

**CITY PLANNING COMMISSION  
MINUTES  
FEBRUARY 12, 2019**

**1. CALL TO ORDER** – DeMasi called the meeting to order at 6:00 P.M.

**2. ROLL CALL**

Members Present: Disalvo, DeMasi, Halm, Haner, Holm, Hutcheson, Rew, Scott, Stroebele, and VanHouten

Absent: Danielsen

Staff: Garrett, Gibbons, Meeks, Monrroy, and Wade

**3. ADOPTION OF AGENDA**

Motion by Holm, second by Disalvo to adopt the agenda as presented. Motion carried by unanimous voice vote.

**4. APPROVAL – MINUTES OF JANUARY 8, 2019 MEETING**

Motion by Halm, second by Holm to adopt the minutes as presented. Motion carried by unanimous voice vote.

**5. PROOF OF PUBLICATION** – Gibbons provided the proof of publication.

**6. REVIEW OF MEETING PROCEDURES** – DeMasi

**7. PUBLIC HEARINGS** - *(Refer to the taped recording of these proceedings for official verbatim minutes)*

A. CASE #SAV-19-002: Public hearing on the request of Richard Swanger to vacate and dispose of the West north/south alley platted in Block 10, Burns Addition, lying East of Indian Creek and between 21<sup>st</sup> Avenue and 22<sup>nd</sup> Avenue. Location: West of 1321 21<sup>st</sup> Street.

Monrroy provided an overview of the request.

No one spoke in favor or in opposition of the request. DeMasi closed the public hearing.

Van Houten asked if the applicant was in attendance. Gibbons stated that the applicant was not in the audience. Van Houten stated that applicants should attend public hearings to present their cases.

Rew asked if the applicant owned all abutting properties. Monrroy stated that the applicant owns the four properties abutting the subject north/south alley.

Scott asked if the applicant would have to purchase alley if vacated. Monrroy stated that the City typically does not charge to dispose of alleyways.

Motion by Rew, second by Holm, to recommend approval to vacate and dispose of the West north/south alley platted in Block 10, Burns Addition, lying East of Indian Creek and between 21<sup>st</sup> Avenue and 22<sup>nd</sup> Avenue, as per the recommendation of staff.

VOTE: AYE – DeMasi, Disalvo, Halm, Haner, Holm, Hutcheson, Rew, Scott, Stroebele, and Van Houten.  
NAY – None. ABSTAIN – None. ABSENT – Danielsen. Motion carried.

- B. CASE #SAV-19-003: Public hearing on the request of Christopher Brokman to vacate and dispose of the east/west alley platted in Block 5, Fleming and Davis Addition, lying West of South 17<sup>th</sup> Street and between 9<sup>th</sup> Avenue and 10<sup>th</sup> Avenue. Location: North of 920 South 17<sup>th</sup> Street.

Monrroy provided an overview of the request.

No one spoke in favor or in opposition of the request. DeMasi closed the public hearing.

Rew reiterated Van Houten's comments from previous case, stating that applicants should attend public hearings. Gibbons stated that applicants are notified of the date, time and location of Planning Commission meetings when they are mailed staff reports.

Holm asked why the applicant did not have to purchase the alley when applicants in the past have had to purchase right-of-way to acquire it after it has been vacated. Gibbons stated that applicants are required to pay the alley vacation application fee, which covers the cost to dispose of alleys.

Motion by Hutcheson, second by Scott to recommend approval to vacate and dispose of the east/west alley platted in Block 5, Fleming and Davis Addition, lying West of South 17<sup>th</sup> Street and between 21<sup>st</sup> Avenue and 22<sup>nd</sup> Avenue, as per the recommendation of staff.

VOTE: AYE – DeMasi, Disalvo, Halm, Haner, Holm, Hutcheson, Rew, Scott, Stroebele, and VanHouten.  
NAY – None. ABSTAIN – None. ABSENT – Danielsen. Motion carried.

- C. CASE #CP-19-001: Public hearing on the request of the City of Council Bluffs to amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying all properties located between 1<sup>st</sup> Avenue and 2<sup>nd</sup> Avenue from South 27<sup>th</sup> Street to South 35<sup>th</sup> Street from a combination of High Density Residential and Low Density Residential, and Local Commercial to Multi-family/Mixed-Use (legally described as being Blocks 6 and 13, Ferry's Addition; Blocks 7 and 8, Bryant and Clark's Subdivision and the vacated street right-of-way adjacent; Block 9, Bryant and Clark's Subdivision; Blocks 10 and 11, Bryant and Clark's Subdivision and vacated street right-of-way adjacent; Block 12, Bryant and Clark's Subdivision; and Block 2, Twin City Subdivision); and to reclassify certain properties located between West Broadway and 1<sup>st</sup> Avenue from South 27<sup>th</sup> Street and South 31<sup>st</sup> Street from a combination of Local Commercial and High Density Residential to Multi-family/Mixed-Use (legally described as Lots 8 through 17, Block 1, Twin City Place; Blocks 2 and 3, Bryant and Clark's Subdivision and the vacated street right-of-way adjacent); and to reclassify certain properties located at the southeast corner of the intersection of West Broadway and South 34<sup>th</sup> Street from High Density Residential to Local Commercial (legally described as Lots 1 through 5, Block 5, Ferry Addition and the vacated alleys adjacent; and Lots 1 through 6, Block 6, Bryant and Clark's Addition and the West 33 feet of vacated 33<sup>rd</sup> Street right-of-way adjacent along with all vacated alleys adjacent). Location: Generally between West Broadway and 2<sup>nd</sup> Avenue from South 27<sup>th</sup> Street to South 35<sup>th</sup> Street.

