

Valley View Habitat Corridor discussion - Vincent Martorello

Review Agenda



City Council Meeting Minutes April 6, 2020

CALL TO ORDER

To participate in the meeting please join our zoom meeting. You can join via phone, computer or both.

<https://zoom.us/j/6588922517>

Meeting ID: 658 892 2517

888 475 4499 US Toll-free

877 853 5257 US Toll-free

Meeting was held electronically with Zoom meetings pursuant to administrative action taken by City Council on March 23, 2020 regarding the Covid-19 pandemic.

Mayor Walsh call the meeting to order at 7:00 p.m. on Monday April 6, 2020.

Council Members present: Joe Disalvo, Chad Hannan, Melissa Head, Roger Sandau and Mike Wolf.

CONSENT AGENDA

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

Reading, correction and approval of the March 23, 2020 City Council Meeting Minutes.

Resolution 20-90

Resolution setting a Public Hearing for April 20, 2020 at 7:00 p.m. for the East Manawa Sewer Rehab, Phase IX. Project # PW21-09

Resolution 20-91

Resolution setting a public hearing for April 20, 2020 at 7:00 p.m. on approving a final exhibit B to the parking facility lease purchase agreement and revising the total amount of potential payments to be made as part of the lease purchase acquisition of the river's edge parking facility at \$19,300,000 to \$19,650,000.

Resolution 20-92

Resolution of necessity and intent to establish the 14th Avenue Urban Revitalization Area and setting a Public Hearing for May 18, 2020 at 7:00 p.m. Location: 3540 14th Avenue.

Resolution 20-93

Resolution of necessity and intent to establish the 5th & West Broadway Urban Revitalization Area and setting a Public Hearing for May 18, 2020 at 7:00 p.m. Location: Generally located between S 6 Street and N Main Street, and Kanessville Boulevard and West Broadway, more specifically described in the packet.

Right of Redemption

Claims

Lawsuit (Receive & File)

Mike Wolf and Melissa Head moved and seconded approval of Consent Agenda. Unanimous, 5-0 vote.

PUBLIC HEARINGS

RESOLUTIONS

Resolution 20-94

Resolution granting temporary powers to the mayor to utilize quotes for the purchase of goods or services needed to carry out the essential operations of the City of Council Bluffs.

Chad Hannan and Roger Sandau moved and seconded approval of Resolution 20-94. Unanimous, 5-0 vote.

Resolution 20-95

Resolution of the City Council of the City of Council Bluffs authorizing a joint application to the Iowa Economic Development Authority (IEDA) by the City of Council Bluffs and Pottawattamie County Development Corporation d/b/a the 712 Initiative for Disaster Workforce Housing Tax Incentive Program – Disaster Recovery (WHTIP-DR) Benefits.

Melissa Head and Roger Sandau moved and seconded approval of Resolution 20-95. Unanimous, 5-0 vote.

Resolution 20-96

Resolution authorizing the City of Council Bluffs Legal Department to proceed as proposed in executive session held on February 17, 2020.

Mike Wolf and Roger Sandau moved and seconded approval of Resolution 20-96. Unanimous, 5-0 vote.

Resolution 20-97

Resolution authorizing and directing the Mayor to execute a letter to the International City/County Management Association announcing the City of Council Bluffs commitment to becoming a SolSmart-designated community.

Roger Sandau and Mike Wolf moved and seconded approval of Motion to postpone Resolution 20-97 to April 20, 2020 at 7:00 p.m. Unanimous, 5-0 vote.

APPLICATIONS FOR PERMITS AND CANCELLATIONS

Liquor Licenses

1. Casey's General Store #2284, 1030 Veteran Memorial Hwy
2. Council Bluffs Country Club, 4500 Piute Street
3. Courtyard by Marriott, 2501 Bass Pro Drive
4. J & B's Lounge, 16 S. 19th Street
5. Lansky's, 1131 N. Broadway
6. LongHorn Steakhouse #5397, 3727 Denmark Drive
7. Nomi Petro Mart, 3607 9th Avenue

Chad Hannan and Joe Disalvo moved and seconded approval of Applications for permits and cancellations, Liquor Licences Item 5A 1-7. Unanimous, 5-0 vote.

CITIZENS REQUEST TO BE HEARD

Heard from Robert Fairchild, 2412 South 19th Street

OTHER BUSINESS

ADJOURNMENT

Mayor Walsh adjourned the meeting at 7:12 pm.

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

To participate in the meeting please join our
zoom meeting. You can join via phone,
computer or both.
ITEM 2.A.

Council Action: 4/6/2020

Description

<https://zoom.us/j/6588922517>
Meeting ID: 658 892 2517
888 475 4499 US Toll-free
877 853 5257 US Toll-free

Background/Discussion

Recommendation

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.
ITEM 3.A.

Council Action: 4/6/2020

Description

Background/Discussion

Recommendation

Council Communication

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

Reading, correction and approval of the March
23, 2020 City Council Meeting Minutes.
ITEM 3.B.

Council Action: 4/6/2020

Description

Background/Discussion

Recommendation

ATTACHMENTS:

Description

[3-23-20 M](#)

Type

Other

Upload Date

3/26/2020



City Council Meeting Minutes March 23, 2020

CALL TO ORDER

Mayor Matthew J. Walsh called the meeting to order at 7:00 p.m. on Monday March 23, 2020.

Council Members present: Joe Disalvo, Chad Hannan and Roger Sandau.

Council Member present via video conference: Mike Wolf.

Council Member present via telephone: Melissa Head.

Staff Present: Jodi Quakenbush & Richard Wade.

(Number of people physically in attendance reduced do to the Covid-19 Pandemic)

CONSENT AGENDA

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

Reading, correction and approval of the March 6, 2020 and March 9, 2020 City Council Meeting Minutes.

Resolution 20-79

Resolution accepting the work of Valley Corporation as complete and authorizing release of the retainage after 30 days if no claims are filed in connection with the Levee Certification Project, Drainage MR_2.

Project #PW17-06B

Resolution 20-80

Resolution setting a public hearing for May 4, 2020 at 7:00 p.m., for the FY2021 State Transit Assistance.

Right of Redemption, Offer to Buy, Claims, Mayor's Appointments: City Planning Commission & Zoning Board of Adjustment and January FY20 Financial Reports

Roger Sandau and Joe Disalvo moved and seconded approval of Consent Agenda removing items 3C, to be voted on separately. Unanimous, 5-0 vote.

Resolution 20-69 (Continued from 3-9-20)

Resolution of necessity and intent to establish the Veterans Memorial Highway Urban Revitalization Area as legally described in the Council packet. Location: 706 Veterans Memorial Highway.

Heard from Deborah Peterson, 215 Main Street via email response.
Hannan moved to receive and file email, Sandau seconded. Unanimous.
Heard from Geoff McGregor, Developer for project.
Melissa Head and Roger Sandau moved and seconded approval of Resolution 20-69, for discussion only. , 0-0 vote.
Melissa Head and Roger Sandau moved and seconded approval of Resolution 20-69 and set Public Hearing for May 4, 2020 at 7:00 p.m..
Unanimous, 5-0 vote.

PUBLIC HEARINGS

Resolution 20-81

Resolution approving the plans and specifications for the South 1st Street Neighborhood Rehab, Phase XI. Project # PW21-12

Chad Hannan and Roger Sandau moved and seconded approval of Resolution 20-81. Unanimous, 5-0 vote.

Resolution 20-82

Resolution authorizing execution of a quit claim deed to city-owned property generally described as a parcel of land located in the SW ¼ SW ¼ of Section 17, Township 74 North, Range 43 West of the 5th P.M.

Roger Sandau and Chad Hannan moved and seconded approval of Resolution 20-82. Unanimous, 5-0 vote.

RESOLUTIONS

Resolution 20-83

Resolution approving revisions of three Personnel Policies, 200, 201 & 505.

Mike Wolf and Chad Hannan moved and seconded approval of Resolution 20-83. Unanimous, 5-0 vote.

Resolution 20-84

Resolution accepting the bid of McGinnis Construction Inc. the amount of \$203,000.00 for the Mid-America Center Restroom Renovation Project. Project #BM20-02

Mike Wolf and Melissa Head moved and seconded approval of Resolution 20-84. Unanimous, 5-0 vote.

Resolution 20-85

Resolution authorizing the Mayor to execute an agreement for the River's Edge Water Main Extension Phase II with the Council Bluffs Water Works in conjunction with the River's Edge Subdivision Project.

Roger Sandau and Joe Disalvo moved and seconded approval of Resolution 20-85, as amended that the final paragraph should read: That the Mayor is hereby authorized to execute the agreement for the River's Edge Water Main Extension Phase II with the Council Bluffs Water Works in conjunction with the River's Edge Subdivision Project, once the City is in possession of the construction plans prepared at the direction of Argent Baxter JV-Council Bluffs, LLC as described in Section 3.3 of their development agreement with the City.. Unanimous, 5-0 vote.

Resolution 20-86

Resolution approving the purchase of two 6-inch diesel powered high-flow trash pumps, and two 18-inch diesel powered trash pumps with associated piping and appurtenances.

Chad Hannan and Joe Disalvo moved and seconded approval of Resolution 20-86. Unanimous, 5-0 vote.

Resolution 20-87

Resolution authorizing the mayor to submit an application to the Iowa Economic Development Authority's Community Catalyst Remediation Program on behalf of the 712 Initiative for the property located at 530 West Broadway.

Melissa Head and Roger Sandau moved and seconded approval of Resolution 20-87. Unanimous, 5-0 vote.

Resolution 20-88

Resolution directing the advertisement for sale of \$7,065,000 (dollar amount subject to change) General Obligation Bonds, Series 2020A, and approving electronic bidding procedures and Official Statement

Chad Hannan and Joe Disalvo moved and seconded approval of Resolution 20-88. Unanimous, 5-0 vote.

Resolution 20-89

Resolution granting temporary powers to the Mayor to allow him to make temporary modifications to the city's personnel policies to address staffing work performance and leave issues brought about by the spread of COVID-19.

Mike Wolf and Roger Sandau moved and seconded approval of Resolution 20-89, as amended to include the following words in the last paragraph on the fourth line following the words "City Council", within 48 hours of its implementation.. Unanimous, 5-0 vote.

APPLICATIONS FOR PERMITS AND CANCELLATIONS

Liquor Licenses: 1) Applebee's Neighborhood Grill & Bar, 3000 Dial Dr, 2) Big Al's, 2700 2nd Ave, 3) Bottoms Up, 2800 Twin City Dr, 4) 1892 German Beer Haus, 142 W Broadway, 5) Godfather's Pizza, 3020 W Broadway, 6) Kikkers, 1503 Avenue C, 7) Tish's Restaurant, 1207 S 35th St

Roger Sandau and Joe Disalvo moved and seconded approval of Liquor Licenses, 6A 1-7. Unanimous, 5-0 vote.

Roger Sandau and moved and seconded approval of Liquor Licenses, 6A 1-7. Unanimous, 0-0 vote.

CITIZENS REQUEST TO BE HEARD

Citizen's Request to be Heard

Request of Paul and Ann Kramar to purchase City-owned property generally described as the eastern portion of Lot 66, Belmont Addition, City of Council Bluffs, Pottawattamie County, Iowa.

Heard from Paul Kramer, 1500 North 17th Street

Roger Sandau and Joe Disalvo moved and seconded approval of directing City staff to move forward with the sale of property. Unanimous, 5-0 vote.

Heard from Bruce Kelly, 864 McKenzie Avenue and Robert Fairchild, 2412 South 19th Street.

OTHER BUSINESS

Chad Hannan and Mike Wolf moved and seconded approval of Administrative Motion that during the Covid-19 outbreak and further given Section 9 of the Governor's March 20, 2020 Proclamation suspending the regulatory provisions of Iowa Code Sections 21.8, 26.12 and 414.12, or any other statute imposing a requirement to hold a public meeting or hearing, the City Council has determined that a meeting at a physical place is impossible or impracticable and all council meetings for the time being will be conducted electronically with the public being allowed to attend via instructions to be provided on the agendas for said meetings..

Unanimous, 5-0 vote.

ADJOURNMENT

Mayor Walsh adjourned the meeting at 7:38 pm.

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: Public Works Admin
Case/Project No.: PW21-09
Submitted by: Matthew Cox, Public Works
Director

Resolution 20-90
ITEM 3.C.

Council Action: 4/6/2020

Description

Resolution setting a Public Hearing for April 20, 2020 at 7:00 p.m. for the East Manawa Sewer Rehab, Phase IX. Project # PW21-09

Background/Discussion

The area of East Manawa is very flat with open ditches. There are no storm sewers in this area and the streets are thin asphalt or seal-coated rock roads. During rainfall events, considerable surface ponding occurs due to the poor drainage.

Due to the narrow right-of-way (30 ft.) and the high water table in the area, conventional storm sewer construction is not practical. The use of porous pavement in conjunction with a drainable granular base and shallow subdrain/conveyance system was determined to be the most cost effective means available to improve the area drainage.

The rehab program also includes installation of new sanitary sewers utilizing a vacuum system.

Phase I and II of the program included Huron Circle from Navajo to north of Osage Street. Phase III of the program was construction of the sanitary sewer vacuum pump station. Phase IV was the first phase of vacuum sewer installation with the porous pavement and subdrain system on Huron Circle from Navajo to just west of Blackhawk Street. Phase V continued the rehab along Huron Circle from just west of Blackhawk Street to 585 feet east and Osage Street from Huron Circle to Victor Street. Phases VI and VII are now complete and included Blackhawk Street, Victor Street from Osage to Blackhawk Street, and Aztec Street from Huron Circle to Victor. Phase VIII is currently under construction and includes Victor Street and Aztec Street from Victor to the south. Aztec Street is complete and Victor Street is scheduled to be complete in April.

Phase IX includes extending the vacuum sewer along the west side of Navajo Street from just south of Huron Circle to south of Victor Street and reconstruction of East Navajo Street from Victor to Huron Circle.

This project is planned for the FY21 CIP and includes a budget of \$1,000,000 in Sales Tax Funds.

The project schedule is as follows:	Set Public Hearing	April 6, 2020
	Hold Public Hearing	April 20, 2020
	Bid Letting	May 7, 2020
	Award	May 18, 2020
	Construction Start	June 2020

Recommendation

Approval of this resolution.

ATTACHMENTS:

Description	Type	Upload Date
Map	Map	3/26/2020
Notice of Public Hearing	Other	3/26/2020
Resolution 20-90	Resolution	3/31/2020

PW 21-09
EAST MANAWA SEWER REHAB
PH. 9



Legend

 PW21-09

Notice of Public Hearing
on the
Plans, Specifications, Form of Contract and Cost Estimate
for the
East Manawa Sewer Rehab, Phase IX
Project # PW21-09

A public hearing will be held on April 20, 2020, at 7:00 p.m. in the council chambers of City Hall, 209 Pearl Street, Council Bluffs, Iowa, on the proposed plans, specifications, form of contract and cost estimate for the East Manawa Sewer Rehab, Phase IX project. The project will include construction of 282 tons of asphalt, 771 square yards of concrete pavement, 337 lineal feet of storm sewer, and 1,292 lineal feet of sanitary sewer. At said hearing, any interested person may appear and file objections to such plans and specifications.

By Order of the City Council

of the

City of Council Bluffs, Iowa

Jodi Quakenbush, City Clerk

RESOLUTION
NO. 20-90

**RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE
AND SETTING A PUBLIC HEARING ON THE
PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND COST ESTIMATE FOR THE
EAST MANAWA SEWER REHAB, PHASE IX
PROJECT #PW21-09**

WHEREAS, the City wishes to make improvements known as the East Manawa Sewer Rehab, Phase IX, within the City, as therein described; and

WHEREAS, the plans, specifications, form of contract and cost estimate are on file in the office of the city clerk.

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

That the City Clerk is hereby ordered to set a public hearing on the plans, specifications, form of contract and cost estimate for the East Manawa Sewer Rehab, Phase IX setting April 20, 2020, at 7:00 p.m. as the date and time of said hearing.

ADOPTED
AND
APPROVED

April 6, 2020

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

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

Resolution 20-91
ITEM 3.D.

Council Action: 4/6/2020

Description

Resolution setting a public hearing for April 20, 2020 at 7:00 p.m. on approving a final exhibit B to the parking facility lease purchase agreement and revising the total amount of potential payments to be made as part of the lease purchase acquisition of the river's edge parking facility at \$19,300,000 to \$19,650,000.

Background/Discussion

The parking garage at Rivers Edge is nearing completion and it is now approaching the time where the City is to assume responsibilities for it.

When the City first entered the lease purchase agreement, which brought about the construction of this facility in addition to approximately \$4,240,296 contributed toward the project in roughly equal parts by the City and the IWF the balance of the project costs of what was estimated to be \$9,762,640 was to be paid off by lease payments over 20 years with interest cost, which was projected to add up to \$15,723,034.19

With the final numbers now in the lease payments over the twenty years are not \$15,393,930. This is \$329,104 less than what was initially forecasted. Taking the initial contributions into account the total project costs will equal \$19,634,226 which includes the interest to be paid over the next twenty years. We have been advised by our bonding counsel that a public hearing should be held disclosing this amount. A resolution setting this hearing for the 20th day of April 2020 has been placed on this agenda.

Recommendation

Approval of this resolution.

ATTACHMENTS:

Description

[Notice for Public Hearing](#)

[Resolution 20-91](#)

Type

Other

Resolution

Upload Date

3/30/2020

3/31/2020

**NOTICE OF PUBLIC HEARING
ON INTENT TO DISPOSE OF CITY PROPERTY**

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 approving a Final Exhibit B to the Parking Facility Lease Purchase Agreement and revising the total number of potential payments to be made as part of the lease purchase acquisition of the River's Edge Parking Facility. .

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 20th day of April 2020, 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

RESOLUTION NO. 20-91

A RESOLUTION SETTING A PUBLIC HEARING ON APPROVING A FINAL EXHIBIT B TO THE PARKING FACILITY LEASE PURCHASE AGREEMENT AND REVISING THE TOTAL AMOUNT OF POTENTIAL PAYMENTS TO BE MADE AS PART OF THE LEASE PURCHASE ACQUISITION OF THE RIVER'S EDGE PARKING FACILITY AT \$19,300,000 TO \$19,650,000.

WHEREAS, On July 11, 2016, following appropriate notice and public hearing, the City approved Resolution No. 16-174 which authorized the execution of the River's Edge Parking Facility Lease Purchase Agreement by and amount the City of Council Bluffs ("City"), River's Edge Parking, LLC ("Developer"), and Iowa West Foundation ("IWF") ("Agreement"); and

WHEREAS, Pursuant to the terms of the Agreement the City has made Initial Lease Payments totally \$4,240,295 (a portion of which was funded by IWF), and the Agreement contemplates that the City will make additional Periodic Lease Payments for the purposes of the lease purchase acquisition of the River's Edge Parking Facility; and

WHEREAS, The Agreement included a preliminary Exhibit B which specified the anticipated amounts and payment dates for the Periodic Lease Payments, with the understanding that the preliminary Exhibit B would be revised and replaced (subject to approval by all Parties) with a final Exhibit B once the actual Project Costs were finally determined; and

WHEREAS, The actual Project Cost have been determined and the Developer has proposed a revised Exhibit B identifying Period Lease Payments totaling \$15,393,930 (attached hereto); and

WHEREAS, It is deemed necessary and advisable that the City of Council Bluffs, State of Iowa, should approve the final Exhibit B to the Agreement and authorize potential expenditures totaling not to exceed \$19,650,000 (inclusive of payments funded by IWF), subject to the terms and conditions of the Agreement including the right of annual appropriation, for the purpose of the lease purchase acquisition of the River's Edge Parking Facility; and

WHEREAS, A public hearing set for April 20, 2020 at 7:00 p.m. at 7 o'clock p.m.

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

That is this matter is set for public hearing for the 20th day of April, 2020 at 7 o'clock p.m.

ADOPTED
AND
APPROVED

April 6, 2020.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

Department: Community Development
Case/Project No.: URV-20-003
Submitted by: Community Development

Resolution 20-92
ITEM 3.E.

Council Action: 4/6/2020

Description

Resolution of necessity and intent to establish the 14th Avenue Urban Revitalization Area and setting a Public Hearing for May 18, 2020 at 7:00 p.m. Location: 3540 14th Avenue.

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Other	3/27/2020
Boundary Map	Map	3/27/2020
Draft 14th Avenue Urban Revitalization Plan	Other	3/27/2020
Resolution 20-92	Resolution	3/31/2020

Council Communication

Department: Community Development	Resolution No. _____	City Council: 4/06/2020 City Council Public Hearing: 5/18/2020 1 st Reading: 5/18/2020 2 nd Reading: 6/08/2020 3 rd Reading: REQUEST TO WAIVE
CASE # URV-20-003	Ordinance No. _____	
Subject/Title Establishment of the 14 th Avenue Urban Revitalization Area. Location: 3540 14th Avenue.		
Background/Discussion <u>Background</u> A proposal has been submitted by Chris Rochleau of Cherry Ridge Construction for 3540 14th Avenue. Cherry Ridge Construction intends to add two mixed-use commercial buildings to the currently vacant site for contractor shops, office space, and auto repair. <u>Discussion</u> Iowa Code permits the City to establish urban revitalization areas which satisfy one of the five conditions outlined in Section 404.1. Staff believes this project meets the criteria under 404.1.4: An area which is appropriate as an economic development area as defined in Section 403.17(10) of the Iowa Code which states “an area of a municipality designated by the local governing body as appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate income families, including single or multifamily housing.” Staff has prepared a resolution of intent to establish this project area as an urban revitalization area. The resolution directs staff to develop an urban revitalization plan as required by the Iowa Code, notify property owners and occupants and set May 18, 2020 as a public hearing date. Concurrent with the adoption of an urban revitalization plan, an ordinance establishing the urban revitalization area can be considered. Upon adoption of the area, the City is permitted to grant tax abatement to qualified projects. If approved, the project as proposed could be eligible for either a full exemption from taxation for three years, or a ten year declining property tax abatement on the actual value added by the improvements.		
Recommendation The Community Development Department recommends City Council adopt a resolution of necessity and intent to establish the 14 th Avenue Urban Revitalization Area.		
Attachments Boundary Map and Draft Plan		

14th Avenue Urban Revitalization Area – Boundary Map



14th Avenue Urban Revitalization Plan



Prepared by

Community Development Department
City of Council Bluffs, Iowa

Adopted by
City Council on
[REDACTED], 2020

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
INTRODUCTION.....	2
LEGAL DESCRIPTION OF AREA	4
PROPERTY OWNERS & ASSESSED VALUATIONS.....	5
EXISTING ZONING & PROPOSED LAND USE	5
PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES	6
RELOCATION PROVISIONS.....	6
OTHER PUBLIC ASSISTANCE	6
APPLICABILITY & TAX EXEMPTION SCHEDULE	7
APPLICATION & REVIEW PROCESS	8
ATTACHMENT A: TAX PARCEL INFORMATION.....	9
ATTACHMENT B: LETTER OF INTENT	11
ATTACHMENT C: SITE PLAN.....	12

INTRODUCTION

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

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

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

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

The City of Council Bluffs concluded that the 14th Avenue Urban Revitalization Area meets the criteria of element 4. Consequently, on [REDACTED], 2020, the City Council adopted Resolution No. 20-[REDACTED], which directed staff to prepare a plan for the proposed revitalization area. Illustration 1 is the City Council Resolution.

14th Avenue Urban Revitalization Area

Illustration 1 – Resolution

LEGAL DESCRIPTION

The 14th Avenue Urban Revitalization Area is a tract of land containing parcel number 754433476001, legally described as:

Lots 16-30, Block 37, Brown's Subdivision, Council Bluffs, Pottawattamie County, Iowa

Illustration 2 shows the location and the boundary of the 14th Avenue Urban Revitalization Area, which consists of 2.08 acres.

14th Avenue Urban Revitalization Area

Illustration 2 – Boundary



PROPERTY OWNERS AND ASSESSED VALUATIONS

The 14th Avenue Urban Revitalization Area will be comprised of 2.08 acres on one parcel of land owned by 92 Investments LLC. Valuation was obtained from the records of the Pottawattamie County Assessor.

Chris Rochleau of Cherry Ridge Construction has a purchase agreement with the current owner of the property. The land is currently vacant.

Parcel Number	Zoning	Owner & Address	Land Valuation	Dwelling Valuation	Building Valuation	Total Valuation
754433476001	P-C/ Planned Commercial District	92 Investments LLC 22735 James Dr Council Bluffs, IA 51503	\$202,200	\$ -	\$ -	\$202,200

EXISTING ZONING AND PROPOSED LAND USE

The 14th Avenue Urban Revitalization Area is currently zoned P-C in parcel 754433476001. The P-C/Planned Commercial District is intended to provide for the development of retail shopping centers, hotel/motel services, destination resorts, and office parks.

Chris Rochleau of Cherry Ridge Construction has a purchase agreement with the current owner of the subject property, and intends to add two buildings to the site to be known as Rivers Edge Business Park (Attachment C.) Cherry Ridge Construction has requested with the Zoning Board of Adjustment that the property be rezoned C-2/Commercial District. The C-2 district is intended to provide for major commercial retail shopping and service areas adjacent to major traffic corridors. This district also provides a variety of commercial services to the community and adjacent residential neighborhoods.

