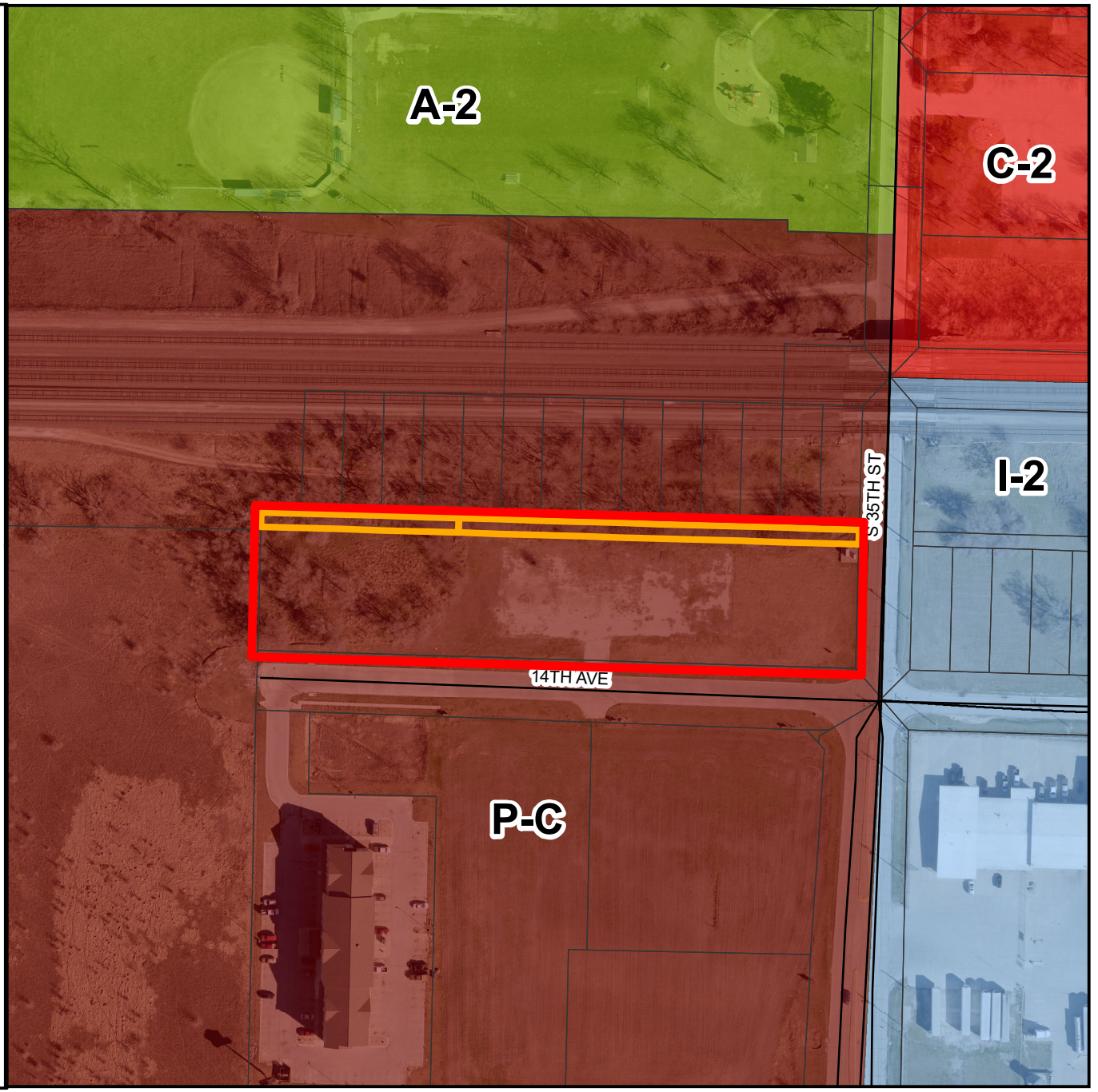
Attachment A

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION
CASE #ZC-20-003, #SAV-20-002 LOCATION/ZONING MAP

