local designation distinctions as listed above: #1, #4, #6 and #8.

The consultant that prepared the National Register of Historic Places Registration Form found that Criteria 'A' applied to the property. The consultant provided the following statement of significance:

*As the headquarters of Council Bluffs telephone exchange for almost seventy years, the building at 12 Scott Street is locally significant under Criterion A as representative of Council Bluffs telephone communication history. The building's period of significance begins in 1904, the year of construction. To meet the growing demand for telephone service in Council Bluffs and the surrounding area, several additions were constructed starting in 1912, again in 1940, 1947, and*

*1956. The building's period of significance ends in 1971 when the exchange equipment within its walls was phased out and a new company headquarters equipped with modern exchange equipment was constructed elsewhere in the city. Thereafter the building ceased serving as the telecommunication hub for Council Bluffs and the surrounding community.*

**Criteria A:** Property is associated with events that have made a significant contribution to the broad patterns of our history.

### **Planning and Zoning Review**

The subject property is zoned C-4/Downtown Business District and is surrounded by like zoning to the north, south, east, and west (see Attachment C). Existing land uses in the general vicinity of the request include a mixture of professional offices, financial institutions, a restaurant, and City-owned parking lots/open space. The future land use plan of the Bluffs Tomorrow: 2030 Comprehensive Plan designates the subject property as Downtown/Mixed-use. Furthermore, the following vision, goals, and objectives from the Bluffs Tomorrow: 2030 Comprehensive Plan apply to the applicant's proposed multi-family project and local historic designation request:

#### **Neighborhood & Housing**

Goal – Enhance and maintain the City's neighborhoods to provide the housing, character, and supporting amenities to retain and attract residents to Council Bluffs

Objective #7: Encourage new housing in Downtown through the rehabilitation of historic buildings.

#### **Commercial Areas**

Goal – Strengthen the City's commercial areas to better meet the daily needs of Council Bluffs residents, attract patrons from beyond Council Bluffs, and create a positive image.

Objective #4: Continue the revitalization of downtown as guided by the 2003 Downtown Plan and the recommendations of the Comprehensive Plan.

#### **History & Identity**

Goal – Recognize, preserve and build upon Council Bluffs' unique history and character by instilling local community pride and defining the way the community is perceived throughout the region, state and country.

Objective #1: Encourage participation in Council Bluffs local landmark designation program.

In general, the applicant's request to designate the subject property as a Local Historic Landmark is consistent with Bluffs Tomorrow: 2030 Comprehensive Plan.

### **Comments**

**City Departments and Local Utility Providers Comments:** All City Departments and local utility providers were notified of the proposed National Register of Historic Places nomination and the local historic landmark designation requests. No comments in opposition were submitted to the Community Development Department for these requests.

**Neighborhood Response:** All property owners located within 200 feet of the subject property were notified of the proposed National Register of Historic Places nomination and the local historic landmark designation requests along with the place/date/time of the Historic Preservation Commission's public hearing on the matter. Copies of the complete nomination were made available for public review in the Council Bluffs Community Development Department. No public comments or inquiries were received for the request. Two letters were returned as undeliverable to the Community Development Department.

At the September 1, 2021 Historic Preservation Commission meeting, the applicant provided the City with a copy of the responses they received from an online social media petition in support of the proposed National Register of Historic Places nomination and local historic designation requests. A copy of this online social media petition is included with this report as Attachment 'D'.

### **Public Hearing – Historic Preservation Commission Meeting – September 1, 2021**

The following individuals spoke in favor of the request:

1. Sheryl Garst, CEO, The 712 Initiative, 1228 S. Main Street, Council Bluffs, Iowa
2. Christina Jansen, Alley Poyner Macchietto Architecture, 1516 Cuming Street, Omaha, NE 68102
3. Christopher Gibbons, Planning Manager, City of Council Bluffs.

No one appeared in opposition.

### **Historic Preservation Commission Recommendation**

The Historic Preservation Commission:

1. Concurs with the Community Development Department that 12 Scott Street (a.k.a. Council Bluffs Telephone Exchange Building) is historically significant based on Criteria 'A' of the National Register of Historic Places and criteria #1, #4, #6, and #8 of Section 16.07.005, *Procedure* of the Municipal Code (Historic Preservation) and is eligible for designation as a local historic landmark; and
2. Transmits that determination to the City Planning Commission for review and forward to the Mayor and City Council for approval.

VOTE: AYE – Petersen, Johnson, Dowell, Wilson, and Porter NAY – None. ABSTAIN - None  
ABSENT – Cain and Madsen. VACANT – None. Motion carried.

### **Recommendation**

The Community Development Department recommends the City Planning Commission find the property located at 12 Scott Street West Broadway, commonly referred to as the Council Bluffs Telephone Exchange building, and being legally described Lot 'N' of Auditor's Subdivision of Block 6, Mynster's Addition and Block 2, Bayliss First Addition, as historically significant based on the local designation criteria #1, #4, #6, and #8 as per Section 16.07.005, *Procedure* of the Municipal Code (Historic Preservation), and also find the property historically significant based on Criteria 'A' of the National Register of Historic Places, and recommends designation as a historic local landmark to the City Council.

### **Attachments**

Attachment A: Letter of intent National Register of Historic Places nomination  
Attachment B: National Register of Historic Places nomination  
Attachment C: Location/zoning map  
Attachment D: Online social media petition in support of the proposed local historic designation request

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

August 12, 2021

Historic Preservation Commission  
c/o Community Development Department  
City of Council Bluffs  
209 Pearl Street  
Council Bluffs, IA 51503

RE: 12 Scott Street Historic Nomination

Dear Historic Preservation Commissioners:

As the owner of 12 Scott Street, Pottawattamie County Development Corporation (DBA The 712 Initiative), humbly requests the consideration of 12 Scott St., former Council Bluffs Telephone Exchange, to be dually designated as a Council Bluffs historic landmark and be placed on the National Register of Historic Places. As noted in our application, we believe the building has significant historical character with its Classical Revival style and was associated with a use that has made a significant contribution to the broad patterns of our local and national history. Communication has so vastly changed even in the past decade. We want to preserve the communication era in which this building serviced.

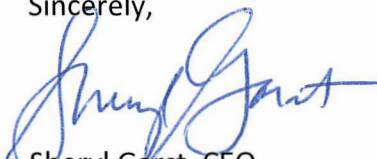
The organization intends to renovate the property adhering to the Secretary of Interior standards and convert it to 23 apartment units. It is expected to be a \$7.4 million project with multiple benefits. It contributes to the housing demand, local economy, energy of downtown and preserving the historic fabric near a large 1960s urban renewal area.

Located at the west entrance of downtown, and Phase II of our previous 500 Block development, it has been and remains an important part of the development and fabric of the city. We believe that saving the character and history of our community great benefits public welfare.

If you have any questions, please contact me at 712-396-2464 or at [sgarst@the712initiative.org](mailto:sgarst@the712initiative.org).

Thank you for the consideration.

Sincerely,



Sheryl Garst, CEO  
The 712 Initiative

United States Department of the Interior  
National Park Service

**ATTACHMENT B**

# National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in National Register Bulletin, *How to Complete the National Register of Historic Places Registration Form*. If any item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. **Place additional certification comments, entries, and narrative items on continuation sheets if needed (NPS Form 10-900a).**

**1. Name of Property**

historic name Council Bluffs Telephone Exchange

other names/site number \_\_\_\_\_

Name of Multiple Property Listing \_\_\_\_\_

(Enter "N/A" if property is not part of a multiple property listing)

**2. Location**

street & number 12 Scott Street

☐

not for publication

city or town Council Bluffs

☐

vicinity

state Iowa

county Pottawattamie

zip code 51503

**3. State/Federal Agency Certification**

As the designated authority under the National Historic Preservation Act, as amended,

I hereby certify that this X nomination    request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60.

In my opinion, the property X meets    does not meet the National Register Criteria. I recommend that this property be considered significant at the following level(s) of significance:    national    statewide X local

Applicable National Register Criteria: X A    B    C    D

Signature of certifying official/Title: Deputy State Historic Preservation Officer Date

State Historical Society of Iowa

State or Federal agency/bureau or Tribal Government

In my opinion, the property    meets    does not meet the National Register criteria.

Signature of commenting official

Date

Title

State or Federal agency/bureau or Tribal Government

**4. National Park Service Certification**

I hereby certify that this property is:

   entered in the National Register

   determined eligible for the National Register

   determined not eligible for the National Register

   removed from the National Register

   other (explain:)

\_\_\_\_\_

Signature of the Keeper

Date of Action

Council Bluffs Telephone Exchange

Pottawattamie County, Iowa

Name of Property

County and State

## 5. Classification

### Ownership of Property

(Check as many boxes as apply.)

<input type="checkbox"/>	private
<input checked="" type="checkbox"/>	public - Local
<input type="checkbox"/>	public - State
<input type="checkbox"/>	public - Federal

### Category of Property

(Check only **one** box.)

<input checked="" type="checkbox"/>	building(s)
<input type="checkbox"/>	district
<input type="checkbox"/>	site
<input type="checkbox"/>	structure
<input type="checkbox"/>	object

### Number of Resources within Property

(Do not include previously listed resources in the count.)

Contributing	Noncontributing	
1		buildings
		site
		structure
		object
1	0	<b>Total</b>

Number of contributing resources previously listed in the National Register: N/A

## 6. Function or Use

### Historic Functions

(Enter categories from instructions.)

COMMERCE/TRADE: Business

### Current Functions

(Enter categories from instructions.)

VACANT

## 7. Description

### Architectural Classification

(Enter categories from instructions.)

LATE 19TH AND 20<sup>TH</sup> CENTURY REVIVALS:

Classical Revival

### Materials

(Enter categories from instructions.)

foundation: CONCRETE

walls: BRICK, STONE

roof: BALLASTED, RUBBER

other: \_\_\_\_\_

Council Bluffs Telephone Exchange

Pottawattamie County, Iowa

Name of Property

County and State

**Narrative Description**

**Summary Paragraph** (Briefly describe the current, general characteristics of the property, such as its location, type, style, method of construction, setting, size, and significant features. Indicate whether the property has historic integrity.)

The Council Bluffs Telephone Exchange at 12 Scott Street, Council Bluffs, Iowa is comprised of the original two-story building, built in 1904, that fronts Scott Street and a series of two and three-story additions to the north and west, built in 1912, 1940, 1947 and 1956. Located in a commercial area one block north of what historically comprised the west side of the Council Bluffs central business district, the building is situated along Broadway and Main Streets. It is sited at the middle of a city block bound by West Kanesville Boulevard (U.S. Route 6) at the north, West Broadway Street at the south, South 6<sup>th</sup> Street at the west, and Scott Street at the east.

**Narrative Description** (Describe the historic and current physical appearance and condition of the property. Describe contributing and noncontributing resources if applicable.)

(**Iowa SHPO Additional Instructions:** After the main **Narrative Description**, discuss any physical alterations since the period of significance under the subheading **Alterations**, and the seven aspects of integrity as it applies to the resource in a **Statement of Integrity** with each aspect discussed in its own paragraph.)

Located in eastern Iowa, the Council Bluffs Telephone Exchange is situated in a commercial area of Council Bluffs, Pottawattamie County, Iowa. The area consists of a small number of early twentieth century buildings interspersed with modern commercial buildings and paved lots. The other buildings on the block include four attached three-story brick commercial bays directly south, facing Broadway Street, which are separated from this building by an alley; a modern one-story commercial building to the west, facing North 6<sup>th</sup> Street; and a two-story brick multi-family residence to the north, facing Scott Street, which is separated from this building by two parking lots. The remainder of the block contains paved parking lots and strips of grass along West Kanesville Boulevard and Broadway Street.

Historically the city block where the present building stands was much larger, stretching to Mynster Street on the north. This larger city block was bisected by a small tributary that flowed into the Missouri River. Named Indian Creek, the stream flowed from the northeast side of the city through the center of downtown then southwest into the Missouri River. Sanborn maps indicate that in the early 1900s, the south half of the block was lined with commercial buildings facing Broadway. On the north side of the block stood single and multi-family residences facing Mynster Street. The creek was prone to regular flooding and today a box culvert is located below ground adjacent to the north side of the Council Bluffs Telephone Exchange building. Around 1980, the northwest half of the block was also altered by the construction of the multi-lane West Kanesville Boulevard (U.S. Route 6).

The original telephone exchange building is a two-story vernacular Beaux Arts Revival two-part commercial block, completed in 1904. The first additions to the building were two-stories in height and constructed between 1911 and 1912: one addition to the north and one addition to the west. These additions gave the overall building an "L" shaped footprint. The east façade of the 1912 addition mimicked the existing Beaux Arts Revival detailing on the original 1904 building and employed simpler detailing as it moved to the west. The building was further expanded in 1939 with work completed in 1940. The 1940 addition constructed on north and west sides of the building filled the vacant corner of the "L" shape footprint created in 1912. The 1940 addition was also a two-story structure, whose height equaled the pre-existing building. This returned the entire building back to a two-story building with a normative rectangular footprint. Another addition was constructed in 1947. The 1947 addition removed portions of the 1912 addition at the south side, adding two stories between the remaining 1912 addition and the 1940 addition. In 1956 a third level was constructed over the two-story portions of the 1940 and 1947 additions. A rooftop penthouse was included to provide access to the entire building's rooftop mechanical equipment.



Council Bluffs Telephone Exchange

Pottawattamie County, Iowa

Name of Property

County and State

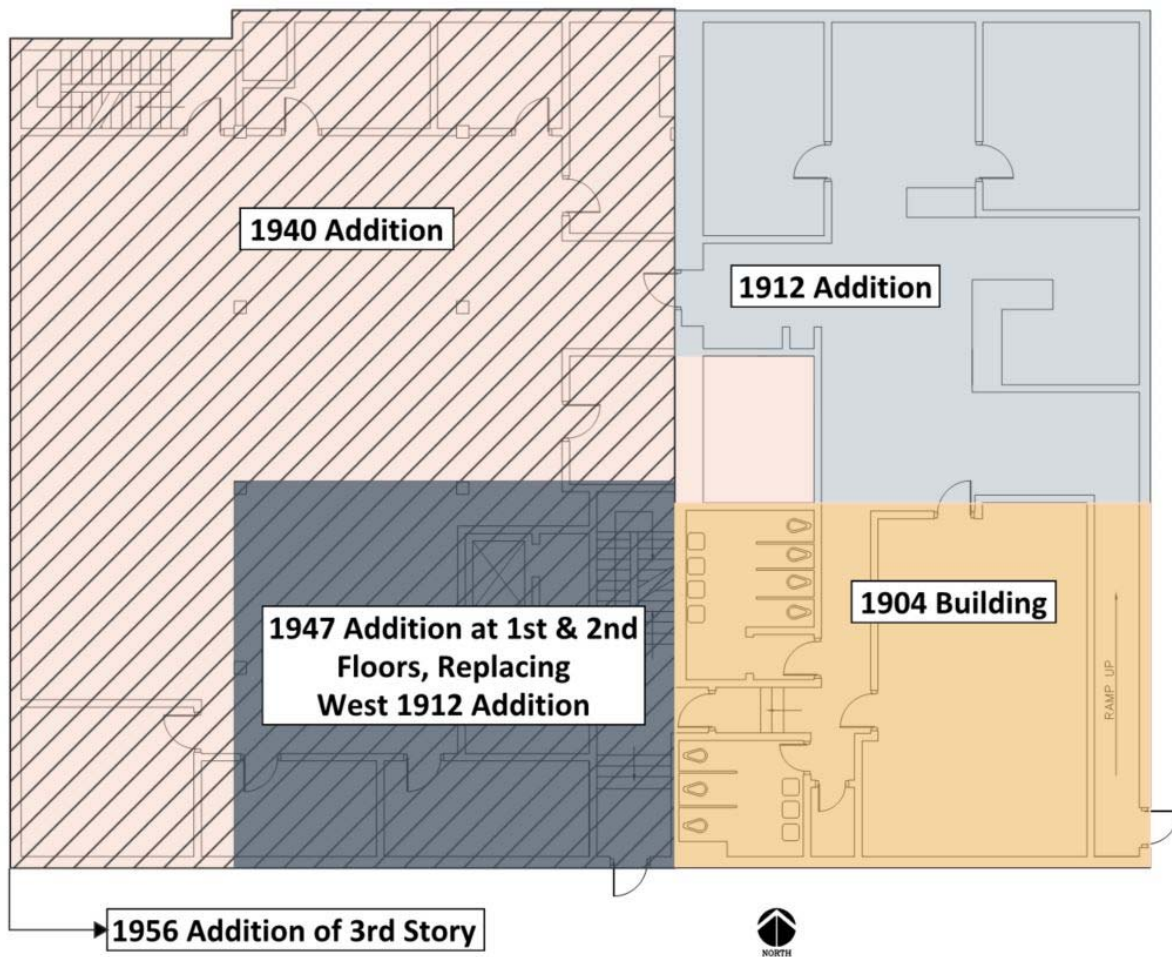


Figure 1: Diagram showing the evolution of the Council Bluffs Telephone Exchange

**EAST FAÇADE**

The east façade is a two-part commercial block with an adapted Beaux Arts Revival detailing. It is seven bays wide. Continuous across the bottom is a stone base. A stone water table crowns the base and serves as a sill for the windows directly above.

Above the base, the façade employs a two-story vertical bay pattern with every other bay expressing one of two material treatments. Four bays are red brick laid in a running bond with every fifth course recessed. The remaining three bays are recessed slightly and demarcated by a sandstone window surround, with narrow frames of red brick laid in a running bond at their sides and top. Centered at the top of the sandstone surround is an ornamental “S” shaped stone corbel. The brick bays have a single column of window openings. The stone and brick bays have paired window openings, with the two wider distal bays containing pairings of three windows and the narrower center bay containing pairings of two windows. Between the first and second level windows is a stone panel with minimal rectangular detailing. Above the second-floor windows, the façade is capped by four horizontal stone bands. The bands are vertically equidistant from one another, with roughly two feet of brick between each. The two upper bands of brick are a deeper burgundy shade than the rest of the brick used for this façade. The first stone band is a cornice with bed mold

Council Bluffs Telephone Exchange

Pottawattamie County, Iowa

Name of Property

County and State

detailing and the proceeding two bands are unembellished flat stone. The final piece is situated at the top of the wall surface and is a simple cornice like the one used first in the sequence.

The primary entrance is at the south end of the façade, within the southernmost bay. A thin sandstone band demarcates the entrance. The entrance is recessed approximately two feet inside the façade, with angled stone panels framing the entry. The entry contains a non-historic metal door and transom. The door has a large central lite. All windows at this façade are historic double hung, one-over-one wood windows.

**NORTH ELEVATION**

At the north elevation it is possible to delineate where additions and alterations have been made to the building. All portions are clad with brick, of differing shades, laid in a common bond. The original 1904 building is two stories tall and five bays wide. At the east side, the brick and stone detailing from the east façade wraps around to this elevation for approximately two feet. The remainder of the 1904 building's north elevation is more simply detailed than the east façade and utilizes bricks with a brownish hue. The coping along the top of the building appears to be stone. There are four single windows at the first floor and three at the second floor. Above the east column of windows, near the top of the elevation, there is a small opening with a stone sill that appears to be a drain. All window openings have a stone sill. The two columns of windows near the west extent of the original building have soldier brick lintels. The windows are the same as those on the east façade.

The 1940 addition is two stories tall and six bays wide. It is delineated from the 1904 building by a vertical expansion joint, differing brick hue, and the use of glass block windows. The wall surface of the addition recedes four feet on the west end, creating space for an exterior stair. The cast concrete stair is a single flight that provides access into the northwest stairwell at the first floor. This entry contains a non-historic metal door with a narrow lite along one side. At the interior, the door has a simple metal frame set into a concrete block wall, which is likely the historic condition. All window openings have masonry sills. They are arranged as a 4x2 grid on the primary face of the north wall. The furthest east first floor window opening has been altered with a small metal window and brick sill surrounded by brick infill. On the recessed west portion of this elevation the fenestration pattern is irregular and includes a door and smaller glass block window on the first floor and a singular glass block window above the exterior door.

The third floor 1956 addition follows the form of the 1940 addition below but utilizes a slightly lighter brick with a redder hue. The coping along the top of the building appears to be concrete at the east and metal at the west, where the wall surface recedes. The three glass block windows at this level match those on the 1940 addition in style and proportion. A chimney is positioned at the corner of the point where the wall surface recedes to the west.

**WEST ELEVATION**

The west elevation is largely uninterrupted brick laid in a common bond and capped with what appears to be metal coping. The upper portion of the concrete foundation wall is visible along the base of the west wall. The distinction between the two-story 1940 addition and the third floor added in 1956 is delineated through the differing brick hues associated with each renovation. At the north side, between the first and second levels, there is a single glass block window with a soldier bond brick lintel. Next to this is an exhaust vent with stone sill.

**SOUTH ELEVATION**

At the south elevation it is possible to delineate where additions and alterations have occurred. The 1912 portion is two stories tall and four bays wide. At the furthest east bay the brick and stone detailing from the east façade, including the stone cornice, wraps around to this side elevation. The remainder of the 1912 building's north elevation is more simply detailed and utilizes brick with a brownish hue. The top is capped by metal coping, which is partially missing. All

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window openings have stone sills. All windows, three at the first floor and four at the second, are steel with wire glass. Most are two-over-two, with the window at the second floor's furthest west bay being the exception with a three-over-three arrangement.

The 1947 addition makes up the four bays near the center on this elevation at the first and second stories. It is delineated from the other additions by vertical expansion joints and a differing light red brick hue. There is also a shift in vertical window alignment from the 1912 addition but that matches the window alignment from the 1940 addition. At the first floor of the furthest east bay within this addition, there is a recessed entrance with a small metal and wood awning. The entry contains a metal door with a light at its top half and a three lite metal transom above. All windows have masonry sills. The windows are four-over-four steel windows with wire glass.

The 1940 addition is two stories tall and comprises the furthest west two bays. It is delineated from the other additions on this elevation by a variation in brick color. The hue of the brick is browner and has a darker value. Protruding from the wall above the proximal second floor window is a steel I-beam. The window openings in this section maintain vertical alignment with the 1947 addition and are similar in proportion. All the window openings have a masonry sill. The windows are two-over-two steel with wire glass.

The third floor, as well as the elevator penthouse from the 1956 addition, follows the form of the 1940 and 1947 additions below but utilizes a slightly lighter brick with a redder hue. There are fewer window openings at this addition, but the four openings that exist align with those in the 1940 and 1947 additions vertically and are similar in proportion. All windows have masonry sills. The windows are steel with wire glass, but with a horizontal arrangement of two-over-two lites. Above the windows in the two easternmost bays is a metal vent.

### **INTERIOR**

At the interior, the building retains its overall historic configuration and some of its historic features which reflect its use as a telephone exchange. The building was originally constructed to accommodate a business office, telephone equipment, operator boards, along with workspace for the staff that maintained the equipment and the operators that answered and routed the phone calls. Starting in the late 1940s the business office was removed from the 12 Scott Street building in phases and relocated to leased office space elsewhere in the city. Between 1953 and 1971, the primary function of the building was to house telephone equipment and the staff that supported that equipment.

There is a basement and three floors above grade. Circulation between all four levels is provided by two stairwells, the south stair and the northwest stair. Both stairs connect the basement, first, second and third floors. The south stair is centered along the south exterior wall of the building, within the 1947/56 additions. The northwest stair is located at the northwest corner of the building, within the 1940/56 additions. The south stair also extends upwards to a rooftop penthouse, providing the only roof access point. An elevator added circa 1981 also serves all four levels and is located slightly northwest of the central stair. A change in floor level between the east and west sides of the building necessitates the presence of ramps or short flights of stairs at the basement, first, and second floors. Access into the building is provided at the first floor via the east exterior wall, the south exterior wall, and the north exterior wall. The east entry opens into an interior ramp that extends up to the first floor. The south side entry leads into the south stairwell, via a vestibule and short flight of steps. The north entry is accessed via a flight of exterior steps and leads into the northwest stairwell. A third stair at the northeast corner of the building between the basement, exterior grade and first floor has been abandoned. The stair opening has been infilled at the first floor.

By 1953, the east half of the building accommodated most staff, including switchboard operators, repairmen and engineers. Space on the east side of the building at first floor was primarily used for open work areas where engineers

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and other repair staff would test the exchange system. There was a manager's office along the south exterior wall, restrooms, and janitorial space at the southwest corner, two vaults along the west wall towards the north and a kitchen/lounge area for staff along the north wall. A hallway adjacent to the restrooms was oriented north/south. Only the restrooms and janitorial space remain today. Terrazzo flooring is visible in the janitorial closet and men's restroom. The door frames at the janitorial closet and men's restroom appear historic in material and casing profiles. Some wall partitions at the women's restroom appear to be plaster with some extant painted wood floor base, although new fixtures and other modern finishes have been installed. Flooring at the first floor adjacent to the southeast door appears to be terrazzo although the extent and condition is unclear since it is currently covered with modern carpet. Above the modern suspended ceiling is a 9x9 perforated acoustic panel ceiling with fiberboard backing and a wood furring strip system which has been attached directly to the original flat plaster. Multiple penetrations due to the installation of different ceiling finishes have damaged the plaster. At the historic vault areas, the ceilings appear to be concrete. The columns are wrapped with modern drywall from finished floor to the ceiling. On second floor, space was primarily open with banks of operators' boards at the east side of the room. In the northeast corner of the large room, operators worked on tables to calculate the rate and possible routes for customers placing long-distance telephone calls. Along the west wall was a women's restroom and desks for the chief operator and clerical staff who assisted the operators. The women's restroom remains in its historic location, although new fixtures and finishes have been installed. The five-panel wood door and profiled door casing at the women's restroom appear historic. There were also two other rooms along this wall, one in the northwest corner and one in the southwest corner which are still extant. The flooring is currently carpet adhered to the floor with a thick layer of adhesive making it difficult to determine the historic material and its condition. Above the modern suspended ceiling in the southernmost structural bay, the ceiling is flat painted plaster in varying degrees of repair. A wood beam oriented in the east/west direction has painted wood trim in varying degrees of repair. North of that beam, the plaster ceiling is covered with the same 9x9 perforated acoustic panels, fiberboard backing, and wood furring strip system found on first floor. This plaster has also been damaged due to the installation of different ceiling finishes. Beams are not visible throughout the rest of the second-floor area. It appears that the original ceiling was flat painted plaster. The columns on this floor are wrapped with modern drywall from the finished floor to a foot or so below the perforated acoustic panel ceiling. At that point, the structural wood columns are unpainted and exposed. Today, the first and second floors have been subdivided into individual offices or conference space with modern partitions, new carpet, and acoustic tile ceilings. Most windows on the east and north exterior walls retain historic painted wood trim and some remnants of painted wood baseboard as mentioned. Plaster walls and ceilings remain in varying degrees of repair. Terrazzo floors are visible at a first-floor restroom and a second-floor flight of stairs leading to the south stair.

The west side of the building was used to house the bulk of the telecommunication equipment. This equipment was extremely heavy and required a robust structural system. Therefore, large steel columns encased in concrete and a concrete structural floor system were erected. That system was historically exposed and remains in place. Today, where steel columns encased in concrete are exposed, decorative chamfered corners at each column remain visible. Floors were typically concrete, or composition tile and ceilings were exposed concrete. When the building was most recently occupied by the telephone company, the Toll department was located on the first floor and the Central department was located on the second and third floors. Toll equipment was used to switch calls to other exchanges (i.e., long distance telephone calls) and Central equipment was used to switch calls within the exchange (i.e., local telephone calls). Today there are small offices built of modern partition walls along the north, south and east sides of the first floor, with the larger part of the footprint having an open layout. On the second floor more modern partition walls define rooms of varying sizes arranged off a t-shaped corridor. The third floor only occupies the west side of the building. Modern partitions define rooms of varying sizes arranged off an irregularly shaped corridor. Windows have masonry block wall returns at the interior although modern wood window stools have been added in some locations.

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Historic bathrooms remain in the southeast corner of the second and third floors. Fixtures and finishes have been replaced, but the original masonry walls remain as well as the glazed block masonry at the bottom half of the wall on the third floor.

Both stair towers have painted masonry walls that reflect the masonry unit size & dimension of the era in which they were constructed, concrete ceilings, and stair treads and landings that are terrazzo between the basement and second floors and linoleum tile between the second and third floors and the south stair rooftop penthouse. Within these original openings the doors are non-historic. All doors retain their historic trim work at the interior and the appearance of the trim is also reflective of the era in which that entry was constructed, with the oldest trim being the most detailed and the newest trim being the most simplified.

The heating/cooling/ventilating equipment that served the building along with space for storage and building maintenance was in the basement. Today the basement remains utilitarian with a series of rooms that generally have masonry walls, concrete floors, and concrete ceilings. A large open area at the west side of the building has been finished, with dropped ceilings and modern drywall partitions. Most windows have masonry block wall returns at the interior.

#### **ALTERATIONS**

The most notable alterations to the building are the additions made between 1911 and 1956 as discussed above. At the exterior, the building appears mostly unchanged since its 1956 addition, with historic features, including some windows, intact. At the interior, the building has been renovated to accommodate new uses after the departure of the telephone exchange in the 1970s. Most of those renovations include new mechanical and electrical equipment to serve the building, new partitions to subdivide the space, suspended acoustical ceilings and the insertion of an elevator and its associated shaft circa 1981. However, many historic features remain visible at the interior. The exposed masonry walls, stair structure, terrazzo floors, linoleum tile and door trim at the north and south stairs remain intact. In the east half of the building wood window trim, door trim and terrazzo floors also remain. At the west half of the building, exposed masonry walls, concrete encased steel columns with chamfered corners, exposed concrete or painted plaster ceilings and terrazzo floors are clearly visible.

#### **INTEGRITY**

The Council Bluffs Telephone Exchange retains sufficient integrity to illustrate its use as a telephone exchange between 1904 and 1971. Photographs of other similar telephone exchanges have been included in this document to illustrate the telephone company's typical use of space in facilities akin to the Council Bluffs location.

The building has not been moved and thus retains excellent integrity in terms of its *location*.

In terms of *design*, the building has good integrity at the exterior and fair integrity at the interior. At the exterior, the overall massing and detailing remains intact including decorative stone elements and brickwork. At the interior, the original configuration remains intact. This includes the stairways and the north and south side entry vestibules, all of which maintain their historic finishes. This also includes the open nature of the space and substantial building structure required to accommodate large telecommunications equipment, workspace to maintain and test the equipment and space for large operator boards and telephone operators. Both aspects reflect the building's historic use as a facility built to house the telecommunications equipment that connected a city.

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The building retains fair integrity in terms of its *setting*. Portions of the commercial district that once thrived to its south and east have been demolished since the 1970s. However, four commercial bays dating from the turn of the twentieth century remain standing directly to the south. The residential buildings that once occupied the block to the north have given away to the expansion of West Kanesville Boulevard and new commercial buildings.

In terms of *materials*, the building retains very good integrity at the exterior and fair integrity at the interior. The brick exterior walls and stone detailing remains intact as does the existing concrete structure on the west section of the building. In addition, wood and steel windows remain in place in varying degrees of repair. Some wood window trim remains intact at windows where it would have existed historically. The terrazzo stair components and vestibules remain intact. Plaster ceilings in the east half of the building, above different suspended ceiling additions, remain intact in varying degrees of repair.

In terms of its *workmanship*, the building retains very good integrity at the exterior and fair integrity at the interior. The workmanship of the various craftsman and laborers who helped to construct the building is still visible at the exterior in the stone and brick detailing and wood windows. At the interior, it is most visible at the terrazzo floors, masonry walls, chamfered corners of the concrete encased steel columns, concrete floor/ceiling structure, plaster work, stairs, and the window trim.

The building retains much of its original design, materials, workmanship and setting at the exterior, and thus retains very good integrity in terms of conveying the *feeling* of a Council Bluffs telephone exchange that evolved during its early history to accommodate shifting needs and demands. It is the only dedicated telephone exchange dating from the early 1900s extant in Council Bluffs.

Although no longer a functioning telephone exchange, the building has fair integrity in terms of being able to convey its *association* as a telecommunication building constructed and altered to serve telephone communication as it evolved and matured over the course of the twentieth century. The number of building additions constructed to meet the growing needs of the community's customer base and advances in telephone technology and equipment are clearly visible on the exterior of the building since the brick color and window type vary from addition to addition. At the exterior, the primary façade of the building also embraced a classical architectural style, reflective of the era the original building was erected and perhaps to give greater legitimacy to the functions it housed within its walls.

Overall, the building has good integrity and can convey its historic significance throughout its period of significance.

The building is in good condition and retains good integrity, particularly at the exterior. It remains on the original site of construction and although alterations to design elements, setting, materials, and workmanship have occurred, it still reflects its historic appearance at the exterior and aspects of the historic use at the interior. Additionally, feeling and association are maintained through the building's architectural details that reflect the needs of the telephone company to expand space and the separate eras in which each part was constructed.

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## 8. Statement of Significance

### Applicable National Register Criteria

(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing.)

- ☒ A Property is associated with events that have made a significant contribution to the broad patterns of our history.
- ☐ B Property is associated with the lives of persons significant in our past.
- ☐ C Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- ☐ D Property has yielded, or is likely to yield, information important in prehistory or history.

### Criteria Considerations

(Mark "x" in all the boxes that apply.)

Property is:

- ☐ A Owned by a religious institution or used for religious purposes.
- ☐ B removed from its original location.
- ☐ C a birthplace or grave.
- ☐ D a cemetery.
- ☐ E a reconstructed building, object, or structure.
- ☐ F a commemorative property.
- ☐ G less than 50 years old or achieving significance within the past 50 years.

### Areas of Significance

(Enter categories from instructions.)

#### Communications

### Period of Significance

1904-1971

### Significant Dates

1904

1912

1940

1947

1956

### Significant Person

(Complete only if Criterion B is marked above.)

### Cultural Affiliation (if applicable)

### Architect/Builder

Cox and Schoentgen

F.E. Cox/Jensen Brothers

J. Chris Jensen/C.C. Larsen

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**Statement of Significance**

**Statement of Significance Summary Paragraph** (Provide a summary paragraph that includes level of significance, applicable criteria, justification for the period of significance, and any applicable criteria considerations).

As the headquarters of Council Bluff's telephone exchange for almost seventy years, the building at 12 Scott Street is locally significant under Criterion A as representative of Council Bluff's telephone communication history. The building's period of significance begins in 1904, the year of construction. To meet the growing demand for telephone service in Council Bluffs and the surrounding area, several additions were constructed, starting in 1912, again in 1940, 1947 and 1956. The building's period of significance ends in 1971, when the exchange equipment within its walls was phased out and a new company headquarters equipped with modern exchange equipment was constructed elsewhere in the city. Thereafter the building ceased serving as the telecommunication hub for Council Bluffs and the surrounding community.

**Narrative Statement of Significance** (Provide at least one paragraph for each area of significance.)

(Iowa SHPO Additional Instructions: For properties not nominated under Criterion D, include a statement about whether any archaeological remains within or beyond the footprint of the property were assessed as part of this nomination under the subheading **Archaeological Assessment**.)

*HISTORY OF COUNCIL BLUFFS*

Council Bluffs originated as a trading post, known as Traders Point, established by Francois Guittar in 1824. It was the first white settlement on the western boundary of Iowa Territory and was ideally located on the east bank of the Missouri River. Additionally, the post was known for having friendly relationships with local Native American tribes. These factors made it appealing to pioneers traveling west, including Mormon settlers who temporarily settled in the town from 1846 to 1852, before moving on to Utah. In 1846, Iowa achieved statehood and the town's name was changed to Kanessville, after Thomas L. Kane.<sup>1</sup>

In 1852, the town received its present name, Council Bluffs, in honor of a nearby site along the Missouri River bluffs where members of the Lewis and Clark Expedition met with members of the Otoe Tribe. Over the next couple of decades, the town became well connected to the eastern United States via railroad networks but access to the west was limited to ferry service until 1873, when a railroad bridge allowed for a more convenient connection to Omaha, the town west of the Missouri. Omaha served as the western terminus of the Transcontinental Railroad, completed in 1869, and thus allowed Council Bluffs to thrive as a railroad hub in the middle of the country.<sup>2</sup> Due to potential flooding from the Missouri, Council Bluff's historic commercial and residential core arose approximately 5 miles east of the waterway. During the late nineteenth and early twentieth century, a central business district appeared in the several blocks east and west of where Broadway and Main Street intersect. It was at the northwest edge of this where enterprising professionals chose to build a telephone exchange in 1904.<sup>3</sup>

*THE TELEPHONE IN COUNCIL BLUFFS*

The history of the telephone in Council Bluffs follows the same trajectory as many other communities throughout the country. When Alexander Graham Bell, Gardiner Hubbard and Thomas Sanders officially organized the Bell Telephone Company in Boston, Massachusetts on July 9, 1877, they did not intend to build a national system of communication. Instead, the company was founded a little over a year after Alexander Graham Bell spoke into the "talking telegraph" instrument to protect the patents that would eventually change the lines of communication forever. Early in its history,

<sup>1</sup> (Our History: 19th Century Council Bluffs History, 2021)

<sup>2</sup> Ibid.

<sup>3</sup> (Jennings, 1982)



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the company made the decision to sell service as opposed to just selling equipment, knowing the Bell Telephone patents would expire. The company began licensing local businessmen in cities across the country to sell telephone service using the patented Bell telephone, in effect creating telephone franchisees. A standard contract was worked out which gave the Bell Telephone Company, which was later reorganized as American Bell, a stock interest in each newly formed operating company. The contracts defined territories and set out the basic relationship between operating companies and American Bell.

During the first year, most telephone service throughout the country consisted of connecting two phones located in two different locations. In many cases, the phones were leased by the company to a telephone service subscriber in pairs. Telegraph contractors would then be hired to string the wires between the two locations. The same was true in Council Bluffs when a telephone was put up between Stewart Brothers packing house and wholesale grocery in mid-November of 1877.<sup>4</sup> The packing house and grocery were located approximately a mile and a quarter apart. The local newspaper, the Daily Nonpareil, also noted other phones were put up connecting two locations in the city the following year.

As the use of the telephone expanded, the viability of connecting pairs of phones by stringing individual telephone lines between two locations proved cumbersome, redundant, and economically draining. The invention of the telephone switchboard provided a phone connection to a centrally located panel instead of direct connection between individual phones. Subscribers would place a call to the central office where the switchboard and equipment were located, and an operator would then route their call to another phone using the switchboard. Each central office could have multiple switchboards depending on the number of subscribers it served. The central office often covered the telephone subscribers in a small geographic area, such as a city or town. This geographical service area was referred to as a telephone exchange.

