

**COUNCIL BLUFFS PLANNING COMMISSION
TUESDAY, DECEMBER 12, 2017 - 6:00 P.M.
COUNCIL BLUFFS PUBLIC LIBRARY, ROOM A
400 WILLOW AVENUE
COUNCIL BLUFFS, IOWA**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. ADOPTION OF AGENDA**
- 4. APPROVAL – MINUTES OF THE NOVEMBER 14, 2017 MEETING**
- 5. PROOF OF PUBLICATION**
- 6. REVIEW OF MEETING PROCEDURES**
- 7. PUBLIC HEARINGS**
 - A. CASE #PC-17-002: Public hearing on the request of BDP Council Bluffs RE, LLC, represented by Christopher R. Pose to amend the adopted planned commercial development plan for Mall of the Bluffs relative to the Planet Fitness space. Location: 1751 Madison Avenue.
 - B. CASE #ZC-17-007 and CASE #SAV-17-007 and CASE #SAV-17-008: Combined public hearing on the request of Jennie Edmundson Memorial Hospital to rezone: 1) Lots 1-5, Block 4, Hagg's 1st Addition; Lots 1-4, Block 4, Huber and Walters Terrace; Lots 4-6, Block 5, Hagg's Extension; Lots 13-14, Block 6, Hagg's Extension; Lots 5-7, Block 6, Hagg's Extension; Vacated Alley between Lots 5-7 and Lots 8-10, Block 6, Hagg's Extension; Vacated Alley between Lot 8, Bocks Subdivision and Lot 7, Block 6, Hagg's Extension; and the vacated Thomas Street Right of Way between Lot 4, Block 5, Hagg's Extension and Lot 14, Block 6, Hagg's Extension from C-3/Commercial District to A-P/Administrative Professional and 2) to rezone Lots 6-10, Block 4, Hagg's 1st Addition; Lots 5-8, Block 5, Huber and Walters Terrace; Lots 1-3, Block 5, Hagg's Extension; Lot 1, Block 6, Hagg's Extension; Lots 1-9, Block 3, Hagg's 1st Addition; Lots 1-2, Block 3, Emmerson Terrace; Lots 14-15, Beldens Subdivision; Part of Auditors Plat lots 7 and 8; Auditors Plat Lot 6; Lot 6, Block 4, Hagg's Extension; A part of Lots 4-8, Bocks Subdivision; vacated Alley between Lots 4 and 11, Block 6, Hagg's Extension; Vacated Thomas Street Right of Way between Lot 3, Block 5, Hagg's Extension and Lot 1, Block 6, Hagg's Extension; and the vacated Alley Right of Way between lots 1-4 and 5-8, Block 5, Hagg's Extension from R-3/Low Density Multifamily Residential to A-P/Administrative Professional; and 3) to vacate the east/west alley located in Block 4, Hagg's 1st Addition and 4) to vacate that part of Kimball Avenue between East Broadway Street and East Pierce Street, abutting Lots 5 and 6, Hagg's 1st Addition. Location: Part of, or abutting the Jennie Edmundson Memorial Hospital campus; North of Nicholas Street, East of East Kanesville Boulevard.
- 8. OTHER BUSINESS**
 - A. City Council update
 - B. Other items of interest
- 9. ADJOURNMENT**

If you plan to attend this meeting and require special assistance please contact the Community Development Department at (712) 328-4629 at least 48 hours before the meeting.

Planning Commission Communication

<p>Department: Community Development</p> <p>CASE# PC-17-002</p> <p>Owner/Applicant: Legacy CB, LLC 4717 Central Street Kansas City, MO 64112</p> <p>Representative: Christopher R. Pose 317 6th Avenue, Suite 300 Des Moines, IA 50309</p>	<p>Resolution No.</p>	<p>Planning Commission Meeting: 11/14/2017 12/12/2017</p>
<p style="text-align: center;">Subject/Title</p> <p>Amend the approved planned commercial development plan for The Mall of the Bluffs.</p>		
<p style="text-align: center;">Background/Discussion</p> <p>The Community Development Department has received an application from Dearborn Properties, LLC and Z.E.A. Capital Holdings, LLC, represented by Christopher R. Pose to amend the approved commercial development plan for Mall of the Bluffs.</p> <p>The request is related to a request to subdivide the property by creating a separate parcel for the tenant space presently occupied by Planet Fitness. Additional information has been requested relative to the subdivision and will be provided no later than 12/12/2017. The additional information is relative to code and utility implications if the parcel line is created in a common wall situation.</p> <p>The development plan was most recently amended by Resolution No. 14-108, passed and approved on 4/21/2014. All provisions are applicable, except 'Signage' shall be amended such that if the final plat is approved this lot shall be permitted a maximum of 15% of the building façade elevation to which it is attached, not to exceed 350 square feet. No detached signage is allowed.</p>		
<p style="text-align: center;">Recommendation</p> <p>The Community Development Department recommends approval of the requested amendment, subject to approval of a final plat.</p>		
<p>Prepared by: Rose E. Brown, AICP, Planning Coordinator</p>		

