



**AGENDA
PLANNING COMMISSION
COUNCIL BLUFFS PUBLIC LIBRARY,
400 WILLOW AVENUE, COUNCIL BLUFFS, IA
Tuesday, January 10, 2023 - 6:00 PM**

- 1. CALL TO ORDER**
- 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 #SUB-22-016, ZC-22-008, PI-22-002 and CP-22-004

Combined public hearings on the request of Realty Link, represented by Elizabeth Hunter (Snyder & Associates, Inc.), for preliminary plan approval of a seven-lot major subdivision to be known as The Oaks at Council Bluffs Business Park, being a replat of property legally described as Lot 22, Gethsemane Gardens and part of the West 1/2 of the SE 1/4 of Section 18-74-43, lying west of railroad right-of-way, all in the City of Council Bluffs, Pottawattamie County, Iowa; and to rezone said property from A-2/Parks, Estates and Agricultural District to P-I/Planned Industrial District; and to adopt a planned industrial development plan for The Oaks at Council Bluffs Business Park on said property; and to amend the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying said property from a mixture of 'Low-Density Residential,' 'Medium-Density Residential' and 'Light Industrial' to 'Light Industrial.' Location: Undeveloped land lying south of 4875 East Manawa Drive.

B. CASE #ZC-23-001

Public hearing on the request of Craig A. McConnell to rezone property legally described as Lot 1 and the Northeasterly 10 feet of Lot 2 of Original Plat Lot 168; and Lot 1, Purple's Subdivision, being part of Original Plat Lot 167; and a part of Lot 2 of the Auditor's Subdivision of Original Plat Lot 168; and Lot 2 in Subdivision of Lot 168 except the Northeasterly 10 feet and except the Westerly 8 feet thereof; all in the City of Council Bluffs, Pottawattamie County, Iowa, and being more particularly described in the case staff report, from A-P/Administrative-Professional District to C-1/Commercial District. Location: 301 W Pierce Street.

C. CASE #ZC-23-002

Public hearing on the request of Brent Moody, represented by Phillip Lewis Engineering, to rezone property legally described as Lot 3, Railroad Addition Replat 1, City of Council Bluffs, Pottawattamie County, Iowa, from P-C/Planned Commercial District to I-1/Light Industrial District. Location: undeveloped land lying south of 2216 27th Avenue.

D. CASE #ZC-23-003

Public hearing on the request of Pottawattamie County, represented by Matt Wyant, to rezone property legally described as Lots 1 through 3 and Lots 19-20, Block 7, Jefferis Subdivision along with the vacated north/south alley adjacent to said Lots 1-3 and Lot 20, and the vacated east/west alley abutting the southerly portion of said Lots 19-20, all in the City of Council Bluffs, Pottawattamie County, Iowa, from A-P/Administrative-Professional District and R-3/Low Density Multi-Family Residential District to C-3/Central Business District. Location: Southwest corner of the intersection of 5th Avenue and Pearl Street.

E. CASE #URV-22-010

Veterans Memorial Highway URV Amendment - Public hearing on the request of the City of Council Bluffs to amend the Veterans Memorial Highway Urban Revitalization Area located at 800 Veterans Memorial Highway.

F. CASE #URV-23-001

Council Pointe Road URV Amendment - Public hearing on the request of the City of Council Bluffs to amend the Council Pointe Road Urban Revitalization Area located at the intersection of Council Pointe Road and Veterans Memorial Highway.

8. OTHER BUSINESS

A. Home Occupations

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.: SUB-22-016,
ZC-22-008, PI-22-002 and CP-22-
004

CASE #SUB-22-016, ZC-22-008,
PI-22-002 and CP-22-004

Council Action: 1/10/2023

Submitted by: Christopher N.
Gibbons, AICP, Planning & Code
Compliance Manager and Moises
Monroy, Planner

Description

Combined public hearings on the request of Realty Link, represented by Elizabeth Hunter (Snyder & Associates, Inc.), for preliminary plan approval of a seven-lot major subdivision to be known as The Oaks at Council Bluffs Business Park, being a replat of property legally described as Lot 22, Gethsemane Gardens and part of the West 1/2 of the SE 1/4 of Section 18-74-43, lying west of railroad right-of-way, all in the City of Council Bluffs, Pottawattamie County, Iowa; and to rezone said property from A-2/Parks, Estates and Agricultural District to P-I/Planned Industrial District; and to adopt a planned industrial development plan for The Oaks at Council Bluffs Business Park on said property; and to amend the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying said property from a mixture of 'Low-Density Residential,' 'Medium-Density Residential' and 'Light Industrial' to 'Light Industrial.' Location: Undeveloped land lying south of 4875 East Manawa Drive.

Background/Discussion

See attached staff report.

Recommendation

Planning Commission Communication

Department: Community

Development

Case/Project No.: ZC-23-001

CASE #ZC-23-001

Council Action: 1/10/2023

Submitted by: Brandon Siracuse,

Planner

Description

Public hearing on the request of Craig A. McConnell to rezone property legally described as Lot 1 and the Northeasterly 10 feet of Lot 2 of Original Plat Lot 168; and Lot 1, Purple's Subdivision, being part of Original Plat Lot 167; and a part of Lot 2 of the Auditor's Subdivision of Original Plat Lot 168; and Lot 2 in Subdivision of Lot 168 except the Northeasterly 10 feet and except the Westerly 8 feet thereof; all in the City of Council Bluffs, Pottawattamie County, Iowa, and being more particularly described in the case staff report, from A-P/Administrative-Professional District to C-1/Commercial District. Location: 301 W Pierce Street.

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description

Type

Upload Date

Staff Report & Attachments

Other

1/4/2023

Planning Commission Communication

Department: Community Development CASE # ZC-23-001 Applicant/Property Owner: Craig A. McConnell 17731 Honeysuckle Road Council Bluffs, IA 51503	Ordinance No. _____	Planning Commission: 1/10/23
<p style="text-align: center;">Subject/Title</p> <p>Request: Public hearing on the request of Craig A. McConnell to rezone property legally described as Lot 1 and the Northeasterly 10 feet of Lot 2, being a subdivision of Original Plat Lot 168; and Lot 1, Purple’s Subdivision, being a part of the Original Plat Lot 167; and Lot 2, Subdivision of Original Plat Lot 168, except the northeasterly 10 feet and except the westerly 8 feet thereof, all in the City of Council Bluffs, Pottawattamie County, Iowa, being more particularly described in Attachment ‘A’, from A-P/Administrative-Professional District to C-1/Commercial District..</p> <p>Location: 301 W Pierce Street</p>		
<p style="text-align: center;">Background</p> <p>The Community Development Department has received an application from Craig A. McConnell to rezone property legally described as Lot 1 and the Northeasterly 10 feet of Lot 2, being a subdivision of Original Plat Lot 168; and Lot 1, Purple’s Subdivision, being a part of the Original Plat Lot 167; and Lot 2, Subdivision of Original Plat Lot 168, except the northeasterly 10 feet and except the westerly 8 feet thereof, all in the City of Council Bluffs, Pottawattamie County, Iowa, being more particularly described in Attachment ‘A’, from A-P/Administrative-Professional District to C-1/Commercial District.</p> <p>The applicant is the owner of the subject property, which contains a building that currently houses two commercial tenants—an accounting firm and a gun shop. The zoning code classifies the accounting firm as a consumer service establishment and the gun shop as both a consumer service establishment and a retail shopping establishment, neither of which are permitted uses under the property’s current A-P zoning. The site has historically been used for commercial purposes, with previous tenants including an eyeglass store and another gun shop. Rezoning the property to the requested C-1 district would bring its current uses into conformance with the Zoning Ordinance while ensuring the property continues to be used for neighborhood scale commercial uses.</p> <p><u>Land Use and Zoning</u></p> <p>The following zoning and land uses surround the subject property:</p> <ul style="list-style-type: none">North: A physical therapy office, a fitness center, and a strip mall with a variety of commercial uses, all zoned C-4/Commercial DistrictSouth: Residential structures zoned R-3/Low Density Multifamily Residential DistrictEast: Residential structures zoned R-3/Low Density Multifamily Residential DistrictWest: A church zoned R-2/Two-Family Residential District and a bank zoned C-4/Commercial District <p>A location/zoning map is included with this report as Attachment ‘B’.</p> <p>The future land use plan of the Bluffs Tomorrow: 2030 (Comprehensive Plan) designates the subject property as ‘Low-Density Residential.’</p>		

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

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

- A. Council Bluffs Fire Department stated it has no comments.
- B. Council Bluffs Building Division stated it does not oppose the rezoning request.
- C. Council Bluffs Parks and Recreation Department stated it has no comments.
- D. Council Bluffs Public Works stated it has no comments.

Discussion

- A. The subject property contains 11,880 square feet, which exceeds the minimum lot size requirement (5,000 square feet) of the C-1/Commercial District.
- B. Current land use classifications for the subject property include ‘consumer service establishment’ and ‘retail shopping establishment.’ Per Chapter 15.03 of the Council Bluffs Municipal Code (Zoning Ordinance), a ‘consumer service establishment’ is defined as *“a store, shop or office providing personal, financial, professional, technical or repair service and assistance to individual customers,”* and a ‘retail shopping establishment’ is defined as *“a store or shop engaged in the sale of commodities or goods to individual consumers for personal use rather than for resale.”* As ‘consumer service establishments’ and ‘retail shopping establishments’ are not permitted uses in the A-P/Administrative-Professional District, the proposed rezoning to C-1/Commercial District is necessary to bring the property’s existing uses into conformance.
- C. The building on the subject property was constructed in 1977, according to County Assessor records. The subject property has historically been used for commercial purposes. Previous uses include an eyeglass shop and a different gun shop than the one that operates on the subject property today. The property’s current and former uses have been appropriate in scale and intensity for land directly abutting exclusively residential areas, such as the area to the south and east of the subject property. Beyond bringing the existing uses into conformance with the Zoning Ordinance, rezoning the property to C-1 will ensure that the property continues to be used for such low-intensity, neighborhood scale commercial uses.
- D. In addition to the subject property having a history of commercial uses, there are existing commercial uses to the north and west of the property in an existing C-4/Commercial District.
- E. If the proposed rezoning is approved, any future development that occurs on the subject property shall conform to the site development standards in Section 15.14.050, *Site Development Regulations in the C-1 District*, of the Council Bluffs Municipal Code (Zoning Ordinance).
- F. The Bluffs Tomorrow 2030 (Comprehensive Plan) designates the subject properties as ‘Low-Density Residential,’ which is intended for *“...lots with one residence that is in a standalone structure. These areas may include scattered, attached or detached single family, or multi-family developments, but these types of uses are integrated into the character and structure of the neighborhood.”* The subject property also falls within the Comprehensive Plan’s ‘Downtown Residential’ character area, which aims to include *“non-residential supportive uses that serve everyday needs.”* The proposed rezoning would enable the continued presence of neighborhood scale commercial uses that serve residents in and around the downtown area.

Recommendation

The Community Development Department recommends approval of the request of Craig A. McConnell to rezone property legally described as Lot 1 and the Northeasterly 10 feet of Lot 2, being a subdivision of Original Plat Lot 168; and Lot 1, Purple’s Subdivision, being a part of the Original Plat Lot 167; and Lot 2, Subdivision of Original Plat Lot 168, except the northeasterly 10 feet and except the westerly 8 feet thereof, all in the City of

Council Bluffs, Pottawattamie County, Iowa, being more particularly described in Attachment 'A', from A-P/Administrative-Professional District to C-1/Commercial District.

Attachments

Attachment A: Legal Description
Attachment B: Location/Zoning Map

Prepared by: Brandon Siracuse, Planner, Community Development Department

LEGAL DESCRIPTION

Lot 1 and the Northeasterly 10 feet of Lot 2 of Original Plat Lot 168; and Lot 1, Purple's Subdivision, being part of Original Plat Lot 167; and a part of Lot 2 of the Auditor's Subdivision of Original Plat Lot 168, more particularly described as follows: Commencing at the Northerly corner of said Lot 2, thence along the Southeasterly right of way line of Pierce Street S57°29'45"W, 10.00 feet, thence S34°56'55"E, 51.15 feet to the point of beginning; thence S34°56'55"E, 32.20 feet; thence North 40°00'00"W, 32.18 feet; thence N50°00'00"E, 2.85 feet to the point of beginning, all in the City of Council Bluffs, Pottawattamie County, Iowa.


AND

Lot 2 in Subdivision of Lot 168, except the Northeasterly 10 feet and except the Westerly 8 feet thereof, and except the following described tract: Commencing at the Northerly corner of said Lot 2; thence along the Southeasterly right of way line of Pierce Street S57°29'45"W, 10.00 feet; thence S34°56'55"E, 51.15 feet to the point of beginning; thence S34°56'55"E, 32.20 feet; thence N40°00'00"W, 32.18 feet; thence N50°00'00"E, 2.85 feet to the point of beginning, all in the City of Council Bluffs, Pottawattamie County, Iowa

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION

CASE #ZC-23-001

LOCATION/ZONING MAP

 Case #ZC-23-001 Subject Property

0 25 50
1 Inch = 50 Feet

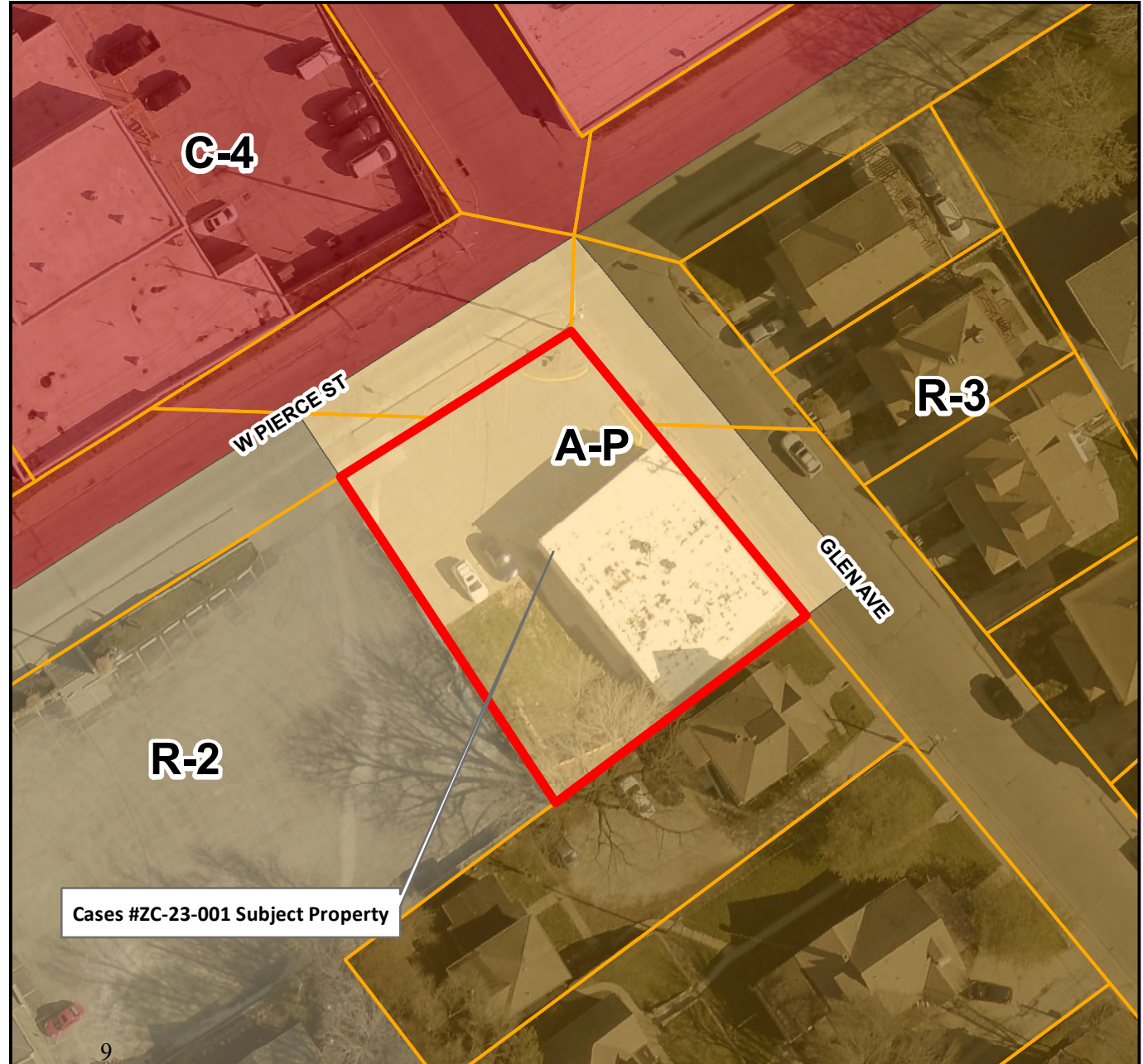


Last Amended: 12/16/2022



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

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Planning Commission Communication

Department: Community

Development

Case/Project No.: ZC-23-002

CASE #ZC-23-002

Council Action: 1/10/2023

Submitted by: Brandon Siracuse,
Planner

Description

Public hearing on the request of Brent Moody, represented by Phillip Lewis Engineering, to rezone property legally described as Lot 3, Railroad Addition Replat 1, City of Council Bluffs, Pottawattamie County, Iowa, from P-C/Planned Commercial District to I-1/Light Industrial District. Location: undeveloped land lying south of 2216 27th Avenue.

