

Mark Eckman - CVB Year End Update

Review Agenda



City Council Meeting Minutes August 27, 2018

CALL TO ORDER

A regular meeting was called to order by Mayor Matthew J. Walsh on Monday August 27, 2018 at 7:00 p.m.

Council Member Present: Melissa Head, Roger Sandau, Nate Watson, Sharon White and Mike Wolf.

Staff Present: Jodi Quakenbush and Richard Wade.

CONSENT AGENDA

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

Reading, correction and approval of the August 13, 2018 City Council Meeting Minutes.

Ordinance 6348

Ordinance to amend the Zoning Map and setting Public Hearing for September 10, 2018 at 7:00 p.m. as adopted by Reference in Section 15.02.070 of the 2015 Municipal Code of Council Bluffs, Iowa, by rezoning 39.50 acres of land, legally described as being a parcel of land being a portion of the Northeast ¼ of Section 28, Township 75 North, Range 43 West, more particularly described below, from P-C/Planned Commercial District to P-I/Planned Industrial District as defined in Chapter 15.19. Location: Generally located East of College Road, West of Interstate I-80, and South of East Kaneshville Boulevard (U.S. Highway 6). ZC-18-010

Mayor's Appointments

Municipal Housing Agency

July FY19 Financial Reports

Claims

Sharon White and Nate Watson moved and seconded approval of Consent Agenda. Unanimous, 5-0 vote.

MAYORS PROCLAMATIONS

PUBLIC HEARINGS

Resolution 18-250

Resolution authorizing the Mayor to execute the Option Agreement with The Pottawattamie County Development Corporation d/b/a The 712 Initiative, an Iowa non-profit corporation.

Heard from the following citizens in favor of the project:

- 1) Sheryl Garst, Executive Director of The 712 Initiative
- 2) Skip Thompson, 301 South 8th Street
- 3) Sharon Babbitt, 200 Park Avenue
- 4) Susan Opperman, 331 South 8th Street
- 5) Lisa Gusman, 923 5th Avenue
- 6) Turner Morgan, 533 Clark Avenue
- 7) Steve Gorman, 203 5th Avenue
- 8) Alicia Brady, 903 S 3rd Street
- 9) Jackie Thompson, 309 S. 8th Street

Sharon White and Melissa Head moved and seconded approval of Resolution 18-250. Unanimous, 5-0 vote.

Resolution 18-251

Resolution to dispose of City property legally described as Lots 1 and 2, Block 1, Bushnell's Addition. Location: Formerly addressed as 2200 Avenue D. OTB-18-025

Sharon White and Melissa Head moved and seconded approval of Resolution 18-251. Unanimous, 5-0 vote.

Resolution 18-252

Resolution granting final plat approval of a six-lot commercial subdivision to be known as The Marketplace, Replat 3, legally described as being a Replat of Lots 1 and 2, The Marketplace Replat 2. Location: Southeast corner of Interstate 80/29 and South 24th Street. SUB-18-010

Roger Sandau and Mike Wolf moved and seconded approval of Resolution 18-252. Voice Vote, 4-0 vote.
(Abstain: White)

Resolution 18-253

Resolution granting final plat approval of a six lot residential subdivision to be known as New Horizon Subdivision, Replat 2. Location: South of College Road, Northwest of Interstate 80, East of Valley View Drive. SUB-18-013

Melissa Head and Roger Sandau moved and seconded approval of Resolution 18-253. Unanimous, 5-0 vote.

RESOLUTIONS

Resolution 18-254

Resolution authorizing the Mayor to execute an agreement with EMC Risk Services, LLC for Workers Compensation Third Party Administrative Services.

Sharon White and Melissa Head moved and seconded approval of Resolution 18-254. Unanimous, 5-0 vote.

Resolution 18-255

Resolution granting preliminary plan approval for a 13-lot commercial subdivision to be known as 24 Park Place. Location: Southwest corner of the intersection of South 24th Street and Richard Downing Avenue. SUB-18-011

Sharon White and Nate Watson moved and seconded approval of Resolution 18-255. Unanimous, 5-0 vote.

Resolution 18-256

Resolution to extend the deadline for the sale of City owned property legally described as Lot 1, Franklin Heights Subdivision, as established by Resolution Number 18-013. Location: Legally described as Lot 1, Franklin Heights Subdivision. OTB-18-013

Roger Sandau and Melissa Head moved and seconded approval of Resolution 18-256. Unanimous, 5-0 vote.

Resolution 18-257

Resolution adding a Payroll Manager to the authorized strength of the City.

Sharon White and Mike Wolf moved and seconded approval of Resolution 18-257. Unanimous, 5-0 vote.

Resolution 18-258

Resolution amending the planned commercial development plan for The Marketplace Subdivision, relative to landscaping, building setbacks, lot coverage, and shared parking/driveways for proposed lots 1-6, The Marketplace, Replat 3. Location: Southeast corner of Interstate 80/29 and South 24th Street. Location: Southeast corner of Interstate 80/29 and South 24th Street. PC-18-001

Melissa Head and Roger Sandau moved and seconded approval of Resolution 18-258. Voice Vote, 4-0 vote.
(Abstain: White)

Resolution 18-259

Resolution adopting the planned commercial development plan for property located in the North 1/2 of the SE 1/4 of Section 10-74-44 and part of the NW 1/4 of the SW 1/4 of Section 11-74-44 and more particularly described on Attachment "A". Location: Southwest corner of the intersection of South 24th Street and Richard Downing Avenue. PC-18-002

Sharon White and Mike Wolf moved and seconded approval of Resolution 18-259. Unanimous, 5-0 vote.

APPLICATIONS FOR PERMITS AND CANCELLATIONS

Liquor License Renewals

- 1) Big K Mart, 2803 E Kanseville
- 2) Casey's General Store, #3203
- 3) Elk's Lodge, 380 McKenzie Avenue
- 4) La Mesa, 3036 S Expressway
- 5) Lakeside Ampride, 4040 South Expressway
- 6) Mo Fish, 2403 Nash Blvd
- 7) Primos Mexican Rest, 930 5th Avenue
- 8) Quarthouse Lounge, 107 Pearl Street
- 9) Tobacco Hut, 3134 Manawa Center Drive #9
- 10) Thunderbowl & McCoy's on the Bluff, 1900 Madison Avenue

Iowa League of Cities Annual Conference permits

- 1) Fireworks
- 2) Special Event Liquor License

Roger Sandau and Melissa Head moved and seconded approval of Applications for Permits and Cancellations 6A & 6B. Unanimous, 5-0 vote.

OTHER BUSINESS

CITIZENS REQUEST TO BE HEARD

Heard from the following citizens:

- 1) Turner Morgan, 533 Clark, regarding block party trailer.
- 2) LeAnn Hughes, 1420 N 21st Street, regarding insurance for block parties.
- 3) Skip Thompson, 309 S 8th Street, Regarding Fire/Police calls.
- 4) Sheryl Garst, 112 S Main, regarding block party trailer.

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

Matthew J. Walsh, Mayor

Attest: Jodi Quakenbush, City Clerk

ADJOURNMENT

Mayor Walsh adjourned the meeting at 7:32 p.m.

Council Communication

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

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

Council Action: 8/27/2018

Description

Background/Discussion

Recommendation

Council Communication

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

Reading, correction and approval of the August
13, 2018 City Council Meeting Minutes.

Council Action: 8/27/2018

Description

Background/Discussion

Recommendation

ATTACHMENTS:

Description

[Minutes](#)

Type

Other

Upload Date

8/22/2018



City Council Meeting Minutes August 13, 2018

CALL TO ORDER

A regular meeting was called to order by Mayor Matthew J. Walsh on Monday August 13, 2018 at 7:00 p.m.

Council Member Present: Melissa Head, Roger Sandau, Nate Watson and Sharon White. Mike Wolf present via telephone.

Staff Present: Jodi Quakenbush and Richard Wade.

CONSENT AGENDA

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

Reading, correction and approval of the July 23, 2018 City Council Meeting Minutes.

Resolution 18-235

Resolution of intent to dispose of City property and setting Public Hearing for August 27, 2018 at 7:00 p.m. legally described as Lots 1 and 2, Block 1, Bushnell's Addition. Location: Property formerly known as 2200 Avenue D. OTB-18-025

Resolution 18-236

Resolution of Intent to Dispose and setting a Public Hearing for August 27, 2018 at 7:00 pm. for an interest in City property by entering into an Option Agreement with the Pottawattamie County Development Corporation d/b/a The 712 Initiative.

Resolution 18-237

Resolution accepting the work of Compass Utility LLC for the Gifford Road Reconstruction, Phase II and S. 19th Street Extension. Project #PW17-11

Resolution 18-238

Resolution accepting the work of Bluffs Paving and Utility Co. Inc. as complete and authorizing the release of retainage after 30 days if no claims are filed in connection with the ICAAP Project – East Broadway Realignment at Kanessville Boulevard (US Hwy 6). Project # FY15-20B.

Council Bluffs Public Library Annual Report, Claims, Lawsuit (R&F) Offer to Buy.

Sharon White and Nate Watson moved and seconded approval of Consent Agenda. Unanimous, 5-0 vote.

PUBLIC HEARINGS

Ordinances 6340 - 6346 to amend Chapter 15 regarding "small alcohol production facility". ZT-18-002

- 1) Ordinance 6340 - An Ordinance to amend Chapter 15.03-Definitions by enacting new Section 15.03.601 entitled "Small Alcohol Production Facility"
- 2) Ordinance 6341 - An Ordinance to amend Chapter 15.15-C-2/Commercial District by amending sections 15.15.020 "Principal uses" and Section 15.15.060(B) "Additional Regulations" to include "Small Alcohol Production Facility"
- 3) Ordinance 6342 - An Ordinance to amend Chapter 15.17-C-4/Commercial District by amending Section 15.17.020 "Principal Uses" to include "Small Alcohol Production Facility"
- 4) Ordinance 6343 - An Ordinance to amend Chapter 15.16-C-1/Commercial District by amending Section 15.16.020 "Principal Uses" to include "Small Alcohol Production Facility"
- 5) Ordinance 6344 - An Ordinance to amend Chapter 15.18-P-C/Planned Commercial District by amending Section 15.18.020 "Principal Uses" to include "Small Alcohol Production Facility"
- 6) Ordinance 6345 - An Ordinance to amend Chapter 15.20-I-1/Light Industrial District by amending sections 15.20.020 "Principal uses" and Section 15.20.060 "Additional Regulations" to include "Small Alcohol Production Facility"
- 7) Ordinance 6346 - An Ordinance to amend Chapter 15.21-I-2/General Industrial District by amending sections 15.21.020 "Principal uses" and Section 15.21.060 "Additional Regulations" to include "Small Alcohol Production Facility"

Heard from Marshal Redman, 111 S 38th Street

Sharon White and Roger Sandau moved and seconded approval of Ordinances 6340 through 6346. Unanimous, 5-0 vote.

Roger Sandau and Melissa Head moved and seconded approval of Motion to waive third consideration of Ordinances 6340 through 6346. Ordinances pass to Law. Unanimous, 5-0 vote.

Ordinance 6347

Ordinance to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning 47.02 acres of land located in the North 1/2 of the SE1/4 of Section 10-74-44 and part of the NW1/4 of the SW1/4 of Section 11-74-44, more particularly in Council Packet, from A-2/Parks, Estates and Agricultural District to P-C/Planned Commercial District as defined in Chapter 15.18. ZC-18-009

Heard from representative of Olson & Associates, Omaha, NE

Melissa Head and Nate Watson moved and seconded approval of Ordinance 6347. Unanimous, 5-0 vote.

Roger Sandau and Melissa Head moved and seconded approval of Motion to waive third consideration of Ordinance 6347. Unanimous, 5-0 vote.

Resolution 18-239

Resolution granting a License for use of public right-of-way to MCImetro Access Transmission Service Corp. d/b/a Verizon Access Transmission Services and authorizing the City Engineer to execute the License.

Roger Sandau and Nate Watson moved and seconded approval of Resolution 18-239. Unanimous, 5-0 vote.

Resolution 18-240

Public hearing to approve the plans, specifications and form of contract for the 2nd Avenue Sites Demolition and Restoration Project.

Sharon White and moved and seconded approval of Resolution 18-230. Unanimous, 5-0 vote.

Resolution 18-241

Resolution to vacate and dispose of that portion of 11th Avenue extending from the East right-of-way line of the South Expressway, and abutting the properties legally described as Lot 7, Block 11, and the West half of the vacated North/South alley adjacent, Riddles Subdivision, and the East 23 feet of Lot 20, Block 14, and the vacated North/South alley adjacent, Riddles Subdivision. Location: Lying South of 619 11th Avenue and East of the South Expressway. SAV-18-011

Roger Sandau and Melissa Head moved and seconded approval of Resolution 18-241. Unanimous, 5-0 vote.

Resolution 18-242

Resolution approving the plans and specifications for the Levee Certification Project, Geotechnical MR_4 and MR_5. Project #FY15-06C

Melissa Head and Roger Sandau moved and seconded approval of Resolution 18-242. Unanimous, 5-0 vote.

Resolution 18-243

Resolution authorizing the Mayor to execute a quit claim deed to dispose of City property legally described as Lot 3, Block 8, in Hall's Addition to the Council Bluffs Community School District.

Sharon White and Melissa Head moved and seconded approval of Resolutions 18-243. Unanimous, 5-0 vote.

Resolution 18-244

Resolution authorizing the Mayor to execute a quit claim deed to dispose of City property legally described as Lot 4, Block 8, in Hall's Addition to the Council Bluffs Community School District.

Roger Sandau and Melissa Head moved and seconded approval of Resolution 18-4=244. Unanimous, 5-0 vote.

RESOLUTIONS

Resolution 18-245

Resolution authorizing the mayor to sign an Interlocal Agreement between the City Council Bluffs and Pottawattamie County with regard to the Byrne Justice Assistance Grant (JAG) program award.

Sharon White and Nate Watson moved and seconded approval of Resolution 18-245. Unanimous, 5-0 vote.

Resolution 18-246

Resolution authorizing the Mayor and City Clerk to execute an agreement with HGM Associates Inc. for engineering services in connection with the Mid America Center (MAC) Entertainment District Signage Project. Project # BM19-04.

Roger Sandau and Melissa Head moved and seconded approval of Resolution 18-246. Unanimous, 5-0 vote.

Resolution 18-247

Resolution expressing the endorsement of the City/County Connector Trail Project, Iowa DOT project #TAP-U-1642(681)-8V-78, by the Mayor and City Council.

Nate Watson and Sharon White moved and seconded approval of Resolution 18-247. Unanimous, 5-0 vote.

Resolution 18-248

Resolution authorizing the use of eminent domain for the East Beltway Project.

Sharon White and Mike Wolf moved and seconded approval of Resolution 18-248. Unanimous, 5-0 vote.

Resolution 18-249

Resolution confirming the appointment of Vincent Martorello as Director of Parks and Recreation

Sharon White and Nate Watson moved and seconded approval of Resolution 18-249. Unanimous, 5-0 vote.

APPLICATIONS FOR PERMITS AND CANCELLATIONS

Liquor Licenses

- 1) Ameristar Casino, 2200 River Road
- 2) BuckSnort, 28 Scott Street
- 3) Council Bluffs Travel Center, 6541 South 7th Street
- 4) D&S Xpress, 2824 North Broadway
- 5) D&S Xpress, 1220 North 25th Street
- 6) Horseshoe Casino, 2701 23rd Avenue
- 7) Huhot Mangolian Grill, 3120 Manawa Center Drive
- 8) Lincoln's Pub (NEW App) 157 W Broadway
- 9) Lipstix, 1501 N 16th Street
- 10) Olive Garden, 3707 Denmark Drive
- 11) Queen of Apostles Church, 3304 4th Avenue
- 12) Springhill Suites, 3216 Plaza View Drive
- 13) Wal-Mart Superceter #1965, 3200 Manawa Drive

Roger Sandau and Melissa Head moved and seconded approval of Applications for Permits and Cancellations, Item 6A 1-13. Unanimous, 5-0 vote.

CITIZENS REQUEST TO BE HEARD

Heard from Bruce Kelly, 864 McKenzie Avenue, regarding bike trail.
Heard from Robert Fairchild, 2412 S 19th Street, regarding fireworks

OTHER BUSINESS

Administrative Matter.

Nate Watson and Sharon White moved and seconded approval of Motion to approve letter regarding fireworks be sent to the Iowa State Representatives. Unanimous, 5-0 vote.

ADJOURNMENT

Mayor Walsh adjourned the meeting at 7:19 p.m.

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

Matthew J. Walsh, Mayor

Attest: Jodi Quakenbush, City Clerk

Council Communication

Department: Community Development
Case/Project No.: ZC-18-010
Submitted by: Chris Meeks, Planner

Ordinance 6348

Council Action: 8/27/2018

Description

Ordinance to amend the Zoning Map and setting Public Hearing for September 10, 2018 at 7:00 p.m. as adopted by Reference in Section 15.02.070 of the 2015 Municipal Code of Council Bluffs, Iowa, by rezoning 39.50 acres of land, legally described as being a parcel of land being a portion of the Northeast ¼ of Section 28, Township 75 North, Range 43 West, more particularly described below, from P-C/Planned Commercial District to P-I/Planned Industrial District as defined in Chapter 15.19. Location: Generally located East of College Road, West of Interstate I-80, and South of East Kanesville Boulevard (U.S. Highway 6). ZC-18-010

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
SUB-18-012, ZC-18-010 and PI-18-001 Staff Report Including Attachs	Other	8/16/2018
SUB-18-012, ZC-18-010, and PI-18-001 PH Notice	Other	8/16/2018
Ordinance 6348	Ordinance	8/22/2018

Council Communication

<p>Department: Community Development Department</p> <p>CASES #SUB-18-012, #ZC-18-010, and #PI-18-001</p> <p>Applicant/Owner: Iowa Western Community College Foundation Attn: Dr. Dan Kinney 2700 College Road Council Bluffs, IA 51503</p> <p>Engineer: HGM Associates Inc. Attn: John Jorgenson 640 5th Avenue Council Bluffs, IA 51501</p>	<p>Resolution No. _____</p> <p>Ordinance No. _____</p> <p>Resolution No. _____</p>	<p>City Council: 8/27/18</p> <p>Planning Commission: 8/14/18</p>
---	--	--

Subject/Title

Request: CASES #SUB-18-012, #ZC-18-010, and #PI-18-001 - Combined public hearings on the request of Iowa Western Community College Foundation, represented by John Jorgensen of HGM Associates, for the following:

- 1) Rezone 39.50 acres of land, legally described as being A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST ¼ OF SECTION 28, TOWNSHIP 75 NORTH, RANGE 43 WEST, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH ¼ OF SECTION 28; THENCE ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, SOUTH 87 DEGREES 53 MINUTES 54 SECONDS EAST, 42.81 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COLLEGE ROAD, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE, SOUTH 87 DEGREES 54 MINUTES 53 SECONDS EAST, 1617.60 FEET TO A POINT ON THE NORTHWEST RIGHT-OF-WAY LINE OF INTERSTATE 80; THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE THE FOLLOWING EIGHT (8) COURSES: 1) SOUTH 59 DEGREES 11 MINUTES 34 SECONDS WEST, 136.52 FEET; 2) SOUTH 31 DEGREES 37 MINUTES 46 SECONDS WEST, 154.14 FEET; 3) SOUTH 24 DEGREES 18 MINUTES 05 SECONDS WEST, 411.71 FEET; 4) SOUTH 21 DEGREES 57 MINUTES 35 SECONDS WEST, 65.93 FEET; 5) SOUTH 49 DEGREES 23 MINUTES 38 SECONDS WEST, 505.88 FEET; 6) SOUTH 26 DEGREES 08 MINUTES 59 SECONDS WEST, 358.27 FEET; 7) SOUTH 54 DEGREES 47 MINUTES 54 SECONDS WEST, 357.26 FEET; 8) SOUTH 50 DEGREES 14 MINUTES 41 SECONDS WEST, 559.84 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 01 DEGREE 11 MINUTES 51 SECONDS EAST, 1912.10 FEET TO THE TRUE POINT OF BEGINNING; City of Council Bluffs, Pottawattamie County, Iowa, from P-C/Planned Commercial District to P-I/Planned Industrial District; and
- 2) Final plat approval of a one-lot industrial subdivision to be known as Black Hills Subdivision and concurrent adoption of a planned industrial development plan on 10.27 acres of land, legally described as A PARCEL OF LAND, BEING A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW ¼ NE ¼) AND A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW ¼ NE ¼) ALL IN SECTION 28, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAL, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA,

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH ¼ CORNER OF SECTION 28; THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW ¼ NE ¼) SOUTH 00 DEGREES 54 MINUTES 08 SECONDS WEST 1015.64 FEET; THENCE SOUTH 88 DEGREES 50 MINUTES 10 SECONDS EAST, 37.58 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COLLEGE ROAD, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 50 MINUTES 10 SECONDS EAST, 858.69 FEET TO A POINT ON THE NORTHWEST RIGHT-OF-WAY LINE OF INTERSTATE 80; THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES; 1) SOUTH 26 DEGREES 08 MINUTES 59 SECONDS WEST 351.54 FEET; 2) SOUTH 54 DEGREES 47 MINUTES 54 SECONDS WEST, 357.26 FEET; 3) SOUTH 50 DEGREES 14 MINUTES 41 SECONDS WEST, 559.84 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 01 DEGREE 11 MINUTES 51 SECONDS EAST, 897.17 FEET TO THE TRUE POINT OF BEGINNING; City of Council Bluffs, Pottawattamie County, Iowa.

Location: Generally located East of College Road, West of Interstate I-80, and South of East Kanesville Boulevard (U.S. Highway 6)

Background/Discussion

The Community Development Department has received applications from the Iowa Western Community College Foundation, represented by John Jorgenson of HGM Associates Inc., to 1) execute a Final Plat for a one lot minor subdivision to be known as Black Hills Subdivision; 2) to rezone approximately 39.5 acres of land from P-C/Planned Commercial to P-I/Planned Industrial; and 3) to append a planned industrial development plan over the area proposed to be known as Lot 1, Black Hills Subdivision. The applicant has submitted these applications to accommodate an Operations Center and Training Facility for the Black Hills Corporation.

Land Use and Zoning

The subject property is currently undeveloped, and is zoned P-C/Planned Commercial District. Surrounding land uses and zoning districts are as follows:

North: Undeveloped land that is zoned P-C/Planned Commercial

South: Interstate 80, and undeveloped land that is zoned A-2/Parks, Estates and Agricultural District

East: Interstate 80, and undeveloped land that is zoned A-2/Parks, Estates and Agricultural District

West: The Iowa Western Community College campus which is zoned A-2/Parks, Estates and Agricultural District, and housing associated with Iowa Western Community College which is zoned R-3/Low Density Multifamily Residential.

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

CASE #SUB-18-012: Minor subdivision final plat approval of a one (1) lot industrial subdivision to be known as Black Hills Subdivision. Access to the subdivision will come from a private drive to the north of the proposed lot that is partially constructed and intersecting at College Road. The subdivision contains one (1) lot that is approximately 10.27 acres in size.

The Letter of Intent (see Attachment B) as submitted by the applicant states that the site will be served by sanitary sewer, water, electric, and gas facilities. The applicant states that a Storm Water Pollution Prevention Plan will be developed in accordance with Iowa DNR requirements, and will incorporate Best Management Practices during construction.

CASE #ZC-18-010: Rezone approximately 39.5 acres of land located in Northeast ¼ of Section 28-75-43 from P-C/Planned Commercial to P-I/Planned Industrial. This rezoning will accommodate the Operation Center and Training Facility that is proposed for the site, as well as allow additional industrial development on the remaining acreage included in this request. Prior to development on the properties that are zoned as P-I/Planned Industrial District, the developer will be required to submit a development plan for review and approval of the Planning Commission and City Council (the development plan for the Black Hills Subdivision is included with this report).

CASE #PI-18-001: Review and approval of a development plan that will cover Lot 1 of the proposed Black Hills Subdivision, which will encompass approximately 10.27 acres of land, and will be home to an Operations Center and Training Facility for the Black Hills Corporation. Per the submitted letter of intent, the Operation Center and Training Facility will be an approximately 75,000 gross square foot mixed occupancy building that will be two stories in height, and will provide office space for roughly 150 employees, along with classrooms and labs for the training of employees in the region. The facility will also include material storage and a garage area for the support of the daily services Black Hills provides, as well as a meter shop which will test, refurbish, and distribute gas meters across all Black Hills service areas.

As a part of this development, the site will also include an outdoor large equipment training area, and simulation training area to be known as "Gas Town". The Gas Town area will feature small, non-habitable buildings that simulate houses, along with roadways and other features that a neighborhood may have (see Attachment H). The Gas Town simulation area is designed to provide training in a controlled environment that would subject trainees to situations that would occur in a community, such as broken gas meters, gas leaks, or replacement of gas utilities. The large equipment training area as well as the roadways in the Gas Town area are proposed to be graveled to allow the areas to be easily reset after training sessions. The proposed parking areas, material storage yard, equipment storage yard, drive aisles, and rear surface lot are all proposed to be hard surface paved in accordance with City of Council Bluffs requirements.

City Departments and Utilities: The appropriate City departments and utilities have reviewed the proposed replat and planned commercial development plan with comments incorporated below.

- The Fire Marshall stated he has no comments regarding any of the cases.
- The Permits and Inspections Division stated they have no comments regarding any of the cases.
- The Public Works Department has the following comments:
 - 1) No comments on the rezoning request.
 - 2) No direct comments on the Planned Industrial Development Plan.
 - 3) The following comments pertain to the Subdivision request:
 - a) Platting- Lot line easement note needs to include standard restrictions notes.
 - b) A sidewalk will need to be installed along the College Road frontage of the property.
 - c) Stormwater Management will be required for both quantity and quality as noted with a PCSM being developed at the time of development.
 - d) Stormwater drainage released through the Iowa Department of Transportation's utilities will require IDOT permitting and approval.
 - e) Utility improvements are noted as stated.
- Council Bluffs Water Works stated a main extension agreement to extent the water main on college road has been signed by the developer.
- MidAmerican Energy stated they have no objections to the proposed plat, and has overhead utilities that will be able to serve the site. The developer will be responsible to install the transformer pad and conduits, and provide MidAmerican Energy electric loads.

The following attachments have been included for your review:

Attachment A: Location and Zoning Map

Attachment B: Letter of Intent

Attachment C: Preliminary Subdivision Plan

Attachment D: Final Subdivision Plan
Attachment E: Rezoning Map
Attachment F: Development Plan Maps
Attachment G: Proposed Building Rendering and Materials
Attachment H: "Gas Town" Example Photos

Comments

Subdivision Final Plat- The Community Development Director has determined that the proposed subdivision qualifies as a minor subdivision, then the minor subdivision shall be exempt from major subdivision requirements and procedures of this title. A final subdivision plat approved by the city council must be recorded at the office of the Pottawattamie County Recorder by the subdivider within ninety (90) days of its approval. If a final subdivision plat is not recorded within this time period, the plat shall be null and void, unless an extension of time has been requested by the subdivider and approved by the Community Development Department Director.

1. The proposed subdivision is consistent with the Bluffs Tomorrow: 2030 Plan (comprehensive plan) as well as the purpose and intent of the Council Bluffs Municipal Code (Subdivision & Zoning Ordinances).
2. The proposed lot in the P-I/Planned Industrial District must comply with the site development regulations as set forth in the development plan.
3. The subdivision is proposed to be accessed by a private road to the North that will be constructed to City of Council Bluffs Public Works Department standards. Lot 1 of the proposed subdivision will have frontage on to College Road. A 50 foot wide ingress/egress easement for access to the subdivision will be recorded as a separate instrument, but referenced on the final plat.
4. All lots within the subdivision will be serviced with utilities including: water, sanitary sewer, communications, electricity and natural gas. The applicant must coordinate with all providers to determine construction design. Any cost to relocate and/or remove existing utilities for the construction of this subdivision shall be at the sole expense of the applicant and not the City.
5. A water main extension agreement with Council Bluffs Water Works has been signed by the developer.
6. The applicant must enter into an agreement with Mid-American Energy in order to extend electrical distribution facilities to the proposed subdivision. The developer will be responsible to install the transformer pad and conduits, and provide MidAmerican Energy electric loads.
7. The standard 10 foot and 5 foot utility easements along the front and rear property lines should be stated on the final plat.
8. Stormwater drainage released through the Iowa Department of Transportation's utilities will require IDOT permitting and approval.
9. Any future subdivision of the land will also require formal subdivision platting.

Rezoning-

1. The subject property is currently zoned P-C/Planned Commercial District. Surrounding zoning districts include P-C/Planned Commercial District to the North, A-2/Parks, Estates and Agricultural District to the East, South, and West, and R-3/Low Density Multifamily Residential District to the West.
2. The applicant has proposed to rezone the subject property to P-I/Planned Industrial District.
3. A development plan will be required prior to the development of any parcels, as per the requirements of the P-I/Planned Industrial District.
4. The one lot subdivision to be known as Black Hills Subdivision will house an Operation Center and Training Facility for the Black Hills Corporation. This use is consistent with the principal uses that have been established for the P-I/Planned Industrial District.
5. The future land use plan of the Bluffs Tomorrow 2030 (comprehensive plan) designates the subject property as Office/Industrial. The proposed rezoning is consistent with future land use plan.
6. All property owners located within 200 feet of the proposed rezoning area were notified by direct mail. No comments have been received as of the date of this report.

Development Plan-

1. The proposed development plan shows a two-story building to be used as offices, classrooms, material storage, garage area, and a gas meter shop to be used by the Black Hills Corporation.
2. The exterior site plan shows an employee and guest parking area, a material storage yard, an equipment storage yard, a truck loading/unloading area, a large equipment training area, and an outdoor training area to be known as "Gas Town".
3. The site development standards for the lot shall include minimum setbacks of 15 feet in the front yard, 10 feet for an interior side yard, 10 feet for a street side yard, and 10 feet for a rear yard. The maximum height of any structure on the property shall be 75 feet, and the lot coverage for all structures shall not exceed 70%. Parking lots shall also have a 5 foot setback from all property lines.
4. The structures constructed in the "Gas Town" area shall be considered non-habitable accessory structures used for training purposes, and shall not be used for storage of equipment or material not used in training exercises. The Large Equipment Training Area shall also be used for training purposes, and shall not be used for storage of equipment or material not used in training exercises.
5. Gravel will be permitted in the "Gas Town" area and Large Equipment Training area to allow ease of resetting the site between training exercises. The "Gas Town" Area shall be limited to 22,500 square feet in area, and the Large Equipment Training Area shall be limited to 49,500 square feet in area.
6. The subject property has frontage along College Road, though the applicant proposes to access the site from a private road to the North of the subject property. The property will have no direct access on to College Road.
7. All lots within the subdivision will be serviced with utilities including: water, sanitary sewer, communications, electricity and natural gas.
8. All proposed buildings and developments on the subject property shall be constructed to comply with all applicable fire codes as required by the Council Bluffs Fire Department.
9. Sidewalks must be constructed along College Road, as required by the Public Works Department. Sidewalks shall be installed at the time of building construction on the property, and shall be completed prior to the issuance of a certificate of occupancy.
10. The parking requirements for the site must be calculated per the standards set forth in Section 15.23.060(04), *Parking spaces required* of the Council Bluffs Municipal Code (Zoning Ordinance).
11. The building exterior, as submitted by the applicant (see Attachment G) is made of up glass, stone, and varieties of metal paneling, and is generally acceptable. Design standards shall be as follows:
 - A) The front (West facing) elevation shall have a minimum of 30% Glass, 5% Stone Veneer, 25% as Metal Panel 3 as shown on Attachment G of this report or a precast concrete, and a maximum of 40% corrugated-style metal paneling that is shown as Metal Panel 1 & 2 on Attachment G of this report. Metal Panel 1 and 2 shall be of differing colors, and shall be installed at approximately 75% one color, and 25% a separate contrasting color. Metal Panel 3 shall be considered a separate building material from Metal Panel 1 and 2.
 - B) The North elevation shall incorporate a minimum of 25% Metal Panel 3 or precast concrete (or similar material used on the front façade), glass, or stone veneer.
12. Signage requirements shall be designed in compliance with Chapter 15.33 – *Signs*, of the Council Bluffs Zoning Ordinance.
13. The landscaping of the site shall include the following features.
 - A) Trees shall be planted along the frontage of College Road to the West and the Private Drive to the North.
 - B) Landscaping around the Western and Northern sides of the building (excluding the area in front of the garage bays) shall consist of a four foot wide landscaping bed with grass, shrubs, and other related plants, and shall be designed to limit the use of inorganic planting materials (such as river/landscaping rock).
 - C) A berm shall be installed along the westerly boundary of Gas Town area, and large equipment training area where gravel will be utilized. The berm shall be installed to contain the gravel within the specified training areas.

- D) A landscaped buffer utilizing trees, tall hedges, or shrubs shall be planted west of the Gas Town area and Large Equipment Training area along to be used as a buffer between the training areas and College Road.
- E) Fencing along the frontage of College Road and the Private Drive to the North shall be limited to an ornamental iron fence in material, and may not include any barbed wire. Barbed wire will be allowed on the Eastern and Southern sides of the property adjacent to the right-of-way of Interstate 80. Fencing should otherwise be consistent with the standards established in Section 15.24.040 – *Fence regulations* of the Zoning Ordinance.
- F) All outdoor storage areas shall be screened from view with a minimum six foot tall privacy fence comprised of wood, vinyl, chain-link with slats, vegetation, or other related material.

Recommendation

The Community Development Department recommends:

1. Approval of a one (1) lot subdivision to be known as Black Hills Subdivision, as shown on Attachment C, subject to the comments above and conditions below:
 - a) The names of the owner on the final plat must be corrected to "Iowa Western Community College Foundation" as it states on the deed, from "Iowa Western Foundation". This shall be corrected under the "Owner" section and "Dedication" section of the final plat.
 - b) A final subdivision plat approved by the city council must be recorded at the office of the Pottawattamie County Recorder by the subdivider within ninety (90) days of its approval. If a final subdivision plat is not recorded within this time period, the plat shall be null and void, unless an extension of time has been requested by the subdivider and approved by the Community Development Department Director.
 - c) Stormwater Management will be required for both quantity and quality as noted with a PCSM being developed at the time of development.
 - d) Stormwater drainage released through the Iowa Department of Transportation's utilities will require IDOT permitting and approval.
 - e) With adequate engineering and construction controls, the land is suitable for the proposed development. Construction plans for streets, sanitary sewer and storm drainage shall be submitted to the Public Works Department for review and approval prior to beginning construction. Construction plans and comprehensive plans for grading, drainage and erosion control, including right-of-way during site preparation, utility installation and construction shall be submitted to the Public Works Department for review and approval prior to beginning any earth disturbing activity. All applicable permits necessary to meet local, state and federal requirements shall be the applicant's responsibility.
 - f) An erosion and sediment control along with a grading plan shall be submitted with the construction plans. The erosion and sediment control plan will include temporary and permanent vegetative cover, structural measures, phasing and a maintenance and inspection program to address removal of sediment during construction and following any rainfall.
 - g) All utilities shall be located underground.
 - h) Sidewalks shall be installed along the street frontage of each lot at no expense to the City, prior to issuance of a certificate of occupancy for each building.
2. Approval of the request to rezone the subject properties from P-C/Planned Commercial to P-I/Planned Industrial, subject to the following condition.
 - a) A development plan shall be submitted and approved prior to the development of any parcel in the P-I/Planned Industrial District.
3. Adoption of the Development Plan for Lot 1, Black Hills Subdivision, for the Black Hills Corporation Operations Center and Training Facility, subject to the following conditions:
 - a) The front (West facing) elevation shall have a minimum of 30% Glass, 5% Stone Veneer, 25% as Metal Panel 3 as shown on Attachment G of this report or a precast concrete, and a maximum of 40%

corrugated-style metal paneling that is shown as Metal Panel 1 & 2 on Attachment G of this report. Metal Panel 1 and 2 shall be of differing colors, and shall be installed at approximately 75% one color, and 25% a separate contrasting color. Metal Panel 3 shall be considered a separate building material from Metal Panel 1 and 2.

- b) The North elevation shall incorporate a minimum of 25% Metal Panel 3 or precast concrete (or similar material used on the front façade), glass, or stone veneer.
- c) The Site Development Standards for the lot shall include minimum setbacks of 15 feet in the front yard, 10 feet for an interior side yard, 10 feet for a street side yard, and 10 feet for a rear yard. The maximum height of any structure on the property shall be 75 feet, and the lot coverage for all structures shall not exceed 70%. Parking lots shall also have a 5 foot setback from all property lines.
- d) Gravel will be permitted in the "Gas Town" area and Large Equipment Training area to allow ease of resetting the site between training exercises. The "Gas Town" Area shall be limited to 22,500 square feet in area, and the Large Equipment Training Area shall be limited to 49,500 square feet in area. The structures constructed in the "Gas Town" area shall be considered non-habitable accessory structures used for training purposes, and shall not be used for storage of equipment or material not used in training exercises. The Large Equipment Training Area shall also be used for training purposes, and shall not be used for storage of equipment or material not used in training exercises.
- e) All proposed buildings and developments on the subject property shall be constructed to comply with all applicable fire codes as required by the Council Bluffs Fire Department.
- f) A berm shall be installed along the Gas Town area, and large equipment training area where gravel will be utilized. The berm shall be installed to contain the gravel within the specified training areas.
- g) A landscaped buffer utilizing trees, tall hedges, or shrubs shall be planted west of the Gas Town area and Large Equipment Training area along to be used as a buffer between the training areas and College Road.
- h) Ornamental iron fencing shall be the only allowable fencing allowed along the frontage of College Road and the Private Drive to the North.
- i) All outdoor storage areas shall be screened from view with a minimum six foot privacy fence comprised of wood, vinyl, chain-link with slats, vegetation, or other related material.

Public Hearing

Speakers in favor:

- 1. Ron Tekippe, HGM Associates, 640 5th Avenue, Council Bluffs, IA 51501
- 2. Wes Ashton, Black Hills Corporation, 1205 SW 37th Street, Grimes, IA 50111
- 3. Eric Monroe, Black Hills Corporation, 7001 Mt. Rushmore Road, Rapid City, SD 57702

Speakers against: None.

Planning Commission Recommendation

The Planning Commission recommends:

- 1. Approval of a one (1) lot subdivision to be known as Black Hills Subdivision, as shown on Attachment C, subject to the comments above and conditions below:
 - a. The names of the owner on the final plat must be corrected to "Iowa Western Community College Foundation" as it states on the deed, from "Iowa Western Foundation". This shall be corrected under the "Owner" section and "Dedication" section of the final plat.
 - b. A final subdivision plat approved by the city council must be recorded at the office of the Pottawattamie County Recorder by the subdivider within ninety (90) days of its approval. If a final subdivision plat is not recorded within this time period, the plat shall be null and void, unless an extension of time has been requested by the subdivider and approved by the Community Development Department Director.
 - c. Stormwater Management will be required for both quantity and quality as noted with a PCSM being developed at the time of development.

- d. Stormwater drainage released through the Iowa Department of Transportation's utilities will require IDOT permitting and approval.
 - e. With adequate engineering and construction controls, the land is suitable for the proposed development. Construction plans for streets, sanitary sewer and storm drainage shall be submitted to the Public Works Department for review and approval prior to beginning construction. Construction plans and comprehensive plans for grading, drainage and erosion control, including right-of-way during site preparation, utility installation and construction shall be submitted to the Public Works Department for review and approval prior to beginning any earth disturbing activity. All applicable permits necessary to meet local, state and federal requirements shall be the applicant's responsibility.
 - f. An erosion and sediment control along with a grading plan shall be submitted with the construction plans. The erosion and sediment control plan will include temporary and permanent vegetative cover, structural measures, phasing and a maintenance and inspection program to address removal of sediment during construction and following any rainfall.
 - g. All utilities shall be located underground.
 - h. Sidewalks shall be installed along the street frontage of each lot at no expense to the City, prior to issuance of a certificate of occupancy for each building.
2. Approval of the request to rezone the subject properties from P-C/Planned Commercial to P-I/Planned Industrial, subject to the following condition.
 - a. A development plan shall be submitted and approved prior to the development of any parcel in the P-I/Planned Industrial District.
3. Adoption of the Development Plan for Lot 1, Black Hills Subdivision, for the Black Hills Corporation Operations Center and Training Facility, subject to the following conditions:
 - a. The front (West facing) elevation shall have a minimum of 30% Glass, 5% Stone Veneer, 25% as Metal Panel 3 as shown on Attachment G of this report or a precast concrete, and a maximum of 40% corrugated-style metal paneling that is shown as Metal Panel 1 & 2 on Attachment G of this report. Metal Panel 1 and 2 shall be of differing colors, and shall be installed at approximately 75% one color, and 25% a separate contrasting color. Metal Panel 3 shall be considered a separate building material from Metal Panel 1 and 2.
 - b. The North elevation shall incorporate a minimum of 25% Metal Panel 3 or precast concrete (or similar material used on the front façade), glass, or stone veneer.
 - c. The Site Development Standards for the lot shall include minimum setbacks of 15 feet in the front yard, 10 feet for an interior side yard, 10 feet for a street side yard, and 10 feet for a rear yard. The maximum height of any structure on the property shall be 75 feet, and the lot coverage for all structures shall not exceed 70%. Parking lots shall also have a 5 foot setback from all property lines.
 - d. Gravel will be permitted in the "Gas Town" area and Large Equipment Training area to allow ease of resetting the site between training exercises. The "Gas Town" Area shall be limited to 22,500 square feet in area, and the Large Equipment Training Area shall be limited to 49,500 square feet in area. The structures constructed in the "Gas Town" area shall be considered non-habitable accessory structures used for training purposes, and shall not be used for storage of equipment or material not used in training exercises. The Large Equipment Training Area shall also be used for training purposes, and shall not be used for storage of equipment or material not used in training exercises.
 - e. All proposed buildings and developments on the subject property shall be constructed to comply with all applicable fire codes as required by the Council Bluffs Fire Department.
 - f. A berm shall be installed along the Gas Town area, and large equipment training area where gravel will be utilized. The berm shall be installed to contain the gravel within the specified training areas.

- g. A landscaped buffer utilizing trees, tall hedges, or shrubs shall be planted west of the Gas Town area and Large Equipment Training area along to be used as a buffer between the training areas and College Road.
- h. Ornamental iron fencing shall be the only allowable fencing allowed along the frontage of College Road and the Private Drive to the North.
- i. All outdoor storage areas shall be screened from view with a minimum six foot privacy fence comprised of wood, vinyl, chain-link with slats, vegetation, or other related material.

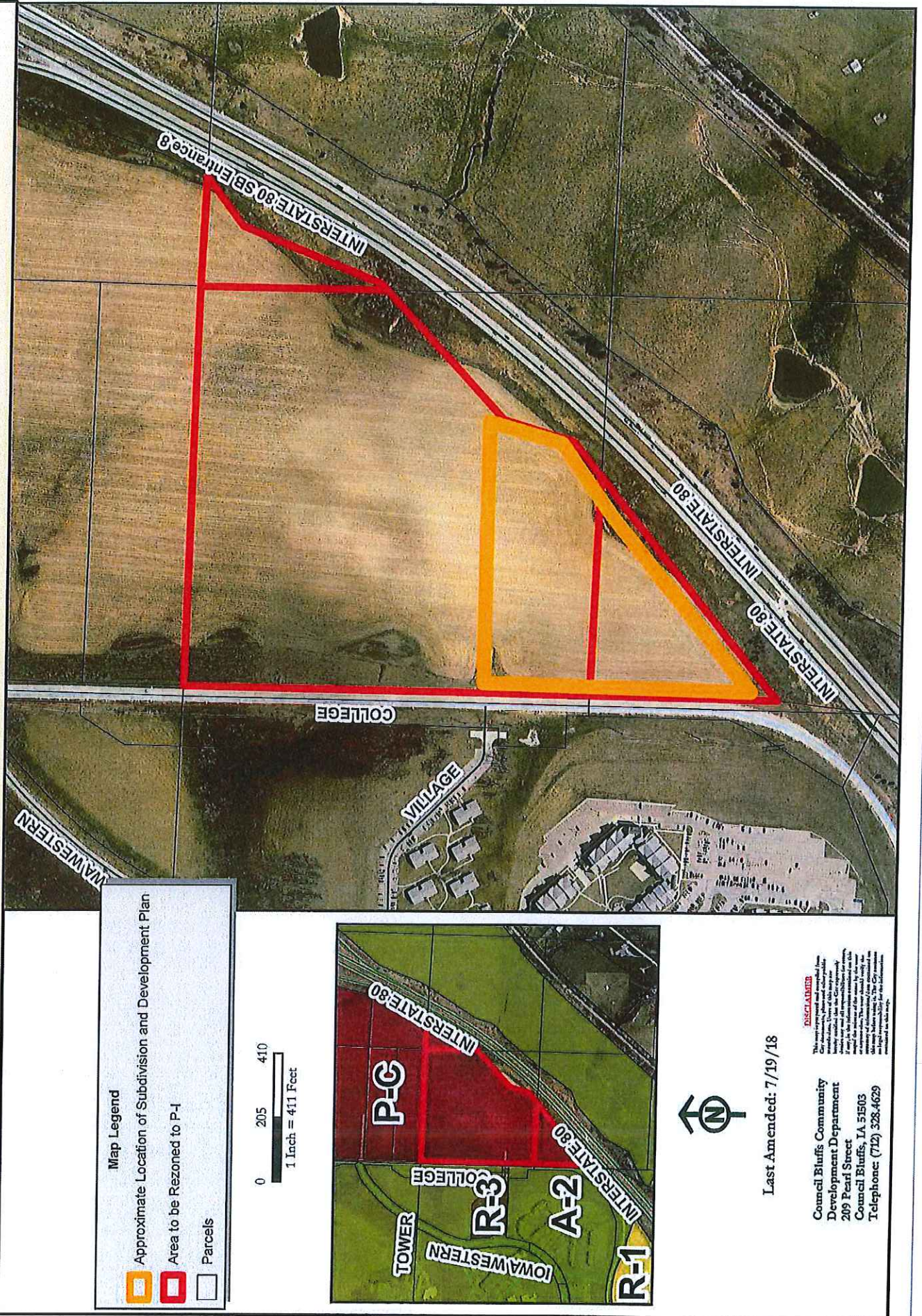
VOTE: AYE 6 NAY 0 ABSTAIN 1 ABSENT 0 VACANT 4 Motion: Carried

Attachment A: Location and Zoning Map
Attachment B: Letter of Intent
Attachment C: Preliminary Subdivision Plan
Attachment D: Final Subdivision Plan
Attachment E: Rezoning Map
Attachment F: Development Plan Maps
Attachment G: Proposed Building Rendering and Materials
Attachment H: "Gas Town" Example Photos

Prepared by: Chris Meeks, Planner

Attachment A

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASE #SUB-18-012, CASE #ZC-18-010, and CASE #PI-18-001



LETTER OF INTENT
Black Hills Subdivision / Development Plan

HGM# 107318

July 2018

Black Hills Corporation (BHC) is proposing to construct an Operations Center and Training Facility on approximately 10 acres of land between Iowa Western Community College and Interstate 80. The new BHC - Operations and Training Center will include a roughly 75,000 GSF mixed occupancy building with off street parking, training and material storage areas located on site. The two-story building will serve BHC with office space for roughly 150 employees and will include classrooms and labs for the training of employees around the region. The building also incorporates a meter shop which tests, refurbishes, and distributes gas meters across all the BHC service areas. Finally, an essential asset of the building is a material storage and garage area that supports the daily service activities for gas service to the surrounding area. The design of this building, as the first of this development, aims to serve as a positive example of how to design a commercial and industrial property as a good neighbor to the surrounding community.

Extension of the public Sanitary Sewer (10") and public Water Main (12") on the east side of College Road are currently being designed by others to serve this site. 15" and 24" public storm sewer currently existing on the east side of College Road and a culvert extends under Interstate 80. Existing MidAmerican Energy overhead power currently exists on the west side of College Road.

The proposed civil site infrastructure improvements include: private fire/domestic water and sanitary sewer services connecting to the public system, private storm sewer system which will drain to the site detention basin. Site improvements will include a concrete parking lot for public and employee parking with approximately 200 stalls, concrete sidewalks and storage yards. The site will be designed to accommodate semi tractor-trailer and the site will be secured with fencing and access gates.

A Storm Water Pollution and Prevention Plan will be developed base on Iowa DNR requirements and will incorporate Best Management Practices (BPM's) include silt fence, filter socks and silt control basins. In addition, a Post Construction (PCSMP) plan will be developed to meet the City of Council Bluffs requirements.

The parking lot lighting will include pole placement, buried electrical cable in conduit and electrical service for the exterior lighting system. Landscaping improvements will be included to comply with the City of Council Bluffs requirements

A geotechnical report was prepared by Thiele Geotechnical Inc. HGM is currently working with the Public Works Department on developing the site drainage report.

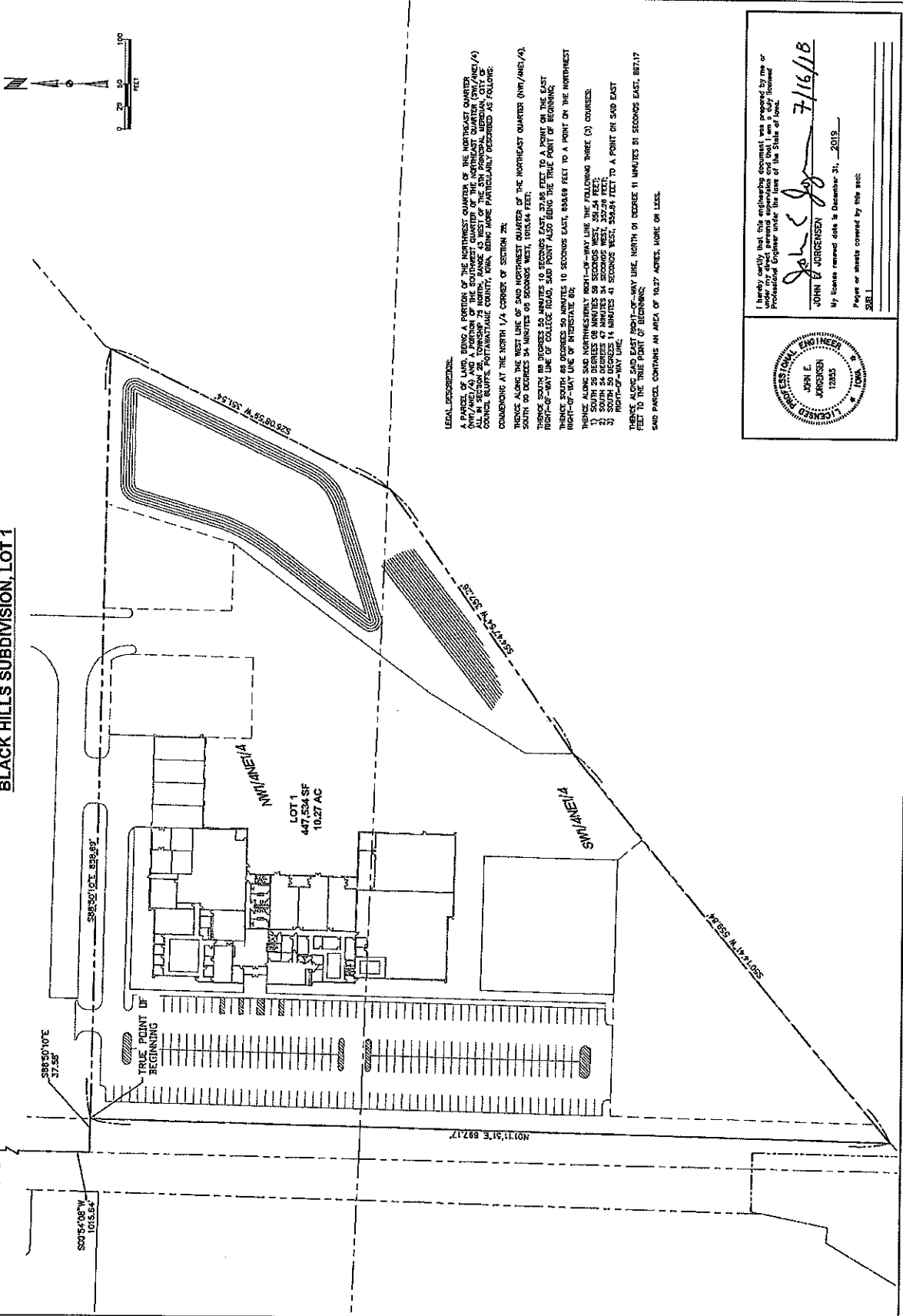
Construction is schedule to start this fall/winter with all work scheduled to be complete by May 2020. All project work will be completed as one phase.

This letter was authored by John Jorgensen, PE, HGM Associates Inc.

Attachment C

N1/4 CORNER
SECTION 86-75-13

BLACK HILLS SUBDIVISION, LOT 1



LEGAL DESCRIPTION:
A PARCEL OF LAND, BEING A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER
SECTION 86, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY BLUFFS, POTOMAC COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 2N,
THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4),
SOUTH 90 DEGREES 54 MINUTES 05 SECONDS WEST, 1015.64 FEET;
THENCE SOUTH 88 DEGREES 50 MINUTES 10 SECONDS EAST, 324.85 FEET TO A POINT ON THE EAST
RIGHT-OF-WAY LINE OF COLLEGE ROAD, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;
THENCE SOUTH 68 DEGREES 50 MINUTES 10 SECONDS EAST, 858.68 FEET TO A POINT ON THE NORTHWEST
RIGHT-OF-WAY LINE OF INTERSTATE 80;
THENCE ALONG SAID NORTHWEST RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:
1) SOUTH 88 DEGREES 50 MINUTES 10 SECONDS EAST, 324.85 FEET;
2) SOUTH 44 DEGREES 47 MINUTES 54 SECONDS WEST, 559.84 FEET;
3) SOUTH 50 DEGREES 14 MINUTES 41 SECONDS WEST, 559.84 FEET TO A POINT ON SAID EAST
RIGHT-OF-WAY LINE;
THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 01 DEGREE 11 MINUTES 51 SECONDS EAST, 887.17
FEET TO THE TRUE POINT OF BEGINNING;
SAID PARCEL CONTAINS AN AREA OF 10.27 ACRES, MORE OR LESS.



I hereby certify that this engineering document was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.
John L. Jorgensen 7/16/18
JOHN L. JORGENSEN
My license renewal date is December 31, 2019.
Pages or sheets covered by this seal:
SUB 1

THIS SEAL IS VALID FOR THE STATE OF IOWA ONLY. IT IS NOT VALID FOR ANY OTHER STATE. IT IS NOT VALID FOR ANY OTHER PURPOSE. IT IS NOT VALID FOR ANY OTHER REASON.

hym
ASSOCIATES INC.
640 POTH AVENUE COUNCIL BLUFFS, IA
PHONE: 712-323-0530

DATE: _____
BY: _____
FOR: _____
PROJECT: _____

PROJECT: BLACK HILLS SUBDIVISION, LOT 1
SHEET: BLACK HILLS ENERGY
PRELIMINARY PLAN

SUB 1
107218
SUB 1

FINAL PLAT OF
BLACK HILLS SUBDIVISION

LAND, BEING A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST 4NE1/4(4) AND A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST 4NE1/4(4) ALL IN SECTION 28, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 28;

THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4(4)) SOUTH 50 DEGREES 34 MINUTES 00 SECONDS WEST, 1015.64 FEET;

THENCE SOUTH 88 DEGREES 50 MINUTES 10 SECONDS EAST, 37.58 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COLLEGE ROAD, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE SOUTH 88 DEGREES 50 MINUTES 10 SECONDS EAST, 838.68 FEET TO A POINT ON THE NORTHWEST RIGHT-OF-WAY LINE OF INTERSTATE 80;

THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

1) SOUTH 26 DEGREES 08 MINUTES 59 SECONDS WEST, 351.54 FEET;

2) SOUTH 54 DEGREES 47 MINUTES 34 SECONDS WEST, 357.26 FEET;

3) SOUTH 50 DEGREES 17 MINUTES 41 SECONDS WEST, 459.84 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE;

THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 01 DEGREE 51 MINUTES 51 SECONDS EAST, 897.17 FEET TO THE TRUE POINT OF BEGINNING;

SAID PARCEL CONTAINS AN AREA OF 10.27 ACRES, MORE OR LESS.

EDUCATION:

KNOW ALL PERSONS BY THESE PRESENTS THAT IOWA WESTERN FOUNDATION, BEING THE SOLE OWNER OF THE PROPERTY DESCRIBED WITHIN THE LEGAL DESCRIPTION AND EMBRACED WITHIN THIS PLAT, HAS SUBDIVIDED THE PROPERTY TO BE SUBDIVIDED AS LOT 1, SAID PROPERTY TO BE KNOWN AS BLACK HILLS SUBDIVISION.

IN WITNESS WHEREOF, I DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF THE IOWA WESTERN FOUNDATION PROPERTY AS CONTAINED HEREIN ON THIS _____ DAY OF _____, 2018.

BY: _____
TOM WHITSON (PRESIDENT)
STATE OF IOWA)
COUNTY OF POTTAWATTAMIE) SS.

ON THIS _____ DAY OF _____, 2018, BEFORE ME A NOTARY PUBLIC IN AND FOR THE STATE OF IOWA, PERSONALLY APPEARED TOM WHITSON, TO ME KNOWN AND BELIEVED TO BE THE PERSON WHO SAID HE IS THE PRESIDENT OF IOWA WESTERN FOUNDATION, THAT HE SEALS AND SIGNED THE INSTRUMENT AND SAID INSTRUMENT WAS SIGNED ON BEHALF OF SAID FOUNDATION BY AUTHORITY OF ITS MEMBERS AND THAT SAID TOM WHITSON ACKNOWLEDGED THE EXECUTION OF THE INSTRUMENT TO BE THE VOLUNTARY ACT AND DEED OF SAID FOUNDATION BY IT VOLUNTARILY EXECUTED.

NOTARY PUBLIC IN AND FOR SAID STATE _____
MY COMMISSION EXPIRES _____

K1/4 CORNER -
SECTION 28-75-43

S87°53'54"E 42.81'

587°53'54"E 1617.60'

359°11'34"W 136.52'

46°W 154.14'

NW1/4NE1/4

12.71

-521°57'35"W 65.93'

COLLEGE ROAD
N0711'51"E 1912.10'

INTERSTATE 80

55-47154-W-357287

55074741 W 559.87
48'59

LEGAL DESCRIPTION:

A PORCH OF LAND, BEING A PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 2A, TOWNSHIP 36 NORTH, RANGE 10 WEST, 10TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 2B;

THENCE ALONG THE NORTH 1/4 CORNER OF THE NORTHEAST QUARTER (NE 1/4), SOUTH 87 DEGREES 53 MINUTES 54 SECONDS EAST, 1/4 SECTION 2A, BEING THE TRUE POINT OF BEGINNING;

NORTH 54 DEGREES EAST, 1/4 SECTION 2A, BEING THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG 3/4 OF NORTH LINE, SOUTH 87 DEGREES 53 MINUTES 54 SECONDS EAST, 167.670 FEET TO A POINT ON THE NORTHEAST RIGHT-OF-WAY LINE OF INTERSTATE 81;

THENCE ALONG NORTHWESTERLY RIGHT-OF-WAY LINE THE FOLLOWING BEING (a) COURSE;

1) SOUTH 30 DEGREES 17 MINUTES 14 SECONDS WEST, 134.82 FEET;

2) SOUTH 30 DEGREES 17 MINUTES 14 SECONDS WEST, 134.82 FEET;

3) SOUTH 24 DEGREES 18 MINUTES 05 SECONDS WEST, 417.17 FEET;

4) SOUTH 24 DEGREES 18 MINUTES 05 SECONDS WEST, 417.17 FEET;

5) SOUTH 40 DEGREES 53 MINUTES 39 SECONDS WEST, 65.93 FEET;

6) SOUTH 40 DEGREES 53 MINUTES 39 SECONDS WEST, 65.93 FEET;

7) SOUTH 26 DEGREES 08 MINUTES 59 SECONDS WEST, 308.27 FEET;

8) SOUTH 26 DEGREES 08 MINUTES 59 SECONDS WEST, 308.27 FEET;

9) SOUTH 60 DEGREES 08 MINUTES 54 SECONDS WEST, 559.64 FEET TO A POINT ON EAST EAST RIGHT-OF-WAY LINE;

THENCE ALONG EAST EAST RIGHT-OF-WAY LINE, NORTH 11 DEGREE 11 MINUTES 31 SECOND EAST, 1912.16 FEET TO THE TRUE POINT OF BEGINNING;

SAY PARCEL CONTAINS AN AREA OF 38.50 ACRES, MORE OR LESS.

hgm
ASSOCIATES, INC.
640 FIFTH AVENUE COUNCIL BLUFFS, IA
PHONE: 712-323-0530

0120 _____ ungsar

_____ BT

_____ paravde

_____ ET

_____ paxdnd

_____ EADDE

_____ lamsy

_____ BCLDER

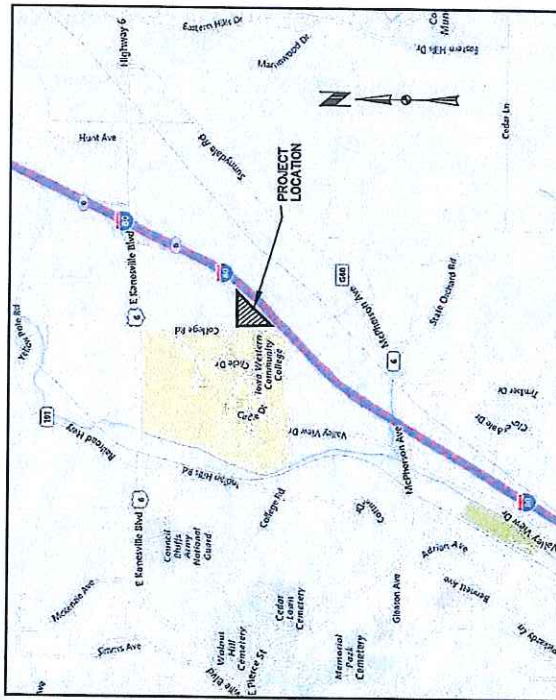
IOWA WESTERN COMM. COLLEGE FOUNDATION
 CLIENT
 IWCC FOUNDATION
 ZONING EXHIBIT

project no.
107318
sheet
ZON 1

DEVELOPMENT PLAN BLACK HILLS SUBDIVISION, LOT 1

VERTICAL CONTROL

BENCHMARK OF ORIGIN: NOS F134, 1989
IN COUNCIL BLUFFS, AT 0.30 MI. EASTERLY ALONG MOHPERSON STREET FROM
ITS JUNCTION WITH BENNETT AVENUE, SET VERTICALLY IN THE SOUTHEAST FACE
OF THE CONCRETE CURB OF THE WEST BRIDGE SPANS OF THE C&N RAILROAD,
THE WEST ABUTMENT OF A ROAD BRIDGE SPANS OF THE C&N RAILROAD,
AND PACIFIC RAILROAD, 119.1 FT. WEST OF THE NEAR RAIL, 9.2 FT. NORTH OF
THE CENTER OF THE ROAD, 2.0 FT. BELOW THE LEVEL OF THE TRACKS, AND 0.7
FT. ABOVE THE GROUND SURFACE.



VICINITY MAP - NO SCALE

CURRENT OWNER/DEVELOPER:

INCC FOUNDATION
2700 COLLEGE ROAD
COUNCIL BLUFFS, IOWA 51503

ENGINEER:

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

ZONING:

EXISTING ZONING OF THE SITE IS
COMMERCIAL (P-C).
PROPOSED ZONING OF PROPOSED
INDUSTRIAL SUBDIVISION IS
PLANNED INDUSTRIAL (P-I).

EXISTING FLOOD PLAINS:

MISSOURI RIVER FLOOD PLAIN
FEMA FLOOD ZONE - OTHER AREA
NO FLOODWAY OR FRINGE ENCROACHMENT

STORM WATER DETENTION:

CONSTRUCTION OF NEW DETENTION IN
ACCORDANCE WITH SDAS DESIGN STANDARDS.

BOUNDARY SURVEY:

BOUNDARY SURVEY WILL BE PROVIDED BY
HGM ASSOCIATES INC.

NOTES:

SURFACE RUNOFF: STORM SEWER TO PROPOSED
SUBDIVISION DETENTION.
EASEMENTS: 500 FOOT WIDE PERMANENT
EASEMENT ALONG ALL LOT LINES, A
10.00 FOOT WIDE PERMANENT EASEMENT ALONG ALL
FRONT LOT LINES, AND A 5.00 FOOT WIDE
PERMANENT EASEMENT ALONG ALL REAR LOT LINES,
ALL EASEMENTS FOR INSTALLATION AND
MAINTENANCE OF UTILITIES.

SPECIFICATIONS

THE URBAN STANDARD SPECIFICATIONS FOR PUBLIC
IMPROVEMENTS, 2018, AND CITY OF COUNCIL BLUFFS
SUPPLEMENTARY SPECIFICATIONS 2018, SHALL APPLY
TO THIS PROJECT.

INDEX

PAGE NO.	DESCRIPTION
A.01	TITLE SHEET
G.01	SITE / DEVELOPMENT PLAN



I hereby certify that this engineering document was prepared by me or
under my direct personal supervision and that I am a duly licensed
Professional Engineer under the laws of the State of Iowa.

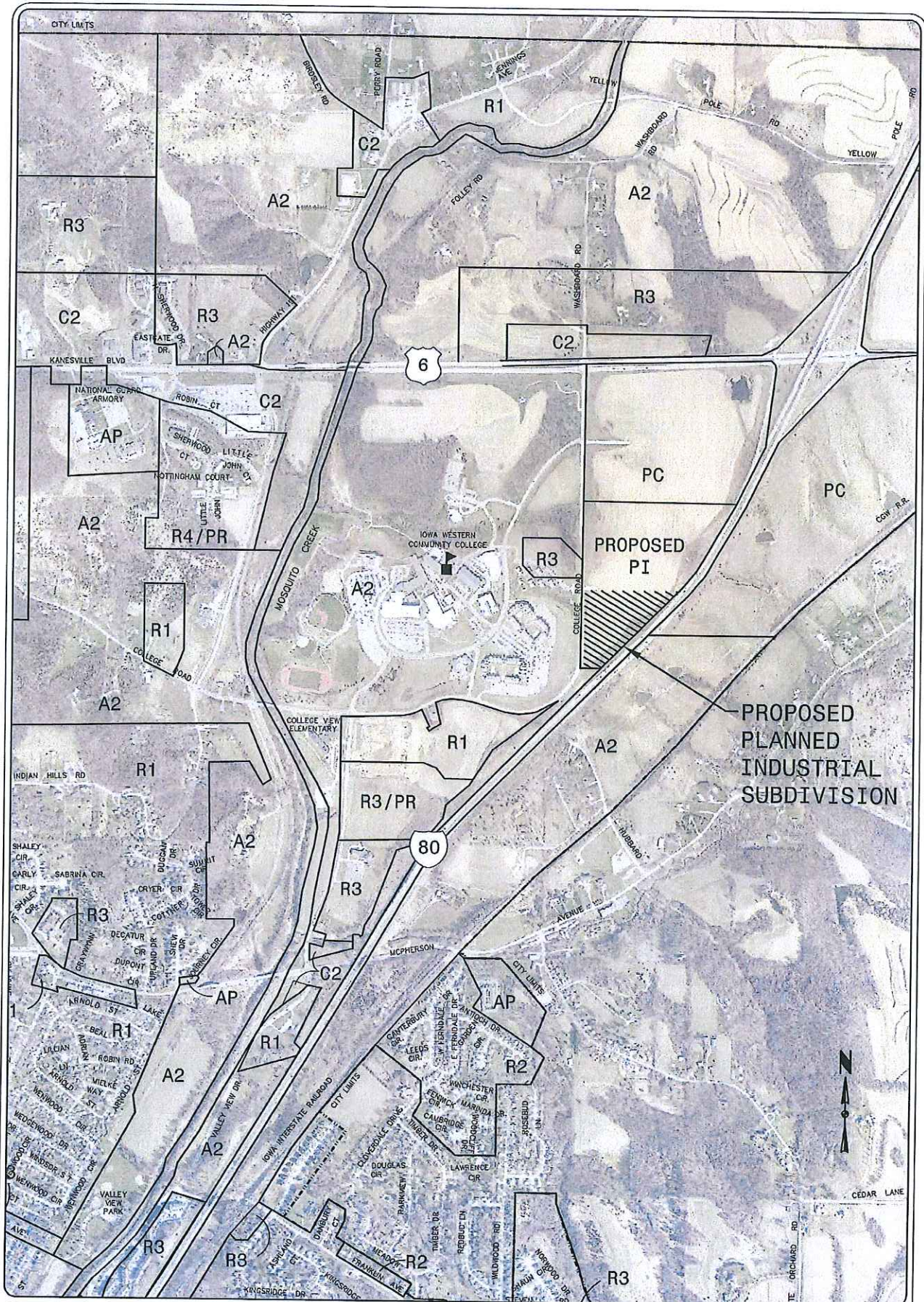
JOHN E. JORGENSEN
My license renewal date is December 31, 2019.
Pages or sheets covered by this seal:
A.01, A.02, AND G.01

Project: BLACK HILLS SUBDIVISION, LOT 1
Sheet: BLACK HILLS ENERGY
TITLE SHEET

Project no.
107318
sheet
A.01

hgm
ASSOCIATES INC.
640 FIFTH AVENUE COUNCIL BLUFFS, IA
PHONE: 712-323-0530

the engineer is fully
qualified to design and
prepare the drawings
and specifications
shown on these plans
and to certify that the
work shown on these
plans was done by him
or under his direct
personal supervision
and that he is a duly
licensed professional
engineer under the
laws of the State of
Iowa.



A02

project BLACK HILLS SUBDIVISION, LOT 1

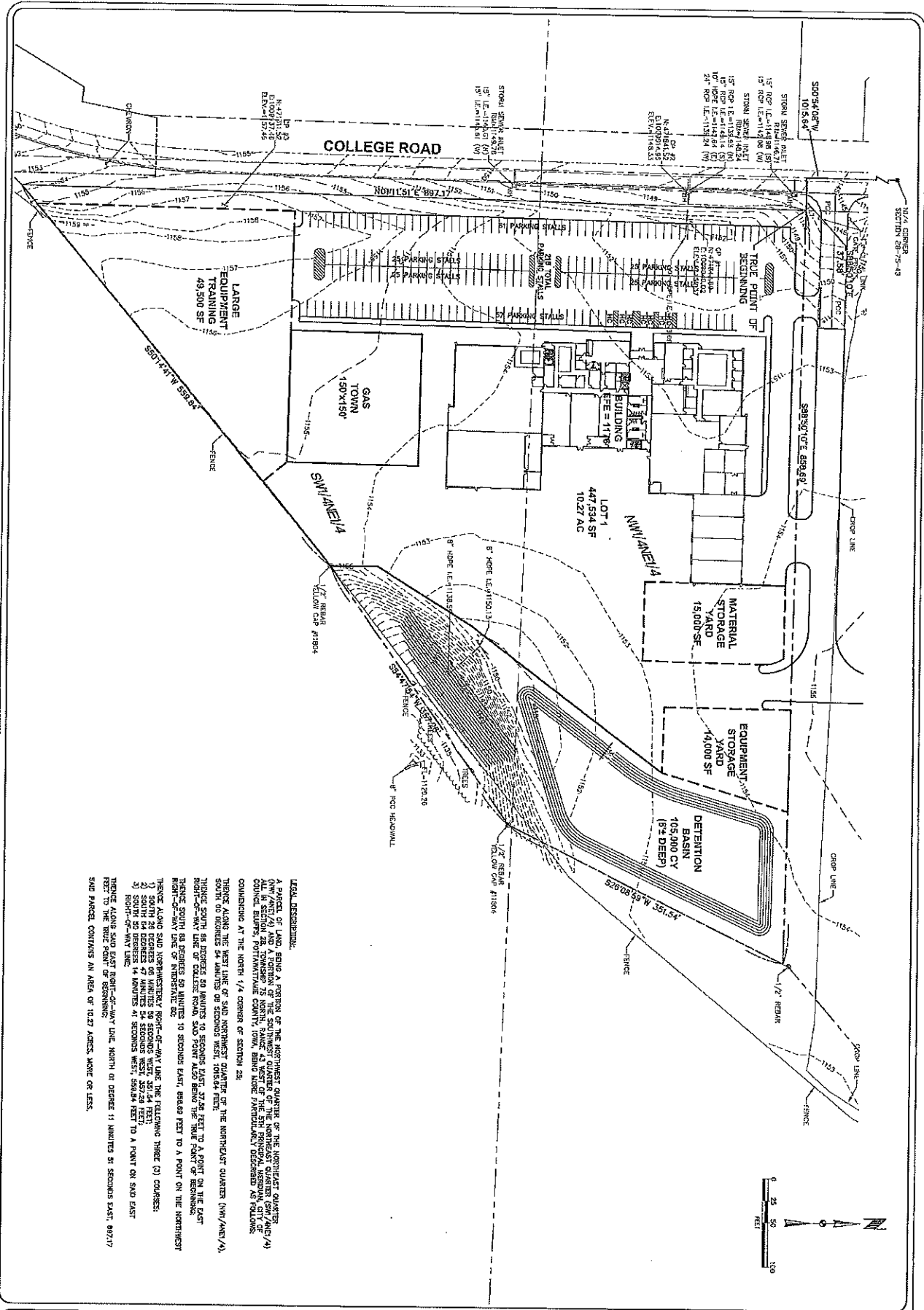
client BLACK HILLS ENERGY

sheet AREA MAP

BCI	_____	date	_____
DESIGNED	_____	date	_____
APPROVED	_____	date	_____
DATE	30	date	_____

hgm
ASSOCIATES INC.
640 FIFTH AVENUE COUNCIL BLUFFS, IA
PHONE: 712-323-0530

This drawing is being made available to you as a courtesy. It is not to be used for any purpose other than that for which it was prepared. No warranty is made by the engineer for any use of this drawing or any part thereof except as specifically stated on the drawing.



LEGAL DESCRIPTION:
 A PARCEL OF LAND, BEING A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4NE/4) AND A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW/4NE/4) OF SECTION 28, TOWNSHIP 14N, RANGE 10E, MERIDIAN 10E, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 28;
 THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4NE/4), SOUTH 88 DEGREES 50 MINUTES 10 SECONDS EAST, 688.09 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COLLEGE ROAD, SAID POINT BEING 75 FEET SOUTH OF BEGINNING;
 THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 01 DEGREE 11 MINUTES 51 SECONDS EAST, 892.17 FEET TO THE TRUE POINT OF BEGINNING;
 SAID PARCEL CONTAINS AN AREA OF 10.27 ACRES, MORE OR LESS.