Map Legend

- Case #ZC-20-003 Area proposed to be rezoned from P-C to C-2.
- Case #SAV-20-002 Alleyway proposed to be vacated.
- Parcels





0 80 160

1 Inch = 170 Feet

Last Amended: 3/20/2020

Council Bluffs Community
Development Department
209 Pearl Street
Council Bluffs, IA 51503
Telephone: (712) 328.4629

DISCLAIMER

This map is prepared and compiled from City documents, plans and other public records data. Users of this map are hereby notified that the City expressely denies any and all responsibilities for errors, if any, in the information contained on this mapof the misuse of the same by the user or anyone else. The user should verify the accuracy of information/data contained on this map before using it. The City assumes no legal responsibility for the information contained on this map.

Attachment B

March 17, 2020

CHERRY RIDGE CONSTRUCTION
1425 9TH AVENUE | COUNCIL BLUFFS, IA
P: 712-256-2279 | C: 402-812-8113 | F: 402-986-0439
WWW.CHERRYRIDGECONSTRUCTION.COM

RE: River's Edge Business Park
3540 14th Avenue
Council Bluffs, IA 51501
Parcel Number: 7544 33 476 001

Mr. Chris Gibbon's and the rest of the planning commission,

My name is Chris Rochleau. I am the owner of Cherry Ridge Construction. I am presenting a letter of my intent for the property located at 3540 14th Avenue that I have requested to be zoned C-2. It is currently Zoned PC – Planned Commercial. We have spent a tremendous amount of time over the last several months working with City officials, including those in the zoning department to develop an attractive building that would be an incubator for business and provide budding business's an opportunity to get established and grow in our community.

This would bring jobs, provide an improved tax base and be aesthetically appealing. On the site that we are developing we are planning to complete two (2) buildings throughout two (2) separate phases with twelve (12) business spaces per building. I am anticipating three (3) to five (5) employees per space with a total number of employees to be 36 to 60 per building.

We have developed a paving and landscape plan that would meet the necessary requirements and be aesthetically appealing to that area. There are a variety of business that we are wanting to attract to this type of building.

In order to make this project work and provide business opportunities to start up and small businesses we are also requesting the revitalization 10 year tax abatement. This is a WIN – WIN for the City. There is an immediate increase in the tax base, and it will exponentially increase over the next 10 years. It also provides new business opportunities and a place for existing businesses to grow.

I anticipate the development costs with land to be between 1.3mm to 1.5mm per building with a total investment between 2.6mm and 3.0mm.