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description

Staff Report & Attachments

Type

Other

Upload Date

1/4/2023

City Planning Commission Communication

Department: Community Development CASE #ZC-23-002 Applicant/Owner: FRHP Lincolnshire, LLC 250 Parkway Drive, Suite 270 Lincolnshire, IL 60069 Representative: Phillip Lewis Engineering 23620 Interstate 30 Bryant, AR 72022	Resolution No. _____ Ordinance No. _____	Planning Commission: 1/10/2022
Subject/Title <p>Request: Public hearing on the request FRHP Lincolnshire, LLC, represented by Phillip Lewis Engineering, to rezone the property legally described as Lot 3, Railroad Addition Replat 1, City of Council Bluffs, Pottawattamie County, Iowa, from P-C/Planned Commercial District to I-1/Light Industrial District.</p> <p>Location: Undeveloped land lying south of 2216 27th Avenue</p>		
Background <p>The Community Development Department has received an application from FRHP Lincolnshire, LLC, represented by Phillip Lewis Engineering, to rezone property legally described as Lot 3, Railroad Addition Replat 1, City of Council Bluffs, Pottawattamie County, Iowa, from P-C/Planned Commercial District to I-1/Light Industrial District. Attachment 'A' contains a location/zoning map.</p> <p>The applicant operates the Camping World RV Dealership to the east, located at 2802 S 21st Street, and would like to utilize the subject property to expand their business by constructing a new RV service facility approximately 20,000 square feet in size. According to the applicant's letter of intent (Attachment 'B'), the facility would not perform any mechanical work on engines or transmissions, but would engage in work on items such as awning repair/replacement, water tanks, roof skylights, interior seating, etc. Attachment 'C' contains a preliminary site plan, and Attachment 'D' contains a preliminary architectural rendering.</p> <p>The zoning ordinance classifies the proposed use as 'automobile repair, minor,' and the use itself would function as an accessory use to the existing RV dealership, which is classified as 'automobile sales and rental.' This type of land use is currently not permitted in the P-C/Planned Commercial District. The applicant has requested to rezone the subject property to the I-1/Light Industrial District, which would allow the property to be used as proposed. The requested rezoning, if approved, would bring the subject property under the same zoning classification as the existing RV dealership as well.</p> <p><u>Land Use and Zoning</u> The following zoning and land uses surround the subject property:</p> <ul style="list-style-type: none"> North: A hotel (zoned P-C/Planned Commercial District), a fuel station (zoned I-2/Industrial District), and a federal courthouse (zoned C-2/Commercial District) South: A motel (zoned P-C/Planned Commercial District) East: An RV dealership (zoned I-1/Industrial District) West: A fuel station (zoned P-C/Planned Commercial District) 		

The future land use plan of the Bluffs Tomorrow: 2030 (Comprehensive Plan) designates the subject property as 'Regional Commercial.'

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

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

- A. Council Bluffs Fire Department stated it has no comments.
- B. Council Bluffs Building Division stated it does not oppose the rezoning request.
- C. Council Bluffs Parks and Recreation Department stated it has no comments.
- D. Public Works Department stated it does not oppose rezoning the subject property. However, the department noted that the preliminary site plan does not indicate any facilities for stormwater management on site, and at the time of development this will be a requirement.

Discussion

- A. The subject property contains 117,612 square feet, which exceeds the minimum lot size requirement (10,000 square feet) of the I-1/Light Industrial District.
- B. Per Section 15.03.652, of the Council Bluffs Municipal Code (Zoning Ordinance), 'automobile repair, minor' is defined as "*the repair of automobiles and noncommercial trucks including the sale, installation and servicing of parts,*" and 'automobile sales and rental' is defined as an "*establishment or place of business engaged in the storage and display for sale, lease or rental of more than two motor vehicles or any type of trailer (provided the trailer is unoccupied) at any one time and/or a total of ten (10) or more sold, leased or rented during the course of a calendar year and where repair or body work is incidental to the operation of the new or used vehicle sales, leasing or rental. Automobile sales includes all motor vehicle retail sales, leasing or rental, including...recreational vehicles...*" As 'automobile repair, minor' and 'automobile sales and rental' are not permitted uses in the P-C/Planned Commercial District, a rezoning would be necessary to allow such uses on the subject property. The I-1/Light Industrial District would be the most sensible option for rezoning, as the existing RV dealership is currently zoned I-1.
- C. If the proposed rezoning is approved, any future development that occurs on the subject property shall conform to the site development standards in Section 15.20.050, Site Development Regulations in the I-1 District, of the Council Bluffs Municipal Code (Zoning Ordinance).
- D. The Bluffs Tomorrow 2030 (Comprehensive Plan) designates the subject property as 'Regional Commercial,' which is intended for "*...significant commercial development in high visibility areas, such as expressway interchanges and major destination centers.*" The Comprehensive Plan further states, "*Uses in these areas include big box retailers, casinos, franchise restaurants, and large multi-tenant shopping centers. Often, regional commercial centers are arranged around an internal circulation system and with coordinated development.*" The proposed zoning and use of the subject property for industrial purposes would not meet the future land use goals of the Comprehensive Plan.
- E. The Comprehensive Plan also classifies the subject property under the "Mid America Center" Commercial Character Area. This area of the City is anchored by the Mid America Center arena, which is intended to be surrounded by supportive uses such as "*retail development, casinos, and hotels.*" The Comprehensive Plan specifically states that existing industrial uses "*impact the character of the area*" and expresses a goal of "*encouraging high quality commercial and hospitality development at the I-80/24th Street interchange that will enhance the image of the area and provide a logical connection to the centerpiece of the Mid America Center.*" While the subject property lies behind existing development on 24th Street, it remains visible from the public realm near the I-80/24th Street interchange. Use of the subject property for industrial purposes would run counter to Comprehensive Plan's stated goals to create a cohesive commercial environment around the Mid America Center and the aforementioned interchange.
- F. The subject property is currently undeveloped and has no history of industrial development that could

provide a reason to support the requested rezoning. Recent developments in the vicinity include a Casey's gas station and a federal courthouse. These uses are consistent with a commercial development pattern, whereas an RV service center would disrupt this development pattern.

- G. The P-C/Planned Commercial District allows the city to work with developers to set site-specific standards for site development, architecture, parking, landscaping, and signage. Rezoning the property to I-1/Light Industrial District would eliminate the City's ability to use the development plan process to ensure that new development on the subject property is compatible in functionality and design with the broader Mid America Center entertainment district.
- H. The applicant's preliminary site plan is not finalized. If the rezoning is approved and the applicant moves forward with development, final building plans shall conform to all relevant City codes and policies. Any future development shall also not infringe on the existing ingress/egress easement that exists over a western portion of the subject property.

Recommendation

The Community Development Department recommends denial of the request of FRHP Lincolnshire, LLC, to rezone the property legally described as Lot 3, Railroad Addition Replat 1, City of Council Bluffs, Pottawattamie County, Iowa, from P-C/Planned Commercial District to I-1/Light Industrial District.

Attachments:


Attachment A: Location/Zoning Map
 Attachment B: Letter of Intent
 Attachment C: Preliminary Site Plan
 Attachment D: Architectural Rendering

Prepared by: Brandon Siracuse, Planner, Community Development Department

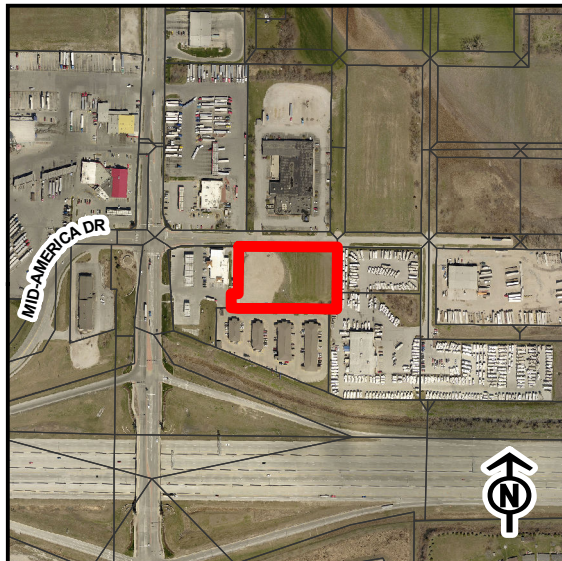
CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION

CASE #ZC-23-002

LOCATION/ZONING MAP

 Case #ZC-23-002 Subject Property

0 80 160
1 Inch = 167 Feet

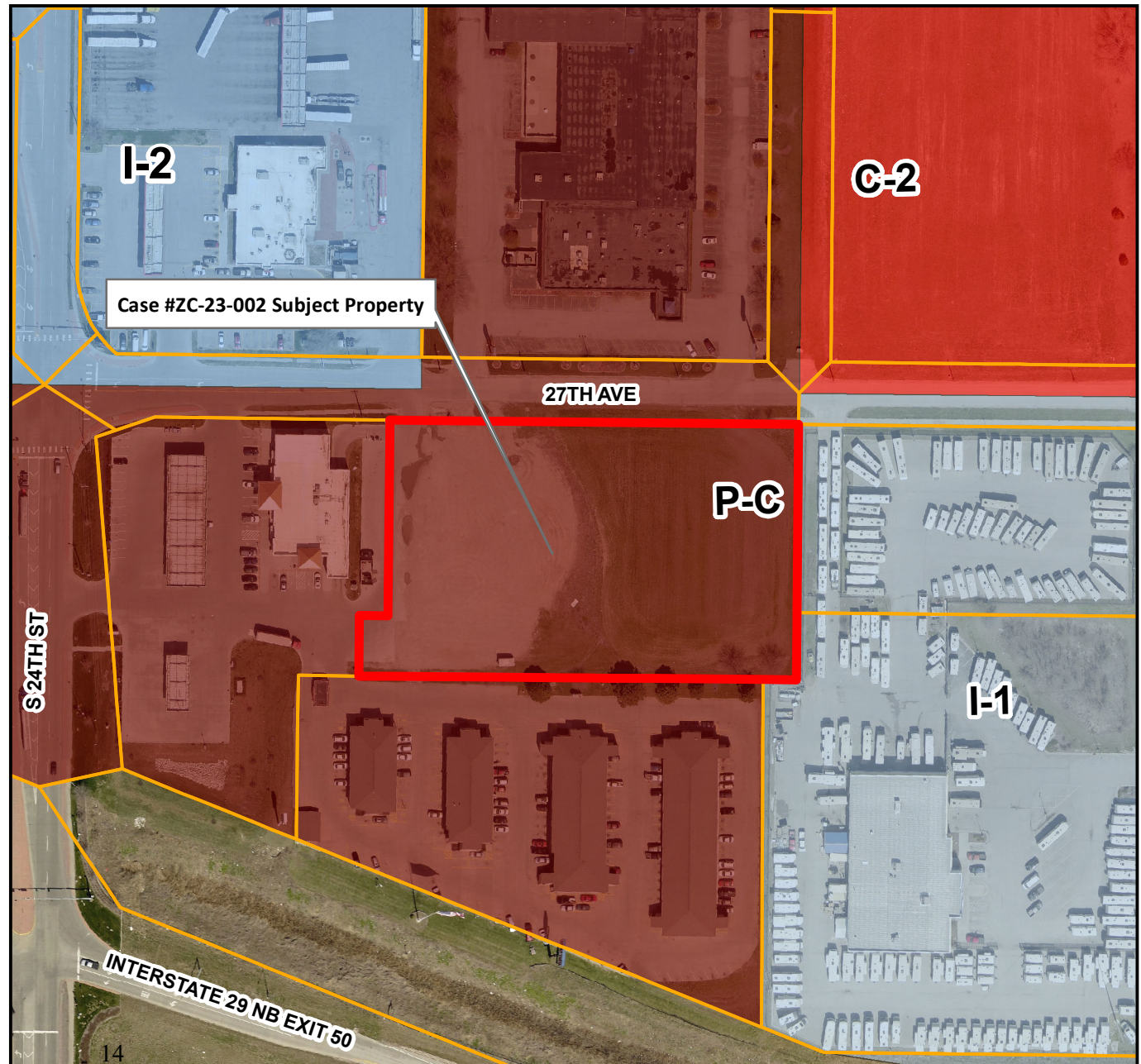


Last Amended: 12/16/2022



Council Bluffs Community
Development Department
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December 16, 2022

Letter of Intent to:

Attn: **Mr. Brandon Siracuse**

Planner

Community Development Department

City of Council Bluffs

209 Pearl Street

Council Bluffs, IA 51503

Re: Letter of Intent for Rezoning Request of 2.70 acres located on 27th Avenue for a New Camping World Service Facility, Council Bluffs, IA

The purpose of this letter is to provide an overall description of the specifics of the Rezoning request. The following are specifics regarding this request:

- The above referenced Property requiring rezoning is immediately adjacent (to the West) of the existing Camping World Dealership. The Dealership has been successful and has outgrown it's existing capacity to provide service on camping units. The current zoning of the above referenced Property is Planned Commercial which does not allow a service facility of this nature. The requested zoning for the Property is Light Industrial to allow a new service facility.
- The proposed expansion will consist of the development of the 2.70 acre parcel to accommodate the construction of a new 20,000 square foot service building (more specifically described below) and associated parking lot.
- The service facility does NOT perform ANY mechanical work on engines, transmissions, chassis, etc. The service facility performs work on such items as awning repair/replacements, water tanks, roof skylights, interior seating, and etc.
- A 20,000 square foot RV Service Building is currently being proposed for this site.
- The hours of operation of the service facility are 7a.m. – 7p.m.
- Parking is currently shown at 18 spaces, including 1 ADA accessible space. The current parking space count does not meet minimum requirement for the "Minor Automobile repair", however, the developer has not finalized the building size. As size is finalized, the design plans will meet minimum parking requirements.
- The parking lot will meet the minimum paving standards (5 inches of concrete or six inches rock base with 4 inches of asphalt).
- The New Service Building and associated parking lot will meet the City's Landscape standards which include a minimum 5-foot landscaped buffer between the parking surface and property line (except at driveways and cross-access and ingress/egress easements). Additionally, a minimum of 10% of the total parking lot area must be landscaped (the five-foot buffer counts toward the 10% total required). See attached Site Plan.
- The new Parking Lot will meet or exceed the City's minimum parking lot design standards. See attached Site Plan for parking lot details and layout plan.