Cherry Ridge Construction intends to add two mixed-use commercial buildings to the site for contractor shops, office space, and auto repair. These are among the principal uses permitted in a C-2 district. The case will be presented to the Zoning Board of Adjustment on 4/21/2020.

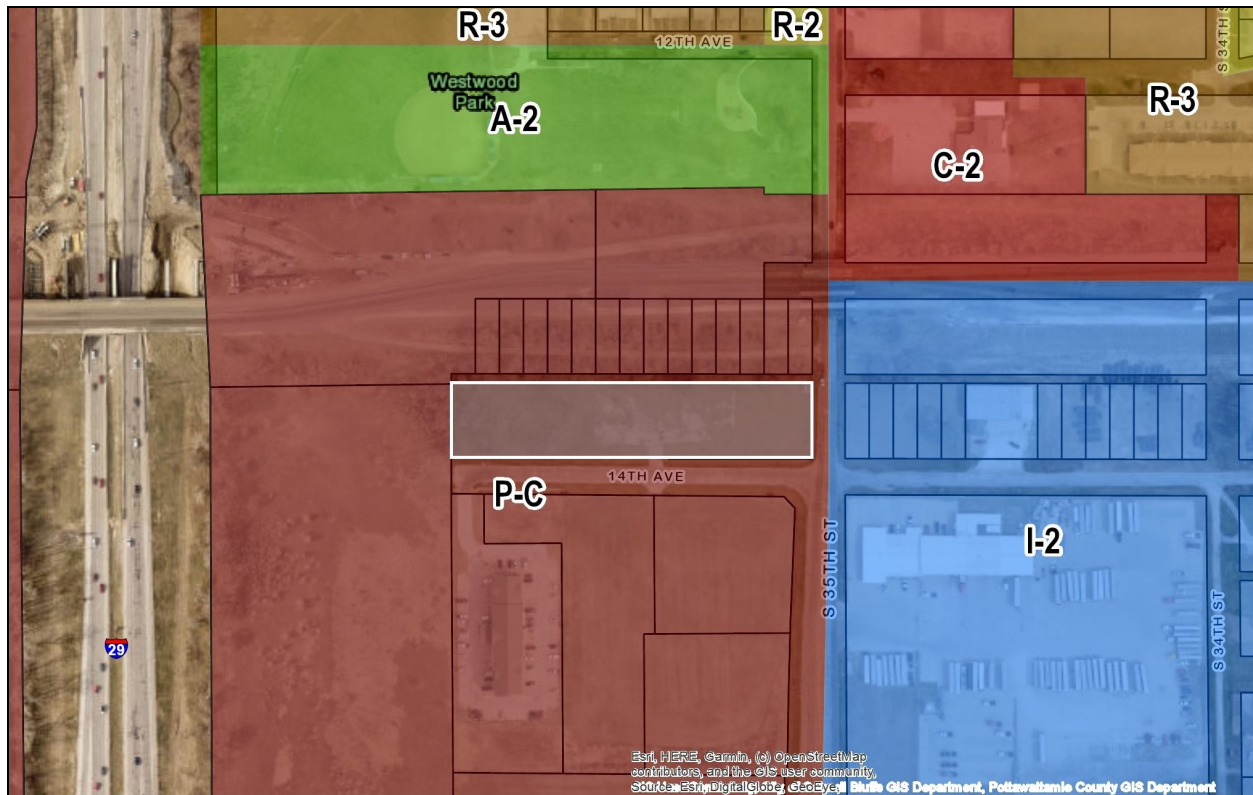
Surrounding properties to the west, north and south are also zoned P-C. Properties east of the subject property are zoned I-2/General Industrial District. Properties northeast of the subject property are zoned C-2/Commercial District. Illustration 3 depicts the existing on-site and surrounding zoning.

Existing land uses in the general vicinity include: a hotel to the south; a trucking company to the east; a rail line to the north; and undeveloped parcels of land to the west and also to the south.

The future land use map of the *Bluffs Tomorrow: 2030 Comprehensive Plan* designates the subject property as Public Park. Westwood Park lies north of the train tracks north of the property.

14th Avenue Urban Revitalization Area

Illustration 3 – Zoning



PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES

The proposed 14th Avenue Urban Revitalization Area is currently served with all municipal services (sanitary sewer, water and storm sewer) and can be accessed by a dedicated roadway. Electricity and gas service are also available to the project. The project is located along 14th Avenue, just off South 35th Street. Both are adequate to handle the additional traffic generated by this proposed project.

RELOCATION PROVISIONS

The proposed 14th Avenue Urban Revitalization Area consists of one vacant parcel; therefore, the City will not displace any residential or non-residential tenants as a result of proposed improvements in the urban revitalization area.

OTHER PUBLIC ASSISTANCE

The developer has not requested any additional public assistance.

APPLICABILITY AND TAX EXEMPTION SCHEDULE

1. Eligibility – The 14th Avenue Urban Revitalization Plan will apply to commercial and industrial land uses.

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

2. Term - The term of this Plan shall be until December 31, 2040 or amended by City Council.

3. Commercial and Industrial

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

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

-OR-

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

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

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

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

APPLICATION AND REVIEW PROCESS

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

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

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

7544 33 476 001

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

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

District: 000 CO BLUFFS CITY/CO BLUFFS

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

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754433476001>

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

* Not to be used on legal documents

BROWN SUB LTS 16 THRU 30 BLK 37

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

* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$202,200	\$0		\$0	\$202,200		2018	C
\$202,200	\$0		\$0	\$202,200		2019	C
\$202,200	\$0		\$0	\$202,200		2020	C

===== EXEMPTIONS & CREDITS =====

2018 BPTC \$3,021.33

===== OWNERS =====

* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D 92 INVESTMENTS LLC book/page: [2009/9919](#) D

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

Sale Date	Amount	Code	Book/Page
07/08/2009	52400	D034	2009/09919
05/30/2008	52290	D034	2008/08122
04/23/2007	135000	D034	2007/07050

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

PDF: 8 MAP: 19-8 C.B COMMERCIAL

Interior Listing: Inspected Date Listed: 10/13/15 JAC Date Reviewed: 10/10/16 TG

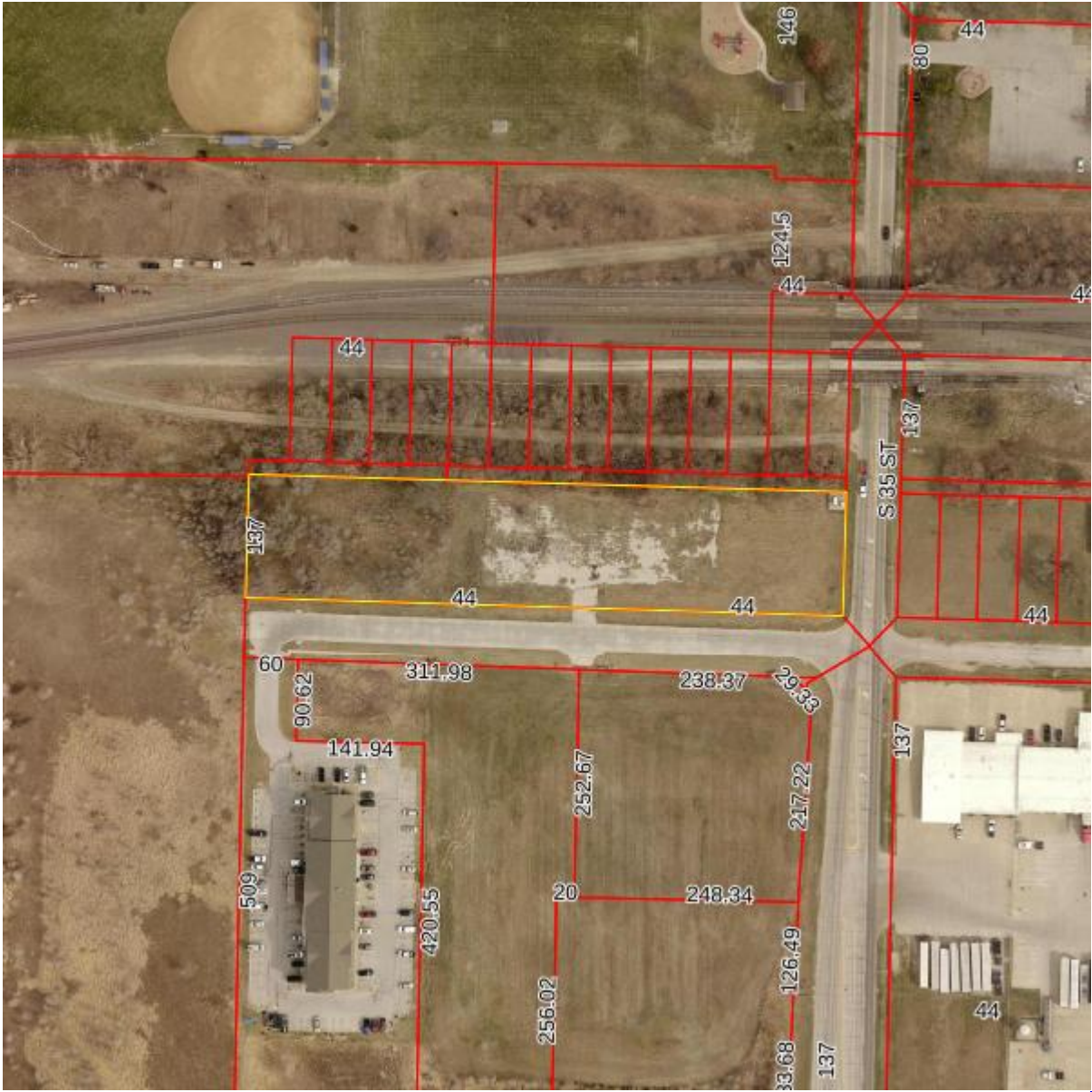
LAND.....90604 sqFt 2.08 acres



92 INVESTMENTS LLC, 1 10/13/2015

ATTACHMENT A

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



1200ft x 1200ft

[Click any parcel to go to its web page](#)
See [more maps](#) at the [County GIS Department](#).

As of:

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

March 17, 2020

RE: River's Edge Business Park
3540 14th Avenue
Council Bluffs, IA 51501
Parcel Number: 7544 33 476 001



Mr. Chris Gibbon's and the rest of the planning commission,

My name is Chris Rochleau. I am the owner of Cherry Ridge Construction. I am presenting a letter of my intent for the property located at 3540 14th Avenue that I have requested to be zoned C-2. It is currently Zoned PC – Planned Commercial. We have spent a tremendous amount of time over the last several months working with City officials, including those in the zoning department to develop an attractive building that would be an incubator for business and provide budding business's an opportunity to get established and grow in our community.

This would bring jobs, provide an improved tax base and be aesthetically appealing. On the site that we are developing we are planning to complete two (2) buildings throughout two (2) separate phases with twelve (12) business spaces per building. I am anticipating three (3) to five (5) employees per space with a total number of employees to be 36 to 60 per building.

We have developed a paving and landscape plan that would meet the necessary requirements and be aesthetically appealing to that area. There are a variety of business that we are wanting to attract to this type of building.

In order to make this project work and provide business opportunities to start up and small businesses we are also requesting the revitalization 10 year tax abatement. This is a WIN – WIN for the City. There is an immediate increase in the tax base, and it will exponentially increase over the next 10 years. It also provides new business opportunities and a place for existing businesses to grow.

I anticipate the development costs with land to be between 1.3mm to 1.5mm per building with a total investment between 2.6mm and 3.0mm.

As you can see from the artist renderings, we are putting stone across the front and East side of the building, upgrading the color scheme and the signage layout. We are in the process of finalizing the exterior lighting plan and are considering a few more upgrades to the landscaping plan.

I have also submitted an application and request for the vacated alley adjacent to the North property line. This is an area that has been unmaintained and a harbor for homeless and criminal activity. I would maintain that area as part of this property with lighting across the back of the building and green space.

This is going to be different than any other building that has been built in our community. Significant costs are being incurred to make the business park attractive and conducive to start up and small businesses. We have also applied for a conditional use permit so that we can provide a variety of business opportunities to those that are looking.

Sincerely,

Chris Rochleau
President – Cherry Ridge Construction

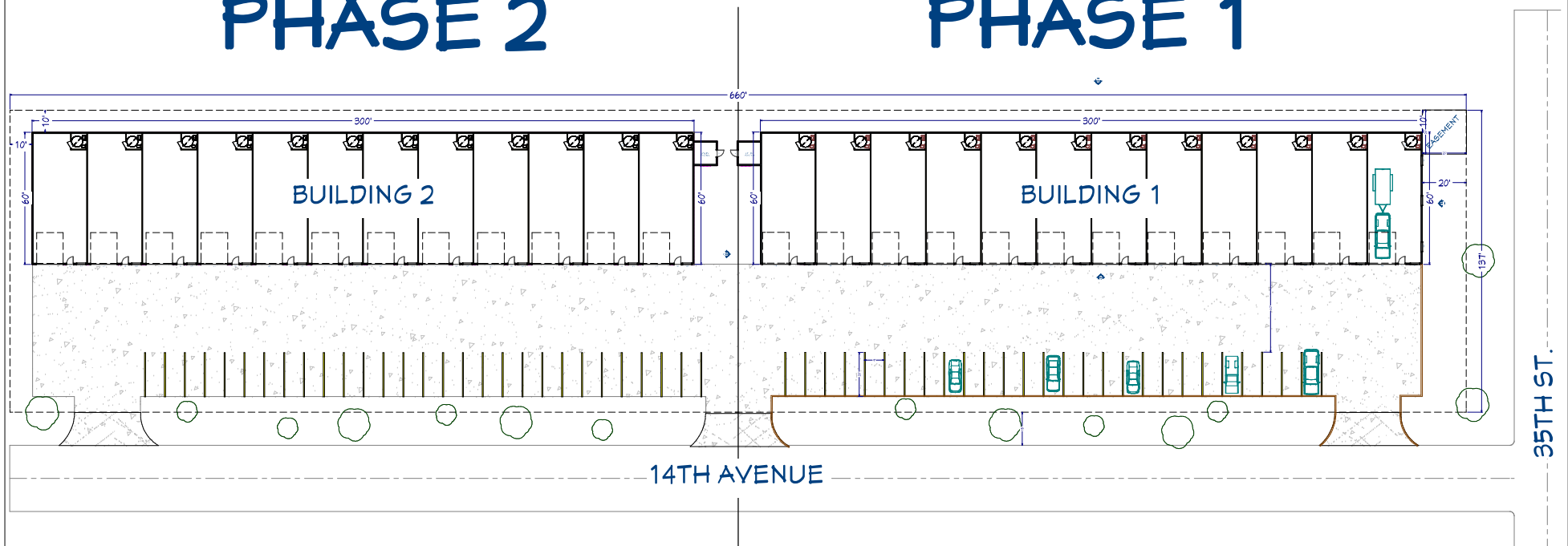
ATTACHMENT B

RIVERS EDGE BUSINESS PARK



PHASE 2

PHASE 1



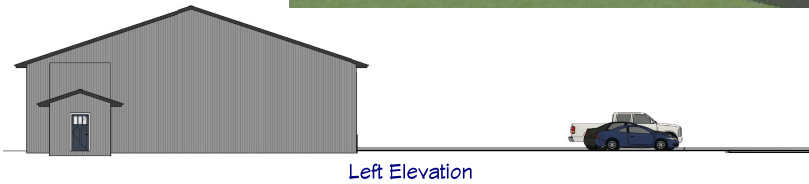
PHASE 1
 BUILDING 1 = 18,000 SQFT
 PARKING = 19,402 SQFT

SITE PLAN

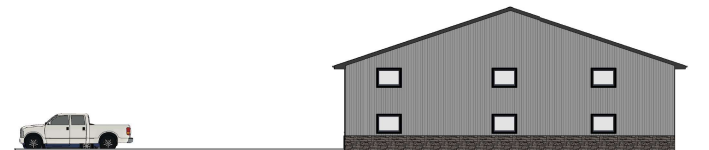
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COMMERCIAL SPEC BUILDING	
CHRIS ROCHEAU (402) 815-8113 AARON BIERMAN (402) 664-3014 ANDY MATTS (402) 654-2938	
DATE:	3/17/2020
SCALE:	
SHEET:	P-1

RIVERS EDGE BUSINESS PARK

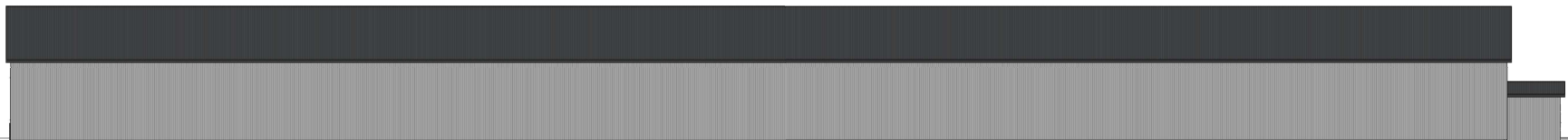
BUILDING 1



Left Elevation



Right Elevation



Rear Elevation

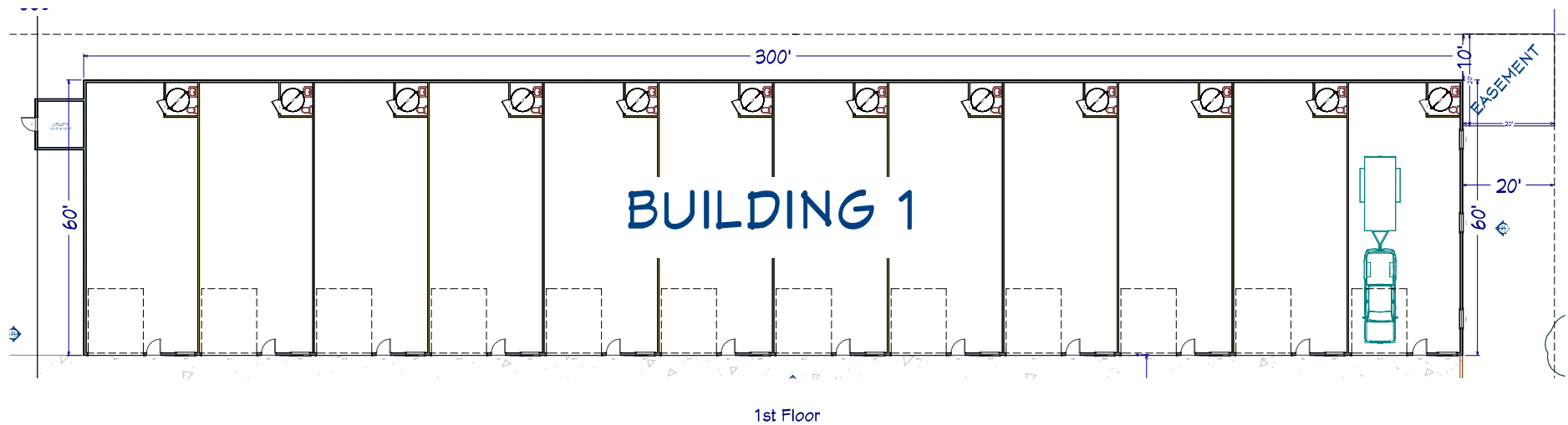


Front Elevation

ELEVATIONS

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BUILDING #1



MAIN LEVEL

REVISION TABLE	NUMBER	DATE	REVISION	DESCRIPTION
1	02/17/2019	AKB	REVISED BY	FIRST DRAFT

CHERRY RIDGE CONSTRUCTION
1425 9TH AVE, COUNCIL BLUFFS IA
OFFICE: (712) 256-2274

COMMERCIAL SPEC BUILDING

CHRIS ROCHLEAU (402) 815-8113
AARON BIERMAN (402) 664-3014
ANDY MATTS (402) 654-2938

DATE:
3/17/2020

SCALE:

SHEET:
P-3

RESOLUTION NO. 20-92

A RESOLUTION OF NECESSITY AND INTENT TO ESTABLISH THE 14th AVENUE URBAN REVITALIZATION AREA LEGALLY DESCRIBED AS LOTS 16-30, BLOCK 37, BROWN'S SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

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

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

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

BE IT FURTHER RESOLVED

That the City Council directs staff to prepare a final plan pursuant to Section 404.2 of the Iowa Code by no later than May 8, 2020.

BE IT FURTHER RESOLVED

That the City Council directs the City Clerk to set this matter for public hearing on May 18, 2020.

**ADOPTED
AND
APPROVED:**

April 6, 2020

Matthew J. Walsh

Mayor

ATTEST:

Jodi Quakenbush

City Clerk

Council Communication

Department: Community Development
Case/Project No.: URV-20-002
Submitted by: Community Development

Resolution 20-93
ITEM 3.F.

Council Action: 4/6/2020

Description

Resolution of necessity and intent to establish the 5th & West Broadway Urban Revitalization Area and setting a Public Hearing for May 18, 2020 at 7:00 p.m. Location: Generally located between S 6 Street and N Main Street, and Kanessville Boulevard and West Broadway, more specifically described in the packet.

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Other	3/27/2020
Boundary Map	Map	3/27/2020
Draft 5th & West Broadway Urban Revitalization Area	Other	3/27/2020
Resolution 20-93	Resolution	3/31/2020

Council Communication

Department: Community Development CASE # URV-20-002	Resolution No. _____ Ordinance No. _____	City Council: 4/06/2020 City Council Public Hearing: 5/18/2020 1 st Reading: 5/18/2020 2 nd Reading: 6/08/2020 3 rd Reading: REQUEST TO WAIVE
Subject/Title		
Establishment of the 5 th & West Broadway Urban Revitalization Area. Location: Generally located between S 6 Street and N Main Street, and Kanessville Boulevard and West Broadway, and more specifically described in the attachments.		
Background/Discussion		
<p><u>Background</u></p> <p>A proposal has been submitted by The 712 Initiative for 530 West Broadway (the former EQ building.) The 3-story brick building, originally completed in 1880, will be fully renovated to include 8,930 sq ft of residential space in 15 units on the 2nd and 3rd floors. The main floor will consist of four retail bays with a total of 6,178 sq ft of commercial space. The historic character of the building will be maintained in the redevelopment, returning large storefront windows to the street level encouraging walkability and window shopping.</p> <p>Additionally, the 712 Initiative has plans to renovate the old Council Bluffs Community School District building into residential multi-family and construct a new residential multi-family building on the parking area to the north. The City also believes these projects could entice the remaining owner on the block as well as the owners to the east to renovate and rehabilitate their properties to provide new residential and commercial space in the future.</p> <p><u>Discussion</u></p> <p>Iowa Code permits the City to establish urban revitalization areas which satisfy one of the five conditions outlined in Section 404.1. Staff believes this project meets the criteria under 404.1.2: An area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, or welfare in its present condition and use.</p> <p>Staff has prepared a resolution of intent to establish this project area as well as surrounding properties as an urban revitalization area. The resolution directs staff to develop an urban revitalization plan as required by the Iowa Code, notify property owners and occupants and set May 18, 2020 as a public hearing date. Concurrent with the adoption of an urban revitalization plan, an ordinance establishing the urban revitalization area can be considered. Upon adoption of the area, the City is permitted to grant tax abatement to qualified projects.</p> <p>If approved, the proposed 712 Initiative project could be eligible for a full exemption from taxation for a period of ten years.</p>		

Council Communication

Recommendation
The Community Development Department recommends City Council adopt a resolution of necessity and intent to establish the 5th & West Broadway Urban Revitalization Area.
Attachments
Boundary Map and Draft Plan

5th & West Broadway Urban Revitalization Area – Boundary Map



5th & West Broadway Urban Revitalization Plan



Prepared by

Community Development Department
City of Council Bluffs, Iowa

Adopted by
City Council on
[REDACTED], 2020

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
INTRODUCTION.....	2
LEGAL DESCRIPTION OF AREA	4
PROPERTY OWNERS & ASSESSED VALUATIONS.....	5
EXISTING ZONING & PROPOSED LAND USE	6
PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES	7
RELOCATION PROVISIONS.....	8
OTHER PUBLIC ASSISTANCE	8
APPLICABILITY & TAX EXEMPTION SCHEDULE	8
APPLICATION & REVIEW PROCESS	9
ATTACHMENT A: TAX PARCEL INFORMATION.....	11
ATTACHMENT B: 530 W BROADWAY CONCEPT PLAN.....	45
ATTACHMENT C: 530 W BROADWAY SCHEMATICS	46

INTRODUCTION

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

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

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

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

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

The City of Council Bluffs concluded that the 5th & West Broadway Urban Revitalization Area meets the criteria of element 2. Consequently, on [REDACTED], the City Council adopted Resolution No. 20- [REDACTED], which directed staff to prepare a plan for the proposed revitalization area. Illustration 1 is the City Council Resolution.

5th & West Broadway Urban Revitalization Area

Illustration 1 – Resolution

LEGAL DESCRIPTION

The 5th & West Broadway Urban Revitalization Area is legally described as:

The portion of Block 6, Mynster's Addition Southeast of the right-of-way of Kanesville Boulevard; The portion of Lots C and D, Auditor's Subdivision of Block 6 Mynster's Addition and Block 2 Bayliss 1st Addition located Southeast of the right-of-way of Kanesville Boulevard, and the entirety of the alleyway adjacent to Lot D; Lots E-P, Auditor's Subdivision of Block 6 Mynster's Addition and Block 2 Bayliss 1st Addition, and the vacated alley adjacent to Lot N; Lot 5, Block 2, Bayliss Addition to Council Bluffs;

And:

Lots 1-13, Auditor's Subdivision of Lot 5, Block 5 Mynster's Addition and Block 1, Bayliss 1st Addition, and the alleyway adjacent; Lot 2 excluding City right-of-way, Lots 3 and 4, and Lots 6-10, Mynster's Addition, all in the City of Council Bluffs, Pottawattamie County, Iowa.