Planning Commission Communication

<p>Department Community Development</p> <p>CASES #ZC-17-007, SAV-17-007 and SAV-17-008</p> <p>Applicant/Owner: Jennie Edmundson Memorial Hospital 933 E. Pierce Street Council Bluffs, IA 51503</p> <p>Representative: Steve Baumert Jennie Edmundson Memorial Hospital 933 E. Pierce Street Council Bluffs, IA 51503</p> <p>Consultant: Kellen Heideman Olsson Associates 2111 S. 67th Street, Suite 200 Omaha, NE 68106</p> <p>Other: Emma Chance Women's Christian Association 8511 W. Dodge Road Omaha, NE 68114</p>	<p>Ordinance No. _____</p> <p>Resolution of Intent No. _____</p> <p>Resolution to Dispose No. _____</p> <p>Resolution of Intent No. _____</p> <p>Resolution to Dispose No. _____</p>	<p>Planning Commission: 12/12/2017</p>
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Subject/Title

Request: 1) Rezoning of multiple parcels surrounding the Jennie Edmundson Memorial Hospital campus from R-3/Low-Density Multifamily Residential to A-P/Administrative Professional, or from C-3/Commercial District to A-P/Administrative Professional. 2) Vacate and dispose of an east/west alley that is part of Block 4 of Hagg's First Addition that runs between Nicholas Street and Kimball Avenue. 3) Vacate and dispose of a section of Kimball Avenue between East Broadway Street and East Pierce Street.

Location: Part of, or adjacent to the Jennie Edmundson Memorial Hospital Campus; Southeast of East Kanesville Boulevard, North of Nicholas Street.

Background/Discussion

The Community Development Department has received applications from Jennie Edmundson Memorial Hospital, represented by Steve Baumert, to rezone multiple parcels surrounding the Jennie Edmundson Memorial Hospital campus, to vacate a portion of alleyway, and to vacate a portion of Kimball Avenue. The rezoning request and right-of-way vacation requests are to allow the entirety of the hospital campus to be part of a singular zoning district, and to facilitate the future construction of a medical office building.

While Jennie Edmundson Memorial Hospital is the owner of a majority of the affected properties, there are parcels owned by the Women's Christian Association, and Loess Hills Properties, LLC. Both of these entities have authorized Jennie Edmundson Memorial Hospital to act on their behalf for the rezoning of the properties.

The following attachments have been included in this report:

Attachment A- Case Map

Attachment B- CASE #SAV-17-007 Site Photos

Attachment C- CASE #SAV-17-008 Site Photos

Case #ZC-17-007:

The proposed rezoning is comprised of 17 separate parcels of land, most of which are owned by the applicant, the Jennie Edmundson Memorial Hospital. The applicant wishes to rezone these parcels of land to provide the entirety of the Jennie Edmundson Memorial Hospital campus with a consistent zoning, while also allowing for a future medical office building.

The subject properties and the proposed rezoning are as follows:

- From C-3/Commercial District to A-P/Administrative Professional: Lots 1-5, Block 4, Hagg's 1st Addition; Lots 1-4, Block 4, Huber and Walter's Terrace; Lots 4-6, Block 5, Hagg's Extension; Lots 13-14, Block 6, Hagg's Extension; Lots 5-7, Block 6, Hagg's Extension; Vacated Alley between Lots 5-7 and Lots 8-10, Block 6, Hagg's Extension; Vacated Alley between Lot 8, Bock's Subdivision and Lot 7, Block 6, Hagg's Extension; and the vacated Thomas Street Right of Way between Lot 4, Block 5, Hagg's Extension and Lot 14, Block 6, Hagg's Extension.
- From R-3/Low Density Multifamily Residential to A-P/Administrative Professional: Lots 6-10, Block 4, Hagg's 1st Addition; Lots 5-8, Block 5, Huber and Walter's Terrace; Lots 1-3, Block 5, Hagg's Extension; Lot 1, Block 6, Hagg's Extension; Lots 1-9, Block 3, Hagg's 1st Addition; Lots 1-2, Block 3, Emmerson Terrace; Lots 14-15, Belden's Subdivision; Part of Auditor's Plat lots 7 and 8; Auditor's Plat Lot 6; Lot 6, Block 4, Hagg's Extension; A part of Lots 4-8, Bock's Subdivision; Vacated Alley between Lots 4 and 11, Block 6, Hagg's Extension; Vacated Thomas Street Right of Way between Lot 3, Block 5, Hagg's Extension and Lot 1, Block 6, Hagg's Extension; and the Vacated Alley Right of Way between lots 1-4 and 5-8, Block 5, Hagg's Extension.