PHILLIP LEWIS ENGINEERING, INC.
Civil + Structural Design Consultants
23620 Interstate 30
Bryant, Arkansas 72022

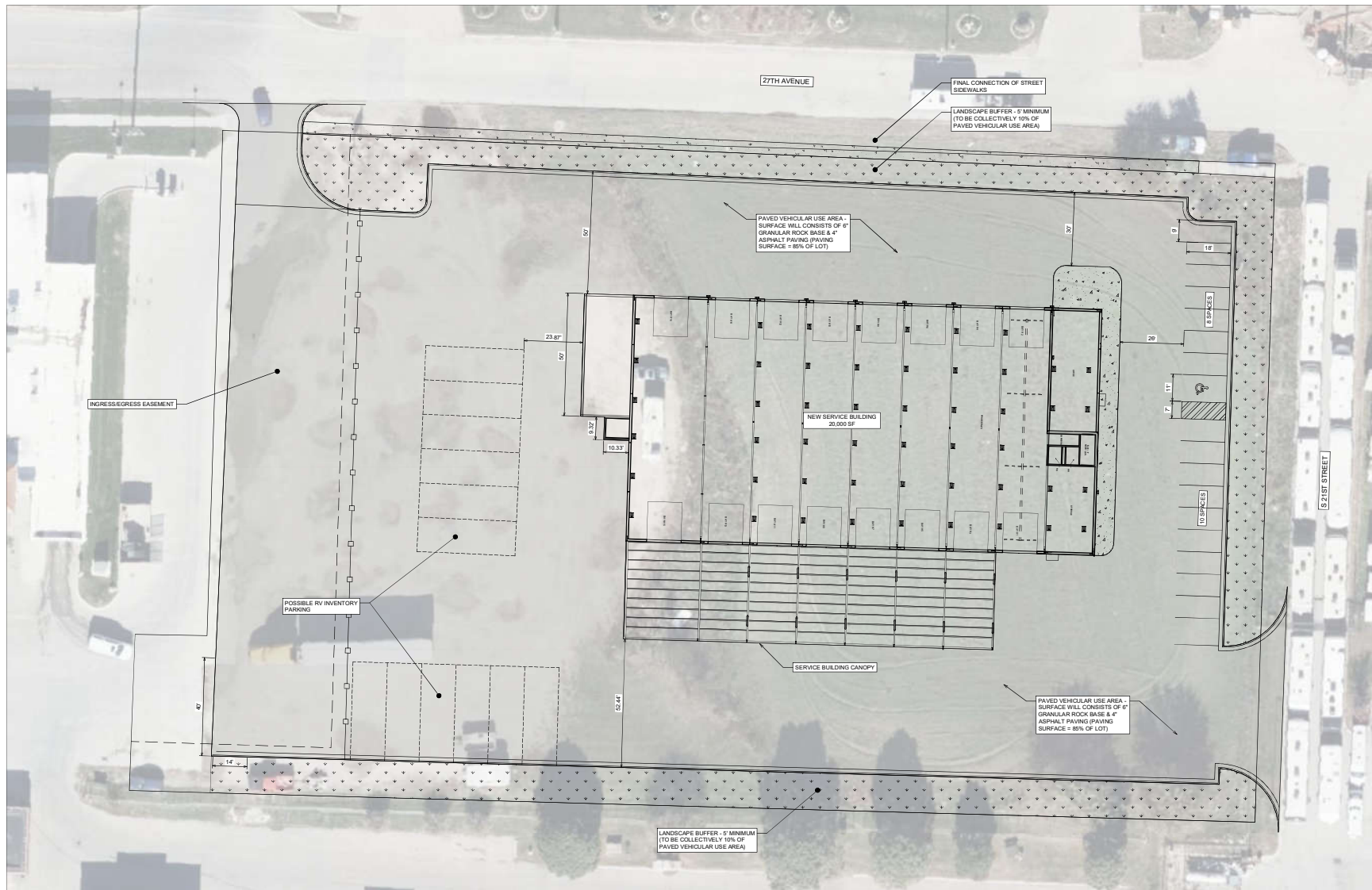
- The parking lot design accommodates an existing ingress/egress easement on the west side of this property allowing access to Casey's to the east and the motel to the south (see attached).

We look forward to moving the Rezoning of this property thru City Planning Commission and Council. Also, a sincere appreciation for your assistance on this matter. Please do not hesitate to contact me with any questions regarding this Rezoning Letter of Intent.

Respectfully submitted,

Phillip A. Lewis, PE
Phillip Lewis Engineering, Inc
501.350.9840

Attachment C



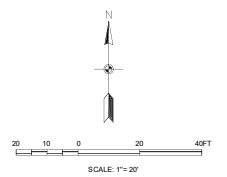
CONCEPTUAL LAYOUT

SCALE 1"=20'



VICINITY MAP

SCALE 1" = 500'



SCALE: 1"= 20'

COUNCIL BLUFFS, IA

FORWARD
Real Estate Services



East Dumplin Valley Road
Sevierville, Tennessee



**CAMPING WORLD
SEVIERVILLE SERVICE**
East Dumplin Valley Road
Sevierville, Tennessee

Joshua Stewart, AIA
Architect

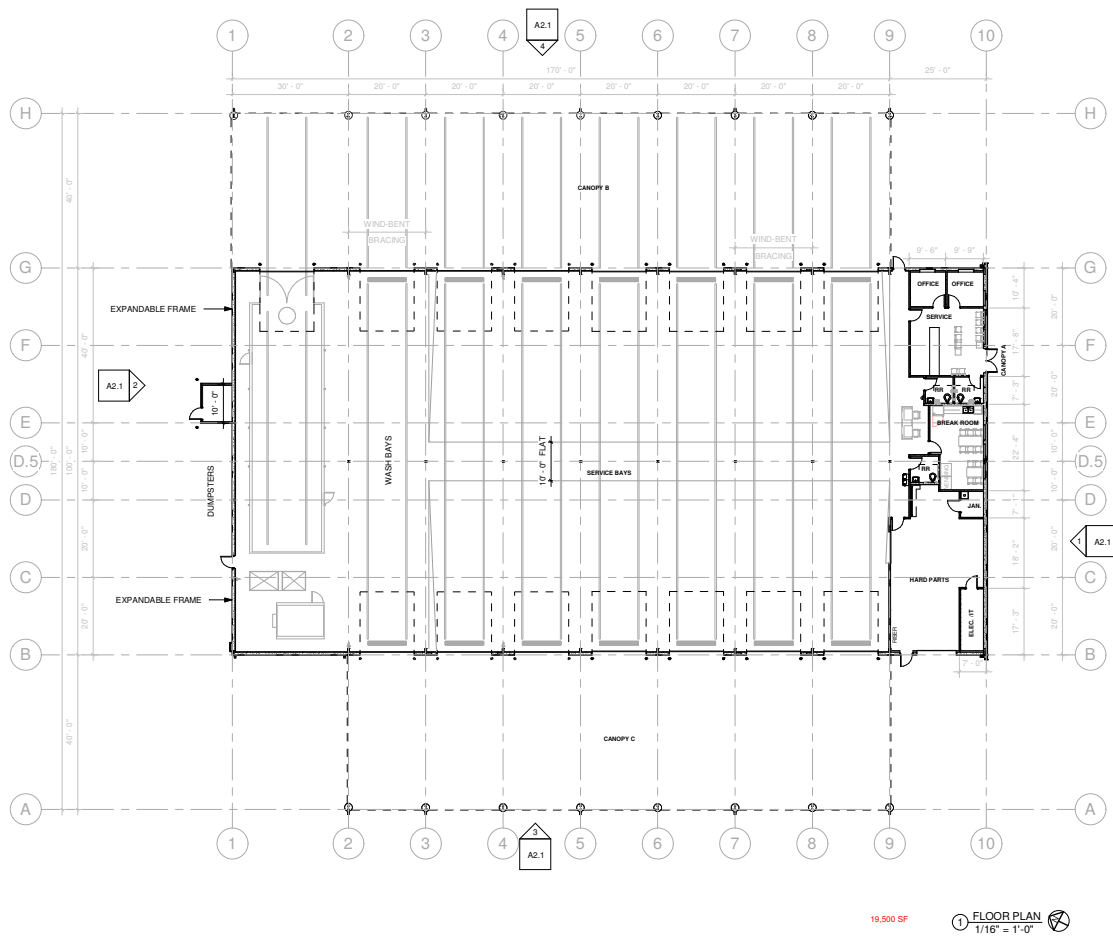
jstewart@jstewartarch.com 501.450.0446
Post Office Box 303, Searcy, Arkansas 72145

NOT FOR
REGULATORY
APPROVAL,
PERMITTING, OR
CONSTRUCTION
Joshua W. Stewart -
Architect

Project number: 22104
Date: 20, December, 2022
Revisions:

COVER SHEET
& INDEX

A0.1



19,500 SF

1 FLOOR PLAN
1/16" = 1'-0"



CAMPING WORLD
SEVIERVILLE SERVICE
East Dumplin Valley Road
Sevierville, Tennessee

Joshua Stewart, AIA
Architect

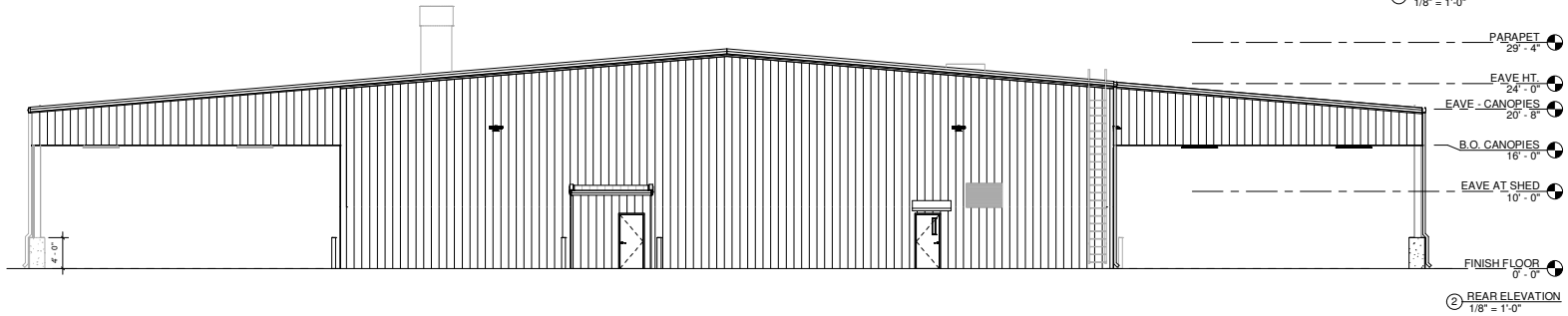
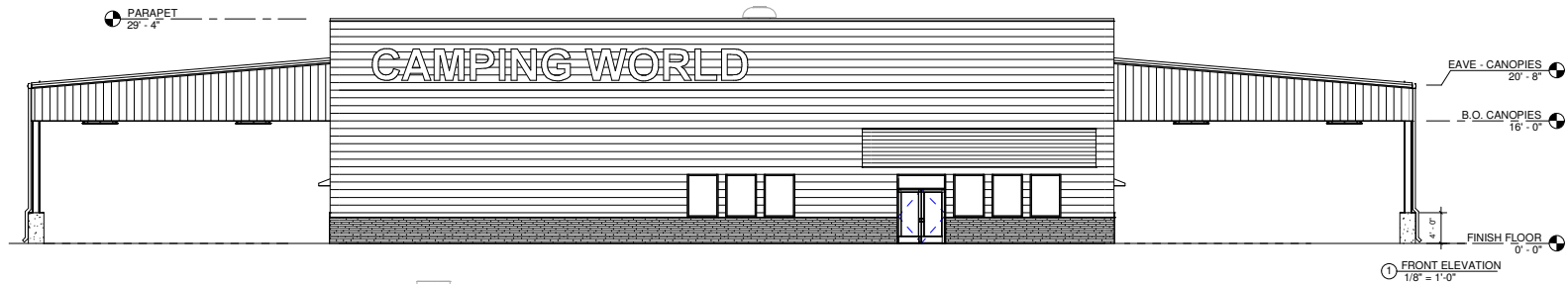
jstewart@jstewartarch.com 501-450-0446
Post Office Box 303, Sevierville, Tennessee 37876

NOT FOR
REGULATORY
APPROVAL,
PERMITTING, OR
CONSTRUCTION
Joshua W. Stewart -
Architect

Project number: 22104
Date: 20, December, 2022
Revisions:

BUILDING PLAN

A1.1



12/20/2022 7:53:01 AM



**CAMPING WORLD
SEVIERVILLE SERVICE**
East Dumplin Valley Road
Sevierville, Tennessee

Joshua Stewart, AIA
Architect

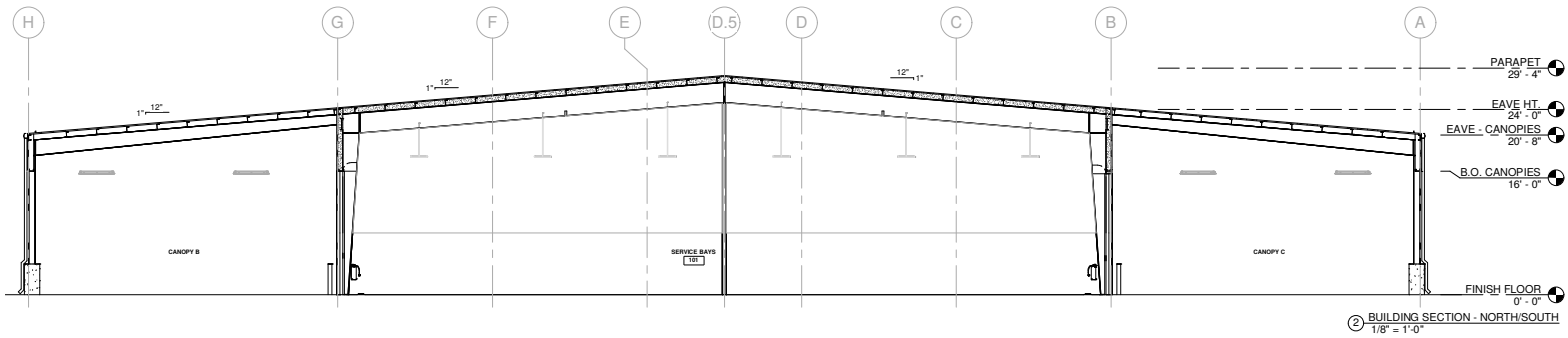
jstewart@jstewartarch.com 501-461-0446
Post Office Box 303, Sevierville, Tennessee 37865

NOT FOR
REGULATORY
APPROVAL,
PERMITTING, OR
CONSTRUCTION
Joshua W. Stewart -
Architect

Project number: 22104
Date: 20, December, 2022
Revisions:

**EXTERIOR
ELEVATIONS**

A2.1



Planning Commission Communication

Department: Community

Development

Case/Project No.: ZC-23-003

CASE #ZC-23-003

Council Action: 1/10/2023

Submitted by: Christopher N.

Gibbons, AICP, Planning & Code

Compliance Manager

Description

Public hearing on the request of Pottawattamie County, represented by Matt Wyant, to rezone property legally described as Lots 1 through 3 and Lots 19-20, Block 7, Jefferis Subdivision along with the vacated north/south alley adjacent to said Lots 1-3 and Lot 20, and the vacated east/west alley abutting the southerly portion of said Lots 19-20, all in the City of Council Bluffs, Pottawattamie County, Iowa, from A-P/Administrative-Professional District and R-3/Low Density Multi-Family Residential District to C-3/Central Business District. Location: Southwest corner of the intersection of 5th Avenue and Pearl Street.

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description

Type

Upload Date

Staff Report & Attachments

Other

1/4/2023

City Planning Commission Communication

<p>Department: Community Development</p> <p>CASE #ZC-23-003</p> <p>Applicant/Owner: Pottawattamie County 223 South 6th Street Council Bluffs, IA 51501</p> <p>Representative: Matthew Wyant, Planning Director Pottawattamie County 223 South 6th Street Council Bluffs, IA 51501</p>	<p>Ordinance No. _____</p>	<p>Planning Commission: 1/10/2022</p>
---	----------------------------	---------------------------------------

Subject/Title

Request: Public hearing on the request of Pottawattamie County, represented by Matthew Wyant, to rezone property legally described as Lots 1 through 3 and Lots 19-20, Block 7, Jefferis Subdivision along with the vacated north/south alley adjacent to said Lots 1-3 and Lot 20, and the vacated east/west alley abutting the southerly portion of said Lots 19-20, all in the City of Council Bluffs, Pottawattamie County, Iowa, from A-P/Administrative-Professional District and R-3/Low Density Multi-Family Residential District to C-3/Central Business District.

Location: Southwest corner of the intersection of 5th Avenue and Pearl Street.

Background

The Community Development Department has received an application from Pottawattamie County, represented by Matthew Wyant, to rezone property legally described as Lots 1 through 3 and Lots 19-20, Block 7, Jefferis Subdivision along with the vacated north/south alley adjacent to said Lots 1-3 and Lot 20, and the vacated east/west alley abutting the southerly portion of said Lots 19-20, all in the City of Council Bluffs, Pottawattamie County, Iowa, from A-P/Administrative-Professional District and R-3/Low Density Multi-Family Residential District to C-3/Central Business District (see Attachment A).

The subject property contains 38,709 square feet of land (0.89 acres) and is part of Pottawattamie County's government campus in downtown Council Bluffs. In 2021, the applicant demolished an office building that was situated in the far northeast corner of the property in order to prepare the site for redevelopment. Currently, the applicant uses the subject property as a construction staging area for their courthouse expansion project at 227 South 6th Street. Once the courthouse project is completed, the applicant plans to redevelop the subject property with a new public health building (see Attachment B), which will replace their existing public health center at 600 South 4th Street. The applicant requests to rezone the subject property from a mixture of R-3, A-P, and C-3 Districts to C-3 District for zoning consistency purposes, and to allow their new public health building to be built with site development standards that are compatible with other commercial properties in the Downtown Council Bluffs area.