Illustration 2 shows the location and the boundary of the 5th & West Broadway Urban Revitalization Area, which consists of 3.75 acres.

5th & West Broadway Urban Revitalization Area

Illustration 2 – Boundary



PROPERTY OWNERS AND ASSESSED VALUATIONS

The 5th & West Broadway Urban Revitalization Area will be comprised of 3.75 acres of land owned by multiple parties. The area includes parcels 754425391009, 754425391005, 754425391008, 754425391006, 754425391002, 754425391001, 754425454010, 754425454007, 754425454011, 754425454006, and 754425454012.

Valuation was obtained from the records of the Pottawattamie County Assessor. Land valuation for the area is estimated at \$945,500.

Parcel Number	Zoning	Owner & Address	Land Valuation	Dwelling Valuation	Building Valuation	Total Valuation
754425391009	C-4/ Commercial District	Kjeldgaard Real Estate LLC 7 N 6th St Council Bluffs, IA 51503	\$121,800	\$ -	\$197,000	\$318,800
754425391005	C-4/ Commercial District	535 West Broadway LLC C/O Mark Hanwright 535 W Broadway St, Ste 100 Council Bluffs, IA 51503	\$162,700	\$ -	\$35,400	\$198,100
754425391008	C-4/ Commercial District	Pottawattamie County Development Corp 1228 S Main St Council Bluffs, IA 51503	\$80,000	\$ -	\$332,000	\$412,000
754425391006	C-4/ Commercial District	Pottawattamie County Development Corp 1228 S Main St Council Bluffs, IA 51503	\$81,000	\$ -	\$165,500	\$246,500
754425391002	C-4/ Commercial District	Council Bluffs, City of 209 Pearl St Council Bluffs, IA 51503	\$ -	\$ -	\$ -	\$ -
754425391001	C-4/ Commercial District	MAC Investments Inc 32 Scott St Council Bluffs, IA 51503	\$6,300 \$11,200	\$25,848	\$45,952	\$89,300
754425454010	C-4/ Commercial District	500 West LLC 500 W Broadway St Council Bluffs, IA 51503	\$175,700	\$ -	\$292,200	\$467,900
754425454011	C-4/ Commercial District	Council Bluffs, City of 209 Pearl St Council Bluffs, IA 51503	\$ -	\$ -	\$ -	\$ -
754425454007	C-4/ Commercial District	500 West LLC 500 W Broadway St Council Bluffs, IA 51503	\$135,800	\$ -	\$6,200	\$142,000
754425454006	C-4/ Commercial District	KJC LLC C/O Bonnie Culjat 18465 Jaylen Dr Council Bluffs, IA 51503	\$171,000	\$ -	\$150,700	\$321,700
754425454012	C-4/ Commercial District	Council Bluffs, City of 209 Pearl St Council Bluffs, IA 51503	\$ -	\$ -	\$ -	\$ -
Total			\$945,500	\$25,848	\$1,224,952	\$2,196,300

EXISTING ZONING AND PROPOSED LAND USE

The entirety of the 5th & West Broadway Urban Revitalization area is currently zoned C-4. The C-4/Commercial District is intended to provide an intensive business zone which will accommodate large office concentrations and other similar uses.

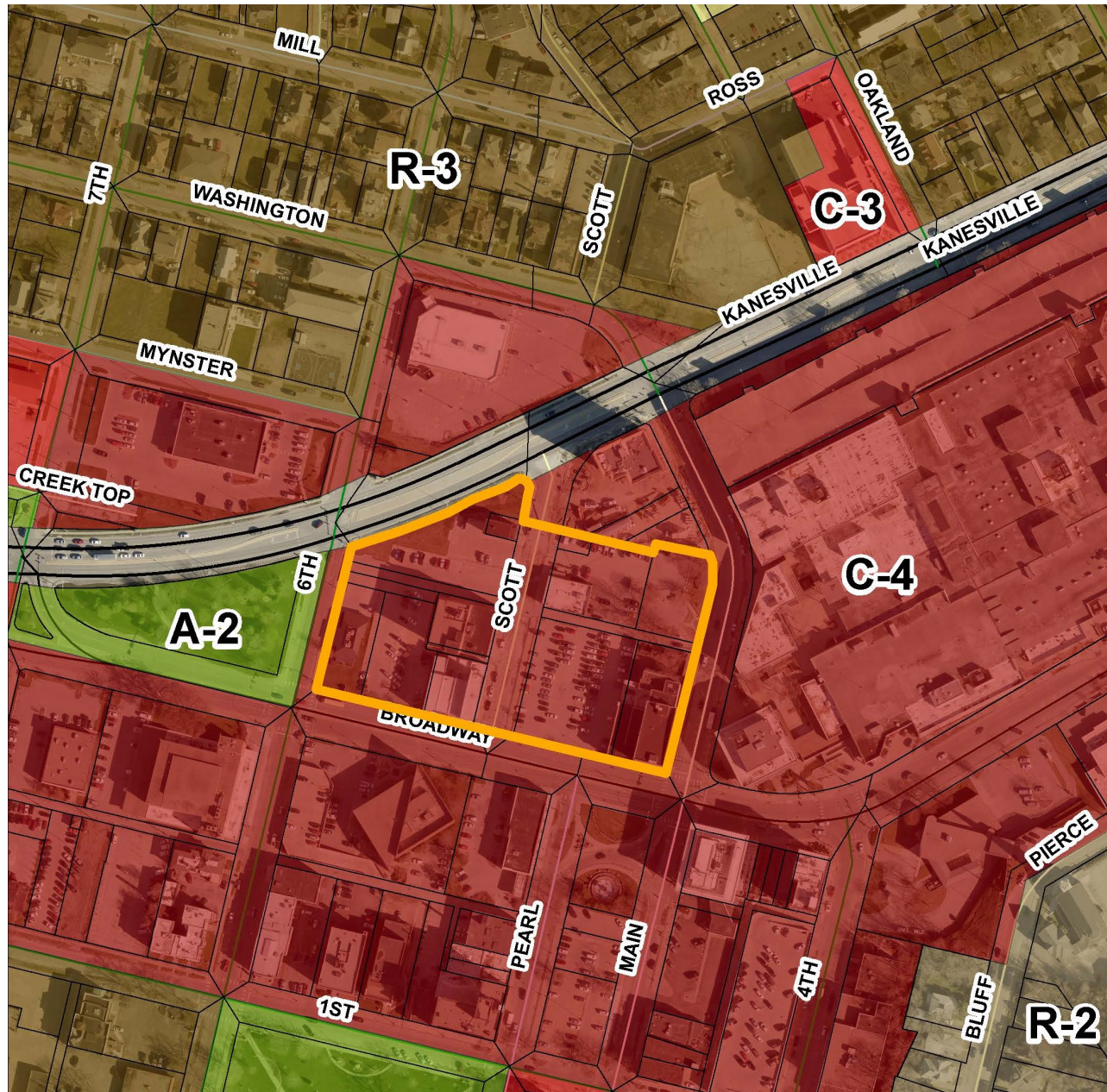
Surrounding properties to the north, east, and south are also zoned C-4. To the west lies a green space, where Kaneshville and West Broadway merge, zoned A-2/Parks, Estates, and Agricultural District. Existing land uses in the general vicinity include: Omni Business Park to the east, and a bank and office building to the south across West Broadway. Another bank is to the north plus a pharmacy across Kaneshville Boulevard. Beyond that are residential properties in an area zoned R-3/Low Density Multifamily Residential District. Illustration 3 depicts the existing on-site and surrounding zoning.

In *The Downtown Council Bluffs Plan* this area is part of the City Center, the traditional downtown retail core along West Broadway from 2nd to 8th Streets. According to the plan, “This area, once Downtown’s prime location, includes strategic but underutilized property and should be a major focus for future development.” The *Bluffs Tomorrow: 2030 Comprehensive Plan* designates the subject property as Downtown/Mixed-use.

A redevelopment proposal has been submitted by The 712 Initiative for parcel # 754425391008, which is 530 West Broadway (the former EQ building.) The 3-story brick building, originally completed in 1880, will be fully renovated to include 8,930 sq ft of residential space in 15 units on the 2nd and 3rd floors. The main floor will consist of four retail bays with a total of 6,178 sq ft of commercial space. The historic character of the building will be maintained in the redevelopment, returning large storefront windows to the street level (see Attachment C) encouraging walkability and window shopping. A mixed commercial/residential structure is a principal use permitted in a C-4 district.

The current assessed building valuation is \$412,000 with a projected assessed value of \$1,700,000 after a full renovation.

5th & West Broadway Urban Revitalization Area
Illustration 3 – Zoning



PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES

The proposed 5th & West Broadway Urban Revitalization Area is currently served with all municipal services (sanitary sewer, water and storm sewer) and can be accessed by a dedicated roadway. Electricity and gas service are also available to the project. The plan area is generally located between Kanesville Boulevard on the northerly side and West Broadway to the south, which are adequate to handle the additional traffic generated by this proposed project.

RELOCATION PROVISIONS

The proposed 5th & West Broadway Urban Revitalization area contains three parcels owned by the City of Council Bluffs and several commercial entities including Advanced ChiroCare at 7 N 6th Street, Homesteads Group Property Rentals at 32 Scott Street, Buck Snort Restaurant and Sports Bar at 25 Scott Street, the vacant building at 12 Scott Street owned by Pottawattamie County Development Corp, and a four-story commercial building at 500 West Broadway, which is also vacant.

The only current proposal is for 530 West Broadway, which is partially vacant. The first floor has a service tenant that will relocate by December 2020. The rest of the building is vacant; therefore, the City will not displace any residential or non-residential tenants as a result of proposed improvements in the urban revitalization area.

OTHER PUBLIC ASSISTANCE

The developer has applied for a Community Catalyst Building Remediation grant and also plans to request Workforce Housing Tax Credits through the Iowa Economic Development Authority.

APPLICABILITY AND TAX EXEMPTION SCHEDULE

1. Eligibility – The 5th & West Broadway Urban Revitalization Plan will apply to commercial and multi-family residential (12 or more units).

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

2. Term - The term of this Plan shall be until December 31, 2040 or amended by City Council.

3. Commercial and Industrial

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

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

- i. For the ninth year, twenty percent.
- j. For the tenth year, twenty percent.

-OR-

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

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

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

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

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

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

APPLICATION AND REVIEW PROCESS

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

1. The applicant requests a conference with the Community Development Department to discuss applicability of the request to established policy and review the application process.

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

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

7544 25 391 009

--- Permanent Property Address ---

KJELDGAARD REAL ESTATE LLC

7 N 6TH ST

COUNCIL BLUFFS, IA 51503

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

KJELDGAARD REAL ESTATE LLC

7 N 6TH ST

COUNCIL BLUFFS, IA 51503

District: 000 CO BLUFFS CITY/CO BLUFFS

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

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754425391009>

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

* Not to be used on legal documents

AUD SUB BLK 6 MYNSTER & BLK 2 BAYLISS 1ST S173.5' W18' LT E & BAYLISS 1ST LT 5 EXC CITY

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

* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$121,800	\$0		\$197,000	\$318,800		2018	C
\$121,800	\$0		\$197,000	\$318,800		2019	C
\$121,800	\$0		\$197,000	\$318,800		2020	C

===== EXEMPTIONS & CREDITS =====

===== OWNERS =====

* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D KJELDGAARD REAL ESTATE LLC book/page: [2010/16616](#) D

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

PDF: 8 MAP: 4-8 C.B COMMERCIAL

Interior Listing: Inspected Date Listed: 03/21/16 ZLL Date Reviewed: 10/25/16 BL

LAND.....12180 sqFt .28 acres

Lot 1: Frontage	Rear	Side-1	Side-2	Rear-Lot
70	70	174	174	

Commercial Building 1 of 1 -- Office - Medical / Dental (502)

DBA: ADVANCED CHIRO CARE

STRUCTURE....1 story 2964 base SF 0 bsmt SF 2964 gross SF

Year Built: 1982 Eff Year: 1982 Condition: Very Good

VERTICALS....Ext Wall: EIFS

Int Wall: Drywall or Equiv.

Front/Doors: Average Cost Front

Windows: Aluminum

HORIZONTALS..Roof: Mtl/ Frm/ Insul.

Ceiling: Suspended Blk-Mineral

Struc Floor: R'Concrete

Floor Cover: Softwood

Carpet

Quarry Tile

Partitions: Office Buildings

Framing: Wood - Average

HVAC: Combination FHA - AC

PLUMBING.....Toilet Room (3)

Urinal - Wall (1)

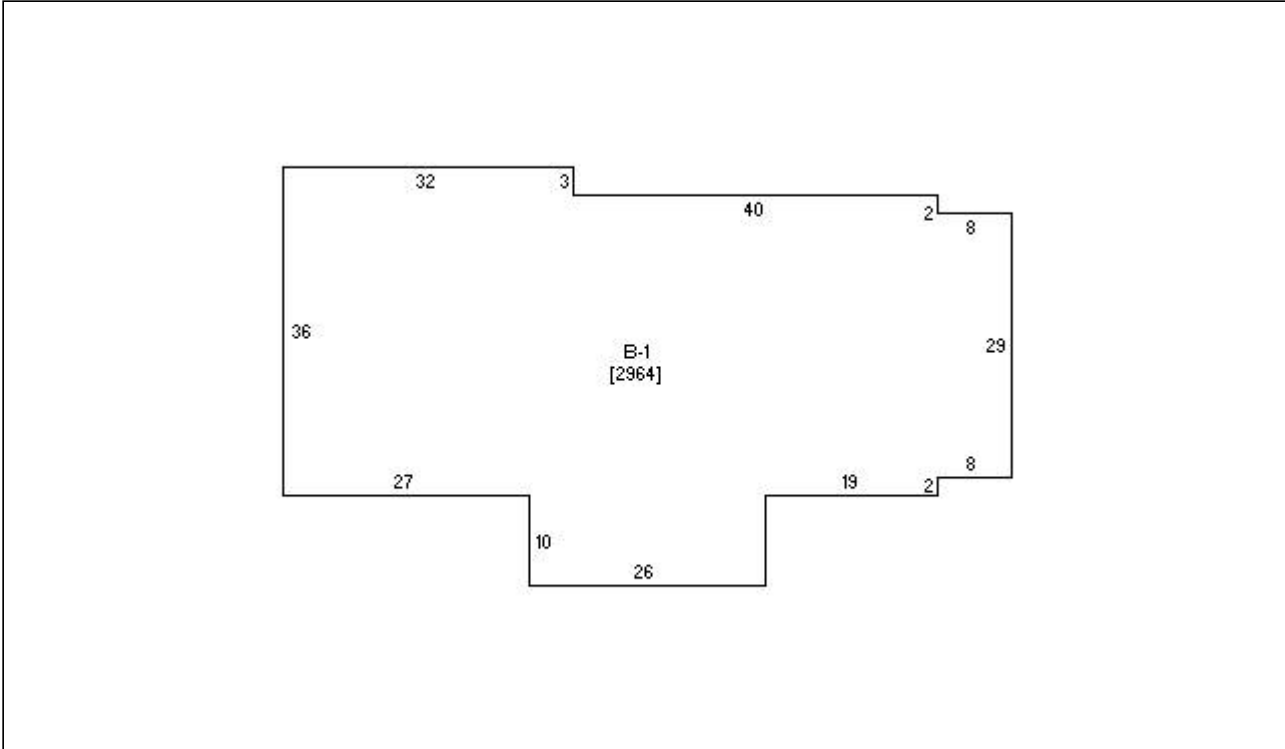
Sink-Kitchen (1)

YARD EXTRAS..Paving - Concrete 3,300 SF, Concrete Parking

ATTACHMENT A

55

11

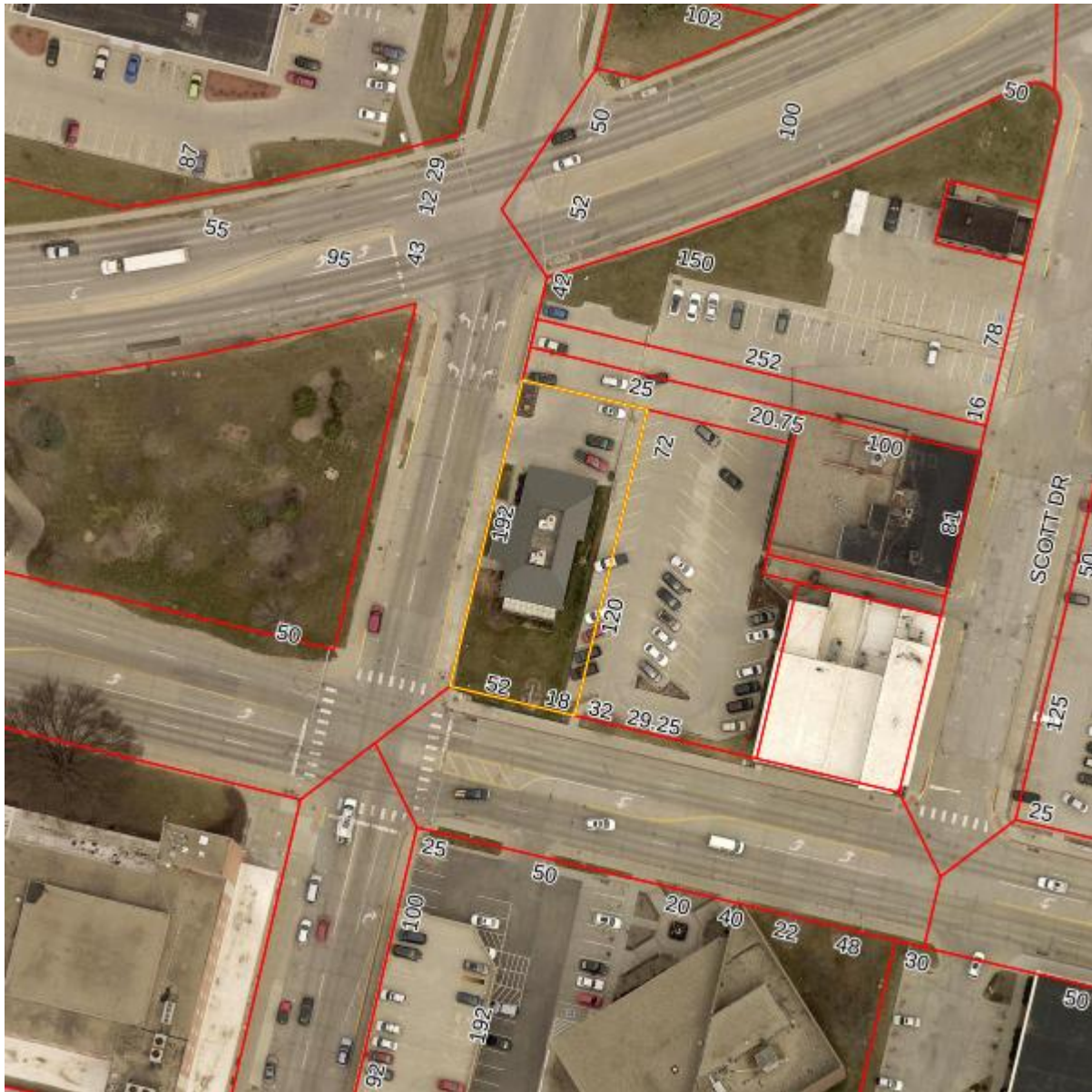


7 N 6TH ST, KJELDGAARD REAL ESTATE LLC



7 N 6TH ST, KJELDGAARD REAL ESTATE LLC, 1 03/21/2016

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7544 25 391 005

--- Permanent Property Address ---
535 WEST BROADWAY LLC

----- Mailing Address -----
535 WEST BROADWAY LLC
C/O MARK HANWRIGHT
535 W BROADWAY ST STE 100
COUNCIL BLUFFS, IA 51503

=====
District: 000 CO BLUFFS CITY/CO BLUFFS

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

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754425391005>

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

* Not to be used on legal documents

AUD SUB BLK 6 MYNSTER & BLK 2 BAYLISS 1ST N72' E7' LT E & ALL LTS F,G,H,I & O & ALL VAC ALLEY ADJ G,H & O

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

* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$162,700	\$0		\$35,400	\$198,100		2018	C
\$162,700	\$0		\$35,400	\$198,100		2019	C
\$162,700	\$0		\$35,400	\$198,100		2020	C

===== EXEMPTIONS & CREDITS =====

2018 BPTC \$2,960.07

===== OWNERS =====

* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D 535 WEST BROADWAY LLC book/page: [2011/8598](#) D

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

Sale Date	Amount	Code	Book/Page	
07/07/2011	0	D7	2011/08598	multiple parcel sale
09/20/2004	115000	D034	0105/06090	multiple parcel sale
11/21/1996	68251	D002	0097/22321	
07/09/1992	1	C038	0093/23741	

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

PDF: 8 MAP: 4-8 C.B COMMERCIAL

Interior Listing: Inspected Date Listed: 03/21/16 ZLL Date Reviewed: 10/25/16 BL

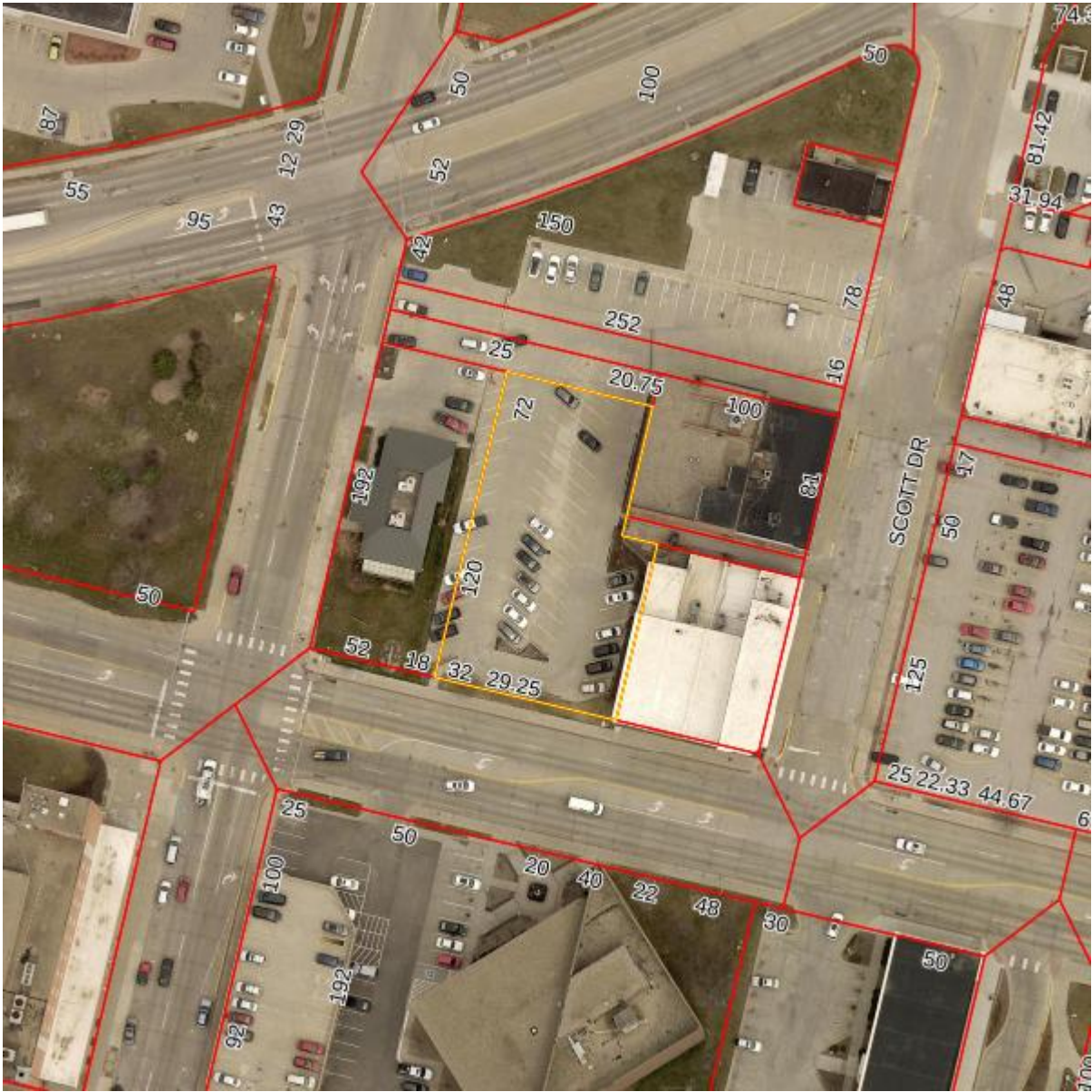
LAND.....16268 sqFt .37 acres

YARD EXTRAS..Paving 14,100 SF, Concrete Parking



535 WEST BROADWAY LLC, 1 03/21/2016

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600ft x 600ft

59

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

7544 25 391 008

--- Permanent Property Address --- ----- Mailing Address -----
 POTTAWATTAMIE COUNTY DEVELOPMENT CORP POTTAWATTAMIE COUNTY DEVELOPMENT CORP
 530 W BROADWAY ST 1228 S MAIN ST
 COUNCIL BLUFFS, IA 51503 COUNCIL BLUFFS, IA 51503

District: 000 CO BLUFFS CITY/CO BLUFFS

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

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754425391008>

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

* Not to be used on legal documents

AS BLK 6 MYNSTER-BLK 2 BAYLISS LTS J,K,L & M

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

* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$80,000	\$0		\$332,000	\$412,000		2018	C
\$80,000	\$0		\$332,000	\$412,000		2019	C
\$80,000	\$0		\$332,000	\$412,000		2020	C

===== EXEMPTIONS & CREDITS =====

2018 BPTC \$3,762.29

===== OWNERS =====

* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D POTTAWATTAMIE COUNTY DEVELOPME book/page: [2018/11365](#) D

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

Sale Date	Amount	Code	Book/Page
08/31/2018	450000	D2	2018/11365
12/18/2003	300000	D050	0104/16007
02/04/1997	175000	D000	0097/32909

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

PDF: 8 MAP: 4-8 C.B COMMERCIAL

Interior Listing: Inspected Date Listed: 03/21/16 ZLL Date Reviewed: 10/29/18 MEC

LAND.....8000 sqFt .18 acres
 Lot 1: Frontage Rear Side-1 Side-2 Rear-Lot
 80 80 100 100

Commercial Building 1 of 1 -- Store - Retail Small (201)

STRUCTURE....3 story 5526 base SF 5526 bsmt SF 18906 gross SF

Year Built: 1925 Eff Year: 1925 Condition: Above Normal

VERTICALS....Ext Wall: Solid Brick - 12"

Int Wall: Drywall or Equiv.

