



**Study Session Agenda  
City of Council Bluffs, Iowa  
October 9, 2017, 3:45 PM  
Council Chambers, 2nd Floor, City Hall  
209 Pearl Street**

**STUDY SESSION AGENDA**

- A. Tim Carmody - Public Safety Software Project
- B. Review Agenda



**Council Agenda, City of Council Bluffs, Iowa  
Regular Meeting October 9, 2017, 7:00 PM  
Council Chambers, 2nd Floor, City Hall  
209 Pearl Street**

**AGENDA**

**1. PLEDGE OF ALLEGIANCE**

**2. CALL TO ORDER**

**3. CONSENT AGENDA**

- A. Approval of Agenda & tape recordings of these proceedings to be incorporated into the official minutes.
- B. Reading, correction and approval of the September 25, 2017 City Council Meeting Minutes.
- C. Resolution 17-215  
Resolution setting a public hearing for 7:00 p.m. on October 23, 2017 on the Plans, Specifications, Form of Contract, and Cost Estimate for the Council Bluffs Fire Station #6 Renovation Project.
- D. Resolution 17-216  
Resolution setting a public hearing for 7:00 p.m. on October 23, 2017 for the Levee Certification Project, Drainage MR\_2. Project # PW17-06B.

**4. MAYORS PROCLAMATIONS**

- A. Extra Mile Day

**5. PUBLIC HEARINGS**

- A. Ordinance 6305  
An Ordinance to amend the Zoning Map as adopted by reference in Section 15.02.070, by rezoning the NW1/4 SW1/4 of Section 17-74-43, except State right-of-way along with part of the SW1/4 SW1/4 of Section 17-74-43, except State right-of-way and Railroad lying north of the Railroad right-of-way from A-2/Parks, Estates and Agricultural District to I-2/General Industrial District as defined in Chapter 15.21.

B. Ordinance 6308

An ordinance to amend the Zoning Map by reference in Section 15.02.070 by rezoning Lots 1 through 4, New Horizon Subdivision, Replat 2 from R-1/Single-Family Residential District to R-3/Low Density Multifamily Residential District and to rezone proposed Lots 5 through 36 and Outlots A through C from R-1 District to R-2/Two-Family Residential District as defined in Chapter 15.09

C. Resolution 17-217

Resolution approving the Plans, Specifications and Form of Contract for the Fire Station #5 Storage Building Project. FD-18-02

D. Resolution 17-218

Resolution approving the Plans, Specifications, Form of Contract, and Cost Estimate for the Bass Pro Shop Roof Top Unit Replacement Project.

E. Resolution 17-219

Resolution granting Final Plat approval of a 123-Lot Residential Subdivision to be known as Whispering Oaks.

**6. ORDINANCES ON 1ST READING**

A. Ordinance 6309

An Ordinance to amend Chapter 1.70 "Board of Library Trustees" by amended Section 1.70.110 "Annual Report"

**7. ORDINANCES ON 2ND READING**

A. Ordinance 6306

An Ordinance to amend Chapter 15.15 "C-2/Commercial District" by amending Section 15.15.030 "Conditional Uses" to include "Warehousing and Distribution (Limited)"

B. Ordinance 6307

An Ordinance to amend Section 3.44 Pawnbrokers.

**8. RESOLUTIONS**

A. Resolution 17-220

Resolution officially designating the City Council meeting dates for the City of Council Bluffs during the 2018 calendar year.

B. Resolution 17-221

Resolution authorizing the Mayor to execute Iowa Department of Transportation Agreement No. 2017-TJ-003 in connection with the I-29 Interstate Improvements.

C. Resolution 17-222

Resolution rejecting the bid for the Bass Pro Shop Parking Lot Repair Project.

D. Resolution 17-223

Resolution of intent to dispose of certain property interest located on parts of Lots 1 and 4, Hotel Plaza at the M.A.C., Replat One and also part of Outlot A (Arena Way), Hotel Plaza at the M.A.C., Replat One, by granting an easement for the benefit of the board of water works trustees of the City of Council Bluffs. Location: Near Iowa West Fieldhouse.

E. Resolution 17-224

Resolution authorizing the Mayor to enter into cooperative agreement, with IDOT for Phase II-Realignment of Dodge Riverside Golf Club as required to accommodate IDOT Project (2018-16-108)

**9. APPLICATIONS FOR PERMITS AND CANCELLATIONS**

A. Cigarette Permits

B. Liquor Licenses

- 1) 3rd Base Bar & Grill, Special Event for Grand Opening of River's Edge Pavilion
- 2) Aldi, 3135 Manawa Centre Drive
- 3) Casey's General Store \$3050, 510 23rd Avenue
- 4) Goldmine Bar & Grill, 1601 Harry Langdon Blvd.
- 5) Hard Luck Saloon, 626 16th Avenue
- 6) Texas Roadhouse, 3231 South 24th Street
- 7) White Oak Station #53, 2024 5th Avenue (New Application)
- 8) White Oak Station #52, 154 Bennett Avenue (New Application)

**10. CITIZENS REQUEST TO BE HEARD**

**11. OTHER BUSINESS**

**12. ADJOURNMENT**

DISCLAIMER:

*If you plan on attending this meeting and require assistance please notify the City Clerk's office at (712) 328-4616, by 5:00 p.m., three days prior to the meeting.*



## **City Council Meeting Minutes September 25, 2017**

### **CALL TO ORDER**

A Regular Meeting was called to order by Mayor, Matthew J. Walsh on Monday September 11, 2017 at 7:00 p.m.  
Council Members Present: Melissa Head, Al Ringgenberg, Roger Sandau, Nate Watson and Sharon White.  
Staff Present: Jodi Quakenbush and Richard Wade.

### **CONSENT AGENDA**

Approval of Agenda & tape recordings of these proceedings to be incorporated into the official minutes.

Reading, correction and approval of the September 11, 2017 City Council Meeting Minutes.

Resolution 17-203

Resolution setting a public hearing for 7:00 p.m. on October 9, 2017 on the plans, specifications, and form of contract for the Council Bluffs Fire Station #5 Storage Building Project..

Resolution 17-204

Resolution setting a public hearing for 7:00 p.m. on October 9, 2017 on the plans, specifications, form of contract, and cost estimate for the Bass Pro Shop Roof Top Unit Replacement Project.

Al Ringgenberg and Sharon White moved and seconded approval of Consent Agenda. Unanimous, 5-0 vote.

### **PUBLIC HEARINGS**

Resolution 17-214

Resolution to continue the public hearing on the disposal of the property legally described as Lot 1, Franklin Heights Subdivision to Michael Rensch, DDS PLLC until October 9, 2017 at 7:00 p.m..

No motion and no other action taken. Resolution fails.

## **ORDINANCES ON 1ST READING**

### **Ordinance 6305**

An Ordinance to amend the Zoning Map as adopted by reference in Section 15.02.070, by rezoning the NW1/4 SW1/4 of Section 17-74-43, except State right-of-way along with part of the SW1/4 SW1/4 of Section 17-74-43, except State right-of-way and Railroad lying north of the Railroad right-of-way from A-2/Parks, Estates and Agricultural District to I-2/General Industrial District as defined in Chapter 15.21.

Al Ringgenberg and Nate Watson moved and seconded approval of First consideration of Ordinance 6305. Second Consideration October 23, 2017 at 7:00 p.m.. Unanimous, 5-0 vote.

### **Ordinance 6306**

An Ordinance to amend Chapter 15.15 "C-2/Commercial District" by amending Section 15.15.030 "Conditional Uses" to include "Warehousing and Distribution (Limited)"

Sharon White and Al Ringgenberg moved and seconded approval of First consideration of Ordinance 6306. Second Consideration October 23, 2017 at 7:00 p.m.. Unanimous, 5-0 vote.

### **Ordinance 6307**

An Ordinance to amend Section 3.44 Pawnbrokers.

Heard from David Drake, 2909 6th Avenue, owner of Metro Pawn.  
Heard from Steve Burnsides, 2385 Avenue M Way, owner of Brown's Loans.

Nate Watson and Sharon White moved and seconded approval of First consideration of Ordinance 6307. Second Consideration October 23, 2017 at 7:00 p.m.. Unanimous, 5-0 vote.

### **Ordinance 6308**

An ordinance to amend the Zoning Map by reference in Section 15.02.070 by rezoning Lots 1 through 4, New Horizon Subdivision, Replat 2 from R-1/Single-Family Residential District to R-3/Low Density Multifamily Residential District and to rezone proposed Lots 5 through 36 and Outlots A through C from R-1 District to R-2/Two-Family Residential District as defined in Chapter 15.09

Nate Watson and Melissa Head moved and seconded approval of First consideration of Ordinance 6308. Second Consideration October 23, 2017 at 7:00 p.m.. Unanimous, 5-0 vote.

## **ORDINANCES ON 2ND READING**

### **Ordinance 6303**

Ordinance to amend Title 5 – Sewers, by amending Sections 5.05.010 - Definitions and 5.10.150 - Pretreatment.

Melissa Head and Nate Watson moved and seconded approval of Second consideration of Ordinance 6303. Unanimous, 5-0 vote.

Nate Watson and Melissa Head moved and seconded approval of Motion to waive 3rd reading. Unanimous, 5-0 vote.

Ordinance passes into law.

### **Ordinance 6304**

An Ordinance to Amend Title 4 "Health and Sanitation" of the 2015 Municipal Code, by amending "Chapter 4.20 - Animal Control".

Melissa Head and Roger Sandau moved and seconded approval of Second consideration of Ordinance 6304. Unanimous, 5-0 vote.

Nate Watson and Melissa Head moved and seconded approval of Motion to waive 3rd reading. Unanimous, 5-0 vote.

Ordinance passes into law.

## **ORDINANCES ON 3RD READING**

### **Ordinance 6302**

Ordinance to amend the zoning map by reference in Section 15.02.070 by rezoning the South 145 feet of the East 682.15 feet of the SW1/4 SW1/4 of Section 10-74-44, from A-2/Parks, Estates and Agricultural District to R-3/Low Density Multifamily Residential District as defined in Chapter 15.10

Al Ringgenberg and Nate Watson moved and seconded approval of Ordinance 6302. Voice Vote, 4-0 vote. (Abstain: White)

Ordinance passes into law.

## **RESOLUTIONS**

### **Resolution 17-205**

Resolution to approve and authorize the execution of an Amended Development Agreement originally authorized on or about July 11, 2016 by Resolution 16-173.

Heard from Jay Noddle, 2285 S 67th St #250, Omaha, NE 68106, explaining delay with project.

Heard from Deborah Peterson, 215 South Main Street, opposing project.

Heard from John Jerkovich, 503 W Broadway, supporting the project.

Sharon White and Nate Watson moved and seconded approval of Resolution 17-205. Unanimous, 5-0 vote.

Resolution 17-206

Resolution to assess weed abatement costs against property owners to the county treasurer.

Sharon White and Nate Watson moved and seconded approval of Resolution 17-206. Unanimous, 5-0 vote.

Resolution 17-207

Resolution assessing removal of solid waste nuisance from private property and public right-of-way or for removal deemed an emergency.

Melissa Head and Nate Watson moved and seconded approval of Resolution 17-207. Unanimous, 5-0 vote.

Resolution 17-208

Resolution authorizing the Mayor to execute Iowa Department of Transportation Agreement No. 2018-4-008 in connection with the I-29 Interstate Improvements.

Al Ringgenberg and Melissa Head moved and seconded approval of Resolution 17-208. Unanimous, 5-0 vote.

Resolution 17-209

Resolution granting preliminary plan approval for a 19-Lot Residential Subdivision to be known as Whispering Oaks Subdivision, Phase 2, legally described as being part of the SE1/4 NE1/4 of Section 5-74-43.

Melissa Head and Roger Sandau moved and seconded approval of Resolution 17-209. Unanimous, 5-0 vote.

Resolution 17-210

Resolution authorizing the Mayor and City Clerk to execute an agreement with HGM Associates Inc. for engineering services in connection with CBIS Segment 4 Sewer Relocations. Project # PW17-15.

Melissa Head and Nate Watson moved and seconded approval of Resolution 17-210. Unanimous, 5-0 vote.

Resolution 17-211

Resolution authorizing the Mayor and City Clerk to execute an agreement with Black & Veatch Corporation for engineering services in connection with SCADA Upgrade, Phase 1 (WPCP). Project # PW17-23.

Melissa Head and Roger Sandau moved and seconded approval of Resolution 17-211. Unanimous, 5-0 vote.

Resolution 17-212

Resolution granting preliminary plan approval for a 39-Lot Residential Subdivision to be known as New Horizon Subdivision, Replat 2, being a Replat of Lot 2, New Horizon Subdivision, Replat 1.

Sharon White and Melissa Head moved and seconded approval of Resolution 17-212. Unanimous, 5-0 vote.

Resolution 17-213

Resolution to append a PR/Planned Residential Overlay and adopt the associated Development Plan for the proposed New Horizon Subdivision, Replat 2

Nate Watson and Roger Sandau moved and seconded approval of Resolution 17-213. Unanimous, 5-0 vote.

**APPLICATIONS FOR PERMITS AND CANCELLATIONS**

Liquor Licenses

1. Brewski's Beverage, 725 Creek Top
2. CB Quick Stop, 3500 Avenue A
3. Dickey's BBQ, 3120 Manawa Center Drive (New Application)
4. Fareway Stores #073, 310 McKenzie Avenue
5. LPL's, 1707 Harry Langdon Blvd.
6. Mega Saver, 3540 W Broadway
7. Your Private Bartender, Special Event at Bayliss Park Hall
8. The Do Rock Inn, 1200 7th Avenue

Roger Sandau and Al Ringgenberg moved and seconded approval of Liquor Licenses 9A 1-8. Unanimous, 5-0 vote.

**CITIZENS REQUEST TO BE HEARD**

Heard from Bruce Kelly, 864 McKenzie Avenue, requesting a trail.

**OTHER BUSINESS**

White explained about a garbage company employee being injured on the job and encouraged everyone to leave get well cards on their trash cans for him.

**ADJOURNMENT**

Mayor Walsh adjourned the meeting at 8:34 pm.

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

Matthew J. Walsh, Mayor  
Attest: Jodi Quakenbush, City Clerk

## Council Communication

Department: City Clerk  
Case/Project No.: BM-17-02  
Submitted by: Justin James, Fire  
Chief

Resolution 17-215

Council Action: 10/9/2017

### Description

Resolution setting a public hearing for 7:00 p.m. on October 23, 2017 on the Plans, Specifications, Form of Contract, and Cost Estimate for the Council Bluffs Fire Station #6 Renovation Project.

### Background/Discussion

Council Bluffs Fire Department's Station #6 was opened in 1959 and currently houses Engine 61 and Medic 6. There are 5 personnel assigned to the station 365 days a year. Since 1959 there have been multiple small scale projects that have tried to keep the station serving the needs of both the department and the community. In recent years there has been consideration of abandoning the station and building a new station further to the east. After years of discussion it has been determined to continue with its' current location for the foreseeable future or until growth to the east creates a demand that a new station be relocated there. A new further east fire station in today's dollars would cost roughly 4-5 million to construct. Due to these large costs and the current forecast of growth it has been determined to be more fiscally sound to repair the current location.

Currently the station's rig floor and a major portion of the living quarters is in need of repair. The rig floor has deteriorated quickly in recent years and must be raised to ensure continued use. Currently the floor has multiple large cracks and the underground HVAC has completely deteriorated. Due to the complexity of the project it has been determined that it would be best to reconstruct the underground utilities while the floor is out. The relocation of much of the mechanical and electrical of the building will help bring the building up to today's codes. This project will also be done in conjunction with the separate project of replacing the current fire station alerting system which will be completed while the station is being remodeled. It is the intent of staff to bring the station into a condition in which it will last the citizens of Council Bluffs into the foreseeable future.

This project will resolve both the current ADA issues and will aid with the change in staffing demographics of the department.

The estimated cost of this project is \$ 690,000. Funding for this project will be paid for by General Obligation Bonds (2016A bond).

The project schedule is as follows: Set Public Hearing October 9, 2017  
Hold Public Hearing October 23, 2017  
Letting November 15, 2017  
Award November 16, 2017  
Construction End May 1, 2018

### Recommendation

I recommend that the City Council adopt the resolution setting the Public Hearing for the Council Bluffs Fire Station #6 Renovation Project for October 23, 2017, at 7:00 p.m.

**ATTACHMENTS:**

Description	Type	Upload Date
Resolution 17-215	Resolution	10/2/2017

RESOLUTION NO. 17-215

RESOLUTION DIRECTING THE CITY CLERK TO PUBLISH NOTICE  
AND SETTING A PUBLIC HEARING ON THE  
PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND COST ESTIMATE  
FOR THE COUNCIL BLUFFS FIRE STATION #6 RENOVATION PROJECT

WHEREAS, the City of Council Bluffs desires to renovate Council Bluffs Fire Station #6; and

WHEREAS, HGM Associates Inc. was hired to provide professional services; and

WHEREAS, funding for this project will be provided by General Obligation Bonds (2016A bond); and

WHEREAS, the plans, specifications, form of contract, and cost estimate as prepared by HGM Associates Inc. are on file in the office of the city clerk.

NOW, THEREFORE BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA

That the City Clerk is hereby directed to set a public hearing on the plans, specifications, form of contract, and cost estimate for the Council Bluffs Fire Station #6 Renovation Project on October 23, 2017 at 7:00 p.m.

ADOPTED  
AND  
APPROVED October 9, 2017

\_\_\_\_\_  
Matthew Walsh Mayor

Attest:

\_\_\_\_\_  
Jodi Quakenbush City Clerk

## Council Communication

Department: Public Works Admin  
Case/Project No.: PW17-06B  
Submitted by: Matthew Cox, City  
Engineer

Resolution 17-216

Council Action: 10/9/2017

### Description

Resolution setting a public hearing for 7:00 p.m. on October 23, 2017 for the Levee Certification Project, Drainage MR\_2. Project # PW17-06B.

### Background/Discussion

The City of Council Bluffs owns or sponsors multiple levee segments which encompass the City Federal Levee System, providing flood protection from the Missouri River, Mosquito Creek, and Indian Creek. These levee systems are currently shown on FEMA floodplain maps as being accredited and are identified as providing protection from the 100-year flood or 1% annual chance flood event.

In order to maintain the level of protection identified on the FEMA Flood Insurance Rate Map, it is necessary to provide documentation to FEMA that complies with the requirements of 44 CFR 65.10. If the levees are not certified, they will be de-accredited and FEMA will begin the process of updating maps. Areas previously protected by the levees will be identified as flood-prone.

In order to meet the criteria for levee certification, improvements to each of the levee systems will be necessary. This project also addresses deficiencies identified during past USACE inspections.

The purpose of the Drainage MR\_2 project is to replace deteriorated drainage structure pipes, rehabilitate the associated gate well structures, and remove unacceptable tree, utility and fence encroachments. This FY17 CIP included \$2,278,000 funded by the Iowa Flood Mitigation Program and \$2,722,000 in Sales Tax Funds programmed for levee improvements. The estimate for construction is \$853,161.

The project schedule is as follows:

Set Public Hearing	October 9, 2017
Hold Public Hearing	October 23, 2017
Letting	November 16, 2017
Award	November 27, 2017
Construction Start	December 2017

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description	Type	Upload Date
Notice of Public Hearing	Other	9/29/2017
Resolution 17-216	Resolution	10/2/2017

Notice of Public Hearing  
on the  
Plans, Specifications, Form of Contract and Cost Estimate  
for the  
Levee Certification Project, Drainage MR\_2  
Project # PW17-06B

A public hearing will be held on October 23, 2017, at 7:00 p.m. in the council chambers of City Hall, 209 Pearl Street, Council Bluffs, Iowa, on the proposed plans, specifications, form of contract and cost estimate for the Levee Certification Project, Drainage MR\_2. At said hearing, any interested person may appear and file objections to such plans and specifications.

By Order of the City Council  
of the  
City of Council Bluffs, Iowa  
Jodi Quakenbush, City Clerk

**RESOLUTION  
NO 17-216**

**RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE  
AND SETTING A PUBLIC HEARING ON THE  
PLANS, SPECIFICATIONS, FORM OF CONTRACT  
AND COST ESTIMATE FOR THE  
LEVEE CERTIFICATION PROJECT, DRAINAGE MR\_2  
PROJECT #PW17-06B**

WHEREAS, the City wishes to make improvements known as the Levee Certification Project, Drainage MR\_2 within the City, as therein described; and

WHEREAS, the plans, specifications, form of contract and cost estimate are on file in the office of the city clerk.

NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA

That the City Clerk is hereby ordered to set a public hearing on the plans, specifications, form of contract and cost estimate for the Levee Certification Project, Drainage MR\_2 setting October 23, 2017 at 7:00 p.m. as the date and time of said hearing.

AND BE IT FURTHER RESOLVED

That the aforementioned project is encompassed by the language of the 1989 Local Option Sales Tax Ballot and as such this is an appropriate expenditure of the Local Option Sales Tax Revenues.

ADOPTED  
AND  
APPROVED

October 9, 2017

\_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk

# City of Council Bluffs Journal

## Office of the Mayor Proclamation

*WHEREAS*, Council Bluffs, Iowa is a community which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively “go the extra mile” in personal effort, volunteerism, and service; and

*WHEREAS*, Council Bluffs, Iowa is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends, and community; and

*WHEREAS*, Council Bluffs, Iowa is a community which chooses to shine a light on and celebrate individuals and organizations within its community who “go the extra mile” in order to make a difference and lift up fellow members of their community; and

*WHEREAS*, Council Bluffs, Iowa acknowledges the mission of Extra Mile America to create 575 Extra Mile cities in America and is proud to support “Extra Mile Day” on November 1, 2017.

**NOW, THEREFORE, I,**

**Matthew J. Walsh, Mayor**

**of the**

**City of Council Bluffs, Iowa**  
**do hereby proclaim**

**November 1, 2017**

**As**

**“EXTRA MILE DAY”**

in the City of Council Bluffs, Iowa and urge each individual in the community to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Council Bluffs, Iowa to be affixed this 23rd day of October, in the year Two Thousand Seventeen.



A handwritten signature in black ink, appearing to read 'Matthew J. Walsh'.

Matthew J. Walsh, Mayor

## Council Communication

Department: City Clerk  
Case/Project No.: ZC-17-004  
Submitted by: Chris Meeks

Ordinance 6305

Council Action: 10/9/2017

### Description

An Ordinance to amend the Zoning Map as adopted by reference in Section 15.02.070, by rezoning the NW1/4 SW1/4 of Section 17-74-43, except State right-of-way along with part of the SW1/4 SW1/4 of Section 17-74-43, except State right-of-way and Railroad lying north of the Railroad right-of-way from A-2/Parks, Estates and Agricultural District to I-2/General Industrial District as defined in Chapter 15.21.

### Background/Discussion

The Community Development Department has received an application from Morris Excavating Company, Inc., represented by John Jerkovich of Heartland Properties, to rezone two parcels which combined total approximately 47.46 acres of land from A-2/Parks, Estates and Agricultural District to I-2/General Industrial District. The parcels are located between Interstate 29 and 192<sup>nd</sup> Street, and directly north of existing railroad tracks. The applicant wishes to rezone this property to construct a new contractor shop to house an office and store equipment for their existing business, and has plans to crush and recycle concrete, asphalt, and other landscaping materials at this location. The crushing of concrete is consistent with the definition of a “salvage operation”, which is a conditional use in the I-2/General Industrial District, meaning that if this property is rezoned, the applicant would be required to obtain a Conditional Use Permit prior to commencement of the salvaging operation.

The following attachments are included with the case staff report:

1. Attachment A: Location/Zoning Map of the Subject Properties
2. Attachment B: Land Survey and Proposed Plans
3. Attachment C: Applicant’s Statement of Intent
4. Attachment D: Shop Renderings
5. Attachment E: Site Photos

### **Rezoning (Case #ZC-17-004)**

The subject properties consist of 12.85 acres (south parcel) and 34.61 acres (north parcel), with the entirety being zoned A-2/Parks, Estates and Agricultural Land. The adjacent parcels within city limits are also zoned A-2/Parks, Estates and Agricultural Land. There are parcels located within city limits that are zoned in an industrial district located 900 feet to the northwest, and 1,300 feet to the north. The subject parcels currently do not contain any structures, and are used as agricultural land. The Bluffs Tomorrow 2030 (comprehensive Plan) classifies the future use of these parcels to be Rural Residential/Agricultural.

Public notices were mailed to all property owners within 200 feet of the request. No adverse comments were received for the request.

All City department and local utilities were notified of the proposed rezoning. No adverse comments were received for the request.

**Recommendation**

The Community Development Department recommends approval of the request to rezone the properties described in this staff report based on the following considerations:

1. There are Industrial zoned properties, and other industrial uses in general vicinity of this proposal, therefore any future industrial use will be consistent with the character of the area.
2. There is no residential development within the general vicinity of the proposal.
3. Future residential development would be limited by proximity to utilities, Interstate 29, and floodplain issues, which may challenge the feasibility and desirability of a residential subdivision at this location.

**Public Hearing**

Speakers in favor:

1. John Jerkovich, 535 West Broadway, Suite 1000, Council Bluffs, IA 51503
2. Andrew Morris. 10566 Woodland Trail, Council Bluffs, IA 51503

Speakers against: None.

**Planning Commission Recommendation**

The Planning Commission recommends approval of the request to rezone the properties described in this staff report based on the following considerations:

1. There are Industrial zoned properties, and other industrial uses in general vicinity of this proposal, therefore any future industrial use will be consistent with the character of the area.
2. There is no residential development within the general vicinity of the proposal.
3. Future residential development would be limited by proximity to utilities, Interstate 29, and floodplain issues, which may challenge the feasibility and desirability of a residential subdivision at this location.

VOTE: AYE 10 NAY 0 ABSTAIN 0 ABSENT 1 Motion: Carried

**ATTACHMENTS:**

Description	Type	Upload Date
ZC-17-004 Public Hearing Notice	Ordinance	9/15/2017
ZC-17-004 Attach A, B, C, D and E	Ordinance	9/15/2017
Ordinance 6305	Ordinance	9/19/2017

## NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a Public Hearing on an ordinance to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning the following:

Part of the NW1/4 SW1/4 of Section 17-74-43, except state right-of-way along with part of the SW1/4 SW1/4 of Section 17-74-43, except state right-of-way and railroad lying north of the railroad right-of-way; from A-2/Parks, Estates and Agricultural District to I-2/General Industrial District as defined in Chapter 15.21 of the Municipal Code.




You are further notified that the Public Hearings on said matters will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 9<sup>th</sup> day of October, 2017, in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

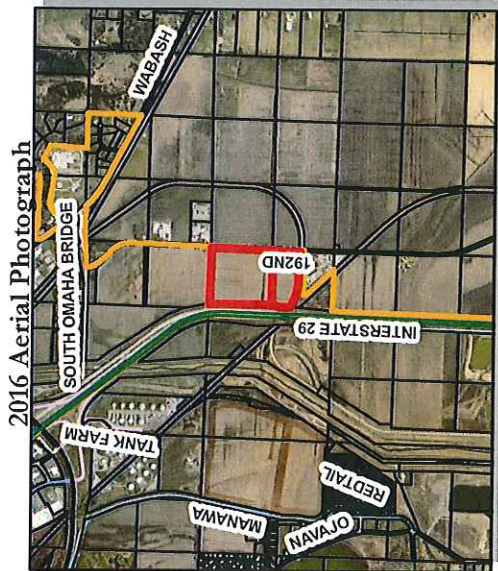
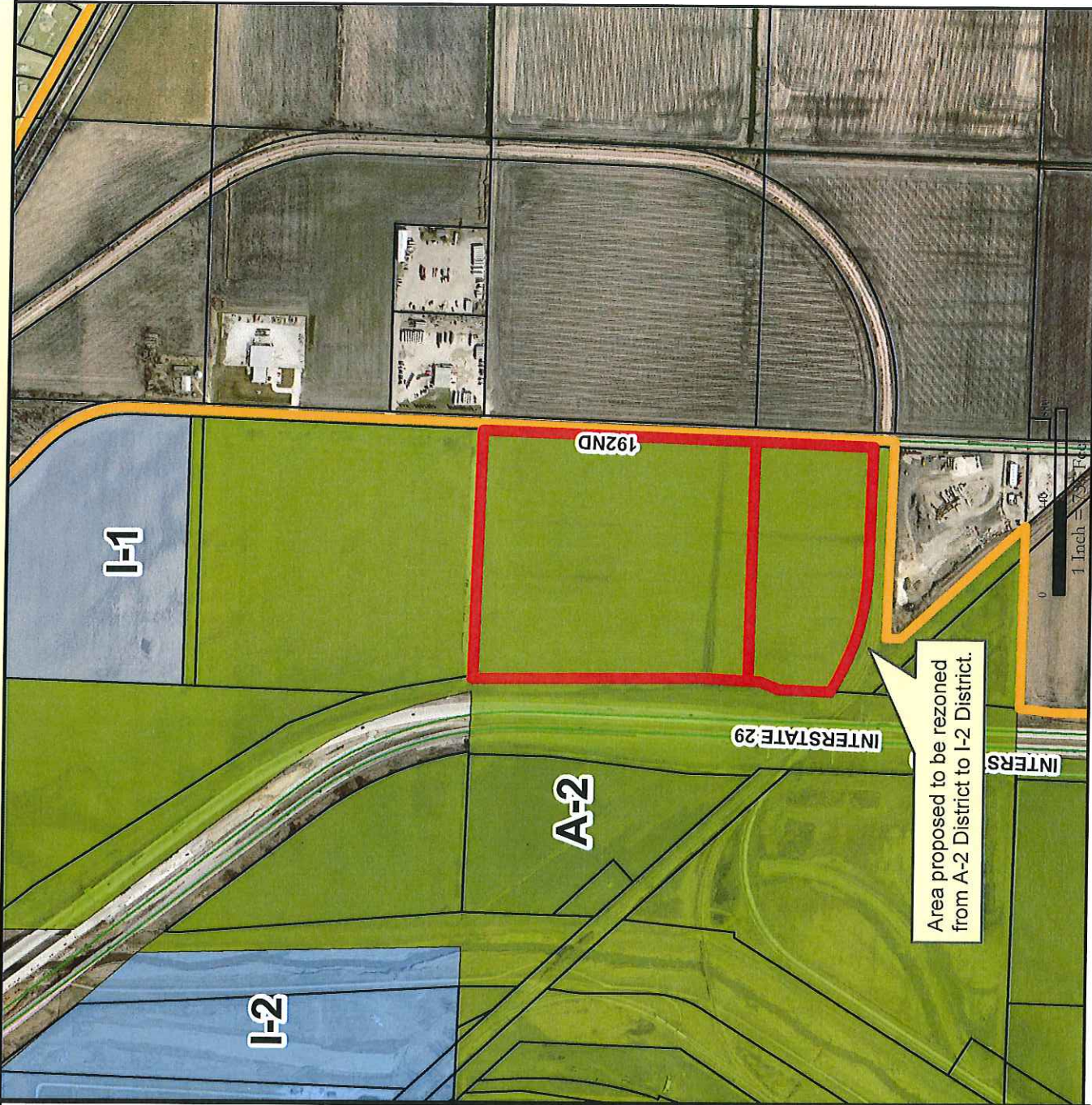
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Jodi Quakenbush, City Clerk

# CITY OF COUNCIL BLUFFS- LOCATION AND ZONING MAP CITY PLANNING COMMISSION and ZONING BOARD OF ADJUSTMENT CASE # ZC-17-004 and CASE # CU-17-003

**Map Legend**

-  Subject Properties
-  City Boundary
-  Parcels



Note: Subject properties are highlighted in red.



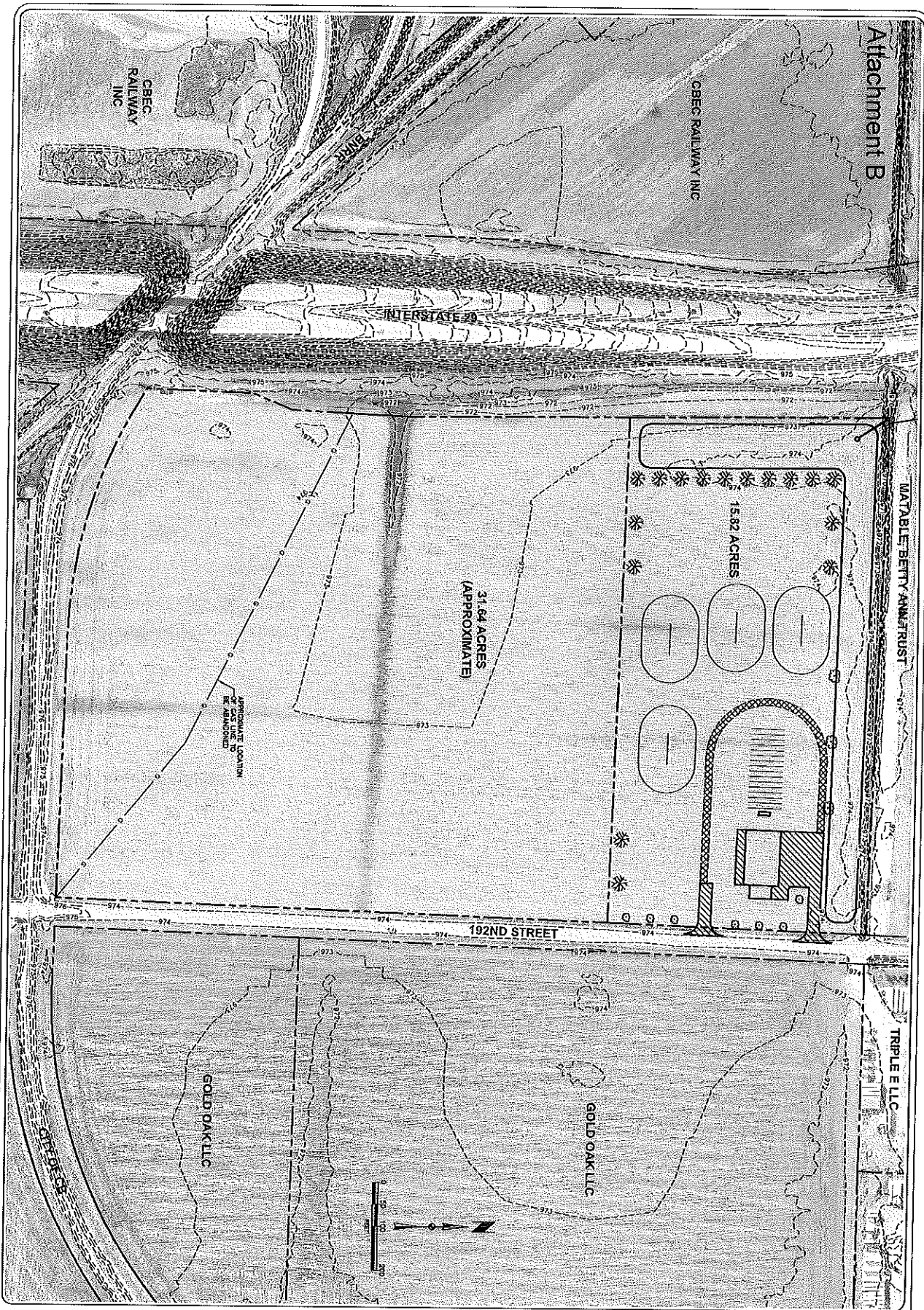
Last Amended: 8/17/17



**DISCLAIMER**  
This map is provided for informational purposes only. The City assumes no responsibility for errors, omissions, or for the use of the map. The map is not intended to be used for any purpose other than the one for which it was prepared. The City reserves the right to change the map at any time without notice.

