RESOLUTION NO. 22-195

A RESOLUTION GRANTING AN EXTENSION OF TIME OF AN APPROVED TEMPORARY USE PERMIT TO ALLOW A LIGHT MANUFACTURING (FIFTY THOUSAND (50,000) SQUARE FEET OR LESS) USE ON PROPERTY LOCATED AT 2703 EAST KANESVILLE BOULEVARD, LEGALLY DESCRIBED AS BEING PART OF PARCEL "B" AUDITOR'S SUBDIVSION OF TRACT NO. 2 IN "SHERWOOD", CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, Echo Group has requested to extend a temporary use permit (Case #TU-19-009) for a light manufacturing use (less than 50,000 square feet) in a C-2/Commercial District at 2703 East Kanesville Boulevard. The subject property is commonly known as the former Bomgaars retail store in the Sherwood Plaza Shopping Center. On November 18, 2019, the Council Bluffs City Council approved Resolution No. 19-264 which granted the applicant a temporary use permit for a new start-up business operation that specializes in modifying shipping containers into construction jobsite office/trailers on the subject property. Each trailer is outfitted with doors, windows, and electrical/mechanical/plumbing components, and then stored outside within a fenced-in area on the property until such time they are delivered to a construction jobsite in the greater Council Bluffs-Omaha metro area.

WHEREAS, the applicant's temporary use permit was valid for two years (November 18, 2019 - November 18, 2021) and included the following conditions:

1. The temporary use permit shall be applicable to the 33,804 square foot building and associated outdoor storage area adjacent only and does not apply to other tenants or buildings located in the Sherwood Plaza Shopping Center on the subject property.
2. All containers and the semi-truck trailer shall be parked/stored in the far westerly parking lot area in the Sherwood Plaza Shopping Center (as per the submitted site plan) and shall be screened from view by use of existing retaining walls and a fence that provides a 100% opaque visual barrier.
3. No containers or semi-truck trailers shall be parked/stored in customer or employee parking areas that are used by other businesses in the Sherwood Plaza Shopping Center.
4. All containers shall be stored at ground level, and shall not be stacked.
5. Scrap metal from the operation shall be stored indoors until such time they are taken to a salvage yard for disposal.
6. The hours of operation shall be limited to Monday through Friday from 6:00 A.M. to 4:00 P.M.
7. Any signage associated with the operation shall comply with the standards stated in Section 15.33, *Signs* of the Municipal Code (Zoning Ordinance) and shall be permitted by the City prior to installation.
8. The temporary use permit shall be valid for one year from the date of Council approval. An additional one year extension of time for the temporary use permit may be granted administratively by City staff if all conditions of the

temporary use permit are complied with and there are no zoning enforcement actions on record for the operation.

9. The applicant shall secure all necessary permits and licenses for the operation and shall comply with all applicable Federal, State, and local codes.

WHEREAS, the applicant has complied with the conditions stated in their temporary use permit and requests City Council approval to extend the permit until December 31, 2023 so they can secure a permanent location in or around Council Bluffs for the business operation.

WHEREAS, The Community Development Department recommends approval of the request to extend the temporary use permit (TU-19-009) to allow a "manufacturing, light (50,000 square feet or less) use in a C-2/Commercial District at 2703 East Kanesville Boulevard, subject to the conditions set forth above.

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

That the request to extend temporary use permit to allow a "light manufacturing (fifty thousand (50,000) square feet or less) use" at 2703 East Kanesville Boulevard is hereby approved subject to the comments and conditions set forth above.

ADOPTED
AND
APROVED July 25, 2022

_____

MATTHEW J. WALSH Mayor

_____

JODI QUAKENBUSH City Clerk