Surrounding land uses to the proposal vary from residential structures, to commercial buildings, hospitals, and schools. Surrounding zoning districts include R-1/Single Family Residential to the East/Southeast, R-3/Low Density Multifamily Residential to the Southwest, A-P/Administrative Professional to the Northwest, and C-3/Commercial District to the North and Southwest.

The Bluffs Tomorrow: 2030 Plan (comprehensive plan) designates the subject properties as "Public/Semi-public" while also being located in the Loess Hills Preservation Area. "Public/Semi-public" areas are designated to support activities that benefit the general public, and would include hospitals as a social service provider. The Loess Hills Preservation Area states that development in the area should be designed to minimize environmental impacts through cluster development, erosion control, the preservation of viewsheds, and the creation of green corridors that foster water management and the migration of local wildlife. While building plans have not been submitted at the time of this report, the intent of this rezoning appears to allow for new development to take place on site that have previously been developed, meaning there would be minimal further impact on natural areas.

Public notices were mailed to property owners within 200 feet of this request. No comments of opposition were received.

All City departments and local utilities were notified of the proposed rezoning. No comments of opposition were received.

CASE #SAV-17-007

The Community Development Department has received a request to vacate and dispose of a 12-foot by 249-foot alleyway located between Nicholas Street and Kimball Avenue. There are currently ten parcels that abut the alleyway, however, all of the structures on these lots have been demolished. The applicant wishes to acquire this right-of-way to allow for the future construction of a medical office building.

Aerial photos and ground-level photographs can be seen on Attachment B.

On August 25, 2003 the City Council amended the adopted *Policy and Procedures for Alley, Street and Right-of-way Vacations*. The objectives of the amended Policy are as follows:

1. *To provide due process and citizen participation in the application and review process for vacations.*
The ten parcels that abut the alley are owned by the applicant, or have designated the applicant as a representative of their interests, therefore, all adjacent property owners have been the opportunity to review this proposed vacation. Adjacent property owners would acquire the portion of alleyway that abuts their parcel at no fee.
2. *To ensure that no property owner is deprived of required and reasonable access.*
All buildings on the adjacent properties have been demolished, and all adjacent properties otherwise have frontage to publically dedicated roads.
3. *To discourage the creation and eliminate or reduce existing dead-end alleys, streets or other rights-of-way.*
There will be no dead-end sections of this alley, as the application proposes to vacate the entirety of the alley.
4. *To reduce or eliminate hazardous and dangerous traffic conditions.*
The vacation of the alley will be a benefit to traffic conditions, as it will eliminate a mid-block intersection.
5. *To protect all existing and proposed public utilities located in the right-of-way and to maintain necessary utility easements.*
All City Departments and utilities were notified of the request. The following responses were received:
 - Council Bluffs Fire Department stated they have no comments for the vacation.
 - Public Works Departments stated they have no infrastructure within the alley right-of-way, and therefore no objections to the vacation.
 - MidAmerican Energy stated they have electrical facilities within the subject right-of-way, and stated these facilities will need to remain to serve existing meters, and any charges associated with relocating these facilities will be paid for by the developer.
 - Cox Communication stated they have telecommunication facilities within the subject right-of-way, and would request that 25 feet of the current right-of-way remain as an easement to allow them to install infrastructure.
 - Council Bluffs Water Works stated they have no facilities in the proposed vacations.

6. *To maintain appropriate right-of-way width to ensure that an adequate pedestrian and vehicular circulation system is retained.* Not applicable.
7. *To discourage the vacation of a portion of an existing alley, street or other right-of-way.* Not applicable.
8. *To assist in the implementation of the goals and objectives of the Comprehensive Plan.* Not applicable.
9. *To reduce the City's maintenance liability on previously vacated right-of-way parcels from public improvement projects and various lots acquired through delinquent taxes or assessments.* Not applicable.
10. *To establish an equitable price for surplus public property consistent with the adopted policy.*
Abutting property owners can acquire their portion of alley for no fee.

CASE #SAV-17-008

The Community Development Department has received a request to vacate and dispose of an approximately 40-foot by 222-foot section of Kimball Avenue right-of-way, located between East Broadway Road and East Pierce Street. There are five parcels that abut the existing roadway, all of which are owned by the applicant, or have designated the applicant as a representative of their interests. The adjacent parcel to the north is used as a parking lot for the Jennie Edmundson Memorial Hospital. The adjacent parcels to the south previously held either single family dwellings or commercial structures, all of which have been demolished. Two of the adjacent parcels use Kimball Avenue as their only frontage to a publically dedicated road, however both parcels are substandard in size, are currently vacant, and would be adjacent to a parcel with the same owner if the vacation and disposal of Kimball Avenue is approved. The applicant wishes to dispose of this right-of-way to allow for the future construction of a medical office building.