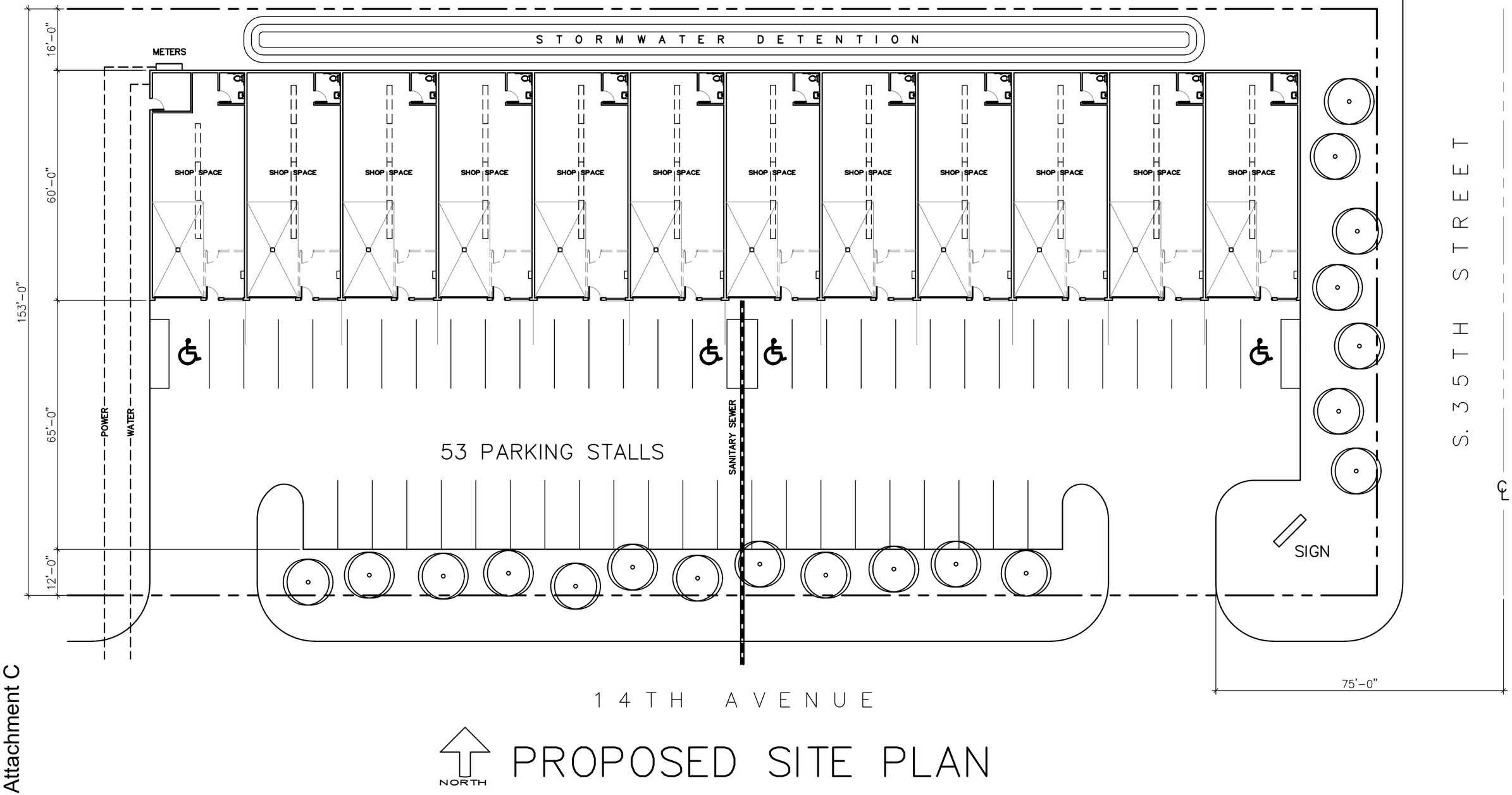
As you can see from the artist renderings, we are putting stone across the front and East side of the building, upgrading the color scheme and the signage layout. We are in the process of finalizing the exterior lighting plan and are considering a few more upgrades to the landscaping plan.

I have also submitted an application and request for the vacated alley adjacent to the North property line. This is an area that has been unmaintained and a harbor for homeless and criminal activity. I would maintain that area as part of this property with lighting across the back of the building and green space.

This is going to be different than any other building that has been built in our community. Significant costs are being incurred to make the business park attractive and conducive to start up and small businesses. We have also applied for a conditional use permit so that we can provide a variety of business opportunities to those that are looking.

Sincerely,

ChrisRochleau
President – Cherry Ridge Construction



PROPOSED SITE PLAN

Attachment C

Attachment D:

