

Council Communication

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| Department: Community Development CASES #OTB-21-014 Applicant: Miguel and Jamie Torres 3418 3 rd Avenue Council Bluffs, IA 51501 | Reso. of Intent No. _____ Reso. to Dispose No. _____ | Set Public Hearing: 11/22/2021 Public Hearing: 12/13/2021 |
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Subject/Title

Request of Miguel and Jamie Torres to purchase property legally described as the north 10 feet of Lot 6 and the south 10 feet of Lot 7, Block 3, Stutsman's First Addition, City of Council Bluffs, Pottawattamie County, Iowa.

Location: Property formerly addressed as 110 Stutsman Street

Background/Discussion

The Community Development Department has received an offer from Miguel and Jamie Torres to purchase surplus city-owned property legally described above. The subject property is classified as 'transitional dispose' and 'non-buildable.' The City of Council Bluffs acquired the subject property on February 22, 2018 via a 657A Petition through the Iowa District Courts. The applicant proposes to purchase the subject property to provide space to build a garage for the adjacent property they own at 112 Stutsman Street.

According to the adopted *Inventory and Disposal Policy for Surplus City Property*, dated April 23, 2018, the subject property shall be priced at a value established by the most recent fee schedule for street/alley vacations, which is \$306.00. The applicant has offered \$306.00 to purchase the property, and has submitted a \$45.00 down payment and \$50.00 nonrefundable application fee. The remaining \$261.00 will be paid to the City at the time of closing, if the applicant's offer to buy is accepted and approved by City Council.

The City has incurred a total of \$11,930.00 in Building Division costs for the subject property.

The subject property is zoned R-3/Low Density Multifamily Residential District and measures 20 feet wide by 92 feet deep (1,840 square feet), which does not meet the minimum lot size requirements for the R-3/Low Density Multifamily District. The applicant owns the property at 112 Stutsman Street and plans to bring the lots under common ownership. The two properties combined measure 50 feet wide by 92 feet deep (4,600 square feet). This still does not meet minimum lot size requirements for the R-3/Multifamily Residential District, but the combined properties would be buildable under common ownership, as per CBMC 15.26.020 "Nonconforming Lots." The subject property lies in Flood Zone X.

Recommendation

The Community Development Department recommends disposing of property legally described as the north 10 feet of Lot 6 and the south 10 feet of Lot 7, Block 3, Stutsman's First Addition, City of Council Bluffs, Pottawattamie County, Iowa, subject to the following conditions:

1. The purchase price shall be \$306.00 with the remaining balance (\$261.00) due at the time of closing;
and
2. The applicant shall close on the subject property within 60 days of the date of Council's decision.

Attachments

Attachment A: Location/Zoning Map

Prepared by: Brandon Siracuse, Planner, Community Development Department