Aerial photos and ground-level photographs can be seen on Attachment C.

On August 25, 2003 the City Council amended the adopted *Policy and Procedures for Alley, Street and Right-of-way Vacations*. The objectives of the amended Policy are as follows:

1. *To provide due process and citizen participation in the application and review process for vacations.*
The five parcels that abut the right-of-way of this section of Kimball Avenue are owned by the applicant, or are owned by a party that has designated the applicant as a representative of their interests, therefore, all adjacent property owners have been the opportunity to review this proposed vacation. Adjacent property owners could acquire their portion of the vacated right-of-way for the amount specified in Comment #10.
2. *To ensure that no property owner is deprived of required and reasonable access.*
All buildings on the adjacent properties have been demolished. Two of the adjacent properties would lose their access to a publically dedicated roadway, and therefore their ability to be developed, but would otherwise feature challenges to develop on their own due to be substandard in size.
3. *To discourage the creation and eliminate or reduce existing dead-end alleys, streets or other rights-of-way.*
There will be no dead-end sections of this roadway created, as the application proposes to vacate the entirety of Kimball Avenue between East Broadway Street and East Pierce Street.
4. *To reduce or eliminate hazardous and dangerous traffic conditions.*
The vacation of the roadway will eliminate a public intersection on to East Broadway Street, as well as a public intersection on to East Pierce Street. Traffic would be routed to existing intersections located

approximately 500 feet north of the existing Kimball Avenue, and 250 feet south of the existing Kimball Avenue.

5. *To protect all existing and proposed public utilities located in the right-of-way and to maintain necessary utility easements.*

All City Departments and utilities were notified of the request. The following responses were received:

- Council Bluffs Fire Department stated they have no comments for the vacation.
- Public Works Departments stated they have infrastructure within the right-of-way of Kimball Avenue, and easements shall be retained over the entire right-of-way width for maintenance and repair of existing infrastructure. The Public Works Department indicated there is the potential for infrastructure to be relocated or removed to accommodate the development of the future medical office building.
- MidAmerican Energy stated they have electrical facilities crossing the right-of-way of Kimball Avenue, and stated these facilities will need to remain to serve existing meters. Any charges associated with relocating these facilities will be paid for by the developer.
- Council Bluffs Water Works stated they have no facilities in the proposed vacations.

6. *To maintain appropriate right-of-way width to ensure that an adequate pedestrian and vehicular circulation system is retained.* Not applicable.

7. *To discourage the vacation of a portion of an existing alley, street or other right-of-way.* Not applicable.

8. *To assist in the implementation of the goals and objectives of the Comprehensive Plan.* Not applicable.

9. *To reduce the City's maintenance liability on previously vacated right-of-way parcels from public improvement projects and various lots acquired through delinquent taxes or assessments.* Not applicable.

10. *To establish an equitable price for surplus public property consistent with the adopted policy.*

Abutting property owners can acquire the following property for the following amounts:

- Jennie Edmundson Memorial Hospital can acquire the North Half of the vacated Kimball Avenue Right-Of-Way adjacent to Lots 4 and 5, Hagg's Extension and; the South Half of the vacated Kimball Avenue Right-Of-Way adjacent to the East 32 feet of Lot 5, Block 4, Hagg's First Addition, and the Western Half of the adjacent vacated alleyway. The purchase price will be \$768.00.
- Loess Hill Properties can acquire the South Half of the vacated Kimball Avenue Right-Of-Way adjacent to the Westerly 78 feet of Lot 5, Block 4, Hagg's 1st Addition; the South Half of the vacated Kimball Avenue Right-Of-Way adjacent to Lot 6, Block 4, Hagg's 1st Addition and the Eastern Half of the adjacent vacated alleyway. The purchase price will be \$571.00.

Recommendation

The Community Development Department recommends approval of the following requests:

1) To rezone the following properties:

1. From C-3/Commercial District to A-P/Administrative Professional: Lots 1-5, Block 4, Hagg's 1st Addition; Lots 1-4, Block 4, Huber and Walters Terrace; Lots 4-6, Block 5, Hagg's Extension; Lots 13-14, Block 6, Hagg's Extension; Lots 5-7, Block 6, Hagg's Extension; Vacated Alley between Lots 5-7 and Lots 8-10, Block 6, Hagg's Extension; Vacated Alley between Lot 8, Bocks Subdivision and Lot 7, Block 6, Hagg's Extension; and the vacated Thomas Street Right of Way between Lot 4, Block 5, Hagg's Extension and Lot 14, Block 6, Hagg's Extension.