**Council Bluffs Community Development Department**  
209 Pearl Street  
Council Bluffs, IA 51503  
Telephone: (712) 328-4629

Attachment B



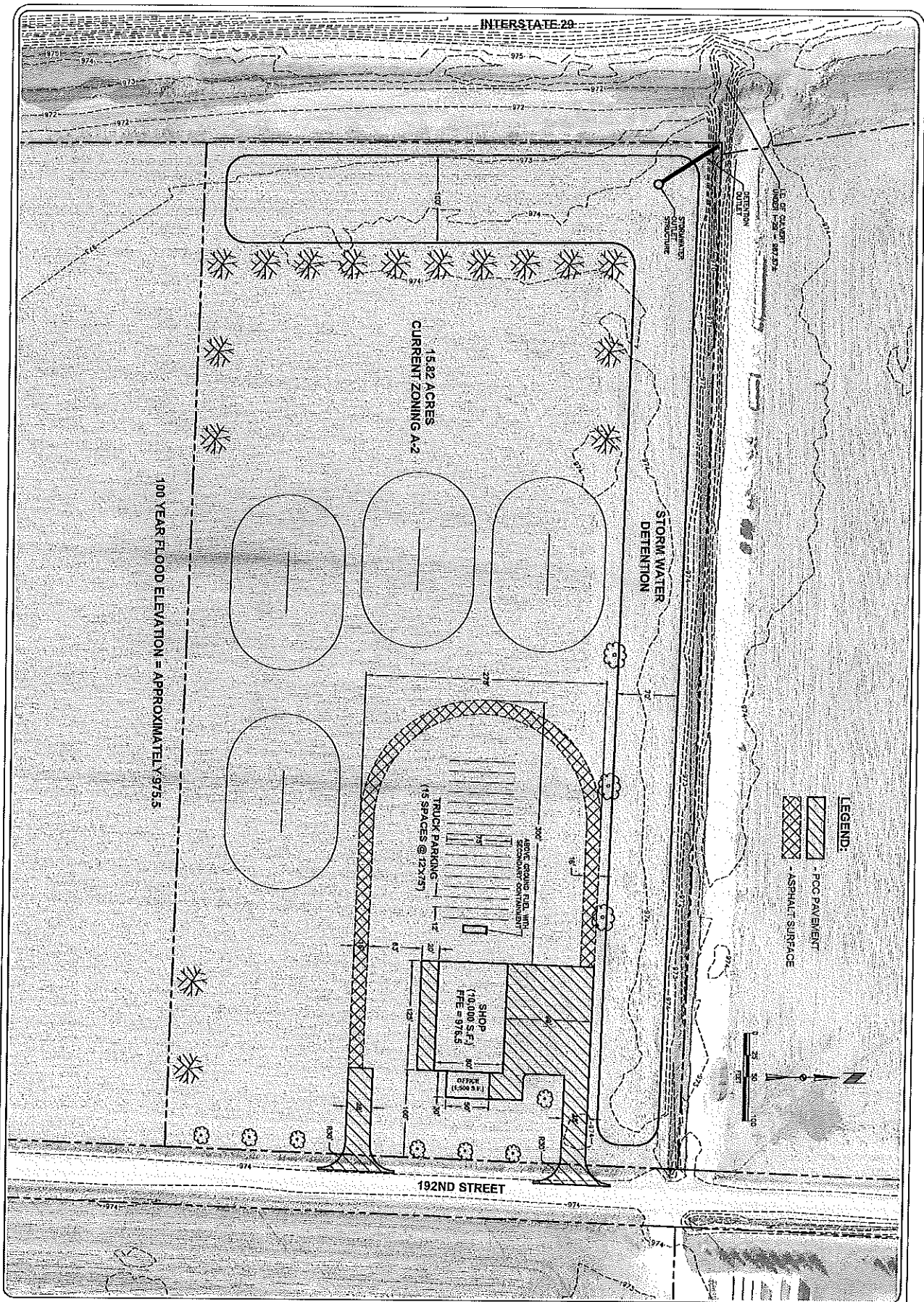
10-2

Project: **192ND ST. INDUSTRIAL DEVELOPMENT**  
 Client: MORRIS EXCAVATING  
 Sheet: **CONCEPT EXHIBIT - 200 SCALE**

EG	_____
SR	_____
SHR	_____
APPROVED	_____
DATE	_____

**hgm**  
 ASSOCIATES INC.  
 640 FIFTH AVENUE COUNCIL BLUFFS, IA  
 PHONE: 712-323-0530

This drawing is being made available by hgm associates inc. for use on the project in accordance with the conditions of approval. hgm associates inc. makes no warranty or representation as to the accuracy of any data shown on this drawing or any part thereof. No liability shall be assumed by hgm associates inc. for any errors or omissions on this drawing.



**2 OF 2**

project **192ND ST. INDUSTRIAL DEVELOPMENT**  
 client **MORRIS EXCAVATING**  
 sheet **CONCEPT EXHIBIT**

BCL \_\_\_\_\_  
 SDR \_\_\_\_\_  
 CDR \_\_\_\_\_  
 SDR \_\_\_\_\_  
 approved \_\_\_\_\_  
 AUG 17 2002

**hgm**  
 ASSOCIATES INC.  
 640 FIFTH AVENUE COUNCIL BLUFFS, IA  
 PHONE: 712-323-0530

This drawing is being made available by your consultant for the use and this project is to be used with your consultant for the development of preliminary estimates, light estimates, etc. unless the drawing is clearly marked as being for any part of your project. It is understood that the owner of the drawing agreement.



**10566 Woodland Trail, Council Bluffs, IA 51503**  
**Phone: (712) 366-4262 Fax: (712) 366-4161**

**Date:** August 11, 2017

**To:** City of Council Bluffs

**Regarding:** CO BLUFFS LEWIS AGRI 17-74-43 NW SW EXC STATE  
Rezoning & Moving Lot Line

Morris Excavating Co., Inc. was established in 1990 in Omaha Nebraska, and currently operate out of Council Bluffs, IA. We are a family owned business providing excavating services throughout the Midwest, specializing in environmental construction.

While providing many construction services, Morris Excavating specializes in Underground Storage Tank removal and assist in installation. We have successfully completed construction projects in over 20 states.

Our Clients include:

**General Contractors** such as Andersen Construction, Construct INC., Darland, Zernco, Seneca, Dicon, Wright, etc.

**Commercial Owners** such as Casey's General Store, Quik Trip, Kwik Shop etc.

**Environmental Companies** such as Seneca Environmental, Terracon, Barker Lemar, RDG, SCS Aquaterra, etc.

**Railroads** such as Union Pacific

**Governmental Agencies** such as Department of Natural Resources, Fire Stations, Police Depts., other City Municipalities, etc.

Our company is looking to build a larger facility to house our heavy equipment and about 10-15 personnel. We are looking at all our land opportunities in the Omaha/ Council Bluffs Metro. 192<sup>nd</sup> street would be a great fit for our company to expand, as it is close to our current office, and in an already industrialized area.

Morris Excavating understands it would be a slightly larger investment to build on 192<sup>nd</sup> street, as it is in a 100-year floodplain with limited utilities, but are willing spend the money on hauling in dirt to build up our site. We hope by being in the Excavating

business we can help further other development in the area by being able to provide a cost-effective solution to the low floodplain area minutes/seconds from our new shop.

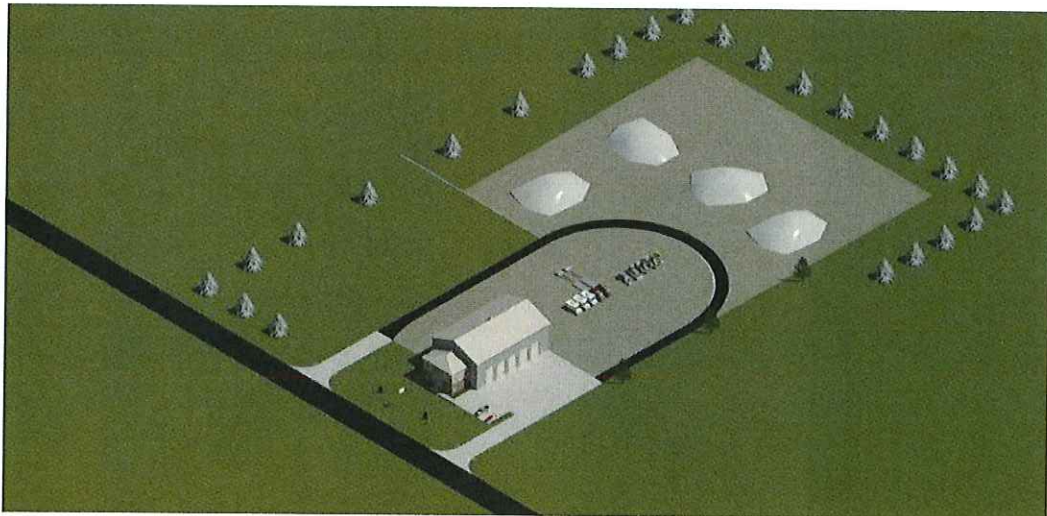
Morris Excavating also plans to provide recycled concrete, asphalt and possibly other landscape materials at our new location. We estimate truck traffic to be light to moderate depending on the demand. We understand these activities need to be in an industrialized zone, which is why we are looking at the already industrialized area and submitting an application for a rezoning of this property from Agricultural to Industrial. Morris Excavating plans to build a new quality looking shop with office space and decorative landscaping. The purchase of this property has not been determined yet, and is dependent on re-zoning.

At Morris Excavating, we pride ourselves on teamwork, communication, and attention to detail. We have been providing quality construction services throughout Iowa, Nebraska, Kansas and Missouri South Dakota, Illinois, Oklahoma, Texas and many others. We hope to keep our Main office in Council Bluffs, IA.

Thank you,

Andrew Morris  
Morris Excavating Co., Inc.

Attachment D:  
Renderings of the Proposed Building



## Attachment E: Site Photos



Subject Property (from northeast corner)



Neighboring land north/northwest of the subject property.



Neighboring land east/southeast of the subject property.



Southern view of 192nd Street.

**ORDINANCE NO. 6305**

**AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.02.070 OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING THE NW1/4 SW1/4 OF SECTION 17-74-43, EXCEPT STATE RIGHT-OF-WAY ALONG WITH PART OF THE SW1/4 SW1/4 OF SECTION 17-74-43, EXCEPT STATE RIGHT-OF-WAY AND RAILROAD LYING NORTH OF THE RAILROAD RIGHT-OF-WAY FROM A-2/PARKS, ESTATES AND AGRICULTURAL DISTRICT TO I-2/GENERAL INDUSTRIAL DISTRICT AS DEFINED IN CHAPTER 15.21 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.**

**BE IT ORDAINED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA**

**SECTION 1.** That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.070 of the 2015 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended to rezone the NW1/4 SW1/4 of Section 17-74-43, except state right-of-way along with part of the SW1/4 SW1/4 of Section 17-74-43, except state right-of-way and railroad lying north of the railroad right-of-way from A-2/Parks, Estates and Agricultural District to I-2/General Industrial District.

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3. SEVERABILITY CLAUSE.** If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED  
AND \_\_\_\_\_, 2017.  
APPROVED

\_\_\_\_\_  
MATTHEW J. WALSH Mayor

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH City Clerk

First Consideration: 9-25-17  
Second Consideration: 10-9-17  
Public Hearing: 10-9-17  
Third Consideration: \_\_\_\_\_

## Council Communication

Department: City Clerk  
Case/Project No.: ZC-17-005  
Submitted by: Christopher  
Gibbons

Ordinance 6308

Council Action: 10/9/2017

### Description

An ordinance to amend the Zoning Map by reference in Section 15.02.070 by rezoning Lots 1 through 4, New Horizon Subdivision, Replat 2 from R-1/Single-Family Residential District to R-3/Low Density Multifamily Residential District and to rezone proposed Lots 5 through 36 and Outlots A through C from R-1 District to R-2/Two-Family Residential District as defined in Chapter 15.09

### Background/Discussion

The Community Development Department has received applications from 92 Investments, LLC, represented by John Jerkovich, for preliminary plan approval for a 39-lot residential subdivision to be known as New Horizon Subdivision, Replat 2, being a replat of Lot 2, New Horizon Subdivision, Replat 1; and 2) to rezone said property from R-1/Single-Family Residential District to R-2/Two Family Residential District and R-3/Low Density Multi-Family Residential District; and 3) to append a PR/Planned Residential Overlay and adopt the associated development plan over the same.

#### Case #SUB-17-007:

The proposed New Horizon Subdivision, Replat 2 is comprised of 21.82 acres of undeveloped land that is located east of Valley View Drive and south of College Road. The applicant and Immanuel Pathways propose to co-develop the land in two phases with 39 residential lots. Phase A (being the eastern 12.29 acres) will be developed with a new senior living facility (apartments) by Immanuel. Phase B (being the western 9.53 acres) will be developed with 32 attached single-family dwellings by the applicant.

The following comments were provided for the proposed subdivision request:

1. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, 'but is deemed to be an authorization to proceed with the preparation of the final construction plans or performance guarantee and the final plat' (§14.11.060.04-Subdivision Ordinance). A final plat application for the first phase must be filed within one year of the date of action by the City Council. A request for extension may be made by the sub-divider in writing prior to the expiration date. One year extensions are considered by the City Planning Commission. Subsequent phases are automatically granted a one year extension.
2. Phase A is comprised of four lots ranging in size from 1.56 acres to 4.13 acres. Immanuel proposes to build senior living apartments on Lots 1 through 3 in three separate phases. Lot 4 directly abuts the Interstate 80 right-of-way and will not be developed due to topographical constraints. Phase B is comprised of 32 residential lots and three outlots. The applicant proposes to build attached single-family residential dwellings on Lots 5 through 36 and regional stormwater detentions basins on Outlots A through C.
3. The proposed subdivision is currently zoned R-1/Single-Family Residential District. The applicant proposes to rezone Lots 1 through 4 from R-1 District to R-3/Low Density Multi-Family Residential District and to rezone Lots 5 through 36 and outlots A through C from R-1 District to R-2/Two Family Residential District. The applicant also proposes to append a Planned Residential Overlay to the subject property, which is necessary to allow attached single-family residential dwellings in an R-2 District (see Case #ZC-17-005).
4. Lots 1 through 4 in Phase A comply with minimum R-3/Low Density Multi-Family Residential District lot size requirements. Seventeen lots in Phase B (5,8,9,10,12,14,15,17,18,19,20,21,22,24,27,28 and 34) do not meet minimum R-2/Two Family Residential District lot size requirements. Additionally, there are four lots (9, 10, 24 and 34) that are likely to exceed the maximum 35% lot coverage standard of the R-2 District when a

future dwelling in built upon them due to their size. Reduced lot size standards and increased lot coverage for the subdivision will be addressed with associated Planned Residential Overlay (see Case #PR-17-003).

5. Lots 1, 2 and 4 have direct access to College Road. Lot 3 is landlocked and will be accessed by an easement through Lots 1, 2, and 4. The location and size of said access easement must be shown on the final plat. Lots 5 through 36 will directly abut a new public street, which will be constructed by the applicant and dedicated to the City of Council Bluffs. The new street name must be stated on the final plat.

6. The subdivision is located in a Flood Zone X as per FEMA Map #19155C0418F, dated April 16, 2013.

7. All lots will be serviced with utilities (e.g., sanitary/storm sewers, water, electricity, etc.).

8. Council Bluffs Water Works stated the applicant must enter into a water main extension agreement before any water service is permitted to the new parcels. CBWW is not opposed to the extension of the water main along the entire development at this time, but only requires that the water main be extended along the entire frontage of the lot that is currently being developed.

9. MidAmerican Energy Company has acknowledged that there are electric distribution facilities in the vicinity of the project, but there have been no agreements finalized at the time of this report.

10. The Iowa Department of Transportation stated their only concern with this proposal would come from embankment encroachment in the area if Interstate 80 is widened.

11. The Council Bluffs Fire Marshall references the 2015 International Fire Code Chapter D107.1, which limits the number of dwelling units to 30 when only one access road exists. The applicant will be required to adhere to these standards.

12. The City of Council Bluffs Public Works Department stated the following:

a. Cul-de-sac is within the maximum length allowed by city standards, and the radius is acceptable, but the paving width needs to be corrected to 26 feet instead of the shown 25 feet.

b. The Public Works Department will work with the Project Engineer for the final standards of the drainage study.

c. Utility easements are shown at 20 feet wide, which is the minimum required, but should be studied to determine if the width needs to be increased.

d. Conceptual post construction stormwater management measures should be completed, as well as, the stormwater basin outlet effect on areas downstream.

e. An Iowa Department of Natural Resources (IDNR) General Permit #2 is required for the grading of this project as well as an erosion control plan.

f. The sanitary sewer extension can be phased unless an upstream user needs the sewer to be available.

g. Retaining wall plans and calculations are required for all walls greater than four feet in height.

h. The street currently shown as "Street A" must be named on the final plat.

13. All utilities shall be installed underground. All costs to construct, remove and/or relocate any utilities for the proposed subdivision shall be the responsibility of the applicant and not the City.

14. Sidewalk installation along the frontage of each proposed lot shall be completed prior to issuance of a Certificate of Occupancy for each residence. Sidewalk installation along the frontages of outlots shall be completed at the time of road construction.

15. All future street lights shall meet Public Works Department standards. All costs associated with the installation of street lights shall be the responsibility of the developer and not the City.

The following attachments for this request are included with the staff report for reference purposes:

Attachment A: Letter of intent prepared by Olsson Associates for New Horizon Subdivision, Replat 2

Attachment B: Preliminary subdivision plan

Attachment C: Soil and drainage report

CASE #ZC-17-005

The subject property is comprised of 21.82 acres of undeveloped land. In 2005, a previous owner (New

Horizon Presbyterian Church) rezoned the subject property from A-2/Parks, Estate and Agricultural District to R-1/Single-Family Residential District as part of the approval for the New Horizon Subdivision (see Cases #SUB-06-004 and ZC-06-002). The subdivision was intended to be developed with a mixture of commercial and residential uses.

The applicant proposes to rezone the eastern 12.29 acres (Lots 1 through 4) from R-1/Single-Family Residential District to R-3/Low Density Multi-Family Residential District and to rezone the western 9.53 acres (Lots 5 through 36 and Outlots A through C) from R-1 District to R-2/Two Family Residential District. The purpose of the rezoning is to allow Immanuel to build a senior living facility (apartments) on Lots 1 through 4 and for the applicant to construct attached, single-family residential dwellings on Lots 5 through 36.

Surrounding zoning in the general vicinity of the request includes R-1/Single-Family Residential District to west and R-3/Low Density Multi-Family Residential District to the south. Properties located north of College Road belong to the Iowa Western Community College and are zoned A-2/Parks, Estate and Agricultural District. Existing land uses include Iowa Community College to the north, undeveloped land to the south, Interstate 80 right-of-way to the east and St. Patrick's Catholic Church to the west.

The future land use plan of the Bluffs Tomorrow: 2030 Plan (comprehensive plan) designates the subject property as Rural Residential/Agricultural. Two-family and multi-family residential uses are generally not consistent with this land use designation. However, when the property was rezoned from A-2 District to R-1 District, the future land use plan of the 1994 Comprehensive Plan designated the property as future residential. The proposed attached, single-family and senior multi-family residential uses are compatible with the intent and purpose of the R-2 and R-3 Districts and are consistent with the development activity occurring in said area of the City.

Public notices were mailed to all property owners within 200 feet of the request. No comments have been received as of the date of this report.

All City departments and local utilities were notified of the proposed development request. The City also notified the Iowa Department of Transportation (IDOT) about the project as the subject property is located within the Council Bluffs Interstate System Corridor Preservation Zone. No adverse comments for the rezoning have been received as of the date of this report.

All City departments and local utilities were notified of the proposed development request. The City also notified the Iowa Department of Transportation (IDOT) about the project as the subject property is located within the Council Bluffs Interstate System Corridor Preservation Zone. No adverse comments for the rezoning have been received as of the date of this report.

The following attachment for this request is included with this staff report for reference purposes:  
Attachment D: Location/zoning map

CASE # PR-17-003

Section 15.28.010, *P-R/Planned Residential Overlay, Statement of Intent* of the Council Bluffs (Municipal Code) Zoning Ordinance states "the planned residential overlay is established to permit flexibility in the use and design of structures and land in situations where conventional development may be inappropriate and where modifications of the requirements of the underlying zone would not be inconsistent with the Comprehensive Plan or harmful to the neighborhood in which it is located". The applicant proposes to append a Planned Residential Overlay to this subdivision in order to plan the design and layout of senior living facility on Lots 1 through 4 and to build 32 attached, single-family residential dwellings on Lots 5

through 36. The property located immediately south of this subdivision has an approved Planned Residential Overlay for a 146 unit senior living facility (Case #PR-17-002, Ordinance No. 6287).

The following development standards shall apply to the subject property:

**1. Site Development**

- a. For Lots 1 through 4 of Phase A, Immanuel has proposed to arrange their senior living facility in a ‘campus-style’ setting with interconnecting buildings, and shared off-street parking, landscaping and storm water management. For zoning setbacks for this phase shall be based on the common property lines. Therefore, the property line that abuts College Road right-of-way shall be considered a front yard for the entire development. The east property line which abuts Phase B and the west property line which abuts Interstate 80 right-of-way shall be considered side yards for the entire development. All building setbacks, heights and lot coverages shall comply with standards stated in Chapter 15.10 *R-3/Low Density Multi-Family Residential District* of the Municipal Code (Zoning Ordinance). The submitted development plan shows all buildings will comply with R-3 District site development standards.
- b. Lots 5, 8, 9, 10, 12, 14, 15, 17, 18, 19, 20, 21, 22, 24, 27, 28 and 34 in Phase B do not meet minimum R-2/Two Family Residential District lot width requirement of 50 feet. Lots 5, 17, 18, 19, 20, 21, 22, 27 and 28 exceed the maximum allowed 3:1 lot depth to width ratio, as stated in Chapter 14.14, *Subdivision Design and Required Improvements* of the Municipal Code (Subdivision Ordinance). The Community Development Department recommends that said lots be approved, as proposed, as their size will not be harmful to the neighborhood in which they will be located in and the request is consistent with the intent of the Planned Residential Overlay, as stated above.
- c. Single-family dwellings built on Lots 9, 10, 24 and 34 in Phase B are likely to exceed the maximum 35% lot coverage standard due to the building footprint and lot size. The Community Development Department recommends a maximum 40% lot coverage for Lots 5 through 36 in Phase B as the increase in lot coverage will ensure a consistent building design in the subdivision and is consistent with the intent of the Planned Residential Overlay, as stated above.
- d. All attached, single-family residential dwellings on Lots 5 through 36 shall comply with the development standards stated in Chapter 15.09 R-2/Two Family Residential District of the Municipal Code (Zoning Ordinance).
- e. A sidewalk that connects the senior living facility buildings, parking lots and outdoor recreational areas is shown on the development plan. Additionally, the development plan shows a sidewalk connection with College Road. The sidewalks shall be installed with the completion of Phase I of the development. Sidewalk connections to future building additions may be completed with their respective construction phasing.
- f. All trash enclosures for the senior living facility shall be enclosed on three sides and screened from public view with materials similar to those of the primary building. The enclosure shall also have a lock gate which when closed completely eliminates view of the dumpster.
- g. All fencing in the subdivision shall comply with the standards stated in Section 15.24.040, *Fence regulations* of the Council Bluffs Municipal Code (Zoning Ordinance). All outdoor garden areas used by the senior living facility may be enclosed with a maximum eight-foot tall fence, as measured from finished grade.
- h. All site lighting shall comply with the standards stated in Section 15.24.050, *Lighting controls* of the Council Bluffs Municipal Code (Zoning Ordinance).

**2. Off-Street Parking**

- a. The required number of off-street parking spaces for the senior living facility and attached single-family residential dwellings shall be based on the standards stated in Section 15.23.060, *Parking spaces required*, of the Municipal Code (Zoning Ordinance).
  - i. Attached single-family residential dwellings: Two spaces per dwelling unit. Each dwelling unit will be constructed with at least a two-stall garage, as per the submitted architectural renderings.
  - ii. Senior Living Facility: 1 space/1 bedroom units and 1.5 spaces/2 bedroom units. Phase 1 consists of a three-story building with a total of 28 one-bedroom units (28 parking stalls required) and 28 two-

bedroom units (42 parking stalls required). Phase 2 will be constructed with the exact same design as Phase 1. Phase 3 is comprised of a 45,000 square foot building but the total number of units are unknown at this time. The submitted development plan shows all required off-street parking will be provided on a phased basis.

- b. All parking/loading areas, driveways and drive aisles shall comply with the standards stated in Chapter 15.23, *Off-Street Parking, Loading and Unloading* of the Municipal Code (Zoning Ordinance).
- c. All off-street parking shall comply with the Parking for Persons with Disabilities Chapter of the Iowa Administrative Code.
- d. All parking lots and drive aisles shall be landscaped in accordance with the proposed landscaping plan.

### **3. Landscaping**

- a. The applicant did not provide a landscaping plan for the attached, single-family residential dwellings on Lots 5 through 36 in Phase B. The Community Development Department recommends that one ornamental street tree be planted along the frontage of each lot at the time a dwelling unit is constructed.
- b. The proposed landscaping plan for Lots 1 through 4 in Phase A shows a mixture of perennials, deciduous trees/shrubs, coniferous shrubs and native sod/grasses being planted throughout the property. The proposed landscaping plan is generally acceptable, with the following conditions:
  - i. An automatic underground irrigation system shall be provided to water all landscape areas.
  - ii. The proposed hardwood mulch and river rock shall be limited to only the areas shown on the landscaping plan.
  - iii. Landscaping shall be installed with the completion of each project phase.

### **4. Architecture**

- a. The submitted architectural renderings for the attached, single-family residential dwellings are generally acceptable. Each unit will be slab on-grade and limited to one-story in height. Each dwelling unit will either have a two-stall or three-stall garage for off-street parking.
- b. The submitted architectural renderings for the senior living facility are generally acceptable. The building will vary in height from one-story to three-stories with a maximum height of approximately 40 feet, measure from finished grade. All roof-top mechanical units are proposed to be screened from view with a parapet wall. Exterior building walls are proposed to be constructed out a combination of brick masonry and cement fiberboard. All building construction, materials and design shall be consistent with the proposed development plan.

### **5. Signage**

- a. A signage plan was not submitted with the development plan. All signage (detached and attached) shall comply with Section 15.33.160(03), *PR/Planned Residential District, Signs* of the Municipal Code (Zoning Ordinance).

The following attachments for this request are included with this report for reference purposes:

Attachment E: Letter of intent and planned residential development plan by HGM Associates for the attached single-family residential dwellings on Lots 5 through 36.

Attachment F: Letter of intent and planned residential development plans for Immanuel Senior Housing.

## **Recommendation**

The Community Development Department recommends the following for land legally described as Lot 2, New Horizon Subdivision, Replat 1:

1. Preliminary plan approval for a 39-lot residential subdivision to be known as New Horizon Subdivision, Replat 2, being a replat of Lot 2, New Horizon Subdivision, Replat 1, as shown in Attachment B, subject to compliance with all above stated comments and the following conditions:

- a. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, but is 'deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat'. (§14.11.060.04- Subdivision Ordinance).
- b. With adequate engineering and construction controls, the land is suitable for the proposed development. Construction plans for streets, sanitary sewer and storm drainage shall be submitted to the Public Works

Department for review and approval prior to beginning construction. Construction plans and comprehensive plans for grading, drainage and erosion control, including right-of-way during site preparation, utility installation and construction shall be submitted to the Public Works Department for review and approval prior to beginning any earth disturbing activity. All applicable permits necessary to meet local, state and federal requirements shall be the developer's responsibility.

c. An erosion and sediment control along with a grading plan shall be submitted with the construction plans.

The erosion and sediment control plan will include temporary and permanent vegetative cover, structural measures, phasing and a maintenance and inspection program to address removal of sediment during construction and following any rainfall.

d. All utilities shall be installed underground.

e. Sidewalks shall be installed along the street frontage of each lot at no expense to the City, prior to issuance of a certificate of occupancy for each house. Sidewalks along the frontages of Outlots A and C shall be installed with the construction of the new public street. Sidewalks for the Immanuel senior living facility shall be completed with each phase.

2. Approval to rezone proposed Lots 1 through 4, New Horizon Subdivision, Replat 2 from R-1/Single-Family Residential District to R-3/Low Density Multi-Family Residential District and to rezone proposed Lots 5 through 36 and Outlots A through C from R-1 District to R-2/Two-Family Residential District on the basis that the request is consistent and compatible with existing zoning districts and land uses in the general vicinity of the request.

3. Approval to append a Planned Residential Overlay (PR) and to adopt the associated development plan for the proposed New Horizon Subdivision, Replat 2, as per Attachments E and F, subject to compliance with all above stated comments and the following conditions:

a. Approval to allow proposed Lots 5, 8, 9, 10, 12, 14, 15, 17, 18, 19, 20, 21, 22, 24, 27, 28 and 34 to have a lot width less than the required 50 feet in an R-2/Two Family Residential District and to allow proposed Lots 5, 17, 18, 19, 20, 21, 22, 27 and 28 exceed the maximum allowed 3:1 lot depth to width ratio, as stated in Chapter 14.14, *Subdivision Design and Required Improvements* of the Municipal Code (Subdivision Ordinance) on the basis that the lot sizes will not be harmful to the development of the neighborhood and is consistent with the intent Section 15.28.010, *P-R/Planned Residential Overlay, Statement of Intent* of the Council Bluffs (Municipal Code) Zoning Ordinance.

b. Approval to allow a maximum 40% lot coverage for Lots 5 through 36 on the basis the lot coverage will not be harmful to the neighborhood and is consistent with the intent Section 15.28.010, *P-R/Planned Residential Overlay, Statement of Intent* of the Council Bluffs (Municipal Code) Zoning Ordinance.

### **Public Hearing**

Speakers in favor:

1. John Jerkovich, 535 West Broadway, Suite 100, Council Bluffs, IA 51503
2. Rhonda Distefano, 8402 Molokai Drive, Papillion, NE 68046
3. Luke Weatherly, 2111 South 67<sup>th</sup> Street, Omaha, NE 68106

VOTE: AYE 10 NAY 0 ABSTAIN 0 ABSENT 1 Motion: Carried

### **Planning Commission Recommendation**

The Planning Commission recommends the following for land legally described as Lot 2, New Horizon Subdivision, Replat 1:

1. Preliminary plan approval for a 39-lot residential subdivision to be known as New Horizon Subdivision, Replat 2, being a replat of Lot 2, New Horizon Subdivision, Replat 1, as shown in Attachment B, subject to compliance with all above stated comments and the following conditions:

a. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, but is 'deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat'. (§14.11.060.04- Subdivision Ordinance).

- b. With adequate engineering and construction controls, the land is suitable for the proposed development. Construction plans for streets, sanitary sewer and storm drainage shall be submitted to the Public Works Department for review and approval prior to beginning construction. Construction plans and comprehensive plans for grading, drainage and erosion control, including right-of-way during site preparation, utility installation and construction shall be submitted to the Public Works Department for review and approval prior to beginning any earth disturbing activity. All applicable permits necessary to meet local, state and federal requirements shall be the developer's responsibility.
- c. An erosion and sediment control along with a grading plan shall be submitted with the construction plans. The erosion and sediment control plan will include temporary and permanent vegetative cover, structural measures, phasing and a maintenance and inspection program to address removal of sediment during construction and following any rainfall.
- d. All utilities shall be installed underground.
- e. Sidewalks shall be installed along the street frontage of each lot at no expense to the City, prior to issuance of a certificate of occupancy for each house. Sidewalks along the frontages of Outlots A and C shall be installed with the construction of the new public street. Sidewalks for the Immanuel senior living facility shall be completed with each phase.
2. Approval to rezone proposed Lots 1 through 4, New Horizon Subdivision, Replat 2 from R-1/Single-Family Residential District to R-3/Low Density Multi-Family Residential District and to rezone proposed Lots 5 through 36 and Outlots A through C from R-1 District to R-2/Two-Family Residential District on the basis that the request is consistent and compatible with existing zoning districts and land uses in the general vicinity of the request.
3. Approval to append a Planned Residential Overlay (PR) and to adopt the associated development plan for the proposed New Horizon Subdivision, Replat 2, as per Attachments E and F, subject to compliance with all above stated comments and the following conditions:
- a. Approval to allow proposed Lots 5, 8, 9, 10, 12, 14, 15, 17, 18, 19, 20, 21, 22, 24, 27, 28 and 34 to have a lot width less than the required 50 feet in an R-2/Two Family Residential District and to allow proposed Lots 5, 17, 18, 19, 20, 21, 22, 27 and 28 exceed the maximum allowed 3:1 lot depth to width ratio, as stated in Chapter 14.14, *Subdivision Design and Required Improvements* of the Municipal Code (Subdivision Ordinance) on the basis that the lot sizes will not be harmful to the development of the neighborhood and is consistent with the intent Section 15.28.010, *P-R/Planned Residential Overlay, Statement of Intent* of the Council Bluffs (Municipal Code) Zoning Ordinance.
- b. Approval to allow a maximum 40% lot coverage for Lots 5 through 36 on the basis the lot coverage will not be harmful to the neighborhood and is consistent with the intent Section 15.28.010, *P-R/Planned Residential Overlay, Statement of Intent* of the Council Bluffs (Municipal Code) Zoning Ordinance.

**ATTACHMENTS:**

Description	Type	Upload Date
Cases SUB-17-007, ZC-17-005 and PR-17-003 Attach A	Resolution	9/15/2017
9-25-17 Cases SUB-17-007, ZC-17-005 and PR-17-003 Attach B	Resolution	9/15/2017
9-25-17 Cases SUB-17-007, ZC-17-005 and PR-17-003 Attach C Drainage	Resolution	9/15/2017
9-25-17 Cases SUB-17-007, ZC-17-005 and PR-17-003 Attach D	Resolution	9/15/2017
9-25-17 Cases SUB-17-007, ZC-17-005 and PR-17-003 Attach E	Resolution	9/15/2017
9-25-17 Cases SUB-17-007, ZC-17-005 and PR-17-003 Attach E Map	Resolution	9/15/2017
9-25-17 Cases SUB-17-007, ZC-17-005 and PR-17-003 Attach F Overlay	Resolution	9/15/2017

9-25-17 Cases SUB-17-007, ZC-17-005 and PR-17-003 Attach F Project Overview	Resolution	9/15/2017
9-25-17 Cases SUB-17-007, ZC-17-005 and PR-17-003 PH Notice 10-9-17	Resolution	9/15/2017
Ordinance 6308	Ordinance	9/19/2017



August 15, 2017

City of Council Bluffs  
Attn: Rose Brown  
209 Pearl Street  
Council Bluffs, IA 51503  
Phone: (712) 328-4629

**RE: New Horizon Subdivision, Replat 2 – Preliminary Plan  
LETTER OF INTENT**

Ms. Brown,

Please accept this as the letter of intent to subdivide Lot 2 within the existing New Horizon Subdivision as into 39 total lots (including 3 outlots). The subdivision is intended to be split between a single family townhouse development to the southwest and multifamily development to the northeast. The multifamily development will consist of Immanuel Senior Living and is proposed for Lots 1 thru 4. The townhouse development is being proposed for lots 5 thru 36. Three outlots (A thru C) are being proposed for open space as well as detention and water quality features.

Both developments intend to work together to make this project a success. The overall Preliminary Plan and rezoning is being submitted by Olsson Associates. Based on a meeting with the City of Council Bluffs, each side of the development is required to submit an independent Planned Residential Overlay. The townhouse development has been prepared by HGM while the Immanuel Development has been prepared by Olsson Associates. Please reference the other portions of this submittal package for additional detail.

Please feel free to contact us with any questions comments, or concerns. We may be able to provide more information if requested. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lucas Weatherly', is written over a faint, illegible typed name.

Lucas Weatherly, PE

Encls.