PROJECT NO.
107318
SHEET
G01

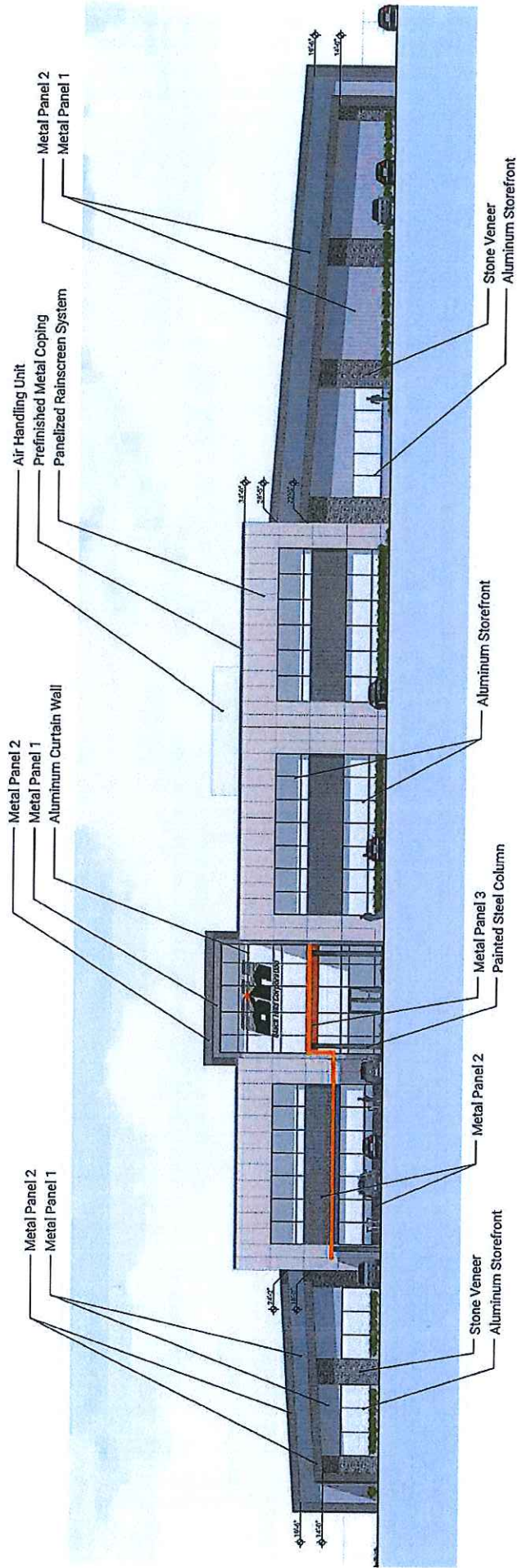
PROJECT: BLACK HILLS SUBDIVISION, LOT 1
 CLIENT: BLACK HILLS ENERGY
 SHEET: SITE / DEVELOPMENT PLAN

REV.	DATE	BY	CHKD.	APP'D.
1	7/17/18

hgm
 ASSOCIATES INC.
 640 FIFTH AVENUE COUNCIL BLUFFS, IA
 PHONE: 712-323-0530

This drawing is being made available for use by the client for the project for which it was prepared. It is not to be used for any other project without the written consent of HGM Associates Inc. The client agrees to indemnify and hold HGM Associates Inc. harmless from all claims, damages, costs and expenses, including reasonable attorneys' fees, arising out of or from the use of this drawing for any purpose other than that for which it was prepared.

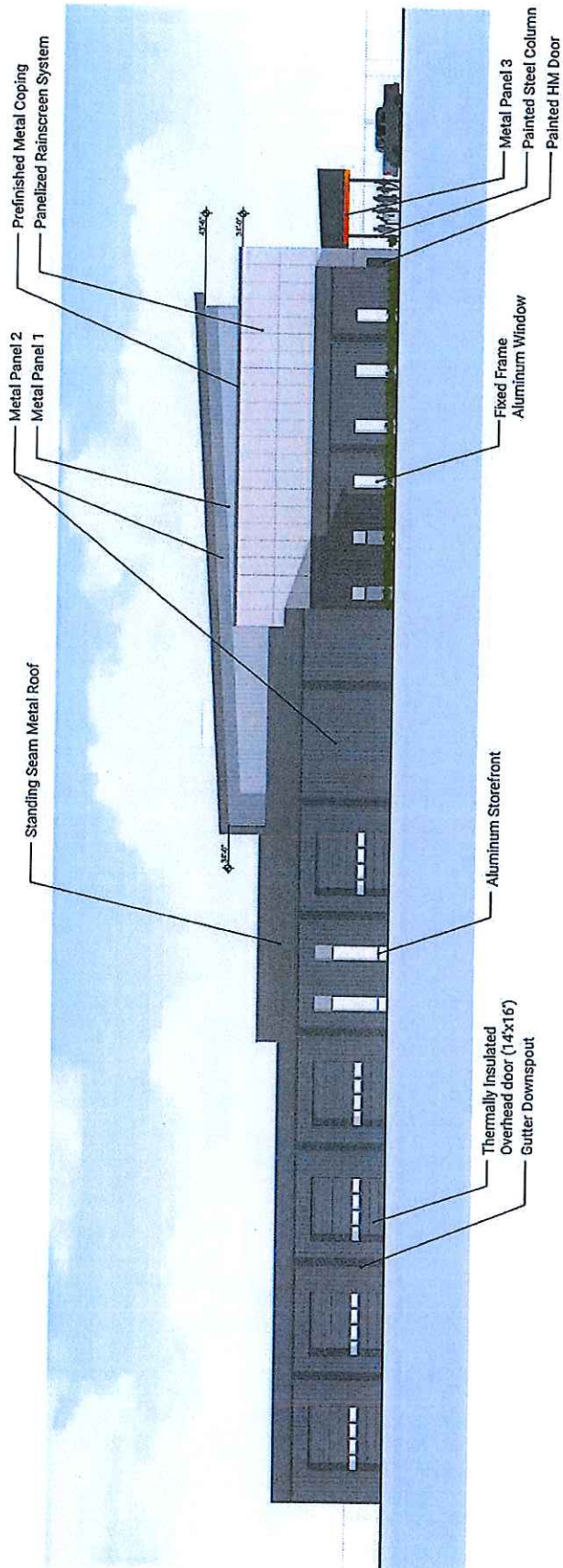
Attachment G

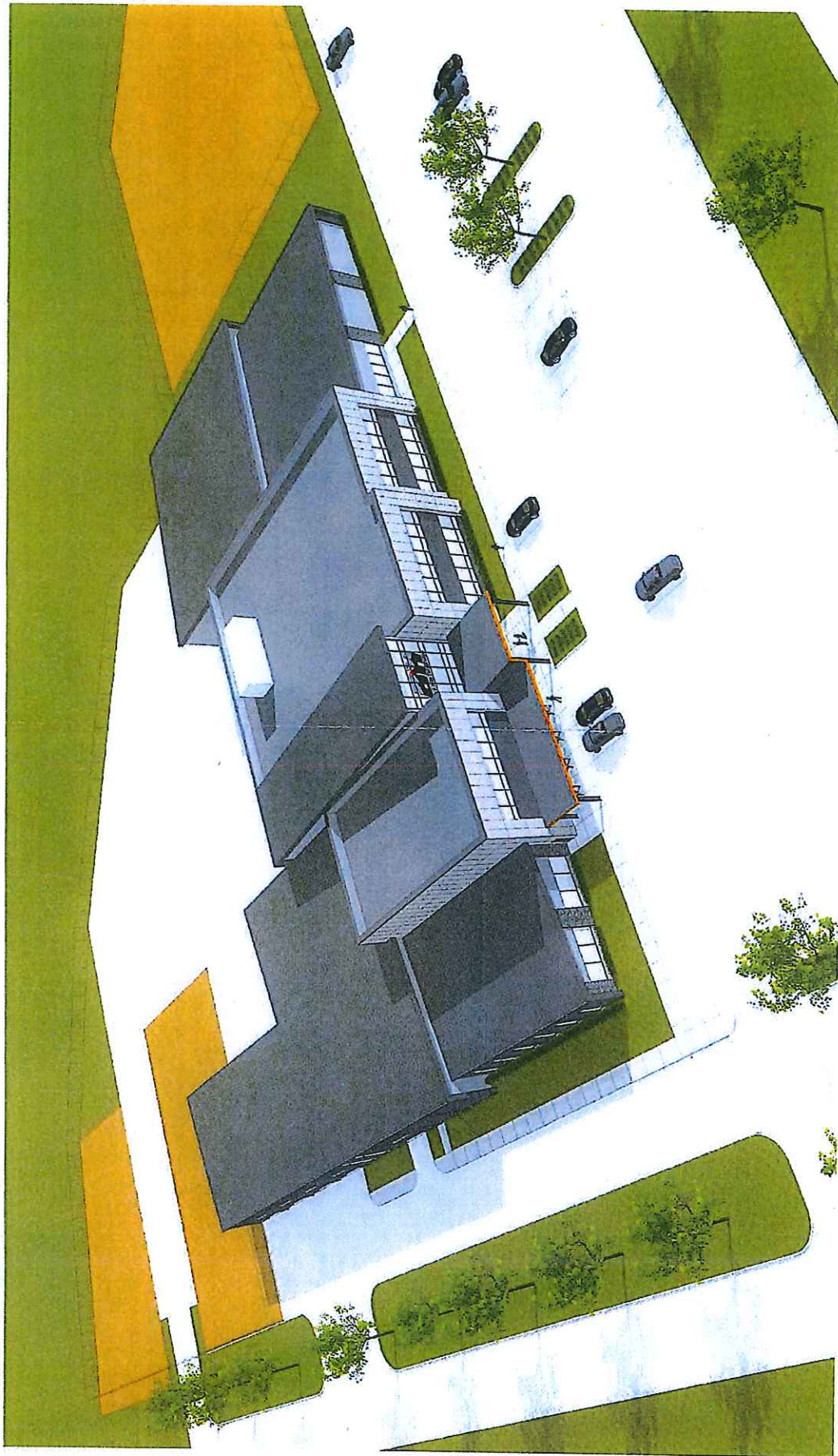


BHC - COUNCIL BLUFFS | WEST ELEVATION

02 JULY 2018
1:48 PM 100%

PAGE 12





BHC - COUNCIL BLUFFS | EXTERIOR RENDERING

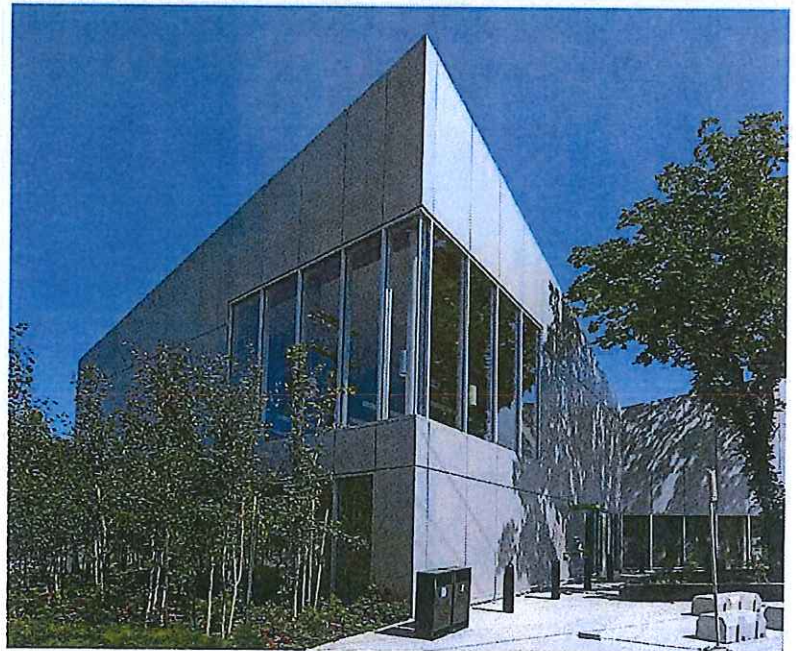
**BLACK HILLS CORPORATION - COUCIL BLUFFS
OPERATIONS AND TRAINING CENTER**

MATERIAL REFERENCE IMAGES

**** THESE IMAGES ARE FOR REFERENCE ONLY AND
INTENDED TO PROVIDE INDICATION OF THE TYPE AND
QUALITY OF MATERIALS. THEY DO NOT REPRESENT
FINAL MANUFACTURER AND COLOR/FINISH
SELECTIONS WHICH WILL BE REPRESENTED IN THE
PROJECT PERMIT DRAWINGS.**



**PANELISED RAINSCREEN SYSTEM -
NEOLITH SKYLINE PRODUCT IMAGE**



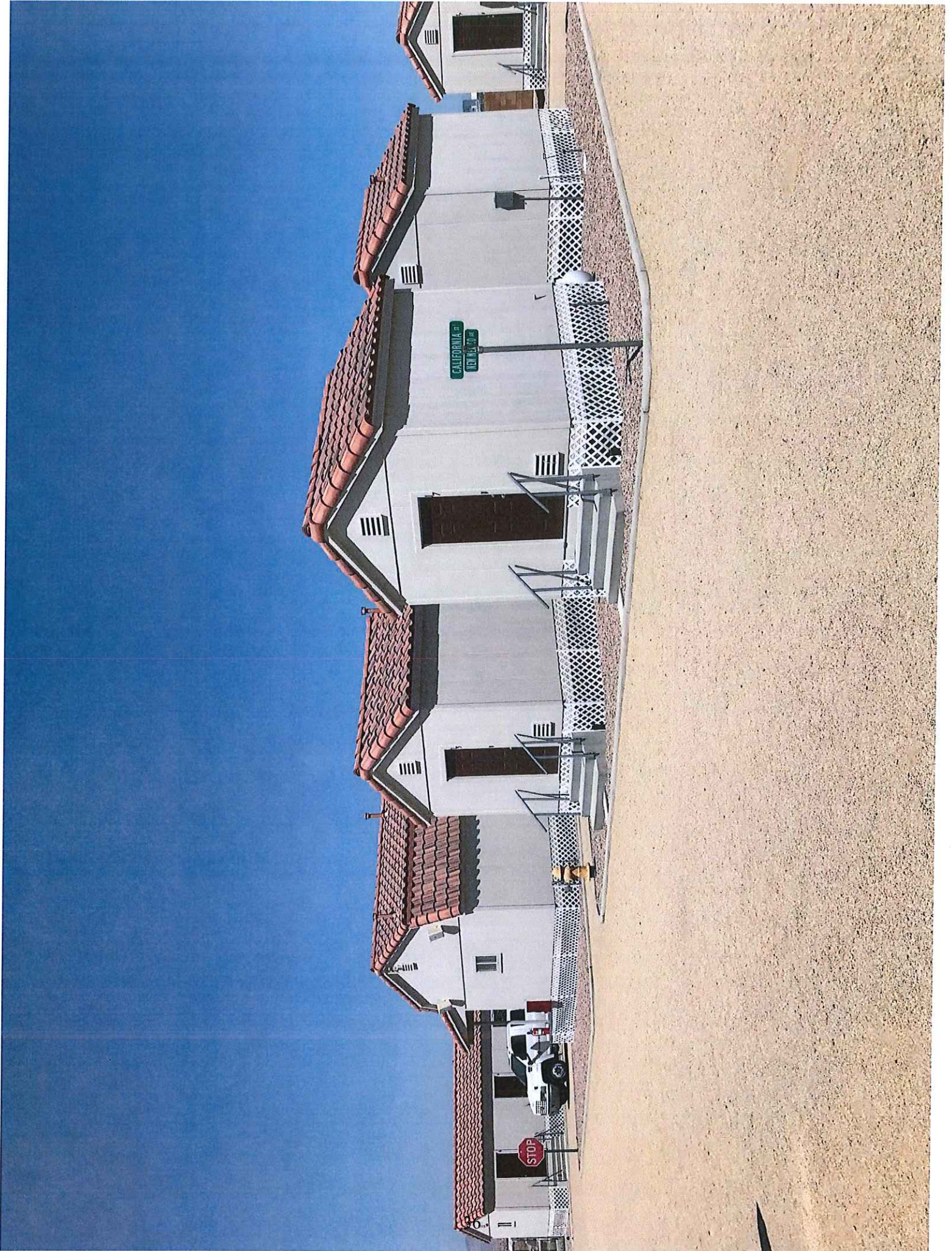
**METAL PANEL 3 & PANELISED RAINSCREEN SYSTEM
ALTERNATE - ALUCOBOND PANEL PRODUCT IMAGE**

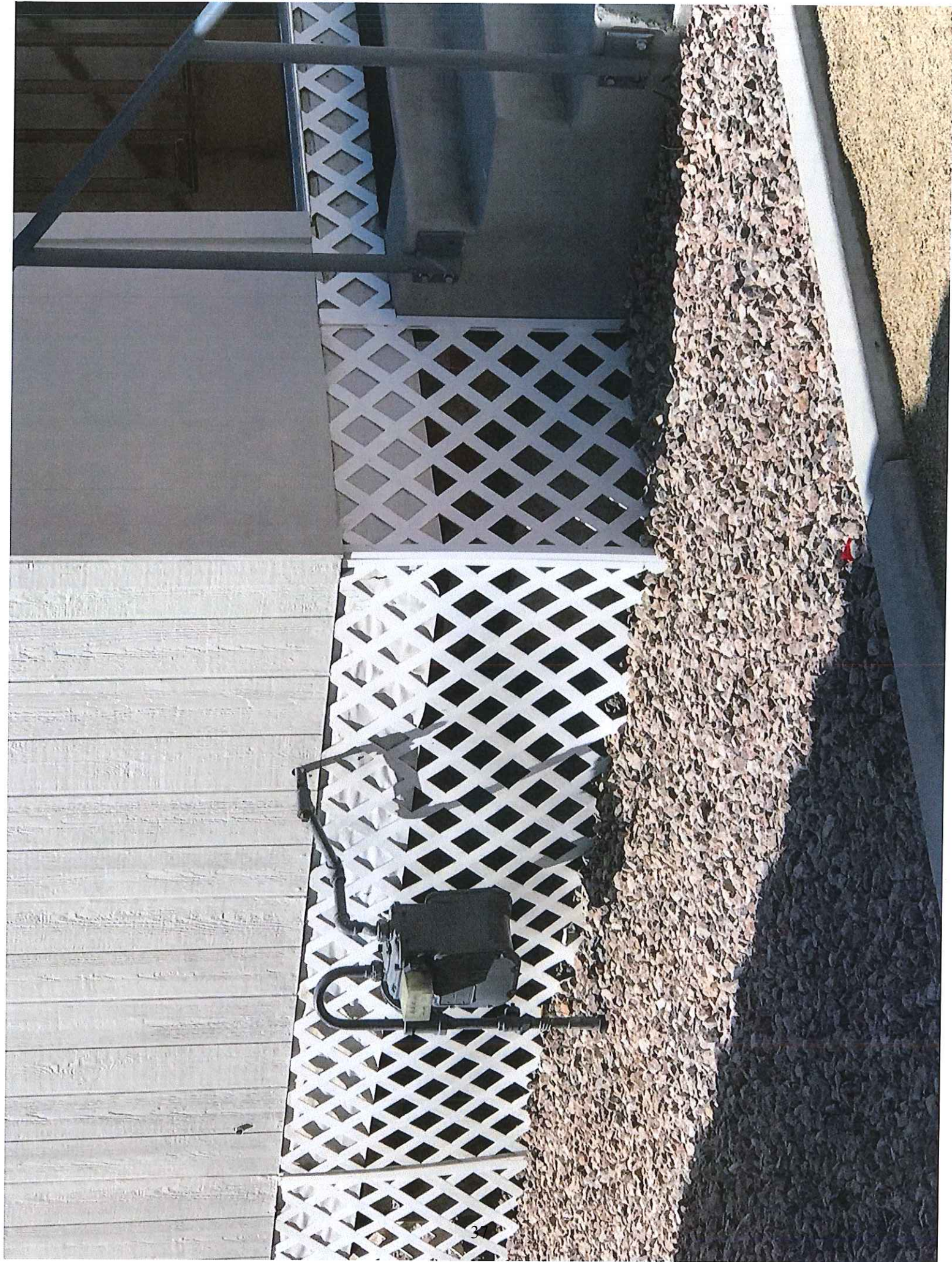


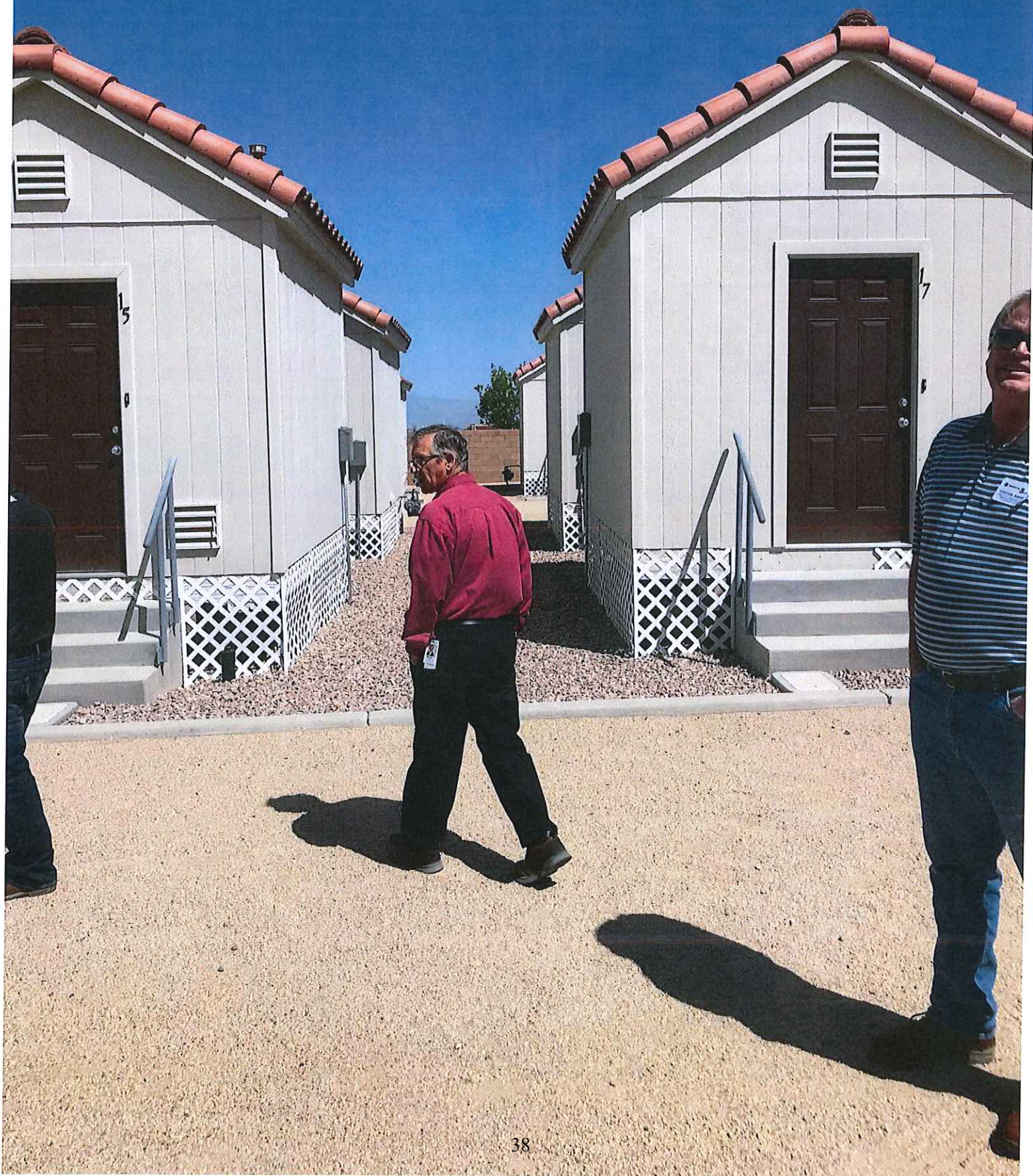
STONE VENEER

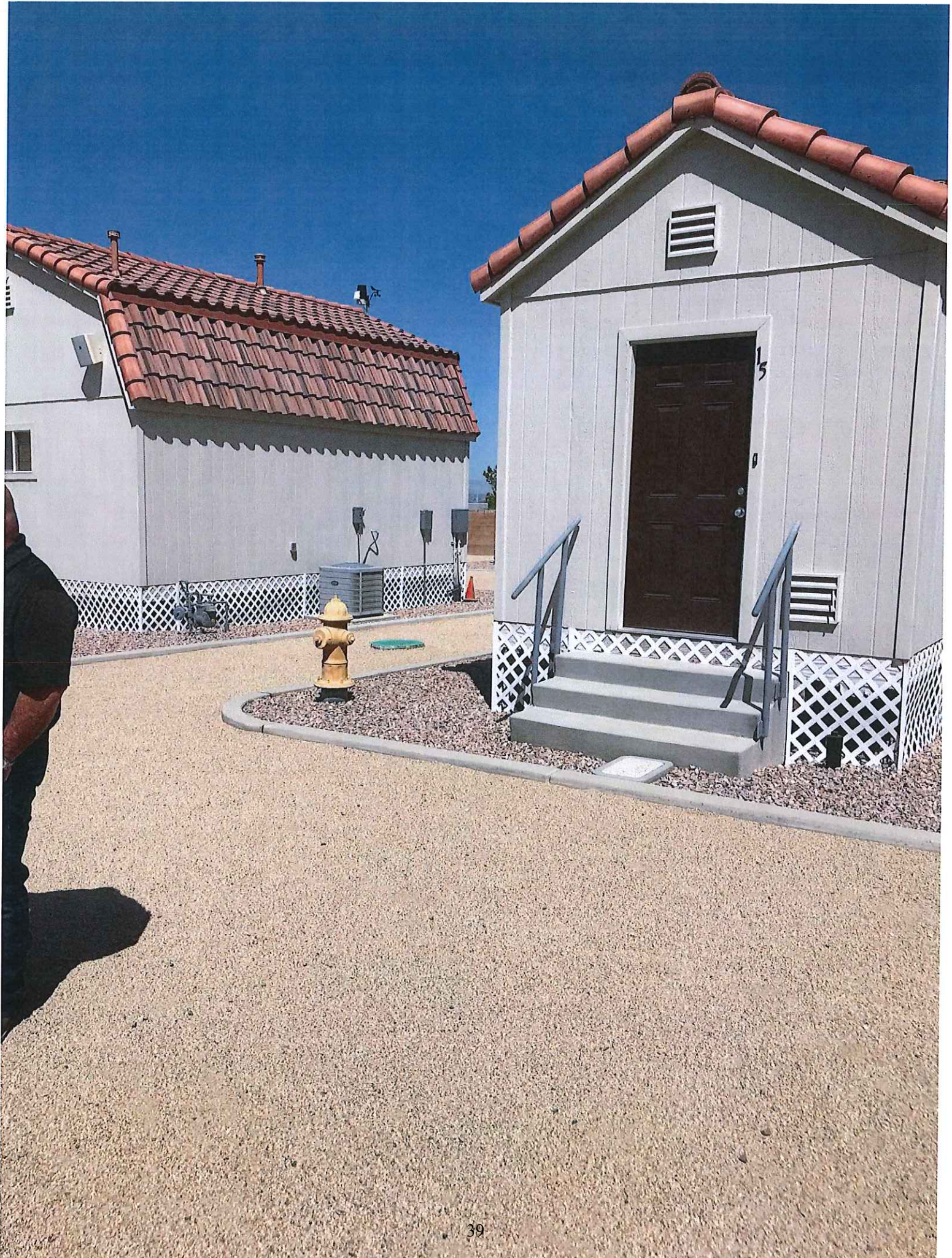


METAL PANEL 1 & 2 - METAL BUILDING WALL PANEL











NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a Public Hearing on an ordinance to amend the zoning map as adopted by reference in Section 15.02.070, for the following request:

Rezone 39.50 acres of land, legally described as being A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 28, TOWNSHIP 75 NORTH, RANGE 43 WEST, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH $\frac{1}{4}$ OF SECTION 28; THENCE ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, SOUTH 87 DEGREES 53 MINUTES 54 SECONDS EAST, 42.81 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COLLEGE ROAD, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE, SOUTH 87 DEGREES 54 MINUTES 53 SECONDS EAST, 1617.60 FEET TO A POINT ON THE NORTHWEST RIGHT-OF-WAY LINE OF INTERSTATE 80; THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE THE FOLLOWING EIGHT (8) COURSES: 1) SOUTH 59 DEGREES 11 MINUTES 34 SECONDS WEST, 136.52 FEET; 2) SOUTH 31 DEGREES 37 MINUTES 46 SECONDS WEST, 154.14 FEET; 3) SOUTH 24 DEGREES 18 MINUTES 05 SECONDS WEST, 411.71 FEET; 4) SOUTH 21 DEGREES 57 MINUTES 35 SECONDS WEST, 65.93 FEET; 5) SOUTH 49 DEGREES 23 MINUTES 38 SECONDS WEST, 505.88 FEET; 6) SOUTH 26 DEGREES 08 MINUTES 59 SECONDS WEST, 358.27 FEET; 7) SOUTH 54 DEGREES 47 MINUTES 54 SECONDS WEST, 357.26 FEET; 8) SOUTH 50 DEGREES 14 MINUTES 41 SECONDS WEST, 559.84 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 01 DEGREE 11 MINUTES 51 SECONDS EAST, 1912.10 FEET TO THE TRUE POINT OF BEGINNING; City of Council Bluffs, Pottawattamie County, Iowa, from P-C/Planned Commercial District to P-I/Planned Industrial District; and

Final plat approval of a one-lot industrial subdivision to be known as Black Hills Subdivision and concurrent adoption of a planned industrial development plan on 10.27 acres of land, legally described as A PARCEL OF LAND, BEING A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW $\frac{1}{4}$ NE $\frac{1}{4}$) AND A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW $\frac{1}{4}$ NE $\frac{1}{4}$) ALL IN SECTION 28, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH $\frac{1}{4}$ CORNER OF SECTION 28; THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW $\frac{1}{4}$ NE $\frac{1}{4}$) SOUTH 00 DEGREES 54 MINUTES 08 SECONDS WEST 1015.64 FEET; THENCE SOUTH 88 DEGREES 50 MINUTES 10 SECONDS EAST, 37.58 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COLLEGE ROAD, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 50 MINUTES 10 SECONDS EAST, 858.69 FEET TO A POINT ON THE NORTHWEST RIGHT-OF-WAY LINE OF INTERSTATE 80; THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE

(3) COURSES; 1) SOUTH 26 DEGREES 08 MINUTES 59 SECONDS WEST 351.54 FEET; 2) SOUTH 54 DEGREES 47 MINUTES 54 SECONDS WEST, 357.26 FEET; 3) SOUTH 50 DEGREES 14 MINUTES 41 SECONDS WEST, 559.84 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 01 DEGREE 11 MINUTES 51 SECONDS EAST, 897.17 FEET TO THE TRUE POINT OF BEGINNING; City of Council Bluffs, Pottawattamie County, Iowa.

You are further notified that the Public Hearings on said matters will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 10th day of September, 2018, in the City Council Chambers, 2nd Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

Jodi Quakenbush, City Clerk

ORDINANCE NO. 6348

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.02.070 OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING 39.50 ACRES OF LAND, LEGALLY DESCRIBED AS BEING A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST ¼ OF SECTION 28, TOWNSHIP 75 NORTH, RANGE 43 WEST, MORE PARTICULARLY DESCRIBED BELOW, FROM P-C/PLANNED COMMERCIAL DISTRICT TO P-I/PLANNED INDUSTRIAL DISTRICT AS DEFINED IN CHAPTER 15.19 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.

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

SECTION 1. That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.070 of the 2015 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended to 39.50 acres of land, legally described as being A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST ¼ OF SECTION 28, TOWNSHIP 75 NORTH, RANGE 43 WEST, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH ¼ OF SECTION 28; THENCE ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, SOUTH 87 DEGREES 53 MINUTES 54 SECONDS EAST, 42.81 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COLLEGE ROAD, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE, SOUTH 87 DEGREES 54 MINUTES 53 SECONDS EAST, 1617.60 FEET TO A POINT ON THE NORTHWEST RIGHT-OF-WAY LINE OF INTERSTATE 80; THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE THE FOLLOWING EIGHT (8) COURSES: 1) SOUTH 59 DEGREES 11 MINUTES 34 SECONDS WEST, 136.52 FEET; 2) SOUTH 31 DEGREES 37 MINUTES 46 SECONDS WEST, 154.14 FEET; 3) SOUTH 24 DEGREES 18 MINUTES 05 SECONDS WEST, 411.71 FEET; 4) SOUTH 21 DEGREES 57 MINUTES 35 SECONDS WEST, 65.93 FEET; 5) SOUTH 49 DEGREES 23 MINUTES 38 SECONDS WEST, 505.88 FEET; 6) SOUTH 26 DEGREES 08 MINUTES 59 SECONDS WEST, 358.27 FEET; 7) SOUTH 54 DEGREES 47 MINUTES 54 SECONDS WEST, 357.26 FEET; 8) SOUTH 50 DEGREES 14 MINUTES 41 SECONDS WEST, 559.84 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 01 DEGREE 11 MINUTES 51 SECONDS EAST, 1912.10 FEET TO THE TRUE POINT OF BEGINNING; City of Council Bluffs, Pottawattamie County, Iowa, from P-C/Planned Commercial District to P-I/Planned Industrial District as defined in Chapter 15.19 of the Municipal Code of Council Bluffs, Iowa.

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

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

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

ADOPTED
AND
APPROVED

September 10, 2018.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

First Consideration: 8-27-18

Second Consideration: 9-10-18

Public Hearing: 9-10-18

Third Consideration: _____

Council Communication

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

Mayor's Appointments

Council Action: 8/27/2018

Description

Municipal Housing Agency

Background/Discussion

Appoint the following with terms expiring 8/1/2021:

Linda Rhatigan
502 N Sierra Dr

Dr. Gina Schochenmaier
3003 Atlantic Av

Recommendation

Council Communication

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

July FY19 Financial Reports

Council Action: 8/27/2018

Description

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
July FY19 Expenditures by Amount	Other	8/17/2018
July FY19 Expenditures by Vendor	Other	8/17/2018
July FY19 Receipts and Expenditures by Fund	Other	8/17/2018

CITY OF COUNCIL BLUFFS
EXPENDITURES
July, FY19

VENDOR	AMOUNT	BUSINESS PURPOSE
PAYROLL	2,101,720.54	CITY EMPLOYEE PAYROLL
HAWKINS CONSTRUCTION COMPANY	1,335,546.64	CONSTRUCTION
SAMPSON CONSTRUCTION CO INC	884,020.00	CONSTRUCTION
TWO RIVERS INSURANCE COMPANY INC	767,536.33	HEALTH INSURANCE
EFTPS	610,848.60	CITY PAYROLL EXPENDITURES
MFPRSI	450,635.67	CITY PAYROLL EXPENDITURES
RED RIVER WASTE SOLUTIONS LP	284,645.28	REFUSE COLLECTION
THE SPENCE LAW FIRM LLC	264,285.50	CLAIMS-LAWSUIT
CAESARS ENTERTAINMENT	237,487.85	MAC OPERATING EXPENDITURES
HGM ASSOCIATES INC	217,375.39	PROFESSIONAL SVCS
US BANK	207,733.53	BASS PRO LOAN
IPERS	191,043.30	RETIREMENT
CURTIS W MCGHEE TRUST	158,571.30	CLAIMS-LAWSUIT
IOWA DEPT OF REVENUE	149,293.00	CITY PAYROLL EXPENDITURES
MIDAMERICAN ENERGY	148,480.84	ELECTRICITY
BLUFFS PAVING & UTILITY INC	101,078.41	CONSTRUCTION
JOHN E LAJBA-SCULPTOR CORPORATION	100,690.00	CONTRACTURAL SVC
VALLEY CORPORATION	97,129.95	CONSTRUCTION
STUDIO 15 COMMERCIAL INTERIORS INC	80,144.15	CONTRACT LABOR
RIVER'S EDGE MASTER PROPERTY OWNERS ASSOC	74,789.14	FEES
PAYROLL	71,923.31	MAC OPERATING EXPENDITURES
US BANK	69,532.55	BANK SERVICES
NATIONWIDE RETIREMENT SOLUTIONS INC	63,593.22	EMPLOYEE CONTRIB
SIEMENS INDUSTRY INC	62,876.50	EQUIPMENT/PARTS
TRANSIT AUTHORITY OF THE CITY OF OMAHA	62,340.00	BUS SERVICE
PAYROLL	58,611.89	DODGE OPERATING EXPENDITURES
PETROLEUM TRADERS CORPORATION	58,067.53	FUEL
CENTRAL SALT LLC	57,387.68	STREET MAINTENANCE SUPLS
MMC MECHANICAL CONTRACTORS, INC.	56,427.10	CONTRACTURAL SVC
KING-JONES LLC	52,328.53	CLAIMS-LAWSUIT
ARROWHEAD SCIENTIFIC INC	43,000.00	EQUIPMENT/PARTS
STEVE DAVIS LAW PC	42,814.25	CLAIMS-LAWSUIT
GREEN ACRES RECYCLING	39,878.06	SOLID WASTE DISPOSAL
READY MIXED CONCRETE	38,092.88	SUPPLIES
BLACK & VEATCH CORPORATION	37,572.77	CONSULTANT
IOWA WORKFORCE DEVELOPMENT	35,932.37	UNEMPLOYEMENT
IOWA WASTE SERVICES LLC	35,692.96	SOLID WASTE DISPOSAL
MIDWEST TURF & IRRIGATION	33,048.04	EQUIPMENT/PARTS
AHLERS & COONEY PC	32,519.48	ATTORNEY FEES
HEIMAN FIRE EQUIPMENT INCORPORATED	25,323.55	SAFETY EQUIPMENT

ADVANCE SOUTHWEST IOWA	25,000.00	CONTRACTURAL SVC
COX COMMUNICATIONS	22,671.21	PHONE/INTERNET SVC
EHRHART GRIFFIN & ASSOCIATES INC	22,583.40	PROFESSIONAL SVCS
SOUTHWEST IOWA PLANNING COUNCIL	21,071.69	CONTRACTURAL SVC
NODDLE DEVELOPMENT COMPANY	21,000.00	CONSULTANT
LEANN L HUGHES	20,634.75	TREE WORK
TREASURER STATE OF IOWA/SALES TAX	18,245.00	SALES TAX
SAPP BROTHERS PETROLEUM INC	18,154.31	FUEL
GENERAL TRAFFIC CONTROLS INC	18,038.00	CONTRACTURAL SVC
IOWA DEPARTMENT OF REVENUE	17,655.00	MAC OPERATING EXPENDITURES
COUNCIL BLUFFS WATER WORKS	17,306.76	WATER
MICHAEL P GOTTSCHALK	16,462.00	REIMBURSEMENT
RPL UTILITY LLC	16,164.77	CONSTRUCTION
SOLARWINDS INC	15,000.00	HARDWARE/SOFTWARE
PROJECT ADVOCATES	14,859.91	CONTRACTURAL SVC
WORKMAN PRECAST CORP	14,663.00	SUPPLIES
EBS - FLEX ACOCUNT	14,469.00	CITY PAYROLL EXPENDITURES
IOWA LEAGUE OF CITIES	14,297.00	FEES
JEO CONSULTING GROUP INC	14,174.87	CONSULTANT
HAWKEYE VISION INC	13,909.00	SECURITY
STREICHER'S INC	13,689.36	SUPPLIES
IOWA PRISON INDUSTRIES	13,105.00	SUPPLIES
BH MEDIA GROUP HOLDING INC	12,779.60	ADVERTISEMENT
JAMES E HALL	12,500.00	CONTRACTURAL SVC
OMNI ENGINEERING	12,334.47	STREET MAINTENANCE SUPLS
HOEFER WYSOCKI ARCHITECTS, LLC	12,177.77	PROFESSIONAL SVCS
LAWN WIZARDS INC	12,054.00	MOWING/GROUNDS MAINT
ERRIN KEITH GUNDERSON	11,135.14	CONTRACTURAL SVC
ASPHALT AND CONCRETE MATERIALS CO	10,627.42	STREET MAINTENANCE SUPLS
OLSON LAW OFFICE PC	10,571.42	CLAIMS-LAWSUIT
ACUSHNET COMPANY	10,511.75	DODGE OPERATING EXPENDITURES
BEST CARE EMPLOYEE ASSISTANCE PROGRAM	10,456.56	MEDICAL SUPPLIES
ICMA RETIREMENT TRUST	10,094.30	CITY PAYROLL EXPENDITURES
NEW COMMUNITY DEVELOPMENT CORPORATION	10,000.00	DEVLPMT CONTRACT
VOYA RETIREMENT INSURANCE & ANNUITY COMPANY	9,758.00	EMPLOYEE CONTRIB
J & L SERVICES	9,658.40	RENTAL EXPS
ADIDAS AMERICA INC	9,637.92	DODGE OPERATING EXPENDITURES
MECHANICAL SALES PARTS INCORPORATED	9,361.00	SUPPLIES
IOWA DEPARTMENT OF REVENUE	9,241.00	DODGE OPERATING EXPENDITURES
COLLECTION SERVICES CENTER	9,132.78	GARNISHMENT
OVERDRIVE INC	8,395.88	BOOKS/PERIODICALS/SUB
EMUNAH LLC	8,156.50	JANITORIAL SERVICE
POTTAWATTAMIE COUNTY TREASURER	8,099.77	FEES
MIDWEST TAPE	8,079.65	DVD/AUDIO/CD
LEADSONLINE LLC	7,988.00	PROFESSIONAL SVCS
BUSHMAN FLOOR COVERING INC	7,932.60	REPAIRS

CROUCH RECREATIONAL DESIGN INC	7,790.00	EQUIPMENT/PARTS
AVAYA INC	7,615.08	TELEPHONE
KOSKKOKE V O'NEAL	7,539.50	EQUIPMENT/PARTS
IOWA DEPARTMENT OF NATURAL RESOURCE	7,525.00	CONTRACTURAL SVC
LOCKTON CO, LLC -KC SERIES	7,358.00	DODGE OPERATING EXPENDITURES
COUNCIL BLUFFS AIRPORT AUTHORITY	7,271.06	AIRPORT AUTH TAX
BLUFFS ELECTRIC INC	7,069.90	ELECTRICAL REPAIR
VOLTMER, INC.	6,993.43	CONTRACTURAL SVC
KENNETH LOGHRY	6,943.00	MOWING/GROUNDS MAINT
WILLCO INC.	6,886.80	EQUIPMENT/PARTS
ADPI EMS BILLING INC	6,778.48	AMBULANCE BILLING FEE
OLSSON ASSOCIATES	5,994.88	CONSULTANT
RIVER CITY BASEBALL AND SOFTBALL ASSOC	5,967.50	FEES
IOWA STORMWATER EDUCATION	5,700.00	DUES/MEMBERSHIP
O'KEEFE ELEVATOR COMPANY INC	5,695.12	CONTRACTURAL SVC
ARROW TOWING	5,670.00	TOWING/STORAGE/AUCTION
DSCAPES MGMT COMPANY	5,618.65	DODGE OPERATING EXPENDITURES
DETECTACHEM LLC	5,457.33	EQUIPMENT/PARTS
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	5,259.86	EMPLOYEE CONTRIB
SYSCO - LINCOLN	5,158.37	DODGE OPERATING EXPENDITURES
CARLEY CONSTRUCTION LLC	4,884.18	CONSTRUCTION
ACTION TARGET	4,859.09	EQUIPMENT/PARTS
BAKER & TAYLOR INC	4,673.33	BOOKS/PERIODICALS/SUB
DOLL DISTRIBUTING LLC	4,657.05	DODGE OPERATING EXPENDITURES
POTTAWATTAMIE COUNTY AUDITOR	4,529.67	LAW ENFORCEMENT COMPLEX
WEST BROADWAY CLINIC P C	4,480.00	CONSULTANT
VERIZON WIRELESS SERVICES LLC	4,379.82	CELL PHONE
GENUINE PARTS COMPANY-NAPA	4,302.53	EQUIPMENT/PARTS
CREDIT CARD CHARGES	4,298.65	FEES
BARTON SOLVENTS INCORPORATED	4,237.00	SUPPLIES
BOUNCE IMAGING INC	4,159.90	EQUIPMENT/PARTS
GREAT PLAINS UNIFORMS	4,093.50	UNIFORMS
MID-AMERICA LIBRARY ALLIANCE	3,998.00	CONTRACTURAL SVC
KAYS CUSTOMS	3,976.50	CONTRACTURAL SVC
BLUFFS ARTS COUNCIL	3,957.60	CONTRACTURAL SVC
N HARRIS COMPUTER CORPORATION	3,929.04	HARDWARE/SOFTWARE
STATE LIBRARY OF IOWA	3,818.80	SUBSCRIPTION
GREGORY A PETERSON CONSULTING INC	3,800.00	CONSULTANT
CLARK EQUIPMENT COMPANY	3,714.50	EQUIPMENT/PARTS
AQUA-CHEM INCORPORATED	3,648.57	SUPPLIES
DRIVER PLUMBING	3,640.00	REPAIRS
ULTIMATE SAFETY CONCEPTS INC	3,601.49	EQUIPMENT/PARTS
ED M FELD EQUIPMENT COMPANY INC	3,555.13	EQUIPMENT/PARTS
CHAMPLIN TIRE RECYCLING INC	3,540.00	TIRE DISPOSAL
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	3,520.00	EMPLOYEE CONTRIB
ANTHONY R CARR	3,445.50	EQUIPMENT/PARTS

LOGAN CONTRACTORS SUPPLY INC	3,357.25	SUPPLIES
THE RETROFIT COMPANIES INC	3,353.30	CONTRACTURAL SVC
ABC ELECTRIC INCORPORATED	3,300.89	REPAIRS
LEAGUE OF HUMAN DIGNITY INC	3,298.00	GRANT REIMBURSEMENT
IOWA COMMUNICATIONS NETWORK	3,273.38	PHONE/INTERNET SVC
DOG & PONY PRODUCTIONS INC	3,250.00	MAC OPERATING EXPENDITURES
MARCO TECHNOLOGIES LLC	3,247.16	COPY/PRINTER MAINTANCE
FRATERNAL ORDER OF POLICE	3,115.00	CITY PAYROLL EXPENDITURES
THE OFFICE CLEANERS	3,102.05	JANITORIAL SERVICE
MIDWEST DISTRIBUTING CORPORATION	3,100.00	LEASE
SNYDER & ASSOCIATES INC	3,096.91	PROFESSIONAL SVCS
D&K PRODUCTS	3,083.48	DODGE OPERATING EXPENDITURES
HOSE & HANDLING INCORPORATED	3,021.31	EQUIPMENT/PARTS
GALLS INCORPORATED	3,014.36	EQUIPMENT/PARTS
JAMES MINGE	3,000.00	MAC OPERATING EXPENDITURES
J & S AUDIO VISUAL COMM INC	2,985.00	MAC OPERATING EXPENDITURES
VERMEER SALES & SERVICE INC	2,973.60	EQUIPMENT/PARTS
IMPACT7G INC	2,950.00	CONTRACTURAL SVC
WESTERN ENGINEERING COMPANY INC	2,920.00	CONSTRUCTION
CITY OF COUNCIL BLUFFS	2,798.04	DODGE OPERATING EXPENDITURES
EXELON CORPORATION	2,765.28	NATURAL GAS
RESOURCE RENTAL CENTER INC	2,725.00	RENTAL EXPS
BOBCAT OF OMAHA	2,703.98	EQUIPMENT/PARTS
PACIFIC SPRINGS GOLF CLUB	2,693.83	DODGE OPERATING EXPENDITURES
NEBRASKA AIR FILTER INC	2,688.19	SUPPLIES
CONTROL SERVICES INC	2,637.82	REPAIRS
STERN OIL INC	2,607.50	SUPPLIES
CHROMA DESIGN	2,532.63	CONSULTANT
WINDSTREAM CORPORATION	2,507.16	TELEPHONE
MOBOTREX INC	2,500.00	SUPPLIES
YMCA OF GREATER OMAHA	2,480.00	CONTRACTURAL SVC
MICHAEL O'BRADOVICH	2,400.00	CONSULTANT
NEBRASKA DISTRIBUTING	2,397.90	MAC OPERATING EXPENDITURES
ODEYS INC	2,387.00	EQUIPMENT/PARTS
TRANS-IOWA EQUIPMENT INC	2,385.90	EQUIPMENT/PARTS
FOX HOLDINGS INC	2,380.00	REPAIRS
CREDIT CARD AND BANK FEES	2,353.88	DODGE OPERATING EXPENDITURES
PREMIER MIDWEST BEVERAGE CO	2,353.85	DODGE OPERATING EXPENDITURES
I-80 LIQUOR & TOBACCO	2,318.66	DODGE OPERATING EXPENDITURES
CORNHUSKER TRUCKS ACCT #10747	2,312.45	EQUIPMENT/PARTS
U S AUTO FORCE/U S LUBRICANTS	2,301.12	SUPPLIES
ADVANCE SERVICES, INC	2,297.39	CONTRACT LABOR
WYSS ASSOCIATES, INC	2,201.75	CONTRACTURAL SVC
HUTCHESON ENGINEERING PRODUCTS INC	2,174.00	EQUIPMENT/PARTS
CSI/SSP INC	2,118.76	PRINTING/BINDING
DOLL DISTRIBUTING INC	2,095.70	MAC OPERATING EXPENDITURES

ARNOLD MOTOR SUPPLY LLP	2,092.87	EQUIPMENT/PARTS
HYDRONIC ENERGY INC	2,075.36	MAC OPERATING EXPENDITURES
PEPSI BEVERAGES CO	2,074.27	DODGE OPERATING EXPENDITURES
ECHO ELECTRIC SUPPLY	2,061.02	SUPPLIES
EXCELS MOBILE VIDEO SOLUTIONS INC	2,000.00	EQUIPMENT/PARTS
BOUND TO STAY BOUND BOOKS INC	1,998.78	BOOKS/PERIODICALS/SUB
MORRIS EXCAVATING CO INC	1,994.49	CONTRACTURAL SVC
SUEZ TREATMENT SOLUTIONS INC	1,988.48	EQUIPMENT/PARTS
BLACK HILLS UTILITY HOLDINGS INC	1,979.34	NATURAL GAS
LARSEN SUPPLY COMPANY INC	1,932.18	SUPPLIES
LANDSCAPES UNLIMITED	1,866.21	DODGE OPERATING EXPENDITURES
CRAIG KEYSOR	1,840.00	CONTRACTURAL SVC
ENCYCLOPAEDIA BRITANNICA INC	1,820.00	SUBSCRIPTION
WASTE CONNECTIONS OF NEBRASKA INC	1,808.22	SOLID WASTE DISPOSAL
QWEST CORPORATION	1,762.70	TELEPHONE
NATIONAL SAFETY COUNCIL	1,700.00	DUES/MEMBERSHIP
ROSE EQUIPMENT INC	1,676.52	EQUIPMENT/PARTS
RHOMAR INDUSTRIES INC	1,670.76	SUPPLIES
RASMUSSEN MECHANICAL SERVICE CORP	1,664.33	REPAIRS
CFI TIRE SERVICE	1,606.32	TIRE REPLACEMENT/REPAIR
COUNCIL BLUFFS CHAMBER OF COMMERCE	1,600.00	CONTRACTURAL SVC
OMAHA WORLD-HERALD CO	1,596.00	MAC OPERATING EXPENDITURES
AFSCME IOWA COUNCIL 61	1,548.78	DUES EMPLOYEE
OLD DOMINION BRUSH COMPANY	1,533.52	SUPPLIES
PITNEY BOWES CORPORATION	1,484.82	POSTAGE & LEASE COST
COUNCIL BLUFFS WINSUPPLY	1,481.91	SUPPLIES
AGRIVISION EQUIPMENT GROUP	1,418.34	EQUIPMENT/PARTS
BERT GURNEY & ASSOCIATES INC	1,415.37	EQUIPMENT/PARTS
SWAGIT PRODUCTIONS LLC	1,375.00	CONTRACTURAL SVC
SEAN JOHNSTON	1,357.00	FEES
J&M GOLF	1,250.19	DODGE OPERATING EXPENDITURES
BEDROCK VALUATION & CONSULTING	1,250.00	CONSULTANT
ULTRAMAX AMMUNITION	1,246.56	SUPPLIES
INTERNATIONAL ASSOCIATION	1,225.00	DUES/MEMBERSHIP
BOGARDUS PLUMBING COMPANY	1,219.75	REPAIRS
CONRECO INC	1,213.12	SUPPLIES
ABM ONSITE SERVICES-MIDWEST INC	1,181.75	JANITORIAL SERVICE
JERICO SERVICES INC	1,155.00	SUPPLIES
OCLC NETLIBRARY	1,147.38	SUBSCRIPTION
ELECTRONIC CONTRACTING COMPANY	1,142.63	SERVICE LABOR
TRIPLE PLAY TURF	1,125.00	DODGE OPERATING EXPENDITURES
POINT CONSTRUCTION	1,115.00	REPAIRS
MICHAEL TODD AND COMPANY INC	1,113.40	EQUIPMENT/PARTS
EVENT STAGING SYSTEMS LLC	1,100.00	MAC OPERATING EXPENDITURES
TOYNE INC	1,096.58	EQUIPMENT/PARTS
SWANK MOTION PICTURES INC	1,092.00	FEES

JIM HAWK TRUCK TRAILERS INC	1,088.96	EQUIPMENT/PARTS
JONES AUTOMOTIVE INCORPORATED	1,083.21	EQUIPMENT/PARTS
RIVERSIDE BUILDING MAINTENANCE INC	1,071.00	JANITORIAL SERVICE
STATE INDUSTRIAL PROUCTS	1,029.60	SUPPLIES
DR PEPPER SNAPPLE GROUP	1,020.60	SUPPLIES
EDS WIRE ROPE & RIGGING	1,012.76	EQUIPMENT/PARTS
GALF RIVERS EDGE LLC	1,008.00	REFUND
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	1,000.00	EMPLOYEE CONTRIB
BANK OF KANSAS	1,000.00	TRUSTEE FEE
DIAMOND OIL COMPANY	990.00	EQUIPMENT/PARTS
ALLEY POYNER MACCHIETTO ARCHITECTURE INC	961.65	REPAIRS
WATER ENGINEERING INC	958.56	CONTRACTURAL SVC
FACTORY MOTOR PARTS	943.85	SUPPLIES
ZIMCO SUPPLY CO	934.30	DODGE OPERATING EXPENDITURES
BLUFFS TAXI & COURIER	928.00	PROFESSIONAL SVCS
LPL FINANCIAL LLC	901.30	DODGE TRUST REIMBURSEMENT
DAVID W WOODY	889.97	SUPPLIES
PASSPORT LABS INC	887.75	PARK FEES
UTILITY EQUIPMENT COMPANY	876.45	EQUIPMENT/PARTS
DEAN HOLDING COMPANY	866.06	CONTRACTURAL SVC
MENARDS	856.90	SUPPLIES
BRYAN PREGON	840.00	FEES
ECHO ELECTRIC SUPPLY	830.11	MAC OPERATING EXPENDITURES
ELM USA INC	817.75	SUPPLIES
JONES BARREL CO	812.50	SUPPLIES
HD SUPPLY FAC MAINTENANCE LTD	791.60	SUPPLIES
ONE SOURCE THE BACKGROUND CHECK COMPANY	768.00	CONSULTANT
EDWARDS CHEVROLET-CADILLAC INC	762.47	EQUIPMENT/PARTS
JCG LAND SERVICES INC	752.51	CONTRACTURAL SVC
GOVDEALS INC	750.07	ONLINE PAYMENT FEES
ERIC M LITWIN	750.00	PROFESSIONAL SVCS
SILVERSTONE RISK SERVICES INC	750.00	INSURANCE
ROTO-ROOTER SERVICES CO	742.58	DODGE OPERATING EXPENDITURES
WALKERS INC	696.85	UNIFORMS
NEBRASKA MACHINERY COMPANY	695.49	EQUIPMENT/PARTS
INTERSTATE INDUSTRIAL INSTRM INC	692.00	SUPPLIES
IOWA ONE CALL	689.50	CONTRACTURAL SVC
CARROLL DISTRIBUTING & CONSTRUCTION	684.55	EQUIPMENT/PARTS
TREASURER-STATE OF IOWA	677.25	SALES TAX
THOMSON REUTERS	675.21	SUBSCRIPTION
RECORDED BOOKS LLC	670.22	DVD/AUDIO/CD
MICHAEL M SALES	670.00	PRINTING/BINDING
CUSTOM AUTO REBUILDERS	658.97	VEHICLE REPAIR
AIRCAD INC	647.00	EQUIPMENT/PARTS
UMR	643.84	DODGE OPERATING EXPENDITURES
INTERSTATE ALL BATTERY CENTER	643.80	SUPPLIES

IOWA GOLD ASSOCIATION	640.00	DODGE OPERATING EXPENDITURES
ECOSOLUTIONS LLC	632.00	SUPPLIES
ROY ALLMAN	631.00	REFUND
CANON SOLUTIONS AMERICA INC	626.19	COPY/PRINTER MAINTANCE
HDR ENGINEERING INC	602.77	PROFESSIONAL SVCS
BENNETT REFRIGERATION INC	599.00	DODGE OPERATING EXPENDITURES
ICON ENTERPRISES INC	577.40	HARDWARE/SOFTWARE
MOTION INDUSTRIES INCORPORATED	571.31	SUPPLIES
SAFETY KLEEN CORPORATION	569.79	CONTRACTURAL SVC
LYMAN-RICHEY SAND & GRAVEL CO	569.19	DODGE OPERATING EXPENDITURES
DENNIS L JONES	564.00	UMPIRE SCHEDULING
MYRON WILDER	560.00	FEES
RONALD DUANE ZIKA	560.00	MAC OPERATING EXPENDITURES
MALLOY ELECTRIC	548.26	EQUIPMENT/PARTS
BENNETT REFRIGERATION INC	545.35	REPAIRS
DXP ENTERPRISES INC	525.00	EQUIPMENT/PARTS
CHILD SUPPORT SERVICES DIVISION	514.32	GARNISHMENT
MID-AMERICA COUNCIL - BSA	500.00	DUES/MEMBERSHIP
NEBRASKA CHILD SUPPORT PAYMENT CTR	496.62	EMPLOYEE CONTRIB
MIDSTATES CONSTRUCTION PRODUCTS INC	496.50	EQUIPMENT/PARTS
THREE EAGLES COMM OF LINCOLN	496.00	MAC OPERATING EXPENDITURES
AMBER KENNEDY	495.79	TRAVEL REIMBURSEMENT
WOODHOUSE AUTO FAMILY	481.46	EQUIPMENT/PARTS
TRANS-ALARM INC	474.00	CONTRACTURAL SVC
OMAHA DOOR & WINDOW CO INC	467.85	REPAIRS
DATA POWER TECHNOLOGY LLC	460.00	REPAIRS
DANA SCHOTT	460.00	MAC OPERATING EXPENDITURES
PROFESSIONAL AUDIOLOGY AND	450.00	PROFESSIONAL SVCS
LAWSON PRODUCTS INCORPORATED	448.32	SUPPLIES
BOFA	443.86	MAC OPERATING EXPENDITURES
NEBRASKA-IOWA SUPPLY CO INC	443.53	FUEL
INLAND TRUCK PARTS COMPANY INC	442.94	EQUIPMENT/PARTS
FERGUSON ENTERPRISES INC #1657	407.40	EQUIPMENT/PARTS
CWA-DUES	402.15	DUES EMPLOYEE
ROCHESTER ARMORED CAR CO INC	402.08	MAC OPERATING EXPENDITURES
CUMMINS CENTRAL POWER, LLC	400.44	EQUIPMENT/PARTS
PARAMOUNT LINEN & UNIFORMS	399.76	DODGE OPERATING EXPENDITURES
DALTON PREGON	385.00	FEES
DESIGN FOUR INC	377.74	MAC OPERATING EXPENDITURES
C & J INDUSTRIAL SUPPLY	377.50	JANITORIAL SERVICE
MCMULLEN FORD INC	371.30	EQUIPMENT/PARTS
INSIGHT PUBLIC SECTOR INC	367.48	HARDWARE/SOFTWARE
BGNE	364.80	SUPPLIES
STANARD & ASSOCIATES INC	360.00	SUPPLIES
CENGAGE LEARNING INC	351.18	BOOKS/PERIODICALS/SUB
INFOSAFE SHREDDING LLC	350.00	CONTRACTURAL SVC

RDG GEOSCIENCE & ENGINEERING INC	332.25	PROFESSIONAL SVCS
MURPHY TRACTOR & EQUIPMENT CO CORP	329.18	SUPPLIES
TURF CARS LTD	328.00	DODGE OPERATING EXPENDITURES
GENIE PEST CONTROL	325.00	PEST CONTROL
MARK WARNEKE	325.00	CONTRACTURAL SVC
OMAHA WORLD HERALD	312.00	ADVERTISEMENT
IOWA DEPARTMENT OF IN	305.75	MAC OPERATING EXPENDITURES
DIAMOND MOWERS INC	302.42	REPAIRS
GREAT AMERICA FINANCIAL SERVICES CORPORATION	300.03	LOAN PAYMENTS
CAROLINA SOFTWARE INC	300.00	HARDWARE/SOFTWARE
INTERNATIONAL ASSOCIATION OF PLUMBING	300.00	DUES/MEMBERSHIP
SCOTT M POPE	300.00	REIMBURSEMENT
STEVEN J ROSS	300.00	REIMBURSEMENT
M & M STAFFING INC	297.11	CONTRACTURAL SVC
TY'S OUTDOOR POWER & SERVICE	296.07	EQUIPMENT/PARTS
HAWKEYE TRUCK EQUIPMENT	295.53	EQUIPMENT/PARTS
JONATHAN C FINNEGAN	294.30	TRAVEL REIMBURSEMENT
BUCKS INC	291.00	VEHICLE WASH
YANT TESTING SUPPLY & EQUIPMENT CO INC	284.88	REPAIRS
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	280.00	EMPLOYEE CONTRIB
EAGLE SERVICES	278.88	DODGE OPERATING EXPENDITURES
LARSEN SUPPLY COMPANY	275.17	DODGE OPERATING EXPENDITURES
ALLOY SPECIALTY INC	275.00	CONTRACTURAL SVC
GEOFFREY HUBBARD	264.87	TRAVEL REIMBURSEMENT
KMA BROADCASTING LP	261.00	MAC OPERATING EXPENDITURES
EDWIN FASTNACHT	254.68	SUPPLIES
BARBARA MADISON	250.00	REFUND
CONAGRA	250.00	REFUND
DAVID COLLINS	250.00	REFUND
GEORGE BURNS	250.00	REFUND
LINKON LOGS PORTABLES	250.00	RENTAL EXPS
CONTINENTAL FIRE SPRINKLER CORP	245.00	CONTRACTURAL SVC
SAMANTHA PAYNE	243.00	REFUND
SANDRY FIRE SUPPLY LLC	242.24	SUPPLIES
ASP ENTERPRISES INC	240.00	EQUIPMENT/PARTS
BOMGAARS SUPPLY INC	236.29	SUPPLIES
ROTO ROOTER	230.00	REPAIRS
VOICE & DATA SYSTEMS INC	228.00	TELEPHONE
W W GRAINGER INCORPORATED	225.05	EQUIPMENT/PARTS
POTTAWATTAMIE COUNTY RECORDER	224.00	FEES
SAVANT CORPORATION	224.00	EQUIPMENT/PARTS
ALLIED ELECTRONICS INCORPORATED	223.48	SUPPLIES
ROAD BUILDERS MACH & SUPPLY CO INC	221.30	EQUIPMENT/PARTS
ALEX PATRICK CROWL	210.00	CONTRACTURAL SVC
JOSHUA DENNIS MURPHY	200.00	PROFESSIONAL SVCS
DICK DEAN SERVICE STORE	199.85	REPAIRS

MID-AMERICA CLEANING SYSTEMS INC	199.12	EQUIPMENT/PARTS
THE WALMAN OPTICAL COMPANY	195.90	SAFETY EQUIPMENT
RAY MABBITT	195.00	CONTRACTURAL SVC
GREAT AMERICAL FINAN SERVICES	190.99	DODGE OPERATING EXPENDITURES
COX BUSINESS	181.49	DODGE OPERATING EXPENDITURES
MATHESON TRI GAS	178.45	WELDING SUPPLIES/SERVICE
SECURITAS SECURITY SERVICES USA INC	176.00	PROFESSIONAL SVCS
IOWA RECYCLING ASSOCIATION	175.00	DUES/MEMBERSHIP
O'REILLY AUTOMOTIVE INC	169.83	SUPPLIES
CHARLENE BAIRON ALVARADO	165.00	REPAIRS
TIMOTHY D GILLOON	160.00	FEES
LMAN	159.00	DODGE OPERATING EXPENDITURES
SUPPLYWORKS	157.28	SAFETY EQUIPMENT
OMAHA RUBBER STAMP CO	152.50	DODGE OPERATING EXPENDITURES
MIKE A TAYLOR	150.00	REPAIRS
EZLINKS GOLF HOLDINGS LLC	147.00	HARDWARE/SOFTWARE
PEERLESS WIPING CLOTH CO	147.00	SUPPLIES
ANNA HARTMANN	145.24	TRAVEL REIMBURSEMENT
MARIA MIGUEL	145.00	REFUND
WILLIAM E CARPENTER JR	139.52	TRAVEL REIMBURSEMENT
STANEK FIRE PROTECTION	139.00	CONTRACTURAL SVC
FONTENELLE FOREST	130.00	PROFESSIONAL SVCS
LKQ MIDWEST AUTO	125.00	EQUIPMENT/PARTS
JEFFREY T KOUBA	120.00	PROFESSIONAL SVCS
SANDAU BROS SIGN CO INC	118.00	CONTRACTURAL SVC
SITEOONE LANDSCAPE SUPPLY	111.28	DODGE OPERATING EXPENDITURES
TRANSALARM INC	111.00	DODGE OPERATING EXPENDITURES
DANIELSON TECH SUPPLY	110.24	SUPPLIES
TED'S MOWER SALES & SERVICE INC	102.16	EQUIPMENT/PARTS
EWT HOLDINGS III CORP	100.02	CONTRACTURAL SVC
WEST BEND MUTUAL INSURANCE COMPANY	100.00	INSURANCE
MATHESON TRI GAS INC	100.00	MAC OPERATING EXPENDITURES
A & D TECHNICAL SUPPLY COMPANY	92.40	SUPPLIES
POTTAWATTAMIE COUNTY CLERK OF COURT	90.00	COURT COSTS
UNITYPOINT CLINIC	84.00	CONSULTANT
MICHAEL L KISSEL	83.80	REFUND
MID STATES BANK	82.43	MAC OPERATING EXPENDITURES
UNIVERSITY OF NEBRASKA AT OMAHA	80.00	TRAINING
BILL'S WATER CONDITIONING	79.00	SUPPLIES
FIREFIGHTERS UNION #15	79.00	CITY PAYROLL EXPENDITURES
WENDY K SCHULTZ	78.48	TRAVEL REIMBURSEMENT
COUNCIL HITCH SERVICE INC	77.00	EQUIPMENT/PARTS
COUNCIL BLUFFS ONLINE LLC	70.00	CONTRACTURAL SVC
JANICE M GILL	66.39	REFUND
SAMS CLUB	65.66	DODGE OPERATING EXPENDITURES
DRAFTEX	64.00	DODGE OPERATING EXPENDITURES

FASTENAL COMPANY	61.00	SUPPLIES
SPRINT SOLUTIONS INC	57.48	CELL PHONE
PRESTO X	55.00	PROFESSIONAL SVCS
RICOH USA INC	54.80	EQUIPMENT/PARTS
MIDWEST SOUND & LIGHTING INC	51.36	MAC OPERATING EXPENDITURES
EASTERN IOWA THERAPEUTICS	50.00	PROFESSIONAL SVCS
IOWA MUNICIPAL FINANCE OFFICERS	50.00	DUES/MEMBERSHIP
LINCOLN NATIONAL LIFE INS CO	48.80	DODGE OPERATING EXPENDITURES
CORY YOUNG	43.99	REFUND
BOYER DIESEL	40.00	REFUND
DEX MEDIA EAST LLC	39.15	ADVERTISEMENT
AMERITAS LIFE INS CORP	37.92	DODGE OPERATING EXPENDITURES
ENIE PEST CONTROL	35.00	DODGE OPERATING EXPENDITURES
MUTUAL OF OMAHA	32.00	DODGE OPERATING EXPENDITURES
IOWA DEPARTMENT OF REVENUE	30.06	GARNISHMENT
MANGOLD ENVIRONMENTAL TESTING INC	30.00	CONSULTANT
BOBBI LYNN FAGAN	25.00	REFUND
M & R WELDING	25.00	WELDING SUPPLIES/SERVICE
JEFFEREY ALLAN CARRUTHERS	24.00	VEHICLE WASH
VULCAN INDUSTRIES INCORPORATED	24.00	SUPPLIES
JAMIE N RUPPERT	23.87	TRAVEL REIMBURSEMENT
UNITED PARCEL SERVICE	21.09	FREIGHT/POSTAGE
MELISSA KELLEY	20.00	REFUND
PAYPAL INC	19.95	CONTRACTURAL SVC
SARAH ALLEN	16.90	REIMBURSEMENT
TIFOSI OPTICS INC	16.76	DODGE OPERATING EXPENDITURES
HELEN BROADWAY-SAVAGE	15.00	REFUND
LORETTA GOESCHEL	13.63	TRAVEL REIMBURSEMENT
LORNA WOODS	13.63	REIMBURSEMENT
AMERICAN MESSAGING SERVICES LLC	13.23	TELEPHONE
LARSEN SUPPLY CO	13.15	MAC OPERATING EXPENDITURES
TOLEDO PUBLIC LIBRARY	9.95	REFUND
TRISHA D ALFERS	6.54	TRAVEL REIMBURSEMENT
GOOGLE LLC	6.45	DODGE OPERATING EXPENDITURES
JOHN FARRELL	5.99	REFUND
JULIANNE M JOHNSON	4.80	TRAVEL REIMBURSEMENT
KIMBERLY K RIEBE	3.82	TRAVEL REIMBURSEMENT
TANYA FRENCH	3.27	TRAVEL REIMBURSEMENT
UNION BANK & TRUST	2.00	DODGE OPERATING EXPENDITURES
MIDWEST LABORATORIES INC	1.56	CONTRACTURAL SVC
DISCOVER	0.28	MAC OPERATING EXPENDITURES

CITY OF COUNCIL BLUFFS
EXPENDITURES
July, FY19

VENDOR	AMOUNT	BUSINESS PURPOSE
A & D TECHNICAL SUPPLY COMPANY	92.40	SUPPLIES
ABC ELECTRIC INCORPORATED	3,300.89	REPAIRS
ABM ONSITE SERVICES-MIDWEST INC	1,181.75	JANITORIAL SERVICE
ACTION TARGET	4,859.09	EQUIPMENT/PARTS
ACUSHNET COMPANY	10,511.75	DODGE OPERATING EXPENDITURES
ADIDAS AMERICA INC	9,637.92	DODGE OPERATING EXPENDITURES
ADPI EMS BILLING INC	6,778.48	AMBULANCE BILLING FEE
ADVANCE SERVICES, INC	2,297.39	CONTRACT LABOR
ADVANCE SOUTHWEST IOWA	25,000.00	CONTRACTURAL SVC
AFSCME IOWA COUNCIL 61	1,548.78	DUES EMPLOYEE
AGRIVISION EQUIPMENT GROUP	1,418.34	EQUIPMENT/PARTS
AHLERS & COONEY PC	32,519.48	ATTORNEY FEES
AIRCAD INC	647.00	EQUIPMENT/PARTS
ALEX PATRICK CROWL	210.00	CONTRACTURAL SVC
ALLEY POYNER MACCHIETTO ARCHITECTURE INC	961.65	REPAIRS
ALLIED ELECTRONICS INCORPORATED	223.48	SUPPLIES
ALLOY SPECIALTY INC	275.00	CONTRACTURAL SVC
AMBER KENNEDY	495.79	TRAVEL REIMBURSEMENT
AMERICAN MESSAGING SERVICES LLC	13.23	TELEPHONE
AMERITAS LIFE INS CORP	37.92	DODGE OPERATING EXPENDITURES
ANNA HARTMANN	145.24	TRAVEL REIMBURSEMENT
ANTHONY R CARR	3,445.50	EQUIPMENT/PARTS
AQUA-CHEM INCORPORATED	3,648.57	SUPPLIES
ARNOLD MOTOR SUPPLY LLP	2,092.87	EQUIPMENT/PARTS
ARROW TOWING	5,670.00	TOWING/STORAGE/AUCTION
ARROWHEAD SCIENTIFIC INC	43,000.00	EQUIPMENT/PARTS
ASP ENTERPRISES INC	240.00	EQUIPMENT/PARTS
ASPHALT AND CONCRETE MATERIALS CO	10,627.42	STREET MAINTENANCE SUPLS
AVAYA INC	7,615.08	TELEPHONE
BAKER & TAYLOR INC	4,673.33	BOOKS/PERIODICALS/SUB
BANK OF KANSAS	1,000.00	TRUSTEE FEE
BARBARA MADISON	250.00	REFUND
BARTON SOLVENTS INCORPORATED	4,237.00	SUPPLIES
BEDROCK VALUATION & CONSULTING	1,250.00	CONSULTANT
BENNETT REFRIGERATION INC	599.00	DODGE OPERATING EXPENDITURES
BENNETT REFRIGERATION INC	545.35	REPAIRS
BERT GURNEY & ASSOCIATES INC	1,415.37	EQUIPMENT/PARTS
BEST CARE EMPLOYEE ASSISTANCE PROGRAM	10,456.56	MEDICAL SUPPLIES
BGNE	364.80	SUPPLIES
BH MEDIA GROUP HOLDING INC	12,779.60	ADVERTISEMENT

BILL'S WATER CONDITIONING	79.00	SUPPLIES
BLACK & VEATCH CORPORATION	37,572.77	CONSULTANT
BLACK HILLS UTILITY HOLDINGS INC	1,979.34	NATURAL GAS
BLUFFS ARTS COUNCIL	3,957.60	CONTRACTURAL SVC
BLUFFS ELECTRIC INC	7,069.90	ELECTRICAL REPAIR
BLUFFS PAVING & UTILITY INC	101,078.41	CONSTRUCTION
BLUFFS TAXI & COURIER	928.00	PROFESSIONAL SVCS
BOBBI LYNN FAGAN	25.00	REFUND
BOBCAT OF OMAHA	2,703.98	EQUIPMENT/PARTS
BOFA	443.86	MAC OPERATING EXPENDITURES
BOGARDUS PLUMBING COMPANY	1,219.75	REPAIRS
BOMGAARS SUPPLY INC	236.29	SUPPLIES
BOUNCE IMAGING INC	4,159.90	EQUIPMENT/PARTS
BOUND TO STAY BOUND BOOKS INC	1,998.78	BOOKS/PERIODICALS/SUB
BOYER DIESEL	40.00	REFUND
BRYAN PREGON	840.00	FEES
BUCKS INC	291.00	VEHICLE WASH
BUSHMAN FLOOR COVERING INC	7,932.60	REPAIRS
C & J INDUSTRIAL SUPPLY	377.50	JANITORIAL SERVICE
CAESARS ENTERTAINMENT	237,487.85	MAC OPERATING EXPENDITURES
CANON SOLUTIONS AMERICA INC	626.19	COPY/PRINTER MAINTANCE
CARLEY CONSTRUCTION LLC	4,884.18	CONSTRUCTION
CAROLINA SOFTWARE INC	300.00	HARDWARE/SOFTWARE
CARROLL DISTRIBUTING & CONSTRUCTION	684.55	EQUIPMENT/PARTS
CENGAGE LEARNING INC	351.18	BOOKS/PERIODICALS/SUB
CENTRAL SALT LLC	57,387.68	STREET MAINTENANCE SUPLS
CFI TIRE SERVICE	1,606.32	TIRE REPLACEMENT/REPAIR
CHAMPLIN TIRE RECYCLING INC	3,540.00	TIRE DISPOSAL
CHARLENE BAIRON ALVARADO	165.00	REPAIRS
CHILD SUPPORT SERVICES DIVISION	514.32	GARNISHMENT
CHROMA DESIGN	2,532.63	CONSULTANT
CITY OF COUNCIL BLUFFS	2,798.04	DODGE OPERATING EXPENDITURES
CLARK EQUIPMENT COMPANY	3,714.50	EQUIPMENT/PARTS
COLLECTION SERVICES CENTER	9,132.78	GARNISHMENT
CONAGRA	250.00	REFUND
CONRECO INC	1,213.12	SUPPLIES
CONTINENTAL FIRE SPRINKLER CORP	245.00	CONTRACTURAL SVC
CONTROL SERVICES INC	2,637.82	REPAIRS
CORNHUSKER TRUCKS ACCT #10747	2,312.45	EQUIPMENT/PARTS
CORY YOUNG	43.99	REFUND
COUNCIL BLUFFS AIRPORT AUTHORITY	7,271.06	AIRPORT AUTH TAX
COUNCIL BLUFFS CHAMBER OF COMMERCE	1,600.00	CONTRACTURAL SVC
COUNCIL BLUFFS ONLINE LLC	70.00	CONTRACTURAL SVC
COUNCIL BLUFFS WATER WORKS	17,306.76	WATER
COUNCIL BLUFFS WINSUPPLY	1,481.91	SUPPLIES
COUNCIL HITCH SERVICE INC	77.00	EQUIPMENT/PARTS