2. From R-3/Low Density Multifamily Residential to A-P/Administrative Professional: Lots 6-10, Block 4, Hags 1st Addition; Lots 5-8, Block 5, Huber and Walters Terrace; Lots 1-3, Block 5, Hags Extension; Lot 1, Block 6, Hags Extension; Lots 1-9, Block 3, Hags 1st Addition; Lots 1-2, Block 3, Emmerson Terrace; Lots 14-15, Beldens Subdivision; Part of Auditors Plat lots 7 and 8; Auditors Plat Lot 6; Lot 6, Block 4, Hags Extension; A part of Lots 4-8, Bocks Subdivision; Vacated Alley between Lots 4 and 11, Block 6, Hags Extension; Vacated Thomas Street Right of Way between Lot 3, Block 5, Hags Extension and Lot 1, Block 6, Hags Extension; and the Vacated Alley Right of Way between lots 1-4 and 5-8, Block 5, Hags Extension.

- 2) To vacate and dispose of a 12-foot by 249-foot alleyway located between Nicholas Street and Kimball Avenue subject to the following condition:
 1. A utility easement will be retained over the entire alley.

- 3) To vacate and dispose of an approximately 40-foot by 222-foot section of Kimball Avenue right-of-way, located between East Broadway Street and East Pierce Street, subject to the following condition:
 1. That a utility easement be retained over the entire right-of-way of what is currently Kimball Avenue, or all utilities be relocated at the expense of the developer.






Attachments

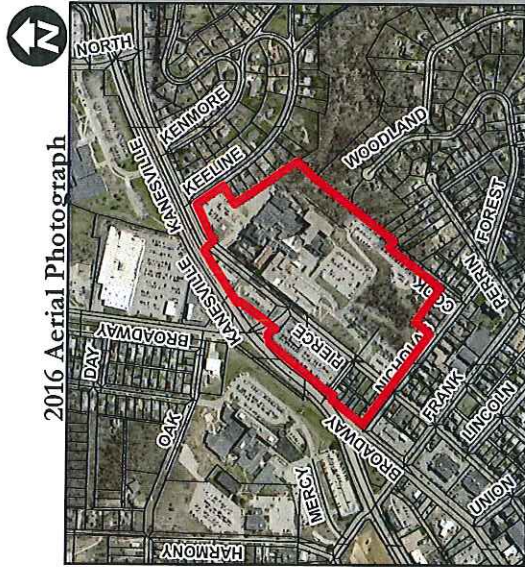
- Attachment A- Case Map
- Attachment B- CASE #SAV-17-007 Site Photos
- Attachment C- CASE #SAV-17-008 Site Photos