Land Use and Zoning

The subject property is zoned a mixture of A-P/Administrative Professional District, R-3/Low Density Multi-Family Residential District, and C-3/Central Business District. Surrounding zoning includes A-P and C-3 Districts to the north, R-3 District to the west, and C-3 District to the south and east. Surrounding land uses include a mixture of government offices (Council Bluffs City Hall and Pottawattamie County Courthouse), a multi-family apartment building (Regal Towers), professional offices, and retail/commercial. Additionally, the subject property is located immediately west of the Historic Haymarket District, which is a locally designated historic district and a federally designated historic district on the National Register of Historic Places.

The future land use plan of the Bluffs Tomorrow: 2030 (Comprehensive Plan) designates the subject property as ‘Downtown/Mixed Use.’

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

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

- A. Council Bluffs Fire Department stated it has no comments.
- B. Council Bluffs Permits and Inspections Division stated they are not opposed to the new County Public Health building’s facility and location on the subject property.
- C. Council Bluffs Public Works Department stated they have no comments for the rezoning request.
- D. Black Hills Energy stated they have no concerns for the request.

Discussion

- A. The subject property is zoned a mixture of R-3 District, A-P District, and C-3 District. The combination of said zoning districts creates development challenges due to differences in site development standards between the three zoning districts. The purpose of this request is to rezone the entire property to the C-3 District for zoning consistency purposes.
- B. Per Section 15.16.010 of the Council Bluffs Municipal Code (Zoning Ordinance) the C-3 District “*is intended to accommodate office, retail and related activities in the traditional commercial center of the city as well as other appropriate commercial sites*”. The applicant plans to build a new public health facility on the subject property, which is consistent with the purpose and intent of the C-3 District.
- C. Per Section 15.16.050 of the Council Bluffs Municipal Code the following site development regulations are applied to properties zoned C-3 District:
 - 1. *Lots or parcels of land zoned C-3 on or before the effective date of this ordinance and lots or parcels of land in areas less than two acres rezoned to C-3 after the effective date of this ordinance shall not be subject to minimum lot size, setback or lot coverage requirements. Maximum height is limited to one hundred (100) feet for principal structures and twenty-four feet for accessory structures.*

The subject property contains 0.89 acres of land; therefore, the property is exempt from minimum lot size, setbacks, and lot coverage requirements. The applicant’s conceptual site plan shows a two-story building, with a combined total of 16,240 square feet of office space, being constructed in the far northeast corner of the property. The proposed office building will be constructed with zero setbacks adjacent to the property lines that abut 5th Avenue and Pearl Street rights-of-way, which is allowed in the C-3 District, and is compatible with the historic development patterns of existing

buildings in the adjacent Historic Haymarket Commercial District.

2. *Lots or parcels of land more than two acres in areas rezoned to C-3 after the effective date of this chapter shall be required to submit a development plan for consideration by the planning commission and city council concurrent with the rezoning application. The development plan review shall follow the procedure used in CBMC 15.18.*

The subject property contains 0.89 acres of land; therefore, the applicant is not required to submit a development plan with their rezoning request.

- D. The Bluffs Tomorrow: 2030 Comprehensive Plan designates the subject property as ‘Downtown/Mixed-Use’, which is described as “*areas oriented towards pedestrians, including restaurants, private offices, specialty retail, and service providers. Often, residences are included in the upper stories above a ground-floor commercial use. In some cases, several uses occupy a single building. This type of development is most prominent in and around the Downtown area*”. The proposed zoning and use of the subject property for government/professional office purposes meets the future land use goals of the Bluffs Tomorrow: 2030 Comprehensive Plan.

Recommendation

The Community Development Department recommends approval of the request of Pottawattamie County, represented by Matthew Wyant, to rezone property legally described as Lots 1 through 3 and Lots 19-20, Block 7, Jefferis Subdivision along with the vacated north/south alley adjacent to said Lots 1-3 and Lot 20, and the vacated east/west alley abutting the southerly portion of said Lots 19-20, all in the City of Council Bluffs, Pottawattamie County, Iowa, from A-P/Administrative-Professional District and R-3/Low Density Multi-Family Residential District to C-3/Central Business District, based on reasons stated above.

Attachments:


Attachment A: Location/Zoning Map
Attachment B: Preliminary Site Plan

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

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION

LOCATION/ZONING MAP - CASE #ZC-23-003

Attachment A

 ZC-23-003 Subject Property

0 50 100
1 Inch = 100 Feet



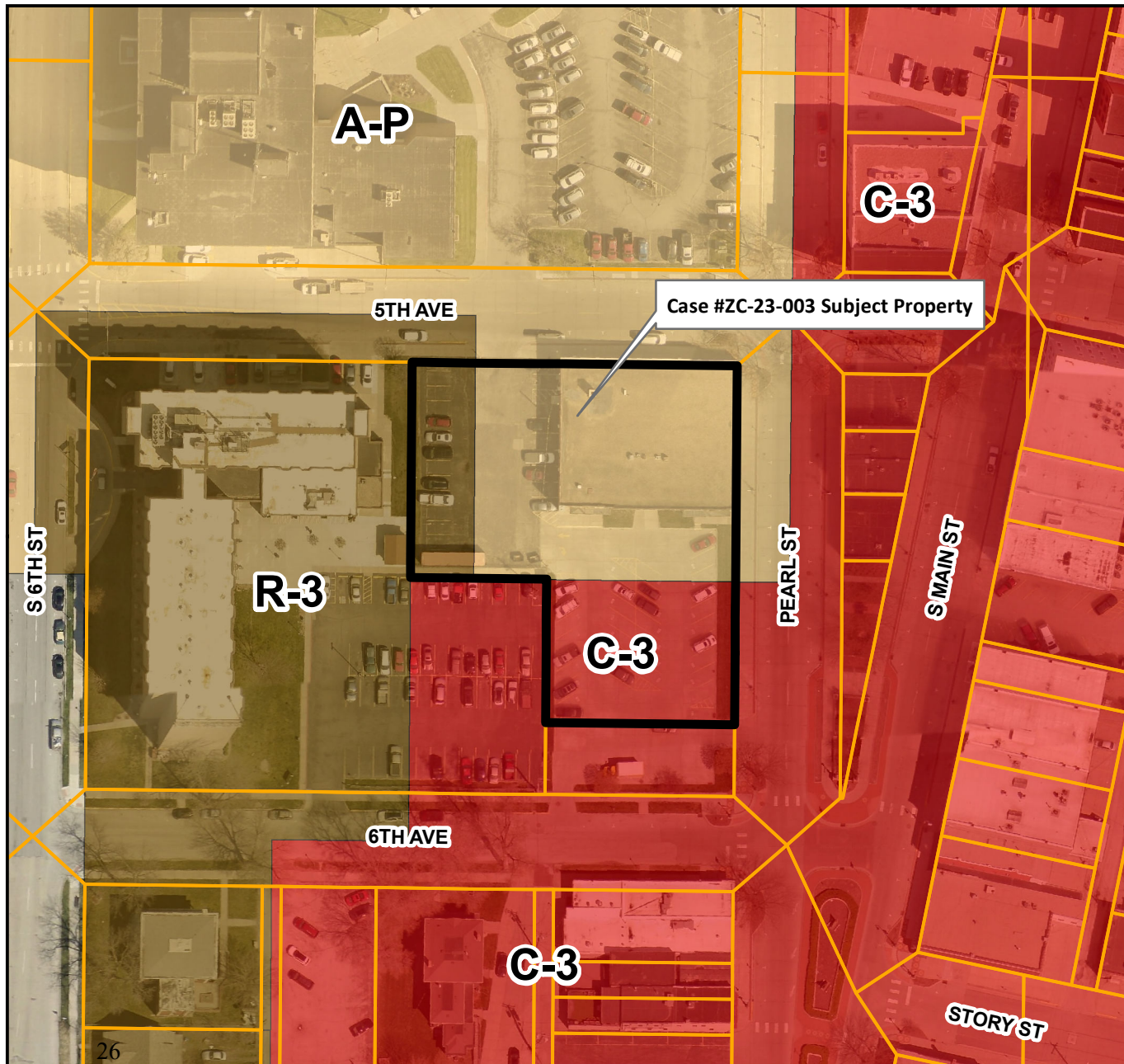
Last Amended: 12/20/2022



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.: URV-22-010

CASE #URV-22-010

Council Action: 1/10/2023

Submitted by: Marianne Collins,
Community Development Housing
& Economic Planner

Description

Veterans Memorial Highway URV Amendment - Public hearing on the request of the City of Council Bluffs to amend the Veterans Memorial Highway Urban Revitalization Area located at 800 Veterans Memorial Highway.

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description

Type

Upload Date

Staff Report & Attachments

Other

1/4/2023

Planning Commission Communication

Department: Community Development CASE # URV-22-010 Submitted by: Housing & Economic Development	Resolution No: 22-_____	Resolution of Intent: 11/28/2022 Planning Commission: 1/10/2023 Public Hearing & First Reading: 1/23/2023 2 nd Reading: 2/13/2023 3 rd Reading: Request to Waive
Subject/Title		
Request: Recommendation of approval of the Amended Veterans Memorial Highway Urban Revitalization Area.		
Background/Discussion		
<p><u>Background</u></p> <p>Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property.</p> <p>Urban revitalization tax abatement incentives can apply to residential, commercial and industrial development. Both new construction on vacant or unimproved land and rehabilitation of existing structures are eligible for tax abatement.</p> <p>Staff has prepared an Urban Revitalization Plan in accordance with Section 404.2 of the Iowa Code and has scheduled the matter for City Council consideration. The Amended Veterans Memorial Highway Urban Revitalization Area will consist of approximately 8.04 acres.</p> <p><u>Discussion</u></p> <p>A proposal has been submitted to Community Development for the expansion of a commercial storage facility known as “Lockbox Storage” at 800 Veterans Memorial Highway. The developer is proposing to construct an additional storage building and thirty-three (33) total parking spaces to provide exterior storage for boats, recreational vehicles (RVs), trailers and campers on the subject property.</p> <p>On November 28, 2022, City Council approved a Resolution of Necessity which initiated the process of amending the Veterans memorial Highway Urban Revitalization Plan and set January 9, 2023 as the public hearing date. Notification was sent to the owner of the property within the urban revitalization area. Although Chapter 404 of the Iowa Code does not specifically require review by the City Planning Commission, staff believes that such review is appropriate.</p> <p>Concurrent with the adoption of an urban revitalization plan, an ordinance establishing the urban revitalization area can be considered by City Council. Upon adoption of the area, the City is permitted to grant tax abatement to qualified projects. Staff specifically asks that the Commission consider the following:</p> <ul style="list-style-type: none"> • The proposed Amended Veterans Memorial Highway Urban Revitalization Plan and Area furthers the goals of the City’s Comprehensive Plan. 		

Planning Commission Communication

- The Amended Veterans Memorial Highway Urban Revitalization Plan is an area appropriate for urban revitalization designation as specified in Iowa Code Section 404.1.2, which discusses an area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, deterioration of site or other improvements, substantially impairs or arrests the sound growth of a municipality.

If the Amended Veterans Memorial Highway Urban Revitalization Plan and Area is approved, the project as proposed could be eligible for full exemption from taxation for three years or a ten year declining property tax abatement.

Recommendation

The Community Development Department recommends approval of the Veterans Memorial Highway Revitalization Area.

Attachments

Attachment A – Boundary Map

Attachment B – Draft of the Amended Veterans Highway Urban Revitalization Plan 2022

Prepared by: Marianne Collins, Housing & Economic Development Planner, Community Development Department

Submitted by: Courtney Harter, Director Planning & Community Development, Community Development Department

**Proposed Amended Veterans Memorial Highway Urban Revitalization Area:
Boundary Map**



2022 Amendment to the Veterans Memorial Highway Urban Revitalization Plan



Prepared by
Community Development Department
City of Council Bluffs, Iowa

Original Area Adopted by
City Council on May 18, 2020
Amended _____, 2023

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INTRODUCTION

On May 18, 2020, the City of Council Bluffs City Council adopted Ordinance No. 6409, which established the Veterans Memorial Highway Urban Revitalization Area. This revitalization area consisted of one parcel of land that was located north of Veterans Memorial Highway totaling 6.18 acres in size.

The newly proposed amendment will add one additional parcel to the existing Veterans Memorial Highway Urban Revitalization Plan for a total of 8.04 acres.

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

The City of Council Bluffs wishes to utilize property tax abatement incentives under the Urban Revitalization act to facilitate renovation of a blighted area. The preparation and subsequent adoption of an Urban Revitalization Plan is required by the Iowa Code prior to the provision of property tax abatement.

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

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

local governing body as appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate income families, including single or multifamily housing.”

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

In May 2020, the City of Council Bluffs adopted the Veterans Memorial Highway Urban Revitalization Area under the criteria of element 2. The City now desires to amend the Plan and Area (herein referred to as the “Amended Plan” and “Amended Area”). Consequently, on November 28, 2022, the City Council adopted Resolution No. 22- , which directed staff to prepare an amended plan for the proposed additional revitalization area. Illustration 1 is the City Council Original Resolution.

**Veterans Memorial Highway Urban Revitalization Area
Illustration 1 – Original Resolution**

RESOLUTION NO. 20-118

A RESOLUTION APPROVING THE URBAN REVITALIZATION PLAN FOR THE VETERANS MEMORIAL HIGHWAY URBAN REVITALIZATION AREA.

- WHEREAS,** the City of Council Bluffs has the authority under Chapter 404 of the Iowa Code to declare an area to be an urban revitalization area; and
- WHEREAS,** on March 23, 2020, the City Council adopted Resolution 20-69, which directed staff to prepare a plan for the Veterans Memorial Highway Urban Revitalization Area and set a public hearing for May 4, 2020; and
- WHEREAS,** on April 14, 2020, the City Planning Commission reviewed the Veterans Memorial Highway Urban Revitalization Plan and found it consistent with the goals and objectives of the City's *Bluffs Tomorrow: 2030 Plan* which is the general plan for the development of the City of Council Bluffs; and
- WHEREAS,** the current property is in poor condition and requires significant site improvements for redevelopment; and
- WHEREAS,** the proposed project will improve the aesthetics of Veterans Memorial Highway, a major thoroughfare in the City of Council Bluffs; and
- WHEREAS,** after careful study and consideration, this City Council finds that the development of the area is necessary in the interest of the public health, safety and/or welfare of the residents of the City.

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

That the City Council hereby approves the Veterans Memorial Highway Urban Revitalization Plan.

ADOPTED
AND
APPROVED

May 4, 2020


Matthew J. Walsh Mayor

ATTEST:


Jodi Quakenbush City Clerk

Case #URV-20-001

Veterans Memorial Highway Urban Revitalization Area
Illustration 2 – Amended Plan Resolution

RESOLUTION NO. _____

A RESOLUTION OF NECESSITY AND INTENT TO AMEND THE VETERANS MEMORIAL HIGHWAY URBAN REVITALIZATION AREA.

- WHEREAS, the subject area is an appropriate area as defined in Section 404.1.2 of the Iowa Code; and
- WHEREAS, on May 4, 2020, City Council adopted resolution No. 20-118 approving the Veterans Memorial Highway Urban Revitalization Plan; and
- WHEREAS, the Community Development Department recommends amending the plan to add an additional parcel to the revitalization area; and
- WHEREAS, an amended plan must be developed in accordance with Section 404.2 of the Iowa Code; and
- WHEREAS, thirty days' notice of public hearing is required to be sent to all property owners and occupants within the area; and
- WHEREAS, notice of public hearing is also required in accordance with Section 362.3 of the Iowa Code.

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

That the development of the area is necessary in the interest of the City and the area substantially meets the criteria of Section 404.1.2.

BE IT FURTHER RESOLVED

That the City Council directs staff to prepare a final plan pursuant to Section 404.2 of the Iowa Code by no later than December 6, 2022.

BE IT FURTHER RESOLVED

That the City Council directs the City Clerk to set this matter for public hearing on January 9, 2023.