Plaster on Metal Stud

Front/Doors: Average Cost Front

Windows: Aluminum

HORIZONTALS..Basement: Incl. w / Base

Roof: 4-Ply Compo/ Wood Deck

Ceiling: Suspended Blk-M'Ral

Plaster and Lath

Struc Floor: Wd Deck on Wood Joist

Floor Cover: Vinyl Tile-Solid

Carpet

Partitions: Retail Store(Small)

Apartment

Framing: Wood - Heavy

HVAC: Combination FHA - AC

No HVAC

PLUMBING.....Toilet Room (3)

Lavatory (9)

Sink-Kitchen (1)
 ADJUSTMENTS..A/C - no upper (11052)
 Heat - none (11052)
 Bsmt Finish (4375)
 BLDG EXTRAS..1 Porches,Decks,Patios,etc.: 18 SF, Porch

Commercial Building 1 of 1 Addition 1 -- Store - Retail Small (201)
 STRUCTURE....1 story 600 base SF 600 bsmt SF
 Year Built: 1930 Eff Year: 1930 Condition: Above Normal

VERTICALS....Ext Wall: Solid Brick - 8"
 Int Wall: Drywall or Equiv.
 Front/Doors: Incl. w / Base
 Windows: Incl. w / Base

HORIZONTALS..Basement: Incl. w / Base
 Roof: Rubber Membrane/Wood
 Ceiling: Suspended Blk-Mineral
 Struc Floor: Wd Deck on Wood Joist
 Floor Cover: Carpet
 Asphalt Tile
 Partitions: Incl. w / Base
 Framing: Wood - Average
 HVAC: Combination FHA - AC

ADJUSTMENTS..Bsmt Finish (500)

Commercial Building 1 of 1 Addition 2 -- Store - Retail Small (201)
 STRUCTURE....1 story 800 base SF 800 bsmt SF
 Year Built: 1930 Eff Year: 1930 Condition: Above Normal

VERTICALS....Ext Wall: Solid Brick - 8"
 Int Wall: Drywall or Equiv.
 Front/Doors: Incl. w / Base
 Windows: Incl. w / Base

HORIZONTALS..Basement: Incl. w / Base
 Roof: Rubber Membrane/Wood
 Ceiling: Suspended Blk-Mineral
 Struc Floor: Wd Deck on Wood Joist
 Floor Cover: Carpet
 Asphalt Tile
 Partitions: Incl. w / Base
 Framing: Wood - Average
 HVAC: Combination FHA - AC

ADJUSTMENTS..Bsmt Finish (675)

Commercial Building 1 of 1 Addition 3 -- Store - Retail Small (201)
 STRUCTURE....1 story 800 base SF 800 bsmt SF
 Year Built: 1930 Eff Year: 1930 Condition: Above Normal

VERTICALS....Ext Wall: Solid Brick - 8"
 Int Wall: Drywall or Equiv.
 Front/Doors: Incl. w / Base
 Windows: Incl. w / Base

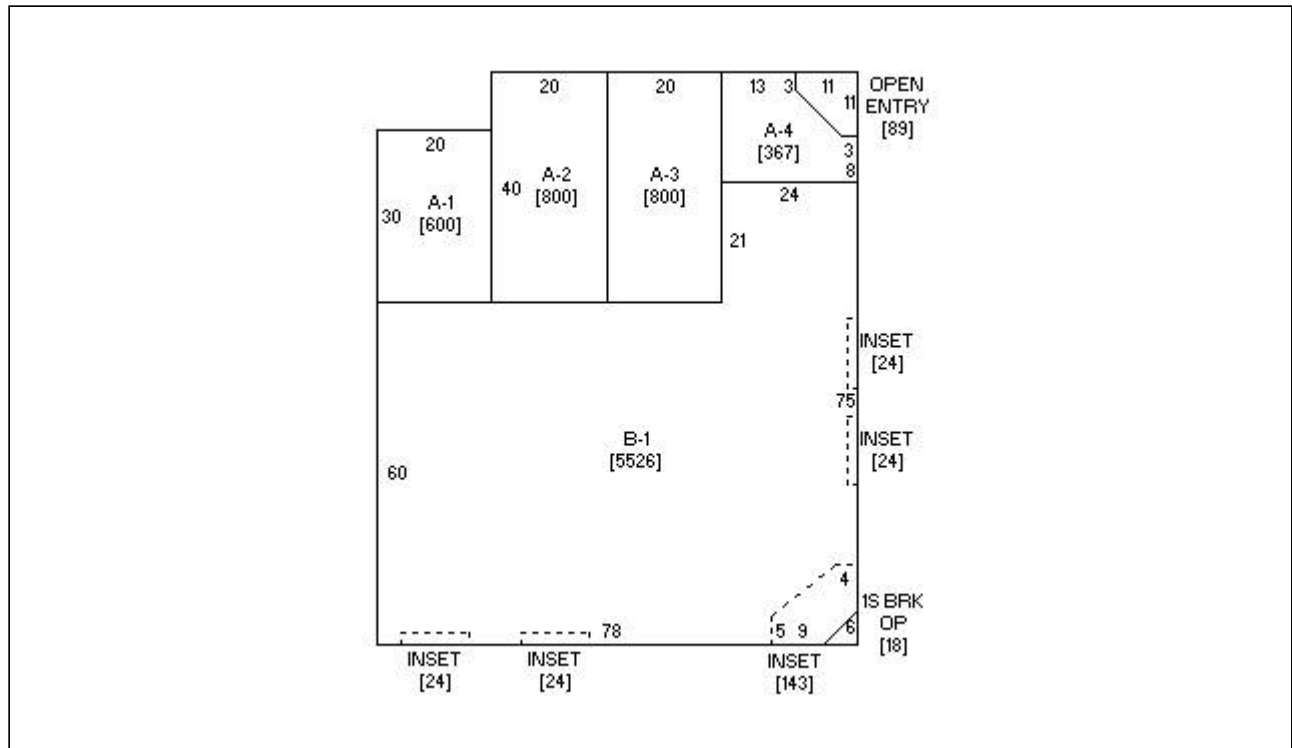
HORIZONTALS..Basement: Incl. w / Base
 Roof: Rubber Membrane/Wood
 Ceiling: Suspended Blk-Mineral
 Struc Floor: Wd Deck on Wood Joist
 Floor Cover: Carpet
 Asphalt Tile
 Partitions: Incl. w / Base
 Framing: Wood - Average
 HVAC: Combination FHA - AC

ADJUSTMENTS..Bsmt Finish (675)

Commercial Building 1 of 1 Addition 4 -- Store - Retail Small (201)
 STRUCTURE....1 story 367 base SF 367 bsmt SF
 Year Built: 1930 Eff Year: 1930 Condition: Above Normal

VERTICALS....Ext Wall: Solid Brick - 8"
 Int Wall: Drywall or Equiv.

Front/Doors: Incl. w / Base
 Windows: Incl. w / Base
 HORIZONTALS..Basement: Incl. w / Base
 Roof: Rubber Membrane/Wood
 Ceiling: Suspended Blk-Mineral
 Struc Floor: Wd Deck on Wood Joist
 Floor Cover: Carpet
 Asphalt Tile
 Partitions: Incl. w / Base
 Framing: Wood - Average
 HVAC: Combination FHA - AC
 ADJUSTMENTS..Bsmt Finish (275)
 BLDG EXTRAS..1 Porches,Decks,Patios,etc.: 89 SF, Porch

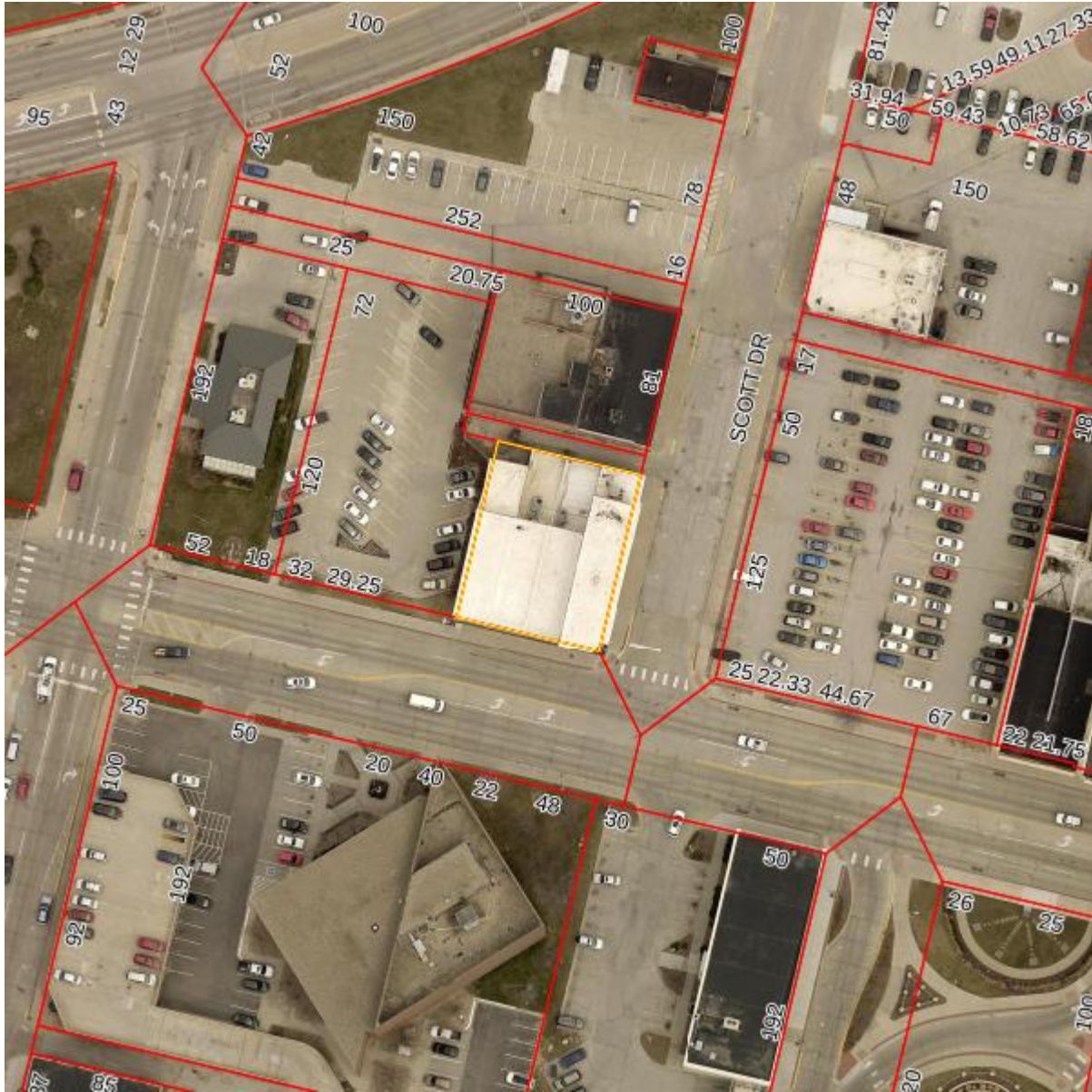


530 W BROADWAY ST, POTTAWATTAMIE COUNTY DEVELOPMENT CORP



530 W BROADWAY ST, POTTAWATTAMIE COUNTY DEVELOPMENT CORP, 1 10/29/2018

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7544 25 391 006

--- Permanent Property Address ---

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

POTTAWATTAMIE COUNTY DEVELOPMENT CORP

POTTAWATTAMIE COUNTY DEVELOPMENT CORP

12 SCOTT ST

1228 S MAIN ST

COUNCIL BLUFFS, IA 51503

COUNCIL BLUFFS, IA 51503

District: 000 CO BLUFFS CITY/CO BLUFFS

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

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754425391006>

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

* Not to be used on legal documents

AS BLK 6 MYNSTER-BLK 2 BAYLISS LT N

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

* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$81,000	\$0		\$155,100	\$236,100		2018	C
\$81,000	\$0		\$165,500	\$246,500		2019	C
\$81,000	\$0		\$165,500	\$246,500		2020	C

===== EXEMPTIONS & CREDITS =====

2018 BPTC \$3,527.87

===== OWNERS =====

* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D POTTAWATTAMIE COUNTY DEVELOPME book/page: [2018/11377](#) D

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

Sale Date	Amount	Code	Book/Page
08/31/2018	325000	D2	2018/11377
08/10/2015	95000	D2	2015/10595
01/01/1986	0	D000	0086/22734

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

PDF: 8 MAP: 4-8 C.B COMMERCIAL

Interior Listing: Inspected Date Listed: 10/26/16 GK Date Reviewed: 10/29/18 MEC

LAND.....8100 sqFt .19 acres

Lot 1: Frontage	Rear	Side-1	Side-2	Rear-Lot
81	81	100	100	

Commercial Building 1 of 1 -- Office - General (501)

STRUCTURE....3 story 4560 base SF 4560 bsmt SF 20148 gross SF

Year Built: 1920 Eff Year: 1920 Condition: Normal

VERTICALS....Ext Wall: Brick on Block - 8"

Int Wall: Plaster with Lath

Drywall or Equiv.

WallFace: Incl. w /Walls

Front/Doors: Average Cost Front

Windows: Wood/Vinyl

HORIZONTALS..Basement: Excavation, Floor, Lighting

Roof: Tar and Gravel/ Wood Dk

Ceiling: Suspended Blk-Mineral

Plaster and Lath

Struc Floor: Concrete 4"

Wd Deck on Wood Joist

Floor Cover: Carpet

Partitions: Office Buildings

Framing: Wood - Average

HVAC: Hot Water

Central AC

PLUMBING....Water Closet (7)

Lavatory (3)

Urinal - Wall (3)

BLDG EXTRAS...1 Elevator - Pass. Electric: Geared, 100 Ft/Min, 4 Stops, 2,100 Lb Capacity

Commercial Building 1 of 1 Addition 1 -- Office - General (501)

STRUCTURE....2 story 3234 base SF 3234 bsmt SF

Year Built: 1920 Eff Year: 1920 Condition: Normal

VERTICALS....Ext Wall: Brick on Block - 8"

Int Wall: Drywall or Equiv.
Plaster with Lath

WallFace: Incl. w /Walls

Front/Doors: Average Cost Front

Windows: Wood/Vinyl

HORIZONTALS..Basement: Excavation, Floor, Lighting

Roof: Tar and Gravel/ Wood Dk

Ceiling: Suspended Blk-Mineral

Struc Floor: 4" R'Concrete

Wd Deck on Wood Joist

Floor Cover: Carpet

Partitions: Office Buildings

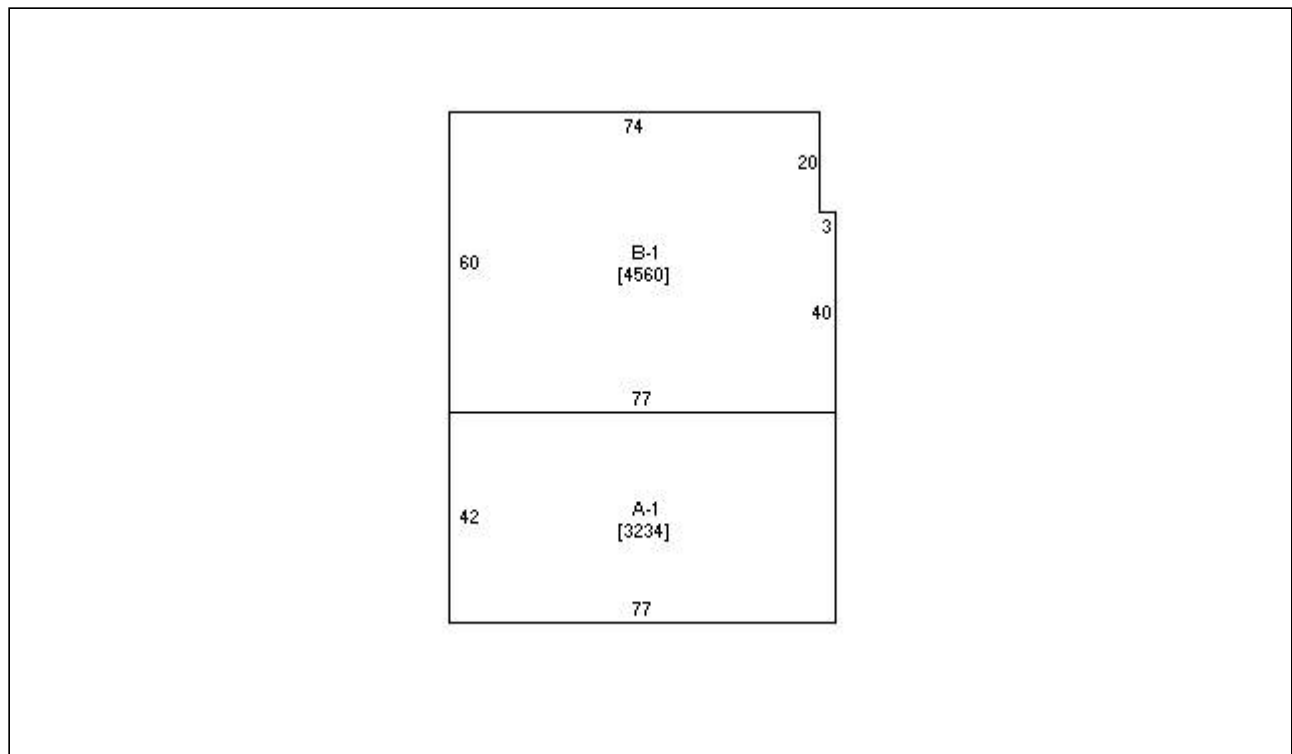
Framing: Wood - Average

HVAC: Hot Water

Central AC

PLUMBING.....Water Closet (6)

Lavatory (4)



12 SCOTT ST, POTTAWATTAMIE COUNTY DEVELOPMENT CORP



12 SCOTT ST, POTTAWATTAMIE COUNTY DEVELOPMENT CORP, 1 10/29/2018

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7544 25 391 002

--- Permanent Property Address ---
COUNCIL BLUFFS, CITY OF

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COUNCIL BLUFFS, CITY OF
209 PEARL
COUNCIL BLUFFS, IA 51503

=====
District: 000 CO BLUFFS CITY/CO BLUFFS

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

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754425391002>

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

* Not to be used on legal documents

AS BLK 6 MYNSTER-BLK 2 BAYLISS N65 LT 1,2,3,C,D LYING SLY OF KANESVILLE-LOT P-NLY PART OF
LTS5,E,F,G AND H(PARKING LOT)

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

* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$0	\$0		\$0	\$0		2018	C
\$0	\$0		\$0	\$0		2019	C
\$0	\$0		\$0	\$0		2020	C

===== EXEMPTIONS & CREDITS =====

2018 MGOV	\$0.00	MUNICIPAL GOVERNMENT
2019 MGOV	\$0.00	MUNICIPAL GOVERNMENT
2020 MGOV	\$415,700.00	MUNICIPAL GOVERNMENT

===== OWNERS =====

* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D COUNCIL BLUFFS, CITY OF book/page:

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

PDF: 30 MAP: 4-8 C.B COMMERCIAL

Interior Listing: Inspected Date Listed: 05/13/19 MEC Date Reviewed: 05/15/19 MEC

LAND.....37560 sqFt .86 acres

YARD EXTRAS..Paving - Concrete 13,560 SF, Concrete w/Curbs, Lighting: Average

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MAC INVESTMENTS INC

MAC INVESTMENTS INC

32 SCOTT ST

32 SCOTT ST

COUNCIL BLUFFS, IA 51503

COUNCIL BLUFFS, IA 51503

District: 000 CO BLUFFS CITY/CO BLUFFS

District: 000 CO BLUFFS CITY/CO BLUFFS

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

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754425391001>

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

* Not to be used on legal documents

AUD SUB BLK 6 MYNSTER BLK 2 BAYLISS S35' LT 1

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

* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$6,300	\$25,848	\$11,200	\$45,952	\$89,300		2018	M/C
\$6,300	\$25,848	\$11,200	\$45,952	\$89,300		2019	M/C
\$6,300	\$25,848	\$11,200	\$45,952	\$89,300		2020	M/C

===== EXEMPTIONS & CREDITS =====

2018 BPTC \$853.98

===== OWNERS =====

* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D MAC INVESTMENTS INC

book/page: [2015/17191](#) D

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

Sale Date	Amount	Code	Book/Page
12/29/2015	0	D1	2015/17191
03/27/2007	0	D001	2007/05101
06/16/2004	0	D001	0104/27775
03/25/2004	0	D001	0104/21267
03/08/2004	77500	D035	0104/26533

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

PDF: 8 MAP: 4-8 C.B COMMERCIAL

Interior Listing: Estimated Date Listed: 03/22/16 ZLL Date Reviewed: 10/29/18 MEC

LAND.....1750 sqFt .04 acres

Lot 1: Frontage	Rear	Side-1	Side-2	Rear-Lot
35	35	50	50	

Commercial Building 1 of 1 -- Office - General (501) Units: 0

DBA: THE HOMESTEADS GROUP

STRUCTURE....1 story 1008 base SF 504 bsmt SF 2016 gross SF

Year Built: 1925 Eff Year: 1925 Condition: Above Normal

VERTICALS....Ext Wall: Solid Brick - 8"

Int Wall: Drywall or Equiv.
Plaster on Metal Stud

Front/Doors: Incl. w / Base

Windows: Wood Double Hung

HORIZONTALS...Basement: Incl. w / Base

Roof: Incl. w / Base

Ceiling: Drywall
Plaster and Lath

Struc Floor: Wd Deck on Wood Joist

Floor Cover: Carpet

Partitions: Office Buildings

Framing: Wood - Average

HVAC: Combination FHA - AC

PLUMBING.....Toilet Room (1)

BLDG EXTRAS..1 Porch (Commercial): 126 SF, Porch
 1 Porches,Decks,Patios,etc.: 96 SF, Wood Deck

Commercial Building 1 of 1 Addition 1 -- Apartment (702) Units: 1

DBA: THE HOMESTEADS GROUP

STRUCTURE....1 story 1008 base SF 504 bsmt SF

Year Built: 1925 Eff Year: 1925 Condition: Above Normal

VERTICALS....Ext Wall: Solid Brick - 8"

Int Wall: Drywall or Equiv.