*Competing Telephone Exchanges*

Plans to construct a telephone exchange in Council Bluffs became a reality in 1879. The Council Bluffs Electric Company was formed in September of 1879.<sup>5</sup> Half the stock of the company was owned by prominent Council Bluffs citizens while the other half was owned by the Omaha Electric Company.<sup>6</sup> The central office of the Council Bluffs exchange was located over Peregoy and Moore's tobacco store, located in the 400 block of West Broadway.<sup>7</sup> A November 11, 1879 newspaper article stated that the Council Bluffs Telephone Exchange had opened for business with a total of 75 subscribers.<sup>8</sup>

During the early 1880s the company continued improving the existing system with new equipment, adding additional branch lines throughout the city of Council Bluffs, and connecting to other communities throughout western Iowa and

<sup>4</sup> (A Successful Telephone, 1877)

<sup>5</sup> (Daily Nonpareil, 1879)

<sup>6</sup> The Omaha Electric Company was an entity organized to construct and operate a telephone exchange across the river in Omaha, Nebraska. The company began erecting telephone poles in Omaha in May of 1879.

<sup>7</sup> It is unclear whether the original building remains standing. The 1879 City Directory listed the address of Peregoy and Moore at 409 M (middle) Broadway. The 1885 Sanborn Map indicates a tobacco establishment existed at 419 West Broadway and the 1884-85 City directory listed the address of Peregoy and Moore at 419 Broadway. By 1888, the tobacco company was listed at 29 South Main Street. The building at 419 West Broadway is no longer extant and has been replaced by a five-story building constructed in 1968, identified currently as 421 West Broadway. The current building at 29 South Main Street was identified as a one-story building in an 1891 Sanborn Map. Today a two-story building stands at 29 South Main Street.

<sup>8</sup> (Telephone Taps, 1879)

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eastern Nebraska.<sup>9</sup> In 1883, the Nebraska Telephone Company, the successor of the Omaha Electric Company, took control of the Bluffs Exchange and by May of the same year had 323 subscribers and 160 miles of wire in Council Bluffs.<sup>10</sup>

By the mid-1880s city directories listed the address for Nebraska Telephone Company's Council Bluffs central office as 501 Broadway.<sup>11</sup> Continued growth required installation of additional poles and cable and in November of 1888, the interior of the telephone exchange was enlarged and remodeled.<sup>12</sup> Six years later, the telephone exchange office and new switch board moved to the Baldwin Block at 507 West Broadway.<sup>13</sup> The building, which is no longer extant, was a prominent five-story structure on the southeast corner of West Broadway and Pearl Streets.

Like its predecessors, the Nebraska Telephone Company operated under a Bell telephone franchise. The American Bell Company and their subsidiaries held a monopoly over the telephone industry while the telephone patents were in effect. An April 1881 newspaper article contributed Nebraska Telephone Company's increase in rates to "the Bell Telephone Company who requires us to pay them the rentals for their instruments in advance."<sup>14</sup> This type of relationship between Bell and each franchisee existed until the primary patents expired in 1893.

Nine years prior to the expiration of Bell's telephone patents, the national company determined the best way to ensure their success was to provide connection service between franchisees and eventually other independent companies. American Bell set up a brand-new subsidiary, The American Telephone and Telegraph Company (AT&T) whose mission was to build and operate the nation's first long distance network. When the Bell patents expired, other companies began to manufacture telephone and switchboards to directly compete with Bell. Independent telephone companies were organized in cities and towns throughout the country. Most of these independent companies were single exchange companies established in cities regardless of whether the Bell company already established an exchange.<sup>15</sup> The first independent Iowa exchange was built in Jefferson the early 1890s.<sup>16</sup> The competition between the independent companies and the Bell System was fierce.

Council Bluffs City Council meetings during this time periodically heard debates on whether independent telephone exchanges should be permitted within the city to encourage competition and provide the lowest price for telephone service possible. The local newspaper printed several different articles regarding potential entities, particularly in 1895 and again shortly after the turn of the twentieth century. In 1902 the right of the Nebraska Telephone Company to operate the only telephone exchange in Council Bluffs was called into legal question.<sup>17</sup> Three years later, the Iowa

<sup>9</sup> (Local Matters, 1880), (Inter-City Telephone Lines, 1882)

<sup>10</sup> (First CB-New York Phone Call Clear As A Bell--Mrs. Rosch, 1964), (Madden, 1931), 16.

<sup>11</sup> 501 Broadway was probably referring to 510 West Broadway located on the southwest corner of West Broadway and South Main (5th) Streets since this was traditionally near the commercial core of the city. All buildings along West Broadway between South Main and Pearl Streets are no longer extant. The area is currently the First Responders Memorial Plaza. If the address listed in the city directory was referring 501 East Broadway, the 1885 Sanborn map indicates a feed and sale building stood at the location. This building is also no longer extant.

<sup>12</sup> (Daily Nonpareil, 1888)

<sup>13</sup> (Will Change Quarters Today, 1894)

<sup>14</sup> (Council Bluffs Telephone Exchange Company, 1881)

<sup>15</sup> (Deering, 1942), 300.

<sup>16</sup> (Deering, 1942), 300.

<sup>17</sup> The county attorney argued that the original ordinance passed by the city council in 1888 for the telephone company's franchise agreement did not meet the requirements of the law. According to the county attorney, the member quorum was not met because the records indicate there is no roll call nor a roll call vote. (New Phone Move, 1902) If the county would have won the case, the Nebraska Telephone Company would have been required to negotiate a new franchise agreement, which would have been difficult given the anti-Bell sentiment of the time.

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Supreme Court ruled in favor of the Nebraska Telephone Company.<sup>18</sup> The company's right to occupy the roads and streets of Council Bluffs and Pottawattamie County was upheld.

Despite the state ruling, on March 27, 1905 Council Bluffs residents voted to allow a second telephone franchise, the Independent Telephone Company of Council Bluffs, to exist within the city.<sup>19</sup> The independent company immediately began making arrangements to connect with fourteen other independent telephone companies from southwest Iowa along with initiating construction of the necessary utilities and exchange office.<sup>20</sup> Construction contracts for an exchange office at 37-39 Main Street (northeast corner of Main Street and 1st Avenue) were let to Wilkham Brothers and P.H. Wind with an estimated cost of \$14,000 to be completed by February of the following year.

*Construction of the 12 Scott Street Telephone Exchange*

The Nebraska Telephone Company continued expanding and improving their exchange to meet the growing demand for telephone service within the city limits and to expand service to rural areas throughout Pottawattamie County.<sup>21</sup> This work commenced despite the legal battle and prospects of an independent telephone company emerging within the city during the first decade of the twentieth century. In 1903 the company purchased property for a new central exchange office at 12 Scott Street just south of Indian Creek between Scott Street and North 6<sup>th</sup> Street. By July of the same year, the local architecture firm of Cox and Schoentgen began developing plans for the new building.<sup>22</sup> Excavation for the two-story building began in September and costs for the building project were estimated to be \$20,000.

In addition to constructing a new building, the Nebraska Telephone Company invested in new underground telephone wire conduit throughout the downtown business district, the result of an enacted city ordinance which prescribed moving all overhead wire below ground.<sup>23</sup> The company also purchased a new \$30,000 central energy switchboard which included a new type of circuit that did away with hand cranking to connect to the switch station.<sup>24</sup> On June 7, 1904, the new building was complete and the Nebraska Telephone Company moved from their central office on the fifth floor of the Baldwin Block to their new building at 12 Scott Street. Business offices, an inspection department, a terminal room, and batteries were located on the first floor of the new building. The central office, switchboard and employee break room were located on the second floor.<sup>25</sup>

Both the Independent Telephone Company of Council Bluffs and the Nebraska Telephone Company continued investment in their respective systems once construction was complete on their exchange buildings. Legal battles ensued like many other cities throughout the country with multiple telephone exchange companies competing for business. In Council Bluffs legal injunctions between the two companies over street right-of-way began as early as December of 1905.<sup>26</sup>

*Consolidation of the Telephone Exchanges*

Such battles continued until 1911 when the companies merged and retained the Independent Telephone Company of Council Bluffs name. This merger reflected a state-wide trend to consolidate exchanges within a city or town to unify service. The mergers enabled subscribers to obtain all service from one telephone company instead of multiple

<sup>18</sup> (Victory for Nebraska, 1905)

<sup>19</sup> (The Telephone Magazine, 1905)

<sup>20</sup> (Telephone Men in Session, 1905)

<sup>21</sup> (Running New Lines, 1903)

<sup>22</sup> (Building Progress, 1903)

<sup>23</sup> (Telephone Company Builds, 1903)

<sup>24</sup> (Call Central Without Bell, 1903), (Pushing Telephone Building, 1903).

<sup>25</sup> (Can't Ring Central, 1904)

<sup>26</sup> (Telephone War On, 1905)

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companies. Until this time businesses in Council Bluffs were obliged to have two telephones to reach all community residents, since one phone was connected to the subscribers of the Independent Telephone Company and the other to subscribers of the Nebraska Telephone Company.<sup>27</sup> Although the company retained the independent name, most of the company's stock was held by Bell telephone interests in Nebraska.<sup>28</sup>

With the merger, the consolidated company began construction on a building addition to the exchange at 12 Scott Street. The expansion was required to accommodate the exchange equipment for the consolidated system in one central location.<sup>29</sup> Previous construction of a closed culvert to control flooding at Indian Creek made the north side of the telephone company's property feasible. Designed by architect F.E. Cox and constructed by Jensen Brothers, a two-story addition extended the frontage on Scott Street to the north by forty-four feet and another addition along the alley to the west by forty-one feet, giving the entire building an "L" shaped footprint. An article from the Evening Nonpareil notes that the "front of the new structure will be an exact reproduction of the front of the present building."<sup>30</sup> In February of 1912 the addition was complete with additional business offices on the first floor along with more space for the switchboard, restrooms and a kitchen on the second floor. At this time, the consolidated company's exchange operated from the 12 Scott Street building and closed the exchange at 37-39 South Main Street.

The following year, the Independent Telephone Company of Council Bluffs leased the second floor of the 37-39 South Main Street to the Iowa Telephone Company. By 1914 the address was simplified to 39 South Main Street. The building would house the business office headquarters for the newly formed western district, which had been established after the state of Iowa was divided into eastern and western districts by the Iowa Telephone Company. Since the Independent Telephone Company of Council Bluffs and the Iowa Telephone Company were considered Bell organizations, the lease was mutually advantageous. The Iowa Telephone Company owned or controlled all Bell telephone exchanges in Iowa, except for the Independent Telephone Company of Council Bluffs in which the Nebraska Telephone Company was still the largest stockholder.

Four years prior, the Nebraska Telephone Company, the Iowa Telephone Company and the Northwestern Telephone Exchange became known as the Northwestern Group of Bell Telephone Companies with a general office established in Omaha. The company president, Casper Yost, had been serving as president for all three companies for many years prior. In December of 1920, the name of the Iowa Telephone Company was changed to Northwestern Bell Telephone Company and in January of 1921 the latter company acquired the Northwestern Telephone Exchange and the Nebraska Telephone Company.<sup>31</sup> During this time mergers and consolidations within the Bell system were very common. Northwestern Bell was one of many local operating companies, often referred to as Baby Bells, under the nation-wide Bell System umbrella.<sup>32</sup> Although the corporate office for Northwestern Bell was in Omaha, it was officially an Iowa corporation.

In 1924, Northwestern Bell Telephone Company officially acquired the holdings of the Independent Telephone Company of Council Bluffs. Since the Bell company already owned much of the stock in the local company, the change was primarily a name transfer that had little meaning to subscribers and a similar situation played out in other

<sup>27</sup> (Consolidation is Final Result, 1911)

<sup>28</sup> (Stock Exchange Plan at Council Bluffs, 1913)

<sup>29</sup> (Building Operations for Coming Season Will Be Very Extensive, 1911)

<sup>30</sup> (Telephone Company Begins Work, 1911)

<sup>31</sup> (U.S. House, 1935)

<sup>32</sup> By the 1940s the nation-wide Bell System network was composed of AT&T, Bell Telephone laboratories (established in 1925), Western Electric (1881) and 22 local operating companies (often referred to as Baby Bells).

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exchanges throughout the region and country.<sup>33</sup> By 1925 there was no business listings in the city directory for 37-39 South Main Street.<sup>34</sup>

*Advances in Telephone Communication*

The company continued making improvements throughout the growth and prosperity of the 1920s to keep with rising demand. As the number of service subscribers increased, additional equipment was needed to serve new customers. This included additional switchboards, equipment, telephone line extensions, etc. Technology was constantly changing and included the continued mechanization and automation of the telephone system.

Although the advent of the rotary dial can be traced back to the late 1880s, it took decades to spread across the country and it was not until the 1950s that most of all telephones in the Bell system were dial operated.<sup>35</sup> In 1939, Northwestern Bell announced a plan to replace manual service with dial service in Council Bluffs. Manual service relied on operators to transfer calls from person to person. Rotary dial service allowed the calls to be made automatically without an operator. Instead of lifting the receiver from its cradle and speaking directly to an operator, callers would use a rotary dial telephone to dial the phone number of the person they wished to speak with. The dial on the rotary phone had ten holes, large enough for a fingertip, numbered 0 through 9. As the caller dialed each number and the dial rotated back to its starting position, electrical pulses were sent down the phone line to the exchange. The pulses in the current from the rotary dial activated step-by-step electromechanical switching equipment and automatically routed the call. The transition from manual service to dial service required additional space for the larger switching equipment. By the end of 1939 construction was underway for another two-story addition to the building at 12 Scott Street. The expansion filled the rest of the company owned lot to the north and west of the existing building. Designed by local architect J. Chris Jensen and constructed by local builder C.C. Larsen and Sons, the addition was part of the telephone company's \$700,000 program to bring dial service to Council Bluffs.<sup>36</sup> The work was completed the following year.

According to a newspaper article discussing the 1940 addition, "Floor space will be approximately doubled...Present space will be utilized for the business office and other office space as well as for long distance switchboards, information and dial service assistance switchboards." The addition would be "structurally much stronger than the ordinary two-story building because of the immense weight of the dial system equipment."<sup>37</sup>

*Post-War Growth of the Telephone System*

Nationally the telephone system expanded dramatically after the conclusion of World War II. The same trend was evident in Council Bluffs. When the 1940 addition was completed, approximately 8,800 telephones served the community. By 1947 the number exceeded 12,700 subscribers.<sup>38</sup> As a result, another addition was planned at 12 Scott Street to provide much needed space that could support the weight of additional equipment necessary to meet the growing demand. C.C. Larsen and Sons was again chosen as the contractor for Northwestern Bell's remodeling project. The 1947 addition was designed by local architect, G.B. Larson. A portion of the existing building along the south side,

<sup>33</sup> (Bell Company Buys the Local System, 1924)

<sup>34</sup> The history of the 37-39 South Main Street building in the early 1920s is unclear. Sanborn maps from 1928 indicate there was a filling station at 37-39 South Main Street. The west end of the two-story building was open to the street at the first story. A fire in early May of 1933 destroyed much of the neighboring building at 33-35 South Main Street. It notes there was also damage to the building at 39 South Main Street. The 1962 Sanborn indicates the first-floor level was no longer open on the west.

<sup>35</sup> By 1952, 80 percent of all telephones in the national Bell System were dial operated. (Pilliod J. J., 1952)

<sup>36</sup> (Jensen Awarded Phone Building, 1939), (Larsens Awarded Phone Contract, 1939)

<sup>37</sup> (Jensen Awarded Phone Building, 1939)

<sup>38</sup> (Phone Company to Build Addition, 1947)

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originally constructed in 1912, was torn down to accommodate the new addition.<sup>39</sup> The new addition was built using the same structural system implemented in the 1940 addition. The \$80,000 remodeling project was part of the company's \$270,000 program to improve telephone service in the community.<sup>40</sup>

Undertaking such renovation projects, instead of constructing a new, larger building, was typical to the Bell system during this time. Because the phone company was a government-regulated, corporate monopoly there was always concern regarding the balance between capital investment, required need and public perception. Therefore, it was company policy to construct only the amount of building necessary at the time.<sup>41</sup>

Such incremental growth was also reflected in the way existing space in the building was reallocated. As the 1947 addition was nearing completion, the district business offices were moved from 12 Scott Street to the second floor of the Council Bluffs Savings Bank.<sup>42</sup> Moving the district office provided more space for switchboard equipment on the second floor. When more switchboard space was needed in 1953, the local business office was moved into leased space across the street at 25 Scott Street.<sup>43</sup> With the growth of switchboard space, private offices were removed on the second floor to accommodate the equipment and additional operators. By this time, a clear delineation of space utilization was apparent. The west side of the building was used to house the telecommunications equipment including the switching equipment for both toll and central lines. There were open desk areas at the west half of the building for a few staff directly supporting the equipment on each floor. The east half of the building accommodated most of the system's support staff including the switchboard operators, engineers, repairmen, etc. Most of the space had been remodeled to accommodate the open work areas required for the switchboards, switchboard operators, engineers who tested the equipment and repairmen who made sure it remained in working order. The building truly became the heart of the city and surrounding area's communication system. All lines of communication came through 12 Scott Street.

The continued increase in telephone use persisted throughout the country in the 1950s and 1960s. By 1953, Northwestern Bell Telephone Company was serving 1,750,000 telephones throughout its region and was spending \$50 million in construction to satisfy the rising demand for service.<sup>44</sup> The exchange in Council Bluffs reached over 21,100 by 1956, more than twice as many phones as there were in the city at the end of World War II.<sup>45</sup> As the numbers continued to climb the necessity of enlarging and improving telephone infrastructure/equipment and constructing or renovating facilities increased. Between 1956 and 1957 a third level was constructed on the west portion of the building to accommodate more call handling equipment. When the 1940 and 1947 additions were constructed, future growth was anticipated, a standard approach employed by the Bell company. The roof of the second floor was built to support more than roof loads. It was structured to handle equipment loads if additional stories were constructed in the future. In addition, the steel I-beams encased in each concrete column were extended a foot or so above the roof of the second floor and capped for future use. When construction of the third floor commenced in 1956, the caps were removed, new steel I-beams were hoisted to the roof and bolted onto the exposed ends.<sup>46</sup> This method of construction

<sup>39</sup> Based on the shift in brick hues at the south facade, it appears that the southwest section of the 1912 addition was demolished and replaced with a 4-bay wide addition, situated between the extant 1912 addition and the 1940 addition, with brick cladding that matches the brick used for the 3<sup>rd</sup> floor.

<sup>40</sup> (Phone Co. Plans Remodeling Here, 1947)

<sup>41</sup> A 1952 Bell Magazine published that building space too far ahead of current needs ties up capital which could be used for other purposes. (Pilliod J. J., 1952) 182.

<sup>42</sup> (Phone Company to Build Addition, 1947)

<sup>43</sup> (Phone Co. To Move Business Offices, 1953)

<sup>44</sup> (Northwestern Bell Telephone Company Annual Report for the Year 1953, 1953), 10.

<sup>45</sup> (Telephone Co. to Expand Here, 1956)

<sup>46</sup> (Foresight Aids Bluffs Project, 1956)

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was used by the Bell companies to reduce the cost of incremental growth in their facilities and more importantly, avoid exposing the exchange equipment on lower levels which could cause telephone service outages during construction.

The expansion of rotary dial service continued as more and more businesses and households depended on the phone company to communicate. Those customers that wished to place long distance calls still did so by speaking to a switchboard operator who would route their call, but by 1961 customer long distance direct dialing was introduced in Council Bluffs which further improved the system.<sup>47</sup> Despite the connectivity it provided, dial service had its disadvantages. The electromechanical components in the switching system had a limited life and required constant upkeep. For the customer, the amount of time required to place a call was limited by the operating speed of the rotary dial and the electromechanical switches. By the mid-1960s AT&T began expanding an electronic switching system, referred to as ESS. This system used a telephone switch that was based on electronic instead of electromechanical components. The switches would magnetically store information to electronically route a call. The time required to make the connection over ESS was a fraction of the time required by a rotary dial. The new system also made touch-tone dialing, three-way calling, call transfer and speed dialing options available to the customer.

The small site at 12 Scott Street could not accommodate the continued growth of the telephone company in Council Bluffs or the transition to ESS. In 1969 the company was serving more the 35,000 telephones, approximately four times the number that existed in 1940. During the same year, Northwestern Bell announced plans for an eight-million-dollar service expansion and improvement program in the city. The program included a 2.7 million-dollar five-story communications center at the intersection of Oakland and Washington Avenue (now 310 West Kanesville Boulevard) to house a 5.3 million-dollar electronic switching system.<sup>48</sup> Building construction was completed, and personnel began to occupy the new space in October of 1970, although the new telephone exchange equipment was not placed into service until July of 1971.<sup>49</sup> The existing long-distance equipment remained in the 12 Scott Street building along with quarters for the telephone operators, but both were quickly phased out of the building. By 1976, the 12 Scott Street building was abandoned by Northwestern Bell and put up for sale. Since that time, the building has been occupied by the Iowa Department of Social Services and as additional office space for the Council Bluffs school district.

In conclusion, from 1904 to 1971 the building at 12 Scott Street was the heart of Council Bluffs' telecommunication history. The building is locally significant under Criterion A and representative of telephone history as the headquarters of Council Bluffs' telephone exchange for almost seventy years. The construction of multiple building additions reflects the continued expansion of the community and continued growth of the telephone industry locally.

### Archaeology Statement

The potential for any prehistoric or historic archaeological remains within or beyond the footprint of the property was not assessed as part of the present National Register nomination.

If knowledge of prehistoric or historic archeological remains within or adjacent to the boundaries of this resource come to light, the owner should consider an archeological assessment before proceeding with any future development.

<sup>47</sup> (First CB-New York Phone Call Clear As A Bell--Mrs. Rosch, 1964)

<sup>48</sup> (Announce \$8,000,000 Bell Expansion Plan, 1969)

<sup>49</sup> (Bell Building All Lit Up, 1970) (New System Puts Damper On Intercoms, 1970)

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Previous documentation on file (NPS):

☒ preliminary determination of individual listing (36 CFR 67) has been requested  
☐ previously listed in the National Register  
☐ previously determined eligible by the National Register  
☐ designated a National Historic Landmark  
☐ recorded by Historic American Buildings Survey #  
☐ recorded by Historic American Engineering Record #  
☐ recorded by Historic American Landscape Survey #

Primary location of additional data:

☐ State Historic Preservation Office  
☐ Other State Agency  
☐ Federal Agency  
☐ Local Government  
☐ University  
☒ Other  
Name of repository: Council Bluffs Public Library

Historic Resources Survey Number (if assigned):

10. Geographical Data

Acreage of Property less than one

(Do not include previously listed resource acreage; enter "Less than one" if the acreage is .99 or less)

Latitude/Longitude Coordinates

Datum if other than WGS84:  
(enter coordinates to 6 decimal places)

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1	<u>41.261565</u> Latitude	<u>-95.850712</u> Longitude	3	<u></u> Latitude	<u></u> Longitude
2	<u></u> Latitude	<u></u> Longitude	4	<u></u> Latitude	<u></u> Longitude

**Verbal Boundary Description** (Describe the boundaries of the property.)

AS BLK 6 MYNSTER-BLK 2 BAYLISS LT N. It occupies the center portion of the east side of the block bound by West Broadway at the south, North 6<sup>th</sup> Street at the west, W. Kanesville Boulevard at the north, and Scott Street at the east.

**Boundary Justification** (Explain why the boundaries were selected.)

The boundary includes the lots associated with the telephone exchange property currently and during its period of significance.

**11. Form Prepared By**

name/title	<u>Christina Jansen, Cale Miller, and Caitlin Benton</u>	date	<u>December 2, 2020</u>
organization	<u>Alley Poyner Macchietto Architecture</u>	telephone	<u>402-341-1544</u>
street & number	<u>1516 Cuming Street</u>	email	<u>cjansen@alleypoyner.com</u>
city or town	<u>Omaha</u>	state	<u>NE</u> zip code <u>68102</u>

**Additional Documentation**

Submit the following items with the completed form:

- **GIS Location Map (Google Earth or BING)**
- **Local Location Map**
- **Site Plan**
- **Floor Plans (As Applicable)**
- **Photo Location Map** (Key all photographs to this map and insert immediately after the photo log and before the list of figures).

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### Photographs:

Submit clear and descriptive photographs under separate cover. The size of each image must be 3000x2000 pixels, at 300 ppi (pixels per inch) or larger. Key all photographs to the sketch map. Each photograph must be numbered and that number must correspond to the photograph number on the photo log. For simplicity, the name of the photographer, photo date, etc. may be listed once on the photograph log and does not need to be labeled on every photograph.

### Photo Log

Name of Property: Council Bluffs Telephone Exchange

City or Vicinity: Council Bluffs

County: Pottawattamie State: Iowa

Photographer: Alley Poyner Macchietto Architecture

Date Photographed: As noted

Description of Photograph(s) and number, include description of view indicating direction of camera:

- Photo 1 of 20: East elevation. Looking west. July 18, 2019.
- Photo 2 of 20: South elevation. Looking north. July 18, 2019.
- Photo 3 of 20: Southwest corner of the building. Looking northeast. July 18, 2019.
- Photo 4 of 20: West elevation. Looking east. July 18, 2019.
- Photo 5 of 20: Northwest corner of the building. Looking southeast. July 18, 2019.
- Photo 6 of 20: North elevation. Looking south. July 18, 2019.
- Photo 7 of 20: Northeast corner of the building. Looking southwest. July 18, 2019.
- Photo 8 of 20: Central Stair at 1<sup>st</sup> Floor. Looking north. September 16, 2020.
- Photo 9 of 20: Central Stair between 3<sup>rd</sup> Floor and rooftop penthouse. Looking south. September 16, 2020.
- Photo 10 of 20: West Stair at 2<sup>nd</sup> Floor. Looking west. September 16, 2020.
- Photo 11 of 20: Elevator Lobby at 2<sup>nd</sup> Floor. Looking north. September 16, 2020.
- Photo 12 of 20: 1<sup>st</sup> Floor. Stair to side entry within Central stairwell. Looking south. September 16, 2020.
- Photo 13 of 20: 1<sup>st</sup> Floor. Office at northeast corner. Looking northeast. September 16, 2020.
- Photo 14 of 20: 1<sup>st</sup> Floor. Restroom at southeast side. Terrazzo floor detail. September 16, 2020.
- Photo 15 of 20: 1<sup>st</sup> Floor. West side, open area. Looking north. September 16, 2020.
- Photo 16 of 20: 2<sup>nd</sup> Floor. Office at southeast corner. Looking east. September 16, 2020.
- Photo 17 of 20: 2<sup>nd</sup> Floor. Terrazzo stair to Central stairwell. Looking west. September 16, 2020.
- Photo 18 of 20: 3<sup>rd</sup> Floor. Hallway. Looking north. September 16, 2020.
- Photo 19 of 20: 1<sup>st</sup> Floor. Ceiling. Looking south. April 25, 2021.
- Photo 20 of 20: 2<sup>nd</sup> Floor. Ceiling. Looking southwest. April 25, 2021.

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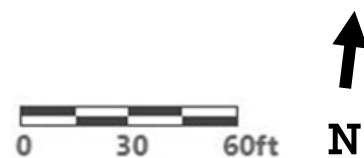
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Figure 2: Council Bluffs Telephone Exchange Site Plan. Source: Pottawattamie County GIS Map Viewer.





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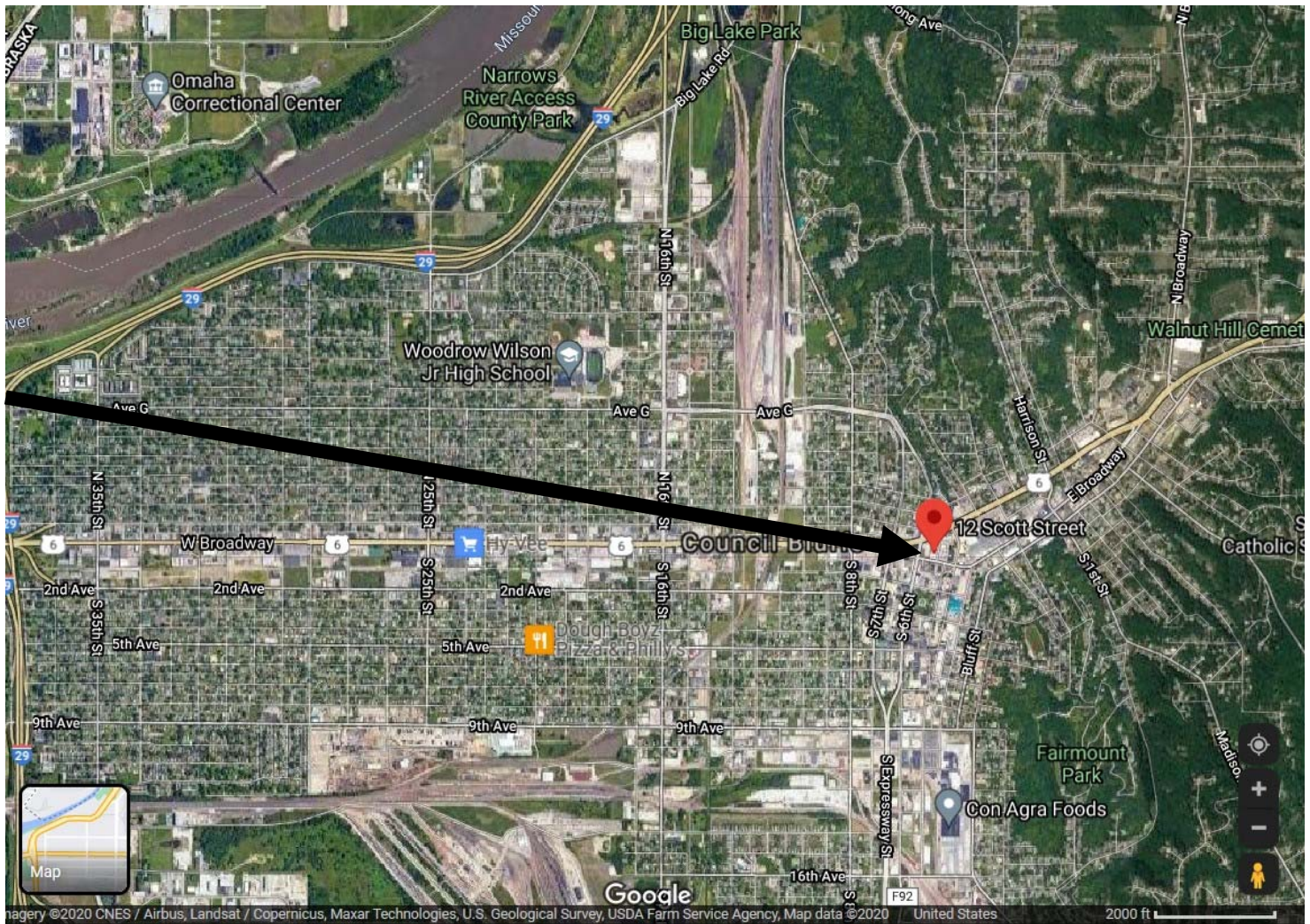


Figure 3: Council Bluffs Telephone Exchange Location Map. Source: Google Earth, 2020.



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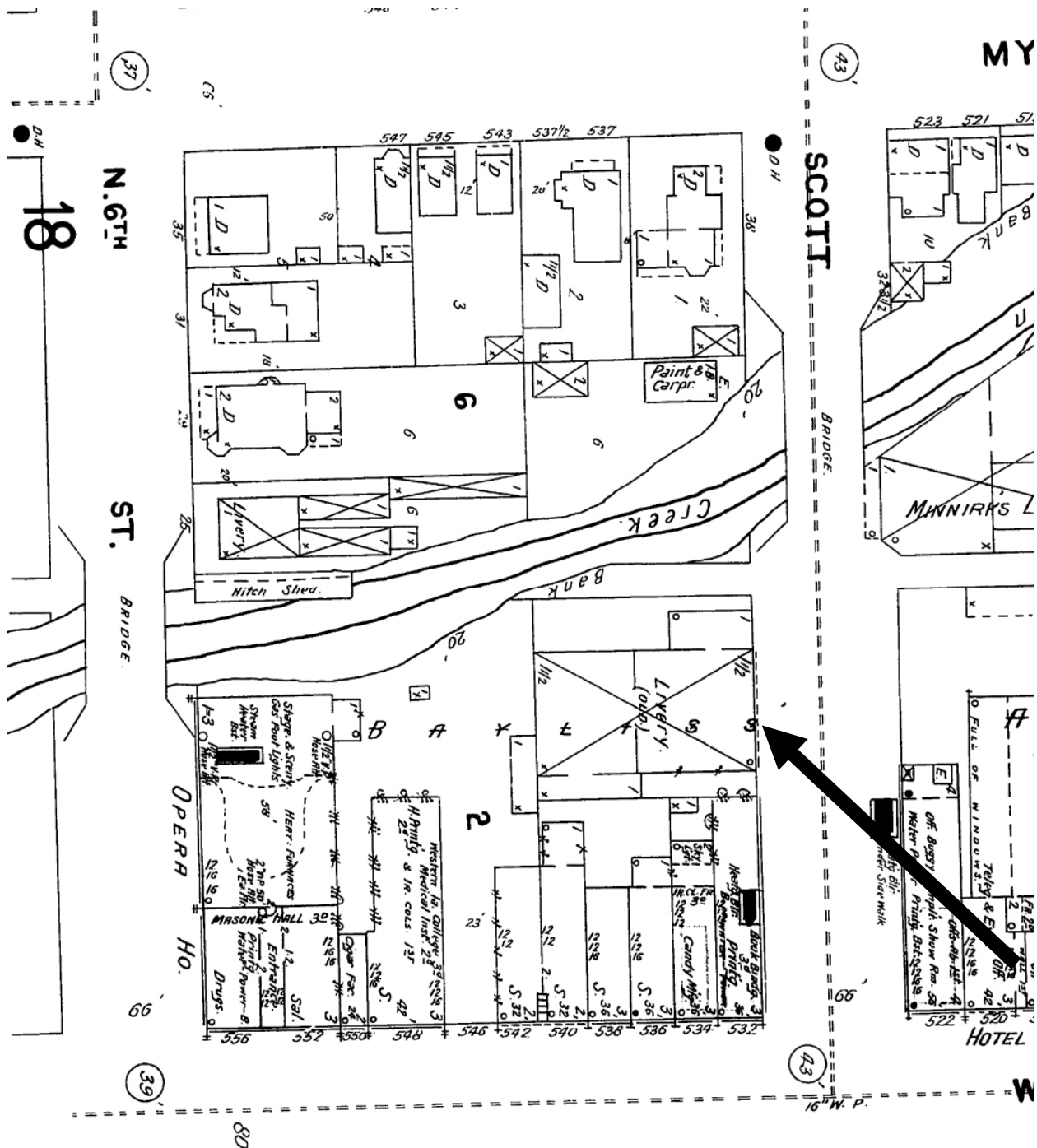


Figure 4: Sanborn Map Company, Insurance Maps of Council Bluffs, Iowa. New York: 1896. Digital. Council Bluffs Public Library. Council Bluffs, Iowa. Shaded area indicates location of Council Bluffs Telephone Exchange in 1896, prior to its construction.

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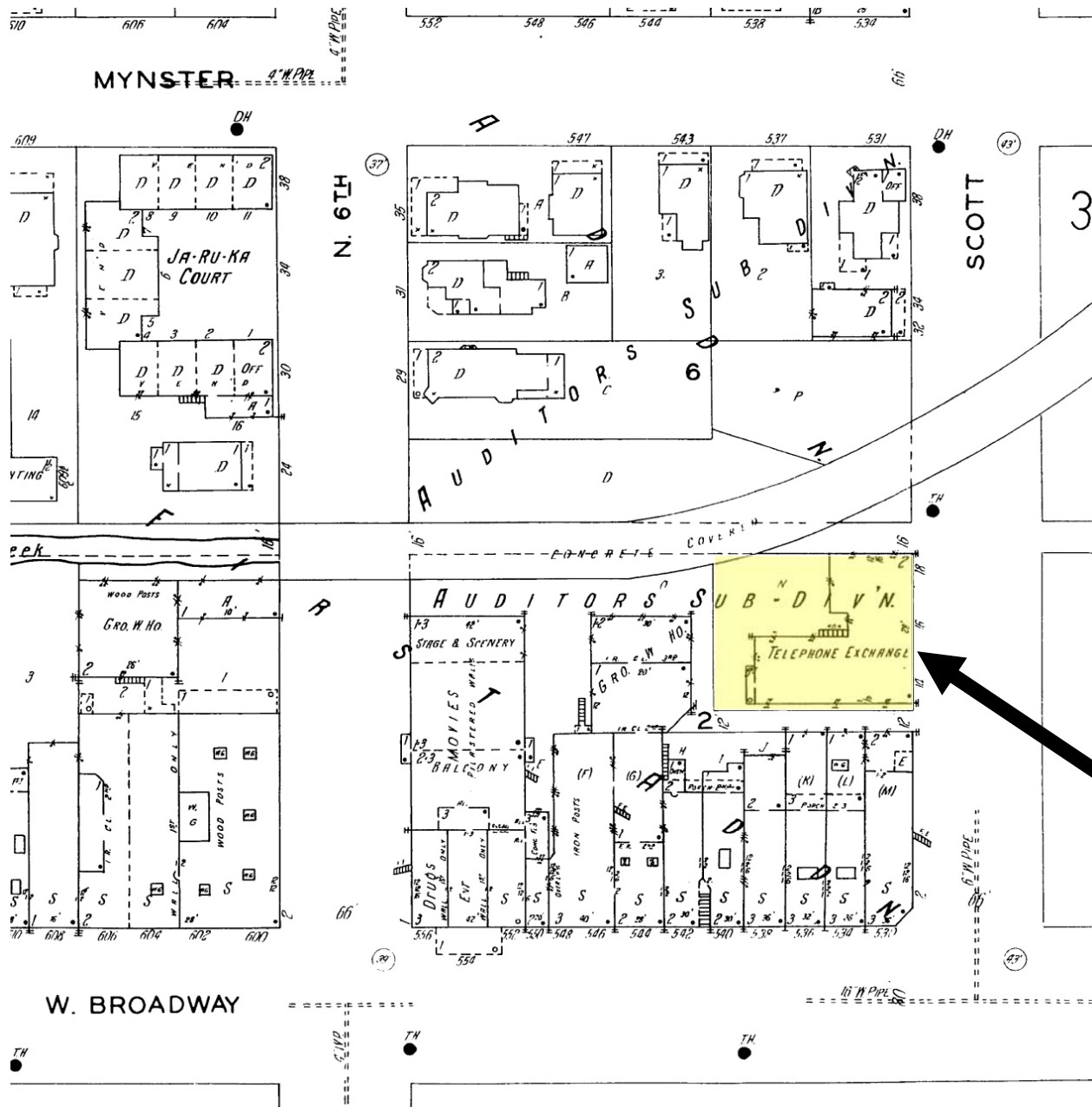


Figure 5: Sanborn Map Company, Insurance Maps of Council Bluffs, Iowa. New York: 1928. Digital. Council Bluffs Public Library. Council Bluffs, Iowa. Shaded area indicates location of Council Bluffs Telephone Exchange in 1928.