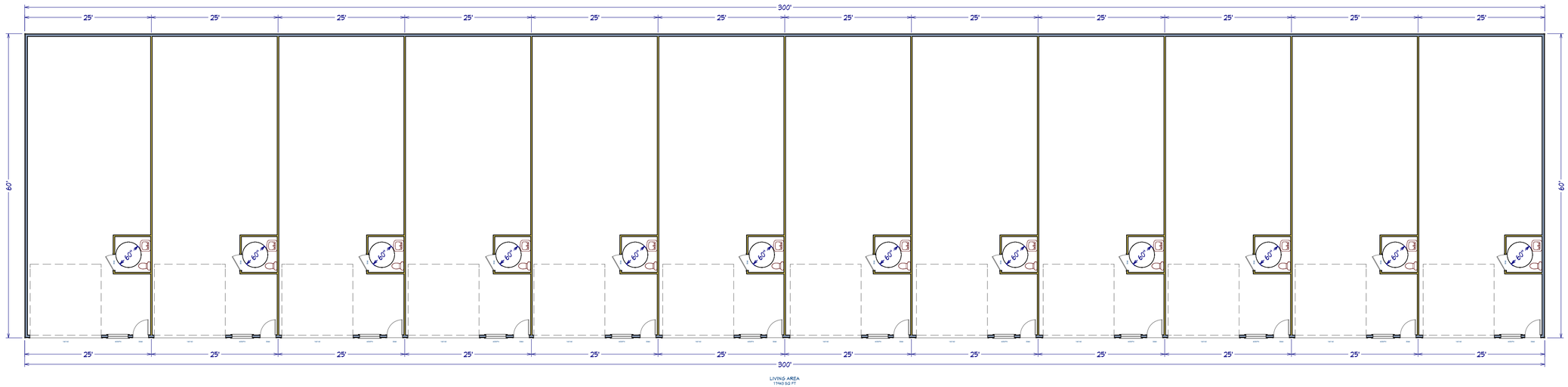
Building Renderings





Attachment E

BUILDING #1



1st Floor

MAIN LEVEL

CHERRY RIDGE CONSTRUCTION

REVISION TABLE

NUMBER	DATE	REVISED BY	DESCRIPTION
1	8/21/2018	AKB	FIRST DRAFT

CHERRY RIDGE CONSTRUCTION
1425 9TH AVE, COUNCIL BLUFFS IA
OFFICE: (712) 256-2219

COMMERCIAL SPEC BUILDING

CHRIS ROCHLEAU (402) 813-8113
AARON BIERMAN (402) 669-3019
ANDY WATTS (402) 659-8338

DATE:
1/29/2020

SCALE:

SHEET:
P-3

Attachment F

LETTER OF SUPPORT

April 10, 2020

Mr. Christopher Gibbons
City Hall
209 Pearl Street
Council Bluffs, IA

Re: Planning Commission Hearing, April 14, 2020
3540 14th Avenue – Northwest corner of S. 35th Street and 14th Avenue

Dear Mr. Gibbons:

Please accept this letter in support for the request to rezone the above-named property that has been submitted to the City Planning Commission.

I am the contract purchaser of the 29.64 acre site to the South which is currently owned by D E B Partnership. Being a major developer myself, and having developed a multitude of properties, Cherry Ridge Construction's request for rezoning from P-C/Planned Commercial to C-2/Commercial District will not affect for our future development.

In conclusion, I fully support the efforts of Cherry Ridge Construction as they seek approval.

Sincerely,

Frank Krejci
Contract Purchaser

Attachment G

HEARTLAND PROPERTIES, INC.
HeartlandProperties.com

712.325.0445
535 W Broadway, Suite 100
Council Bluffs, IA 51503

April 24, 2020

Planning Commission Meeting

Property Investments, Inc. (Mark McKeever) owns 5.19 total acres; Mark bought the ground in 1996 and at that time it was zoned general manufacturing. He rezoned it to PC in 1996. All of the remaining ground abutting his property remained Industrial zoned until 2001 including the area around the Mid-American remained industrial zoned.

GreenTree Investments, Inc. own an industrial building in the Mid-America which has had multiple tenants over the years. Sometimes with outside storage and currently with Multi docks and semi traffic. 92 Investments, Frank, Bob and myself, own the ground directly south. We have never complained or will complain about it as it was currently existing before the Arena and surrounding property was rezoned and developed. It is a non-conforming use in a PC district but is rightfully grandfathered it.

The properties directly across the street to the East are all zone 1-2 which include HTL Trucking and 2 body shops that take up approximately 861' of frontage on S. 35th Street which commences at the beginning of Property Investments property line.

There is 89.33 acres of vacant ground zoned P-C for sale in the Lake Manawa Power Center.

There is 8.53 acres of vacant ground zoned P-CV in the Market Place develop0ment where JC Penney's is off 24th St and Interstate 80.

