Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 - Phone: (712) 890-5261
Prepared by: Community Development Dept., Co. Bluffs, IA 51503 - Phone: (712) 890-5350

RESOLUTION NO. 21-206

A RESOLUTION TO EXTEND THE DEADLINE FOR AMBAR RENTALS, LLC TO CONSTRUCT A DUPLEX ON PROPERTY FORMERLY OWNED BY THE CITY OF COUNCIL BLUFFS, AND BEING LEGALLY DESCRIBED AS LOTS 9 AND 10, BLOCK 5, MCMAHON COOPER AND JEFFERIS ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, On June 22, 2020, the Council Bluffs City Council adopted Resolution No. 20-158 (see Attachment B) which disposed of property legally described as Lots 9 and 10, Block 5, McMahon Cooper and Jefferis Addition to Ambar Rentals, LLC for a purchase price of $13,455.00 with a 10% down payment ($1,345.00); and

WHEREAS, As part of the approved Resolution No. 20-158, City Council agreed to forgive the remaining balance for the property ($12,110.00) if a home was constructed and issued a Certificate of Occupancy within 12 months from the date of approval but the 12-month deadline expires on August 4, 2021; and

WHEREAS, All of the groundwork, plumbing, foundation, and concrete slabs for the duplex and associated garages are installed; however the vertical construction for the duplex was delayed due to the COVID-19 pandemic; and

WHEREAS, The applicant has submitted an updated timeline for City Council review, and has requested an extension of time until December 1, 2021 to complete the duplex and the revised construction timeline is stated below:

- Duplex framing complete August 1, 2021.
- Sewer and water connected to City services September 1, 2021.
- Rough work complete October 1, 2021.
- Exterior clean-up complete November 1, 2021.
- Interior finish/project complete December 1, 2021; and

WHEREAS, The Community Development Department recommends approval of the request by Ambar Rentals, LLC, represented by Al Lewis, for an extension of time to construct a duplex on properties legally described as Lots 9 and 10, Block 5, McMahon Cooper and Jefferis Addition, City of Council Bluffs, Pottawattamie County, Iowa, subject to the following conditions:

A. The applicant shall complete construction and obtain a Certificate of Occupancy for the duplex by December 1, 2021;

B. If the applicant cannot complete construction and obtain a Certificate of Occupancy for the duplex by December 1, 2021, an extension of time shall be requested in writing to the Community Development Department prior to the expiration date. A three-month extension of time may be approved administratively by the Community Development Department. Any extension of time requests exceeding a three-month period shall be reviewed and approved by City Council.

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

That the extension of the deadline for Ambar Rentals, LLC to construct a duplex on property formerly owned by the City of Council Bluffs, and being legally described as Lots 9 and 10, Block 5, McMahon Cooper and Jefferis Addition, City of Council Bluffs, Pottawattamie County, Iowa is hereby granted.

ADOPTED
AND
APPROVED: June 28, 2021.

MATTHEW J. WALSH Mayor

ATTEST:

JODI QUAKENBUSH City Clerk

STATE OF IOWA)
COUNTY OF)ss
POTTAWATTAMIE)

On this 29 day of June, 2021, before me the undersigned, a Notary Public in and for said County and said State, personally appeared Matthew J. Walsh and Jodi Quakenbush, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk respectively, of the said City of Council Bluffs, Iowa, a Municipal Corporation, that the seal affixed hereto is the seal of said Municipal Corporation; that said instrument was signed and sealed on behalf of the said City of Council Bluffs, Iowa, by authority of its City Council; and that said Matthew J. Walsh and said Jodi Quakenbush, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

NOTARIAL SEAL IOWA
ALLISON ELISE GRIMM
Commission Number 830638
MY COMMISSION EXPIRES
3/9/24

Notary Public in and for said State

Council Communication

Department: Community Development
Case/Project No.: OTB-20-007
Submitted by: Christopher N. Gibbons, AICP, Planning Manager

Resolution 21-206
ITEM 7.E.