Meeks provided an overview of the request.

No one spoke in favor or in opposition of the request. DeMasi closed the public hearing.

Rew asked what would be the intended outcome of this request. Garrett stated that this amendment will update the Comprehensive Plan and make it more consistent with West Broadway Corridor Master Plan, as well as facilitate future development along the corridor. Gibbons stated that this request is the first step in the process to allow mixed-use/multi-family development along the corridor.

Holm asked about demolition activity taking place in the corridor. Garrett stated that the former Echo buildings at 3036 and 3426 2<sup>nd</sup> Avenue were demolished to prepare each property for future redevelopment.

Stroebele asked if this request would negatively impact businesses located in the corridor. Garrett stated that the request would not change the current zoning classification of the subject properties, thus they would continue to legally operate as they do today. Rew asked if businesses looking to expand or acquire properties in the area would no longer be compatible with the future land use plan if this request is approved. Garrett stated that businesses will be allowed to expand as long as they met their properties' zoning standards. Garrett also stated that if a business proposed to rezone a property in this corridor to industrial, Staff would recommend denial as said request would not be consistent with the City's vision for the corridor.

Holm asked if the City had any plans to buy out properties located along the corridor. Garrett stated that the City already has ownership of a significant amount of properties in the corridor and that it is focused on acquiring properties in other areas of Council Bluffs.

Motion by Holm, second by Halm to recommend approval of the amendment to the future land use plan of the Bluffs Tomorrow: 2030 Comprehensive Plan, as per the recommendation of staff.

VOTE: AYE – DeMasi, Disalvo, Halm, Haner, Holm, Hutcheson, Rew, Scott, Stroebele, and VanHouten.  
NAY – None. ABSTAIN – None. ABSENT – Daniels. Motion carried.

- D. CASE #ZC-19-001: Public hearing on the request of the City of Council Bluffs to rezone property legally described as Lots 1 through 16, Block 12, Bryant and Clark's Subdivision and the vacated alley adjacent from R-3/Low Density Multifamily Residential to R-4/High Density Multifamily Residential District. Location: Between 1<sup>st</sup> and 2<sup>nd</sup> Avenues from South 28<sup>th</sup> Street to South 29<sup>th</sup> Street, and formerly addressed as 110 South 28<sup>th</sup> Street.

Meeks provided an overview of the request.

No one spoke in favor or in opposition of the request. DeMasi closed the public hearing.

Rew asked whether a low-income housing project should be the first project along the 2<sup>nd</sup> Avenue Corridor, as it could set a negative precedent for future development. Garrett stated that the site was acquired using CDBG funds, which encumbers what can be done with the property. Gibbons stated that the City does not plan to acquire more properties in this corridor through the use of CDBG funds, thus providing more options for future development.

Rew asked if this request would help attract potential developers to the site by providing them with more options. Garrett stated that the potential for more units may attract more developers as high density development may better fit their *pro forma*.

Rew asked if a developer interested in redeveloping the site could request the rezoning instead. Gibbons stated that staff choose to pursue the rezoning to increase the number of responses to an RFP to develop the site, as well as to maximize density along the corridor.

Van Houten stated that the success of a low-income housing project will depend on the housing market and noted the lack of senior housing in Council Bluffs. Holm stated that the site would be a good location for high-density senior housing.

Motion by Scott, second by Holm to recommend approval of the request to rezone property legally described as Lots 1 through 16, Block 12, Bryant and Clark's Subdivision and the vacated alley adjacent from R-3/Low Density Multifamily Residential to R-4/High Density Multifamily Residential District, per the recommendation of staff.

VOTE: AYE – DeMasi, Disalvo, Halm, Haner, Holm, Hutcheson, Rew, Scott, Stroebele, and VanHouten.  
NAY – None. ABSTAIN – None. ABSENT – Daniels. Motion carried.

- E. CASE #CP-19-002: Public hearing on the request of the City of Council Bluffs to amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying 44.47 acres of land located at the southwest corner of the intersection of South 24th Street and Richard Downing Avenue from a combination of Office/Industrial and High Density Residential to Regional Commercial (legally described as being part of N1/2 SE1/4 of Section 10-74-44 and part of the NW1/4 SW1/4 of Section 11-74-44, City of Council Bluffs, Pottawattamie County, Iowa). Location: Southwest corner of the intersection of South 24<sup>th</sup> Street and Richard Downing Avenue.