There is 86 acres for sale zoned P-C in the Mid-America Complex and adjoining property.

A majority of the property is in a prime area and priced less than Mark's in many cases.

There 29.61 acres Zoned P-C north and south of Mark that has been sale for 25 years.

In 2014, Wayne Hoovestol has the property rezoned subject to the actual project occurring when it was approved to an l-1 Zoning for Lone Mountain Truck Leasing. It was subject to the project occurring or the zoning would not change. That is what we propose here. I want it to look great and not have a negative impact on the abutting properties.

In the last meeting I mentioned Frank Krejci and Lockwood Development. I was going to be a 25% partner and only wanted them involved because that is what they do and have a ton of experience. I have done my fair share of developing in Pott County, the City of Council Bluffs. I believed that without an expert's help, we could not achieve developing the project. The world of retail has changed and will continue to change. It is becoming harder and harder for large commercial developments.

After the meeting, I was disappointed in the delay and outcome and would have soon went straight to the City Council. I truly believe this project on the 2 acres with the property design will be an added benefit to the area or Mark should buy it if he wants to control it.

The City of Council Bluffs will scrutinize and make Chris apply to all aspects of developing. Storm water control, Building codes, parking requirements, etc. There were no negative comments at the Planning Commission Meeting. The Planning Commission wanted complete engineered and architectural plans. No one does that until they feel comfortable that the plan is moving forward because of the cost only conceptual drawing are submitted.

I would not support this project if I thought it would hurt the values. The location is below average compared to everything else on the market.

This is not spot zoning, it is rezoning and recognizing the marked has changed and will continue. This is the reality of this meeting. Not dreaming for another 24 years.

I have some traffic counts to share. See Attached Maps and traffic counts from MAPA.

John Jerkovich

Available Land Near Mid America Center Arena



For More Information Contact:

John H. Jerkovich

(402) 681.4812 M

(712) 388.2212 D

jhj@heartlandproperties.com

Information contained herein is taken from sources deemed reliable. Every effort has been made to assure accuracy. However, the information is not guaranteed. Any item that you believe to be important regarding your decision to purchase or lease the subject property should be independently verified.

HEARTLAND PROPERTIES, INC.

535 West Broadway · Suite 100
Council Bluffs, IA 51503
www.HeartlandProperties.com
712.325.0445

S. 24th Street - Available Land



Information contained herein is taken from sources deemed reliable. Every effort has been made to assure accuracy. However, the information is not guaranteed. Any item that you believe to be important regarding your decision to purchase or lease the subject property should be independently verified.

HEARTLAND PROPERTIES, INC.

John H. Jerkovich
jhj@heartlandproperties.com
402.681.4812 M
712.388.2212 D

535 West Broadway Suite 100 • Council Bluffs, Iowa 51503 • 712.325.0445 • www.heartlandproperties.com

Manawa Power Centre - Available Land



Information contained herein is taken from sources deemed reliable. Every effort has been made to assure accuracy. However, the information is not guaranteed. Any item that you believe to be important regarding your decision to purchase or lease the subject property should be independently verified.

HEARTLAND PROPERTIES, INC.

John H. Jerkovich
jhj@heartlandproperties.com
402.681.4812 M
712.388.2212 D

535 West Broadway Suite 100 • Council Bluffs, Iowa 51503 • 712.325.0445 • www.heartlandproperties.com

Attachment H

Deborah L. Petersen
Tyler J. Grevengoed
215 S. Main Street, Suite 301
Council Bluffs, IA 51503
p: 712-328-8808
f: 712-328-1562

PETERSEN LAW
P L L C

April 7, 2020

Mr. Chris Meeks, Planner
City of Council Bluffs
Community Development Department

VIA EMAIL: cmeeks@councilbluffs-ia.gov

Re: Property Investments
Planning Commission Case # ZC-20-003

Dear Chris:

We are writing to you regarding this rezoning case. Our client, Property Investments, owns the adjacent property on the South side of 14th Avenue at South 35th Street. That property was one parcel and was platted into four lots at that time. To achieve approval of the Final Plat, it was necessary for our client to install a substantial sewer extension and provide other utility upgrades. They also installed the electrical to all the lots and placed the transformer boxes. Once the subdivision was created, one lot was sold to the hotel that is currently on 14th Avenue. Then, the economy took a downturn and nothing further was developed.