Prepared by: Chris Meeks, Planner

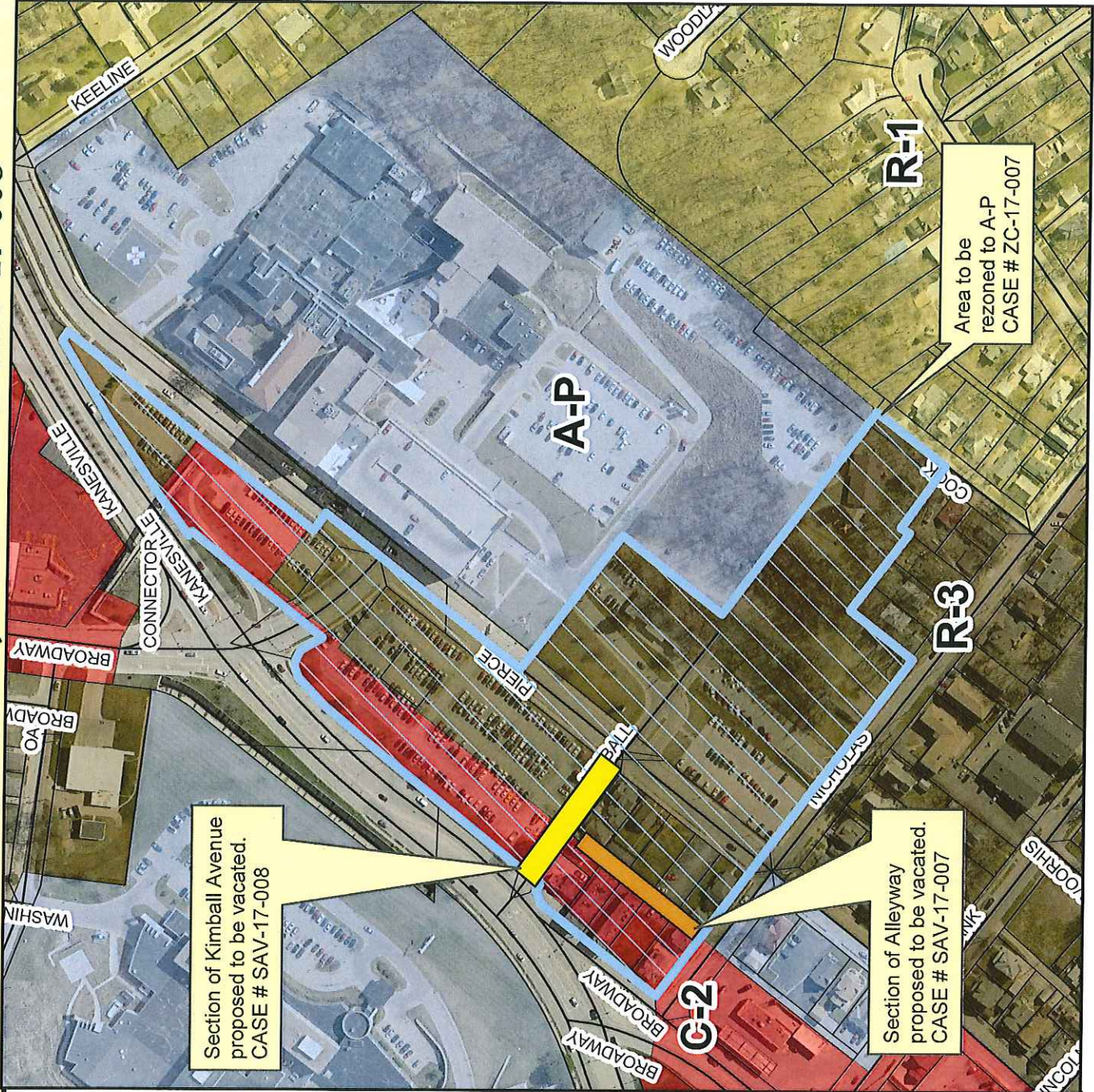
CITY OF COUNCIL BLUFFS- LOCATION AND ZONING MAP CITY PLANNING COMMISSION

CASE # ZC-17-007, CASE # SAV-17-007, and CASE # SAV-17-008

Map Legend	
	Case # SAV-17-007
	Case # SAV-17-008
	Case # ZC-17-007
	Street/Centerlines
	Parcels



Note: Subject properties are highlighted in red.



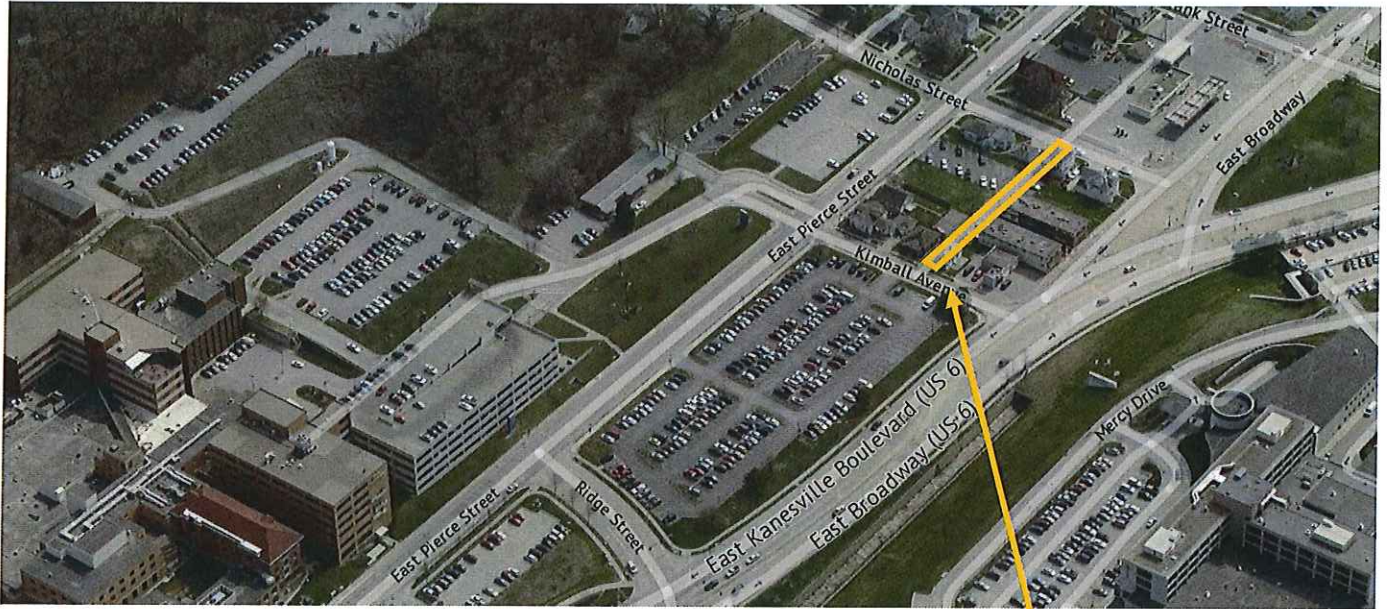
Last Amended: 11/17/17

DISCLAIMER
This map is prepared and compiled from public records and is for informational purposes only. It is not intended to be used as a legal document. The City is not responsible for any errors or omissions. The information contained on this map is subject to change without notice. The accuracy of information shown is not guaranteed. The City is not responsible for any errors or omissions on this map.