**ADOPTED
AND
APPROVED:**

November 28, 2022

Matthew J. Walsh

Mayor

ATTEST:

Jodi Quakenbush

City Clerk

LEGAL DESCRIPTION

The amended Veterans Memorial Highway Urban Revitalization Area is a tract of land containing parcel numbers 744412351011 and 744412351010, legally described as:

The North 660 feet of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12-74-44, except the West 250 feet, and the West 16.5 feet of the South 20 feet north of the highway in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12-74-44 and commencing at a point 660 feet East of the NW corner of the SW $\frac{1}{4}$ of the SW quarter of section 12, thence South 660 feet, thence East 250 feet, thence North 660 feet, thence West 250 feet to the place of beginning, subject to right of ways of public highway City of Council Bluffs, Pottawattamie County, Iowa

Illustration 3 shows the location and the boundary of the amended Veterans Memorial Highway Urban Revitalization Area, which consists of 8.04 acres.

Veterans Memorial Highway Urban Revitalization Area

Illustration 3 – Boundary



PROPERTY OWNERS AND ASSESSED VALUATIONS

The amended Veterans Memorial Highway Urban Revitalization Area will be comprised of 8.04 acres on two parcels of land owned by MemorialC2 Trust and McGregor Interests, Inc. McGregor Interests, Inc. has a purchase agreement with the current owner MemorialC2 Trust. MemorialC2 Trust currently operates Lake Manawa Mobile Home Park on the property.

Valuation was obtained from the records of the Pottawattamie County Assessor.

Parcel Number	Zoning	Owner & Address	Land Valuation	Dwelling Valuation	Building Valuation	Total Valuation
744412351011	I-2/ General Industrial District	McGregor Interests, Inc. 706 Veterans Memorial Hwy Council Bluffs, IA 51501	\$763,500	\$ -	\$3,160,300	\$3,923,800
744412351010	I-2/ General Industrial District	MemorialC2 Trust 800 Veterans Memorial Hwy Council Bluffs, IA 51501	\$186,000	\$48,700	\$ -	\$234,700

EXISTING ZONING AND PROPOSED LAND USE

Amended Veterans Memorial Highway Urban Revitalization Area is currently zoned I-2. The I-2/General Industrial District is intended to provide for the development of general manufacturing and industrial areas. This district is designed to accommodate industrial uses with moderate external effects.

The proposed principal use of the amended Veterans Memorial Highway Urban Revitalization Area is 'commercial storage,' which is a permitted use in an I-2/General Industrial District. A conditional use permit is required for the ancillary exterior storage component proposed by the McGregor Interests, Inc. The conditional use permit was granted by the Zoning Board of Adjustment on 1/21/2020.

Surrounding properties to the west, north and northeast are also zoned I-2. Properties east of the subject property are zoned C-2/Commercial District. The majority of properties south of Veterans Memorial Highway are also zoned C-2. There is also some land southeast of the subject property that is zoned R-4/High Density Multi-Family Residential District and R-3/Low Density Multi-Family Residential District. Illustration 4 depicts the existing on-site and surrounding zoning.

Existing land uses in the general vicinity include: a truck equipment supplier and dealer to the north; a tire shop to the east; a restaurant, a gas station, a clothing store, a medical clinic, a window supplier, a sign shop and an automotive repair shop to the southwest; and multiple residential uses to the west and across Veterans Memorial Highway to the

southeast. Additionally, two non-conforming residential structures abut the subject property to the southeast.

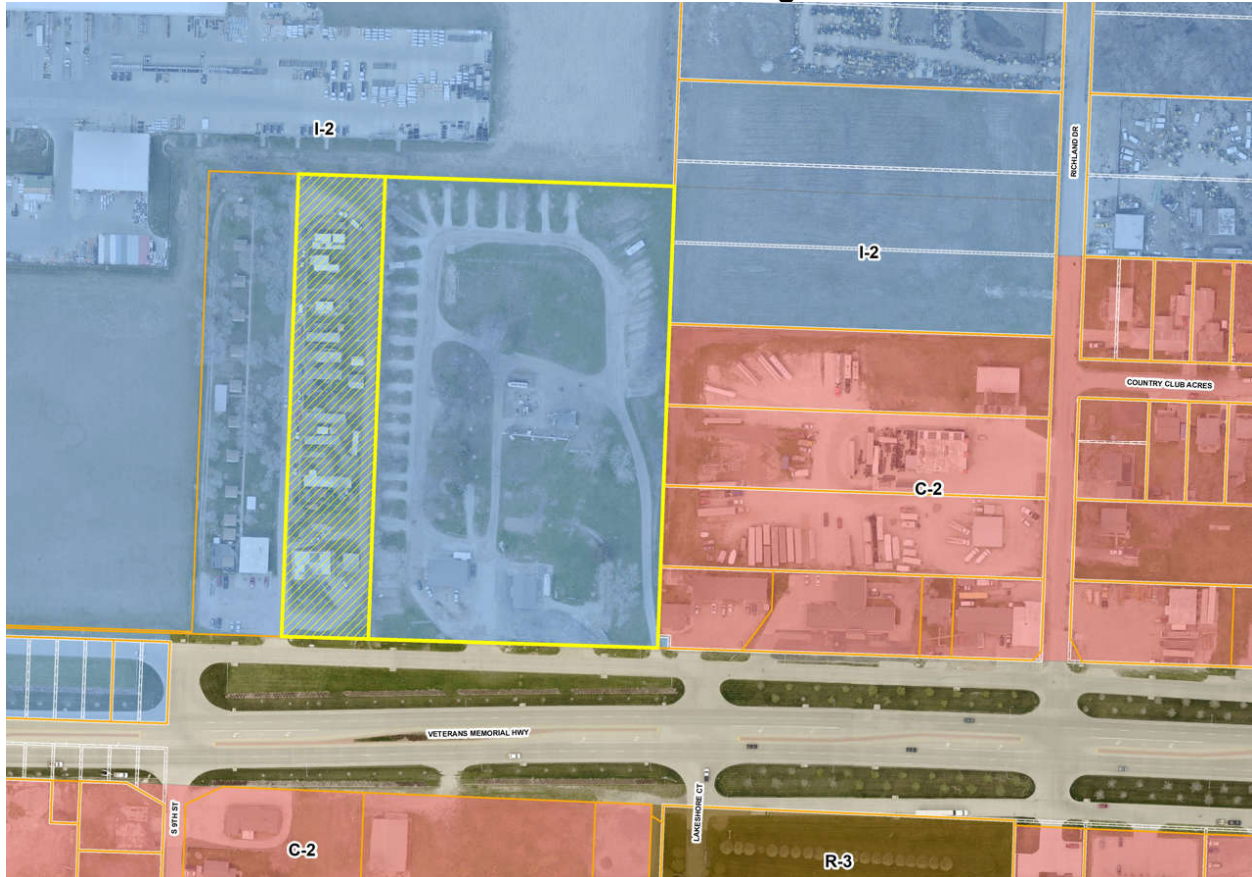
The future land use map of the *Bluffs Tomorrow: 2030 Comprehensive Plan* designates the subject property as Local Commercial. The plan defines “Local Commercial” as areas that include *“uses oriented primarily towards goods and services that meet the demand of Council Bluffs residents. These include grocery stores, convenience stores, pharmacies, banks, auto services, and small offices. They are typically located along visible corridors or at neighborhood centers, and may be configured as multi-tenant shopping centers or individual developments on smaller lots.”*

McGregor Interests, Inc. currently owns a portion of the subject property and has a purchase agreement with the current owner for the remaining portion of the subject property. McGregor Interests, Inc. intends to redevelop the additional portion to expand the current commercial storage facility to be known as ‘Lockbox Storage.’ The proposed location at 800 Veterans Memorial Highway will be one of the multiple locations of ‘Lockbox Storage’ across Iowa and Nebraska.

McGregor Interests, Inc. proposes to construct an additional storage building, approximately 23,300 square feet, on the subject property. The site can be accessed through two existing entrances located along the service road that runs parallel to Veterans Memorial Highway. Electronic gates will be installed at these two access points. The west entrance will serve as the main access point to the site while the gate at the east entrance will be locked at all times and only be used as an emergency access point. A keypad will allow customers to access the site through the main gate.

The site plan also shows thirty-three (33) total parking spaces will be provided on the subject property. McGregor Interests, Inc. proposes to provide exterior storage for boats, recreational vehicles (RVs), trailers and campers as an ancillary use.

Amended Veterans Memorial Highway Urban Revitalization Area
Illustration 4 – Zoning



PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES

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

RELOCATION PROVISIONS

The Amended Veterans Memorial Highway Urban Revitalization Area has one commercial entity operated by the current owner at the 800 Veterans Memorial Hwy location. The property owner will provide at least sixty (60) days' notice to all tenants to relocate. If either a residential or non-residential tenant relocation occurs as a result of actions taken by a developer qualifying for the benefits under the Urban Revitalization Act, the tenant shall receive compensation from the developer of one month's rent and actual moving expenses, provided that the tenant has occupied the same unit continuously for a one year period prior to the adoption of this plan. No federal funds shall be provided back to the owner. The City is not responsible for any relocation expenses or lawsuits that may arise from this relocation.

OTHER PUBLIC ASSISTANCE

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

APPLICABILITY AND TAX EXEMPTION SCHEDULE

1. Eligibility – The Amended Veterans Memorial Highway Urban Revitalization Plan will apply to commercial and industrial land uses.

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

2. Term - The term of this Plan shall be until December 31, 2042 or amended by City Council.

3. Commercial and Industrial

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

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

-OR-

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

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

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

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

APPLICATION AND REVIEW PROCESS

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

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

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

ATTACHMENT A

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

7444 12 351 011
 --- Permanent Property Address --- ----- Mailing Address -----
 TOMES INC TOMES INC
 706 VETERANS MEMORIAL HWY 706 VETERANS MEMORIAL HWY
 COUNCIL BLUFFS, IA 51501 COUNCIL BLUFFS, IA 51501

District: 002 CO BLUFFS CITY/LC SCHOOL
 REAL ESTATE TAXES ON TREASURER'S WEBPAGE
 Go to: <https://www.municipalonlinepayments.com/pottawattomiscoia/tax/search/detail/744412351011>

TAX DESCRIPTION*
 * Not to be used on legal documents

SECTION 12-74-44 EXC W250' N660' NE SW
 ASSESSED VALUE
 * Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$309,000	\$0		\$101,000	\$410,000		2018	C
\$309,000	\$0		\$101,000	\$410,000		2019	C

EXEMPTIONS & CREDITS
 2018 BPTC \$3,362.75

OWNERS
 * Book/Page LINKS TO RECORDER'S WEBPAGE
 1 D TOMES INC book/page:

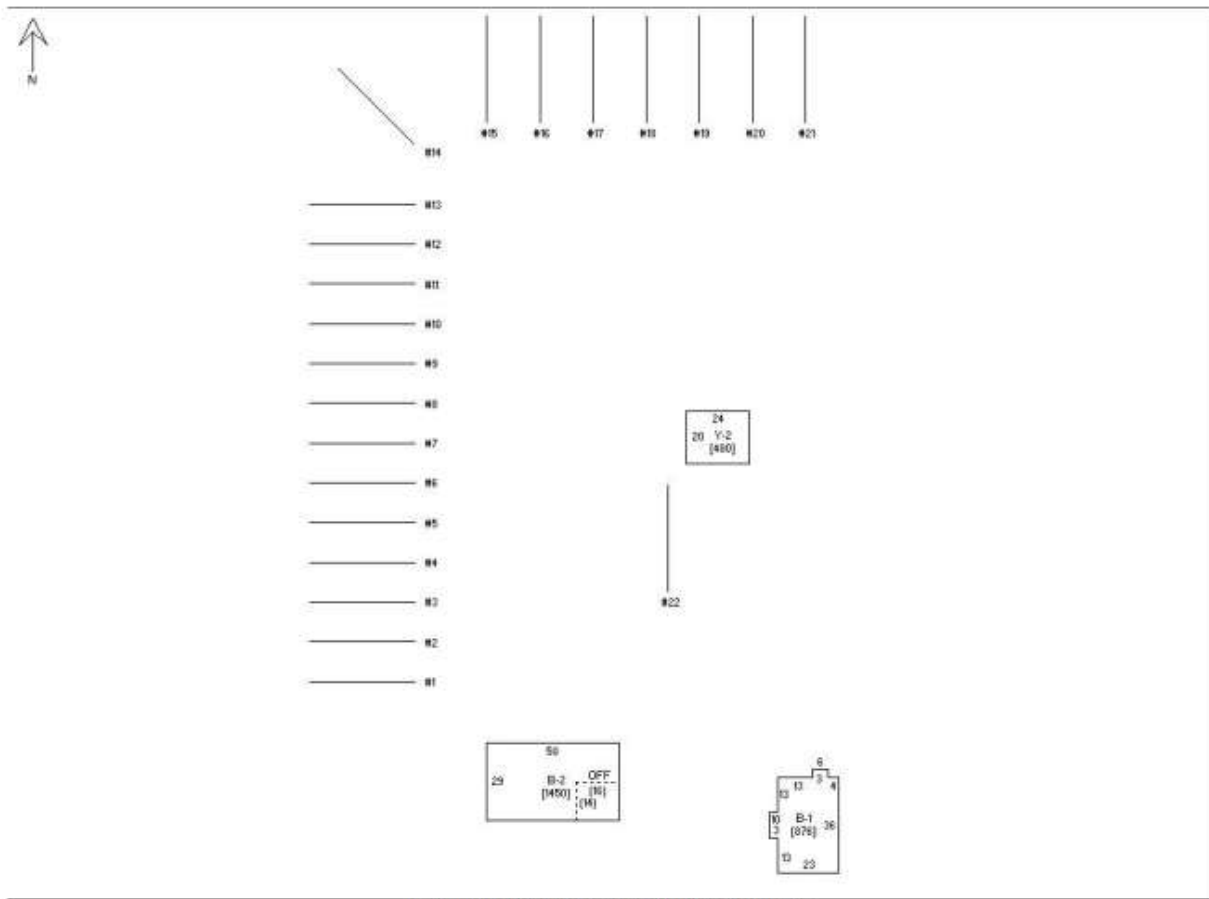
ASSESSMENT DATA
 PDF: 8 MAP: 21-8 C.B COMMERCIAL
 Interior Listing: Estimated Date Listed: 03/11/2016 JAC Date Reviewed: 03/06/2019 GMS

LAND.....269200 sqft 6.18 acres

Commercial Building 1 of 3 -- Store - Retail Small (201)
 DBA: TOMES RV PARK CAMPING
 STRUCTURE....1 story 876 base SF 0 bsmt SF 876 gross SF
 Year Built: 1930 Eff Year: 1930 Condition: Normal
 VERTICALS....Foundation: C'Blk or Tile w/o Bsmt
 Ext Wall: Alum - Frame
 Int Wall: Panel - Softwood
 Panel - Hardwood
 Front/Doors: Incl. w / Base
 Windows: Incl. w / Base
 HORIZONTALS..Roof: Asph. Shingle/ Wood Dk
 Ceiling: Suspended Blk-Fiber
 Struc Floor: 4" R'Concrete
 Floor Cover: Asphalt Tile
 Partitions: Retail Store(Small)
 Framing: Wood - Average
 HVAC: Suspended Unit Heater (Gas)
 Lighting: Retail Store (Small)
 ADJUSTMENTS..A/C - deduct (876)

Commercial Building 2 of 3 -- Metal Shop - Steel Frame (605)
 DBA: TOMES RV PARK CAMPING
 STRUCTURE....1 story 1450 base SF 0 bsmt SF 1450 gross SF
 Year Built: 1930 Eff Year: 1930 Condition: Normal
 VERTICALS....Foundation: Reinforced Concrete w/o Bsmt
 Ext Wall: Metal Sandwich Panel - 2"
 Int Wall: Unfinished
 Front/Doors: Incl. w / Base
 Windows: Incl. w / Base
 HORIZONTALS..Roof: Asph. Shingle/ Wood Dk
 Ceiling: Metal Liner
 Struc Floor: 6" R'Concrete
 Partitions: Incl. w / Base
 Framing: Steel - Average
 HVAC: Suspended Unit Heater (Gas)
 Lighting: Service Station With Bays
 PLUMBING.....Toilet Room (2)
 BLDG EXTRAS..2 Door: O.H. Door - Manual, 10 Ft Wide, 10 Ft High

Commercial Building 3 of 3 -- Manufactured Home Park (703)
 DBA: TOMES RV PARK CAMPING
 STRUCTURE....0 story 0 base SF 0 bsmt SF 0 gross SF
 Year Built: 1962 Eff Year: 1962 Condition: Normal
 YARD EXTRAS..Paving - Asphalt 16,500 SF, Asphalt Parking
 Garage 480 SF, Frame
 Fencing - Chain No Barbs, 6 Ft-Hgh, 1,475 LF, 0 LF-Gates