Property Investments has been waiting for the Interstate improvements being undertaken by the State of Iowa to open the area up to even further development. It seems to us that the 24th Street exit from the interstate has extensive commercial truck traffic and impedes the access to the Mid-America Center area. Hopefully, the Interstate improvements will enhance the Nebraska Avenue exit, thereby increasing traffic to Mid-America Center, while also creating more development potential for the properties in this area. While the property has been vacant and undeveloped, it seemed like the time was almost ripe for potential development in the area. In the meantime, the unprecedented pandemic going on may further impact that potential as well.

The big concern is rezoning one tract of land for the benefit of one user. A quick review of the uses allowed in the Planned Commercial District shows that the majority of the uses intended by the potential developer for this parcel are already allowed in that P-C district. Of course, there are a few exceptions. But the bigger issue is that once the property would be rezoned to C-2 Commercial District, then the City and the adjacent property owners lose any control over any planned development in that area. When one views the zoning map, it is clear this is a prime example of spot zoning, which has always been frowned on and can clearly impact neighboring properties.

Further, the rezoning application appears to be made by Cherry Ridge Construction, who apparently has a purchase agreement with the current owner. Therefore, there is no guarantee this would be the actual use of the property if the rezoning is granted. Thus, any use in C-2 zoning would be allowed, without input from the City for considering the neighboring property owners or other potential development in the area. The Planned Commercial District zoning was designed to provide for the development of shopping centers, hotels, motels, office parks and resorts, according to the City's own reports. This includes major commercial retail shopping and service areas adjacent to major traffic corridors, such as South 35th Street.

There is no reason the intended uses, with the exception of contractor shops, could not proceed with the Planned Commercial zoning. Those uses, would then also be subject to the approval of the City to be sure they meet with the intended development of the general area. In fact, the communication from the City indicates that the rezoning is "proposed because contractor shops are allowed" in C-2 and are not in the Planned Commercial District. That is not a valid reason to change zoning and clearly does not support such spot zoning in this area. Also, the City's Comprehensive Plan designates the future use of the property as a public park. While the City may not have that intention at this point, it still does not justify the rezoning nor does it rationalize spot zoning for this area.

The owner of Property Investments, Mark McKeever, is very familiar with this area, not only the property his company owns, but the property subject to this application, as well as the surrounding property to the south and west. He has worked with other investors and developers trying to make a plan for the entire area, but has not yet been successful in achieving that plan. Let us know if we can provide you any other information prior to the hearing. We do plan to attend the hearing on April 14, 2020. Thank you for your consideration and please include our comments in your staff report to the Planning Commission.

Sincerely,

PETERSEN LAW PLLC

Deborah L. Petersen

DEBORAH L. PETERSEN
deborah@petersenlawcb.com

DLP:dcp

cc: Property Investments

Attachment I

Christopher Meeks

From: Mark McKeever <MMcKeever@npdodge.com>
Sent: Friday, April 24, 2020 11:05 AM
To: Christopher Meeks; Christopher Gibbons
Cc: Deborah L. Petersen (deborah@petersenlawcb.com)
Subject: 35th & 14th Ave / Near Ave exit area
Attachments: A1.01 12-10-19.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Meeks
Mr. Gibbons

Please click on the attached PDF. As you know this is my plan for this area. I mentioned this at the planning commission meeting. I plan on a Valley View Village West like the strip mall we developed at 928 Valley View Dr. along with the other buildings on the PDF layout. This will be professionally done. I'm sending you some PDF photos of some business park areas in Omaha that I would like you to take a look at. The plan that Cherry Ridge Construction is proposing is nothing more than storage units with 24 garage doors across the front. This site is not deep enough for this type of project to put in the correct parking and deliveries for shipping or receiving. They do not have enough parking per building with the number of employees Chris mentioned in his letter. It stated 36-60 employees per building. There is no drainage plan. The photos of the business parks I'm sending you have store fronts with shipping and receiving in back of the properties. Even the Industrial site photos I'm sending you of these type of buildings are way more appealing than what Chris Rochleau is presenting.