COX BUSINESS	181.49	DODGE OPERATING EXPENDITURES
COX COMMUNICATIONS	22,671.21	PHONE/INTERNET SVC
CRAIG KEYSOR	1,840.00	CONTRACTURAL SVC
CREDIT CARD AND BANK FEES	2,353.88	DODGE OPERATING EXPENDITURES
CREDIT CARD CHARGES	4,298.65	FEES
CROUCH RECREATIONAL DESIGN INC	7,790.00	EQUIPMENT/PARTS
CSI/SSP INC	2,118.76	PRINTING/BINDING
CUMMINS CENTRAL POWER, LLC	400.44	EQUIPMENT/PARTS
CURTIS W MCGHEE TRUST	158,571.30	CLAIMS-LAWSUIT
CUSTOM AUTO REBUILDERS	658.97	VEHICLE REPAIR
CWA-DUES	402.15	DUES EMPLOYEE
D&K PRODUCTS	3,083.48	DODGE OPERATING EXPENDITURES
DALTON PREGON	385.00	FEES
DANA SCHOTT	460.00	MAC OPERATING EXPENDITURES
DANIELSON TECH SUPPLY	110.24	SUPPLIES
DATA POWER TECHNOLOGY LLC	460.00	REPAIRS
DAVID COLLINS	250.00	REFUND
DAVID W WOODY	889.97	SUPPLIES
DEAN HOLDING COMPANY	866.06	CONTRACTURAL SVC
DENNIS L JONES	564.00	UMPIRE SCHEDULING
DESIGN FOUR INC	377.74	MAC OPERATING EXPENDITURES
DETECTACHEM LLC	5,457.33	EQUIPMENT/PARTS
DEX MEDIA EAST LLC	39.15	ADVERTISEMENT
DIAMOND MOWERS INC	302.42	REPAIRS
DIAMOND OIL COMPANY	990.00	EQUIPMENT/PARTS
DICK DEAN SERVICE STORE	199.85	REPAIRS
DISCOVER	0.28	MAC OPERATING EXPENDITURES
DOG & PONY PRODUCTIONS INC	3,250.00	MAC OPERATING EXPENDITURES
DOLL DISTRIBUTING INC	2,095.70	MAC OPERATING EXPENDITURES
DOLL DISTRIBUTING LLC	4,657.05	DODGE OPERATING EXPENDITURES
DR PEPPER SNAPPLE GROUP	1,020.60	SUPPLIES
DRAFTEX	64.00	DODGE OPERATING EXPENDITURES
DRIVER PLUMBING	3,640.00	REPAIRS
DSCAPES MGMT COMPANY	5,618.65	DODGE OPERATING EXPENDITURES
DXP ENTERPRISES INC	525.00	EQUIPMENT/PARTS
EAGLE SERVICES	278.88	DODGE OPERATING EXPENDITURES
EASTERN IOWA THERAPEUTICS	50.00	PROFESSIONAL SVCS
EBS - FLEX ACOCUNT	14,469.00	CITY PAYROLL EXPENDITURES
ECHO ELECTRIC SUPPLY	2,061.02	SUPPLIES
ECHO ELECTRIC SUPPLY	830.11	MAC OPERATING EXPENDITURES
ECOSOLUTIONS LLC	632.00	SUPPLIES
ED M FELD EQUIPMENT COMPANY INC	3,555.13	EQUIPMENT/PARTS
EDS WIRE ROPE & RIGGING	1,012.76	EQUIPMENT/PARTS
EDWARDS CHEVROLET-CADILLAC INC	762.47	EQUIPMENT/PARTS
EDWIN FASTNACHT	254.68	SUPPLIES
EFTPS	610,848.60	CITY PAYROLL EXPENDITURES

EHRHART GRIFFIN & ASSOCIATES INC	22,583.40	PROFESSIONAL SVCS
ELECTRONIC CONTRACTING COMPANY	1,142.63	SERVICE LABOR
ELM USA INC	817.75	SUPPLIES
EMUNAH LLC	8,156.50	JANITORIAL SERVICE
ENCYCLOPAEDIA BRITANNICA INC	1,820.00	SUBSCRIPTION
ENIE PEST CONTROL	35.00	DODGE OPERATING EXPENDITURES
ERIC M LITWIN	750.00	PROFESSIONAL SVCS
ERRIN KEITH GUNDERSON	11,135.14	CONTRACTURAL SVC
EVENT STAGING SYSTEMS LLC	1,100.00	MAC OPERATING EXPENDITURES
EWI HOLDINGS III CORP	100.02	CONTRACTURAL SVC
EXCELS MOBILE VIDEO SOLUTIONS INC	2,000.00	EQUIPMENT/PARTS
EXELON CORPORATION	2,765.28	NATURAL GAS
EZLINKS GOLF HOLDINGS LLC	147.00	HARDWARE/SOFTWARE
FACTORY MOTOR PARTS	943.85	SUPPLIES
FASTENAL COMPANY	61.00	SUPPLIES
FERGUSON ENTERPRISES INC #1657	407.40	EQUIPMENT/PARTS
FIREFIGHTERS UNION #15	79.00	CITY PAYROLL EXPENDITURES
FONTENELLE FOREST	130.00	PROFESSIONAL SVCS
FOX HOLDINGS INC	2,380.00	REPAIRS
FRATERNAL ORDER OF POLICE	3,115.00	CITY PAYROLL EXPENDITURES
GALF RIVERS EDGE LLC	1,008.00	REFUND
GALLS INCORPORATED	3,014.36	EQUIPMENT/PARTS
GENERAL TRAFFIC CONTROLS INC	18,038.00	CONTRACTURAL SVC
GENIE PEST CONTROL	325.00	PEST CONTROL
GENUINE PARTS COMPANY-NAPA	4,302.53	EQUIPMENT/PARTS
GEOFFREY HUBBARD	264.87	TRAVEL REIMBURSEMENT
GEORGE BURNS	250.00	REFUND
GOOGLE LLC	6.45	DODGE OPERATING EXPENDITURES
GOVDEALS INC	750.07	ONLINE PAYMENT FEES
GREAT AMERICA FINANCIAL SERVICES CORPORATION	300.03	LOAN PAYMENTS
GREAT AMERICAL FINAN SERVICES	190.99	DODGE OPERATING EXPENDITURES
GREAT PLAINS UNIFORMS	4,093.50	UNIFORMS
GREEN ACRES RECYCLING	39,878.06	SOLID WASTE DISPOSAL
GREGORY A PETERSON CONSULTING INC	3,800.00	CONSULTANT
HAWKEYE TRUCK EQUIPMENT	295.53	EQUIPMENT/PARTS
HAWKEYE VISION INC	13,909.00	SECURITY
HAWKINS CONSTRUCTION COMPANY	1,335,546.64	CONSTRUCTION
HD SUPPLY FAC MAINTENANCE LTD	791.60	SUPPLIES
HDR ENGINEERING INC	602.77	PROFESSIONAL SVCS
HEIMAN FIRE EQUIPMENT INCORPORATED	25,323.55	SAFETY EQUIPMENT
HELEN BROADWAY-SAVAGE	15.00	REFUND
HGM ASSOCIATES INC	217,375.39	PROFESSIONAL SVCS
HOEFER WYSOCKI ARCHITECTS, LLC	12,177.77	PROFESSIONAL SVCS
HOSE & HANDLING INCORPORATED	3,021.31	EQUIPMENT/PARTS
HUTCHESON ENGINEERING PRODUCTS INC	2,174.00	EQUIPMENT/PARTS
HYDRONIC ENERGY INC	2,075.36	MAC OPERATING EXPENDITURES

I-80 LIQUOR & TOBACCO	2,318.66	DODGE OPERATING EXPENDITURES
ICMA RETIREMENT TRUST	10,094.30	CITY PAYROLL EXPENDITURES
ICON ENTERPRISES INC	577.40	HARDWARE/SOFTWARE
IMPACT7G INC	2,950.00	CONTRACTURAL SVC
INFOSAFE SHREDDING LLC	350.00	CONTRACTURAL SVC
INLAND TRUCK PARTS COMPANY INC	442.94	EQUIPMENT/PARTS
INSIGHT PUBLIC SECTOR INC	367.48	HARDWARE/SOFTWARE
INTERNATIONAL ASSOCIATION	1,225.00	DUES/MEMBERSHIP
INTERNATIONAL ASSOCIATION OF PLUMBING	300.00	DUES/MEMBERSHIP
INTERSTATE ALL BATTERY CENTER	643.80	SUPPLIES
INTERSTATE INDUSTRIAL INSTRM INC	692.00	SUPPLIES
IOWA COMMUNICATIONS NETWORK	3,273.38	PHONE/INTERNET SVC
IOWA DEPARTMENT OF IN	305.75	MAC OPERATING EXPENDITURES
IOWA DEPARTMENT OF NATURAL RESOURCE	7,525.00	CONTRACTURAL SVC
IOWA DEPARTMENT OF REVENUE	17,655.00	MAC OPERATING EXPENDITURES
IOWA DEPARTMENT OF REVENUE	9,241.00	DODGE OPERATING EXPENDITURES
IOWA DEPARTMENT OF REVENUE	30.06	GARNISHMENT
IOWA DEPT OF REVENUE	149,293.00	CITY PAYROLL EXPENDITURES
IOWA GOLD ASSOCIATION	640.00	DODGE OPERATING EXPENDITURES
IOWA LEAGUE OF CITIES	14,297.00	FEES
IOWA MUNICIPAL FINANCE OFFICERS	50.00	DUES/MEMBERSHIP
IOWA ONE CALL	689.50	CONTRACTURAL SVC
IOWA PRISON INDUSTRIES	13,105.00	SUPPLIES
IOWA RECYCLING ASSOCIATION	175.00	DUES/MEMBERSHIP
IOWA STORMWATER EDUCATION	5,700.00	DUES/MEMBERSHIP
IOWA WASTE SERVICES LLC	35,692.96	SOLID WASTE DISPOSAL
IOWA WORKFORCE DEVELOPMENT	35,932.37	UNEMPLOYMENT
IPERS	191,043.30	RETIREMENT
J & L SERVICES	9,658.40	RENTAL EXPS
J & S AUDIO VISUAL COMM INC	2,985.00	MAC OPERATING EXPENDITURES
J&M GOLF	1,250.19	DODGE OPERATING EXPENDITURES
JAMES E HALL	12,500.00	CONTRACTURAL SVC
JAMES MINGE	3,000.00	MAC OPERATING EXPENDITURES
JAMIE N RUPPERT	23.87	TRAVEL REIMBURSEMENT
JANICE M GILL	66.39	REFUND
JCG LAND SERVICES INC	752.51	CONTRACTURAL SVC
JEFFEREY ALLAN CARRUTHERS	24.00	VEHICLE WASH
JEFFREY T KOUBA	120.00	PROFESSIONAL SVCS
JEO CONSULTING GROUP INC	14,174.87	CONSULTANT
JERICO SERVICES INC	1,155.00	SUPPLIES
JIM HAWK TRUCK TRAILERS INC	1,088.96	EQUIPMENT/PARTS
JOHN E LAJBA-SCULPTOR CORPORATION	100,690.00	CONTRACTURAL SVC
JOHN FARRELL	5.99	REFUND
JONATHAN C FINNEGAN	294.30	TRAVEL REIMBURSEMENT
JONES AUTOMOTIVE INCORPORATED	1,083.21	EQUIPMENT/PARTS
JONES BARREL CO	812.50	SUPPLIES

JOSHUA DENNIS MURPHY	200.00	PROFESSIONAL SVCS
JULIANNE M JOHNSON	4.80	TRAVEL REIMBURSEMENT
KAYS CUSTOMS	3,976.50	CONTRACTURAL SVC
KENNETH LOGHRY	6,943.00	MOWING/GROUNDS MAINT
KIMBERLY K RIEBE	3.82	TRAVEL REIMBURSEMENT
KING-JONES LLC	52,328.53	CLAIMS-LAWSUIT
KMA BROADCASTING LP	261.00	MAC OPERATING EXPENDITURES
KOSKKOKE V O'NEAL	7,539.50	EQUIPMENT/PARTS
LANDSCAPES UNLIMITED	1,866.21	DODGE OPERATING EXPENDITURES
LARSEN SUPPLY CO	13.15	MAC OPERATING EXPENDITURES
LARSEN SUPPLY COMPANY	275.17	DODGE OPERATING EXPENDITURES
LARSEN SUPPLY COMPANY INC	1,932.18	SUPPLIES
LAWN WIZARDS INC	12,054.00	MOWING/GROUNDS MAINT
LAWSON PRODUCTS INCORPORATED	448.32	SUPPLIES
LEADSONLINE LLC	7,988.00	PROFESSIONAL SVCS
LEAGUE OF HUMAN DIGNITY INC	3,298.00	GRANT REIMBURSEMENT
LEANN L HUGHES	20,634.75	TREE WORK
LINCOLN NATIONAL LIFE INS CO	48.80	DODGE OPERATING EXPENDITURES
LINKON LOGS PORTABLES	250.00	RENTAL EXPS
LKQ MIDWEST AUTO	125.00	EQUIPMENT/PARTS
LMAN	159.00	DODGE OPERATING EXPENDITURES
LOCKTON CO, LLC -KC SERIES	7,358.00	DODGE OPERATING EXPENDITURES
LOGAN CONTRACTORS SUPPLY INC	3,357.25	SUPPLIES
LORETTA GOESCHEL	13.63	TRAVEL REIMBURSEMENT
LORNA WOODS	13.63	REIMBURSEMENT
LPL FINANCIAL LLC	901.30	DODGE TRUST REIMBURSEMENT
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	5,259.86	EMPLOYEE CONTRIB
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	3,520.00	EMPLOYEE CONTRIB
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	1,000.00	EMPLOYEE CONTRIB
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	280.00	EMPLOYEE CONTRIB
LYMAN-RICHEY SAND & GRAVEL CO	569.19	DODGE OPERATING EXPENDITURES
M & M STAFFING INC	297.11	CONTRACTURAL SVC
M & R WELDING	25.00	WELDING SUPPLIES/SERVICE
MALLOY ELECTRIC	548.26	EQUIPMENT/PARTS
MANGOLD ENVIRONMENTAL TESTING INC	30.00	CONSULTANT
MARCO TECHNOLOGIES LLC	3,247.16	COPY/PRINTER MAINTANCE
MARIA MIGUEL	145.00	REFUND
MARK WARNEKE	325.00	CONTRACTURAL SVC
MATHESON TRI GAS	178.45	WELDING SUPPLIES/SERVICE
MATHESON TRI GAS INC	100.00	MAC OPERATING EXPENDITURES
MCMULLEN FORD INC	371.30	EQUIPMENT/PARTS
MECHANICAL SALES PARTS INCORPORATED	9,361.00	SUPPLIES
MELISSA KELLEY	20.00	REFUND
MENARDS	856.90	SUPPLIES
MFPRSI	450,635.67	CITY PAYROLL EXPENDITURES
MICHAEL L KISSEL	83.80	REFUND

MICHAEL M SALES	670.00	PRINTING/BINDING
MICHAEL O'BRADOVICH	2,400.00	CONSULTANT
MICHAEL P GOTTSCHALK	16,462.00	REIMBURSEMENT
MICHAEL TODD AND COMPANY INC	1,113.40	EQUIPMENT/PARTS
MID STATES BANK	82.43	MAC OPERATING EXPENDITURES
MID-AMERICA CLEANING SYSTEMS INC	199.12	EQUIPMENT/PARTS
MID-AMERICA COUNCIL - BSA	500.00	DUES/MEMBERSHIP
MID-AMERICA LIBRARY ALLIANCE	3,998.00	CONTRACTURAL SVC
MIDAMERICAN ENERGY	148,480.84	ELECTRICITY
MIDSTATES CONSTRUCTION PRODUCTS INC	496.50	EQUIPMENT/PARTS
MIDWEST DISTRIBUTING CORPORATION	3,100.00	LEASE
MIDWEST LABORATORIES INC	1.56	CONTRACTURAL SVC
MIDWEST SOUND & LIGHTING INC	51.36	MAC OPERATING EXPENDITURES
MIDWEST TAPE	8,079.65	DVD/AUDIO/CD
MIDWEST TURF & IRRIGATION	33,048.04	EQUIPMENT/PARTS
MIKE A TAYLOR	150.00	REPAIRS
MMC MECHANICAL CONTRACTORS, INC.	56,427.10	CONTRACTURAL SVC
MOBOTREX INC	2,500.00	SUPPLIES
MORRIS EXCAVATING CO INC	1,994.49	CONTRACTURAL SVC
MOTION INDUSTRIES INCORPORATED	571.31	SUPPLIES
MURPHY TRACTOR & EQUIPMENT CO CORP	329.18	SUPPLIES
MUTUAL OF OMAHA	32.00	DODGE OPERATING EXPENDITURES
MYRON WILDER	560.00	FEES
N HARRIS COMPUTER CORPORATION	3,929.04	HARDWARE/SOFTWARE
NATIONAL SAFETY COUNCIL	1,700.00	DUES/MEMBERSHIP
NATIONWIDE RETIREMENT SOLUTIONS INC	63,593.22	EMPLOYEE CONTRIB
NEBRASKA AIR FILTER INC	2,688.19	SUPPLIES
NEBRASKA CHILD SUPPORT PAYMENT CTR	496.62	EMPLOYEE CONTRIB
NEBRASKA DISTRIBUTING	2,397.90	MAC OPERATING EXPENDITURES
NEBRASKA MACHINERY COMPANY	695.49	EQUIPMENT/PARTS
NEBRASKA-IOWA SUPPLY CO INC	443.53	FUEL
NEW COMMUNITY DEVELOPMENT CORPORATION	10,000.00	
		DEVLPMNT CONTRACT
NODDLE DEVELOPMENT COMPANY	21,000.00	CONSULTANT
OCLC NETLIBRARY	1,147.38	SUBSCRIPTION
ODEYS INC	2,387.00	EQUIPMENT/PARTS
O'KEEFE ELEVATOR COMPANY INC	5,695.12	CONTRACTURAL SVC
OLD DOMINION BRUSH COMPANY	1,533.52	SUPPLIES
OLSON LAW OFFICE PC	10,571.42	CLAIMS-LAWSUIT
OLSSON ASSOCIATES	5,994.88	CONSULTANT
OMAHA DOOR & WINDOW CO INC	467.85	REPAIRS
OMAHA RUBBER STAMP CO	152.50	DODGE OPERATING EXPENDITURES
OMAHA WORLD HERALD	312.00	ADVERTISEMENT
OMAHA WORLD-HERALD CO	1,596.00	MAC OPERATING EXPENDITURES
OMNI ENGINEERING	12,334.47	STREET MAINTENANCE SUPLS

ONE SOURCE THE BACKGROUND CHECK COMPANY	768.00	
O'REILLY AUTOMOTIVE INC	169.83	CONSULTANT
OVERDRIVE INC	8,395.88	SUPPLIES
PACIFIC SPRINGS GOLF CLUB	2,693.83	BOOKS/PERIODICALS/SUB
PARAMOUNT LINEN & UNIFORMS	399.76	DODGE OPERATING EXPENDITURES
PASSPORT LABS INC	887.75	DODGE OPERATING EXPENDITURES
PAYPAL INC	19.95	PARK FEES
PAYROLL	2,101,720.54	CONTRACTURAL SVC
PAYROLL	71,923.31	CITY EMPLOYEE PAYROLL
PAYROLL	58,611.89	MAC OPERATING EXPENDITURES
PEERLESS WIPING CLOTH CO	147.00	DODGE OPERATING EXPENDITURES
PEPSI BEVERAGES CO	2,074.27	SUPPLIES
PETROLEUM TRADERS CORPORATION	58,067.53	DODGE OPERATING EXPENDITURES
PITNEY BOWES CORPORATION	1,484.82	FUEL
POINT CONSTRUCTION	1,115.00	POSTAGE & LEASE COST
POTTAWATTAMIE COUNTY AUDITOR	4,529.67	REPAIRS
POTTAWATTAMIE COUNTY CLERK OF COURT	90.00	LAW ENFORCEMENT COMPLEX
POTTAWATTAMIE COUNTY RECORDER	224.00	COURT COSTS
POTTAWATTAMIE COUNTY TREASURER	8,099.77	FEES
PREMIER MIDWEST BEVERAGE CO	2,353.85	FEES
PRESTO X	55.00	DODGE OPERATING EXPENDITURES
PROFESSIONAL AUDIOLOGY AND	450.00	PROFESSIONAL SVCS
PROJECT ADVOCATES	14,859.91	PROFESSIONAL SVCS
QWEST CORPORATION	1,762.70	CONTRACTURAL SVC
RASMUSSEN MECHANICAL SERVICE CORP	1,664.33	TELEPHONE
RAY MABBITT	195.00	REPAIRS
RDG GEOSCIENCE & ENGINEERING INC	332.25	CONTRACTURAL SVC
READY MIXED CONCRETE	38,092.88	PROFESSIONAL SVCS
RECORDED BOOKS LLC	670.22	SUPPLIES
RED RIVER WASTE SOLUTIONS LP	284,645.28	DVD/AUDIO/CD
RESOURCE RENTAL CENTER INC	2,725.00	REFUSE COLLECTION
RHOMAR INDUSTRIES INC	1,670.76	RENTAL EXPS
RICOH USA INC	54.80	SUPPLIES
RIVER CITY BASEBALL AND SOFTBALL ASSOC	5,967.50	EQUIPMENT/PARTS
RIVER'S EDGE MASTER PROPERTY OWNERS ASSOC	74,789.14	FEES
		FEES
RIVERSIDE BUILDING MAINTENANCE INC	1,071.00	JANITORIAL SERVICE
ROAD BUILDERS MACH & SUPPLY CO INC	221.30	EQUIPMENT/PARTS
ROCHESTER ARMORED CAR CO INC	402.08	MAC OPERATING EXPENDITURES
RONALD DUANE ZIKA	560.00	MAC OPERATING EXPENDITURES
ROSE EQUIPMENT INC	1,676.52	EQUIPMENT/PARTS
ROTO ROOTER	230.00	REPAIRS
ROTO-ROOTER SERVICES CO	742.58	DODGE OPERATING EXPENDITURES
ROY ALLMAN	631.00	REFUND
RPL UTILITY LLC	16,164.77	CONSTRUCTION

SAFETY KLEEN CORPORATION	569.79	CONTRACTURAL SVC
SAMANTHA PAYNE	243.00	REFUND
SAMPSON CONSTRUCTION CO INC	884,020.00	CONSTRUCTION
SAMS CLUB	65.66	DODGE OPERATING EXPENDITURES
SANDAU BROS SIGN CO INC	118.00	CONTRACTURAL SVC
SANDRY FIRE SUPPLY LLC	242.24	SUPPLIES
SAPP BROTHERS PETROLEUM INC	18,154.31	FUEL
SARAH ALLEN	16.90	REIMBURSEMENT
SAVANT CORPORATION	224.00	EQUIPMENT/PARTS
SCOTT M POPE	300.00	REIMBURSEMENT
SEAN JOHNSTON	1,357.00	FEES
SECURITAS SECURITY SERVICES USA INC	176.00	PROFESSIONAL SVCS
SIEMENS INDUSTRY INC	62,876.50	EQUIPMENT/PARTS
SILVERSTONE RISK SERVICES INC	750.00	INSURANCE
SITEOONE LANDSCAPE SUPPLY	111.28	DODGE OPERATING EXPENDITURES
SNYDER & ASSOCIATES INC	3,096.91	PROFESSIONAL SVCS
SOLARWINDS INC	15,000.00	HARDWARE/SOFTWARE
SOUTHWEST IOWA PLANNING COUNCIL	21,071.69	CONTRACTURAL SVC
SPRINT SOLUTIONS INC	57.48	CELL PHONE
STANARD & ASSOCIATES INC	360.00	SUPPLIES
STANEK FIRE PROTECTION	139.00	CONTRACTURAL SVC
STATE INDUSTRIAL PROUCTS	1,029.60	SUPPLIES
STATE LIBRARY OF IOWA	3,818.80	SUBSCRIPTION
STERN OIL INC	2,607.50	SUPPLIES
STEVE DAVIS LAW PC	42,814.25	CLAIMS-LAWSUIT
STEVEN J ROSS	300.00	REIMBURSEMENT
STREICHER'S INC	13,689.36	SUPPLIES
STUDIO 15 COMMERCIAL INTERIORS INC	80,144.15	CONTRACT LABOR
SUEZ TREATMENT SOLUTIONS INC	1,988.48	EQUIPMENT/PARTS
SUPPLYWORKS	157.28	SAFETY EQUIPMENT
SWAGIT PRODUCTIONS LLC	1,375.00	CONTRACTURAL SVC
SWANK MOTION PICTURES INC	1,092.00	FEES
SYSCO - LINCOLN	5,158.37	DODGE OPERATING EXPENDITURES
TANYA FRENCH	3.27	TRAVEL REIMBURSEMENT
TED'S MOWER SALES & SERVICE INC	102.16	EQUIPMENT/PARTS
THE OFFICE CLEANERS	3,102.05	JANITORIAL SERVICE
THE RETROFIT COMPANIES INC	3,353.30	CONTRACTURAL SVC
THE SPENCE LAW FIRM LLC	264,285.50	CLAIMS-LAWSUIT
THE WALMAN OPTICAL COMPANY	195.90	SAFETY EQUIPMENT
THOMSON REUTERS	675.21	SUBSCRIPTION
THREE EAGLES COMM OF LINCOLN	496.00	MAC OPERATING EXPENDITURES
TIFOSI OPTICS INC	16.76	DODGE OPERATING EXPENDITURES
TIMOTHY D GILLOON	160.00	FEES
TOLEDO PUBLIC LIBRARY	9.95	REFUND
TOYNE INC	1,096.58	EQUIPMENT/PARTS
TRANSALARM INC	111.00	DODGE OPERATING EXPENDITURES

TRANS-ALARM INC	474.00	CONTRACTURAL SVC
TRANS-IOWA EQUIPMENT INC	2,385.90	EQUIPMENT/PARTS
TRANSIT AUTHORITY OF THE CITY OF OMAHA	62,340.00	BUS SERVICE
TREASURER STATE OF IOWA/SALES TAX	18,245.00	SALES TAX
TREASURER-STATE OF IOWA	677.25	SALES TAX
TRIPLE PLAY TURF	1,125.00	DODGE OPERATING EXPENDITURES
TRISHA D ALFERS	6.54	TRAVEL REIMBURSEMENT
TURF CARS LTD	328.00	DODGE OPERATING EXPENDITURES
TWO RIVERS INSURANCE COMPANY INC	767,536.33	HEALTH INSURANCE
TY'S OUTDOOR POWER & SERVICE	296.07	EQUIPMENT/PARTS
U S AUTO FORCE/U S LUBRICANTS	2,301.12	SUPPLIES
ULTIMATE SAFETY CONCEPTS INC	3,601.49	EQUIPMENT/PARTS
ULTRAMAX AMMUNITION	1,246.56	SUPPLIES
UMR	643.84	DODGE OPERATING EXPENDITURES
UNION BANK & TRUST	2.00	DODGE OPERATING EXPENDITURES
UNITED PARCEL SERVICE	21.09	FREIGHT/POSTAGE
UNITYPOINT CLINIC	84.00	CONSULTANT
UNIVERSITY OF NEBRASKA AT OMAHA	80.00	TRAINING
US BANK	207,733.53	BASS PRO LOAN
US BANK	69,532.55	BANK SERVICES
UTILITY EQUIPMENT COMPANY	876.45	EQUIPMENT/PARTS
VALLEY CORPORATION	97,129.95	CONSTRUCTION
VERIZON WIRELESS SERVICES LLC	4,379.82	CELL PHONE
VERMEER SALES & SERVICE INC	2,973.60	EQUIPMENT/PARTS
VOICE & DATA SYSTEMS INC	228.00	TELEPHONE
VOLTMER, INC.	6,993.43	CONTRACTURAL SVC
VOYA RETIREMENT INSURANCE & ANNUITY COMPANY	9,758.00	
		EMPLOYEE CONTRIB
VULCAN INDUSTRIES INCORPORATED	24.00	SUPPLIES
W W GRAINGER INCORPORATED	225.05	EQUIPMENT/PARTS
WALKERS INC	696.85	UNIFORMS
WASTE CONNECTIONS OF NEBRASKA INC	1,808.22	SOLID WASTE DISPOSAL
WATER ENGINEERING INC	958.56	CONTRACTURAL SVC
WENDY K SCHULTZ	78.48	TRAVEL REIMBURSEMENT
WEST BEND MUTUAL INSURANCE COMPANY	100.00	INSURANCE
WEST BROADWAY CLINIC P C	4,480.00	CONSULTANT
WESTERN ENGINEERING COMPANY INC	2,920.00	CONSTRUCTION
WILLCO INC.	6,886.80	EQUIPMENT/PARTS
WILLIAM E CARPENTER JR	139.52	TRAVEL REIMBURSEMENT
WINDSTREAM CORPORATION	2,507.16	TELEPHONE
WOODHOUSE AUTO FAMILY	481.46	EQUIPMENT/PARTS
WORKMAN PRECAST CORP	14,663.00	SUPPLIES
WYSS ASSOCIATES, INC	2,201.75	CONTRACTURAL SVC
YANT TESTING SUPPLY & EQUIPMENT CO INC	284.88	REPAIRS
YMCA OF GREATER OMAHA	2,480.00	CONTRACTURAL SVC
ZIMCO SUPPLY CO	934.30	DODGE OPERATING EXPENDITURES

10,576,318.70

City of Council Bluffs

Receipts by Fund
For the Month of July FY19

General Fund	2,792,068.24
Special Revenue	1,825,552.68
Debt Service	0.00
Capital Project	44,243.93
Enterprise	1,096,051.24
Total Revenue	<u>5,757,916.09</u>

Expenditures by Fund
For the Month of July FY19

General Fund	6,175,619.85
Special Revenue	759,521.08
Debt Service	7,761.84
Capital Project	2,940,534.02
Enterprise	692,881.91
Total Expense	<u>10,576,318.70</u>

Council Communication

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

Claims

Council Action: 8/27/2018

Description

Background/Discussion

Recommendation

ATTACHMENTS:

Description

[Claims](#)

Type

Other

Upload Date

8/22/2018

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

CITY CLAIM NO. 18-PD-1902A

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Progressive Universal Insurance Company A/S/O NIEBUR, NANCY DAY PHONE: 440-910-5828

ADDRESS: PO BOX 512929 LOS ANGELES, CA 90051 DOB: _____

DATE & TIME OF LOSS/ACCIDENT: 05-29-18 AT 0:26 PM

LOCATION OF LOSS/ACCIDENT: 25TH ST / NASH BLVD

DESCRIPTION OF LOSS/ACCIDENT: Our named insured's 1999 Harley Davidson FLHRCI Road King Classic was stopped for a red traffic light on 25th St., when a City of Council Bluffs 22017 Chevrolet Tahoe, plate number 500245, was making a left turn from Nash Blvd. onto 25th St. and struck and damaged our insured's vehicle head on. The driver, Joshua Horner, is the proximate cause of this accident due to failure to maintain proper lookout.

(USE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: \$ 4,108.56

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

WAS POLICE REPORT FILED ☒ YES ☐ NO

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

HAVE YOU RESUMED NORMAL ACTIVITIES? ☐ YES ☐ NO

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

OTHER RELEVANT INFORMATION: 99 HARLEY-DAVIDSON FLHRCI ROAD KING CLASSIC - FRONT

LIST INSURANCE PROVIDER AND COVERAGE: Progressive Universal Insurance Company

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

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

8-13-18
DATE

CLAIMANT'S SIGNATURE

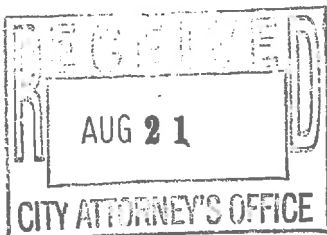
Settlement Should Be Mailed To:
Progressive Subrogation Payment Center
24344 Network Place.
Chicago, IL. 60673
Progressive's Claim Number Must Be
Referenced On The Payment.

Progressive Subrogation
P.O. Box 512929
Los Angeles, CA. 90051

Richard W Berlan
Direct: 440.910.5828
Fax: 888.781.6947
Richard_W_Berlan@Progressive.com
Attention our claim number

CLERK RCVD
21 AUG'18

PM2:58



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

CITY CLAIM NO. _____

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Lee Wyman DAY PHONE: 712-789-0228
ADDRESS: 206-6TH ST. Box 362 Griswold, IA 51535 DOB: 04-21-64

DATE & TIME OF LOSS/ACCIDENT: 6-17-18

LOCATION OF LOSS/ACCIDENT: 33645 Elmira Rd. Teyman, IA 51575

DESCRIPTION OF LOSS/ACCIDENT: Parked at Dan and Amanda Roberts house and when Dan got called in for duty he didn't notice where I had parked which was in a blind spot and when backing out his vehicle hit mine in the drivers side rear corner (PLEASE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: \$ 2464.21

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

WAS POLICE REPORT FILED _____ YES ☒ NO

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

HAVE YOU RESUMED NORMAL ACTIVITIES? _____ YES _____ NO

IF YOU INCURRED PROPERTY DAMAGE, PLEASE DESCRIBE AND PROVIDE COPIES OF ESTIMATES, INVOICES, PHOTOGRAPHS, AND ANY OTHER RELEVANT INFORMATION: Estimate Attached

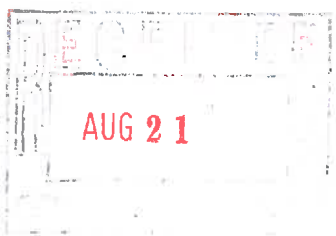
LIST INSURANCE PROVIDER AND COVERAGE: AAA Full coverage

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

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

8-21-18
DATE

Lee A Wyman
CLAIMANT'S SIGNATURE



21 AUG'18
CLERK ROND
AM 10:43

Date: 7/13/2018 02:29 PM
 Estimate ID: 7564
 Estimate Version: 0
 Preliminary
 Profile ID: WYMAN'S

WYMAN BODYWORX INC.

202 MILLS ST PO BOX 471, GRISWOLD, IA 51535
 (712) 778-2639
 Fax: (712) 778-2195
 Email: WYMANBODYWORXINC@HOTMAIL.COM
 Tax ID: 26-4362546

Damage Assessed By: Rick Wyman
 Classification: Field

Type of Loss: Property Damage
 Date of Loss: 6/17/2018
 Deductible: UNKNOWN
 Claim Number: 7564

Insured: CITY OF COUNCIL BLUFFS
 Owner: LEE WYMAN
 Address: GRISWOLD, IA 51535

Mitchell Service: 910839

Description: 2011 Ford Pickup F150 XLT
 Body Style: 4D PkUpCrw 6' Bed 145" WB
 VIN: 1FTFW1EF4BFA74873
 OEM/ALT: A
 Color: RED
 Options: PASSENGER AIRBAG, POWER LOCK, POWER WINDOW, POWER STEERING, AIR CONDITION
 CRUISE CONTROL, TILT STEERING COLUMN, AM/FM STEREO, DRIVER AIRBAG
 FRONT SIDE AIRBAG WITH HEAD PROTECTION, ANTI-LOCK BRAKE SYS., TRACTION CONTROL
 FOG LIGHTS, ALUM/ALLOY WHEELS, TIRE INFLATION/PRESSURE MONITOR
 ANTI-THEFT SYSTEM, AUXILIARY INPUT, CD PLAYER, POWER ADJUSTABLE EXTERIOR MIRROR
 4WD OR AWD, PRIVACY GLASS, CLOTH SEAT, 4 WHEEL DRIVE, SIDE AIRBAGS
 AUTOMATIC HEADLIGHTS, SECOND ROW SIDE AIRBAG WITH HEAD PROTECTION, THIRD DOOR
 MP3 PLAYER, 4 DOORS, DRIVER SEAT WITH POWER LUMBAR SUPPORT
 ELECTRONIC STABILITY CONTROL, KEYLESS ENTRY SYSTEM, REAR BENCH SEAT

Drive Train: 5.0L Inj 8 Cyl 4WD

Search Code: B873948

Line Item	Entry Number	Labor Type	Operation	Line Item Description	Part Type/ Part Number	Dollar Amount	Labor Units
<u>Rear Door</u>							
1	001236	BDY	REMOVE/REPLACE	L Rear Door Shell	Qual Recycled Part	650.00	* 4.3
2		REF	REFINISH	L Rear Door Outside			C 2.1
3		REF	REFINISH	L Rear Add For Jambs & Interior			C 1.0
4				Explanation Request			
<u>Special/Manual Entry</u>							
5	900500	BDY *	REMOVE/REPLACE	LH CAB CORNER	New	85.00	* 4.5*
6		REF	REFINISH/REPAIR	LH CAB CORNER			2.2*
<u>Pickup Bed</u>							
7	002344	BDY	REMOVE/INSTALL	Bed Assembly			2.5

ESTIMATE RECALL NUMBER: 07/13/2018 14:24:29 7564

Mitchell Data Version: OEM: MAY_18_V

MAPP:MAY_18_V

Copyright (C) 1994 - 2018 Mitchell International

Software Version: 7.1.228

All Rights Reserved

Page 1 of 3

Date: 7/13/2018 02:29 PM
 Estimate ID: 7564
 Estimate Version: 0
 Preliminary
 Profile ID: WYMAN'S

				<u>Additional Operations</u>			
8	REF	ADD'L OPR		Clear Coat		1.2*	
9	933008 REF	ADD'L OPR		Chip Resistant Material Application	15.00	* 0.3*	
10	933018 REF	ADD'L OPR		Mask For Overspray	8.00	*	
				<u>Additional Costs & Materials</u>			
11		ADD'L COST		Paint/Materials	260.00	*	
12		ADD'L COST		Hazardous Waste Disposal	4.00	*	

* - Judgment Item
 C - Included in Clear Coat Calc

Estimate Totals

I. Labor Subtotals		Units	Rate	Add'l Labor Amount	Sublet Amount	Totals	II. Part Replacement Summary		Amount			
Body		11.3	60.00	0.00	0.00	678.00	T	Taxable Parts		735.00		
Refinish		6.8	60.00	23.00	0.00	431.00	T	Parts Adjustments		195.00		
		Taxable Labor				1,109.00		Sales Tax		@	7.000%	65.10
		Labor Tax		@	7.000 %	77.63		Total Replacement Parts Amount		995.10		
Labor Summary		18.1				1,186.63						
III. Additional Costs						Amount	IV. Adjustments		Amount			
Taxable Costs						264.00	Customer Responsibility		0.00			
Sales Tax						18.48						
Total Additional Costs						282.48						

Paint Material Method: Rates
 Init Rate = 40.00 , Init Max Hours = 99.9, Addl Rate = 0.00

I.	Total Labor:	1,186.63
II.	Total Replacement Parts:	995.10
III.	Total Additional Costs:	282.48
	Gross Total:	2,464.21
IV.	Total Adjustments:	0.00
	Net Total:	2,464.21

ESTIMATE RECALL NUMBER: 07/13/2018 14:24:29 7564

Mitchell Data Version: OEM: MAY_18_V

MAPP:MAY_18_V Copyright (C) 1994 - 2018 Mitchell International

Software Version: 7.1.228

All Rights Reserved

Page 2 of 3

Date: 7/13/2018 02:29 PM
Estimate ID: 7564
Estimate Version: 0
Preliminary
Profile ID: WYMAN'S

This is a preliminary estimate.
Additional changes to the estimate may be required for the actual repair.

Point(s) of Impact
8 Left Rear Side (P)

THANK YOU FOR HAVING US TAKE CARE OF YOUR NEEDS!
RICK WYMAN OWNER/MGR

Council Communication

Department: Legal
Case/Project No.:
Submitted by: Legal Department for Mayor's
Office

Resolution 18-250

Council Action: 8/27/2018

Description

Resolution authorizing the Mayor to execute the Option Agreement with The Pottawattamie County Development Corporation d/b/a The 712 Initiative, an Iowa non-profit corporation.

Background/Discussion

The 712 Initiative is in the process of putting a housing development together they want to obtain an option from the City to acquire two parcels that the City owns.

One being the parking lot at the corner of Broadway and Scott St and the other being the parking that lies to the west of Scott Street between Broadway and Kanesville Blvd. They want to combine these parcels with other privately held parcels in the area to build at a minimum, a 60-unit apartment complex. There is a possibility that this will also include some mixed uses.

The 712 Initiative will pay the City \$1000.00 for a five-year option. There will be an ability to extend the option if mutually agreed to by the parties for additional consideration.

If the project moves forward the 712 Initiative will sign a forgivable promissory note in the amount of \$900,000.00 to be forgiven over a period of 10 years once the project is completed. The option requires that there be significant development on the parcel that is at the corner of Scott and Broadway. It may not continue to be used as parking lot.

Recommendation

That the Mayor be authorized to execute this agreement.

ATTACHMENTS:

Description

[Resolution 18-250](#)

Type

Resolution

Upload Date

8/22/2018

RESOLUTION NO. 18-250

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE OPTION AGREEMENT WITH THE POTTAWATTAMIE COUNTY DEVELOPMENT CORPORATION D/B/A THE 712 INITIATIVE, AN IOWA NON-PROFIT CORPORATION.

WHEREAS, the City is disposing of an interest in said property fully described in Exhibit A, B1 and B2 of the Option Agreement and commonly referred to as the parking lot at Scott Street and Broadway and the parking lot and alley west of Scott Street and South of Kanesville Boulevard;

WHEREAS, the City will dispose of its interest by entering into an option agreement with Pottawattamie County Development Corporation d/b/a The 712 Initiative; and

WHEREAS, it is in the best interest of the City of Council Bluffs to execute the Option Agreement with the Pottawattamie County Development Corporation d/b/a The 712 Initiative, an Iowa non-profit corporation.

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

That the Mayor of Council Bluffs is hereby authorized to execute the Option Agreement to the Pottawattamie County Development Corporation d/b/a The 712 Initiative, an Iowa non-profit corporation.

ADOPTED
AND
APPROVED

August 27, 2018.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

Department: Community Development
Case/Project No.: OTB-18-025
Submitted by: Chris Meeks, Planner

Resolution 18-251

Council Action: 8/27/2018

Description

Resolution to dispose of City property legally described as Lots 1 and 2, Block 1, Bushnell's Addition. Location: Formerly addressed as 2200 Avenue D. OTB-18-025

Background/Discussion

See attachment.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
OTB-18-025 Staff Report Including Location Map	Other	8/16/2018
Resolution 18-251	Resolution	8/22/2018

Council Communication

Department: Community Development CASE #OTB-18-025 Applicant: Adalberto Avalos Martinez 1622 Avenue F Council Bluffs, IA 51501	Resolution of Intent No. _____ Resolution to Dispose No. _____	Set Public Hearing: 8/13/2018 Public Hearing: 8/27/2018						
Subject/Title								
Request of Adalberto Avalos Martinez to purchase property legally described as Lots 1 and 2, Block 1, Bushnell's Addition, City of Council Bluffs, Pottawattamie County, Iowa. The property was formerly addressed as 2200 Avenue D.								
Background/Discussion								
<p>The City has received an offer to purchase the property described above. The property is classified as 'transitional dispose' and 'buildable'. According to the adopted policy of April 23, 2018, the property should be priced at the appraised value or the amount most recently established by the Pottawattamie County Assessor, which was \$17,417.00 in June of 2017. The applicant has offered \$17,500.00 to purchase the property.</p> <p>The following costs have been incurred by City departments:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Permits and Inspections Division:</td> <td style="text-align: right;">\$16,718.00</td> </tr> <tr> <td>Finance:</td> <td style="text-align: right;">\$ 266.00</td> </tr> <tr> <td>Total:</td> <td style="text-align: right;">\$16,984.00</td> </tr> </table> <p>The applicant has indicated he intends to build a single family home on the lot within two years.</p>			Permits and Inspections Division:	\$16,718.00	Finance:	\$ 266.00	Total:	\$16,984.00
Permits and Inspections Division:	\$16,718.00							
Finance:	\$ 266.00							
Total:	\$16,984.00							
Recommendation								
The Community Development Department recommends setting a public hearing on the disposal of the property legally described Lots 1 and 2, Block 1, Bushnell's Addition, City of Council Bluffs, Pottawattamie County, Iowa, on the August 27, 2018 City Council meeting.								
Attachment: Location map. Prepared By: Chris Meeks, Planner, Community Development Department								



Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 328-4616

RESOLUTION NO. 18-251

A RESOLUTION TO DISPOSE OF CITY PROPERTY LEGALLY DESCRIBED AS LOTS 1 AND 2, BLOCK 1, BUSHNELL'S ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City has previously expressed its intent to dispose of property legally described as Lots 1 and 2, Block 1, Bushnell's Addition, City of Council Bluffs, Pottawattamie County, Iowa, and;

WHEREAS, a public hearing has been held in this matter on August 27, 2018 at 7:00 p.m.

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

That the Mayor and City Clerk be and are hereby authorized, empowered and directed to execute a quit claim deed conveying the City's interest in the above-described property as follows:

Adalberto Avalos Martinez, and all successors in interest: Lots 1 and 2, Block 1, Bushnell's Addition, City of Council Bluffs, Pottawattamie County, Iowa, and;

BE IT FURTHER RESOLVED

That the purchase price be \$17,500.00 cash due at closing. The property closing must occur within 60 days of the date of approval.

ADOPTED
AND
APPROVED: August 27, 2018

Matthew J. Walsh Mayor

ATTEST: _____
Jodi Quakenbush City Clerk

(Case #OTB-18-025)

Council Communication

Department: Community Development
Case/Project No.: SUB-18-010
Submitted by: Christopher Gibbons, Planning
Coordinator

Resolution 18-252

Council Action: 8/27/2018

Description

Resolution granting final plat approval of a six-lot commercial subdivision to be known as The Marketplace, Replat 3, legally described as being a Replat of Lots 1 and 2, The Marketplace Replat 2. Location: Southeast corner of Interstate 80/29 and South 24th Street. SUB-18-010

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
SUB-18-010 and PC-18-001 The Marketplace, Replat 3 Final Staff Report Including Attachs	Resolution	8/16/2018
Resolution 18-252	Resolution	8/22/2018

Council Communication

<p>Department: Community Development</p> <p>Cases No. SUB-18-010 and PC-18-001</p> <p>Applicant: Legacy CB, LLC 4717 Central Street Kansas City, MO 64112</p> <p>Surveyor: Ehrhart Griffin & Associates c/o Bill White 142 West Broadway, Suite 136 Council Bluffs, IA 51503</p>	<p>Resolution No.</p> <p>Resolution No.</p>	<p>City Council: August 27, 2018</p> <p>Planning Commission Meeting: August 14, 2018</p>
--	---	--

Subject/Title

Request: Combined public hearing on the request of Legacy CB, LLC for final plat approval of six-lot commercial subdivision to be known as The Marketplace, Replat 3, legally described as being a replat of Lots 1 and 2, The Marketplace Replat 2, and to amend the adopted planned commercial development plan for the Marketplace Subdivision.

Location: Southeast corner of Interstate 80/29 and South 24th Street.

Background/Discussion

The Community Development Department has received the following requests from Legacy CB, LLC, represented by Bill White of Ehrhart Griffin and Associates, relative to The Marketplace Place shopping center located at the southwest corner of Interstate 80/29 and South 24th Street:

- a. Replat Lots 1 and 2, The Marketplace Replat 2 into a six-lot commercial subdivision to be known as The Marketplace, Replat 3.
- b. Amend the adopted planned commercial development plan for The Marketplace Subdivision relative to landscaping, building setbacks, lot coverage, and shared parking/driveways for proposed Lots 1-6, The Marketplace, Replat 3.

CASE #SUB-18-010

The applicant, Legacy CB, LLC, is requesting approval to replat Lots 1 and 2, The Marketplace, Replat 2 into a six-lot commercial subdivision to be known as The Marketplace, Replat 3. Resolution No. 07-195 approved the final plat for The Marketplace on April 23, 2007; Resolution No. 13-255 approved the final plat for The Marketplace, Replat 1 on October 14, 2013; and Resolution No. 16-163 approved the final plat for The Marketplace, Replat 2, on June 27, 2016.

The purpose of the replat is to allow the applicant to address changing market conditions/demands for small to medium size retail spaces (see Attachment A). The applicant proposes to replat the land where the junior tenant spaces are located between the At-Home Store and JcPenny into five commercial lots and one shared parking/stormwater lot (Attachment B). Each lot will contain one to three commercial bays. Proposed Lot 1 will contain the commercial space where VF Outlet is located. Proposed Lot 2

will contain the commercial space where Boot Barn and Party City are located. Proposed Lot 3 is currently undeveloped. Proposed Lot 4 will contain the commercial space where Petco and Shoe Carnival are located. Proposed Lot 5 will contain the commercial space where Jo-Ann Fabrics is located. Proposed Lot 6 will contain existing circulation paths, shared off-street parking, and drainage. The proposed replat does not require extensions or changes to existing utilities or access roadways. Final plats are approved by City Council after a public hearing.

Private roads, which connect to public streets at South 24th Street and 34th Avenue, serve The Marketplace. The approved Marketplace final plat included ingress/egress easements as well as easements for water, utilities and storm and sanitary sewers. Those easements continue with the replat. All lots will be served through those easements.

The proposed replat is consistent with the Bluffs Tomorrow: 2030 Plan and the purpose and intent of the Subdivision and Zoning Ordinances and the Planned Commercial Development Plan adopted with the previous subdivision actions.

CASE #PC-18-001

The Marketplace Subdivision planned commercial development plan was approved by City Council via Resolution No. 07-27 on January 8, 2007 (see Attachment C). Resolution No. 07-191 amended the development plan relative to signage on April 23, 2007. Resolution No. 13-242 amended the development plan relative to signage, and building orientations on September 23, 2013. Resolution No. 17-142 amended the development plan relative to attached wall signage on June 26, 2017.

The applicant, Legacy CB, LLC, is requesting approval to amend The Marketplace Subdivision planned commercial development plan relative to Lots 1 through 6, inclusive of The Marketplace, Replat 3. The purpose of these amendments is to establish design standards for landscaping, building setbacks, and building lot coverage that are compatible and proportional to the new lots being created because of The Marketplace Replat 3. The proposed amendments to Resolution 07-27, are as follows:

- 1) Reducing the percentage of required landscaping from 10% to 4.5% for proposed Lot 5, The Marketplace Replat 3 (Section 2, Item "G")
- 2) Changing of the location of where the required six foot-wide strip of landscaping can be placed on proposed Lots 1 through 5, The Marketplace Replat 3 (Section 2, Item "I")
- 3) Reducing the side yard setbacks from 10 feet to 0 feet for proposed Lots 1 through 5, The Marketplace, Replat 3 (Section 4, Item "A")
- 4) Increasing the lot coverage from 40% to 50% for proposed Lots 1 through 5, The Marketplace Replat 3 (Section 4, Item "H")
- 5) Clarifying that cross access ingress/egress easements were established on The Marketplace Subdivision final plat (Book 2007, Page 011286) to accommodate shared parking and circulation throughout the development.

CURRENT ZONING & LAND USE

The subject property is zoned Planned Commercial, within the RO/Recreation-Tourism Overlay District. The current zoning is consistent with the proposed development. The land to the east is zoned R-1M/Single Family Manufactured Housing District. Bluffs Regency and Bluffs Acres lie within that zoning district. The property located immediately south of the development is zoned I-2/General Industrial District. The land to the west is zoned A-2/Parks, Estates and Agricultural District. The Western Historic Trails Center entrance lies directly to the west.

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

CITY DEPARTMENTS AND UTILITIES – The appropriate City departments and utilities have reviewed the proposed replat and planned commercial development plan amendments with comments incorporated below.

Council Bluffs Building Permits and Inspection Division stated the developer is completing the building alterations (firewalls) to address the property line deficiencies during construction. No other comments at this time.

Council Bluffs Public Works stated they have no comments for the replat.

Council Bluffs Fire Department stated they have no comments for the request.

Council Bluffs Community Development Department provided the following comments:

Case #SUB-18-010:

1. Label all Marketplace Subdivision names and their associated lots on the final plat (e.g., Lot 2, The Marketplace).
2. Label the acreage total for each lot included in The Marketplace, Replat 3.
3. All utilities shall be installed underground.

Case #PC-18-001

Section 2 – Landscaping

- a. Section 2, Item “G” states *“Not less than 10% of the total lot area shall be landscaped with trees, shrubs and other plant material”*. As constructed, proposed Lots 1, 2, 4 and 6, The Marketplace, Replat 3 meet this requirement through existing landscaping and buffer areas. New construction on proposed Lot 3, The Marketplace, Replat 3 will comply with the 10% landscaping requirement as part of their site design. However, proposed Lot 5, The Marketplace, Replat 3 will not comply the 10% landscaping requirement due to existing building construction and proposed lot configuration. This lot will contain approximately 4.5% landscaping as opposed to the required 10%. The Community Development Department is not opposed to the reduced landscape percentage for proposed Lot 5, The Marketplace Replat 3 based on hardship reasons state above.
- b. Section 2, Item “I” states *“A strip of landscaping averaging at least six feet in depth shall be located adjacent to all buildings with the exception of the entrance areas”*. The existing landscaping on proposed Lots 1, 2, 4, and 5, The Marketplace, Replat 3 are located along the front property line, at the back of curb, and are not adjacent to existing buildings. Proposed Lot 3, The Marketplace Replat 3 is undeveloped at this time. The applicant has requested to modify the language of this section to allow the existing landscaping on proposed Lots 1, 2, 4, and 5 to remain in their current location and for new construction on proposed Lot 3, The Marketplace Replat 3 to be allowed to install their landscaping along their frontage, as opposed to being adjacent to the building. The Community Development Department is not opposed to the requested change due to the placement of existing landscaping on proposed Lots 1, 2, 4, and 5, The Marketplace Replat 3.

Section 4 – Site Development

- c. Section 4, Item “A” states *“Minimum setback requirements for all structure shall be: Front 20 feet, rear 15 feet, interior side 10 feet, and street side 15 feet”*. The current front and rear setback standards will remain unchanged for all lots in The Marketplace, Replat 3. The

applicant has proposed a zero side yard setback along the interior lot lines since the existing structures on proposed Lots 1, 2, 4 and 5, The Marketplace Replat 3 are constructed as attached commercial buildings with shared sidewalls. The applicant is in the process of constructing new fire separation walls between buildings that have a shared property line. The Community Development Department is not opposed to the zero side yard setback for proposed Lots 1 through 5, The Marketplace Replat 3 since all buildings in this replat are (or will be) attached to another structure, thus eliminating the need for a side yard setback.

- d. Section 4, Item "H" states "*Not more than 40% of any lot shall be covered with structures...*". The applicant has proposed to increase the lot coverage on proposed Lots 1 through 5, The Marketplace, Replat 3 from 40% to 50%. The purpose of this request is to accommodate the existing building footprints on Lots 1, 2, 4, and 5, The Marketplace, Replat 3 without having to modify the size of the proposed lots and include areas of Lot 6, The Marketplace, Replat 3, which is reserved for shared parking/driveway access. The Community Development Department is not opposed to this request as it will prevent the applicant from having to extend the front property line for proposed Lots 1 through 5, The Marketplace Replat 3 into the shared driveways/parking areas in proposed Lot 6, The Marketplace Replat 3.

Section 5 – Parking

- e. Section 5, Item "B" states "*The developer shall be responsible to develop cross access and ingress/egress easements to be recorded with the final plat to accommodate shared parking and driveways*". The applicant provided clarification that The Marketplace Subdivision platting in 2007 established ingress/egress easements throughout the development for proper campus circulation. Cross-parking agreements are also handled through current, and soon to be amended, R.E.I. according to the applicant. No changes to the circulation or parking conditions are proposed with this replat or amended development plan. The Community Development Department duly noted this clarification statement by applicant and finds that the ingress/egress easements on The Marketplace Subdivision final plat, as recorded in Book 2007, Page 011286, satisfies this requirement. No change to the adopted development plan is needed at this time regarding cross access and ingress/egress easements.

All other standards in the adopted planned commercial development plan for the Marketplace Subdivision, including the amendments adopted by Resolution No. 07-191 on April 23, 2007; Resolution No. 13-242 on September 23, 2013; and Resolution No. 17-142 on June 26, 2017 shall apply to Lots 1 through 6, The Marketplace, Replat 3.

Mid-American Energy Company stated all of their primary conductors, transformers, and primary enclosures for their utilities shall be protected by an easement. The applicant's engineer contacted Mid-American Energy and verified that the proposed easements are sufficient in size and location to protect their existing electrical utilities in the replat.

Recommendation

The Community Development Department recommends the following:

1. Final plat approval of a six-lot commercial subdivision to be known as The Marketplace, Replat 3, legally described as being a replat of Lots 1 and 2, The Marketplace Replat 2, as shown in Attachment 'B', subject to the following conditions:
 - a. Prior to executing the final plat, any corrections required by the Community Development Department and/or Public Works Department shall be incorporated into the final plat document.
 - b. All utilities shall be installed underground

- c. Final plats must be recorded within 90 days of City Council approval or the plat will become null and void unless an extension has been requested and granted by the Community Development Department Director.
2. Approval for the proposed amendments to the adopted planned commercial development plan of The Marketplace Subdivision, relative only to Lots 1 through 6, The Marketplace Replat 3, based on comments and conditions set forth, as follows:
 - a. Approval to reduce the percentage of required landscaping from 10% to 4.5% for proposed Lot 5, The Marketplace Subdivision, Replat 3, as presented;
 - b. Approval to allow the required six foot-wide strip of landscaping to be placed along the front property line, at the back of curb, on proposed Lots 1 through 5, The Marketplace Replat 3, as presented;
 - c. Approval to reduce the side yard setbacks from 10 feet to 0 feet for proposed Lots 1 through 5, The Marketplace Replat 3, as presented;
 - d. Approval to increase the maximum lot coverage from 40% to 50% for proposed Lots 1 through 5, The Marketplace Replat 3, as presented; and
 - e. No action on the clarification statement that cross access and ingress/egress easements were established on proposed Lot 6, The Marketplace Replat 3 with the original Marketplace Subdivision final plat, as recorded in Book 2007, Page 011286.

Public Hearing

Speakers in favor:

1. Bill White, Ehrhart Griffin and Associates, 142 West Broadway, Suite 136, Council Bluffs, IA 515503

Speakers against: None.

Planning Commission Recommendation

The Planning Commission recommends approval of the following:

1. Final plat approval of a six-lot commercial subdivision to be known as The Marketplace, Replat 3, legally described as being a replat of Lots 1 and 2, The Marketplace Replat 2, as shown in Attachment 'B', subject to the following conditions:
 - a. Prior to executing the final plat, any corrections required by the Community Development Department and/or Public Works Department shall be incorporated into the final plat document.
 - b. All utilities shall be installed underground.
 - c. Final plats must be recorded within 90 days of City Council approval or the plat will become null and void unless an extension has been requested and granted by the Community Development Department Director.
2. Approval for the proposed amendments to the adopted planned commercial development plan of The Marketplace Subdivision, relative only to Lots 1 through 6, The Marketplace Replat 3, based on comments and conditions set forth, as follows:
 - a. Approval to reduce the percentage of required landscaping from 10% to 4.5% for proposed Lot 5, The Marketplace Subdivision, Replat 3, as presented;
 - b. Approval to allow the required six foot-wide strip of landscaping to be placed along the front property line, at the back of curb, on proposed Lots 1 through 5, The Marketplace Replat 3, as presented;
 - c. Approval to reduce the side yard setbacks from 10 feet to 0 feet for proposed Lots 1 through 5, The Marketplace Replat 3, as presented;
 - d. Approval to increase the maximum lot coverage from 40% to 50% for proposed Lots 1 through 5, The Marketplace Replat 3, as presented; and

- e. No action on the clarification statement that cross access and ingress/egress easements were established on proposed Lot 6, The Marketplace Replat 3 with the original Marketplace Subdivision final plat, as recorded in Book 2007, Page 011286.

VOTE: AYE 7 NAY 0 ABSTAIN 0 ABSENT 0 VACANT 4 Motion: Carried

Attachment A: Letter of intent and associated maps

Attachment B: The Marketplace, Replat 3 final plat

Attachment C: Copy of Resolution No. 07-27, adopted on January 8, 2007

Surveyor: Ehrhart Griffin & Associates – Bill White – 142 W. Broadway, Council Bluffs, IA 51503

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



CHRISTOPHER GIBBONS
COUNCIL BLUFFS COMMUNITY DEVELOPMENT
CITY HALL
209 PEARL
COUNCIL BLUFFS, IA 51503

Re: The Marketplace on South 24th Street

July 18, 2018

Honorable Mayor, City Council Members, Planning Commission Members and Director and Planners of Community Development,

During the last several years the commercial retail environment has been transitioning in regards to space ownership and development investment. Primarily in the medium to small retail box environment. More businesses desire to own their space or several small spaces instead of leasing.

As "The Marketplace" was developed in a time with a different ownership environment, we see the need to adapt as well as possible in order to compete with in today's market. We are proposing to take a segment of the planned adjoining buildings and divide them into separate lots. These lots will contain one to three individual commercial bays. These lots will start roughly 20 feet or more west of the existing structures and extend easterly to the easternmost boundary line of the original development. We will be replatting two very large lots into six lots. Five lots will be "marketable" retail lots. The sixth, will hold a majority of the circulation, parking and drainage for the entire campus.

The general layout and concept remains, for the most part, unchanged. However, we need to define smaller lots around several of the existing attached small box units to accommodate this new ownership environment. To accomplish this, we need to make several structural and textual agreement changes.

The physical changes are: we must construct additional interior walls and address openings between units we wish to place property lines between. The current building and fire codes specify certain conditions and ratings that the walls, as constructed, do not meet when it comes to division by property lines. The construction plans to remedy this have been submitted, and as of the writing of this letter, nearly through the review/approval process. We have a contractor ready to start the renovations.

The textual changes are to the R.E.I. between existing and future owners within the development. Other changes are to the agreement initially drafted with the City of Council Bluffs in 2006 and passed as Resolution 07-27. A majority of those items and subitems within the resolution will not be amended. Those items being amended will only be changed to affect these specific new lots, and not the rest of the properties comprising the balance of the campus. The new lots needing these amendments are in a proposed subdivision replat. They are lots 1 through 5, inclusive of The Marketplace Replat 3. There is a sixth lot in this replat, however, it contains only circulation, parking and drainage, and no areas reserved for building construction.

Below is a detailed explanation of the amendments we are requesting. Again, other than these few items, the new configuration of this portion of the campus is subject to all other previous agreement language, including access, parking and signage, relevant to only this campus "The Marketplace".

In Resolution 07-27, amendments to:

Section 2, Item "G" – 10% of each lot must be landscaped. As constructed, proposed lots 1, 2, 4 and 6 meet this requirement. New construction on lot 3 will adhere to this requirement. However, Lot 5 as proposed around existing construction does not meet this requirement. It will contain approximately 4.5%. Campus-wise, there is no change. Only that a small landscaped area is being confined within proposed Lot 5.

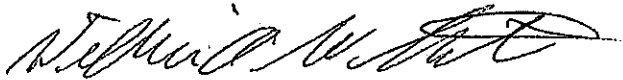
Section 2, Item "I" – 6 feet deep (wide) landscaped area adjacent to all buildings. In these proposed lots, there are existing landscaped areas. These areas are not adjoining the existing buildings but are along the curb line near the front of each lot and structure. The only deviation from the verbiage in the original Resolution is that new construction will mimic the existing pattern of construction for the landscaped areas. The existing landscaped areas are within the confines of the proposed lots.

Section 4, Item "A" – Setbacks. The current front setback of 20 feet and the rear setback of 15 feet, will remain unchanged. The side setbacks for these proposed 5 lots will be changed to allow for 0 (zero distance) feet, or adjoining buildings.

Section 4, Item "H" – Structure Coverage. The original building-to-lot coverage was limited to 40% of the lot area. The coverage we are requesting for the proposed lots 1 through 5, with and without existing structures, is 50%. This does not reflect a change in the coverage for the campus as-a-whole, only how we have defined the proposed lot lines.

Section 5, Item "B" – Shared Parking & Driveways. The original platting established ingress/egress easements throughout the development for proper campus circulation. The cross-parking agreements are handled within the current, and soon to be amended R.E.I. No changes to the circulation or parking conditions are proposed.

Thank you for your time and the consideration of this request.



Bill White, Ehrhart Griffin & Associates
For: Legacy CB LLC
Heather Trower, CCIM
Chief Development Officer
Legacy Development

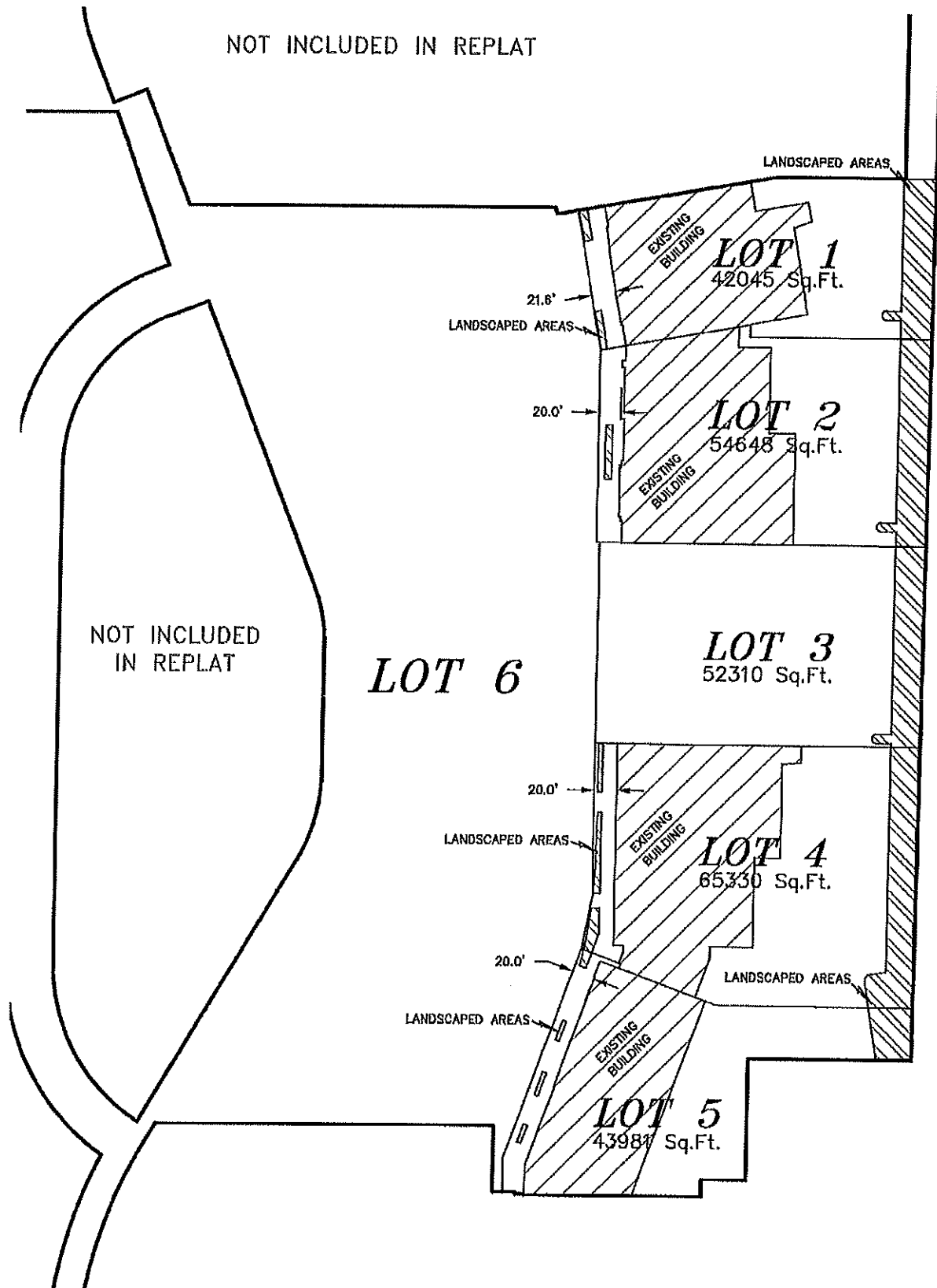
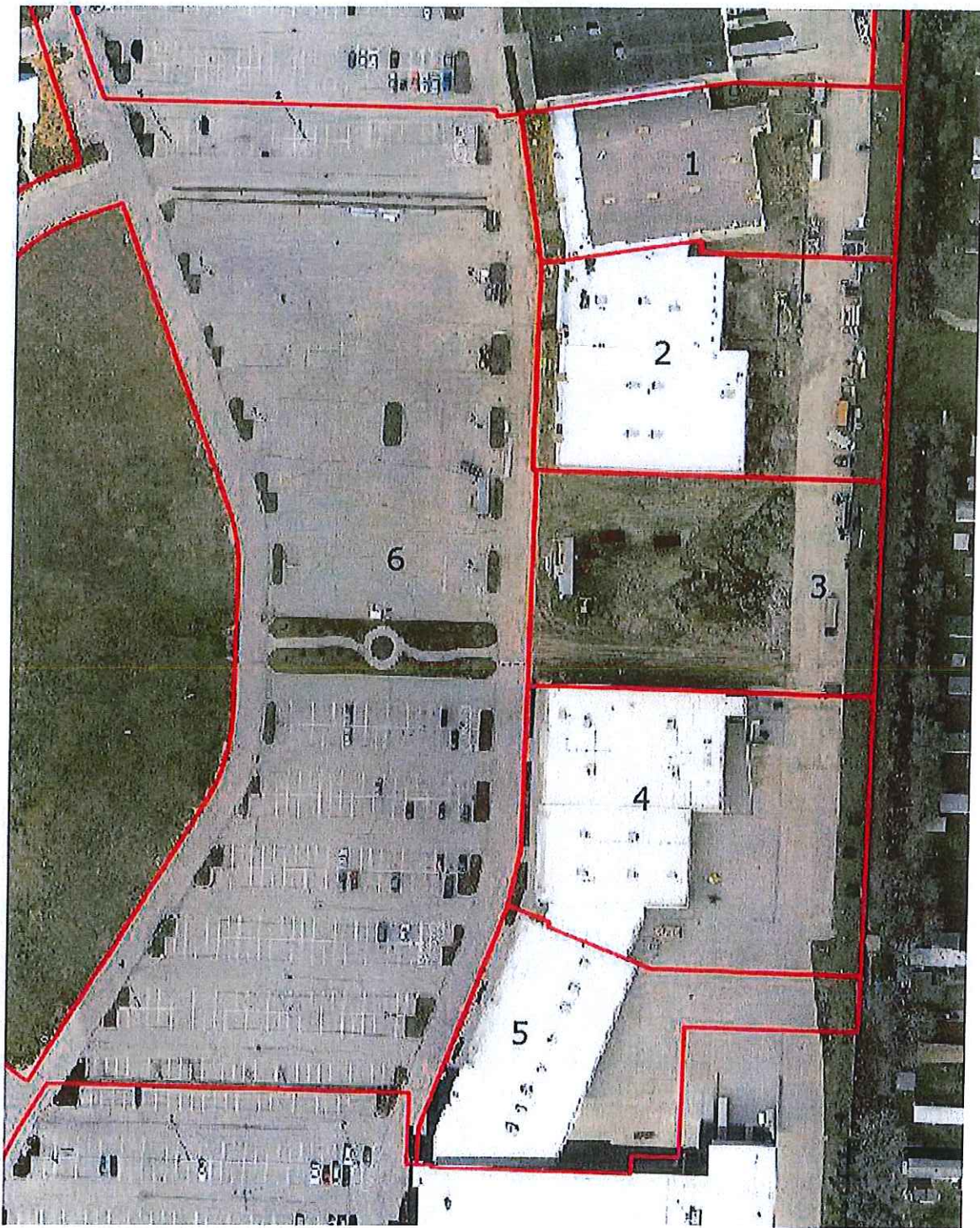


EXHIBIT "B"



EXHIBIT "C"



CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASES #SUB-18-010 & PC-18-001 LOCATION/ZONING MAP

Map Legend

- CASES #SUB-18-010 & PC-18-001 Subject Property
- Parcels

0 200 400
 1 Inch = 400 Feet

2016 Aerial Photograph



Note: Subject properties are highlighted in red.



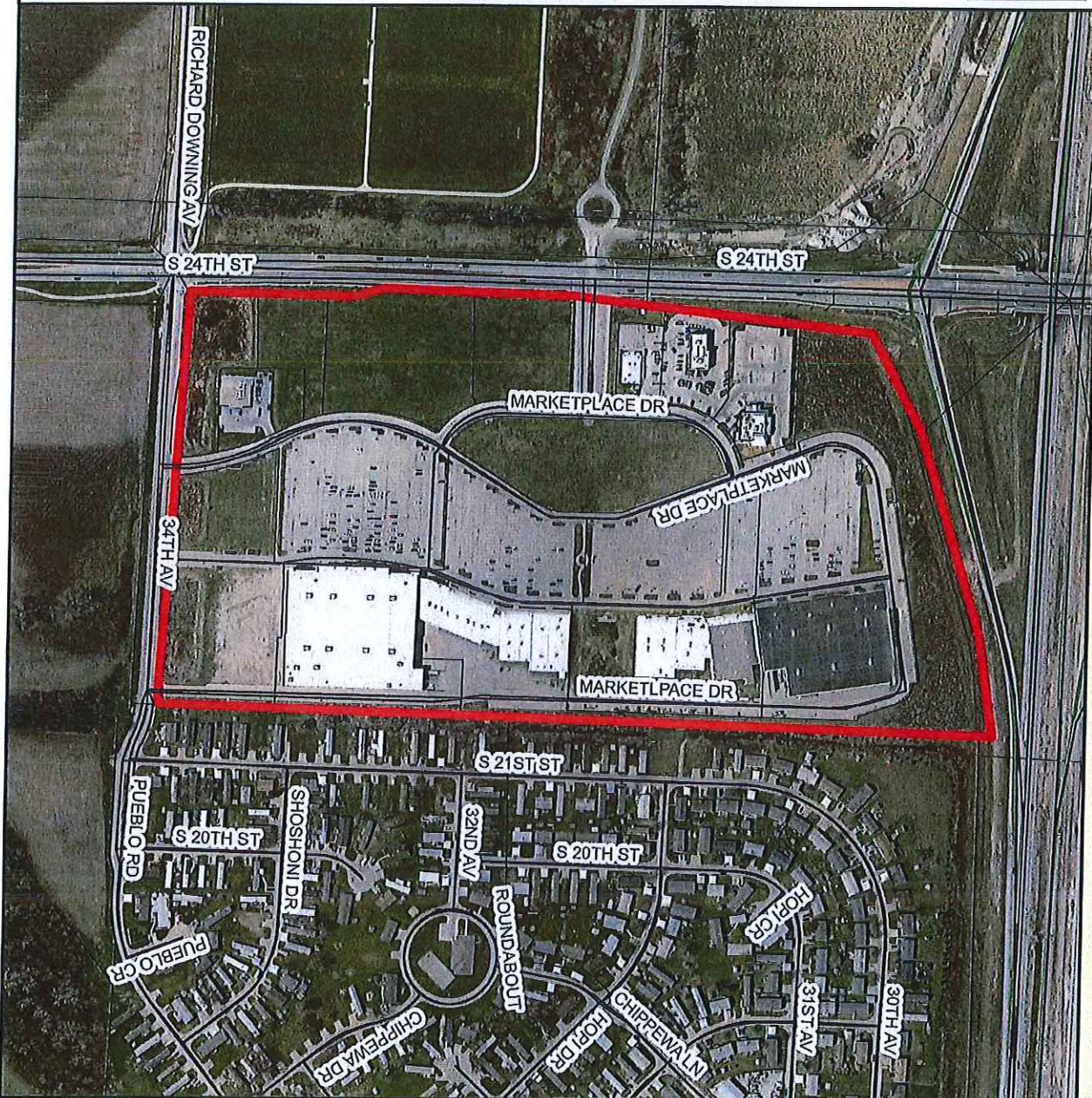
Last Amended: 7/19/18



Council Bluffs Community
 Development Department
 209 Pearl Street
 Council Bluffs, IA 51503
 Telephone: (712) 328-4629

DISCLAIMER

This map is prepared and published for informational purposes only. It is not intended to be used as a legal document. The City of Council Bluffs is not responsible for any errors or omissions on this map. The City of Council Bluffs is not responsible for any damages or losses resulting from the use of this map. The City of Council Bluffs is not responsible for any actions taken based on this map. The City of Council Bluffs is not responsible for any actions taken based on this map.