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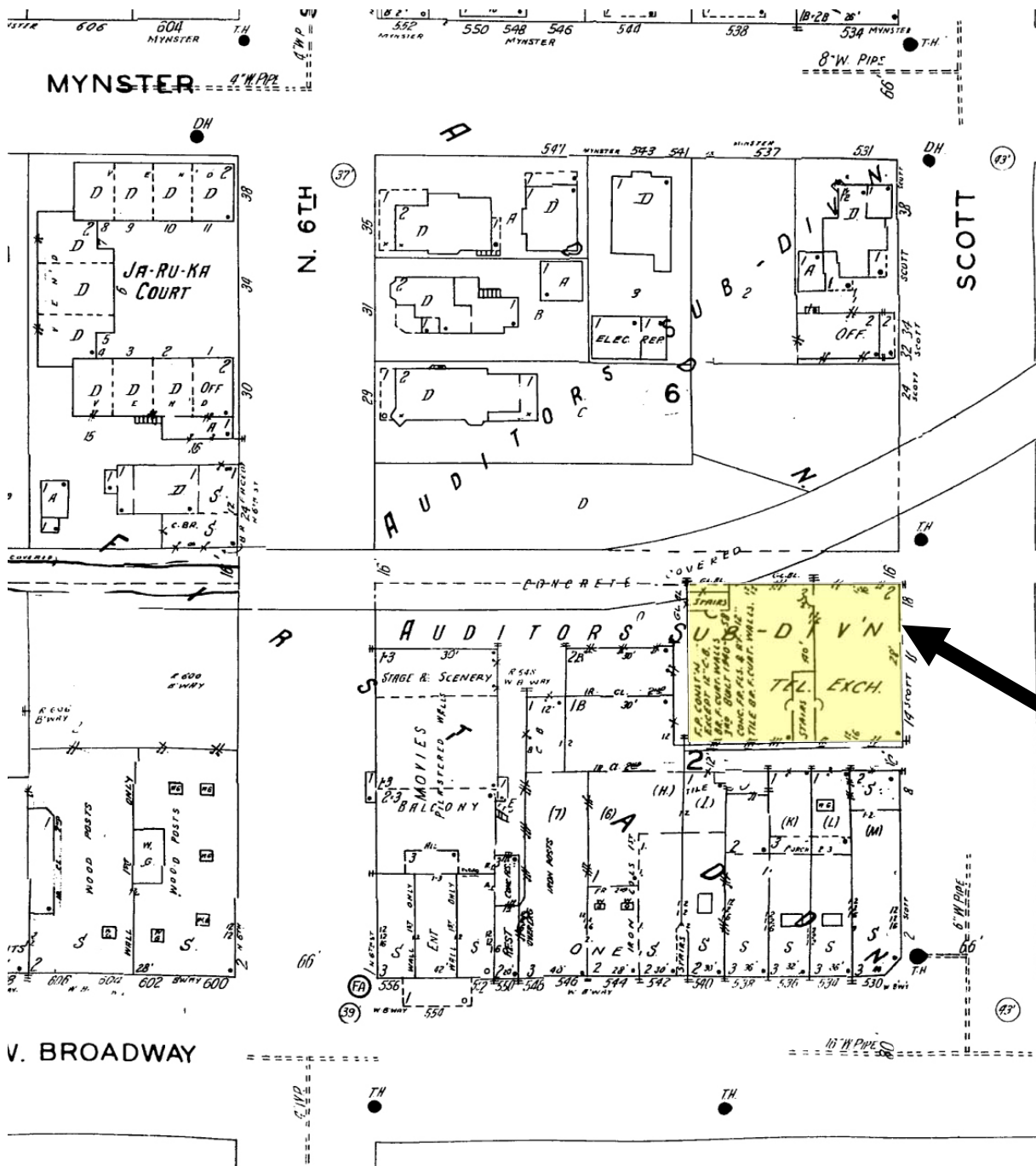


Figure 6: Sanborn Map Company, Insurance Maps of Council Bluffs, Iowa. New York: 1962. Digital. Council Bluffs Public Library. Council Bluffs, Iowa. Shaded area indicates location of Council Bluffs Telephone Exchange in 1962.



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Figure 7: This photograph, captioned "Staff at the Council Bluffs, Iowa office working at their desks Northwestern Bell Telephone Company," is a part of the Bostwick-Frohardt collection. Although labeled staff at the Council Bluffs office, it is unclear if this is the 12 Scott Street location. There are several differences between the photograph and the existing building. The window fenestration on the right-hand side of the photograph does not appear to match the existing building. There does not appear to be any visible scarring at the floor and ceiling of the existing building to reflect the location of the wall with the paneled door and transoms (shown in the background of this photograph). The wood trim on the columns in the photograph does not exist at the existing columns. The columns on first floor are currently wrapped in plaster. There are two door openings on the left-hand side of the photograph that appear to be in the area where two historic vaults are in the existing building. The sign above the door furthest to the background is labeled "Manager" instead of "Vault." Photographic source: Bostwick-Frohardt Collection, Owned by KM3TV and on permanent loan to The Durham Museum. Identifier BF92-1655. Dated 1912-04-05.

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Figure 8: This photograph is included as an example of what telephone exchanges generally looked like on the interior. The switchboard equipment and switchboard operators shown here would be an important part of a typical Northwestern Bell Telephone Company facility such as the exchange at 12 Scott Street. The photograph illustrates the types of interior finish materials used in rooms where the switchboard and switchboard operators were located. Equipment and staff like this occupied the second floor on the east half of the building at 12 Scott Street. The photograph is captioned "Telephone operators working the switchboard at the Council Bluffs, Iowa exchange," and is a part of the Bostwick-Frohardt collection. Although labeled as the Council Bluffs office, this is NOT the 12 Scott Street location. The window fenestration on the right-hand side and in the background of the photograph does not appear to match the existing building. In addition to spacing and lack of grouped window compositions, each of these openings appear to have a transom above. Photographic source: Bostwick-Frohardt Collection, Owned by KM3TV and on permanent loan to The Durham Museum. Identifier BF92-686. Dated 1921-12-18.

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Pottawattamie, Iowa

County and State

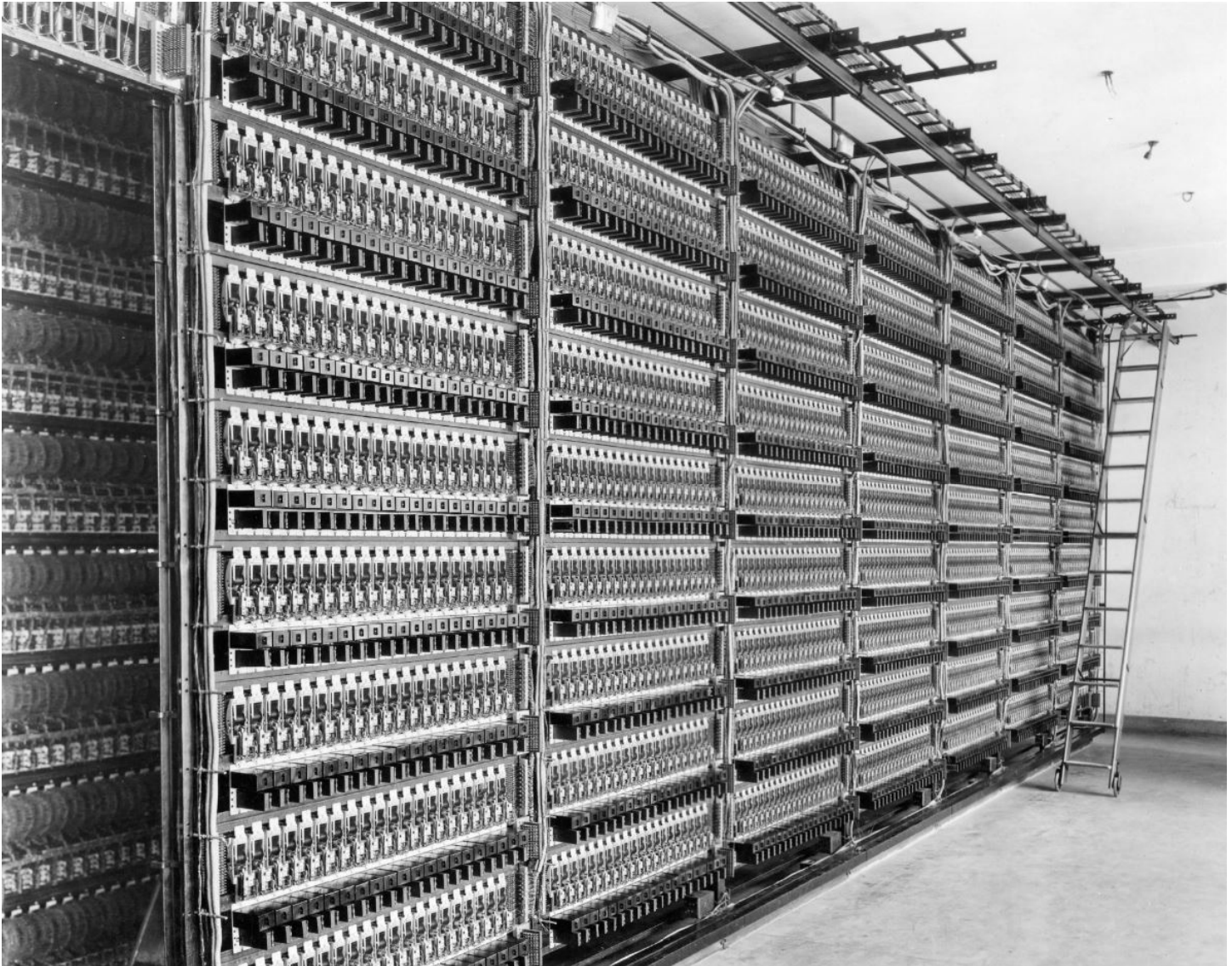


Figure 9: This photograph is included as an example of what telephone exchanges generally looked like on the interior. This photograph was NOT taken in the 12 Scott Street facility. It was taken at an unknown location and is titled, "An automatic switching board at Northwestern Bell Telephone Company." The automatic switching equipment illustrated was typically installed in a Northwestern Bell Telephone Company facility such as the exchange at 12 Scott Street. The photograph illustrates the types of interior finish materials used in rooms where the switching equipment was typically housed. Equipment like this could have been installed in the 1947 and 1956 additions. Photographic source: Bostwick-Frohardt Collection, Owned by KM3TV and on permanent loan to The Durham Museum. Identifier BF92-932. Dated 1929-07-20.

Council Bluffs Telephone Exchange

Name of Property

Pottawattamie, Iowa

County and State



Figure 10: This photograph is included as an example of what telephone exchanges generally looked like on the interior. This photograph was NOT taken in the 12 Scott Street facility. It was taken at an unknown location and is titled, "A man air hosing off a switching board at the phone company." The switching equipment illustrated was typically installed in a Northwestern Bell Telephone Company facility such as the exchange at 12 Scott Street. The photograph also illustrates the types of interior finish materials used in the rooms where the switching equipment was typically housed. Equipment like this could have been installed in the 1947 and 1956 additions. Photographic source: Bostwick-Frohardt Collection, Owned by KM3TV and on permanent loan to The Durham Museum. Identifier BF92-1405. Dated 1936-03-12.

Council Bluffs Telephone Exchange

Name of Property

Pottawattamie, Iowa

County and State



Figure 11: This photograph is included as an example of what telephone exchanges generally looked like on the interior. This photograph was NOT taken in the 12 Scott Street facility. It was taken at an unknown location and is titled, "A group of men working on some telephone equipment in a workshop." The photograph illustrates repair space at a typical Northwestern Bell Telephone Company facility and the finishes within the rooms where the engineers typically worked. A past employee of the Council Bluffs exchange at 12 Scott Street remembered the space on first floor being similar to this in the 1950s: open with work desks. Photographic source: Bostwick-Frohardt Collection, Owned by KM3TV and on permanent loan to The Durham Museum. Identifier BF92-1143. Dated 1931-04-29.

Council Bluffs Telephone Exchange

Name of Property

Pottawattamie, Iowa

County and State

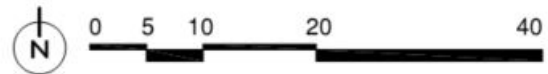
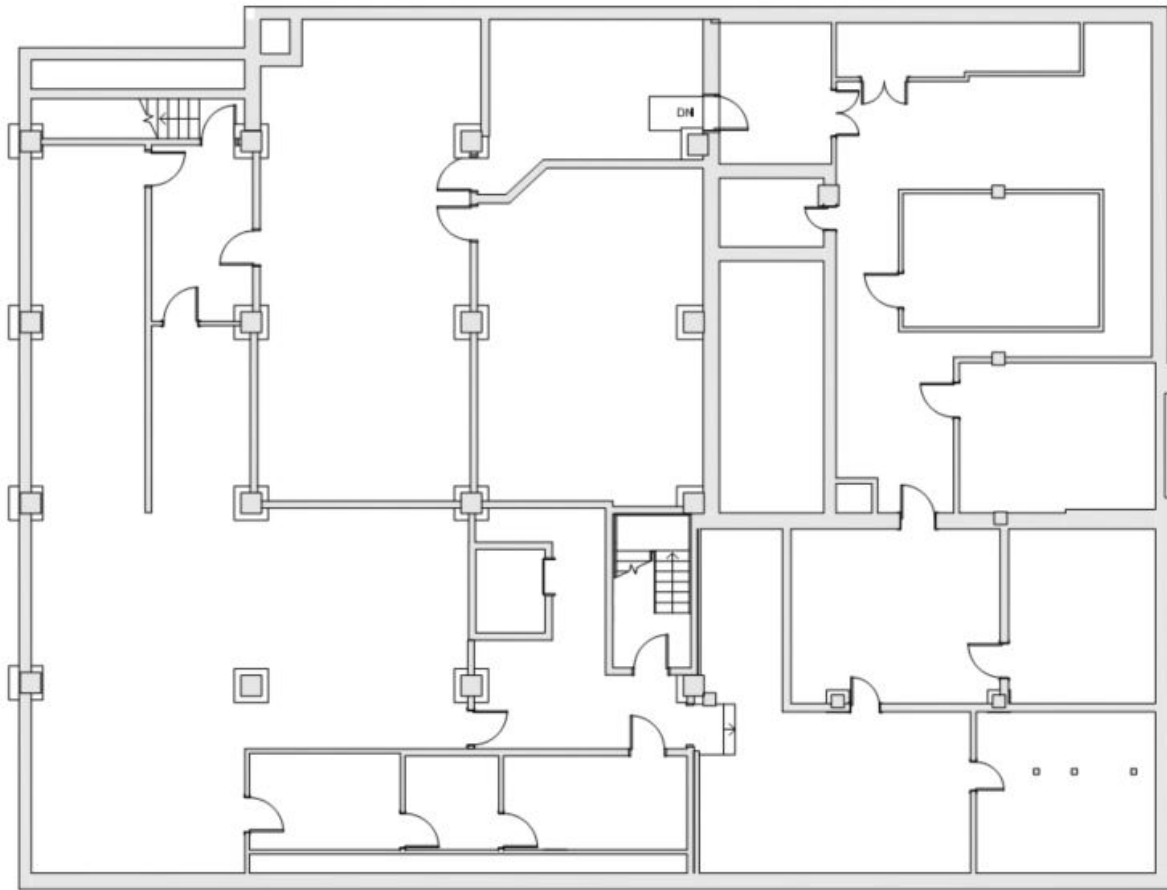


Figure 12: Basement Level Photographic Key Plan. Alley Poyner Macchietto Architecture, Omaha, Nebraska, 2021

Council Bluffs Telephone Exchange

Name of Property

Pottawattamie, Iowa

County and State

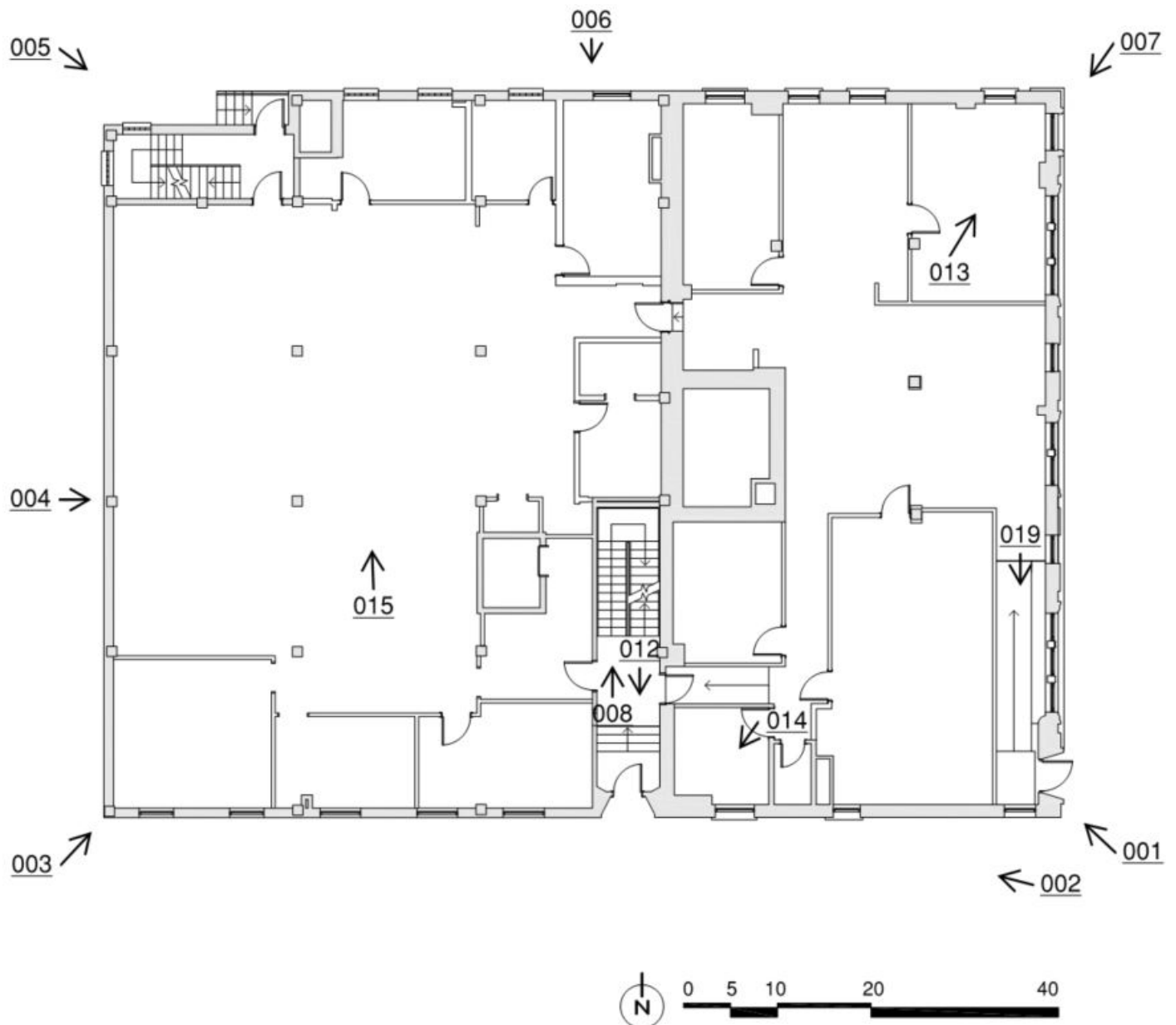


Figure 13: First Floor Photographic Key Plan. Alley Poyner Macchietto Architecture, Omaha, Nebraska, 2021

Council Bluffs Telephone Exchange

Name of Property

Pottawattamie, Iowa

County and State

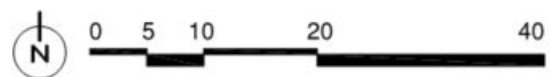
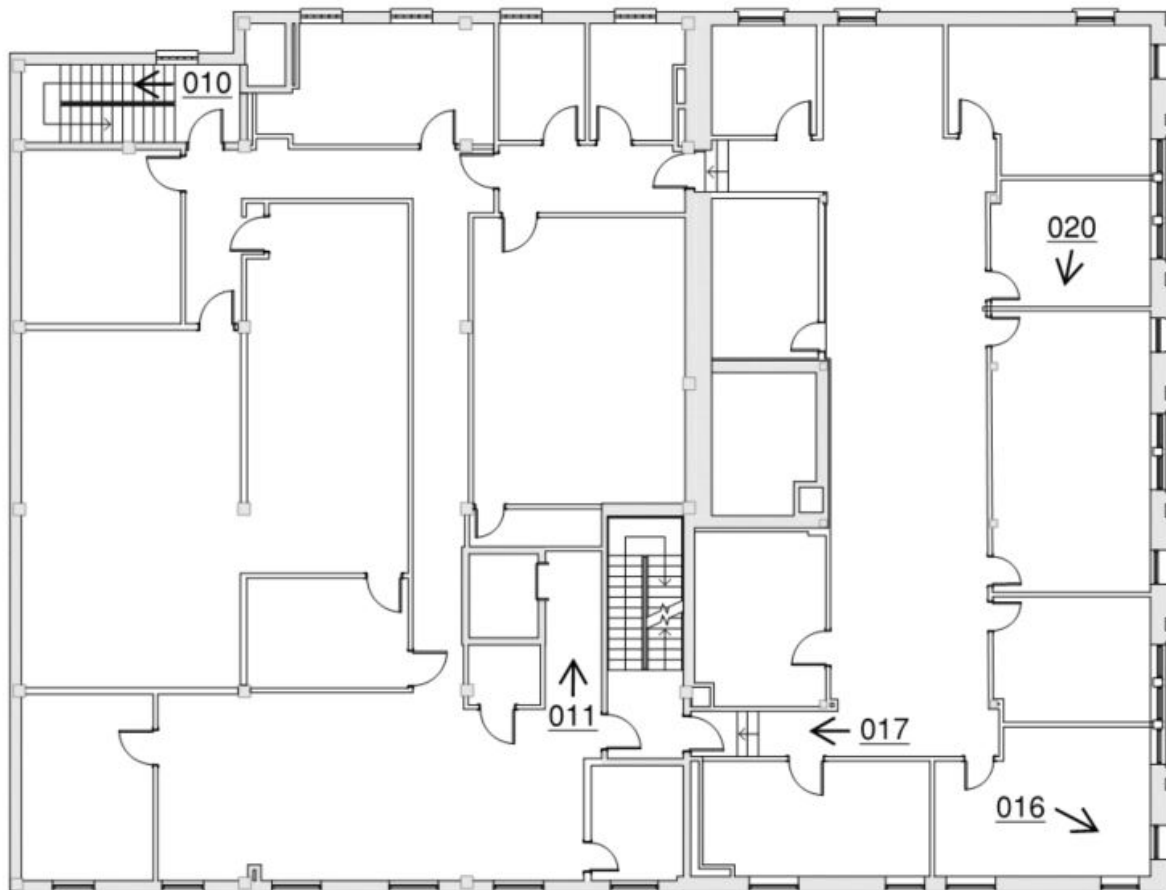


Figure 14: Second Floor Photographic Key Plan. Alley Poyner Macchietto Architecture, Omaha, Nebraska, 2021



Council Bluffs Telephone Exchange

Name of Property

Pottawattamie, Iowa

County and State

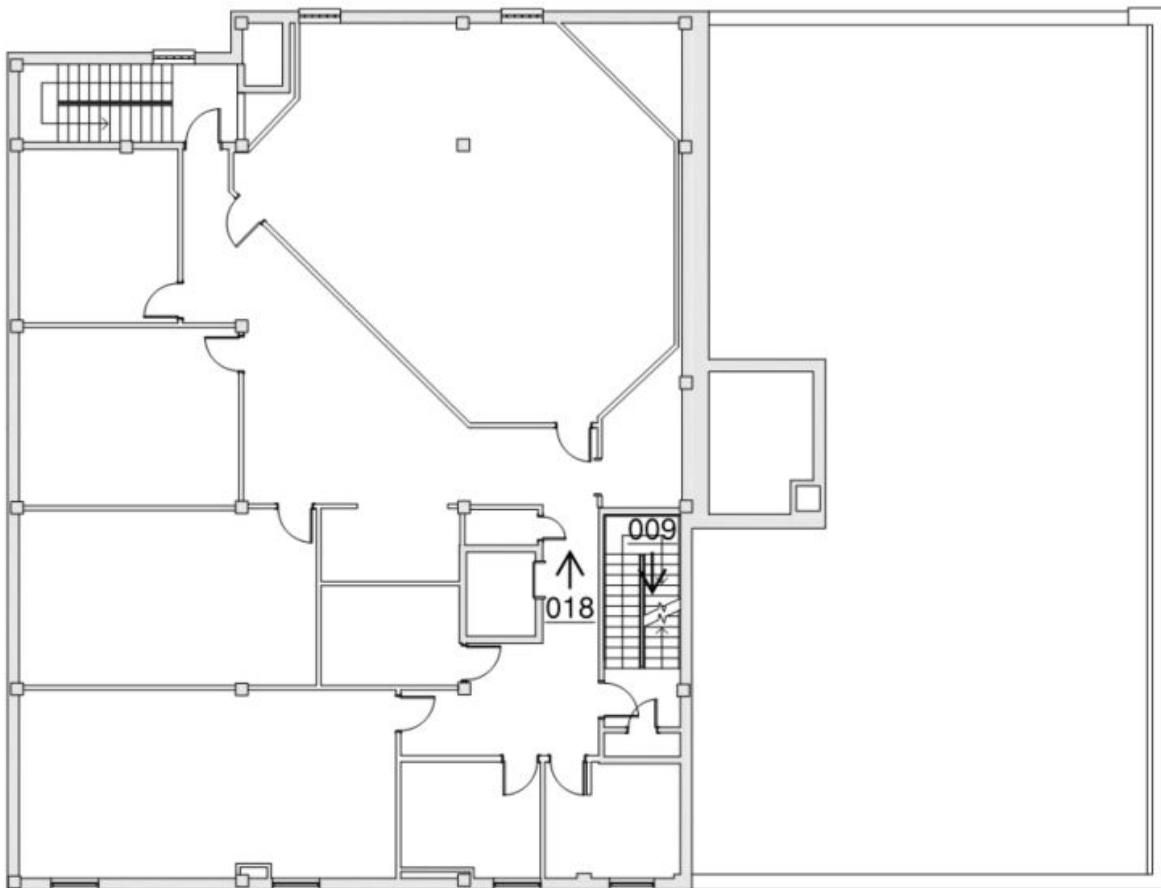


Figure 15: Third Floor Photographic Key Plan. Alley Poyner Macchietto Architecture, Omaha, Nebraska, 2021

Council Bluffs Telephone Exchange

Name of Property

Pottawattamie, Iowa

County and State

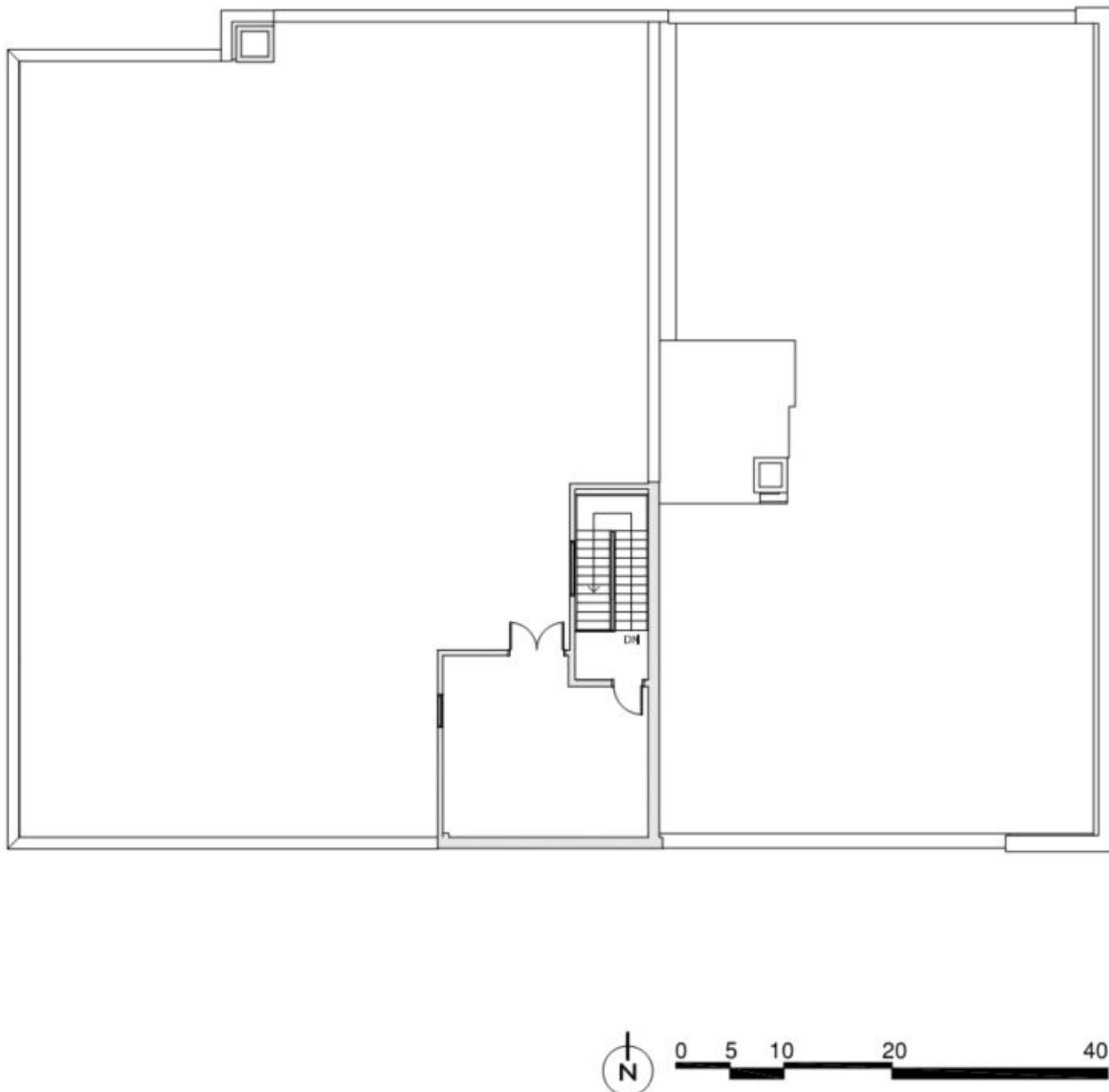


Figure 16: Roof Photographic Key Plan. Alley Poyner Macchietto Architecture, Omaha, Nebraska, 2021

**Paperwork Reduction Act Statement:** This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C.460 et seq.).

**Estimated Burden Statement:** Public reporting burden for this form is estimated to average 100 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Office of Planning and Performance Management, U.S. Dept. of the Interior, 1849 C. Street, NW, Washington, D.C.

























































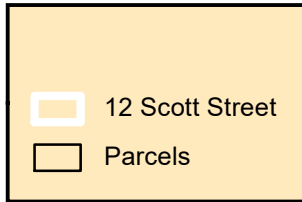








# CITY OF COUNCIL BLUFFS - HISTORIC PRESERVATION COMMISSION CASES #HP-21-010 LOCATION/ZONING MAP



0 50 100  
1 Inch = 100 Feet

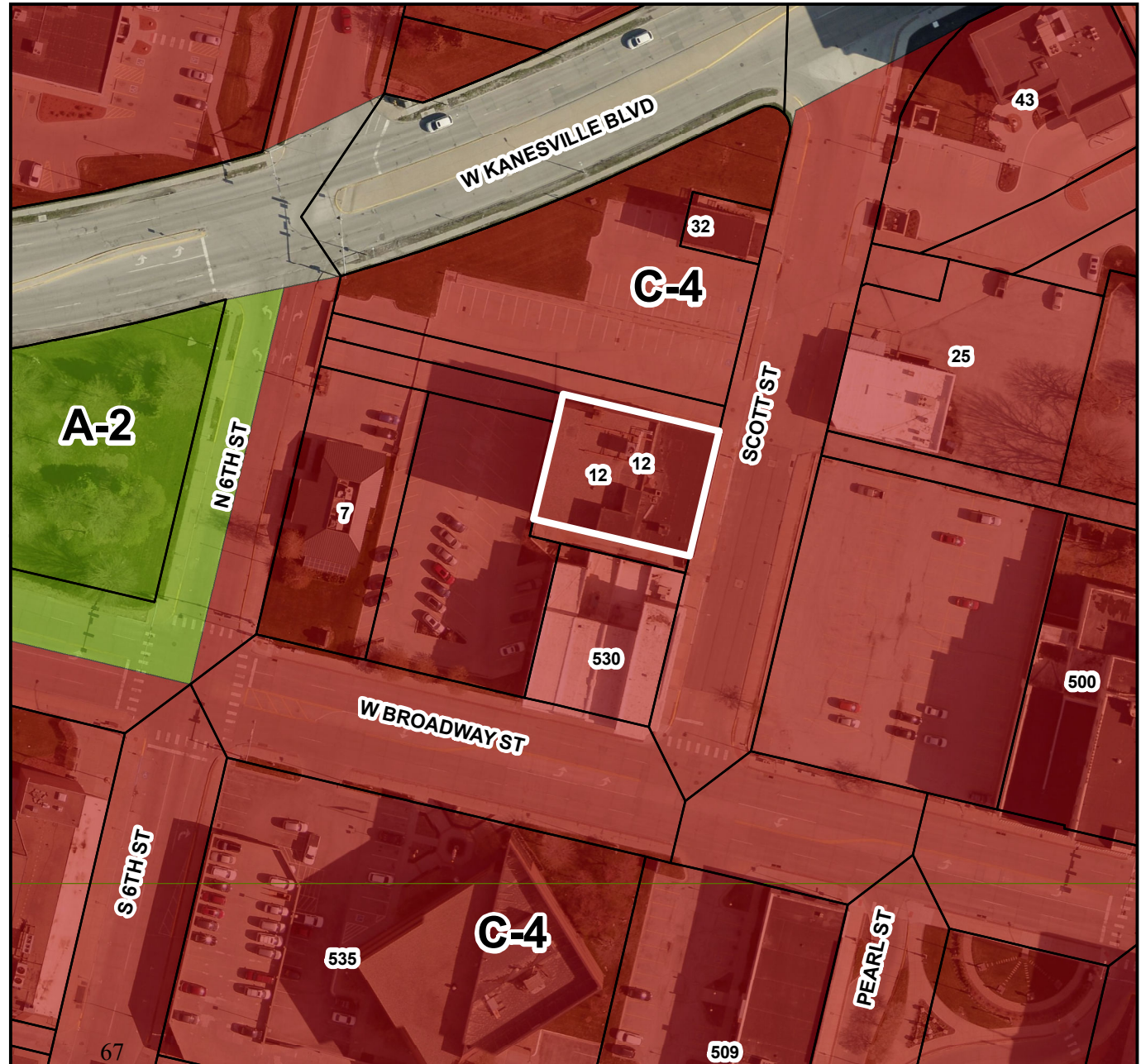


Last Amended: 8/13/2021



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

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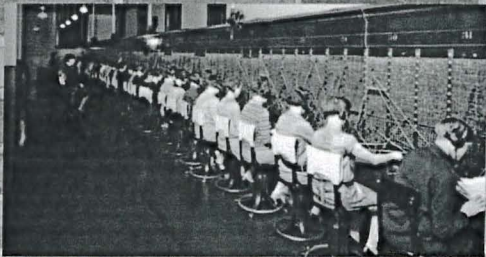





## Attachment D

Facebook (10) Facebook  
facebook.com/712initiative/photos/a.10150582434111707/10157820276511707

# Help Make 12 Scott Street a Historical Landmark



**The 712 Initiative**  
Published by Krystal Johnson  
Yesterday at 12:00 PM

Our public hearing to make 12 Scott Street a Historical Landmark is tomorrow at 4:00 p.m. So if you'd like to still help preserve history and haven't yet, please sign our petition and share a story that you have about the building. We'd love to hear it!

Help us preserve the old buildings in Council Bluffs and sign our petition now  
<https://the712initiative.org/12-scott-street/>

Edit

5

Like Comment Share

Comment as The 712 Initiative



Date of Entry	First Name	Last Name	Email Address	Address
Sep. 1, 9:52 a.m	Jim	Turner	jimturner4321@gmail.com	1533 4th avenue
Sep. 1, 5:28 am	Ben	Stotts	Benstotts@gmail.com	22249 Norman Dr
Aug. 31, 11:12 pm	Kristen	Blum	Ksiegler22@gmail.com	20527 270th St
Aug. 31, 8:03 pm	Donna	Dostal	DDostal@ourpccf.org	1411 Abercorn Drive
Aug. 31	Melissa	Head	Issy1997@aol.com	211 Park Avenue
Aug. 31	Charles	Romero	402charles86@gmail.com	328 story st. #A
Aug. 30	Brigid	Christensen	Brigid.christensen@gmail.com	29 S Linden Ave
Aug. 30	Janet	Burkybile	jburkybile@cox.net	6 kirkpatrick Ct
Aug. 29, 9:37 pm	Therese	Hoff	hoff.therese@gmail.com THERYANGLOBE@GMAIL.C	18689 Taylor Lane
Aug. 29, 3:20pm	Ryan	Globe		1000 South Main Street
			OM	
Aug. 28, 6:33 am	Khandis	Mutchler	Djmomy@gmail.com	27 Dilman drive Apt 3A
Aug. 27, 5:50 pm	Carol	M Linarez	cedarqn@aol.com	55209 195th St
Aug. 27, 4:32 pm	Beckie	Hytrek	bhytrek@yahoo.com	42134 Elmtree Rd
Aug. 27, 12:09 pm	Karen	Price	Kukusue1@msn.com	103 Surrey Ave
Aug. 27, 12:09 pm	Dan	Ozaydin	danozaydin@heartlandproperty.com	2617 Eagle Ridge Dr
Aug. 27, 11:02 am	Nyle	McGlade	kmcglade29@gmail.com	2732 Tara Hills Street
Aug. 27, 10:47 am	Kelly	Dix	Kellydix@cox.net	21 Gunn Ave
Aug. 27, 10:12 am	Carolyn	Robison	cprice7566@aol.com	10 E Ridge Dr
Aug. 27, 8:25 am	Marcia	Antworth	marciaantworth@gmail.com	213 Powells
Aug. 27, 7:00 am	Julie	Clark	jscgclark@yahoo.com	3500 6th Ave
Aug. 27, 6:18 am	Shirley	Urich	Urichsj@gmail.com	15797 Crystal Lane
Aug. 27, 6:01 am	Susan	Tierney	stierney@cox.net	224 Antioch Drive
Aug. 27, 1:28 am	Emily	Globe	Eglobeart@gmail.com	1000 S Main St
Aug. 27, 12:23 am	Michael	Carrithers	Mrcarrithers@gmail.com	716 McKenzie Ave
Aug. 26, 11:33 pm	Michele	Mutchler-Burns	gopack8763@aol.com	407 Glen Ave
Aug. 26, 9:59 pm	Indy	Sand	Csandlake3@cox.net	13709 S 18th St
Aug. 26, 9:57 pm	Joni	Nevins	jjnevens2@cox.net	14 Becky Ln
Aug. 26, 9:57 pm	Diane	Mckee	dsuemckee@cox.net	1026 Simms
Aug. 26, 9:55 pm	Teresa	Powers	Superpowers0912@gmail.com	309 Mt. Vernon Street
Aug. 26, 9:26 pm	Louann	Mayberry		3111 3rd Ave
Aug. 26, 8:54 pm	Trisha	Beccard	Tbeccard@gmail.com	15030 Hope Ln

#### Do you have any memories of the building that you would like to share?

I started working for Northwestern Bell in June of 1956 as an Operator at 12 Scott St. I worked in this building at several different jobs until we moved to the new building on Oakland Av. Many memories and great friends were made here. I definitely think it should be made into a Local Landmark. Other building of that era have been destroyed please preserve this one. Gone are the Wickham Bldg., Beno's, Iowa Clothes etc.