F:\2017\0001-0500\017-0177-L\20-Management\Approvals\Entitlements\2017-08-15\_Prelim Plan\_Letter of Intent\_70177-L.doc

NOTE:

- STANDARD UTILITY DEDICATIONS WILL BE PROVIDED ON THE FINAL PLAT.
- NO DIRECT ACCESS SHALL BE PERMITTED ONTO INTERSTATE 80 FROM LOT 4 AND LOTS 16 THRU 21.
- PROPOSED SANITARY SEWER - SANITARY SEWER SERVICE FOR THE TOWNHOME PROJECT (LOTS 5 THRU 36 AND OUTLOTS A THRU C) TO BE CONSTRUCTED IN THE PROPOSED PUBLIC RIGHT-OF-WAY (DEDICATED TO THE CITY OF COUNCIL BLUFFS) WITH PRIVATE LATERAL CONNECTIONS, SANITARY SEWER SERVICE FOR LOTS 1 THRU 4 TO BE PRIVATELY PROVIDED.
- PROPOSED STORM SEWER - STORM SEWER FOR THE TOWNHOME PROJECT (LOTS 5 THRU 36 AND OUTLOTS A THRU C) TO BE CONSTRUCTED IN THE PROPOSED PUBLIC RIGHT-OF-WAY (DEDICATED TO THE CITY OF COUNCIL BLUFFS). STORM SEWER FOR LOTS 1 THRU 4 TO BE PRIVATELY PROVIDED.
- WATER TO BE PROVIDED BY COUNCIL BLUFFS WATER WORKS.
- POWER TO BE PROVIDED BY MID AMERICAN ENERGY.

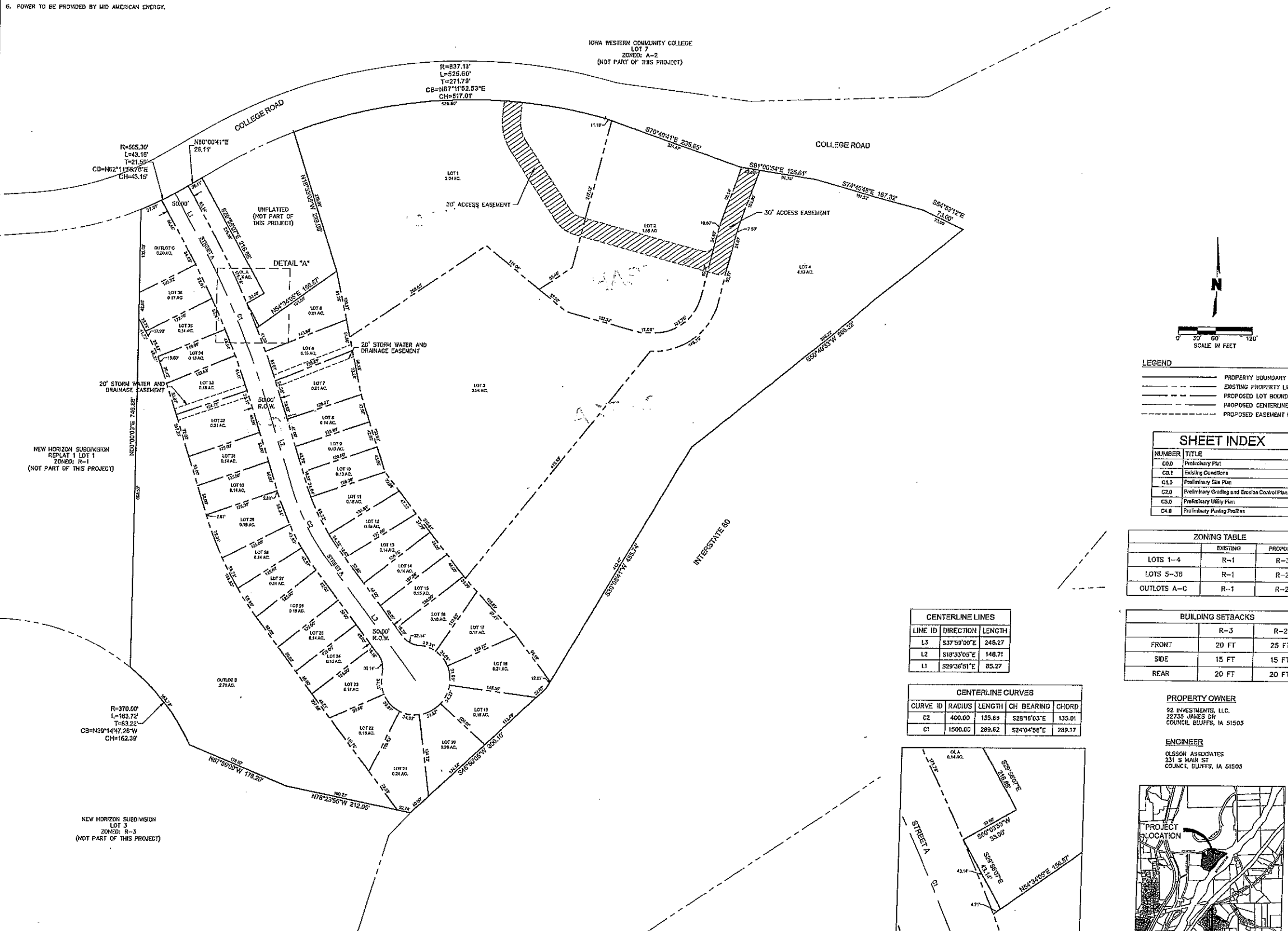
# NEW HORIZON SUBDIVISION, REPLAT 2

## LOTS 1 THRU 36 AND OUTLOTS A THRU C

### PRELIMINARY PLAN

BEING A REPLAT OF LOT 2, NEW HORIZON SUBDIVISION, GENERALLY IN PART OF THE NW CORNER OF SECTION 28, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 6TH PM., IN POTTAWATTAMIE COUNTY, IOWA.

IOWA WESTERN COMMUNITY COLLEGE  
LOT 7  
ZONED: A-2  
(NOT PART OF THIS PROJECT)



LEGEND

- PROPERTY BOUNDARY
- EXISTING PROPERTY LINE
- PROPOSED LOT BOUNDARY
- PROPOSED CENTERLINE
- PROPOSED EASEMENT LINE

SHEET INDEX

NUMBER	TITLE
C0.0	Preliminary Plat
C0.1	Existing Conditions
C1.0	Preliminary Site Plan
C2.0	Preliminary Grading and Erosion Control Plan
C3.0	Preliminary Utility Plan
C4.0	Preliminary Profile

ZONING TABLE

	EXISTING	PROPOSED
LOTS 1-4	R-1	R-3
LOTS 5-36	R-1	R-2
OUTLOTS A-C	R-1	R-2

BUILDING SETBACKS

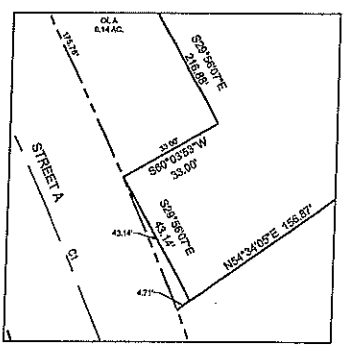
	R-3	R-2
FRONT	20 FT	25 FT
SIDE	15 FT	15 FT
REAR	20 FT	20 FT

CENTERLINE LINES

LINE ID	DIRECTION	LENGTH
L3	S37°09'00"E	248.27
L2	S10°33'00"E	148.71
L1	S29°36'01"E	85.27

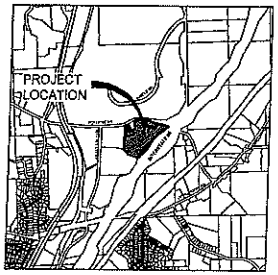
CENTERLINE CURVES

CURVE ID	RADIUS	LENGTH	CH BEARING	CHORD
C2	400.00	135.69	S28°10'03"E	135.01
C1	1500.00	289.62	S24°04'58"E	289.17



PROPERTY OWNER  
92 INVESTMENTS, LLC  
22735 JAMES DR  
COUNCIL BLUFFS, IA 51503

ENGINEER  
OLSSON ASSOCIATES  
231 S MAIN ST  
COUNCIL BLUFFS, IA 51503



**OLSSON ASSOCIATES**  
231 S MAIN ST  
COUNCIL BLUFFS, IA 51503  
TEL: 319.331.1111  
FAX: 319.331.1111  
WWW.OLSSONASSOCIATES.COM

REVISIONS

REV. NO.	DATE	REVISION DESCRIPTION

PRELIMINARY PLAN  
NEW HORIZON SUBDIVISION, REPLAT 2  
PRELIMINARY PLAN  
COUNCIL BLUFFS, IA

2017

SHEET  
C0.0

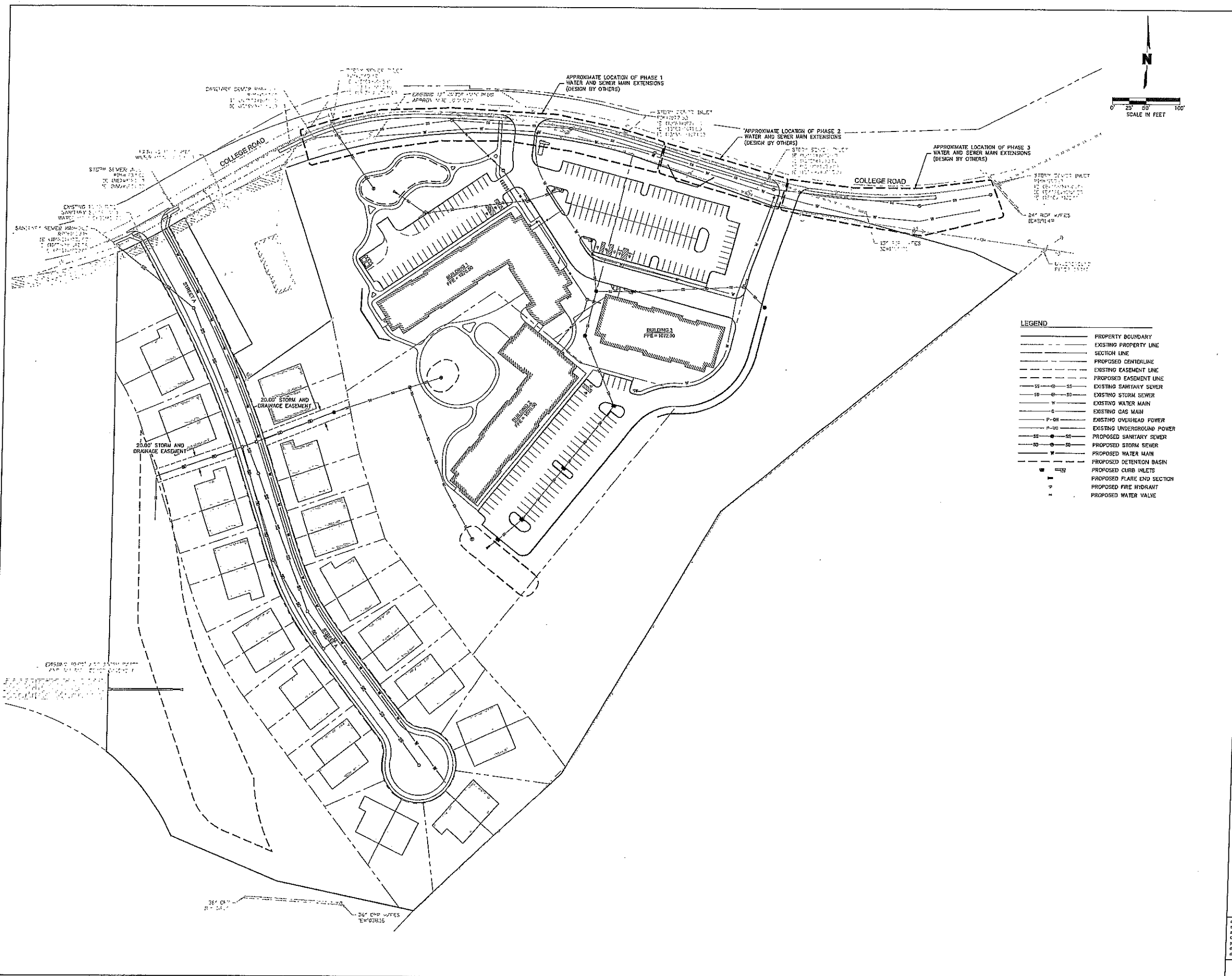
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DATE: Aug 15, 2017 3:48pm  
USER: Jane  
PLOT: C:\Users\jane\Documents\01771771.dwg







DWG: P:\2017\001-6500\017-017-1\40-Design\Utility\Plan\Replay\Replay.dwg  
 DATE: Apr 15, 2017 3:50pm  
 USER: JRS  
 C:\BANK\2017\ C:\BASE\2017\ C:\PLANS\2017\



- LEGEND**
- PROPERTY BOUNDARY
  - EXISTING PROPERTY LINE
  - SECTION LINE
  - PROPOSED CENTERLINE
  - EXISTING EASEMENT LINE
  - PROPOSED EASEMENT LINE
  - EXISTING SANITARY SEWER
  - EXISTING STORM SEWER
  - EXISTING WATER MAIN
  - EXISTING GAS MAIN
  - EXISTING OVERHEAD POWER
  - EXISTING UNDERGROUND POWER
  - PROPOSED SANITARY SEWER
  - PROPOSED STORM SEWER
  - PROPOSED WATER MAIN
  - PROPOSED DETENTION BASIN
  - PROPOSED CURB INLETS
  - PROPOSED FLARE END SECTION
  - PROPOSED FIRE HYDRANT
  - PROPOSED WATER VALVE

**MOLSSON ASSOCIATES**  
 2111 South 97th Street, Suite 200  
 Lincoln, NE 68504  
 TEL: 402.341.1111  
 FAX: 402.341.1111  
 www.molsson.com

REV. NO.	DATE	REVISION DESCRIPTION

PRELIMINARY UTILITY PLAN  
 NEW HORIZON SUBDIVISION, REPLAY 2  
 PRELIMINARY PLAN  
 COUNCIL BLUFFS, IA  
 2017

SHEET  
 C3.0



---

## *Preliminary Drainage Analysis*

---

Project Name: IMMANUEL

PCSMP Number: TBD

Subdivision NEW HORIZON SUBDIVISION, REPLAT 2

Total Acreage: 21.67

Acreage Draining to Basins: 21.67 Acres

---

### *Drainage Treatment Summary*

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The project is located at the Southwest corner of College Road and Interstate 80. This drainage study is for Lots 1 thru 36 and Outlots A thru C, New Horizon Subdivision, Replat 2. The existing site is identified as Straight Row Crops in good condition. There are three (3) existing drainage basins in the proposed development which overland flow to the three discharge locations identified on the existing drainage plan. The stormwater in Drainage Basin(s) EX-A sheet flows into College road where it is picked up via curb and area inlets and conveyed by the existing public storm sewer system. Drainage Basin(s) EX-B is the largest basin in the project development. Runoff in basin EX-B sheet flows to the southwest towards discharge location B to an existing drainage swale. Drainage Basin EX-C1 consist of the remaining south portion of the development. Runoff in this basin sheet flows southwest towards discharge location C. All of the basins shown on the existing drainage plan eventually discharge into nearby Mosquito Creek. The proposed site drainage philosophy will generally match that of the existing flow patterns. However, the area draining to each basin will be slightly modified. In the post-developed condition, most of Lots 1 thru 4 will be conveyed via private storm inlets and storm sewer to different water quality treatment ponds that eventually convey the stormwater to a planned regional detention pond. The remaining lots 5-36 have public storm sewer inlets that discharge into the regional detention pond. Stormwater will be treated and detained in the regional pond and limit the discharges as described in the Statewide Urban Design and Specifications.

Private storm sewer will convey on- and off-site runoff to the proposed on-site pond(s) which will treat and detain the stormwater. The detention basins will not account for the water quality treatment volume or detention of the off-site runoff draining to the detention pond(s), but will allow for off-site run-on to pass through downstream.

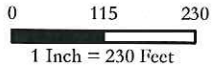
Please refer to the attached exhibits for further information.

# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION

## LOCATION/ZONING MAP CASES # SUB-17-007, ZC-17-005 and PR-17-003

**Map Legend**

- Subject Property (Cases SUB-17-007, ZC-17-005 & PR-17-003)
- Parcels



2016 Aerial Photograph



Note: Subject properties are highlighted in red.

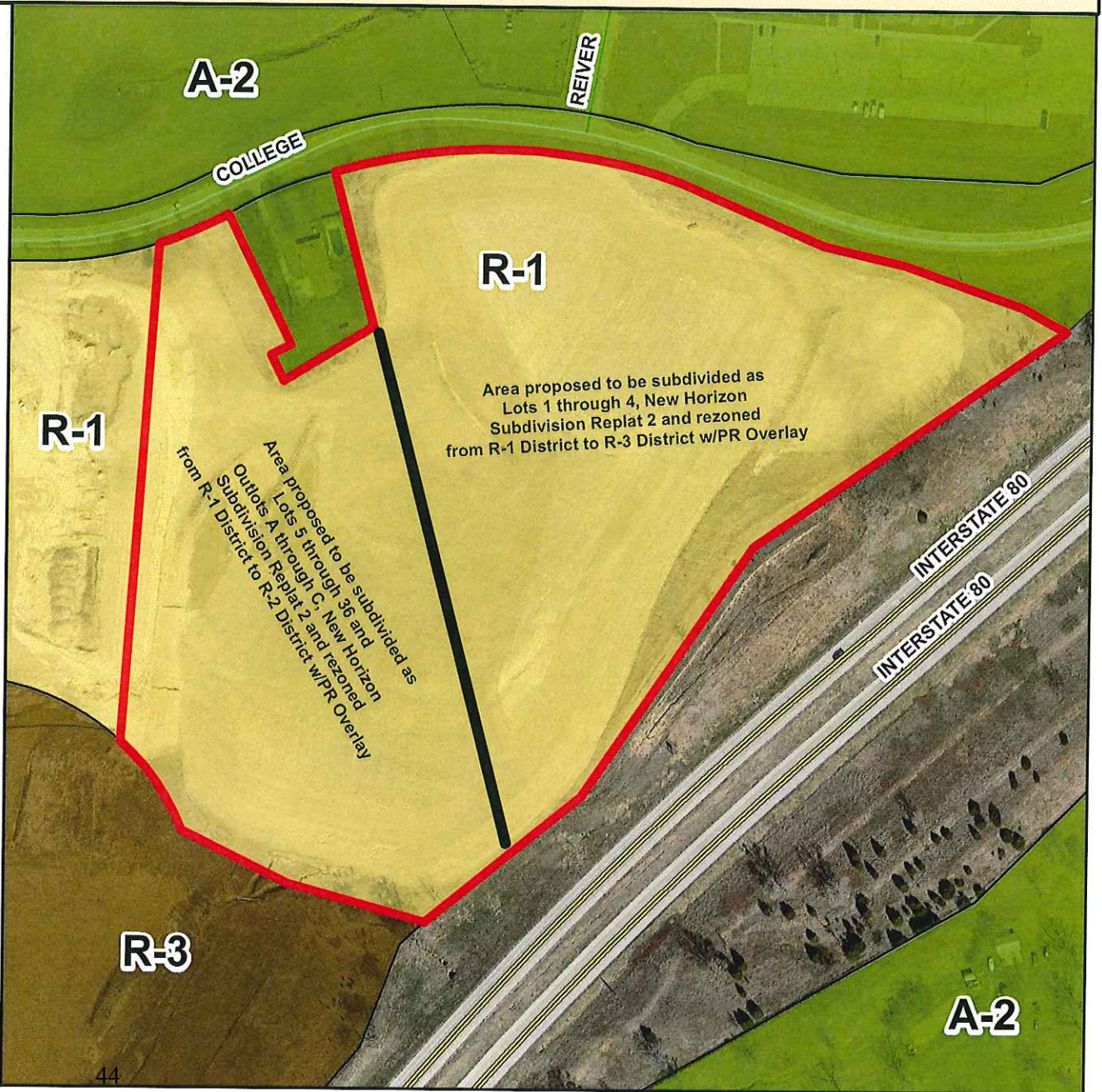


Last Amended: 8/21/17



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. Users of this map are hereby notified that the City expressly disclaims any and all responsibility for errors, if any, in the information contained in this map or the use 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 D

**NEW HORIZON SBUDIVISION, REPLAT 2**

**College Road Townhomes**

**PR Development Plan**

**Letter of Intent**

HGM# 105017

August 2017

Within the proposed 37 lot New Horizon Subdivision, Replat 2 a townhome development is proposed. Immanuel Senior Living is proposed for Lots 1 through 4 inclusive. Townhouse duplexes are proposed for lots 5 through 36 inclusive.

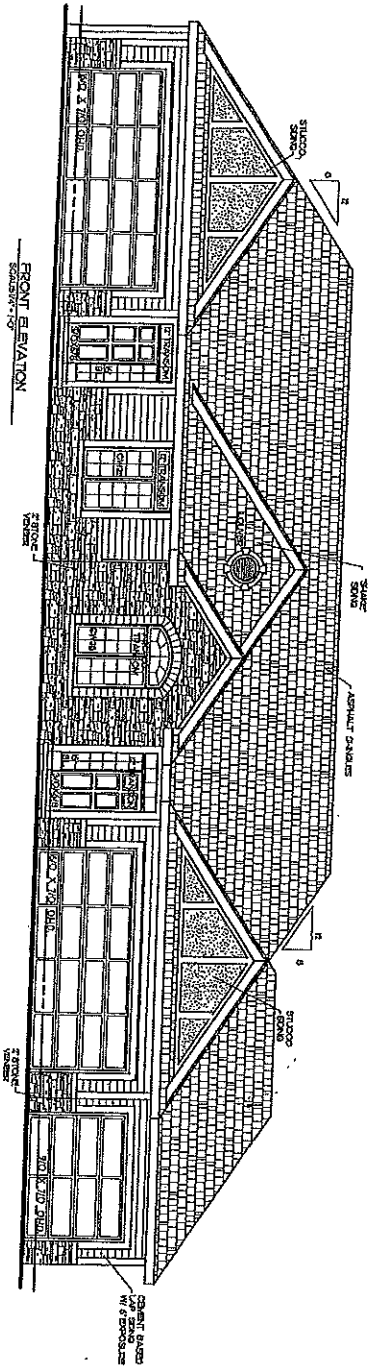
The townhouse lots within this development plan are will be served by a new 930 feet street bisecting the townhouses. The proposed street, labeled as Street A, will extend from College Road to the southeast and terminate with a 45-foot radius cul-de-sac. Pavement will be centered in a proposed 50-foot wide right-of-way which will subsequently be dedicated to the City of Council Bluffs. Pavement will be 25 feet-wide (curb-to-curb) and constructed as shown on the typical section (sheet A.01 of the Townhomes Development Plan).

The townhouse development will be served by a proposed 8" sanitary sewer main running beneath the proposed pavement. Service connections will be made as part of this project and will be extended from the proposed sewer to the proposed right-of-way line. A system of storm sewer pipes and intakes will also be constructed to convey storm water runoff to the proposed detention system within the subdivision. The townhouse development will also be served by an extension of water main from College Road as determined by the Council Bluffs Water Works.

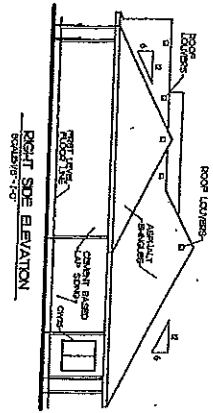
Installation of street lights, electric and gas services, and communication utilities are also planned for the subdivision. Driveways and sidewalks will be constructed as individual lots are developed.

See the stand alone Geotechnical report and Drainage study submitted as part of this package.

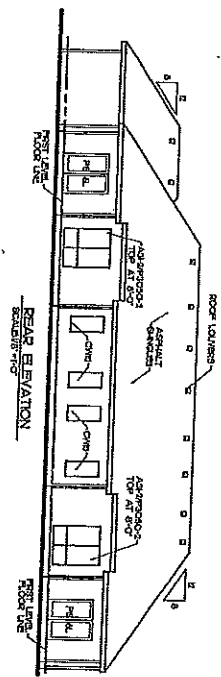
This letter was authored by John Jorgensen, PE, HGM Associates Inc.



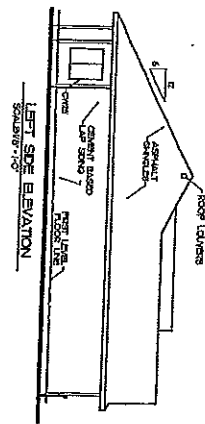
FRONT ELEVATION  
SCALE: 1/8\"/>



RIGHT SIDE ELEVATION  
SCALE: 1/8\"/>



REAR ELEVATION  
SCALE: 1/8\"/>

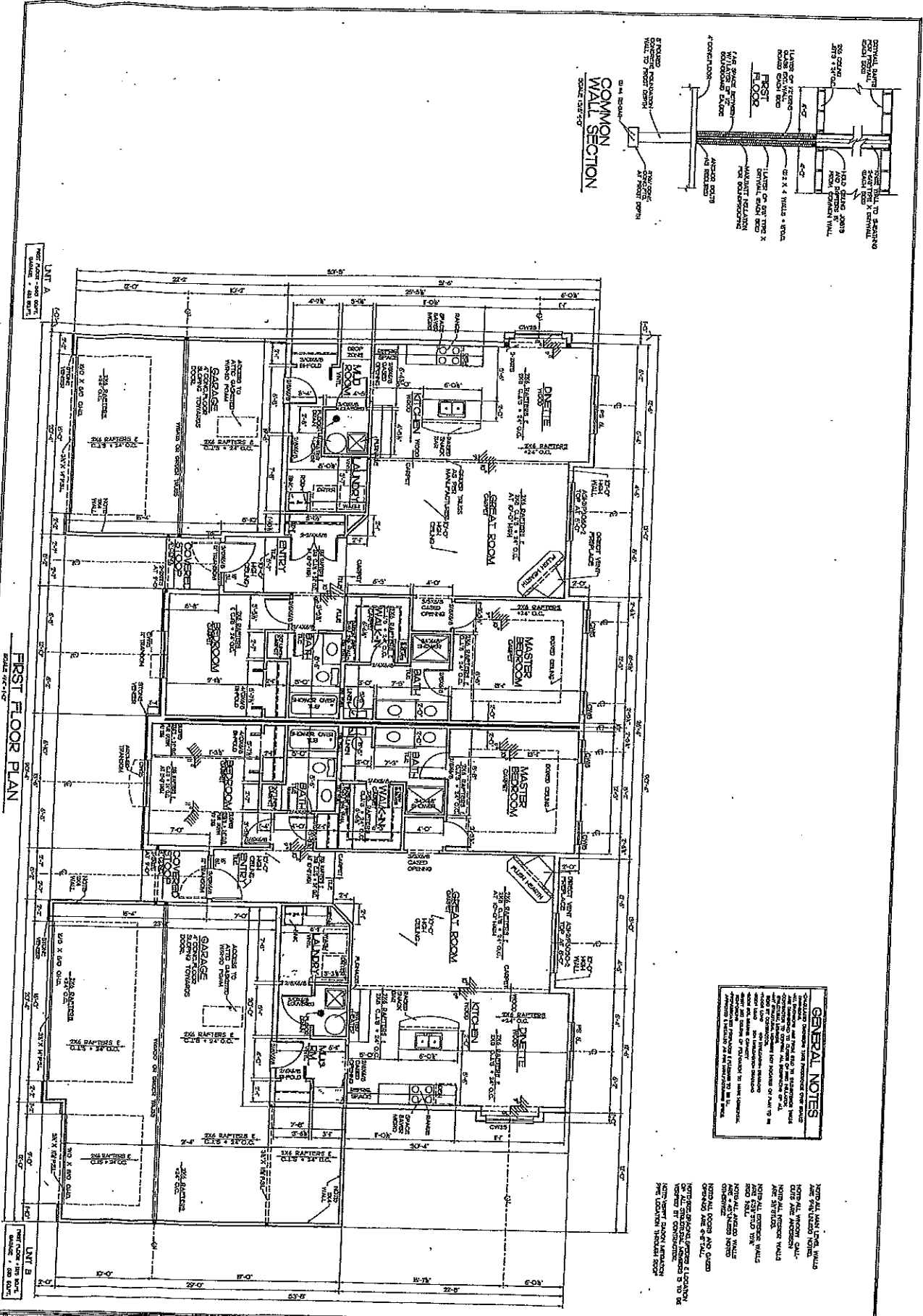


LEFT SIDE ELEVATION  
SCALE: 1/8\"/>

**TRK**  
 Residential Design Services  
 402-592-0065

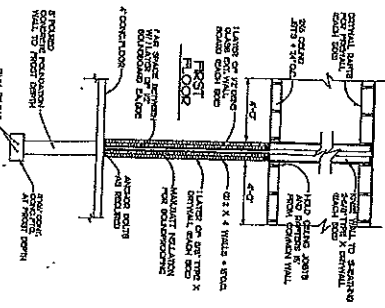
MC CARTHY DUPLEX (SLAB )

DESIGNER IS NOT AN ARCHITECT OR ENGINEER  
 THESE DRAWINGS MAY VIOLATE LOCAL, STATE, OR FEDERAL  
 REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR  
 OBTAINING ALL NECESSARY PERMITS AND APPROVALS.  
 THESE PLANS MAY NOT BE USED FOR ANY OTHER PROJECT.  
 THESE PLANS ARE FOR YOUR SECOND SITE.



**FIRST FLOOR PLAN**

**COMMON WALL SECTION**



**GENERAL NOTES**

1. GENERAL CONTRACTOR TO VERIFY ALL DIMENSIONS AND CONDITIONS OF EXISTING WORK.
2. ALL WORK TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
3. ALL MATERIALS TO BE USED SHALL BE OF THE BEST QUALITY AND SHALL BE APPROVED BY THE ARCHITECT.
4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
5. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
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**TRK**  
 Real Estate Development  
 401-591-1800

**MC CARTHY DUPLEX (SLAB)**

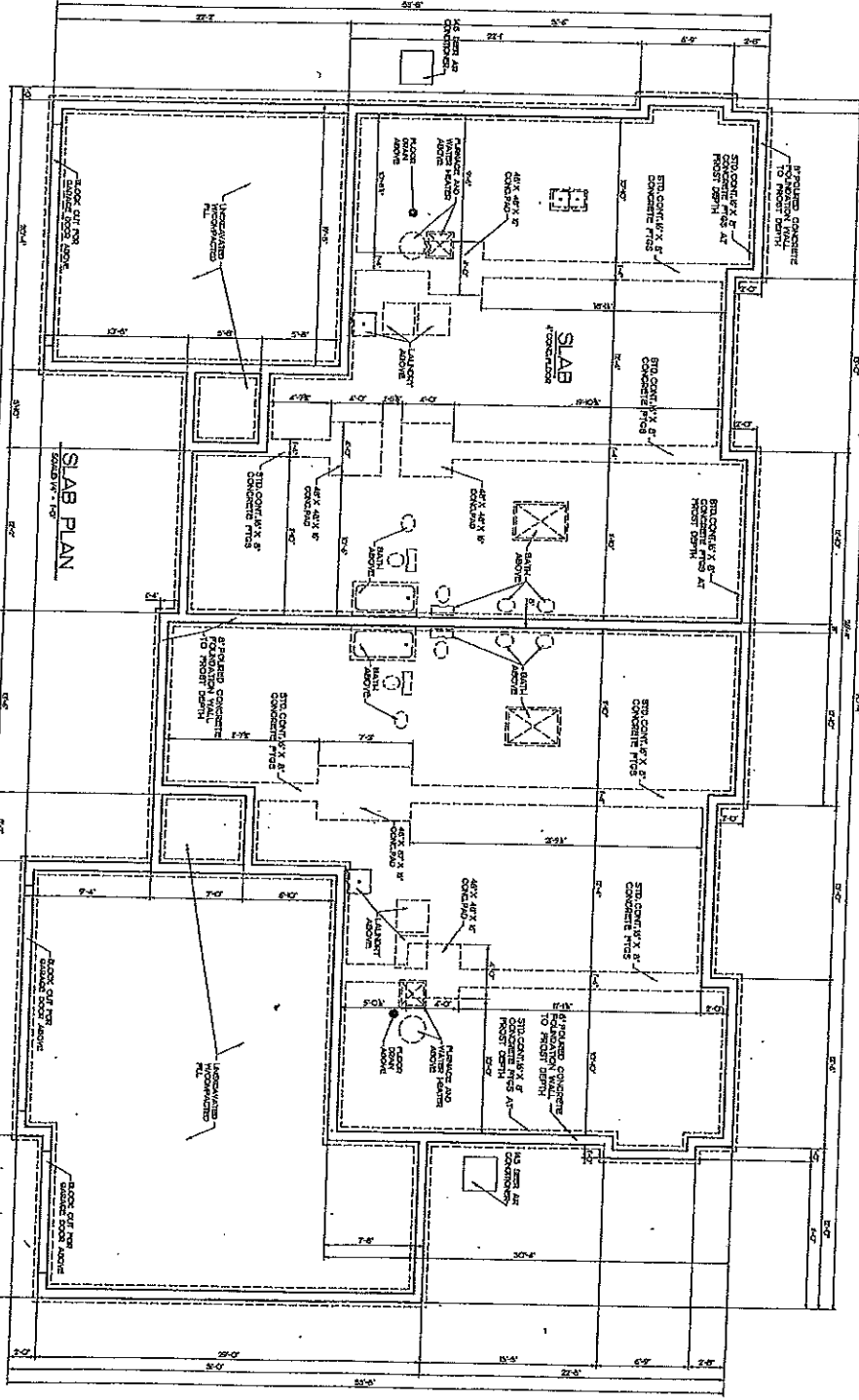
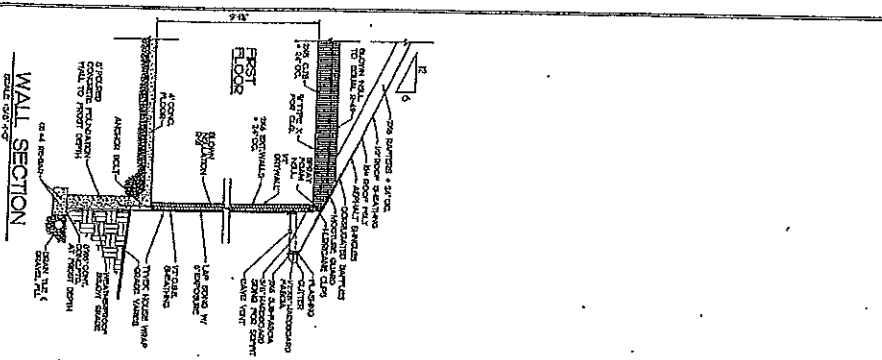
OWNER IS NOT AN ARCHITECT OR ENGINEER. THE ARCHITECT HAS REVIEWED THE PLAN AND FOUND IT TO BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE OWNER.



**TABLE**  
**GENERAL INFORMATION**

NO.	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
1	CONCRETE	100.00	CU YD	120.00	12000.00
2	REINFORCING BARS	100.00	LB	0.50	5000.00
3	FORMWORK	100.00	SQ YD	1.00	10000.00
4	PAINT	100.00	GA	0.10	1000.00
5	PLASTER	100.00	SQ YD	0.50	5000.00
6	CEILING	100.00	SQ YD	0.50	5000.00
7	FLOORING	100.00	SQ YD	1.00	10000.00
8	MECHANICAL	100.00	HR	10.00	1000.00
9	ELECTRICAL	100.00	HR	10.00	1000.00
10	PLUMBING	100.00	HR	10.00	1000.00
11	LANDSCAPING	100.00	SQ YD	0.50	5000.00
12	PAVING	100.00	SQ YD	1.00	10000.00
13	ROOFING	100.00	SQ YD	1.00	10000.00
14	INSULATION	100.00	SQ YD	0.50	5000.00
15	GLAZING	100.00	SQ YD	1.00	10000.00
16	FINISHING	100.00	HR	10.00	1000.00
17	CONCRETE	100.00	CU YD	120.00	12000.00
18	REINFORCING BARS	100.00	LB	0.50	5000.00
19	FORMWORK	100.00	SQ YD	1.00	10000.00
20	PAINT	100.00	GA	0.10	1000.00
21	PLASTER	100.00	SQ YD	0.50	5000.00
22	CEILING	100.00	SQ YD	0.50	5000.00
23	FLOORING	100.00	SQ YD	1.00	10000.00
24	MECHANICAL	100.00	HR	10.00	1000.00
25	ELECTRICAL	100.00	HR	10.00	1000.00
26	PLUMBING	100.00	HR	10.00	1000.00
27	LANDSCAPING	100.00	SQ YD	0.50	5000.00
28	PAVING	100.00	SQ YD	1.00	10000.00
29	ROOFING	100.00	SQ YD	1.00	10000.00
30	INSULATION	100.00	SQ YD	0.50	5000.00
31	GLAZING	100.00	SQ YD	1.00	10000.00
32	FINISHING	100.00	HR	10.00	1000.00

NOTES:  
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
 2. SEE GENERAL NOTES ON DRAWING SHEET 1 FOR DETAILS.  
 3. ALL MATERIALS TO BE USED AS SPECIFIED IN THE SCHEDULE.