THE MARKETPLACE REPLAT 3

CONTAINING LOTS 1, 2, 3, 4, 5 AND 6,
BEING A REPLAT OF LOTS 1 AND 2,
THE MARKETPLACE REPLAT 2,
POTTAWATTAMIE COUNTY, IOWA

LEGAL DESCRIPTION:

THE MARKETPLACE REPLAT 3, CONTAINING LOTS 1, 2, 3, 4, 5 AND 6, BEING A REPLAT OF LOTS 1 AND 2, THE MARKETPLACE REPLAT 2, AS SURVEYED, PLATTED AND RECORDED IN POTTAWATTAMIE COUNTY, IOWA, CONTAINING 10.5042 ACRES (000,042 S.F.), MORE OR LESS.

STANDARD UTILITY EASEMENTS

ALL UTILITY EASEMENTS WERE PREVIOUSLY DESIGNATED ON THE ORIGINAL PLAT "THE MARKETPLACE" AND ARE EITHER SHOWN OR NOTED HEREON OR ON SHEETS 2 OR 3 OF THIS SUBDIVISION PLAT.

SURVEYOR'S NOTES:

1. ALL LOT LINES ARE NON-RAMAL, TO CURVED STREET LINES UNLESS NOTED.
2. DISTANCES SHOWN ALONG A CURVE ARE ARC DISTANCES UNLESS NOTED OTHERWISE.
3. 5/8" X 30" (IRON PINS) WITH ALUMINUM CAPS STAMPED #11416 HAVE BEEN SET AT THE CORNERS OF ALL LOTS, STREETS, ADJACENT POINTS AND THE TERMINAL POINTS OF ALL CURVES. ALSO CUT "X"s IN THE CENTER OF ALL CUR-DE-SACS.

CERTIFICATIONS AND APPROVALS

WE HEREBY CERTIFY THE FOLLOWING DOCUMENTS WILL BE RECORDED WITH THE POTTAWATTAMIE COUNTY RECORDER CONTEMPORANEOUS WITH THE FINAL PLAT:

- A. ALL PRIVATE RESTRICTIONS AND/OR COVENANTS, (THE PROPERTY HEREON IS SUBJECT TO EXISTING COVENANTS AND RESTRICTIONS.)
- B. STATEMENT OF MORTGAGE HOLDER, IF ANY, THAT THE PLAT IS PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE MORTGAGE HOLDER, AND ISSUED A PARTIAL RELEASE FOR ALL AREAS CONVEYED TO THE GOVERNING BODY OR DEDICATED TO THE PUBLIC.
- C. TITLE OPINION LETTER OF ATTORNEY.
- D. CERTIFIED RESOLUTION OF EACH GOVERNING BODY AS REQUIRED BY IOWA CODE SEC. 354.0

WE HEREBY CERTIFY THAT WE WILL MEET ALL EQUAL OPPORTUNITY AND FAIR MEETING OBJECTIVES CONSISTENT WITH FEDERAL, STATE AND LOCAL GUIDELINES.

LEGACY ON FILE: _____ DATE: _____

COMMUNITY DEVELOPMENT

APPROVED BY DIRECTOR, COMMUNITY DEVELOPMENT, BRANDON GARETT DATE: _____

CITY COUNCIL:

APPROVED BY MAYOR, MATTHEW J WALSH DATE: _____

ATTESTED TO BY:

CITY CLERK, JON QUAKERBUSH DATE: _____

CERTIFICATE OF TREASURER OF POTTAWATTAMIE COUNTY, IOWA

I, THE TREASURER OF POTTAWATTAMIE COUNTY, IOWA, HEREBY CERTIFY THAT THE PROPERTY INCLUDED IN THE MARKETPLACE REPLAT 2, IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

TREASURER OF POTTAWATTAMIE COUNTY, LEA A. VOSS DATE: _____

GENERAL INGRESS/EGRESS AND CIRCULATION EASEMENTS, AND ELECTRICAL AND OTHER WIRE TRANSMISSION UTILITIES EASEMENTS

ADDITIONAL EASEMENTS FOR GAS, WATER, STORM AND SANITARY SEWERS CAN BE FOUND ON SHEET 2 AND 3 OF 3

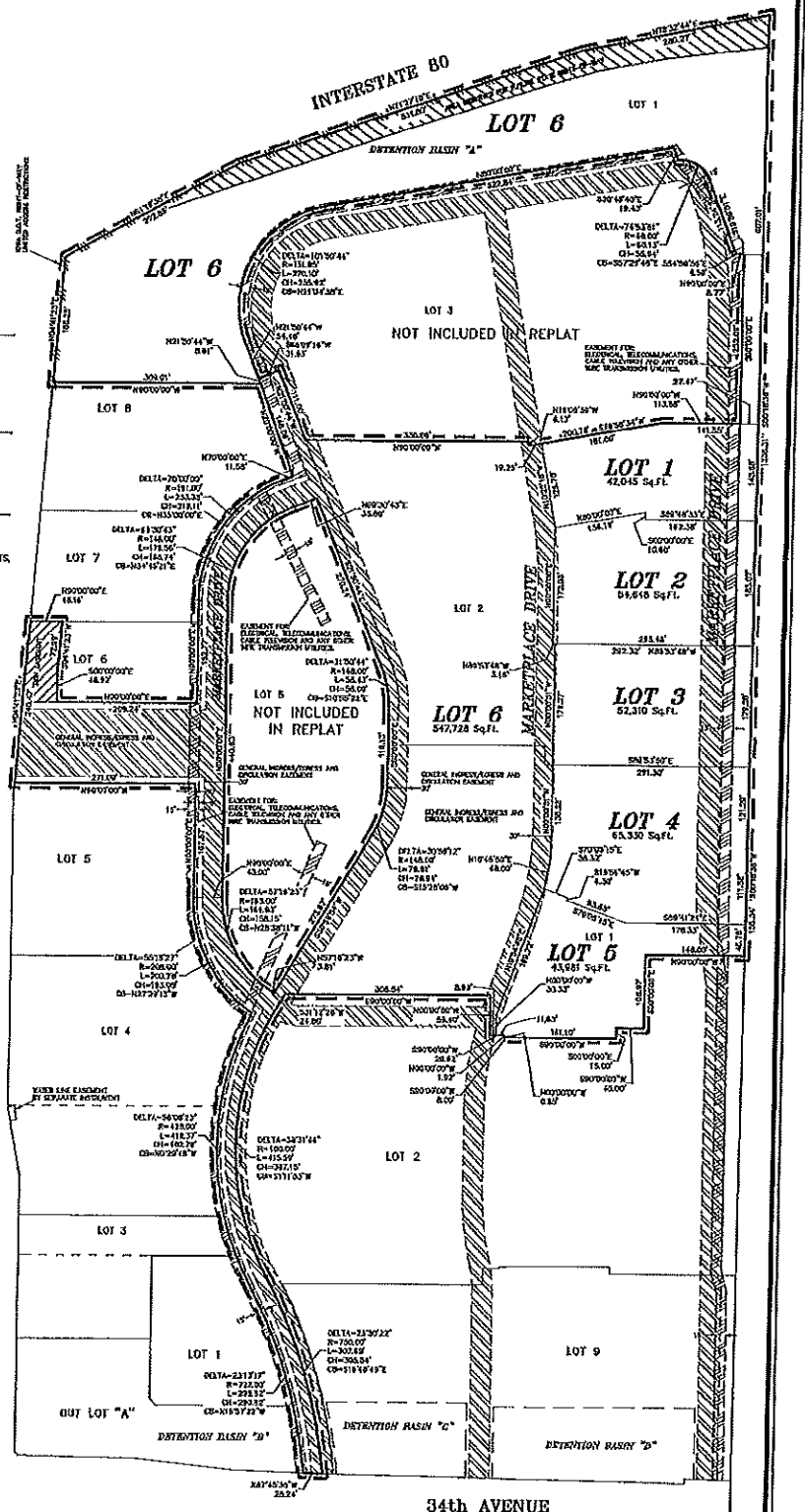
EASEMENT KEY

SHEET 1 OF 3 ONLY

- ELECTRICAL, TELECOMM, CTV, & OTHER WIRE TRANSMISSION
- GENERAL INGRESS/EGRESS & CIRCULATION
- SON EASEMENT



NORTH
SCALE 1" = 20'



LAND SURVEYOR'S CERTIFICATE

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

MARK E. EHRHART
LICENSE NO. 11416
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2019.
PAPER OR SHEETS COVERED BY THIS SEAL:
SHEETS 1, 2 AND 3 OF 3

DATE: _____



THE MARKETPLACE REPLAT 3 FINAL PLAT COUNCIL BLUFFS, IOWA

**EHRHART
GRIFFIN &
ASSOCIATES**

142 West Broadway
Suite 136
Council Bluffs, IA 51503
712 / 258-0248

- ENGINEERING
- PLANNING
- LAND SURVEYING

REVISIONS			
NO.	DESCRIPTION	DATE	BY

DESIGNED BY: DRAWN BY: WAW	CHECKED BY: DATE: 7/13/18	CREW:
PROJECT NO. EGA71248	SHEET NO. 1 OF 3	

THE MARKETPLACE REPLAT 3

CONTAINING LOTS 1, 2, 3, 4, 5 AND 6,
BEING A REPLAT OF LOTS 1 AND 2,
THE MARKETPLACE REPLAT 2,
POTTAWATTAMIE COUNTY, IOWA

PREVIOUSLY DEDICATED EASEMENTS

DEDICATION:

KNOW ALL PEOPLE OF THESE PRESENTS: THAT LEGACY CB LLC BEING THE SOLE OWNER AND PROPRIETOR OF THE LAND DESCRIBED IN THE LEGAL DESCRIPTION AND EMBRACED WITHIN THIS PLAT, HAS CAUSED, WITH OUR FREE CONSENT AND IN ACCORD WITH OUR DESIRE, THE SAME TO BE SUBDIVIDED INTO LOTS AS SHOWN AND TO BE KNOWN AS

THE MARKETPLACE REPLAT 3

CONSISTING OF LOTS 1, 2, 3, 4, 5 AND 6,

AND SAID LEGACY CB LLC DOES HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT AND SAID LEGACY CB LLC DOES NOTE THAT ALL LOTS (1, 2, 3, 4, 5 AND 6) ARE SUBJECT TO ALL EASEMENTS AND CONDITIONS AS DEDICATED AND RECORDED WITH THE ORIGINAL SUBDIVISION PLAT "THE MARKETPLACE" (BOOK 2007, PAGE 011286). FOR CLARITY, EASEMENTS ARE GROUPED AND SHOWN ON SHEETS 1, 2 AND 3 OF 3.

EASEMENTS AND CONDITIONS REFERENCED ARE AS FOLLOWS BUT NOT LIMITED TO:

ERECTION OF STRUCTURES PROHIBITED: LEGACY CB LLC, OR ITS SUCCESSORS OR ASSIGNS SHALL NOT ERECT ANY STRUCTURE OVER OR WITHIN THESE EASEMENT AREAS WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER.

CHANGE OF GRADE PROHIBITED: LEGACY CB LLC, OR ITS SUCCESSORS OR ASSIGNS SHALL NOT CHANGE THE GRADE ELEVATION, OR CONTOUR OF ANY PART OF THESE EASEMENT AREAS WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER.

RIGHT OF ACCESS: CITY SHALL HAVE THE RIGHT OF ACCESS TO THE EASEMENT AREAS AND HAVE ALL RIGHTS OF INGRESS AND EGRESS REASONABLY NECESSARY FOR THE USE AND ENJOYMENT OF THE EASEMENT AREAS AS HEREIN DESCRIBED.

REMOVAL AND REPLACEMENT: THE COST OF REMOVAL AND REPLACEMENT OF ANY UNAUTHORIZED IMPROVEMENT OR STRUCTURES WITHIN THE EASEMENT AREAS, NECESSITATED BY THE EXERCISE OF THE RIGHTS UNDER THIS DEDICATION, SHALL BE BORNE BY THE SAID LEGACY CB LLC OR ITS SUCCESSORS OR ASSIGNS.

SURFACE RESTORATION: CITY'S LIABILITY TO RESTORE THE SURFACE WITHIN THE EASEMENT AREAS SHALL BE LIMITED ONLY TO GRADING AND SEEDING.

DUTY TO REPAIR: CITY AGREES THAT ANY DRAIN TILE, DRIVE OR ACCESS WAY, FENCE, YARD OR OTHER IMPROVEMENTS OUTSIDE OF THE EASEMENT AREAS WHICH MAY BE DAMAGED AS A RESULT OF ANY ENTRY MADE THROUGH AN EXERCISE OF THE CITY'S RIGHT OF ACCESS, SHALL BE REPAIRED AT NO EXPENSE TO THE SAID LEGACY CB LLC OR ITS SUCCESSORS OR ASSIGNS.

EASEMENTS RUN WITH THE LAND: THESE EASEMENTS SHALL BE DEEMED TO RUN WITH THE LAND AND SHALL BE BINDING ON LEGACY CB LLC, OR ITS SUCCESSORS OR ASSIGNS.

IN WITNESS WHEREOF WE DO HERETO SET OUR HANDS,

THIS _____ DAY OF _____, 20____ A.D.

FOR: LEGACY CB LLC

ACKNOWLEDGEMENT TO DEDICATION

STATE OF _____

COUNTY OF _____

ON THIS _____ DAY OF _____, 20____, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY, PERSONALLY CAME,

AS MEMBER OF LEGACY CB LLC, PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE ABOVE DEDICATION, AND HE/SHE ACKNOWLEDGES THE EXECUTION THEREOF TO BE HIS/HER VOLUNTARY ACT AND DEED AS SUCH MEMBER, AND VOLUNTARY ACT AND DEED OF SAID LEGACY CB LLC.

WITNESS MY HAND AND NOTARIAL SEAL AT _____

NOTARY PUBLIC

DATE



NORTH
SCALE 1" = 120'

GENERAL INGRESS/EGRESS AND CIRCULATION EASEMENTS, AND WATER AND GAS EASEMENTS

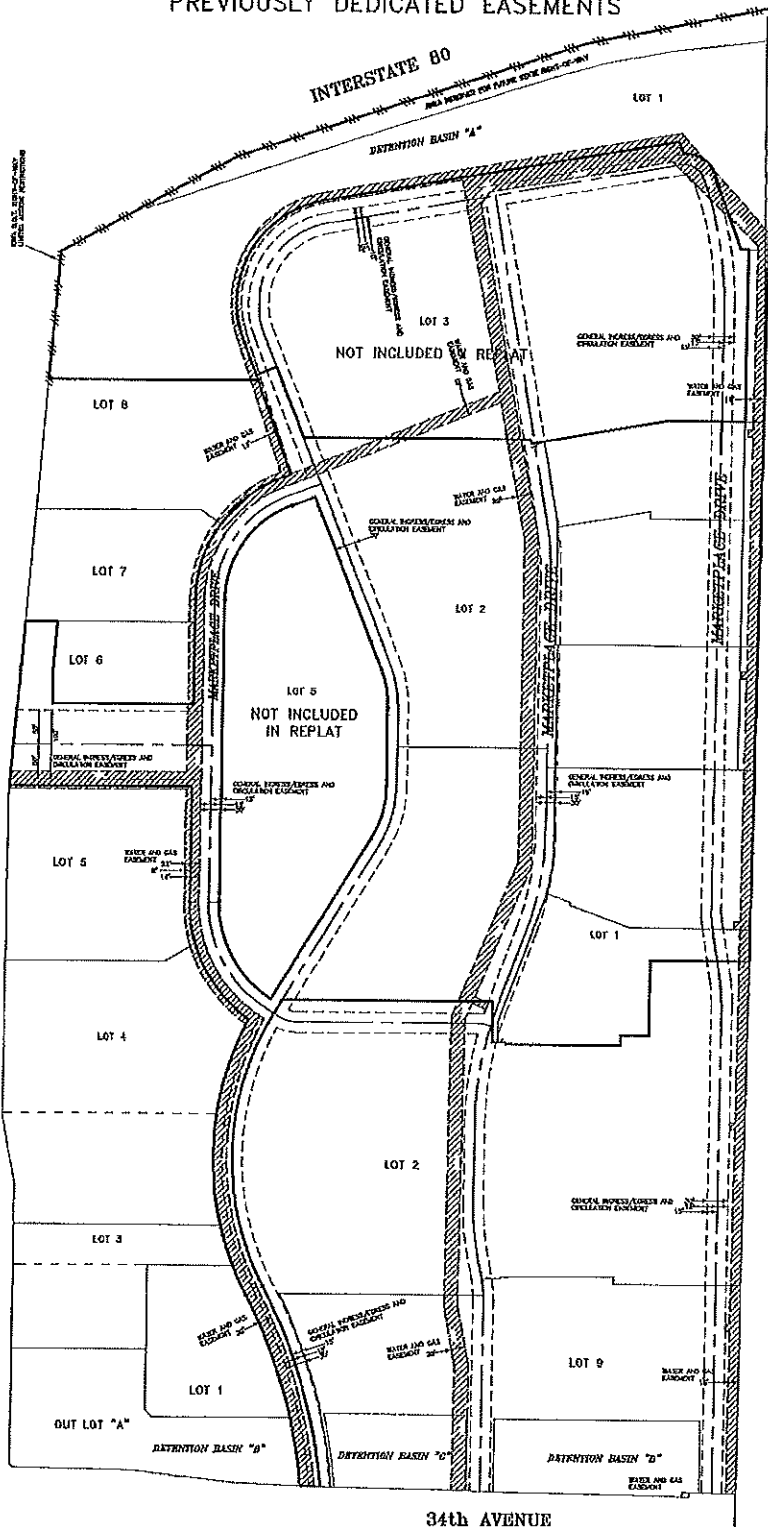
ADDITIONAL EASEMENTS FOR GENERAL INGRESS/EGRESS AND CIRCULATION EASEMENTS, AND ELECTRICAL AND OTHER WIRE TRANSMISSION UTILITIES EASEMENTS CAN BE FOUND ON SHEET 1 AND 3 OF 3

EASEMENT KEY

SHEET 2 OF 3 ONLY

GENERAL INGRESS/EGRESS & CIRCULATION

WATER & GAS



THE MARKETPLACE REPLAT 3 FINAL PLAT COUNCIL BLUFFS, IOWA

**EHRHART
GRIFFIN &
ASSOCIATES**

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

- ENGINEERING
- PLANNING
- LAND SURVEYING

REVISIONS				DESIGNED BY: _____		CHECKED BY: WAW	
NO.	DESCRIPTION	DATE	BY	DRAWN BY: WAW	DATE: 7/13/18	CREV:	
				PROJECT NO. EGAI71248	SHEET NO. 2 OF 3		

THE MARKETPLACE REPLAT 3

CONTAINING LOTS 1, 2, 3, 4, 5 AND 6,
BEING A REPLAT OF LOTS 1 AND 2,
THE MARKETPLACE REPLAT 2,
POTTAWATTAMIE COUNTY, IOWA

PREVIOUSLY DEDICATED EASEMENTS



NORTH
SCALE 1" = 40'

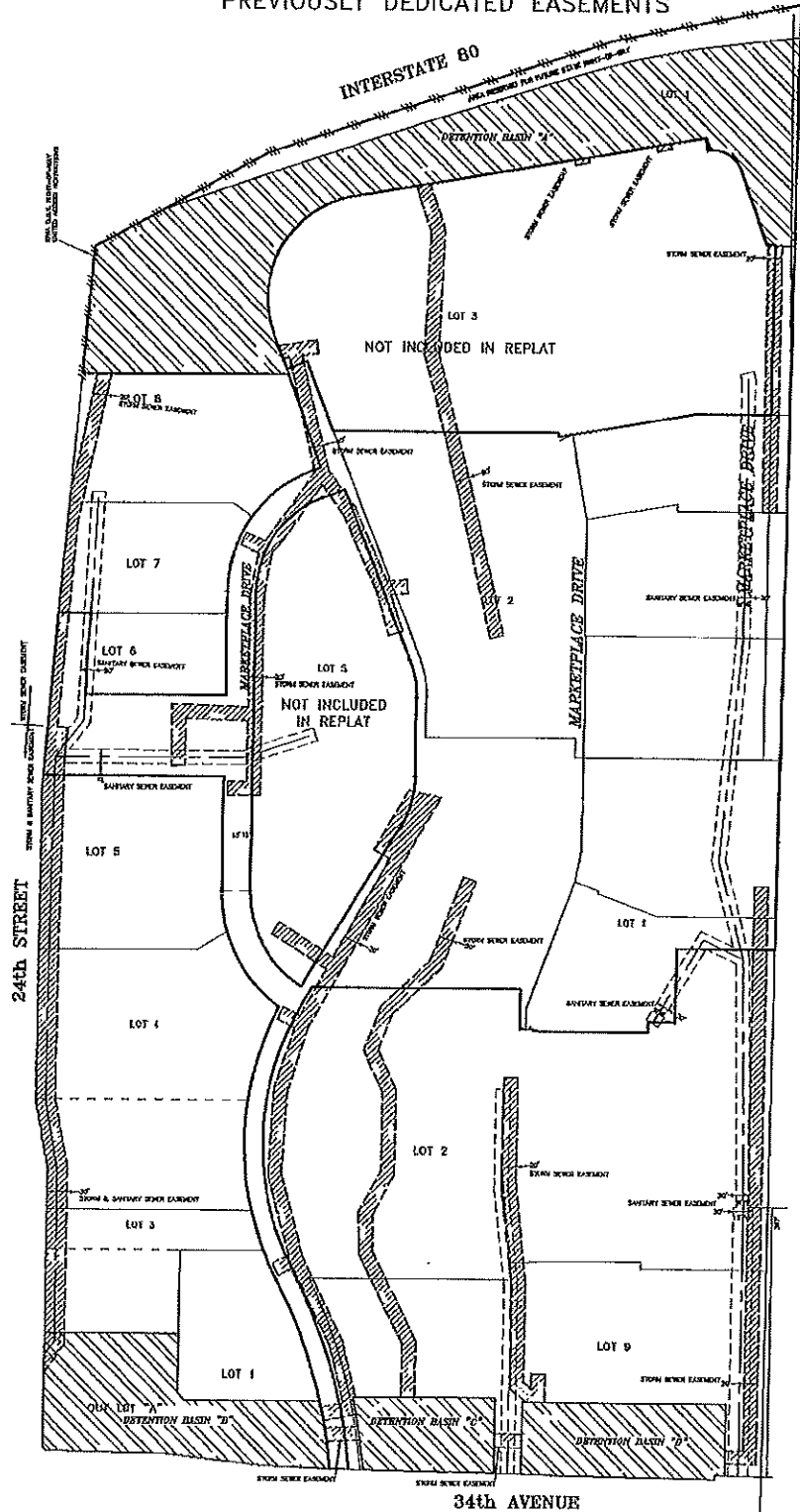
SANITARY SEWER, STORM
SEWER AND DETENTION
EASEMENTS

ADDITIONAL EASEMENTS FOR
GENERAL INGRESS/EGRESS
AND CIRCULATION
EASEMENTS, AND ELECTRICAL
AND OTHER WIRE
TRANSMISSION UTILITIES
EASEMENTS CAN BE FOUND
ON SHEET 1 AND 2 OF 3

EASEMENT KEY

SHEET 3 OF 3 ONLY

- ELECTRICAL, TELECOM, CIV, & OTHER WIRE TRANSMISSION
- SANITARY SEWER EASEMENTS
- STORM SEWER EASEMENTS OR AS NOTED



THE MARKETPLACE REPLAT 3 FINAL PLAT COUNCIL BLUFFS, IOWA

EGA EHRHART
GRIFFIN &
ASSOCIATES

142 West Broadway
Suite 138
Council Bluffs, IA 51503
712 / 256-5248

- ENGINEERING
- PLANNING
- LAND SURVEYING

REVISIONS				DESIGNED BY:		CHECKED BY:	
NO.	DESCRIPTION	DATE	BY	DRAWN BY:	DATE:	7/13/18	CREW:
PROJECT NO.				SHEET NO.			
EGA171248				3 OF 3			

R Fee 16⁰⁰ **000667**

COMPARED

A Fee —

T Tax —

RESOLUTION NO. 07-27

A RESOLUTION to approve the Planned Commercial Development Plan for The Marketplace – Council Bluffs.

WHEREAS, Magnum Development Corporation is requesting adoption of a planned commercial development plan for 49 acres located along the east side of South 24th Street between I-80 right-of-way and 34th Avenue; and

WHEREAS, Magnum Development Corporation has a contract to purchase this property with the intent to build approximately 389,731 square feet of retail space; and

WHEREAS, the subject property is zoned Planned Commercial and is within the RO/Recreation-Tourism Overlay District. The current zoning is consistent with the proposed development; and

WHEREAS, the appropriate City departments and utilities have reviewed the plan; and

WHEREAS, the Community Development Department recommends approval of the Planned Commercial Development Plan for The Marketplace – Council Bluffs, subject to the following:

Putnam County, IA
Recorder John Storch
Book-Page: 2007-011220
File Time: 07/18/2007 8:08:57:01 AM



2007-011220

1. Adoption of the general principles in the Tenant Criteria Handbook, revised 9-07-06, except as modified by City action in conjunction with the subdivision plan, commercial development plan, development agreement or other pertinent document.
2. Approval of the concept landscape plan, as submitted, with the following additions and modifications:
 - A. During construction and prior to installation of the landscaping, weeds shall be controlled consistent with both City and State requirements.
 - B. A specific landscaping plan shall be part of every building permit application. The plan shall include the irrigation system and planting schedule, the species list with number and location of all plant material within a dimensioned site plan. The plan will be reviewed for consistency with the concept plan. Landscaping shall be installed prior to issuance of a Certificate of Occupancy for the lot.
 - C. Not more than 10% of the landscaped area in each lot in the subdivision shall be of inorganic material, brick, stone, aggregate, metal or artificial turf. Organic mulch may be used around trees and shrubs.
 - D. Landscaping shall not interfere with the vision of any motorized vehicle at any intersection or pedestrian way.
 - E. Additional trees and shrubs are required in the Lot 1 parking area. Landscaping shall be incorporated into the modifications needed for better pedestrian connections throughout the shopping area, to create views and minimize traffic conflicts.
 - F. All trees shall be at least 2" diameter or greater when planted. A medium height/size tree shall be planted on both sides of private streets within the development, forty feet on center. A medium height/size tree shall be planted along the north and south side of Richard Downing Avenue thirty feet on center. These requirements are in addition to the landscaping shown on the development plan.
 - G. Not less than 10% of the total lot area shall be landscaped with trees, shrubs and other plant material. All parking lot islands included in the site shall be planted with trees and vegetation.
 - H. A minimum of one tree shall be planted on each lot for every 10 parking spaces located on the lot.
 - I. A strip of landscaping averaging at least six feet in depth shall be located adjacent to all buildings with the exception of the entrance areas.
 - J. All landscaping areas, including grasses and sodded areas, shall be irrigated.

9481

9N-2

- K. Existing landscaping and tree plantings along South 24th Street shall be maintained and extended consistent with the adopted plan.
3. Signage. The developer included signage design criteria in the "Tenant Criteria Handbook". Attached signage is categorized by building size and function as noted above. Specific signage limits are defined below.
- A. Signage, except for addressing and service entrance information will not be allowed on the east side of the in-line strip.
 - B. Anchor tenant – Attached – building above entrances – 72" max height, maximum of 10% of the front facade. Detached signage is not permitted.
 - C. Major tenant – Attached – building above entrances – 60" max height, not to exceed 10% of the front building facade. Detached signage is not permitted.
 - D. Prior to making application for final plat approval, the final landscape plan must be submitted to the Planning Commission and City Council for consideration as an amendment to the initial development plan.
 - E. Pad Site tenant (lots 4 through 10) – Attached – building above entrance, rear or side facade – 36" maximum height – not to exceed 10% of the street facade with a maximum of one sign per facade, not to exceed three signs. Maximum sign area shall not exceed one and one-half times the street frontage of each lot. Marquee signs are not allowed. Detached signage shall be limited to one monument sign per lot with a maximum height of 10 feet. The entire monument shall be counted as signage as measured from the existing finish grade to the top of the monument and from one side of the monument structure to the other with a maximum area on each side not to exceed 100 square feet per face.
 - F. Small shop (Lifestyle) tenant – Attached – Placed on sign band above entrance, rear or side facade (if an end cap) on building, 36" maximum height not to exceed 15% of the building facade. Blade signs – one per storefront, in lieu of a wall sign, seven sf maximum with 6' tall letters. Detached signs – "Life Style" Retail Center – one multi-tenant (double faced permitted), not to exceed 10 feet in height or 100 square feet per face.
 - G. On-site directional signage shall not exceed six feet as measured from the natural grade with a maximum of 4 square feet per sign face, not to exceed a total of eight square feet per sign.
 - H. One center sign shall be allowed. Height, size and location will be determined upon review and approval of an amendment to the signage plan. Additional amendment to the signage plan may also be necessary for the detached signage at the "Lifestyle" retail space to make effective use of signage to direct visitors to the area they wish to visit and to assure compatibility with the entire site.
4. Site Development.
- A. Minimum setback requirements for all structures shall be: Front 20 feet, rear 15 feet, interior side 10 feet, and street side 15 feet.
 - B. South 24th Street shall be the front yard of Lots 3 through 10.
 - C. The maximum height of any building, structure or decorative feature shall not exceed 45 feet or three stories.
 - D. All trash receptacles shall be enclosed on three sides and screened from view with materials similar to those of the primary building. The enclosures shall have a lockable gate which, when closed completely, eliminates any view of the dumpster.
 - E. All loading areas shall be screened from public view including all rights-of-way by a combination of architectural treatments and/or landscaping which after three years shall significantly screen the loading area from view.
 - F. Building exteriors shall be made of 100% masonry materials such as brick, split faced block or concrete masonry units (with texture) or stucco type material. Metal shall only be allowed as an architectural accent. Twenty percent (20%) of the buildings front facade or other street
- 9N-2

facing facade shall be made of brick. No flat faced concrete block shall be allowed except for the rear wall of the building when it is not visible from a public or private space or right-of-way. Wood or wood-appearing siding may be an acceptable exterior material only for buildings less than 10,000 square feet (based on floor area). Vinyl siding is not allowed.

G. Awnings or other decorative features may be allowed on the facade of a building and must be at least nine feet above the pedestrian walkways and may not project over drive aisles or parking areas.

H. No more than 40% of any lot shall be covered with structures. Outside storage is not allowed. This includes the temporary and/or permanent placement of inter-modal storage containers.

I. Access to the rear of each building for fire department equipment shall be provided in accordance with the requirements of the Fire Marshall's office.

5. Parking.

A. The minimum number of parking spaces shall be determined by Chapter 15.23 Off-Street Parking, Loading and Unloading. In cases where several uses occupy a structure or parcel of land, the total requirement for off-street parking shall be the sum of the requirement of the different uses.

B. The developer shall be responsible to develop cross access and ingress/egress easements to be recorded with the final plat to accommodate shared parking and driveways.

C. Each request for a building permit will include a parking lot plan showing the number, location, and dimension of all drive aisles and spaces, pedestrian ways, islands, landscaped areas, loading areas, and lighting.

D. All parking areas will be paved and curbed.

E. All parking areas shall comply with ADA requirements.

6. Lighting.

A. All exterior lighting on private roadways and parking lots within the development shall be of a consistent type, finish and design of painted or finished aluminum or steel. Wood poles shall not be allowed. The maximum height shall not exceed 40 feet.

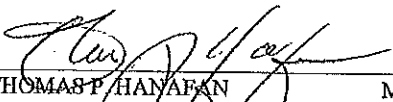
B. Streetlight type and location within the public right-of-way shall be as determined by the Public Works Department.

WHEREAS, the Planning Commission concurs with the Community Development Department recommendation.

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

That the Planned Commercial Development Plan for The Marketplace -- Council Bluffs is hereby approved, subject to the conditions set forth above.

ADOPTED
AND Jan. 8, 2007
APPROVED


THOMAS P. HANAFAN Mayor

Attest:


Marcia L. Worden, Deputy City Clerk

9N-2

Planning Case No. PC-06-005

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASES #SUB-18-010 & PC-18-001 LOCATION/ZONING MAP

Map Legend

- CASES #SUB-18-010 & PC-18-001 Subject Property
- Parcels

0 200 400
1 Inch = 400 Feet

2016 Aerial Photograph



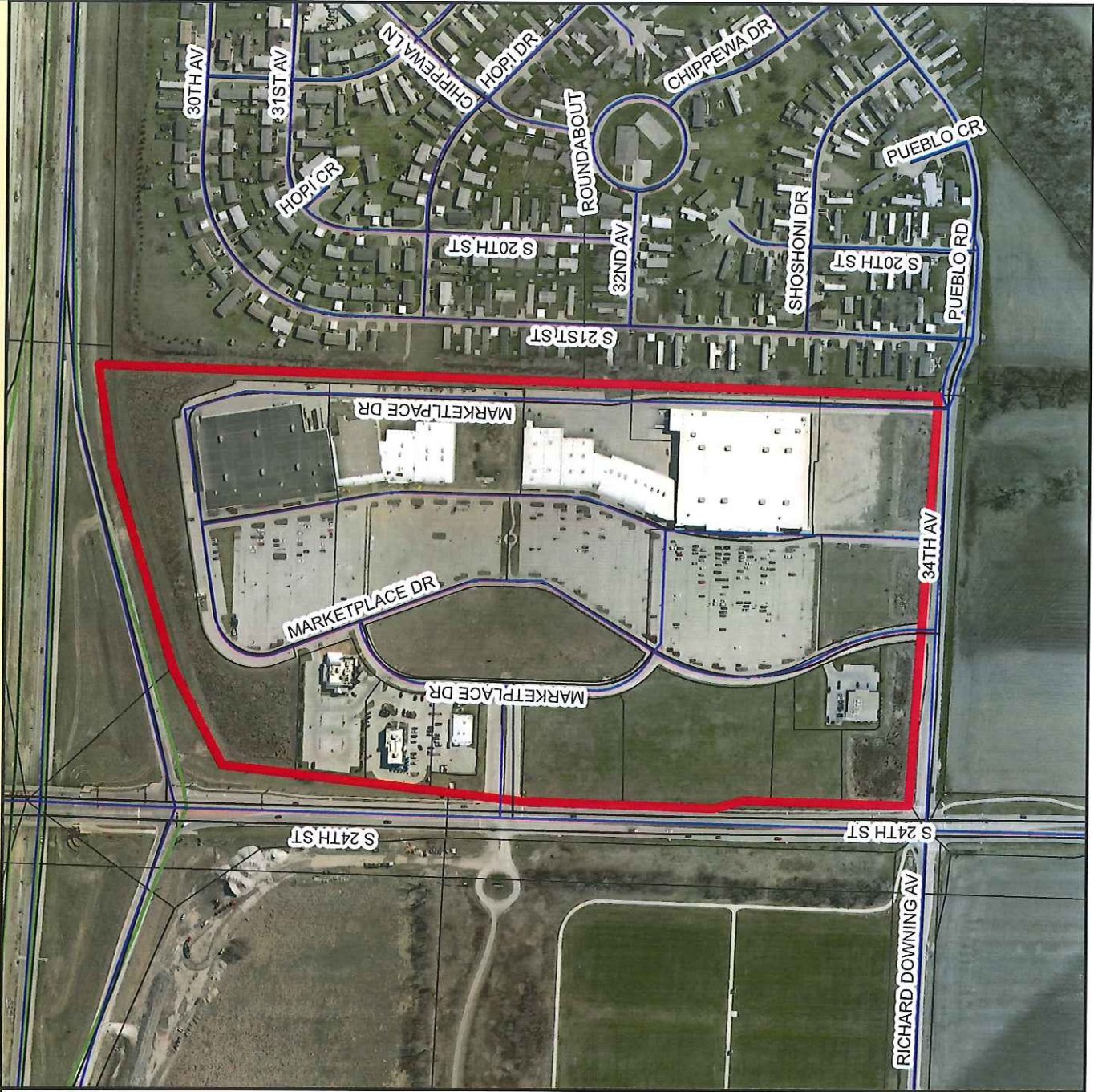
Note: Subject properties are highlighted in red.



Last Amended: 7/19/18

DISCLAIMER
This map is provided for informational purposes only. The City of Council Bluffs does not warrant the accuracy or completeness of the information contained herein. The City of Council Bluffs is not responsible for any errors or omissions in this map. The user should verify the information on this map before using it. The City reserves the right to modify this map at any time without notice.

**Council Bluffs Community
Development Department**
209 Pearl Street
Council Bluffs, IA 51503
Telephone: (712) 328-4629



RESOLUTION NO. 18-252

A RESOLUTION GRANTING FINAL PLAT APPROVAL OF A SIX-LOT COMMERCIAL SUBDIVISION TO BE KNOWN AS THE MARKETPLACE, REPLAT 3, LEGALLY DESCRIBED AS BEING A REPLAT OF LOTS 1 AND 2, THE MARKETPLACE REPLAT 2, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, Legacy CB, LLC, has submitted a request for final plat approval for six-lot commercial subdivision to be known as The Marketplace, Replat 3, located at the southeast corner of Interstate 80/29 and South 24th Street and legally described as being a replat of Lots 1 and 2, The Marketplace Replat 2, City of Council Bluffs, Pottawattamie County, Iowa; and

WHEREAS, The purpose of the replat is to allow the applicant to address changing market conditions/demands for small to medium size retail spaces; and

WHEREAS, The Community Development Department recommends final plat approval of a six-lot commercial subdivision to be known as The Marketplace, Replat 3, legally described as being a replat of Lots 1 and 2, The Marketplace Replat 2, as shown in Attachment 'B', subject to the following conditions:

- a. Prior to executing the final plat, any corrections required by the Community Development Department and/or Public Works Department shall be incorporated into the final plat document.
- b. All utilities shall be installed underground
- c. Final plats must be recorded within 90 days of City Council approval or the plat will become null and void unless an extension has been requested and granted by the Community Development Department Director.

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

That the final plat approval for a replat of a six-lot commercial subdivision to be known as The Marketplace, Replat 3, legally described as being a replat of Lots 1 and 2, The Marketplace Replat 2, City of Council Bluffs, Pottawattamie County, Iowa, is hereby approved subject to all local, state and federal regulations; and

BE IT FURTHER RESOLVED

That the Mayor and City Clerk are hereby authorized and directed to endorse the final plat.

ADOPTED
AND
APPROVED

August 27, 2018

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

Department: Community Development
Case/Project No.: SUB-18-013
Submitted by: Chris Meeks, Planner

Resolution 18-253

Council Action: 8/27/2018

Description

Resolution granting final plat approval of a six lot residential subdivision to be known as New Horizon Subdivision, Replat 2. Location: South of College Road, Northwest of Interstate 80, East of Valley View Drive. SUB-18-013

Background/Discussion

See attachment.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
SUB-18-013 Staff Report Including Attachs	Other	8/17/2018
SUB-18-013 New Horizon Subdivision Replat 2 Final Plat PH Notice	Other	8/17/2018
Resolution 18-253	Resolution	8/22/2018

Council Communication

<p>Department: Community Development</p> <p>CASE #SUB-18-013</p> <p>Owner/Applicant: 92 Investments, LLC 22735 James Drive Council Bluffs, IA 51503</p> <p>Engineer: HGM Associates Attn: John Jorgenson 640 5th Avenue Council Bluffs, IA 51501</p>	<p>Resolution No. _____</p>	<p>City Council: 8/27/2018</p>
<p style="text-align: center;">Subject/Title</p> <p>Request: Final plat approval of a five-lot (and one outlot) residential subdivision to be known as New Horizon Subdivision, Replat 2, legally described as being a replat of all of Lot 2, New Horizon Subdivision, Replat 1.</p> <p>Location: South of College Road, Northwest of Interstate 80, East of Valley View Drive</p>		
<p style="text-align: center;">Background/Discussion</p> <p>The Community Development Department has received a request from 92 Investments, LLC for final plat approval of a five lot (and one outlot) residential subdivision to be known as New Horizon Subdivision, Replat 2. The proposed subdivision consists of 21.82 acres, more or less, of land, and is located South of College Road, and East of Valley View Drive.</p> <p>The original subdivision plat for New Horizon Subdivision was approved by the Council Bluffs City Council with Resolution 06-151 on June 12, 2006. New Horizon Subdivision, Replat 1 was approved by the Council Bluffs City Council with Resolution 14-004 on January 13, 2014. The preliminary plan for New Horizon Subdivision, Replat 2 was approved by the City Council on September 25, 2017, and featured five residential lots. Proposed Lots 1 through 4, New Horizon Subdivision, Replat 2, will be sold to Immanuel Pathways and developed with a new senior care living facility. Access to these lots will occur through a shared easement that connects with College Road. Proposed Lot 5 will be developed by 92 Investments, LLC, as an attached single-family residential neighborhood. Further platting of Lot 5 will be required for the development. Outlot A will be designed and used for stormwater management for the subdivision. Access to Lot 5 will come from College Road.</p> <p style="text-align: center;">Comments</p> <ol style="list-style-type: none">1. The proposed subdivision is consistent with the purpose and intent of the Council Bluffs Municipal Subdivision and Zoning Ordinances.2. Lots 1-4, New Horizon Subdivision, Replat 2, was rezoned to the R-3/Low Density Multifamily Residential District, and Lot 5 and Outlot A rezoned to the R-2/Two-Family Residential District by Ordinance #6308 on October 9, 2017.3. Lots 1 through 4 in New Horizon Subdivision, Replat 2 comply with minimum R-3/Low Density Multi-Family Residential District lot size requirements. Lot 5 complies with minimum R-2/Two-Family Residential District lot size requirements.		

4. Lot 3 is landlocked and will be accessed by an easement through Lots 1, 2, and 4. The location and size of said access easement is shown on the final plat.
5. All electric, cable and communication facilities shall be installed underground. All costs to construct, remove and/or relocate any utilities for the proposed subdivision shall be the responsibility of the applicant and not the City.
6. The Council Bluffs Public Works Department provided the following comments:
 1. A performance guarantee will be required for the sanitary sewer improvements.
 2. The engineer has submitted an acceptable OPC for the sanitary sewer work.
7. The Council Bluffs Fire Department stated they have no comments for the proposed final plat.
8. Council Bluffs Water Works stated a main extension agreement has been signed that will cover water main frontage for Lots 1-4. Lot 5 already has water main frontage on College Road.
9. MidAmerican Energy Company stated they have no objections to this replat, and will work with the developer on the extension agreements for each lot.
10. A public sidewalk shall be installed along the frontages of each lot prior to issuance of a Certificate of Occupancy for a building on each lot, at no cost to the City.
11. The plat does not indicate if any private restrictions and/or covenants will be established for the subdivision. The plat shall be revised to state whether any private restrictions and/or covenants will be established for the subdivision and a copy of said private restrictions and/or covenants shall be provided to the City of Council Bluffs.

Recommendation

The Community Development Department recommends final plat approval of a five lot residential, and one outlot subdivision, to be known as New Horizon Subdivision, Replat 2, as legally described above and as shown on Attachment 'A', subject to all comments stated above and following conditions:

- a. All technical corrections discussed above shall be made on the final plat prior to execution of the document.
- b. The required performance guarantee or satisfactory installation of all utilities must be obtained prior to recordation of the final plat; and
- c. The final plat shall be recorded within 90 days of City Council approval or the plat shall become null and void unless an extension of has been requested and granted by the Community Development Department Director; and
- d. Conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements; and
- e. All utilities shall be installed underground. Any cost to remove and/or relocate any utilities shall be the sole expense of the applicant and not the City; and
- f. The applicant shall provide a copy of any proposed covenants and/or private restrictions associated with the subdivision to the City; and
- g. A public sidewalk shall be installed along the frontages of each lot prior to issuance of a Certificate of Occupancy for a dwelling unit on each lot, at no cost to the City; and
- h. The developer shall provide the City with two sets of as-built construction drawings and a two-year maintenance bond, upon acceptance of all required improvements.

Attachment

Attachment A: New Horizons Subdivision, Replat 2 final plat

Engineer: John Jorgenson, HGM Associates, 640 5th Avenue, Council Bluffs, IA 51501

Prepared by: Chris Meeks, Planner

DR. JAMES M. HARRIS, D.D.S., 908 S.W. 6TH ST., SUITE 200, MIAMI, FLORIDA 33135
TEL: 783-0830

OWNER:
92 INVESTMENTS LLC
22735 JAMES DRIVE
COUNCIL BLUFFS, IOWA 51503

DEVELOPER:
WESTERN IOWA LAND DEVELOPMENT, LLC
P.O. BOX 683
AYOCA, IOWA 51521

P.O. BOX 683
AYOCA, IOWA 51521

201 #1 NEW HORIZON SUBDIVISION, REPLAT 1, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA

2010

A 3.00 FOOT WIDE PERMANENT EASEMENT ON EACH SIDE OF ALL SIDE LOT LINES, A 10.00 FOOT WIDE PERMANENT EASEMENT ALONG ALL FRONT LOT LINES, AND A 5.00 FOOT WIDE PERMANENT EASEMENT ALONG ALL REAR LOT LINES, ARE RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES.

STILLY GOJUNGL

APPROVED BY MAYOR: _____ THE HONORABLE MATTHEW J. WALSH _____ DATE: _____

ATTESTED TO BY: _____

CITY CLERK: JODI QUAKENBUSH
DATE: _____

COMMUNITY DEVELOPMENT DIRECTOR: BRANDON GARRETT DATE:

CERTIFICATE OF TREASURER OF POTTAWATTAMIE COUNTY, IOWA

THE UNDERSIGNED OF POLK COUNTY, IOWA, HEREBY CERTIFY THAT THE PROPERTY INCLUDED IN MIDLANDS SUBDIVISION, IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

MEASURER OF POLLUTABLE COUNTY, IOWA: LEA A. VOSS DATE

WE HEREBY CERTIFY THAT WE WILL MEET ALL EQUAL OPPORTUNITY AND FAIR MARKETING OBJECTIVES CONSISTENT WITH FEDERAL, STATE AND LOCAL GUIDELINES. WE HEREBY CERTIFY THAT THE FOLLOWING DOCUMENTS WILL BE RECORDED WITH THE POTOMAC COUNTY RECORDER CONTEMPORANEOUSLY WITH THE FILING OF THE FINAL PLAN:

- A. ALL PRIVATE RESTRICTIONS AND/OR COVENANTS, IF ANY, WHICH WILL BE A PART OF THE SUBJECT DEVELOPMENT.
- B. CERTIFIED RESOLUTION OF EACH GOVERNING BODY APPROVING THE SUBDIVISION OR WAIVING THE RIGHT TO REVIEW.



JOHANNAN M. LESINGER
 LICENSE NUMBER 14418 DATE MAY 27, 2018
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2019
 PAGES OR SHEETS COVERED BY THIS SEAL
 SHEET 1 OF 2, SHEET 2 OF 2
 I HEREBY CERTIFY THAT THIS LAND SAVING DOCUMENT WAS PREPARED
 BY THE RELATED SURVEY WORK WAS PREPARED BY ME OR UNDER MY
 CLOSE PERSONAL SUPERVISION AND THAT I AM A FULLY LICENSED
 PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA

**FINAL PLAT OF
NEW HORIZON SUBDIVISION, REPLAT 2**
BEING ALL OF LOT 2, NEW HORIZON SUBDIVISION, REPLAT 1, CITY OF
COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

DEDICATION:

PROPERTY DESCRIBED WITHIN THE LEGAL DESCRIPTION AND EMBRACED WITHIN THIS PLAT, HAS CAUSED SAID PROPERTY TO BE SUBDIVIDED AS LOTS 1 THROUGH 5, INCLUSIVE, OUTLOT A, SAID PROPERTY TO BE KNOWN AS NEW HORIZON SUBDIVISION, REPLAT 2.

4

AS PART OF THIS PLATTING, 92 INVESTMENTS LLC DOES HEREBY DEDICATE TO THE CITY OF COUNCIL BLUFFS, IOWA A PERPETUAL STORM SEWER AND DRAINAGE EASEMENT 20 FEET IN WIDTH, BEING 10.00 FEET IN WIDTH ON EACH SIDE OF THE LINE SHOWN IN THE DRAWING ACROSS LOT 5.

INGRESS/EGRESS ELEMENT FOR THE BENEFIT OF LOTS 1, 2, 3 AND 4 AS SHOWN AND DESCRIBED ON THE DRAWING.

OF LOTS 1 THROUGH 3, THEIR ADMINISTRATORS, EJECTORS, SUCCESSORS, HEIRS, OR ASSIGNS SHALL PERPETUALLY OPERATE AND MAINTAIN OUTLOT A AND THE STORMWATER FACILITY OR BEST MANAGEMENT PRACTICES (BMPs) LOCATED WITHIN OUTLOT A IN STRICT ACCORDANCE WITH STANDARD PRACTICES AND REQUIREMENTS FOR SAID BMPs AS ACCEPTED BY THE CITY OF COUNCIL BLUFFS OR ITS DESIGNER.

THE DEDICATION OF THESE EASEMENT SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS.

1. SHALL BE BOUND WITH THE LAND: THIS EASEMENT SHALL BE DEEMED TO RUN WITH THE LAND AND
2. ERECTION OF STRUTS AND BRACED: 92 INVESTMENTS LLC, OR ITS SUCCESSORS OR ASSIGNS,
3. PRIOR WRITTEN CONSENT OF THE OTHER PARTY WITHIN THE EASEMENT AREA WITHOUT OBTAINING
4. THE GRADE, ELEVATION, NOR THE CONTOURS OF ANY PART OF THE EASEMENT AREA WITHOUT
5. HAVE ALL RIGHTS OF EGRESS AND EGRESS REASONABLY NECESSARY FOR THE USE AND
6. REMOVAL AND REPLACEMENT: THE COST AND REMOVAL AND REPLACEMENT OF ANY UNAUTHORIZED
7. OR STRUCTURES UNDER THIS EASEMENT, SHALL BE BORNE BY SAID 92 INVESTMENTS LLC, OR ITS
8. SURFACE OR ASSIGNS.
9. SHALL BE LIMITED TO: GRADING AND SEEDING.
10. DUTY TO REPAIR: IN THE EVENT OF ANY DRAIN TILE DRIVE OR ACCESS WAY, FENCE, YARD, OR
11. OTHER IMPROVEMENT OUTSIDE OF THE EASEMENT AREA WHICH MAY BE DAMAGED AS A RESULT OF
12. NO EXPENSE TO SAID 92 INVESTMENT LLC, OR ITS SUCCESSORS OR ASSIGNS.

IN WITNESS WHEREOF, I DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF THE 92 INVESTMENTS LLC PROPERTY AS CONTAINED HEREIN ON THIS

DAY OF 2018

BY: _____

STATE OF IOWA)

COUNTY OF POTTAWATTAMIE)

ON THIS DAY OF _____, 2018, BEFORE ME A NOTARY PUBLIC IN AND FOR THE STATE OF IOWA, PERSONALLY APPEARED JOHN H. JERKOVICH, TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN, DID SAY HE IS ONE OF THE MEMBERS OF CRESTVIEW IOWA LAND DEVELOPMENT, L.L.C., THAT NO SEAL HAS BEEN PROCURED BY THE SAID LIMITED LIABILITY COMPANY, AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF THE SAID LIMITED LIABILITY COMPANY, AND THAT OF ITS MEMBERS AND THAT SAID JOHN H. JERKOVICH ACKNOWLEDGED THE EXECUTION OF THE INSTRUMENT TO BE THE VOLUNTARY ACT AND DEED OF SAID LIMITED LIABILITY COMPANY, BY IT VOLUNTARILY EXECUTED.

NOTARY PUBLIC IN AND FOR SAID STATE

MY COMMISSION EXPIRES

DEF
drawn

DEF
designed

JML
approved

JUL 18
date

hgm

ASSOCIATES INC.

ENGINEERING ARCHITECTURE SURVEYING

council bluffs omaha

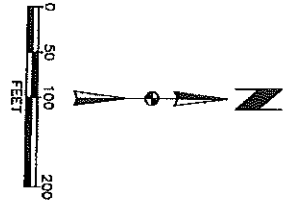
This drawing is being made available by legal associates for use as this project is associated with legal matters. It is approved for preliminary review. Legal associates do not assume any liability for any use. This drawing of any part thereof is intended to be used as the basis of the above agreement.

PROJECT NEW HORIZON SUBDIVISION, REPLAT 2
REPLAT-LOT 2, NEW HORIZON SUBDIVISION, REPLAT 1

OWNER WESTERN IOWA LAND DEVELOPMENT, LLC
P.O. BOX 683, AYCOCA, IOWA 51521

FINAL PLAT

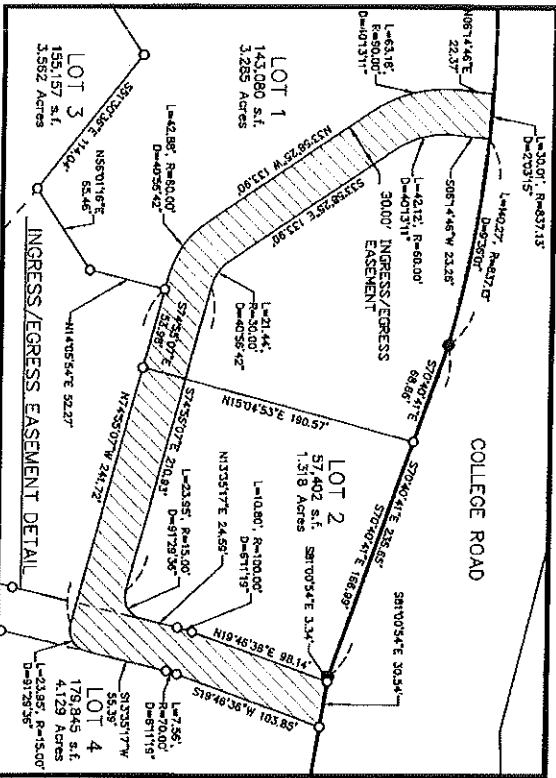
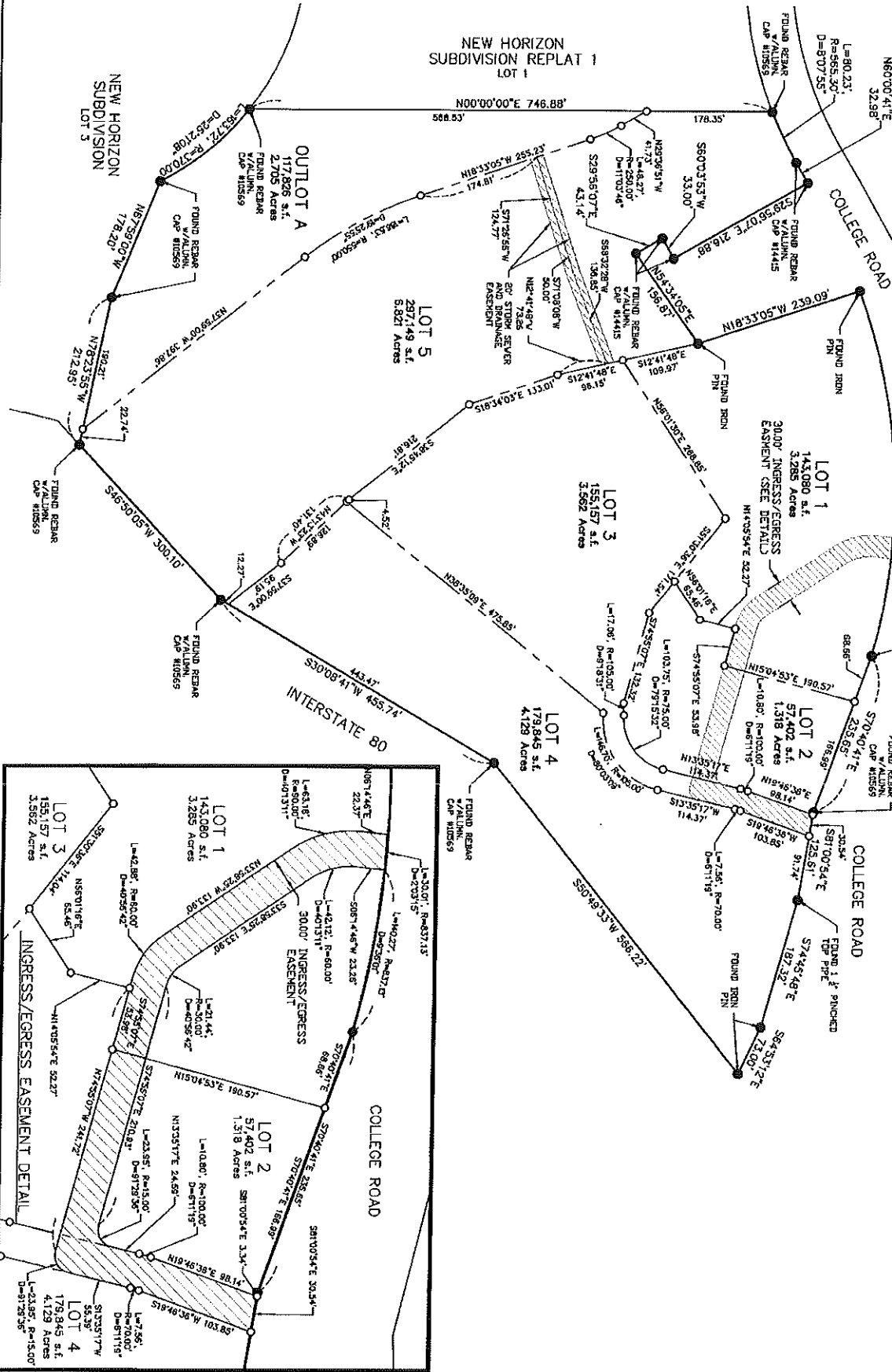
NEW HORIZON
SUBDIVISION REPLAT 1
LOT 1



**FINAL PLAT OF
NEW HORIZON SUBDIVISION, REPLAT 2**
BEING ALL OF LOT 2, NEW HORIZON SUBDIVISION, REPLAT 1, CITY OF
COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

IOWA WESTERN
COMMUNITY COLLEGE
SUBDIVISION
LOT 7

IOWA WESTERN
COMMUNITY COLLEGE
SUBDIVISION
LOT 6



NEW HORIZON SUBDIVISION, REPLAT 2
REPLAT-LOT 2, NEW HORIZON SUBDIVISION, REPLAT 1
WESTERN IOWA LAND DEVELOPMENT, LLC
P.O. BOX 683, AVOCA, IOWA 51521
FINAL PLAT

DEF.
DES.
JUL
APPROVED
JULY 18
BY

hgm
ASSOCIATES INC.
ENGINEERING ARCHITECTURE SURVEYING
council bluffs omaha

This drawing is being made for the use of the project in accordance with the specifications for the project. It is not to be used for any other purpose without the written consent of the engineer. The engineer assumes no responsibility for the accuracy of the data furnished by the client or for the results of the survey or for the construction of the project.

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request of 92 Investments, LLC for final plat approval of an five lot (and one outlot) residential subdivision to be known as New Horizon Subdivision, Replat 2, legally described as being a replat Lot 2, New Horizon Subdivision, Replat 1.

You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 27th day of August, 2018 in the City Council Chambers, 2nd Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

RESOLUTION NO. 18-253

A RESOLUTION GRANTING FINAL PLAT APPROVAL OF A SIX LOT RESIDENTIAL SUBDIVISION TO BE KNOWN AS NEW HORIZON SUBDIVISION, REPLAT 2.

WHEREAS, 92 Investments, LLC has requested review and approval of a final subdivision plat for a five lot (and one additional outlot) residential subdivision to be known as New Horizon Subdivision, Replat 2; and

WHEREAS, The proposed land consists of 21.82 acres, more or less, of land, and is located South of College Road, North of Interstate 80, and East of Valley View Drive, and is legally described as: Being a replat of all of Lot 2, New Horizon Subdivision, Replat 1; and

WHEREAS, The following comments were provided for the proposed subdivision request:

1. The proposed subdivision is consistent with the purpose and intent of the Council Bluffs Municipal Subdivision and Zoning Ordinances.
2. Lots 1-4, New Horizon Subdivision, Replat 2, was rezoned to the R-3/Low Density Multifamily Residential District, and Lot 5 and Outlot A rezoned to the R-2/Two-Family Residential District by Ordinance #6308 on October 9, 2017. The rezoning takes effect with the approval of the final subdivision plat.
3. Lots 1 through 4 in New Horizon Subdivision, Replat 2 comply with minimum R-3/Low Density Multi-Family Residential District lot size requirements. Lot 5 complies with minimum R-2/Two-Family Residential District lot size requirements.
4. Lot 3 is landlocked and will be accessed by an easement through Lots 1, 2, and 4. The location and size of said access easement is shown on the final plat.
5. All electric, cable and communication facilities shall be installed underground. All costs to construct, remove and/or relocate any utilities for the proposed subdivision shall be the responsibility of the applicant and not the City.
6. The Council Bluffs Public Works Department provided the following comments:
 - a. A performance guarantee will be required for the sanitary sewer improvements.
 - b. The engineer has submitted an acceptable OPC for the sanitary sewer work.
7. The Council Bluffs Fire Department stated they have no comments for the proposed final plat.
8. Council Bluffs Water Works stated a main extension agreement has been signed that will cover water main frontage for Lots 1-4. Lot 5 already has water main frontage on College Road.
9. MidAmerican Energy Company stated they have no objections to this replat, and will work with the developer on the extension agreements for each lot.

10. A public sidewalk shall be installed along the frontages of each lot prior to issuance of a Certificate of Occupancy for a building on each lot, at no cost to the City.
11. The plat does not indicate if any private restrictions and/or covenants will be established for the subdivision. The plat shall be revised to state whether any private restrictions and/or covenants will be established for the subdivision and a copy of said private restrictions and/or covenants shall be provided to the City of Council Bluffs; and

WHEREAS, The Community Development Department recommends final plat approval of a five residential lot, and one outlot subdivision, to be known as New Horizon Subdivision, Replat 2, as legally described above and as shown on Attachment 'A', subject to all comments stated above and following conditions:

- a. All technical corrections discussed above shall be made on the final plat prior to execution of the document.
- b. The required performance guarantee or satisfactory installation of all utilities must be obtained prior to recordation of the final plat; and
- c. The final plat shall be recorded within 90 days of City Council approval or the plat shall become null and void unless an extension of has been requested and granted by the Community Development Department Director; and
- d. Conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements; and
- e. All utilities shall be installed underground. Any cost to remove and/or relocate any utilities shall be the sole expense of the applicant and not the City; and
- f. The applicant shall provide a copy of any proposed covenants and/or private restrictions associated with the subdivision to the City; and
- g. A public sidewalk shall be installed along the frontages of each lot prior to issuance of a Certificate of Occupancy for a dwelling unit on each lot, at no cost to the City; and
- h. The developer shall provide the City with two sets of as-built construction drawings and a two-year maintenance bond, upon acceptance of all required improvements.

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

That the final plat approval for six lot residential subdivision to be known as New Horizon Subdivision, Replat 2, as legally described above, is hereby approved subject to all local, state and federal regulations; and

BE IT FURTHER RESOLVED

That the Mayor and City Clerk are hereby authorized and directed to endorse the final plat.

ADOPTED
AND
APPROVED

August 27, 2018.

MATTHEW J. WALSH

Mayor

Attest: _____

JODI QUAKENBUSH

City Clerk

Council Communication

Department: Human Resources

Case/Project No.:

Submitted by: Theresa M. Zimmerman, Risk
Manager

Resolution 18-254

Council Action: 8/27/2018

Description

Resolution authorizing the Mayor to execute an agreement with EMC Risk Services, LLC for Workers Compensation Third Party Administrative Services.

Background/Discussion

The City of Council Bluffs third party workers compensation administrator has been the same company since July of 2012. In April of 2018, while in the process of producing an RFP for third party administrator services, third party administrator providers were solicited to ascertain if Iowa specific workers compensation expertise was available in the Iowa TPA marketplace. During the exploration and interview process, it became clear that third party administrative companies are available to the City that not only work exclusively with Iowa workers compensation benefits but that also have definite expertise in managing public entity workers compensation programs across Iowa. An RFP was issued on May 25, 2018.

Four third party administrators responded to the RFP under the professional services selection process criteria: Berkley Risk, EMC Risk Services LLC, Creative Risk Solutions, and PMA Companies. A team of six interested leaders from four different City departments and an industry expert evaluated the proposals based off of criteria established from the last fiscal year of billing (6/17-6/18) from our current provider, Iowa legal and regulatory criteria, as well as quality measures. The committee's goal was to choose the best third party administrator with Iowa specific experience, reduce the current annual expense of workers compensation third party administration services to the City, and improve both the quality of care and services provided to City employees.

Based on all of the reviewed information and upon unanimous vote of the review team, it was determined that the best provider for the City of Council Bluffs' Workers Compensation Third Party Administration would be EMC Risk Services LLC.

Recommendation

Resolution approved by City Council.

ATTACHMENTS:

Description

[Two Party Claim Service Agreement](#)

[Resolution 18-254](#)

Type

Resolution

Resolution

Upload Date

8/16/2018

8/22/2018

TWO PARTY CLAIM SERVICE AGREEMENT

THIS AGREEMENT (the "Agreement") is entered this 1st day of January 2019, by and between City of Council Bluffs, (hereinafter the "Client") an Iowa municipality with its primary place of business at Council Bluffs, Iowa and EMC Risk Services, LLC, an Iowa limited liability company with its principal offices in Des Moines, Iowa (hereinafter "ERS") (together the "Parties").

WHEREAS, Client is a qualified self-insurer of certain risks and desires that ERS furnish certain claim services to the Client with respect to their self-insured exposures and ERS is willing to provide such services; and

NOW, THEREFORE, in consideration of the mutual promises contained in this Agreement, the Parties hereby agree as follows:

1. Definitions.

(a) "Claim" shall be any request or demand for consideration of payment of a loss or investigation of a loss with respect to the risks enumerated on the Schedule of Risks and Retention, attached hereto as Exhibit A and made hereof, which is reported to ERS and which is within Client's self-insured retention as stated on Exhibit A.

(b) "Excess Claim" shall be any request or demand for consideration of payment of a loss or investigation of a loss with respect to the risks enumerated on Exhibit A which is reported to ERS and which exceeds Client's self-insured retention as stated on Exhibit A.

2. Effective Date and Term. This Agreement shall commence on January 1, 2019 ("Effective Date") and shall remain in effect for a period of three (3) years, unless terminated earlier pursuant to Section 15. The term of this Agreement shall automatically renew for additional successive terms of one (1) year (each a "Renewal Term"), unless terminated pursuant to Section 15. Exhibit C may be modified without revision of the entire Agreement by written agreement by both parties if claims activity changes or volume is other than originally contemplated.

3. Notification. Client shall submit Claims to ERS as soon as reasonably practical upon Client's receiving notice of the Claim; provided however, that First Reports of Injury under the workers' compensation risks will be submitted by Client, either by facsimile or on-line, to ERS within two (2) business days after notice of any such Claim received by Client. ERS will review and immediately process each Claim reported to ERS.

4. Claim Services. Subject to all the terms and conditions of this Agreement, ERS shall provide and shall have the authority and responsibility to provide the following claims adjusting and administration services ("Claim Service(s)") for Client about Claims occurring on and after the Effective Date and ending when the Claims are closed, unless this Agreement is sooner terminated:

(a) Perform the necessary investigation and documentation, including but not limited

to Medical Summaries, File Reviews, and adjuster notes, upon which to base a decision regarding liability and damages exposure, secure information required for the adjustment of each Claim, including a Medical Authorization, and provide investigation in the preparation of the defense for Claims which are subject to litigation;

(b) Maintain a list of outside physicians and other specialists for use as necessary in the independent examination and evaluation of all Claims;

(c) Evaluate each Claim with respect to the probable ultimate cost of the Claim, the need for medical management or rehabilitation services for Workers' Compensation Claims, and such other matters as are routinely evaluated in the industry; provided, that ERS, as it determines necessary in the scope of each Claim, may engage such medical case managers, vocational counselors, independent medical examiners and specialists, to provide opinions with respect to compensability and debatable denials;

(d) Make specific recommendations as to the disposition of the Claim;

(e) Make recommendations, in contested workers' compensation Claims subject to Iowa law, as to settlement with an Iowa Code §85.35 contested case settlement requiring approval by the Iowa Industrial Commission, or similar procedures as permitted in other applicable jurisdictions

(f) Analyze each Claim to determine Client's rights against third parties, and, when appropriate, supervise subrogation of Claims on behalf of Client.

(g) Negotiate and settle Claims where appropriate within ERS' judgment and consistent with Section 7 below.

(h) Compute the amount of any loss payments on the Claim, if any payment is warranted, issue such payment and maintain a record of all payments in each Claim file, based upon factual investigation and evaluation of Client's liability;

(i) With respect to litigated Claims:

(1) Maintain a list of recommended attorneys; provided however, that (i) Client may request the selection of legal counsel other than an ERS recommended attorney; (ii) ERS in no way guarantees or warrants the performance or capabilities of the attorneys on the list and shall not be liable in any way for any acts or omissions of such attorneys.

(2) Review attorney activity and assist with discovery and pre-trial preparation, including continued negotiation and settlement efforts where warranted;

(3) Analyze attorney billings for consistency with fee arrangement and necessity for expenses or time incurred; and

(4) Coordinate and expedite, where necessary, communication between Client and attorney as needed; and

(j) With respect to Medicare Secondary Payer Reporting Requirements:

(1) Client has an obligation to perform Mandatory Insurer Reporting ("MIR") as set forth in Section 111 of the Medicare, Medicaid, and SCHIP (State Children's Health Insurance Program) Extension Act of 2007 (all of which together shall be referred to herein as "MMSEA") (P.L. 110-173). MMSEA adds new mandatory reporting requirements for liability insurance (including self-insurance), no-fault insurance and workers' compensation (see 42 U.S.C. § 1395y(b)(7), -(8)). Client agrees to properly register (or, as applicable, to use commercially reasonable efforts to cause its insurer to properly register) with the Centers for Medicare and Medicaid Services ("CMS") as the Responsible Reporting Entity ("RRE") and to provide to ERS all relevant information, including the RRE Identification Number(s) assigned. ERS shall assist Client with the MIR, and shall be the reporting agent for Client with respect to the MIR. Client consents to the disclosure of any required information to ERS for processing Client's MIR.

(2) Client agrees that, for each Claim reported to ERS for which Client possesses the information, it shall provide to ERS, as soon as required to comply with applicable law and to avoid fines and penalties, and ERS agrees that, for each Claim reported to ERS, it shall use commercially reasonable efforts to obtain from claimants, to the extent permitted by any applicable law, the following information:

(i) Claimant's first and last name;

(ii) Claimant's date of birth;

(iii) Claimant's gender; and

(iv) Claimant's Health Insurance Claim Number ("HICN"), social security number ("SSN") or, in the alternative, a form in substantial compliance with CMS model language containing either claimant's HICN, SSN or a written explanation as to why claimant's HICN and/or SSN is not provided by claimant.

(3) Client shall be responsible and shall, upon receipt of an invoice from ERS, pay ERS all taxes, duties and assessments, including, but not limited to, sales, ad valorem and excise taxes, duties and assessments, which are assessed, levied or imposed by any governmental entity or tax authority in connections with any service provided pursuant to this Section 4(j). This obligation shall survive the termination of the Agreement.

(4) In addition to Client's indemnification obligations set out in the Agreement, and in no way limited by those obligations, in consideration of ERS's provision of

MIR reporting services, and for other good and valuable consideration, Client agrees to defend, indemnify, and hold ERS harmless from any failure by Client to properly comply with MIR obligations or otherwise comply with the rules and regulations set forth by, or in connection with, CMS, including, but not limited to, the requirements of 42 U.S.C. § 1395y(b)(8) that results in any loss, cost, damage or expense, including, but not limited to fines, claims, attorney's fees or other loss, including litigation or administrative proceedings, to the extent arising from or related to the failure of Client to timely or accurately remit to ERS any information in Client's possession required by MIR, including, but not limited to, relevant information, such as the RRE Identification Number(s) assigned by CMS or the information set out in Section 4(j)(2) above. The provisions of this Section 4(j) shall survive the expiration or termination of the Agreement.

(5) Client shall not indemnify ERS, nor be responsible, for any losses, damages or fines incurred by ERS because of errors, omissions, inaction, or incorrect information obtained by ERS from sources other than Client or any errors on the part of CMS or other government agency.

(k) In the course of providing Claim Services, in the event of any disagreement between ERS and Client as to directions provided to ERS by Client with respect to the investigation and/or adjustment of any Claim that ERS, in good faith, believes would violate any applicable law or subject any party hereto to liability under the applicable bad faith law of any applicable jurisdiction, ERS may investigate and/or adjust such Claim as it, in good faith, believes is appropriate and any dispute as to the investigation and/or adjustment of such claim shall be resolved in good faith.

5. Allocated Loss Adjustment Expense. In the course of providing Claim Services, ERS may incur expenses on behalf of Client ("Allocated Loss Adjustment Expense(s)"), including, but not limited to, the following items or services:

(a) Fees of attorneys or other authorized representatives, where permitted, for legal services, whether by outside or staff hearing representatives.

(b) Court costs, alternate dispute resolution costs, and other specific items of expense, including but not limited to:

(1) Medical examinations of a claimant to determine the extent of liability, degree of permanency, or length of disability;

(2) Expert medical or other testimony;

(3) Autopsy;

(4) Witnesses and summons;

(5) Copies of documents, such as birth and death certificates, medical treatment records;

- (6) Impartial examinations ordered by applicable workers' compensation boards;
 - (7) Arbitration fees;
 - (8) Surveillance; and
 - (9) Appeal bond costs and appeal filing fees;
 - (10) ISO Claim Search Fees
 - (11) Call Center Expense
- (c) Extraordinary medical costs containment and other expenses, whether performed by an outside vendor or an ERS employee, incurred for the purpose of controlling losses and to ensure that only the reasonable and necessary costs of services are paid; and said expenses may include, but are not limited to:
- (1) Bill auditing expenses for any medical or vocational services rendered, including hospital bills (inpatient or outpatient), nursing home bills, physician bills, chiropractic bills, medical equipment charges, pharmacy charges, physical therapy bills, medical or vocational rehabilitation vendor bills;
 - (2) Hospital utilization reviews, including pre-certification/pre-admission, where applicable, and concurrent or retrospective reviews;
 - (3) Preferred provider network/organization expenses;
 - (4) Medical fee review panel expenses;
 - (5) Case management services expenses, including medical summaries;
 - (6) Rehabilitation services expenses; and
 - (7) Pharmacy management services expense;
- (d) Expense(s) not defined as losses which are directly related to and directly allocated to the adjustment of a Claim and/or which are required to be performed by any applicable statute or regulation; and
- (e) Salaries, overhead and traveling expenses of ERS employees, except for employees while doing activities previously listed as Allocated Loss Adjustment Expenses, shall not be included as Allocated Loss Adjustment Expenses.