Plaster on Metal Stud

Front/Doors: Incl. w / Base

Windows: Wood Double Hung

HORIZONTALS..Basement: Incl. w / Base

Roof: Rubber Membrane/Wood

Ceiling: Drywall

Plaster and Lath

Struc Floor: Wd Deck on Wood Joist

Floor Cover: Carpet

Partitions: Apartment

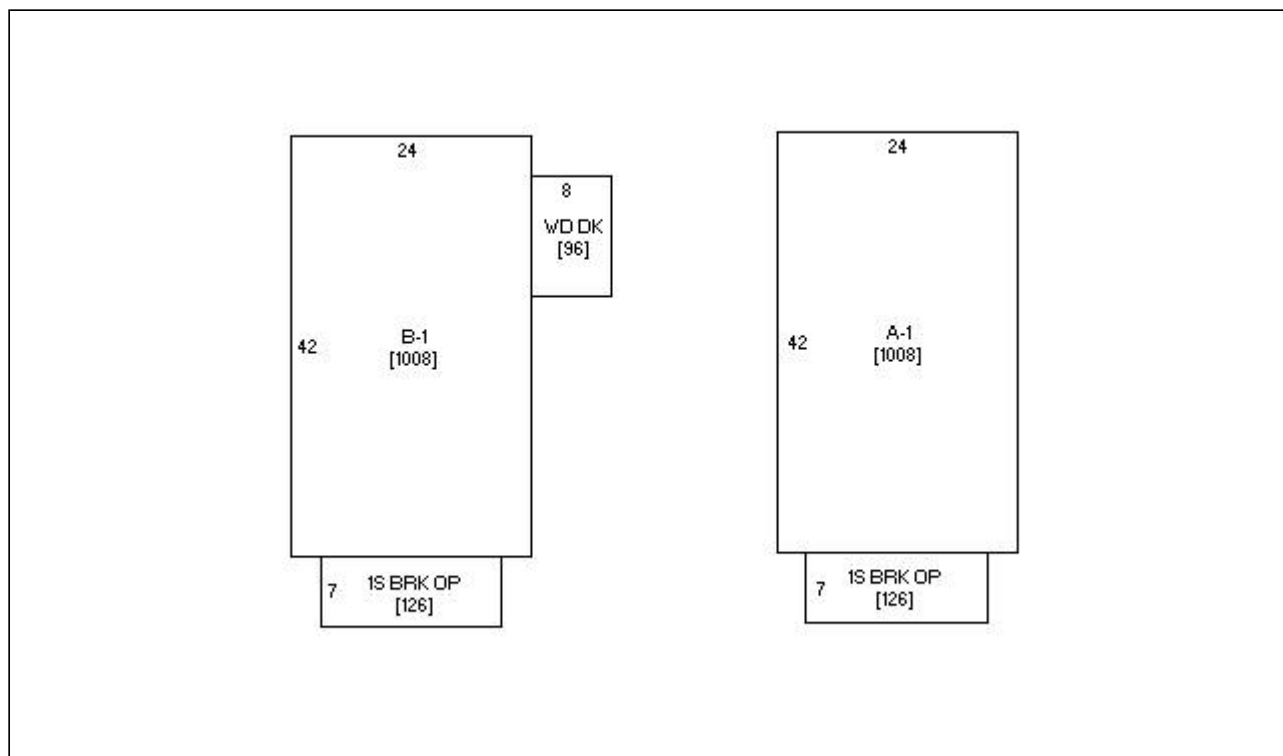
Framing: Wood - Average

HVAC: Combination FHA - AC

PLUMBING.....3-Fixture Bathroom (1)

Sink-Kitchen (1)

BLDG EXTRAS..1 Porch (Commercial): 126 SF, Porch



32 SCOTT ST, MAC INVESTMENTS INC



32 SCOTT ST, MAC INVESTMENTS INC, 1 10/29/2018

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 500 WEST LLC 500 WEST LLC
 500 W BROADWAY ST 500 W BROADWAY ST
 COUNCIL BLUFFS, IA 51503 COUNCIL BLUFFS, IA 51503

District: 000 CO BLUFFS CITY/CO BLUFFS

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

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754425454010>

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

* Not to be used on legal documents

AUD SUB LT 5 BLK 5 MYNSTER ADD & BLK 1 BAYLISS 1ST ADD LTS 7 THRU 13 & W1' MAIN ST ADJ LTS 9 THRU
 12 & N2' BROADWAY ST ADJ LT 9

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

* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$175,700	\$0		\$292,200	\$467,900		2018	C
\$175,700	\$0		\$292,200	\$467,900		2019	C
\$175,700	\$0		\$292,200	\$467,900		2020	C

===== EXEMPTIONS & CREDITS =====

===== OWNERS =====

* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D 500 WEST LLC book/page: [2017/16340](#) D

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

Sale Date	Amount	Code	Book/Page	
10/12/2017	0	D7	2017/16340	multiple parcel sale
01/19/2017	1	D46	2017/01078	
11/03/2003	140000	D050	0104/13743	multiple parcel sale

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

PDF: 8 MAP: 4-8 C.B COMMERCIAL

Interior Listing: Inspected Date Listed: 05/18/17 JC Date Reviewed: 10/29/18 MEC

LAND.....17567 sqFt .40 acres

Commercial Building 1 of 1 -- Office - General (501)

STRUCTURE....4 story 4324 base SF 4324 bsmt SF 34884 gross SF

Year Built: 1900 Eff Year: 1900 Condition: Below Normal

VERTICALS....Ext Wall: Solid Brick - 12"

Int Wall: Drywall or Equiv.

Panel - Softwood

Front/Doors: Incl. w / Base

Windows: Incl. w / Base

HORIZONTALS..Basement: Incl. w / Base

Roof: Rubber Membrane/Wood

Ceiling: Composition Block

Suspended Blk-Fiber

Suspended Blk-M'Ral

Struc Floor: Wd Deck on Wood Joist

Floor Cover: Carpet

Asphalt Tile

Partitions: Office Buildings

Framing: Wood - Heavy

HVAC: Combination FHA - AC

Sprinklers: Exposed Wet

PLUMBING.....3-Fixture Bathroom (2)

Toilet Room (8)

Water Closet (7)

Urinal - Wall (3)

Lavatory (5)

Sink-Service (Porcelain) (2)

ADJUSTMENTS..Sprinkler - exposed wet (17296)

BLDG EXTRAS..1 Elevator - Pass. Electric: Geared, 200 Ft/Min, 4 Stops, 2,000 Lb Capacity

1 BANK - VAULT: Record - C'Blk, 144 SF

1 Bank - Vault Door: Class M: 2" - 3" thick Thickness, No

1 Bank - Vault: Money - Conc./ Steel, 144 SF

Commercial Building 1 of 1 Addition 1 -- Office - General (501)

STRUCTURE....2 story 1804 base SF 1804 bsmt SF

Year Built: 1900 Eff Year: 1900 Condition: Below Normal

VERTICALS....Ext Wall: Solid Brick - 12"

Int Wall: Drywall or Equiv.

Panel - Softwood

Front/Doors: Incl. w / Base

Windows: Incl. w / Base

HORIZONTALS..Basement: Incl. w / Base

Roof: Rubber Membrane/Wood

Ceiling: Composition Block

Suspended Blk-M'Ral

Suspended Blk-Fiber

Struc Floor: Wd Deck on Wood Joist

Floor Cover: Carpet

Asphalt Tile

Quarry Tile
 Partitions: Incl. w / Base
 Framing: Wood - Average
 HVAC: Combination FHA - AC
 Sprinklers: Exposed Wet
 ADJUSTMENTS..Sprinkler - exposed wet (3608)

Commercial Building 1 of 1 Addition 2 -- Office - General (501)
 STRUCTURE....2 story 1992 base SF 1992 bsmt SF
 Year Built: 1900 Eff Year: 1900 Condition: Below Normal

VERTICALS....Ext Wall: Solid Brick - 12"
 Int Wall: Drywall or Equiv.
 Front/Doors: Incl. w / Base
 Windows: Incl. w / Base

HORIZONTALS..Basement: Incl. w / Base
 Roof: Rubber Membrane/Wood
 Ceiling: Suspended Blk-Fiber
 Suspended Blk-M'Ral
 Unfinished
 Struc Floor: Wd Deck on Wood Joist
 Floor Cover: Carpet
 Partitions: Incl. w / Base
 Framing: Wood - Average
 HVAC: Combination FHA - AC
 No HVAC
 Sprinklers: Exposed Wet
 ADJUSTMENTS..Open Unfin. Uppers (1992)
 Sprinkler - exposed wet (1992)

Commercial Building 1 of 1 Addition 3 -- Office - General (501)
 STRUCTURE....1 story 824 base SF 824 bsmt SF
 Year Built: 1900 Eff Year: 1900 Condition: Below Normal

VERTICALS....Ext Wall: Solid Brick - 12"
 Int Wall: Drywall or Equiv.
 Front/Doors: Incl. w / Base
 Windows: Incl. w / Base

HORIZONTALS..Basement: Incl. w / Base
 Roof: Rubber Membrane/Wood
 Ceiling: Suspended Blk-Fiber
 Suspended Blk-M'Ral
 Struc Floor: Wd Deck on Wood Joist
 Floor Cover: Carpet
 Partitions: Incl. w / Base
 Framing: Wood - Average
 HVAC: Combination FHA - AC
 Sprinklers: Exposed Wet
 ADJUSTMENTS..Sprinkler - exposed wet (824)

Commercial Building 1 of 1 Addition 4 -- Office - General (501)
 STRUCTURE....1 story 660 base SF 660 bsmt SF
 Year Built: 1900 Eff Year: 1900 Condition: Below Normal

VERTICALS....Ext Wall: Solid Brick - 12"
 Int Wall: Drywall or Equiv.
 Front/Doors: Incl. w / Base
 Windows: Incl. w / Base

HORIZONTALS..Basement: Incl. w / Base
 Roof: Rubber Membrane/Wood
 Ceiling: Suspended Blk-Fiber
 Suspended Blk-M'Ral
 Struc Floor: Wd Deck on Wood Joist
 Floor Cover: Carpet
 Partitions: Incl. w / Base
 Framing: Wood - Average
 HVAC: Combination FHA - AC
 Sprinklers: Exposed Wet
 ADJUSTMENTS..Sprinkler - exposed wet (660)

Commercial Building 1 of 1 Addition 5 -- Office - General (501)
 STRUCTURE....3 story 840 base SF 840 bsmt SF
 Year Built: 1900 Eff Year: 1900 Condition: Below Normal

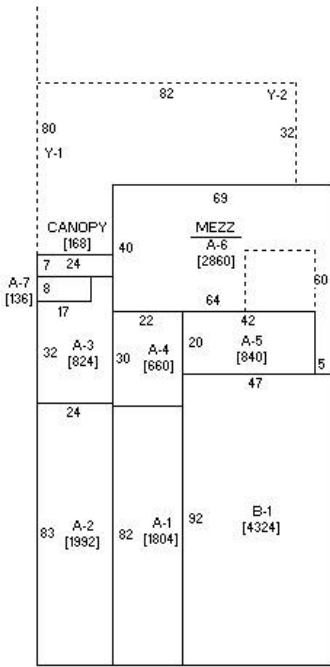
VERTICALS....Ext Wall: Solid Brick - 12"
 Int Wall: Drywall or Equiv.
 Panel - Softwood
 Front/Doors: Incl. w / Base
 Windows: Incl. w / Base

HORIZONTALS..Basement: Incl. w / Base
 Roof: Rubber Membrane/Wood
 Ceiling: Suspended Blk-M'Ral
 Unfinished
 Struc Floor: Wd Deck on Wood Joist
 Floor Cover: Carpet
 Asphalt Tile
 Partitions: Incl. w / Base
 Framing: Wood - Average
 HVAC: Combination FHA - AC
 Sprinklers: Exposed Wet
 ADJUSTMENTS..Open Unfin. Uppers (840)
 Sprinkler - exposed wet (1680)

BLDG EXTRAS..1 ELEVATOR-PASSENGER ELECTRIC: Geared, 200 Ft/Min, 3 Stops, 2,000 Lb Capacity

Commercial Building 1 of 1 Addition 6 -- Office - General (501)
 STRUCTURE....2 story 2860 base SF 2860 bsmt SF
 Year Built: 1962 Eff Year: 1962 Condition: Below Normal
 VERTICALS....Ext Wall: Brick on Block - 8"
 Int Wall: Drywall or Equiv.
 Panel - Softwood
 Front/Doors: Incl. w / Base
 Windows: Incl. w / Base
 HORIZONTALS..Basement: Incl. w / Base
 Roof: Rubber Membrane/Stl
 Ceiling: Suspended Blk-Fiber
 Suspended Blk-M'Ral
 Struc Floor: Bar Jst/Mtl Dk/Conc. Topping
 Floor Cover: Carpet
 Asphalt Tile
 Partitions: Incl. w / Base
 Framing: Steel - Average
 HVAC: Combination FHA - AC
 Sprinklers: Exposed Wet
 PLUMBING.....Toilet Room (1)
 Sink-Service (Porcelain) (6)
 ADJUSTMENTS..Mezzanine - finished(no a/c) (418)
 Sprinkler - exposed wet (5720)
 Bsmt Fin - office (825)
 BLDG EXTRAS..1 Bank - Vault: Record - C'Blk, 612 SF
 1 Bank - Vault Door: Class M: 2" - 3" thick Thickness, No
 1 Bank - Vault: Record - C'Blk, 400 SF
 1 Bank - Record Vault Door: 4 Hour Rating

Commercial Building 1 of 1 Addition 7 -- Office - General (501)
 STRUCTURE....2 story 136 base SF 136 bsmt SF
 Year Built: 1962 Eff Year: 1962 Condition: Below Normal
 VERTICALS....Ext Wall: Brick on Block - 8"
 Int Wall: Unfinished
 Front/Doors: Incl. w / Base
 Windows: Incl. w / Base
 HORIZONTALS..Basement: Incl. w / Base
 Roof: Rubber Membrane/Wood
 Ceiling: Unfinished
 Struc Floor: Wd Deck on Wood Joist
 Partitions: Incl. w / Base
 Framing: Wood - Average
 HVAC: No HVAC
 ADJUSTMENTS..Interior - No Finish (272)
 Canopy - attached (168)
 A/C - deduct (272)
 YARD EXTRAS..SOLID BRK WALL/FENCE Quantity=80.00 Lineal Feet, Height=12
 BRK/BLK WALL Quantity=114.00 Lineal Feet, Height=6

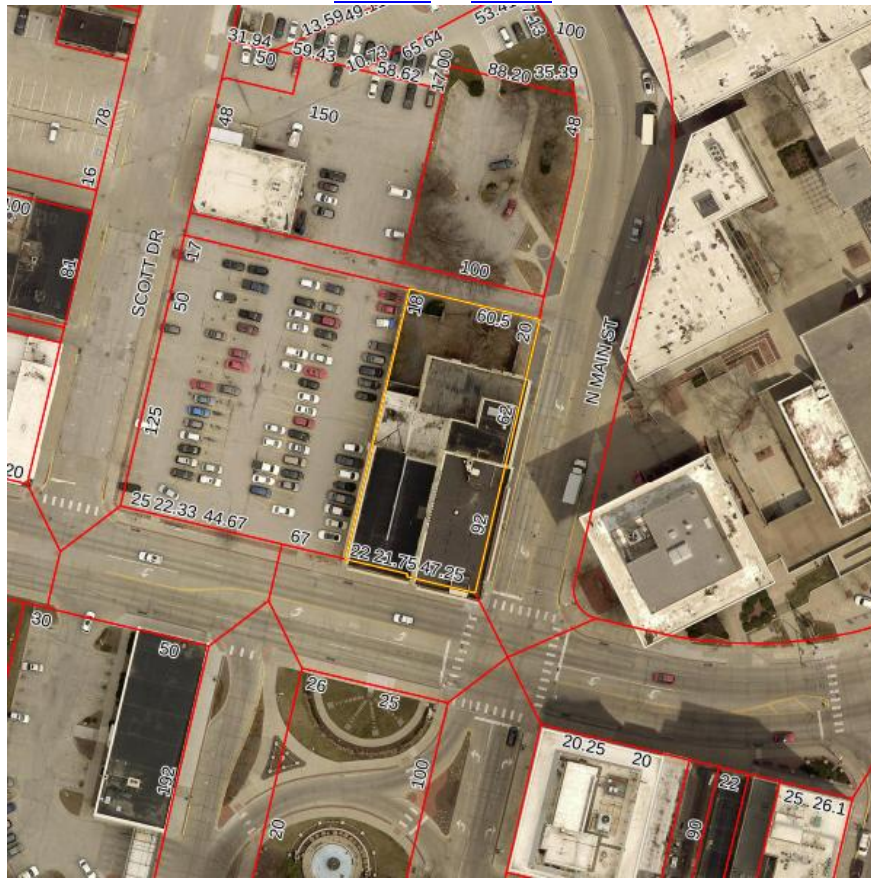


500 W BROADWAY ST, 500 WEST LLC



500 W BROADWAY ST, 500 WEST LLC, 1 03/22/2016

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COUNCIL BLUFFS, CITY OF
209 PEARL ST
COUNCIL BLUFFS, IA 51503

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District: 000 CO BLUFFS CITY/CO BLUFFS

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

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754425454011>

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

* Not to be used on legal documents

AUD SUB LT 5 MYNSTER-BLK 1 BAYLISS LTS 1 THRU 6

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

* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$0	\$0		\$0	\$0		2018	C
\$0	\$0		\$0	\$0		2019	C
\$0	\$0		\$0	\$0		2020	C

===== EXEMPTIONS & CREDITS =====

2018 MGOV	\$361,500.00	MUNICIPAL GOVERNMENT
2019 MGOV	\$361,500.00	MUNICIPAL GOVERNMENT
2020 MGOV	\$361,500.00	MUNICIPAL GOVERNMENT

===== OWNERS =====

* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D COUNCIL BLUFFS, CITY OF book/page:

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

PDF: 30 MAP: 4-8 C.B COMMERCIAL

Interior Listing: Inspected Date Listed: 01/01/90 TG Date Reviewed: 05/25/95 TG

LAND.....30528 sqFt .70 acres

Lot 1: Frontage	Rear	Side-1	Side-2	Rear-Lot
159	159	192	192	

YARD EXTRAS..Paving - Asphalt 30,528 SF, Asphalt Parking

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7544 25 454 007

--- Permanent Property Address ---
500 WEST LLC

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500 WEST LLC
500 W BROADWAY ST
COUNCIL BLUFFS, IA 51503

District: 000 CO BLUFFS CITY/CO BLUFFS

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

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754425454007>

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

* Not to be used on legal documents

MYNSTER ADD S44' LT 2 & ALL LTS 3 & 4 BLK 5 EXC STREET

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

* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$135,800	\$0		\$6,200	\$142,000		2018	C
\$135,800	\$0		\$6,200	\$142,000		2019	C
\$135,800	\$0		\$6,200	\$142,000		2020	C

===== EXEMPTIONS & CREDITS =====

===== OWNERS =====

* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D 500 WEST LLC

book/page: [2017/16340](#) D

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

Sale Date	Amount	Code	Book/Page	
10/12/2017	0	D7	2017/16340	multiple parcel sale
01/24/2017	1	D46	2017/01077	
11/03/2003	140000	D001	0104/13743	multiple parcel sale

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

PDF: 8 MAP: 4-8 C.B COMMERCIAL

Interior Listing: Inspected Date Listed: 03/21/16 ZLL Date Reviewed: 10/25/16 BL

LAND.....13580 sqFt .31 acres

Lot 1: Frontage	Rear	Side-1	Side-2	Rear-Lot
140	140	97	97	

YARD EXTRAS..Paving 7,400 SF, Asphalt Parking, Lighting: Avera



500 WEST LLC, 1 03/21/2016

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7544 25 454 006

--- Permanent Property Address ---

KJC LLC

25 SCOTT ST

COUNCIL BLUFFS, IA 51503

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

KJC LLC

C/O BONNIE CULJAT

18465 JAYLEN DR

COUNCIL BLUFFS, IA 51503

District: 000 CO BLUFFS CITY/CO BLUFFS

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

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754425454006>

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

* Not to be used on legal documents

MYNSTER ADD LTS 6 & 7 & S27' LTS 8 & 9 BLK 5 ALL LYING SE OF INDIAN CRK

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

* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$171,000	\$0		\$150,700	\$321,700		2018	C
\$171,000	\$0		\$150,700	\$321,700		2019	C
\$171,000	\$0		\$150,700	\$321,700		2020	C

===== EXEMPTIONS & CREDITS =====

2018 BPTC \$3,762.29

===== OWNERS =====

* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D KJC LLC

book/page: 100/51529 D

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

Sale Date	Amount	Code	Book/Page
04/12/2000	80000	D050	0100/51529
06/01/1995	180000	D050	0095/30410 multiple parcel sale

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

PDF: 8 MAP: 4-8 C.B COMMERCIAL

Interior Listing: Inspected Date Listed: 03/22/16 ZLL Date Reviewed: 10/29/18 MEC

LAND.....17100 sqFt .39 acres

Commercial Building 1 of 1 -- Bars and Lounges (303)

DBA: THE BUCK SNORT

STRUCTURE....1 story 3532 base SF 1950 bsmt SF 3532 gross SF

Year Built: 1920 Eff Year: 1920 Condition: Very Good

VERTICALS....Ext Wall: Solid Brick - 12"

Int Wall: Unfinished

Glassboard Paneling

Front/Doors: Average Cost Front

Windows: Aluminum

HORIZONTALS..Basement: Incl. w / Base

Roof: Rubber Membrane/Wood

Ceiling: Unfinished

Struc Floor: Wd Deck on Wood Joist

Floor Cover: Hardwood

Ceramic

Partitions: Incl. w / Base

Framing: Wood - Average

HVAC: Combination FHA - AC

PLUMBING.....Toilet Room (4)

Water Closet (2)

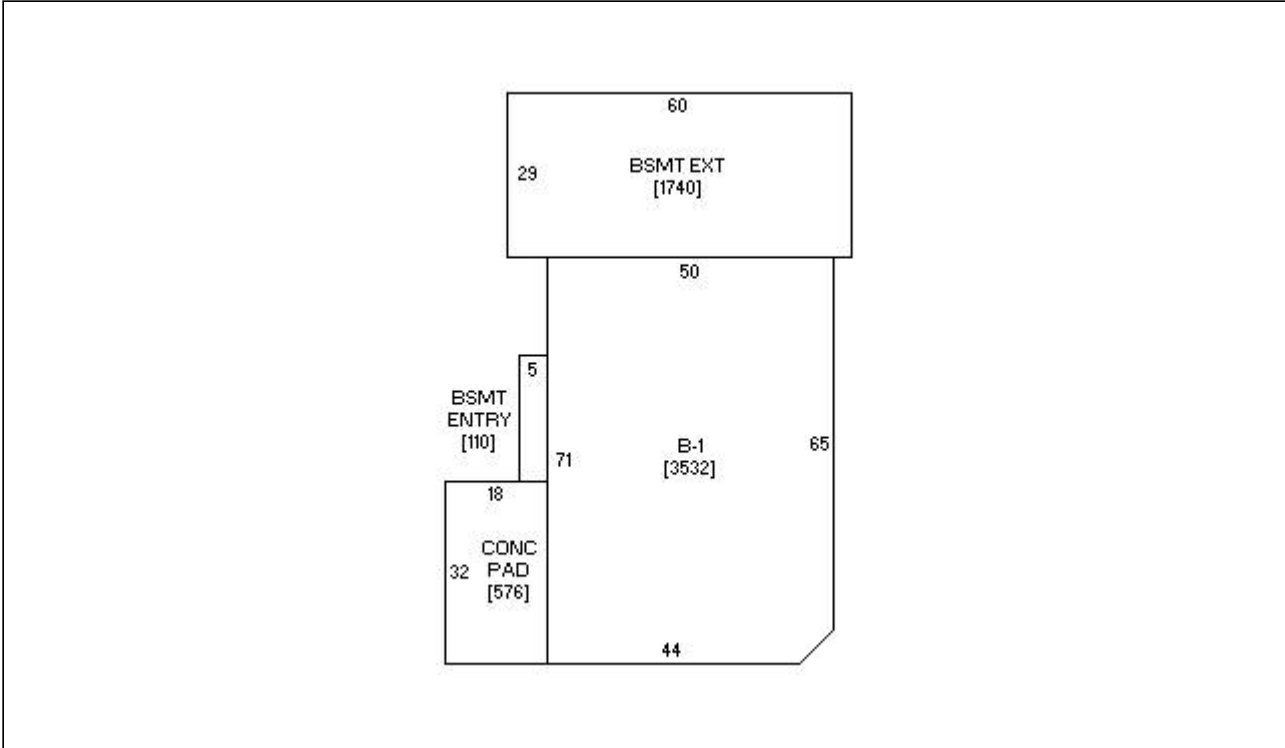
Urinal - Wall (3)

Lavatory (1)

Sink-Kitchen (2)

Stainless Stl Triple Sinks - 4' (1)

ADJUSTMENTS..Ceiling - none (3532)
BLDG EXTRAS..1 Porch (Commercial): 576 SF, Patio - Conc / Brick
1 BSMT EXT: Quantity=1,740.00 Square Feet, Height=0
YARD EXTRAS..PAVING 11,700 SF, Asphalt Parking



25 SCOTT ST, KJC LLC



25 SCOTT ST, KJC LLC, 1 03/21/2016

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7544 25 454 012

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COUNCIL BLUFFS, CITY OF

----- Mailing Address -----
COUNCIL BLUFFS, CITY OF
209 PEARL ST
COUNCIL BLUFFS, IA 51503

District: 000 CO BLUFFS CITY/CO BLUFFS

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

Go to: <https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754425454012>

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

* Not to be used on legal documents

MYNSTER ADD S27' LT 10 BLK 5

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

* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$0	\$0		\$0	\$0		2018	C
\$0	\$0		\$0	\$0		2019	C
\$0	\$0		\$0	\$0		2020	C

===== EXEMPTIONS & CREDITS =====

2018 MGOV	\$0.00	MUNICIPAL GOVERNMENT
2019 MGOV	\$0.00	MUNICIPAL GOVERNMENT
2020 MGOV	\$18,900.00	MUNICIPAL GOVERNMENT

===== OWNERS =====

* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D COUNCIL BLUFFS, CITY OF	book/page: 2014/11810 D
-----------------------------	---

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

Sale Date	Amount	Code	Book/Page	
06/01/1995	180000	C050	0095/30410	multiple parcel sale