**TRK**  
 Residential Design Services  
 402-591-4068

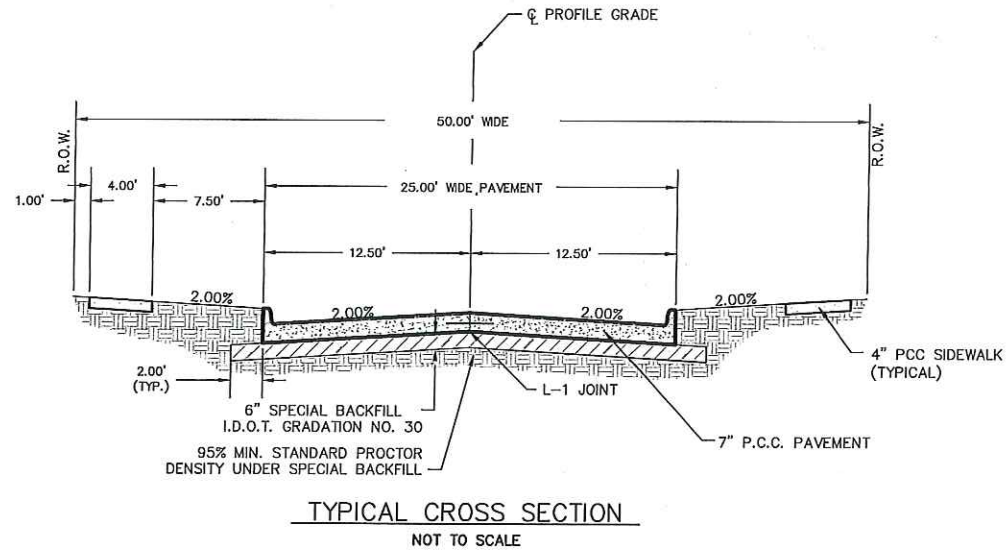
**MC CARTHY DUPLEX (SLAB)**

DESIGNER IS NOT AN ARCHITECT OR ENGINEER  
 AND DOES NOT GUARANTEE THE ACCURACY OF THESE PLANS  
 NOR THE SUITABILITY OF THESE PLANS FOR YOUR SPECIFIC SITE  
 YOUR CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE  
 ACCURACY OF THESE PLANS FOR YOUR SPECIFIC SITE

# DEVELOPMENT PLAN

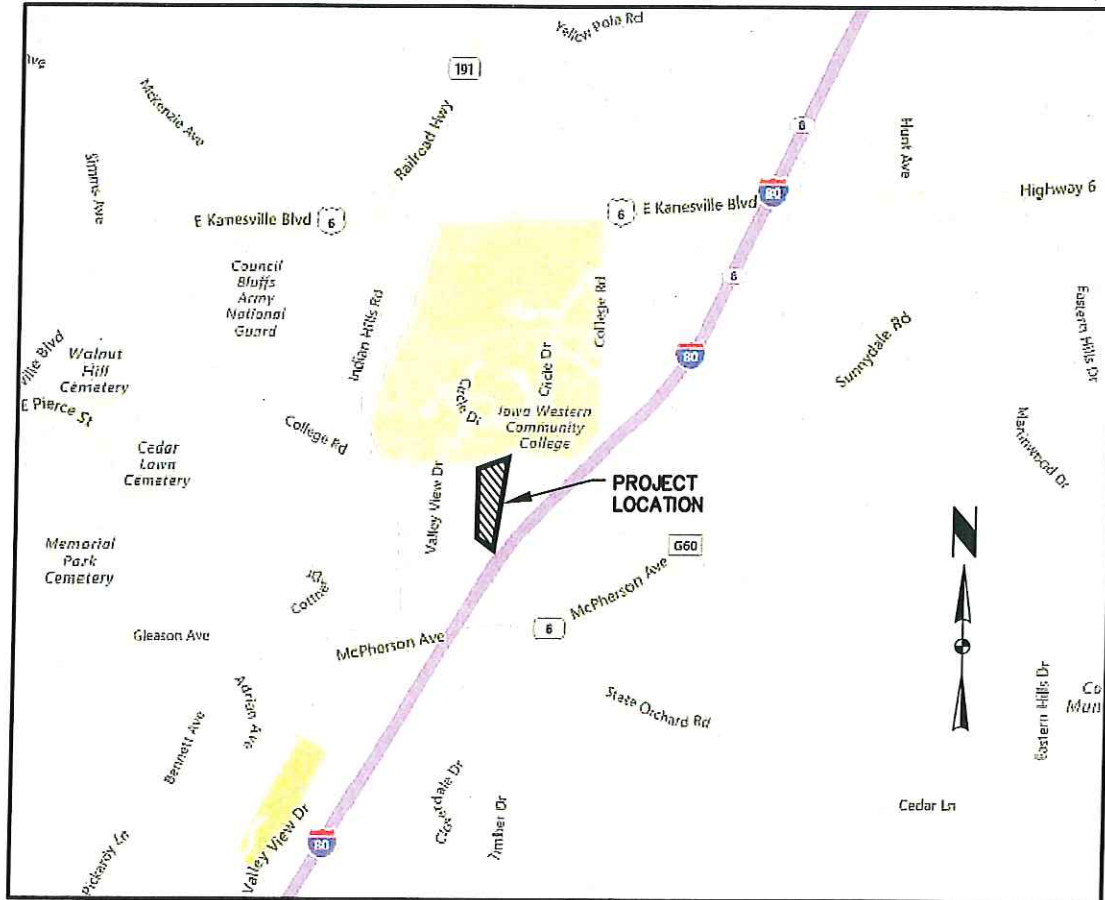
## NEW HORIZON SUBDIVISION, REPLAT 2

### RESIDENTIAL OVERLAY OF LOTS 5 THRU 36 INCLUSIVE AND OUTLOTS A, B AND C



**VERTICAL CONTROL**

BENCHMARK OF ORIGIN: NGS F134, 1989      NAVD '88 ELEV.=1010.19  
 IN COUNCIL BLUFFS, AT 0.30 MI EASTERLY ALONG MCPHERSON STREET FROM  
 ITS JUNCTION WITH BENNETT AVENUE, SET VERTICALLY IN THE SOUTHEAST FACE  
 OF THE MOST NORTHERLY ONE OF TWO COLUMNS OF THE 1ST PIER EAST OF  
 THE WEST ABUTMENT OF A ROAD BRIDGE SPANNING THE CHICAGO, ROCK ISLAND  
 AND PACIFIC RAILROAD, 119.1 FT WEST OF THE NEAR RAIL, 9.2 FT NORTH OF  
 THE CENTER OF THE ROAD, 2.0 FT BELOW THE LEVEL OF THE TRACKS, AND 0.7  
 FT ABOVE THE GROUND SURFACE.



**CURRENT OWNER/DEVELOPER:**

92 INVESTMENTS, L.L.C.  
 ROBERT MCCARTHY  
 P.O. BOX 683  
 AVOCA, IOWA 51521

**ENGINEER:**

HGM ASSOCIATED, INC.  
 640 FIFTH AVENUE  
 COUNCIL BLUFFS, IOWA 51502

**ZONING:**

EXISTING ZONING OF  
 PROPOSED TOWNHOME SUBDIVISION  
 IS R-1, RURAL  
 PROPOSED ZONING OF  
 PROPOSED TOWNHOME SUBDIVISION  
 IS CLASS R-2/PR, CITY FOR LOTS 5-36 AND  
 OUTLOTS A, B AND C.

**EXISTING FLOOD PLAIN:**

MISSOURI RIVER FLOOD PLAIN  
 FEMA FLOOD ZONE - OTHER AREA  
 NO FLOODWAY OR FRINGE ENCROACHMENT

**STORM WATER DETENTION:**

CONSTRUCTION OF NEW DETENTION IN  
 ACCORDANCE WITH SUDAS DESIGN STANDARDS.

**BOUNDARY SURVEY:**

BOUNDARY SURVEY WILL BE PROVIDED BY  
 HGM ASSOCIATES INC.

**NOTES:**

PROPOSED SEWER: CONSTRUCT NEW SANITARY  
 SEWER, WITH PRIVATE LATERAL CONNECTIONS.  
 CONSTRUCT NEW STORM SEWER AND INTAKES. NEW  
 SEWER TO BE DEDICATED TO CITY OF COUNCIL  
 BLUFFS.  
 PROPOSED WATER: CITY WATER  
 CONNECTIONS TO BE DESIGNED BY CBWW  
 DEDICATION OF R-0-W: YES  
 1.21 ACRES OF 50' WIDE R-0-W WILL BE DEDICATED  
 TO CITY OF COUNCIL BLUFFS.  
 SURFACE RUNOFF: STORM SEWER TO PROPOSED  
 SUBDIVISION DETENTION.  
 EASEMENTS: A 5.00 FOOT WIDE PERMANENT  
 EASEMENT ON EACH SIDE OF ALL SIDE LOT LINES, A  
 10.00 FOOT WIDE PERMANENT EASEMENT ALONG ALL  
 FRONT LOT LINES, AND A 5.00 FOOT WIDE  
 PERMANENT EASEMENT ALONG ALL REAR LOT LINES,  
 ARE RESERVED FOR THE INSTALLATION AND  
 MAINTENANCE OF UTILITIES.

**SPECIFICATIONS**

THE URBAN STANDARD SPECIFICATIONS FOR PUBLIC  
 IMPROVEMENTS, 2017, AND CITY OF COUNCIL BLUFFS  
 SUPPLEMENTAL SPECIFICATIONS 2017, SHALL APPLY  
 TO THIS PROJECT.

**INDEX**

PAGE NO.	DESCRIPTION
A.01	TITLE SHEET
A.02	AREA MAP
G.01	PLAN SHEET

JOHN E. JORGENSEN  
12855

I hereby certify that this engineering document was prepared by me or  
 under my direct personal supervision and that I am a duly licensed  
 Professional Engineer under the laws of the State of Iowa.

*John E. Jorgensen* 3/15/17

JOHN E. JORGENSEN

My license renewal date is December 31, 2017.

Pages or sheets covered by this seal:  
 A.01, A.02, AND G.01

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BCI drawn	J.E.J. designed	J.E.J. approved	AUG. 17 date	revision

**NEW HORIZON SUBDIVISION, REPLAT 2**

project COLLEGE ROAD TOWNHOMES

client 92 INVESTMENTS LLC  
P.O. BOX 683, AVOCA, IOWA 51521

sheet **TITLE SHEET**

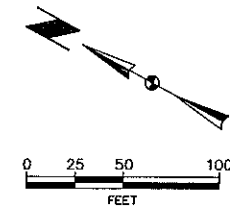
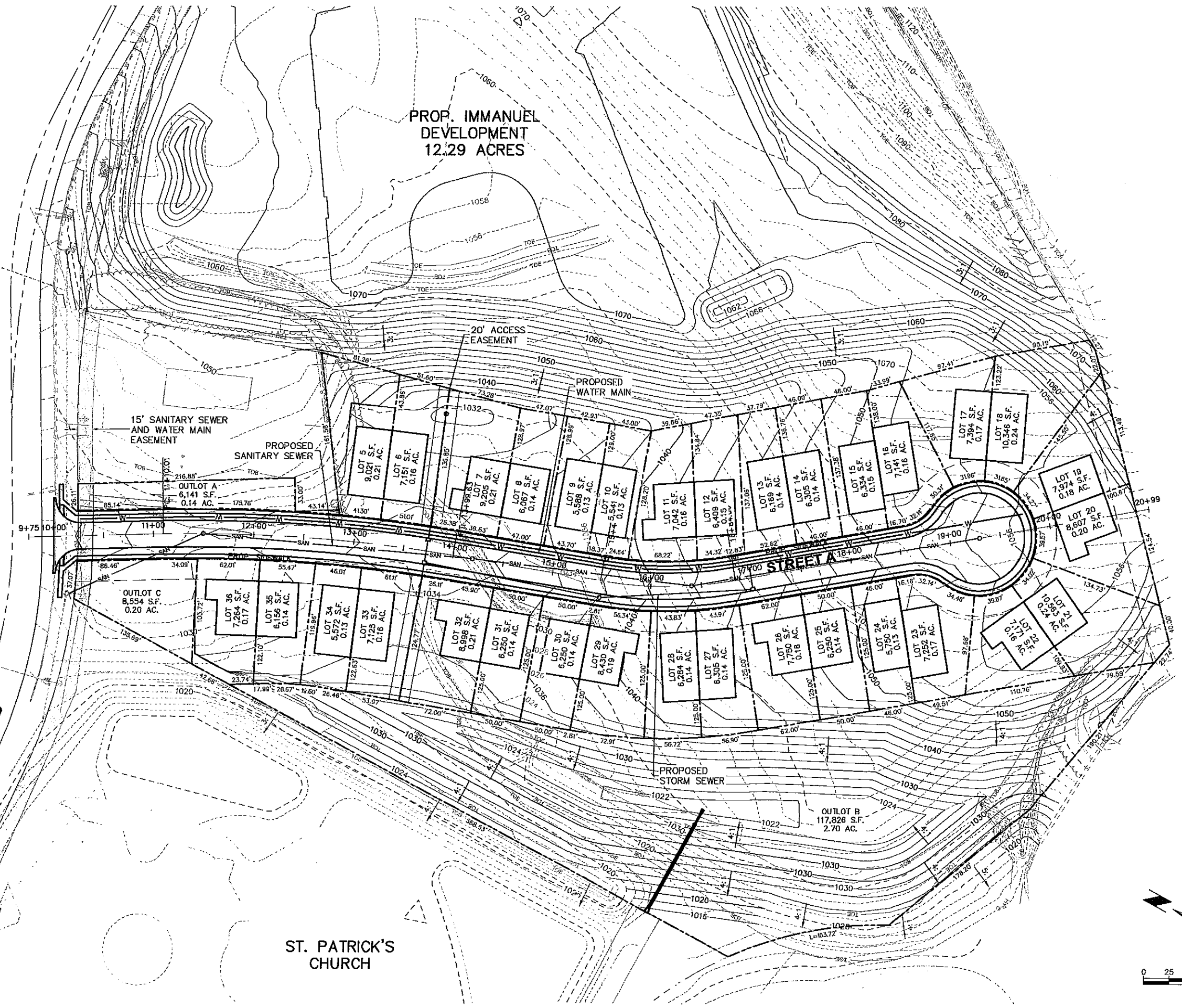
project no.  
105017

sheet  
**A.01**

COLLEGE ROAD

PROP. IMMANUEL DEVELOPMENT  
12.29 ACRES

ST. PATRICK'S CHURCH



project **NEW HORIZON SUBDIVISION, REPLAT 2**  
COLLEGE ROAD TOWNHOMES  
client **92 INVESTMENTS LLC**  
P.O. BOX 683, AVOCA, IOWA 51521  
sheet **RESIDENTIAL OVERLAY PLAN**

project no. 105017  
sheet **001**

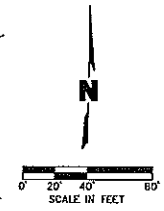
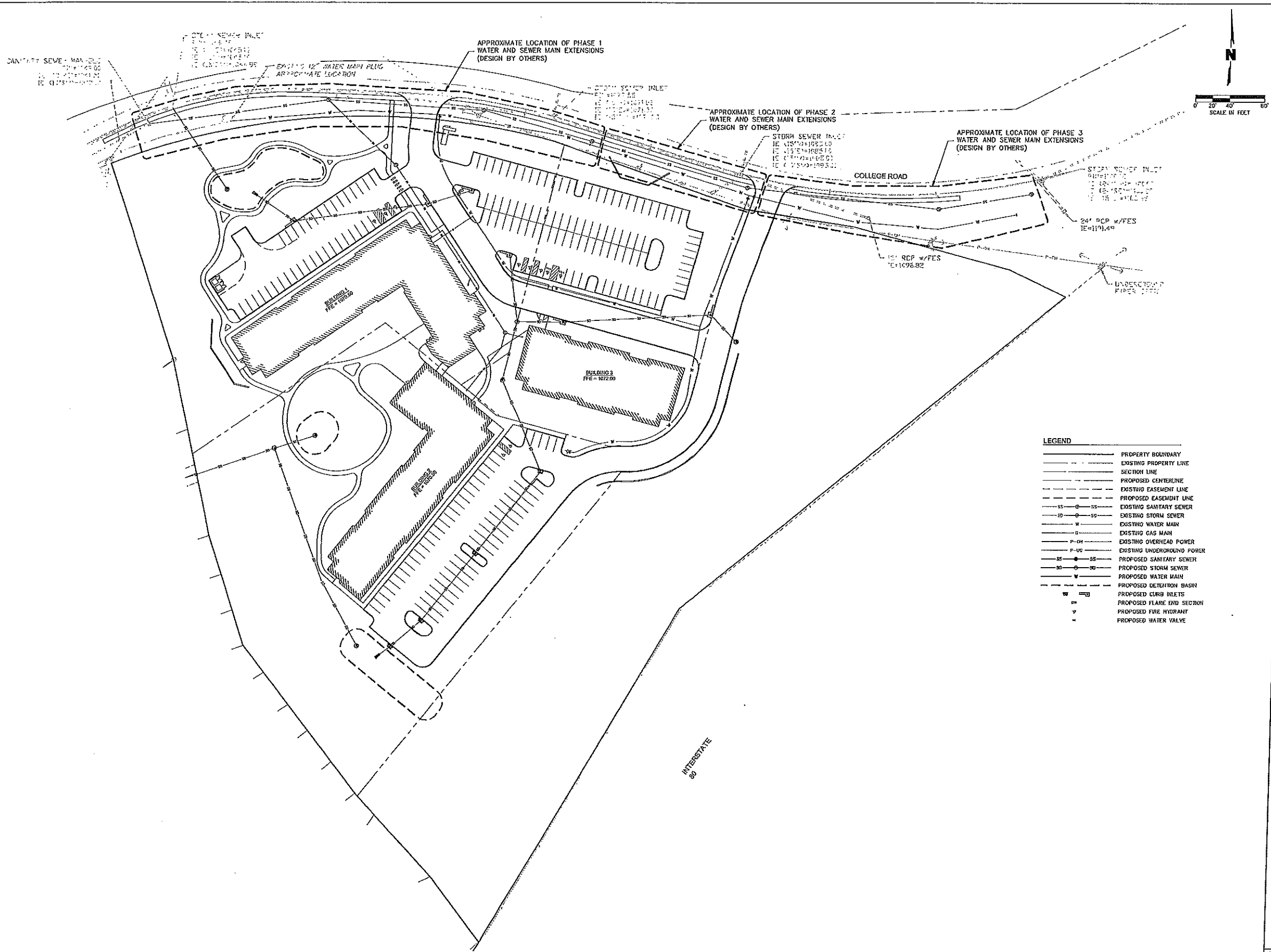
BCI	drawn	_____	date	_____
J.E.L.	designed	_____	date	_____
J.E.L.	approved	_____	date	_____
AUG. 17	revision	_____	date	_____

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**OLSSON**  
 ASSOCIATES

REV. NO.	DATE	REVISION DESCRIPTION

- LEGEND**
- PROPERTY BOUNDARY
  - EXISTING PROPERTY LINE
  - SECTION LINE
  - PROPOSED CENTERLINE
  - EXISTING EASEMENT LINE
  - PROPOSED EASEMENT LINE
  - SS— EXISTING SANITARY SEWER
  - SP— EXISTING STORM SEWER
  - W— EXISTING WATER MAIN
  - G— EXISTING GAS MAIN
  - P— EXISTING OVERHEAD POWER
  - U— EXISTING UNDERGROUND POWER
  - S— PROPOSED SANITARY SEWER
  - SP— PROPOSED STORM SEWER
  - W— PROPOSED WATER MAIN
  - D— PROPOSED DETENTION BASIN
  - C— PROPOSED CURB INLETS
  - F— PROPOSED FLARE END SECTION
  - H— PROPOSED FIRE HYDRANT
  - V— PROPOSED WATER VALVE

PRELIMINARY UTILITY PLAN  
 NEW HORIZON SUBDIVISION, REPLAT 2  
 PRELIMINARY PLAN  
 COUNCIL BLUFFS, IA

2017

DESIGNED BY: [ ] DATE: [ ]  
 CHECKED BY: [ ] DATE: [ ]  
 APPROVED BY: [ ] DATE: [ ]  
 DRAWING NO: [ ]  
 SHEET NO: [ ]

SHEET  
 C3.0

USER: jhollison  
 C:\PLOT\2017L

PLANT NOTES

- PRIOR TO ANY PLANTING OR BREAKING OF GROUND, IT IS THE CONTRACTOR'S RESPONSIBILITY TO CALL/LOCATE ALL UTILITY LINES WITHIN THE WORKLINE.
- THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS DURING EXCAVATION OPERATIONS TO NOT DISTURB EXISTING UTILITY LINES. DAMAGE TO ANY EXISTING UTILITY LINES SHALL BE REPAIRED AT CONTRACTOR'S EXPENSE.
- ALL DAMAGE TO EXISTING SITE IMPROVEMENTS RESULTING FROM EXCAVATION, PLANTING, BACKFILLING, ETC. SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE. THE CONTRACTOR SHALL SOO ALL DISTURBED AREAS INCLUDING CONSTRUCTION ACCESS UNDER PROJECT LIMITS. SURFACES OTHER THAN THE PLANTING AREA SHALL BE RESTORED BY THE CONTRACTOR TO THE CONDITION EXISTING PRIOR TO THE PLANTING OPERATION.
- PLANT LIST IS PROVIDED FOR CONVENIENCE ONLY. IN THE CASE OF DISCREPANCY BETWEEN THE PLAN AND THE PLANT LIST QUANTITIES, THE PLAN WILL TAKE PRECEDENCE. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ALL FINAL QUANTITIES PER DRAWINGS AND SPECIFICATIONS.
- ALL PLANT MATERIAL INSTALLED SHALL BE "NURSERY GROWN" MEETING THE FOLLOWING CRITERIA:
  - PLANT MATERIAL GROWN BY ESTABLISHED COMMERCIAL NURSERIES AND SOLO TO LICENSED AND CERTIFIED NURSERIES AND/OR LANDSCAPE ARCHITECTS.
  - GROWN AND SOLO ACCORDING TO AMERICAN STANDARD FOR NURSERY STOCK SPECIFICATION.
- THE LANDSCAPE ARCHITECT AND/OR OWNER RESERVES THE RIGHT TO INSPECT AND APPROVE ALL PLANT MATERIAL AT THE NURSERY/PLACE OF GROWTH, PRIOR TO INSTALLATION. PLANT MATERIAL WHICH HAS BECOME DAMAGED OR DISEASED OR WHICH IS UNACCEPTABLE TO THE LANDSCAPE ARCHITECT MAY BE REJECTED UPON DELIVERY TO THE SITE. WHEN TYPICAL, TREES WITHOUT A CENTRAL LEADER SHALL NOT BE ACCEPTED.
- IF AVAILABLE, TREE MATERIAL SHALL BE GROWN WITH A "CROW BAR", "ROOTMAKER", OR OTHER ROOT MASS BENEFICIAL CONTAINMENT METHOD. TREE MATERIAL NOT GROWN BY THIS METHOD SHALL BE CONTAINER GROWN OR BALLED AND BURLAPPED.
- ALL PLANT SUBSTITUTIONS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT.
- IT IS RECOMMENDED THAT PLANTING OF TREES AND SHRUBS AREAS SHALL BE COMPLETED DURING THE SPRING (MARCH 15-APRIL 15) OR FALL (SEPTEMBER 1-OCTOBER 15) PLANTING SEASONS. ANY PLANTING OPERATION NOT PERFORMED DURING THESE PERIODS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT AND ARE PERFORMED AT THE CONTRACTOR'S RISK.
- PRIOR TO COMMENCING PLANTING, THE CONTRACTOR SHALL STAKE THE EXACT LOCATION OF ALL PLANT MATERIAL FOR THE APPROVAL LANDSCAPE ARCHITECT OR THEIR REPRESENTATIVE. ALL PLANTING OPERATIONS AND LAYOUT SHALL BE COORDINATED WITH THE LANDSCAPE ARCHITECT. THE ACTUAL LOCATION OF PLANT MATERIALS MAY VARY DUE TO FIELD CONDITIONS. FINAL PLACEMENT OF PLANT MATERIAL SHALL BE APPROVED BEFORE ANY DIGGING. IF THE PLACEMENT IS NOT SATISFACTORY, PLANTS SHALL BE RELOCATED AT THE DIRECTION OF THE LANDSCAPE ARCHITECT OR THEIR REPRESENTATIVE, AT NO ADDITIONAL COST TO THE OWNER.
- CONTRACTOR SHALL BE REQUIRED TO PERFORM pH TESTS ON EXISTING PLANTING BEDS TO DETERMINE THE NECESSARY AMOUNT OF COMPOST TO BE ADDED TO ADJUST pH TO BETWEEN SIX (6) AND SEVEN (7).
- ALL TREE/SHRUB PLANTING AREAS SHALL BE AMENDED WITH A LOCALLY PRODUCED COMPOST. A 3" LAYER SHALL BE PLACED OVER TOP OF SHRUB PLANTING AREA AND ROTOTILLED TO A DEPTH OF 9" BEFORE PLANTING. RAKE AREA SMOOTH.
- GRANULAR PEE-EMERGENT WEED CONTROL SUCH AS DACTHAL, TRIFLUR, OR APPROVED PRODUCT SHALL BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS IN ALL SHRUB BEDS. DO NOT APPLY WEED CONTROL IN TREE WELLS IN GRASS AREAS.
- INCORPORATE STARTER FERTILIZER WITH ROOTING HORMONE, 100% WATER SOLUBLE, APPLY TO MANUFACTURER RECOMMENDED RATE, 4-2-2 "TRANSPILERANT" OR EQUIV.
- PLANTING TABLETS SHALL BE 21 GRAM SIZE, 20-10-5 "AGROFORM" OR EQUIV. APPLY EVENLY AROUND ROOT BALL AT A RATE OF:
  - TREES: 5 TABLETS PER TREE.
  - SHRUBS: 2 TABLETS PER TREE.
  - GROUNDCOVER: 1 TABLET PER PLANT.
- ALL TREES IN SAME PLANTING AREA SHALL BE PLACED AND PLANTED AT THE SAME TIME. IF ANY PLANTS REPAIR ON THE SITE FOR MORE THAN 8 HOURS, THAT PLANT MATERIAL SHALL BE HELED-IN ON SITE TO MAINTAIN THE MATERIALS HEALTH AND VITALITY. PLANTS SHALL BE PROTECTED AND MAINTAINED, INCLUDING BUT NOT LIMITED TO WATER AND SHADE. WHILE ON-SITE, ANY PLANTS DEEMED NOT IN SATISFACTORY HEALTH OR CONDITION AT THE TIME OF PLANTING BY THE LANDSCAPE ARCHITECT OR THEIR REPRESENTATIVE SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
- CONTRACTOR SHALL NOT STOCKPILE ANY MATERIALS UNDER THE DUMP LINE OF EXISTING TREES.
- ONE PLANT TAG OUT OF GROUPS OF A CULTIVAR OR PLANT MATERIAL MUST REMAIN UNTIL THE LANDSCAPE ARCHITECT REVIEWS THE LAYOUT, AND APPROVES QUANTITIES AND SPECIES.
- ALL TREES, SHRUB MASS PLANTINGS, AND ANNUAL AND ORNAMENTAL PLANTING BEDS SHALL RECEIVE SHREDDED HARDWOOD/BIRCH/ROCK MULCH OVER LANDSCAPE FABRIC TO A DEPTH OF 4" AS NOTED ON THE PLAN. RIVER ROCK TO BE CLEAN, WASHED 1" TO 1" STONE.
- PROTECT BOTTOM 48" OF SINGLE TRUNK TREES WITH RIGID OPEN PLASTIC TYPE BARK GUARD PRODUCT.
- LIMITS OF SEEDING SHOWN IS BASED ON THE ESTIMATED GRASSING LIMIT. CONTRACTOR SHALL BE RESPONSIBLE FOR SODDING/SEEDING AREAS THAT ARE DISTURBED DURING THE CONSTRUCTION PROCESS.
- ALL TURF AREAS ARE TO BE IRRIGATED. IRRIGATION CONTRACTOR IS RESPONSIBLE TO DESIGN A SYSTEM THAT SUPPLIES EVEN COVERAGE WITH NO OVERSPRAY ON BUILDING OR PAVED AREAS. CONTRACTOR WILL PROVIDE AN AS-BUILT DRAWING OF THE SYSTEM TO THE OWNER. CONTRACTOR WILL INSTRUCT THE OWNER IN THE OPERATION OF THE SYSTEM AND SUPPLY ALL OPERATION MANUALS.
- CONTRACTOR TO SHALL BE RESPONSIBLE FOR WATERING ALL PLANT MATERIALS UNTIL THE PERMANENT IRRIGATION SYSTEM IS FULLY FUNCTIONAL AND SUBSTANTIAL COMPLETION OF THE PROJECT HAS TAKEN PLACE. ANY MATERIAL WHICH DIES, OR DEFLATES (PRIOR TO ACCEPTANCE OF THE WORK) WILL BE PROMPTLY REMOVED AND REPLACED.
- PRIOR TO GRABBING SUBSTANTIAL COMPLETION, THE OWNER AND/OR LANDSCAPE ARCHITECT SHALL COMPLETE A FINAL PURCHASER OF UNSATISFACTORY OR INCOMPLETE ITEMS. CONTRACTOR SHALL BE NOTIFIED IN WRITING OF SUBSTANTIAL COMPLETION.
- THE CONTRACTOR WILL COMPLETELY GUARANTEE ALL WORK FOR THE PERIOD SPECIFIED BY THE WARRANTY CHART BELOW.

WARRANTY CHART			
SUBSTANTIAL COMPLETION DATE	DURATION	WARRANTY EXPIRATION	
DECEMBER	18 MONTHS	JULY	
JANUARY	18 MONTHS	JULY	
FEBRUARY	17 MONTHS	JULY	
MARCH	16 MONTHS	JULY	
APRIL	15 MONTHS	JULY	
MAY	14 MONTHS	JULY	
JUNE	13 MONTHS	JULY	
JULY	12 MONTHS	JULY	
AUGUST	11 MONTHS	AUGUST	
SEPTEMBER	12 MONTHS	SEPTEMBER	
OCTOBER	12 MONTHS	OCTOBER	
NOVEMBER	12 MONTHS	NOVEMBER	

SOD NOTES

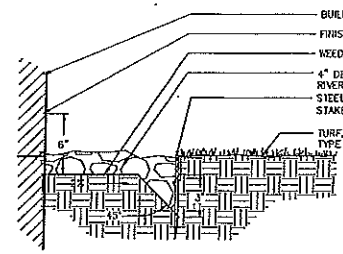
- CONTRACTOR SHALL COMPLY WITH AMERICAN SOO PRODUCERS ASSOCIATION CLASSES OF SOO MATERIALS.
- THE LANDSCAPE ARCHITECT AND/OR OWNER RESERVES THE RIGHT TO INSPECT SOO AT SITE BEFORE PLANTING. FOR COMPLIANCE WITH REQUIREMENTS FOR GAUSS, SPECIES, VARIETY, AND QUALITY, THE LANDSCAPE ARCHITECT MAY REJECT UNSATISFACTORY OR DEFECTIVE MATERIAL AT ANY TIME DURING PROCESS OF SOO. REJECTED MATERIALS MUST BE REMOVED FROM THE PROJECT SITE.
- SOO SHALL BE A FIRST CLASS REPRESENTATION OF NORMAL CULTIVARS OF BLUEGRASS, TURF-TYPE FESCUE, BUFFALO GRASS, OR ZOYSIA FROM A LOCAL NEBRASKA SOURCE. ALL SOO SUBSTITUTIONS SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT IF SPECIFIED MATERIALS ARE NOT OBTAINABLE.
- IT IS RECOMMENDED PLANTING OF SOO AREAS SHALL BE COMMENCED DURING THE SPRING (MARCH 15-APRIL 15) OR FALL (SEPTEMBER 1-OCTOBER 15) PLANTING SEASONS UNLESS SPECIFICALLY SPECIFIED.
- SOO SHALL BE MOVED AND RAKED TO REMOVE STEMS, STICKS, AND GRASS CUPS PRIOR TO CUTTING. SOO SHALL NOT HAVE DRY EDGES.
- SOO SHALL BE MACHINE STRIPPED AT A UNIFORM SOO THICKNESS OF APPROXIMATELY ONE INCH (PLUS OR MINUS 1/4-INCH). SOO SHALL BE CUT AT A MINIMUM WIDTH OF 18" TO AVOID UNNECESSARY DAMAGE TO THE ROOT MASS.
- EXTREME CARE SHALL BE TAKEN IN CUTTING, HANDLING, TRANSPORTING, AND LAYING SOO TO AVOID UNNECESSARY DAMAGE TO SOO AND LOSS OF EARTH FROM ROOTS OF THE SOO. HANDLING OF SOO SHALL BE DONE IN A MANNER THAT WILL PREVENT TEARING, BREAKING, DRYING AND OTHER DAMAGE. PROTECT EXPOSED ROOTS FROM DEHYDRATION. DO NOT DELIVER MORE SOO THAN CAN BE LAD IN 24 HOURS.
- LOOSEN SUBGRADE TO A DEPTH OF 4" AND GRADE TO SMOOTH, EVEN SURFACE WITH LOOSE UNIFORM SOO TEXTURE. REMOVE STONES AND DEBRIS OVER 1" IN ANY DIMENSION. LIGHTLY COMPACT SOO TO LIMIT SETTLEMENT.
- WETTER PREPARED SURFACE IMMEDIATELY PRIOR TO LAYING SOO. WATER THOROUGHLY AND ALLOW SURFACE TO DRY BEFORE INSTALLING SOO.
- APPLY FERTILIZER, AND THEN HARROW OR RAKE FERTILIZER IN THE TOP 1-1/2-INCHES OF TOPSOIL AT A UNIFORM RATE OF ONE POUND OF NITROGEN PER 100 SQ. FT. FERTILIZER SHALL BE 20-10-5 COMMERCIAL FERTILIZER OF THE GRADE, TYPE AND FORM SPECIFIED AND SHALL COMPLY WITH THE RULES OF THE STATE OF IOWA/NEBRASKA. FERTILIZER SHALL BE IDENTIFIED ACCORDING TO THE PERCENT N, P, K IN THAT ORDER.
- SOO SHALL BE LAD TO FORM A SMOOTH MASS WITH TIGHTLY FITTED JOINTS. DO NOT OVERLAP SUIT EDGES OR EDGES, STAGGER JOINTS. SOO SHALL BE CAREFULLY PLACED IN THE DIRECTION PARALLEL WITH THE SLOPE OF THE AREA TO BE SOOD.
- ALL SOO ON SLOPES GREATER THAN 3:1 AND WITHIN DETENTION AREAS SHALL BE STAKED.
- TAMP AND ROLL SOO LIGHTLY TO ENSURE FULL CONTACT WITH SUBGRADE. WORK SIFTED SOO INTO MINOR CRACKS.
- SATURATE SOO WITH FINE WATER SPRAY WITHIN TWO HOURS OF PLANTING. WATERING FIRST WEEK AFTER PLANTING. WATER DAILY OR MORE FREQUENTLY AS NECESSARY TO MAINTAIN MOST SOO TO A MINIMUM DEPTH OF FOUR INCHES BELOW SOO.
- CONTRACTOR SHALL PROVIDE FULL MAINTENANCE FOR SOODDED TURF GRASS FOR A PERIOD OF 30 DAYS AFTER THE DATE OF FINAL ACCEPTANCE OF SITE OPERATIONS. MAINTENANCE IS GREATER AT THE END OF THE MAINTENANCE PERIOD. A HEALTHY, WELL-ROOTED, EVEN-GROWN, VIGOROUS TURF MUST BE ESTABLISHED. THE TURF GRASS SHALL BE FREE OF WEEDS, OR JOINTS, BARE AREAS, AND SURFACE IRREGULARITIES.