706 VETERANS MEMORIAL HWY, TOMES INC, 1 03/11/2016



706 VETERANS MEMORIAL HWY, TOMES INC, 2 03/11/2016

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1200ft x 1200ft

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As of:

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Attachment B

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

7444 12 351 011

--- Permanent Property Address ---

MCGREGOR INTERESTS CO BLUFFS QOF LLC
 706 VETERANS MEMORIAL HWY
 COUNCIL BLUFFS, IA 51501

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

MCGREGOR INTERESTS CO BLUFFS QOF LLC
 11750 STONEGATE CIR
 OMAHA, NE 68164

District: 002 CO BLUFFS CITY/LC SCHOOL

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

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/744412351011>

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

* Not to be used on legal documents

SECTION 12-74-44 EXC W250' N660' NE SW

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

* Class is for Assessment purposes only - Not Zoning

Current Value				
2022	Comm. Land	Improvement	Total	Class
Full Value	\$763,500	\$3,160,300	\$3,923,800	C
Exempt	\$0	\$2,405,400	\$2,405,400	C
Net Total	\$763,500	\$754,900	\$1,518,400	C

Prior Year Value				
2021	Comm. Land	Improvement	Total	Class
Full Value	\$763,500	\$1,228,600	\$1,992,100	C
Exempt	\$0	\$982,900	\$982,900	C
Net Total	\$763,500	\$245,700	\$1,009,200	C

===== EXEMPTIONS/CREDITS APPLIED =====

===== OWNERS =====

* Book/Page LINKS TO RECORDER'S WEBPAGE

1. D MCGREGOR INTERESTS CO BLUFFS Q book/page: [2020/06754](#) D

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

Sale Date	Amount	Code	Book/Page
05/21/2020	875000	D0	2020/06754

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

PDF: 8 MAP: 21-8 C.B COMMERCIAL

Date Reviewed: 02/16/22 MEC

LAND.....269200 sqFt 6.18 acres

Commercial Building 1 of 8 -- Mini - Storage (716)

DBA: LOCKBOX STORAGE

STRUCTURE....1 story 23060 base SF 0 bsmt SF 23060 gross SF

Year Built: 2021 Eff Year: 2021 Condition: Normal

VERTICALS....Ext Wall: Metal/ Steel (51'-79' Wide)

Front/Doors: Incl. w / Base

HORIZONTALS..Roof: Metal/ Frame (51'-79' Wide)

Struc Floor: 8" R'Concrete

Partitions: Incl. w / Base

Framing: Steel - light

PLUMBING....Toilet Room (1)

Rough Plumbing (1)

ADJUSTMENTS..Electrical - external lighting (23060)

Partition - metal (1660)

Office-internal with Heat & A/C (726)

A/C - Add (22334)

Heat - -Indust Space (22334)

Electric (22334)

BLDG EXTRAS..22 Door: Mini Storage O.H., 4 Ft Wide, 8 Ft High
64 Door: Mini Storage O.H., 8 Ft Wide, 8 Ft High

Commercial Building 2 of 8 -- Mini - Storage (716)

DBA: LOCKBOX STORAGE

STRUCTURE....1 story 13200 base SF 0 bsmt SF 13200 gross SF
Year Built: 2021 Eff Year: 2021 Condition: Normal
VERTICALS....Ext Wall: Metal/ Steel (51'-79' Wide)
Front/Doors: Incl. w / Base
HORIZONTALS..Roof: Metal/ Frame (51'-79' Wide)
Struc Floor: 8" R'Concrete
Partitions: Incl. w / Base
Framing: Steel - Light
ADJUSTMENTS..Electrical - external lighting (13200)
Partition - metal (1320)
BLDG EXTRAS..24 Door: Mini Storage O.H., 8 Ft Wide, 8 Ft High
15 Door: Mini Storage O.H., 10 Ft Wide, 14 Ft High

Commercial Building 3 of 8 -- Mini - Storage (716)

DBA: LOCKBOX STORAGE

STRUCTURE....1 story 9000 base SF 0 bsmt SF 9000 gross SF
Year Built: 2021 Eff Year: 2021 Condition: Normal
VERTICALS....Ext Wall: Metal/ Steel (< 50' Wide)
Front/Doors: Incl. w / Base
HORIZONTALS..Roof: Metal/ Frame (< 50' Wide)
Struc Floor: 8" R'Concrete
Partitions: Incl. w / Base
Framing: Steel - Light
ADJUSTMENTS..Electrical - external lighting (9000)
Partition - metal (1155)
BLDG EXTRAS..8 Door: Mini Storage O.H., 4 Ft Wide, 8 Ft High
46 Door: Mini Storage O.H., 8 Ft Wide, 8 Ft High

Commercial Building 4 of 8 -- Mini - Storage (716)

DBA: LOCKBOX STORAGE

STRUCTURE....1 story 11150 base SF 0 bsmt SF 11150 gross SF
Year Built: 2021 Eff Year: 2021 Condition: Normal
VERTICALS....Ext Wall: Metal/ Steel (51'-79' Wide)
Front/Doors: Incl. w / Base
HORIZONTALS..Roof: Metal/ Frame (51'-79' Wide)
Struc Floor: 8" R'Concrete
Partitions: Incl. w / Base
Framing: Steel - Light
ADJUSTMENTS..Electrical - external lighting (11150)
Partition - metal (1240)
BLDG EXTRAS..35 Door: Mini Storage O.H., 4 Ft Wide, 8 Ft High
27 Door: Mini Storage O.H., 8 Ft Wide, 8 Ft High

Commercial Building 5 of 8 -- Mini - Storage (716)

DBA: LOCKBOX STORAGE

STRUCTURE....1 story 6000 base SF 0 bsmt SF 6000 gross SF
Year Built: 2021 Eff Year: 2021 Condition: Normal
VERTICALS....Ext Wall: Metal/ Steel (< 50' Wide)
Front/Doors: Incl. w / Base
HORIZONTALS..Roof: Metal/ Frame (< 50' Wide)
Struc Floor: 8" R'Concrete
Partitions: Incl. w / Base
Framing: Steel - Light
ADJUSTMENTS..Electrical - external lighting (6000)
Partition - metal (840)
BLDG EXTRAS..12 Door: Mini Storage O.H., 4 Ft Wide, 8 Ft High
38 Door: Mini Storage O.H., 8 Ft Wide, 8 Ft High

Commercial Building 6 of 8 -- Mini - Storage (716)

DBA: LOCKBOX STORAGE

STRUCTURE....1 story 6000 base SF 0 bsmt SF 6000 gross SF
 Year Built: 2021 Eff Year: 2021 Condition: Normal
 VERTICALS....Ext Wall: Metal/ Steel (< 50' Wide)
 Front/Doors: Incl. w / Base
 HORIZONTALS..Roof: Metal/ Frame (< 50' Wide)
 Struc Floor: 8" R'Concrete
 Partitions: Incl. w / Base
 Framing: Steel - Light
 ADJUSTMENTS..Electrical - external lighting (6000)
 Partition - metal (850)
 BLDG EXTRAS..12 Door: Mini Storage O.H., 4 Ft Wide, 8 Ft High
 36 Door: Mini Storage O.H., 8 Ft Wide, 8 Ft High

Commercial Building 7 of 8 -- Mini - Storage (716)

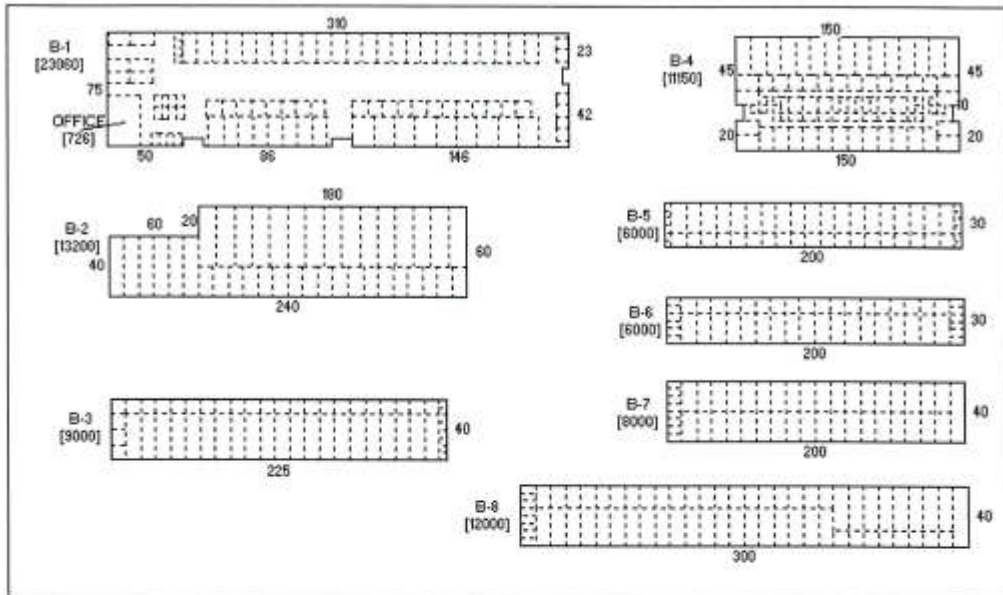
DBA: LOCKBOX STORAGE

STRUCTURE....1 story 8000 base SF 0 bsmt SF 8000 gross SF
 Year Built: 2020 Eff Year: 2020 Condition: Normal
 VERTICALS....Ext Wall: Metal/ Steel (< 50' Wide)
 Front/Doors: Incl. w / Base
 HORIZONTALS..Roof: Metal/ Stl/ Insul (< 50' Wide)
 Struc Floor: R' Concrete
 Framing: Steel - Light
 ADJUSTMENTS..Electrical - external lighting (8000)
 Partition - metal (1010)
 BLDG EXTRAS..8 Door: Mini Storage O.H., 4 Ft Wide, 8 Ft High
 38 Door: Mini Storage O.H., 8 Ft Wide, 8 Ft High

Commercial Building 8 of 8 -- Mini - Storage (716)

DBA: LOCKBOX STORAGE

STRUCTURE....1 story 12000 base SF 0 bsmt SF 12000 gross SF
 Year Built: 2020 Eff Year: 2020 Condition: Normal
 VERTICALS....Ext Wall: Metal/ Steel (< 50' Wide)
 Front/Doors: Incl. w / Base
 HORIZONTALS..Roof: Metal/ Stl/ Insul (< 50' Wide)
 Struc Floor: R' Concrete
 Framing: Steel - Light
 ADJUSTMENTS..Electrical - external lighting (12000)
 Partition - metal (1510)
 BLDG EXTRAS..8 Door: Mini Storage O.H., 4 Ft Wide, 8 Ft High
 44 Door: Mini Storage O.H., 8 Ft Wide, 8 Ft High
 YARD EXTRAS..Paving - Concrete 97,700 SF, Concrete Parking
 Fencing - Wood 8 Ft High, 1,320 LF, Average, 0 LF gate



706 VETERANS MEMORIAL HWY, MCGREGOR INTERESTS CO BLUFFS QOF LLC



706 VETERANS MEMORIAL HWY, MCGREGOR INTERESTS CO BLUFFS QOF LLC, 1 09/20/2021



706 VETERANS MEMORIAL HWY, MCGREGOR INTERESTS CO BLUFFS QOF LLC, 2 09/20/2021



706 VETERANS MEMORIAL HWY, MCGREGOR INTERESTS CO BLUFFS QOF LLC, 3 09/20/2021



706 VETERANS MEMORIAL HWY, MCGREGOR INTERESTS CO BLUFFS QOF LLC, 4 09/20/2021

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Spring 2022 aerial

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Planning Commission Communication

Department: Community
Development

Case/Project No.: URV-23-001

CASE #URV-23-001

Council Action: 1/10/2023

Submitted by: Marianne Collins,
Community Development Housing
& Economic Planner

Description

Council Pointe Road URV Amendment - Public hearing on the request of the City of Council Bluffs to amend the Council Pointe Road Urban Revitalization Area located at the intersection of Council Pointe Road and Veterans Memorial Highway.

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description

Type

Upload Date

Staff Report & Attachments

Other

1/4/2023

Planning Commission Communication

Department: Community Development CASE # URV-23-001 Submitted by: Housing & Economic Development	Resolution No: 23-_____	Resolution of Intent: 1/09/2023 Planning Commission: 1/10/2023 Public Hearing & First Reading: 2/13/2023 2 nd Reading: 2/27/2023 3 rd Reading: Request to Waive
Subject/Title		
Request: Recommendation of approval of the Amended Council Pointe Road Urban Revitalization Area.		
Background/Discussion		
<p><u>Background</u></p> <p>Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property.</p> <p>Urban revitalization tax abatement incentives can apply to residential, commercial and industrial development. Both new construction on vacant or unimproved land and rehabilitation of existing structures are eligible for tax abatement.</p> <p>Staff has prepared an Urban Revitalization Plan in accordance with Section 404.2 of the Iowa Code and has scheduled the matter for City Council consideration. The Amended Council Pointe Road Urban Revitalization Area will consist of approximately 27.16 acres.</p> <p><u>Discussion</u></p> <p>92 Investments will be developing the addition parcel being added to Council Pointe Road Urban Revitalization Area.</p> <p>On January 9, 2023, City Council approved a Resolution of Necessity which initiated the process of amending the Council Pointe Road Urban Revitalization Plan and set February 13, 2023 as the public hearing date. Notification will be sent to the owner of the property within the urban revitalization area. Although Chapter 404 of the Iowa Code does not specifically require review by the City Planning Commission, staff believes that such review is appropriate.</p> <p>Concurrent with the adoption of an urban revitalization plan, an ordinance establishing the urban revitalization area can be considered by City Council. Upon adoption of the area, the City is permitted to grant tax abatement to qualified projects. Staff specifically asks that the Commission consider the following:</p> <ul style="list-style-type: none"> • The proposed Amended Council Pointe Road Urban Revitalization Plan and Area furthers the goals of the City's Comprehensive Plan. • The Amended Council Pointe Road Urban Revitalization Plan is an area appropriate for urban revitalization designation as specified in Iowa Code Section 404.1.2, which discusses an area which by reason of the presence of a substantial number of deteriorated or 		

Planning Commission Communication

deteriorating structures, deterioration of site or other improvements, substantially impairs or arrests the sound growth of a municipality.

If the Amended Council Pointe Road Urban Revitalization Plan and Area is approved, the project as proposed could be eligible for full exemption from taxation for three years or a ten year declining property tax abatement.

Recommendation

The Community Development Department recommends approval of the Council Pointe Road Revitalization Area.