6. Excess Claims. ERS shall have no responsibility with respect to Excess Claims; provided,

however, that ERS shall notify Client of its receipt of an Excess Claim. Only if and to the extent requested in writing by Client, ERS shall cooperate with the Client's Excess Claim insurance carrier by providing such Excess Claim insurance carrier with access to ERS' claim files, if any, on such Excess Claim.

7. Claim Settlement Authority. ERS shall have authority to settle all Claims under this Agreement without the prior approval of Client, except those which involve or are expected to involve total expenditures of loss and Allocated Loss Adjustment Expenses more than amounts set forth in the Settlement Authority Schedule, attached hereto as Exhibit B and made a part hereof, in which case ERS shall not settle the Claim without first obtaining the approval of Client.

8. ERS Reports. ERS shall provide the following reports, monthly, which shall be due within twenty (20) days after the end of each applicable month:

- (a) A Claim loss run detailing, by report period, year to date and inception to date figures and the following information by accident date: policy number (if more than one); claim number; state; location number; total incurred loss expense, broken down by medical expense, indemnity expense and Allocated Loss Adjustment Expense; outstanding and suggested reserves (loss and loss adjustment); Loss Payment Account (as hereinafter defined) activity; and such other information reasonably requested by Client;
- (b) Upon request, copies of all Claim loss payment and Allocated Loss Adjustment Expense checks;
- (c) A report of any Claim reserve in the amount of \$5,000 or greater, and any change in a Claim reserve of \$10,000 or greater; and
- (d) A Narrative Serious Loss Report and a copy of the claim file for any Claim involving death or other catastrophic loss and an Additional Narrative Serious Loss Reports whenever there is a change in the reserve on such Claims.

9. Draft Authority and Funding Arrangements.

- (a) ERS will make Claim and Allocated Loss Adjustment Expense payments only from funds provided by Client as described herein (the "Funding Arrangement"). In the event that Client fails to fulfill its obligations under the Funding Arrangement, ERS may immediately suspend all payments of Claims and Allocated Loss Adjustment Expenses.
- (b) Pursuant to a separate agreement between a bank designated by ERS ("Processing Bank") and ERS, ERS will maintain a loss payment account with the Processing Bank ("Loss Payment Account" or "Loss Fund") consisting only of Client's money. All Claim and Allocated Loss Adjustment Expense payments will be paid from this Loss Fund.
- (c) The Loss Payment Account shall be funded by Client as follows:
 - (1) Client shall pay to ERS a deposit of fund of \$18,000 ("Funding Deposit").

This deposit will be held by ERS in its general accounts. Payments of Claims and Allocated Loss Adjustment Expenses paid on behalf of Client shall be charged against the Funding Deposit. In addition, ERS loss systems will generate (as applicable) charges for Claim Payments and Allocated Loss Adjustment Expenses which will be payable through the Loss Payment Account.

(2) Each week, ERS will invoice and sweep Client's bank account for amounts paid from or charges assessed against the Funding Deposit during the previous week. Payment shall be received via ACH within two (2) business days of invoice.

(3) ERS reserves the right to require Client to pay to ERS additional amounts in the Loss Fund to cover Special Requests for claim payments over \$10,000 which could deplete the level of the Funding Deposit to less than twenty (20%) of the Funding Deposit. In the event an adjustment in the Funding Deposit is required, ERS will provide Client with documentation of the analysis and notification of the amount of increase in the Funding Deposit. With mutual agreement, the Client may adjust the fund based on claims payment experience. The increase to the Funding Deposit must be received by ERS within five (5) business days after Client is notified of the need for an increase. Prior to any Renewal Term, or in the event of this Agreement is not renewed or is terminated for any reason, ERS may request an adjustment to the Funding Deposit.

(4) All Claim and Allocated Loss Adjustment Expense payments shall be made by ERS on behalf of Client on a continuous basis by means of checks drawn on the Loss Payment Account or Loss Fund.

10. Ownership of Files.

The parties agree that at all times prior to and after the termination of this Agreement all Claim files, including all related electronic data, are owned by Client, and Client shall have the right to copy any and all Claim files, or any documents related to any Claim. ERS shall retain and store closed Claim files for such period as is required by ERS's record retention policies, or such other time as Client and ERS may mutually agree. Until such time as ERS's obligation to retain and store Claim files ends, ERS shall either return and/or destroy closed Claim files as directed by Client.

11. Duties of Client.

(a) Client shall cooperate with ERS in the investigation of any Claim and promptly provide any information ERS reasonably requests for the purpose of investigating a Claim;

(b) Client shall report all Claims to ERS; and

(c) Client shall indemnify, defend, and hold harmless ERS, and its officers, agents, employees, and those of its parent, subsidiaries, and affiliates providing Claim Services hereunder, from and against any and all claims, lawsuits, causes of action, proceedings,

penalties, fines, losses, damages, costs, expenses, and all other liabilities of any kind, including, without limitation, extra-contractual and punitive damages, settlement costs, judgments, and attorney's fees based upon, arising out of, or in connection with, any actual or alleged act or omission, tortious or otherwise, of Client, its officers, agents, employees, independent contractors, or any other third party engaged by Client. This clause shall survive the termination of this Agreement. Such indemnification shall include, but not be limited to, penalties, fines or other loss, cost or expense arising out of one of the following areas:

- (1) Any loss, claims, lawsuits, fines, penalties, assessments, or interest imposed on or alleged against ERS regarding actions taken pursuant to the specific direction of Client;
- (2) Client's failure to provide, or provide in a timely fashion, a properly completed copy of the employer's First Report of Injury;
- (3) ERS's inability to process and/or pay the initial or subsequent disability payment, vocational rehabilitation maintenance payment and any automatic indemnity benefit penalty within the prescribed deadlines, as a result of the late reporting, or any other action or inaction, by Client to ERS, of the accident, incident, disability or facts necessary to enable ERS to make proper determination of benefit entitlements; such notice shall be deemed late if all necessary and complete documentation is not received in ERS's designated claim servicing facility at least five (5) business days prior to the payment deadline;
- (4) ERS's inability to maintain complete Claim information as a result of Client's failure to provide, or failure to provide in a timely fashion, information as required, including, but not limited to, the date of employer's first knowledge of injury and advice of involved subsidiary operations; and
- (5) ERS's inability to maintain properly documented Claim files in all areas as required by the applicable workers' compensation act, regulation, edict or guideline, if the information is unavailable as a result of Client's failure to provide, or failure to provide in a timely fashion, the necessary documentation or information as required.
- (6) Any other failure by ERS to comply with the applicable workers' compensation act or other administrative guidelines as a result of Client's failure to provide, or failure to provide in a timely fashion, any necessary documentation or information as prescribed by law, or as a result of Client's action or inaction which prohibits ERS from properly complying with the appropriate law, regulation or guideline.

12. Fees. Client agrees to pay ERS the fees for the Claim Services provided herein and such other services as Client may request, including, but not limited to loss control services, as set

forth in the Service Fee Schedule, which is attached hereto as Exhibit C and made a part hereof. Fees will be computed upon either per Claim or per claimant basis, as specified in Exhibit C. Invoices shall be due within thirty (30) days after billing. The charges for Claim Services are exclusive of the charges for loss or Allocated Loss Adjustment Expenses payments. Payment of fees shall be subject to the following:

- (a) Client agrees to further reimburse ERS for the amount of any such taxes, assessments or escheat obligations, any interest expense assessed against or incurred by ERS before or after payment of such amounts, and any other charges, penalties or fines in connection therewith, including reasonable attorneys' fees, that ERS may sustain in connection with such amounts, or for which ERS is imposed with the duty to act as agent for collection; unless such amounts, charges, penalties or fines, including attorneys' fees, were caused by the negligence or willful misconduct of ERS and any such amount shall be due and payable upon written notification by ERS to Client;
- (b) Client shall have sole discretion in determining whether any claim or assessment for taxes, assessments or escheat obligations shall be paid, compromised, litigated or appealed and as to all matters of procedure, compromise, defense or appeal or any other aspects of any claim or assessments concerning its liability;
- (c) In the event any amounts due under this Agreement are not paid on or before the due date, ERS reserves the right to charge interest at the monthly rate of one and one-half percent (1.5%), from the date of ERS's demand for payment until the date of payment.
- (d) The fees for each Claim shall cover Claim Services for the term of the Agreement, and any renewal term thereof, and shall be non-refundable.

13. Limitation of Liability.

- (a) ERS makes no representation that Client is authorized to insure or to self-insure the risks set forth on Exhibit A. It is the responsibility of Client to obtain all necessary authorizations from any applicable insurer or governmental authorities. Client acknowledges and agrees that ERS is not an insurance carrier and that this Agreement is not a policy of insurance. As such, ERS will act on behalf of Client to investigate, settle and supervise Claims only as expressly stated in this Agreement and such actions by ERS will have no effect upon any of Client's insurance, even if provided by ERS's parent or any of its parent's affiliates or subsidiaries. ERS reserves the right to not provide Claim Service in any state or other political jurisdiction if, such services are prohibited by the laws or regulations thereof.
- (b) In the event ERS breaches this Agreement, ERS shall have thirty (30) days after it receives notice of the breach from Client to cure such breach. If the breach is not cured within thirty (30) days, then this Agreement shall terminate immediately upon receipt by the non-breaching party of written notice termination. The foregoing is in lieu of all other warranties, expressed or implied (including warranties of merchantability and fitness of a particular purpose) and all liability for special, indirect or consequential damages,

including lost profits, even if ERS has been advised of the possibility of such damages.

(c) ERS shall have no liability where:

- (1) ERS makes a recommendation to Client that Client declines to follow and, instead, ERS follows an alternative course of action at the direction of Company;
- (2) ERS follows a course of action directed by Client without a recommendation from ERS;
- (3) Client has delegated its decision-making responsibilities to a third party and ERS makes a recommendation to the third party that the third-party declines to follow and, instead, ERS follows an alternative course of action at the direction of the third party; or
- (4) Any person not a party to this Agreement attempts to enforce this Agreement against ERS.

(d) ERS agrees to indemnify, defend, and hold harmless Client, and its directors, officers, agents, and employees, against all claims, lawsuits, penalties, administrative proceedings, judgments, costs or expenses, including but not limited to reasonable attorney's fees, resulting from, or arising out of or in connection with the negligence or willful misconduct on the part of ERS or its employees. ERS shall have no duty to indemnify and hold harmless Client or its directors, officers, agents and employees from claims arising out of (i) actions of ERS or its employees taken at the specific direction of Client, its employees, agents or delegated third parties, or (ii) the negligence or fault of Client or its employees and agents.

14. Events of Default. The following are events of default under this Agreement:

- (a) Client shall fail to make any payment of charges or fees on or before the due date;
- (b) Client shall fail to fulfill any of its obligations under Section 9;
- (c) Either party becomes insolvent or is unable to pay its debts as they become due or is declared bankrupt or insolvent, or if a debtor relief proceeding has been brought by or against it.
- (d.) ERS fails to fulfil its obligations under the terms of this Agreement and the attached documents incorporated herein.

15. Termination.

- (a) This Agreement may be terminated by either Party upon one hundred twenty (120) days prior written notice, by Client under Section 13(b), or immediately upon the occurrence of any event of default, as defined in Section 14 upon written notice to the

breaching party. In addition, this Agreement will automatically terminate when both parties agree that all the obligations of each party hereunder have been fully performed.

(b) Notwithstanding the termination or expiration of this Agreement, Client shall remain fully liable to ERS for all fees for Claim Services, payments for losses (paid and incurred) and Allocated Loss Adjustment Expenses for Claims and all other sums due pursuant to this Agreement with respect to losses, fees, and Allocated Loss Adjustment Expenses incurred and Claims reported before such termination, and all such obligations of Client shall survive termination of this Agreement.

(c) In the event of termination of this Agreement, ERS will continue to provide Claim Services for Claims reported prior to such termination until conclusion, unless otherwise notified by Client. However, if, after termination of this Agreement, Client fails to fulfill its obligations Sections 9, 11 or 12, ERS may immediately discontinue all Claim Services.

(d) After termination of this Agreement, if requested by Client, ERS may provide Claim Services to Client for Claims reported, or which occurred, after termination, subject to the parties reaching agreement as to the type of Claim Services, the price thereof and the method by which ERS will be reimbursed by Client for performance of those Claim Services.

(e) Notwithstanding anything to the contrary contained herein, ERS shall not be obligated to provide any Claim Services for any Claim after two (2) years after the date of the later of (1) the last Claim is closed; or (2) the Loss Payment Account is closed, unless specifically requested in writing by Client, Client deposits sufficient funds in the Loss Payment Account as ERS deems reasonably necessary, and ERS and Client agree as to method and price by which ERS will be reimbursed fees by Client.

16. Examination of Records. Client shall have the right to examine any Claim file or time sheets relating to the specific Claim maintained by ERS pursuant to this Agreement; provided, however, that any examination of individual Claim files shall be carried out in a manner designed to protect the confidentiality of the individual's medical and professional information and that any examination shall be conducted during the normal business hours of ERS and pursuant to reasonable restrictions imposed by ERS, including Section 19 below.
17. Assignment and Subcontracting. No assignment by any party to this Agreement shall be valid without the written consent of the other parties. ERS shall not subcontract for any of the activities to be performed by ERS without approval of Client; provided, however, that any such assignment or subcontracting shall not relieve ERS of its obligation to Client under this Agreement. Notwithstanding the foregoing, ERS may at any time assign its rights and delegate its duties hereunder to Employers Mutual Casualty Client or its affiliates or subsidiaries. In addition, Client acknowledges and agrees that all or some of the Claim Services provided hereunder may be provided by Employers Mutual Casualty or its affiliates or subsidiaries.

18. Disputes. If an irreconcilable difference of opinion or claim should arise between Client and ERS both parties agree to try to resolve any dispute arising under this Agreement by good faith negotiations. The parties waive any and all right to a jury trial for any claims arising out of or in any way related to this agreement.

19. Confidentiality.

(a) For the purpose of this Agreement, the following information shall be treated as "Confidential Information": (1) all information or data disclosed, provided, or to which access is granted, by one party to the other party pursuant to or as a result of receiving or performing services or obligations under this Agreement; (2) all information contained in the Claims files maintained by ERS pursuant to this Agreement and any related statistical information; (3) all information subject to privacy statutes and regulations, including but not limited to personally identifiable or health-related information disclosed by any person in furtherance of or pursuant to this Agreement; (4) the terms of this Agreement; and (5) trade secrets as defined in Iowa Code Chapter 550 or an equivalent applicable state or federal statute or common law.

(b) Confidential Information includes, but is not limited to information that is in written, graphic, tangible, oral, electronic, or magnetic form, and regardless of whether designated or labeled as "confidential".

(c) Both Parties acknowledge and warrant that it will maintain all Confidential Information in compliance with any and all applicable state and federal laws relating to privacy, including those that pertain to the maintenance, disclosure, and use of personal information.

(d) Each party hereto shall use Confidential Information only in furtherance and support of, and to fulfill its obligations under this Agreement, and each shall hold the other parties' Confidential Information in trust and confidence using the same level of care it uses to protect its own Confidential Information from disclosure, and in any event no less than commercially reasonable care, and will not disclose, make available, or grant access to the Confidential Information to any other party, person, or entity, except in any of the following instances: (1) its employees, officers, and contractors who (i) need to know the Confidential Information in order for the party to fulfill its obligations under this Agreement, (ii) are informed of the confidential nature of the Confidential Information, and (iii) are required to protect the Confidential Information with at least the same level of confidentiality as provided herein; (2) as may be authorized in writing by the party that disclosed the Confidential Information; (3) as maybe required or allowed by law or legislative, administrative, or judicial order, provided the receiving party uses diligent efforts to limit disclosure and obtain confidential protection, and consults with the disclosing party to allow the disclosing party to participate in the proceeding; and (4) ERS may disclose Confidential Information as allowed under its privacy policies.

(e) Each party shall maintain all applicable and appropriate attorney-client and other legal privileges.

(f) In the event either ERS or Client learns of or has reason to believe that any Confidential Information has been disclosed to or accessed by any unauthorized party ("Security Event"), that party shall within ten (10) business days give notice of such Security Event to the other party and cooperate in any ensuing investigation.

20. General Provisions.

(a) The subject headings of the Articles of this Agreement are included for purposes of convenience only and shall not affect the construction of interpretation of any of its provisions.

(b) This Agreement and its Exhibits, attached hereto and incorporated herein by reference, set forth the entire understanding of the parties and supersedes any prior agreement or understanding relating to the subject matter hereof. No supplement, modification or amendment of this Agreement shall be binding unless executed in writing by all the parties.

(c) No waiver of any of the provisions of this Agreement, including any event of default, shall be deemed, or shall constitute, a waiver of any other provision, whether or not similar, nor shall any waiver constitute a continuing waiver. No waiver shall be binding unless executed in writing by the party making the waiver.

(d) This Agreement is for the sole benefit of the parties hereto and in no event shall this Agreement be construed to be for the benefit of any third party.

(e) Except as otherwise provided herein, the provisions hereof shall inure to the benefit of, and be binding upon, the successors, assigns, heirs, executors and administrators of the parties hereto.

(f) This Agreement shall be governed by and construed in accordance with the laws of the State of Iowa, without regard to conflicts of law's provisions. Should all or any part of any provision contained in this Agreement be rendered or declared invalid by reason of any existing or subsequently enacted legislation, or by any decree of a court of competent jurisdiction, the remaining provisions shall remain in full force and effect to the maximum extent permitted by law.

(g) Each notice or other instrument referred to in this Agreement shall be in writing and shall be deemed given to a party when delivered by hand or by nationally recognized overnight courier, or three (3) days after a writing is deposited in the mail, postage prepaid and registered, addressed to each party at the address set forth below or at such other address as such party, by notice to each of the other parties, may designate from time to time.

If to ERS:

EMC Risk Services, LLC
717 Mulberry Street
Des Moines, Iowa 50309
ATTN: Barbara A. Sullivan
(515) 345-2669

If to Client:

City of Council Bluffs
209 Pearl Street
Council Bluffs, Iowa 51503
ATTN: _____

21. Request for proposal and ERS response

By this reference Client's RFP and the ERS response attached as exhibit's D and E hereto, are hereby made a part of this of this agreement. All the requirements set out therein and the commitments pledged therein shall be considered terms of this agreement and enforceable in the same fashion as all other terms of this agreement. In the event that there is a conflict between the language of this Agreement and the Client's RFP and ERS Response thereto, the conflict will be resolved to the interpretation most beneficial to the Client's position.

*Exception: Section 15 extends the time allowed for a Termination notice to 120 days

IN WITNESS WHEREOF, Client and ERS have caused this Agreement to be executed in duplicate by their respective officers duly authorized to do so this 1st day of September 2018.

EMC RISK SERVICES, LLC

Date: _____

By:

Barbara A. Sullivan, CPCU, AIC

Title: President and Chief Operating Officer

Client

Date: _____

By: _____

Title: _____

EXHIBIT A

This page intentionally left blank

(Self-Insured Policy information to be documented here)

EXHIBIT B

ERS SETTLEMENT AUTHORITY SCHEDULE

Workers' Compensation Claims:

ERS will have authority to settle workers' compensation Claims without the prior approval of Client up to \$10,000; provided, however, that:

1. ERS is authorized to pay all authorized and covered medical bills;
2. ERS is authorized to initiate permanent partial disability payments up to the rating as determined by the authorized treating physician and all state specific applicable interest; and

Prior to offering or accepting any settlement in excess of \$10,000, ERS will submit a formal written report to Client asking for authority. Once authority is granted, ERS will contact the claimant and/or the claimant's attorney and make an offer to resolve the Claim. Before any settlement above this amount is issued, ERS may make a special request for funding of the settlement amount as such settlements

EXHIBIT C

SERVICE FEE SCHEDULE

Claim Fees shall be effective as of the Effective Date, or upon the agreed established date.

Client agrees to pay ERS the following fees for handling of Workers Compensation Claims:

Medical Only and 411 Management **\$ 211.00**

Indemnity/Full Investigation **\$ 1125.00**

Incidents Only **\$ 35.00**

Assume Existing Chapter 85 claims **\$ 725.00**

Reload Fee: **\$ 275.00**

Medical Bill Review and Pharmacy Benefit Program:

28% of Savings and \$9.00 per bill

On-Line Automation/Administration **\$ 500.00 per user (no fee for first user)**

Annual Administration: **\$ 5400.00**

This includes quarterly file reviews and loss or trending reporting as requested, access to the online claims system with ability to file claims online. Reports available include a variety of loss and safety reports that are provided upon a schedule or per request, as well as reports that can be tailored to the specific business needs of the City of Council Bluffs.

As Requested:

Nurse Case Management **\$ 110.00/hour**
(plus reasonable expenses)

Medical/Legal Review **\$ 110.00/hour**

Loss Control Services: **\$ 125.00/hour**
(plus reasonable expenses)

Safety Data Dashboard: **\$ 400.00/report**

Subrogation/Recovery Fee:

As requested and authorized: **18% of the amount of recovery**

In consideration of such compensation, ERS will adjust Claims for a two (2) year period; after which, if the Claim remains open after two (2) years, then a reload service fee as set out above will be invoiced. The claim fees will include all Medicare and State EDI filings as required.

Workers' Compensation (Chapter 85) Medical Only Claim Definition:

- Involves not disputed issues that would require in-depth investigation or recorded statements
- Time loss does not exceed the statutory waiting period
- No need for medical case management or vocational rehab
- No attorney
- No issue of medical causal relationship or compensability
- No subrogation issues exist
- No Permanent Partial Disability issues exist
- Medical Treatment does not exceed \$2200
- The claim can reasonably be closed within 120 days.

EXHIBIT D

City of Council RFP

See attachment

EXHIBIT E

EMC Response to RFP

See attached

**RESOLUTION
NO 18-254**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT
WITH EMC RISK SERVICES, LLC FOR WORKERS COMPENSATION THIRD
PARTY ADMINISTRATIVE SERVICES**

- WHEREAS, The City of Council Bluffs is seeking workers compensation third party administration services from Companies whose expertise lies in administering Iowa workers compensation claims; and
- WHEREAS, A Two Party Claim Service Agreement is required for these services to be provided; and
- WHEREAS, the city council deems approval of said agreement to be in the best interest of the City of Council Bluffs.

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

That the Mayor is hereby authorized and directed to execute a Two Party Claim Service Agreement with EMC Risk Services, LLC for the provision of workers compensation third party administrative services.

ADOPTED
AND
APPROVED

August 27, 2018

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Community Development
Case/Project No.: SUB-18-011
Submitted by:

Resolution 18-255

Council Action: 8/27/2018

Description

Resolution granting preliminary plan approval for a 13-lot commercial subdivision to be known as 24 Park Place. Location: Southwest corner of the intersection of South 24th Street and Richard Downing Avenue. SUB-18-011

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
SUB-18-011 and PC-18-002 24 Park Place Staff Report (Revised) Attach A thru H	Other	8/17/2018
Resolution 18-255	Resolution	8/22/2018

Council Communication

<p>Department: Community Development</p> <p>Cases No. SUB-18-011 and PC-18-002</p> <p>Applicant/Developer: Royce Enterprises Inc. 12910 Pierce Street, Suite 110 Omaha, NE 68144</p> <p>Property Owners: C F Realty Group, LLC 6457 Frances Street, Suite 100 Omaha, NE 68106</p> <p>Frank R. Krejci Trust 1505 N. 203rd Street Elkhorn, NE 68022</p> <p>Engineer: Olsson Associates c/o Kellen Heideman 2111 S. 67th Street, Suite 200 Omaha, NE 68106</p>	<p>Resolution No.</p> <p>Resolution No.</p>	<p>City Council: August 27, 2018</p> <p>Planning Commission Meeting: August 14, 2018</p>
---	---	--

Subject/Title

Request: Combined public hearing on the request of Royce Enterprises, Inc. for preliminary plan approval of a 13-lot commercial subdivision and to adopt a planned commercial development plan for 24 Park Place

Location: Southwest corner of the intersection of South 24th Street and Richard Downing Avenue.

Background/Discussion

Royce Enterprises Inc. has requested preliminary plan approval of a 13-lot commercial subdivision to be known as 24 Park Place and concurrent adoption a planned commercial development plan on 47.02 acres of land located at the southwest corner of the intersection of South 24th Street and Richard Downing, on property legally described on Attachment 'A'. The applicant has a purchase agreement with the current property owner and proposes to develop the corner site with a new retail shopping center that will consist of an 185,000 square foot retail store (Fleet Farm), 88,000 square foot strip retail building, and seven lots for sale. A full description of the proposed 24 Park Place subdivision and development plan are included with this report as Attachment 'B'.

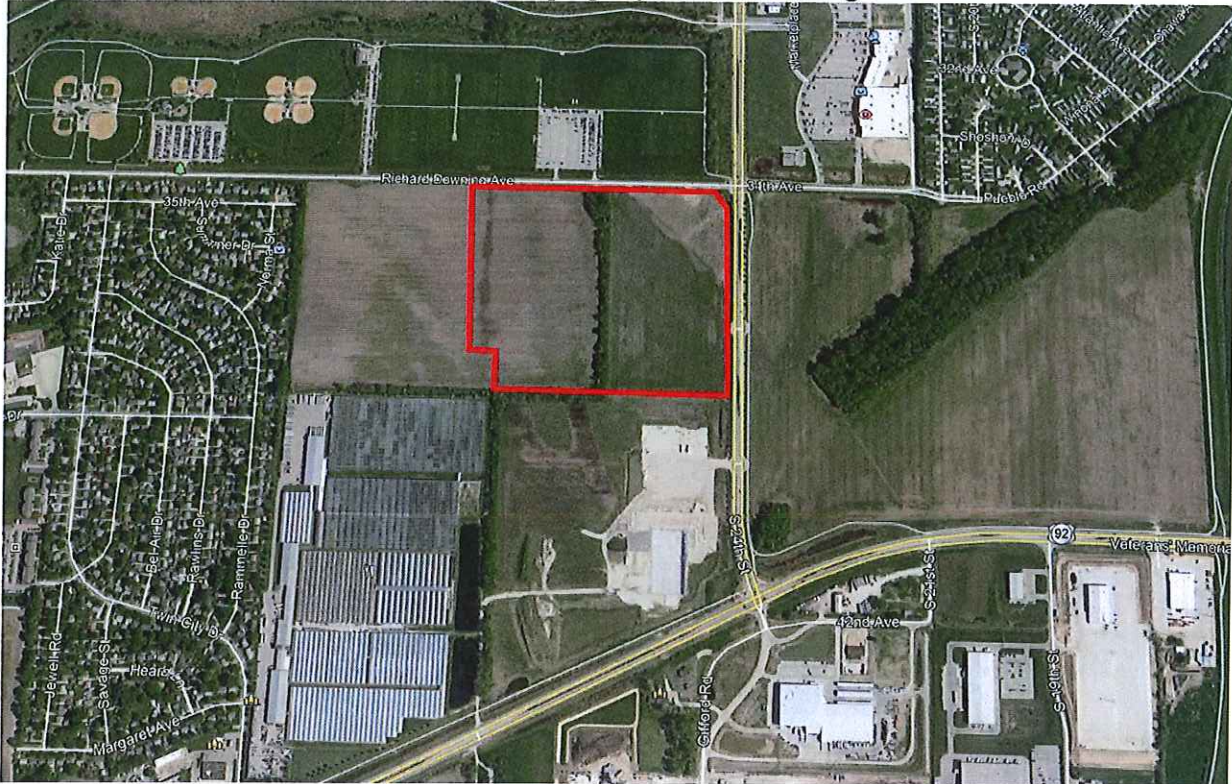
CURRENT ZONING & LAND USE

The subject property is comprised of 47.02 acres of undeveloped land zoned A-2/Parks, Estates and Agricultural District (see Attachment C). An application to rezone the property from A-2 District to P-C/Planned Commercial District is scheduled for public hearing the by Council Bluffs City Council on August 13, 2018 (see Case #ZC-18-009). Surrounding zoning in the general vicinity of the request

includes A-2 District to the north and west; P-C/Planned Commercial District and I-2/General Industrial District to the east; along with A-2 District and I-1/Light Industrial District to the south (see Attachment C). Existing land uses in the general vicinity of the request includes the Council Bluffs Recreational Complex to the north; Marketplace Shopping Center and undeveloped land to the east; Dallas Johnson Greenhouses and XTL project to the south; and undeveloped land to west.

The future land use plan of the Bluffs Tomorrow: 2030 Comprehensive Plan designated the subject property as Office/Industrial and High Density Multi-Family Residential. The proposed P-C District is consistent with the Office/Industrial designation but not the High Density Multi-Family Residential designation of the Bluffs Tomorrow: 2030 Comprehensive Plan

Exhibit A: 2017 aerial image of the subject property and surrounding area.



CITY DEPARTMENTS & UTILITIES

All City Departments, local utility providers and Iowa Department of Transportation have reviewed the plan with comments incorporated below.

COMMENTS

A. CASE #SUB-18-011 – Preliminary Plan (see Attachment D)

1. General

- a. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, ‘but is deemed to be an authorization to proceed with the preparation of the final construction plans or performance guarantee and the final plat’ (§14.11.060.04-Subdivision Ordinance). A final plat application for the first phase must be filed within one year of the date of action by the City Council. A request for extension may be made by the subdivider in writing prior to the expiration date. One-year extensions are considered by the City Planning Commission.

- b. The proposed subdivision is comprised of nine developable lots number 1 through 9 and four outlots labeled A through D. The applicant proposes to develop the subdivision in two phases. Proposed phase one includes Lot 1 and Outlots A and B. Proposed phase two includes Lots 2 through 9 and Outlots C & D. The applicant intends to start Phase 2 construction one all potential wetlands in the northeast corner of the site have been mitigated.

2. Access

- a. Access to the subdivision will be from Richard Downing Avenue and South 24th Street, which are public roadways. The main development entrance will be located at an existing median break on South 24th Street and will connect into two internal streets that provide access onto Richard Downing Avenue. The furthest west right-of-way connection, approximately 600 feet west of the Richard Downing Avenue and South 24th Street intersection, is proposed to be a full movement access. The second right-of-way connection located 300 feet west of the intersection of Richard Downing Avenue and South 24th Street is proposed to be right-in/right-out only. Proposed Lot 1, 24 Park Place will have a separate private driveway onto Richard Downing Avenue. All access connections onto Richard Downing Avenue and South 24th Street shall be designed and constructed to comply with Council Bluffs Public Works Department standards.
- b. Two internal streets are proposed with this subdivision and are labeled as Street 'A' and Street 'B'. The names for these two streets must be identified on the final plat. Additionally, the interior roads are identified to be 25 feet in width, which is substandard for a public roadway. Both roadways must be private if constructed at 25 feet in width, or increased to 26 feet in width to be dedicated to the City as a public roadway according to the Council Bluffs Public Works Department. If these roads will be public the appropriate easement dedication language must be stated on the final plat for 24 Park Place.
- c. There shall be no direct vehicular access to Richard Downing Avenue from Lots 2, 8 and Outlot D. Said restriction language shall be stated on the final plat for 24 Park Place.
- d. There shall be no direct vehicular access to South 24th Street from Outlots A, C, or D. Said restriction language shall be stated on the final plat for 24 Park Place.
- e. A draft traffic study for the proposed 24 Park Place subdivision identified that Richard Downing Avenue must be widened to a three-lane section. The Council Bluffs Public Works Department has received the traffic study and is working with the project engineer to finalize the report. All traffic improvements associated with the subdivision shall be constructed to comply with Public Works Department standards.

3. Grading and Drainage

- a. The subject property is relatively flat and sits approximately four feet below the intersection of South 24th Street and Richard Downing Avenue. The applicant's engineer has provided a preliminary drainage report and geotechnical report for the proposed subdivision to the City for review. The reports identifies that fill will be brought in to raise the site in order to achieve adequate fall for site utilities (e.g., sanitary and storm sewers). The site will graded to drain stormwater run-off into detention basins located in the center and southern sides of the development. These basins are identified as Outlots A through D. The Council Bluffs Public Works Department is working with the project engineer to finalize grading and drainage plans for this development. All grading and drainage activity for this development shall be completed in accordance with the approved final plans.
- b. All stormwater basins shall be dedicated to a development association on the final plat.
- c. The stormwater basin in Outlot B shall be designed and maintained as an amenity for the proposed development.

4. Utilities

- a. Sanitary sewer to serve the development will be extended from a connection in South 24th Street and will be built as part of the street construction. All public sanitary and storm sewer mains/extensions located outside of the public right-of-ways shall be located within a recorded, non-exclusive easement, at least 20 feet in width.
- b. The applicant will contract with the Council Bluffs Water Works to provide adequate water distribution for service and fire protection for the development.
- c. The applicant will contract with Mid-American Energy for electrical service for 24 Park Place. Mid-American Energy stated they have *"no objection to the referenced applications for the new shopping center to be known as 24 Park Place at the Southwest corner of the intersection of S. 24th Street and Richard Downing Avenue in Council Bluffs. The company has not entered into an agreement to extend electric service to the development at this time. Developer requirements will include but are not limited to furnishing a 15 foot utility easement along the route MidAmerican Energy facilities and furnishing and installing all UG conduits. A detailed proposal identifying the customer and company requirements and cost for extending electric service to the development can be prepared and submitted once specific plans and load information can be provided"*.
- d. The applicant will contract with Black Hills Energy for natural gas service and will provide the necessary easements to extend gas service into the development. No comments were received from Black Hills Energy regarding the proposed development proposals.
- e. The applicant will contract with a local communication provider to extend voice, data, and cable service into the development.
- f. All utilities within the proposed subdivision shall be installed underground. Any cost to extend, remove, relocate, and/or modify utilities associated with this development shall be at the sole expense of the applicant and not the City.
- g. The standard 10 foot-wide and five foot-wide franchise utility easements shall be established along all front, rear and side property lines for each lot on the final plat.

5. Floodplain and Wetlands

- a. The subject property is located within a property is located within a Zone X, as shown on the FEMA FIRM panel 19155C0560E, dated February 4, 2005. The applicant will be responsible for compliance with all Federal, State, and Local requirements regarding floodplain management.
- b. The submitted letter of intent stated that potential wetlands may be located in the northeast corner of the proposed development. The applicant shall be responsible to comply with all Federal, State, and Local requirements regarding jurisdictional wetlands of the United States Army Corps of Engineers area.

B. CASE #PC-18-002 – Development Plan (see Attachments E, F, G, and H)

1. Pedestrian Ways

- a. The applicant proposes installation of a five-foot wide sidewalk along each side of the newly constructed streets in the development as well as a five foot-wide sidewalk along the right-of-way Richard Downing Avenue and South 24th Street. The Council Bluffs Public Works Departments requires the sidewalks along Richard Downing Avenue and South 24th Street to be built within the City's right-of-way and for said sidewalks to be extended to all property lines in the development. The sidewalk at the intersection of Richard Downing Avenue and South 24th Street shall be configured to match the roadway build out condition.
- b. Each lot shall also have an identified pedestrian way, measuring a minimum of five feet wide, extending from the primary entrance area of each building to the nearest sidewalk located in right-of-way. The pedestrian way may be designed with pavement striping or change in paving

material or an approved alternative by the Director of the Community Development Department or his/her assignee. It is encouraged that the pedestrian connection be incorporated into the overall layout of each lot and that it may be complementary to the landscaping on each site.

2. Landscaping

- a. The applicant's submitted landscaping plan is included in this report as Attachment 'E'.
- b. A minimum 10 foot-wide landscape strip shall be provided along each side of proposed Street 'A' within the designated 50 foot-wide right-of-way. This street abuts proposed Lots 2, 3, 4, 5, 8, 9 and Outlots C & D. A medium height/size growing tree shall be planted on both sides of this street, within the designated right-of-way, every 40 feet on center at the time of road construction.
- c. A minimum five foot-wide landscape strip is shown to be provided along each side of property Street 'B' within the designated 50 foot-wide right-of-way. This street abuts proposed Lots 5 through 8 and Outlot D. A medium height/size growing tree shall be planted on both sides of this street, within the designated right-of-way, every 40 feet on center at the time of road construction.
- d. A minimum 35 foot-wide landscape strip shall be provided along the frontages of proposed Lots 1, 2, 8, and Outlot D abutting Richard Downing Avenue right-of-way. Landscaping within these areas shall be designed and installed with development on each said lot.
- e. A minimum 10 foot-wide landscape strip shall be provided along the frontages of Lots 2 through 9, adjacent to proposed Streets 'A' and 'B' right-of-way.
- f. Not less than 10% of the total lot area shall be landscaped with trees, shrubs, and other plant materials. All parking lot islands included in the design greater than 20' x 12' shall be planted with trees and vegetation. All landscape strips adjacent to any right-of-way area(s) shall be included as part of the 10% landscaping lot coverage requirement on each lot.
- g. A minimum of one tree shall be planted on each lot for every 10 parking spaces located on the lot.
- h. At least four square feet of landscaping per each lineal foot of building frontage shall be installed between the building front and interior drive(s).
- i. Landscaping shall not interfere with the sight clearance triangle and any un-signalized intersection and shall not impede vision of any automobile at the street, driveway, or pedestrian way. Plant material shall be complementary to that proposed for the landscaping strip adjacent to the right-of-way.
- j. All landscaped area including grassed and sodded areas shall be irrigated.
- k. A landscaping plan shall be part of every building permit application. The plan shall clearly identify plant materials, quantity, and size and shall show dimensions of all areas to be landscaped. All landscaping shall be appropriately maintained and dead plant material replaced at a time appropriate to planting season(s) but in all cases shall be replaced within one year.
- l. All parking lots shall have a strip five feet in width planted with grass or landscaped with plant material along the side and rear property lines, the requirement can be waived if two parking lots adjoin, however the net amount of green space required for each adjoining lot shall be incorporated into other areas on the shared parking lots. The five foot-wide strips may be included in the 10% landscaping lot coverage requirement.
- m. Not more than 10% of the landscaped area shall be of inorganic materials such as brick, stone, aggregate, metal or artificial turf. Organic mulch may be used around trees and/or shrubs.

3. Signage

- a. One center identification sign located within proposed Outlot D, adjacent to South 24th Street right-of-way, shall be allowed for the entire development. The sign shall have maximum height of 30 feet, as measured from the finished grade, and shall contain no more than 450 square feet of signage per face. The center identification sign submitted with this development proposal is generally acceptable in design, height, and size (see Attachment F).

- ~~b. On-site directional signage shall count toward the overall amount of signage permitted and shall be limited to a maximum height of six feet, as measured from finished grade, and shall be limited to a maximum of four square feet per sign face, not to exceed a total of eight square feet per sign.~~
- ~~c. Signage shall be allowed as follows:~~
 - ~~i. Lot 1 shall be allowed 25% of the square footage of the building façade facing the longest abutting street frontage for attached signage. Attached signage can be placed at any location on the building. Awnings are allowed as decoration, but no signage shall be allowed on an awning.~~
 - ~~ii. Lot 2 and Lots 4 through 9 shall be allowed 20% of the square footage of the building façade facing the longest abutting street frontage for attached signage. Attached signage can be placed at any location on the building. Awnings are allowed as decoration, but no signage shall be allowed on an awning. No pole or monument signs are allowed except for food menu boards and a convenience store price monument sign. The detached monument sign shall be limited to a maximum height of 10 feet, as measured from finished grade. The entire monument sign be counted as signage as measured from finished grade to the top of the monument and from one side of the monument structure to the other with a maximum area on each side limited to 100 square feet per whole face.~~
 - ~~iii. Lot 3 shall be allowed to occupy 80% of the overall length of frontage leased. No pole signs shall be allowed.~~

~~*Note: The Community Development Department does not support 80% standard for attached signage on proposed Lot 3. This amount of signage exceeds proposed standards allowed for other lots in this subdivision as well as standards allowed in other major shopping centers in Council Bluffs (e.g., Metro Crossing, Marketplace, and Lake Manawa Power Center). The Community Development Department supports allowing a maximum of 20% of the square footage of the longest street facing building façade for attached signage. The attached signage can be placed at any location on the building. The Community Development Department also supports not allowing a detached monument sign on this lot for development plan consistency purposes.*~~

NOTE: After the August 14, 2018 City Planning Commission meeting the developer and the Community Development further discussed signage in this shopping center. The developer requested the following standards for attached/detached signage. The Community Development Department recommends approval of the standards stated below.

Attached signage shall be allowed as follows:

- a. Lot 1 shall be allowed 25% of the square footage of the building façade facing the longest abutting street frontage for attached signage. Attached signage can be placed at any location on the building. Awnings are allowed as decoration, but no signage shall be allowed on an awning.**
- b. Lots 2 through 9 shall be allowed 25% of the square footage of the building façade facing the longest abutting street frontage for attached signage. Attached signage can be placed at any location on the building but shall not extend above the side of any building wall or peak roof. Awnings are allowed as decoration, but no signage shall be allowed on an awning. For Lot 2 only, attached gas canopy signage shall be limited to 20% of the square footage of the longest canopy side. Attached signage can be placed at any location on the canopy but shall not extend above the side of the canopy face or peak roof.**

Detached signage shall be allowed as follows:

- a. Pole signs are prohibited from being installed on any lot in the development.
- b. A maximum of one (1) ground/monument sign is allowed on each lot in the development. Ground/monument signs shall be limited to a maximum height of 10 feet, as measured from finished grade. The entire monument sign shall be counted as signage as measured from finished grade to the top of the monument and from one side of the monument structure to the other. The maximum sign area shall not exceed 100 square feet per whole sign face.
- c. On-site directional signage shall count toward shall be limited to a maximum height of six feet, as measured from finished grade, and shall be limited to a maximum of four square feet per sign face, not to exceed a total of eight square feet per sign.

4. Site Development

- a. Minimum setback requirements for all structures shall be as follows: Exterior development property boundary: 15 feet; Right-of-way setback: 10 feet; and Interior: 5 feet.
- b. For the purpose of determining minimum setback requirements the property line that forms the common outer perimeter of the overall shopping center development shall be considered the "exterior property boundary". All other property lines that are not adjacent to a right-of-way shall be considered an "Interior" line.
- c. The maximum height of any building, structure, or decorative feature shall not exceed 50 feet in height.
- d. All trash receptacles shall be enclosed on three sides and screened from public view with materials similar to those of the primary building. The enclosure shall have a lockable gate which when closed completely eliminates view of the dumpster.
- e. All loading areas shall be screened from public view, including all right-of-way by a combination of complementary architectural treatments and/or landscaping which after three years shall significantly screen the loading area from view.
- f. Building materials on Lots 3 through 9 shall be made up of 100% masonry materials such as brick, split faced block (with texture), concrete masonry units (CMU), or EFIS materials. Metal and wood shall only be allowed as an architectural accent. Twenty (20%) of the building front façade shall be made of brick. No flat faced concrete block shall be allowed except for the rear wall of a building when it is not visible from a public space or right-of-way. Wood or a wood appearing siding may be acceptable as a main exterior material only for buildings less than 10,000 square feet (base floor area). Vinyl siding is not allowed. (see Attachment G)
- g. Buildings materials, architectural designs, and decorative fencing for the Fleet Farm retail store (including their outdoor lumber/garden center) and associated gas station on Lots 1 and 2 shall be approved and constructed in accordance with the submitted development plans shown in Attachment 'H'. Additionally, for Lot 1, a six foot-tall privacy fence comprised of wood, vinyl, and/or landscaping shall be installed along the entire westerly property line for screening purposes, prior to issuance of a certificate of occupancy.
- h. Awning or other decorative features may be allowed on the façade of a building and must be at least eight feet above the traveled pedestrian way and may not project over drive aisles or parking areas.
- i. The layout and placement of a building on proposed Lot 8 will cause all facades to be viewable from rights-of-way located within the development and Richard Downing Avenue. The architectural design of the building on this lot must take into account that there is no 'true' rear façade. As such the façade designed with service entrees shall be enhanced with awnings, or other decorative features. Such features may be allowed on the façade of a building and must be at least

- 8 feet above the traveled pedestrian way and may not project over drive aisles or parking areas.
- j. All equipment placed on roofs shall be screened with an architectural feature from public view.
 - k. No more than 40% of any lot shall be covered with structures.
 - l. Outside storage is not allowed. This includes the temporary and/or permanent placement of intermodal storage containers.
 - m. Access to the rear of each building for Fire Department equipment shall be provided in accordance with the requirements of the Fire Marshal's Office.

5. Off-Street Parking

- a. The minimum number of parking spaces shall be as determined in Chapter 15.23, Off-Street Parking, Loading and Unloading of the Council Bluffs Municipal Code (Zoning Ordinance). In cases where several uses occupy a structure or parcel of land the total requirement for off-street parking shall be the sum of the requirement of the different uses.
- b. The applicant shall be responsible to develop cross access and ingress/egress easements to be recorded with the final plat to accommodate shared parking and driveways.
- c. Each request for a building permit will include a parking lot plan showing the number, location, and dimension of all drive aisles and spaces, pedestrian ways, islands, landscaped areas, loading areas and lighting.
- d. All parking lots are also subject to compliance with the Parking for Persons with Disabilities chapter of the Iowa Administrative Code.

6. Outdoor Lighting

- a. All lighting on private lots shall be painted or finished aluminum or steel. Wood poles are not allowed. The maximum height shall not exceed 40 feet. The fixture designs located on private property shall be generally of a similar design and finish.

Recommendation

The Community Development recommends: 1) approval of the preliminary subdivision plan for 24 Park Place, and 2) approval of the planned commercial development plan, subject to the above comments along with the following conditions:

- 1. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, 'but is deemed to be an authorization to proceed with the preparation of the final construction plans or performance guarantee and the final plat' (§14.11.060.04-Subdivision Ordinance). A final plat application for the first phase must be filed within one year of the date of action by the City Council. A request for extension may be made by the subdivider in writing prior to the expiration date. One-year extensions are considered by the City Planning Commission.
- 2. A preliminary subdivision plan and planned commercial development plan incorporating the above changes (technical and non-technical) shall be submitted to the Community Development Department following action by the City Council, but prior to the submittal of any construction drawings and/or grading permit requests to ensure that all necessary plan changes have been made and that drawings submitted for subsequent reviews and approvals by City staff are consistent with the conditions and plans approved by the City Council.
- 3. Any requested change(s) to the preliminary plan and development plan as approved by the City Council shall be reviewed by the City Planning Commission and City Council.
- 4. For proposed Lot 1, a six foot-tall privacy fence comprised of wood, vinyl, and/or landscaping shall be installed along the entire westerly property line for screening purposes, prior to issuance of a certificate of occupancy.

5. For proposed Lot 3, a maximum of 20% of the square footage of the longest street facing building façade for attached signage shall be allowed. The attached signage can be placed at any location on the building. No detached pole or monument sign shall be allowed on this lot for consistency purposes with Lots 4 through 9.
6. All utilities shall be installed underground. Any cost to relocate, modify and/or remove utilities associated with the development of this subdivision shall be at the sole expense of the applicant and not the City.
7. All traffic improvements associated with this development shall be completed in accordance with the approved traffic impact study.
8. All grading and drainage activity for this development shall be completed in accordance with the approved final plans.
9. The detention basin identified as Outlot B shall be designed and maintained as an amenity feature for the development.

Public Hearing

Speakers in favor:

1. Kellen Heideman, 2111 South 67th Street, Omaha, NE 68106

Speakers against: none.

Planning Commission Recommendation

The Planning Commission recommends: 1) approval of the preliminary subdivision plan for 24 Park Place, and 2) approval of the planned commercial development plan, subject to the above comments along with the following conditions:

1. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, 'but is deemed to be an authorization to proceed with the preparation of the final construction plans or performance guarantee and the final plat' (§14.11.060.04-Subdivision Ordinance). A final plat application for the first phase must be filed within one year of the date of action by the City Council. A request for extension may be made by the subdivider in writing prior to the expiration date. One-year extensions are considered by the City Planning Commission.
2. A preliminary subdivision plan and planned commercial development plan incorporating the above changes (technical and non-technical) shall be submitted to the Community Development Department following action by the City Council, but prior to the submittal of any construction drawings and/or grading permit requests to ensure that all necessary plan changes have been made and that drawings submitted for subsequent reviews and approvals by City staff are consistent with the conditions and plans approved by the City Council.
3. Any requested change(s) to the preliminary plan and development plan as approved by the City Council shall be reviewed by the City Planning Commission and City Council.
4. For proposed Lot 1, a six foot-tall privacy fence comprised of wood, vinyl, and/or landscaping shall be installed along the entire westerly property line for screening purposes, prior to issuance of a certificate of occupancy.
5. ~~For proposed Lot 3, a maximum of 20% of the square footage of the longest street facing building façade for attached signage shall be allowed. The attached signage can be placed at any location on the building. No detached pole or monument sign shall be allowed on this lot for consistency purposes with Lots 4 through 9.~~ **Note: The developer modified their attached/detached sign standards after the August 14, 2018 City Planning Commission. See amended standards stated above.**

6. All utilities shall be installed underground. Any cost to relocate, modify and/or remove utilities associated with the development of this subdivision shall be at the sole expense of the applicant and not the City.
7. All traffic improvements associated with this development shall be completed in accordance with the approved traffic impact study.
8. All grading and drainage activity for this development shall be completed in accordance with the approved final plans.
9. The detention basin identified as Outlot B shall be designed and maintained as an amenity feature for the development.

VOTE: AYE 7 NAY 0 ABSTAIN 0 ABSENT 0 VACANT 4 Motion: Carried

Attachments

Attachment A: Zoning/legal description exhibit for 24 Park Place Subdivision

Attachment B: Letter of intent/development plan by Kellen Heideman, P.E., Olsson Associates

Attachment C: Zoning/location map

Attachment D: Preliminary subdivision plan for 24 Park Place

Attachment E: Landscape plan

Attachment F: Center identification sign rendering

Attachment G: Exterior building elevations for proposed Lot 3

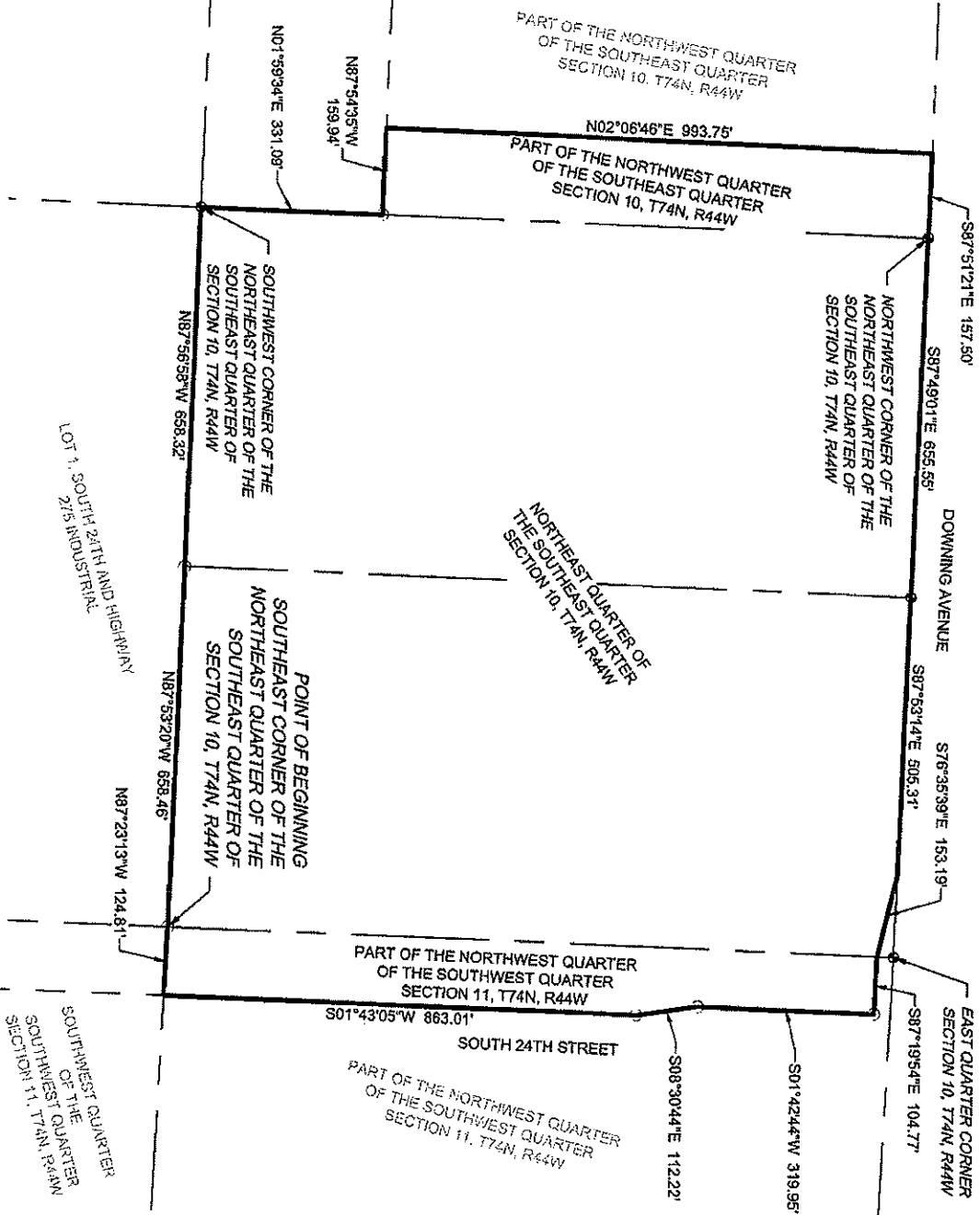
Attachment H: Development plan for Fleet Farm and Fleet Farm Gas Station, Lots 1 and 2

Engineer: Kellen Heideman, P.E., Olsson Associates. 2111 S. 67th Street, Suite 200, Omaha, NE 68106

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

PROJECT NO: 018-1763
 DRAWN BY: DSH
 DATE: 06/07/18

RE-ZONING EXHIBIT



LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN PART OF THE NORTH HALF OF THE
 SOUTHEAST QUARTER SECTION 10 AND A PART OF THE
 NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION
 11, ALL IN TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 6TH P.M.,
 POTTAWATOMIE COUNTY, IOWA, BEING MORE PARTICULARLY
 DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID NORTHEAST
 QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, THENCE
 ON THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE
 SOUTHEAST QUARTER ON AN ASSUMED BEARING OF N87°53'20\"/>

SAID TRACT OF LAND CONTAINS A CALCULATED AREA OF
 2.048, 173.01 SQUARE FEET OR 47.020 ACRES MORE OR LESS.



SCALE IN FEET

OLSSON
 ASSOCIATES

2111 South 67th Street, Suite 200
 Des Moines, IA 50319
 Phone: 515.281.1111
 Fax: 515.281.1599

EXHIBIT
 1



July 17th, 2018

Attn: Christopher Gibbons
City of Council Bluffs
Community Development Department
209 Pearl Street
Council Bluffs, IA 51503

**RE: 24 Park Place
Preliminary Plan/Development Plan – Letter of Intent
Project No. 018-1763**

Dear Mr. Gibbons,

Royce Enterprises Incorporated (Developer) has entered into a purchase agreement with the owners of property at the SW corner of S 24th Street and Richard Downing Avenue. The developer intends to develop a commercial subdivision on approximately 47 acres of the corner. The proposed development is to consist of a 185k new to market retail store, approximately 88k of strip retail, and 7 outlots. The site is presently zoned A-2. An application to rezone the property to PC was submitted to the City in June and was approved by the City Planning Commission at the 7/10 meeting.

At this time the developer is planning to phase the development is two phases. Phase 1 will consist of Lot 1 and Outlots A-B. The intent of Phase 1 is to be able to start construction on Lot 1 ahead of the public infrastructure being installed. Lot 1 has direct access to Richard Downing Street and does not require direct vehicle access to the proposed internal street network. The developer intends to start Phase 2 of the development once all potential wetland issues in the northeast corner of the site have been mitigated.

Preliminary Plan

Streets and Paving

The street system will connect S 24th Street to Richard Downing Avenue. There is an existing access break at approximately the 1/8 mile in S 24th Street. The main development entrance from S 24th Street will be located at the existing access break. On Richard Downing Avenue there are two proposed right-of-way connections. The furthest west right-of-way connection approximately 600' west of the Richard Downing and S 24th Street intersection is proposed to be a full movement access. An additional right-of-way access point approximately 300' west of the intersection is proposed to be a right-in/right-out.

Interior pavements will be 25 feet in width with integral curbs and sub-drains constructed to the City of Council Bluffs Public Works standards. Sidewalks, 5 foot in width, will line each side of newly constructed public streets. The entrance connected to S 24th Street have a median and turning lanes. The right-in/right-out connection to Richard Downing Avenue will have a 'pork chop' median to limit traffic movements.

The traffic study has identified that Richard Downing Avenue will need to be widened to a 3-lane section. As part of the development a third lane will be added to the south edge of Richard Downing Avenue constructed City of Council Bluffs Public Works Standards. Additionally, a 5' sidewalk will

be constructed along Richard Downing Avenue and S 24th Street ROW's for the extent of the proposed development.

Grading and Drainage

The existing site is essentially flat and sits roughly 4' below the intersection of S 24th Street and Richard Downing Avenue. Fill will be brought in to raise the site to achieve adequate fall for site utilities, i.e. sanitary and storm sewers. The site will be graded to drain to proposed onsite detention basins created in the center and southern sides of the development. Reference the preliminary drainage report for additional information.

Sanitary Sewer

Sanitary sewer to serve the development will be extended to the site from a connection in S 24th Street. Sanitary sewer will be designed to meet City of Council Bluffs Public Works standards and will be constructed in conjunction with the proposed street construction.

Water Service

The Developer will contract with the Council Bluffs Water Works for water service. A water main is proposed through the site to connect existing water mains in S 24th Street and Richard Downing Avenue. The water main extension is intended to provide both fire protection services as well as for private taps to individual private development of the lots in the future.

Electricity

The Developer will contract with MidAmerican Energy Systems for electrical service. Easements will be provided as necessary to extend electrical service to the development.

Natural Gas

The Developer will contract with Black Hills Energy for natural gas service. Easements will be provided as necessary to extend natural gas service to the development.

Communications

The Developer will contract with communication service providers to extend voice, data, and cable service to the development.

Development Plan

Pedestrian Ways

Sidewalks, 5 foot in width, are proposed to line each side of newly constructed public streets. Additionally, a 5' sidewalk will be constructed along Richard Downing Avenue and S 24th Street right-of-way for the extent of the proposed development.

Each lot is proposed to also have an identified pedestrian way extending from the primary entrance area of each building to the nearest sidewalk located in right-of-way. The pedestrian way may be designed with pavement striping or change in paving material or an approved alternative by the Director of the Community Development Department.

Landscaping

- There shall be a 10-foot landscape strip on each lot adjacent to the City right-of-way. A me
- Not less than 10% of the total lot area shall be landscaped with trees, shrubs and other plant material. All parking lot islands included in the site design greater than 20' x 12' shall be planted with trees and vegetation. The 10-foot landscape strip adjacent to City right-of-way can be included as part of the 10% lot coverage requirement.
- A minimum of one tree shall be planted on each lot for every 10 parking spaces located on the lot.
- At least 4 sq ft of landscaping per each lineal foot of building frontage shall be installed between the building front and interior drive.

- All landscaped areas including grassed and sodded areas shall be irrigated.
- All parking lots shall have a strip five feet in width planted with grass or landscaped with plant materials along the side and rear property lines, the requirement can be waived if two parking lots adjoin, however the net amount of green space required for each adjoining lot shall be incorporated into other areas of the shared parking lots. The 5 foot strip may be included in the 10% requirement.
- Not more than 10% of the landscaped area shall be of inorganic materials such as brick, stone, metal, or artificial turf. Organic mulch may be used around trees and/or shrubs.

Signage

- On site directional signage shall count toward the overall amount of signage permitted and shall be limited to a maximum height of 6 feet as measured from the natural grade and shall be limited to a maximum of 4 square feet per sign face, not to exceed a total of 8 square feet per sign.
- Signage allowed shall be as indicated below:
 - Lot 1: Shall be allowed 25% of the building façade facing the longest street frontage for attached signage which can be placed at any location on the building. Awnings are allowed as decoration, but no signage shall be allowed on the awning. No pole signs are allowed.
 - Lots 2 and lots 4 through 9: Shall be allowed 20% of the building façade for attached signage which can be placed at any location on the building. Awnings are allowed as decoration, but no signage shall be allowed on the awning. No pole or monument signs are allowed except for food menu boards and C-Store price monument sign.
 - Lot 3: Shall be allowed up to occupy 80% of the overall length of frontage leased. No pole signs shall be allowed.

Site Development

- Minimum setbacks requirements for all structures shall be: Exterior development property boundary: 15 feet; Right-of-Way Setback: 10 feet; Interior: 5 feet.
- The maximum height of any building, structure, or decorative feature shall not exceed 50 feet.
- All trash receptacles shall be enclosed on three sides and screened from public view with materials similar to those of the primary building. The enclosure shall have a lockable gate which when closed completely eliminates the dumpster.
- All loading areas shall be screened from public view including all right-of-way by a combination of complementary architectural treatments and/or landscaping.
- Building exteriors shall be made of 100% masonry materials such as brick, split faced block (with texture), concrete masonry units (CMU) or EFIS materials. Metal and wood shall only be allowed as an architectural accent. 20% of the building's front façade shall be made of brick. No flat faced concrete block shall be allowed except for the rear wall of a building when it is not visible from a public space or right-of-way. Wood or a wood appearing siding may be acceptable as a main exterior material only for buildings less than 10,000 square feet (base floor area). Vinyl siding is not allowed.
- Awning or other decorative features may be allowed on the façade of a building and must be at least 8 feet above the traveled pedestrian way and may not project over drive aisles or parking areas.
- All equipment placed on roofs shall be screened with architectural features from the public view.
- No more than 40% of any lot shall be covered with structures.
- Access to the rear of each building for Fire Department equipment shall be provided in accordance with the requirements of the Fire Marshal's Office.

Parking

- The minimum number of parking spaces shall be as determined by Chapter 15.23 Off Street Parking, Loading and Unloading. In cases where several uses occupy a structure or

parcel of land the total requirement for off street parking shall be the sum of the requirement of the different uses.

- Cross access and ingress/egress easements between lots will be the responsibility of the developer.

Street Lighting

- All lighting on private lots shall be painted or finished aluminum or steel. Wood poles will not be allowed. The maximum height shall not exceed 40 feet.

Please don't hesitate to contact me with any additional questions. My contact information can be found at the bottom of this letter.

Sincerely,



Kellen Heideman, PE

Encl.

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASES #SUB-18-011 & PC-18-002

Map Legend

- ☒ Cases #SUB-18-011 & PC-18-002 - Subject Property
- ☐ Parcels

0 200 400
 1 Inch = 400 feet

2016 Aerial Photograph



Note: Subject properties are highlighted in red.



Last Amended: 7/19/18

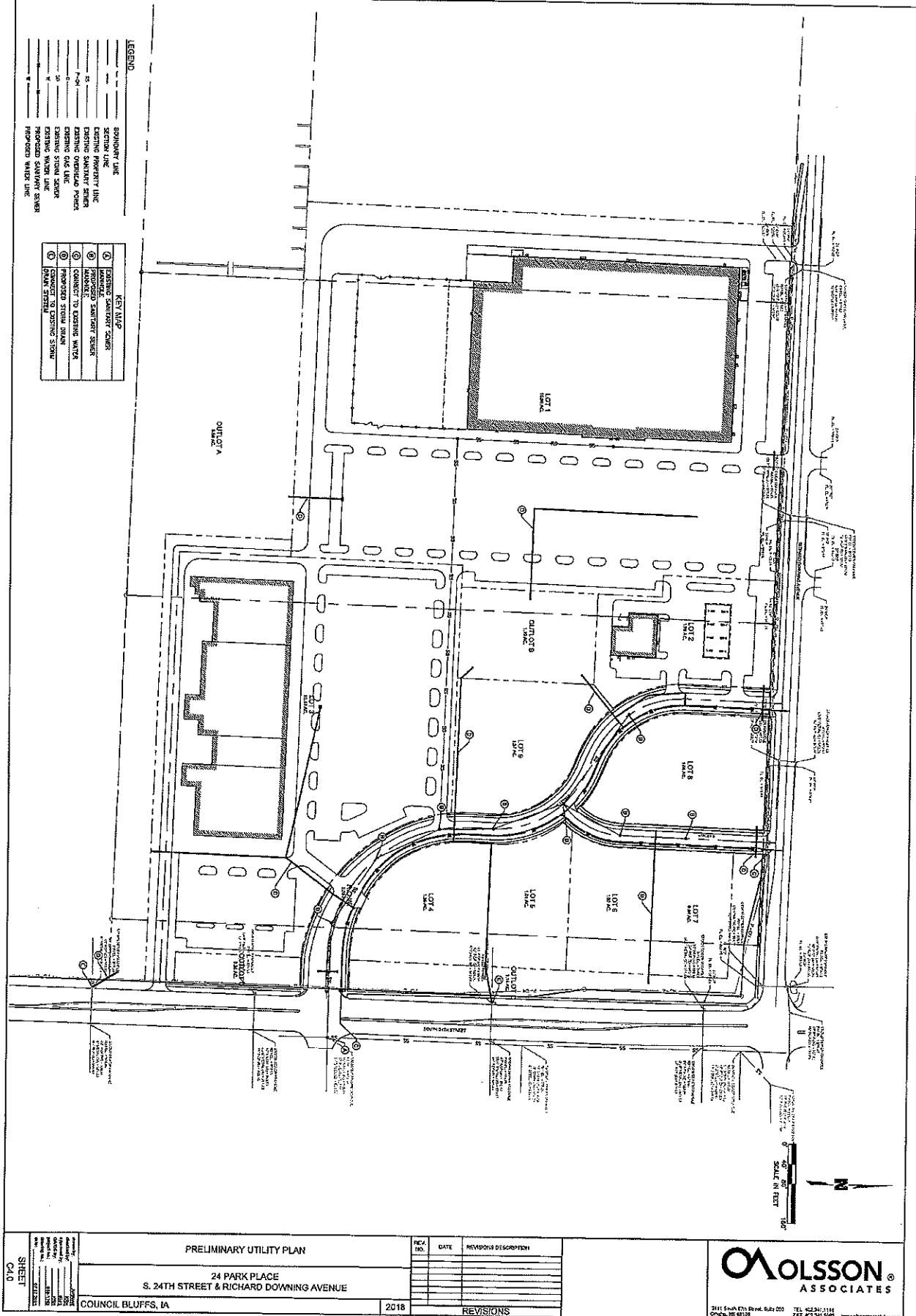


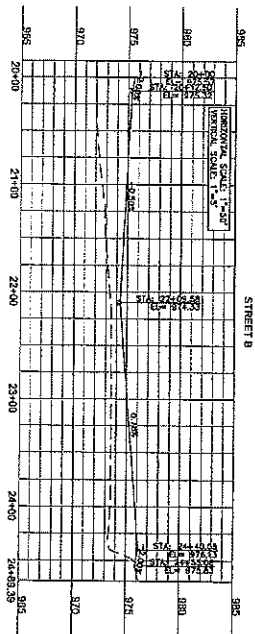
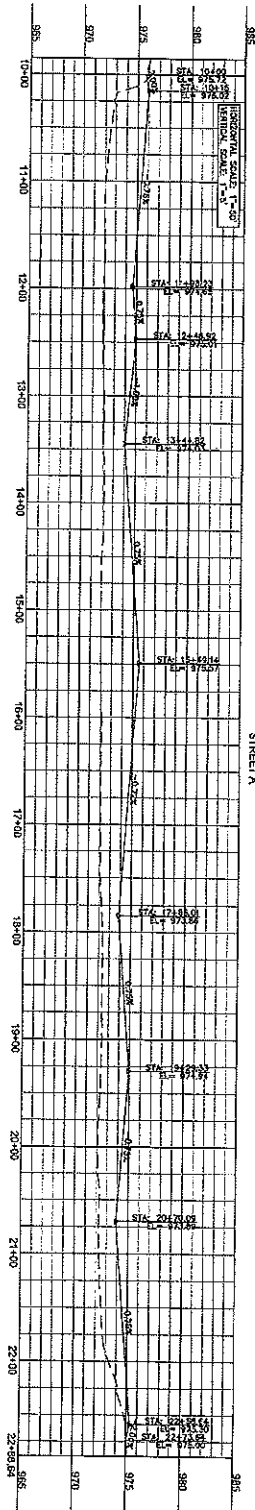
Council Bluffs Community
 Development Department
 209 Pearl Street
 Council Bluffs, IA 51503
 Telephone: (712) 328-4629


DISCLAIMER

This map is for informational purposes only. It is not intended to be used as a legal document. The City of Council Bluffs is not responsible for any errors or omissions on this map. The map is provided as a service to the public and should not be used for legal purposes. The map is not a warranty, representation, or guarantee of any kind. The map is provided as a service to the public and should not be used for legal purposes. The map is not a warranty, representation, or guarantee of any kind.







SHEET 05.0	PRELIMINARY CENTERLINE PROFILE		REV. NO.	DATE	REVISIONS DESCRIPTION
	24 PARK PLACE S. 24TH STREET & RICHARD DOWNING AVENUE				
	COUNCIL BLUFFS, IA				
	2018				
REVISIONS					
<div style="text-align: right;">  </div>					
<div style="text-align: right;"> <small> 211 South 67th Street, Suite 200 Council Bluffs, IA 51501 TEL: 402.341.1116 FAX: 402.341.5395 www.molssonassociates.com </small> </div>					

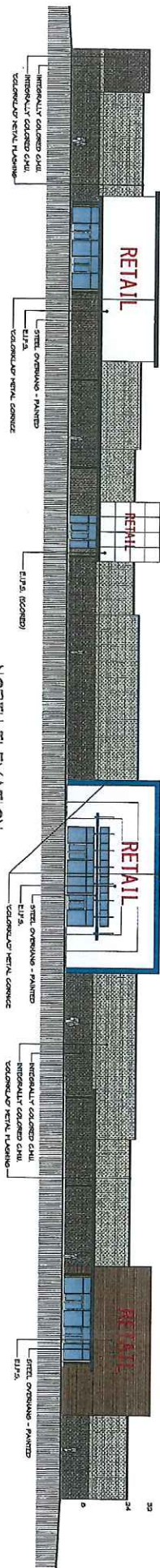


DF MONUMENT SIGN
Scale 1/4" = 1'
SPECS TBD

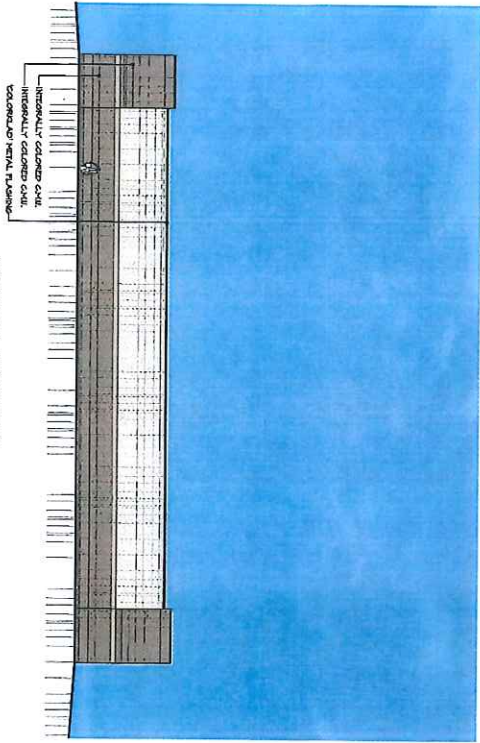
Client: Lockwood Development Council Bluffs, IA		Rev #	Date	Description of Revision
Contract No	Date: 7.17.18 r1	Approved by	7/18	Original
Design No: 29412	5/21/18	Approved date	7/18	Original
Designer: Heidi Craussen		Subcontractor: Gabrielle Ryan		

Due to the nature of color reproduction, the colors on this drawing may vary from actual colors (material samples are available upon request). This is an ORIGINAL, UNPUBLISHED DRAWING BY SIGNWORKS, Inc. submitted for your approval. It is not to be reproduced without written permission of SIGNWORKS, Inc.

