Council Communication

Department: Community Development CASES #OTB-21-010 Applicant: MAC Investments C/O Meghann Youngblood 32 Scott Street Council Bluffs, IA 51503	Reso. of Intent No. _____ Reso. to Dispose No. _____	Set Public Hearing: 10/25/2021 Public Hearing: 11/8/2021

Subject/Title

Request of MAC Investments to purchase property legally described as the east 46 feet of Lots 5 and 6, Block 3, Grimes Addition, City of Council Bluffs, Pottawattamie County, Iowa.

Location: Property formerly addressed as 746 West Washington Avenue.

Background/Discussion

The Community Development Department has received an offer from MAC Investments to purchase surplus city-owned property legally described above. The subject property is classified as 'transitional dispose' and 'buildable.' The applicant proposes to acquire the subject property to provide a larger yard space for their residential property at 744 West Washington Avenue. According to the adopted *Inventory and Disposal Policy for Surplus City Property*, dated April 23, 2018, the subject property shall be priced at its most recent assessed land value, which is $11,100.00. The applicant has offered $2,000.00 to purchase the property, and has submitted the required 10% down payment ($1,110.00) and $50.00 application fee.

The subject property was acquired by the City of Council Bluffs on November 5, 2018 via a 657A Petition through the Iowa District Courts. As stated in the adopted *Inventory and Disposal Policy for Surplus City Property*, the property would be eligible for a forgivable mortgage as it is buildable and has been actively marketed on the Surplus Property list for more than the required 24 months. The applicant has requested the remaining land value ($9,990.00) beyond the 10% down payment be waived using a forgivable mortgage.

The City has incurred a total of $11,440.00 in Permits and Inspections Division costs for the subject property.

The subject property is zoned R-3/Low Density Multifamily Residential District and measures 47' x 109' (5,123 square feet), which exceeds the minimum lot size requirements for the R-3/Low Density Multifamily District. The subject property is located in an AH flood zone and therefore any structure that is built on the subject property in the future shall be required to comply with all applicable Federal, State, and local floodplain regulations.

Per the adopted *Inventory and Disposal Policy for Surplus City Property*, if no sale of a buildable property occurs after 12 months of being on the disposal list, the property may be offered and sold as a non-buildable remnant to the abutting property owners. Moreover, the policy states "any adjacent owner who is delinquent on any property taxes, has any outstanding municipal code violations/fines/costs, or has allowed lien to be placed on their property for any reason shall not be eligible to receive property as provided herein." Based

on Pottawattamie County Treasurer data, there is a history of trash abatement costs being assigned to the property. However, as of present, there are no pending trash abatement costs on the property. In order to ensure that the property remains in compliance with City codes and the adopted City-owned property policy, the Community Development Department recommends that the remaining balance beyond the $1,100.00 submitted down payment be forgiven upon maintaining the property for twenty-four (24) months without any infractions of the Council Bluffs Municipal Code.

Recommendation

The Community Development Department recommends disposing of property legally described as the east 46 feet of Lots 5 and 6, Block 3, Grimes Addition, City of Council Bluffs, Pottawattamie County, Iowa, subject to the following conditions:

1. The purchase price shall be $11,100.00, with the remaining balance beyond the $1,110.00 submitted down payment being forgiven upon maintaining the property for twenty-four (24) months without any infractions of the Council Bluffs Municipal Code; and
2. The applicant shall close on the subject property within 60 days of the date of Council's decision.

Attachments

Attachment A: Location/Zoning Map
Attachment B: Application submittal

Prepared by: Haley Weber, Planner, Community Development Department