CITY OF COUNCIL BLUFFS - IOWA
Council Bluffs Community Development Department
209 Pearl Street
Council Bluffs, IA 51503
Telephone: (712) 328-4629

Attachment B

CASE #SAV-17-007 Site Photos



Location of subject alley vacation



Photograph of the subject alley.



The area surrounding the subject alley in its current state.

Attachment C

CASE #SAV-17-008 Site Photos



A view of the subject section of Kimball Avenue, facing west./northwest.



A view of Kimball Avenue, facing east.

**CITY PLANNING COMMISSION
MINUTES
DECEMBER 12, 2017**

1. CALL TO ORDER – Blackman called the meeting to order at 6:00 P.M.

2. ROLL CALL

Members Present: Blackman, Crawford, DeMasi, Holm, Holtz, Nelson, Rew, VanHouten and Wolf
Absent: Danielsen and Milford
Vacancy: None
Staff: Brown, Gibbons and Wade

3. ADOPTION OF AGENDA

Motion by VanHouten, second by DeMasi to adopt the agenda as presented. Motion carried by unanimous voice vote.

4. APPROVAL – MINUTES OF NOVEMBER 14, 2017 MEETING

Motion by Holm, second by Rew to adopt the agenda as presented. Motion carried by unanimous voice vote.

5. PROOF OF PUBLICATION – Brown

6. REVIEW OF MEETING PROCEDURES – Blackman

7. PUBLIC HEARINGS - (*Refer to the taped recording of these proceedings for official verbatim minutes*)

A. CASE #PC-17-002: Public hearing on the request BDP Council Bluffs RE, LLC represented by Christopher R. Pose to amend the adopted planned commercial development plan for Mall of the Bluffs relative to the Planet Fitness space. Location: 1751 Madison Avenue.

The following member of the public spoke in favor of the request:

Chris Pose, 317 6th Avenue, Suite 300, Des Moines, IA 50309 spoke on behalf of the request. Pose stated the applicant operates Planet Fitness at the Mall of the Bluffs and that they would like to purchase the property where their building is located versus leasing the space. Pose then stated applicant's purchase agreement with the Mall of Bluffs includes access and utilities easements for the Planet Fitness facility. Pose further stated that the applicant agrees with all of the comments in the case staff report. Pose then responded to questions from the Commission regarding utility locations, horizontal regimes (condominiums) and future development plans for Planet Fitness.

No one spoke in opposition of the request.

Rose Brown, Planning Coordinator, Council Bluffs Community Development Department stated the applicant has submitted a final plat to create a parcel of land where the Planet Fitness building is located to purchase. Brown then explained the proposed development plan establishes design standards (e.g. signage) for the Planet Fitness parcel and then clarified that the development plan becomes invalid if the final plat is denied approval by City Council. Brown also confirmed that the applicant submitted an analysis of existing utility information to the City for review. Brown then responded to questions from the Commission regarding future development plans for Mall of the Bluffs.

Rew expressed concern that the proposed development plan and final plat for Planet Fitness will create a future hardship for redeveloping the Mall of the Bluffs.

Motion by Crawford, second by DeMasi to recommend approval of the requested amendment, subject to approval of a final plat.

VOTE: AYE – Blackman, Crawford, DeMasi, Holm, Holtz, Nelson, VanHouten and Wolf.
NAY – Rew. ABSTAIN – None. ABSENT – Danielsen and Milford. Motion carried.