SIGNWORKS INC
4713 F Street Omaha, NE 68117 402-346-5447 402-346-9250 fax signworksomaha.com
A Family Tradition of Quality Signs Since 1935



NORTH ELEVATION
SCALE 1/8" = 1'-0"



EAST ELEVATION
SCALE 1/8" = 1'-0"

COUNCIL BLUFFS DEVELOPMENT

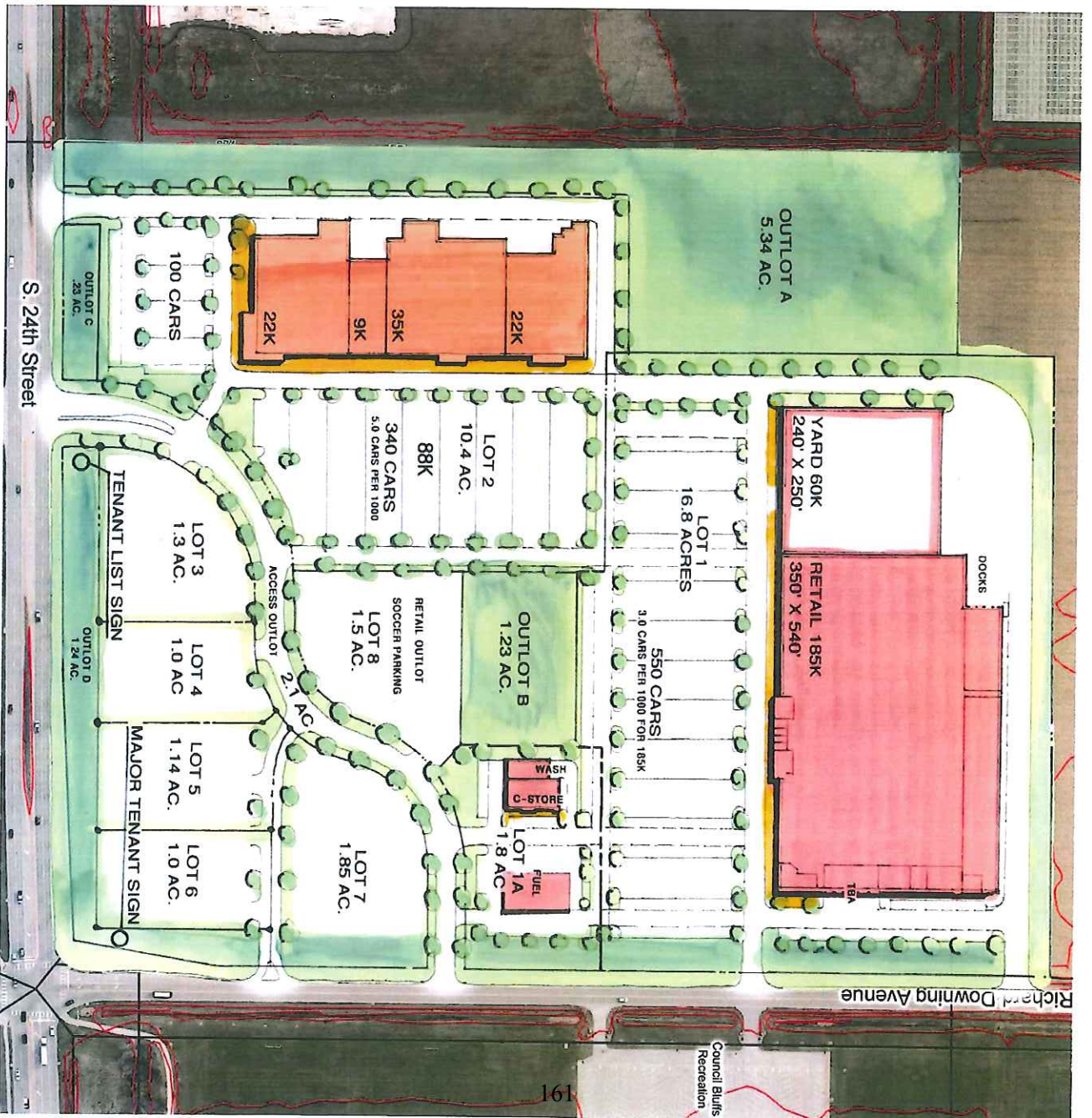
S. 24TH STR. & RICHARD DOWNING AVE



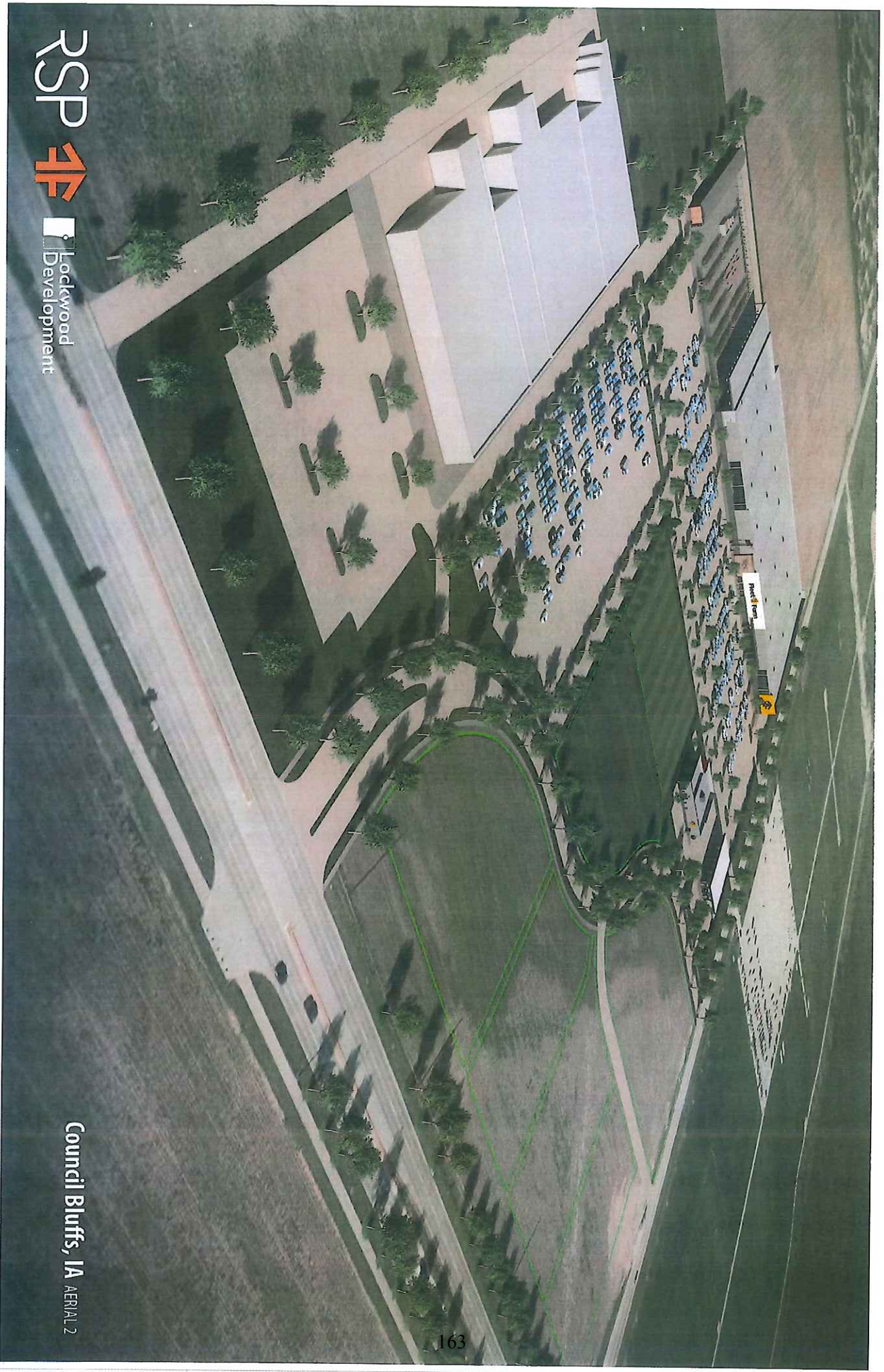
Stanley & Son
ARCHITECTS
How | Architects | Serve | Design

FLEET FARM SUBMITTAL
COUNCIL BLUFFS, IA | 07.16.18









8-foot black chain link fence

16-foot wood privacy fence

8-foot black decorative fence

Council Bluffs, IA AERIAL 3

RSP



Lockwood
Development

Council Bluffs, IA AERIAL 4

RSP



Lockwood
Development



PROUDLY
SERVING THE
MIDWEST

Fast  Form



Council Bluffs, IA VIEW 1



RSP



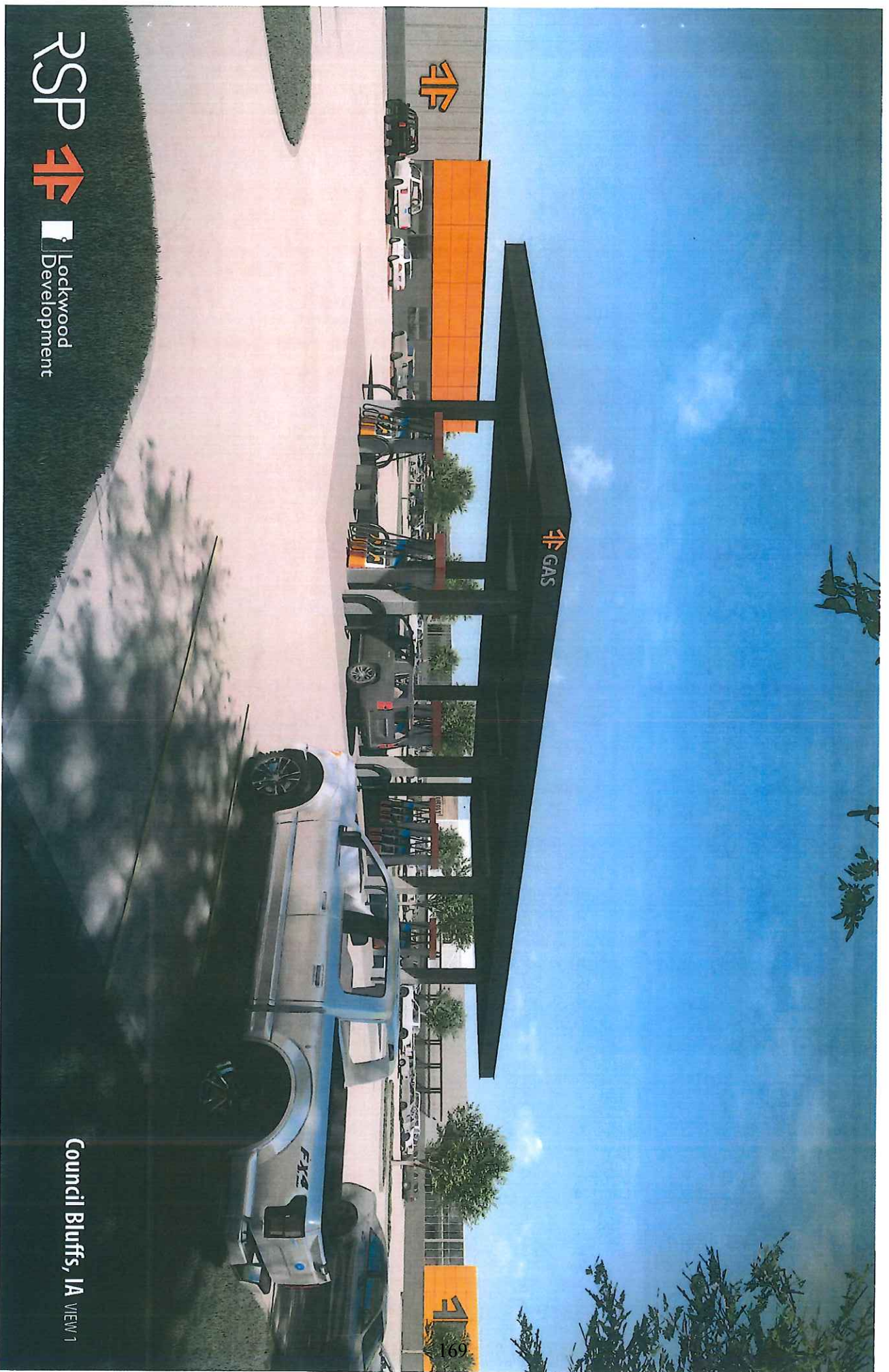
Lockwood
Development

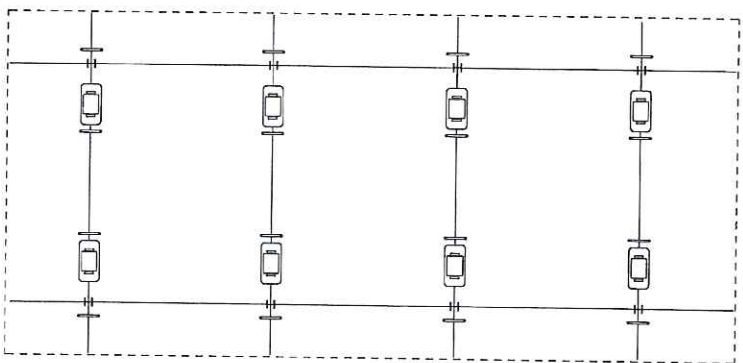
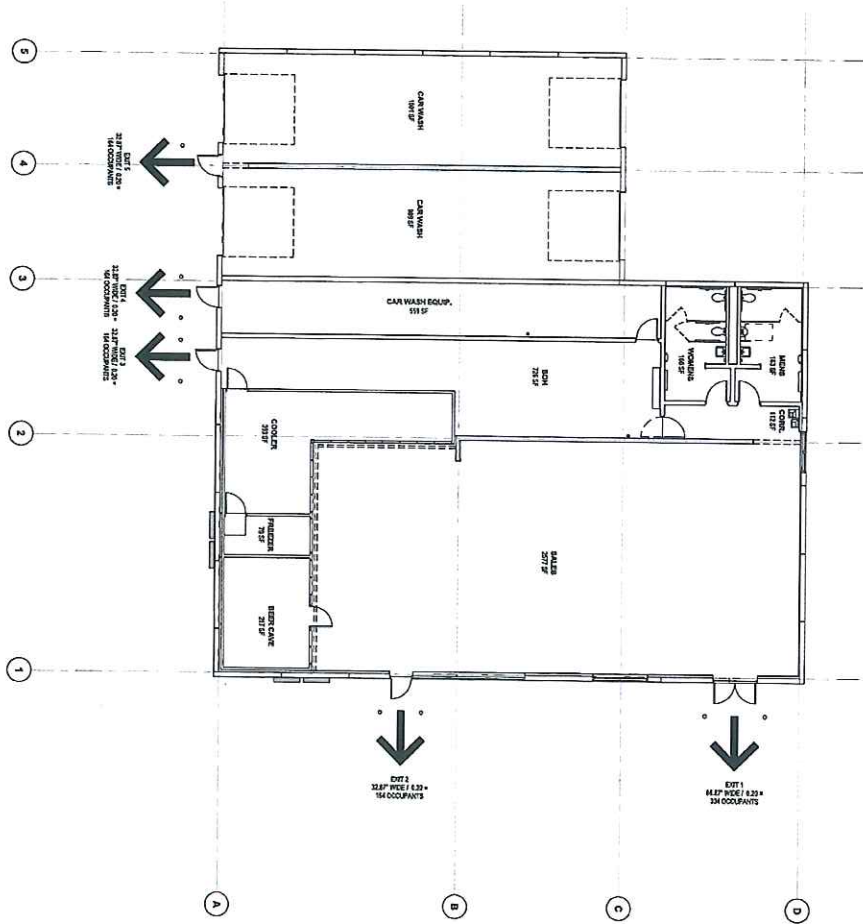
Council Bluffs, IA VIEW 4

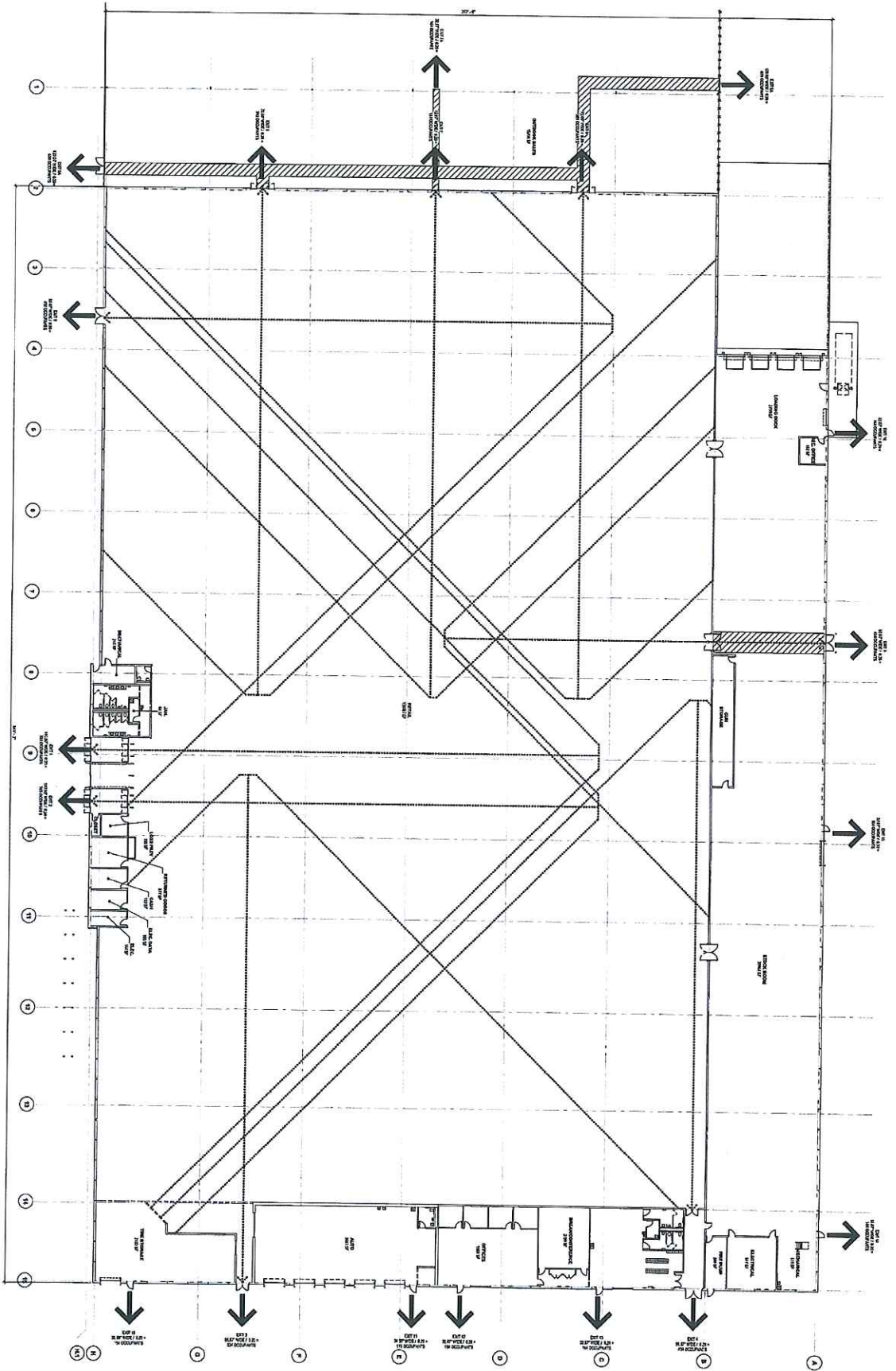


RSP
Rockwood
Development

Council Bluffs, IA VIEW 5









TEXTURED PRECAST
Pantone Cool Gray 11C



GLAZING
Low Iron Vision Glass



WINDOW MULLIONS
Clear Anodized Aluminum



TEXTURED PRECAST
Pantone Cool Gray 9C



PHENOLIC PANEL
Fleet Farm Orange



SIGNAGE AND DETAILS
Charcoal Metal



TEXTURED PRECAST
Pantone Cool Gray 7C



PHENOLIC PANEL
Aged Cedar Wood



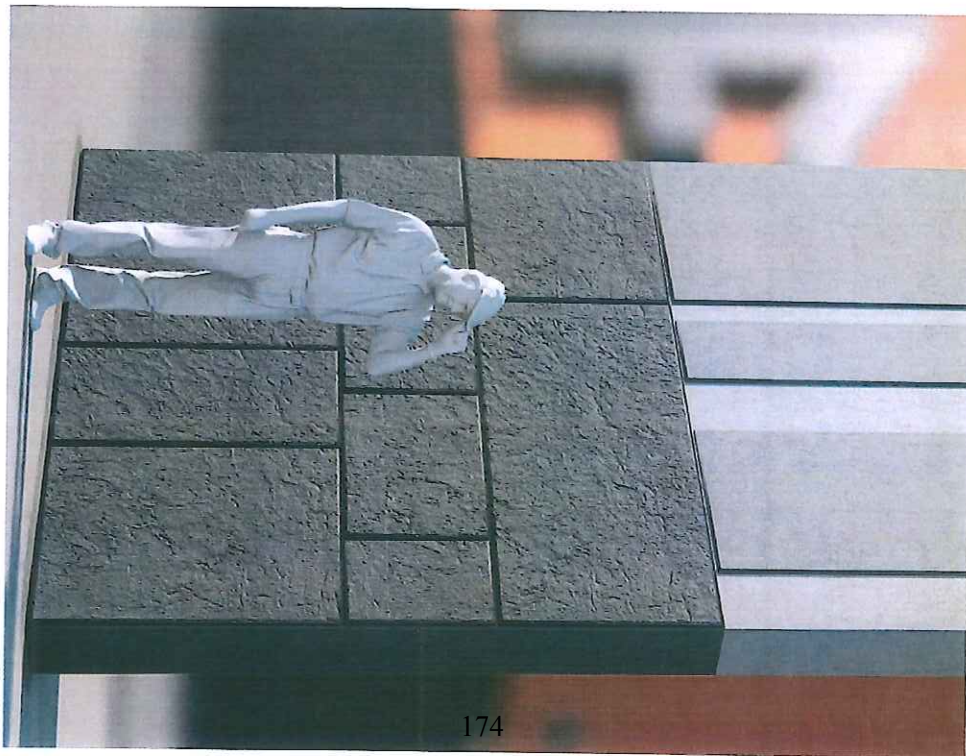
ARCHITECTURAL STRUCTURE
Charcoal Metal



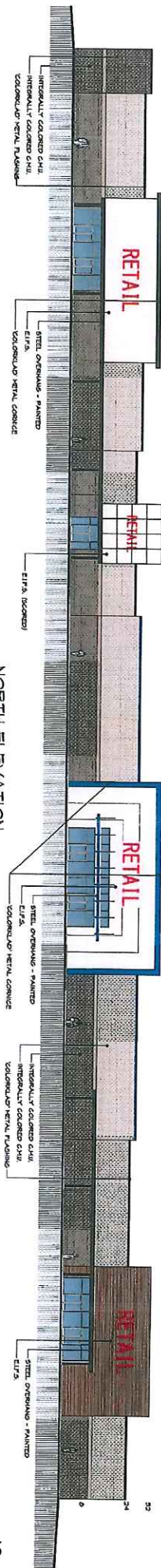
TEXTURED PRECAST
Pantone Cool Gray 5C



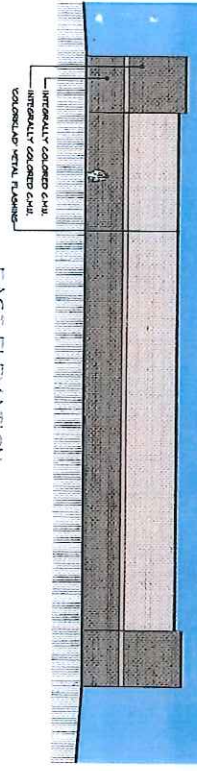
PERFORATED METAL PANEL
White Custom Pattern



Typical Precast Panel



NORTH ELEVATION
SCALE: 1/8" = 1'-0"



EAST ELEVATION
SCALE: 1/8" = 1'-0"

COUNCIL BLUFFS DEVELOPMENT

S. 24TH STR. & RICHARD DOWNING AVE

LockwoodDevelopment

standing & low
ARCHITECTS
HOW | ARKNECHT | SEIP | DOHN

RESOLUTION NO. 18-255

A RESOLUTION GRANTING PRELIMINARY PLAN APPROVAL FOR A 13-LOT COMMERCIAL SUBDIVISION TO BE KNOWN AS 24 PARK PLACE.

WHEREAS, Royce Enterprises Inc. is requesting preliminary plan approval for a 13-lot commercial subdivision to be known as 24 Park Place, located in the North 1/2 of the SE1/4 of Section 10-74-44 and part of the NW1/4 of the SW1/4 of Section 11-74-44, City of Council Bluffs, Pottawattamie County, Iowa, and more particularly described as: BEGINNING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10; THENCE ON THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER ON AN ASSUMED BEARING OF N87°53'20"W, 658.46 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE CONTINUING ON SAID SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER N87°56'58"W; 658.32 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE ON THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER N01°59'34"E, 331.09 FEET; THENCE N87°54'35"W, 159.94 FEET; THENCE N02°06'46"E, 993.75 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHEAST QUARTER, SAID LINE ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF RICHARD DOWNING AVENUE; THENCE ON SAID SOUTH RIGHT-OF-WAY LINE OF RICHARD DOWNING AVENUE FOR THE FOLLOWING FIVE (5) DESCRIBED COURSES; (1) S87°51'21"E, 157.50 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; (2) S87°49'01"E, 655.55 FEET TO THE NORTHEAST CORNER OF SAID EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; (3) S87°53'14"E, 505.31 FEET; (4) S76°35'39"E, 153.19 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER; (5) S87°19'54"E, 104.77 FEET TO A POINT INTERSECTING SAID SOUTH RIGHT-OF-WAY LINE OF RICHARD DOWNING AVENUE AND THE WEST RIGHT-OF-WAY LINE OF SOUTH 24TH STREET; THENCE ON SAID WEST RIGHT-OF-WAY LINE OF SOUTH 24TH STREET FOR THE FOLLOWING THREE (3) DESCRIBED COURSES; (1) S01°42'44"W, 319.95 FEET; (2) S08°30'44"E, 112.22 FEET; (3) S01°43'05"W, 863.01 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11; THENCE ON SAID SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER N87°23'13"W, 124.81 FEET TO THE POINT OF BEGINNING; and

WHEREAS, The proposed subdivision is comprised of 47.02 acres of undeveloped land that pursuant to Ordinance No. 6347 will be rezoned from A-2/Parks, Estates and Agricultural District to P-C/Planned Commercial District effective upon final plat approval of 24 Park Place; and

WHEREAS, The following comments were provided for the proposed subdivision request:

a) **General-**

- a. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, 'but is deemed to be an authorization to proceed with the preparation of the final construction plans or performance guarantee and the final plat' (§14.11.060.04-Subdivision Ordinance). A final plat application for the first phase must be filed within one year of the date of action by the City Council. A request for extension may be made by the subdivider in writing prior to the expiration date. One-year extensions are considered by the City Planning Commission.
- b. The proposed subdivision is comprised of nine developable lots numbered 1 through 9 and four outlots labeled A through D. The subdivision will be developed in two phases. Proposed phase one includes Lot 1 and Outlots A and B. Proposed phase two includes Lots 2 through 9 and Outlots C & D. The applicant intends to start Phase 2 construction one all potential wetlands in the northeast corner of the site have been mitigated.

2. **Access-**

- a. Access to the subdivision will be from Richard Downing Avenue and South 24th Street, which are public roadways. The main development entrance will be located at an existing median break on South 24th Street and will connect into two internal streets that provide access onto Richard Downing Avenue. The furthest west right-of-way connection, approximately 600 feet west of the Richard Downing Avenue and South 24th Street intersection, is proposed to be a full movement access. The second right-of-way connection located 300 feet west of the intersection of Richard Downing Avenue and South 24th Street is proposed to be right-in/right-out only. Proposed Lot 1, 24 Park Place will have a separate private driveway onto Richard Downing Avenue. All access connections onto Richard Downing Avenue and South 24th Street shall be designed and constructed to comply with Council Bluffs Public Works Department standards.
- b. Two internal streets are proposed with this subdivision and are labeled as Street 'A' and Street 'B'. The names for these two streets must be identified on the final plat. Additionally, the interior roads are identified to be 25 feet in width, which is substandard for a public roadway. Both roadways must be private if constructed at 25 feet in width, or increased to 26 feet in width to be dedicated to the City as a public roadway according to the Council Bluffs Public Works

Department. If these roads will be public the appropriate easement dedication language must be stated on the final plat for 24 Park Place.

- c. There shall be no direct vehicular access to Richard Downing Avenue from Lots 2, 8 and Outlot D. Said restriction language shall be stated on the final plat for 24 Park Place.
- d. There shall be no direct vehicular access to South 24th Street from Outlots A, C, or D. Said restriction language shall be stated on the final plat for 24 Park Place.
- e. A draft traffic study for the proposed 24 Park Place subdivision identified that Richard Downing Avenue must be widened to a three-lane section. The Council Bluffs Public Works Department has received the traffic study and is working with the project engineer to finalize the report. All traffic improvements associated with the subdivision shall be constructed to comply with Public Works Department standards.

3. **Grading and Drainage-**

- a. The subject property is relatively flat and sits approximately four feet below the intersection of South 24th Street and Richard Downing Avenue. The applicant's engineer has provided a preliminary drainage report and geotechnical report for the proposed subdivision to the City for review. The reports identifies that fill will be brought in to raise the site in order to achieve adequate fall for site utilities (e.g., sanitary and storm sewers). The site will be graded to drain stormwater run-off into detention basins located in the center and southern sides of the development. These basins are identified as Outlots A through D. The Council Bluffs Public Works Department is working with the project engineer to finalize grading and drainage plans for this development. All grading and drainage activity for this development shall be completed in accordance with the approved final plans.
- b. All stormwater basins shall be dedicated to a development association on the final plat.
- c. The stormwater basin in Outlot B shall be designed and maintained as an amenity for the proposed development.

4. **Utilities-**

- a. Sanitary sewer to serve the development will be extended from a connection in South 24th Street and will be built as part of the street construction. All public sanitary and storm sewer mains/extensions located outside of the public right-of-ways shall be located within a recorded, non-exclusive easement, at least 20 feet in width.

- b. The applicant shall contract with the Council Bluffs Water Works to provide adequate water distribution for service and fire protection for the development.
- c. The applicant will contract with Mid-American Energy for electrical service for 24 Park Place. Mid-American Energy stated they have *“no objection to the referenced applications for the new shopping center to be known as 24 Park Place at the Southwest corner of the intersection of S. 24th Street and Richard Downing Avenue in Council Bluffs. The company has not entered into an agreement to extend electric service to the development at this time. Developer requirements will include but are not limited to furnishing a 15 foot utility easement along the route MidAmerican Energy facilities and furnishing and installing all UG conduits. A detailed proposal identifying the customer and company requirements and cost for extending electric service to the development can be prepared and submitted once specific plans and load information can be provided”*.
- d. The applicant will contract with Black Hills Energy for natural gas service and will provide the necessary easements to extend gas service into the development. No comments were received from Black Hills Energy regarding the proposed development proposals.
- e. The applicant will contract with a local communication provider to extend voice, data, and cable service into the development.
- f. All utilities within the proposed subdivision shall be installed underground. Any cost to extend, remove, relocate, and/or modify utilities associated with this development shall be at the sole expense of the applicant and not the City.
- g. The standard 10 foot-wide and five foot-wide franchise utility easements shall be established along all front, rear and side property lines for each lot on the final plat.

5. **Floodplain and Wetlands-**

- a. The subject property is located within a property is located within a Zone X, as shown on the FEMA FIRM panel 19155C0560E, dated February 4, 2005. The applicant will be responsible for compliance with all Federal, State, and Local requirements regarding floodplain management.
- b. The submitted letter of intent stated that potential wetlands may be located in the northeast corner of the proposed development. The applicant shall be responsible to comply with all Federal, State, and Local requirements regarding jurisdictional wetlands of the United States Army Corps of Engineers area; and

WHEREAS, The Community Development Department recommends approval of the preliminary plan for a subdivision to be known as 24 Park Place, as shown in Attachment “D”, subject to compliance with all above stated comments and the following conditions:

1. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, ‘but is deemed to be an authorization to proceed with the preparation of the final construction plans or performance guarantee and the final plat’ (§14.11.060.04-Subdivision Ordinance). A final plat application for the first phase must be filed within one year of the date of action by the City Council. A request for extension may be made by the subdivider in writing prior to the expiration date. One-year extensions are considered by the City Planning Commission.
2. A preliminary subdivision plan incorporating the above changes (technical and non-technical) shall be submitted to the Community Development Department following action by the City Council, but prior to the submittal of any construction drawings and/or grading permit requests to ensure that all necessary plan changes have been made and that drawings submitted for subsequent reviews and approvals by City staff are consistent with the conditions and plans approved by the City Council.
3. Any requested change(s) to the preliminary plan as approved by the City Council shall be reviewed by the City Planning Commission and City Council.
4. All utilities shall be installed underground. Any cost to relocate, modify and/or remove utilities associated with the development of this subdivision shall be at the sole expense of the applicant and not the City.
5. All traffic improvements associated with this development shall be completed in accordance with the approved traffic impact study.
6. All grading and drainage activity for this development shall be completed in accordance with the approved final plans.
7. The detention basin identified as Outlot B shall be designed and maintained as an amenity feature for the development.

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

That preliminary plan approval for a 13-lot commercial subdivision to be known as 24 Park Place, as legally described above and shown on Attachment “A”, is hereby approved subject to the comments and conditions set forth above.

Planning Case No. #SUB-18-011

RESOLUTION NO. _____

PAGE 6

ADOPTED
AND
APPROVED

August 27, 2018.

MATTHEW J. WALSH

Mayor

Attest: _____

JODI QUAKENBUSH

City Clerk

Planning Case No. #SUB-18-011

Council Communication

Department: Community Development
Case/Project No.: OTB-18-013
Submitted by: Christopher Gibbons, Planning
Coordinator

Resolution 18-256

Council Action: 8/27/2018

Description

Resolution to extend the deadline for the sale of City owned property legally described as Lot 1, Franklin Heights Subdivision, as established by Resolution Number 18-013. Location: Legally described as Lot 1, Franklin Heights Subdivision. OTB-18-013

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
OTB-18-013 Request to Extend Closing Adeadline on the Sale of City Property Staff Report Including Attachs	Other	8/16/2018
Resolution 18-256	Resolution	8/22/2018

Council Communication

Department: Community Development CASE #OTB-18-013 Applicant: Ronald D. Johnson 535 Heartland Properties, Suite 100 Council Bluffs, IA 51503	Resolution No. _____	City Council: 08/27/18
Subject/Title Request to extend the deadline for the sale of City owned property legally described as Lot 1, Franklin Heights Subdivision, as established by Resolution No. 18-153 on May 7, 2018.		
Background/Discussion On May 7, 2018, the Council Bluffs City Council approved Resolution No. 18-153 which disposed of City-owned property legally described as Lot 1, Franklin Heights Subdivision to Mr. Ronald D. Johnson for the cash price of \$275,000.00 (see Attachments A and B). The applicant's purchase offer indicated he would build 16, two bedroom townhomes units on the property worth an estimated \$9 million dollars in total assessed tax value. Included in the resolution to dispose was a condition that the applicant must close on the property within 120 days from the date of Council approval. The 120-day deadline is set to expire on Tuesday, September 4, 2018 and the applicant is requesting a 90-day extension in order to finalize preliminary development/subdivision plans for the property (see Attachment C). If the request is approved, the applicant will have until December 3, 2018 to close on the property.		
Recommendation The Community Development Department recommends approval of the request by Ronald Johnson for a 90-day extension of time to close on property legally described as Franklin Heights Subdivision, subject to all conditions stated in Resolution No. 18-153, dated May 7, 2018.		
Attachments Attachment A: Location map Attachment B: Resolution No. 18-153, dated May 7, 2018 Attachment C: Extension of time request from Ronald Johnson dated August 16, 2018		
Prepared By: Christopher Gibbons, AICP Planning Coordinator		

CASE #OTB-18-013



Putnam County GIS

225 S. 6th St.

Corrobor, GA 31501

(770) 328-4885

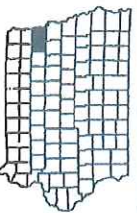
gis@putnamcounty.com

http://gis.putnamcounty.com

Map Published: 4/13/2018



1in = 30ft



Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 328-4616

RESOLUTION NO. 18-153

A RESOLUTION TO DISPOSE OF CITY PROPERTY LEGALLY DESCRIBED AS LOT 1, FRANKLIN HEIGHTS SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City has previously expressed its intent to dispose of property legally described as Lot 1, Franklin Heights Subdivision, City of Council Bluffs, Pottawattamie County, Iowa, and;

WHEREAS, a public hearing has been held in this matter on May 7, 2018.

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

That the Mayor and City Clerk be and are hereby authorized, empowered and directed to execute a quit claim deed conveying the City's interest in the above-described property as follows:

Ronald D. Johnson and all successors in interest: Lot 1, Franklin Heights Subdivision, City of Council Bluffs, Pottawattamie County, Iowa, and;

BE IT FURTHER RESOLVED

That the purchase price be \$275,000.00 cash due at closing. The property closing to occur within 120 days of the date of approval.

ADOPTED
AND
APPROVED:

May 7, 2018


Matthew J. Walsh

Mayor

ATTEST:


Jodi Quakenbush

City Clerk

(Case #OTB-18-013)

ATTACHMENT 5B

Christopher Gibbons

From: Ronald D Johnson <ronjohnsonre@gmail.com>
Sent: Thursday, August 16, 2018 9:28 AM
To: Christopher Gibbons
Subject: Re: Offer to buy extension

Christopher

Re: Franklin Heights Subdivision Lot 1

Christopher

Thank you for meeting with me to discuss the proposal that is being considered at the city owned property at Franklin and Bennett. The ideas expressed by you and Brandon were most helpful.

I have obtained a preliminary report on a potential layout for the townhomes that I proposed for the site. I had originally hoped for a minimum of 28-30 units. The number of units on this proposed drawing varied between 19-22.

I also used some preliminary estimates on the infrastructure that would be necessary. These numbers were much more in line with the original estimates. These numbers can also vary with a change in the drawings.

It is with these numbers in mind that I am requesting that the City Council consider granting me a 90 day extension to pursue the changes that need to be addressed. I am still very enthusiastic about the project because it addresses a need in our market and would put a piece of property back on the tax rolls for the citizens.

The challenges I am looking at will be there not only for me but for any future potential developers.

Thank you for your consideration and I look forward to the Councils decision.

Sincerely Ron Johnson

Sent from my iPad

On Aug 15, 2018, at 5:38 PM, Christopher Gibbons <cgibbons@councilbluffs-ia.gov> wrote:

Mr. Johnson,

Please email me your extension request for the offer to buy property at Franklin/Bennet by noon tomorrow.

This information is needed in order to allow City Council to review the request at their August 27, 2018 meeting.

Christopher N. Gibbons, AICP
Planning Coordinator
Community Development Department
City of Council Bluffs

Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 - Phone: 890-5261
Prepared by: Community Development Dept., Co. Bluffs, IA 51503 - Phone: 328-4629

RESOLUTION NO.18-256

A RESOLUTION TO EXTEND THE DEADLINE FOR THE SALE OF CITY OWNED PROPERTY LEGALLY DESCRIBED AS LOT 1, FRANKLIN HEIGHTS SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, AS ESTABLISHED BY RESOLUTION NUMBER 18-013.

- WHEREAS, on May 7, 2018, this City Council passed Resolution No. 18-013 regarding the sale of City owned property legally described as Lot 1, Franklin Heights Subdivision to Mr. Ronald Johnson for the cash amount of \$275,000.00; and
- WHEREAS, said resolution provided that closing shall occur on the subject property within 120 days from the date of City Council approval which ends on September 4, 2018; and
- WHEREAS, due to the complicated nature of the development of this property an extension allowing the closing to occur on or before December 3, 2018 has been requested by the applicant.

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

That the Mayor and the City Clerk be and are hereby authorized, empowered and directed to execute a City deed conveying the City's interest in the above-described property; and

Ronald D. Johnson and all successors in interest: Lot 1, Franklin Heights Subdvision, City of Council Bluffs, Pottawattamie County, Iowa, and;

BE IT FURTHER RESOLVED

That the purchase price be \$275,000.00 cash due at closing. The property closing shall occur on or before December 3, 2018.

ADOPTED
AND
APPROVED:

August 27, 2018

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

STATE OF IOWA)
COUNTY OF)ss
POTTAWATTAMIE)

On this _____ day of _____, before me the undersigned, a Notary Public in and for said County and said State, personally appeared Matthew J. Walsh and Jodi Quakenbush, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk respectively, of the said City of Council Bluffs, Iowa, a Municipal Corporation, that the seal affixed hereto is the seal of said Municipal Corporation; that said instrument was signed and sealed on behalf of the said City of Council Bluffs, Iowa, by authority of its City Council; and that said Matthew J. Walsh and said Jodi Quakenbush, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

Notary Public in and for said State

Planning Case #OTB-18-013

Council Communication

Department: Human Resources

Case/Project No.:

Submitted by: Jon Finnegan and Kathy Knott

Resolution 18-257

Council Action: 8/27/2018

Description

Resolution adding a Payroll Manager to the authorized strength of the City.

Background/Discussion

Payroll for the City is extremely complex, primarily due to four governmental unions with a variety of payroll topics, including 24 hour schedules, overtime calculations, payout of accrued time, and other separately negotiated items. Additionally, there is payroll for a non-union group of employees. Payroll is a function that requires expertise in compliance, processing, and recordkeeping requirements. We recommend the addition of a Payroll Manager position to the authorized strength of the City to provide for a manager level resource dedicated to the payroll function. This position will report to the Director of Human Resources. Currently, payroll is resourced primarily in Finance. Utilization of this new position and organizational reporting structure will allow Finance to focus on improvements that will positively impact both internal and external customers. This position was budgeted in the FY19 operating budget.

Recommendation

Approval of this resolution.

ATTACHMENTS:

Description

[Job Description](#)

[Resolution 18-257](#)

Type

Resolution

Resolution

Upload Date

8/17/2018

8/22/2018



City of Council Bluffs

Job Description

Payroll Manager

Department: Human Resources
Supervisor: Director of Human Resources
Location: City Hall
FLSA Status: Exempt
Prepared By: Jon Finnegan
Prepared Date: March 2018
Union: Non-union
Pay Grade: 25

Summary: Performs professional payroll tasks and activities in the City's Human Resources Department. Prepares the timely and accurate payroll each pay period. Also prepares and files all associated payroll taxes, and manages any associated recordkeeping requirements. Work is performed under general supervision of the Director of Human Resources with incumbent exercising independent judgment and initiative.

Essential Duties and Responsibilities: includes the following.

- Prepares payroll and related reporting activity:
 - Assures and monitors proper processing during each payroll period
 - Records new or changed pay rates in payroll register or computer files
 - Computes pay according to company policy
 - Compiles and prepares other payroll data such as pension, insurance, and other payments
 - Reviews and approves payroll deductions
 - Interprets company policies and government regulations affecting payroll procedures
 - Directs preparation of government reports
 - Reviews payroll to ensure accuracy
 - Assures and monitors proper accounting, reporting, and distribution of all payroll withholdings and City contributions to other agencies, including but not limited to Social Security, Medicare, Federal and State taxes, IPERS, MFPRSI, insurances, and legal withholdings
 - Assures proper recording of all payroll related transactions to the General Ledger
 - Assures proper preparation and submission or distribution of forms and reports for year-end payroll activity, including but not limited to W-2, 941, and pension reporting forms
- Review the monthly payroll activity for release to both internal and external constituents:

- Regular and predictable attendance is required
- Other duties as assigned

Supervisory Responsibilities:

Not applicable

Qualifications:

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education and/or Experience:

- A Bachelor's Degree from an accredited institution in Accounting, Finance, Business Management, or other related area
- A minimum of five years' experience in processing payroll
- Experience in Public Sector payroll is preferred
- Any equivalent combination of education and experience which provides the required knowledge, skills, and abilities is acceptable

Certificates, Licenses, Registrations:

- Certified Payroll Professional (CPP) preferred – if not currently certified, is able to obtain certification within 18 months of employment

Physical Demands:

- While performing the duties of this job, the employee is frequently required to stand; walk; sit; use hands to finger, handle, or feel; reach with hands and arms; climb or balance; stoop, kneel, crouch, or crawl; and see, talk, and hear.
- The work environment is an office setting that is normally quiet.

Other Skills and Abilities:

- Knowledge of payroll procedures and basic internal control techniques related to the payroll processing cycle
- Working knowledge of requirements, rules, and regulations related to payroll processing and reporting at all levels (federal, state, and local) and in all timeframes (payroll period, monthly, quarterly, and annually)
- Ability to analyze and organize data
- Ability to communicate effectively both orally and in writing
- Accuracy
- Integrity
- Ability to form effective working relationships with staff, public, and other agencies

RESOLUTION 18-257

RESOLUTION MAKING CHANGES TO THE AUTHORIZED STRENGTH OF THE CITY

- WHEREAS, A thorough evaluation of existing resources has been conducted by the Director of Finance and Director of Human Resources; and
- WHEREAS, This evaluation showed a need to add one (1) position to the authorized strength of the City; and
- WHEREAS, Said changes are deemed to be in the best interest of the City of Council Bluffs, Iowa:

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

That the following position changes are hereby adopted and approved effective the date approved by Council:

Add one (1) Payroll Manager position.

Adopted
and
Approved

August 27, 2018

MATTHEW J. WALSH, MAYOR

JODI QUAKENBUSH, CITY CLERK

Council Communication

Department: Community Development
Case/Project No.: PC-18-001
Submitted by: Christopher Gibbons, Planning
Coordinator

Resolution 18-258

Council Action: 8/27/2018

Description

Resolution amending the planned commercial development plan for The Marketplace Subdivision, relative to landscaping, building setbacks, lot coverage, and shared parking/driveways for proposed lots 1-6, The Marketplace, Replat 3. Location: Southeast corner of Interstate 80/29 and South 24th Street. Location: Southeast corner of Interstate 80/29 and South 24th Street. PC-18-001

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description

[SUB-18-010 and PC-18-001 The Marketplace, Replat 3 Final Staff Report Including Attachs](#)

[Resolution 18-258](#)

Type

Resolution

Resolution

Upload Date

8/16/2018

8/22/2018

Council Communication

<p>Department: Community Development</p> <p>Cases No. SUB-18-010 and PC-18-001</p> <p>Applicant: Legacy CB, LLC 4717 Central Street Kansas City, MO 64112</p> <p>Surveyor: Ehrhart Griffin & Associates c/o Bill White 142 West Broadway, Suite 136 Council Bluffs, IA 51503</p>	<p>Resolution No.</p> <p>Resolution No.</p>	<p>City Council: August 27, 2018</p> <p>Planning Commission Meeting: August 14, 2018</p>
--	---	--

Subject/Title

Request: Combined public hearing on the request of Legacy CB, LLC for final plat approval of six-lot commercial subdivision to be known as The Marketplace, Replat 3, legally described as being a replat of Lots 1 and 2, The Marketplace Replat 2, and to amend the adopted planned commercial development plan for the Marketplace Subdivision.

Location: Southeast corner of Interstate 80/29 and South 24th Street.

Background/Discussion

The Community Development Department has received the following requests from Legacy CB, LLC, represented by Bill White of Ehrhart Griffin and Associates, relative to The Marketplace Place shopping center located at the southwest corner of Interstate 80/29 and South 24th Street:

- a. Replat Lots 1 and 2, The Marketplace Replat 2 into a six-lot commercial subdivision to be known as The Marketplace, Replat 3.
- b. Amend the adopted planned commercial development plan for The Marketplace Subdivision relative to landscaping, building setbacks, lot coverage, and shared parking/driveways for proposed Lots 1-6, The Marketplace, Replat 3.

CASE #SUB-18-010

The applicant, Legacy CB, LLC, is requesting approval to replat Lots 1 and 2, The Marketplace, Replat 2 into a six-lot commercial subdivision to be known as The Marketplace, Replat 3. Resolution No. 07-195 approved the final plat for The Marketplace on April 23, 2007; Resolution No. 13-255 approved the final plat for The Marketplace, Replat 1 on October 14, 2013; and Resolution No. 16-163 approved the final plat for The Marketplace, Replat 2, on June 27, 2016.

The purpose of the replat is to allow the applicant to address changing market conditions/demands for small to medium size retail spaces (see Attachment A). The applicant proposes to replat the land where the junior tenant spaces are located between the At-Home Store and JcPenny into five commercial lots and one shared parking/stormwater lot (Attachment B). Each lot will contain one to three commercial bays. Proposed Lot 1 will contain the commercial space where VF Outlet is located. Proposed Lot 2

will contain the commercial space where Boot Barn and Party City are located. Proposed Lot 3 is currently undeveloped. Proposed Lot 4 will contain the commercial space where Petco and Shoe Carnival are located. Proposed Lot 5 will contain the commercial space where Jo-Ann Fabrics is located. Proposed Lot 6 will contain existing circulation paths, shared off-street parking, and drainage. The proposed replat does not require extensions or changes to existing utilities or access roadways. Final plats are approved by City Council after a public hearing.

Private roads, which connect to public streets at South 24th Street and 34th Avenue, serve The Marketplace. The approved Marketplace final plat included ingress/egress easements as well as easements for water, utilities and storm and sanitary sewers. Those easements continue with the replat. All lots will be served through those easements.

The proposed replat is consistent with the Bluffs Tomorrow: 2030 Plan and the purpose and intent of the Subdivision and Zoning Ordinances and the Planned Commercial Development Plan adopted with the previous subdivision actions.

CASE #PC-18-001

The Marketplace Subdivision planned commercial development plan was approved by City Council via Resolution No. 07-27 on January 8, 2007 (see Attachment C). Resolution No. 07-191 amended the development plan relative to signage on April 23, 2007. Resolution No. 13-242 amended the development plan relative to signage, and building orientations on September 23, 2013. Resolution No. 17-142 amended the development plan relative to attached wall signage on June 26, 2017.

The applicant, Legacy CB, LLC, is requesting approval to amend The Marketplace Subdivision planned commercial development plan relative to Lots 1 through 6, inclusive of The Marketplace, Replat 3. The purpose of these amendments is to establish design standards for landscaping, building setbacks, and building lot coverage that are compatible and proportional to the new lots being created because of The Marketplace Replat 3. The proposed amendments to Resolution 07-27, are as follows:

- 1) Reducing the percentage of required landscaping from 10% to 4.5% for proposed Lot 5, The Marketplace Replat 3 (Section 2, Item "G")
- 2) Changing of the location of where the required six foot-wide strip of landscaping can be placed on proposed Lots 1 through 5, The Marketplace Replat 3 (Section 2, Item "I")
- 3) Reducing the side yard setbacks from 10 feet to 0 feet for proposed Lots 1 through 5, The Marketplace, Replat 3 (Section 4, Item "A")
- 4) Increasing the lot coverage from 40% to 50% for proposed Lots 1 through 5, The Marketplace Replat 3 (Section 4, Item "H")
- 5) Clarifying that cross access ingress/egress easements were established on The Marketplace Subdivision final plat (Book 2007, Page 011286) to accommodate shared parking and circulation throughout the development.

CURRENT ZONING & LAND USE

The subject property is zoned Planned Commercial, within the RO/Recreation-Tourism Overlay District. The current zoning is consistent with the proposed development. The land to the east is zoned R-1M/Single Family Manufactured Housing District. Bluffs Regency and Bluffs Acres lie within that zoning district. The property located immediately south of the development is zoned I-2/General Industrial District. The land to the west is zoned A-2/Parks, Estates and Agricultural District. The Western Historic Trails Center entrance lies directly to the west.

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

CITY DEPARTMENTS AND UTILITIES – The appropriate City departments and utilities have reviewed the proposed replat and planned commercial development plan amendments with comments incorporated below.

Council Bluffs Building Permits and Inspection Division stated the developer is completing the building alterations (firewalls) to address the property line deficiencies during construction. No other comments at this time.

Council Bluffs Public Works stated they have no comments for the replat.

Council Bluffs Fire Department stated they have no comments for the request.

Council Bluffs Community Development Department provided the following comments:

Case #SUB-18-010:

1. Label all Marketplace Subdivision names and their associated lots on the final plat (e.g., Lot 2, The Marketplace).
2. Label the acreage total for each lot included in The Marketplace, Replat 3.
3. All utilities shall be installed underground.

Case #PC-18-001

Section 2 – Landscaping

- a. Section 2, Item “G” states *“Not less than 10% of the total lot area shall be landscaped with trees, shrubs and other plant material”*. As constructed, proposed Lots 1, 2, 4 and 6, The Marketplace, Replat 3 meet this requirement through existing landscaping and buffer areas. New construction on proposed Lot 3, The Marketplace, Replat 3 will comply with the 10% landscaping requirement as part of their site design. However, proposed Lot 5, The Marketplace, Replat 3 will not comply the 10% landscaping requirement due to existing building construction and proposed lot configuration. This lot will contain approximately 4.5% landscaping as opposed to the required 10%. The Community Development Department is not opposed to the reduced landscape percentage for proposed Lot 5, The Marketplace Replat 3 based on hardship reasons state above.
- b. Section 2, Item “I” states *“A strip of landscaping averaging at least six feet in depth shall be located adjacent to all buildings with the exception of the entrance areas”*. The existing landscaping on proposed Lots 1, 2, 4, and 5, The Marketplace, Replat 3 are located along the front property line, at the back of curb, and are not adjacent to existing buildings. Proposed Lot 3, The Marketplace Replat 3 is undeveloped at this time. The applicant has requested to modify the language of this section to allow the existing landscaping on proposed Lots 1, 2, 4, and 5 to remain in their current location and for new construction on proposed Lot 3, The Marketplace Replat 3 to be allowed to install their landscaping along their frontage, as opposed to being adjacent to the building. The Community Development Department is not opposed to the requested change due to the placement of existing landscaping on proposed Lots 1, 2, 4, and 5, The Marketplace Replat 3.

Section 4 – Site Development

- c. Section 4, Item “A” states *“Minimum setback requirements for all structure shall be: Front 20 feet, rear 15 feet, interior side 10 feet, and street side 15 feet”*. The current front and rear setback standards will remain unchanged for all lots in The Marketplace, Replat 3. The

applicant has proposed a zero side yard setback along the interior lot lines since the existing structures on proposed Lots 1, 2, 4 and 5, The Marketplace Replat 3 are constructed as attached commercial buildings with shared sidewalls. The applicant is in the process of constructing new fire separation walls between buildings that have a shared property line. The Community Development Department is not opposed to the zero side yard setback for proposed Lots 1 through 5, The Marketplace Replat 3 since all buildings in this replat are (or will be) attached to another structure, thus eliminating the need for a side yard setback.

- d. Section 4, Item "H" states "*Not more than 40% of any lot shall be covered with structures...*". The applicant has proposed to increase the lot coverage on proposed Lots 1 through 5, The Marketplace, Replat 3 from 40% to 50%. The purpose of this request is to accommodate the existing building footprints on Lots 1, 2, 4, and 5, The Marketplace, Replat 3 without having to modify the size of the proposed lots and include areas of Lot 6, The Marketplace, Replat 3, which is reserved for shared parking/driveway access. The Community Development Department is not opposed to this request as it will prevent the applicant from having to extend the front property line for proposed Lots 1 through 5, The Marketplace Replat 3 into the shared driveways/parking areas in proposed Lot 6, The Marketplace Replat 3.

Section 5 – Parking

- e. Section 5, Item "B" states "*The developer shall be responsible to develop cross access and ingress/egress easements to be recorded with the final plat to accommodate shared parking and driveways*". The applicant provided clarification that The Marketplace Subdivision platting in 2007 established ingress/egress easements throughout the development for proper campus circulation. Cross-parking agreements are also handled through current, and soon to be amended, R.E.I. according to the applicant. No changes to the circulation or parking conditions are proposed with this replat or amended development plan. The Community Development Department duly noted this clarification statement by applicant and finds that the ingress/egress easements on The Marketplace Subdivision final plat, as recorded in Book 2007, Page 011286, satisfies this requirement. No change to the adopted development plan is needed at this time regarding cross access and ingress/egress easements.

All other standards in the adopted planned commercial development plan for the Marketplace Subdivision, including the amendments adopted by Resolution No. 07-191 on April 23, 2007; Resolution No. 13-242 on September 23, 2013; and Resolution No. 17-142 on June 26, 2017 shall apply to Lots 1 through 6, The Marketplace, Replat 3.

Mid-American Energy Company stated all of their primary conductors, transformers, and primary enclosures for their utilities shall be protected by an easement. The applicant's engineer contacted Mid-American Energy and verified that the proposed easements are sufficient in size and location to protect their existing electrical utilities in the replat.

Recommendation

The Community Development Department recommends the following:

1. Final plat approval of a six-lot commercial subdivision to be known as The Marketplace, Replat 3, legally described as being a replat of Lots 1 and 2, The Marketplace Replat 2, as shown in Attachment 'B', subject to the following conditions:
 - a. Prior to executing the final plat, any corrections required by the Community Development Department and/or Public Works Department shall be incorporated into the final plat document.
 - b. All utilities shall be installed underground

- c. Final plats must be recorded within 90 days of City Council approval or the plat will become null and void unless an extension has been requested and granted by the Community Development Department Director.
2. Approval for the proposed amendments to the adopted planned commercial development plan of The Marketplace Subdivision, relative only to Lots 1 through 6, The Marketplace Replat 3, based on comments and conditions set forth, as follows:
 - a. Approval to reduce the percentage of required landscaping from 10% to 4.5% for proposed Lot 5, The Marketplace Subdivision, Replat 3, as presented;
 - b. Approval to allow the required six foot-wide strip of landscaping to be placed along the front property line, at the back of curb, on proposed Lots 1 through 5, The Marketplace Replat 3, as presented;
 - c. Approval to reduce the side yard setbacks from 10 feet to 0 feet for proposed Lots 1 through 5, The Marketplace Replat 3, as presented;
 - d. Approval to increase the maximum lot coverage from 40% to 50% for proposed Lots 1 through 5, The Marketplace Replat 3, as presented; and
 - e. No action on the clarification statement that cross access and ingress/egress easements were established on proposed Lot 6, The Marketplace Replat 3 with the original Marketplace Subdivision final plat, as recorded in Book 2007, Page 011286.

Public Hearing

Speakers in favor:

1. Bill White, Ehrhart Griffin and Associates, 142 West Broadway, Suite 136, Council Bluffs, IA 515503

Speakers against: None.

Planning Commission Recommendation

The Planning Commission recommends approval of the following:

1. Final plat approval of a six-lot commercial subdivision to be known as The Marketplace, Replat 3, legally described as being a replat of Lots 1 and 2, The Marketplace Replat 2, as shown in Attachment 'B', subject to the following conditions:
 - a. Prior to executing the final plat, any corrections required by the Community Development Department and/or Public Works Department shall be incorporated into the final plat document.
 - b. All utilities shall be installed underground.
 - c. Final plats must be recorded within 90 days of City Council approval or the plat will become null and void unless an extension has been requested and granted by the Community Development Department Director.
2. Approval for the proposed amendments to the adopted planned commercial development plan of The Marketplace Subdivision, relative only to Lots 1 through 6, The Marketplace Replat 3, based on comments and conditions set forth, as follows:
 - a. Approval to reduce the percentage of required landscaping from 10% to 4.5% for proposed Lot 5, The Marketplace Subdivision, Replat 3, as presented;
 - b. Approval to allow the required six foot-wide strip of landscaping to be placed along the front property line, at the back of curb, on proposed Lots 1 through 5, The Marketplace Replat 3, as presented;
 - c. Approval to reduce the side yard setbacks from 10 feet to 0 feet for proposed Lots 1 through 5, The Marketplace Replat 3, as presented;
 - d. Approval to increase the maximum lot coverage from 40% to 50% for proposed Lots 1 through 5, The Marketplace Replat 3, as presented; and

- e. No action on the clarification statement that cross access and ingress/egress easements were established on proposed Lot 6, The Marketplace Replat 3 with the original Marketplace Subdivision final plat, as recorded in Book 2007, Page 011286.

VOTE: AYE 7 NAY 0 ABSTAIN 0 ABSENT 0 VACANT 4 Motion: Carried

Attachment A: Letter of intent and associated maps

Attachment B: The Marketplace, Replat 3 final plat

Attachment C: Copy of Resolution No. 07-27, adopted on January 8, 2007

Surveyor: Ehrhart Griffin & Associates – Bill White – 142 W. Broadway, Council Bluffs, IA 51503

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



CHRISTOPHER GIBBONS
COUNCIL BLUFFS COMMUNITY DEVELOPMENT
CITY HALL
209 PEARL
COUNCIL BLUFFS, IA 51503

Re: The Marketplace on South 24th Street

July 18, 2018

Honorable Mayor, City Council Members, Planning Commission Members and Director and Planners of Community Development,

During the last several years the commercial retail environment has been transitioning in regards to space ownership and development investment. Primarily in the medium to small retail box environment. More businesses desire to own their space or several small spaces instead of leasing.

As "The Marketplace" was developed in a time with a different ownership environment, we see the need to adapt as well as possible in order to compete with in today's market. We are proposing to take a segment of the planned adjoining buildings and divide them into separate lots. These lots will contain one to three individual commercial bays. These lots will start roughly 20 feet or more west of the existing structures and extend easterly to the easternmost boundary line of the original development. We will be replatting two very large lots into six lots. Five lots will be "marketable" retail lots. The sixth, will hold a majority of the circulation, parking and drainage for the entire campus.

The general layout and concept remains, for the most part, unchanged. However, we need to define smaller lots around several of the existing attached small box units to accommodate this new ownership environment. To accomplish this, we need to make several structural and textual agreement changes.

The physical changes are: we must construct additional interior walls and address openings between units we wish to place property lines between. The current building and fire codes specify certain conditions and ratings that the walls, as constructed, do not meet when it comes to division by property lines. The construction plans to remedy this have been submitted, and as of the writing of this letter, nearly through the review/approval process. We have a contractor ready to start the renovations.

The textual changes are to the R.E.I. between existing and future owners within the development. Other changes are to the agreement initially drafted with the City of Council Bluffs in 2006 and passed as Resolution 07-27. A majority of those items and subitems within the resolution will not be amended. Those items being amended will only be changed to affect these specific new lots, and not the rest of the properties comprising the balance of the campus. The new lots needing these amendments are in a proposed subdivision replat. They are lots 1 through 5, inclusive of The Marketplace Replat 3. There is a sixth lot in this replat, however, it contains only circulation, parking and drainage, and no areas reserved for building construction.

Below is a detailed explanation of the amendments we are requesting. Again, other than these few items, the new configuration of this portion of the campus is subject to all other previous agreement language, including access, parking and signage, relevant to only this campus "The Marketplace".

In Resolution 07-27, amendments to:

Section 2, Item "G" – 10% of each lot must be landscaped. As constructed, proposed lots 1, 2, 4 and 6 meet this requirement. New construction on lot 3 will adhere to this requirement. However, Lot 5 as proposed around existing construction does not meet this requirement. It will contain approximately 4.5%. Campus-wise, there is no change. Only that a small landscaped area is being confined within proposed Lot 5.

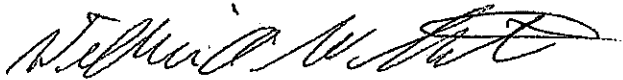
Section 2, Item "I" – 6 feet deep (wide) landscaped area adjacent to all buildings. In these proposed lots, there are existing landscaped areas. These areas are not adjoining the existing buildings but are along the curb line near the front of each lot and structure. The only deviation from the verbiage in the original Resolution is that new construction will mimic the existing pattern of construction for the landscaped areas. The existing landscaped areas are within the confines of the proposed lots.

Section 4, Item "A" – Setbacks. The current front setback of 20 feet and the rear setback of 15 feet, will remain unchanged. The side setbacks for these proposed 5 lots will be changed to allow for 0 (zero distance) feet, or adjoining buildings.

Section 4, Item "H" – Structure Coverage. The original building-to-lot coverage was limited to 40% of the lot area. The coverage we are requesting for the proposed lots 1 through 5, with and without existing structures, is 50%. This does not reflect a change in the coverage for the campus as-a-whole, only how we have defined the proposed lot lines.

Section 5, Item "B" – Shared Parking & Driveways. The original platting established ingress/egress easements throughout the development for proper campus circulation. The cross-parking agreements are handled within the current, and soon to be amended R.E.I. No changes to the circulation or parking conditions are proposed.

Thank you for your time and the consideration of this request.



Bill White, Ehrhart Griffin & Associates
For: Legacy CB LLC
Heather Trower, CCIM
Chief Development Officer
Legacy Development

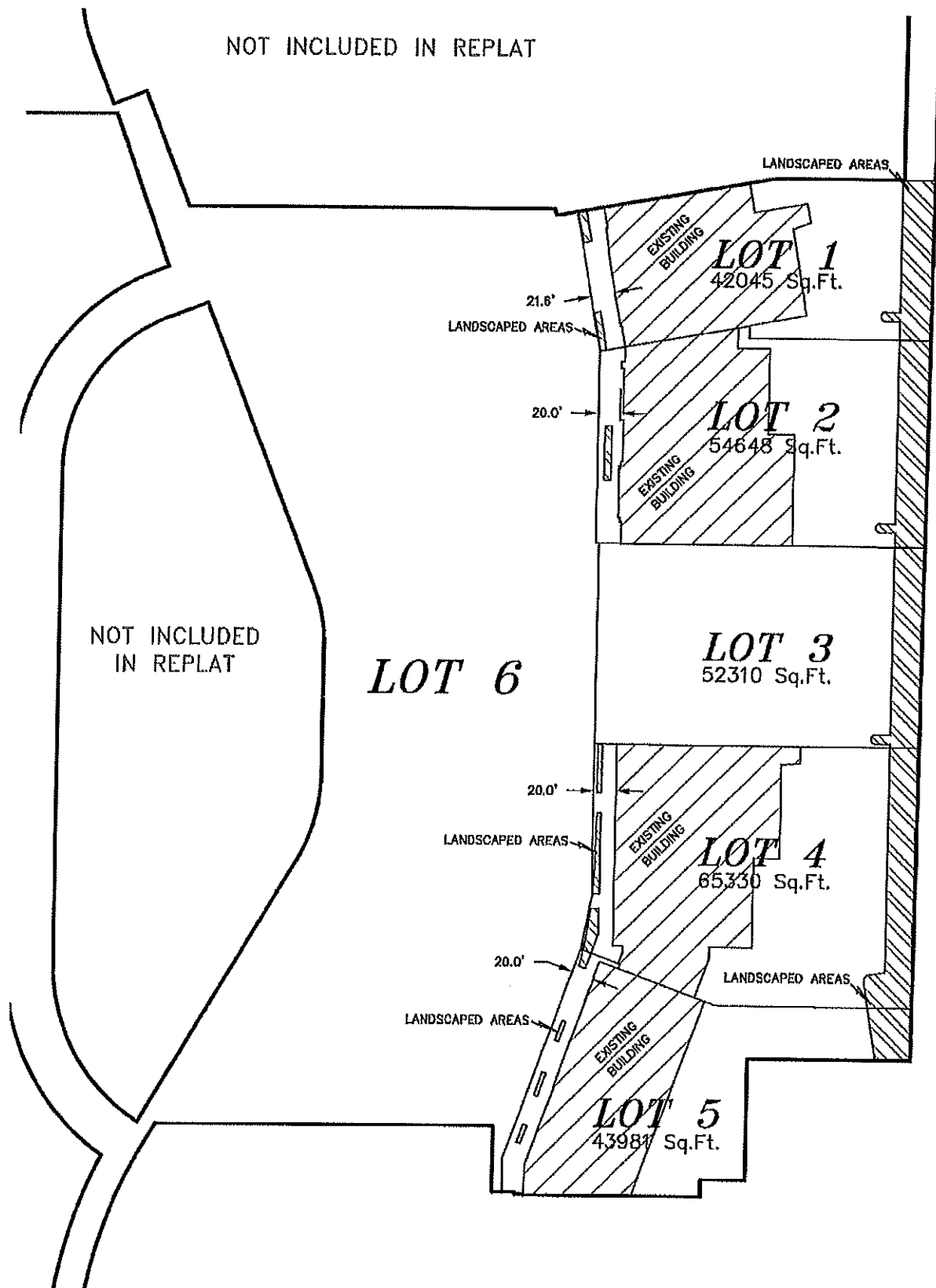
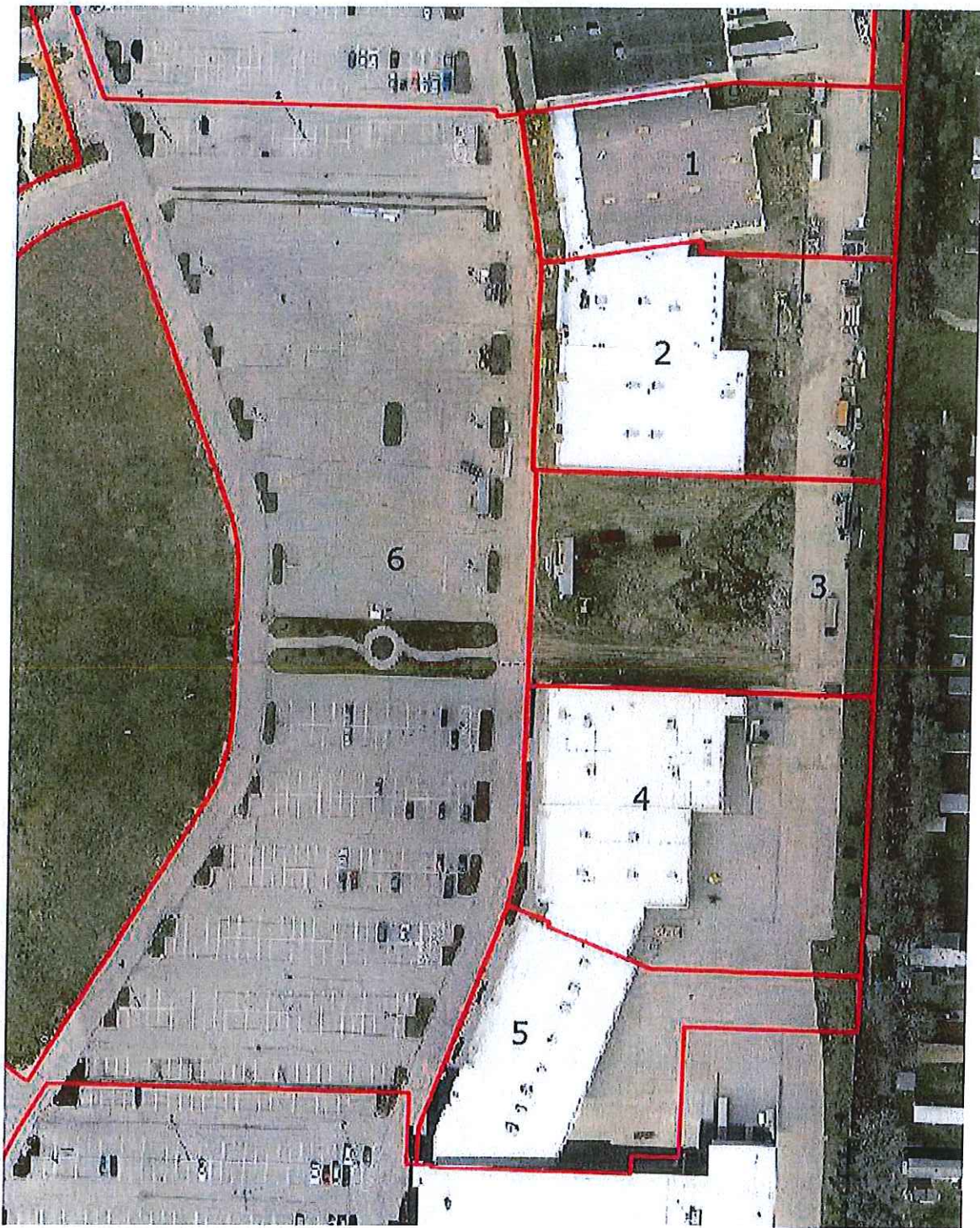


EXHIBIT "B"



EXHIBIT "C"



CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASES #SUB-18-010 & PC-18-001 LOCATION/ZONING MAP

Map Legend

- CASES #SUB-18-010 & PC-18-001 Subject Property
- Parcels

0 200 400
 1 Inch = 400 Feet

2016 Aerial Photograph



Note: Subject properties are highlighted in red.



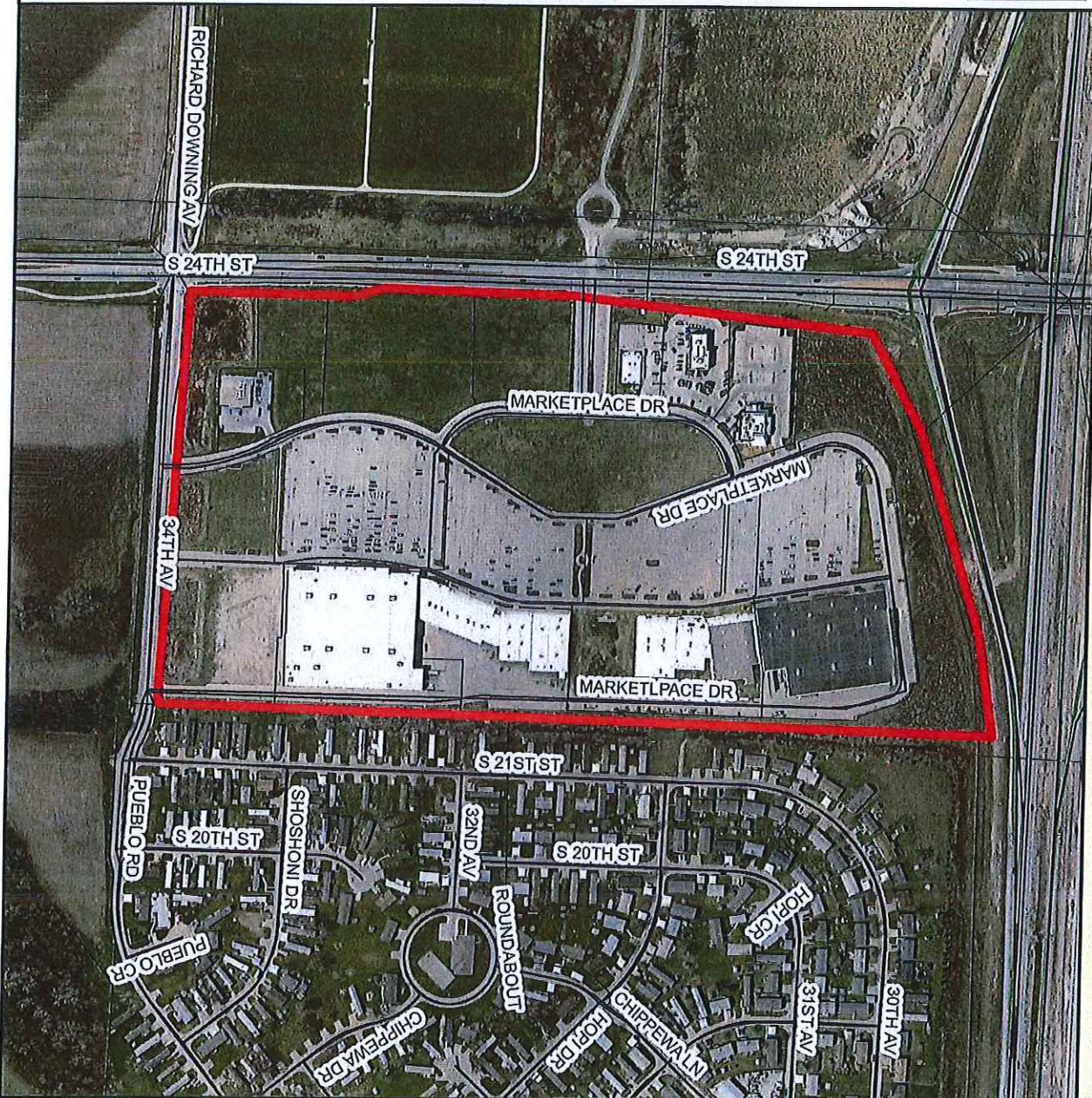
Last Amended: 7/19/18



Council Bluffs Community
 Development Department
 209 Pearl Street
 Council Bluffs, IA 51503
 Telephone: (712) 328-4629

DISCLAIMER

This map is prepared and published for informational purposes only. It is not intended to be used as a legal document. The City of Council Bluffs is not responsible for any errors or omissions on this map. The City of Council Bluffs is not responsible for any damages or losses resulting from the use of this map. The City of Council Bluffs is not responsible for any actions taken based on this map. The City of Council Bluffs is not responsible for any actions taken based on this map.



THE MARKETPLACE REPLAT 3

CONTAINING LOTS 1, 2, 3, 4, 5 AND 6,
BEING A REPLAT OF LOTS 1 AND 2,
THE MARKETPLACE REPLAT 2,
POTTAWATTAMIE COUNTY, IOWA

LEGAL DESCRIPTION:

THE MARKETPLACE REPLAT 3, CONTAINING LOTS 1, 2, 3, 4, 5 AND 6, BEING A REPLAT OF LOTS 1 AND 2, THE MARKETPLACE REPLAT 2, AS SURVEYED, PLATTED AND RECORDED IN POTTAWATTAMIE COUNTY, IOWA, CONTAINING 10.5042 ACRES (000,042 S.F.), MORE OR LESS.

STANDARD UTILITY EASEMENTS

ALL UTILITY EASEMENTS WERE PREVIOUSLY DESIGNATED ON THE ORIGINAL PLAT "THE MARKETPLACE" AND ARE EITHER SHOWN OR NOTED HEREON OR ON SHEETS 2 OR 3 OF THIS SUBDIVISION PLAT.

SURVEYOR'S NOTES:

1. ALL LOT LINES ARE NON-RAMAL, TO CURVED STREET LINES UNLESS NOTED.
2. DISTANCES SHOWN ALONG A CURVE ARE ARC DISTANCES UNLESS NOTED OTHERWISE.
3. 5/8" X 30" (IRON PINS) WITH ALUMINUM CAPS STAMPED #11416 HAVE BEEN SET AT THE CORNERS OF ALL LOTS, STREETS, ADJACENT POINTS AND THE TERMINAL POINTS OF ALL CURVES. ALSO CUT "X" IN THE CENTER OF ALL CUR-DE-SACS.