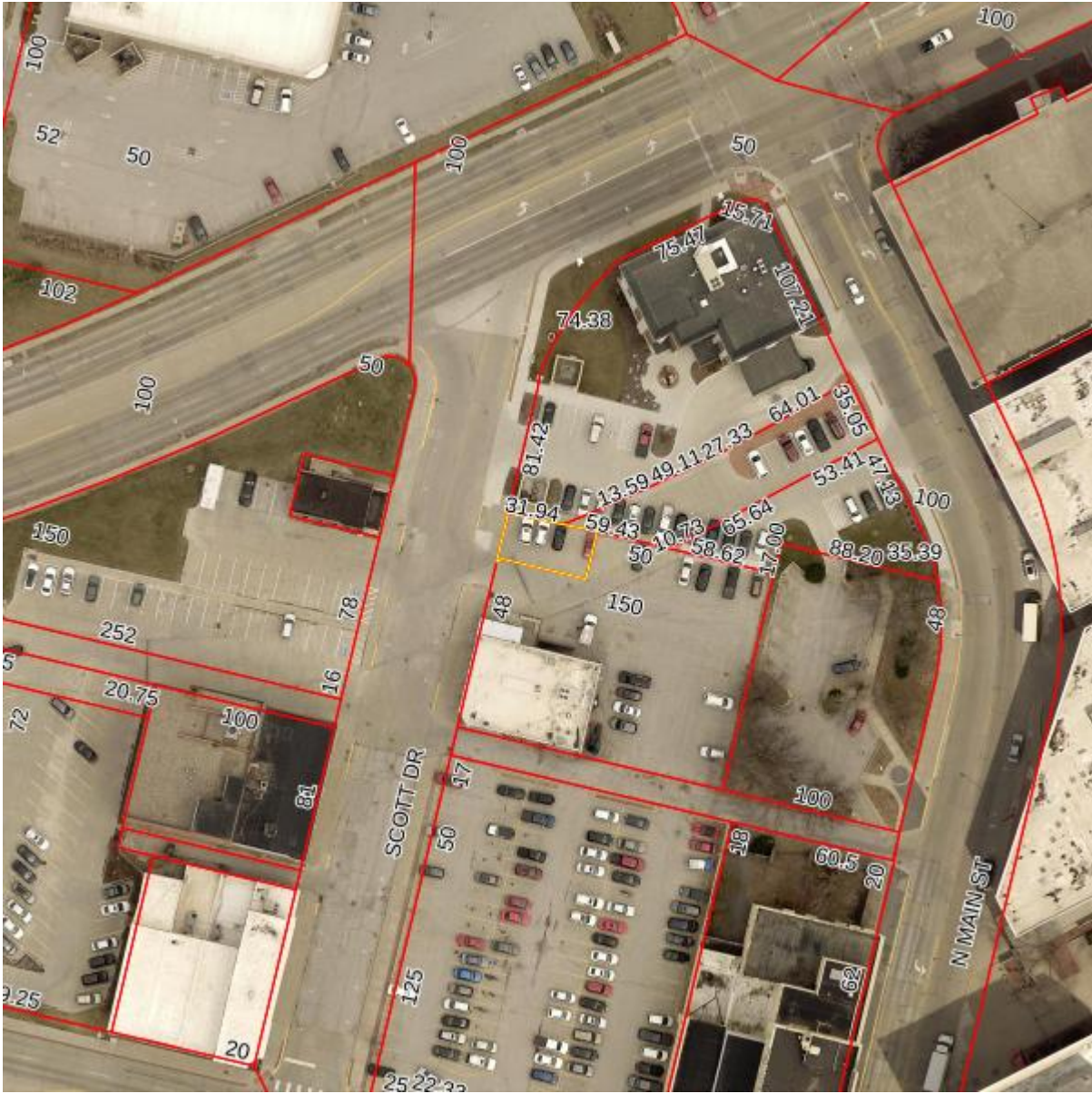
===== ASSESSMENT DATA =====

PDF: 30 MAP: 4-8 C.B COMMERCIAL

Interior Listing: Outbuildings Only Date Listed: 08/21/19 MEC Date Reviewed: 08/21/19 MEC

LAND.....1306 sqFt .03 acres
YARD EXTRAS..Paving 3,000 SF, Asphalt Parking
Paving 3,600 SF, Asphalt Parking

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



600ft x 600ft

[Click any parcel to go to its web page](#)
See [more maps](#) at the [County GIS Department](#).

As of: On Web ▼ Get Card

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

Urban Revitalization Request:

530 W Broadway, a very visible landmark of the community, has been underutilized for at least the past 30 years. The site was selected for redevelopment based on its close proximity to downtown employment, amenities, and reuse of an existing building (3-story brick building was completed in 1880). bringing activity to the west entrance of downtown Council Bluffs. The completed project will bring activity to the west entrance of downtown and spur development for Bayliss Park (the heart of the community) and adjacent properties. This is a transformative project for Council Bluffs that will:

- Increase the existing tax base and district rents to achieve economic vitality and
- Create a sense of place where businesses and residents want to work, live and play through the physical transformation of the area while maintaining the character and integrity of Council Bluffs downtown.

The 712 Initiative is requesting a 10-year tax abatement for the project. Current assessed is \$412,000 with projected assessed value of \$1,700,000 after a full renovation.

1. Building use(s) with square feet for each use:
Residential: 2nd and 3rd floors = 8,930 sq ft
Commercial: 1st floor = 6,178 sq ft
2. Number of residential units as well as number of affordable units:
Total of 15 residential units – requesting HOME funds for 2 affordable units
3. Copies of conceptual drawings and floorplans:
See attached
4. Timeline
Complete fundraising: September 2020
Final plans and specs: December 2020
Competitive Bid: January 2021
Construction: March 2021
Construction complete: December 2022

5. Overall budget

Item	Cost	%
Acquisition	\$ 450,000	8%
Construction	\$ 3,570,000	66%
Professional Fees	\$ 1,031,000	19%
Construction & Permanent Finance	\$ 144,000	3%
Soft Costs	\$ 31,000	1%
Reserves	\$ 154,000	3%

TOTAL \$ 5,380,000

6. Partners on the project (bank, architect, engineer, etc):
Architect: Alley Poyner Machietto Architecture
Construction Management: Pending
Bank: Pending

530 WEST BROADWAY

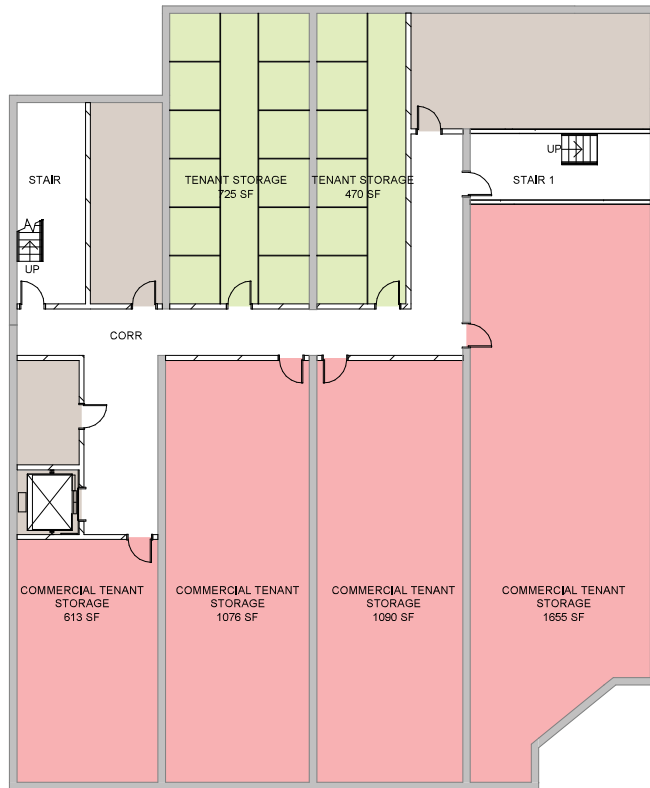
EXTERIOR SKETCH



ATTACHMENT C

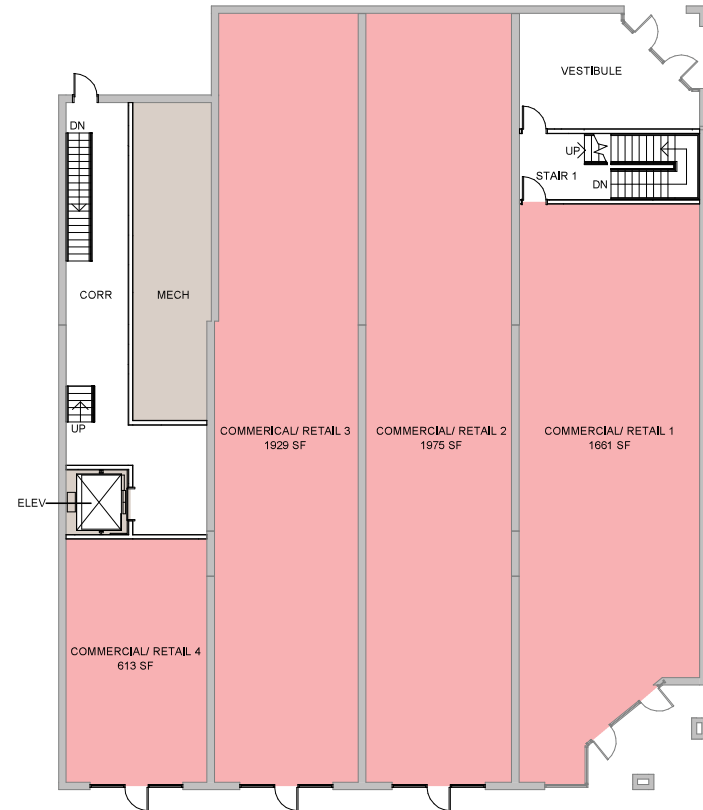
530 WEST BROADWAY

FLOOR PLANS



LOWER LEVEL FLOOR PLAN
SCALE: 1/16" = 1'-0"

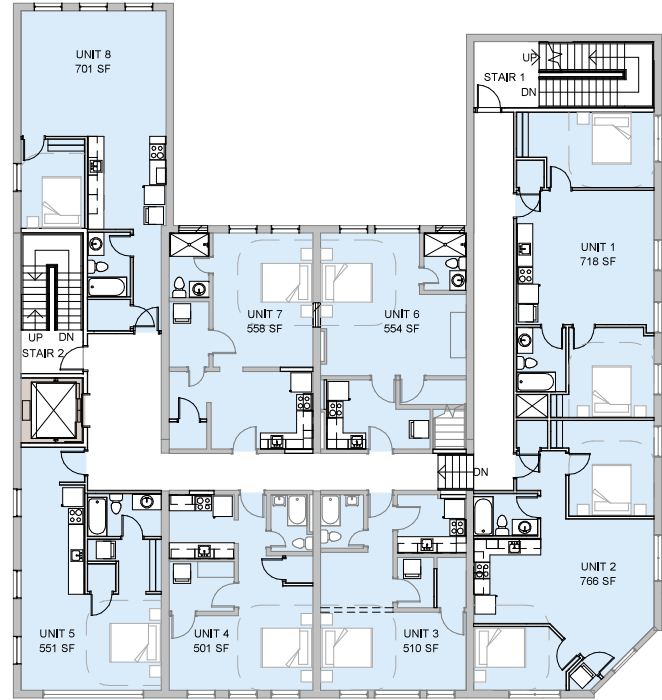
- CORE/BUILDING SERVICES
- AMENITY/COMMUNITY SPACES
- LIVING UNITS
- COMMERCIAL/RETAIL



FIRST LEVEL FLOOR PLAN
SCALE: 1/16" = 1'-0"

530 WEST BROADWAY

FLOOR PLANS



SECOND LEVEL FLOOR PLAN
SCALE: 1/16" = 1'-0"

- CORE/BUILDING SERVICES
- AMENITY/COMMUNITY SPACES
- LIVING UNITS
- COMMERCIAL/RETAIL



THIRD LEVEL FLOOR PLAN
SCALE: 1/16" = 1'-0"

530 WEST BROADWAY PROJECT STATISTICS (4 OLD BUILDINGS)

UNITS

STUDIO 500SF-620SF	10 UNITS
1 - BED ~700SF	1 UNITS
2 - BED ~720-770SF	4 UNITS

TOTAL	15 UNITS
--------------	-----------------

ACCESSIBLE UNITS	1 TOTAL
-------------------------	----------------

*ASSUMES 2% REQUIREMENT

COMMERCIAL/RETAIL TENANTS

TENANT 1	1,661 SF
TENANT 2	1,975 SF
TENANT 3	1,929 SF
TENANT 4	613 SF

TOTAL	6,178 SF
--------------	-----------------

BUILDING AREA

FIRST LEVEL SECOND	
LEVEL THIRD LEVEL	7,966 GSF
	6,250 GSF
	5,664 GSF

TOTAL	19,880 GSF
--------------	-------------------

NET RENTABLE	15,108 NSF
---------------------	-------------------

RESOLUTION NO. 20-93

A RESOLUTION OF NECESSITY AND INTENT TO ESTABLISH THE 5TH AND WEST BROADWAY URBAN REVITALIZATION AREA LEGALLY DESCRIBED AS THE PORTION OF BLOCK 6, MYNSTER'S ADDITION SOUTHEAST OF THE RIGHT-OF-WAY OF KANESVILLE BOULEVARD; THE PORTION OF LOTS C AND D, AUDITOR'S SUBDIVISION OF BLOCK 6 MYNSTER'S ADDITION AND BLOCK 2 BAYLISS 1ST ADDITION LOCATED SOUTHEAST OF THE RIGHT-OF-WAY OF KANESVILLE BOULEVARD, AND THE ENTIRETY OF THE ALLEYWAY ADJACENT TO LOT D; LOTS E-P, AUDITOR'S SUBDIVISION OF BLOCK 6 MYNSTER'S ADDITION AND BLOCK 2 BAYLISS 1ST ADDITION, AND THE VACATED ALLEY ADJACENT TO LOT N; LOT 5, BLOCK 2, BAYLISS ADDITION TO COUNCIL BLUFFS; AND: LOTS 1-13, AUDITOR'S SUBDIVISION OF LOT 5, BLOCK 5 MYNSTER'S ADDITION AND BLOCK 1, BAYLISS 1ST ADDITION, AND THE ALLEYWAY ADJACENT; LOT 2 EXCLUDING CITY RIGHT-OF-WAY, LOTS 3 AND 4, AND LOTS 6-10, MYNSTER'S ADDITION, ALL IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the subject area is an appropriate area as defined in Section 404.1.2 of the Iowa Code; and

WHEREAS, a proposal has been submitted for the redevelopment of the area; and

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

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

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

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

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

BE IT FURTHER RESOLVED

That the City Council directs staff to prepare a final plan pursuant to Section 404.2 of the Iowa Code by no later than May 8, 2020.

BE IT FURTHER RESOLVED

That the City Council directs the City Clerk to set this matter for public hearing on May 18, 2020.

**ADOPTED
AND
APPROVED:**

April 6, 2020

Matthew J. Walsh

Mayor

ATTEST:

Jodi Quakenbush

City Clerk

Council Communication

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

Right of Redemption
ITEM 3.G.

Council Action: 4/6/2020

Description

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Right of Redemption, 4.6.20	Other	3/30/2020

NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION

TO: Aaron L. Bollig, American National Bank, Mortgage Electronic Registration Systems Inc c/o Camelia Martin, American National Bank c/o Deb Vosika, Parties in Possession, City of Council Bluffs Attn City Clerk and any unknown heirs, devisees, grantees, assignees, successors in interest, unknown parties in possession, unknown spouses and claimants.

You and each of you are hereby notified that at the regular tax sale held on the third Monday of June, 2017, at the Pottawattamie County Courthouse in the City of Council Bluffs, Iowa, held for the purpose of selling certain real estate upon which taxes were delinquent, the following real estate, situated in Pottawattamie County, Iowa, to-wit:

Out Lot F, Hansen's Second Addition to the City of Council Bluffs, Pottawattamie County, Iowa.

Tax Parcel No. 754319402019

Having the address of: Vacant Lot, Council Bluffs, Iowa 51503
was sold to HI 46, LC, as provided by the Code of Iowa for delinquent taxes for prior years and that the County Treasurer of Pottawattamie County, Iowa, did thereupon issue to HI 46, LC, a Certificate of Purchase at Tax Sale No. 17-0557.

You are further notified that unless redemption is made by you within ninety (90) days after completion of service of this Notice that your right of redemption will expire and a Tax Deed will be issued to HI 46, LC, by the Treasurer of Pottawattamie County, Iowa, thereby relinquishing all your right, title and interest in the above described real estate.

HI 46, LC

By: Kayla Artioli
Kayla Artioli
Agent for HI 46, LC
2920 Harrison Street
Davenport, IA 52803
(563) 326-6401

NOTE: Do not contact the purchaser at the tax sale or his attorney in order to arrange for payment of the amounts necessary to redeem this property. The only means by which you may redeem this property is through payment of the amounts due through the Pottawattamie County Treasurer, Pottawattamie County Courthouse, Council Bluffs, Iowa, 712-328-5631.

6/29/2017
24 MAY 2017
4:09:20

Action By:

Receive & File:

Date: 4.6.20

NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION

To:

ROBERT WALKER, PERSON WHOM PARCEL IS TAXED
1703 Ave G
Council Bluffs, IA 51501
Service by Certified Mail, Return Receipt Requested and regular mail

CHRISTINE WALKER, PERSON WHOM PARCEL IS TAXED
1703 Ave G
Council Bluffs, IA 51501
Service by Certified Mail, Return Receipt Requested and regular mail

ROBERT WALKER, PERSON WHOM PARCEL IS TAXED
1701 Ave E
Council Bluffs, IA 51501
Service by Certified Mail, Return Receipt Requested and regular mail

CHRISTINE WALKER, PERSON WHOM PARCEL IS TAXED
1701 Ave E
Council Bluffs, IA 51501
Service by Certified Mail, Return Receipt Requested and regular mail

PERSON OR PARTIES IN POSSESSION, PERSON IN POSSESSION
1703 Ave G
Council Bluffs, IA 51501
Service by Certified Mail, Return Receipt Requested and regular mail

GREEN TREE FINANCIAL SERVICING CORPORATION, A MORTGAGEE HAVING A LIEN
332 Minnesota St
Ste 610
St Paul, MN 55101
Service by Certified Mail, Return Receipt Requested and regular mail

TIMOTHY STEVEN BLAIR, A PERSON WHO HAS AN INTEREST OF RECORD
1005 28th Ave
Council Bluffs, IA 51501
Service by Certified Mail, Return Receipt Requested and regular mail

Action by Council:
Receive & File:

Date: 4.6.20

CLERK
30 APR 20
09:33 AM

MIDLAND FUNDING LLC, A PERSON WHO HAS AN INTEREST OF RECORD
c/o Corporation Service Company
505 5th Ave, Ste 729
Des Moines, IA 50309
Service by Certified Mail, Return Receipt Requested and regular mail

ACC 110 LLC, A PERSON WHO HAS AN INTEREST OF RECORD
c/o Todd M Queck
20999 Country Squire Ln
Dubuque, IA 52001
Service by Certified Mail, Return Receipt Requested and regular mail

POTTAWATTAMIE COUNTY AUDITOR, A PERSON WHO HAS AN INTEREST OF RECORD
227 S 6th St
Council Bluffs, IA 51501
Service by Certified Mail, Return Receipt Requested and regular mail

ACC 110 LLC, A PERSON WHO HAS AN INTEREST OF RECORD
PO Box 762
Dubuque, IA 52004
Service by Certified Mail, Return Receipt Requested and regular mail

CITY OF COUNCIL BLUFFS, THE CITY WHERE THE PARCEL IS LOCATED
c/o City Clerk
209 Pearl St
Council Bluffs, IA 51503
Service by Certified Mail, Return Receipt Requested and regular mail

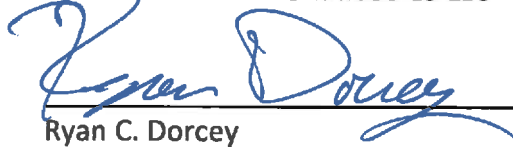
In accordance with Iowa Code § 447.9, you are hereby notified that:

1. Date of Sale: On June 19, 2017, the following described real property was sold by Pottawattamie County, for delinquent and unpaid taxes levied against the real property.
2. Description of the property sold:
 - a. Address: 1703 Avenue G, Council Bluffs, IA 51501
 - b. Legal Description: Lot 2 in Block 8, MULLINS SUBDIVISION to Council Bluffs, Pottawattamie County, Iowa.
3. Name of the Purchaser: On the day of the sale, a certificate of purchase, No. 17-0342 was issued to DELPHINA LAND HOLDINGS 19 LLC, who bought the property at the sale.

4. Your Right of Redemption pursuant to Iowa Code will expire and a Deed for the property described above will be made unless redemption is made within ninety (90) days from the completed service of this Notice.
5. If the Right of Redemption is allowed to expire, a tax deed will be issued by the Treasurer of Pottawattamie County.

Dated this 25 day of March, 2020.

DELPHINA LAND HOLDINGS 19 LLC



Ryan C. Dorsey
13575 Lynam Drive
Omaha, NE 68138
402-505-4124
Fax: 402-513-6483
rdorsey@eleventalents.com

Action by Council:

Receive & File:

Date: 4-6-20

NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION

To:

THOMAS M. TRAUTMAN, PERSON WHOM PARCEL IS TAXED

2901 Avenue G

Council Bluffs, IA 51501

Service by Certified Mail, Return Receipt Requested and regular mail

PERSONS OR PARTIES IN POSSESSION OF, PERSON IN POSSESSION

2901 Avenue G

Council Bluffs, IA 51501

Service by Certified Mail, Return Receipt Requested and regular mail

J. DOE, SPOUSE OF THOMAS M. TRAUTMAN, REAL NAME UNKNOWN, A PERSON WHO HAS AN INTEREST OF RECORD

2901 Avenue G

Council Bluffs, IA 51501

Service by Certified Mail, Return Receipt Requested and regular mail

POTTAWATTAMIE COUNTY AUDITOR, A PERSON WHO HAS AN INTEREST OF RECORD
c/o County Auditor

227 S 6th Street, #243

Council Bluffs, IA 51501

Service by Certified Mail, Return Receipt Requested and regular mail

DAVETTE WALLING, A PERSON WHO HAS AN INTEREST OF RECORD

806 Broad Street

Warrensburg, MO 64093

Service by Certified Mail, Return Receipt Requested and regular mail

HARRISON MORGEN WALLING ROUNDTREE, A PERSON WHO HAS AN INTEREST OF RECORD

806 Broad Street

Warrensburg, MO 64093

Service by Certified Mail, Return Receipt Requested and regular mail

STATE OF IOWA, DEPARTMENT OF HUMAN RESOURCES, A PERSON WHO HAS AN INTEREST OF RECORD

Child Support Recovery Unit

300 W Broadway #32

Council Bluffs, IA 51503

Service by Certified Mail, Return Receipt Requested and regular mail

410:07
05/06/20

STATE OF IOWA, DEPARTMENT OF REVENUE, A PERSON WHO HAS AN INTEREST OF RECORD
PO Box 10460
Des Moines, IA 50306
Service by Certified Mail, Return Receipt Requested and regular mail

STATE OF IOWA, ATTORNEY GENERAL, A PERSON WHO HAS AN INTEREST OF RECORD
c/o Attorney General
1305 E Walnut Street
Des Moines, IA 50319
Service by Certified Mail, Return Receipt Requested and regular mail

POTTAWATTAMIE COUNTY ATTORNEY, A PERSON WHO HAS AN INTEREST OF RECORD
c/o County Attorney
227 S 6th Street
Council Bluffs, IA 51501
Service by Certified Mail, Return Receipt Requested and regular mail

LAURA L RYAN, A PERSON WHO HAS AN INTEREST OF RECORD
1307 N 20th St
Council Bluffs, IA 51501
Service by Certified Mail, Return Receipt Requested and regular mail

CITY OF COUNCIL BLUFFS, THE CITY WHERE THE PARCEL IS LOCATED
c/o City Clerk
209 Pearl Street
Council Bluffs, IA 51503
Service by Certified Mail, Return Receipt Requested and regular mail

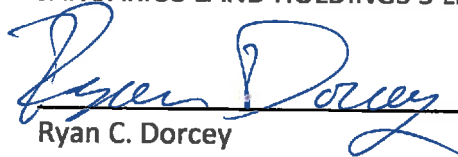
In accordance with Iowa Code § 447.9, you are hereby notified that:

1. Date of Sale: On June 19, 2017, the following described real property was sold by Pottawattamie County, for delinquent and unpaid taxes levied against the real property.
2. Description of the property sold:
 - a. Address: 2901 Avenue G, Council Bluffs, IA 51501
 - b. Legal Description: The North ½ of Lot 1 and the North ½ of the East ½ of Lot 2 in Block 26 in EVAN'S SECOND BRIDGE ADDITION to Council Bluffs, Pottawattamie County, Iowa
3. Name of the Purchaser: On the day of the sale, a certificate of purchase, No. 17-0346 was issued to JANUARIUS LAND HOLDINGS 5 LLC, who bought the property at the sale.

4. Your Right of Redemption pursuant to Iowa Code will expire and a Deed for the property described above will be made unless redemption is made within ninety (90) days from the completed service of this Notice.
5. If the Right of Redemption is allowed to expire, a tax deed will be issued by the Treasurer of Pottawattamie County.

Dated this 25 day of March, 2020.

JANUARIUS LAND HOLDINGS 5 LLC



Ryan C. Dorsey
13575 Lynam Drive
Omaha, NE 68138
402-505-4124
Fax: 402-513-6483
rdorsey@eleventalents.com

Council Communication

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

Claims
ITEM 3.H.

