Council Communication

Department: Community Development CASE #OTB-20-004 Applicant: Paul and Ann Kramar 1500 N. 17th Street Council Bluffs, IA	Citizen Request to be Heard	Meeting Date: 3/23/2020

Subject/Title

Request of Paul and Ann Kramar to purchase City-owned property generally described as the eastern portion of Lot 66, Belmont Addition, City of Council Bluffs, Pottawattamie County, Iowa.

Background/Discussion

The City has received an inquiry from Paul and Ann Kramar about purchasing City-owned property generally described as the eastern portion of Lot 66, Belmont Addition that will be approximately 1,792 square feet in area. The property is located between the applicant's property (1500 N. 17th Street) and the northern parking lot for Stan Bahnsen Park on Avenue O. The applicants are proposing to purchase the property to allow them to construct a deck and ADA access ramp on the western side of their house, which is currently not possible due to the rear of the home being very close to the rear property line. The applicants stated that the ADA ramp is necessary to get family members with wheelchairs into the home.

The applicants were initially told the property was classified as "Public Space" and was used as a park, and was not being actively marketed for sale. After meeting with the applicants, Vincent Martorello, the Parks Director, agreed that the property could be better utilized by the applicant than it is by the Parks Department, as it would provide the applicants the opportunity to make their home ADA accessible. Mr. Martorello and the applicants agreed that the park would retain a five-foot buffer west of the existing parking lot, and would be agreeable to the remaining area being surveyed and sold to the applicant for the purpose of the installation of a new doorway to the kitchen, a new deck, and an ADA ramp.

The subject property is classified as 'Public Space', as it is currently a part of the parcel of land which holds a parking lot for Stan Bahnsen Park. Per the adopted Inventory and Disposal Policy for Surplus City Property adopted on April 23, 2019, if the Council approves the property for sale, since it does not have a recent appraisal or assessed value, the property should be valued using the Street, Alley and Public Ground Vacation fee schedule. The exact value for the subject property will be established after a survey has been conducted and a legal description of the land proposed to be sold would be established, though the estimated value at this time would be approximately $300.00. The applicant has submitted a down payment of $30.00, totaling 10% of the estimated value of the property.

The application was routed to member departments of the City Owned Property Committee. No adverse comments were received in regards to the sale of the property.

According to the Inventory and Disposal Policy for Surplus City Property adopted on April 23, 2018, the City Council has the option to approve or deny this request. Approval of the request would mean initiating the process for this property to be treated as surplus property, including a hearing for a resolution of intent to sell the property, and a public hearing for the disposal of the property. Denial of the request would complete the process with no sale of the property.

If approved, the applicants would be required to hire a licensed private surveyor of their choosing to prepare a plat of survey that will establish a legal description and area calculation for the land they are purchasing. The survey would be paid for by the applicants. Upon completion, the applicants will submit the survey to the Community Development Department at which time a public hearing will be scheduled for the disposal of the property. The applicants will also be required to complete a Parcel Split application (and pay the associated $200.00 application fee) which will be submitted to the Community Development Department. The sale of the subject property will also come with the condition that the land the applicants are proposing to purchase cannot be sold separately from the adjacent land the applicants currently own.

Recommendation

The Community Development Department recommends approval of the request, therefore initiating the process for the sale of the above described property, subject to the following conditions:

1) The applicant shall have a survey completed for the subject property that will establish a legal description and area for the eastern portion of Lot 66, Belmont Addition they will purchase.
2) The area which would be purchased shall be 5 feet from the closest point of the Stan Bahnsen Park parking lot, and shall be parallel to the existing platted lot lines.
3) The applicant shall have 6 months from the date of the reclassification of the subject property to complete the survey and submit it to the Community Development Department.

Attachment A: Location Map

Prepared By: Chris Meeks, Community Development Department