CERTIFICATIONS AND APPROVALS

WE HEREBY CERTIFY THE FOLLOWING DOCUMENTS WILL BE RECORDED WITH THE POTTAWATTAMIE COUNTY RECORDER CONTEMPORANEOUS WITH THE FINAL PLAT:

- A. ALL PRIVATE RESTRICTIONS AND/OR COVENANTS, (THE PROPERTY HEREON IS SUBJECT TO EXISTING COVENANTS AND RESTRICTIONS.)
- B. STATEMENT OF MORTGAGE HOLDER, IF ANY, THAT THE PLAT IS PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE MORTGAGE HOLDER, AND ISSUED A PARTIAL RELEASE FOR ALL AREAS CONVEYED TO THE GOVERNING BODY OR DEDICATED TO THE PUBLIC.
- C. TITLE OPINION LETTER OF ATTORNEY.
- D. CERTIFIED RESOLUTION OF EACH GOVERNING BODY AS REQUIRED BY IOWA CODE SEC. 354.0

WE HEREBY CERTIFY THAT WE WILL MEET ALL EQUAL OPPORTUNITY AND FAIR MEETING OBJECTIVES CONSISTENT WITH FEDERAL, STATE AND LOCAL GUIDELINES.

LEGACY ON FILE DATE

COMMUNITY DEVELOPMENT

APPROVED BY DIRECTOR, COMMUNITY DEVELOPMENT, BRANDON GARETT DATE

CITY COUNCIL:

APPROVED BY MAYOR, MATTHEW J WALSH DATE

ATTESTED TO BY:

CITY CLERK, JON QUAKERBUSH DATE

CERTIFICATE OF TREASURER OF POTTAWATTAMIE COUNTY, IOWA

I, THE TREASURER OF POTTAWATTAMIE COUNTY, IOWA, HEREBY CERTIFY THAT THE PROPERTY INCLUDED IN THE MARKETPLACE REPLAT 2, IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

TREASURER OF POTTAWATTAMIE COUNTY, LEA A. VOSS DATE

GENERAL INGRESS/EGRESS AND CIRCULATION EASEMENTS, AND ELECTRICAL AND OTHER WIRE TRANSMISSION UTILITIES EASEMENTS

ADDITIONAL EASEMENTS FOR GAS, WATER, STORM AND SANITARY SERVICES CAN BE FOUND ON SHEET 2 AND 3 OF 3

EASEMENT KEY

SHEET 1 OF 3 ONLY

- ELECTRICAL, TELECOMM, CTV, & OTHER WIRE TRANSMISSION
- GENERAL INGRESS/EGRESS & CIRCULATION
- SON EASEMENT

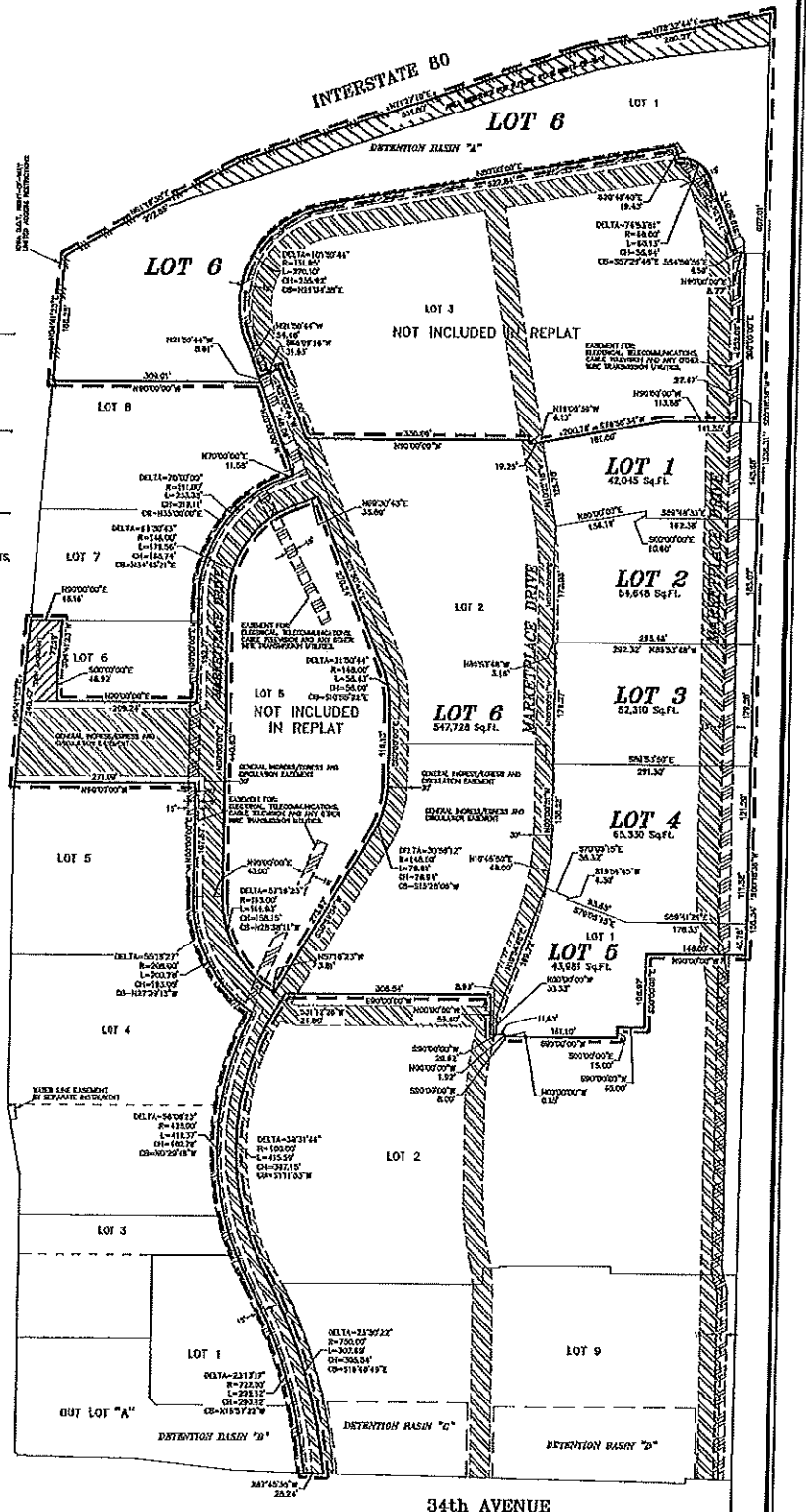


LAND SURVEYOR'S CERTIFICATE

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

MARK E. EHRHART
LICENSE NO. 11416
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2019.
PAPER OR SHEETS COVERED BY THIS SEAL:
SHEETS 1, 2 AND 3 OF 3

DATE:



THE MARKETPLACE REPLAT 3 FINAL PLAT COUNCIL BLUFFS, IOWA

**EHRHART
GRIFFIN &
ASSOCIATES**

142 West Broadway
Suite 136
Council Bluffs, IA 51503
712 / 258-0248

- ENGINEERING
- PLANNING
- LAND SURVEYING

REVISIONS			
NO.	DESCRIPTION	DATE	BY

DESIGNED BY: DRAWN BY: WAW	CHECKED BY: DATE: 7/13/18	CREW:
PROJECT NO. EGAT171248	SHEET NO. 1 OF 3	

CONTAINING LOTS 1, 2, 3, 4, 5 AND 6,
BEING A REPLAT OF LOTS 1 AND 2,
THE MARKETPLACE REPLAT 2,
POTTAWATTAMIE COUNTY, IOWA

[illegible]

KNOW ALL PEOPLE OF THESE PRESENTS: THAT LEGACY CB LLC BEING THE SOLE OWNER AND PROPRIETOR OF THE LAND DESCRIBED IN THE LEGAL DESCRIPTION AND EMBRACED WITHIN THIS PLAT, HAS CAUSED, WITH OUR FREE CONSENT AND IN ACCORD WITH OUR DESIRE, THE SAME TO BE SUBDIVIDED INTO LOTS AS SHOWN AND TO BE KNOWN AS

THE MARKETPLACE REPLAY 3

CONSISTING OF LOTS 1, 2, 3, 4, 5 AND 6.

AND SAID LEGACY CB LLC DOES HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT AND SAID LEGACY CB LLC DOES NOTE THAT ALL LOTS (1, 2, 3, 4, 5 AND 6) ARE SUBJECTED TO ALL EASEMENTS AND CONDITIONS AS DEDICATED AND RECORDED WITH THE ORIGINAL SUBDIVISION PLAT "THE MARKETPLACE" (BOOK 2007, PAGE 011286). FOR CLARITY, EASEMENTS ARE GROUPED AND SHOWN ON SHEETS 1, 2 AND 3 OF 3.

EASEMENTS AND CONDITIONS REFERENCED ARE AS FOLLOWS BUT NOT LIMITED TO:

ERECTOR OF STRUCTURES PROHIBITED: LEGACY CO LLC, OR ITS SUCCESSORS OR ASSIGNS SHALL NOT ERECT ANY STRUCTURE OVER OR WITHIN THESE EASEMENT AREAS WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER.

CHANGE OF GRADE PROHIBITED: LEGACY CB LLC, OR ITS SUCCESSORS OR ASSIGNS SHALL NOT CHANGE THE GRADE ELEVATION, OR CONTOUR OF ANY PART OF THESE EASEMENT AREAS WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER.

RIGHT OF ACCESS: CITY SHALL HAVE THE RIGHT OF ACCESS TO THE EASEMENT AREAS AND HAVE ALL RIGHTS OF INGRESS AND EGRESS REASONABLY NECESSARY FOR THE USE AND ENJOYMENT OF THE EASEMENT AREAS AS HEREIN DESCRIBED.

REMOVAL AND REPLACEMENT: THE COST OF REMOVAL AND REPLACEMENT OF ANY UNAUTHORIZED IMPROVEMENT OR STRUCTURES WITHIN THE EASEMENT AREAS, NECESSITATED BY THE EXERCISE OF THE RIGHTS UNDER THIS DEDICATION, SHALL BE BORNE BY THE SAID LEGACY CB LLC OR IT'S SUCCESSORS OR ASSIGNS.

SURFACE RESTORATION: CITY'S LIABILITY TO RESTORE THE SURFACE WITHIN THE EASEMENT AREAS SHALL BE LIMITED ONLY TO GRADING AND SEEDING.

DUTY TO REPAIR: CITY AGREES THAT ANY DRAIN TILE, DRIVE OR ACCESS WAY, FENCE, YARD OR OTHER IMPROVEMENTS OUTSIDE OF THE EASEMENT AREAS WHICH MAY BE DAMAGED AS A RESULT OF ANY ENTRY MADE THROUGH AN EXERCISE OF THE CITY'S RIGHT OF ACCESS, SHALL BE REPAIRED AT NO EXPENSE TO THE SAID LEGACY CB LLC IT'S SUCCESSORS OR ASSIGNS.

EASEMENTS RUN WITH THE LAND: THESE EASEMENTS SHALL BE DEEMED TO RUN WITH THE LAND AND SHALL BE BINDING ON LEGACY CB LLC, OR IT'S SUCCESSORS OR ASSIGNS.

IN WITNESS WHEREOF WE DO HEREUNTO SET OUR HANDS,

THIS _____ DAY OF _____ 20__ A.D.

FOR: LEGACY CB LLC

ACKNOWLEDGEMENT TO DEDICATION

STATE OF

COUNTY OF _____

ON THIS _____ DAY OF _____, 20____,
BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY, PERSONALLY CAME,

AS MEMBER OF LEGACY CH LLC, PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE ABOVE DEDICATION, AND HE/SHE ACKNOWLEDGES THE EXECUTION THEREOF TO BE HIS/HER VOLUNTARY ACT AND DEED AS SUCH MEMBER, AND VOLUNTARY ACT AND DEED OF SAID LEGACY CH LLC.

WITNESS MY HAND AND NOTARIAL SEAL AT _____

NOTARY PUBLIC

DATE _____



NORTH
SCALE 1" = 120'

GENERAL INGRESS/EGRESS AND
CIRCULATION EASEMENTS, AND
WATER AND GAS EASEMENTS

ADDITIONAL EASEMENTS FOR
GENERAL INGRESS/EGRESS AND
CIRCULATION EASEMENTS, AND
ELECTRICAL AND OTHER WIRE
TRANSMISSION UTILITIES
EASEMENTS CAN BE FOUND ON
SHEET 1 AND 3 OF 3

EASEMENT KEY
SHEET 2 OF 3 ONLY

GENERAL

GENERAL INGRESS/EGRESS &
CIRCULATION

 WATER & GAS

FINAL PLAT
COUNCIL BLUFFS, IOWA


**EHRHART
GRIFFIN &
ASSOCIATES**

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

- ENGINEERING
- PLANNING
- LAND SURVEYING

REVISIONS				DESIGNED BY:	CHECKED BY: WAW
NOL	DESCRIPTION	DATE	BY	DRAWN BY: WAW	DATE: 7/13/18 CREW:
				PROJECT NO.	SHEET NO.
				EGA171248	2 OF 3

THE MARKETPLACE REPLAT 3

CONTAINING LOTS 1, 2, 3, 4, 5 AND 6,
BEING A REPLAT OF LOTS 1 AND 2,
THE MARKETPLACE REPLAT 2,
POTTAWATTAMIE COUNTY, IOWA

PREVIOUSLY DEDICATED EASEMENTS



NORTH
SCALE 1" = 40'

SANITARY SEWER, STORM
SEWER AND DETENTION
EASEMENTS

ADDITIONAL EASEMENTS FOR
GENERAL INGRESS/EGRESS
AND CIRCULATION
EASEMENTS, AND ELECTRICAL
AND OTHER WIRE
TRANSMISSION UTILITIES
EASEMENTS CAN BE FOUND
ON SHEET 1 AND 2 OF 3

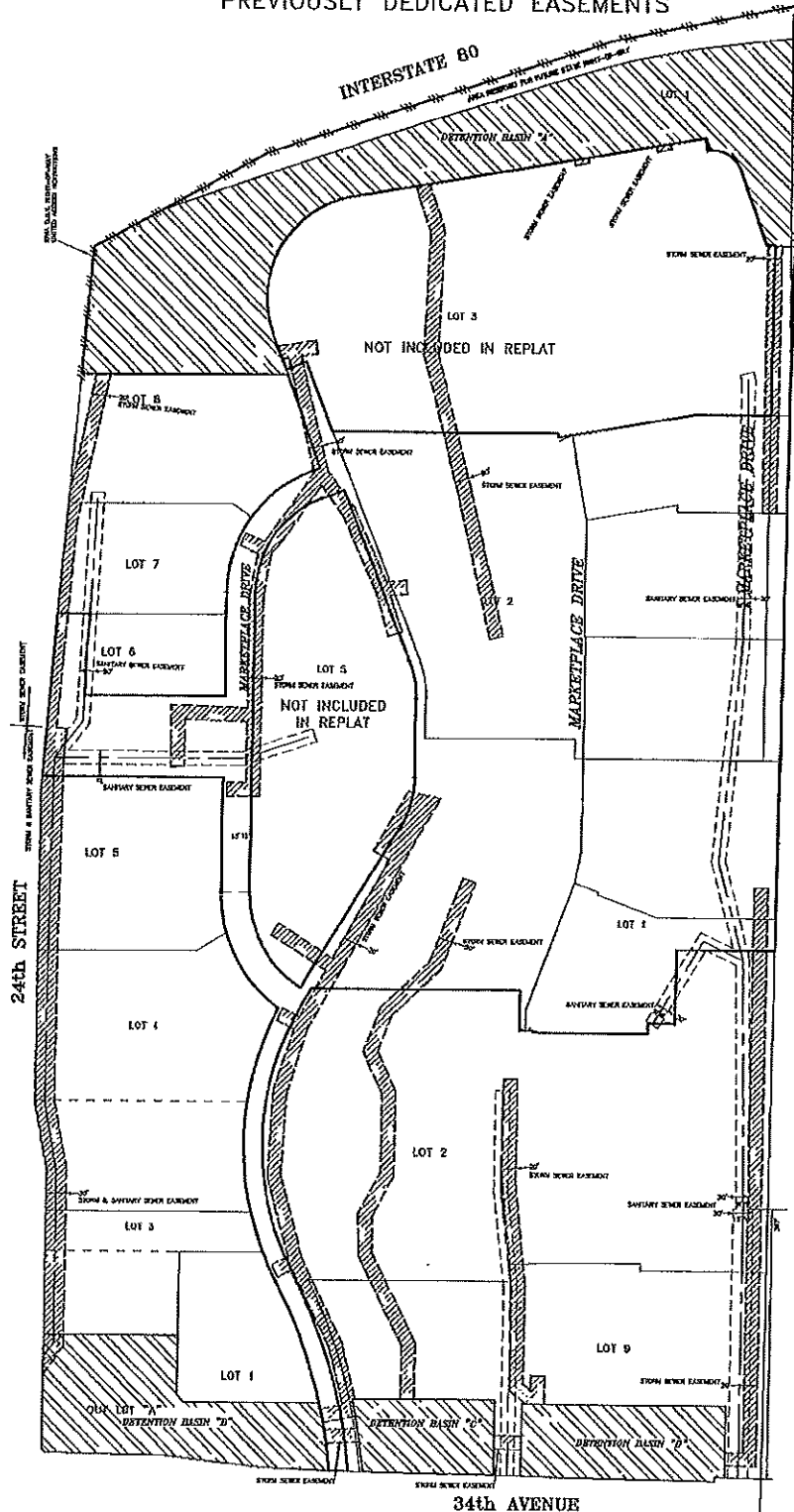
EASEMENT KEY

SHEET 3 OF 3 ONLY

ELECTRICAL, TELEPHONE, CTV,
& OTHER WIRE TRANSMISSION

SANITARY SEWER EASEMENTS

STORM SEWER EASEMENTS
OR AS NOTED



THE MARKETPLACE REPLAT 3 FINAL PLAT COUNCIL BLUFFS, IOWA



EHRHART
GRIFFIN &
ASSOCIATES

142 West Broadway
Suite 138
Council Bluffs, IA 51503
712 / 256-5248

• ENGINEERING
• PLANNING
• LAND SURVEYING

REVISIONS

NO.	DESCRIPTION	DATE	BY

DESIGNED BY:

DRAWN BY: WAW

DATE: 7/13/18

PROJECT NO.
EGA171248

CHECKED BY: WAW

CREW:

SHEET NO.
3 OF 3

R Fee 16⁰⁰ **000667**

COMPARED

A Fee —

T Tax —

RESOLUTION NO. 07-27

A RESOLUTION to approve the Planned Commercial Development Plan for The Marketplace – Council Bluffs.

WHEREAS, Magnum Development Corporation is requesting adoption of a planned commercial development plan for 49 acres located along the east side of South 24th Street between I-80 right-of-way and 34th Avenue; and

WHEREAS, Magnum Development Corporation has a contract to purchase this property with the intent to build approximately 389,731 square feet of retail space; and

WHEREAS, the subject property is zoned Planned Commercial and is within the RO/Recreation-Tourism Overlay District. The current zoning is consistent with the proposed development; and

WHEREAS, the appropriate City departments and utilities have reviewed the plan; and

WHEREAS, the Community Development Department recommends approval of the Planned Commercial Development Plan for The Marketplace – Council Bluffs, subject to the following:

1. Adoption of the general principles in the Tenant Criteria Handbook, revised 9-07-06, except as modified by City action in conjunction with the subdivision plan, commercial development plan, development agreement or other pertinent document.
2. Approval of the concept landscape plan, as submitted, with the following additions and modifications:
 - A. During construction and prior to installation of the landscaping, weeds shall be controlled consistent with both City and State requirements.
 - B. A specific landscaping plan shall be part of every building permit application. The plan shall include the irrigation system and planting schedule, the species list with number and location of all plant material within a dimensioned site plan. The plan will be reviewed for consistency with the concept plan. Landscaping shall be installed prior to issuance of a Certificate of Occupancy for the lot.
 - C. Not more than 10% of the landscaped area in each lot in the subdivision shall be of inorganic material, brick, stone, aggregate, metal or artificial turf. Organic mulch may be used around trees and shrubs.
 - D. Landscaping shall not interfere with the vision of any motorized vehicle at any intersection or pedestrian way.
 - E. Additional trees and shrubs are required in the Lot 1 parking area. Landscaping shall be incorporated into the modifications needed for better pedestrian connections throughout the shopping area, to create views and minimize traffic conflicts.
 - F. All trees shall be at least 2" diameter or greater when planted. A medium height/size tree shall be planted on both sides of private streets within the development, forty feet on center. A medium height/size tree shall be planted along the north and south side of Richard Downing Avenue thirty feet on center. These requirements are in addition to the landscaping shown on the development plan.
 - G. Not less than 10% of the total lot area shall be landscaped with trees, shrubs and other plant material. All parking lot islands included in the site shall be planted with trees and vegetation.
 - H. A minimum of one tree shall be planted on each lot for every 10 parking spaces located on the lot.
 - I. A strip of landscaping averaging at least six feet in depth shall be located adjacent to all buildings with the exception of the entrance areas.
 - J. All landscaping areas, including grasses and sodded areas, shall be irrigated.

Putnam County, IA 2007-011220
Recorder John Stoltz
Book Page: 2007-011220
File Time: 07/18/2007 8:08:57:01 AM



9481

9N-2

- K. Existing landscaping and tree plantings along South 24th Street shall be maintained and extended consistent with the adopted plan.
3. Signage. The developer included signage design criteria in the "Tenant Criteria Handbook". Attached signage is categorized by building size and function as noted above. Specific signage limits are defined below.
- A. Signage, except for addressing and service entrance information will not be allowed on the east side of the in-line strip.
 - B. Anchor tenant – Attached – building above entrances – 72" max height, maximum of 10% of the front facade. Detached signage is not permitted.
 - C. Major tenant – Attached – building above entrances – 60" max height, not to exceed 10% of the front building facade. Detached signage is not permitted.
 - D. Prior to making application for final plat approval, the final landscape plan must be submitted to the Planning Commission and City Council for consideration as an amendment to the initial development plan.
 - E. Pad Site tenant (lots 4 through 10) – Attached – building above entrance, rear or side facade – 36" maximum height – not to exceed 10% of the street facade with a maximum of one sign per facade, not to exceed three signs. Maximum sign area shall not exceed one and one-half times the street frontage of each lot. Marquee signs are not allowed. Detached signage shall be limited to one monument sign per lot with a maximum height of 10 feet. The entire monument shall be counted as signage as measured from the existing finish grade to the top of the monument and from one side of the monument structure to the other with a maximum area on each side not to exceed 100 square feet per face.
 - F. Small shop (Lifestyle) tenant – Attached – Placed on sign band above entrance, rear or side facade (if an end cap) on building, 36" maximum height not to exceed 15% of the building facade. Blade signs – one per storefront, in lieu of a wall sign, seven sf maximum with 6' tall letters. Detached signs – "Life Style" Retail Center – one multi-tenant (double faced permitted), not to exceed 10 feet in height or 100 square feet per face.
 - G. On-site directional signage shall not exceed six feet as measured from the natural grade with a maximum of 4 square feet per sign face, not to exceed a total of eight square feet per sign.
 - H. One center sign shall be allowed. Height, size and location will be determined upon review and approval of an amendment to the signage plan. Additional amendment to the signage plan may also be necessary for the detached signage at the "Lifestyle" retail space to make effective use of signage to direct visitors to the area they wish to visit and to assure compatibility with the entire site.
4. Site Development.
- A. Minimum setback requirements for all structures shall be: Front 20 feet, rear 15 feet, interior side 10 feet, and street side 15 feet.
 - B. South 24th Street shall be the front yard of Lots 3 through 10.
 - C. The maximum height of any building, structure or decorative feature shall not exceed 45 feet or three stories.
 - D. All trash receptacles shall be enclosed on three sides and screened from view with materials similar to those of the primary building. The enclosures shall have a lockable gate which, when closed completely, eliminates any view of the dumpster.
 - E. All loading areas shall be screened from public view including all rights-of-way by a combination of architectural treatments and/or landscaping which after three years shall significantly screen the loading area from view.
 - F. Building exteriors shall be made of 100% masonry materials such as brick, split faced block or concrete masonry units (with texture) or stucco type material. Metal shall only be allowed as an architectural accent. Twenty percent (20%) of the buildings front facade or other street
- 9N-2

facing facade shall be made of brick. No flat faced concrete block shall be allowed except for the rear wall of the building when it is not visible from a public or private space or right-of-way. Wood or wood-appearing siding may be an acceptable exterior material only for buildings less than 10,000 square feet (based on floor area). Vinyl siding is not allowed.

G. Awnings or other decorative features may be allowed on the facade of a building and must be at least nine feet above the pedestrian walkways and may not project over drive aisles or parking areas.

H. No more than 40% of any lot shall be covered with structures. Outside storage is not allowed. This includes the temporary and/or permanent placement of inter-modal storage containers.

I. Access to the rear of each building for fire department equipment shall be provided in accordance with the requirements of the Fire Marshall's office.

5. Parking.

A. The minimum number of parking spaces shall be determined by Chapter 15.23 Off-Street Parking, Loading and Unloading. In cases where several uses occupy a structure or parcel of land, the total requirement for off-street parking shall be the sum of the requirement of the different uses.

B. The developer shall be responsible to develop cross access and ingress/egress easements to be recorded with the final plat to accommodate shared parking and driveways.

C. Each request for a building permit will include a parking lot plan showing the number, location, and dimension of all drive aisles and spaces, pedestrian ways, islands, landscaped areas, loading areas, and lighting.

D. All parking areas will be paved and curbed.

E. All parking areas shall comply with ADA requirements.

6. Lighting.

A. All exterior lighting on private roadways and parking lots within the development shall be of a consistent type, finish and design of painted or finished aluminum or steel. Wood poles shall not be allowed. The maximum height shall not exceed 40 feet.

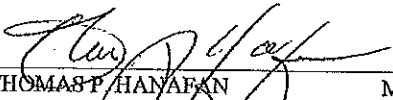
B. Streetlight type and location within the public right-of-way shall be as determined by the Public Works Department.

WHEREAS, the Planning Commission concurs with the Community Development Department recommendation.

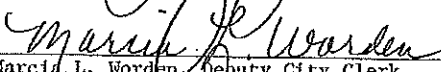
NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:

That the Planned Commercial Development Plan for The Marketplace -- Council Bluffs is hereby approved, subject to the conditions set forth above.

ADOPTED
AND Jan. 8, 2007
APPROVED


THOMAS P. HANAFAN Mayor

Attest:



Marcia L. Worden, Deputy City Clerk


9N-2

Planning Case No. PC-06-005

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASES #SUB-18-010 & PC-18-001 LOCATION/ZONING MAP

Map Legend

 CASES #SUB-18-010 & PC-18-001 Subject Property

 Parcels

0 200 400
1 Inch = 400 Feet

2016 Aerial Photograph



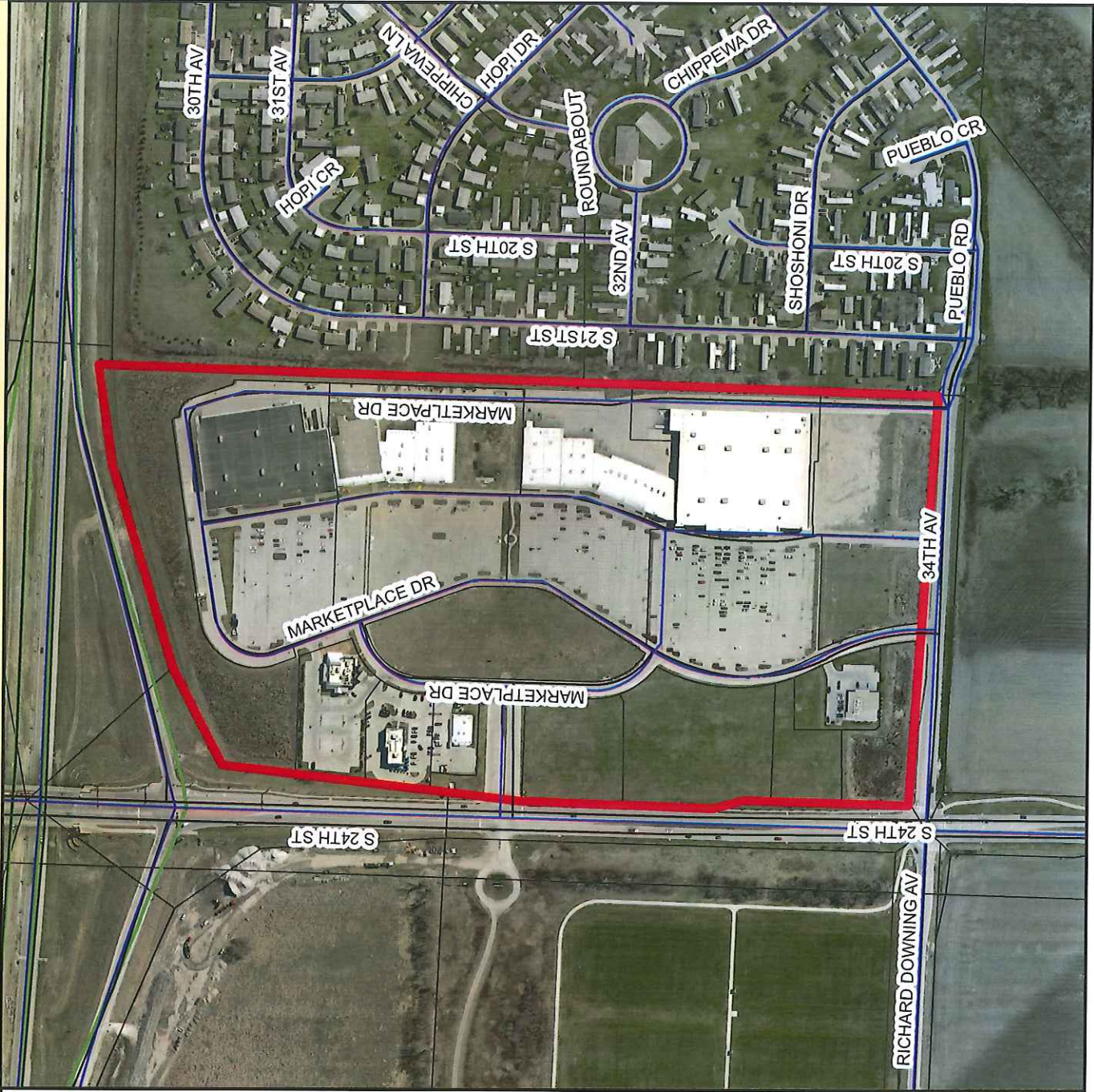
Note: Subject properties are highlighted in red.



Last Amended: 7/19/18

DISCLAIMER
This map is provided for informational purposes only. The City of Council Bluffs does not warrant the accuracy or completeness of the information contained herein. The City of Council Bluffs is not responsible for any errors or omissions in this map. The user should verify the information on this map before using it. The City reserves the right to modify this map at any time without notice.

Council Bluffs Community
Development Department
209 Pearl Street
Council Bluffs, IA 51503
Telephone: (712) 328-4629



RESOLUTION NO. 18-258

A RESOLUTION AMENDING THE PLANNED COMMERCIAL DEVELOPMENT PLAN FOR THE MARKETPLACE SUBDIVISION, RELATIVE TO LANDSCAPING, BUILDING SETBACKS, LOT COVERAGE, AND SHARED PARKING/DRIVEWAYS FOR PROPOSED LOTS 1-6, THE MARKETPLACE, REPLAT 3.

WHEREAS, Legacy CB, LLC, is requesting approval for an amendment to the adopted Planned Commercial Development Plan for The Marketplace Subdivision relative to landscaping, building setbacks, lot coverage, and shared parking/driveways for proposed Lots 1-6, The Marketplace, Replat 3; and

WHEREAS, The purpose of these amendments is to establish design standards for landscaping, building setbacks, and building lot coverage that are compatible and proportional to the new lots being created because of The Marketplace Replat 3. The proposed amendments to Resolution 07-27, are as follows:

- 1) Reducing the percentage of required landscaping from 10% to 4.5% for proposed Lot 5, The Marketplace Replat 3 (Section 2, Item “G”)
- 2) Changing of the location of where the required six foot-wide strip of landscaping can be placed on proposed Lots 1 through 5, The Marketplace Replat 3 (Section 2, Item “I”)
- 3) Reducing the side yard setbacks from 10 feet to 0 feet for proposed Lots 1 through 5, The Marketplace, Replat 3 (Section 4, Item “A”)
- 4) Increasing the lot coverage from 40% to 50% for proposed Lots 1 through 5, The Marketplace Replat 3 (Section 4, Item “H”)
- 5) Clarifying that cross access ingress/egress easements were established on The Marketplace Subdivision final plat (Book 2007, Page 011286) to accommodate shared parking and circulation throughout the development; and

WHEREAS, The Community Development Department recommends approval for the proposed amendments to the adopted planned commercial development plan of The Marketplace Subdivision, relative only to Lots 1 through 6, The Marketplace Replat 3, based on comments and conditions set forth, as follows:

- a. Approval to reduce the percentage of required landscaping from 10% to 4.5% for proposed Lot 5, The Marketplace Subdivision, Replat 3, as presented;
- b. Approval to allow the required six foot-wide strip of landscaping to be placed along the front property line, at the back of curb, on proposed Lots 1 through 5, The Marketplace Replat 3, as presented;
- c. Approval to reduce the side yard setbacks from 10 feet to 0 feet for proposed Lots 1 through 5, The Marketplace Replat 3, as presented;
- d. Approval to increase the maximum lot coverage from 40% to 50% for proposed Lots 1 through 5, The Marketplace Replat 3, as presented; and

- e. No action on the clarification statement that cross access and ingress/egress easements were established on proposed Lot 6, The Marketplace Replat 3 with the original Marketplace Subdivision final plat, as recorded in Book 2007, Page 011286.

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

That the amendment to the Planned Commercial Development Plan for The Marketplace Subdivision as shown above and in the attachments, is hereby approved.

ADOPTED
AND
APPROVED

August 27 2018.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

Department: Community Development
Case/Project No.: PC-18-002
Submitted by: Christopher Gibbons, Planning
Coordinator

Resolution 18-259

Council Action: 8/27/2018

Description

Resolution adopting the planned commercial development plan for property located in the North 1/2 of the SE1/4 of Section 10-74-44 and part of the NW1/4 of the SW1/4 of Section 11-74-44 and more particularly described on Attachment "A". Location: Southwest corner of the intersection of South 24th Street and Richard Downing Avenue. PC-18-002

Background/Discussion

See attachment.

Recommendation

ATTACHMENTS:

Description

[SUB-18-011 and PC-18-002 24 Park Place Staff Reort \(Revised\) Attach A thru H Resolution 18-259](#)

Type

Other

Resolution

Upload Date

8/17/2018

8/22/2018

Council Communication

<p>Department: Community Development</p> <p>Cases No. SUB-18-011 and PC-18-002</p> <p>Applicant/Developer: Royce Enterprises Inc. 12910 Pierce Street, Suite 110 Omaha, NE 68144</p> <p>Property Owners: C F Realty Group, LLC 6457 Frances Street, Suite 100 Omaha, NE 68106</p> <p>Frank R. Krejci Trust 1505 N. 203rd Street Elkhorn, NE 68022</p> <p>Engineer: Olsson Associates c/o Kellen Heideman 2111 S. 67th Street, Suite 200 Omaha, NE 68106</p>	<p>Resolution No.</p> <p>Resolution No.</p>	<p>City Council: August 27, 2018</p> <p>Planning Commission Meeting: August 14, 2018</p>
---	---	--

Subject/Title

Request: Combined public hearing on the request of Royce Enterprises, Inc. for preliminary plan approval of a 13-lot commercial subdivision and to adopt a planned commercial development plan for 24 Park Place

Location: Southwest corner of the intersection of South 24th Street and Richard Downing Avenue.

Background/Discussion

Royce Enterprises Inc. has requested preliminary plan approval of a 13-lot commercial subdivision to be known as 24 Park Place and concurrent adoption a planned commercial development plan on 47.02 acres of land located at the southwest corner of the intersection of South 24th Street and Richard Downing, on property legally described on Attachment 'A'. The applicant has a purchase agreement with the current property owner and proposes to develop the corner site with a new retail shopping center that will consist of an 185,000 square foot retail store (Fleet Farm), 88,000 square foot strip retail building, and seven lots for sale. A full description of the proposed 24 Park Place subdivision and development plan are included with this report as Attachment 'B'.

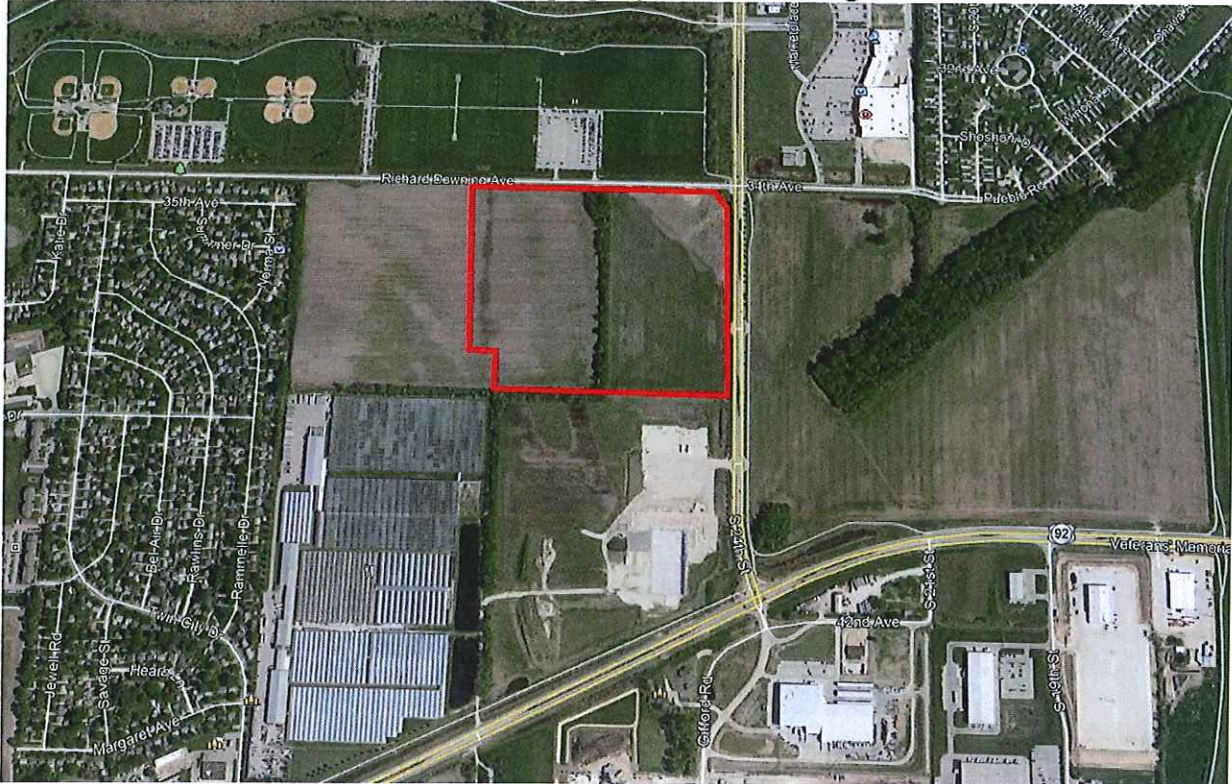
CURRENT ZONING & LAND USE

The subject property is comprised of 47.02 acres of undeveloped land zoned A-2/Parks, Estates and Agricultural District (see Attachment C). An application to rezone the property from A-2 District to P-C/Planned Commercial District is scheduled for public hearing the by Council Bluffs City Council on August 13, 2018 (see Case #ZC-18-009). Surrounding zoning in the general vicinity of the request

includes A-2 District to the north and west; P-C/Planned Commercial District and I-2/General Industrial District to the east; along with A-2 District and I-1/Light Industrial District to the south (see Attachment C). Existing land uses in the general vicinity of the request includes the Council Bluffs Recreational Complex to the north; Marketplace Shopping Center and undeveloped land to the east; Dallas Johnson Greenhouses and XTL project to the south; and undeveloped land to west.

The future land use plan of the Bluffs Tomorrow: 2030 Comprehensive Plan designated the subject property as Office/Industrial and High Density Multi-Family Residential. The proposed P-C District is consistent with the Office/Industrial designation but not the High Density Multi-Family Residential designation of the Bluffs Tomorrow: 2030 Comprehensive Plan

Exhibit A: 2017 aerial image of the subject property and surrounding area.



CITY DEPARTMENTS & UTILITIES

All City Departments, local utility providers and Iowa Department of Transportation have reviewed the plan with comments incorporated below.

COMMENTS

A. CASE #SUB-18-011 – Preliminary Plan (see Attachment D)

1. General

- a. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, 'but is deemed to be an authorization to proceed with the preparation of the final construction plans or performance guarantee and the final plat' (§14.11.060.04-Subdivision Ordinance). A final plat application for the first phase must be filed within one year of the date of action by the City Council. A request for extension may be made by the subdivider in writing prior to the expiration date. One-year extensions are considered by the City Planning Commission.

- b. The proposed subdivision is comprised of nine developable lots number 1 through 9 and four outlots labeled A through D. The applicant proposes to develop the subdivision in two phases. Proposed phase one includes Lot 1 and Outlots A and B. Proposed phase two includes Lots 2 through 9 and Outlots C & D. The applicant intends to start Phase 2 construction one all potential wetlands in the northeast corner of the site have been mitigated.

2. Access

- a. Access to the subdivision will be from Richard Downing Avenue and South 24th Street, which are public roadways. The main development entrance will be located at an existing median break on South 24th Street and will connect into two internal streets that provide access onto Richard Downing Avenue. The furthest west right-of-way connection, approximately 600 feet west of the Richard Downing Avenue and South 24th Street intersection, is proposed to be a full movement access. The second right-of-way connection located 300 feet west of the intersection of Richard Downing Avenue and South 24th Street is proposed to be right-in/right-out only. Proposed Lot 1, 24 Park Place will have a separate private driveway onto Richard Downing Avenue. All access connections onto Richard Downing Avenue and South 24th Street shall be designed and constructed to comply with Council Bluffs Public Works Department standards.
- b. Two internal streets are proposed with this subdivision and are labeled as Street 'A' and Street 'B'. The names for these two streets must be identified on the final plat. Additionally, the interior roads are identified to be 25 feet in width, which is substandard for a public roadway. Both roadways must be private if constructed at 25 feet in width, or increased to 26 feet in width to be dedicated to the City as a public roadway according to the Council Bluffs Public Works Department. If these roads will be public the appropriate easement dedication language must be stated on the final plat for 24 Park Place.
- c. There shall be no direct vehicular access to Richard Downing Avenue from Lots 2, 8 and Outlot D. Said restriction language shall be stated on the final plat for 24 Park Place.
- d. There shall be no direct vehicular access to South 24th Street from Outlots A, C, or D. Said restriction language shall be stated on the final plat for 24 Park Place.
- e. A draft traffic study for the proposed 24 Park Place subdivision identified that Richard Downing Avenue must be widened to a three-lane section. The Council Bluffs Public Works Department has received the traffic study and is working with the project engineer to finalize the report. All traffic improvements associated with the subdivision shall be constructed to comply with Public Works Department standards.

3. Grading and Drainage

- a. The subject property is relatively flat and sits approximately four feet below the intersection of South 24th Street and Richard Downing Avenue. The applicant's engineer has provided a preliminary drainage report and geotechnical report for the proposed subdivision to the City for review. The reports identifies that fill will be brought in to raise the site in order to achieve adequate fall for site utilities (e.g., sanitary and storm sewers). The site will graded to drain stormwater run-off into detention basins located in the center and southern sides of the development. These basins are identified as Outlots A through D. The Council Bluffs Public Works Department is working with the project engineer to finalize grading and drainage plans for this development. All grading and drainage activity for this development shall be completed in accordance with the approved final plans.
- b. All stormwater basins shall be dedicated to a development association on the final plat.
- c. The stormwater basin in Outlot B shall be designed and maintained as an amenity for the proposed development.

4. Utilities

- a. Sanitary sewer to serve the development will be extended from a connection in South 24th Street and will be built as part of the street construction. All public sanitary and storm sewer mains/extensions located outside of the public right-of-ways shall be located within a recorded, non-exclusive easement, at least 20 feet in width.
- b. The applicant will contract with the Council Bluffs Water Works to provide adequate water distribution for service and fire protection for the development.
- c. The applicant will contract with Mid-American Energy for electrical service for 24 Park Place. Mid-American Energy stated they have *"no objection to the referenced applications for the new shopping center to be known as 24 Park Place at the Southwest corner of the intersection of S. 24th Street and Richard Downing Avenue in Council Bluffs. The company has not entered into an agreement to extend electric service to the development at this time. Developer requirements will include but are not limited to furnishing a 15 foot utility easement along the route MidAmerican Energy facilities and furnishing and installing all UG conduits. A detailed proposal identifying the customer and company requirements and cost for extending electric service to the development can be prepared and submitted once specific plans and load information can be provided"*.
- d. The applicant will contract with Black Hills Energy for natural gas service and will provide the necessary easements to extend gas service into the development. No comments were received from Black Hills Energy regarding the proposed development proposals.
- e. The applicant will contract with a local communication provider to extend voice, data, and cable service into the development.
- f. All utilities within the proposed subdivision shall be installed underground. Any cost to extend, remove, relocate, and/or modify utilities associated with this development shall be at the sole expense of the applicant and not the City.
- g. The standard 10 foot-wide and five foot-wide franchise utility easements shall be established along all front, rear and side property lines for each lot on the final plat.

5. Floodplain and Wetlands

- a. The subject property is located within a property is located within a Zone X, as shown on the FEMA FIRM panel 19155C0560E, dated February 4, 2005. The applicant will be responsible for compliance with all Federal, State, and Local requirements regarding floodplain management.
- b. The submitted letter of intent stated that potential wetlands may be located in the northeast corner of the proposed development. The applicant shall be responsible to comply with all Federal, State, and Local requirements regarding jurisdictional wetlands of the United States Army Corps of Engineers area.

B. CASE #PC-18-002 – Development Plan (see Attachments E, F, G, and H)

1. Pedestrian Ways

- a. The applicant proposes installation of a five-foot wide sidewalk along each side of the newly constructed streets in the development as well as a five foot-wide sidewalk along the right-of-way Richard Downing Avenue and South 24th Street. The Council Bluffs Public Works Departments requires the sidewalks along Richard Downing Avenue and South 24th Street to be built within the City's right-of-way and for said sidewalks to be extended to all property lines in the development. The sidewalk at the intersection of Richard Downing Avenue and South 24th Street shall be configured to match the roadway build out condition.
- b. Each lot shall also have an identified pedestrian way, measuring a minimum of five feet wide, extending from the primary entrance area of each building to the nearest sidewalk located in right-of-way. The pedestrian way may be designed with pavement striping or change in paving

material or an approved alternative by the Director of the Community Development Department or his/her assignee. It is encouraged that the pedestrian connection be incorporated into the overall layout of each lot and that it may be complementary to the landscaping on each site.

2. Landscaping

- a. The applicant's submitted landscaping plan is included in this report as Attachment 'E'.
- b. A minimum 10 foot-wide landscape strip shall be provided along each side of proposed Street 'A' within the designated 50 foot-wide right-of-way. This street abuts proposed Lots 2, 3, 4, 5, 8, 9 and Outlots C & D. A medium height/size growing tree shall be planted on both sides of this street, within the designated right-of-way, every 40 feet on center at the time of road construction.
- c. A minimum five foot-wide landscape strip is shown to be provided along each side of property Street 'B' within the designated 50 foot-wide right-of-way. This street abuts proposed Lots 5 through 8 and Outlot D. A medium height/size growing tree shall be planted on both sides of this street, within the designated right-of-way, every 40 feet on center at the time of road construction.
- d. A minimum 35 foot-wide landscape strip shall be provided along the frontages of proposed Lots 1, 2, 8, and Outlot D abutting Richard Downing Avenue right-of-way. Landscaping within these areas shall be designed and installed with development on each said lot.
- e. A minimum 10 foot-wide landscape strip shall be provided along the frontages of Lots 2 through 9, adjacent to proposed Streets 'A' and 'B' right-of-way.
- f. Not less than 10% of the total lot area shall be landscaped with trees, shrubs, and other plant materials. All parking lot islands included in the design greater than 20' x 12' shall be planted with trees and vegetation. All landscape strips adjacent to any right-of-way area(s) shall be included as part of the 10% landscaping lot coverage requirement on each lot.
- g. A minimum of one tree shall be planted on each lot for every 10 parking spaces located on the lot.
- h. At least four square feet of landscaping per each lineal foot of building frontage shall be installed between the building front and interior drive(s).
- i. Landscaping shall not interfere with the sight clearance triangle and any un-signalized intersection and shall not impede vision of any automobile at the street, driveway, or pedestrian way. Plant material shall be complementary to that proposed for the landscaping strip adjacent to the right-of-way.
- j. All landscaped area including grassed and sodded areas shall be irrigated.
- k. A landscaping plan shall be part of every building permit application. The plan shall clearly identify plant materials, quantity, and size and shall show dimensions of all areas to be landscaped. All landscaping shall be appropriately maintained and dead plant material replaced at a time appropriate to planting season(s) but in all cases shall be replaced within one year.
- l. All parking lots shall have a strip five feet in width planted with grass or landscaped with plant material along the side and rear property lines, the requirement can be waived if two parking lots adjoin, however the net amount of green space required for each adjoining lot shall be incorporated into other areas on the shared parking lots. The five foot-wide strips may be included in the 10% landscaping lot coverage requirement.
- m. Not more than 10% of the landscaped area shall be of inorganic materials such as brick, stone, aggregate, metal or artificial turf. Organic mulch may be used around trees and/or shrubs.

3. Signage

- a. One center identification sign located within proposed Outlot D, adjacent to South 24th Street right-of-way, shall be allowed for the entire development. The sign shall have maximum height of 30 feet, as measured from the finished grade, and shall contain no more than 450 square feet of signage per face. The center identification sign submitted with this development proposal is generally acceptable in design, height, and size (see Attachment F).

- ~~b. On-site directional signage shall count toward the overall amount of signage permitted and shall be limited to a maximum height of six feet, as measured from finished grade, and shall be limited to a maximum of four square feet per sign face, not to exceed a total of eight square feet per sign.~~
- ~~c. Signage shall be allowed as follows:~~
 - ~~i. Lot 1 shall be allowed 25% of the square footage of the building façade facing the longest abutting street frontage for attached signage. Attached signage can be placed at any location on the building. Awnings are allowed as decoration, but no signage shall be allowed on an awning.~~
 - ~~ii. Lot 2 and Lots 4 through 9 shall be allowed 20% of the square footage of the building façade facing the longest abutting street frontage for attached signage. Attached signage can be placed at any location on the building. Awnings are allowed as decoration, but no signage shall be allowed on an awning. No pole or monument signs are allowed except for food menu boards and a convenience store price monument sign. The detached monument sign shall be limited to a maximum height of 10 feet, as measured from finished grade. The entire monument sign be counted as signage as measured from finished grade to the top of the monument and from one side of the monument structure to the other with a maximum area on each side limited to 100 square feet per whole face.~~
 - ~~iii. Lot 3 shall be allowed to occupy 80% of the overall length of frontage leased. No pole signs shall be allowed.~~

~~*Note: The Community Development Department does not support 80% standard for attached signage on proposed Lot 3. This amount of signage exceeds proposed standards allowed for other lots in this subdivision as well as standards allowed in other major shopping centers in Council Bluffs (e.g., Metro Crossing, Marketplace, and Lake Manawa Power Center). The Community Development Department supports allowing a maximum of 20% of the square footage of the longest street facing building façade for attached signage. The attached signage can be placed at any location on the building. The Community Development Department also supports not allowing a detached monument sign on this lot for development plan consistency purposes.*~~

NOTE: After the August 14, 2018 City Planning Commission meeting the developer and the Community Development further discussed signage in this shopping center. The developer requested the following standards for attached/detached signage. The Community Development Department recommends approval of the standards stated below.

Attached signage shall be allowed as follows:

- a. Lot 1 shall be allowed 25% of the square footage of the building façade facing the longest abutting street frontage for attached signage. Attached signage can be placed at any location on the building. Awnings are allowed as decoration, but no signage shall be allowed on an awning.**
- b. Lots 2 through 9 shall be allowed 25% of the square footage of the building façade facing the longest abutting street frontage for attached signage. Attached signage can be placed at any location on the building but shall not extend above the side of any building wall or peak roof. Awnings are allowed as decoration, but no signage shall be allowed on an awning. For Lot 2 only, attached gas canopy signage shall be limited to 20% of the square footage of the longest canopy side. Attached signage can be placed at any location on the canopy but shall not extend above the side of the canopy face or peak roof.**

Detached signage shall be allowed as follows:

- a. Pole signs are prohibited from being installed on any lot in the development.
- b. A maximum of one (1) ground/monument sign is allowed on each lot in the development. Ground/monument signs shall be limited to a maximum height of 10 feet, as measured from finished grade. The entire monument sign shall be counted as signage as measured from finished grade to the top of the monument and from one side of the monument structure to the other. The maximum sign area shall not exceed 100 square feet per whole sign face.
- c. On-site directional signage shall count toward shall be limited to a maximum height of six feet, as measured from finished grade, and shall be limited to a maximum of four square feet per sign face, not to exceed a total of eight square feet per sign.

4. Site Development

- a. Minimum setback requirements for all structures shall be as follows: Exterior development property boundary: 15 feet; Right-of-way setback: 10 feet; and Interior: 5 feet.
- b. For the purpose of determining minimum setback requirements the property line that forms the common outer perimeter of the overall shopping center development shall be considered the "exterior property boundary". All other property lines that are not adjacent to a right-of-way shall be considered an "Interior" line.
- c. The maximum height of any building, structure, or decorative feature shall not exceed 50 feet in height.
- d. All trash receptacles shall be enclosed on three sides and screened from public view with materials similar to those of the primary building. The enclosure shall have a lockable gate which when closed completely eliminates view of the dumpster.
- e. All loading areas shall be screened from public view, including all right-of-way by a combination of complementary architectural treatments and/or landscaping which after three years shall significantly screen the loading area from view.
- f. Building materials on Lots 3 through 9 shall be made up of 100% masonry materials such as brick, split faced block (with texture), concrete masonry units (CMU), or EFIS materials. Metal and wood shall only be allowed as an architectural accent. Twenty (20%) of the building front façade shall be made of brick. No flat faced concrete block shall be allowed except for the rear wall of a building when it is not visible from a public space or right-of-way. Wood or a wood appearing siding may be acceptable as a main exterior material only for buildings less than 10,000 square feet (base floor area). Vinyl siding is not allowed. (see Attachment G)
- g. Buildings materials, architectural designs, and decorative fencing for the Fleet Farm retail store (including their outdoor lumber/garden center) and associated gas station on Lots 1 and 2 shall be approved and constructed in accordance with the submitted development plans shown in Attachment 'H'. Additionally, for Lot 1, a six foot-tall privacy fence comprised of wood, vinyl, and/or landscaping shall be installed along the entire westerly property line for screening purposes, prior to issuance of a certificate of occupancy.
- h. Awning or other decorative features may be allowed on the façade of a building and must be at least eight feet above the traveled pedestrian way and may not project over drive aisles or parking areas.
- i. The layout and placement of a building on proposed Lot 8 will cause all facades to be viewable from rights-of-way located within the development and Richard Downing Avenue. The architectural design of the building on this lot must take into account that there is no 'true' rear façade. As such the façade designed with service entrees shall be enhanced with awnings, or other decorative features. Such features may be allowed on the façade of a building and must be at least

- 8 feet above the traveled pedestrian way and may not project over drive aisles or parking areas.
- j. All equipment placed on roofs shall be screened with an architectural feature from public view.
 - k. No more than 40% of any lot shall be covered with structures.
 - l. Outside storage is not allowed. This includes the temporary and/or permanent placement of intermodal storage containers.
 - m. Access to the rear of each building for Fire Department equipment shall be provided in accordance with the requirements of the Fire Marshal's Office.

5. Off-Street Parking

- a. The minimum number of parking spaces shall be as determined in Chapter 15.23, Off-Street Parking, Loading and Unloading of the Council Bluffs Municipal Code (Zoning Ordinance). In cases where several uses occupy a structure or parcel of land the total requirement for off-street parking shall be the sum of the requirement of the different uses.
- b. The applicant shall be responsible to develop cross access and ingress/egress easements to be recorded with the final plat to accommodate shared parking and driveways.
- c. Each request for a building permit will include a parking lot plan showing the number, location, and dimension of all drive aisles and spaces, pedestrian ways, islands, landscaped areas, loading areas and lighting.
- d. All parking lots are also subject to compliance with the Parking for Persons with Disabilities chapter of the Iowa Administrative Code.

6. Outdoor Lighting

- a. All lighting on private lots shall be painted or finished aluminum or steel. Wood poles are not allowed. The maximum height shall not exceed 40 feet. The fixture designs located on private property shall be generally of a similar design and finish.

Recommendation

The Community Development recommends: 1) approval of the preliminary subdivision plan for 24 Park Place, and 2) approval of the planned commercial development plan, subject to the above comments along with the following conditions:

- 1. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, 'but is deemed to be an authorization to proceed with the preparation of the final construction plans or performance guarantee and the final plat' (§14.11.060.04-Subdivision Ordinance). A final plat application for the first phase must be filed within one year of the date of action by the City Council. A request for extension may be made by the subdivider in writing prior to the expiration date. One-year extensions are considered by the City Planning Commission.
- 2. A preliminary subdivision plan and planned commercial development plan incorporating the above changes (technical and non-technical) shall be submitted to the Community Development Department following action by the City Council, but prior to the submittal of any construction drawings and/or grading permit requests to ensure that all necessary plan changes have been made and that drawings submitted for subsequent reviews and approvals by City staff are consistent with the conditions and plans approved by the City Council.
- 3. Any requested change(s) to the preliminary plan and development plan as approved by the City Council shall be reviewed by the City Planning Commission and City Council.
- 4. For proposed Lot 1, a six foot-tall privacy fence comprised of wood, vinyl, and/or landscaping shall be installed along the entire westerly property line for screening purposes, prior to issuance of a certificate of occupancy.

5. For proposed Lot 3, a maximum of 20% of the square footage of the longest street facing building façade for attached signage shall be allowed. The attached signage can be placed at any location on the building. No detached pole or monument sign shall be allowed on this lot for consistency purposes with Lots 4 through 9.
6. All utilities shall be installed underground. Any cost to relocate, modify and/or remove utilities associated with the development of this subdivision shall be at the sole expense of the applicant and not the City.
7. All traffic improvements associated with this development shall be completed in accordance with the approved traffic impact study.
8. All grading and drainage activity for this development shall be completed in accordance with the approved final plans.
9. The detention basin identified as Outlot B shall be designed and maintained as an amenity feature for the development.

Public Hearing

Speakers in favor:

1. Kellen Heideman, 2111 South 67th Street, Omaha, NE 68106

Speakers against: none.

Planning Commission Recommendation

The Planning Commission recommends: 1) approval of the preliminary subdivision plan for 24 Park Place, and 2) approval of the planned commercial development plan, subject to the above comments along with the following conditions:

1. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, 'but is deemed to be an authorization to proceed with the preparation of the final construction plans or performance guarantee and the final plat' (§14.11.060.04-Subdivision Ordinance). A final plat application for the first phase must be filed within one year of the date of action by the City Council. A request for extension may be made by the subdivider in writing prior to the expiration date. One-year extensions are considered by the City Planning Commission.
2. A preliminary subdivision plan and planned commercial development plan incorporating the above changes (technical and non-technical) shall be submitted to the Community Development Department following action by the City Council, but prior to the submittal of any construction drawings and/or grading permit requests to ensure that all necessary plan changes have been made and that drawings submitted for subsequent reviews and approvals by City staff are consistent with the conditions and plans approved by the City Council.
3. Any requested change(s) to the preliminary plan and development plan as approved by the City Council shall be reviewed by the City Planning Commission and City Council.
4. For proposed Lot 1, a six foot-tall privacy fence comprised of wood, vinyl, and/or landscaping shall be installed along the entire westerly property line for screening purposes, prior to issuance of a certificate of occupancy.
5. ~~For proposed Lot 3, a maximum of 20% of the square footage of the longest street facing building façade for attached signage shall be allowed. The attached signage can be placed at any location on the building. No detached pole or monument sign shall be allowed on this lot for consistency purposes with Lots 4 through 9.~~ **Note: The developer modified their attached/detached sign standards after the August 14, 2018 City Planning Commission. See amended standards stated above.**

6. All utilities shall be installed underground. Any cost to relocate, modify and/or remove utilities associated with the development of this subdivision shall be at the sole expense of the applicant and not the City.
7. All traffic improvements associated with this development shall be completed in accordance with the approved traffic impact study.
8. All grading and drainage activity for this development shall be completed in accordance with the approved final plans.
9. The detention basin identified as Outlot B shall be designed and maintained as an amenity feature for the development.

VOTE: AYE 7 NAY 0 ABSTAIN 0 ABSENT 0 VACANT 4 Motion: Carried

Attachments

Attachment A: Zoning/legal description exhibit for 24 Park Place Subdivision

Attachment B: Letter of intent/development plan by Kellen Heideman, P.E., Olsson Associates

Attachment C: Zoning/location map

Attachment D: Preliminary subdivision plan for 24 Park Place

Attachment E: Landscape plan

Attachment F: Center identification sign rendering

Attachment G: Exterior building elevations for proposed Lot 3

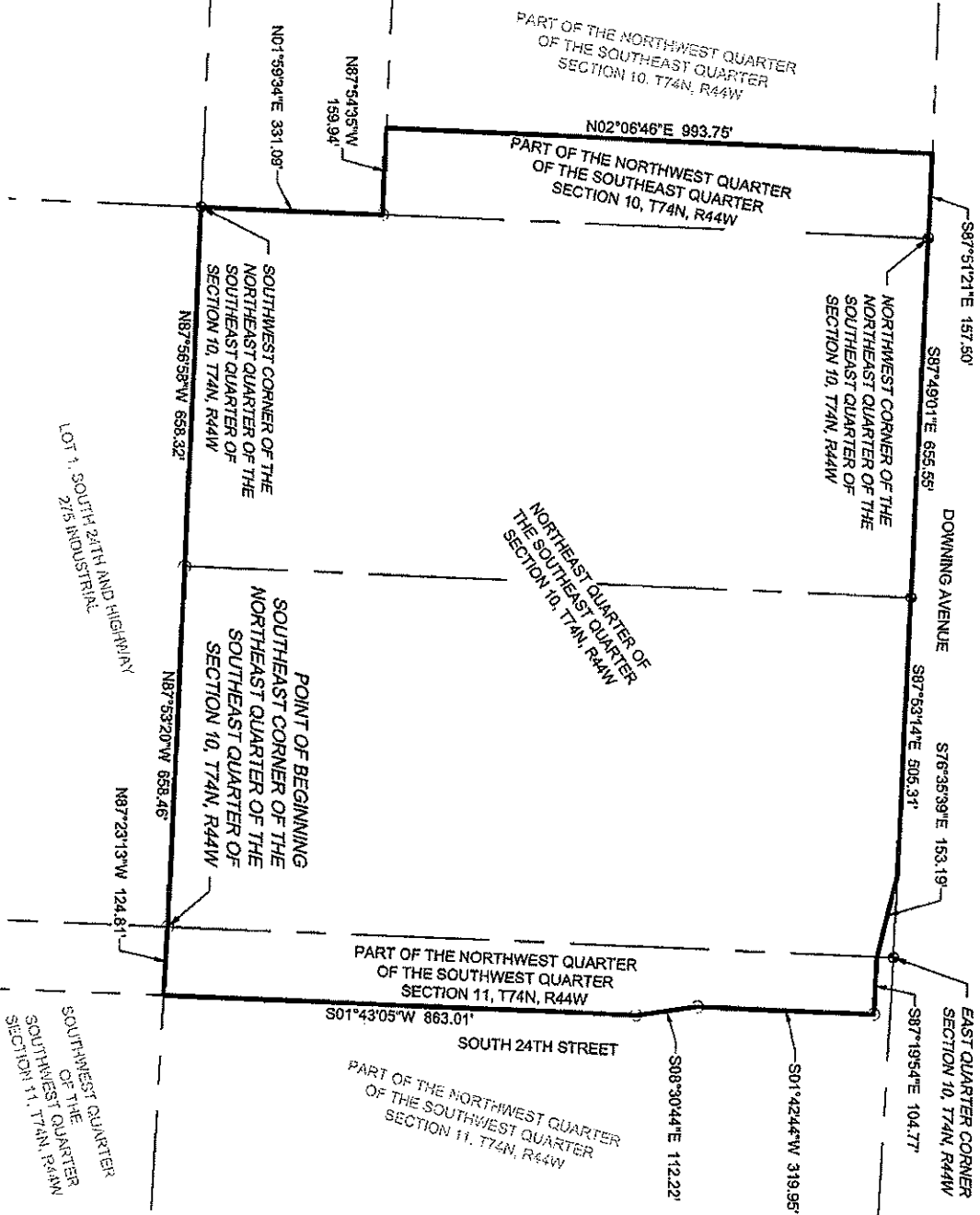
Attachment H: Development plan for Fleet Farm and Fleet Farm Gas Station, Lots 1 and 2

Engineer: Kellen Heideman, P.E., Olsson Associates. 2111 S. 67th Street, Suite 200, Omaha, NE 68106

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

PROJECT NO: 018-1763
 DRAWN BY: DSH
 DATE: 06/07/18

RE-ZONING EXHIBIT



LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN PART OF THE NORTH HALF OF THE NORTHWEST QUARTER SECTION 10 AND A PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11, ALL IN TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 6TH P.M., POTTAWATOMIE COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, THENCE ON THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER ON AN ASSUMED BEARING OF N87°53'20\"/>

SAID TRACT OF LAND CONTAINS A CALCULATED AREA OF 2.048, 173.01 SQUARE FEET OR 47.020 ACRES MORE OR LESS.



SCALE IN FEET

OLSSON
 ASSOCIATES

2111 South 67th Street, Suite 200
 Des Moines, IA 50319
 Phone: 515.281.1111
 Fax: 515.281.1599

EXHIBIT
 1



July 17th, 2018

Attn: Christopher Gibbons
City of Council Bluffs
Community Development Department
209 Pearl Street
Council Bluffs, IA 51503

**RE: 24 Park Place
Preliminary Plan/Development Plan – Letter of Intent
Project No. 018-1763**

Dear Mr. Gibbons,

Royce Enterprises Incorporated (Developer) has entered into a purchase agreement with the owners of property at the SW corner of S 24th Street and Richard Downing Avenue. The developer intends to develop a commercial subdivision on approximately 47 acres of the corner. The proposed development is to consist of a 185k new to market retail store, approximately 88k of strip retail, and 7 outlots. The site is presently zoned A-2. An application to rezone the property to PC was submitted to the City in June and was approved by the City Planning Commission at the 7/10 meeting.

At this time the developer is planning to phase the development is two phases. Phase 1 will consist of Lot 1 and Outlots A-B. The intent of Phase 1 is to be able to start construction on Lot 1 ahead of the public infrastructure being installed. Lot 1 has direct access to Richard Downing Street and does not require direct vehicle access to the proposed internal street network. The developer intends to start Phase 2 of the development once all potential wetland issues in the northeast corner of the site have been mitigated.

Preliminary Plan

Streets and Paving

The street system will connect S 24th Street to Richard Downing Avenue. There is an existing access break at approximately the 1/8 mile in S 24th Street. The main development entrance from S 24th Street will be located at the existing access break. On Richard Downing Avenue there are two proposed right-of-way connections. The furthest west right-of-way connection approximately 600' west of the Richard Downing and S 24th Street intersection is proposed to be a full movement access. An additional right-of-way access point approximately 300' west of the intersection is proposed to be a right-in/right-out.

Interior pavements will be 25 feet in width with integral curbs and sub-drains constructed to the City of Council Bluffs Public Works standards. Sidewalks, 5 foot in width, will line each side of newly constructed public streets. The entrance connected to S 24th Street have a median and turning lanes. The right-in/right-out connection to Richard Downing Avenue will have a 'pork chop' median to limit traffic movements.

The traffic study has identified that Richard Downing Avenue will need to be widened to a 3-lane section. As part of the development a third lane will be added to the south edge of Richard Downing Avenue constructed City of Council Bluffs Public Works Standards. Additionally, a 5' sidewalk will

be constructed along Richard Downing Avenue and S 24th Street ROW's for the extent of the proposed development.

Grading and Drainage

The existing site is essentially flat and sits roughly 4' below the intersection of S 24th Street and Richard Downing Avenue. Fill will be brought in to raise the site to achieve adequate fall for site utilities, i.e. sanitary and storm sewers. The site will be graded to drain to proposed onsite detention basins created in the center and southern sides of the development. Reference the preliminary drainage report for additional information.

Sanitary Sewer

Sanitary sewer to serve the development will be extended to the site from a connection in S 24th Street. Sanitary sewer will be designed to meet City of Council Bluffs Public Works standards and will be constructed in conjunction with the proposed street construction.

Water Service

The Developer will contract with the Council Bluffs Water Works for water service. A water main is proposed through the site to connect existing water mains in S 24th Street and Richard Downing Avenue. The water main extension is intended to provide both fire protection services as well as for private taps to individual private development of the lots in the future.

Electricity

The Developer will contract with MidAmerican Energy Systems for electrical service. Easements will be provided as necessary to extend electrical service to the development.

Natural Gas

The Developer will contract with Black Hills Energy for natural gas service. Easements will be provided as necessary to extend natural gas service to the development.

Communications

The Developer will contract with communication service providers to extend voice, data, and cable service to the development.

Development Plan

Pedestrian Ways

Sidewalks, 5 foot in width, are proposed to line each side of newly constructed public streets. Additionally, a 5' sidewalk will be constructed along Richard Downing Avenue and S 24th Street right-of-way for the extent of the proposed development.

Each lot is proposed to also have an identified pedestrian way extending from the primary entrance area of each building to the nearest sidewalk located in right-of-way. The pedestrian way may be designed with pavement striping or change in paving material or an approved alternative by the Director of the Community Development Department.

Landscaping

- There shall be a 10-foot landscape strip on each lot adjacent to the City right-of-way. A me
- Not less than 10% of the total lot area shall be landscaped with trees, shrubs and other plant material. All parking lot islands included in the site design greater than 20' x 12' shall be planted with trees and vegetation. The 10-foot landscape strip adjacent to City right-of-way can be included as part of the 10% lot coverage requirement.
- A minimum of one tree shall be planted on each lot for every 10 parking spaces located on the lot.
- At least 4 sq ft of landscaping per each lineal foot of building frontage shall be installed between the building front and interior drive.

- All landscaped areas including grassed and sodded areas shall be irrigated.
- All parking lots shall have a strip five feet in width planted with grass or landscaped with plant materials along the side and rear property lines, the requirement can be waived if two parking lots adjoin, however the net amount of green space required for each adjoining lot shall be incorporated into other areas of the shared parking lots. The 5 foot strip may be included in the 10% requirement.
- Not more than 10% of the landscaped area shall be of inorganic materials such as brick, stone, metal, or artificial turf. Organic mulch may be used around trees and/or shrubs.

Signage

- On site directional signage shall count toward the overall amount of signage permitted and shall be limited to a maximum height of 6 feet as measured from the natural grade and shall be limited to a maximum of 4 square feet per sign face, not to exceed a total of 8 square feet per sign.
- Signage allowed shall be as indicated below:
 - Lot 1: Shall be allowed 25% of the building façade facing the longest street frontage for attached signage which can be placed at any location on the building. Awnings are allowed as decoration, but no signage shall be allowed on the awning. No pole signs are allowed.
 - Lots 2 and lots 4 through 9: Shall be allowed 20% of the building façade for attached signage which can be placed at any location on the building. Awnings are allowed as decoration, but no signage shall be allowed on the awning. No pole or monument signs are allowed except for food menu boards and C-Store price monument sign.
 - Lot 3: Shall be allowed up to occupy 80% of the overall length of frontage leased. No pole signs shall be allowed.

Site Development

- Minimum setbacks requirements for all structures shall be: Exterior development property boundary: 15 feet; Right-of-Way Setback: 10 feet; Interior: 5 feet.
- The maximum height of any building, structure, or decorative feature shall not exceed 50 feet.
- All trash receptacles shall be enclosed on three sides and screened from public view with materials similar to those of the primary building. The enclosure shall have a lockable gate which when closed completely eliminates the dumpster.
- All loading areas shall be screened from public view including all right-of-way by a combination of complementary architectural treatments and/or landscaping.
- Building exteriors shall be made of 100% masonry materials such as brick, split faced block (with texture), concrete masonry units (CMU) or EFIS materials. Metal and wood shall only be allowed as an architectural accent. 20% of the building's front façade shall be made of brick. No flat faced concrete block shall be allowed except for the rear wall of a building when it is not visible from a public space or right-of-way. Wood or a wood appearing siding may be acceptable as a main exterior material only for buildings less than 10,000 square feet (base floor area). Vinyl siding is not allowed.
- Awning or other decorative features may be allowed on the façade of a building and must be at least 8 feet above the traveled pedestrian way and may not project over drive aisles or parking areas.
- All equipment placed on roofs shall be screened with architectural features from the public view.
- No more than 40% of any lot shall be covered with structures.
- Access to the rear of each building for Fire Department equipment shall be provided in accordance with the requirements of the Fire Marshal's Office.

Parking

- The minimum number of parking spaces shall be as determined by Chapter 15.23 Off Street Parking, Loading and Unloading. In cases where several uses occupy a structure or

parcel of land the total requirement for off street parking shall be the sum of the requirement of the different uses.

- Cross access and ingress/egress easements between lots will be the responsibility of the developer.

Street Lighting

- All lighting on private lots shall be painted or finished aluminum or steel. Wood poles will not be allowed. The maximum height shall not exceed 40 feet.

Please don't hesitate to contact me with any additional questions. My contact information can be found at the bottom of this letter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kellen Heideman', with a stylized flourish at the end.

Kellen Heideman, PE

Encl.

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASES #SUB-18-011 & PC-18-002

Map Legend

- ☒ Cases #SUB-18-011 & PC-18-002 - Subject Property
- ☐ Parcels

0 200 400
 1 Inch = 400 feet

2016 Aerial Photograph



Note: Subject properties are highlighted in red.