John Jerkovich mentioned in the Planning Commission meeting that Council Bluffs has a lot of C 2 Zoning vacant ground available everywhere. I recommend they put the Cherry Ridge Construction plan somewhere else that is more suitable for this type of project.

If the zoning was changed it would be 2 acres out of a 37 acre area total and that just doesn't seem right to me and my partners. We consider this 2 acre parcel Spot Zoning. Even if this zoning was approved for this 2 acre parcel the city loses a lot of control after the C 2 Zoning. This project proposed could get scrapped and even something worse could go there. With the P C Zoning the City remains in control of the type of project for the betterment of this area and Council Bluffs.

This is one of the main sites with easy access off and on the new interstate system. It is close to Omaha. Please let's do this area right.

I don't know anyone that has put more time and money into this 35th & 14th Ave area than we have. We paid for the following with no help from the city. The City had no funds to help. So we ran sanitary sewer from 34th St. and 16th Ave west to 35th St. Up 35th St. north 2 more blocks to 14th Ave. west on 14th Ave. 2 more blocks to the Hotel. We paved city street 14th Ave from 35th St. to the Hotel. We also upgraded and installed larger new water lines with the Water Works. We installed new storm drains. We installed street lights and all new electrical transformers and raceways to the area.

I also want to mention the development and building that my companies have done over the years has created millions of dollars per year in property taxes for our City. I plan on creating millions more in tax base for our City.

I will send the PDF photos separate for each site to make it less confusing which photos go together rather than a group of photos all together. I will send them next.

Please make sure that the Planning Commission and City Council receive copies of all the letters and photos sent by Deb Petersen and I throughout this 2 acre zoning request from PC zoning to C 2 zoning.

Thanks so much. I appreciate it.

Mark McKeever, President
Property Investments Inc.
Developer / Builder / Realtor
1032 Woodbury Ave.
Council Bluffs IA 51503
Call or Text – (402) 639-7320

IMPORTANT NOTICE ABOUT WIRE FRAUD:

Never trust changes to wiring instructions sent via email. Never change wiring instructions based on an email. Cyber criminals are hacking email accounts and sending emails with fraudulent wiring instructions. These emails are convincing and sophisticated. Always independently confirm wiring instructions in person or via a telephone call to a trusted and verified phone number just before wiring the funds. Never wire money without double-checking that the wiring instructions are correct.

Attention: The information contained herein is personal and confidential. Unauthorized distribution of this document is forbidden and may be punishable by applicable law. If you do not receive all the information described herein or if you have received this document in error, please destroy this document and call sender immediately upon receipt at the phone number listed above.

NOTICE OUR ETCETERA + BE INSPIRED BY OUR ARCHITECTURE



N

A1 / A1.01 SITE PLAN
SCALE: 1"=30'-0"

ARCHI + ETC. LLC
ARCHITECTURE ETCETERA

Ayars & Ayars, Inc.

New Building
River Valley
35th & 14th
Council Bluffs, IA
SITE PLAN

Date Started:
December 10, 2019

Preliminary not for construction

14-017

© ArchiPlanEtc, LLC.