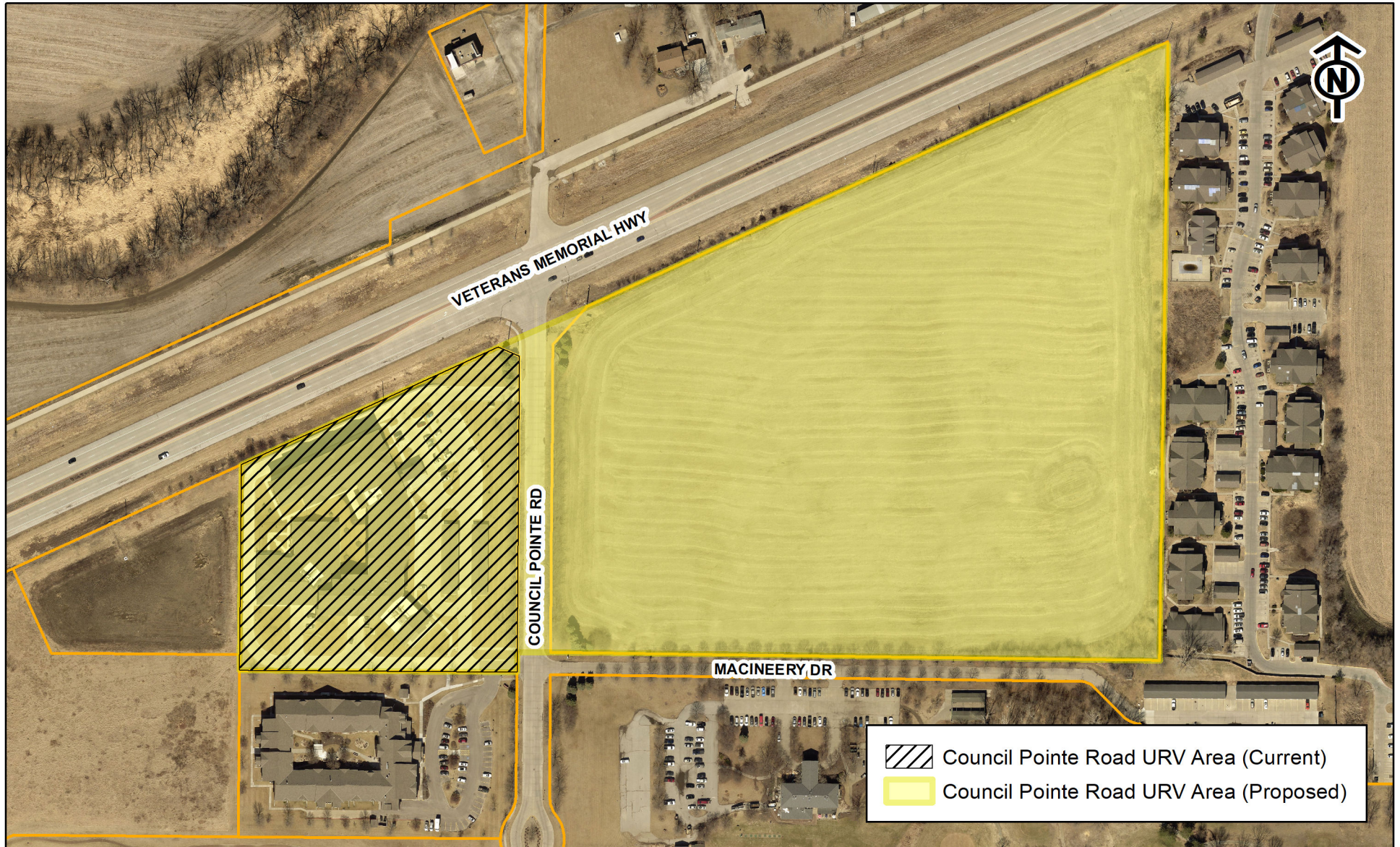
Attachments

Attachment A – Boundary Map

Attachment B – Draft of the Amended Council Pointe Road Urban Revitalization Plan

Prepared by: Marianne Collins, Housing & Economic Development Planner, Community Development Department

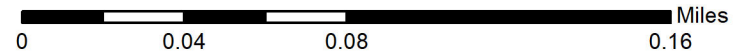
Submitted by: Courtney Harter, Director Planning & Community Development, Community Development Department



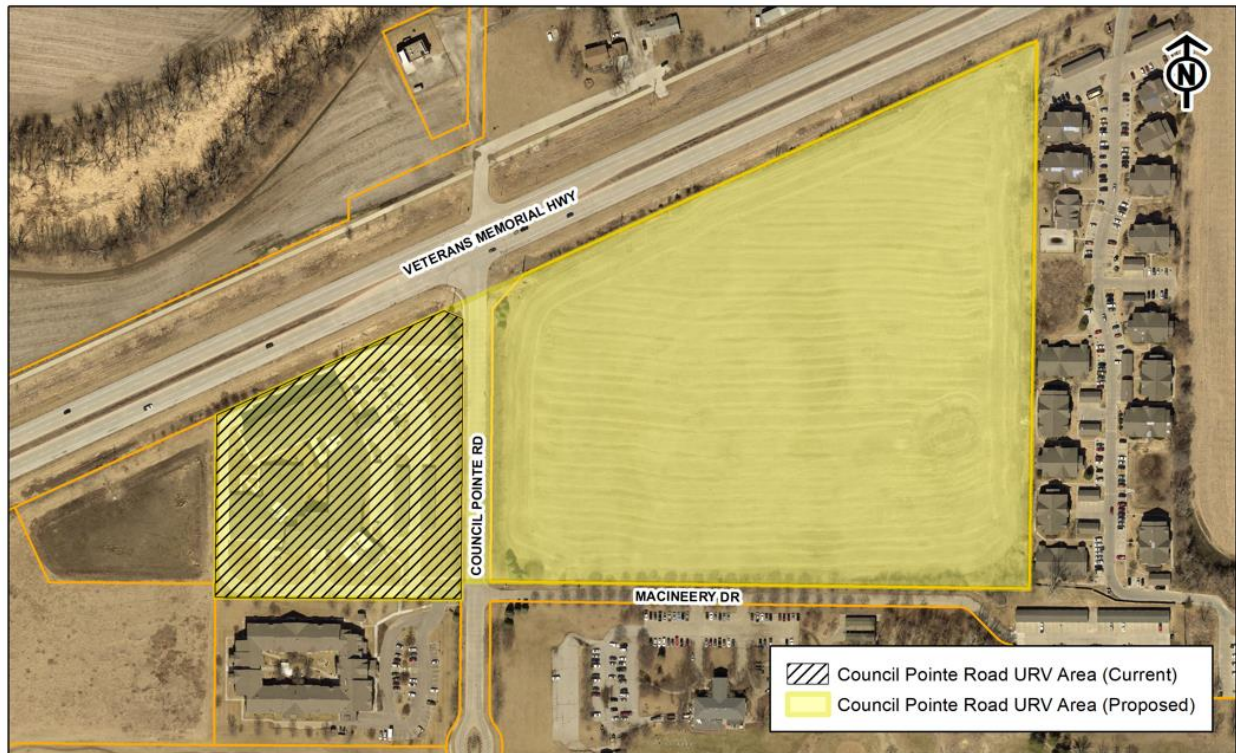
City of Council Bluffs
 Community Development Department
 209 Pearl Street, Council Bluffs, IA 51503
 Telephone: (712) 328.4629

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Last Updated: 12/29/22



2023 Amendment to the Council Pointe Road Urban Revitalization Plan



Prepared by
Community Development Department
City of Council Bluffs, Iowa

Original Area Adopted by
City Council on April 9, 2018

Amended _____, 2023

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INTRODUCTION

On April 9, 2018, the City of Council Bluffs City Council adopted Ordinance No. 6326, which established the Council Pointe Road Urban Revitalization Area. This revitalization area consisted of one parcel of land that was located south of Veterans Memorial Highway totaling 5.57 acres in size.

The newly proposed amendment will add one additional parcel to the existing Council Pointe Road Urban Revitalization Plan for a total of 27.16 acres.

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

The City of Council Bluffs wishes to utilize property tax abatement incentives under the Urban Revitalization act to facilitate the construction of commercial facilities providing elderly care and assisted housing in the community. The preparation and subsequent adoption of an Urban Revitalization Plan is required by the Iowa Code prior to the provision of property tax abatement.

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

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

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

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

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

In April 2018, the City of Council Bluffs adopted the Council Pointe Road Urban Revitalization Area under the criteria of element 4. The City now desires to amend the Plan and Area (herein referred to as the “Amended Plan” and “Amended Area”). Consequently, on January 9, 2023, the City Council adopted Resolution No. 23- , which directed staff to prepare an amended plan for the proposed revitalization area. Illustration 1 is the City Council Original Resolution.

Council Pointe Road Urban Revitalization Plan
Illustration 1 – Resolution

RESOLUTION NO. 18-43

A RESOLUTION OF NECESSITY AND INTENT TO ESTABLISH AN URBAN REVITALIZATION AREA LEGALLY DESCRIBED AS LOT 1, FOX RUN LANDING, REPLAT THREE, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

- WHEREAS, the subject area is an appropriate area as defined in Sections 404.1.4 of the Iowa Code; and
- WHEREAS, a proposal has been submitted for the construction of a commercial project on the vacant land; and
- WHEREAS, a plan for the area must be developed in accordance with Section 404.2 of the Iowa Code; and
- WHEREAS, thirty days notice of public hearing is required to be sent to all property owners and occupants within the area; and
- WHEREAS, notice of public hearing is also required in accordance with Section 362.3 of the Iowa Code.

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

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

BE IT FURTHER RESOLVED


That the City Council directs staff to prepare a final plan pursuant to Section 404.2 of the Iowa Code by March 16, 2018.


BE IT FURTHER RESOLVED

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

**ADOPTED
AND
APPROVED:**

February 12, 2018


Matthew J. Walsh Mayor


Jodi Quakenbush City Clerk

ATTEST:

**Council Pointe Road Urban Revitalization Area
Illustration 2 – Amended Plan Resolution**

RESOLUTION NO. _____

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

- WHEREAS, the subject area is an appropriate area as defined in Section 404.1.2 of the Iowa Code; and
- WHEREAS, on April 9, 2018, City Council adopted resolution No. 18-43 approving the Council Pointe Road Urban Revitalization Plan; and
- WHEREAS, the Community Development Department recommends amending the plan to add an additional parcel to the revitalization area; and
- WHEREAS, an amended plan must be developed in accordance with Section 404.2 of the Iowa Code; and
- WHEREAS, thirty days' notice of public hearing is required to be sent to all property owners and occupants within the area; and
- WHEREAS, notice of public hearing is also required in accordance with Section 362.3 of the Iowa Code.

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

That the development of the area is necessary in the interest of the City and the area substantially meets the criteria of Section 404.1.2.

BE IT FURTHER RESOLVED

That the City Council directs staff to prepare a final plan pursuant to Section 404.2 of the Iowa Code by no later than January 12, 2023.

BE IT FURTHER RESOLVED

That the City Council directs the City Clerk to set this matter for public hearing on February 13, 2023.

**ADOPTED
AND
APPROVED:**

January 9, 2023

Matthew J. Walsh

Mayor

ATTEST:

Jodi Quakenbush

City Clerk

LEGAL DESCRIPTION

The Council Pointe Road Urban Revitalization Area is a tract of land containing parcel numbers 744415402001 and 744415176003, legally described as:

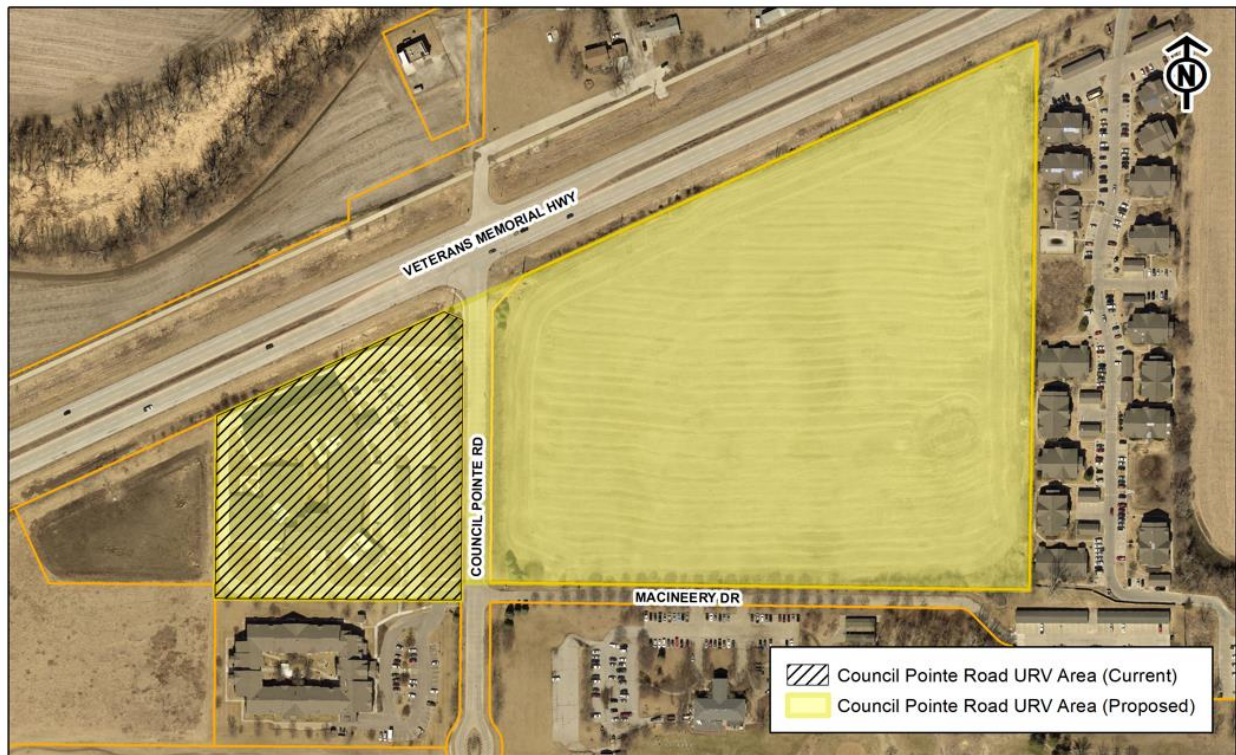
Lot 1, Fox Run Landing, Replat Three, City of Council Bluffs, Pottawattamie County, Iowa.

Lot 116, Fox Run Landing, except the northwest corner dedicated to City right-of-way, along with northerly part of Lot 117 commencing at the southeast corner of said Lot 116, thence North 469.54 feet, thence Northeasterly 885.29 feet, thence South 787.74 feet, and thence West 806.06 feet back to the point of beginning, all in the City of Council Bluffs, Pottawattamie County, Iowa

Illustration 3 shows the location and the boundary of the Council Pointe Road Urban Revitalization Area. The area is 27.16 acres.

Council Pointe Road Urban Revitalization Plan

Illustration 3 – Boundary



PROPERTY OWNERS AND ASSESSED VALUES

The amended Council Pointe Road Urban Revitalization Area will be comprised of 27.16 acres on two parcels of land owned by Fox Run Independent Living LLC and 92 Investments LLC.

Valuation was obtained from the records of the Pottawattamie County Assessor.

Parcel Number	Owner & Address	Land Valuation	Dwelling Valuation	Building Valuation	Total Valuation
744415301001	Fox Run Independent Living LLC 16934 Frances Street, Suite 200 Omaha, NE 68130	\$557,000	\$10,061,300	\$0	\$10,618,300
744415176003	92 Investments LLC 22735 James Dr Council Bluffs, IA 51503	\$22,600	\$0	\$0	\$22,600

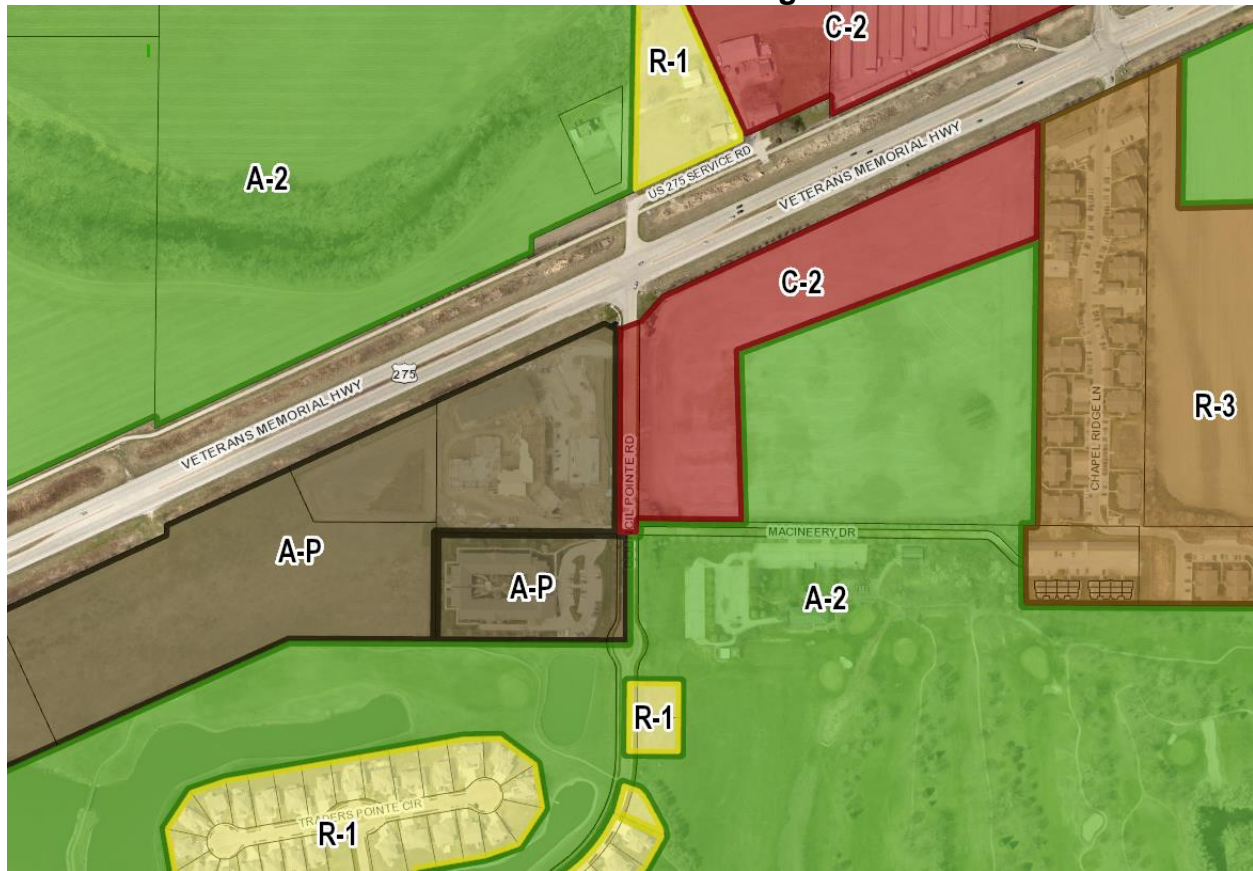
EXISTING ZONING AND PROPOSED LAND USE

The Council Pointe Road Urban Revitalization Area is currently zoned A-P/Administrative-Professional District. The A-P/Administrative-Professional District is intended and designed to provide for the development of professional and low-intensity business offices and uses in areas where residential dwellings exist. The A-P/ Administrative-Professional Office also allows single-family, two-family and multi-family residential dwellings as permitted uses.