Council Action: 4/6/2020

Description

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Claims, 4.6.20	Other	3/30/2020

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

CITY CLAIM NO. 20-PW-2061

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Don W Royal DAY PHONE: _____
ADDRESS: _____

DATE & TIME OF LOSS/ACCIDENT: 11/17/20 11:15 am

LOCATION OF LOSS/ACCIDENT: Residence - 805 Hawthorne Ct

DESCRIPTION OF LOSS/ACCIDENT: Road grader knocked our mailbox over, along with street light.

(USE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: \$ 32.09

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

Grader driver took photos and we were informed he had reported the damage.

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: Mailbox anchor was snapped. Anchor was not available at local stores, so ordered thru Amazon.

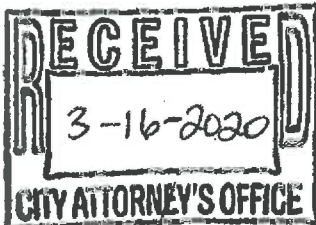
LIST INSURANCE PROVIDER AND COVERAGE: _____

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)

3/14/20
DATE

Don W Royal
CLAIMANT'S SIGNATURE



CLERK ROUD

17 MAR 20
PM 2:55

Action by Council:

Receive & File:

Date: 4.6.20



RETURN TO:

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

CITY CLAIM NO.

20-PW-2060

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT:

Kimberly Miller

DAY PHONE:

ADDRESS:

DATE & TIME OF LOSS/ACCIDENT:

11/11/2020 12:15 A.M.

LOCATION OF LOSS/ACCIDENT:

Bonham Ave + Bonham Street

DESCRIPTION OF LOSS/ACCIDENT:

Hit a pothole that was around a manhole cover. the steel cover broke my rim, bent the suspension, popped the tire and caused body damage.

(USE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: \$

1000.00 Insurance Deductible

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

WAS POLICE REPORT FILED

YES

X NO

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

HAVE YOU RESUMED NORMAL ACTIVITIES?

X

YES

NO

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

OTHER RELEVANT INFORMATION:

man hole cover broke rim, popped tire, bent the suspension and caused body damage.

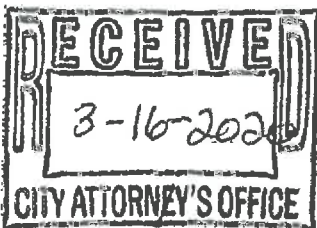
LIST INSURANCE PROVIDER AND COVERAGE:

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)

DATE

3/9/2020



CLAIMANT'S SIGNATURE

Kim Miller

CLERK RVD

17 MAR 20

PM 2:57

Action by Council:

Receive & File:

4.6.20

Council Communication

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

Lawsuit (Receive & File)
ITEM 3.I.

Council Action: 4/6/2020

Description

Background/Discussion

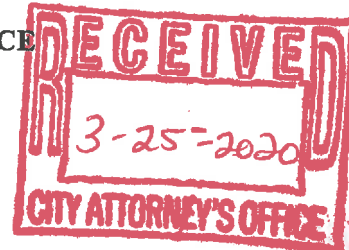
Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Lawsuit (Receive & File), 4.6.20	Other	3/30/2020

Defendants.

ORIGINAL NOTICE



(SEAL)

Pottawattamie County Courthouse
Suite 400 - 227 South 6th Street
Council Bluffs, Iowa 51501

YOU ARE ADVISED TO SEEK LEGAL ADVICE AT ONCE TO PROTECT YOUR INTERESTS.

25 MAR 20
06 23 01

Date: 4.6.20

STATE OF IOWA JUDICIARY

Case No. EQCV120362

County Pottawattamie

Case Title SHARI HUGHES, ET AL. VS. CITY OF C.B., ET AL.

THIS CASE HAS BEEN FILED IN A COUNTY THAT USES ELECTRONIC FILING.
Therefore, unless the attached Petition and Original Notice contains a hearing date for your appearance, or unless you obtain an exemption from the court, you must file your Appearance and Answer electronically.

You must register through the Iowa Judicial Branch website at <http://www.iowacourts.state.ia.us/Efile> and obtain a log in and password for the purposes of filing and viewing documents on your case and of receiving service and notices from the court.

FOR GENERAL RULES AND INFORMATION ON ELECTRONIC FILING, REFER TO THE IOWA COURT RULES CHAPTER 16 PERTAINING TO THE USE OF THE ELECTRONIC DOCUMENT MANAGEMENT SYSTEM:
<http://www.iowacourts.state.ia.us/Efile>

FOR COURT RULES ON PROTECTION OF PERSONAL PRIVACY IN COURT FILINGS, REFER TO DIVISION VI OF IOWA COURT RULES CHAPTER 16: <http://www.iowacourts.state.ia.us/Efile>

Scheduled Hearing:

If you require the assistance of auxiliary aids or services to participate in court because of a disability, immediately call your district ADA coordinator at (712) 328-5883 . (If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942.)

Date Issued 03/18/2020 04:29:27 PM



District Clerk of Pottawattamie
/s/ Teresa Mace

County

IN THE IOWA DISTRICT COURT IN AND FOR POTTAWATTAMIE COUNTY, IOWA

SHARI HUGHES as Trustee
of the JANICE A. HUGHES FAMILY
TRUST,

Plaintiff,

vs.

CITY OF COUNCIL BLUFFS;
POTTAWATTAMIE COUNTY; and
HCC INVESTMENTS, INC., an Iowa
Corporation,

Defendants.

) CASE NO.:

)

)

)

)

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)

PETITION AT LAW

AND

DEMAND FOR JURY TRIAL

COMES NOW Plaintiff, Shari Hughes, as Representative of the Janice A. Hughes Family Trust, and states and alleges the following:

PARTIES

1. Plaintiff is a resident and citizen of Pottawattamie County, Iowa, and has been duly appointed as representative of the Janice A. Hughes Family Trust (the "Trust"). The Trust owns property commonly referred to as 15779 State Orchard Road, Council Bluffs, Pottawattamie County, Iowa (the "Property").

2. Defendant, City of Council Bluffs ("Council Bluffs") is a municipality located in Pottawattamie County, Iowa, and is responsible for approving the construction of developments and maintaining stormwater drainage within the municipality.

3. Defendant, Pottawattamie County ("Pottawattamie County") is a county in the State of Iowa and is responsible for maintaining stormwater drainage within its borders.

4. Defendant, HCC Investment, Inc. ("HCC") is a construction company licensed to do business in the State of Iowa with its principal place of business at 1473 Abercorn Drive, Council Bluffs, Pottawattamie County, Iowa.

JURISDICTION AND VENUE

5. Jurisdiction and venue are appropriate as the Plaintiff's cause of action occurred in Pottawattamie County, Iowa, and all Defendants are located in Pottawattamie County, Iowa.

FACTUAL BACKGROUND

6. The allegations contained in Paragraphs 1 – 5 are incorporated herein by reference.

7. The Janice A. Hughes Family Trust owns property commonly referred to as 15779 State Orchard Road, in Council Bluffs, Pottawattamie County, Iowa (the "Property"). The Property consists of a driveway that extends from State Orchard Lane and crosses the Little Pony Creek.

8. In 2011, Defendant HCC requested approval from Defendant Council Bluffs to develop and construct The Hills of Cedar Creek Subdivision (the "Subdivision").

9. In 2011, Council Bluffs approved HCC's construction and development of the Subdivision.

10. The Subdivision incorporates a stormwater drainage system that includes holding ponds and various ditches to divert stormwater from the Subdivision into Little Pony Creek.

11. Council Bluffs, Pottawattamie County and/or HCC is responsible for maintaining the stormwater drainage system, holding ponds and ditches to ensure the proper drainage of all stormwater without negatively affecting downstream property owners.

12. The construction and development of the Subdivision has altered and increased the stormwater drainage into Little Pony Creek.

13. Defendant Pottawattamie County is responsible for maintaining stormwater drainage through ditches, holding ponds and creeks located within the County.

14. Since the construction and development of the Subdivision, the Property has experienced intermittent flooding during routine rain events which prohibit ingress and egress from the Property, and physically damage the Property. The last such event occurred over several days in September and October of 2019.

15. From the development of the Subdivision to the present, the Property has been flooded by stormwater drained from the Subdivision and through the stormwater drainage system maintained by Defendants.

COUNT I

HCC INVESTMENTS

16. The allegations contained in Paragraphs 1 – 15 are incorporated herein by reference.

17. HCC negligently constructed and developed the Subdivision in a manner that diverts stormwater which exceeds the capacity of the natural flow of the Little Pony Creek causing intermittent flooding on Plaintiff's Property. The last such event occurred over several days in September and October of 2019.

18. HCC has failed to maintain the drainage system within the Subdivision and has failed to prevent stormwater drainage from exceeding the natural flow of Little Pony Creek.

19. The flooding caused by HCC's negligent construction of the Subdivision and failure to maintain the drainage system within the Subdivision has prevented access to and from the Plaintiff's Property, has negatively affected the market value of the Property and has physically damaged the Property. Plaintiff will continue to incur damages as a result of flooding in the future if the drainage is not returned to its original capacity or the capacity of the Little Pony Creek is increased to handle the excess stormwater drainage from the Subdivision.

WHEREFORE, Plaintiff seeks injunctive and equitable relief in the form of ordering HCC to return the stormwater drainage system to its original capacity or increasing the stormwater drainage system's capacity to carry the stormwater from the Subdivision without flooding the Property or monetary damages for the cost to Plaintiff to repair the Property to manage the current stormwater drainage and monetary damages for the physical damage to the Property in an amount to be proven at trial.

COUNT II

COUNCIL BLUFFS

20. The allegations contained in Paragraphs 1 – 19 are incorporated herein by reference.

21. Council Bluffs has negligently failed to properly maintain the stormwater drainage system in or around the Subdivision including ditches, holding ponds, and streams which drain into the Little Pony Creek.

22. Council Bluffs' failure to maintain the drainage system has caused the stormwater to exceed the carrying capacity of the drainage system and Little Pony Creek resulting in intermittent flooding of the Property. The last such event occurred over several days in September and October of 2019.

23. The flooding caused by Council Bluffs' negligent failure to maintain the drainage system has prevented access to and from the Plaintiff's Property, has negatively affected the market value of the Property and has physically damaged the Property. Plaintiff will continue to incur damages as a result of flooding in the future if the drainage is not returned to its original capacity or the capacity of the Little Pony Creek is increased to handle the excess stormwater drainage from the Subdivision.

WHEREFORE, Plaintiff seeks injunctive and equitable relief in the form of ordering Council Bluffs to return the stormwater drainage system to its original capacity or increasing the stormwater drainage system's capacity to carry the stormwater from the Subdivision without flooding the Property or monetary damages for the cost to Plaintiff to repair the Property to manage the current stormwater drainage and monetary damages for the physical damage to the Property in an amount to be proven at trial.

COUNT III

POTTAWATTAMIE COUNTY

24. The allegations contained in Paragraphs 1 – 23 are incorporated herein by reference.

25. Pottawattamie County has negligently failed to properly maintain the stormwater drainage system of which it has authority including ditches, holding ponds, and streams which drain into the Little Pony Creek.

26. Pottawattamie County's failure to maintain the drainage system has caused the stormwater to exceed the carrying capacity of the drainage system and Little Pony Creek resulting in intermittent flooding of the Property. The last such event occurred over several days in September and October of 2019.

27. The flooding caused by Pottawattamie County's negligent failure to maintain the drainage system has prevented access to and from the Plaintiff's Property, has negatively affected the market value of the Property and has physically damaged the Property. Plaintiff has incurred monetary damages and will continue to incur damages as a result of flooding in the future if the drainage is not returned to its original capacity or the capacity of the Little Pony Creek is increased to handle the excess stormwater drainage from the Subdivision.

WHEREFORE, Plaintiff seeks injunctive and equitable relief in the form of ordering Pottawattamie County to return the stormwater drainage system to its original capacity or increasing the stormwater drainage system's capacity to carry the stormwater from the Subdivision without flooding the Property, or monetary damages for the cost to Plaintiff to repair the Property to manage the current stormwater drainage and monetary damages for the physical damage to the Property in an amount to be proven at trial.

DATED this 2nd day of March, 2020.

SHARI A. HUGHES, Trustee of the Janice A. Hughes
Family Trust

By: 

Sean Minahan, #AT0005370
LAMSON DUGAN & MURRAY LLP
10306 Regency Parkway Drive
Omaha, Nebraska 68114
Telephone: (402) 397-7300
Fax: (402) 397-7824
E-Mail: sminahan@ldmlaw.com

ATTORNEY FOR PLAINTIFF

#699984

Defendants.

**AMENDED PETITION AT LAW
AND
DEMAND FOR JURY TRIAL**

PARTIES

- 1

JURISDICTION AND VENUE

5. Jurisdiction and venue are appropriate as the Plaintiff's cause of action occurred in Pottawattamie County, Iowa, and all Defendants are located in Pottawattamie County, Iowa.

FACTUAL BACKGROUND

6. The allegations contained in Paragraphs 1 – 5 are incorporated herein by reference.

7. The Janice A. Hughes Family Trust owns property commonly referred to as 15779 State Orchard Road, in Council Bluffs, Pottawattamie County, Iowa (the "Property"). The Property consists of a driveway that extends from State Orchard Lane and crosses the Little Pony Creek.

8. In or before 2005, Defendant HCC requested approval from Defendant Council Bluffs to develop and construct The Hills of Cedar Creek Subdivision (the "Subdivision").

9. Council Bluffs approved HCC's construction and development of the Subdivision which has expanded through multiple phases since 2005.

10. The Subdivision incorporates a stormwater drainage system that includes holding ponds and various ditches to divert stormwater from the Subdivision into Little Pony Creek.

11. Council Bluffs, Pottawattamie County and/or HCC is responsible for maintaining the stormwater drainage system, holding ponds and ditches to ensure the proper drainage of all stormwater without negatively affecting downstream property owners.

12. The construction and development of the Subdivision has altered and increased the stormwater drainage into Little Pony Creek.

13. Defendant Pottawattamie County is responsible for maintaining stormwater drainage through ditches, holding ponds and creeks located within the County.

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WHEREFORE, Plaintiff seeks injunctive and equitable relief in the form of ordering HCC to return the stormwater drainage system to its original capacity or increasing the stormwater drainage system's capacity to carry the stormwater from the Subdivision without flooding the Property or monetary damages for the cost to Plaintiff to repair the Property to manage the current stormwater drainage and monetary damages for the physical damage to the Property in an amount to be proven at trial.

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COUNCIL BLUFFS

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WHEREFORE, Plaintiff seeks injunctive and equitable relief in the form of ordering Council Bluffs to return the stormwater drainage system to its original capacity or increasing the stormwater drainage system's capacity to carry the stormwater from the Subdivision without flooding the Property or monetary damages for the cost to Plaintiff to repair the Property to manage the current stormwater drainage and monetary damages for the physical damage to the Property in an amount to be proven at trial.

COUNT III

POTTAWATTAMIE COUNTY

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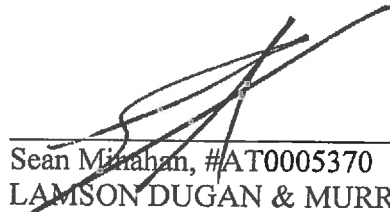
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WHEREFORE, Plaintiff seeks injunctive and equitable relief in the form of ordering Pottawattamie County to return the stormwater drainage system to its original capacity or increasing the stormwater drainage system's capacity to carry the stormwater from the Subdivision without flooding the Property, or monetary damages for the cost to Plaintiff to repair the Property to manage the current stormwater drainage and monetary damages for the physical damage to the Property in an amount to be proven at trial.

DATED this 9th day of March, 2020.

SHARI A. HUGHES, Trustee of the Janice A. Hughes
Family Trust

By:



Sean Minahan, #AT0005370
LAMSON DUGAN & MURRAY LLP
10306 Regency Parkway Drive
Omaha, Nebraska 68114
Telephone: (402) 397-7300
Fax: (402) 397-7824
E-Mail: sminahan@ldmlaw.com

ATTORNEY FOR PLAINTIFF

#699984

Council Communication

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

Resolution 20-94
ITEM 4.A.

Council Action: 4/6/2020

Description

Resolution granting temporary powers to the mayor to utilize quotes for the purchase of goods or services needed to carry out the essential operations of the City of Council Bluffs.

Background/Discussion

The requirements for Public Improvement projects, as defined by Iowa Code Chapter 26, are to follow state law. Governor Reynolds has made some modifications possible and the Public Works Director and City Clerk are working through possibilities for those solicitations and bid openings.

The proposed resolution would only be for goods and services procured under City code Chapter 1.32 – Purchasing.

1.32.080 allows the Mayor to authorize emergency purchases. Emergency purchases are defined as “purchases that must be made immediately in order to carry out the essential operations of the city and where potential for damage to property or risk of injury may result if the purchase is not immediately made.” The following recommendation is for the mayor to be able to waive requirements for projects that staff believe are important to carry out, but not considered an emergency, by definition. Due to the unknown amount of time processes will be affected by COVID19, Purchasing would like to make these adaptations possible so City staff can continue to procure goods and services.

Purchasing would still do everything possible to administer a competitive process. The modification would be for section 1.32.040 and would eliminate the \$25,000 (\$50,000 for IT) thresholds for sealed bids, allowing vendors to submit unsealed bids/quotes via e-mail. There may also be a need for the suspension of 1.32.040 if bid bonds/cashier's checks can't be obtained due to limited banking services.

Recommendation

Approval of this Resolution.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 20-94	Resolution	3/31/2020

RESOLUTION NO. 20-94

A RESOLUTION GRANTING TEMPORARY POWERS TO THE MAYOR TO UTILIZE QUOTES FOR THE PURCHASE OF GOODS OR SERVICES NEEDED TO CARRY OUT THE ESSENTIAL OPERATIONS OF THE CITY OF COUNCIL BLUFFS.

WHEREAS, Chapter 1.32 sets out the process by which the City acquires goods and services and Section 1.32.080 allows for exceptions to those processes for the essential operations of the City and where there is a potential for damage to property or risk of injury if the normal processes are followed; and

WHEREAS, the COVID-19 outbreak is making it difficult for the City to follow the process set out in Chapter 1.32 for the purchases of goods and services for the essential operation of the City; and

WHEREAS, it would be in the best interest of the City to allow the Mayor to negotiate the purchase of goods and services necessary for the essential operations of the City for the duration of the COVID-19 outbreak.

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

That the Mayor or his designee is hereby authorized to waive the procedures set out in Chapter 1.32 of the CBMC throughout the duration of the COVID-19 outbreak and is allowed to utilize quotes for the purchase of goods and services needed for the essential operations of the City.

ADOPTED
AND
APPROVED

April 6, 2020.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

Department: Community Development
Case/Project No.: WHTIP-20-001
Submitted by: Community Development

Resolution 20-95
ITEM 4.B.

Council Action: 4/6/2020

Description

Resolution of the City Council of the City of Council Bluffs authorizing a joint application to the Iowa Economic Development Authority (IEDA) by the City of Council Bluffs and Pottawattamie County Development Corporation d/b/a the 712 Initiative for Disaster Workforce Housing Tax Incentive Program – Disaster Recovery (WHTIP-DR) Benefits.

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Other	3/27/2020
Application	Other	3/27/2020
Resolution 20-95	Resolution	3/31/2020

Council Communication

Department: Community Development	Ordinance No.: N/A	City Council: 4-6-2020
Case/Project No.: WHTIP-20-001	Resolution No.: 20-	
Subject/Title		
Application for Workforce Housing Tax Incentive Program – Disaster Recovery		
Applicant		
Pottawattamie County Development Corporation D/B/A the 712 Initiative		
Location		
530 West Broadway		
Background/Discussion		
<p><u>Background</u></p> <p>The State of Iowa established the Workforce Housing Tax Incentive Program (WHTIP) pursuant to Iowa Code Section 15.106A and the 2014 Iowa Acts, House File 2448, Section 18. The purpose of the program is to assist the development of workforce housing in Iowa communities by providing incentives for housing projects that are targeted towards middle-income households and that focus on the redevelopment or repurposing of existing structures. This program replaced the Housing Enterprise Zone Program. In 2019, the program set aside funding for counties that received presidential disaster declarations due to the 2019 flooding. The Workforce Housing Tax Incentive Program – Disaster Recovery (WHTIP-DR) identifies Pottawattamie County as an eligible applicant under this set aside.</p> <p>To receive workforce housing tax incentives pursuant to the program, a proposed housing project shall include at least one of the following:</p> <ol style="list-style-type: none"> (1) Four or more single-family dwelling units. (2) One or more multiple dwelling unit buildings each containing three or more individual dwelling units. (3) Two or more dwelling units located in the upper story of an existing multi-use building. <p>The average dwelling unit cost cannot exceed \$200,000 per dwelling unit or \$250,000 per dwelling unit if the project involves the rehabilitation, repair, redevelopment or preservation of eligible property. This limitation only applies to those costs that are directly attributable to the improvement of the property or the structures and is defined in the Iowa Administrative Code.</p> <p>Additionally, the WHTIP-DR requires a city match pledge for each housing project in an amount equal to at least \$1,000 per dwelling unit, in the form of cash, cash equivalent, a local property tax exemption, rebate, refund or reimbursement.</p> <p><u>Discussion</u></p> <p>Pottawattamie County Development Corporation D/B/A the 712 Initiative has submitted a request for WHTIP-DR benefits on its property located at 530 West Broadway (old EQ Building). The proposed project will include 15 multi-family units ranging from studio to two-bedroom units.</p>		

Council Communication

The total residential project investment is \$2,955,339.00. The total financial workforce housing tax incentive available to the project is estimated to be \$521,124.30.

Based on review of the applicant's request, the project discussed above meets the requirements for Workforce Housing Tax Incentive Program – Disaster Recovery benefits. As a result, the applicant is eligible for the following benefits: 10% investment tax credit and 100% rebate of state sales and utility use taxes.

A minimum of \$1,000 per unit match is required by the City. Staff proposes earmarking \$24,000 (\$1,600/unit) of Urban Revitalization tax incentives to meet this requirement. The proposed match is subject to the approval of the proposed 5th and West Broadway Urban Revitalization Plan area.

Staff Recommendation

The Community Development Department recommends approval of the Workforce Housing Tax Incentive Program – Disaster Recovery application submitted by Pottawattamie County Development Corporation D/B/A the 712 Initiative.

Attachments

Application for Workforce Housing Tax Incentive Program – Disaster Recovery benefits

 **Application****Application Details**[Go to Application Forms](#)**314704 - Workforce Housing Tax Incentive Program - Disaster Recovery**

331452 - 530 W Broadway

Workforce Housing Tax Credits**Status:** Editing**Submitted
Date:****Applicant Information****Project Officer****AnA User Id** LDITTMER@IOWAID**First Name*** Lynn **Dittmer**
First Name Middle Name Last Name**Title:**
Email:* ldittmer@the712initiative.org**Address:*** 1228 South Main Street**City*** Council Bluffs Iowa 51503
City State/Province Postal Code/Zip**Phone:*** 712-396-2471
Phone Ext.**Program Area
of Interest*** Workforce Housing Tax Credits
Fax:**Organization Information****Organization
Name:*** Pottawattamie County Development
Corporation**Organization
Type:*** Non-Profit Organization**DUNS:****Organization
Website:****Address:** 149 West Broadway**City** Council Bluff Iowa **51503**
City State/Province Postal Code/Zip**Phone:** 712-325-1000
Ext.**Fax:** 712-322-5698**Cover Sheet-General Information****Authorized Official****Name*** Sheryl Garst**Title*** CEO**Organization*** Pottawattamie County Development Corporation dba The 712 Initiative
If you are an individual, please provide your First and Last Name.**Address*** 1228 S Main Street**City/State/Zip*** Council Bluffs Iowa 51503
City State Zip**Telephone Number*** 712-396-2464**E-Mail*** sgarst@the712initiative.org**Fiscal Officer/Agent**Please enter the "Fiscal Officer" for your Organization.If you are an individual, please provide your First and Last Name.**Name*** Josh Randall**Title** Fiscal Officer**Organization** Hamilton Associates, P.C.**Address** 20 Pearl Street

City/State/Zip	Council Bluffs	Iowa	51503
	City	State	Zip
Telephone Number	712-322-0277		
E-Mail	jrandall@hamiltonassociatescpa.com		
County(ies) Participating, Involved, or Affected by this Proposal*	Pottawattamie County		
Congressional District(s) Involved or Affected by this Proposal*	3rd - Rep Cindy Axne (D) Congressional Map		
Iowa Senate District(s) Involved or Affected by this Proposal*	8 District Map		
Iowa House District(s) Involved or Affected by this Proposal*	15, 16 District Map		

Applicant Information

Applicant Name: (legal entity applying for award)*

Pottawattamie County Development Corporation

Mrs.

Sheryl

Garst

Salutation

Contact First Name

Contact Last Name

CEO

Contact Title

1228 S Main

Address

Council Bluffs

City

Iowa

State

51503

Zip Code

712-396-2464

Phone

sgarst@the712initiative.org

E-mail

Non-Profit Organization

Entity Type

42-1459560

Iowa Secretary of
State business number

Federal Taxpayer ID number

Contact Information

Elected Official

City or County

Salutation

First Name

Last Name

Suffix

Title

Address

Address 2

City

Iowa

State

Zip +4

Phone

Fax

E-mail

Local Sponsor/Contact

Salutation

First Name

Last Name

Suffix

Title

Address

Address 2

City	State	Zip +4
Phone	Fax	E-mail

Project Information

As of today, only projects located in the counties of Fremont, Harrison, Louisa, Mills, Monona, Muscatine, Pottawattamie, Scott, Shelby, and Woodbury which were included in the Presidential Disaster Declaration, are eligible for Workforce Housing Tax Credit - Disaster Funding assistance.