My mom worked there for a few years. When I was in 5th grade I had to take my Burger King breakfast to the basement because we had a tornado warning. The sky was green and then turned black. It's a very fun memory.

Went to school there when it was EQ, my olds got his 1st hair cut there from my friend.

WE moved to Council Bluffs back in 1976. Love the old building along Broadway back then, and all to quickly they were torn down. Lets save this one - its a beautiful building. Driving past today kept saying it should be saved!

Being a phone company retiree, I wish I did but it was before my time. I just remember it was just always there when I went with my parents downtown to shop. It's a historic building and needs the recognition!

I worked at the CB Chamber on N 6th and often had meetings at 12 Scott Street. Also had/have many friends who have worked in 12 Scott Street. Lots of brain work done in that building.

I used to work in that building when it was the Department Of Human Services. We moved to the old Cogley Clinic in 1985

Aug. 26, 7:50 pm	✱Miriam	Smith	MiriamRA67@gmail.com	101 Zenith Drive Apt 8
Aug. 26, 7:31 pm	✱Elizabeth	Hunter	isufiredog@email.com	208 Antioch Drive
Aug. 26, 7:26 pm	✱Mandy	Barron	Mbarron1979@yahoo.com	2512 Avenue A
Aug. 26, 7:24 pm	✱Margaret	Dodson		736 Forest Dr
Aug. 26, 7:17 pm	✱Sara	Scott	bormanscott@earthlink.net	17805 Lochland Ridge
Aug. 26, 7:09 pm	✱Hollie	McKenzie	Hjmckenzie@cox.net	2808 Avenue E
Aug. 26, 7:02 pm	✱Carolyn	Jones	Strong40@aol.com	23010 Mudhollow Road
Aug. 26, 6:10 pm	✱Dennis	Mertz	denmertz1@yahoo.com	1439 McPherson Avenue
Aug. 26, 5:50 pm	✱Angie	Stoufer	Angstoufer@gmail.com	1430 Tanglewood dr
Aug. 26, 4:49 pm	✱Michelle	Doner	punkinchelle@aol.com	19503 Concord Loop
Aug. 26, 4:37 pm	✱Stacey	Smith	bbknauss@yahoo.com	31 Wenwood Circle
Aug. 26, 4:36 pm	✱Robert	Randolph	randolphbob@gmail.com	800 N 35th St
Aug. 26, 4:23 pm	✱Kathryn	Schlott	keschlott@aol.com	1019 Arbor Ridge CIR
Aug. 26, 4:19 pm	✱Rosemary	Williams	rmy109@aol.com	4 Norwood Court
Aug. 26, 3:57 pm	✱Lucas	Opperman	lucas.opperman@gmail.com	331 S 8TH ST
Aug. 26, 3:51 pm	✱Janelle	Lovercheck	Jannelllove2662@gmail.com	2741 Ave I
Aug. 26, 3:39 pm	✱Linda	Salvo	lindasalvo54@gmail.com	2828 Avenue D
Aug. 26, 3:32 pm	✱Lisa	W Hoult	dog8bugs@yahoo.com	4 1/2 Norwood Ct
Aug. 26, 3:15 pm	✱Michelle	Shew	mls69@netzero.com	22400 Berry Lane

No memories but looking forward to seeing that area revitalized with the projects happening around this building.

Had many fun days there when I took Radio and TV Production classes there through the Tucker Center when the school district had offices there.  
In high school in the 1960's students sold magazine subscriptions to fund activities. I went to the old telephone exchange at 12 Scott Street and was lucky enough to get the telephone company's magazine business. For their waiting rooms, perhaps?  
Applied for a job there in 1952 and at the end of the interview when I stood up to leave, I fell flat on my face (my leg had gone to sleep). I was actually offered a job later.

I remember going there with my mom to pay the phone bill. I thought it was all shiny inside.

I remember going in there when I was very young, but don't remember much just that it was noisy with a lot of talking.

## Planning Commission Communication

Department: Community  
Development

Case/Project No.: SAV-21-004

CASE #SAV-21-004

Council Action: 9/14/2021

Submitted by: Moises Monrroy,  
Planner

### Description

Public hearing on the request of Brian Heistand to vacate and dispose of a portion of Ridge Road right-of-way lying east of property legally described as Lot 14, Tower Ridge Estates, Phase II, City of Council Bluffs, Pottawattamie County, Iowa. Location: Immediately east of property addressed as 1128 Tower Ridge Drive.

### Background/Discussion

See attachments.

### Recommendation

### ATTACHMENTS:

Description

Type

Upload Date

Staff Report & Attachments

Other

9/9/2021

### Planning Commission Communication

Department: Community Development  Case #SAV-21-004  Applicant(s)/Property Owner(s): Brian E. Heistand 1128 Tower Ridge Drive Council Bluffs, IA 51503	Reso. of Intent No. _____  Reso. to Dispose No. _____	Planning Commission: 9/14/2021  Set Public Hearing:  Public Hearing:
<b>Subject/Title</b> <b>Request:</b> Public hearing on the request of Brian E. Heistand to vacate and dispose of part of Ridge Road right-of-way abutting Lot 14, Tower Ridge Estates, Phase II, Council Bluffs, Pottawattamie County, Iowa.  <b>Location:</b> Lying east of 1128 Tower Ridge Drive		
<b>Background/Discussion</b> <p>The Community Development Department has received an application from Brian E. Heistand to vacate and dispose of part of Ridge Road right-of-way abutting Lot 14, Tower Ridge Estates, Phase II, Council Bluffs, Pottawattamie County, Iowa and legally described in Attachment 'B.' The portion of the subject right-of-way proposed to be vacated is unimproved and contains approximately 1,050 square feet of land. The applicant owns property located west of the subject right-of-way, which is addressed at 1128 Tower Ridge Drive and legally described as Lot 14, Tower Ridge Estates, Phase II, Council Bluffs, Pottawattamie County, Iowa. The purpose of this request is to allow the applicant to acquire the subject right-of-way in order to accommodate an accessory structure on their existing residence.</p> <p>On August 25, 2003, the City Council amended the adopted <i>Policy and Procedures for Alley, Street and Right-of-way Vacations</i>. The objectives of the amended Policy are as follows:</p> <ol style="list-style-type: none"> <li>1. <i>To provide due process and citizen participation in the application and review process for vacations.</i> The applicant is the sole property owner with land that abuts the subject right-of-way. Mr. Heistand was mailed a petition asking if he was in favor of/opposed to the vacation request and if he was willing to/not willing to acquire the entire section of Ridge Road adjacent to his property, if vacated. His response can be found in Comment #10 below.</li> <li>2. <i>To ensure that no property owner is deprived of required and reasonable access.</i> The proposed vacation will not deprive any property owner of required and reasonable access.</li> <li>3. <i>To discourage the creation and eliminate or reduce existing dead-end alleys, streets or other rights-of-way.</i> This request will not create a dead-end right-of-way.</li> <li>4. <i>To reduce or eliminate hazardous and dangerous traffic conditions.</i> The portion of Ridge Road right-of-way proposed to be vacated is unimproved and is not used for vehicular and/or pedestrian traffic.</li> </ol>		

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

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

- The Permits and Inspections Division had an inquiry regarding access to the proposed accessory structure via Ridge Road. The Public Works Department stated that the applicant would be required to obtain a permit to work in the public right-of-way if he intends to install a driveway to access the proposed accessory structure via Ridge Road.
- The Public Works Department stated they have storm sewer within the subject right-of-way which will require a 20-foot easement to be centered on the pipe.
- The Fire Department stated they have no comments on the request.
- The Parks and Recreation Department stated they have no comments on the request.
- Council Bluffs Water Works stated they have no public mains or appurtenances within the subject right-of-way. They also stated they have no objections to the request.
- MidAmerican Energy Company stated they presently operate overhead electric distribution facilities adjacent to the subject right-of-way that may overhang the eastern edge of said right-of-way. They stated that they would not be opposed to this request provided they retain easement rights to operate, access, maintain and replace the existing facilities. They also stated that the owner must also maintain minimum code clearance between any proposed structures and MidAmerican Energy's electric facilities.

6. *To maintain appropriate right-of-way width to ensure that an adequate pedestrian and vehicular circulation system is retained.*

The width of Ridge Road right-of-way abutting 1128 Tower Ridge Drive varies between 68 and 88 feet, which exceeds minimum City right-of-way width standards. If the proposed vacation is approved, Ridge Road right-of-way will measure 66 feet in width, which would meet minimum City right-of-way width standards.

7. *To discourage the vacation of a portion of an existing alley, street or other right-of-way.*

The request is to vacate part of Ridge Road right-of-way lying directly east of 1128 Tower Ridge Drive. Said portion of right-of-way is not improved nor used for traffic circulation.

8. *To assist in the implementation of the goals and objectives of the Comprehensive Plan.*

The request is consistent with the local access and circulation objectives stated in Chapter 6, Transportation of the Bluffs Tomorrow: 2030 Plan (comprehensive plan).

9. *To reduce the City's maintenance liability on previously vacated right-of-way parcels from public improvement projects and various lots acquired through delinquent taxes or assessments.*

Not applicable.

10. *To establish an equitable price for surplus public property.*

The applicant was notified about this vacation request. Their response is included below:

- Brian E. Heistand stated he is in favor of the request and is willing to acquire the portion of right-of-way adjacent to his property for the sum of \$187.50.

**Recommendation**

The Community Development Department recommends approval of the request to vacate and dispose of part of Ridge Road right-of-way abutting Lot 14, Tower Ridge Estates, Phase II, Council Bluffs, Pottawattamie



County, Iowa and legally described in Attachment 'B,' subject to an easement being retained over the subject right-of-way for utility access and maintenance purposes.

**Attachments**

Attachment A: Location and Zoning Map

Attachment B: Plat of Survey

Attachment C: Plot Plan

Prepared by: Moises Monrroy, Planner, Community Development Department

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

## Legend

 Subject Right-of-Way

0 12.5 25  
1 Inch = 27 Feet



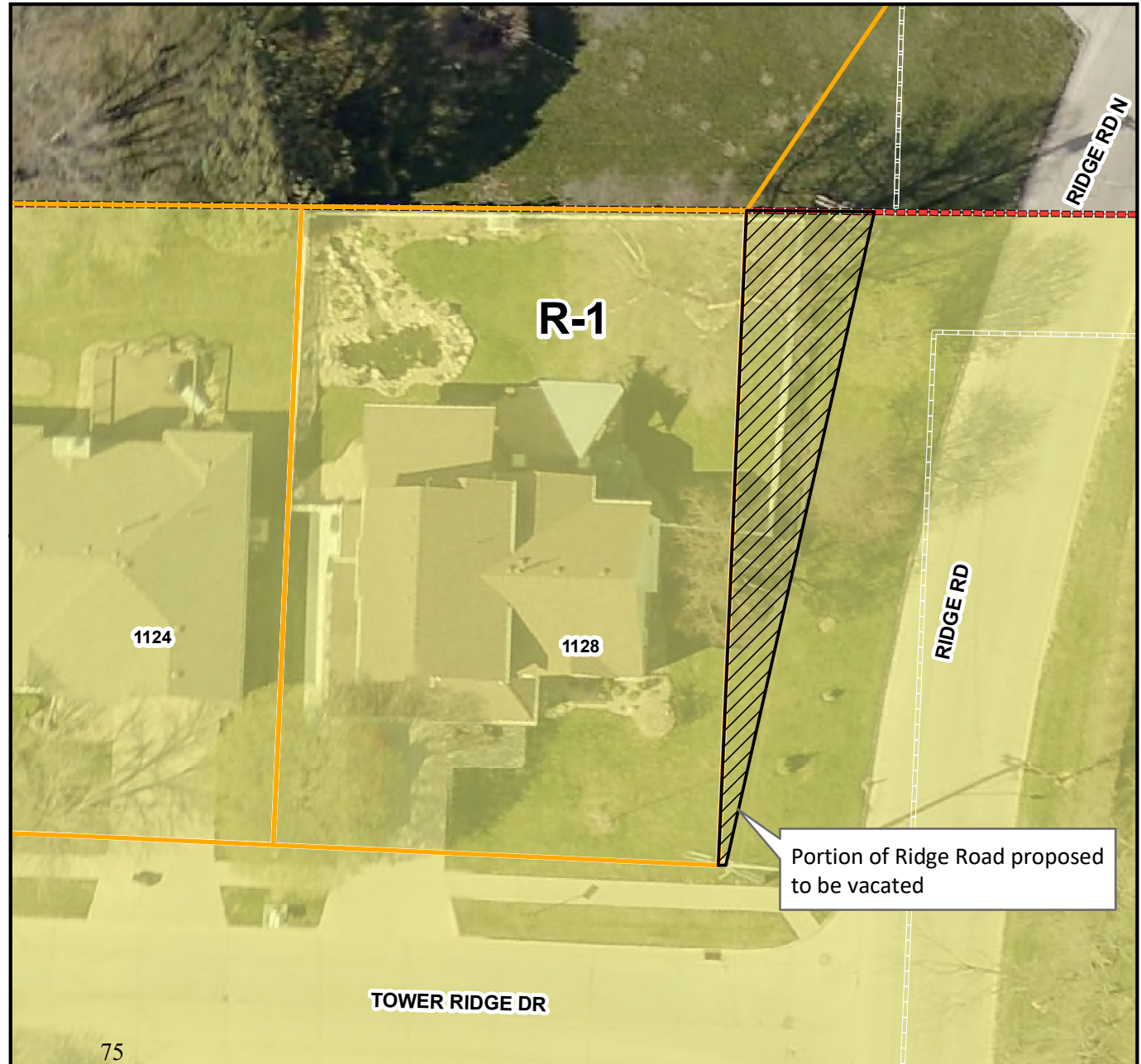
Last Amended: 8/20/2021



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

### DISCLAIMER

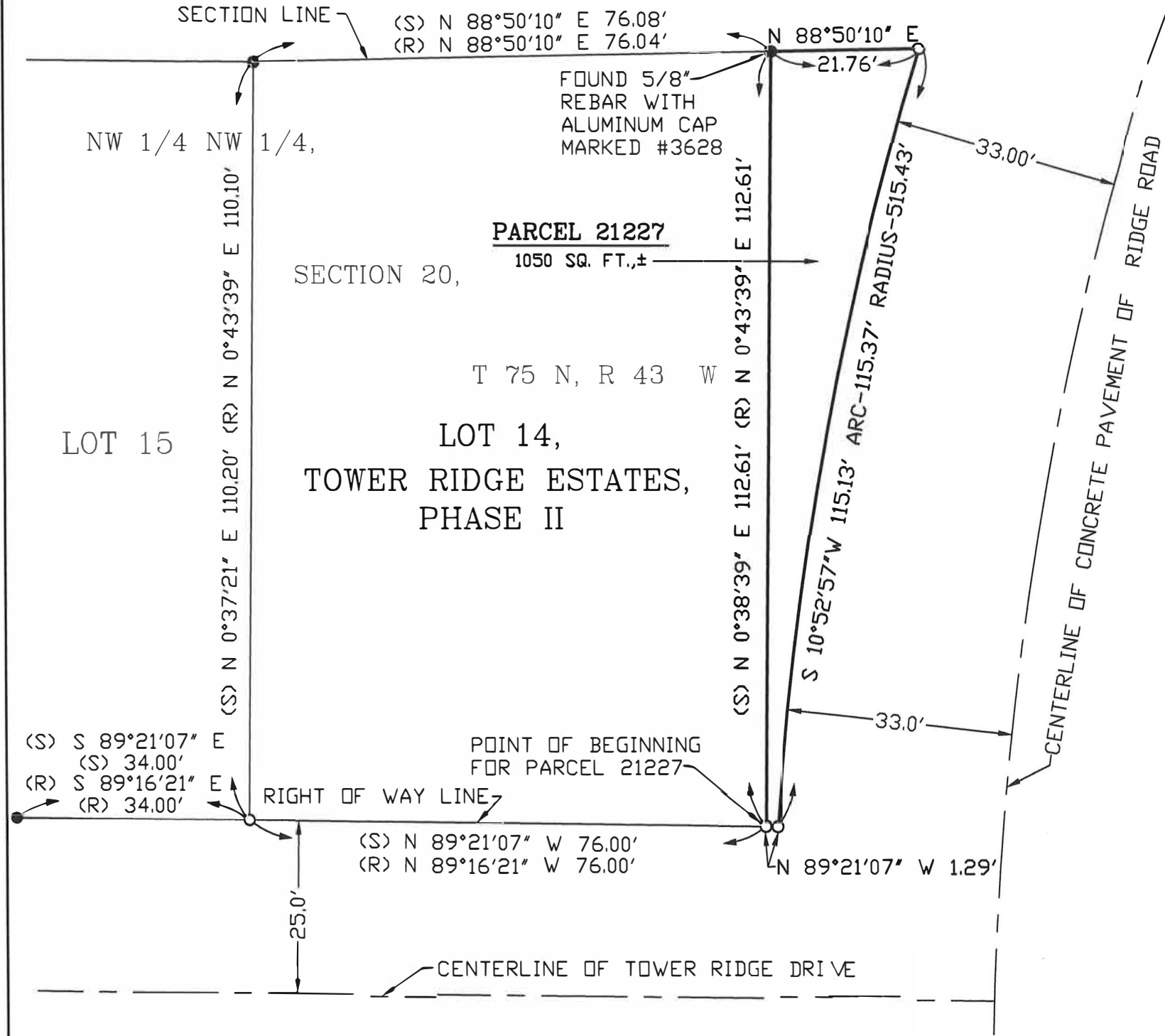
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INDEX LEGEND
LOCATION: PART OF THE RIGHT OF WAY OF RIDGE ROAD
ABUTTING LOT 14, TOWER RIDGE ESTATES, PHASE II,
COUNCIL BLUFFS, IOWA.
REQUESTED BY: BRIAN HEISTAND
PROPRIETOR: BRIAN HEISTAND
TAX ADDRESS: 1128 TOWER RIDGE DRIVE, COUNCIL BLUFFS, IOWA 51503
SITE ADDRESS: 1128 TOWER RIDGE DRIVE, COUNCIL BLUFFS, IOWA 51503
LAND SURVEYOR: CARL H. ROGERS, JR.
LAND SURVEYING COMPANY: ROGERS SURVEYING

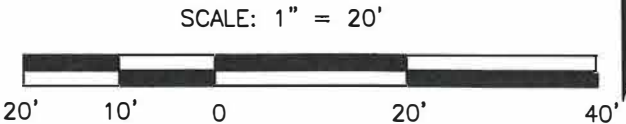
PREPARED BY: CARL H. ROGERS, JR. PHONE: (402) 689-1549  
1688 ROLLING HILLS LOOP, COUNCIL BLUFFS, IOWA 51503



PLAT OF SURVEY

OF PART OF THE RIGHT OF WAY OF RIDGE ROAD, LOCATED IN PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE FIFTH PRINCIPAL MERIDIAN, COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

- LEGEND:
- - SET 5/8" REBAR WITH ALUMINUM CAP MARKED L.L.S. #7717
  - - FOUND 5/8" REBAR WITH ALUMINUM CAP MARKED #7717, UNLESS OTHERWISE DESCRIBED ON DRAWING
  - (S) - SURVEYED AS
  - (R) - RECORDED AS



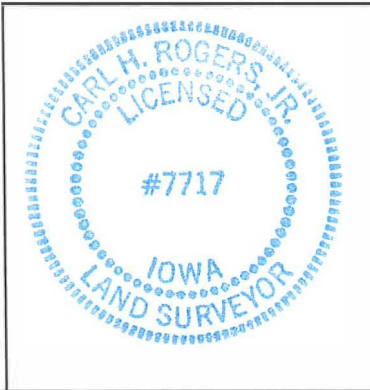
LEGAL DESCRIPTION: PARCEL 21227

PART OF THE RIGHT OF WAY OF RIDGE ROAD LOCATED IN PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POTTAWATTAMIE COUNTY, COUNCIL BLUFFS, IOWA AND ABUTTING LOT 14, TOWER RIDGE ESTATES, PHASE II, COUNCIL BLUFFS, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 14 AND POINT OF BEGINNING; THENCE NORTH 0°38'39" EAST, ALONG THE EAST LINE OF SAID LOT 14, A DISTANCE OF 112.61 FEET TO THE NORTHEAST CORNER OF SAID LOT 14, SAID POINT IS ALSO ON THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE NORTH 88°50'10" EAST, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 21.76 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 515.43 FEET, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARS NORTH 72°42'18" WEST; THENCE SOUTHWESTERLY ALONG SAID CURVE AN ARC LENGTH OF 115.37 FEET AND HAVING A CHORD BEARING AND DISTANCE OF SOUTH 10°52'57" WEST, 115.13 FEET TO A POINT ON THE EAST PROLONGATION OF THE SOUTH LINE OF SAID LOT 14; THENCE NORTH 89°21'07" WEST, ALONG SAID PROLONGATION OF THE SOUTH LINE OF SAID LOT 14, A DISTANCE OF 1.29 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 1050 SQUARE FEET, MORE OR LESS.

NOTE: THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER IS ASSUMED TO BEAR NORTH 88°50'10" EAST FOR THIS DESCRIPTION.

THIS PARCEL IS SUBJECT TO THE RESERVATION OF A PERMANENT AND PERPETUAL UTILITIES EASEMENT IN FAVOR OF THE CITY OF COUNCIL BLUFFS, IOWA FOR THE MAINTENANCE OF ANY AND ALL UTILITIES PRESENTLY IN PLACE, AND FOR SUCH RECONSTRUCTION, RE-EMPLACEMENT AND REPAIR THEREOF WHICH SAID CITY AND ITS LICENSEES AND/OR FRANCHISE GRANTEES MAY IN THE FUTURE DEEM NECESSARY AND PROPER, AND FOR THE REMOVAL OF ANY IMPROVEMENTS EMPLACED THEREON BY THE GRANTEES, OR THEIR SUCCESSORS OR ASSIGNS, NECESSITATED BY THE RECONSTRUCTION, RE-EMPLACEMENT, OR REPAIR OF SUCH UTILITIES, SUCH REMOVAL TO BE AT THE SOLE EXPENSE OF GRANTEES OR THEIR SUCCESSORS OR ASSIGNS AND WITHOUT COST TO THE CITY, ITS LICENSEES AND/OR FRANCHISE GRANTEES, AND WITHOUT OBLIGATION TO REPAIR OR REPLACE SUCH IMPROVEMENTS, AND SUBJECT TO ANY AND ALL OTHER EASEMENTS AND RIGHT-OF-WAY OF RECORD AND THOSE NOT OF RECORD.



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

*Carl H. Rogers, Jr.* AUGUST 17, 2021  
CARL H. ROGERS, JR. DATE

LICENSE NUMBER: 7717

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2022.

NUMBER OF SHEETS COVERED BY THIS SEAL: SHEET 1 OF 1

TITLE: PLAT OF SURVEY OF PART OF THE RIGHT OF WAY OF RIDGE ROAD, LOCATED IN PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POTTAWATTAMIE COUNTY, COUNCIL BLUFFS, IOWA.

CLIENT: BRIAN HEISTAND  
1128 TOWER RIDGE DRIVE  
COUNCIL BLUFFS, IOWA 51503

SHEET 1 OF 1

ROGERS SURVEYING 1688 ROLLING HILLS LOOP COUNCIL BLUFFS, IOWA		
SCALE: 1" = 20'	PHONE: (402) 689-1549	DRAWN BY: J.A.T.
DATE: 8-17-2021		REVISED



INDEX LEGEND
LOCATION: PART OF THE RIGHT OF WAY OF RIDGE ROAD
ABUTTING LOT 14, TOWER RIDGE ESTATES, PHASE II, COUNCIL BLUFFS, IOWA.
REQUESTED BY: BRIAN HEISTAND
PROPRIETOR: BRIAN HEISTAND
TAX ADDRESS: 1128 TOWER RIDGE DRIVE, COUNCIL BLUFFS, IOWA 51503
SITE ADDRESS: 1128 TOWER RIDGE DRIVE, COUNCIL BLUFFS, IOWA 51503
LAND SURVEYOR: CARL H. ROGERS, JR.
LAND SURVEYING COMPANY: ROGERS SURVEYING

FOR PRELIMINARY USE ONLY.

PLAT OF SURVEY

OF PART OF THE RIGHT OF WAY OF RIDGE ROAD ABUTTING LOT 14, TOWER RIDGE ESTATES, PHASE II, COUNCIL BLUFFS, IOWA.

- LEGEND:
- - SET 5/8" REBAR WITH ALUMINUM CAP MARKED L.L.S. #7717
  - - FOUND 5/8" REBAR WITH ALUMINUM CAP MARKED #7717, UNLESS OTHERWISE DESCRIBED ON DRAWING
  - (S) - SURVEYED AS
  - (R) - RECORDED AS
- SCALE: 1" = 20'

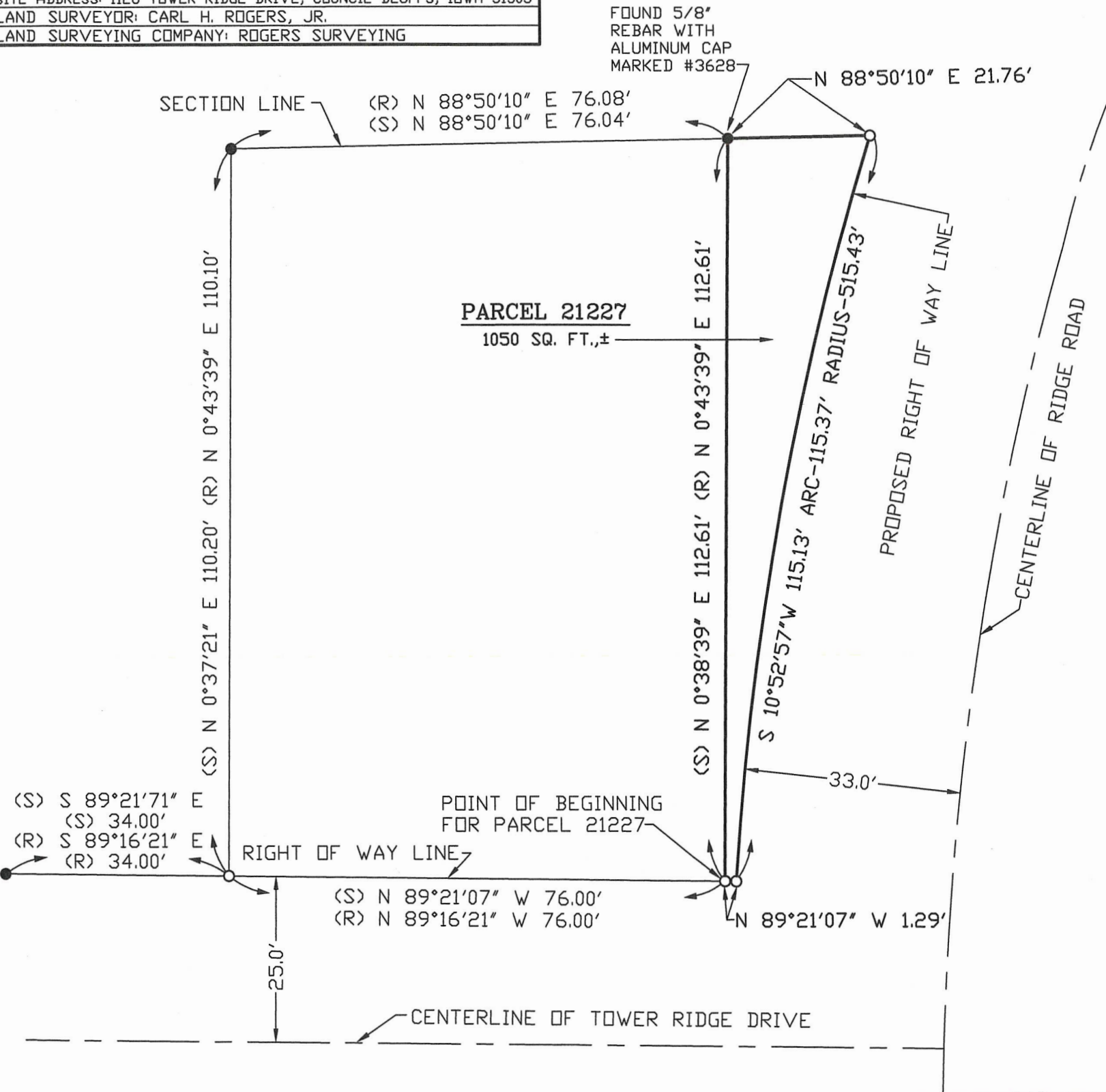


LEGAL DESCRIPTION: PARCEL 21227

PART OF THE RIGHT OF WAY OF RIDGE ROAD ABUTTING LOT 14, TOWER RIDGE ESTATES, PHASE II, COUNCIL BLUFFS, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 14 AND POINT OF BEGINNING; THENCE NORTH 0°38'39" EAST, ALONG THE EAST LINE OF SAID LOT 14, A DISTANCE OF 112.61 FEET TO THE NORTHEAST CORNER OF SAID LOT 14, SAID POINT IS ALSO ON THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POTTAWATTAMIE COUNTY, COUNCIL BLUFFS, IOWA; THENCE NORTH 88°50'10" EAST, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 21.76 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF RIDGE ROAD, SAID POINT IS ALSO ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 515.43 FEET, A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 72°42' 18" WEST; THENCE SOUTHWESTERLY ALONG THE WEST RIGHT OF WAY LINE OF SAID RIDGE ROAD AND ALONG SAID CURVE AN ARC LENGTH OF 115.37 FEET AND HAVING A CHORD BEARING AND DISTANCE OF SOUTH 10°52'57" WEST, 115.13 FEET TO A POINT ON THE EXTENSION SOUTH 89°21'07" EAST OF THE NORTH RIGHT OF WAY LINE OF TOWER RIDGE DRIVE; THENCE NORTH 89°21'07" WEST, ALONG SAID EXTENSION OF THE NORTH RIGHT OF WAY LINE OF TOWER RIDGE DRIVE, A DISTANCE OF 1.29 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 1050 SQUARE FEET, MORE OR LESS.

NOTE: THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER IS ASSUMED TO BEAR NORTH 88°50'10" EAST FOR THIS DESCRIPTION.

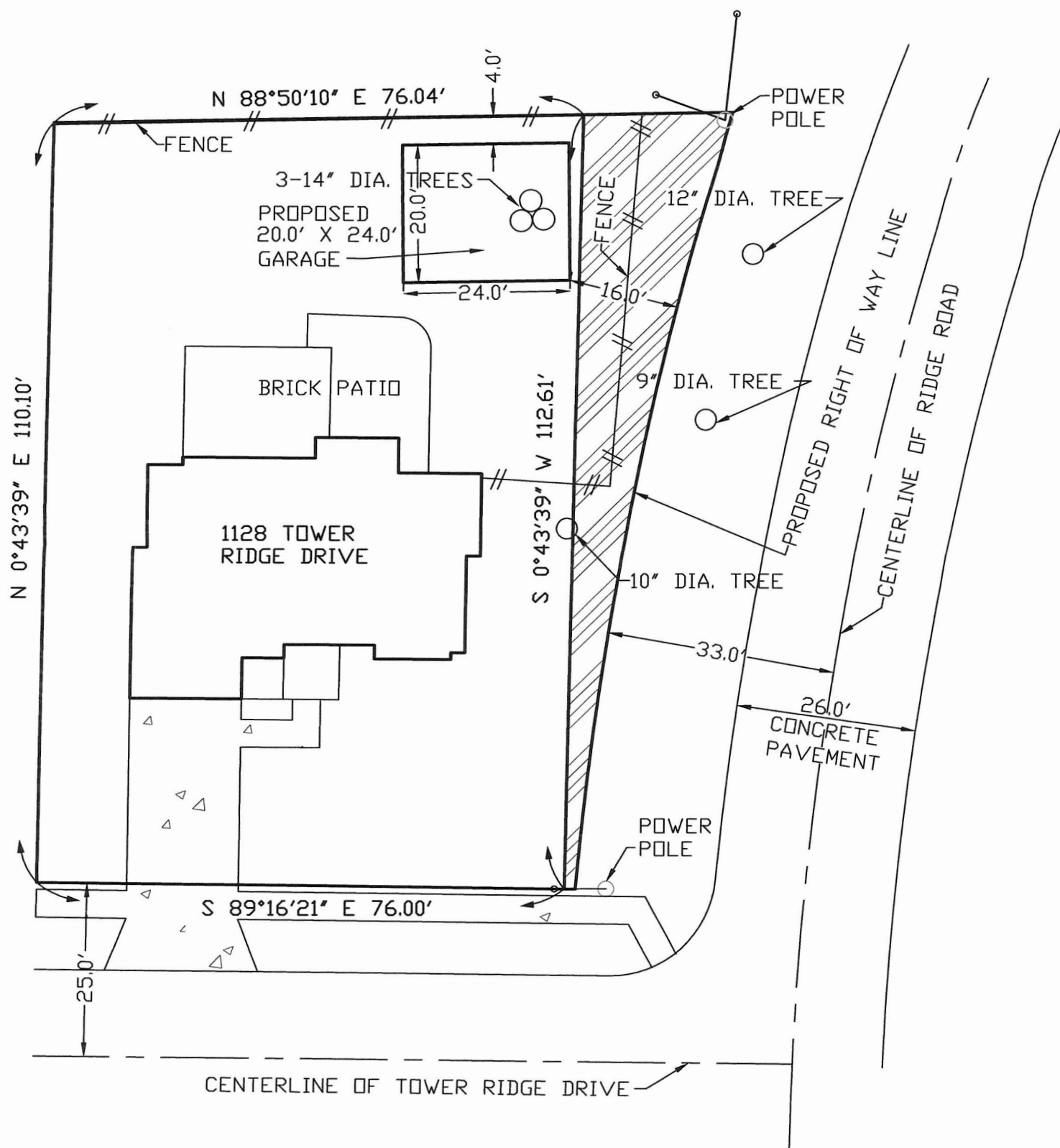


FOR PRELIMINARY USE ONLY.

ROGERS SURVEYING 1688 ROLLING HILLS LOOP COUNCIL BLUFFS, IOWA			I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.	
SCALE: 1" = 20'			CARL H. ROGERS, JR. DATE	
DATE: 7-21-2021			LICENSE NUMBER: 7717	
			MY LICENSE RENEWAL DATE IS DECEMBER 31, 2022.	
			NUMBER OF SHEETS COVERED BY THIS SEAL: SHEET 1 OF 1	
			TITLE: PLAT OF SURVEY OF PART OF THE RIGHT OF WAY OF RIDGE ROAD ABUTTING LOT 14, TOWER RIDGE ESTATES, PHASE II, COUNCIL BLUFFS, IOWA.	
			CLIENT: BRIAN HEISTAND 1128 TOWER RIDGE DRIVE COUNCIL BLUFFS, IOWA 51503	SHEET 1 OF 1

**LOT 14, TOWER RIDGE ESTATES, PHASE II, COUNCIL BLUFFS, IOWA.**

SCALE: 1" = 20'



1688 ROLLING HILLS LOOP COUNCIL BLUFFS, IOWA

PHONE:

(402) 689-1549

DRAWN BY: J.A.T.

REVISÉ 78

TITLE: PLOT PLAN OF LOT 14, TOWER RIDGE ESTATES,  
PHASE II, COUNCIL BLUFFS, IOWA.

CLIENT: BRIAN HEISTAND  
1128 TOWER RIDGE DRIVE  
COUNCIL BLUFFS, IOWA 51503

SHEET 1 OF 1



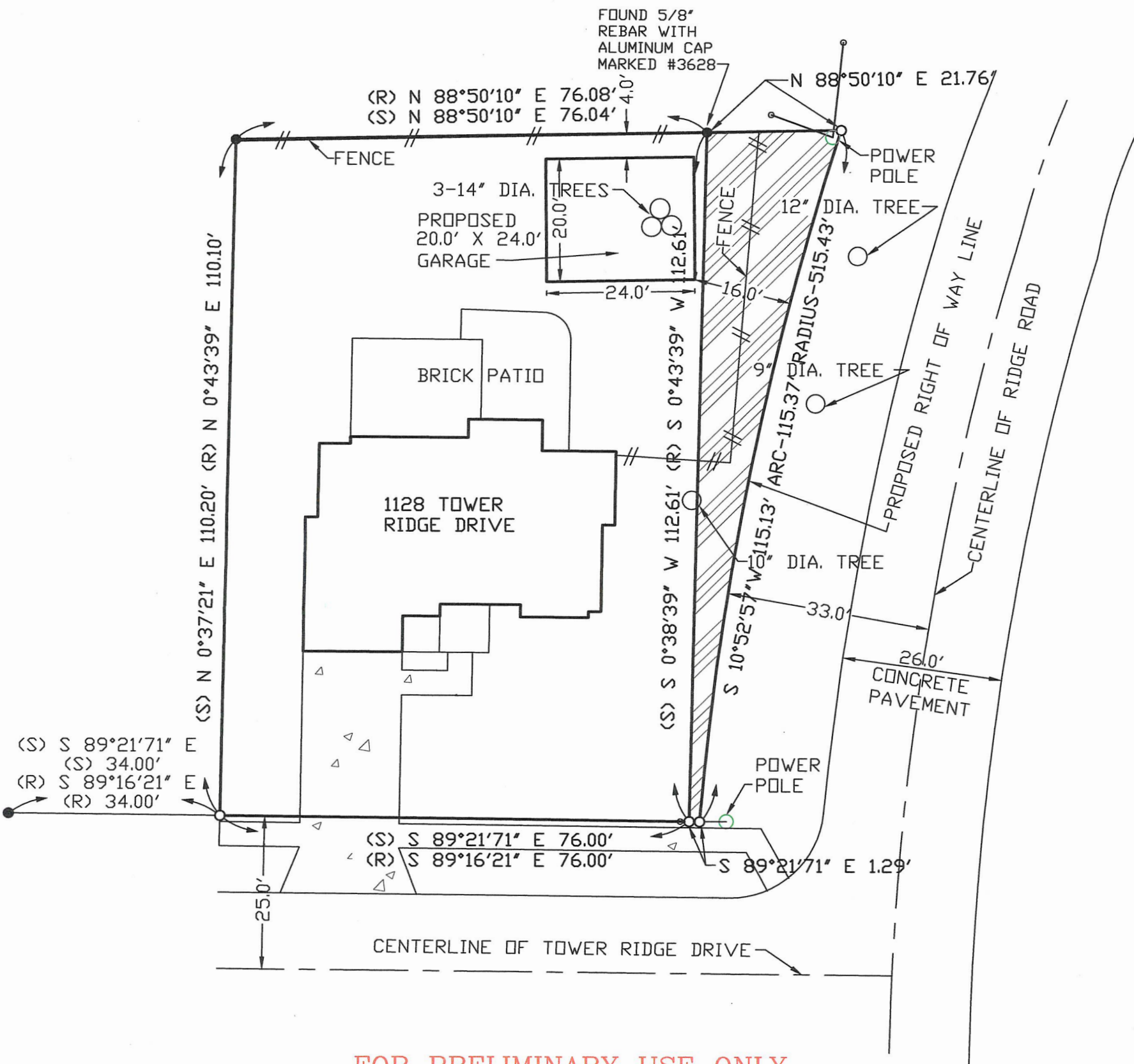
INDEX LEGEND  
LOCATION: PART OF THE RIGHT OF WAY OF RIDGE ROAD  
ABUTTING LOT 14, TOWER RIDGE ESTATES, PHASE II,  
COUNCIL BLUFFS, IOWA.  
REQUESTED BY: BRIAN HEISTAND  
PROPRIETOR: BRIAN HEISTAND  
TAX ADDRESS: 1128 TOWER RIDGE DRIVE, COUNCIL BLUFFS, IOWA 51503  
SITE ADDRESS: 1128 TOWER RIDGE DRIVE, COUNCIL BLUFFS, IOWA 51503  
LAND SURVEYOR: CARL H. ROGERS, JR.  
LAND SURVEYING COMPANY: ROGERS SURVEYING

- LEGEND:
- - SET 5/8" REBAR WITH ALUMINUM CAP MARKED L.L.S. #7717
  - - FOUND 5/8" REBAR WITH ALUMINUM CAP MARKED #7717, UNLESS OTHERWISE DESCRIBED ON DRAWING
  - (S) - SURVEYED AS
  - (R) - RECORDED AS

SCALE: 1" = 20'



FOR PRELIMINARY USE ONLY.



