Council Communication

Department: Community Development CASES #OTB-22-003 Applicant: Nathan and Benjamin Pedersen 1400 16th Avenue Council Bluffs, IA 51501	Reso. of Intent No. _____ Reso. to Dispose No. _____	Set Public Hearing: 3/28/2022 Public Hearing: 4/11/2022

Subject/Title

Request of Nathan and Benjamin Pedersen to purchase property legally described as former Wabash Railroad right-of-way across Lots 1 and 2, Block 'I,' Riddles Subdivision, City of Council Bluffs, Pottawattamie County, Iowa.

Location: Former railroad right-of-way north of 1400 16th Avenue

Background/Discussion

The Community Development Department has received an offer from Nathan and Benjamin Pedersen to purchase the surplus city-owned property legally described above. The subject property is classified as 'public space trails' and 'greenway.' However, this piece of former railroad right-of-way does not contain any trail segments, nor are there any plans to build a trail here. The subject property is of no use to the city, and as such, it is a good candidate for disposal.

The applicants propose to acquire the subject property to expand and square off the adjacent property they own to the south. The applicants have no plans to build on the land at this time. 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 $436.95. The applicant has offered $436.95 and has submitted a down payment of $43.70 plus a $50.00 nonrefundable administrative fee. The Community Development Department proposed to sell the subject property to the applicant with a forgivable mortgage as its size and shape make it unbuildable. A forgivable mortgage requires an initial 10% down payment with the remaining value being forgiven after two years of satisfactory maintenance of the property.

The City has not incurred any maintenance costs for the subject property.

The subject property is zoned R-2/Two-Family Residential District and is a trapezoid-shaped parcel containing 2,713 square feet, which does not meet the minimum lot size requirement for the R-2/Two-Family Residential District. The applicants own the adjacent property to the south at 1400 16th Avenue and will use the subject property to expand and square off their existing property. The subject property combined with the applicants' existing property will measure 290' x 76.66' (22,231.4 square feet), which exceeds the minimum lot size for the R-2/Two-Family Residential District. The subject property lies partially in Flood Zone X and partially in Flood Zone AE.

Recommendation

The Community Development Department recommends disposing of property legally described as the south 60 feet of Lot 1, Block 11, Grimes Addition, City of Council Bluffs, Pottawattamie County, Iowa, subject to the following conditions:

1. The subject property shall be valued at $436.95, with the remainder beyond the 10% down payment being forgiven after two (2) years of satisfactory maintenance, and
2. The applicants shall close on the subject property within 60 days of the date of Council's decision, and
3. The applicants shall combine their newly acquired property with the parcels they currently own, and shall sign an agreement not to sell the newly acquired property separately from their currently owned property.

Attachments

Attachment A: Location/Zoning Map

Prepared by: Brandon Siracuse, Planner, Community Development Department