IRRIGATION PERFORMANCE SPECIFICATION

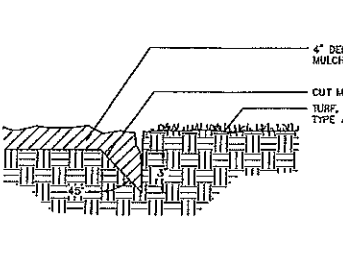
- IRRIGATION DESIGN TO BE PREPARED BY IRRIGATION CONTRACTOR AND PROVIDED TO THE OWNER OR THE OWNER'S REPRESENTATIVE FOR APPROVAL PRIOR TO INSTALLATION. THE IRRIGATION DESIGN SHALL BE PREPARED BY AN IRRIGATION DESIGNER WITH A MINIMUM OF FIVE (5) YEARS OF DESIGN EXPERIENCE.
- IRRIGATION TAP(S) LOCATIONS TO BE COORDINATED BETWEEN THE CONTRACTOR, CITY, AND LANDSCAPE ARCHITECT. INSTALL IRRIGATION TAP(S), METERS, AND BACKFLOW PREVENTION DEVICES AS REQUIRED BY THE CITY. IRRIGATION TAP(S), METERS, AND BACKFLOW PREVENTION(S) SIZE TO BE DETERMINED BY IRRIGATION CONTRACTOR AND SHALL BE LISTED ON THE IRRIGATION PLAN.
- IRRIGATION CONTRACTOR TO DETERMINE AVAILABLE WATER PRESSURE AND FLOW AT TAP LOCATION(S). IRRIGATION CONTRACTOR TO DESIGN IRRIGATION SYSTEM BASED ON AVAILABLE WATER PRESSURE. IRRIGATION CONTRACTOR TO PROVIDE ALL DESIGN CALCULATIONS FOR REVIEW BY THE OWNER OR OWNER'S REPRESENTATIVE INCLUDING FLOW RATES AND PRESSURE LOSSES CALCULATIONS OF THE SYSTEM.
- IRRIGATION CONTROLLER SHALL BE A MODULAR SYSTEM EXPANDABLE IN EITHER 4 OR 8 STATION MODULES. THE IRRIGATION CONTROLLER SHALL HAVE THE CAPACITY TO OPERATE A MASTER VALVE DURING SYSTEM RUN TIME. THE IRRIGATION CONTROLLER SHALL HAVE A PROGRAM WITH INDEPENDENT STARTS, YES DAY CALENDARS, DRYER, COOL, 50% CYCICAL, CUSTOM AND MANUAL WATER DAY SCHEDULES. THE CONTROLLER SHALL HAVE A METER AND FLOW METER. THE CONTROLLER SHALL BE INSTALLED IN A LOCKABLE, METAL PESTEL IN A LOCATION APPROVED BY THE OWNER OR OWNER'S REPRESENTATIVE. THE IRRIGATION CONTROLLER SHALL BE MANUFACTURED BY EITHER INDUSTRIES, RAIN BIRD CORPORATION, OR TORO AND INSTALLED PER MANUFACTURER'S SPECIFICATIONS. THE IRRIGATION CONTROLLER SHALL HAVE A MANUFACTURER'S FIVE (5) YEAR WARRANTY.
- THE IRRIGATION SYSTEM DESIGN SHALL INCLUDE A WIRELESS RAIN SENSOR. INSTALL RAIN SENSOR IN LOCATION APPROVED BY THE OWNER AND PER THE MANUFACTURER'S SPECIFICATIONS. THE WIRELESS RAIN SENSOR SHALL BE MANUFACTURED BY EITHER INDUSTRIES, RAIN BIRD CORPORATION, OR TORO.
- IRRIGATION CONTROL VALVES ARE TO BE A PLASTIC GLOBE VALVE CONSTRUCTION WITH PRESSURE RATING OF 15, 100 PSI AND FLOW RANGE FROM 2 - 150 GPM. THE SOLENOID SHALL BE HEAVY DUTY ONE PRESS. THE CONTROL VALVE SHALL HAVE THE ABILITY TO ADJUST AND REGULATE PRESSURE FROM 20 -100 PSI. THE CONTROL VALVE SIZE SHALL BE 1" 1/2 AND 2" CONFIGURATIONS. THE CONTROL VALVES SHALL HAVE A MANUFACTURER'S THREE (3) YEAR WARRANTY.
- ALL SHRUB BEDS ARE TO BE IRRIGATED USING A DRIP SYSTEM. TURF AREAS SHALL BE IRRIGATED USING TURF SPRAY HEADS. THE IRRIGATION SPRAY BODY SHALL BE UV-RESISTANT PLASTIC WITH A CO-HOLED OR CO-HOLED OR CO-HOLED DESIGN. THE SPRAY BODY SHALL HAVE BOTH A BOTTOM AND SIDE IN-LET FEATURE. SPRAY NOZZLES SHALL BE VARIABLE AND SPRAY NOZZLES. THE IRRIGATION DESIGN SHALL BE PREPARED TO PROVIDE A SET SPACING OR HEAD TO HEAD LAYOUT. THE SPRAY BODIES AND NOZZLES SHALL BE MANUFACTURED BY HUNTER INDUSTRIES, TORO, OR RAIN BIRD CORPORATION AND SHALL HAVE A MANUFACTURER'S FIVE (5) YEAR WARRANTY.
- ALL IRRIGATION MAINLINE PIPES SHALL BE PVC CLASS 200 PSI PLASTIC PIPE. ALL PIPE SHALL BE SIZED NOT TO EXCEED A VELOCITY OF FIVE (5) FEET PER SECOND.
- ALL IRRIGATION LATERAL PIPES SHALL BE POLYETHYLENE PIPE. ALL PIPE SHALL BE SIZED NOT TO EXCEED A VELOCITY OF FIVE (5) FEET PER SECOND.
- ALL IRRIGATION PIPE OR WIRE SHALL BE INSTALLED IN SLEEVES BELOW ANY PAVEMENT OR HARD SURFACE. ALL IRRIGATION SLEEVES SHALL BE PVC SCHEDULE 40. ALL SLEEVES ARE TO EXCEED 24" BEYOND AND BE A MINIMUM OF TWO (2) TIMES THE DIAMETER OF THE MAINLINE OR LATERAL.
- IRRIGATION CONTRACTOR SHALL SUPPLY MAINTENANCE AND OPERATION MANUALS AND A SCALED AS-BUILT DRAWING OF THE SYSTEM TO THE OWNER. IRRIGATION CONTRACTOR SHALL DEMONSTRATE THE PROGRAMMING OF THE CONTROLLER FOR THE OWNER.
- FRESH GRADES ESTABLISHED PRIOR TO INSTALLATION OF IRRIGATION SYSTEM SHALL BE MAINTAINED AND ANY EXCESS SOO SHALL EITHER BE WASTED ON SITE AT THE DISCRETION OF THE GENERAL CONTRACTOR OR DISPOSED OF OFF-SITE. ALL CONSTRUCTION DEBRIS FROM IRRIGATION OPERATIONS SHALL BE DISPOSED OF OFF-SITE.

TURF AND GRASSLAND SEEDING NOTES

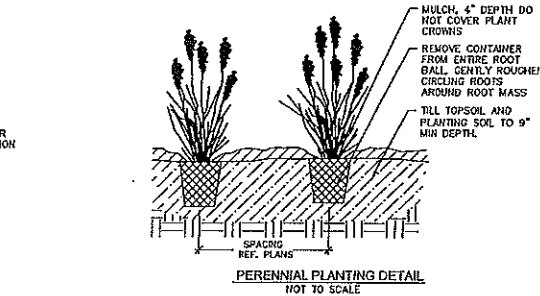
- THE LANDSCAPE ARCHITECT AND/OR OWNER RESERVES THE RIGHT TO INSPECT SEED AT THE SITE BEFORE SEEDING OPERATIONS COMMENCE. THE LANDSCAPE ARCHITECT MAY REJECT UNSATISFACTORY OR DEFECTIVE MATERIAL AT ANY TIME DURING PROCESS OF WORK. REJECTED MATERIALS MUST BE REMOVED FROM THE PROJECT SITE.
- ALL TURF SEED SHALL BE BOX TURF-TYPE FINE-BLADED FESCUE AND 20% PERENNIAL RYE GRASS BLEND.
- ALL "NON-TURF" SEED SHALL BE A COMMERCIALLY AVAILABLE MIX, EITHER PRE-CATEGORIZED OR CUSTOMIZED. ANY SEEDING SUBSTITUTIONS SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT.
- ALL MATERIALS USED SHALL MEET OR EXCEED APPLICABLE FEDERAL, STATE, COUNTY AND LOCAL LAWS AND REGULATIONS.
- ALL SEED SHALL BE FREE FROM INSECTS AND DISEASE. SPECIES SHALL BE TRUE TO THEIR SCIENTIFIC NAME AS SPECIFIED.
- ALL GRASS SPECIES SHALL BE SUPPLIED AS PURE LIVE SEED.
- SEED OF ALL SPECIES NATIVE TO IOWA SHALL BE FROM WITHIN A 150 MILE RADIUS OF THE PROJECT SITE. SEED NOT AVAILABLE WITHIN A 150 MILE RADIUS SHALL BE APPROVED BY THE OWNER PRIOR TO INSTALLATION.
- SEEDS SHALL HAVE PROPER STRATIFICATION AND/OR SCARIFICATION TO BREAK SEED DORMANCY FOR SPRING PLANTING.
- PLANTING OF SEED AREAS SHALL BE COMMENCED DURING THE SPRING (APRIL 15-MAY 30) OR FALL (SEPTEMBER 1-OCTOBER 15) PLANTING SEASONS UNLESS SPECIFICALLY SPECIFIED. ADD GRADE TO SMOOTH, EVEN SURFACE WITH LOOSE UNIFORM SOO TEXTURE. REMOVE STONES AND DEBRIS OVER 1" IN ANY DIMENSION.
- ALL SEEDING AREAS SHALL BE MULCHED.
- STRAW MULCH SHALL BE OAT, WHEAT, OR RICE STRAW MULCH. HAY MULCH SHALL BE FRAGRANT GRASS OR OTHER HAY AS APPROVED BY THE OWNER. THE MULCH SHALL BE FREE OF JOHNSON GRASS OR OTHER NOXIOUS WEEDS AND FOREIGN MATERIALS. IT SHALL BE KEPT IN A DRY CONDITION AND SHALL NOT BE MOIST OR HOTTER. STRAW OR HAY FOR EROSION CONTROL SHALL BE CLEAN, SEED-FREE HAY OR THRESHED STRAW OF WHEAT, RYE, OATS, OR BARLEY.
- STRAW MULCH SHALL COVER A MINIMUM OF 80% OF THE SOO. MULCH SHALL BE PLACED LOOSE AND OPEN ENOUGH TO ALLOW SOME SUNLIGHT TO PENETRATE AND AIR TO CIRCULATE BUT STILL COVER A MINIMUM OF 70% OF THE SOO SURFACE.
- STRAW MULCH SHALL BE APPLIED AT THE RATE OF 1/2 TO 2 TONS PER ACRE FOR SITES THAT ARE SEEDING. THIS APPLICATION SHOULD RESULT IN A LAYER OF 1/2 TO 1 1/2 INCHES THICK FOR SEEDING SITES.
- IMMEDIATELY AFTER SPREADING, THE MULCH SHALL BE ANCHORED BY A MULCH CRUMPER AND/OR TACKLER.
- THE CRUMPER SHALL CONSIST OF A SERIES OF DUAL PULLEY DISCS WITH NOTCHED EDGES SPACED APPROXIMATELY 8 INCHES APART. THE MULCH SHALL BE IMPRESSED IN THE SOO TO A DEPTH OF 1 TO 3 INCHES.
- IF TACKLER IS USED, TACKLER SHALL BE SPRAYED IN CONJUNCTION WITH MULCH OR IMMEDIATELY AFTER THE MULCH HAS BEEN PLACED. TACKLERS SHALL BE MIXED AND APPLIED IN ACCORDANCE WITH THE MANUFACTURER'S DIRECTIONS.
- SEEDING SHALL BE COMPLETED WHEN A MINIMUM OF 1/4 INCH OF NATURAL RAINFALL IS EXPECTED OR WHEN A MINIMUM OF 1/4 INCH OF IRRIGATION WILL BE RECEIVED WITHIN 10 DAYS AFTER SEEDING. IF SUFFICIENT NATURAL RAINFALL IS NOT RECEIVED WITHIN 10 DAYS, THE NEW SEEDING SHALL BE IRRIGATED WITH A MINIMUM OF 1/4 INCH OF WATER, OR SO THAT WATER PENETRATES THE SOO TO A UNIFORM MINIMUM DEPTH OF 4.0 INCHES.
- A TEMPORARY ABOVE-GROUND IRRIGATION SYSTEM SHALL BE DESIGNED AND INSTALLED BY THE CONTRACTOR UPON COMPLETION OF FRESH GRADES FOR ALL NON-IRRIGATED SEED AREAS AND FOR ALL IRRIGATED AREAS OF SEED AND SOO. PRIOR TO INSTALLATION OF PLANTINGS, UNLESS OR UNTIL THE PERMANENT SYSTEM IS FUNCTIONAL. ALL GRADED AREAS SHALL RECEIVE HEAD-TO-HEAD IRRIGATION COVERAGE, EXCEPT FOR PERMANENTLY POVED AREAS.
- PROVIDE WRITTEN VERIFICATION TO THE OWNER THAT BACKFLOW PREVENTION PER CODE EXISTS ON THE LINE TO BE USED AS A POINT OF CONNECTION FOR THE IRRIGATION SYSTEM. IF VERIFICATION CANNOT BE MADE, PROVIDE BACKFLOW PREVENTION PER CODE AS A PART OF THE INSTALLATION.
- CONTRACTOR SHALL PROVIDE WATER AND ELECTRICITY FOR THE SYSTEM. THE EXISTING WATER IS AVAILABLE FOR IMMEDIATE USE. CONTRACTOR SHALL PROVIDE ISOLATION VALVE AND CONNECTION TO WATER AND CONTROLLER.
- THE IRRIGATION SYSTEM SHALL BE SET BY CONTRACTOR TO PROVIDE PRECIPITATION 2 TIMES PER WEEK BETWEEN JUNE 15TH AND OCTOBER 31ST OF THE FIRST YEAR AFTER PLANTING. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING PROPER FUNCTION AND CONNECTION OF THE IRRIGATION SYSTEMS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAINTAIN THE IRRIGATION SYSTEM FOR THE DURATION OF PRESET CROWDING SEASONS. AT THE END OF THE IRRIGATION PERIOD, AND IF PLANT ESTABLISHMENT IS SUCCESSFUL, AS DETERMINED BY THE SEEDING WARRANTY CRITERIA, THE CONTRACTOR SHALL PERMANENTLY CAP PIPE DOWNSTREAM OF ISOLATION VALVE, AND THEN DISASSEMBLE AND REMOVE THE IRRIGATION SYSTEM.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO INSTALL TEMPORARY SIGNS, FLAGGING, ETC. AT THE PERIMETER OF ALL SEEDING SITES IMMEDIATELY AFTER THEIR COMPLETION, WHICH SHALL BE KEPT TO NOTIFY FOOT AND VEHICULAR TRAFFIC THAT A SENSITIVE AREA MAY BE DAMAGED BY THEIR ENTRY.
- THE WORK AREA SHALL BE KEPT FREE OF DEBRIS BY THE CONTRACTOR. AFTER INSTALLATION IS COMPLETE, CLEAN UP ANY REMAINING MATERIALS, DEBRIS, TRASH, ETC. AVOID DRIVING OVER SEEDING AREAS TO MINIMIZE DISTURBANCE. GRADING STAKES, STONES, TRASH, AND OTHER DEBRIS WHICH MAY DETRACT FROM THE APPEARANCE OR HINDER MAINTENANCE OF THE SEEDING SITE SHALL BE REMOVED FROM THE SITE WHEN SEEDING OPERATIONS ARE COMPLETED. SOO, STRAW, HAY, HYDRAULIC FLUID, MULCH, FERTILIZER, COMPOST, LIMESTONE, ELEMENTAL SULFUR, GYPSUM, AND OTHER DEBRIS SHALL BE REMOVED FROM PAVED AREAS SOON AS POSSIBLE AFTER SPREADING AND SEEDING OPERATIONS ARE COMPLETED. CLEAN UP OPERATIONS SHALL BE COMPLETED BEFORE ACCEPTANCE IS GIVEN.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO APPLY SEEDING AND SEEDING CONTROL BULKY MATERIALS, AND TO ENSURE THAT SUCH MATERIALS ARE SECURED TO THE SOO SO THAT THEY ARE NOT BLOWN, WASHED, OR OTHERWISE REMOVED FROM THE SITE, AND SO THAT SUCH MATERIALS DO NOT INTERFERE WITH AREAS THAT ARE TO BE PROTECTED FROM SOO, FERTILIZER, COMPOST, AND THE INCURSION OF UNWANTED GRASS SEED. THE FOLLOWING GENERAL MAINTENANCE GRASS MANAGEMENT RECOMMENDATIONS ARE TO BE FOLLOWED UNLESS AN ALTERNATIVE IS APPROVED BY THE OWNER.
  - 1ST YEAR** - MOW FREQUENTLY TO PREVENT WEED GROWTH AND THATCH BUILD-UP. MOWING HEIGHT SHOULD BE APPROXIMATELY 4-6 INCHES IN HEIGHT AND COMPLETED BETWEEN THE MONTHS OF MARCH - JULY 15. NO MOWING SHOULD BE COMPLETED AFTER THE JULY 15 DATE. ADDITIONAL WEED PREVENTION IS RECOMMENDED WITH THE USE OF AN APPROVED HERBICIDE FOR NATIVE GRASSES. A GOOD APPROACH IS TO COMPLETE HERBICIDE APPLICATIONS AS SPOT TREATMENTS ON WEEDY AREAS FOLLOWING THE SEASONAL MOWING REGIME IN AUGUST AND SEPTEMBER. HAND WEED AS NECESSARY.
  - 2ND YEAR** - MOWING SHOULD BE LIMITED TO 2-3 TIMES BEFORE JULY 15TH. MOWING HEIGHT SHOULD BE INCREASED TO 6" IN HEIGHT. CONTINUE TO SPOT TREAT INVASIVE WEEDS WITH AN APPROVED HERBICIDE. HAND WEED AS NECESSARY.
  - 3RD YEAR** - MOW ONCE BEFORE JULY 15TH AFTER VEGETATION REACHES A HEIGHT OF 16" MOW TO A HEIGHT OF 6". CONTINUE TO SPOT TREAT INVASIVE WEEDS WITH AN APPROVED HERBICIDE. HAND WEED AS NECESSARY.



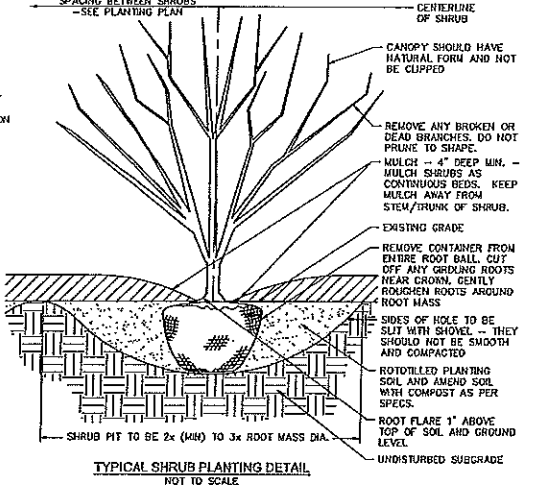
MOW-STRIP EDGING DETAIL (TYP.)



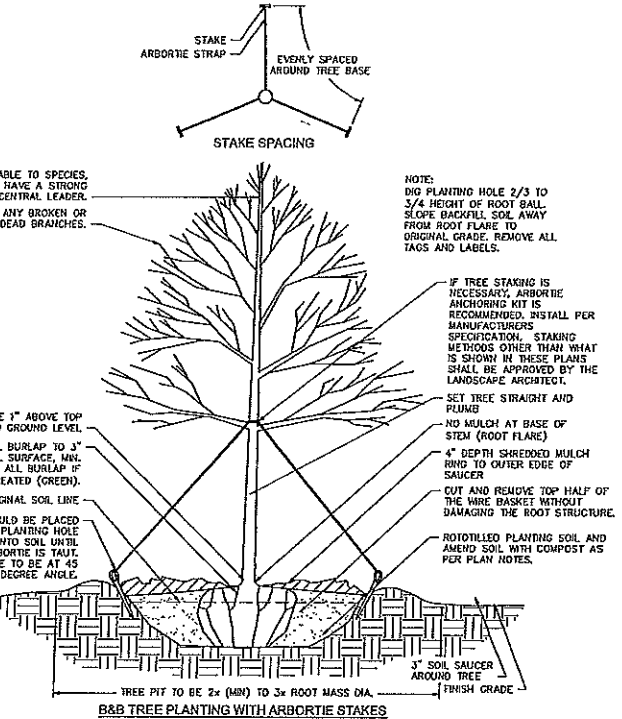
CULTIVATED EDGING DETAIL (TYP.)



PERENNIAL PLANTING DETAIL NOT TO SCALE



TYPICAL SHRUB PLANTING DETAIL NOT TO SCALE



B&B TREE PLANTING WITH ARBORVITAE STAKES NOT TO SCALE

**MOLSSON ASSOCIATES**

211 E. Sycamore Street, Suite 200  
Council Bluffs, IA 52801  
TEL: 562-214-1115  
FAX: 562-214-1808

REVISIONS

NO.	DATE	DESCRIPTION

LANDSCAPE DETAILS  
NEW HORIZON SUBDIVISION, REFLAT 2  
PRELIMINARY PLAN  
COUNCIL BLUFFS, IA

SHEET L1.1

Drawn by:	JK
Checked by:	JK
Design by:	JK
Project no.:	01628725
Date:	05/20/21



**SITE DEVELOPMENT PHASING**

**PHASE 1:**

	COMMUNITY	RESIDENTIAL	TOTAL
GROUND FLOOR:	3,165 SF	18,600 SF	21,765 SF
SECOND FLOOR:		18,600 SF	18,600 SF
THIRD FLOOR:		18,600 SF	18,600 SF
TOTALS:	3,165 SF	55,800 SF	58,965 SF

PARKING STALLS:  
PROPOSED: 70  
REQUIRED BY ZONING: 70

40,000 SF OF PAVEMENT

⊕ SITE PLAN - PHASE 1  
0 30' 60' 120'

Issue Date: 07/24/17  
Project Number: 17037  
Design Phase: Conceptual Design

**IMMANUEL - COUNCIL BLUFFS  
AFFORDABLE HOUSING**

**PHASE 1 SITE PLAN**





**SITE DEVELOPMENT REGULATIONS**

CURRENT ZONING: R-1 (SINGLE-FAMILY RESIDENTIAL)  
 PROPOSED ZONING: R-3 (LOW DENSITY MULTIFAMILY RESIDENTIAL)  
 FLOOD HAZARD: N/A

CURRENT ZONING REGULATIONS (R-1):  
 MULTIFAMILY DWELLINGS ARE NOT CONSIDERED A PERMITTED USE OR A CONDITIONAL USE & ONLY ONE PRINCIPAL STRUCTURE IS ALLOWED PER LOT

SETBACKS:  
 FRONT 25 FEET  
 INTERIOR SIDE YARD GREATER of 5 FT or 10% of LOT WIDTH  
 STREET SIDE YARD 15 FEET  
 REAR YARD 20 FEET

MAX HEIGHT: 35 FEET  
 MAX LOT COVERAGE: 35%

MIN LOT SIZE: 5,000 SF

PROPOSED ZONING REGULATIONS (R-3):  
 MULTIFAMILY DWELLINGS ARE A PERMITTED USE

SETBACKS:  
 FRONT 20 FEET  
 INTERIOR SIDE YARD 5 FT + 1 FT for every story above 1st  
 STREET SIDE YARD 15 FEET  
 REAR YARD 20 FEET

MAX HEIGHT: 60 FEET  
 MAX LOT COVERAGE: 45%

MIN LOT SIZE: 9,200 SF PLUS 2,000 SF PER UNIT  
 (i.e. 60 units = minimum site area of approx. 3 acres)

CITY PARKING REQUIREMENTS:  
 EFFICIENCY & ONE BEDROOM: 1 STALL PER UNIT  
 TWO BEDROOM: 1.5 STALLS PER UNIT

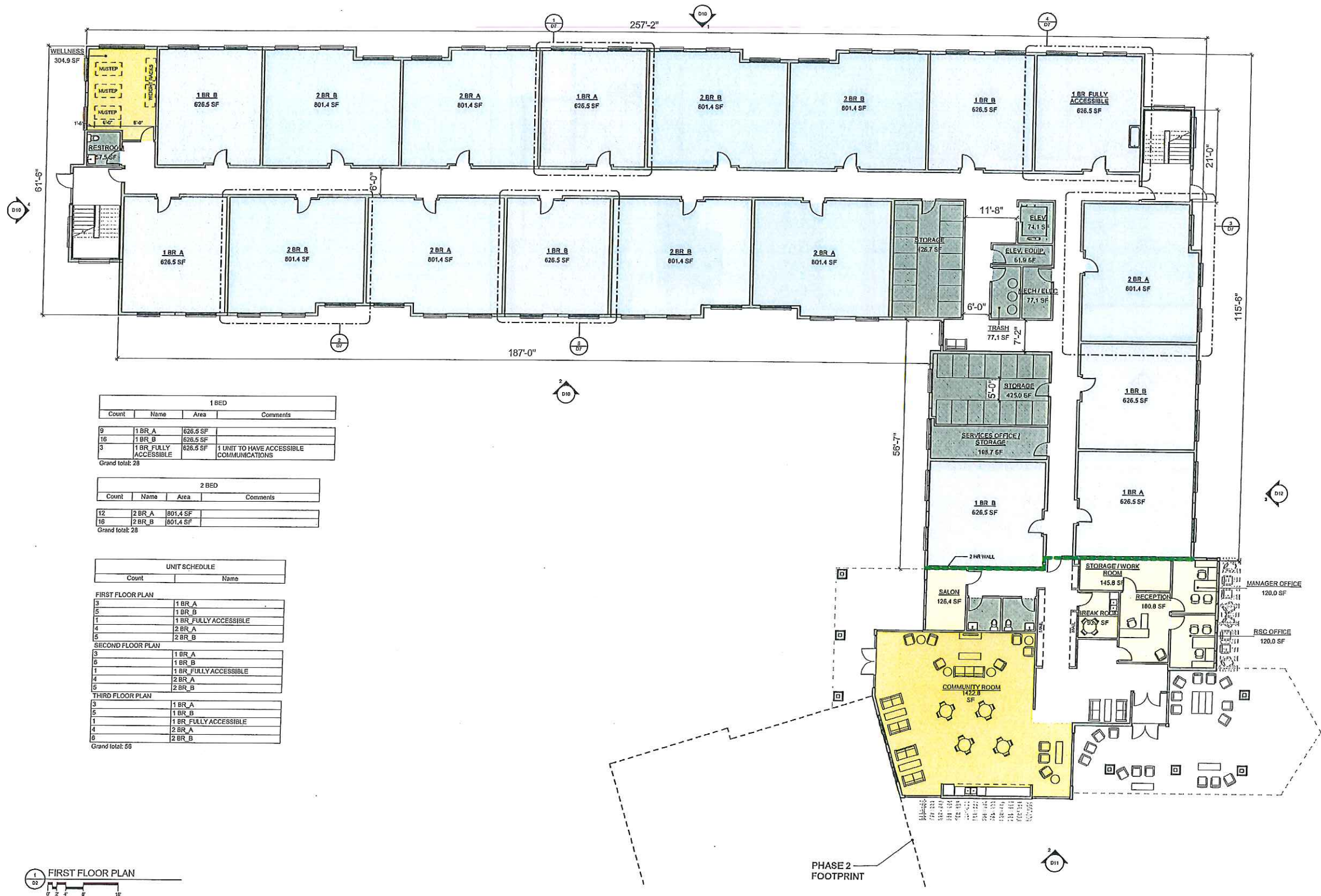
TOTAL SITE ACREAGE: 10.5 ACRES  
 TOTAL UNITS PER ACRE: 10.67 UNITS/ACRE

Issue Date: 07/24/17  
 Project Number: 17037  
 Design Phase: Conceptual Design

IMMANUEL - COUNCIL BLUFFS  
 AFFORDABLE HOUSING

GRADING AND SITE UTILITY PLAN  
 PHASE 1-2

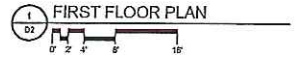




1 BED			
Count	Name	Area	Comments
9	1 BR A	626.5 SF	
16	1 BR B	626.5 SF	
3	1 BR FULLY ACCESSIBLE	626.5 SF	1 UNIT TO HAVE ACCESSIBLE COMMUNICATIONS
Grand total: 28			

2 BED			
Count	Name	Area	Comments
12	2 BR A	801.4 SF	
16	2 BR B	801.4 SF	
Grand total: 28			

UNIT SCHEDULE	
Count	Name
FIRST FLOOR PLAN	
3	1 BR A
5	1 BR B
1	1 BR FULLY ACCESSIBLE
4	2 BR A
5	2 BR B
SECOND FLOOR PLAN	
3	1 BR A
6	1 BR B
1	1 BR FULLY ACCESSIBLE
4	2 BR A
5	2 BR B
THIRD FLOOR PLAN	
3	1 BR A
5	1 BR B
1	1 BR FULLY ACCESSIBLE
4	2 BR A
6	2 BR B
Grand total: 66	

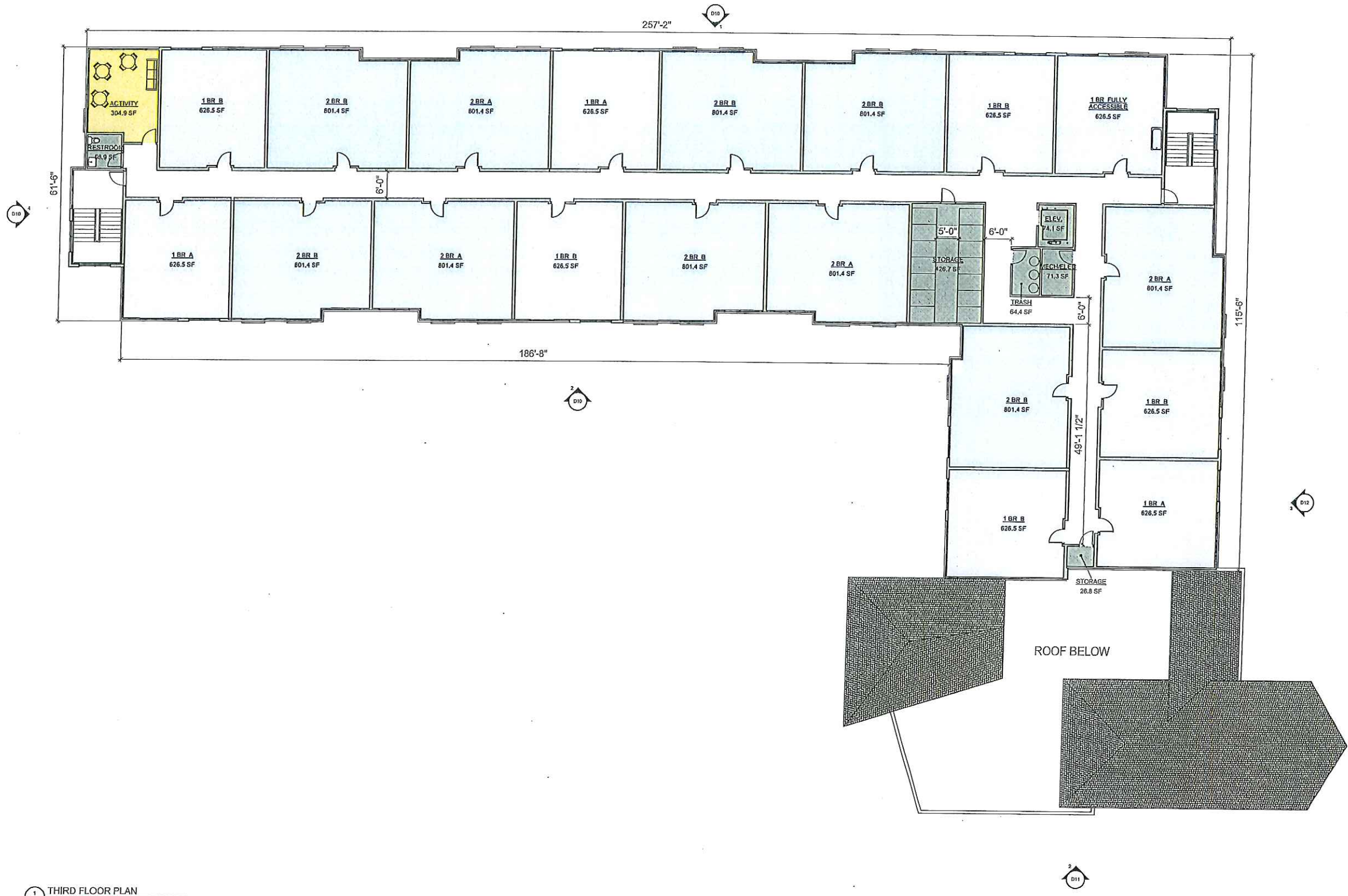


Issue Date: 07/24/2017  
 Project Number: 17037  
 Design Phase: SCHEMATIC DESIGN

**IMMANUEL - COUNCIL BLUFFS AFFORDABLE HOUSING**

**FIRST FLOOR PLAN**





1  
D4 THIRD FLOOR PLAN

Issue Date: 07/24/2017  
 Project Number: 17037  
 Design Phase: SCHEMATIC DESIGN