FOR PRELIMINARY USE ONLY.

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

CARL H. ROGERS, JR.

DATE

LICENSE NUMBER: 7717

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2022.

NUMBER OF SHEETS COVERED BY THIS SEAL: SHEET 1 OF 1

ROGERS SURVEYING  
1688 ROLLING HILLS LOOP COUNCIL BLUFFS, IOWA

TITLE: PLOT PLAN OF LOT 14, TOWER RIDGE ESTATES, PHASE II, COUNCIL BLUFFS, IOWA AND ABUTTING RIGHT OF WAY OF RIDGE ROAD

SCALE: 1" = 20'

PHONE:

DRAWN BY: J.A.T.

CLIENT: BRIAN HEISTAND  
1128 TOWER RIDGE DRIVE  
COUNCIL BLUFFS, IOWA 51503

SHEET 1 OF 1

DATE: 7-21-2021

(402) 689-1549

REVISED  
79

## Planning Commission Communication

Department: Community

Development

Case/Project No.: ZC-21-010 &  
SAV-21-005

CASES #ZC-21-010 & SAV-21-  
005

Council Action: 9/14/2021

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

### Description

Combined public hearings on the request of Eyman Investments, LLC, represented by Max Kelch, to rezone 6.87 acres of land legally described as Parcel "21219" of the West 1/2 of the NE1/4 and a portion of SE1/4 NE1/4, all in Section 15-74-44, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates, and Agricultural District to I-2/Industrial District; and to vacate the southerly portion of 45th Avenue right-of-way lying west of Gifford Road and south of Veterans Memorial Highway and being legally described as a portion of Parcels 21219 and 21220 of the SE1/4 NE1/4 and a portion of the NE1/4 SE1/4, all in Section 15-74-44, City of Council Bluffs, Pottawattamie County, Iowa. Location: Lying west/southwest of property addressed as 4445 Gifford Road.

### Background/Discussion

See attachments.

### Recommendation

### ATTACHMENTS:

Description

Staff Report & Attachments

Type

Other

Upload Date

9/9/2021

### Planning Commission Communication

Department: Community Development  Cases #SAV-20-005 & #ZC-21-010  Applicant/Property Owner: Tom Eyman c/o Eyman Investments, LLC 8506 South 117 <sup>th</sup> Street LaVista, NE 68128	Ordinance No. _____  Resolution of Intent No. _____  Resolution to Dispose No. _____	Planning Commission: 09/14/2021
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#### Subject/Title

**Requests:** Combined public hearings on the request of Eyman Investments, LLC, represented by Max Kelch, to rezone 6.87 acres of land legally described as Parcel "21219" of the West 1/2 of the NE1/4 and a portion of SE1/4 NE1/4, all in Section 15-74-44, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates, and Agricultural District to I-2/Industrial District; and to vacate the southerly portion of 45th Avenue right-of-way lying west of Gifford Road and south of Veterans Memorial Highway and being legally described as a portion of Parcels 21219 and 21220 of the SE1/4 NE1/4 and a portion of the NE1/4 SE1/4, all in Section 15-74-44, City of Council Bluffs, Pottawattamie County, Iowa. Location: Lying west/southwest of property addressed as 4445 Gifford Road.

**Location:** Lying west/southwest of property addressed as 4445 Gifford Road.

#### Background/Discussion

The Community Development Department has received an application from Tom Eyman, represented by Max Kelch to rezone property legally described as Parcel "21219" of the West 1/2 of the NE1/4 and a portion of SE1/4 NE1/4, all in Section 15-74-44, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates, and Agricultural District to I-2/Industrial District; and to vacate the southerly portion of 45th Avenue right-of-way lying west of Gifford Road and south of Veterans Memorial Highway and being legally described as a portion of Parcels 21219 and 21220 of the SE1/4 NE1/4 and a portion of the NE1/4 SE1/4, all in Section 15-74-44, City of Council Bluffs, Pottawattamie County, Iowa.

The applicant owns 31.6 acres of land immediately east of the subject 45<sup>th</sup> Avenue right-of-way and has a purchase agreement with Robert D. Adkins to acquire the subject 6.87 acres of land, which is proposed to be rezoned from A-2 District to I-2 District. The applicant has requested to vacate the southerly portion of 45<sup>th</sup> Avenue right-of-way and to rezone the subject property legally described above so that they can subdivide their landholdings into multiple parcels to facilitate new industrial development adjacent to South Pointe Subdivision. A letter of intent from the applicant is included with this staff report as Attachment 'A'. Additionally, the applicant has provided the City with plats of survey for the southerly portion of 45<sup>th</sup> Avenue right-of-way proposed to be vacated (Attachment B), and for the 6.87 acre parcel of land proposed to be rezoned from A-2 District to I-2 District (Attachment C).

**CASE #SAV-21-005** – Vacate the southerly portion of 45<sup>th</sup> Avenue right-of-way, being legally described on Attachment B.

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

1. *To provide due process and citizen participation in the application and review process for vacations.* There are four property owners with land that abuts the subject 45<sup>th</sup> Avenue right-of-way, as follows:
  - East – A 21.9 acre parcel of land owned by Eyman Investments, LLC.
  - West – An undeveloped 5.16 acre parcel of land owned by Robert D. Adkins Jr. This parcel is under contract to be purchased by the applicant and to be rezoned from A-2 District to I-2 District.
  - South – An undeveloped 39 acre parcel of land owned by Kenneth L. Adkins, and an undeveloped 69 acre parcel of land owned by Walter and Cynthia Bussey.All abutting property owners were mailed petitions asking if they are in favor of/opposed to the vacation request. Responses to these petitions are summarized in Comment #10 below.
2. *To ensure that no property owner is deprived of required and reasonable access.* The subject portion of 45<sup>th</sup> Avenue proposed to be vacated is unimproved and does not provide vehicular and/or pedestrian access to any of the abutting parcels. Furthermore, all abutting properties have access to other existing public rights-of-way such as: Veterans Memorial Highway, Gifford Road, and 55<sup>th</sup> Avenue.
3. *To discourage the creation and eliminate or reduce existing dead-end alleys, streets or other rights-of-way.* The proposed request will create a dead-end section of 45<sup>th</sup> Avenue; however, the subject right-of-way is unimproved, relatively inaccessible due to existing vegetation, and is not needed for required access to any abutting parcels. The creation of a dead-end street at this location is not anticipated to negatively impact the development potential for any abutting properties, nor would it impede access for any abutting properties.
4. *To reduce or eliminate hazardous and dangerous traffic conditions.* The subject right-of-way is unimproved and is not used for vehicular and/or pedestrian traffic.
5. *To protect all existing and proposed public utilities located in the right-of-way and to maintain necessary utility easements.* All City Departments and utilities were notified of the request. The following responses were received:
  - Council Bluffs Fire Department stated they have no comments for the vacation request.
  - Council Bluffs Parks and Recreation Department stated they have no comments for the vacation request.
  - Council Bluffs Water Works stated they have no public water mains or appurtenances within the subject right-of-way.
  - MidAmerican Energy stated they have no utilities in the subject right-of-way.
  - Lumen's stated that CenturyLink has a buried telecommunication line that extends the entire length of 45<sup>th</sup> Avenue and that a utility easement must be reserved for perpetual access/maintenance purposes. Lumen's further stated any cost to move and/or relocate this existing telecommunication will be at the developer's expense.
6. *To maintain appropriate right-of-way width to ensure that an adequate pedestrian and vehicular circulation system is retained.* The subject right-of-way is unimproved and not being used for pedestrian and/or vehicular circulation.
7. *To discourage the vacation of a portion of an existing alley, street or other right-of-way.* The proposed request will vacate the southerly portion of 45<sup>th</sup> Avenue right-of-way which is unimproved, relatively inaccessible due to existing vegetation, and is not needed for required access to any abutting parcels. The partial vacation at this location is not anticipated to negatively impact the development potential for any abutting properties, nor would it impede access for any abutting properties.

8. *To assist in the implementation of the goals and objectives of the Comprehensive Plan.* The request is consistent with the local access and circulation objectives stated in Chapter 6, Transportation of the Bluffs Tomorrow: 2030 Plan (comprehensive plan).
9. *To reduce the City's maintenance liability on previously vacated right-of-way parcels from public improvement projects and various lots acquired through delinquent taxes or assessments.* Not applicable.
10. *To establish an equitable price for surplus public property.* The subject 45<sup>th</sup> Avenue right-of-way exists as an easement on private property, and not land that was formally dedicated as right-of-way to the City of Council Bluffs. As such, there is no land to dispose of to any adjacent owners. If vacated, the City will release their easement interest over the subject right-of-way, and land will continue to be owned by each abutting property owner. All abutting property owners returned their petitions to the City stating they are in favor of the vacation request.

**CASE #ZC-21-010** – Rezone 6.87 acres of land legally described on Attachment ‘C’ from A-2/Parks, Estates, and Agricultural District to I-2/Industrial District.

The applicant has submitted a request to rezone 6.87 acres of land legally described above, and being more particularly described in Attachment ‘C’ from A-2/Parks, Estates, and Agricultural District to I-2/Industrial District. The applicant currently owns 31.6 acres of land to the immediate east of this subject property. If the rezoning request is approved, the applicant intends to subdivide their total combined 38.47 acres into multiple parcels of land to facilitate new industrial development (e.g., warehousing/distribution, contractor shops, etc.) adjacent to the South Pointe Subdivision.

#### Land Use and Zoning

The following zoning and land uses surround the subject property (see Attachment D):

North: Veterans Memorial Highway (US Hwy 275) and a single-family residential dwelling (2601 Veterans Memorial Highway) zoned A-2/Parks, Estates, and Agricultural District.

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

East: Undeveloped land zoned I-2/General Industrial District

West: Undeveloped land zoned R-3/Low Density Multi-Family Residential District.

The future land use plan of the Bluffs Tomorrow: 2030 Comprehensive Plan designates the subject 6.87 acre parcel as Office/Industrial.

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

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

#### **Discussion**

1. The applicant currently owns 31.6 acres of land to the immediate east of this subject property. If the rezoning request is approved, the applicant intends to subdivide their total combined 38.47 acres into multiple parcels of land to facilitate new industrial development (e.g., warehousing/distribution, contractor shops, etc.) adjacent to the South Pointe Subdivision.
2. On July 12, 2021, the Council Bluffs City Council rezoned land immediately east and southeast of the subject property from A-2/Parks, Estates, and Agricultural District to I-2/Industrial District (see Case #ZC-21-006).



The purpose of said rezoning was to facilitate new industrial development within an area of the City that has pre-existing industrial land uses (e.g., Consolidated Concrete, CB Recycling Center, CyrusOne, etc.).

3. The subject parcel contains 6.87 acres of land which complies with the minimum lot size requirement (15,000 square feet) for property zoned I-2/Industrial District.
4. The future land use plan of the Bluffs Tomorrow: 2030 Comprehensive Plan designates the subject property "Office/Industrial." The proposed rezoning request is consistent with the Bluffs Tomorrow: 2030 Future Land Use Plan.
5. Adequate utilities (e.g. water, sanitary sewer, storm sewer, electric, etc.) are available to accommodate the uses permitted in the I-2/General Industrial District.
6. If the rezoning request is approved, the property located at 2601 Veterans Memorial Highway will be surrounded by industrial land uses/zoning. The owner of this parcel has not expressed any interest to the City to include their property in the previous rezoning request (Case #ZC-21-006) or the proposed rezoning request (Case #ZC-21-010). Additionally, the Community Development Department did not voluntarily include this property in the proposed rezoning request as it would cause the existing single-family residential dwelling to become non-conforming.

#### **Recommendation**

The Community Development Department recommends the following:

1. Approval to vacate the southerly portion of 45<sup>th</sup> Avenue right-of-way, as legally described on Attachment 'B', subject to the reservation of a permanent and perpetual easement for existing utilities within said right-of-way; and
2. Approval to rezone property legally described on Attachment 'C' from A-2/Parks, Estates, and Agricultural District to I-2/Industrial District

#### **Attachments**

Attachment A: Letter of intent from the applicant

Attachment B: Plat of survey for the subject portion of 45<sup>th</sup> Avenue right-of-way proposed to be vacated

Attachment C: Plat of survey for subject property proposed to be rezoned from A-2 District to I-2 District

Attachment D: Location/zoning map

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

## **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.

## **Attachment A**

Attachment B

EXHIBIT

A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), SECTION 15, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), SECTION 15, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4);

THENCE ON THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), NORTH 89 DEGREES 44 MINUTES 04 SECONDS WEST, 1167.07 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF AN EXISTING ROADWAY RECORDED IN ROAD CALENDAR BOOK B, PAGE 554, PETITION 325 IN THE POTTAWATTAMIE COUNTY ENGINEER'S OFFICE, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE ON THE SOUTHERLY PROLONGATION OF SAID EAST RIGHT-OF-WAY LINE, SOUTH 08 DEGREES 26 MINUTES 39 SECONDS WEST, 33.34 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF AN EXISTING ROADWAY RECORDED IN ROAD CALENDAR BOOK D, PAGE 68, PETITION 993 IN THE POTTAWATTAMIE COUNTY ENGINEER'S OFFICE;

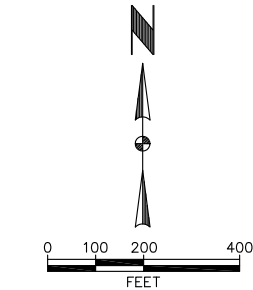
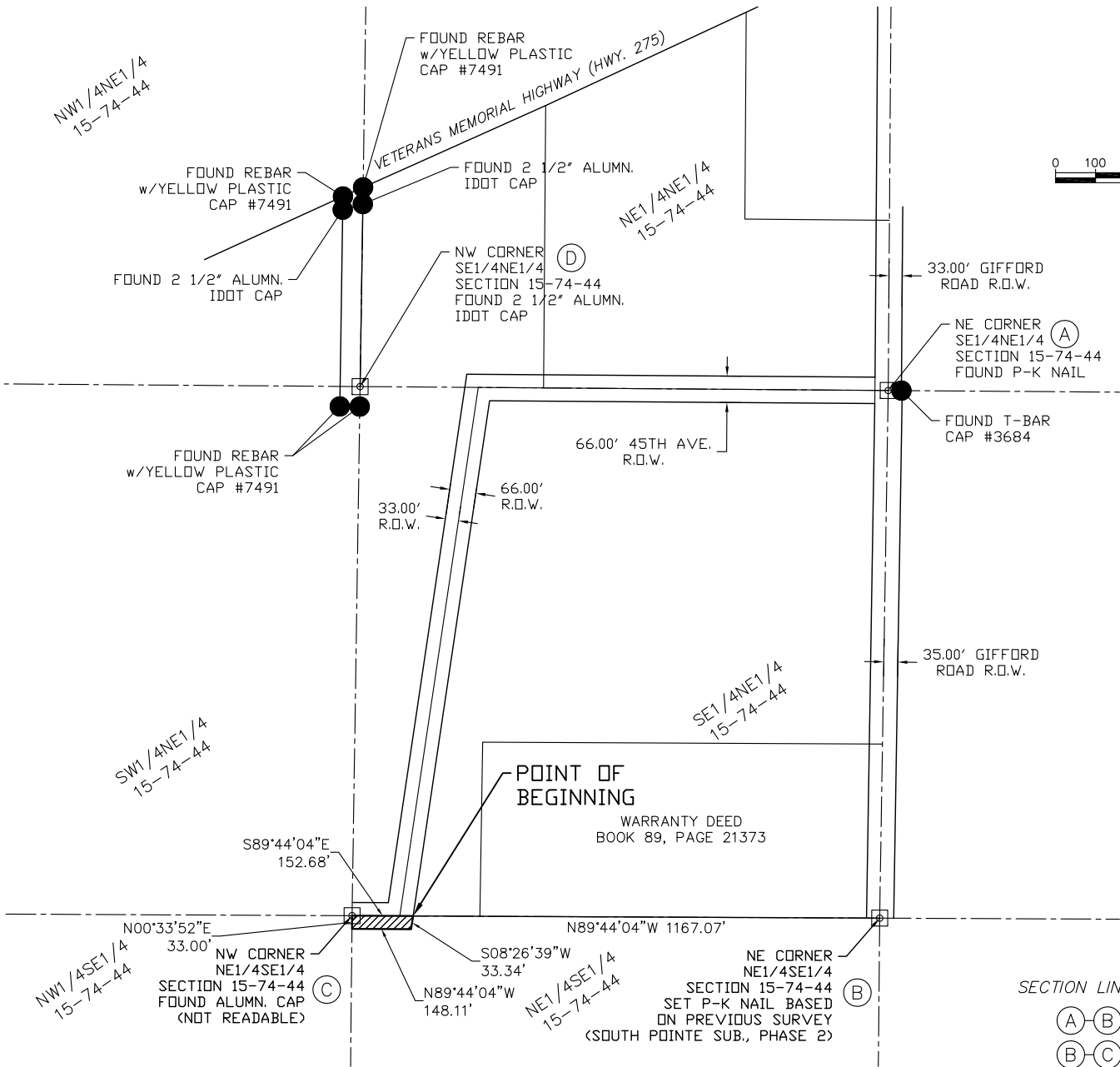
THENCE ON SAID SOUTH RIGHT-OF-WAY LINE, NORTH 89 DEGREES 44 MINUTES 04 SECONDS WEST, 148.11 FEET TO A POINT ON THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4);

THENCE ON SAID WEST LINE, NORTH 00 DEGREES 33 MINUTES 52 SECONDS EAST, 33.00 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4);

THENCE ON THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4), SOUTH 89 DEGREES 44 MINUTES 04 SECONDS EAST, 152.68 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 0.114 ACRE, MORE OR LESS.

PREPARED BY: DAVID E. FORSYTHE, P.L.S., HGM ASSOCIATES INC., 640 5th AVENUE, COUNCIL BLUFFS, IOWA 51502 (712)323-0530



LEGEND

- FOUND PIN AS NOTED
- SET 5/8" REBAR W/YELLOW PLASTIC CAP MARKED "HGM ASSOC. PLS 25604"
- FOUND SECTION CORNER AS NOTED
- (S) SURVEYED
- (P) PLAT OF SURVEY BOOK 101, PAGE 50968
- R.O.W. RIGHT-OF-WAY
- (D) WARRANTY DEED BOOK 106, PAGE 04539

SECTION LINE BEARINGS & DISTANCES

- (A)-(B) S00°55'48"W 1319.77'(S) 1319.90'(P)
- (B)-(C) N89°44'04"W 1319.75'(S) 1319.58'(P)
- (C)-(D) N00°52'19"E 1323.47'(S)
- (D)-(A) S89°34'24"E 1321.05'(S) 1321.14'(P)

This drawing is being made for use on this project in accordance with the professional seal of the drafter. The drafter assumes no liability for any use of this drawing or any part thereof except in accordance with the terms of the above agreement.

**hgm**  
ASSOCIATES INC.  
640 FIFTH AVENUE COUNCIL BLUFFS, IOWA  
PHONE: (712) 323-0530

drawn	designed	approved	date
ZEH	DEF	DEF	JULY 21
			date
			revision

project SE1/4NE1/4 SECTION 15-74-44  
client TOM EYMAN  
sheet **VACATION EXHIBIT**

project no.  
107121  
sheet  
**1 OF 1**

Attachment B

EXHIBIT

A PARCEL OF LAND BEING A PORTION OF PARCEL "21219" AND A PORTION OF PARCEL "21220" IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), SECTION 15, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF PARCEL "21219" AND A PORTION OF PARCEL "21220" IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), SECTION 15, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4);

THENCE ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), NORTH 89 DEGREES 44 MINUTES 04 SECONDS WEST, 1167.07 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF AN EXISTING ROADWAY RECORDED IN ROAD CALENDAR BOOK B, PAGE 554, PETITION 325 IN THE POTTAWATTAMIE COUNTY ENGINEER'S OFFICE, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE CONTINUING ON SAID SOUTH LINE, NORTH 89 DEGREES 44 MINUTES 04 SECONDS WEST, 152.68 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4);

THENCE ON THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), NORTH 00 DEGREES 52 MINUTES 19 SECONDS EAST, 33.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF AN EXISTING ROADWAY RECORDED IN ROAD CALENDAR BOOK D, PAGE 68, PETITION 993 IN THE POTTAWATTAMIE COUNTY ENGINEER'S OFFICE;

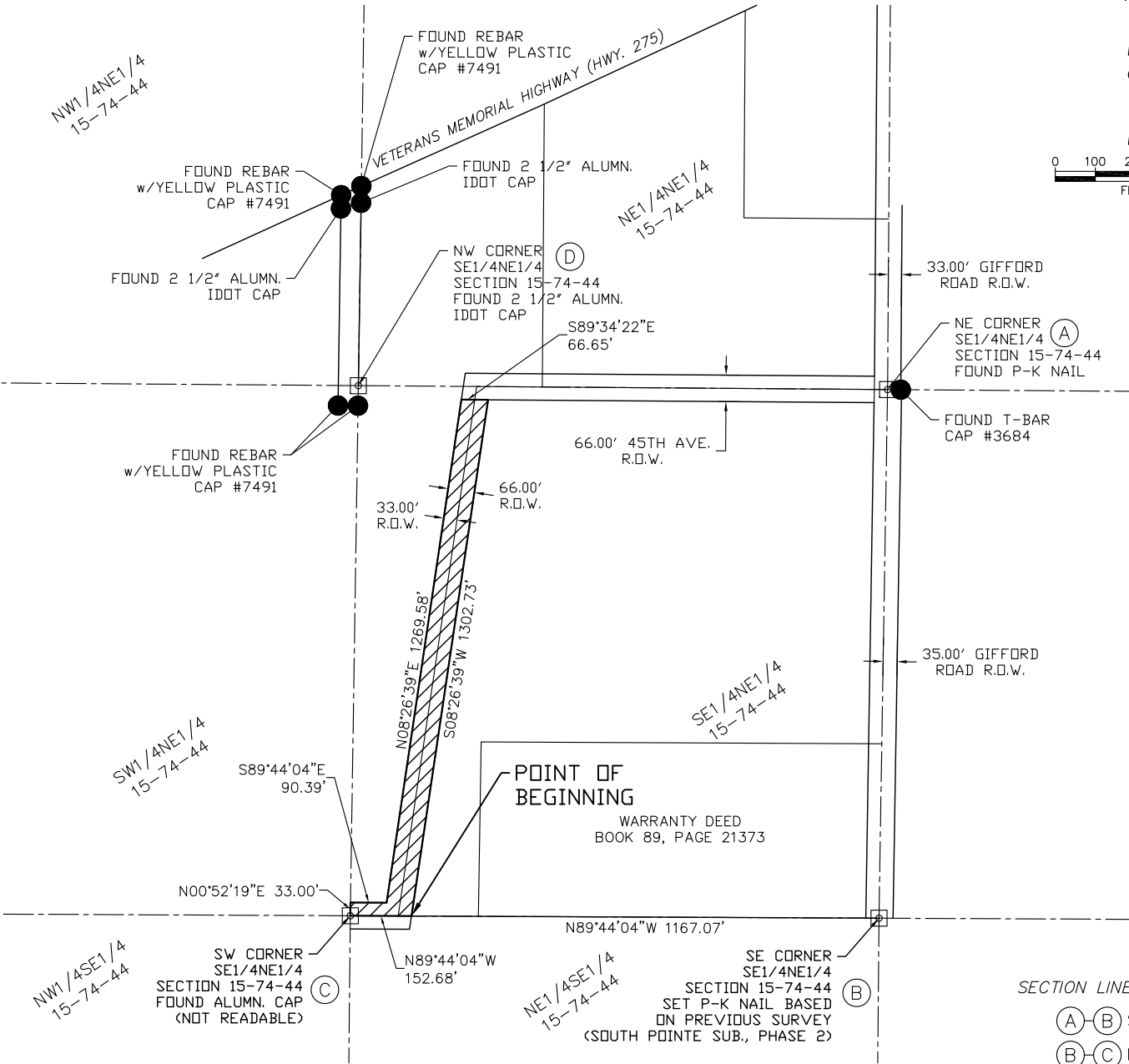
THENCE ON SAID NORTH RIGHT-OF-WAY LINE, SOUTH 89 DEGREES 44 MINUTES 04 SECONDS EAST, 90.39 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID EXISTING ROADWAY RECORDED IN BOOK B;

THENCE ON SAID WEST RIGHT-OF-WAY LINE, NORTH 08 DEGREES 26 MINUTES 39 SECONDS EAST, 1269.58 FEET TO A POINT ON THE WESTERLY PROLONGATION OF THE SOUTH RIGHT-OF-WAY LINE OF 45th AVENUE;

THENCE EASTERLY ON SAID WESTERLY PROLONGATION, SOUTH 89 DEGREES 34 MINUTES 22 SECONDS EAST, 66.65 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE;

THENCE ON SAID EAST RIGHT-OF-WAY LINE, SOUTH 08 DEGREES 26 MINUTES 39 SECONDS WEST, 1302.73 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 2.041 ACRES, MORE OR LESS.



SECTION LINE BEARINGS & DISTANCES			
(A)-(B)	S00°55'48"W	1319.77'(S)	1319.90'(P)
(B)-(C)	N89°44'04"W	1319.75'(S)	1319.58'(P)
(C)-(D)	N00°52'19"E	1323.47'(S)	
(D)-(A)	S89°34'24"E	1321.05'(S)	1321.14'(P)

- LEGEND
- FOUND PIN AS NOTED
  - SET 5/8" REBAR W/YELLOW PLASTIC CAP MARKED "HGM ASSOC. PLS 25604"
  - FOUND SECTION CORNER AS NOTED
  - (S) SURVEYED
  - (P) PLAT OF SURVEY BOOK 101, PAGE 50968
  - R.O.W. RIGHT-OF-WAY
  - (D) WARRANTY DEED BOOK 106, PAGE 04539

This drawing is being made for use on this project in accordance with the professional engineering seal of the engineer. The engineer assumes no liability for any use of this drawing or any part thereof except in accordance with the terms of the above agreement.

**hgm**  
ASSOCIATES INC.  
640 FIFTH AVENUE COUNCIL BLUFFS, IOWA  
PHONE: (712) 323-0530

drawn	designed	approved	date
ZEH	DEF	DEF	JULY 21
			date
			revision

project SE1/4NE1/4 SECTION 15-74-44  
client TOM EYMAN  
sheet VACATION EXHIBIT

project no. 107121  
sheet 1 OF 1

DATE PLOTTED: 8/13/2021 9:21 AM DRAWN BY: ZEH PLOT SCALE: 1:2

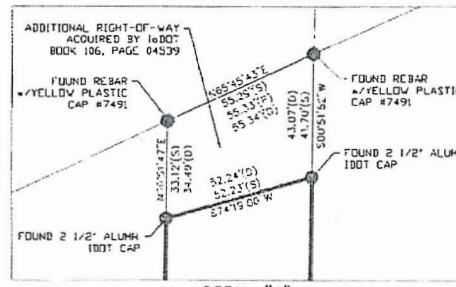
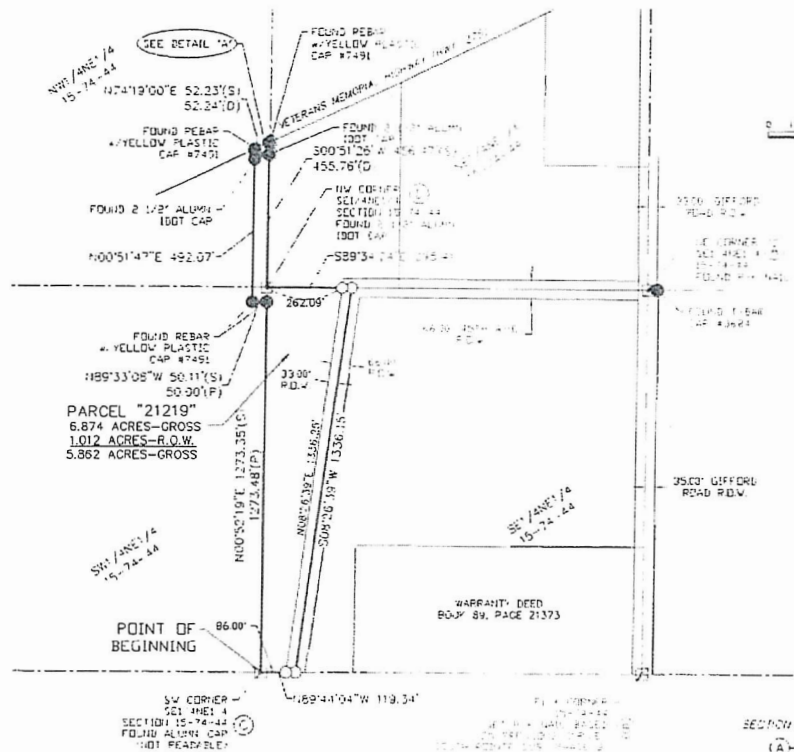
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# Attachment C

RECORDER'S INDEX	
LOT:	
BLOCK:	
SUBDIVISION:	
ALIQUOT PART:	W1/2NE1/4 & SE1/4NE1/4
SECTION:	15
TOWNSHIP:	74 N
RANGE:	44 W
CITY:	COUNCIL BLUFFS
COUNTY:	POTTAWATTAMIE
PROPRIETOR:	ROBERT D. ADKINS JR.
REQUESTED BY:	TOM EYMAN
DATE OF FIELD SURVEY:	JUNE 15, 2021

PREPARED BY: DAVID E. FORSYTHE, P.L.S., HGM ASSOCIATES INC., 640 FIFTH AVENUE COUNCIL BLUFFS, IOWA 51501 (712) 331-0530



SECTION LINE BEARINGS & DISTANCES  
 (A)-(B) 500°55'48" N 1319.77' S 1319.90' P  
 (B)-(C) 189°44'04" N 1319.75' S 1319.58' P  
 (C)-(D) 100°52'19" E 1323.47' S  
 (D)-(A) 89°34'14" E 1321.05' S 1321.14' P

## PLAT OF SURVEY

PARCEL "21219" BEING A PORTION OF THE WEST HALF OF THE NORTHEAST QUARTER (W1/2NE1/4) AND A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4) ALL IN SECTION 15, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA

### LEGAL DESCRIPTION - PARCEL "21219":

PARCEL "21219" BEING A PORTION OF THE WEST HALF OF THE NORTHEAST QUARTER (W1/2NE1/4) AND A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4) ALL IN SECTION 15, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4);

THENCE ON THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), NORTH 00 DEGREES 52 MINUTES 19 SECONDS EAST, 1273.35 FEET;

THENCE NORTH 89 DEGREES 33 MINUTES 08 SECONDS WEST, 50.11 FEET;

THENCE NORTH 00 DEGREES 51 MINUTES 47 SECONDS EAST, 492.07 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF VETERANS MEMORIAL HIGHWAY (HIGHWAY 275) ACQUIRED BY A WARRANTY DEED RECORDED IN BOOK 106, PAGE 04539 IN THE POTTAWATTAMIE COUNTY RECORDER'S OFFICE;

THENCE ON SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 74 DEGREES 19 MINUTES 00 SECONDS EAST, 52.23 FEET TO A POINT ON THE EASTERLY LINE OF SAID WESTERLY HALF OF THE NORTHEAST QUARTER (W1/2NE1/4);

THENCE ON SAID EASTERLY LINE, SOUTH 00 DEGREES 51 MINUTES 26 SECONDS WEST, 456.47 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4);

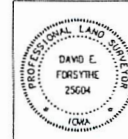
THENCE ON THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4), SOUTH 89 DEGREES 34 MINUTES 24 SECONDS EAST, 295.41 FEET TO THE CENTERLINE OF AN EXISTING ROADWAY RECORDED IN ROAD CALENDAR BOOK B, PAGE 554, PETITION 325 IN THE POTTAWATTAMIE COUNTY ENGINEER'S OFFICE;

THENCE ON SAID CENTERLINE, SOUTH 08 DEGREES 26 MINUTES 39 SECONDS WEST, 1336.15 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4);

THENCE ON SAID SOUTH LINE, NORTH 89 DEGREES 44 MINUTES 04 SECONDS WEST, 119.34 FEET TO THE POINT OF BEGINNING.

SAID PARCEL "21219" CONTAINS AN AREA OF 6.874 ACRES, MORE OR LESS INCLUDING 1.012 ACRES, MORE OR LESS OF ROADWAY RIGHT-OF-WAY.

- LEGEND**
- FOUND PIN AS NOTED
  - SET 5" REBAR W/YELLOW PLASTIC CAP MARKED "HGM ASSOC. PLS 25604"
  - FOUND SECTION CORNER AS NOTED
  - (S) SURVEYED
  - (P) PLAT OF SURVEY BOOK 101, PAGE 50988
  - R.O.W. RIGHT-OF-WAY
  - (D) WARRANTY DEED BOOK 106, PAGE 04539



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

DAVID E. FORSYTHE  
 JUNE 25, 2021  
 DATE  
 DAVID E. FORSYTHE  
 LICENSE NUMBER 25604  
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2022  
 PAGES OF SHEETS COVERED BY THIS SEAL:  
 SHEET 1 OF 1

hgm ASSOCIATES INC.  
 640 FIFTH AVENUE COUNCIL BLUFFS, IOWA  
 PHONE: (712) 331-0530




hgm ASSOCIATES INC.  
 640 FIFTH AVENUE COUNCIL BLUFFS, IOWA  
 PHONE: (712) 331-0530

PLAT OF SURVEY  
 W1/2NE1/4 & SE1/4NE1/4 SECTION 15-74-44  
 DATE: JUNE 25, 2021  
 DRAWN BY: DAVID E. FORSYTHE  
 CHECKED BY: TOM EYMAN

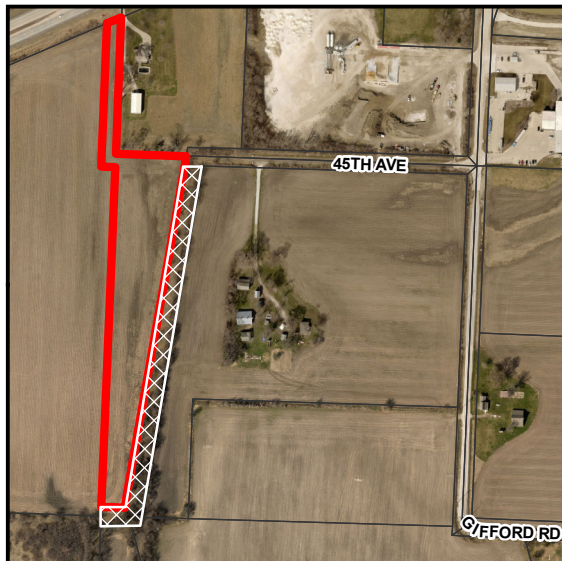
PLAT OF SURVEY - PARCEL "21219"  
 PROJECT NO: 107121  
 SHEET: 1 OF 1

# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASES #ZC-21-010 & #SAV-21-005 LOCATION/ZONING MAP

## Attachment D

-  CASE #SAV-21-005 - Subject 45th Avenue Vacation Area
-  CASE #ZC-21-010 - Subject Property
-  Parcels

0 250 500  
1 inch = 500 feet



Last Amended: 8/20/2021



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

### DISCLAIMER

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



## Planning Commission Communication

Department: Community  
Development

Case/Project No.: ZT-21-004

CASE #ZT-21-004

Council Action: 9/14/2021

Submitted by: Moises Monrroy,  
Planner

### Description

Public hearing on the request of the City of Council Bluffs to amend Section 15.19.020, P-I/Planned Industrial District – Principal Uses, of the Council Bluffs Municipal Code (Zoning Ordinance) to allow ‘school’ as a principal use in the P-I/Planned Industrial District.

### Background/Discussion

See attachments

### Recommendation

### ATTACHMENTS:

Description

Staff Report & Attachments

Type

Other

Upload Date

9/9/2021



## Planning Commission Communication

Department: Community Development  CASE #ZT-21-004  Applicant: City of Council Bluffs 209 Pearl Street Council Bluffs, IA 51503	Ordinance No. _____	Planning Commission: 9/14/2021
<p style="text-align: center;"><b>Subject/Title</b></p> <p><b>Request:</b> Public hearing on the request of the City of Council Bluffs to amend Section 15.19.020, <u>P-I/Planned Industrial District – Principal Uses</u>, of the Council Bluffs Municipal Code (Zoning Ordinance) to allow ‘school’ as a principal use in the P-I/Planned Industrial District.</p>		
<p style="text-align: center;"><b>Background</b></p> <p>The Community Development Department is proposing to amend Title 15: Zoning of the Council Bluffs Municipal Code (Zoning Ordinance) relative to ‘schools’ as follows:</p> <ul style="list-style-type: none"> <li>Amend Section 15.19.020, <u>P-I/Planned Industrial District – Principal Uses</u>, of the Council Bluffs Municipal Code (Zoning Ordinance) to allow ‘school’ as a principal use in the P-I/Planned Industrial District.</li> </ul> <p>As per Section 15.03.0595 of the Council Bluffs Municipal Code (Zoning Ordinance), ‘school’ refers to “all schools, public or non-public, at all levels from prekindergarten level through grade twelve, which meet the requirements of the State Board of Public Instruction, and accredited schools that provide post-secondary education,” and includes “the buildings and all land contiguous to said buildings.” Schools are allowed as a principal use in the following zoning districts:</p> <ul style="list-style-type: none"> <li>R-1/Single-Family Residential District;</li> <li>R-1M/Single-Family Manufactured Housing District;</li> <li>R-2/Two-Family Residential District;</li> <li>R-3/Low Density Multifamily Residential District;</li> <li>R-4/High Density Multifamily Residential District;</li> <li>A-P/Administrative Professional District;</li> <li>C-1/Commercial District;</li> <li>C-2/Commercial District;</li> <li>C-3/Commercial District;</li> <li>C-4/Commercial District; and</li> <li>P-C/Planned Commercial District.</li> </ul> <p>Additionally, schools are permitted as a conditional use in the MCR/Mixed Commercial-Residential District if it is contained within a mixed commercial/residential structure. A recent inquiry by Iowa Western Community College (IWCC) to operate a vocational training school in conjunction with a proposed logistics park to be located east of their campus (see Cases #SUB-21-011, #ZC-21-010 and #PI-21-001) has necessitated the proposed text amendment.</p>		



All City Departments and local utilities were notified of the proposed text amendment. No adverse comments have been received.