Project name or alias:	530 W Broadway		
Project Address	530 W Broadway		
	Council Bluffs	Iowa	Pottawattamie County
	City	State	County*
			51503
			Zip Code

Has the project started? No

Is the project located in a 100-year flood plain? Yes

Is the project seeking Low Income Housing Tax Credits (LIHTC)? No

Eligible projects under the Workforce Housing Tax Incentive Program must fall into one of four categories.

Category of proposed project: Rehabilitation, repair, or redevelopment of dwelling units located in the upper story of an existing multi-use building

Please provide a brief description of the proposed housing development project: (500 character limit)
712 will redevelop 530 W Broadway, a currently underutilized mostly vacant building, into mixed-use with 15 residential units located on the 2nd and 3rd floors. Units would be mixed income and include: 10 studio (500-620 SF), 1-1 bed (700 SF), and 4-2 bed (720-770 SF) units. The site was chosen because of its strategic and desirable location within a 5 minute walk of downtown employment and amenities: Public Library, Bayliss Park, Bloomer Elementary, City Hall, and Omni Center Business Park.

Describe how the impact of the disaster created a need for the proposed housing project: (2,500 character limit)
An existing housing shortage was enhanced with the flood disaster. More than 441 residential properties were affected in rural Mills Co alone. Approximately 225 of these impacted homes are slated for acquisition/demo. Nearly 300 property owners (242 in Council Bluffs, 50 in Pottawattamie Co) expressed interest in participating in a FEMA Buyout Program. This is a tremendous number of households for any market or region to absorb. Within the region, we want to be able to retain as many citizens as possible (or risk losing them to a neighbor state). Many look to remain close to employment and other established connections. Given the number of units affected in Mills and Pottawattamie, development in Council Bluffs is likely necessary to address need. Glenwood does not have the capacity to build and absorb all residents.

Homes in the buyout area that didn't meet the federal buyout benchmark are still experiencing sewer backups and compromised foundations. 31% of housing units in Playland Park (adjacent to Missouri River levee and west of I-29) are rental properties. The I-80 project will take ~47 homes. Housing options are important for those affected by the flood. CB market rates are depressed, putting rental rates in-line with programs such as HOME.

This flood disaster reminds our region of how important it is to have good safe housing. While our project site is located within a floodplain, the building and surrounding area have never been affected even during the 1999, 2011, and 2019 flood events. Furthermore, the residential units will be on the 2nd and 3rd floors. Understanding that the State is not interested in funding projects in a floodplain, we want to note we are currently working with the City of CB and Pottawattamie Co on a floodplain review for Indian Creek. A review of FEMA Flood Insurance Rate Maps revealed mapping anomalies in the Indian Creek Special Flood Hazard Area. Based on the FYRA Engineering Tech Memo for Indian Creek Hydrologic and Hydraulic Study (10/23/19), we believe that this property, and many others in CB, will be removed from the floodplain. The report concludes that based on 3D hydrology study and historical data, flood water will remain in the cement conduit. The result is that 1,100 properties along Indian Creek that are mismatched (including the project site) would be removed from the flood zone (LOMA submitted to FEMA). This will be a huge victory for the community.

Iowa Code states "The housing business must also submit documentation that provides evidence that the qualified housing project is needed due to impact of the disaster that is the subject of the presidential major disaster declaration."

Projects must demonstrate the project is necessary due to the disaster resulting in a declaration on or after March 12, 2019. Projects merely located in an eligible county may not qualify for these tax credits.

Describe why assistance through the Workforce Housing Tax Credit program
The Council Bluffs market is not able to attract rents to adequately cover renovation and remediation needed. The project net operating income is only able to leverage \$800,000 from private financial institutions based on traditional

is needed for the project to proceed.
(500 character limit)

Describe why the current housing
market is not meeting the community's
housing needs?
(500 character limit)

underwriting procedures. Private sources (bank, dev equity & private foundations)
of \$3.6M represent 67% of the proposed project budget. WHTC moves that to
73%. WHTC would fill the gap and move the project forward.

Council Bluffs has not been able to keep up with demand for housing for several
years. There just is not enough available, especially in the \$250,000 or less. A
second need is more diverse housing options, units other than SF housing.
According to the American Community Survey, 3+ unit buildings are 22.5% of all
housing in Council Bluffs. 530 W Broadway would provide housing for those
displaced by flooding as well as those looking to downsize which opens up single
family homes to flood victims.

When completed and available for occupancy, will the units meet the United States Department of Housing and Urban Development's
housing quality standards and all applicable

safety standards?

Yes

Does the project include local matching funds for the project in an amount equal to at least \$1,000 per dwelling

unit to be developed?

Yes

Type of local match:

Property Tax Exemption

Does the project involve rehabilitation,
repair, redevelopment or preservation
of a historic property as defined in Iowa
Code Section 404A.1(2)?

No

Proposed end date of project:

12/31/2022

The proposed project MUST be completed within three (3) years from date the project is registered by IEDA.

Units

Housing Activity	Housing Activity	Unit Type	Unit Ownership	# of Units in Project
Activity #1	Rehabilitation, repair, or redevelopment of dwelling units located in the upper story of an existing multi-use building	Multi-Family	Rental	15
Activity #2				
Activity #3				
Activity #4				
Totals				15

WHTC-Budget

Total Tax Credit Award Amount	\$0.00
-------------------------------	--------

Project Expenditures (RESIDENTIAL ONLY)

Expense	Expense Amount
Building Acquisition	\$277,500.00
Land Acquisition	\$60,000.00
Site Development (including demolition)	\$15,000.00
Construction (materials only)	\$1,185,405.00
Construction (labor and operations)	\$1,185,405.00
Architect/Engineer Fees	\$149,650.00
Building Permits and Fees	\$4,500.00
Construction Loan Interest	\$77,879.00
Total	\$2,955,339.00

Cash Sources (UP-FRONT FUNDS ONLY)

Source	Amount	Status
WHTC Equity (Tax Credit Equity Only)	\$300,000.00	Pending
LIHTC Equity (Tax Credit Equity Only)	\$0.00	
Historic Tax Credit Equity (State Tax Credit Equity Only)	\$0.00	
Historic Tax Credit Equity (Federal Tax Credit Equity Only)	\$0.00	
Brownfield/Grayfield Credit (Tax Credit Equity Only)	\$600,000.00	Committed

	HOME (Loan)	\$0.00	
	HOME (Grant or Forgivable Loan)	\$250,000.00	Pending
	FHLB Affordable Housing Program (Loan)	\$0.00	
	FHLB Affordable Housing Program (Grant or Forgivable Loan)	\$0.00	
	USDA-RD (Loan)	\$0.00	
	USDA-RD (Grant or Forgivable Loan)	\$0.00	
	Local Match (Loan)	\$0.00	
	Local Match (Grant or Forgivable Loan)	\$0.00	
	Local Match (Property Tax Abatement or Refund)	\$0.00	
	Local Match (In-kind)	\$0.00	
	Developer (Cash or Equity)	\$750,000.00	Committed
	Private Lender (Loan)	\$900,000.00	Pending
	All Other Public Sources (Loan)	\$0.00	
	All Other Public Sources (Grant or Forgivable Loan)	\$155,339.00	Pending
	Total	\$2,955,339.00	

Estimated Amount of Assistance

Source		Option A	Option B
	Workforce Housing Tax Credit*	\$330,000.00	\$450,000.00
	Sales Tax Refund (on materials only)	\$71,124.30	\$71,124.30
	Total Estimated Workforce Housing Incentives:	\$401,124.30	\$521,124.30

Requested Award

Cost per Unit

NOTE: per unit cost cannot exceed \$200,000 per unit or \$250,000 per unit if project involves historic property as defined in Iowa Code Section 404A.1(2).

Sub-Total Residential Costs (from above)	\$2,955,339.00
Number of Units:	15
Cost per Unit:	\$197,022.60

Is the applicant requesting a Sales Tax Refund for the project?	Yes
Is the applicant requesting a Sales Tax Refund for the project in an amount less than what is shown above (Estimated amount)?	No
What is revised amount requested:	\$0.00

Is the applicant requesting Workforce Housing Tax Incentive Credits for the project?	Yes
Is the applicant requesting a Workforce Housing Tax Incentive for the project in an amount less than what is shown above (Estimated amount)?	Yes
What is revised amount requested:	\$300,000.00

Acknowledgement

I understand amounts calculated are estimates based on initial application information provided to IEDA. Amounts of assistance estimated are maximum amounts and could be less depending on final project costs. Award amounts under the Workforce Housing Tax Incentive Program will not be increased should project costs increase.

I understand:* Yes

I understand compliance fees imposed in Iowa code Section 15.330(12) shall apply to all Workforce Housing Tax Incentive Program agreements.

I Understand:* Yes

Required Attachments

Attachment	Description	File Name	Type	File Size
Resolution in support of the housing project by the community where the housing project will be located: Documentation of local match to project:				
Documentation of all secured funding sources for the project:	Brownfields award is attached. All other funding is currently pending or being requested.	Brownfields Award.pdf	pdf	779 KB
Project map:	Project location map noting location within the downtown as well as surrounding amenities	530 West Broadway Downtown Features Map.pdf	pdf	2.5 MB
Affidavit stating the Business has not, within the last 5-years, violated state or federal environmental and worker safety statutes, rules, and regulations: Download a sample affidavit here	Workforce Housing Tax Incentive Program Affidavit	WHTC Affidavit.pdf	pdf	434 KB
Documentation that the project is located in a county with a Presidential Disaster Declaration on or after March 12, 2019 AND is a county in which individuals are eligible for federal individual assistance. Visit https://floods2019.iowa.gov for more information.	Attached map was accessed at https://www.homelandsecurity.iowa.gov/disasters/current_disaster.html noting Iowa's open Presidential Disasters. Pottawattamie County was eligible for public and individual assistance as of March 12, 2019.	DR4421 v2.pdf	pdf	588 KB

RESOLUTION NO. 20-95

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS AUTHORIZING A JOINT APPLICATION TO THE IOWA ECONOMIC DEVELOPMENT AUTHORITY (IEDA) BY THE CITY OF COUNCIL BLUFFS AND POTTAWATTAMIE COUNTY DEVELOPMENT CORPORATION D/B/A THE 712 INITIATIVE FOR DISASTER WORKFORCE HOUSING TAX INCENTIVE PROGRAM – DISASTER RECOVERY (WHTIP-DR) BENEFITS.

WHEREAS, the State of Iowa established the Disaster Workforce Housing Tax Incentive Program – Disaster Recovery (WHTIP-DR) pursuant to Iowa Code Section 15.106A and the 2014 Iowa Acts, House File 2448, Section 18; and

WHEREAS, the State of Iowa has earmarked funding for counties receiving a Presidential Disaster Declaration in 2019; and

WHEREAS, the purpose of the program is to assist the development of workforce housing in Iowa communities by providing incentives for housing projects that are targeted at middle-income households and that focus on the redevelopment or repurposing of existing structures; and

WHEREAS, the Pottawattamie County Development Corporation D/B/A the 712 Initiative proposes to construct fifteen (15) multi-family units and has requested WHTIP-DR benefits for the property locally known as 530 West Broadway; and

WHEREAS, the projects are eligible for WHTIP-DR under the category of “new construction, rehab, repair, or redevelopment of dwelling units in a county that received a Presidential Disaster Declaration in 2019 due to flooding; and

WHEREAS, the legal description of the project location is Block 6, Mynster Springs Subdivision and Block 2, Lots J, K, L, M, Bayliss Subdivision, Council Bluffs, Pottawattamie County, Iowa; and

WHEREAS, the average dwelling unit cost equals the costs directly related to the housing project divided by the total number of dwelling units in the housing project and does not exceed \$250,000 per dwelling unit; and

WHEREAS, the developer certifies that their units when completed and made available for occupancy will meet the U.S. Department of Housing and Urban Development’s housing quality standards and all applicable local safety standards; and

WHEREAS, the City of Council Bluffs commits to local matching funds of \$24,000 (\$1,600 per unit), as required by the program; and

WHEREAS, after review and consideration of the request, the City of Council Bluffs has determined that the Pottawattamie County Development Corporation D/B/A the 712 Initiative project meets the requirements to qualify for benefits.

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

Section 1.0 The City Council declares the Pottawattamie County Development Corporation D/B/A the 712 Initiative an eligible entity for WHTIP-DR benefits.

Section 2.0 The City Council approves the Pottawattamie County Development Corporation D/B/A the 712 Initiative request for a 20% state investment tax credit and 100% rebate of state sales and utility use taxes subject to entering an agreement with the City. The tax credit, if not entirely used during the first year, can be carried over and applied against state tax liability for the next seven years or until depleted, whichever occurs first.

Section 3.0 The Mayor is hereby authorized to take such further actions as deemed necessary in order to carry into effect the provisions of this resolution.

Section 4.0 The provisions of this resolution shall be governed by the laws of the State of Iowa.

Section 5.0 That all resolutions and parts thereof in conflict therewith are hereby repealed to the extent of such conflict.

Section 6.0 That the provisions of this resolution are hereby declared to be separable and if any section, phrase, or provision shall be any reason be declared to be invalid, such declaration shall not effect the validity of the remainder of the sections, phrases and provisions hereof.

Section 7.0 That the approval of any and all WHTIP-DR benefits is contingent upon the Pottawattamie County Development Corporation D/B/A the 712 Initiative meeting all other applicable City codes and ordinances.

Section 8.0 That this resolution shall become effective immediately upon its passage and approval.

ADOPTED
AND
APPROVED:

April 6, 2020

Matthew J. Walsh

Mayor

ATTEST:

Jodi Quakenbush

City Clerk

STATE OF IOWA)
COUNTY OF)ss
POTTAWATTAMIE)

On this _____ day of _____, 2020, before me the undersigned, a Notary Public in and for said County and 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

Council Communication

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

Resolution 20-96
ITEM 4.C.

Council Action: 4/6/2020

Description

Resolution authorizing the City of Council Bluffs Legal Department to proceed as proposed in executive session held on February 17, 2020.

Background/Discussion

Directions and parameters were provided to City Legal at the Executive session on February 17, 2020. City Legal has come to a settlement agreement within these parameters.

Recommendation

Approval of this resolution.

ATTACHMENTS:

Description

[Resolution 20-96](#)

Type

Resolution

Upload Date

3/31/2020

RESOLUTION NO. 20-96

A RESOLUTION AUTHORIZING THE CITY OF COUNCIL BLUFFS LEGAL DEPARTMENT TO PROCEED AS PROPOSED IN EXECUTIVE SESSION HELD ON FEBRUARY 17, 2020.

WHEREAS, the City's Legal Department has been in negotiations to settle a matter against the City of Council Bluffs; and

WHEREAS, direction and parameters were provided to the City's Legal Department at the City Council's Executive Session held on February 17, 2020; and

WHEREAS, the City's Legal Department has come to a settlement agreement within the parameters discussed during said Executive Session; and

WHEREAS, it is in the best interest of the City of Council Bluffs to settle this matter.

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

That the City's Legal Department is hereby authorized to proceed forward with the discussed course of action regarding the matter.

ADOPTED
AND
APPROVED

April 6, 2020.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

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

Resolution 20-97
ITEM 4.D.

Council Action: 4/6/2020

Description

Resolution authorizing and directing the Mayor to execute a letter to the International City/County Management Association announcing the City of Council Bluffs commitment to becoming a SolSmart-designated community.

Background/Discussion

This resolution was prepared at the direction of Council Members Wolf and Head.

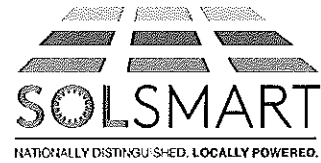
Recommendation

Approval of this Resolution.

ATTACHMENTS:

Description	Type	Upload Date
Solar Statement	Letter	3/30/2020
Resolution 20-97	Resolution	3/31/2020

SOLAR STATEMENT



April 6, 2020

Scott Annis
International City/County Management Association
777 North Capitol St. NE, Ste. 500
Washington, DC 20002

Theresa Perry
The Solar Foundation
1717 Pennsylvania AVE NW, Ste. 750
Washington, DC 20006

Dear Scott Annis and Theresa Perry:

On behalf of Council Bluffs, IA, I am proud to announce our commitment to become a SolSmart-designated community. In partnership with the SolSmart team, Council Bluffs' dedicated staff members will work to improve solar market conditions, making it faster, easier, and more affordable for our residents and businesses to install solar energy systems. These efforts will also increase the efficiency of local processes related to solar development, which may save our local government time and money.

Council Bluffs will leverage SolSmart to achieve the following goals:

- Create a 10-year sustainability master plan to include City goals and objects to decrease energy, water and fossil fuel use along with Greenhouse gas emissions by 2030 while also increasing reuse and recycling of materials.
- Enact policies to remove barriers and support the installation of sustainable, clean energy.
- Engage the community and surrounding areas to encourage clean energy practices.

These efforts demonstrate that our community is committed to driving continual improvement in our solar market, and in the process of doing so, all the related areas identified as community priorities in our relevant plans or initiatives.

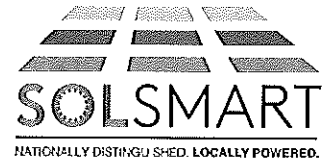
In order to measure progress along the way, Council Bluffs will track key metrics related to solar energy deployment, such as installed solar capacity and the number of installations across sectors.

In these efforts, we call on our residents, businesses, non-profits, and others to get involved, and we invite everyone to stay tuned by visiting www.councilbluffs-ia.gov/solar

Inquiries related to Council Bluffs' SolSmart participation can be directed to communications contact at bgarrett@councilbluffs-ia.gov

Sincerely,

SOLAR STATEMENT



Printed name

Title

RESOLUTION NO. 20-97

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A LETTER TO THE INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION ANNOUNCING THE CITY OF COUNCIL BLUFFS COMMITMENT TO BECOMING A SOLSMART-DESIGNATED COMMUNITY.

WHEREAS, it would be in the best interest of the City of Council Bluffs to create a 10-year sustainability master plan to include the City's goals and objects to decrease energy water and fossil fuel use along with greenhouse gas emissions by 2030 while also increasing reuse and recycling of materials; and

WHEREAS, the City should enact policies to remove barriers and support the installation of sustainable clean energy; and

WHEREAS, the City should engage the community and surrounding areas to encourage clean energy practices.

**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 letter directed to the International City/County Management Association announcing the City of Council Bluffs commitment to becoming a SolSmart-designated community.

ADOPTED
AND
APPROVED

April 6, 2020.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

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

Liquor Licenses
ITEM 5.A.

Council Action: 4/6/2020

Description

1. Casey's General Store #2284, 1030 Veteran Memorial Hwy
2. Council Bluffs Country Club, 4500 Piute Street
3. Courtyard by Marriott, 2501 Bass Pro Drive
4. J & B's Lounge, 16 S. 19th Street
5. Lansky's, 1131 N. Broadway
6. LongHorn Steakhouse #5397, 3727 Denmark Drive
7. Nomi Petro Mart, 3607 9th Avenue

Background/Discussion

There have been no alcohol related calls for service or arrests at the listed locations this licensing period.

Recommendation

ATTACHMENTS:

Description

[Liquor Licenses, 4.6.20](#)

Type

Other

Upload Date

3/30/2020



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	<i>am</i>	Local Amt			
FIRE	<i>AF</i>	Endorsed			
BUILDING	<i>8</i>	Issued			
ZONING	<i>1A</i>	Expires			
		Council	<i>4.6.20</i>		

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[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

> Bond Cert

> Local Endorse

> History

Applicant LE0002185, Casey's General Store #2284, 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: Casey's Marketing Company (Sole Proprietorship, Partnership, Corporation, etc.)

Name/Partnership Name(s):

Name of Business (D/B/A): Casey's General Store #2284

Address of Premise: 1030 Veteran Memorial Hwy

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 366-0960

Cell / Home Phone:

Same Address

Mailing Address: PO Box 3001

Mailing Address Line 2:

City: Ankeny

State: Iowa

Zip: 50021-8045

Contact Name: JESSICA FISHER-COMSTOCK, Store Operations

Phone: (515) 446-6404

Email Address: JESSICA.FISHER@caseys.com

[Prev](#)

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BEVERAGES DIVISION
About
Alcohol
Tobacco
Links
Contact

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>an</u>	Local Amt	
FIRE <u>AP</u>	Endorsed	
BUILDING <u>se</u>	Issued	
ZONING <u>GA</u>	Expires	
	Council	<u>4.6.20</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 LC0033840, Council Bluffs Country Club, Council Bluffs

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Corporation Name/Sole Proprietor Name/Partnership Name(s): Council Bluffs Country Club, LLC (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Council Bluffs Country Club

Address of Premise: 4500 Piute Street

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 366-0525

Cell / Home Phone:

Same Address

Mailing Address: 4500 Piute Street

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51501

Contact Name: Linda

Phone: (712) 366-0525

Email Address: Linda@cbcountryclub.com

Prev

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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 <i>CV</i>	Local Amt	
FIRE <i>AF</i>	Endorsed	
BUILDING <i>8</i>	Issued	
ZONING <i>12</i>	Expires	
	Council	<i>4.6.20</i>

[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 LB0002151, Courtyard by Marriott, Council Bluffs

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Corporation Name/Sole Proprietor: IRH - Council Bluffs, LLC (Sole Proprietorship, Partnership, Corporation, etc.)

Name/Partnership Name(s):

Name of Business (D/B/A): Courtyard by Marriott

Address of Premise: 2501 Bass Pro Drive

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 318-3330

Cell / Home Phone:

☐ Same Address

Mailing Address: 8815 Conroy Windermere Road

Mailing Address Line 2: #616

City: Orlando

State: Florida

Zip: 32835

Contact Name: Deena Redding

Phone: (678) 316-5208

Email Address: dredding@imaginehospitality.net

Prev

Next

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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>bl</u>	Local Amt			
FIRE	<u>AF</u>	Endorsed			
BUILDING	<u>8</u>	Issued			
ZONING	<u>1</u>	Expires			
		Council	<u>4-6-20</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 LC0033876, J & B's Lounge, Council Bluffs

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Corporation Name/Sole Proprietor: 4 Way, Inc. (Sole Proprietorship, Partnership, Corporation, etc.)

Name/Partnership Name(s):

Name of Business (D/B/A): J & B's Lounge

Address of Premise: 16 S. 19th St

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 323-3354

Cell / Home Phone:

☐ Same Address

Mailing Address: 16 S. 19th St

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51501

Contact Name: John Way

Phone: (712) 323-3354

Email Address: blway410@cox.net

[Prev](#)

[Next](#)

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ALCOHOLIC
BEVERAGES DIVISION
About
Alcohol
Tobacco
Links
Contact

<input checked="" type="checkbox"/> RENEWAL		<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <i>af</i>	Local Amt _____		
FIRE <i>AF</i>	Endorsed _____		
BUILDING <i>SE</i>	Issued _____		
ZONING <i>Q</i>	Expires _____		
Council			<i>4.6.20</i>

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 BW0091828, Lansky's, 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.
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Corporation Name/Sole Proprietor Name/Partnership Name(s): Horizon Restaurants Inc (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Lansky's

Address of Premise: 1131 N Broadway

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503-0000

Business Phone: (712) 329-5400

Cell / Home Phone:

Same Address

Mailing Address: 4601 S. 50th St

Mailing Address Line 2:

City: Omaha

State: Nebraska

Zip: 68117

Contact Name: Missy Mullen

Phone: (402) 731-5243

Email Address: missy@lanskys.biz

Prev

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State of Iowa
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BEVERAGES DIVISION
Home
About
Alcohol
Tobacco
Links
Contact

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>an</u>	Local Amt _____	
FIRE <u>AP</u>	Endorsed _____	
BUILDING <u>88</u>	Issued _____	
ZONING <u>CA</u>	Expires _____	
	Council <u>4.6.20</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 LC0038276, LongHorn Steakhouse #5397, 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): RARE Hospitality International, Inc (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): LongHorn Steakhouse #5397

Address of Premise: 3727 Denmark Drive

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 366-8085

Cell / Home Phone:

☐ Same Address

Mailing Address: Att: Licensing PO Box 695016

Mailing Address Line 2:

City: Orlando

State: Florida

Zip: 32869-5016

Contact Name: Valerie Nieves

Phone: (407) 245-5393

Email Address: Licensinglaw@darden.com

Prev

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ALCOHOLIC
BEVERAGES DIVISION
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>AF</u>	Endorsed	
BUILDING <u>SL</u>	Issued	
ZONING <u>CL</u>	Expires	
	Council	<u>4.6.20</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

➤ Local Endorse

➤ History

Applicant BC0030250, Nomi Petro Mart, 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): Javed LLC (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Nomi Petro Mart

Address of Premise: 3607 9th Avenue

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (414) 581-0275

Cell / Home Phone:

Same Address

Mailing Address: 3607 9th Avenue

Mailing Address Line 2:

City: Council Bluffs

Zip: 51501

State: Iowa

Contact Name: Usman J Javaid

Phone: (414) 581-0275

Email Address: Usmanji@outlook.com

Prev

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