IMMANUEL - COUNCIL BLUFFS AFFORDABLE HOUSING

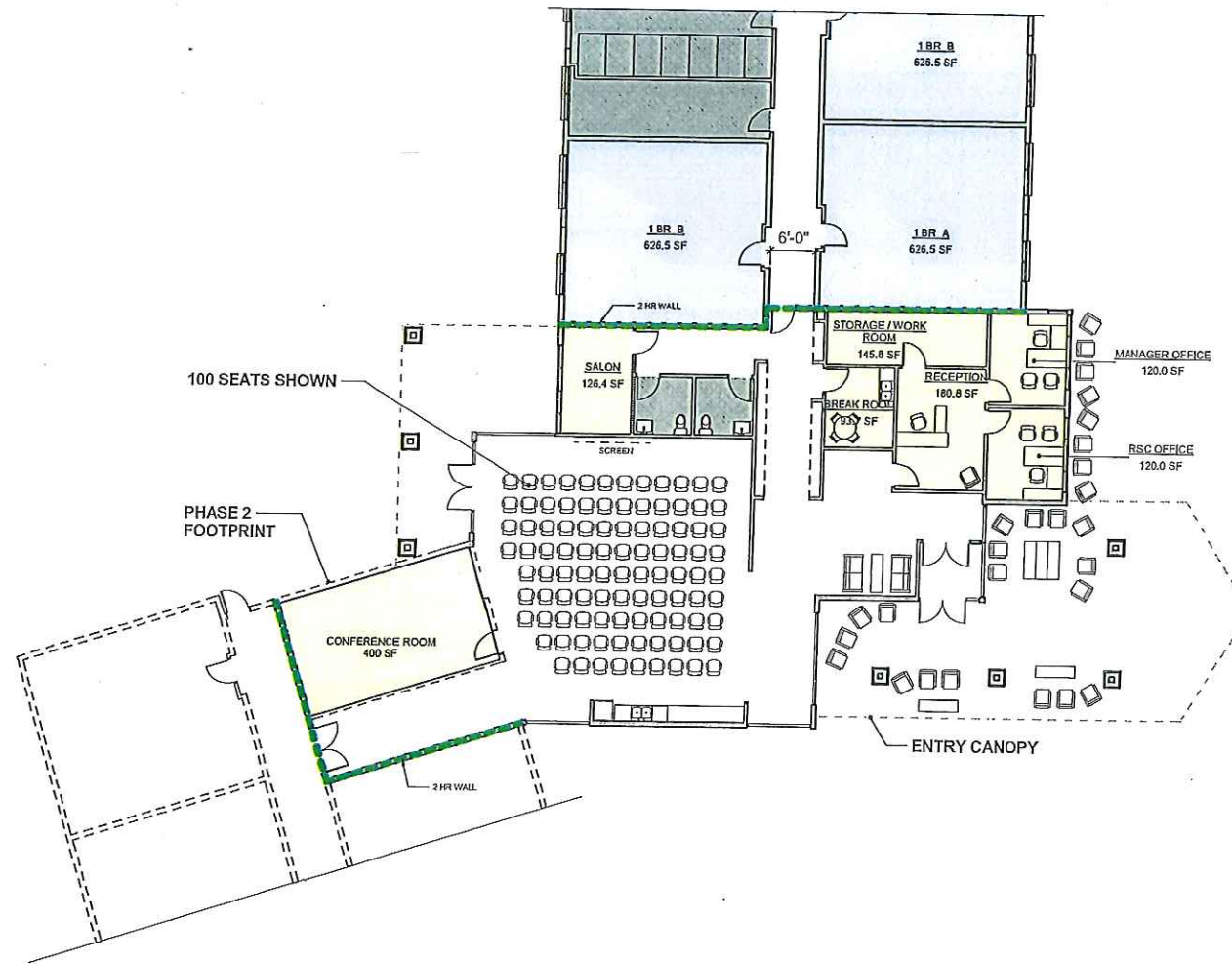
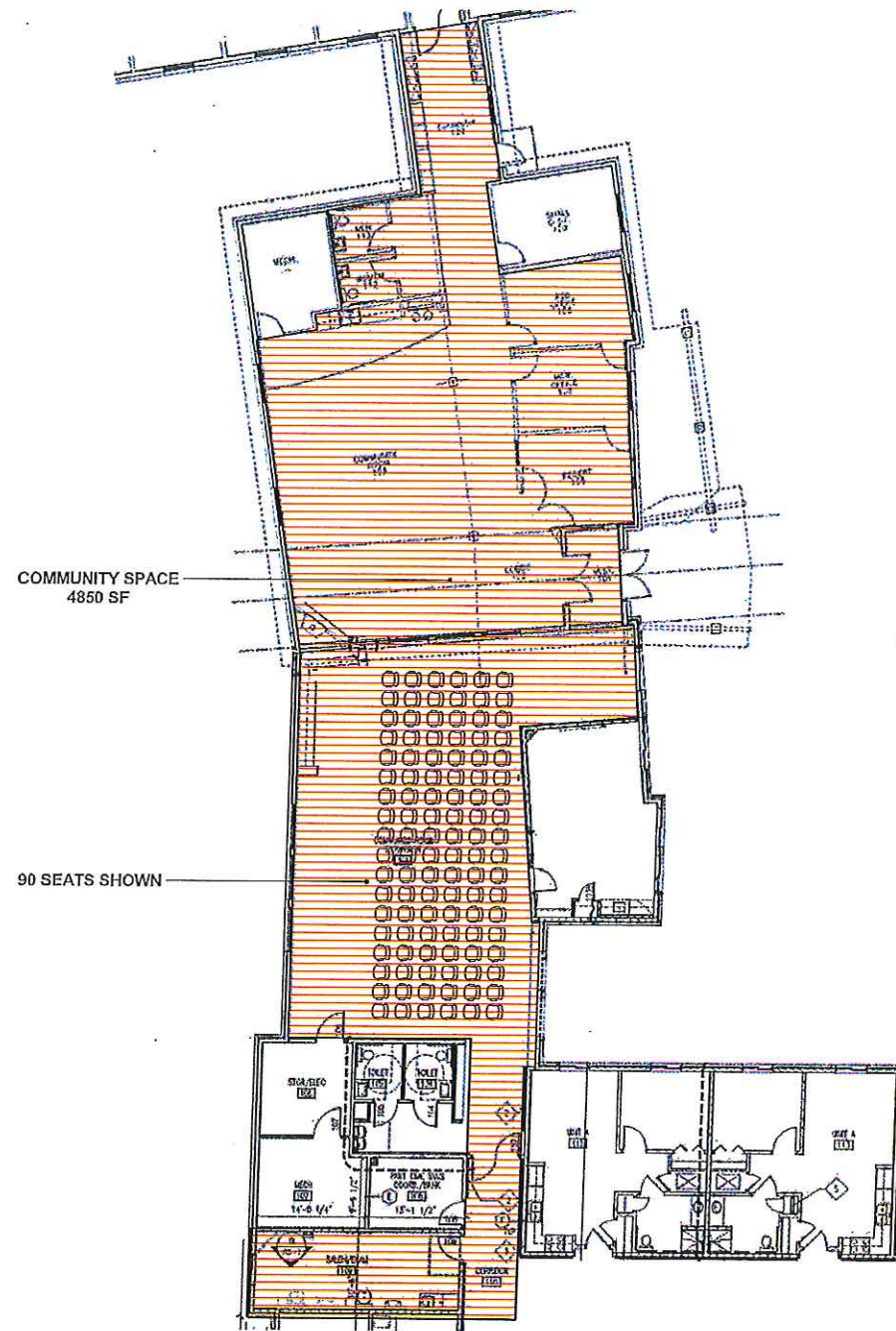
THIRD FLOOR PLAN



FILE LOCATION: C:\Users\emcclellan\Documents\17037\_Immanuel-CB Affordable Housing Phase1\_Arch\_Central\_R17\_Storage Opt 1\_BM\chore.rvt

PLOTTED: 7/25/2017 7:52:11 AM

TRINITY COURTYARD SHOWN FOR REFERENCE ONLY



COMMUNITY SPACE 3,965 SF  
EVENT SEATING PHASE 2

MAIN ENTRY AND EAST ELEVATION OF RESIDENTIAL BUILDING



MAIN ENTRY AT COMMUNITY CENTER



SOUTHEAST ELEVATION AT MAIN ENTRY



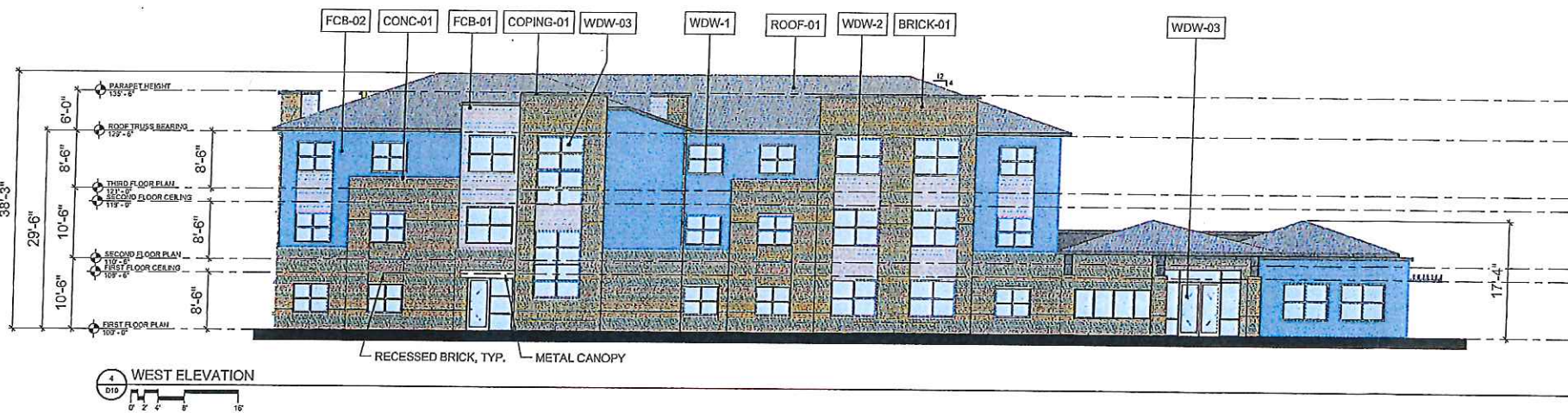
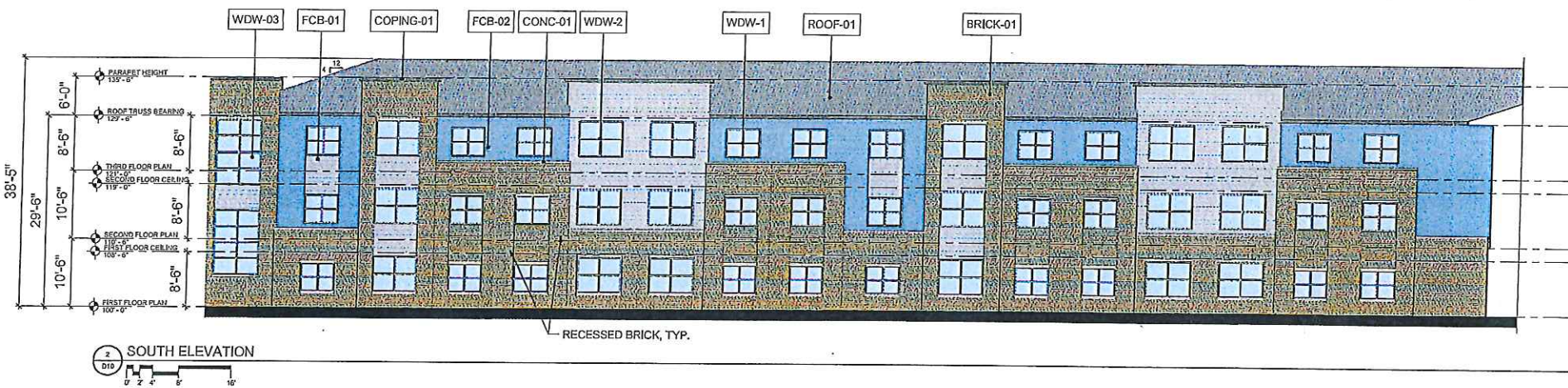
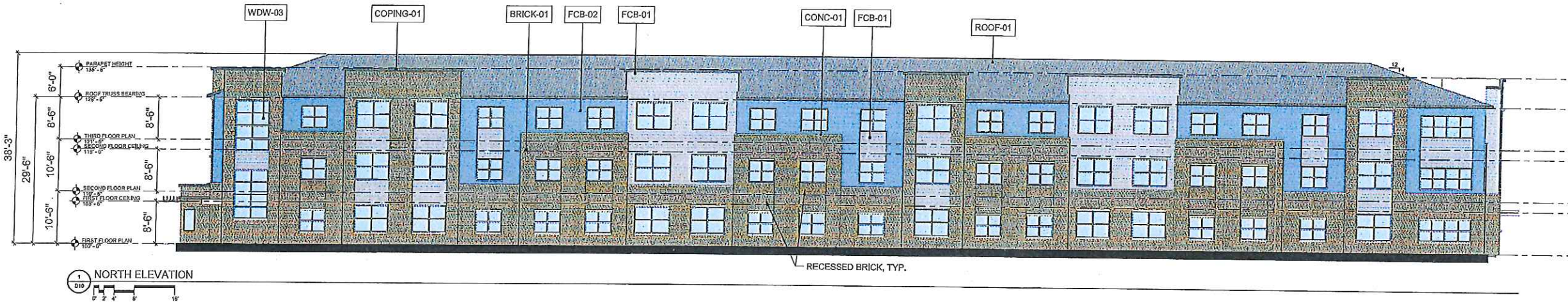
SOUTHEAST ELEVATION AT MAIN ENTRY

Issue Date: 07/24/2017  
Project Number: 17037  
Design Phase: SCHEMATIC DESIGN

IMMANUEL - COUNCIL BLUFFS AFFORDABLE HOUSING

RENDERINGS





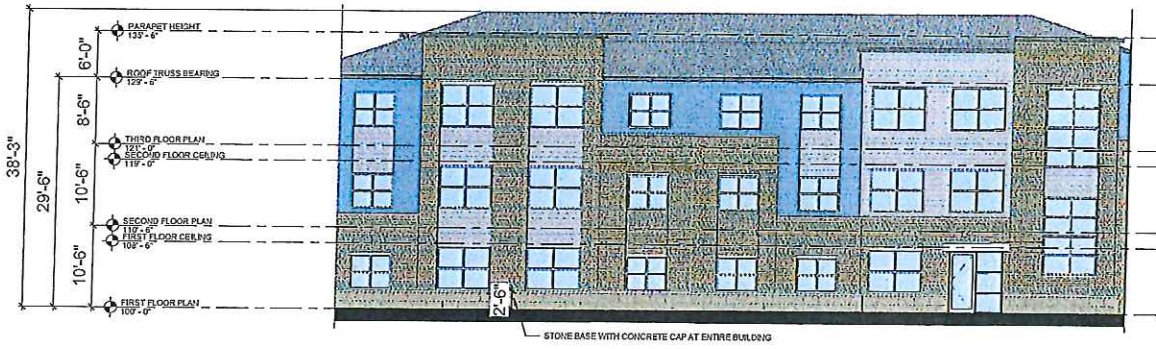
Issue Date: 07/24/2017  
 Project Number: 17037  
 Design Phase: SCHEMATIC DESIGN

IMMANUEL - COUNCIL BLUFFS AFFORDABLE HOUSING

ELEVATIONS



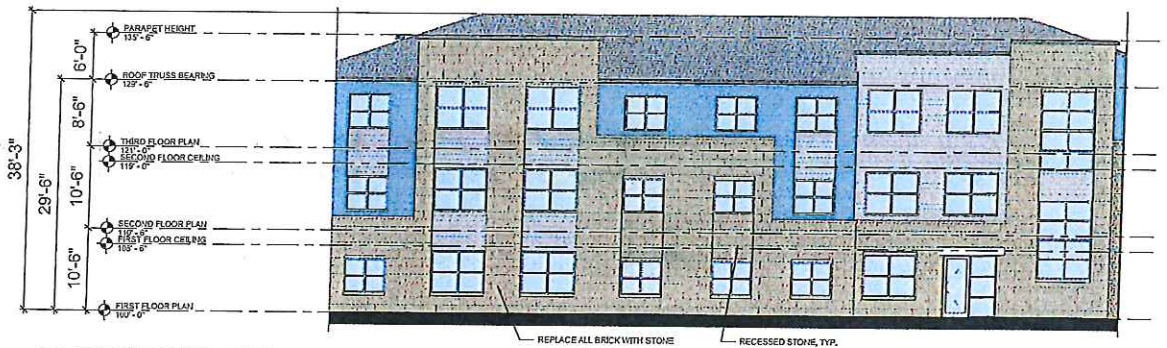
OPT 1 MATERIAL BREAKDOWN:  
 FIBER CEMENT: 40%  
 MASONRY: 60% TOTAL  
 BRICK: 50%  
 STONE: 10%



2 EAST ELEVATION - OPT 1



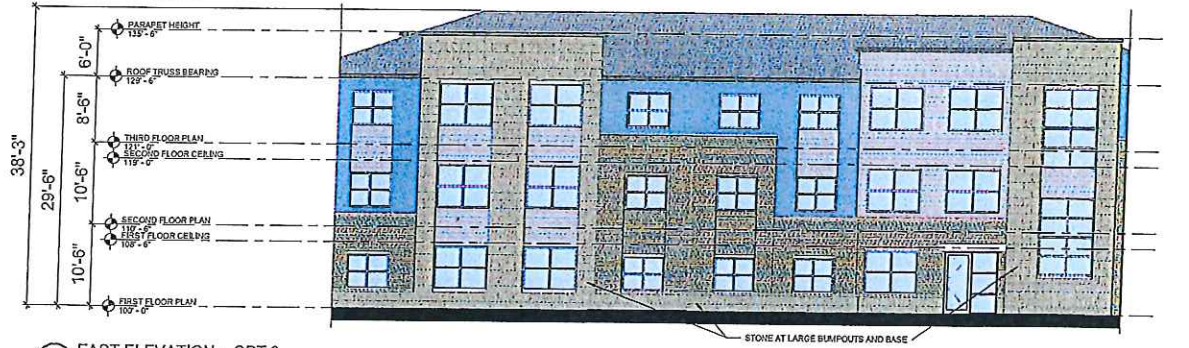
OPT 2 MATERIAL BREAKDOWN:  
 FIBER CEMENT: 40%  
 MASONRY: 60% TOTAL  
 BRICK: 0%  
 STONE: 60%



2 EAST ELEVATION - OPT 2



OPT 3 MATERIAL BREAKDOWN:  
 FIBER CEMENT: 40%  
 MASONRY: 60% TOTAL  
 BRICK: 35%  
 STONE: 25%



1 EAST ELEVATION - OPT 3

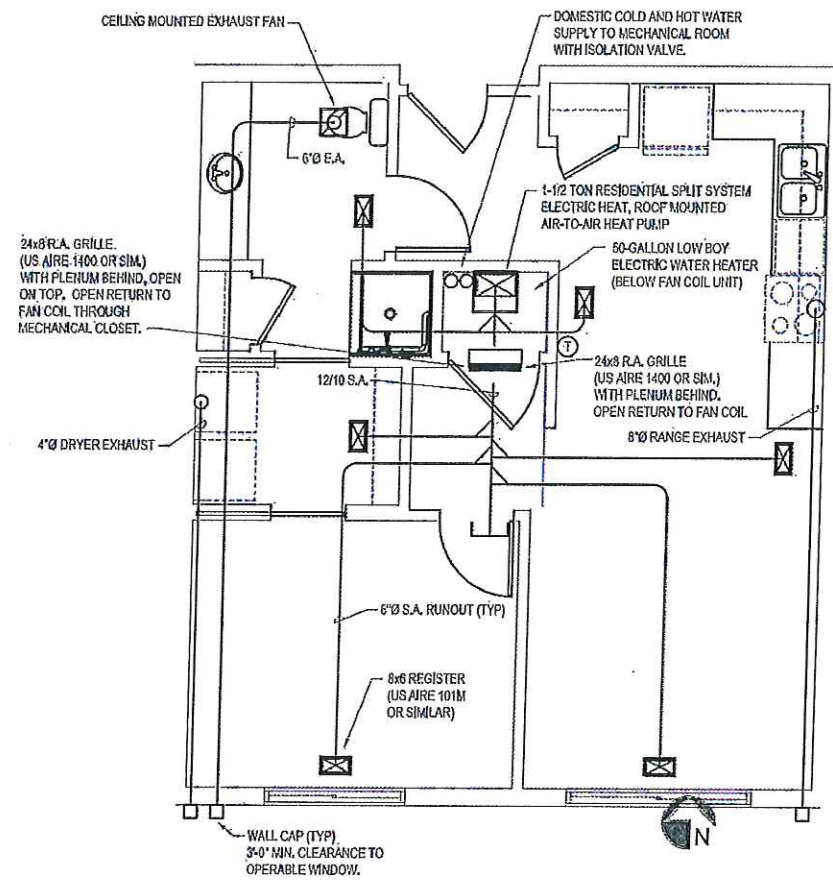


Issue Date: 07/24/2017  
 Project Number: 17037  
 Design Phase: SCHEMATIC DESIGN

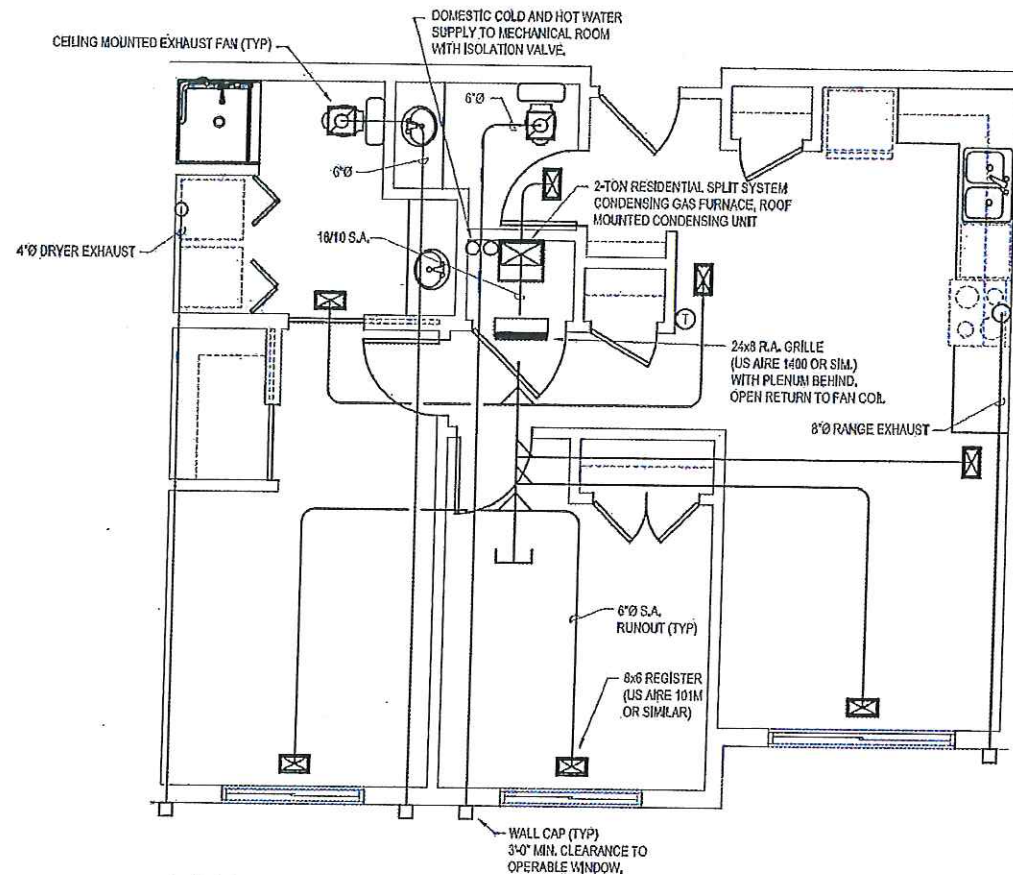
IMMANUEL - COUNCIL BLUFFS AFFORDABLE HOUSING

ELEVATION OPTIONS





**1 BEDROOM - MECHANICAL**  
1/4" = 1'-0"



**2 BEDROOM - MECHANICAL**  
1/4" = 1'-0"

**morrissey engineering inc.**  
mechanical | electrical | plumbing | technology | construction  
4948 North 118th Street  
Omaha, NE 68144  
P: 402.491.4144  
www.morrisseyengineering.com

**IMMANUEL - COUNCIL BLUFFS  
AFFORDABLE HOUSING**

project no.:	17145	drawing referenced:	-
date:	2017-08-02	addendum no.:	-

sketch **M1**

**morrissey engineering inc.**  
mechanical | electrical | plumbing | technology | construction  
4948 North 118th Street  
Omaha, NE 68144  
P: 402.491.4144  
www.morrisseyengineering.com

**IMMANUEL - COUNCIL BLUFFS  
AFFORDABLE HOUSING**

project no.:	17145	drawing referenced:	-
date:	2017-08-02	addendum no.:	-

sketch **M2**

Issue Date: 08/02/2017  
Project Number: 17037  
Design Phase: SCHEMATIC DESIGN

**IMMANUEL - COUNCIL BLUFFS AFFORDABLE HOUSING**

**MECHANICAL**



**Immanuel Senior Housing  
Council Bluffs, IA  
Project Overview**

**Sponsor/Developer:**

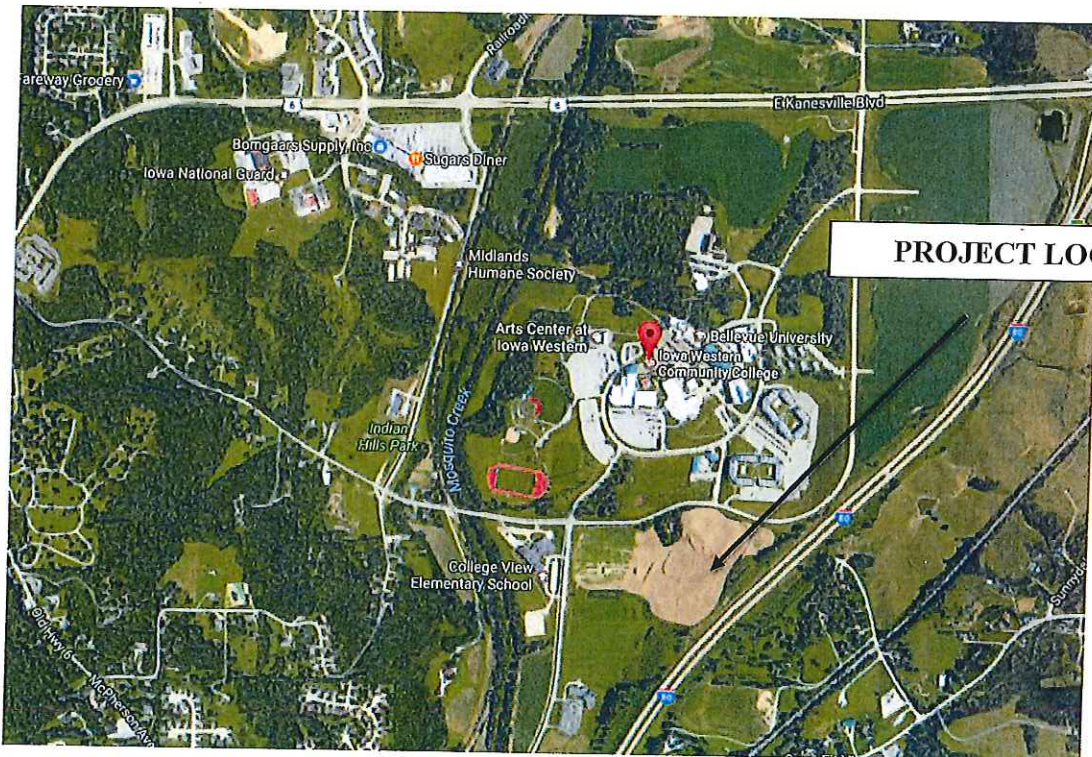
Immanuel  
1044 North 115<sup>th</sup> Street, Ste. 500  
Omaha, NE 68154  
Scott Bear, V.P. of Finance & Accounting  
402-829-2922  
[SBear@immanuel.com](mailto:SBear@immanuel.com)

Rhonda Distefano  
V.P. of Construction, Facility Mgmt. & Environmental Services  
402-829-2915  
[rdistefano@immanuel.com](mailto:rdistefano@immanuel.com)

**Consultant:**

Lightengale Group  
140 S. Dearborn St., Suite 1500A  
Chicago, IL 60603  
Maggy Jares  
312.999-9457  
[maggy@lightengalegroup.com](mailto:maggy@lightengalegroup.com)

**Map:** Site is located south of the College Road and West of I-80, near the Iowa Western Community College campus



**Immanuel Senior Housing  
Council Bluffs, IA  
Project Overview**

**Project Rendering**



**Property Description**

*Address:* South of College Road, and west of I-80, Council Bluffs, IA 51503; Pottawattamie County

*Census Tract:* 317.00

*Site:* Site is 12.3 acres total of vacant land; project will use a portion of the overall site

*Building Area:* 56,700 SF

*Target Population:* Independent Elderly, 55 and older

**Building Description**

*Construction Type:* New construction

*Number of units:* 56

*ADA Accessible units:* 20

*Parking Spaces:* 70

*Common Area Amenities:* Fitness/Wellness Room, Community Room, Salon, Activity Room

**Immanuel Senior Housing  
Council Bluffs, IA  
Project Overview**

**Project Description:**

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Immanuel Senior Housing is a proposed fifty-six (56) unit new construction senior development (aged 55 and older) to be located near College Road and I-80 in Council Bluffs, Iowa. Immanuel's goal is to address an affordable housing shortage in Council Bluffs. Based on a recent market survey, the senior population is expected to increase through 2021, and approximately 57.6% of senior renter households have an annual income of less than \$30,000. There are at least three income-restricted senior properties in Council Bluffs. All three are fully occupied with low vacancy rates and long waitlists, signaling a shortage of affordable housing options for local seniors.

The project will consist of twenty-eight (28) one-bedroom units and twenty-eight (28) two-bedroom units. Units will be affordable to individuals between 30% AMI and 60% AMI, which means units will be affordable to seniors with annual incomes between \$15,750 and \$36,000. The proposed unit mix and rent schedule is as follows:

**Unit and Site Amenities**

---

Immanuel Senior Housing's design allows for an abundance of social space. The building's design includes the main lobby, community room, salon, manager's office and storage. Resident support spaces include additional community space on each floor, a wellness room and staff offices on the first floor and an activity room on the third floor. The building will also offer storage lockers and a trash/recycling room. At least thirty-five percent (35%) of the building will be fully accessible for those with physical disabilities. There is a second phase planned and there will be a no-smoking on the entire campus.

Units will be cable ready. All bedrooms and living rooms will have wall-to-wall carpet. Bathrooms will have ceramic tile and kitchens will have vinyl flooring. Appliances will include dishwasher, refrigerator/freezer, microwave, electric range/oven, fan/hood/light, and a stainless-steel sink. All units will have an in-unit washer and dryer. Windows will have faux wood blinds and kitchens will include wood cabinets and laminate counters. Bathrooms will include vertical grab bars in the bathtub/shower and lever door hardware throughout the unit.

The building will include automatic fire sprinklers, a fire alarm and smoke detectors. With regards to the interior paints, primers, adhesives, caulks and water heaters, the building will incorporate a variety of environmentally friendly products and features. Further, the building will also abide by strict green and energy efficiency standards, including a Home Energy Rating Systems (HERs) rating of 62 or less.

**Time Line**

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Apply for Low Income Housing Tax Credits	November 2017
Finance Closing/Begin Construction	Summer 2018

**Development Team**

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The owner has assembled an experienced development team. Each team member has vast LIHTC experience, and brings unique knowledge to the project. The team members are as follows:

**Owner/Developer/Property Manager:** Immanuel is an experienced developer, owner, manager of senior living communities including independent, assisted, memory support and long-term care housing. Immanuel has been serving the greater Omaha area for more than 125 years. Immanuel is a member of

**Immanuel Senior Housing  
Council Bluffs, IA  
Project Overview**

Lutheran Services in America (LSA), one of the largest health and human services networks in the country. The LSA network includes more than 300 members and touches the lives of 1 in 50 people each year in thousands of communities across the U.S. and the Caribbean. Immanuel currently operates Immanuel Pathways of Southwest Iowa located at 1702 North 16<sup>th</sup> Street in Council Bluffs. This non-profit Program of All-Inclusive Care for the Elderly (PACE) offers a complete health plan for eligible individuals and serves Mills, Harrison and Pottawattamie counties.

There are thirteen people on Immanuel's executive team and the two main project contacts, Scott Bear and Rhonda Distefano each have extensive experience in finance, construction and management. Scott is the V.P. of Finance and Accounting and has a strong background in healthcare finance. He has nearly 13 years of experience in strategic, operational and financial planning and budgeting. He served on the board of (LFMA) Lutheran Financial Managers Association and is currently a member. Rhonda is the V.P. of Construction, Facilities Management and Environmental Services and has nearly 30 years of experience in commercial construction and is a past board member of Habitat for Humanity.

**General Contractor: Lund-Ross Constructors** Lund Ross Constructors is a local construction company established 35 years ago. They have built 54 projects, totaling over 2,400 units involving Low Income Housing Tax Credits in seven states, including Iowa. Their understanding of the process and demands of this project type are unparalleled in this market. LR has worked often in Council Bluffs, including recent housing projects, and has an excellent relationship with the city staff and local subcontractors. LR completed the Immanuel corporate offices renovation.

**Architect: Holland Basham** – the firm was established in 1989 and consists of 40 design professionals. This full-service design firm has experience in health care, education, hospitality, commercial, retail and multi-family housing. The residential projects have included apartment buildings, mixed use residential-retail, new construction and rehab. Holland Basham is well-known in the region for design of multi-family housing facilities, including affordable housing. A majority of its multi-family portfolio has sought funding from IFA, NIFA, Block Grant Funding and Historic Tax Credits. HBA understands the need for affordable, low-income housing in the city of Council Bluffs, Iowa.

The expertise and services to be provided for this project include master planning, building programming, architectural design and construction administration, landscaping and interior design and finishes. The HBA team includes long-time engineering consultants whose portfolios include multi-unit housing projects.

**Financial Consultant: Lighten-Gale Group (LGG)**, a consulting firm in business since 1999, has extensive experience in coordinating financing and project management services related to the development of affordable, market rate and mixed income housing. LGG specializes in multi-family affordable housing but also coordinates other creatively financed projects. LGG is coordinating all the private and public financing for this project. LGG has extensive experience with LIHTCs in Iowa.



August 15, 2017

City of Council Bluffs  
Attn: Rose Brown  
209 Pearl Street  
Council Bluffs, IA 51503  
Phone: (712) 328-4629

**RE: New Horizon Subdivision, Replat 2, Lots 1 thru 4  
Immanuel Planned Residential Development Plan  
LETTER OF INTENT**

Ms. Brown,

Please accept this as the letter for the Planned Residential Overlay for the Immanuel Senior Living facility which will consist of Lots 1 thru 4. The Immanuel development will be constructed in phases starting with Building 1 and ending with Building 3. An access easement will be granted across the front entry drive for each lot.

Private storm sewer is planned to route runoff from the Immanuel development to on-site dry detention basins which will treat the stormwater prior to being discharged downstream. A regional detention pond will be constructed on Outlot B which is intended to detain the stormwater runoff for the entire development (Immanuel as well as the townhouse portion).

Sanitary and water services are currently within College Road but do not span the entire frontage of the proposed Immanuel development. The extension of each service is being proposed only to the edge of each phase as they are developed. Phase A2 and A3 may not be developed for some time and the extension of these utilities would not be recommended.

On-site drive pavement will consist of 7" thick P.C.C. pavement while the parking stalls are proposed to be 6" thick P.C.C. pavement. The sidewalks are proposed to be 5' wide and 4" thick.

Please feel free to contact us with any questions comments, or concerns. We may be able to provide more information if requested. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Lucas Weatherly".

Lucas Weatherly, PE

## NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a Public Hearing on an ordinance to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning the following:

Proposed Lots 1 through 4, New Horizon Subdivision, Replat 2 from R-1/Single-Family Residential District to R-3/Low Density Multi-Family Residential District as defined in Chapter 15.10 of the Municipal Code and to rezone proposed Lots 5 through 36 and Outlots A through C from R-1 District to R-2/Two-Family Residential District as defined in Chapter 15.09 of the Municipal Code and to append a PR/Planned Residential Overlay as defined in Chapter 15.28 of the Municipal Code to the same.

You are further notified that the Public Hearings on said matters will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 9<sup>th</sup> day of October, 2017, in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

---

Jodi Quakenbush, City Clerk

**ORDINANCE NO. 6308**

**AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.02.070 OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING LOTS 1 THROUGH 4, NEW HORIZON SUBDIVISION, REPLAT 2 FROM R-1/SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-3/LOW DENSITY MULTIFAMILY RESIDENTIAL DISTRICT AND TO REZONE PROPOSED LOTS 5 THROUGH 36 AND OUTLOTS A THROUGH C FROM R-1 DISTRICT TO R-2/TWO-FAMILY RESIDENTIAL DISTRICT AS DEFINED IN CHAPTER 15.09 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.**

**BE IT ORDAINED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA**

**SECTION 1.** That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.070 of the 2015 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended to rezone Lots 1 through 4, New Horizon Subdivision, Replat 2 from R-1/Single-Family Residential District to R-3/Low Density Multifamily Residential District and to rezone proposed Lots 5 through 36 and Outlots A through C from R-1 District to R-2/Two-Family Residential District.