#### **Discussion**

1. The P-I/Planned Industrial District is intended to provide for the development of assemblage facilities, manufacturing facilities, research and development activities, business services, storage and distribution centers in an industrial park setting. The proposed text amendment would allow research and development facilities, colleges, universities and vocational/training schools to occur within business/industrial parks, which is consistent with the intent of the P-I District.
2. Properties zoned P-I District are limited to the new Black Hills Energy facility at 2287 College Road and 30.96 acres, more or less, of undeveloped land owned by IWCC located directly to the north. The Community Development Department has received an application from Nestory Park, a private real estate investment firm, to rezone 63.1 acres, more or less, of undeveloped land lying north of the existing P-I District, also owned by IWCC, from P-C/Planned Commercial District to P-I/Planned Industrial District (see Case #ZC-21-010). The purpose of the request is to allow for the development of a logistics park on the 94.06 acres, more or less, of land lying north of the Black Hills Energy facility. The requested text amendment is also intended to facilitate the development of the proposed logistics park and the associated IWCC vocational training facility, as well as any future planned industrial development that occurs in Council Bluffs. It is anticipated that the proposed text amendment will stimulate broader economic and workforce development by diversifying what is allowed to occur within a planned industrial development.

#### **Recommendation**

The Community Development Department recommends approval of the request to amend Section 15.19.020, P-I/Planned Industrial District – Principal Uses, of the Council Bluffs Municipal Code (Zoning Ordinance) to allow ‘school’ as a principal use in the P-I/Planned Industrial District.

#### **Attachments**

Attachment A: Proposed Chapter 15.10, P-I/Planned Industrial District, of the Municipal Code (Zoning Ordinance)

Prepared by: Moises Monrroy, Planner, Community Development Department

## **Attachment A**

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

15.19.010 Statement Of Intent

15.19.020 Principal Uses

15.19.030 Conditional Uses

15.19.040 Accessory Uses

15.19.050 Site Development Regulations

15.19.060 Development Plan Review Procedure

15.19.470 Signs

15.19.080 Additional Regulations

#### **15.19.010 Statement of Intent**

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

(Ord. 5688 § 1 (part), 2002)

#### **15.19.020 Principal Uses**

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

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

(Ord. 5688 § 1 (part), 2002)

#### **HISTORY**

*Amended by Ord. 6416 on 7/13/2020*

#### **15.19.030 Conditional Uses**

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

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

(Ord. 5688 § 1 (part), 2002)

## HISTORY

*Amended by Ord. 6416 on 7/13/2020*

### **15.19.040 Accessory Uses**

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

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

(Ord. 5688 § 1 (part), 2002)

### **15.19.050 Site Development Regulations**

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

(Ord. 5688 § 1 (part), 2002)

### **15.19.060 Development Plan Review Procedure**

The development plan review procedure shall be as follows:

- A. Application. A completed application form and ten (10) copies of the development plan along with the required fee shall be submitted to community development department. The development plan shall be reviewed in accordance with the procedures outlined below. The following information shall be submitted to the community development department:
  - 1. A letter of intent stating the proposed uses, improvements necessary to serve the development, construction time frame and proposed phasing of the project;
  - 2. The development name and legal description of the boundary;
  - 3. A north arrow, scale, bar scale and date;
  - 4. The names and addresses of the owner, and the architect or engineer preparing the plan;
  - 5. A location map showing the proposed development and its relationship to existing abutting subdivisions and community facilities such as streets, schools, parks and commercial areas;
  - 6. All established floodway or floodway fringe encroachment limits;

7. A soils and drainage report prepared by the engineer. The report shall show the general soil and drainage conditions and include preliminary recommendations pertaining to the adaptability of the property proposed for development;
8. Location and size of any sites to be considered for dedication for public use;
9. Layout, numbers and dimensions of all proposed lots;
10. The location, width, name, grade and typical cross-sections of all proposed streets within the development and the width and name of any platted street located within two hundred (200) feet of the site;
11. The location and width of other public ways, railroad right of ways, utility and all other easements, existing or proposed within the development and within two hundred (200) feet;
12. Existing and proposed contour intervals of not more than five feet;
13. All existing and proposed underground installations within the proposed development or adjacent thereto or the location of the nearest available facilities;
14. The location of all existing and proposed structures, proposed parking areas, pedestrian ways, private and public streets and landscaping;
15. Proposed landscaping plan;
16. Proposed signage plan;
17. On projects twenty (20) acres or more in area, or as deemed necessary by the community development director, a traffic impact study to include: (i) data on existing peak hour traffic volumes and conditions; (ii) directional distribution estimates of added traffic; (iii) projections of added traffic volumes for all of the appropriate critical hours; determination of needed improvements, controls, driving locations, and their design; (iv) and identification of any need for additional right-of-way which could be secured from the developer, shall be submitted;
18. Architectural drawings, renderings, or other visual documents which illustrate proposed building design. The community development department director shall determine the adequacy and completeness of the development plan application.

The community development department director may require additional information prior to scheduling review by the city planning commission.

- B. Review by City Planning Commission. The city planning commission, in reviewing the development plan, shall take into consideration conformance with the comprehensive plan, recognized principles of land use planning, landscaping, architecture, the conservation and stabilization of the value of property, adequate open space for light and air, congestion of public streets, the promotion of public safety, health, convenience and comfort and the general welfare of persons using the facility. In addition to the proposed use meeting the general requirements herein set forth, the commission in recommending approval of the proposed development plan may recommend certain conditions to be attached to such use which the commission deems necessary in order to carry out the intent and



purpose of this title. Such conditions may include, but are not limited to an increase in the required lot or yard area, control of the location and number of vehicular access points to the property, limitations on the net square footage of signs, lot coverage limitations and/or height of buildings because of obstruction to view and reduction of light and air to adjacent property, required screening and landscaping where necessary to reduce noise and glare and designation of responsibility for maintenance of the property.

- C. Review by City Council. After review of the development plan by the city planning commission, it shall be forwarded to the city council, with its written recommendations whether for approval or denial, whereupon the city council may take action on the plan. Approval of the development plan shall be by city council resolution.
- D. Building Permit Review. The community development department director shall review all building and public works construction permits for compliance with the approved development plan. No building or public works construction permit shall be issued if it is determined by the community development department director to be inconsistent with the approved development plan. However, the community development department director shall have the authority to approve minor changes to the development plan. If the community development department director determines that major changes are requested, review and approval by the city planning commission and city council shall be required.

(Ord. 5688 § 1 (part), 2002)

#### **15.19.470 Signs**

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

(Ord. 5688 § 1 (part), 2002)

#### **15.19.080 Additional Regulations**

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

(Ord. 5688 § 1 (part), 2002)

## Planning Commission Communication

Department: Community

Development

Case/Project No.: SUB-21-011,  
ZC-21-009, and PI-21-001

CASES #SUB-21-011, #ZC-21-  
010, and #PI-21-001

Council Action: 9/14/2021

Submitted by: Haley Weber,  
Planner

### Description

Combined public hearings on the request of Nestory Park, represented by Robert DuVall of The Schemmer Associates, to rezone 63.1 acres of land (more/less) legally described as BEGINNING AT THE SW ¼ CORNER OF SAID SECTION 21. THENCE N1°44'24.97"E 908.80 FEET, THENCE S88°15'35.03"E 33.00 FEET. THENCE N8°18'14.97"E 104.12 FEET, THENCE N1°44'37.97"E 112.08 FEET. THENCE N17°11'38.97"E 83.30 FEET, THENCE N2°51'41.97"E 125.50 FEET. THENCE N43°00'25.97"E 142.03 FEET, THENCE S85°33'40.03"E 303.25 FEET, THENCE N88°22'31.97"E 201.15 FEET, THENCE S87°09'46.03"E 249.16 FEET, THENCE N81°48'54.97"E 252.04 FEET, THENCE S77°07'22.03"E 360.92 FEET, THENCE N71°27'57.97"E 368.96 FEET, THENCE N89°44'07.97"E 121.25 FEET, THENCE S49°57'05.03"E 124.55 FEET, THENCE S13°50'39.97"W 822.10 FEET, THENCE S20°26'38.97"W 553.16 FEET, THENCE S27°26'14.25"W 164.36 FEET, THENCE S87°39'03"W 1662.53 FEET TO THE POINT OF BEGINNING from P-C/Planned Commercial District to PI/Planned Industrial District; along with preliminary subdivision plan approval of a two-lot industrial subdivision to be known as Council Bluffs Industrial Park Subdivision on property legally described as part of the SE 1/4 of Section 21-75-43 and the NE 1/4 of Section 28-75-43, City of Council Bluffs, Pottawattamie County, Iowa, being a part of Auditors Subs NW SE Lot 5, NE SE Lot 4, SW SE Lots 1, 2 & 3, SE SE Lots 1 & 2 all in Section 21, Township 75 North, Range 43 West and Auditors Sub SW NE part of Lot 1 in Section 28, Township 75 North, Range 43 West and Part of the NE1/4 NE1/4 & NW1/4 NE1/4 all in Section 28, Township 75 North, Range 43 West, bounded northerly by U.S. Highway No. 6, easterly by Interstate Highway No. 80 and westerly by College Road; and to adopt a planned industrial development plan for Lot 1, Council Bluffs Industrial Park Subdivision, Council Bluffs, Pottawattamie County, Iowa. Location: Undeveloped land lying immediately north of property addressed as 2287 College Road.

### Background/Discussion

See attachments.

### Recommendation

### ATTACHMENTS:

Description

Staff Report & Attachments

Type

Other

Upload Date

9/9/2021

## City Planning Commission Communication

<p>Department: Community Development</p> <p>CASES #SUB-21-011, #ZC-21-010, and #PI-21-001</p> <p>Applicant: Nestory Park 1 Belvedere Place Mill Valley, CA 94941</p> <p>Owner: Iowa Western Community College Foundation 2313 College Road Council Bluffs, IA 51503</p> <p>Engineer: The Schemmer Associates c/o Robert DuVall 1044 N. 115<sup>th</sup> Street, Suite 300 Omaha, NE 68154</p>	<p>Resolution No. _____</p> <p>Ordinance No. _____</p> <p>Resolution No. _____</p>	<p>Planning Commission: 9/14/21</p>
<b>Subject/Title</b>		
<p><b>Request:</b> Combined public hearings on the request of Nestory Park, represented by Robert DuVall of The Schemmer Associates, to rezone 63.1 acres of land (more/less) legally described in Attachment ‘A’ from P-C/Planned Commercial District to P-I/Planned Industrial District; along with preliminary subdivision plan approval of a two-lot industrial subdivision to be known as Council Bluffs Industrial Park Subdivision on property legally described as part of the SE 1/4 of Section 21 and the NE 1/4 of Section 28, all in township 75 North, Range 43 West of the 5th P.M., Pottawattamie County, Iowa, being a part of Auditors Subs NW SE Lot 5, NE SE Lot 4, SW SE Lots 1, 2 &amp; 3, SE SE Lots 1 &amp; 2 all in Section 21, Township 75 North, Range 43 West and Auditors Sub SW NE part of Lot 1 in Section 28, Township 75 North, Range 43 West and Part of the NE1/4 NE1/4 &amp; NW1/4 NE1/4 all in Section 28, Township 75 North, Range 43 West, bounded northerly by U.S. Highway No. 6, easterly by Interstate Highway No. 80 and westerly by College Road; and to adopt a planned industrial development plan for proposed Lot 1, Council Bluffs Industrial Park Subdivision, Council Bluffs, Pottawattamie County, Iowa.</p> <p><b>Location:</b> Generally located at the southeast corner of the intersection of College Road and East Kanesville Boulevard (U.S. Highway 6)</p>		
<b>Background/Discussion</b>		
<p>The Community Development Department has received applications from Nestory Park, represented by The Schemmer Associates, for 1) preliminary plan approval of a two-lot subdivision to be known as Council Bluffs Industrial Park Subdivision; 2) to rezone the northerly 63.1 acres (more/less) of the subject property from P-C/Planned Commercial to P-I/Planned Industrial; and 3) to adopt a P-I/Planned Industrial development plan for proposed Lot 1, Council Bluffs Industrial Park Subdivision.</p> <p>The applicant’s letter of intent is included with this report as Attachment ‘B’.</p> <p><b><u>CASE #SUB-21-011</u></b></p> <p>The proposed industrial subdivision is comprised of 94 acres, more or less, of land and will consist of two (2)</p>		

lots. The applicant proposes to develop the northerly lot with three (3) logistics, trucking and distribution buildings. These three (3) buildings will contain leasable tenant bays with a combined total of 973,500 square feet. The exact number of tenant bays is unknown at this time. The southerly lot will be retained by the adjacent Iowa Western Community College (IWCC) for a vocational training school in relation to the logistics campus. Both lots within the proposed subdivision will have access to existing public streets and will be fully served with utilities (e.g. sanitary/storm sewers, water, gas, electric, etc.). The applicant intends to begin site improvements for the logistics campus in the spring of 2022 with a proposed completion date of fall of 2022. The preliminary plans are included with this report as Attachment 'C.'

### Comments

1. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, "but shall be deemed to be an authorization to proceed with the preparation of the final construction plans or performance guarantee and the final plat" (§14.11.060(D)—Subdivision Ordinance). A final plat application must be filed within one year of the date of action by the City Council. A request for extension may be made by the sub-divider in writing prior to the expiration date. One-year extensions are considered by City Planning Commission.
2. The proposed subdivision is consistent with the "Office/Industrial" designation of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan).
3. The proposed subdivision is comprised of two (2) lots; proposed Lot 1 is 87.97 acres and proposed Lot 2 is 4.83 acres. Both lots within the proposed subdivision comply with Section 15.19.050, *Site Development Regulations*, of the Council Bluffs Municipal Code (Zoning Ordinance).
4. The proposed logistics, trucking and distributing use on Lot 1, Council Bluffs Industrial Park Subdivision, would be classified as "warehousing and distribution, limited" which is an allowed principal use in the P-I/Planned Industrial District. The proposed IWCC training facility on proposed Lot 2 would be classified as a 'school', which a use that is not currently allowed in the P-I District. Concurrent with the subject requests, the Community Development Department is requesting to amend Section 15.19.020, *P-I/Planned Industrial District—Principal Uses*, of the Council Bluffs Municipal Code (Zoning Ordinance) to allow 'school' as a principal use in the P-I District (Case #ZT-21-004), which would allow the proposed IWCC training facility to be located on the southerly lot of the proposed subdivision.
5. The northerly 63.1 acres (more/less) of the proposed subdivision, legally described in Attachment 'A,' is currently zoned P-C/Planned Commercial District and is proposed to be rezoned P-I/Planned Industrial District (see Case #ZC-21-010). The remaining southerly 30.96 acres (more/less) of the proposed subdivision is already zoned P-I District. Adoption of a planned industrial development plan is also requested for proposed Lot 1 (Case #PI-21-001).
6. Both lots in the proposed subdivision have direct frontage to one or more public roadways—College Road and East Kanesville Boulevard/Highway 6. For the purposes of this subdivision, that part of a property line abutting Interstate 80 right-of-way, including ramps, shall not be considered frontage. The submitted plans show Lot 1 will have two (2) access points off College Road to the west and one (1) access point off East Kanesville Boulevard to the north. Black Hills Energy retains a 50-foot wide easement along the southernmost access point off College Road to maintain access to their facility located directly south of proposed Lot 2 (2287 College Road). This easement shall be notated on the final plat and shall allow Iowa Western Community College access to the existing drive off College Road.
7. All lots will be serviced with utilities (e.g. sanitary/storm sewers, water, electricity, etc.) that shall be installed underground. All costs to construct, remove, and/or relocate any utilities for the proposed subdivision shall be the responsibility of the developer and not the City.
8. Sidewalks shall be installed along College Road, and East Kanesville Boulevard (Highway 6), if approved by the Iowa Department of Transportation (IDOT), as well as along all access drives. All sidewalks shall be built to City standards. The developer shall coordinate with the IDOT on sidewalk installation along East Kanesville Boulevard (Highway 6).
9. The Council Bluffs Public Works Department provided the following comments:
  - (a) The Public Works Department has reviewed the draft traffic impact study and will work with the



- developer to finalize the study and recommendations to be implemented with the proposed development.
- (b) The implementation of the proposed improvements (i.e. traffic signs, turn lanes, etc.) to U.S. Highway 6/East Kaneshville Boulevard noted in the draft traffic impact study shall be coordinated with the Iowa Department of Transportation (IDOT) and the City.
  - (c) The Public Works Department noted the submitted geotechnical report.
  - (d) The Public Works Department noted the draft drainage analysis report and will work with the developer to finalize said report.
  - (e) The Public Works Department provided the following comments as it pertains to utilities:
    - i. The proposed storm sewer and stormwater management infrastructure concept is noted. The Public Works Department will work with the developer to finalize the construction plans.
    - ii. The capacity of the existing sanitary sewer system at the proposed connection shall be verified. The potential development of another sanitary sewer outfall will be explored with the developer.
    - iii. Water, power, and gas service shall be coordinated with the appropriate utility provider.
  - (f) The truck access road shall be permitted by IDOT.
10. Council Bluffs WaterWorks provided the following comments:
- (a) The public water main along College Road shall be extended to the northerly limits of the property. The developer shall work with Council Bluffs WaterWorks on incorporating the proposed public water main into an easement.
  - (b) There is an eighteen (18) foot water main easement along the western property line of Lot 1, Black Hills Subdivision located immediately south of the subject request. A portion of this easement extends onto proposed Lot 1, Council Bluffs Industrial Park Subdivision. This easement shall be noted on the final plat.
  - (c) The developer shall contact Council Bluffs WaterWorks in regards to public water main extension, water service, and metering requirements.
11. The subject request was routed to Scott Suhr, Iowa Department of Transportation (IDOT) District Transportation Planner, as a portion of the subject property is located within the IDOT Corridor Preservation Zone. As of the date of this report, no comments from Mr. Suhr or IDOT were received.

### **CASE #ZC-21-010**

The northerly 63.1 acres (more/less), as legally described in Attachment 'A', of the subject property is currently zoned P-C/Planned Commercial District. The applicant intends to rezone this portion of the property to P-I/Planned Industrial District to accommodate the proposed two-lot industrial subdivision (Case #SUB-21-011). A P-I/Planned Industrial development plan is proposed to be adopted for the subject property along with the proposed rezoning (Case #PI-21-001).

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

- *North* – East Kaneshville Boulevard and undeveloped land that is zoned C-2/Commercial District and R-3/Low-Density Multifamily District
- *South* - Black Hills Energy facility zoned P-I/Planned Industrial
- *East* - Interstate 80, and undeveloped land that is zoned A-2/Parks, Estates and Agricultural District
- *West* - IWCC College campus which is zoned A-2/Parks, Estates and Agricultural District, and housing associated with IWCC which is zoned R-3/Low Density Multifamily Residential.

A location/zoning map is included with this report as Attachment 'D'.

The future land use plan of the Bluffs Tomorrow 2030 (comprehensive plan) designates the subject property as Office/Industrial.

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

**Comments**

1. Both Lots 1 and 2 in the proposed Council Bluffs Industrial Park Subdivision will be zoned P-I/Planned Industrial District (see Case #ZC-21-010).
2. A planned industrial development plan which establishes standards for site development, architecture, landscaping, parking, and signage will be adopted as part of this development (see Case #PI-21-001) for Lot 1 only.
3. The Bluffs Tomorrow: 2030 Comprehensive Plan designates the subject property as 'Office/Industrial.' The proposed rezoning is consistent with the Future Land Use Plan. The Bluffs Tomorrow: 2030 Comprehensive Plan also includes subarea plans for four specific areas of the Council Bluffs Community, one of which is the area identified as 'I-80/Highway 6'. The plan states, *"This subarea represents the greatest opportunity for new development. Anchored by a freeway interchange and Iowa Western Community College, the subarea plan identified opportunities for new industry and distribution development that build off the college as a partner in education an innovation."* Specifically, the subject property has the following designations: *"New Highway Commercial," "New Office/Industrial Park,"* and *"New Research and Development."* The proposed rezoning to Planned Industrial aligns with the intent for the I-80/Highway 6 area as stated in the subarea plan.
4. Adequate utilities (e.g. water, sanitary sewer, electric, etc.) are available or will be extended to accommodate the uses permitted in the P-I/Planned Industrial District.

**CASE #PI-21-001**

Section 15.28.010, *State of Intent, P-I/Planned Industrial District*, of the Council Bluffs Municipal Code (Zoning Ordinance) states that *"the P-I district is intended to provide for the development of assemblage facilities, manufacturing facilities, research and development activities, business services, storage, and distribution centers in an industrial park setting. The facilities in the planned industrial district are designed to be used in common by sharing ingress and egress roads, ensuring appropriate design with respect to traffic arteries and compatibility with surrounding uses. Business and industrial activities shall be primarily enclosed operations with significant screening and landscaping of exterior operations and storage. Final authority over development plans shall be retained by the City Council, with extensive review by Planning Commission."* The applicant proposes to adopt a planned industrial development plan for Lot 1 of the proposed Council Bluffs Industrial Park Subdivision in order to regulate the design and layout of the proposed logistics park. No site layout plans for Lot 2 were included with this applicant's submittal. A planned industrial development plan shall be adopted for Lot 2 prior to development occurring on the subject property.

All City Departments and local utility providers were notified of the proposed development request. All comments received from City Departments and local utilities are incorporated into the development discussion below.

The following standards shall apply to the northerly lot of the proposed Council Bluffs Industrial Park Subdivision:

**Site Development**

1. The minimum perimeter setback for all structures shall be twenty-five (25) feet.
2. The maximum height for all structures shall not exceed fifty (50) feet, as measured from finished grade to the peak of the roof.
3. The maximum lot coverage for all structures shall be sixty (60) percent of the total lot area.
4. Site access shall be limited to two (2) drives off College Road and one (1) drive off East Kanesville Boulevard. The implementation of the proposed improvements to (i.e. traffic signs, turn lanes, etc.) U.S. Highway 6/East Kanesville Boulevard noted in the draft traffic impact study shall be coordinated with the Iowa Department of Transportation (IDOT) and the City.
5. Trash receptacles and/or dumpster locations are not shown on the submitted development plans. All visible trash receptacles/dumpsters shall be enclosed on three sides with a masonry, wood, or vinyl fence and have a lockable gate that when closed completely eliminates view of the dumpster.

6. The submitted site plan does not show any outdoor storage areas. Outdoor storage of materials, products, equipment, or packaging is not permitted on the subject property.
7. Outdoor lighting plans were not submitted with the development plan proposal. Any proposed outdoor light poles shall be constructed out of painted or finished aluminum or steel. Wood poles shall not be accepted. All outdoor lighting shall comply with standards stated in Section 15.24.050, Lighting Controls, of the Council Bluffs Municipal Code (Zoning Ordinance).

### **Utilities**

1. All utilities shall be installed underground. Any cost to remove, relocate, modify, and/or extend utilities to this site shall be at the sole cost of the developer and not the City.
2. Water, power, and gas service shall be coordinated with the appropriate utility provider.

### **Off-Street Parking**

1. The required number of off-street parking spaces for Lot 1, Council Bluffs Industrial Park Subdivision shall be based on the standards stated in Section 15.23.060, *Parking spaces required*, of the Council Bluffs Municipal Code (Zoning Ordinance), as follows:
  - Office or administrative activity – 1 space per 300 square feet of gross floor area
  - Indoor or outdoor storage or warehousing – 1 space per 5,000 square feet of gross floor area
 The development plan shows 97,350 square feet of office space and 876,150 square feet of indoor storage/warehousing. Based on these square footage totals, a minimum of 501 off-street parking stalls shall be provided for Lot 1, Council Bluffs Industrial Park Subdivision. The submitted site plan shows 1,181 standard stalls and 130 trailer stalls; therefore, sufficient off-street parking will be provided for proposed Lot 1, Council Bluffs Industrial Park Subdivision.
2. All parking/loading areas, driveways, and drive aisles shall be hard-surfaced paved and shall be designed to comply with the standards stated in Chapter 15.23, *Off-Street Parking, Loading and Unloading*, of the Council Bluffs Municipal Code (Zoning Ordinance).
3. All off-street parking areas shall comply with Chapter 661-18, *Parking for Persons with Disabilities*, of the Iowa Administrative Code.
4. A parking lot permit shall be submitted with the building permit application for the proposed logistics, trucking, and distribution buildings. The plan shall clearly identify the number, location, and dimensions of all drive aisles and spaces, pedestrian ways, islands, landscaped areas, loading areas and lighting.

### **Architecture**

1. The submitted development plans show two (2) 330' x 800' buildings (264,000 square feet each) and one (1) 330' x 1,350' building (445,500 square feet) constructed primarily of pre-cast concrete panels to be utilized for logistics, trucking and distribution on Lot 1, Council Bluffs Industrial Park Subdivision. All buildings will be one-story in height.
2. The building renderings included in the submitted plans only show one building elevation; the elevation shown is the intended aesthetic for all exterior facing walls of all three (3) buildings and is generally acceptable in design and layout. Pre-cast concrete is the primary building material identified in the submitted building renderings. However, the north façade and northerly 1/3<sup>rd</sup> of the west façade of the most northerly 330' x 800' building and the north and east façades of the 330' x 1,350' building are highly visible from the adjacent public streets and Interstate 80, which are gateways into the Council Bluffs community. The Community Development Department recommends that the building elevations listed above and highlighted in Attachment 'E' shall be enhanced for visual interest purposes as follows:
  - a) A minimum of ten (10) percent of the total square footage of each of the facades noted above shall be comprised of transparent windows and doors. Glass that counts towards this minimum transparency requirement shall be non-mirrored, non-tinted, and unobstructed.
  - b) A minimum of thirty (30) percent of the total square footage of each of the facades noted above shall incorporate the following architectural details:

- Color changes;
  - Material changes comprised of a minimum of one (1) of the following building materials: brick, tile or stone masonry; glass; native stone or synthetic equivalent; pre-cast concrete or architectural (non-corrugated) metal;
  - Minor wall offsets/setbacks; and
  - Accent lines.
- c) In instances where the above listed design standards are not feasible due to site development constraints, groupings of conical, evergreen foundation plantings may be spaced evenly across building facades to provide visual interest and breaks in the facade. All foundation plantings shall be appropriately maintained and dead plant material replaced at a time appropriate to planting seasons but in all cases shall be replaced within one (1) year.
- d) In the case that the final site grading plan results in the western facades of the two westernmost buildings to be visible from College Road, the above stated architectural standards shall apply to the entirety of these facades.
3. No fencing is shown on the submitted development plan proposal. Any fencing installed on the subject property shall comply with Section 15.24.040, *Fence regulations*, of the Council Bluffs Municipal Code (Zoning Ordinance).

### **Landscaping**

1. The submitted landscaping plan shows a mixture of deciduous tree species being planted along College Road and identified areas of the parking lot of Lot 1, Council Bluffs Industrial Park Subdivision. The Community Development Department recommends the following additional landscape plantings to effectively screen the proposed logistics park development from highly visible public rights-of-way and ensure adequate parking lot shading is provided (see Attachment 'F' for planting locations):
- a) *Perimeter Landscaping.*
- i. Tall, evergreen trees shall be planted every twenty-five (25) feet along the northerly property line for a total of sixty (60) trees. This area is identified in green in Attachment 'F'. Each tree shall reach a minimum of six (6) feet in height within three (3) years of planting and shall have a minimum mature height of twelve (12) feet. Tree plantings can be planted in groupings or on-center and shall equally spaced along the northerly property line, as practical. Tree groupings shall not be isolated to one specific area along the northern property line, but shall be clustered and dispersed evenly across the frontage.
  - ii. Tall, evergreen trees shall be planted every twenty-five (25) feet along the eastern property line abutting Interstate 80 for a total of sixty-six (66) trees. This area is identified in yellow in Attachment 'F'. Each tree shall reach a minimum of six (6) feet in height within three (3) years of planting and shall have a minimum mature height of twelve (12) feet. Tree plantings can be planted in groupings or on-center, and shall be equally spaced along the eastern property line, as practical. Tree groupings shall not be isolated to one specific area along the eastern property line, but shall be clustered and dispersed evenly across the frontage.
- b) *Parking Lot Perimeter Landscaping.*
- i. Parking lot perimeter landscaping shall consist of large, deciduous shade trees planted every thirty (30) feet, on center and shall have a minimum of two (2) inch caliper at the time of planting and a minimum mature canopy spread of at least twenty (20) feet. Plantings shall be installed as follows:
    - A. Fifty-eight (58) large, deciduous, shade trees shall be planted, as stated above, along the western perimeter of the parking lot. This area is identified in red in Attachment 'F'.
    - B. Fifteen (15) large, deciduous, shade trees shall be planted, as stated above along the southern perimeter of the parking lot abutting proposed Lot 2, Council Bluffs Industrial Park Subdivision. This area is identified in blue in Attachment



‘F’.

- C. Sixteen (16) large, deciduous, shade trees shall be planted, as stated above, along the southeastern perimeter of the parking lot. This area is identified in orange Attachment ‘F’.
- D. Thirty (30) large, deciduous, shade trees shall be planted, as stated above, along the eastern perimeter of the parking lot. This area is identified in purple Attachment ‘F’.
- ii. One (1) large, deciduous shade tree shall be planted for every twenty-five (25) parking stalls in the form of interior landscape islands or endcap islands/peninsulas. Planting areas shall be a minimum of fifty (50) square feet of unpaved surface per tree. All landscape islands/peninsulas shall include one large deciduous, shade tree and ground cover, comprised of mulch, grass, gravel and/or river rock. Landscape islands/peninsulas shall be distributed throughout the parking lot in order to maximize shade for employee and customer parking areas. For the purposes of this requirement, truck parking stalls shall not be included in the overall parking stall count. All endcap islands shown on the submitted landscaping plan shall be planted with a large, deciduous shade tree and ground cover, comprised of mulch, grass, gravel and/or river rock. Trees planted for this requirement may also count towards the required parking lot perimeter plantings listed above.
- 2. All disturbed areas not utilized for buildings, parking, or decorative landscaping shall be seeded with sod, turf, and/or prairie grass at a minimum.
- 3. The detention pond located south of the northerly most access drive off College Road shall be designed and maintained as an amenity feature for the development. The developer shall incorporate landscaping, benches, trails or a combination thereof around the perimeter of the detention pond at the time of construction.
- 4. A landscape plan that addresses all comments stated above shall be submitted to the Community Development Department for review prior to installation. The plan shall clearly identify plant materials, quantity, and size and shall show dimensions of all areas to be landscaped.
- 5. All landscaping shall be appropriately maintained and dead plant material replaced at a time appropriate to planting seasons but in all cases shall be replaced within one (1) year.
- 6. Not more than ten (10) percent of the landscaped area shall be of inorganic materials such as brick, stone, aggregate, metal or artificial turf.

### **Signage**

- 1. The submitted signage plan, shown in Attachment ‘C,’ identifies the following attached and detached signage for the proposed logistics park on Lot 1, Council Bluffs Logistics Park Subdivision as follows:

#### **Detached**

- Six (6) 10’ x 11’8” (116.67 square feet) monument signs. Per Section 15.33.080, *Exempt Signs*, of the Council Bluffs Municipal Code (Zoning Ordinance), “*Signs which are not visible from a public right-of-way or from a property other than that on which the sign is installed;*” are considered exempt sign types. Only four (4) of the monument signs shown are visible from public right-of-way or adjacent property, as per the submitted site layout plan. The proposed quantity and size of the monument signs are acceptable as shown.
- Three (3) 20’ x 14’4” (286.67 square feet) center identification signs. There shall be a maximum of two (2) center identification signs, one (1) per frontage, rather than the three (3) shown on the submitted plans. The submitted signage plan shows multiple tenant names on the center identification signs. The applicant shall leave signage space for the future IWCC training facility on the center identification signs as this future structure will be a part of the overall subdivision.

#### **Attached**

- 2. The submitted plans did not specify quantity or dimensions of attached signage at this time. The applicant has noted that the exact number of tenant bays is unknown at this time and will be based on leasing. Per Section 15.33.180, *Industrial District Signs*, of the Council Bluffs Municipal Code (Zoning

Ordinance), attached signs in the P-I District shall be limited to 1.5 square feet per lineal foot of the building to which it is attached. All attached signage shall be designed to comply with the attached sign standard stated above.

3. No directional signage was included in the submitted signage plans. On-premises directional signage shall count towards the overall amount of signage permitted and shall be limited to a maximum height of six (6) feet as measured from the natural grade and shall be limited to a maximum of twelve (12) square feet per sign face, not to exceed a total of eight (8) square feet per sign.
4. All signage (detached and attached) shall comply with Section 15.33, *Signs*, of the Council Bluffs Municipal Code (Zoning Ordinance).

### **Recommendation**

The Community Development Department recommends the following for the subject property legally described above:

1. Approval of the preliminary plan for a two-lot subdivision to be known as Council Bluffs Industrial Park Subdivision, subject to the comments above and the following conditions:
  - a) Approval of the preliminary plans is tentative and does not constitute acceptance of the final plat, but is “deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat” (§14.11.060(D)—Subdivision Ordinance).
  - b) All utilities shall be installed underground. All costs to construct, remove, and/or relocate any utilities for the proposed subdivision shall be the responsibility of the developer not the City.
2. Approval of the request to rezone property legally described in Attachment ‘A’ from P-C/Planned Commercial District to P-I/Planned Industrial District, based on the reasons stated above.
3. Approval of the request to adopt a planned industrial development plan for Lot 1, Council Bluffs Industrial Park Subdivision, subject to the comments stated above and the following condition:
  - a) Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed by the City Planning Commission and approved by City Council prior to such changes being made. All minor modifications to the adopted development plan may be administratively approved by the Community Development Director.

### **Attachments:**

Attachment A: Rezoning Legal Description  
 Attachment B: Letter of Intent  
 Attachment C: Preliminary Plans  
 Attachment D: Location/Zoning Map  
 Attachment E: Building Facades Subject to Design Standards  
 Attachment F: Required Landscaping Key

Prepared by: Haley Weber, Planner, Community Development Department

## Attachment A

### EXHIBIT "B" REZONING LEGAL DESCRIPTION

BEGINNING AT THE SW  $\frac{1}{4}$  CORNER OF SAID SECTION 21. THENCE N1°44'24.97"E 908.80 FEET, THENCE S88°15'35.03"E 33.00 FEET. THENCE N8°18'14.97"E 104.12 FEET, THENCE N1°44'37.97"E 112.08 FEET. THENCE N17°11'38.97"E 83.30 FEET, THENCE N2°51'41.97"E 125.50 FEET. THENCE N43°00'25.97"E 142.03 FEET, THENCE S85°33'40.03"E 303.25 FEET, THENCE N88°22'31.97"E 201.15 FEET, THENCE S87°09'46.03"E 249.16 FEET, THENCE N81°48'54.97"E 252.04 FEET, THENCE S77°07'22.03"E 360.92 FEET, THENCE N71°27'57.97"E 368.96 FEET, THENCE N89°44'07.97"E 121.25 FEET, THENCE S49°57'05.03"E 124.55 FEET, THENCE S13°50'39.97"W 822.10 FEET, THENCE S20°26'38.97"W 553.16 FEET, THENCE S27°26'14.25"W 164.36 FEET, THENCE 87°39'03"W 1662.53 FEET TO THE POINT OF BEGINNING.



August 19, 2021

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

Re: IWCC Logistics Facility  
Preliminary Plan Application Letter of Intent  
Schemmer Project No. 08292.001

To Whom It May Concern:

This letter is to inform you of the intentions of the proposed developer of Council Bluffs Industrial Park, located southeast of the intersection of Kanessville Boulevard and College Road in Council Bluffs, IA.

The subject property is comprised of approximately 94 acres of undeveloped property zoned P-I and P-C. The owner is submitting a rezoning application, Preliminary Plan application, and a Development Plan application for this development. The rezoning application is to rezone the P-C area to P-I for the intended use.

The proposed development will consist of "warehousing and distribution, limited" buildings per the City of Council Bluffs zoning code and is a principal use in the P-I zoning district. The development would also include drives, parking lots, grading, and utilities to serve the proposed building. Please see the attached site plan for a graphical representation of the proposed improvements.

Construction of these improvements is proposed to begin in the spring of 2022, with a proposed completion date in the fall of 2022.

Given the attached application and documentation, the property owner respectfully requests the Preliminary Plan approval.

Please submit all questions and comments to my attention at [rduvall@schemmer.com](mailto:rduvall@schemmer.com) or by phone at 402-431-6369.

Sincerely,

THE SCHEMMER ASSOCIATES INC.

A handwritten signature in blue ink that reads "Robert DuVall".