Last Amended: 7/19/18

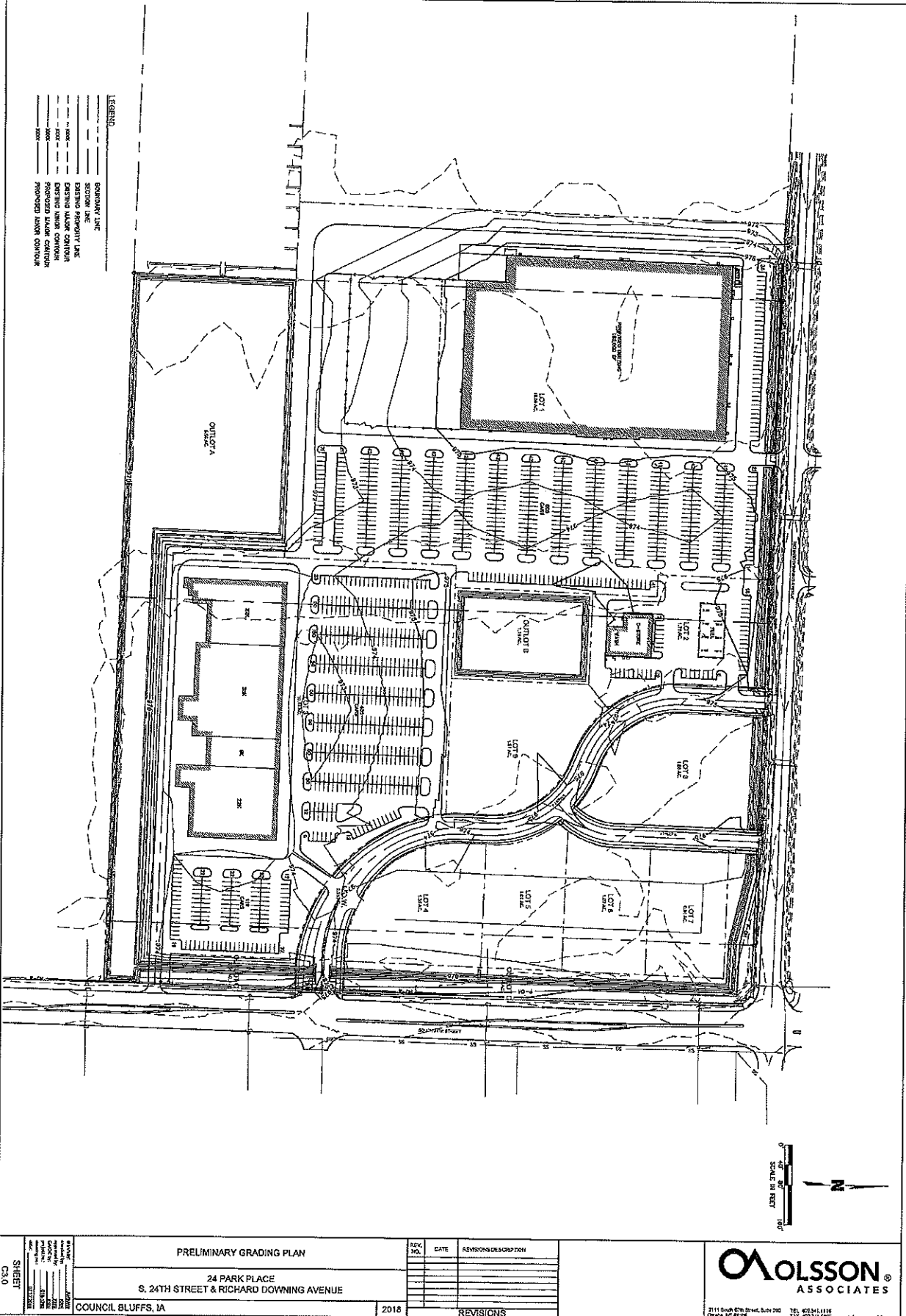


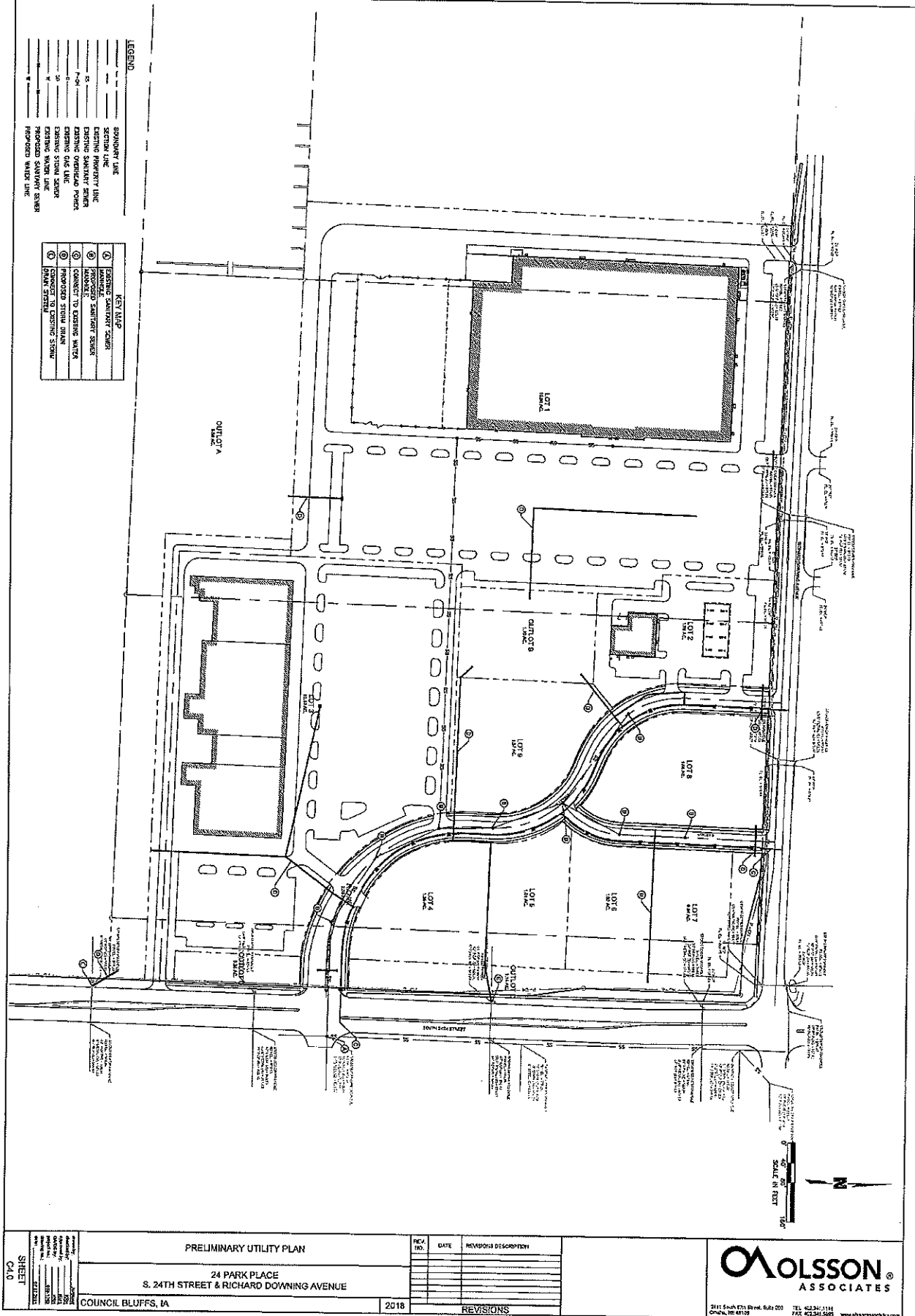
Council Bluffs Community
 Development Department
 209 Pearl Street
 Council Bluffs, IA 51503
 Telephone: (712) 328-4629

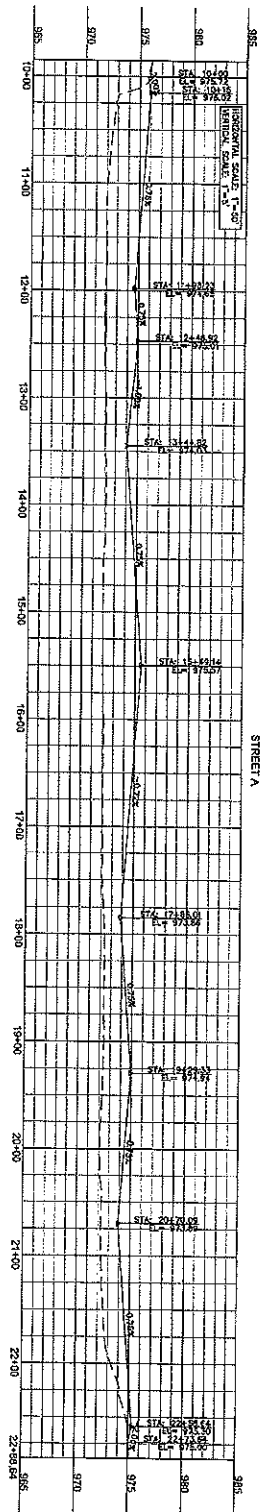
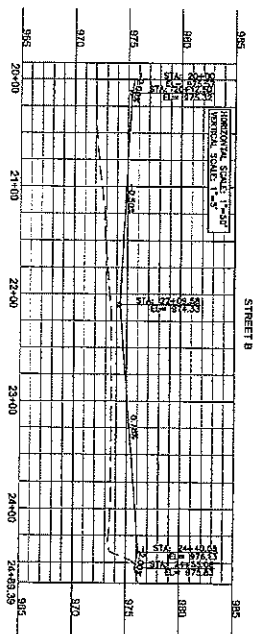
DISCLAIMER

This map is for informational purposes only. It is not intended to be used as a legal document. The City of Council Bluffs is not responsible for any errors or omissions on this map. The map is provided as a service to the public and is not a guarantee of any kind. The map is subject to change without notice. The map is not a substitute for a professional survey or other legal document. The map is provided as a service to the public and is not a guarantee of any kind. The map is subject to change without notice. The map is not a substitute for a professional survey or other legal document.

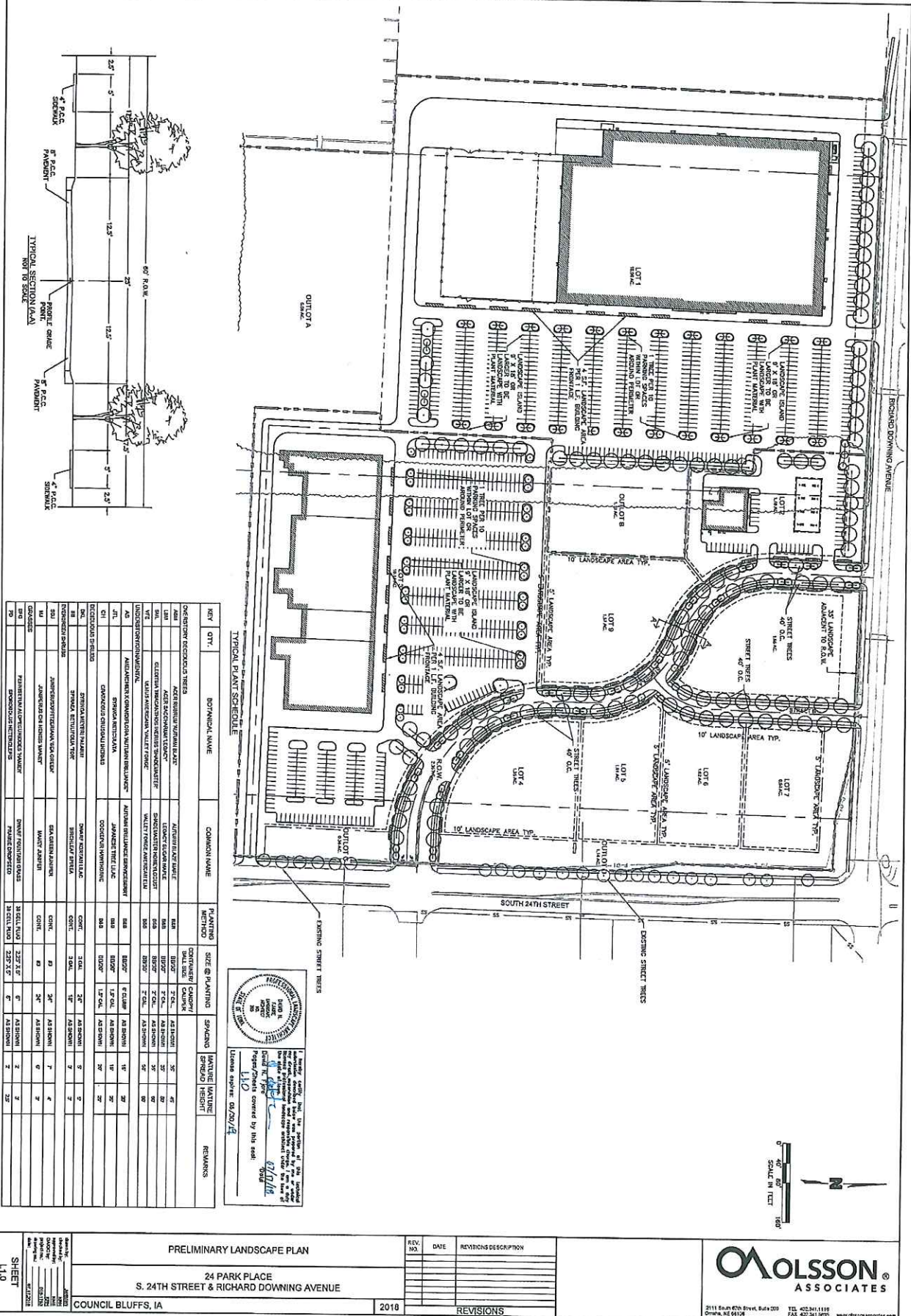








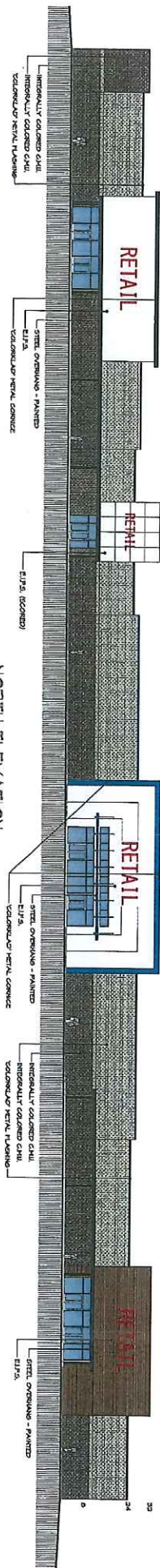
SHEET 05.0	PRELIMINARY CENTERLINE PROFILE		REV. NO.	DATE	REVISIONS DESCRIPTION	
	24 PARK PLACE S. 24TH STREET & RICHARD DOWNING AVENUE					
	COUNCIL BLUFFS, IA					
	2018					
REVISIONS						211 South 67th Street, Suite 200 Council Bluffs, IA 51501 TEL: 402.341.1116 FAX: 402.341.5395 www.molssonassociates.com



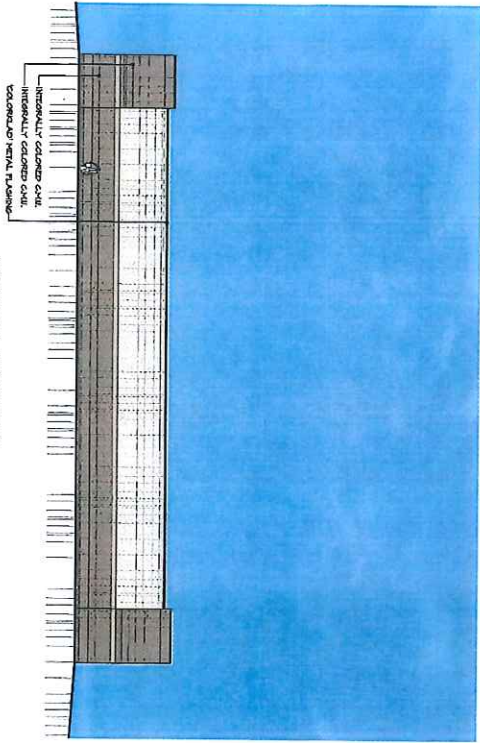


DF MONUMENT SIGN
 Scale 1/4" = 1'
 SPECS TBD

Client: Lockwood Development Council Bluffs, IA		Rev #	Date	Description of Revision
Contract No	Date: 7.17.18 r1	Approved by	7/18	Original
Design No: 29412	5/21/18	Approved date	7/18	Original
Designer: Heidi Craussen		Description of Revision		
<div style="display: flex; justify-content: space-between;"> <div> <p>SIGNWORKS INC</p> <p>4713 F Street Omaha, NE 68117 402-346-5447 402-346-9250 fax signworksomaha.com</p> <p>A Family Tradition of Quality Signs Since 1935</p> </div> <div> <p>Due to the nature of color reproduction, the colors on this drawing may vary from actual colors (material samples are available upon request). This is an ORIGINAL, UNPUBLISHED DRAWING BY SIGNWORKS, Inc. It is not to be reproduced without written permission of SIGNWORKS, Inc.</p> </div> </div>				



NORTH ELEVATION
SCALE 1/8" = 1'-0"



EAST ELEVATION
SCALE 1/8" = 1'-0"

COUNCIL BLUFFS DEVELOPMENT S. 24TH STR. & RICHARD DOWNING AVE



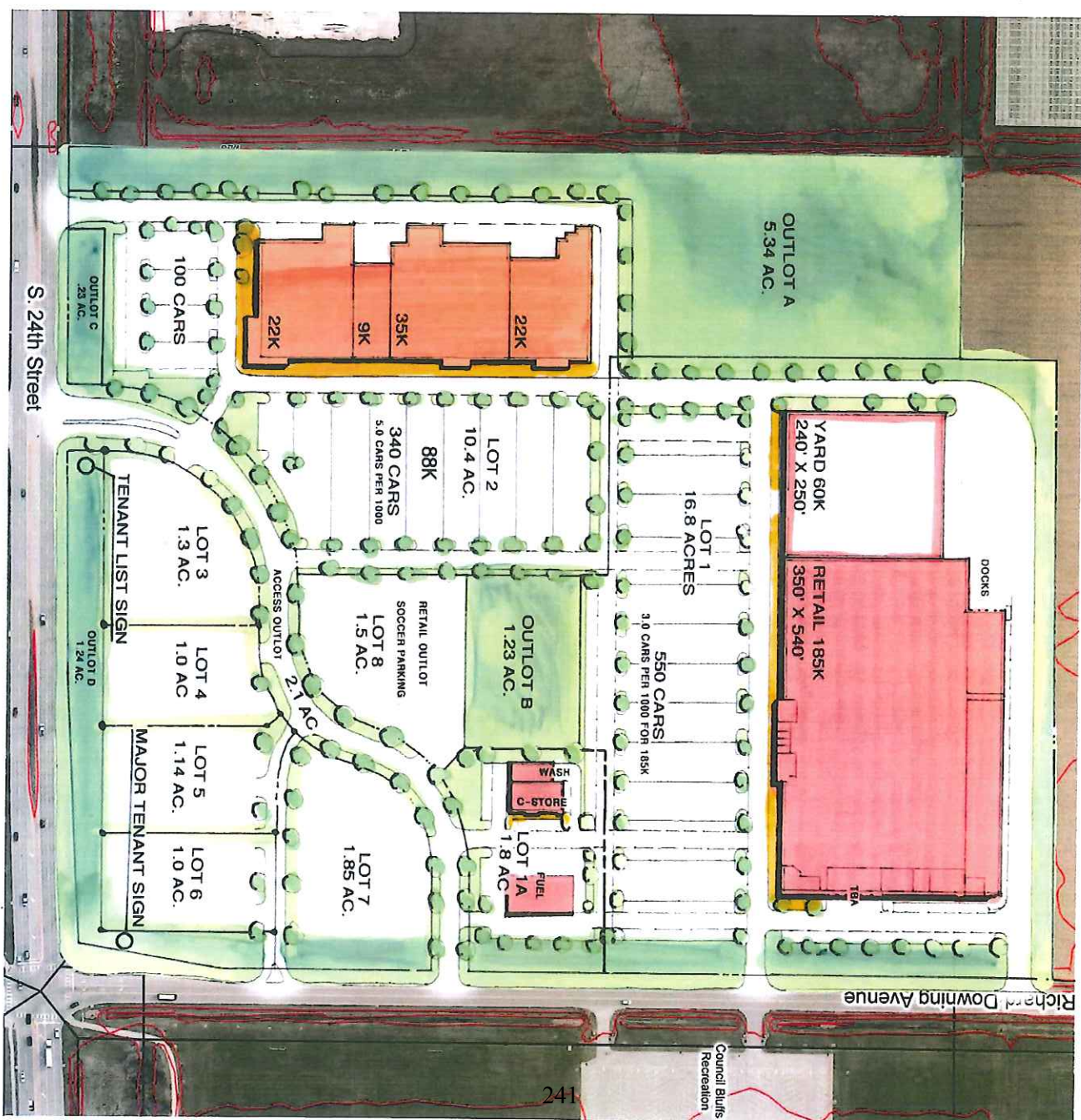
ARCHITECTS
How | ARCHITECT | SEE | DOH

FLEET FARM SUBMITTAL
COUNCIL BLUFFS, IA | 07.16.18

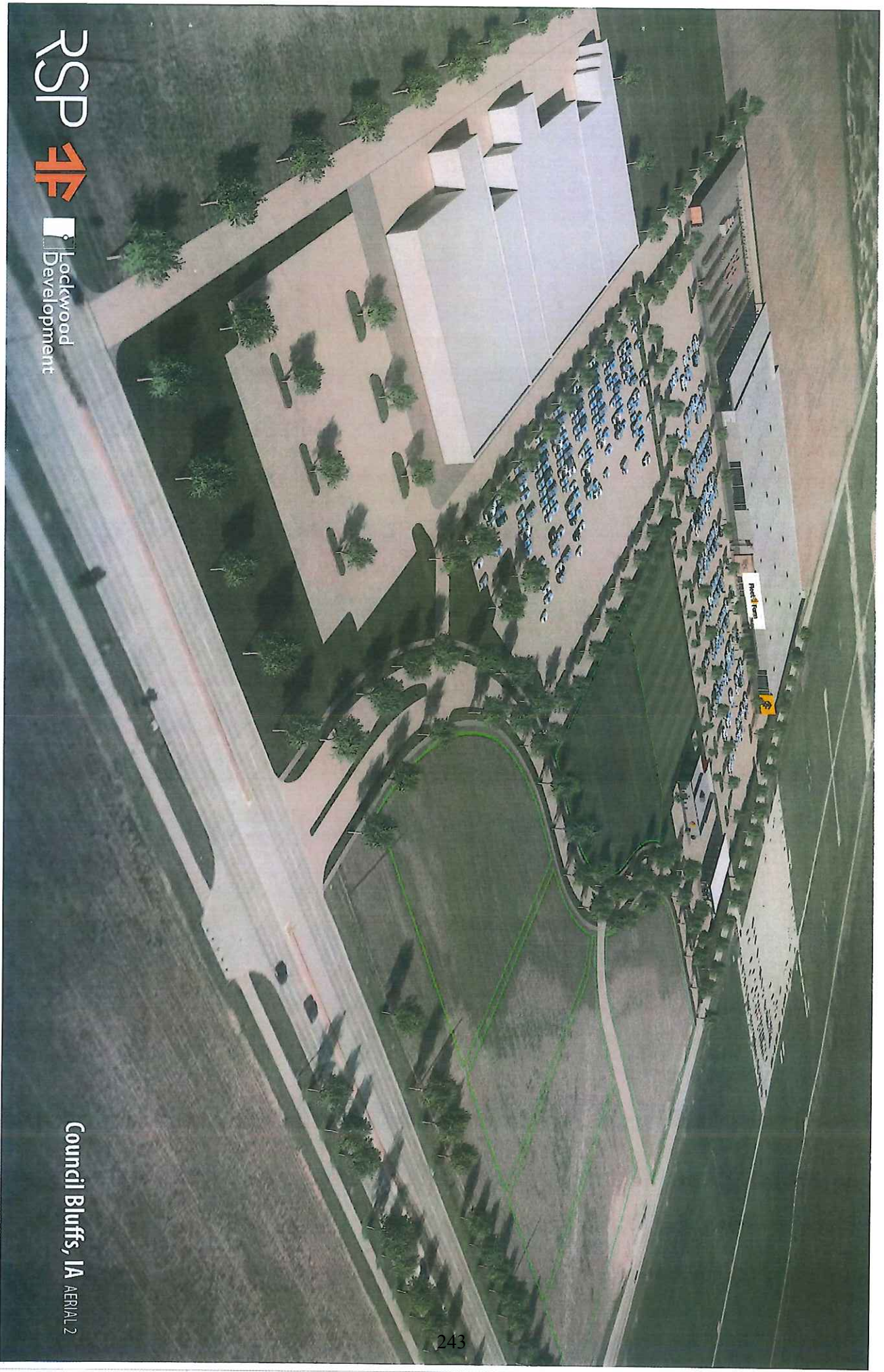




Lockwood
Development







8-foot black chain link fence

16-foot wood privacy fence

8-foot black decorative fence

Council Bluffs, IA AERIAL 3

RSP



Lockwood
Development

Council Bluffs, IA AERIAL 4

RSP



Lockwood
Development



PROUDLY
SERVING THE
MIDWEST

Fast  Form



Council Bluffs, IA VIEW 1



RSP



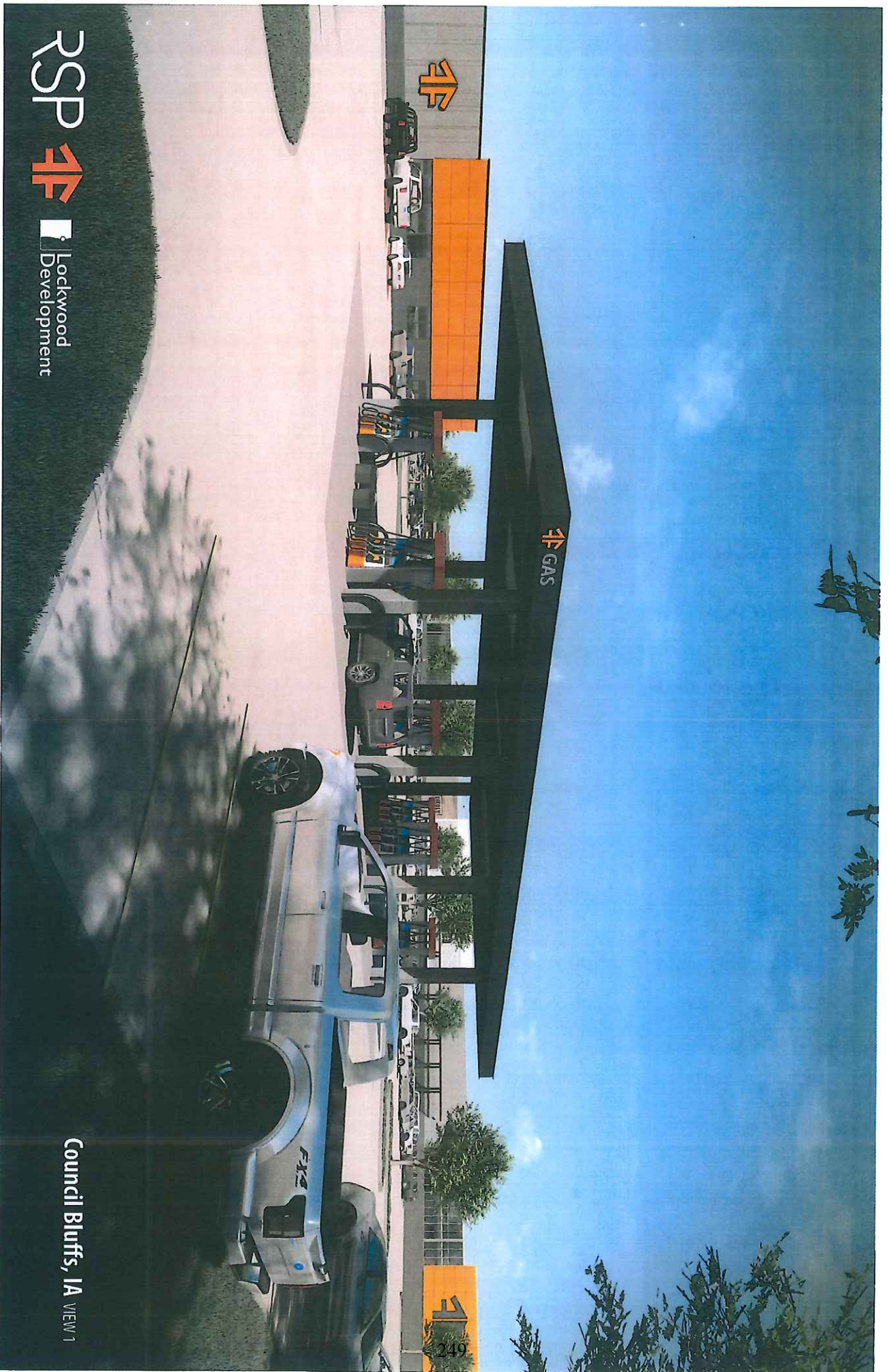
Lockwood
Development

Council Bluffs, IA VIEW 4



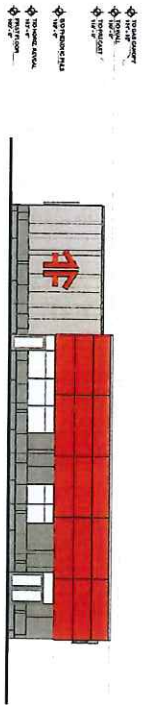
RSP
Rockwood
Development

Council Bluffs, IA VIEW 5



RSP  Lockwood
Development

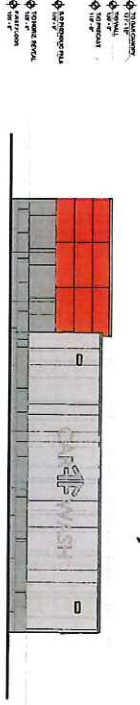
Council Bluffs, IA VIEW 1



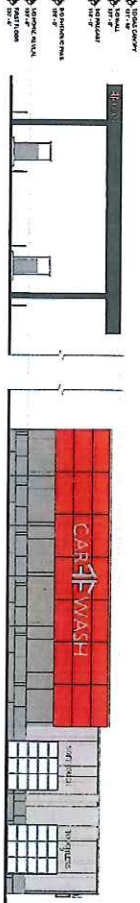
1 NORTH ELEVATION



2 EAST ELEVATION

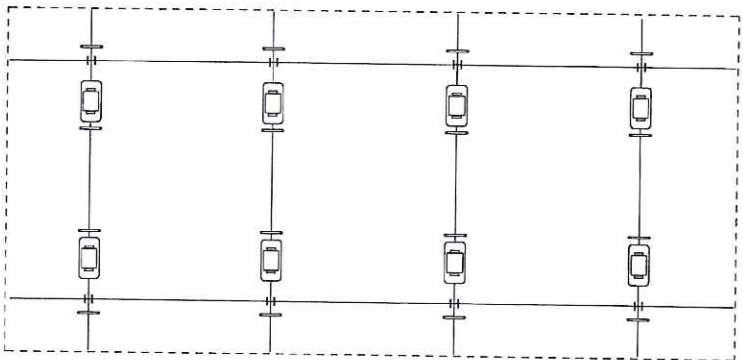
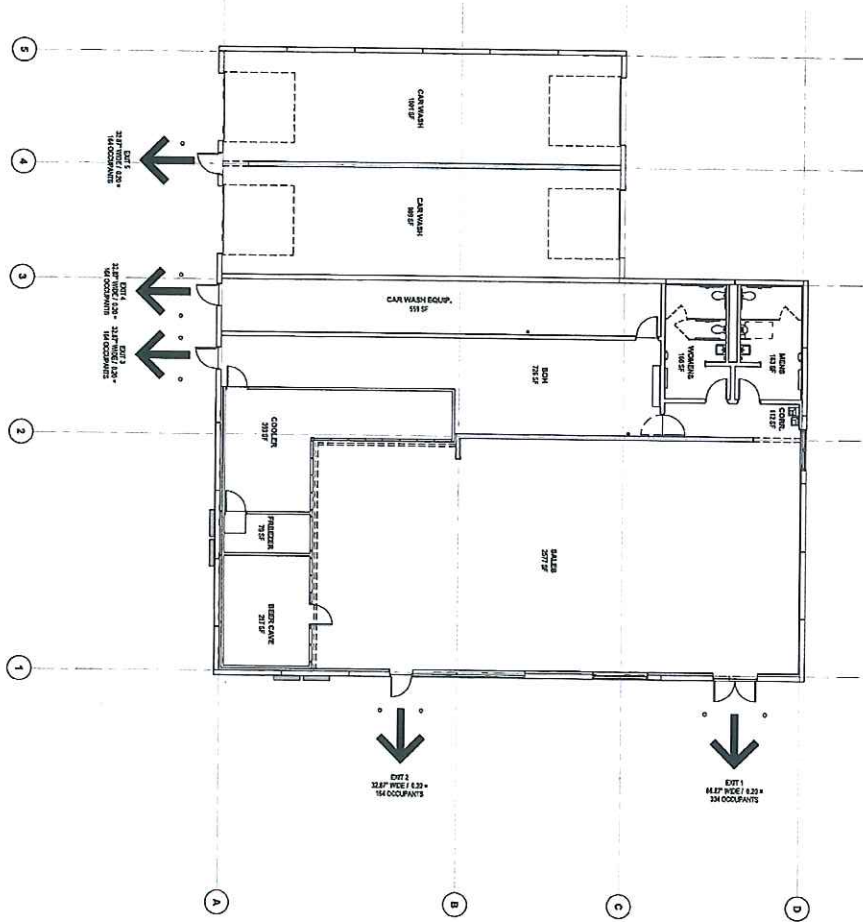


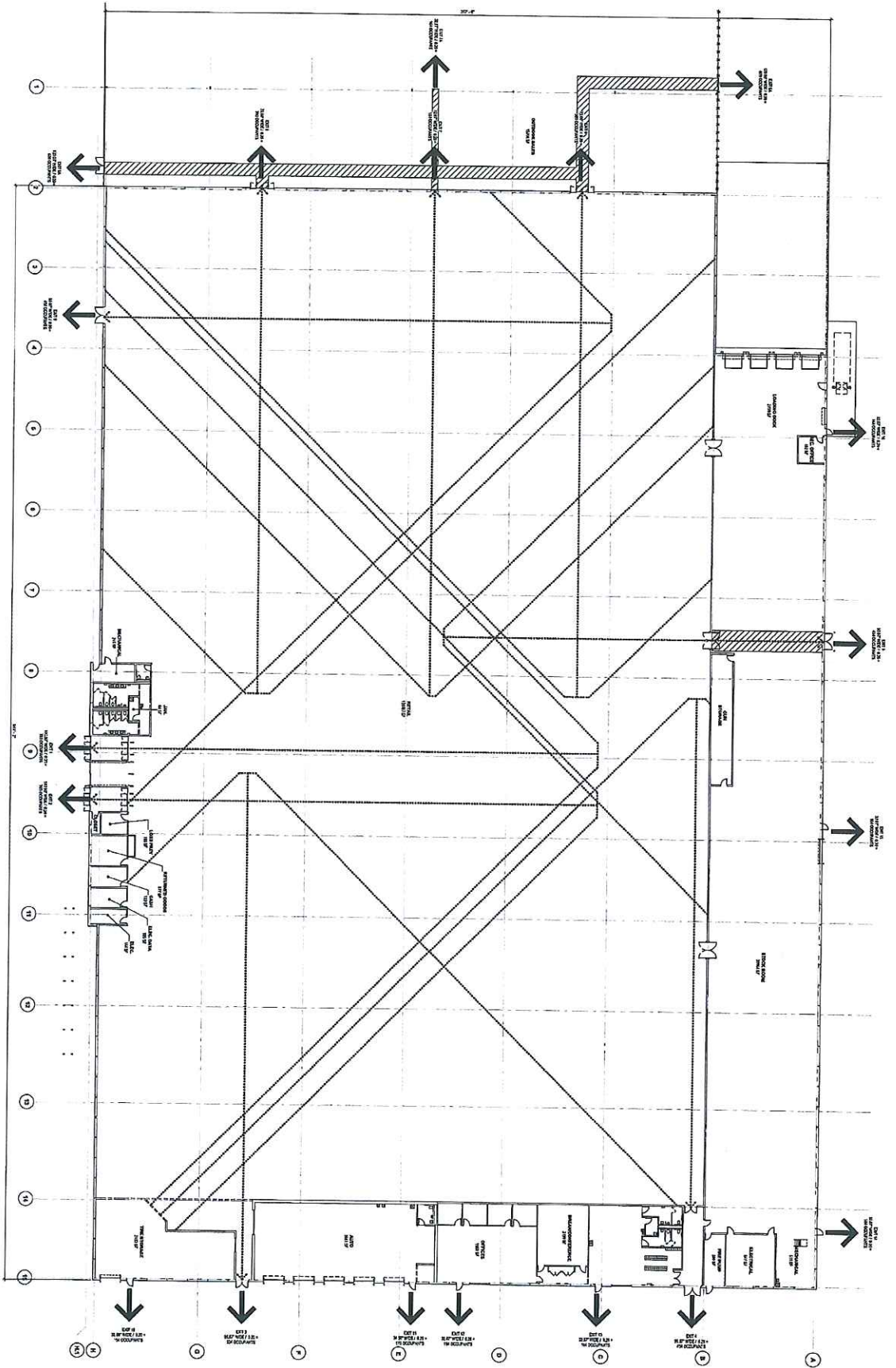
3 SOUTH ELEVATION



4 WEST ELEVATION









TEXTURED PRECAST
Pantone Cool Gray 11C



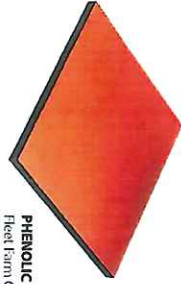
GLAZING
Low Iron Vision Glass



WINDOW MULLIONS
Clear Anodized Aluminum



TEXTURED PRECAST
Pantone Cool Gray 9C



PHENOLIC PANEL
Fleet Farm Orange



SIGNAGE AND DETAILS
Charcoal Metal



TEXTURED PRECAST
Pantone Cool Gray 7C



PHENOLIC PANEL
Aged Cedar Wood



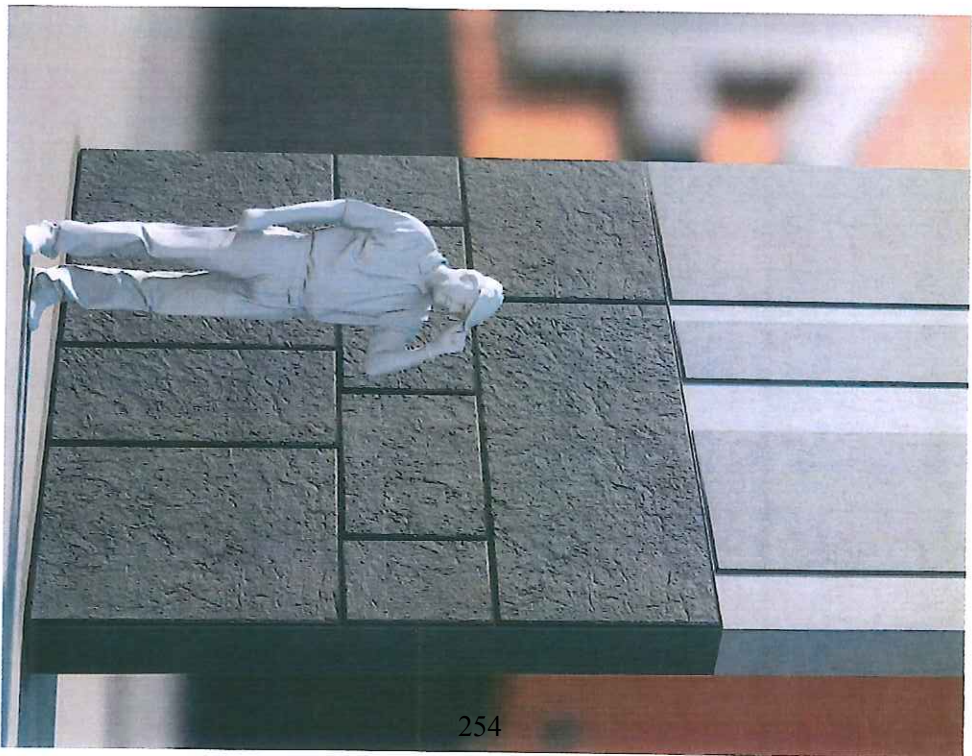
ARCHITECTURAL STRUCTURE
Charcoal Metal



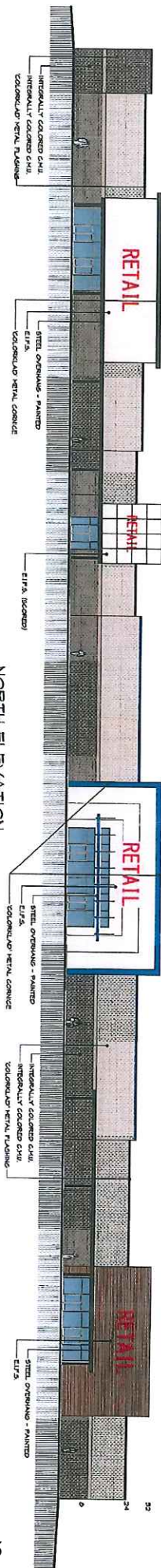
TEXTURED PRECAST
Pantone Cool Gray 5C



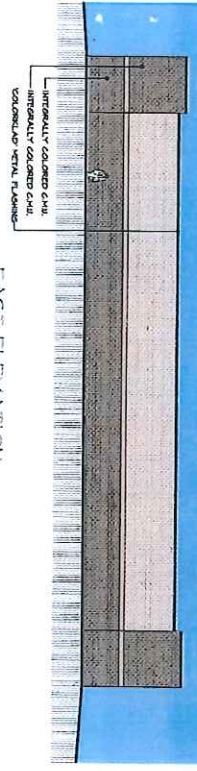
PERFORATED METAL PANEL
White Custom Pattern



Typical Precast Panel



NORTH ELEVATION
SCALE: 1/8" = 1'-0"



EAST ELEVATION
SCALE: 1/8" = 1'-0"

COUNCIL BLUFFS DEVELOPMENT

S. 24TH STR. & RICHARD DOWNING AVE

LockwoodDevelopment

standing & low
ARCHITECTS
HOW | ARKNECHT | SEIP | DOHN

RESOLUTION NO. 18-259

A RESOLUTION ADOPTING THE PLANNED COMMERCIAL DEVELOPMENT PLAN FOR PROPERTY LOCATED IN THE NORTH 1/2 OF THE SE1/4 OF SECTION 10-74-44 AND PART OF THE NW1/4 OF THE SW1/4 OF SECTION 11-74-44, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED ON ATTACHMENT “A”.

WHEREAS, Royce Enterprises Inc. has requested adoption of a planned commercial development plan for 47.02 acres of undeveloped land located at the southwest corner of the intersection of South 24th Street and Richard Downing; and

WHEREAS, the appropriate City departments and utilities have reviewed proposed amendments to the Planned Commercial Development Plan, with comments as follows:

1. Pedestrian Ways

- a. A five-foot wide sidewalk shall be installed along each side of the newly constructed streets in the development and along Richard Downing Avenue and South 24th Street abutting the subject property. The Council Bluffs Public Works Departments requires the sidewalks along Richard Downing Avenue and South 24th Street to be built within the City’s right-of-way and for said sidewalks to be extended to all property lines in the development. The sidewalk at the intersection of Richard Downing Avenue and South 24th Street shall be configured to match the roadway build out condition.
- b. Each lot shall ~~also~~ have an identified pedestrian way, measuring a minimum of five feet wide, extending from the primary entrance area of each building to the nearest sidewalk located in the right-of-way. The pedestrian way may be designed with pavement striping or change in paving material or an approved alternative by the Director of the Community Development Department or his/her assignee. It is encouraged that the pedestrian connection be incorporated into the overall layout of each lot and that it may be complementary to the landscaping on each site.

2. Landscaping

- a. A minimum 10 foot-wide landscape strip shall be provided along each side of proposed Street ‘A’ within the designated 50 foot-wide right-of-way. This street abuts proposed Lots 2, 3, 4, 5, 8, 9 and Outlots C & D. A medium height/size growing tree shall be planted on both sides of this street, within the designated right-of-way, every 40 feet on center at the time of road construction.
- b. A minimum five foot-wide landscape strip is shown to be provided along each side of property Street ‘B’ within the designated 50 foot-wide right-of-way. This street abuts proposes Lots 5 through 8 and

Outlot D. A medium height/size growing tree shall be planted on both sides of this street, within the designated right-of-way, every 40 feet on center at the time of road construction.

- c. A minimum 35 foot-wide landscape strip shall be provided along the frontages of proposed Lots 1, 2, 8, and Outlot D abutting Richard Downing Avenue right-of-way. Landscaping within these areas shall be designed and installed with development on each said lot.
- d. A minimum 10 foot-wide landscape strip shall be provided along the frontages of Lots 2 through 9, adjacent to proposed Streets 'A' and 'B' right-of-way.
- e. Not less than 10% of the total lot area shall be landscaped with trees, shrubs, and other plant materials. All parking lot islands included in the design greater than 20' x 12' shall be planted with trees and vegetation. All landscape strips adjacent to any right-of-way area(s) shall be included as part of the 10% landscaping lot coverage requirement on each lot.
- f. A minimum of one tree shall be planted on each lot for every 10 parking spaces located on the lot.
- g. At least four square feet of landscaping per each lineal foot of building frontage shall be installed between the building front and interior drive(s).
- h. Landscaping shall not interfere with the sight clearance triangle and any un-signalized intersection and shall not impede vision of any automobile at the street, driveway, or pedestrian way. Plant material shall be complementary to that proposed for the landscaping strip adjacent to the right-of-way.
- i. All landscaped areas including grassed and sodded areas shall be irrigated.
- j. A landscaping plan shall be part of every building permit application. The plan shall clearly identify plant materials, quantity, and size and shall show dimensions of all areas to be landscaped. All landscaping shall be appropriately maintained and dead plant material replaced at a time appropriate to planting season(s) but in all cases shall be replaced within one year.
- k. All parking lots shall have a strip five feet in width planted with grass or landscaped with plant material along the side and rear property lines, the requirement can be waived if two parking lots adjoin, however the net amount of green space required for each adjoining lot shall be incorporated into other areas on the shared parking lots. The five foot-wide strips may be included in the 10% landscaping lot coverage requirement.

1. Not more than 10% of the landscaped area shall be of inorganic materials such as brick, stone, aggregate, metal or artificial turf. Organic mulch may be used around trees and/or shrubs.

3. Signage

- a. One center identification sign located within proposed Outlot D, adjacent to South 24th Street right-of-way, shall be allowed for the entire development. The sign shall have maximum height of 30 feet, as measured from the finished grade, and shall contain no more than 450 square feet of signage per face.

- b. Signage shall be allowed as follows:

Attached Signage

- i. Lot 1 shall be allowed 25% of the square footage of the building façade facing the longest abutting street frontage for attached signage. Attached signage can be placed at any location on the building. Awnings are allowed as decoration, but no signage shall be allowed on an awning.
- ii. Lots 2 through 9 shall be allowed 25% of the square footage of the building façade facing the longest abutting street frontage for attached signage. Attached signage can be placed at any location on the building but shall not extend above the side of any building wall or peak roof. Awnings are allowed as decoration, but no signage shall be allowed on an awning. For Lot 2 only, attached gas canopy signage shall be limited to 20% of the square footage of the longest canopy side. Attached signage can be placed at any location on the canopy but shall not extend above the side of the canopy face or peak roof.

Detached Signage

- i. Pole signs are prohibited from being installed on any lot in the development.
- ii. A maximum of one (1) ground/monument sign is allowed on each lot in the development. Ground/monument signs shall be limited to a maximum height of 10 feet, as measured from finished grade. The entire monument sign shall be counted as signage as measured from finished grade to the top of the monument and from one side of the monument structure to the other. The maximum sign area shall not exceed 100 square feet per whole sign face.
- iii. On-site directional signage shall count toward the overall amount of signage permitted and shall be limited to a maximum height of six feet, as measured from finished

grade, and shall be limited to a maximum of four square feet per sign face, not to exceed a total of eight square feet per sign.

4. Site Development

- a. Minimum setback requirements for all structures shall be as follows: Exterior development property boundary: 15 feet; Right-of-way setback: 10 feet; and Interior: 5 feet.
- b. For the purpose of determining minimum setback requirements the property line that forms the common outer perimeter of the overall shopping center development shall be considered the “exterior property boundary”. All other property lines that are not adjacent to a right-of-way shall be considered an “Interior” line.
- c. The maximum height of any building, structure, or decorative feature shall not exceed 50 feet in height.
- d. All trash receptacles shall be enclosed on three sides and screened from public view with materials similar to those of the primary building. The enclosure shall have a lockable gate which when closed completely eliminates view of the dumpster.
- e. All loading areas shall be screened from public view, including all right-of-way by a combination of complementary architectural treatments and/or landscaping which after three years shall significantly screen the loading area from view.
- f. Building materials on Lots 3 through 9 shall be made up of 100% masonry materials such as brick, split faced block (with texture), concrete masonry units (CMU), or EFIS materials. Metal and wood shall only be allowed as an architectural accent. Twenty (20%) of the building front façade shall be made of brick. No flat faced concrete block shall be allowed except for the rear wall of a building when it is not visible from a public space or right-of-way. Wood or a wood appearing siding may be acceptable as a main exterior material only for buildings less than 10,000 square feet (base floor area). Vinyl siding is not allowed. (see Attachment G).
- g. Buildings materials, architectural designs, and decorative fencing for the Fleet Farm retail store (including their outdoor lumber/garden center) and associated gas station on Lots 1 and 2 shall be approved and constructed in accordance with the submitted development plans shown in Attachment ‘H’. Additionally, for Lot 1, a six foot-tall privacy fence comprised of wood, vinyl, and/or landscaping shall be installed along the entire westerly property line for screening purposes, prior to issuance of a certificate of occupancy.

- h. Awning or other decorative features may be allowed on the façade of a building and must be at least eight feet above the traveled pedestrian way and may not project over drive aisles or parking areas.
- i. The layout and placement of a building on proposed Lot 8 will cause all facades to be viewable from rights-of-way located within the development and Richard Downing Avenue. The architectural design of the building on this lot must take into account that there is no ‘true’ rear façade. As such the façade designed with service entrances shall be enhanced with awnings, or other decorative features. Such features may be allowed on the façade of a building and must be at least 8 feet above the traveled pedestrian way and may not project over drive aisles or parking areas.
- j. All equipment placed on roofs shall be screened with an architectural feature from public view.
- k. No more than 40% of any lot shall be covered with structures.
- l. Outside storage is not allowed. This includes the temporary and/or permanent placement of intermodal storage containers.
- m. Access to the rear of each building for Fire Department equipment shall be provided in accordance with the requirements of the Fire Marshal’s Office.

5. Off-Street Parking

- a. The minimum number of parking spaces shall be as determined in Chapter 15.23, Off-Street Parking, Loading and Unloading of the Council Bluffs Municipal Code (Zoning Ordinance). In cases where several uses occupy a structure or parcel of land the total requirement for off-street parking shall be the sum of the requirement of the different uses.
- b. The applicant shall be responsible to develop cross access and ingress/egress easements to be recorded with the final plat to accommodate shared parking and driveways.
- c. Each request for a building permit will include a parking lot plan showing the number, location, and dimension of all drive aisles and spaces, pedestrian ways, islands, landscaped areas, loading areas and lighting.
- d. All parking lots are also subject to compliance with the Parking for Persons with Disabilities chapter of the Iowa Administrative Code.

6. Outdoor Lighting

- a. All lighting on private lots shall be painted or finished aluminum or steel. Wood poles are not allowed. The maximum height shall not exceed 40 feet. The fixture designs located on private property shall be generally of a similar design and finish; and

WHEREAS, The Community Development Department recommends approval of the Planned Commercial Development Plan, subject to all the comments and discussed above along with the following conditions:

1. A planned commercial development plan incorporating the above changes (technical and non-technical) shall be submitted to the Community Development Department following action by the City Council, but prior to the submittal of any construction drawings and/or grading permit requests to ensure that all necessary plan changes have been made and that drawings submitted for subsequent reviews and approvals by City staff are consistent with the conditions and plans approved by the City Council.
2. Any requested change(s) to the development plan as approved by the City Council shall be reviewed by the City Planning Commission and City Council.

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

That the Planned Commercial Development Plan for 24 Park Place as shown in Attachment “H”, is hereby approved and will be in full force and effect upon final plat approval for the 24 Park Place Subdivision and from and after its final passage and publication, as by law provided.

ADOPTED
AND
APPROVED

August 27, 2018.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

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

Liquor License Renewals

Council Action: 8/27/2018

Description

- 1) Big K Mart, 2803 E Kanseville
- 2) Casey's General Store, #3203
- 3) Elk's Lodge, 380 McKenzie Avenue
- 4) La Mesa, 3036 S Expressway
- 5) Lakeside Ampride, 4040 South Expressway
- 6) Mo Fish, 2403 Nash Blvd
- 7) Primos Mexican Rest, 930 5th Avenue
- 8) Quarthouse Lounge, 107 Pearl Street
- 9) Tobacco Hut, 3134 Manawa Center Drive #9
- 10) Thunderbowl & McCoy's on the Bluff, 1900 Madison Avenue

Background/Discussion

No alcohol related Calls for service on these establishments.

Recommendation

ATTACHMENTS:

Description

[Renewal Applications](#)

Type

Other

Upload Date

8/22/2018



State of Iowa
ALCOHOLIC
BEVERAGES DIVISION
[Home](#)
[About](#)
[Alcohol](#)
[Tobacco](#)
[Links](#)
[Contact](#)

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>cm</u>	Local Amt _____	
FIRE <u>JB</u>	Endorsed _____	
HEALTH _____	Issued _____	
BUILDING <u>SL</u>	Expires _____	
ZONING _____		

[Help](#)
[License Search](#)
[License List](#)
[On-Demand Reporting](#)
[Keg Registration Search](#)
[User Profile](#)
[Logout](#)

Applicant BC0027014, Big K Mart (#3097), Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.
The navigation links on the top may also be used to move around the application.

- License
- Privileges
- Applicant
- Status Of Business
- Ownership
- Criminal History
- Premises
- General Premises
- Applicant Signature
- Local Endorse
- History

Corporation Name/Sole Proprietor: K Mart Corporation (Sole Proprietorship, Partnership, Corporation, etc.)

Name/Partnership Name(s):

Name of Business (D/B/A): Big K Mart (#3097)

Address of Premise: 2803 E Kanesville Blvd

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503-0000

Business Phone: (712) 325-0930

Cell / Home Phone: (248) 463-1000

Same Address

Mailing Address: 3333 Beverly Road

Mailing Address Line 2: B2-113A

City: Hoffman Estates

State: Illinois

Zip: 60179

Contact Name: Crystal Dulceak

Phone: (847) 286-6559

Email Address: crystal.dulceak@searshc.com

[Prev](#)

[Next](#)

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



Contact Us

Iowa Alcoholic Beverages Division
1918 SE Hulsizer Road, Ankeny, IA 50021
Toll Free 866.IowaABD (866.469.2223)
Local 515.281.7400

[Terms and Conditions](#)
[Privacy Policy](#)

Copyright ©2009 State of Iowa
Alcoholic Beverages Division. All Rights Reserved.



State of Iowa
ALCOHOLIC
BEVERAGES DIVISION

Home
About
Alcohol
Tobacco
Links
Contact

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>ew</u>	Local Amt _____	
FIRE <u>RB</u>	Endorsed _____	
HEALTH _____	Issued _____	
BUILDING _____	Expires _____	
ZONING _____		

[Help](#)
[License Search](#)
[License List](#)
[On-Demand Reporting](#)
[Keg Registration Search](#)
[User Profile](#)
[Logoff](#)

- > License
- > Privileges
- > **Applicant**
- > Status Of Business
- > Ownership
- > Criminal History
- > Premises
- > General Premises
- > Applicant Signature
- > Bond Cert
- > Local Endorse
- > History

Applicant LE0002659, Casey's General Store #3203, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.
The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor Name/Partnership Name(s): Casey's Marketing Company (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Casey's General Store #3203

Address of Premise: 1928 Sherwood Dri

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 328-9684

Cell / Home Phone:

Same Address

Mailing Address: PO Box 3001

Mailing Address Line 2:

City: Ankeny

State: Iowa

Zip: 50021

Contact Name: Jessica Fisher, Store Operations

Phone: (515) 446-6404

Email Address: jessica.fisher@caseys.com

Prev

Next

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



Contact Us

Iowa Alcoholic Beverages Division
1918 SE Hulsizer Road, Ankeny, IA 50021
Toll Free 866.IowaABD (866.469.2223)
Local 515.281.7400

[Terms and Conditions](#)
[Privacy Policy](#)

Copyright ©2009 State of Iowa
Alcoholic Beverages Division, All Rights Reserved.



State of Iowa
ALCOHOLIC
BEVERAGES DIVISION
[Home](#)
[About](#)
[Alcohol](#)
[Tobacco](#)
[Links](#)
[Contact](#)

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>en</u>	Local Amt _____	
FIRE <u>PS</u>	Endorsed _____	
HEALTH _____	Issued _____	
BUILDING <u>SE</u>	Expires _____	
ZONING _____		

[Help](#)
[License Search](#)
[License List](#)
[On-Demand Reporting](#)
[Keg Registration Search](#)
[User Profile](#)
[Logoff](#)

- License
- Privileges
- Applicant
- Status Of Business
- Ownership
- Criminal History
- Premises
- General Premises
- Applicant Signature
- Dram Cert
- Local Endorse
- History

Applicant LC0007673, Bluffs Lodge No. 531 B. P. O. Elks, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen. The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor: Bluffs Elks Lodge No 531 (Sole Proprietorship, Partnership, Corporation, etc.)

Name/Partnership Name(s):

Name of Business (D/B/A): Bluffs Lodge No. 531 B. P. O. Elks

Address of Premise: 380 Mc Kenzie Avenue

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 323-2589

Cell / Home Phone: (712) 326-5071

Same Address

Mailing Address: 380 Mc Kenzie Avenue

Mailing Address Line 2:

City: Council Bluffs

Zip: 51503

State: Iowa

Contact Name: LuAnn Pribyl

Phone: (402) 212-4211

Email Address: laopribyl@gmail.com

[Prev](#)

[Next](#)

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



Contact Us

Iowa Alcoholic Beverages Division
1918 SE Hulsizer Road, Ankeny, IA 50021
Toll Free 866.IowaABD (866.469.2223)
Local 515.281.7400

[Terms and Conditions](#)
[Privacy Policy](#)

Copyright ©2009 State of Iowa
Alcoholic Beverages Division. All Rights Reserved.



State of Iowa
ALCOHOLIC
BEVERAGES DIVISION
[Home](#)
[About](#)
[Alcohol](#)
[Tobacco](#)
[Links](#)
[Contact](#)

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>Can</u>	Local Amt _____	
FIRE <u>R/B</u>	Endorsed _____	
HEALTH _____	Issued _____	
BUILDING <u>SE</u>	Expires _____	
ZONING _____		

[Help](#)
[License Search](#)
[License List](#)
[On-Demand Reporting](#)
[Keg Registration Search](#)
[User Profile](#)
[Logout](#)

- License
- Privileges
- **Applicant**
- Status Of Business
- Ownership
- Criminal History
- Premises
- General Premises
- Applicant Signature
- Dram Cert
- Local Endorse
- History

Applicant LC0034060, La Mesa Mexican Restaurant, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen. The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor: Manawa La Mesa Corporation (Sole Proprietorship, Partnership, Corporation, etc.)

Name/Partnership Name(s):

Name of Business (D/B/A): La Mesa Mexican Restaurant

Address of Premise: 3036 S Expressway

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 256-2762

Cell / Home Phone:

Same Address

Mailing Address: 3036 S Expressway

Mailing Address Line 2:

City: Council Bluffs

Zip: 51501

State: Iowa

Contact Name: david

Phone: (712) 256-2762

Email Address: azulito7701@hotmail.com

[Prev](#)

[Next](#)

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



Contact Us

Iowa Alcoholic Beverages Division
1918 SE Hulsizer Road, Ankeny, IA 50021
Toll Free 866.IowaABD (866.469.2223)
Local 515.281.7400

[Terms and Conditions](#)
[Privacy Policy](#)

Copyright ©2009 State of Iowa
Alcoholic Beverages Division. All Rights Reserved.



State of Iowa
ALCOHOLIC
BEVERAGES DIVISION

Home
About
Alcohol
Tobacco
Links
Contact

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>CLM</u>	Local Amt _____	
FIRE <u>RS</u>	Endorsed _____	
HEALTH _____	Issued _____	
BUILDING <u>SR</u>	Expires _____	
ZONING _____		

[Help](#)
[License Search](#)
[License List](#)
[On-Demand Reporting](#)
[Keg Registration Search](#)
[User Profile](#)
[Logoff](#)

- > License
- > Privileges
- > **Applicant**
- > Status Of Business
- > Ownership
- > Criminal History
- > Premises
- > General Premises
- > Applicant Signature
- > Local Endorse
- > History

Applicant BC0030203, Lakeside Ampride, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.
The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor: Heartland CO-OP

(Sole Proprietorship, Partnership, Corporation, etc.)

Name/Partnership Name(s):

Name of Business (D/B/A): Lakeside Ampride

Address of Premise: 4040 South Expressway

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 323-7167

Cell / Home Phone:

Same Address

Mailing Address: 4040 South Expressway

Mailing Address Line 2:

City: Council Bluffs

Zip: 51501

State: Iowa

Contact Name: Gary Fellman

Phone: (712) 323-7167

Email Address: gfellman@heartlandcoop.com

Prev

Next

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



Contact Us

Iowa Alcoholic Beverages Division
1918 SE Hulsizer Road, Ankeny, IA 50021
Toll Free 866.IowaABD (866.469.2223)
Local 515.281.7400

[Terms and Conditions](#)
[Privacy Policy](#)

Copyright ©2009 State of Iowa
Alcoholic Beverages Division. All Rights Reserved.



State of Iowa
ALCOHOLIC
BEVERAGES DIVISION

Home
About
Alcohol
Tobacco
Links
Contact

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>cm</u>	Local Amt _____	
FIRE <u>PLB</u>	Endorsed _____	
HEALTH _____	Issued _____	
BUILDING <u>SC</u>	Expires _____	
ZONING _____		

- | | | | | | | |
|------|----------------|---------------------|---------------------|-------------------------|--------------|--------|
| Help | License Search | License List | On-Demand Reporting | Keg Registration Search | User Profile | Logoff |
|------|----------------|---------------------|---------------------|-------------------------|--------------|--------|

- > License
- > Privileges
- > **Applicant**
- > Status Of Business
- > Ownership
- > Criminal History
- > Premises
- > General Premises
- > Applicant Signature
- > Dram Cert
- > Local Endorse
- > History

Applicant BB0029805, Mo Fish, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.
The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor Name/Partnership Name(s): Mo Fish, LLC (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Mo Fish

Address of Premise: 2403 Nash Blvd

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 256-4000

Cell / Home Phone: (712) 256-8081

Same Address

Mailing Address: 2403 Nash Blvd

Mailing Address Line 2:

City: Council Bluffs

Zip: 51501

State: Iowa

Contact Name: Don Mulvania

Phone: (712) 256-4000

Email Address: cmulvania087@gmail.com

Prev

Next

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



Contact Us

Iowa Alcoholic Beverages Division
1918 SE Hulsizer Road, Ankeny, IA 50021
Toll Free 866.IowaABD (866.469.2223)
Local 515.281.7400

[Terms and Conditions](#)
[Privacy Policy](#)

Copyright ©2009 State of Iowa
Alcoholic Beverages Division. All Rights Reserved.



State of Iowa
ALCOHOLIC
BEVERAGES DIVISION
About
Alcohol
Tobacco
Links
Contact

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>cu</u>	Local Amt	
FIRE <u>AT</u>	Endorsed	
HEALTH	Issued	
BUILDING <u>8P</u>	Expires	
ZONING <u>CA</u>		

Help License Search License List On-Demand Reporting Keg Registration Search User Profile Logoff

- > License
- > Privileges
- > Applicant
- > Status Of Business
- > Ownership
- > Criminal History
- > Premises
- > General Premises
- > Applicant Signature
- > Dram Cert
- > Local Endorse
- > History

Applicant LC0037949, Primos Mexican Restaurant, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.
The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor Name/Partnership Name(s): Primos Mexican Restaurant Inc (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Primos Mexican Restaurant

Address of Premise: 930 5th Ave

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (402) 612-8200

Cell / Home Phone: (402) 612-8200

☐ Same Address

Mailing Address: 5101 Council Pointe Rd

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51501

Contact Name: Travis Taylor

Phone: (402) 612-8200

Email Address: TravTaylor81@gmail.com

Prev

Next

Follow us with RSS, Facebook or Twitter



Contact Us

Iowa Alcoholic Beverages Division
1918 SE Hulsizer Road, Ankeny, IA 50021
Toll Free 866.IowaABD (866.469.2223)
Local 515.281.7400

Terms and Conditions
Privacy Policy

Copyright ©2009 State of Iowa
Alcoholic Beverages Division. All Rights Reserved.



State of Iowa
ALCOHOLIC
BEVERAGES DIVISION
[Home](#)
[About](#)
[Alcohol](#)
[Tobacco](#)
[Links](#)
[Contact](#)

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>Cm</u>	Local Amt _____	
FIRE <u>AP</u>	Endorsed _____	
HEALTH _____	Issued _____	
BUILDING <u>R</u>	Expires _____	
ZONING <u>1</u>		

Help

License Search

License List

On-Demand
ReportingKeg Registration
Search

User Profile

Logoff

License

Privileges

Applicant

Status Of Business

Ownership

Criminal History

Premises

General Premises

Applicant Signature

Dram Cert

Local Endorse

History

Applicant LC0030137, Quarhouse, The, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.
The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor

Name/Partnership Name(s): Quarhouse, Inc.

(Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Quarhouse, The

Address of Premise: 107 Pearl St

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 322-9830

Cell / Home Phone: (402) 734-1233

Same Address

Mailing Address: 107 Pearl St

Mailing Address Line 2:

City: Council Bluffs

Zip: 51503

State: Iowa

Contact Name: David Sinnott Jr.

Phone: (712) 322-9830

Email Address: dd35387@hotmail.com

Prev

Next

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)

Contact Us

Iowa Alcoholic Beverages Division
1918 SE Hulsizer Road, Ankeny, IA 50021
Toll Free 866.IowaABD (866.469.2223)
Local 515.281.7400

[Terms and Conditions](#)
[Privacy Policy](#)

Copyright ©2009 State of Iowa
Alcoholic Beverages Division. All Rights Reserved.



State of Iowa
ALCOHOLIC
BEVERAGES DIVISION
[Home](#)
[About](#)
[Alcohol](#)
[Tobacco](#)
[Links](#)
[Contact](#)

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>CS</u>	Local Amt _____	
FIRE <u>RS</u>	Endorsed _____	
HEALTH _____	Issued _____	
BUILDING <u>SL</u>	Expires _____	
ZONING _____		

Help	License Search	License List	On-Demand Reporting	Keg Registration Search	User Profile	Logoff
------	----------------	--------------	---------------------	-------------------------	--------------	--------

Applicant LE0002779, Tobacco Hut & Liquor, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen. The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor: Albro Holdings LLC (Sole Proprietorship, Partnership, Corporation, etc.)

Name/Partnership Name(s):

Name of Business (D/B/A): Tobacco Hut & Liquor

Address of Premise: 3134 Manawa Center Dr #9

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 366-1873

Cell / Home Phone: (402) 706-4246

Same Address

Mailing Address: 10409 I street

Mailing Address Line 2:

City: Omaha

State: Nebraska

Zip: 68127

Contact Name: Matt Cerone

Phone: (402) 513-3191

Email Address: mattcerone@expressdistribut

[Prev](#)

[Next](#)

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



Contact Us

Iowa Alcoholic Beverages Division
1918 SE Hulsizer Road, Ankeny, IA 50021
Toll Free 866.IowaABD (866.469.2223)
Local 515.281.7400

[Terms and Conditions](#)
[Privacy Policy](#)

Copyright ©2009 State of Iowa
Alcoholic Beverages Division. All Rights Reserved.



State of Iowa
ALCOHOLIC
BEVERAGES DIVISION
[Home](#)
[About](#)
[Alcohol](#)
[Tobacco](#)
[Links](#)
[Contact](#)

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>com</u>	Local Amt _____	
FIRE <u>RS</u>	Endorsed _____	
HEALTH _____	Issued _____	
BUILDING <u>R</u>	Expires _____	
ZONING _____		

[Help](#)
[License Search](#)
[License List](#)
[On-Demand Reporting](#)
[Keg Registration Search](#)
[User Profile](#)
[Logoff](#)

- ▶ License
- ▶ Privileges
- ▶ **Applicant**
- ▶ Status Of Business
- ▶ Ownership
- ▶ Criminal History
- ▶ Premises
- ▶ General Premises
- ▶ Applicant Signature
- ▶ Dram Cert
- ▶ Local Endorse
- ▶ History

Applicant LC0040387, Thunderbowl & McCoy's on the Bluff, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.
The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor: SSCD, LLC

(Sole Proprietorship, Partnership, Corporation, etc.)

Name/Partnership Name(s):

Name of Business (D/B/A): Thunderbowl & McCoy's on the Bluff

Address of Premise: 1900 Madison Ave

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 328-2374

Cell / Home Phone: (402) 650-1777

Same Address

Mailing Address: 1900 Madison Ave

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51503

Contact Name: Connie Ratliff

Phone: (402) 650-1777

Email Address: connie@thunderbowl.com

Prev

Next

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



Contact Us

Iowa Alcoholic Beverages Division
1918 SE Hulsizer Road, Ankeny, IA 50021
Toll Free 866.IowaABD (866.469.2223)
Local 515.281.7400

[Terms and Conditions](#)
[Privacy Policy](#)

Copyright ©2009 State of Iowa
Alcoholic Beverages Division. All Rights Reserved.

Council Communication

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

Iowa League of Cities Annual Conference
permits

Council Action: 8/27/2018

Description

- 1) Fireworks
- 2) Special Event Liquor License

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Special Event Fireworks Application	Other	8/20/2018
liquor application	Other	8/22/2018

For City Use Only:

Name of Special Event: Iowa League of Cities Fireworks
Date of Special Event: September 13, 2018 9:15pm

Note to Departments: You are requested to review this application and return it to the city Clerk's Office with any comments shown below. Comments should include pertinent laws and ordinances as well as notice of any required changes, fees, permits, and licenses.

Department Comments: _____

☐ Approved

☐ Denied

Department: _____

Signature/Initials: _____

CD ✓

FIRE ✓

BUILDING ✓

LEGAL NA

PARKS ✓

POLICE ✓

PW ✓

RISK M ✓

INS CERT ✓

COUNCIL 8-27-18

FORMS SENT OUT 8-13-18

Print**Special Event Application - Submission #1734****Date Submitted: 8/9/2018****City Clerk's Office**

(712) 328-4616

First Name

Ted

Last Name

Kallhoff

Email Address

ted@jandmdisplays.com

Address1

17783 Allis Road

Address2**City**

Council Bluffs

State

IA

Zip

51503

Phone Number

4026396065

Event Name

Iowa League of Cities

Event Location

Tom Hanifen Park

Estimate of Number of Participants

- | | |
|---|------------------------------------|
| <input type="checkbox"/> 1-50 | <input type="checkbox"/> 251-500 |
| <input type="checkbox"/> 51-100 | <input type="checkbox"/> 501-1,000 |
| <input checked="" type="checkbox"/> 101-250 | <input type="checkbox"/> 1,000+ |

Type of Event

- | | |
|--|---|
| <input type="checkbox"/> Circus* | <input type="checkbox"/> Walk, Run, Bicycle Event |
| <input type="checkbox"/> Carnival* | <input type="checkbox"/> Concert |
| <input checked="" type="checkbox"/> Fireworks* | <input type="checkbox"/> Neighborhood/Block Party |
| <input type="checkbox"/> Parade* | <input type="checkbox"/> Other: _____ |

***Acknowledgement to Proceed**

☒ I Agree

*By checking this box you are acknowledging you understand these types of events must have City Council Approval. This may add 2 - 3 weeks to the process.

Date of Event

9/13/2018

Time of Event

9:15 PM

Set Up Date

9/13/18

Date Taken Down

9/13/18

Brief Description of the Event

Donated show for Iowa League of Cities, Presidents Reception at Pavilion at Tom Hanafan River's Edge Park

Additional permits required with event includes:

- ☐ Sale of Alcoholic Beverages, Requires temporary liquor license from the Iowa Alcoholic Beverage Division. Apply on-line or call 1-866-469-2223.
- ☐ Sale of Food Products, Requires temporary food permit from Iowa Department of Inspections and Appeals 515-281-6538
- ☒ Fireworks, Requires permit from City Fire Department (712-328-4671).
- ☐ Noise, If event includes music, a live band, or noise of any kind a request for a noise variance must be made.

Traffic Control

- ☐ Request Police Assistance

Cost for City worker's overtime may be required. Administration fees for police services and cruisers are provided at an additional cost.

Explain Police Assistance Needs**Street Closures**

☐ Request Street Closure (Must include Map)

Street closures must be in compliance with the Manual for Uniform Traffic Control Devices. Traffic control barricades and signage must be furnished and placed by qualified companies or by the city. The city charges fees for this service. Street closures require abutting property owners' concurrence. Petition/Permission form needs completed.

Upload File (Map, Street Closure Permission, etc.)

No file chosen

Upload File (Map, Street Closure Permission, etc.)

No file chosen

Please check any of the following boxes that apply to this event.

- ☐ animals
- ☐ open fires (other than barbecues)
- ☐ portables (porta=potties) recommendations based on duration/people attending
- ☐ using a park, sidewalk or street surrounding a park
- ☐ using any portion of a public trail
- ☐ using any public area
- ☐ there will be alcoholic beverages being sold
- ☐ there will be alcoholic beverages being served
- ☐ there will be a fee/charge to take part in this event

If you checked any of the boxes above, please give a brief description below:

Insurance Requirements:

An Insurance Certificate is required in the amount of \$1,000,000, for Liability coverage, listing the City of Council Bluffs as an additional insured, for all events.

Insurance Requirements

Iowa League of Cities Ins Cert.pdf

An Insurance Certificate is required in the amount of \$1,000,000, for Liability coverage, listing the City of Council Bluffs as an additional insured, for all events. Certificate may be uploaded here.

PLEASE NOTE:

This request form must be submitted or returned to the City Clerk's Office, 209 Pearl Street, at least 10 business days prior to the event. If not returned within 10 business days the event will be denied. If you have any questions, please contact the City Clerk's Office (712) 328-4616.

Application Date

8/9/18

Requesting Person: (Name, Mailing Address, Phone Number, Email Address)

Ted Kallhoff
J&M Displays
17783 Allis Road
Council Bluffs, IA 51503

Organization/Event

Iowa League of Cities, Presidents Reception

Event Location

Tom Hanifen Park

Event Date

9/13/2018

—

mm/dd/yyyy

Event Time

9:15 PM

—

hh:mm am/p

Explain Source of Noise and Specific Hours of Noise

10 Min fireworks display

PLEASE NOTE:

*Letters of approval may be required from surrounding residents/businesses.

We the undersigned residents in the City of Council Bluffs, Iowa, DO NOT object to the closing of the following street for a special event:

Street:



State of Iowa
ALCOHOLIC
BEVERAGES
DIVISION
[Home](#)
[About](#)
[Alcohol](#)
[Tobacco](#)
[Links](#)
[Contact](#)

<input type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input checked="" type="checkbox"/> SPECIAL EVENT
POLICE <u>cm</u>	Local Amt _____	
FIRE <u>AB</u>	Endorsed _____	
HEALTH _____	Issued _____	
BUILDING <u>SR</u>	Expires _____	
ZONING _____		

[Help](#)
[License Search](#)
[License List](#)
[On-Demand Reporting](#)
[Keg Registration Search](#)
[User Profile](#)
[Logoff](#)

- > License
- > Privileges
- > **Applicant**
- > Status Of Business
- > Ownership
- > Criminal History
- > Premises
- > General Premises
- > Applicant Signature
- > Dram Cert
- > Local Endorse
- > History

Applicant LC_V_81654, Tom Hanafan Rivers Edge Park, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.
The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor Name/Partnership Name(s): Harrah's Iowa Arena Management (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Tom Hanafan Rivers Edge Park

Address of Premise: 4000 Ave B

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 329-6000

Cell / Home Phone:

Same Address

Mailing Address: One Arena Way

Mailing Address Line 2:

City: Council Bluffs

Zip: 51501

State: Iowa

Contact Name: Tim Howarth

Phone: (712) 329-6411

Email Address: thowarth@harrahs.com

[Prev](#)

[Next](#)

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



Contact Us

Iowa Alcoholic Beverages Division
1918 SE Hulsizer Road, Ankeny, IA 50021
Toll Free 866.IowaABD (866.469.2223)
Local 515.281.7400

[Terms and Conditions](#)
[Privacy Policy](#)

Copyright ©2009 State of Iowa
Alcoholic Beverages Division. All Rights Reserved.