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3. SEVERABILITY CLAUSE.** If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall be in full force and effect upon final plat approval from and after its final passage and publication, as by law provided.

PASSED  
AND \_\_\_\_\_, 2017.  
APPROVED

\_\_\_\_\_  
MATTHEW J. WALSH Mayor

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH City Clerk

First Consideration: 9-25-17  
Second Consideration: 10-9-17  
Public Hearing: 10-9-17  
Third Consideration: \_\_\_\_\_

## Council Communication

Department: City Clerk  
Case/Project No.: FD-18-02  
Submitted by: Justin James, Fire  
Chief

Resolution 17-217

Council Action: 10/9/2017

### Description

Resolution approving the Plans, Specifications and Form of Contract for the Fire Station #5 Storage Building Project. FD-18-02

### Background/Discussion

The Council Bluffs Fire Department is requesting to build an apparatus storage building to be located at 3405 South 11th Street. This location also houses our Regional Training Facility. The New Building will be a partnership between the City and Pottawattamie County Emergency Management. The facility will be used to store both our standby apparatus and rescue boats along with EMA's Command Center. The location of this building will allow for quick access to much needed resources both during emergency responses and training events.

This is a much needed addition that will allow for us to safely store our assets in a climate controlled building that is securely located at one of our current locations.

Funding for this project will be paid for with General Fund CIP Project No. FD-18-02 and the Pottawattamie County's EMA general operating budget.

The estimated cost of this project is \$ 385,000.

The project schedule is as follows: Set Public Hearing September 25, 2017  
Hold Public Hearing October 9, 2017  
Letting November 1, 2017  
Award November 13, 2017  
Construction End April 1, 2018

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description	Type	Upload Date
Resolution 17-217	Resolution	10/2/2017

RESOLUTION NO. 17-217

RESOLUTION APPROVING THE PLANS, SPECIFICATIONS AND FORM  
OF CONTRACT FOR THE FIRE STATION #5 STORAGE BUILDING PROJECT  
# FD-18-02

WHEREAS, the City of Council Bluffs desires to construct the Council Bluffs Fire Station #5 Storage Building; and

WHEREAS, HGM Associates Inc. was hired to provide professional services; and

WHEREAS, funding for this project will be Paid for with General Fund CIP Project FD-18-02 and the Pottawattamie County's general operating budget; and

WHEREAS, the plans, specifications and form of contract as prepared by HGM Associates Inc. are on file in the Office of City Clerk.

NOW, THEREFORE BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA

That the plans, specifications, form of contract and cost estimate for Council Bluffs Fire Station #5 Storage Building Project are hereby approved and authorized to advertise for bids for said project.

ADOPTED  
AND  
APPROVED

October 9, 2017

\_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk

## Council Communication

Department: Public Works Admin  
Case/Project No.:  
Submitted by: Pat Miller, Public  
Works Operations Director

Resolution 17-218

Council Action: 10/9/2017

### Description

Resolution approving the Plans, Specifications, Form of Contract, and Cost Estimate for the Bass Pro Shop Roof Top Unit Replacement Project.

### Background/Discussion

The existing roof top units were installed when the Bass Pro Shop was built in 2005. They provide the heating and air conditioning for this building. This series of roof top units came from the factory with inherent problems that began showing up after several years of operation. The housing and mounting brackets for some of the major components would break causing the refrigerant gas to leak and in some cases caused compressors failure. The heating sections of these machines also have very weak combustion gas blower assemblies that also fail every couple of years.

The failure rate of these units has been substantial over the years. We have experienced over 175 breakdowns and have spent almost \$200,000 in repairs. To minimize our losses it has been determined that it is time to replace the roof top units with new more efficient models that are more reliable.

Funding for this project will be paid for by the Iowa West Foundation. The estimated cost of this project is \$811,650.

The project schedule is as follows:

Hold Public Hearing	October 9, 2017
Bid Letting	November 9, 2017
Award	November 27, 2017
Construction End	May 15, 2018

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description	Type	Upload Date
Resolution 17-218	Resolution	10/2/2017

**RESOLUTION NO. 17-218**

**RESOLUTION APPROVING THE  
PLANS, SPECIFICATIONS, FORM OF CONTRACT,  
AND COST ESTIMATE FOR THE  
BASS PRO SHOP ROOF TOP UNIT REPLACEMENT PROJECT**

WHEREAS, the plans, specifications, form of contract, and cost estimate as prepared by Engineering Technologies, Inc. are on file in the office of the City Clerk of the City of Council Bluffs, Iowa for the Bass Pro Shop Roof Top Unit Replacement Project; and

WHEREAS, a Notice of Public Hearing was published as required by law, and a public hearing was held on October 9, 2017.

NOW, THEREFORE BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA

That the plans, specifications, form of contract, and cost estimate for Bass Pro Shop Roof Top Unit Replacement Project are hereby approved and authorized to advertise for bids for said project.

ADOPTED  
AND  
APPROVED

October 9, 2017

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Matthew J. Walsh, Mayor

Attest:

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Jodi Quakenbush, City Clerk

## Council Communication

Department: Community  
Development

Case/Project No.: SUB-17-008

Resolution 17-219

Council Action: 10/9/2017

Submitted by: Christopher  
Gibbons

### Description

Resolution granting Final Plat approval of a 123-Lot Residential Subdivision to be known as Whispering Oaks.

### Background/Discussion

The Community Development Department has received a request from T S Development, LLC, represented by Charles Huddleston of Schemmer Associates Inc., for final plat approval of 123-lot residential subdivision to be known as Whispering Oaks (Attachment A). The proposed subdivision totals 40.17 +/- acres in size and is located west of Franklin Avenue and north of Greenview Road. One detached, single-family residential dwelling will be constructed on each proposed lot. The proposed plat includes the dedication of seven new streets to the City of Council Bluffs, including a westerly extension of Forest Glen Drive.

The preliminary subdivision plan for Whispering Oaks was passed and approved by the Council Bluffs City Council on October 27, 2014 by Resolution No. 14-286. The proposed final plat is generally consistent with the approved preliminary plan.

### Comments

1. The proposed subdivision is consistent with the purpose and intent of the Council Bluffs Municipal Subdivision and Zoning Ordinances.
2. The subject property is zoned R-1/Single-Family Residential District. All building construction within the proposed subdivision shall comply with the standards stated in Chapter 15.08B.50, *Site development regulations, R-1/Single-Family Residential District* of the Council Bluffs Municipal Code (Zoning Ordinance).
3. All proposed lots comply with the R-1/Single-Family Residential District minimum square footage requirements. Proposed Lots 64, 66, 69, 70, 105 and 115 exceed the maximum allowed 3:1 lot depth to width ratio. Additionally, proposed Lot 102 has a lot depth of 70.58 feet (south property line) as opposed to the required 100 feet in an R-1/Single-Family Residential District. A subdivision variance to allow Lots 64, 66, 69, 70, 105 and 115 to exceed the maximum 3:1 lot depth to width ratio and for Lot 102 to have a lot depth less than the required 100 feet must be approved by City Council. Per Section 14.11.040, *Variance(s)* of the Council Bluffs Municipal Code (Subdivision Ordinance) a variance can be granted 'where it can be shown that due to special conditions, literal enforcement of the ordinance will result in unnecessary hardship', the City shall have the power to vary such regulations so that the substantial justice will be accomplished, provided that such variance would:
  - a. Not be contrary to the public interest;
  - b. Be in the interest of the City;
  - c. Be within the spirit and intent of the ordinance; and
  - d. Not be detrimental to future residents in or near the proposed subdivision.

Lots 64, 66, 69, 70, 102, 105 and 115 are all irregularly shaped. Each lot has sufficient dimensions and size to be developed with a single-family residential dwelling. The layout of these lots will not be detrimental to future residents and will allow for the subdivision to be developed as per the approved Whispering Oaks preliminary plan which is in the best interest of the City. The requested variances are not contrary to the public interest and are generally within the spirit and intent of the Council Bluffs Zoning and Subdivision

Ordinances.

4. Lots 1 through 14, Whispering Oaks have frontage along Whispering Drive and Franklin Avenue. There are also recorded easements at the back of these lots for Northwestern Bell and Iowa Power and Light. For zoning setback purposes, the property line abutting Whispering Drive shall be considered a front yard and the property line abutting Franklin Avenue shall be considered a rear yard.

5. Lot 69 is an irregularly shaped corner lot that has 158.84 linear feet of frontage along Oak Court and 158.56 linear feet of frontage along Whispering Drive. Typically, the front of any lot is considered the side with the least amount of road frontage, which in this case would make Whispering Drive the front and Oak Court a street side. However, the developer designed the layout of this lot with the intent that Oak Court would be the front and Whispering Drive would be the street side yard. For zoning setback purposes, the property line abutting Oak Court shall be considered the front and the property line abutting Whispering Drive shall be considered a street side.

6. The applicant proposes to dedicate seven new streets to the City of Council Bluffs with the final plat, as follows: Ash Court, Bruckner Boulevard, Cypress Street, Spruce Lane, Whispering Drive, Oak Court as well as an extension of Forest Glen Drive. All lots within the proposed subdivision will have direct access to one of the new City streets. Lots 1 through 14, Whispering Oaks abut Franklin Avenue right-of-way. All rights of direct vehicular access from said lots onto Franklin Avenue shall be dedicated to the City of Council Bluffs on the final plat, as per the approved Whispering Oaks preliminary plan. Lots 1, 48, 49, 79, 80, 95, 96, 105, 109 and 123 are corner lots with a common frontage along Forest Glen Drive. All said lots have direct vehicular access to an intersecting side street. All rights of direct vehicular access from said lots onto Forest Glen Drive shall be dedicated to the City of Council Bluffs on the final plat, as per the approved Whispering Oaks preliminary plan.

7. The unplatted land located between proposed Lots 90 through 95 and Lots 106 through 108 will function as a stormwater management feature for the subdivision. This land area shall be identified as an outlot on the final plat and the ownership and maintenance of said stormwater feature shall be dedicated to the Whispering Oaks Homeowners Association.

8. All electric, cable and communication facilities shall be installed underground. All costs to construct, remove and/or relocate any utilities for the proposed subdivision shall be the responsibility of the applicant and not the City.

9. The Council Bluffs Water Works has confirmed that the applicant has entered into a main extension agreement for this subdivision. Installation of the water main is underway at the time of this report. A 10 foot-wide water main easement is shown along the frontage of Lot 63. The Council Bluffs Water Works stated they would accept dedication of this easement with a separate instrument.

10. MidAmerican Energy stated they have not entered into a formal agreement with the applicant to provide electrical distribution facilities for this subdivision. The applicant has the agreement under review. The applicant shall enter into an agreement with MidAmerican Energy to provide electrical distribution facilities and street lights within the proposed subdivision prior to executing the final plat.

11. The Public Works Department provided the following comments:

a. A cost estimate must be established and agreed upon for all unfinished work. The applicant shall provide an escrow account, bond or letter of credit for the agreed upon cost estimate for all unfinished work in the subdivision.

b. All sidewalks adjacent to outlots must be built or accounted for in the established cost estimate.

c. Water quality and quantity features shall be dedicated to a homeowners associated with an approved operations and maintenance guidance document included.

d. The overall sediment and erosion control plan must be modified to include plans to incorporate the individual lot build conditions. This plan must be approved by Public Works.

e. The new Forest Glen Drive extension must connect to Greenview Road and the Whispering Oaks, Phase 2 preliminary plan (currently under consideration by City Council, Resolution No. 17-209) must be approved establishing the public right-of-way for said street. If not approved, a turnaround must be installed at the plat boundary.

Note: The applicant is near completion of the Forest Glen Drive extension in this subdivision. The street

connects into Franklin Avenue and terminates at a 20 foot-wide strip of unincorporated land that runs parallel to Greenview Road. The applicant's engineer is working with Pottawattamie County Engineering and Planning Departments regarding the acceptance of a 20 foot-wide strip of land in the Forest Glen Drive extension as County right-of-way. The acceptance of this strip is necessary in order for Forest Glen Drive to interconnect with Greenview Road and provide a secondary access for this subdivision. The applicant anticipates that the Pottawattamie County Board of Supervisors will take action on their right-of-way acceptance request in September/October 2017. Once accepted the applicant can construct the subdivision's entrance onto Greenview Road.

12. The Council Bluffs Fire Department stated they have no comments for the proposed final plat.

13. A public sidewalk shall be installed along the frontages of each lot prior to issuance of a Certificate of Occupancy for a dwelling on each lot, at no cost to the City.

14. A copy of the any private easements/covenants shall be provided to the City and recorded with the final plat.

15. Legal counsel representing David and Anna Jones sent a letter dated 2/22/2016 requesting certain actions by the City at the time of final plat for phases that abut their property. It should be noted that this phase does not abut their property. A copy of the letter is included as Attachment B.

16. The following technical corrections shall be made to the final plat prior to being executed:

a. Sheet 1 of 5 – Revise the County Auditor's name to state Melvyn Houser.

b. Sheet 3 of 5 – Label the course bearing and dimension of the common lot line between Lots 120 and 121.

c. Sheet 5 of 5:

i. Change the date in the "Owners Certificate paragraph" from 2015 to 2017.

ii. State "The Honorable Matthew J. Walsh, Mayor"

iii. Remove the period (.) after the first name of the Community Development Director (Brandon Garrett).

iv. Include an apostrophe in the word "Treasurer's" in the County Treasurer's Certificate label

v. Revise the third sentence of the Standard Utility Easement paragraph to specify maintenance of all drainage easement being the responsibility of the Whispering Oaks Homeowners Association. This would include the 20 foot-wide utility easements between 23 & 24, Lots 27 & 28 and Lots 115 & 116.

vi. Place a colon symbol after "Duty to Repair" in the dedication paragraph.

vii. Change the date in "Acknowledgment to Dedication" from 2015 to 2017.

## **Recommendation**

The Community Development Department recommends the following:

1. Final plat approval of a 123-lot residential subdivision to be known as Whispering Oaks, as legally described and shown on Attachment 'A', subject to all comments stated above and following conditions:

a. All technical corrections shall be incorporated into the final plat document prior to being executed; and

b. The final plat shall be recorded within 90 days of City Council approval or the plat shall become null and void unless an extension of has been requested and granted by the Community Development Department Director; and

c. Conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements; and

d. All utilities shall be installed underground. Any cost to remove and/or relocate any utilities shall be the sole expense of the applicant and not the City; and

e. The applicant shall provide a copy of any proposed covenants and/or private restrictions associated with the subdivision to the City, or place a note on the final plat indicating none will be recorded; and

f. A public sidewalk shall be installed along the frontages of each lot prior to issuance of a Certificate of Occupancy for a dwelling unit on each lot, at no cost to the City.

g. The developer shall provide the City with two sets of as-built construction drawings and a two-

year maintenance bond, upon acceptance of all required improvements.

2. Approval of a subdivision variance to allow Lots 64, 66, 69, 70, 105 and 115, Whispering Oaks to exceed the maximum 3:1 lot depth to width ratio.

3. Approval of a subdivision variance to allow Lot 102 to have a minimum depth of 70.58 feet, as opposed to the required 100 feet in an R-1/Single-Family Residential District.

**ATTACHMENTS:**

Description	Type	Upload Date
SUB-17-008 Whispering Oaks Final Plat Public Hearing Notice CC (10-9-17)	Resolution	9/27/2017
Case SUB-17-008 Whispering Oaks Final Plat Attach A CC (10-9-17)	Resolution	9/27/2017
Case SUB-17-008 Whispering Oaks Final Plat Attach B CC (10-9-17)	Resolution	9/27/2017
Resolution 17-219	Resolution	10/2/2017

## **NOTICE OF PUBLIC HEARING**

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request of T S Development, LLC for final plat approval of a 123-lot residential subdivision to be known as Whispering Oaks, legally described as being: A TRACT OF LAND BEING PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 74 NORTH RANGE 43 EAST OF THE 5TH PRINCIPAL MERIDIAN; AND ALSO TOGETHER WITH PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 74 NORTH RANGE 43 EAST OF THE 5TH PRINCIPAL MERIDIAN; AND ALSO TOGETHER WITH PART OF SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 74 NORTH, RANGE 43 EAST OF THE 5TH PRINCIPAL MERIDIAN; AND ALSO TOGETHER WITH PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 74 NORTH, RANGE 43 EAST OF THE 5TH PRINCIPAL MERIDIAN; AND ALSO TOGETHER WITH LOT 3, OF THE AUDITORS SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33 TOWNSHIP 75 NORTH, RANGE 43 EAST, OF THE 5TH PRINCIPAL MERIDIAN; AND ALSO TOGETHER WITH LOT 1, AUDITORS SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 75 NORTH, RANGE 43 EAST OF THE 5TH PRINCIPAL MERIDIAN; ALL LOCATED IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 9<sup>th</sup> day of October, 2017 in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

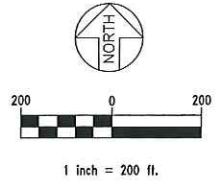
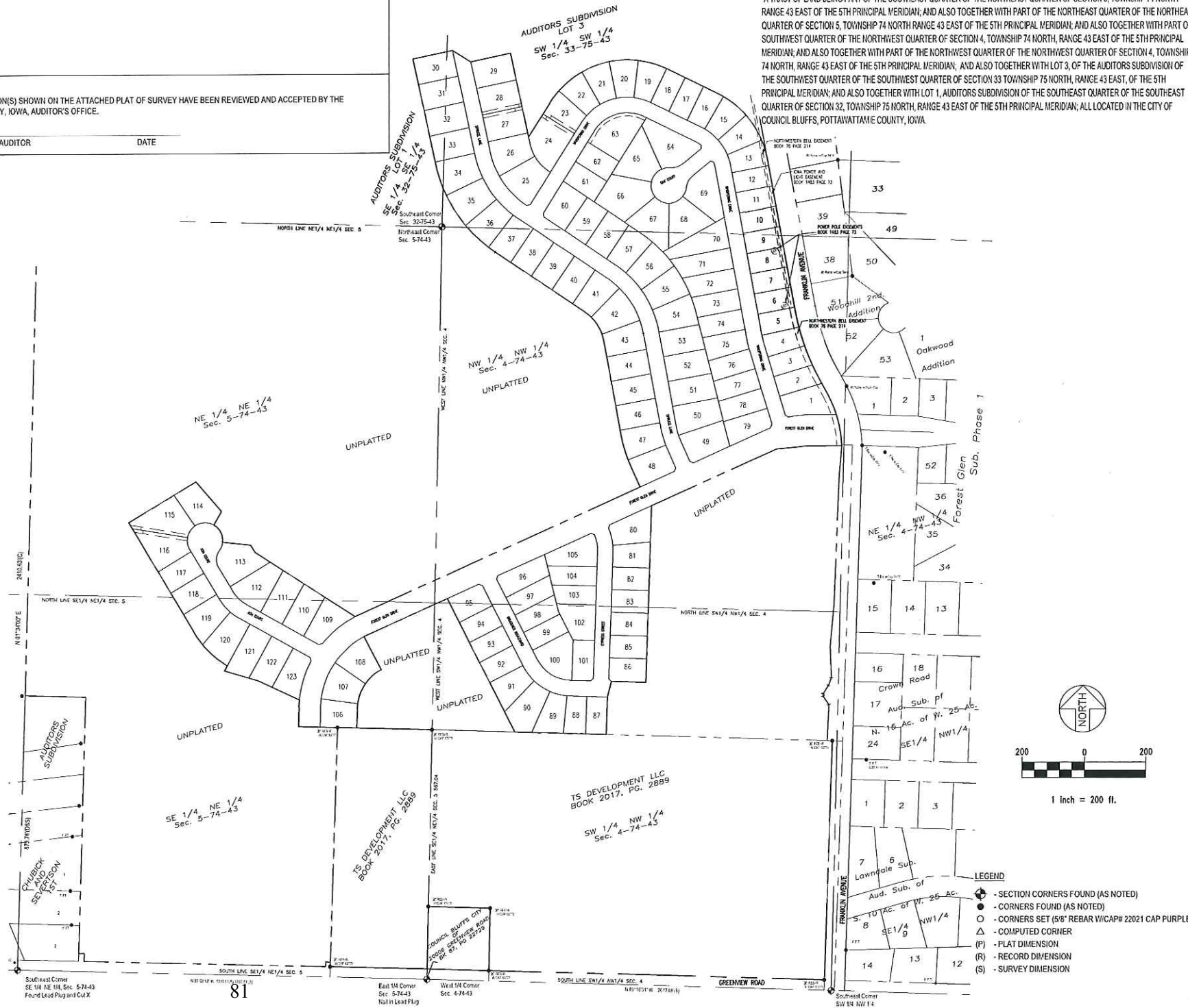
RECORDER'S OFFICE

AUDITOR'S OFFICE  
THE PARCEL DESIGNATION(S) SHOWN ON THE ATTACHED PLAT OF SURVEY HAVE BEEN REVIEWED AND ACCEPTED BY THE  
POTTAWATTAMIE COUNTY, IOWA, AUDITOR'S OFFICE.

MARILYN JO DRAKE, CO. AUDITOR DATE

FINAL PLAT  
WHISPERING OAKS  
LOTS 1 -123 INCLUSIVE

A TRACT OF LAND BEING PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 74 NORTH RANGE 43 EAST OF THE 5TH PRINCIPAL MERIDIAN; AND ALSO TOGETHER WITH PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 74 NORTH RANGE 43 EAST OF THE 5TH PRINCIPAL MERIDIAN; AND ALSO TOGETHER WITH PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 74 NORTH, RANGE 43 EAST OF THE 5TH PRINCIPAL MERIDIAN; AND ALSO TOGETHER WITH PART OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 74 NORTH, RANGE 43 EAST OF THE 5TH PRINCIPAL MERIDIAN; AND ALSO TOGETHER WITH LOT 3, OF THE AUDITORS SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33 TOWNSHIP 75 NORTH, RANGE 43 EAST, OF THE 5TH PRINCIPAL MERIDIAN; AND ALSO TOGETHER WITH LOT 1, AUDITORS SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 75 NORTH, RANGE 43 EAST OF THE 5TH PRINCIPAL MERIDIAN; ALL LOCATED IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.



- LEGEND**
- - SECTION CORNERS FOUND (AS NOTED)
  - - CORNERS FOUND (AS NOTED)
  - - CORNERS SET (5/8" REBAR W/CAP# 22021 CAP PURPLE)
  - △ - COMPUTED CORNER
  - (P) - PLAT DIMENSION
  - (R) - RECORD DIMENSION
  - (S) - SURVEY DIMENSION

DESIGNED	BY
DRAWN	DATE
CHECKED	BY
DATE	BY

DATE	BY
DATE	BY
DATE	BY
DATE	BY

**SCHEMMER**  
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WHISPERING OAKS  
LOTS 1 - 123 INCLUSIVE  
POTTAWATTAMIE COUNTY, IOWA

JOB NO.  
06519.001

SHEET  
1 of 5

16212001: CAD Survey\06519001: FINAL PLAT DWG.dwg: 5/27/2017 11:28:29 AM: DWG 15: 001.dwg

FINAL PLAT  
WHISPERING OAKS  
LOTS 1 - 123 INCLUSIVE

A TRACT OF LAND BEING PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 74 NORTH RANGE 43 EAST OF THE 5TH PRINCIPAL MERIDIAN, AND ALSO TOGETHER WITH PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 74 NORTH RANGE 43 EAST OF THE 5TH PRINCIPAL MERIDIAN, AND ALSO TOGETHER WITH PART OF SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 74 NORTH, RANGE 43 EAST OF THE 5TH PRINCIPAL MERIDIAN; AND ALSO TOGETHER WITH PART OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 74 NORTH, RANGE 43 EAST OF THE 5TH PRINCIPAL MERIDIAN, AND ALSO TOGETHER WITH LOT 3, OF THE AUDITORS SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33 TOWNSHIP 75 NORTH, RANGE 43 EAST, OF THE 5TH PRINCIPAL MERIDIAN; AND ALSO TOGETHER WITH LOT 1, AUDITORS SUBDIVISION OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 75 NORTH, RANGE 43 EAST OF THE 5TH PRINCIPAL MERIDIAN; ALL LOCATED IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

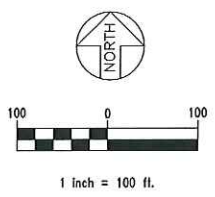


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3	8309
4	8445
5	8092
6	7907
7	7907
8	7907
9	7907
10	7907
11	7907
12	7907
13	8685
14	9064
15	9064
16	8171
17	7907
18	7943
19	9064
20	9064
21	9064
22	9064
23	9611
24	15381
25	13695
26	12704
27	11366
28	11366
29	11366
30	10996
31	10996
32	10996
33	10996
34	12755
35	12854

Parcel #	Area (SQ. FT.)
36	11425
37	10656
38	10400
39	10400
40	10400
41	11248
42	12269
43	11125
44	10400
45	10400
46	10400
47	11248
48	11898
49	13413
50	12658
51	11750
52	11316
53	10883
54	11565
55	11658
56	11646
57	11117
58	10537
59	10537
60	11809
61	9068
62	8953
63	16473
64	16510
65	14820
66	18188
67	14145
68	13856
69	14931
70	13568

Parcel #	Area (SQ. FT.)
71	12208
72	10649
73	9831
74	9488
75	9760
76	9368
77	9488
78	9688
79	10611

- LEGEND
- - SECTION CORNERS FOUND (AS NOTED)
  - - CORNERS FOUND (AS NOTED)
  - - CORNERS SET (5/8" REBAR W/CAP# 22021 CAP PURPLE)
  - △ - COMPUTED CORNER
  - (P) - PLAT DIMENSION
  - (R) - RECORD DIMENSION
  - (S) - SURVEY DIMENSION



DESIGNED	DRAWN	CHECKED	DATE

BOOK	PAGE	DATE

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WHISPERING OAKS  
LOTS 1-123 INCLUSIVE  
POTTAWATTAMIE COUNTY, IOWA

JOB NO. 06519.001  
SHEET 2 of 5

10/19/2011 CAD:\gwp\06519\06519.FINL PLAT.DWG (PLOT) 11/25/11 11:25:36 AM DWG TO PDF.dwg

FINAL PLAT

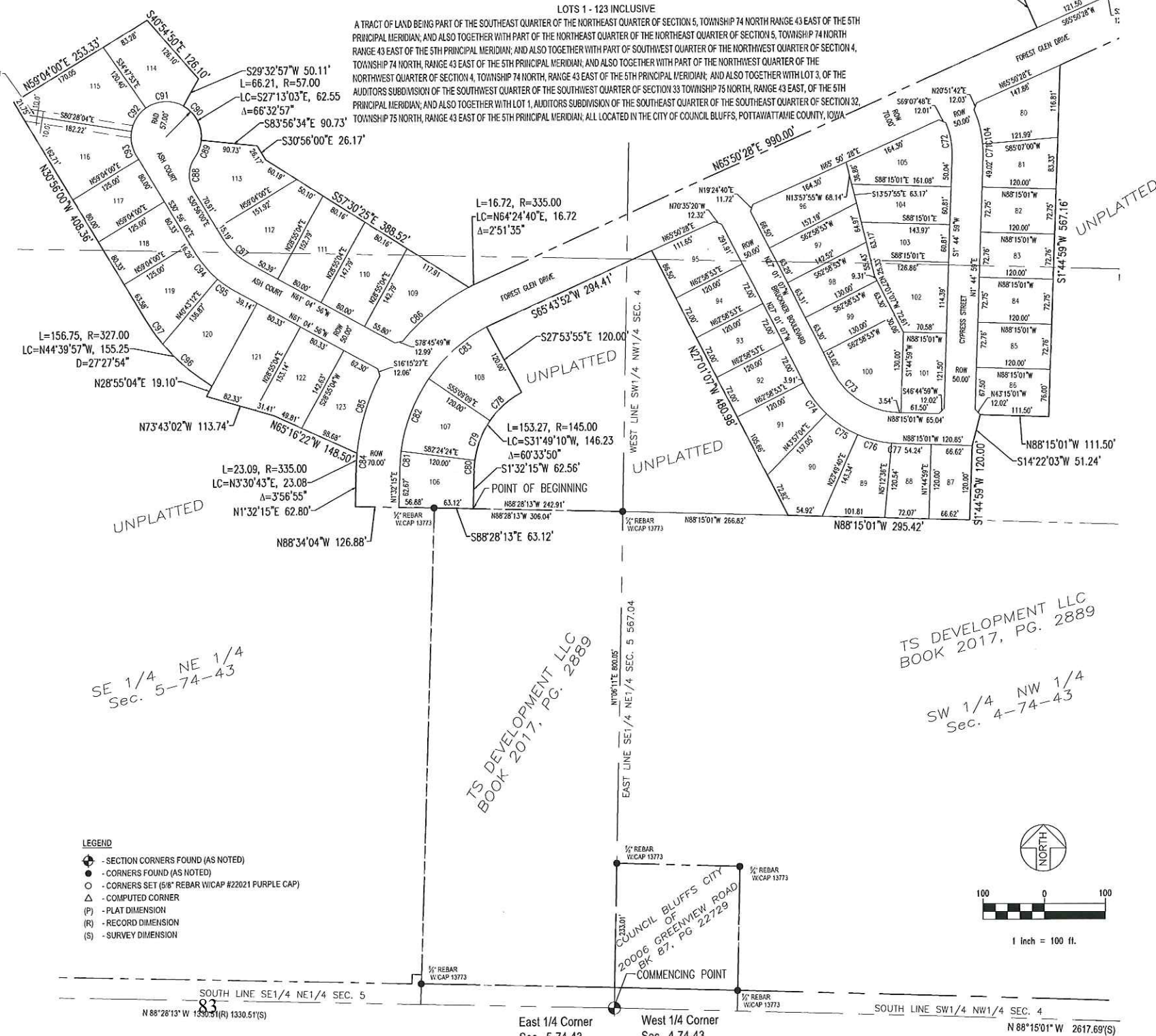
WHISPERING OAKS  
LOTS 1 - 123 INCLUSIVE

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Parcel #	Area (Sq. Ft.)
80	11977
81	9170
82	8731
83	8731
84	8731
85	8731
86	9084
87	7894
88	8214
89	10042
90	13463
91	10392
92	8640
93	8640
94	8640
95	9984
96	11652
97	9484
98	8568
99	8229
100	13088
101	9064
102	11586
103	8235
104	9275
105	12591
106	10111
107	11702
108	11702
109	11943
110	11623
111	12023
112	13986
113	14414
114	11910
115	15733
116	13912
117	10000
118	10042
119	11986
120	13100
121	13026
122	11785
123	11111

- LEGEND
- ⊕ - SECTION CORNERS FOUND (AS NOTED)
  - - CORNERS FOUND (AS NOTED)
  - - CORNERS SET (5/8" REBAR W/CAP #22021 PURPLE CAP)
  - △ - COMPUTED CORNER
  - (P) - PLAT DIMENSION
  - (R) - RECORD DIMENSION
  - (S) - SURVEY DIMENSION

15310011\_CADD\_Schemmer05181011\_FINAL\_PLAT\_000.dwg, 05/24/2017 11:25:57 AM, DWG TO PDF, PLOT



DESIGNED	DATE: 05/04/2017
DRAWN	
CHECKED	
DATE: 05/04/2017	

TS DEVELOPMENT LLC  
BOOK 2017, PG. 2889

SW 1/4 NW 1/4  
Sec. 4-74-43

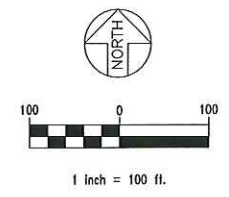
**SCHEMMER**  
Design with Purpose. Build with Confidence.

WHISPERING OAKS  
LOTS 1 - 123 INCLUSIVE  
POTTAWATTAMIE COUNTY, IOWA

FINAL PLAT

JOB NO.  
06519.001

SHEET  
3 of 5







LINCOLN OFFICE  
SUITE 500  
301 SOUTH 13TH STREET  
LINCOLN, NEBRASKA 68508-2578  
TELEPHONE 402-437-8500  
FAX 402-437-8558

WOODS & AITKEN  
L \* L \* P

DENVER OFFICE  
SUITE 525  
8055 EAST TUFTS AVENUE  
DENVER, COLORADO 80237-2835  
TELEPHONE 303-606-6700  
FAX 303-606-6701

OMAHA OFFICE  
SUITE 525  
10250 REGENCY CIRCLE  
OMAHA, NEBRASKA 68114-3754  
TELEPHONE 402-898-7400  
FAX 402-898-7401

MICHAEL D. MATEJKA  
DIRECT: (402) 898-7409  
EMAIL: MMATEJKA@WOODSAITKEN.COM  
WWW.WOODSAITKEN.COM

WASHINGTON, D.C. OFFICE  
SUITE 310  
5151 WISCONSIN AVENUE, N.W.  
WASHINGTON, D.C. 20016-4124  
TELEPHONE 202-944-9500  
FAX 202-944-9501

PLEASE RESPOND TO OMAHA ADDRESS

February 22, 2016

Ms. Rose E. Brown  
Planning Coordinator  
Community Development Department  
City of Council Bluffs  
209 Pearl Street  
Council Bluffs, IA 51503

Mr. Donald Gross  
Community Development Director  
Community Development Department  
City of Council Bluffs  
209 Pearl Street  
Council Bluffs, IA 51503

Mr. Richard Wade  
City Attorney  
City of Council Bluffs  
209 Pearl Street, Third Floor  
Council Bluffs, IA 51503

RE: David and Anna Jones

Dear Ms. Brown, Mr. Gross and Mr. Wade:

We represent Mr. and Mrs. David Jones. As you are aware, Mr. and Mrs. Jones own the real estate located at 16090 Crystal Lane, which is adjacent to the Whispering Oaks development. Prior to the preliminary approval of the Whispering Oaks development, my clients had requested that they have access to the public streets in Whispering Oaks for access to their property. Since then, my clients have determined that the highest and best use of their property is the future development of single family lots. Therefore access to the public streets in Whispering Oaks is now even more critical for purposes of providing additional access for public safety and circulation of traffic which will be needed to develop this property for the residential use which will benefit the City and is the purpose the property was annexed and zoned residential by the City.

My clients request that access to the public streets in Whispering Oaks be required by the City as a condition for the final approval of those phases of Whispering Oaks which are adjacent to my client's property. This would include the ability to connect to the street that connects to the

Mr. Donald Gross  
Ms. Rose E. Brown  
Mr. Richard Wade  
February 22, 2016  
Page 2

Northwest corner of my clients' property as well as having the right, at my clients cost, to connect to the looped street that is near the Southeast corner of their property.

We ask that the City please confirm in writing that this will be a requirement of any future approvals of the phases of Whispering Oaks which are adjacent to my client's property.

Having access to the public streets of Whispering Oaks is critical to the future development of my clients' property since at the meeting last fall with the City department heads, the City indicated that it has concerns about the adequacy of the existing access and infrastructure serving my clients' property.

Please contact me if you have any questions. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink that reads "Michael D. Matejka". The signature is written in a cursive style with a large, prominent 'M' at the beginning.