Robert DuVall, P.E.  
Senior Civil Engineer  
Shareholder

PHONE 712.329.0300  
FAX 712.329.9970

Valley View Village  
928 Valley View Drive, Suite 12  
Council Bluffs, Iowa 51503-5288

SCHEMMER.COM

[illegible]

GENERAL	
0	COVER SHEET
CIVIL	
C101	SITE LAYOUT & PAVING PLAN
C102	SITE GRADING & STORM SEWER PLAN
C105	SITE UTILITY PLAN
C106	SITE LANDSCAPE PLAN
C107	POST CONSTRUCTION STORMWATER MANAGEMENT PLAN
ARCHITECTURAL	
A101	BUSINESS IDENTIFICATION SIGN DETAILS
A201	EXTERIOR BUILDING ELEVATIONS

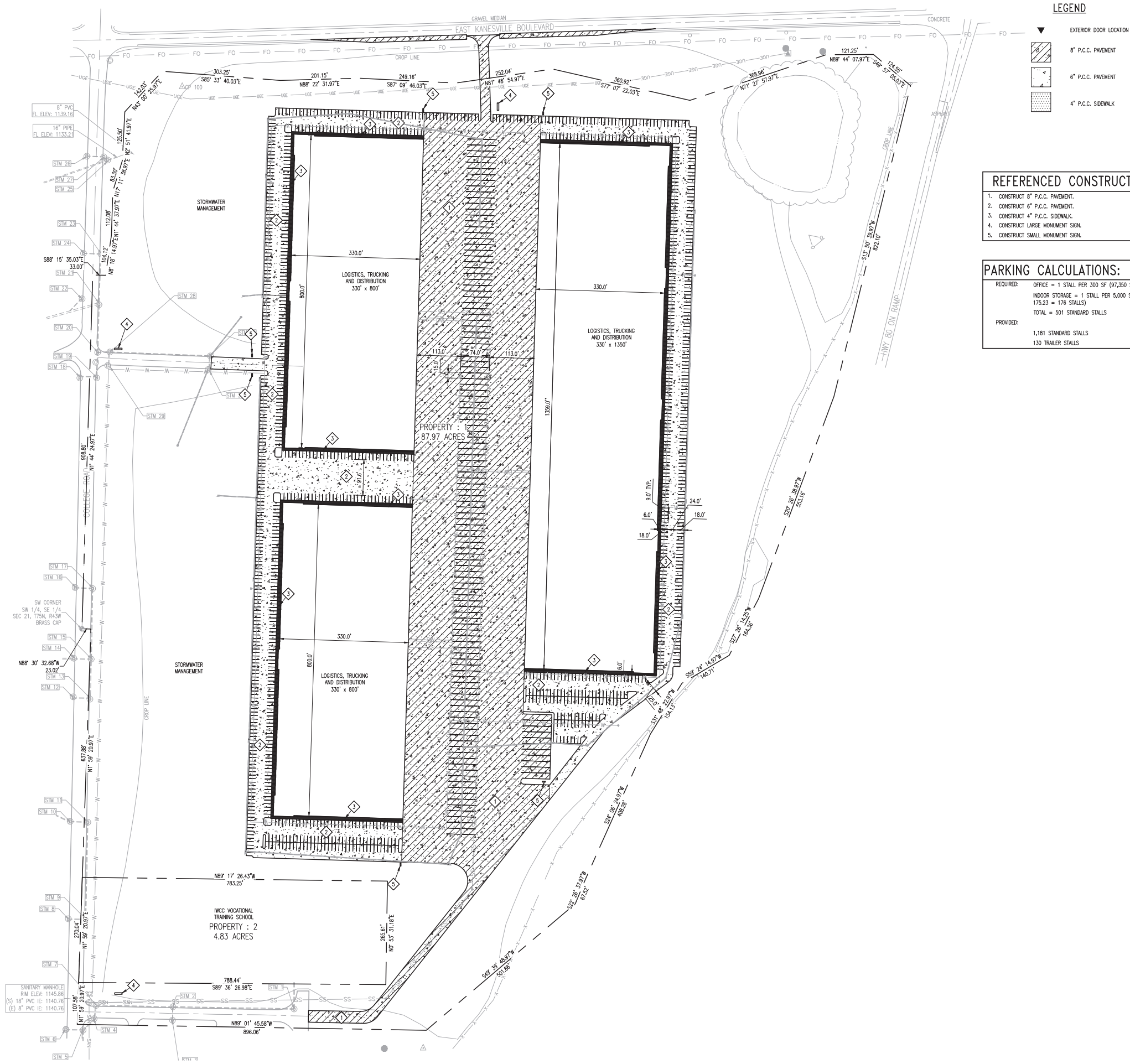
OWNER:	IOWA WESTERN COMMUNITY COLLEGE FOUNDATION 2313 COLLEGE ROAD COUNCIL BLUFFS, IA 51503
SUBDIVIDER:	NESTORY PARK 1 BELVEDERE DRIVE MILL VALLEY, CA 94941
ENGINEER:	THE SCHEMAYER ASSOCIATES, INC. 1044 N. 115TH STREET, SUITE 300 OMAHA, NE 68154
ZONING:	ALL PROPERTY WITHIN THE SUBDIVISION BOUNDARY IS CURRENTLY ZONED P-C/P-1.
FLOODPLAIN:	FEMA FLOOD ZONE X, AREA OF MINIMAL HAZARD. NO FLOODWAY OR FRINGE ENCROACHMENTS.

**SCHENKER**  
*Decide with Purpose. Build with Confidence.*

PROJECT NO.: 08292.001



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8/17/2021 11:52 AM Ithana, Ana



#### REFERENCED CONSTRUCTION NOTES:

1. CONSTRUCT 8\" P.C.C. PAVEMENT.
2. CONSTRUCT 6\" P.C.C. PAVEMENT.
3. CONSTRUCT 4\" P.C.C. SIDEWALK.
4. CONSTRUCT LARGE MONUMENT SIGN.
5. CONSTRUCT SMALL MONUMENT SIGN.

#### PARKING CALCULATIONS:

REQUIRED: OFFICE = 1 STALL PER 300 SF (97,350 SF / 300 = 324.5 = 325 STALLS)  
INDOOR STORAGE = 1 STALL PER 5,000 SF (876,150 SF / 5,000 SF = 175.23 = 176 STALLS)  
TOTAL = 501 STANDARD STALLS

PROVIDED: 1,181 STANDARD STALLS  
130 TRAILER STALLS

NESTORY PARK  
IMCC LOGISTICS  
180 & HIGHWAY 6  
COUNCIL BLUFFS, IOWA

SITE LAYOUT & PAVING PLAN

PROJECT NO.: 08292.001

C101

PRELIM - NOT FOR  
CONSTRUCTION

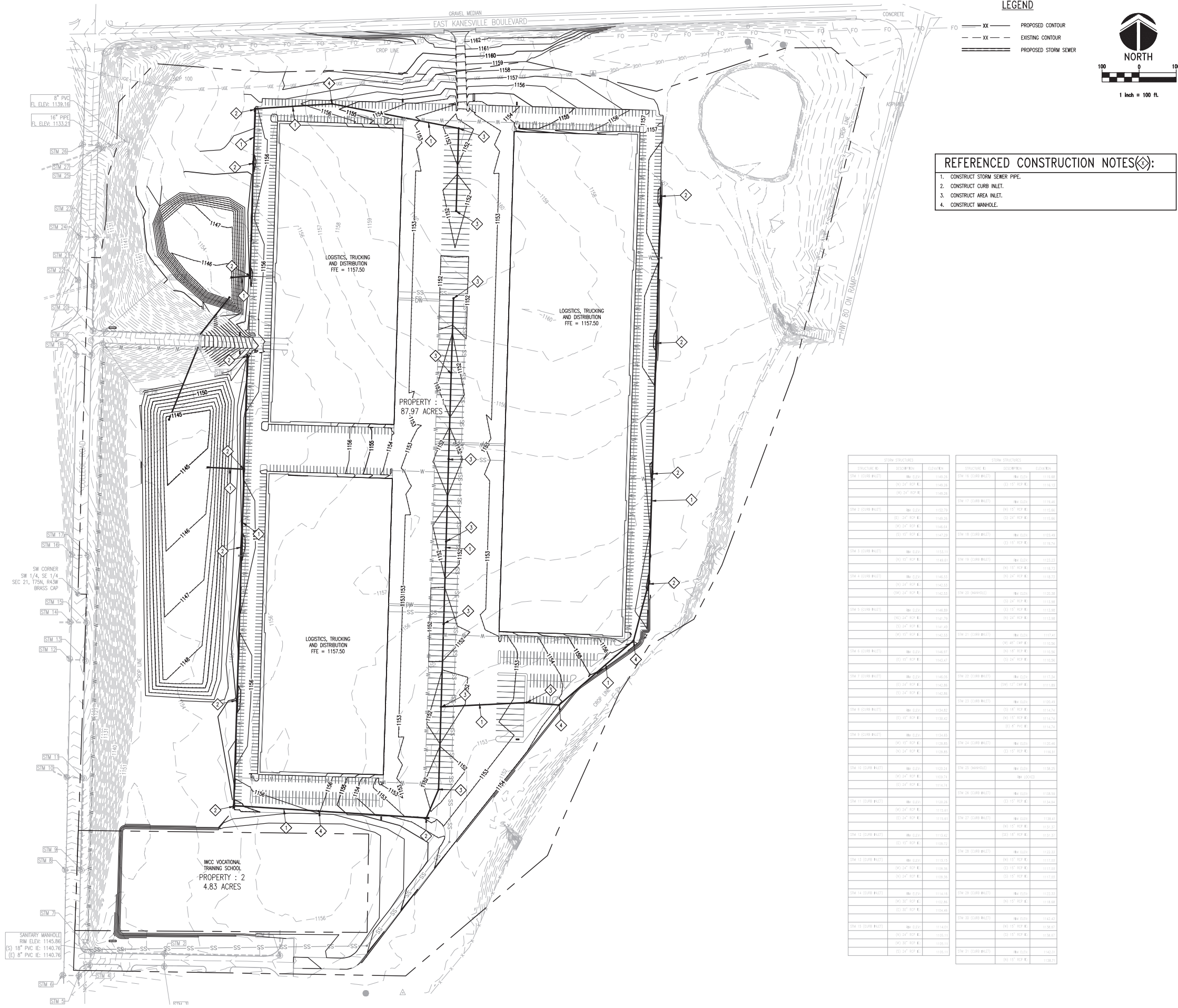
**SCHEMMER**  
Design with Purpose. Build with Confidence.

ISSUE DATE: 08/17/2021  
DESIGNED: RMD  
DRAWN: APH  
CHECKED:

REVISIONS:  
No. DATE BY: DESCRIPTION:

"THE INFORMATION CONTAINED  
HEREIN IS FOR GENERAL  
INFORMATION ONLY. IT IS NOT  
WARRANTED, REPRESENTED,  
OR GUARANTEED BY THE  
ENGINEER. THE ENGINEER  
ACCEPTS NO LIABILITY FOR  
ANY LOSS OR DAMAGE  
SUFFERED BY ANY PARTY  
RELYING ON THIS INFORMATION.  
THE USER AGREES TO HOLD  
THE ENGINEER HARMLESS  
FROM ALL SUCH LOSS OR  
DAMAGE."

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STORM STRUCTURES			STORM STRUCTURES		
STRUCTURE NO.	DESCRIPTION	ELEVATION	STRUCTURE NO.	DESCRIPTION	ELEVATION
STW 1 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.28	STW 14 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.88
	18" DIA. 15' RCP IN.	1148.28		18" DIA. 15' RCP IN.	1148.12
	18" DIA. 15' RCP IN.	1148.28		18" DIA. 15' RCP IN.	1148.88
STW 2 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.28	STW 17 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.88
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	18" DIA. 15' RCP IN.	1148.28		18" DIA. 15' RCP IN.	1148.88
STW 3 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.28	STW 18 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.88
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	18" DIA. 15' RCP IN.	1148.28		18" DIA. 15' RCP IN.	1148.88
STW 4 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.28	STW 19 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.88
	18" DIA. 15' RCP IN.	1148.28		18" DIA. 15' RCP IN.	1148.88
	18" DIA. 15' RCP IN.	1148.28		18" DIA. 15' RCP IN.	1148.88
STW 5 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.28	STW 20 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.88
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	18" DIA. 15' RCP IN.	1148.28		18" DIA. 15' RCP IN.	1148.88
STW 6 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.28	STW 21 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.88
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STW 7 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.28	STW 22 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.88
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STW 8 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.28	STW 23 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.88
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STW 9 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.28	STW 24 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.88
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STW 10 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.28	STW 25 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.88
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STW 11 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.28	STW 26 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.88
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STW 12 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.28	STW 27 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.88
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	18" DIA. 15' RCP IN.	1148.28		18" DIA. 15' RCP IN.	1148.88
STW 13 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.28	STW 28 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.88
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STW 14 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.28	STW 29 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.88
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	18" DIA. 15' RCP IN.	1148.28		18" DIA. 15' RCP IN.	1148.88
STW 15 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.28	STW 30 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.88
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STW 16 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.28	STW 31 (SEWER INLET)	18" DIA. 15' RCP IN.	1148.88
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NESTORY PARK  
IWCC LOGISTICS  
180 & HIGHWAY 6  
COUNCIL BLUFFS, IOWA  
SITE GRADING & DRAINAGE PLAN

PROJECT NO.: 08292.001

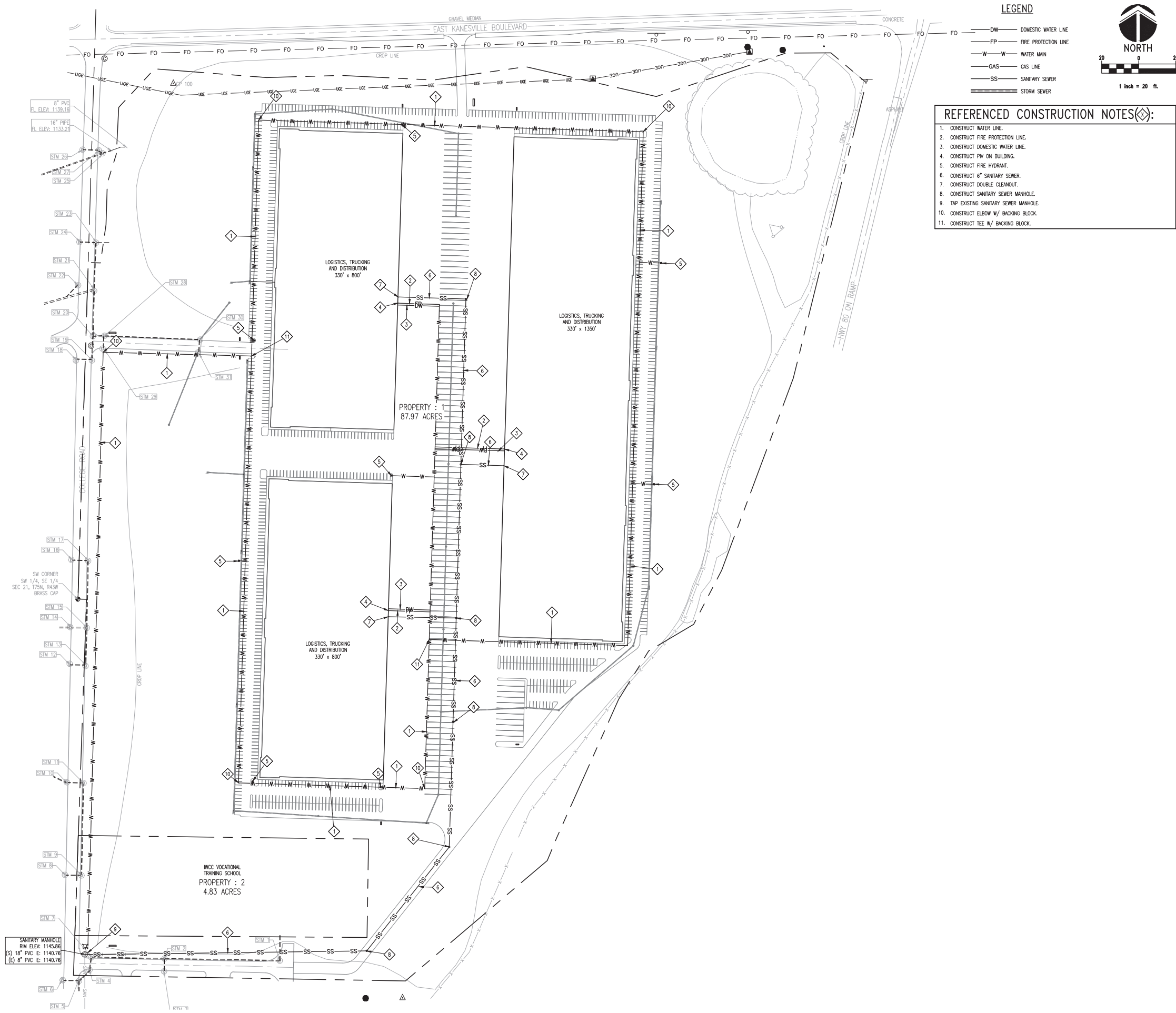
C102

PRELIM - NOT FOR  
CONSTRUCTION

**SCHEMMER**  
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ISSUE DATE: 08/17/2021  
DESIGNED: RMD  
DRAWN: APH  
CHECKED: [Signature]  
REVISIONS:  
No. DATE BY: DESCRIPTION:

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#### REFERENCED CONSTRUCTION NOTES

1. CONSTRUCT WATER LINE.
2. CONSTRUCT FIRE PROTECTION LINE.
3. CONSTRUCT DOMESTIC WATER LINE.
4. CONSTRUCT PIV ON BUILDING.
5. CONSTRUCT FIRE HYDRANT.
6. CONSTRUCT 6\"/>

PRELIM - NOT FOR  
CONSTRUCTION

**SCHEMMER**  
Design with Purpose. Build with Confidence.

NESTORY PARK  
IMCC LOGISTICS  
180 & HIGHWAY 6  
COUNCIL BLUFFS, IOWA  
SITE UTILITY PLAN

PROJECT NO.: 08292.001

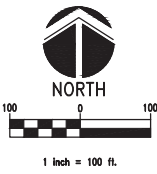
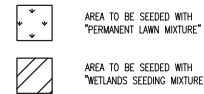
C105



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#### LEGEND



#### GENERAL LANDSCAPING NOTES:

- DO NOT BEGIN WORK UNTIL ALL REQUIRED PERMITS ARE IN HAND AND APPROVED DRAWINGS REFLECTING THE REQUIREMENTS OF THE PERMITS ARE PHYSICALLY ON THE JOB SITE. REQUIRED PERMITS SHALL INCLUDE BUT NOT BE LIMITED TO THE LANDSCAPE PERMIT.
- VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO STARTING CONSTRUCTION AND IMMEDIATELY NOTIFY THE LANDSCAPE ARCHITECT OF ANY DISCREPANCIES.
- VERIFY LOCATION OF ALL UTILITIES INCLUDING SANITARY AND STORM SEWER PRIOR TO BEGINNING CONSTRUCTION. CARE SHOULD BE TAKEN NOT TO DISTURB UTILITIES DURING CONSTRUCTION.
- ALL WORK PERFORMED ON THIS PROJECT SHALL BE IN CONFORMANCE WITH THE CONTRACT DOCUMENTS AND ALL APPLICABLE CODES, STANDARDS, ORDINANCES, ETC.
- ALL PLANTS TO BE GUARANTEED FOR ONE FULL YEAR AT FULL REPLACEMENT VALUE INCLUDING LABOR.
- ALL DEBRIS FROM CONSTRUCTION SHALL BE LAWFULLY DISPOSED OF OFF SITE.
- ALL PLANTING AREAS MUST BE FREE OF ALL WEEDS AND DEBRIS BEFORE BEGINNING WORK.
- ALL PLANT MATERIAL SHALL BE OF GOOD QUALITY.
- ALL GRADING AND BERMING SHALL BE COORDINATED WITH THE GENERAL CONTRACTOR.
- DETENTION POND AREA SHALL BE SEED WITH WETLAND SEEDING PER IOWA SUDAS SECTION 9010.
- ALL AREAS TO BE SEED EXCEPT THE DETENTION POND AREA SHALL BE SEED WITH TYPE 1 (PERMANENT LAWN MIXTURE) PER IOWA SUDAS SECTION 9010.
- TREE AND SHRUB PLANTING DETAILS CAN BE SEEN ON C201.

#### PLANT SCHEDULE

ABBREVIATION	COMMON NAME	BOTANICAL NAME	METHOD
AM	Amur Maple	Acer Ginnia 'Flame'	B&B
R	Red Oak	Quercus Rubra	B&B
OM	October Glory Maple	Acer Rubrum 'October Glory'	B&B
M	Spring Snow Crab	Malus 'Spring Snow'	B&B

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CONSTRUCTION

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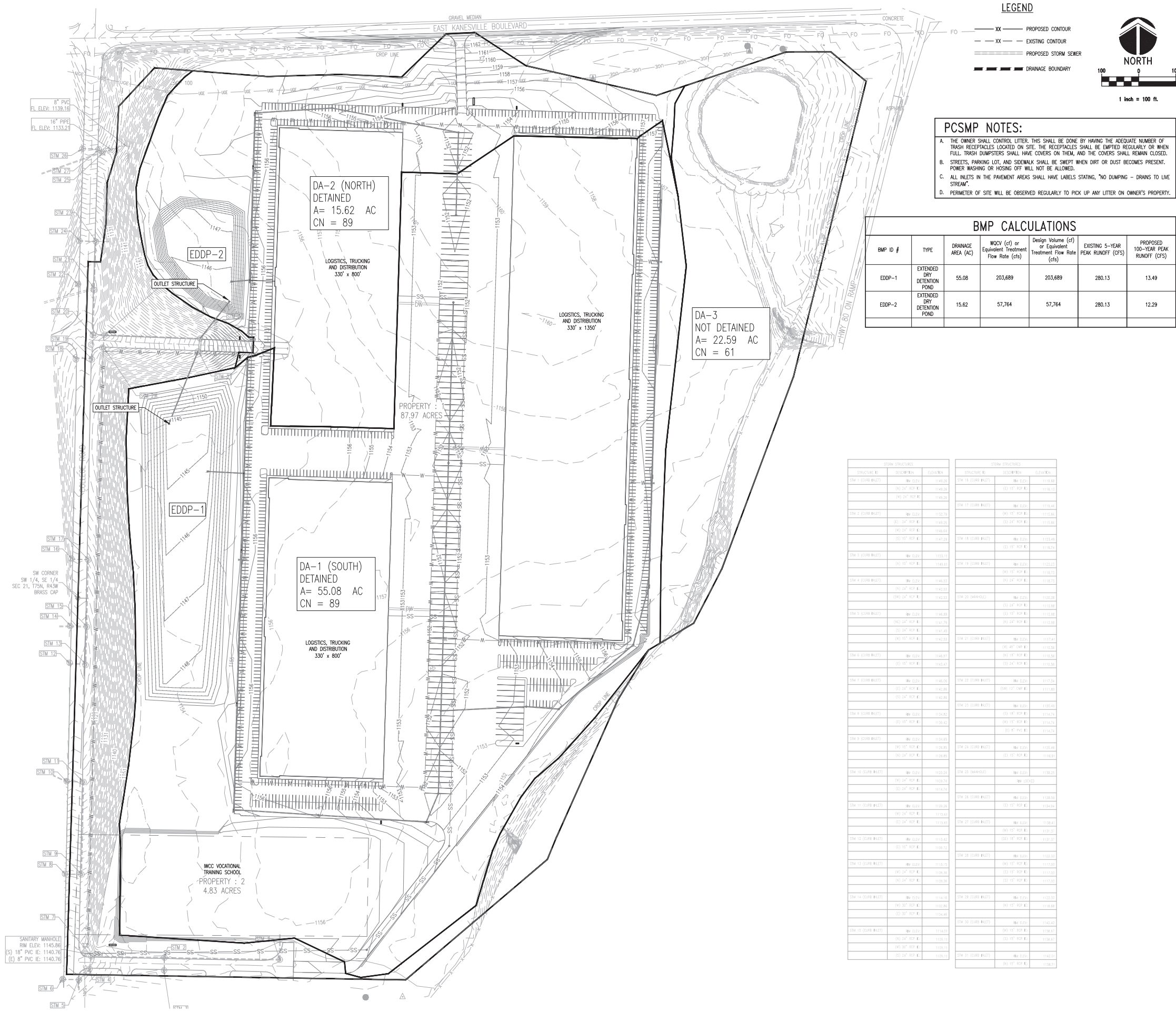
NESTORY PARK  
IWCC LOGISTICS  
180 & HIGHWAY 6  
COUNCIL BLUFFS, IOWA  
SITE LANDSCAPE PLAN

PROJECT NO.: 08292.001

C106



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NESTORY PARK  
IMCC LOGISTICS  
180 & HIGHWAY 6  
COUNCIL BLUFFS, IOWA  
POST CONSTRUCTION STORMWATER  
MANAGEMENT PLAN

PROJECT NO.: 08292.001

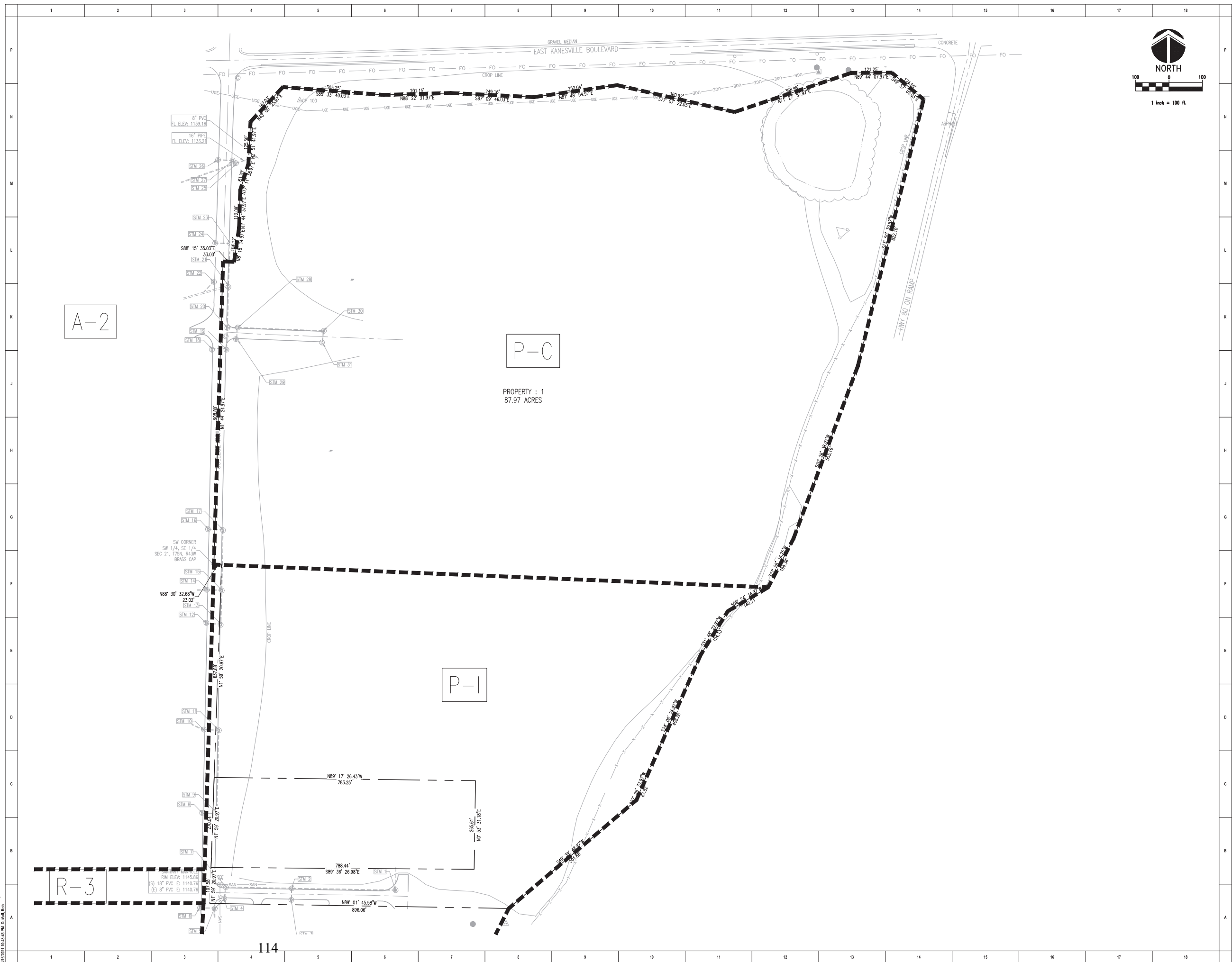
**SCHEMMER**  
Design with Purpose. Build with Confidence.

DESIGNED: XXX  
DRAWN: XXX  
CHECKED: XXX

ISSUE DATE: 08/17/2021  
REVISIONS:  
No. DATE BY DESCRIPTION:

THE DRAWING IS PREPARED BY THE ENGINEER AND IS TO BE USED FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED. IT IS NOT TO BE USED FOR ANY OTHER PROJECT OR SITE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.



[illegible]







FRONT ELEVATION - FULL ELEVATION  
NOT TO SCALE

BACK ELEVATION - FULL ELEVATION  
NOT TO SCALE

3 FRONT ELEVATION - AREA A  
SCALE: 1/16" = 1'-0"

6 FRONT ELEVATION - AREA B  
SCALE: 1/16" = 1'-0"

5 FRONT ELEVATION - AREA C  
SCALE: 1/16" = 1'-0"

2 SIDE ELEVATION (TYP)  
SCALE: 1/16" = 1'-0"

[illegible]

**PRELIM - NOT FOR  
CONSTRUCTION**

**SCHEMMER**  
*Design with Purpose. Build with Confidence.*

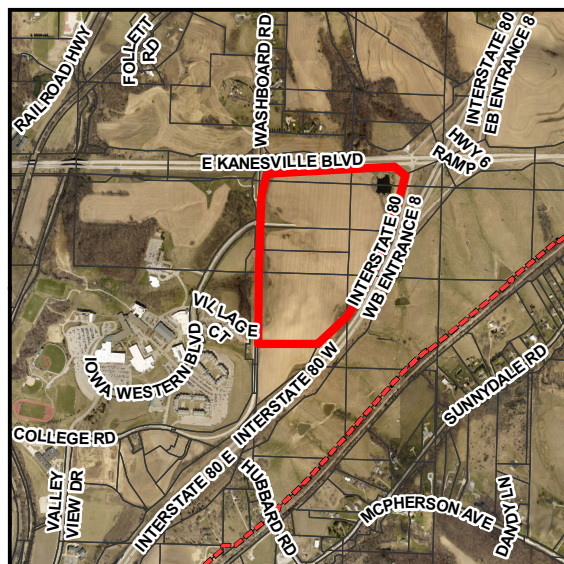
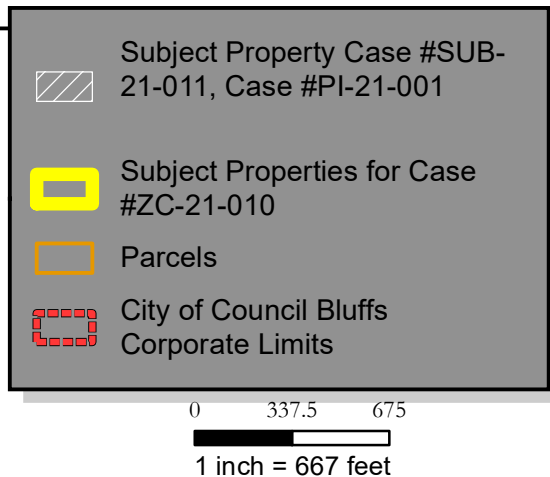
**NESTORY PARK**  
IWCC LOGISTICS FACILITY  
180 & HIGHWAY 6  
COUNCIL BLUFFS, IOWA 51501  
**EXTERIOR BUILDING ELEVATIONS**

PROJECT NO.: 08292.001

A201



# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASES #ZC-21-010, SUB-21-011, & PI-21-001 LOCATION/ZONING MAP

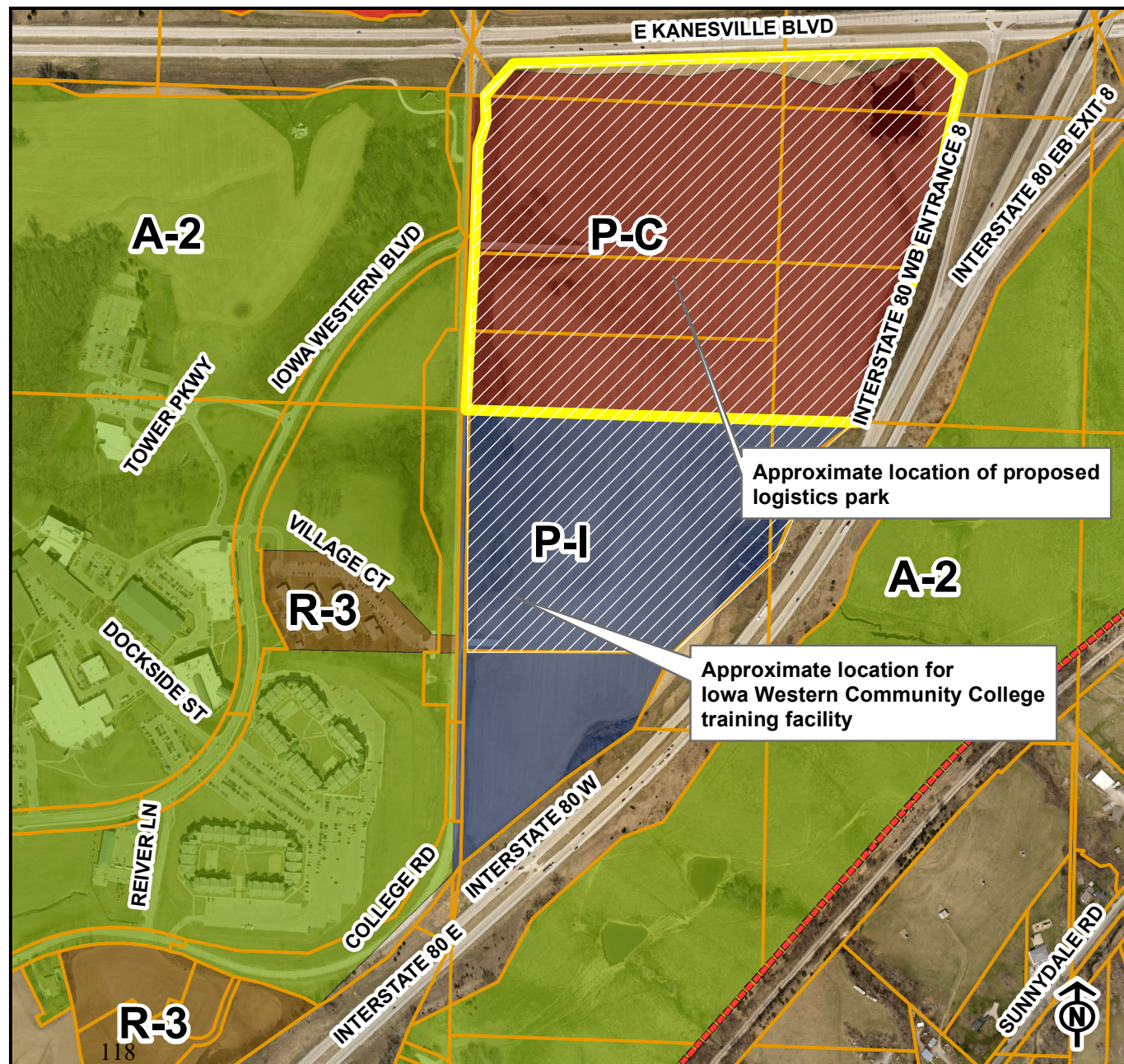


Last Amended: 8/23/2021



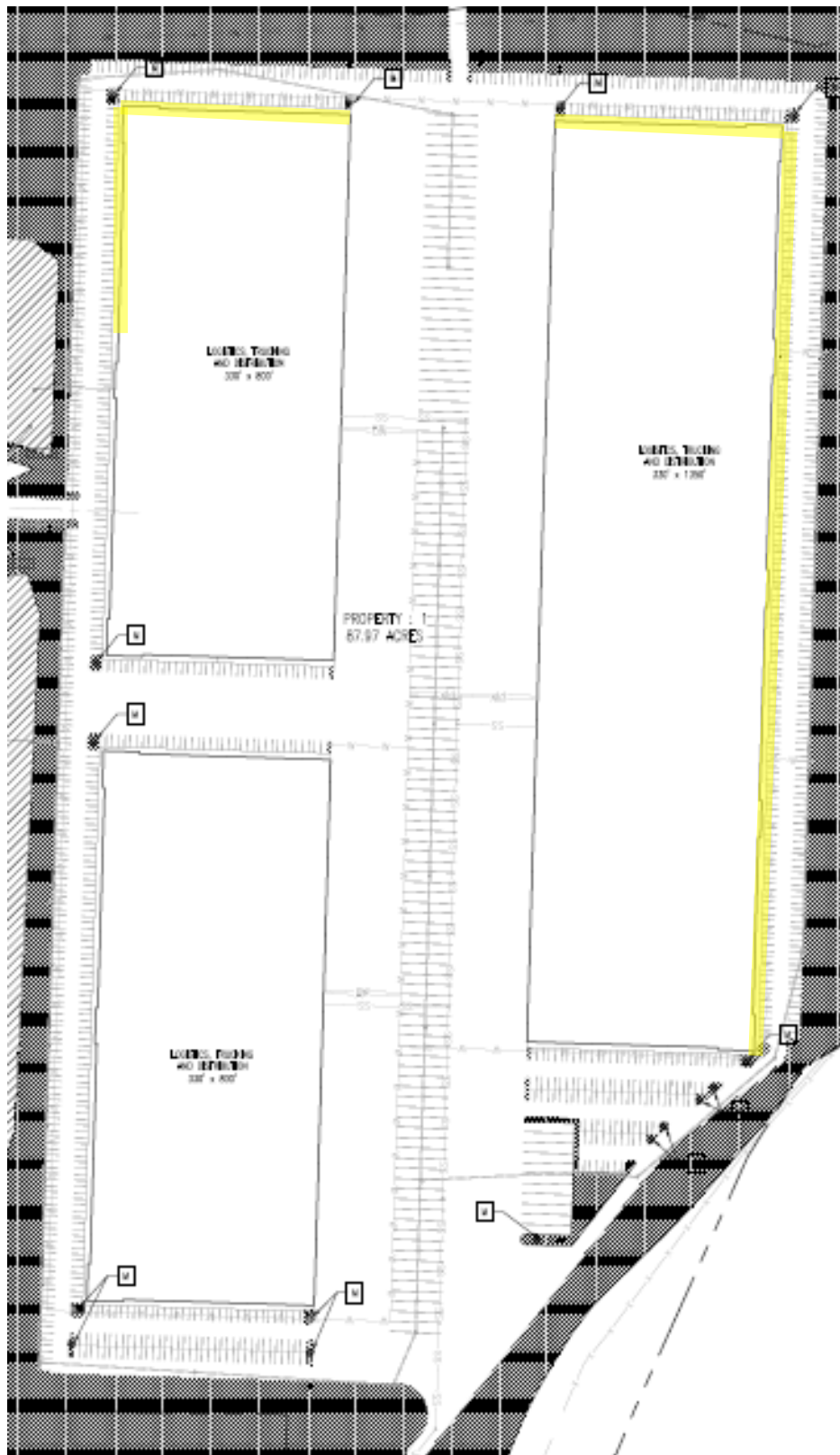
Council Bluffs Community  
Development Department  
209 Pearl Street  
Council Bluffs, IA 51503  
Telephone: (712) 890-5350

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



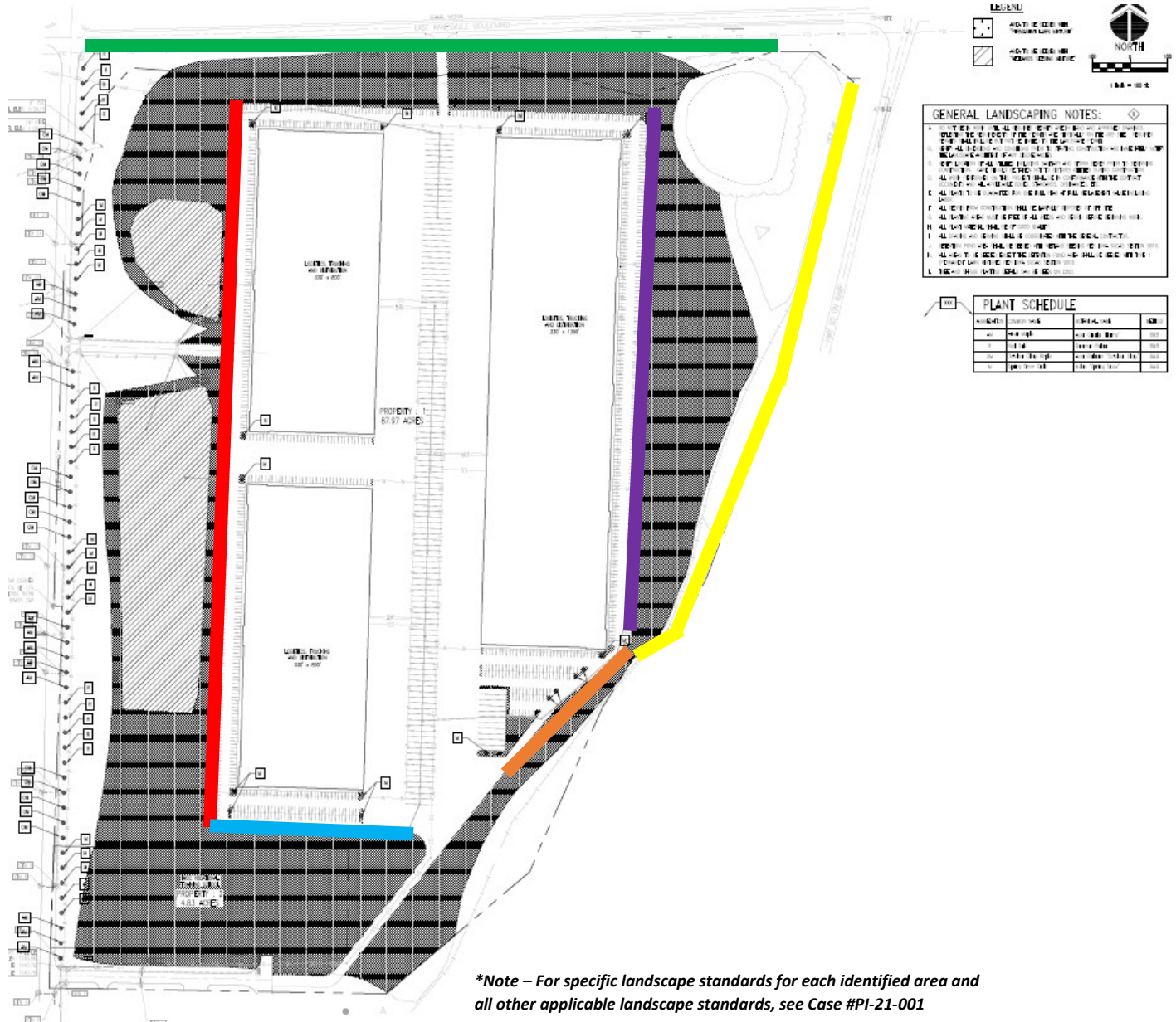
## Attachment E

Building facades subject to design standards listed in Case #PI-21-001 highlighted in yellow below:





### Required Landscaping Key



**Northern property line perimeter landscape area shown in green above**

**Easterly property line perimeter landscape area shown in yellow above**

**Western parking lot perimeter landscape area shown in red above**

**Southern parking lot perimeter landscape area shown in blue above**

**Southeastern parking lot perimeter landscape area shown in orange above**

**Eastern parking lot perimeter landscape area shown in purple above**

## Planning Commission Communication

Department: Community

Development

Case/Project No.: SUB-21-010, CASES #SUB-21-010, #SAV-21-003, and ZC-21-008

Council Action: 9/14/2021

Submitted by: Brandon Siracuse,  
Planner

### Description

Combined public hearings on the request of Anderson Construction, represented by Mark Anderson, for: 1) final plat approval of a one-lot minor industrial subdivision to be known as the Mark Anderson - Twin City Church Subdivision, legally described as being part of the NE1/4 NE1/4 of Section 15-74-44 and part of the NW1/4 NW1/4 of the Section 14-74-44, City of Council Bluffs, Pottawattamie County, Iowa; 2) vacate and dispose of former Gifford Road right-of-way lying south of Veterans Memorial Highway (US Highway 275) and west of relocated Gifford Road and 3) to rezone 7.37 acres of land (more/less) legally described as being part of the NE1/4 NE1/4 of Section 15-74-44 and part of the NW1/4 NW1/4 of the Section 14-74-44, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agriculture District to I-2/General Industrial District. Location: 4220 Gifford Road and undeveloped land lying immediately east.