Gibbons provided an overview of the request.

No one spoke in favor or in opposition of the request. DeMasi closed the public hearing.

DeMasi asked if an additional road would be constructed across the site. Gibbons stated that the developer's concept shows two new streets.

Holm asked if the 24 Park Place Shopping Center project was ready to go. Wade stated the developer still has to establish financial incentives with the City, as well as adopt an Urban Renewal Plan. Gibbons stated that an Urban Renewal Plan has to be adopted as part of this project.

Motion by Scott, second by Stroebele to recommend approval of the amendment to the future land use plan of the Bluffs Tomorrow: 2030 Comprehensive Plan, as per the recommendation of staff.

VOTE: AYE – DeMasi, DiSalvo, Halm, Haner, Holm, Hutcheson, Rew, Scott, Stroebele, and VanHouten.  
NAY – None. ABSTAIN – None. ABSENT – Daniels. Motion carried.

- F. CASE #URN-19-002: Public hearing on the request of the City of Council Bluffs to adopt the 2019 Mid-City Urban Renewal Plan for the land legally described as: Beginning at the intersection of the centerline of Avenue 'B' and the centerline of North 10th Street; south along the centerline of 10th Street to the centerline of West Broadway Avenue; east along the centerline of West Broadway Avenue to the centerline of 8th Street; South along the centerline of 8th Street to the centerline of 1st Avenue; West along the centerline of 1st Avenue to the centerline of South 10th Street; South along the centerline of South 10th Street to the centerline of 4th Avenue; West along the centerline of 4th Avenue to the centerline of South 12th Street; South along the centerline of South 12th Street to the centerline of 6th Avenue; West along the centerline of 6th Avenue to the centerline of the right-of-way of Indian Creek; North and Northeasterly along the centerline of the right-of-way of Indian Creek to the centerline of 13th Street; North along the centerline of 13th Street to the centerline of Avenue B; East along the centerline of Avenue B to the Point of Beginning. Location: Generally located from Avenue B to 6th Avenue and South 8th Street to South 13th Street.

Gibbons provided an overview of the request.

No one spoke in favor or in opposition of the request. DeMasi closed the public hearing.

Rew asked if there was anything else planned for the Mid-City Area besides the adoption of the Urban Renewal Plan. Gibbons stated that acquisition of properties in the area has been taken care of, but that there is still clean up to do in some properties. Gibbons also stated that while redevelopment in the area is hindered by several challenges, e.g. floodplains, abandoned railway lines and contamination, the City can provide incentives, such as TIF and CDBG funds, which can create opportunities for the redevelopment.

Motion by Holm, second by Hutcheson to recommend approval of the request to adopt the 2019 Mid-City Urban Renewal Area Plan, per the recommendation of staff.

VOTE: AYE – DeMasi, DiSalvo, Halm, Haner, Holm, Hutcheson, Rew, Scott, Strobele, and VanHouten.  
NAY – None. ABSTAIN – None. ABSENT – Danielsen. Motion carried.

**8. OTHER BUSINESS** *(Refer to the taped recording of these proceedings for the official verbatim minutes)*

A. City Council Update - Wade provided an update of City Council actions relative to recent planning cases.

Stroebele asked about the use of TIF in the 24 Park Place development and if it would negatively impact the school district. Wade stated that 24 Park Place is considered an economic development project, which justifies the use of TIF, and that the developer is looking at a 15-year financing period. Gibbons stated that since the project site is currently agricultural land, it is not generating much tax revenue, thus the use of TIF for this development would not negatively impact the school district. Gibbons also stated that when the Commission reviews Urban Renewal Plans, it is only to determine conformance with the Comprehensive Plan, while it is the City Council who makes decisions on TIF.

B. Other Items of Interest - Gibbons stated that Lindsey Danielsen is longer part of the Planning Commission as she has relocated outside of city limits, and will work with the Mayor's Office to fill vacancy.

Gibbons provided an update on case #PR-18-001(M), informing the Commission that the applicants had requested to postpone the case until the March or April meeting.

Garrett explained the rationale behind staff presentations for each case, arguing that it gives staff the opportunity to provide additional information and the Commission to ask questions to staff without interrupting the flow of the meeting.

Garrett spoke about the City's vision for 1<sup>st</sup> Avenue as a high density, multi-family/mixed-used and high amenity corridor, which will include a bike trail that connects existing trails that stub in from 16<sup>th</sup> Street on the east and 35<sup>th</sup> Street on the west.

DeMasi stated that she will not be in attendance at the March meeting.

**9. ADJOURNMENT** – DeMasi adjourned the meeting at 7:10 P.M.

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