Council Action: 6/28/2021

Description

Resolution to extend the deadline for Ambar Rentals, LLC to construct a duplex on property formerly owned by the City of Council Bluffs, and being legally described as Lots 9 an 10, Block 5, McMahon Cooper and Jefferis Addition. Location: 519 and 523 South 13th Street. OTB-20-007

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	6/18/2021
Attachment A - Extension of Time Letter	Letter	6/18/2021
Attachment B - Resolution No 20-158	Other	6/18/2021
Resolution 21-206	Resolution	6/22/2021

Council Communication

Department: Community Development Case #OTB-20-007 Applicant/Property Owner: Ambar Rentals LLC Attn: Al Lewis P.O. Box 12242 Omaha, NE 68122		City Council: 6/28/2021

Subject/Title

Request: Request by Ambar Rentals LLC, represented by Al Lewis, for an extension of time to construct a duplex on property formerly owned by the City of Council Bluffs, and being legally described as Lots 9 and 10, Block 5, McMahon Cooper and Jefferis Addition, City of Council Bluffs, Pottawattamie County, Iowa.

Location: 519 and 523 South 13th Street, Council Bluffs, Iowa

Background/Discussion

The Community Development Department has received a request from Ambar Rentals LLC, represented by Al Lewis, for an extension of time to construct a duplex on property formerly owned by the City of Council Bluffs, as legally described above (see Attachment A).

On June 22, 2020, the Council Bluffs City Council adopted Resolution No. 20-158 (see Attachment B) which disposed of property legally described as Lots 9 and 10, Block 5, McMahon Cooper and Jefferis Addition to Ambar Rentals, LLC. The purchase price was $13,455.00 and the applicant submitted a 10% down payment ($1,345.00) with their offer. As part of the approved resolution, City Council agreed to forgive the remaining balance for the property ($12,110.00) if a home was constructed and issued a Certificate of Occupancy within 12 months from the date of approval. The properties were deeded to the applicant on August 4, 2020; therefore the 12-month deadline for constructing a home expires on August 4, 2021. All of the groundwork, plumbing, foundation, and concrete slabs for the duplex and associated garages are installed; however the vertical construction for the duplex was delayed due to the COVID-19 pandemic. The applicant has submitted an updated timeline for City Council review, and has requested an extension of time until December 1, 2021 to complete the duplex. The revised construction timeline is stated below:

- Duplex framing complete August 1, 2021
- Sewer and water connected to City services September 1, 2021
- Rough work complete October 1, 2021
- Exterior clean-up complete November 1, 2021
- Interior finish/project complete December 1, 2021

Recommendation

The Community Development Department recommends approval of the request by Ambar Rentals, LLC, represented by Al Lewis, for an extension of time to construct a duplex on properties legally described as Lots 9 and 10, Block 5, McMahon Cooper and Jefferis Addition, City of Council Bluffs, Pottawattamie County, Iowa, subject to the following conditions:

1. The applicant shall complete construction and obtain a Certificate of Occupancy for the duplex by December 1, 2021;
2. If the applicant cannot complete construction and obtain a Certificate of Occupancy for the duplex by December 1, 2021, an extension of time shall be requested in writing to the Community Development Department prior to the expiration date. A three-month extension of time may be approved administratively by the Community Development Department. Any extension of time requests exceeding a three-month period shall be reviewed and approved by City Council.

Attachments

Attachment A: Extension of time letter request from Ambar Rentals, LLC
Attachment B: Resolution No. 20-158

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

Attachment A

June 8, 2021

Ambar Rentals LLC
PO Box 11104
Omaha, NE 68111

Council Bluffs City Council
209 Pearl St. Suite 102
Council Bluffs, IA 51503

Dear Board Members,

Regarding the Forgivable Mortgage for the properties located at 519 & 523 South 13th Street, we respectfully you approve a revised project completion date of December 1st, 2021. Per the City Attorney's office, the current approved completion deadline is August 4th, 2021.

We truly expected to complete the project by the approved deadline. The groundwork, plumbing, foundation, and concrete slabs for both units and garages were complete December 2nd, 2020. However, we encountered many impediments stemming from the ever-increasing issues created by COVID-19, including a delay in acquiring construction loan approval. We have secured the funding and are in the process of resuming construction. Unfortunately, because of the delay in loan approval, we now have to secure new contracts that include current material costs and labor,

Our expected timeline is:

- Framing complete August 1st, 2021
- Sewer and water connected to City services September 1st, 2021
- Rough work complete October 1st, 2021
- Exterior clean-up complete November 1st, 2021
- Interior finish/project complete December 1st, 2021

We greatly appreciate your consideration in approving a deadline extension for this project. We expect to complete the entire project within six months; well before the standard two-year agreement, which I understand to be customary for projects such as this.

Sincerely,

Al Lewis
Chief Operation Officer
Ambar Rentals LLC
423-313-7679