### Background/Discussion

See attachments.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Staff Report & Attachments	Other	9/9/2021



## Planning Commission Communication

<p>Department: Community Development</p> <p>CASES #SUB-21-010, SAV-21-003, and ZC-21-008</p> <p>Applicant: Anderson Construction Company 3125 S. 11<sup>th</sup> Street Council Bluffs, IA 51501</p> <p>Property Owners: City of Council Bluffs 209 Pearl Street Council Bluffs, IA 51503</p> <p>Twin Cities Christian Church 4220 Gifford Rd Council Bluffs, IA 51501</p> <p>Engineer/Surveyor: Snyder Engineering 1751 Madison Ave Council Bluffs, IA 51503</p>	<p>Resolution No. _____</p> <p>Resolution No. _____</p> <p>Ordinance No. _____</p>	<p>Planning Commission: 9/14/2021</p>
<b>Subject/Title</b>		
<p><b>Requests:</b> Combined public hearing on the request of Andersen Construction Company, represented by Mark Andersen, for 1) final plat approval of a one-lot minor industrial subdivision, to be known as the Mark Andersen – Twin City Church Subdivision, on property legally described as part of the NE1/4 NE1/4, Section 15, and part of the NW1/4 NW1/4, Section 14, all in Township 74 North, Range 44 West of the 5<sup>th</sup> Principal Meridian, Council Bluffs, Pottawattamie County, Iowa; 2) vacate and dispose of former Gifford Road right-of-way located on the property legally described above; and 3) rezone the proposed subdivision from split zoning A-2/Parks, Estates, and Agricultural District and I-2/General Industrial District to entirely I-2/General Industrial District.</p> <p><b>Location:</b> 4220 Gifford Road and City-owned property and right-of-way at the southwest corner of Gifford Road and US-275/Veterans Memorial Highway</p>		
<b>Background</b>		
<p>In August 2021, Andersen Construction Company (referred to herein as “applicant” or “developer”), represented by Mark Andersen, submitted an application to the Community Development Department of the City of Council Bluffs for final plat approval of a one-lot minor industrial subdivision, to be known as the Mark Andersen – Twin City Church Subdivision, on the land legally described above. Along with this application, the applicant submitted requests to vacate a section of right-of-way formerly containing Gifford</p>		

Road and to rezone the property currently occupied by Twin Cities Christian Church to allow for industrial development on the site. Specifically, the applicant proposes the following:

- 1) Case #SUB-21-010: Final plat approval of a one-lot minor industrial subdivision to be known as Mark Andersen – Twin City Church Subdivision. The subject properties and right-of-way (see Case #SAV-21-003) together contain 7.37 acres (more/less) located southwest of the intersection of Gifford Road and US-275/Veterans Memorial Highway (see Attachment B). The applicant is the contract purchaser of the parcel of land currently occupied by Twin Cities Christian Church, which plans to move to a new location. The applicant also has made an offer to purchase the city-owned property located between the old Gifford Road right-of-way and the relocated section of Gifford Road. These two lots and the former Gifford Road right-of-way (to be vacated, see Case #SAV-21-003) will be replatted into a single lot that the applicant plans to develop with a new industrial and/or commercial use. The applicant intends to remove all existing buildings and trees on the property and raise the elevation to the street level of Gifford Road. The applicant will also propose to remove wetlands that exist within the proposed subdivision.
- 2) Case #SAV-21-003: Vacate and dispose of former Gifford Road right-of-way located immediately south of US-275/Veterans Memorial Highway and extending south to the relocated section of Gifford Road.
- 3) Case #ZC-21-008: Rezone the land within the proposed subdivision (see Case #SUB-21-010), legally described above, from a split zoning designation of A-2/Parks, Estates, and Agricultural District and I-2/General Industrial District to entirely I-2/General Industrial District.

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

Attachment A: Letter of intent

Attachment B: Final subdivision plat

Attachment C: Gifford Road right-of-way plat of survey

Attachment D: Location/zoning map

Attachment E: Cox Communications facility map

#### **CASE #SUB-21-010 (See Attachments B, C, and D)**

The proposed Mark Andersen – Twin City Church subdivision is comprised of 7.37 acres (more/less) of land and contains one buildable lot (see Attachment B). The applicant intends the lot within the subdivision to be used for an industrial and/or commercial use in the future, although the exact type of business that will occupy the site has not yet been determined.

#### **Comments**

1. The proposed subdivision is split zoned I-2/General Industrial District and A-2/Parks, Estates, and Agricultural District. The applicant proposes to rezone the subdivision (see Attachment B for legal description) from the current split zoning to entirely I-2/General Industrial District (see Case #ZC-21-008). This would make the zoning consistent across the entire subdivision, and it would be consistent with the zoning of surrounding properties (all zoned for industrial use, see Attachment D).
2. The land use plan in the Bluffs Tomorrow: 2030 Comprehensive Plan designates the subject property as “office/industrial,” a use intended for low-impact assembly or distribution activities complemented by employment-intensive, administrative, or professional office functions. The applicant’s suggestion that the land be redeveloped for a warehouse or similar industrial use is generally consistent with this intent. The subdivision proposal demonstrates consistency with the Bluffs Tomorrow: 2030 Comprehensive Plan, as well as with the purpose and intent of Title 14: Subdivisions and Title 15: Zoning of the Council Bluffs Municipal Code.
3. The subdivision will consist of one lot, which will result from combining property currently occupied by Twin Cities Christian Church (4220 Gifford Road) with City-owned property (parcel #

- 744414101006) and right-of-way directly to the east. The land's intended use for an industrial and/or commercial use would be allowed in the I-2/General Industrial District.
4. Proposed Lot 1 will contain 7.37 acres, which exceeds the minimum lot size requirement set forth in CBMC Chapter 15.21 I-2/General Industrial District.
  5. The applicant intends to raise the elevation of the lot to the level of Gifford Road and proposes to remove wetlands that exist on the lot in order to make development more feasible.
  6. The subdivision is accessible via Gifford Road. An existing driveway provides access to 4220 Gifford Road, the property currently occupied by Twin Cities Christian Church. The same driveway and curb cut could be used to facilitate access to the new subdivision, or the developer could coordinate with Public Works to establish a new access point along Gifford Road.
  7. Public water, sanitary sewer, and storm sewer facilities are available to service the proposed subdivision. All costs to construct, remove, and/or relocate any of these facilities for the proposed subdivision shall be the responsibility of the developer and not the City.
  8. Utilities (electric, gas, cable and communication facilities, etc.) are available to service the subdivision. All costs to construct, remove, and/or relocate any utilities in the subdivision shall be the responsibility of the developer and not the City or utility providers.
  9. Black Hills Energy stated that they have natural gas lines running through the former Gifford Road right-of-way and would need to retain an easement if the right-of-way is vacated and disposed of (see Case #SAV-21-003). Any cost to relocate these facilities shall be the responsibility of the developer and not the City or utility provider.
  10. Cox Communications stated that they have cable lines attached to MidAmerican Energy poles that run through the property. These facilities will require an easement. Any cost to relocate or bury these facilities shall be the responsibility of the developer and not the City or utility providers.
  11. The Permits and Inspections Division had no comments.
  12. The Public Works Department stated that there is a sanitary sewer line stubbed into the old Gifford Road right-of-way from the north. This will require an easement, or the developer may remove or relocate it to the north property line at their own expense.
  13. Council Bluffs Water Works (CBWW) stated that they have a substantial water transmission main in the old Gifford Road right-of-way and current City right-of-way. This transmission main is fed from the Council Point Purification Plant, and if it were to break it would need to be fixed quickly to ensure adequate fire protection and drinking water supply for the City. A main break in this location may also cause significant damage to any improvements made in the vacated right-of-way. Because of the crucial nature of this water main, CBWW has expressed a desire to enter into an agreement with the developer regarding specific access rights. Alternatively, CBWW would be open to having the water main moved to the current Gifford Road right-of-way at the applicant's cost. CBWW and the developer shall privately coordinate an agreement regarding CBWW facilities within the old Gifford Road right-of-way, and the final plat shall not be executed until the City has received a copy of this agreement signed by both parties. The book and page number of said agreement shall be noted on the final plat prior to execution.
  14. CBWW stated furthermore that Echo Electric has a private water lateral line extending from the main in the old Gifford Road right-of-way east to Echo Electric's property, passing under the city-owned property that the applicant wishes to purchase and incorporate into the proposed subdivision. Access to this water line must be preserved, and as such, the developer shall reserve an easement and note this on the final plat or work with Echo Electric on a private agreement to maintain access, noting the book and page number of the recorded agreement on the final plat.
  15. MidAmerican Energy stated they have "substantial electric transmission and distribution facilities" within the former Gifford Road right-of-way and existing City right-of-way at this location. MidAmerican Energy has requested an easement to access their facilities for maintenance. MidAmerican Energy also stated the applicant should contact MidAmerican Energy directly to discuss the project timeline and identify any and all costs associated with relocating existing electric facilities and supplying

new electrical service within the proposed subdivision. The cost of relocating, burying, or extending these facilities shall be the responsibility of the developer and not the City or utility provider.

16. The final plat shall only be executed if the City Council approves 1) the applicant's offer to buy City-owned property at the southwest corner of Gifford Road and US-275/Veterans Memorial Highway, 2) the vacation of the former Gifford Road right-of-way (Case #SAV-1-003), and 3) the rezoning of the proposed subdivision (Case #ZC-21-008).
17. The following technical corrections shall be made to the final plat prior to the city executing the document:
  - a. Add the subdivision name at top center of the final plat
  - b. Add a section for Auditor Certificate of Recording
  - c. Add language describing the easement agreement between the applicant and CBWW, or the book and page number of such agreement recorded by the county recorder.
18. The applicant shall provide a copy of any proposed covenants and/or private restrictions associated with the subdivision to the City, or place a note on the final plat indicating none will be recorded.

### **CASE #SAV-21-003**

The purpose of this request is to allow the applicant to acquire right-of-way that formerly contained a section of Gifford Road, on the land legally described above, and consolidate it with abutting property to the east and west (see Case #SUB-21-010). The applicant is the contract purchaser of the property to the west of the right-of-way, currently occupied by Twin Cities Christian Church (4220 Gifford Road), and has submitted an offer to buy city-owned property to the east of the right-of-way. See Attachment C for a plat of survey showing the right-of-way the applicant wishes to vacate and dispose of.

### **Comments**

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

1. *To provide due process and citizen participation in the application and review process for vacations.*  
There are two property owners with land that abuts the subject right-of-way. The owners of these properties are as follows:

East—Property owned by the City of Council Bluffs

West—Property owned by Twin Cities Christian Church (4220 Gifford Road)

The applicant is the contract purchaser of the land to the west, and the applicant has also submitted an offer to buy the City-owned property to the east. Once both properties are acquired by the applicant, they will be combined with the subject right-of-way to create a one-lot minor industrial subdivision (see Case #SUB-21-010).

The City of Council Bluffs is not interested in acquiring its respective portion of the right-of-way. As such, the applicant and property owner to the west were each mailed a petition asking whether they are in favor of/opposed to the vacation request and if the applicant is willing/not willing to acquire the entire section of former Gifford Road right-of-way, if vacated. Their responses can be found in Comment #10 below.

2. *To ensure that no property owner is deprived of required and reasonable access.*  
Both abutting properties and the right-of-way will be replatted into one lot as part of Case #SUB-21-010, and this lot will be accessible via the relocated Gifford Road. The right-of-way in question no longer contains a city street, so it is not needed for access to any properties.



3. *To reduce or eliminate hazardous or dangerous traffic conditions.*

The portion of right-of-way to be vacated is currently unimproved and is not used for vehicular, pedestrian, or bicycle traffic.

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

The proposed vacation will not create any dead end alleys, streets, or other rights-of-way.

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

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

- The Permits and Inspections Division stated they have no comments on the request.
- The Public Works Department stated that a sanitary sewer line is stubbed into the right-of-way from the north. This will require an easement, or the developer may remove or relocate the sanitary sewer line to the north property line at their own cost.
- Cox Communications stated that they have cable facilities on MidAmerican power poles within the right-of-way (see Attachment E). These facilities will require an easement. Relocation or burial of these facilities shall be the responsibility of the developer and not the City or utility providers.
- Council Bluffs Water Works has water mains that run under the right-of-way. CBWW stated that they will require an easement for these water mains. CBWW has also expressed a desire to enter into an agreement with the developer regarding specific access rights, as their infrastructure within the right-of-way is significant and would require quick maintenance in any instance of a main break. Alternatively, CBWW would be amenable to the water main being relocated to the current Gifford Road right-of-way at the developer's expense. The developer shall coordinate with CBWW on an agreement regarding access to or relocation of CBWW facilities, and the vacation shall not become effective until the City has received a copy of said agreement signed by both parties.
- MidAmerican Energy stated that they have substantial electric transmission and distribution facilities within the right-of-way and will require an easement to access the facilities for maintenance. They also stated the applicant should contact MidAmerican Energy directly to discuss the project timeline and any costs for relocating the facilities and supplying the subdivision (see Case #SUB-21-010) with power. Any cost to relocate or extend MidAmerican facilities shall be the responsibility of the developer and not the City or utility provider.

6. *To maintain appropriate right-of-way width to ensure that an adequate pedestrian and vehicular circulation system is retained.*

Not applicable.

7. *To discourage the vacation of portions of an existing alley, street, or other right-of-way.*

This proposal will vacate an entire segment of right-of-way between two existing streets (US-275/Veterans Memorial Highway and the relocated portion of Gifford Road).

8. *To assist in the implementation of the goals and objectives of the Comprehensive Plan.*

The request is consistent with the local access and circulation objectives stated in Chapter 6, *Transportation*, of the Bluffs Tomorrow: 2030 Comprehensive Plan.

9. *To reduce the City's maintenance liability on previously vacated right-of-way parcels from public improvement projects and various lots acquired through delinquent taxes or assessments.*

Not applicable.

10. *To establish an equitable price for surplus property.*

The applicant and adjacent property owner were notified about this vacation request. Their responses are included below:

- Twin Cities Christian Church stated they are in favor of this request.
- The applicant, stated they are in favor of this request and are willing to acquire the entire right-of-way for a total sum of \$24,723.35, subject to final plat approval and purchase of adjacent parcels.

The City will vacate the former Gifford Road right-of-way upon full approval of this request, and the city shall dispose of the subject right-of-way to the applicant only after the applicant has purchased both abutting properties. The applicant will also need to purchase the subject right-of-way before the City executes the final subdivision plat (see Case #SUB-21-010).

### **Case #ZC-21-008**

The proposed subdivision (Case #SUB-21-010) is split zoned A-2/Parks, Estates, and Agricultural District and I-2/General Industrial District. The applicant has requested to rezone the land within proposed subdivision to I-2/General Industrial District to establish consistent zoning across the entire subdivision and enable the land within the subdivision to be used for an industrial and/or commercial business. Land subject to this rezoning is the same as the land legally described on the final subdivision plat (Attachment B).

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

- North
  - Future Amazon warehouse – I-1/Light Industrial District
- South
  - Consolidated Concrete – I-2/General Industrial District
- East
  - City-owned property – I-2/General Industrial District
  - Echo Electric Supply – I-2/General Industrial District
  - Council Bluffs Recycling Center – I-2/General Industrial District
- West
  - Consolidated Concrete – I-2/General Industrial District

A location/zoning map has been included with this report (see Attachment D).

The future land use plan of the Bluffs Tomorrow: 2030 Comprehensive Plan designates the subject property as “Office/Industrial.”

Public notices were mailed to all property owners within 200 feet of the subject property. No comments have been received as of the date of this report.

### **Discussion**

1. The developer intends to use the single lot in the proposed subdivision (see Case #SUB-21-010) for an industrial and/or commercial use. This use can only occur if the entire newly created parcel is zoned for industrial use.
2. The single lot proposed within the subdivision will contain 7.37 acres (more/less), which exceeds the minimum lot area requirement for the I-2/General Industrial District.
3. The Bluffs Tomorrow: 2030 Comprehensive Plan designates the subject property “Office/Industrial.” The proposed rezoning is therefore consistent with the Future Land Use Plan.
4. Adequate utilities (e.g. water, sanitary sewer, storm sewer, electric, etc.) are available to accommodate the uses permitted in the I-2/General Industrial District.
5. The subject property is located among other industrial property, thus the rezoning would be consistent with the existing development pattern.

### **Recommendations**

The Community Development Department recommends the following:

1. Approval of the proposed one-lot minor industrial subdivision to be known as Mark Andersen – Twin City Church Subdivision, as legally described in Attachment B, subject to the comments above and the conditions below:
  - a. The final plat shall be recorded within 90 days of City Council approval or the plat will become null and void unless an extension has been requested and granted by the Community Development Department director.
  - b. The subdivision shall conform to all City standards and specifications, the zoning and subdivision ordinances, and the Department of Public Works Standards for Public Improvements.
  - c. All comments and technical corrections stated in this staff report shall be addressed on the final plat prior to execution of the document.
  - d. All new utilities shall be installed underground. Any costs to construct, remove, and/or relocate any utilities shall be the responsibility of the developer and not the City.
2. Approval of the request to vacate and dispose of the section of right-of-way formerly containing Gifford Road, as legally described in Attachment C, subject to the following conditions:
  - a. An easement shall be retained over the entirety of the subject right-of-way for utility access and maintenance purposes.
  - b. All portions of the subject right-of-way shall be disposed of and replatted with the other properties that make up the developer’s proposed subdivision (Case #SUB-21-010).
  - c. Vacation and disposal of the subject portion of right-of-way shall be contingent on simultaneous approval of the proposed subdivision (Case #SUB-21-010) and rezoning request (Case #ZC-21-008).
3. Approval of the request to rezone the land legally described in Attachment B based on the reasons stated above and subject to final plat approval of the Mark Andersen – Twin City Church Subdivision.

### **Attachments**

Attachment A: Letter of intent  
 Attachment B: Final subdivision plat  
 Attachment C: Gifford Road right-of-way plat of survey  
 Attachment D: Location/zoning map  
 Attachment E: Cox Communications facility map

Prepared by: Brandon Siracuse, Planner, Community Development Department



**Letter of Intent for the property known as Twin City Church 4220 Gifford road**

Andersen Construction is purchasing the property known as 4220 Gifford Road and the vacated road that was the old Gifford Road and a lot that the City of Council Bluffs owns that is a little more than an acre. The lot was formed when the city bought land from ECHO company to adjust the new Gifford Road. It was the area between the two roads. The property is said to have wetlands.

The three properties will be combined to form one property that will be around 7.3 acres total. The 4220 land is currently a church and not being a taxable property.

Andersen Construction intends to remove all buildings and trees on the property and raise the elevation of the property to the street level of Gifford Road. We also plan to get any wetlands removed from all of the properties.

The property will be asked to become industrial for the zoning for the future.

Our intent is to use the property for a company who wants to use it for industrial use such as a warehouse.

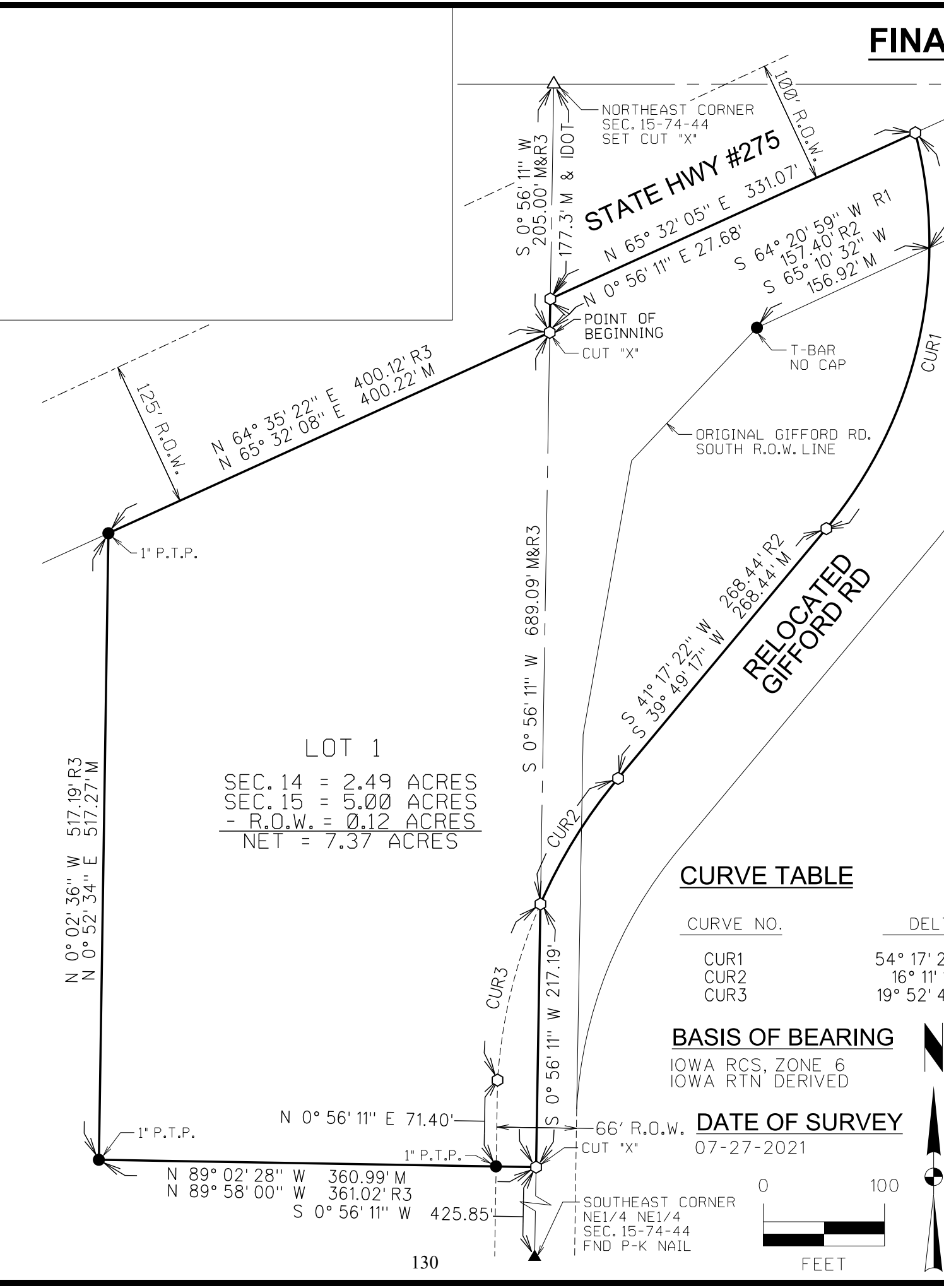
A handwritten signature in blue ink that reads 'Mark Andersen'.

Sincerely, Mark Andersen

Andersen Construction



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C:\Users\jrlmeier\OneDrive\Documents\Projects\2021\1210751\01-CADD\1210751\_OVERALL\_FinPlat.dgn



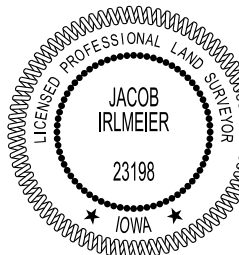
TOP LEFT AREA RESERVED FOR RECORDER

**INDEX LEGEND**

SERVICE PROVIDED BY & RETURN TO:  
JACOB IRLMEIER  
SNYDER & ASSOCIATES, INC.  
1751 MADISON AVENUE  
COUNCIL BLUFFS, IOWA 51503  
712-322-3202  
JIRLMEIER@SNYDER-ASSOCIATES.COM

SURVEY LOCATED:  
PT. NE1/4 NE1/4 SEC. 15-74-44  
PT. NW1/4 NW1/4 SEC. 14-74-44

REQUESTED BY: MARK ANDERSEN  
OWNER: TWIN CITIES CHRISTIAN CHURCH  
AND CITY OF COUNCIL BLUFFS



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

Jacob Irlmeier, PLS Date  
License Number 23198  
My License Renewal Date is December 31, 2021

Pages or sheets covered by this seal:  
Sheets 1 and 2 of 2

MARK ANDERSEN - TWIN CITIES CHURCH

FINAL PLAT

SNYDER & ASSOCIATES, INC.

COUNCIL BLUFFS, IOWA

1751 MADISON AVENUE  
COUNCIL BLUFFS, IA 51503  
712-322-3202 | www.snyder-associates.com

Project No: 1210751

Sheet 1 of 2



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FINAL PLAT

Attachment C

LEGEND

Survey

Section Corner  
1/2" Rebar, Orange Cap #23198  
(Unless Otherwise Noted)  
ROW Rail  
Calculated Point  
Platted Distance  
Measured Bearing & Distance  
Recorded As(2014-11867)  
Recorded As(2015-10602)  
Recorded As(93-34324)  
Centerline  
Section Line  
Easement Line

Found

▲  
●  
I  
+  
P  
M  
R1  
R2  
R3

Set

△  
○

PROPERTY DESCRIPTION

PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 15 AND PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14 ALL IN TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH P.M., COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 15; THENCE SOUTH 0° 56' 11" WEST ON THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, 205.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 0° 56' 11" EAST ON SAID EAST LINE, 27.68 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF STATE HIGHWAY #275; THENCE NORTH 65° 32' 05" EAST ON SAID SOUTH LINE, 331.07 FEET TO THE WEST RIGHT OF WAY LINE OF RELOCATED GIFFORD ROAD; THENCE SOUTHERLY ON A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 367.00 FEET, WHOSE ARC LENGTH IS 96.06 FEET AND WHOSE CHORD BEARS SOUTH 6° 58' 20" EAST, 95.78 FEET; THENCE SOUTH 65° 10' 32" WEST, 156.92 FEET; THENCE SOUTH 43° 20' 03" WEST, 150.72 FEET; THENCE SOUTH 10° 02' 06" WEST, 229.50 FEET; THENCE SOUTH 1° 28' 47" WEST, 78.23 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF RELOCATED GIFFORD ROAD; THENCE SOUTHWESTERLY ON SAID NORTH RIGHT OF WAY LINE AND ON A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 433.00 FEET, WHOSE ARC LENGTH IS 220.53 FEET AND WHOSE CHORD BEARS SOUTH 18° 20' 31" WEST, 218.15 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF GIFFORD ROAD; THENCE NORTH 0° 56' 11" EAST ON SAID WEST RIGHT OF WAY LINE, 602.01 FEET TO THE SOUTH RIGHT OF WAY LINE OF STATE HIGHWAY #275; THENCE NORTH 65° 32' 05" EAST ON SAID SOUTH LINE, 36.53 FEET TO THE POINT OF BEGINNING AND CONTAINING 69,959 SQUARE FEET, MORE OR LESS.  
PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

NOTE

THIS IS AN INTERIM SURVEY FOR THE GIFFORD RD. VACATE PROCESS THEREFORE PINS WERE NOT SET AT ALL POINTS

CURVE TABLE

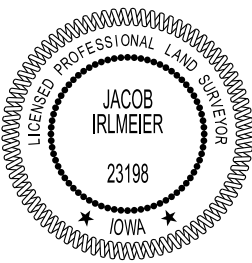
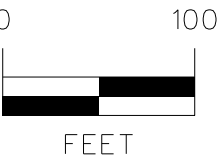
CURVE NO.	DELTA	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING/DISTANCE
CUR1	14° 59' 48" RT.	367.00'	96.06'	48.31'	SOUTH 6° 58' 20" EAST 95.78'
CUR2	29° 10' 51" LT.	433.00'	220.53'	112.71'	SOUTH 18° 20' 31" WEST 218.15'

BASIS OF BEARING

IOWA RCS, ZONE 6  
IOWA RTN DERIVED

DATE OF SURVEY

07-27-2021



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

Jacob Irlmeier, PLS  
License Number 23198  
My License Renewal Date is December 31, 2021  
Pages or sheets covered by this seal:  
Sheets 1 and 2 of 2

MARK ANDERSEN - TWIN CITIES CHURCH

GIFFORD RD. RIGHT-OF-WAY VACATE

COUNCIL BLUFFS, IOWA

SNYDER & ASSOCIATES, INC.

1751 MADISON AVENUE  
COUNCIL BLUFFS, IA 51503  
712-322-3202 | www.snyder-associates.com



Project No: 1210751

Sheet 1 of 2

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# FINAL PLAT

Attachment C

## NOTES

1. A 10-FOOT WIDE PERMANENT EASEMENT ALONG ALL FRONT LOT LINES AND A 10 FOOT WIDE PERMANENT EASEMENT ALONG ALL REAR LOT LINES AND A 10 FOOT WIDE PERMANENT EASEMENT ALONG ALL SIDE LOT LINES ARE RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES:
  - A. ERECTION OF STRUCTURES PROHIBITED: GRANTOR SHALL NOT ERECT ANY STRUCTURE OVER OR WITHIN THE EASEMENT AREA WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER, PROVIDED HOWEVER GRANTOR SHALL HAVE THE RIGHT TO PLACE AND MAINTAIN A SURFACED ROADWAY OVER AND WITHIN THE EASEMENT AREA.
  - B. CHANGE OF GRADE PROHIBITED: GRANTOR SHALL NOT CHANGE THE GRADE, ELEVATION OR CONTOUR OF ANY PART OF THE EASEMENT AREA WITHOUT OBTAINING PRIOR WRITTEN CONSENT OF THE CITY ENGINEER.
  - C. RIGHT OF ACCESS: CITY SHALL HAVE THE RIGHT OF ACCESS TO THE EASEMENT AREA AND HAVE ALL RIGHT OF INGRESS AND EGRESS REASONABLY NECESSARY FOR THE USE AND ENJOYMENT OF THE EASEMENT AREA AS HEREIN DESCRIBED.
  - D. REMOVAL AND REPLACEMENT: THE COST OF REMOVAL AND REPLACEMENT OF ANY UNAUTHORIZED IMPROVEMENT OR STRUCTURES WITHIN THE EASEMENT AREA, NECESSITATED BY THE EXERCISE OF THE RIGHTS UNDER THIS EASEMENT, SHALL BE BORNE BY THE GRANTOR OR THEIR SUCCESSORS OR ASSIGNS.
  - E. SURFACE RESTORATION: THE CITY'S LIABILITY TO RESTORE THE SURFACE WITHIN THE EASEMENT AREA SHALL BE LIMITED ONLY TO GRADING AND SEEDING, AND REPLACEMENT OF GRANTORS SURFACED ROADWAY.
  - F. DUTY TO REPAIR: CITY AGREES THAT AND DRAIN TILE, DRIVE OR ACCESS WAY, FENCE, YARD OR OTHER IMPROVEMENTS OUTSIDE OF THE EASEMENT AREA WHICH MAY BE DAMAGED AS A RESULT OF ANY ENTRY MADE THROUGH AN EXERCISE OF THE CITY'S RIGHT OF ACCESS SHALL BE REPAIRED AT NO EXPENSE TO THE GRANTOR.
  - G. EASEMENT RUNS WITH LAND: THIS EASEMENT SHALL BE DEEMED TO RUN WITH THE LAND AND SHALL BE BINDING ON GRANTOR AND ON GRANTOR'S SUCCESSORS AND ASSIGNS.

CITY COUNCIL

APPROVED BY MAYOR: THE HONORABLE MATTHEW J. WALSH

ATTESTED TO BY:

CITY CLERK: JODIQUAKENBUSH DATE

COMMUNITY DEVELOPMENT DIRECTOR: BRANDON GARRETT DATE

CERTIFICATE OF TREASURER OF POTTAWATTAMIE COUNTY, IOWA

I, LEA A. VOSS, TREASURER OF POTTAWATTAMIE COUNTY, IOWA, DO HEREBY CERTIFY THAT THE PROPERTY INCLUDED IN THE LEGAL DESCRIPTION AND EMBRACED WITHIN THIS PLAT IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

TREASURER OF POTTAWATTAMIE COUNTY, IOWA: LEA VOSS DATE

## PROPRIETOR'S DEDICATION AND STATEMENT

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

- A. THERE WILL BE NO PRIVATE RESTRICTIONS AND/OR COVENANTS FOR THIS SUBDIVISION.
- B. CERTIFIED STATEMENT RESOLUTION OF EACH GOVERNING BODY APPROVING THE SUBDIVISION OR WAVING THE RIGHT TO REVIEW.
- C. STATEMENT OF MORTGAGE HOLDER, IF ANY, THAT THE PLAT IS PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE MORTGAGE HOLDER, AND ISSUED A RELEASE FOR ALL AREAS CONVEYED TO THE GOVERNING BODY OR DEDICATED TO THE PUBLIC.

KNOW ALL PERSONS BY THESE PRESENTS THAT MARK ANDERSEN BEING THE SOLE OWNER OF THE PROPERTY DESCRIBED IN THE LEGAL DESCRIPTION AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED THE SAME TO BE SURVEYED.

IN WITNESS WHEREOF, I DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF THE  
PROPERTY AS CONTAINED HEREIN ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

OWNER \_\_\_\_\_

STATE OF IOWA }  
COUNTY OF POTTAWATTAMIE } SS.

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021, BEFORE ME, A NOTARY PUBLIC IN AND  
FOR THE STATE OF IOWA, PERSONALLY APPEARED MARK ANDERSEN, TO ME  
PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN, DID ACKNOWLEDGE THE EXECUTION OF THE INSTRUMENT  
TO BE HIS VOLUNTARY ACT AND DEED.

NOTARY PUBLIC IN AND FOR SAID STATE

MY COMMISSION EXPIRES \_\_\_\_\_

**MARK ANDERSEN - TWIN CITIES CHURCH**

**GIFFORD RD. RIGHT-OF-WAY VACATE**

**COUNCIL BLUFFS, IOWA**

**SNYDER & ASSOCIATES, INC.**

1751 MADISON AVENUE  
COUNCIL BLUFFS, IA 51503  
712-322-3202 | [www.snyder-associates.com](http://www.snyder-associates.com)



Project No: 1210751

Sheet 2 of 2

1210751

Sheet 2 of 2



# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION

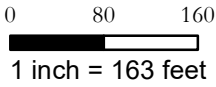
## CASES #SUB-21-010, ZC-21-008, & SAV-21-003

### ZONING/LOCATION MAP

Cases #SUB-21-010, ZC-21-008, and SAV-21-003 Subject Property

City of Council Bluffs Corporate Limits

Parcels



Last Amended: 8/13/2021



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

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