A1.01


olsson


REVOLUTION
QuikTrip



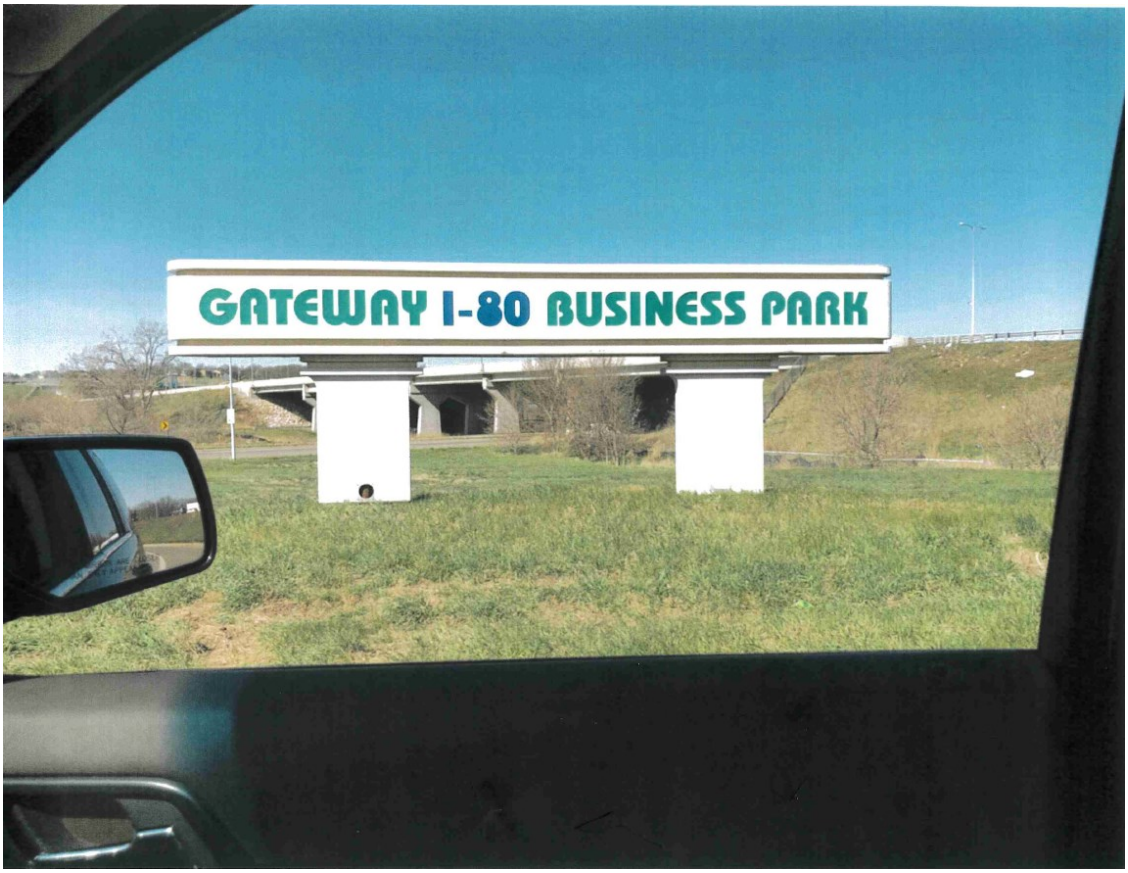

FALEWITCH
COMPANIES


FALEWITCH
CONSTRUCTION SERVICES, INC.
"Providing Quality, Service and Safety Since 1995"
402-291-1000
US DOT 1424695




114th St
Portal Rd
access
FrankBevins PAINTING




GATEWAY I-80 BUSINESS PARK


ANCHOR ROOFING
Hospitality Management Systems
6886




S.O.S


FedEx
Unite

Attachment J

LETTER OF SUPPORT

May 18, 2020

Council Bluffs Community Development
c/o Mr. Christopher Gibbons
209 Pearl Street
Council Bluffs, IA 51503

Re: 3540 14th Avenue – Northwest corner of S. 35th Street and 14th Avenue

Dear Mr. Gibbons:

Please accept this letter in support for the project Cherry Ridge Construction is seeking approval to construct two contractor shops.

I am a partner/owner in D E B Partnership of which we own the 29.64 acres to the West and South of the proposed project. I understand this will be a two-phase project and that the design will be attractive with stone on the South and East sides and the landscaping and paving plan they intend to implement will be aesthetically appealing and will meet all necessary City requirements.

I feel this would be a great addition to the area and could potentially stir up activity in the immediate area.

Concluding, I have no objections and I fully support the efforts of Cherry Ridge Construction as they seek approval.

Sincerely,

Tyler W. Borman - Partner

D E B Partnership