- B. CASE #ZC-17-007 and CASE #SAV-17-007 and CASE #SAV-17-008: Combined public hearing on the request of Jennie Edmundson Memorial Hospital to rezone: 1) Lots 1-5, Block 4, Hagg's 1st Addition; Lots 1-4, Block 4, Huber and Walters Terrace; Lots 4-6, Block 5, Hagg's Extension; Lots 13-14, Block 6, Hagg's Extension; Lots 5-7, Block 6, Hagg's Extension; Vacated Alley between Lots 5-7 and Lots 8-10, Block 6, Hagg's Extension; Vacated Alley between Lot 8, Bocks Subdivision and Lot 7, Block 6, Hagg's Extension; and the vacated Thomas Street Right of Way between Lot 4, Block 5, Hagg's Extension and Lot 14, Block 6, Hagg's Extension from C-3/Commercial District to A-P/Administrative Professional and 2) to rezone Lots 6-10, Block 4, Hagg's 1st Addition; Lots 5-8, Block 5, Huber and Walters Terrace; Lots 1-3, Block 5, Hagg's Extension; Lot 1, Block 6, Hagg's Extension; Lots 1-9, Block 3, Hagg's 1st Addition; Lots 1-2, Block 3, Emmerson Terrace; Lots 14-15, Beldens Subdivision; Part of Auditors Plat lots 7 and 8; Auditors Plat Lot 6; Lot 6, Block 4, Hagg's Extension; A part of Lots 4-8, Bocks Subdivision; vacated Alley between Lots 4 and 11, Block 6, Hagg's Extension; Vacated Thomas Street Right of Way between Lot 3, Block 5, Hagg's Extension and Lot 1, Block 6, Hagg's Extension; and the vacated Alley Right of Way between lots 1-4 and 5-8, Block 5, Hagg's Extension from R-3/Low Density Multifamily Residential to A-P/Administrative Professional; and 3) to vacate the east/west alley located in Block 4, Hagg's 1st Addition and 4) to vacate that part of Kimball Avenue between East Broadway Street and East Pierce Street, abutting Lots 5 and 6, Hagg's 1st Addition. Location: Part of, or abutting the Jennie Edmundson Memorial Hospital campus; North of Nicholas Street, East of East Kanesville Boulevard.

Holtz and Rew abstained from the case request.

The following member of the public spoke in favor of the request:

Thomas Berry, 119 South 49th Street, Omaha, NE 68132-3501 spoke on behalf of the request. Berry stated the proposed rezoning is to apply one consistent zoning designation to all properties on the Jennie Edmundson Memorial Hospital campus. Berry then explained the proposed alley and street right-of-way vacations to allow the construction of a new medial office on the Jennie Edmundson Memorial Hospital campus.

No one spoke in opposition of the request.

Motion by VanHouten, second by DeMasi to recommend approval of the following requests:

- 1) To rezone the following properties:
 - a. From C-3/Commercial District to A-P/Administrative Professional: Lots 1-5, Block 4, Hagg's 1st Addition; Lots 1-4, Block 4, Huber and Walters Terrace; Lots 4-6, Block 5, Hagg's Extension; Lots 13-14, Block 6, Hagg's Extension; Lots 5-7, Block 6, Hagg's Extension; Vacated Alley between Lots 5-7 and Lots 8-10, Block 6, Hagg's Extension; Vacated Alley between Lot 8, Bocks

Subdivision and Lot 7, Block 6, Hags Extension; and the vacated Thomas Street Right of Way between Lot 4, Block 5, Hags Extension and Lot 14, Block 6, Hags Extension.

- b. From R-3/Low Density Multifamily Residential to A-P/Administrative Professional: Lots 6-10, Block 4, Hags 1st Addition; Lots 5-8, Block 5, Huber and Walters Terrace; Lots 1-3, Block 5, Hags Extension; Lot 1, Block 6, Hags Extension; Lots 1-9, Block 3, Hags 1st Addition; Lots 1-2, Block 3, Emmerson Terrace; Lots 14-15, Beldens Subdivision; Part of Auditors Plat lots 7 and 8; Auditors Plat Lot 6; Lot 6, Block 4, Hags Extension; A part of Lots 4-8, Bocks Subdivision; Vacated Alley between Lots 4 and 11, Block 6, Hags Extension; Vacated Thomas Street Right of Way between Lot 3, Block 5, Hags Extension and Lot 1, Block 6, Hags Extension; and the Vacated Alley Right of Way between lots 1-4 and 5-8, Block 5, Hags Extension.
- 2) To vacate and dispose of a 12-foot by 249-foot alleyway located between Nicholas Street and Kimball Avenue subject to the following condition:
 1. A utility easement will be retained over the entire alley.
 - 3) To vacate and dispose of an approximately 40-foot by 222-foot section of Kimball Avenue right-of-way, located between East Broadway Street and East Pierce Street, subject to the following condition:

VOTE: AYE – Blackman, Crawford, DeMasi, Holm, Nelson, VanHouten and Wolf. NAY – None. ABSTAIN – Holtz and Rew. ABSENT – Danielsens and Milford. Motion carried.

8. **OTHER BUSINESS** (*Refer to the taped recording of these proceedings for the official verbatim minutes*)
 - A. City Council update – Wade provided an update of City Council actions relative to recent planning cases.
 - B. Other items of interest – Brown congratulated Wolf for being elected to the Council Bluffs City Council and then thanked him for his service on the Commission. Brown further stated that the Mayor's office has appointed a new member to fill the vacancy on the Commission.
9. **ADJOURNMENT** – Blackman adjourned the meeting at 6:22 P.M.

The recording of this proceeding, though not transcribed, is part of the record of each respective action of the City Planning Commission. The recording of this proceeding is incorporated into these official minutes of this Commission meeting as if they were transcribed herein.