Surrounding zoning includes R-1/Single Family Residential District and A-2/Parks, Estates and Agricultural District to the north; C-2/Commercial District to the east; and A-P/ Administrative-Professional District to the south and west. Existing land uses surrounding the subject property includes: undeveloped land and a single-family residential dwelling to the north; a senior living facility (The Heritage at Fox Run) to the south; and undeveloped land to the east and west. The Bluffs Tomorrow: 2030 Future Land Use Plan designates the subject property as High Density Residential and Local Commercial. Illustration 4 depicts the existing zoning for the subject property and surrounding area.

Amended Council Pointe Road Urban Revitalization Plan

Illustration 4 – Zoning



PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES

The proposed Council Pointe Road Urban Revitalization Area is served with all municipal services (sanitary sewer, water and storm sewer) as well as electricity and gas. The project is located adjacent to Veterans Memorial Highway (U.S. Highway 275/92) and Council Pointe Road, which are dedicated public roadways. Both roadways operate at a level service that can adequately handle the additional traffic generated by the proposed project.

RELOCATION PROVISIONS

The Council Pointe Road Urban Revitalization Area is currently undeveloped; therefore, the City will not displace any residential or non-residential tenants because of proposed improvements in the urban revitalization area.

OTHER PUBLIC ASSISTANCE

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

APPLICABILITY AND TAX EXEMPTION SCHEDULE

1. Eligibility - The Council Pointe Road Urban Revitalization Plan will apply to commercial and multi-family residential (12 or more units).

Both new construction and rehabilitation of existing structures will be eligible for tax abatement under the plan. Rehabilitation may include renovation of a structure to bring it to code standards, remodeling and expansion. New construction of multi-family structures containing 12 or more units or the renovation of existing multi-family properties containing 3 or more units will also be eligible for property tax exemption under the plan.

2. Term - The term of this Plan shall be until December 31, 2043 or amended by City Council.

3. Commercial and Industrial

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

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

-OR-

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

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

5. Multi-Family Rehabilitation (3 or more units) - All eligible multi-family rehabilitation projects shall be eligible to receive a 100% exemption for a period of ten years.

6. Improvements - Improvements shall include commercial and industrial rehabilitation and additions to existing structures as well as new construction on vacant land or on land with existing structures. Improvements involving multi-family projects shall include new construction of projects resulting in 12 or more units or the rehabilitation of existing multi-family projects containing 3 or more units (assessed as commercial property). In addition, all improvements must result in the following increases in value:

- For non-residential property, improvements must increase the actual value of the structure by at least 15%. If more than one building is located on the property, the 15% increase requirement applies only to the structure or structures upon which the improvements were made.
- For residential property, the improvement must increase the actual value of the structure by at least 10%.
- If no structures were located on the property prior to the improvements, any improvements may qualify.

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

APPLICATION AND REVIEW PROCESS

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

1. The applicant requests a conference with the Community Development Department to discuss applicability of the request to established policy and review the application process.
2. The applicant completes the required forms and submits them along with all required data by February 1st to the Community Development Department. As part of the acceptance procedure, the Community Development Department shall review the submission for completeness. If there is a deficiency, the Department shall notify the applicant within seven (7) days.
3. The Department shall review the application according to the following criteria:
1) conformance with the Urban Revitalization Plan; 2) a finding that the site is within

a designated area; 3) a finding that the work has been completed within the time required to qualify for abatement in the assessment year; 4) a finding that the application is consistent with Chapter 404 of the Iowa Code; and 5) a finding that the application is consistent with all applicable city codes and ordinances.

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

Attachment A

12/29/22, 11:23 AM

744415402001

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

7444 15 482 001

*** Permanent Property Address ***
 FOX RUN INDEPENDENT LIVING LLC
 4802 COUNCIL POINTE RD
 COUNCIL BLUFFS, IA 51501

***** Mailing Address *****
 FOX RUN INDEPENDENT LIVING LLC
 16934 FRANCES ST STE 200
 OMAHA, NE 68130

District: 002 CO BLUFFS CITY/LC SCHOOL

REAL ESTATE TAXES ON TREASURER'S WEBSITE

Go to: <https://www.municipalinstruments.com/submittinginfo/citysearch/detail/744415402001>

***** TAX DESCRIPTION *****

* Not to be used on legal documents

FOX RUN LANDING REPLAT THREE, LT 1

***** ASSESSED VALUE *****

* Class is for Assessment purposes only - Not Zoning

	2022	Res. Land	Current Value Dwelling	Total	Class
Full Value		\$557,000	\$10,061,300	\$10,618,300	R
Exempt		\$0	\$10,061,300	\$10,061,300	R
Net Total		\$557,000	\$0	\$557,000	R

	2021	Res. Land	Prior Year Value Dwelling	Total	Class
Full Value		\$557,000	\$6,081,100	\$6,638,100	M
Exempt		\$0	\$0	\$0	M
Net Total		\$557,000	\$6,081,100	\$6,638,100	M

***** EXEMPTIONS/CREDITS APPLIED *****

***** OWNERS *****

* Book/Page LINKS TO RECORDER'S WEBSITE

1 D FOX RUN INDEPENDENT LIVING LLC book/page: [2019/03682](#) D

***** SALES HISTORY *****

Sale Date	Amount	Code	Book/Page
03/27/2019	0	D1	2019/03682
10/11/2018	0	P26	2018/14071 multiple parcel sale

***** ASSESSMENT DATA *****

PDF: 11 MAP: 21-11 C.B M-F

Date Reviewed: 01/03/22 GMS

LAND.....242629 sqFt 5.57 acres

Commercial Building 1 of 1 ** Independent Living Apartments (729) Units: 36
DBA: FOX RUN INDEPENDENT LIVINGSTRUCTURE....3 story 12264 base SF 0 bsmt SF 99345 gross SF
Year Built: 2019 Eff Year: 2019 Condition: NormalVERTICALS....Ext Wall: Wood - Frame
Int Wall: Drywall or Equiv.
Front/Doors: Incl. w / Base
Windows: Incl. w / BaseHORIZONTALS..Roof: Asph. Shingle/ Wood Dk
Ceiling: Drywall
Struc Floor: R' Concrete
Floor Cover: Carpet
Partitions: Incl. w / Base
Framing: Wood - Average
HVAC: Combination FHA - AC
Sprinklers: Exposed DryPLUMBING....3-Fixture Bathroom (36)
Sink-Kitchen (36)3-Fixture Bathroom (3)
ADJUSTMENTS..Sprinkler - exposed wet (36792)BLDG EXTRAS..1 Elevator - Pass. Hydraulic: 100 Ft/Min, 3 Stops, 2,500 Lb Capacity
22 Porches,Decks,Patios,etc.: W4.00 x L8.00 32 SF, Wood Deck
11 Porches,Decks,Patios,etc.: W4.00 x L8.00 32 SF, Patio - Conc / Brick

Commercial Building 1 of 1 Addition 1 ** Independent Living Apartments (729) Units: 2

DBA: FOX RUN INDEPENDENT LIVING

STRUCTURE....2 story 5134 base SF 0 bsmt SF
Year Built: 2020 Eff Year: 2020 Condition: NormalVERTICALS....Ext Wall: Wood - Frame
Int Wall: Drywall or Equiv.
Front/Doors: Incl. w / Base
Windows: Incl. w / BaseHORIZONTALS..Roof: Asph. Shingle/ Wood Dk
Ceiling: Drywall
Struc Floor: R' Concrete
Partitions: Incl. w / Base
Framing: Wood - Average
HVAC: Combination FHA - AC
Sprinklers: Exposed wetPLUMBING....Sink-Kitchen (2)
3-Fixture Bathroom (2)

12/29/22, 11:23 AM

744415402001

ADJUSTMENTS..Sprinkler - exposed wet (18268)
BLDG EXTRAS..1 Porches,Decks,Patios,etc.: W4.00 x L8.00 32 SF, Wood Deck

Commercial Building 1 of 1 Addition 2 -- Assisted Living Apartments (726) Units: 23
DBA: FOX RUN INDEPENDENT LIVING
STRUCTURE....2 story 16594 base SF 0 bsmt SF
Year Built: 2020 Eff Year: 2020 Condition: Normal

VERTICALS....Ext Wall: Wood - Frame
Int Wall: Drywall or Equiv.
Front/Doors: Incl. w / Base
Windows: Incl. w / Base

HORIZONTALS..Roof: Asph. Shingle/ Wood Dk
Ceiling: Drywall
Struc Floor: R' Concrete
Floor Cover: Carpet
Partitions: Incl. w / Base
Framing: Wood - Average
HVAC: Combination FHA - AC
Sprinklers: Exposed Dry

PLUMBING.....3-Fixture Bathroom (23)
Sink-Kitchen (23)
3-Fixture Bathroom (5)
Lavatory (2)
Toilet Room (2)
Urinal - Wall (1)
Water Closet (3)

ADJUSTMENTS..Sprinkler - exposed wet (33188)
BLDG EXTRAS..9 Porches,Decks,Patios,etc.: W4.00 x L8.00 32 SF, Patio - Conc / Brick
13 Porches,Decks,Patios,etc.: W4.00 x L8.00 32 SF, Wood Deck
1 Cold Storage: 80 SF, Cooler, 24 SFSA Door, No Door
1 Cold Storage: 80 SF, Freezer, 24 SFSA Door, No Door

Commercial Building 1 of 1 Addition 3 -- Assisted Living Apartments (726)
DBA: FOX RUN INDEPENDENT LIVING
STRUCTURE....1 story 3504 base SF 0 bsmt SF
Year Built: 2020 Eff Year: 2020 Condition: Normal

VERTICALS....Ext Wall: Wood - Frame
Int Wall: Drywall or Equiv.
Front/Doors: Incl. w / Base
Windows: Incl. w / Base

HORIZONTALS..Roof: Asph. Shingle/ Wood Dk
Ceiling: Drywall
Struc Floor: R' Concrete
Floor Cover: Carpet
Partitions: Incl. w / Base
Framing: Wood - Average
HVAC: Combination FHA - AC
Sprinklers: Exposed Dry

PLUMBING.....Toilet Room (2)

ADJUSTMENTS..Sprinkler - exposed wet (3504)

Commercial Building 1 of 1 Addition 4 -- Nursing Home (788) Units: 18
DBA: FOX RUN INDEPENDENT LIVING
STRUCTURE....1 story 15593 base SF 0 bsmt SF
Year Built: 2020 Eff Year: 2020 Condition: Normal

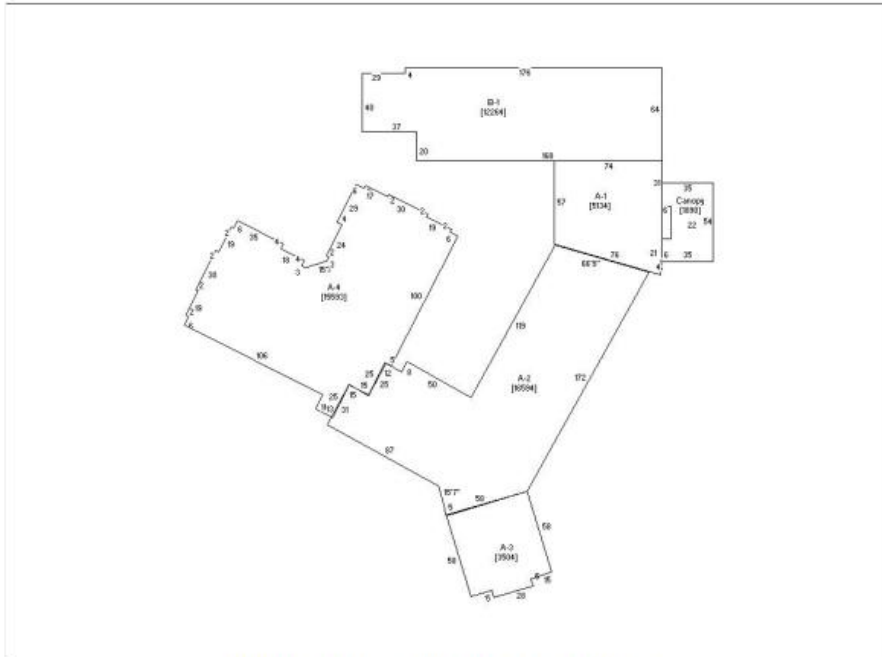
VERTICALS....Ext Wall: Wood - Frame
Int Wall: Drywall or Equiv.
Front/Doors: Incl. w / Base
Windows: Incl. w / Base

HORIZONTALS..Roof: Asph. Shingle/ Wood Dk
Ceiling: Drywall
Struc Floor: R' Concrete
Floor Cover: Carpet
Partitions: Incl. w / Base
Framing: Wood - Average
HVAC: Combination FHA - AC
Sprinklers: Exposed Dry

PLUMBING.....Toilet Room (18)
Toilet Room (2)
Stall Shower or Tub (3)

ADJUSTMENTS..Sprinkler - exposed wet (15593)

BLDG EXTRAS..1 Canopy: 1,890 SF, Frame
YARD EXTRAS..2 Garage W24.00 x L140.00 3,360 SF, Frame, 11.00 S
Paving - Concrete 30,000 SF, Concrete Parking



4802 COUNCIL POINTE RD, FOX RUN INDEPENDENT LIVING LLC



4802 COUNCIL POINTE RD, FOX RUN INDEPENDENT LIVING LLC, 11/05/2021

[Zoom Out](#) [Zoom In](#)



600ft x 600ft

Attachment B

12/29/22, 11:24 AM

744415176003

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

7444 15 176 003

--- Permanent Property Address ---
92 INVESTMENTS LLC

----- Mailing Address -----
92 INVESTMENTS LLC
22735 JAMES DR
COUNCIL BLUFFS, IA 51503

District: 003 CO BLUFFS AG/LC SCHOOL

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

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/744415176003>

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

* Not to be used on legal documents

CO BLUFFS LEWIS AGRI- FOX RUN LANDING LT 116 EXC NW COR TO CITY & PT LT 117 COMM SE COR LT 116
THN469.54' NE885.29'S787.74' W806.06'POB

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

* Class is for Assessment purposes only - Not Zoning

Current Value						
2022	Agri. Land	Dwelling	Improvement	Total	Ag Acres	Class
Full Value	\$22,600	\$0	\$0	\$22,600	21.59	A
Exempt	\$0	\$0	\$0	\$0	0	A
Net Total	\$22,600	\$0	\$0	\$22,600	21.59	A
Prior Year Value						
2021	Agri. Land	Dwelling	Improvement	Total	Ag Acres	Class
Full Value	\$22,600	\$0	\$0	\$22,600	21.59	A
Exempt	\$0	\$0	\$0	\$0	0	A
Net Total	\$22,600	\$0	\$0	\$22,600	21.59	A

===== EXEMPTIONS/CREDITS APPLIED =====

2021 AGLAND

===== OWNERS =====

* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D 92 INVESTMENTS LLC book/page: [2011/15019](#) D

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

Sale Date	Amount	Code	Book/Page
11/07/2011	570000	D34	2011/15019
11/07/2011	570000	D49	2011/14479
05/11/2007	350000	D050	2007/08229

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

PDF: 25 MAP: 21

Date Reviewed: 05/26/10 JC

LAND.....940460 sqFt 21.59 acres

[Zoom Out](#) [Zoom In](#)



1200ft x 1200ft