

## Council Communication

Department: Community Development  CASE #OTB-20-001  Applicant: Black Hills Energy Attn: Andy Riales 610 Central Avenue Kearney, NE 68847  Representative: Brian Reineke HGM Associates 640 5th Avenue Council Bluffs, IA 51501	Resolution to Dispose No. _____	Public Hearing: 1/27/2020
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### Subject/Title

Request of Black Hills Energy to purchase City-owned property generally described as a portion of Lots 10-16, Block 20, Riddles Subdivision, and a portion of the vacated 13th Avenue right-of-way adjacent, City of Council Bluffs, Pottawattamie County, Iowa, and being more particularly described as beginning at the NW Corner of Block 20 of said Riddle's Subdivision; thence southeasterly 98.23 feet along a 634.70-foot radius curve, concave southwesterly and having a chord bearing S22°08'31"E, 98.13 feet; thence S16°34'01"E, 38.81 feet; thence S16°00'34"E, 149.25 feet; thence S16°32'59"E, 41.12 feet; thence southeasterly 69.44 feet along a 756.80-foot radius curve, concave northeasterly and having a chord bearing S20°14'13"E, 69.42 feet; thence northwesterly 154.53 feet along a 1196.30-foot radius curve, concave southwesterly and having a chord bearing N60°32'54"W, 154.43 feet to a point on the west line of said Block 20; thence N1°49'13"E, 300.32 feet along said west line to the Point of Beginning.

Location: East of South 8<sup>th</sup> Street and West of 12<sup>th</sup> Avenue

### Background/Discussion

The City has received an inquiry from Black Hills Energy about purchasing City-owned property located on the East side of South 8th Street and South of 12th Avenue. The property is generally described as a portion of Lots 10-16, Block 20, Riddles Subdivision, and a portion of the vacated 13th Avenue right-of-way adjacent, City of Council Bluffs, Pottawattamie County, Iowa.

The subject property is a triangular shaped parcel comprised of 0.48 acres of land that is located between South 8th Street and the nearby railroad tracks. The applicant, Black Hills Energy, is proposing to purchase this piece of property to install a Town Border Station to help regulate the natural gas for the City of Council Bluffs. When finished, a majority of the equipment will be housed within a building that will be approximately 20' by 27' feet in size, though there may be some piping or valves that are outside the building and visible.

The subject property is classified as 'transitional preserve' and 'buildable', though the unique shape of the parcel could make construction difficult for many uses. Per the adopted Inventory and Disposal Policy for Surplus City Property adopted on April 23, 2019, an unapprised parcel with no recent assessed value should be valued using the Street, Alley and Public Ground Vacation fee schedule, which values this parcel at \$8,826.00. The applicant initially offered \$8,000.00 to purchase the parcel, but increased their offer to \$8,826.00 to match the assigned value of the Street, Alley and Public Ground Vacation fee schedule. The applicant has submitted a down payment of \$800.00.

No City departments have any indicated any incurred costs on the property.

The following comments were received regarding the sale of the subject property:

- The Parks and Recreation Department stated they have no comments.
- The Permits and Inspections Division stated they have not incurred any costs on the property.
- The Animal Control Division stated they have no concerns with the removal of trees on the property during the winter and early spring months.

While there is not typically landscaping or screening requirements for an industrial site that is surrounded by other industrially zoned properties, the Council has the option to place additional requirements on this particular piece of land as a condition of the City selling the property. In regards to decorative fencing, the Council could require that a privacy fence, or wrought iron or press-point fence, or other decorative fence be installed. In regards to landscaping, the Council could require a tree or shrub buffer to be installed to screen the utilities from public view, or decorative other landscaping to beautify the site. The Community Development Department recommends that the existing trees on the site that are not in conflict with the proposed operation be preserved as much as possible.

#### **Recommendation**

The Community Development Department recommends disposal of the property generally described as a portion of Lots 10-16, Block 20, Riddles Subdivision, and a portion of the vacated 13th Avenue right-of-way adjacent, City of Council Bluffs, Pottawattamie County, Iowa, and legally described above, to Black Hills Energy subject to the following conditions:

1. The purchase price shall be \$8,826.00, with the remaining balance beyond the \$800.00 submitted down payment being due at the time of closing.
2. Closing shall occur on the property within 60 days of the date of decision.

**Attachment A:** Letter from Brandon Garrett to Black Hills Energy

**Attachment B:** Location Map

**Prepared By:** Chris Meeks, Planner, Community Development Department