Michael D. Matejka

MDM/cab

**RESOLUTION NO. 17-219**

**A RESOLUTION GRANTING FINAL PLAT APPROVAL OF A 123-LOT RESIDENTIAL SUBDIVISION TO BE KNOWN AS WHISPERING OAKS.**

**WHEREAS,** T S Development, LLC, represented by Charles Huddleston of Schemmer Associates, Inc., has submitted a request for final plat approval for 123-lot residential subdivision to be known as Whispering Oaks; and

**WHEREAS,** The proposed subdivision totals 40.17 acres in size and is located west of Franklin Avenue and north of Greenview Road, being a westerly extension of Forest Glen Drive and is legally described as: A TRACT OF LAND BEING PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 74 NORTH RANGE 43 EAST OF THE 5TH PRINCIPAL MERIDIAN; AND ALSO TOGETHER WITH PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 74 NORTH RANGE 43 EAST OF THE 5TH PRINCIPAL MERIDIAN; AND ALSO TOGETHER WITH PART OF SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 74 NORTH, RANGE 43 EAST OF THE 5TH PRINCIPAL MERIDIAN; AND ALSO TOGETHER WITH PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 74 NORTH, RANGE 43 EAST OF THE 5TH PRINCIPAL MERIDIAN; AND ALSO TOGETHER WITH LOT 3, OF THE AUDITORS SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33 TOWNSHIP 75 NORTH, RANGE 43 EAST, OF THE 5TH PRINCIPAL MERIDIAN; AND ALSO TOGETHER WITH LOT 1, AUDITORS SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 75 NORTH, RANGE 43 EAST OF THE 5TH PRINCIPAL MERIDIAN; ALL LOCATED IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA; and

**WHEREAS,** The proposed subdivision is generally consistent with the Whispering Oaks preliminary plan passed and approved by the Council Bluffs City Council on October 27, 2014 by Resolution No. 14-286; and

**WHEREAS,** The Community Development Department recommends the following:

1. Final plat approval of a 123-lot residential subdivision to be known as Whispering Oaks, as legally described above and shown on Attachment 'A', subject to all comments stated in the case report and following conditions:
  - a. All technical corrections shall be incorporated into the final plat document prior to being executed; and
  - b. The final plat shall be recorded within 90 days of City Council approval or the plat shall become null and void unless an extension of has been requested and granted by the Community Development Department Director; and
  - c. Conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements; and

- d. All utilities shall be installed underground. Any cost to remove and/or relocate any utilities shall be the sole expense of the applicant and not the City; and
  - e. The applicant shall provide a copy of any proposed covenants and/or private restrictions associated with the subdivision to the City, or place a note on the final plat indicating none will be recorded; and
  - f. A public sidewalk shall be installed along the frontages of each lot prior to issuance of a Certificate of Occupancy for a dwelling unit on each lot, at no cost to the City; and
  - g. The developer shall provide the City with two sets of as-built construction drawings and a two-year maintenance bond, upon acceptance of all required improvements.
2. Approval of a subdivision variance to allow Lots 64, 66, 69, 70, 105 and 115, Whispering Oaks to exceed the maximum 3:1 lot depth to width ratio.
  3. Approval of a subdivision variance to allow Lot 102 to have a minimum depth of 70.58 feet, as opposed to the required 100 feet in an R-1/Single-Family Residential District.

**NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA**

That the final plat approval for 123-lot residential subdivision to be known as Whispering Oaks as legally described above and shown on Attachment ‘A’, is hereby approved subject to all local, state and federal regulations; and

**BE IT FURTHER RESOLVED**

That the Mayor and City Clerk are hereby authorized and directed to endorse the final plat.

ADOPTED  
AND  
APPROVED

October 9, 2017.

\_\_\_\_\_  
MATTHEW J. WALSH

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_

\_\_\_\_\_  
JODI QUAKENBUSH

\_\_\_\_\_  
City Clerk

## Council Communication

Department: Legal  
Case/Project No.: Legal  
Submitted by: Legal Department

Ordinance 6309

Council Action: 10/9/2017

### Description

An Ordinance to amend Chapter 1.70 "Board of Library Trustees" by amended Section 1.70.110 "Annual Report"

### Background/Discussion

The purpose of this change is to update section 1.70.110. The term "books" now includes: ebooks; databases; audio, video and equipment that is checked out. Changing "books" to "materials" would update this section.

The Library does collect "fines" but also collects revenue for rentals (room rental and the CVB), also grants, etc. Change "fines" to "revenue" would update this section.

### Recommendation

Approval of this Resolution.

### ATTACHMENTS:

Description	Type	Upload Date
Attachment showing changes	Other	9/22/2017
Ordinance	Ordinance	9/22/2017

1.70.110 – Annual report.

The board shall report to the city council immediately after the close of the municipal fiscal year. This report shall contain statements of the condition of the library, the number of materials, added thereto, the number circulated, the amount of revenue, collected, and the amount of money expended in the maintenance of the library during the year, together with such further information required by the council.

**Deleted:** books

**Deleted:** fines

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND CHAPTER 1.70 “BOARD OF LIBRARY TRUSTEES” BY AMENDING SECTION 1.70.110 “ANNUAL REPORT” OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.**

**BE IT ORDAINED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA**

**SECTION 1.** That Chapter 1.70 “Board of Library Trustees” be amended by amending Section 1.70.110 “Annual Report” of the 2015 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended to read as follows:

Chapter 1.70 – BOARD OF LIBRARY TRUSTEES

**Section:**

1.70.110 – Annual report.

The board shall report to the city council immediately after the close of the municipal fiscal year. This report shall contain statements of the condition of the library, the number of materials added thereto, the number circulated, the amount of revenue collected, and the amount of money expended in the maintenance of the library during the year, together with such further information required by the council.

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3. SEVERABILITY CLAUSE.** If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED  
AND \_\_\_\_\_, 2017.  
APPROVED

\_\_\_\_\_  
MATTHEW J. WALSH Mayor

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH City Clerk

First Consideration: \_\_\_\_\_  
Second Consideration: \_\_\_\_\_  
Public Hearing: \_\_\_\_\_  
Third Consideration: \_\_\_\_\_

## Council Communication

Department: City Clerk  
Case/Project No.: ZT-17-004  
Submitted by: Chris Meeks

Ordinance 6306

Council Action: 10/9/2017

### Description

An Ordinance to amend Chapter 15.15 "C-2/Commercial District" by amending Section 15.15.030 "Conditional Uses" to include "Warehousing and Distribution (Limited)"

### Background/Discussion

The Community Development Department received a request of QRS Investments LLC for a text amendment to Title 15 of the Municipal Code (Zoning Ordinance) to:

- Amend §15.15.030 by adding 'Warehousing and Distribution (Limited)'. The requested text amendment would allow for a 'Warehousing and Distribution (Limited)' as defined by §15.03.682 as a conditional use in a C-2 Commercial District, Municipal Code (Zoning Ordinance).

The applicant has requested this amendment to allow for a tenant to expand a conforming warehousing operation. The tenant currently leases approximately half of an existing building, and would expand their space pending the approval of this text amendment and future Conditional Use Permit.

Warehousing and Distribution (Limited) operations occupying a maximum of fifty thousand square feet are currently allowed as principle use in the C-2 Commercial District. The approval of this text amendment would allow an applicant to obtain a conditional use permit to remove the fifty thousand square foot maximum floor area. Warehousing and Distribution (Limited) is allowed as a principle use in the P-I/Planned Industrial District, I-1/Light Industrial District, I-2/General Industrial District, and I-3/Heavy Industrial District.

The approval of this text amendment would allow the Zoning Board of Adjustment the opportunity to determine the suitability of a specific site for a warehousing and distribution operation of greater than fifty thousand square feet. During this review, the Zoning Board of Adjustment would also be able to add conditions to the approval operation to protect the public interest, adjacent property, and land values. Failure to maintain the conditions outlined shall constitute grounds for revocation of the conditional use. Conditional uses are outlined in Section 15.02.090 of the Council Bluffs Code of Ordinances.

All City departments and utility providers received a copy of the proposed text amendment. The Public Works Department stated they have no comments concerning the proposed text amendment.

No other comments have been received.

### Recommendation

The Community Development Department recommends approval of the proposed text amendment as follows:

- Amend §15.15.030 by adding 'Warehousing and Distribution (Limited)' as a conditional use in a C-2 Commercial District, Municipal Code (Zoning Ordinance).

### Public Hearing

Speakers in favor:

1. Greg Johnson, 1851 Madison Avenue, Council Bluffs, IA 51503

Speakers against: None

**Planning Commission Recommendation**

The Planning Commission recommends approval of the proposed text amendment as follows:

- Amend §15.15.030 by adding ‘Warehousing and Distribution (Limited)’ as a conditional use in a C-2 Commercial District, Municipal Code (Zoning Ordinance).

VOTE: AYE 8    NAY 0    ABSTAIN 2    ABSENT 1    Motion: Carried

**ATTACHMENTS:**

Description	Type	Upload Date
ZT-17-004 C-2 Commercial District 15.15.030 PH Notice	Resolution	9/15/2017
Ordinance 6306	Ordinance	9/19/2017

## NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

A public hearing is to be held by the City Council of the City of Council Bluffs, Iowa, on the 9<sup>th</sup> day of October, 2017 at 7:00 p.m. in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

The hearing is in regards to the City's intent to Amend §15.15.030 by adding 'Warehousing and Distribution, limited' as defined by §15.03.682 as a conditional use in a C-2 Commercial District, Municipal Code (Zoning Ordinance) of Council Bluffs, Iowa.

---

Jodi Quakenbush, City Clerk

**ORDINANCE NO. 6306**

**AN ORDINANCE TO AMEND CHAPTER 15.15 “C-2/COMMERCIAL DISTRICT” OF THE MUNICIPAL CODE (ZONING ORDINANCE) OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 15.15.030 “CONDITIONAL USES” TO INCLUDE “WAREHOUSING AND DISTRIBUTION (LIMITED)”**

**BE IT ORDAINED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA**

**SECTION 1.** That Chapter 15.15 “C-2/Commercial District” of the 2015 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by amending Section 15.15.030 “Conditional Uses”, to read as follows:

15.15.030 - Conditional uses.

The following conditional uses shall be permitted in a C-2 district, in accordance with the requirements set forth in Chapter 15.27:

- (1) Adult entertainment, as further limited by Section 15.15.060;
- (2) Automobile repair, major;
- (3) Automobile sales and rental, as further limited by Section 15.15.060;
- (4) Commercial storage;
- (5) Communication tower;
- (6) Day care services;
- (7) Manufacturing, light (fifty thousand (50,000) square feet or less);
- (8) Warehousing and Distribution (Limited).

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3. SEVERABILITY CLAUSE.** If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

ADOPTED  
AND \_\_\_\_\_, 2017.  
APPROVED

\_\_\_\_\_  
MATTHEW J. WALSH Mayor

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH City Clerk

First Consideration: 9-25-17  
Second Consideration: 10-9-17  
Public Hearing: 10-9-17  
Third Consideration: \_\_\_\_\_

## Council Communication

Department: City Clerk

Case/Project No.: Update to City

Ordinance 3.44 Pawnbrokers

Submitted by: Chief Tim Carmody

Ordinance 6307

Council Action: 10/9/2017

### Description

An Ordinance to amend Section 3.44 Pawnbrokers.

### Background/Discussion

- On July 1, 2017, the Council Bluffs Police Department entered into an agreement with *Leadsonline, LLC* to operate and maintain an electronic reporting and criminal investigation system for receiving data for the use of law enforcement officials in their duties. Their web-based and provides the Council Bluffs Police Department with a more detailed, better quality system of collecting, maintaining and analyzing the pawn transaction information during criminal investigations, in addition to streamlining records management processes
- *Leadsonline, LLC* acts in the capacity of an agent for the Council Bluffs Police Department for the purpose of collecting, maintaining and disseminating data provided by local pawnbrokers – enhancing our ability to capture accurate and timely information.
- *Leadsonline, LLC* service is free for local businesses to use, with software that is compatible to “point of sale” systems or it can be used as a standalone service for reporting. The process is completely electronic, eliminating the need for paper tickets to be turned into the Police Department.
- *Leadsonline, LLC* is also used by other agencies in the Metro area – increasing our ability to see stolen property that has been pawned elsewhere in the Metro.
- With the implementation of *Leadsonline, LLC*, the Council Bluffs Police Department is requesting that Council Bluffs Municipal Code 3.44 (Pawnbrokers Ordinance) be amended to include language that requires local pawnbrokers use an electronic reporting system as selected by the City and mandates the type of information that is to be collected at the time of transaction.
- The updates bring the ordinance into the digital age and will have helped us to recover stolen property, identify the suspect(s) involved, and regulate the pawnbroker process. It also helps make the process easier and more efficient for the end users in the pawnshops.

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description	Type	Upload Date
Ordinance 6307	Ordinance	9/19/2017

**ORDINANCE NO. 6307**

**AN ORDINANCE TO AMEND CHAPTER 3.44 “PAWNBROKERS” OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.**

**BE IT ORDAINED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA**

**SECTION 1.** That Chapter 3.44 “Pawnbrokers” of the 2015 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended to read as follows:

Chapter 3.44 - PAWNBROKERS

**Sections:**

3.44.010 - Definition.

Any person who loans money on deposit of personal property, or who deals in the purchase of personal property on condition of selling the same back again at a stipulated price, or who makes a public display at his or her place of business of the sign generally used by pawnbrokers to denote their business: three gilt or yellow balls, or who publicly exhibits any sign of money to loan on personal property, is declared to be a pawnbroker.

(Ord. 4224 § 1 (part), 1978).

3.44.020 - License required.

No person shall carry on or engage in business as a pawnbroker in the city without first having obtained a license therefor from the city, and such license shall conform to those now provided for, or that may hereafter be provided by ordinance.

(Ord. 4224 § 1 (part), 1978).

3.44.030 - Affidavit of intent and place of business.

Before such license is issued, the applicant therefor shall make an affidavit before some officer authorized by law to administer oaths, that he or she will faithfully observe and carry out all the provisions, regulations and requirements of any ordinance then in force or that may be hereafter passed, in relation to pawnbrokers or their business, and shall also set out fully the street and number where such business is to be transacted. Said affidavit shall be filed with the city clerk. In addition, prior to issuance of any license, the clerk shall cause an investigation of such applicant to be made by the police department to determine if such applicant is of good moral character, and has complied with all requirements of this chapter.

(Ord. 4224 § I (part), 1978).

#### 3.44.040 - Bond.

Every person applying for a license to engage in carrying on the business of a pawnbroker shall, at the time such license is issued to him, enter into a bond with the city, with two or more good and sufficient securities, to be approved by the city council, in the penal sum of two thousand dollars (\$2,000.00), conditioned that such applicant will strictly and faithfully observe all ordinances, regulations and requirements of the city in relation to pawnbrokers or their business, and will pay all costs, fines and penalties incurred on account of his or her failure or neglect in that behalf, and will pay all damages resulting to any person by reason of his or her wrongful purchasing, taking or receiving, in pledge or on deposit, stolen property. The bond shall be filed with the city clerk and may be sued upon by any person damaged, as aforesaid, in the name of the city, for the use of such person, but in no event shall the city be liable for any costs in such suit.

(Ord. 4224 § 1 (part), 1978).

#### 3.44.050 - License fee.

Every pawnbroker shall, for such license, pay the sum of one hundred dollars (\$100.00) per year, and shall pay the same in advance.

(Ord. 4224 § 1 (part), 1978).

#### 3.44.060 - Register to be kept—Copies to chief of police and patron.

Every pawnbroker shall keep a register of all loans and purchases of all articles effected or made by him or her at his or her place of business, which register shall show the date of all loans or purchases and the names of all persons who have left any description of property on deposit as a collateral security or as delivery on sale thereof. Opposite such name and date shall be written in plain hand the person's age and motor vehicle operator's or chauffeur's license number, or social security number, or other identification of public record; the full description of all such property purchased or received on deposit as collateral security; the manufacturer's identifying insignia or serial number if applicable; the time when the loan falls due; the amount of purchase money or the amount loaned and the interest charged and picture number. The pawnbroker shall make such entries within one hour after the receipt or purchase of such property. Every entry shall be made in ink, shall not in any manner be erased, obliterated or defaced, and a copy thereof shall be sent to the chief of police before noon of the following day. In addition to this, he or she shall give to the party negotiating or selling a plain, written or printed ticket for the loan, and a plain, written or printed receipt of the articles purchased having on each a copy of the entries required by this chapter to be kept in his or her register, for which no charge shall be made.

(Ord. 4224 § 1 (part), 1978).

#### 3.44.070 – Register open to inspection.

The register shall at all times be kept open to inspection of the chief of police and sheriff of Pottawattamie County, or the deputy of either, any officer of the police force of the city; the city attorney, and the prosecuting attorney of Pottawattamie County, and anyone authorized in writing for that purpose by the chief of police, which authority shall be exhibited to the pawnbroker. The pawnbroker shall also, upon request, show and exhibit to any such person or officer, for inspection, any article or articles purchased, taken or received by him.

(Ord. 4224 § 1 (part), 1978).

3.44.080 - Recording absolute purchases—Holding period for inspection.

Every pawnbroker shall, on the absolute purchases of any personal property, enter the same in the register in the same manner as property received on pledge, and shall for thirty (30) days after the purchase keep the same at his or her place of business, subject to inspection by the officers and persons mentioned in Section 3.44.070, as fully and to the same extent as goods received on pledge.

(Ord. 5729 § 1, 2002).

3.44.090 - Minors.

It is unlawful for any pawnbroker, junk or secondhand dealer to purchase or receive within the city any property from any person under the age of eighteen years.

(Ord. 4224 § 1 (part), 1978).

3.44.100 - License for each place—Agents.

A license shall be required of every pawnbroker for each and every place where such business is transacted, and it shall be unlawful for anyone to act as agent or solicitor for any pawnbroker while such pawnbroker is engaged in such business at a place other than that specified in said affidavit and license.

(Ord. 4224 § 1 (part), 1978).

3.44.110 - Bond and license filing fee.

In all cases the city clerk shall charge a fee of fifty cents for each license and one dollar for each bond filed.

(Ord. 4224 § 1 (part), 1978).

3.44.120-Notice to the public.

Every pawnbroker shall display a notice to his or her customers in a prominent place to the effect that he or she is required by city ordinance to digitally photograph and fingerprint every person pawning or selling an item to him/her, as well as a digital photograph of the person's driver's license or identification card.

(Ord. 5381 § 1, 1998).

(Ord. No. 6166, § 1, 2-25-2013).

3.44.130 - Serial number required.

No pawnbroker shall accept as collateral security or purchase any camera, radio, television set, lawnmower, typewriter, adding machine, tape recorder, tape player, still or moving picture projector, or any other item which normally bears a manufacturer's serial number or other identifying insignia, unless said item has, plainly visible thereon, the manufacturer's serial number or other identifying insignia.

(Ord. 4224 § 1 (part), 1978).

3.44.140 - Penalty for violation.

Any person found guilty of a violation of any of the provisions of this chapter shall, upon conviction, be subject to the penalty provisions of Section 8.02.020 of this code. At the discretion of the city attorney, any violation of the provisions of this chapter may be pursued as a municipal infraction according to the terms of Chapter 1.95 in lieu of criminal prosecution.

(Ord. 5729 § 2, 2002).

3.44.150 - Report format.

The chief of police may require pawnbrokers to provide required information to the police department in a specific format, including the use of an internet-based, electronic reporting system. In the event the city enters into an agreement to utilize an electronic reporting system, it shall be the exclusive means by which such transactions are reported to the chief of police. All records, photographs, identification and information required under this Chapter shall be digitally created and delivered to the chief of police no later than 12 P.M. on the following business day.

(Ord. 5381 § 2, 1998).

3.44.160 - Police holds.

Law enforcement agencies and officers may place a hold on any item owned or held by a pawnbroker if such item is related or possibly related to a crime or criminal investigation. Once the police hold is removed and the owner is advised, the pawnbroker must hold the item for up to thirty (30) days for the owner to claim. After thirty (30) days, the pawnbroker may dispose of such item in the pawnbroker's normal course of action in handling unclaimed property.

(Ord. 5381 § 3, 1998)

3.44.170 – Information to be collected.

At the time of purchase, in addition to the requirements of Section 3.44.060, the pawnbroker shall use the required electronic reporting system to collect the following:

- a. A digital photograph of the purchased item;
- b. A digital photograph of the seller, without any hat or sunglasses, and such photograph shall depict the subject in a non-distorted, readily identifiable fashion.
- c. A digital signature of the seller or digital photograph of the seller's signature;
- d. A clear and identifiable digital scan of the seller's right index finger or, if the right index finger is missing, the digital scan shall be taken of the left index finger; and
- e. A digital photograph or digitally scanned image of the Driver's License or Identification Card of the seller, sufficiently clear to allow all information to be read.

3.44.180 – Required use of electronic reporting system.

In the event the city enters into an agreement to utilize an electronic reporting system all pawnbrokers shall operate and maintain an internet-based computer system with digital photographic capability sufficient to comply with the reporting requirements described in Sections 3.44.150 and 3.44.160. In the event that the electronic reporting system is unavailable to digitally record a transaction for any reason, the pawnbroker shall make a complete written report of the transaction which shall be entered into the electronic reporting system as soon as practicable. Any malfunction or failure of any equipment required to carry out the reporting requirements of this Chapter shall not exempt pawnbroker from recording and reporting the information required under this Chapter, and

such malfunction or failure shall be corrected by the pawnbroker as soon as practicable. Any costs associated with providing required information to the police department in the format required under this Chapter shall be borne by the pawnbroker.

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3. SEVERABILITY CLAUSE.** If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED  
AND \_\_\_\_\_, 2017.  
APPROVED

\_\_\_\_\_  
MATTHEW J. WALSH Mayor

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH City Clerk

First Consideration: 9-25-17  
Second Consideration: 10-9-17  
Public Hearing: N/A  
Third Consideration: \_\_\_\_\_

## Council Communication

Department: City Clerk  
Case/Project No.:  
Submitted by: Jodi Quakenbush

Resolution 17-220

Council Action: 10/9/2017

### Description

Resolution officially designating the City Council meeting dates for the City of Council Bluffs during the 2018 calendar year.

### Background/Discussion

Council dates as distributed on September 25th, 2017.

### Recommendation

Approval

### ATTACHMENTS:

Description	Type	Upload Date
Calendar	Resolution	9/28/2017
Resolution 17-220	Resolution	10/2/2017

# 2018 City Council Meeting Dates

January							February							March							April						
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S
	1	2	3	4	5	6					1	2	3					1	2	3	1	2	3	4	5	6	7
7	8	9	10	11	12	13	4	5	6	7	8	9	10	4	5	6	7	8	9	10	8	9	10	11	12	13	14
14	15	16	17	18	19	20	11	12	13	14	15	16	17	11	12	13	14	15	16	17	15	16	17	18	19	20	21
21	22	23	24	25	26	27	18	19	20	21	22	23	24	18	19	20	21	22	23	24	22	23	24	25	26	27	28
28	29	30	31				25	26	27	28				25	26	27	28	29	30	31	29	30					
May							June							July							August						
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S
		1	2	3	4	5						1	2	1	2	3	4	5	6	7				1	2	3	4
6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14	5	6	7	8	9	10	11
13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21	12	13	14	15	16	17	18
20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28	19	20	21	22	23	24	25
27	28	29	30	31			24	25	26	27	28	29	30	29	30	31					26	27	28	29	30	31	
September							October							November							December						
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S
						1		1	2	3	4	5	6					1	2	3							1
2	3	4	5	6	7	8	7	8	9	10	11	12	13	4	5	6	7	8	9	10	2	3	4	5	6	7	8
9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	14	15	16	17	9	10	11	12	13	14	15
16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24	16	17	18	19	20	21	22
23	24	25	26	27	28	29	28	29	30	31				25	26	27	28	29	30		23	24	25	26	27	28	29
30																					30	31					

  = City Council Meeting Dates  
   = City Council Meeting Deadline to submit items  
   = Holidays Observed by the City

RESOLUTION NO. 17-220

A RESOLUTION OFFICIALLY DESIGNATING THE CITY COUNCIL MEETING DATES FOR THE CITY OF COUNCIL BLUFFS DURING THE 2018 CALENDAR YEAR.

WHEREAS, City Council meetings are held on the second and fourth Monday of each month; and  
WHEARAS, due to the Memorial Day holiday, the meetings in May have been scheduled for the first and third Mondays of the month; due to the Veteran’s Day holiday, the meetings in November have been scheduled for the first and fourth Mondays of the month; due to the Christmas holiday, there is only one meeting held in December and has been scheduled for the third Monday of the month; and  
WHEREAS, the meeting dates are scheduled and listed below; and

NOW THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA

That approval of this resolution sets the official schedule for the 2018 City Council meeting dates.

January 8 <sup>th</sup> & 22 <sup>nd</sup>	May 7 <sup>th</sup> & 21 <sup>st</sup>	September 10 <sup>th</sup> & 24 <sup>th</sup>
February 12 <sup>th</sup> & 26 <sup>th</sup>	June 11 <sup>th</sup> & 25 <sup>th</sup>	October 8 <sup>th</sup> & 22 <sup>nd</sup>
March 12 <sup>th</sup> & 26 <sup>th</sup>	July 9 <sup>th</sup> & 23 <sup>rd</sup>	November 5 <sup>th</sup> & 26 <sup>th</sup>
April 9 <sup>th</sup> & 23 <sup>rd</sup>	August 13 <sup>th</sup> & 27 <sup>th</sup>	December 17 <sup>th</sup>

ADOPTED  
AND  
APPROVED:

October 9, 2017

\_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk

## Council Communication

Department: Public Works Admin  
Case/Project No.:  
Submitted by: Matthew Cox, City  
Engineer

Resolution 17-221

Council Action: 10/9/2017

### Description

Resolution authorizing the Mayor to execute Iowa Department of Transportation Agreement No. 2017-TJ-003 in connection with the I-29 Interstate Improvements.

### Background/Discussion

This agreement is in reference to Segment 3 of the Iowa DOT's Council Bluffs Interstate System Improvements.

The agreement allows for the transfer of jurisdiction from the State to the City of Council Bluffs, a portion of the newly constructed alleyway from South 13<sup>th</sup> Street east to South 7<sup>th</sup> Street, a length of approximately 0.44 miles and the associated excess acquisition parcel remnants, as shown on Exhibit A. This area is north of the newly constructed noise wall.

The agreement also allows for the transfer of jurisdiction from the City to the State a portion of existing 29<sup>th</sup> Avenue right-of-way from South 13<sup>th</sup> Street east to South 11<sup>th</sup> Street, a length of approximately 0.16 miles, as shown on Exhibit B. The newly constructed noise wall resides on this portion of the existing City right-of-way.

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description	Type	Upload Date
Agreement	Agreement	9/28/2017
Resolution 17-221	Resolution	10/2/2017



7. The STATE shall transfer to the LPA and the LPA shall transfer to the STATE by quit-claim deed prepared by the STATE all its legal or equitable title or interest in the right-of-way, except as noted in Section 8 following, of the public road segment(s) described in this Agreement. The LPA and STATE shall accept said deed, pursuant to Iowa Code Section 306.42.
8. If the STATE has acquired access rights by warranty deed for the public road segment(s) described in this Agreement, the LPA shall not, within 150 feet of the edge of any at-grade intersecting primary highway, either alter those rights or allow any new access.
9. Once the transfer of jurisdiction is complete, the LPA shall be responsible for signing the road segment. Procedures to modify the secondary route numbering system are outlined in Instructional Memorandum (IM) 4.01. The LPA shall also be responsible for any requests to modify the Farm to Market (FM) road system as outlined in IM 4.210 and 4.220.
10. If any section, provision, or part of this Agreement is found to be invalid or unconstitutional, such finding shall not affect the validity of the Agreement as a whole or any section, provision, or part thereof not found to be invalid or unconstitutional.
11. This Agreement shall be executed in two counterparts, each of which shall constitute but one and the same instrument.
12. This Agreement including referenced exhibits, constitutes the entire Agreement between the LPA and the STATE concerning this transfer of jurisdiction. Representations made before the signing of this Agreement are not binding, and neither party has relied upon conflicting representations in entering into this Agreement. Any change or alteration to the terms of this Agreement must be in the form of an addendum to this Agreement. Said addendum shall become effective only upon written approval of the STATE and the LPA.

**IN WITNESS THEREOF**, each of the parties hereto has executed agreement No. 2017-TJ-003 as of the date shown opposite its signature hereafter.

**CITY OF COUNCIL BLUFFS:**

By: \_\_\_\_\_ Date \_\_\_\_\_, 20\_\_\_\_.  
Title: Mayor

I, \_\_\_\_\_, certify that I am the Clerk of the City, and that  
\_\_\_\_\_, who signed said Agreement for and on behalf of the City  
was duly authorized to execute the same by virtue of a formal motion passed and adopted by the CITY  
on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed: \_\_\_\_\_  
City Clerk of Council Bluffs, Iowa

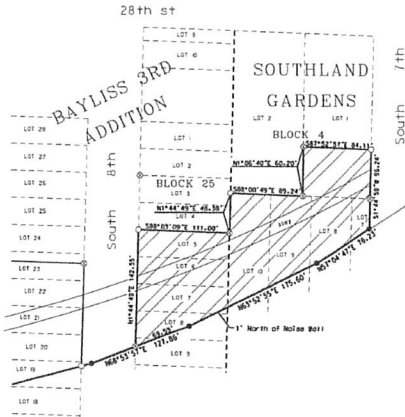
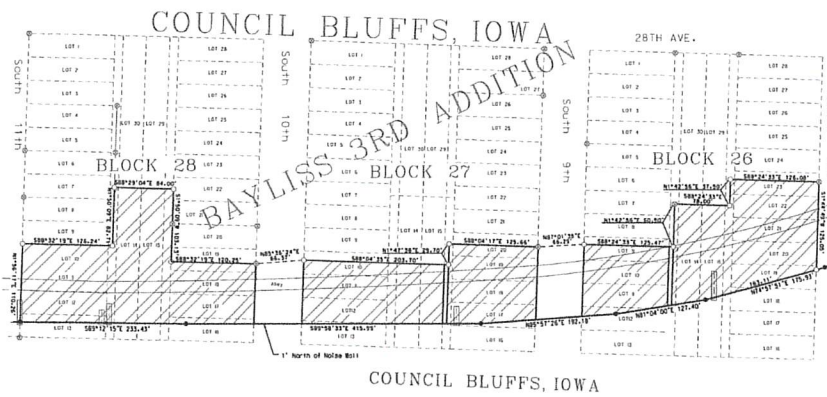
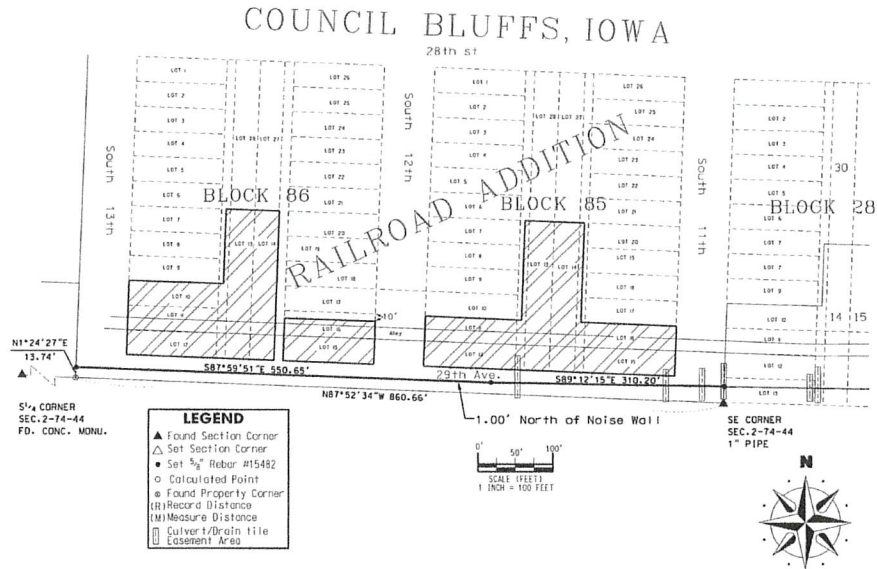
**IOWA DEPARTMENT OF TRANSPORTATION:**

By: \_\_\_\_\_ Date \_\_\_\_\_, 20\_\_\_\_.  
Scott A. Schram  
District Engineer  
District 4

### Transfer of Jurisdiction State to City Location

#### Council Bluffs, Iowa

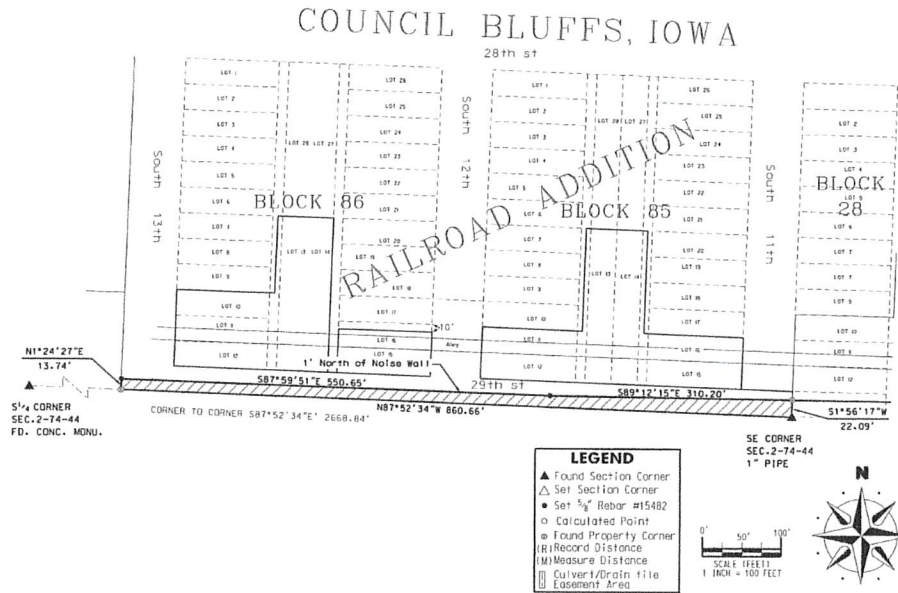
That portion of the newly constructed alleyway from South 13<sup>th</sup> Street east to South 7<sup>th</sup> Street, a length of approximately 0.44 mile and the associated excess acquisition parcel remnants.



### Transfer of Jurisdiction City to State Location

#### Council Bluffs, Iowa

That portion of right-of-way for the alleyway from South 13<sup>th</sup> Street east to South 11<sup>th</sup> Street, a length of approximately 0.16 mile.



**RESOLUTION**  
**NO 17-221**

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK  
TO EXECUTE IOWA DEPARTMENT OF TRANSPORTATION  
AGREEMENT NO. 2017-TJ-003  
IN CONNECTION WITH  
I-29 INTERSTATE IMPROVEMENTS**

WHEREAS, the Iowa Department of Transportation wishes to make improvements known as the I-29 Interstate Improvements, within the city, as therein described; and

WHEREAS, Iowa Department of Transportation has submitted an agreement for said improvements that includes the transfer of jurisdiction from the State to the City a portion of the newly constructed alleyway from South 13<sup>th</sup> Street to South 7<sup>th</sup> Street; and a transfer of jurisdiction from the City to the State of a portion of existing 29<sup>th</sup> Avenue from South 13<sup>th</sup> Street to South 11<sup>th</sup> Street to accommodate the newly Constructed noise wall; and

WHEREAS, the city council deems approval of said agreement to be in the best interest of the City of Council Bluffs.

NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA

That the Mayor and City Clerk are hereby authorized and directed to execute an agreement with Iowa Department of Transportation in connection with I-29 Interstate Improvements.

ADOPTED  
AND  
APPROVED

October 9, 2017

---

Matthew J. Walsh, Mayor

ATTEST:

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Jodi Quakenbush, City Clerk

## Council Communication

Department: Public Works Admin  
Case/Project No.:  
Submitted by: Pat Miller, Public  
Works Operations Director

Resolution 17-222

Council Action: 10/9/2017

### Description

Resolution rejecting the bid for the Bass Pro Shop Parking Lot Repair Project.

### Background/Discussion

On September 28, 2017, one bid was received in the office of the City Clerk as follows:

	<u>Total</u>
Midwest Coatings Company, Inc.	\$ 259,166.20
Cost Estimate (HGM Associates Inc.)	\$ 145,142.00

Bass Pro Shop was constructed in 2005. There have been minimal repairs to the parking lot since that time. There are many areas during the summer that have become tripping hazards. Ice freezing in the same areas pose safety risks during the winter.

The entire parking lot also requires sealing of the entire surface and restriping which is normal maintenance of a lot that age.

Repairing the hazards and resealing and restriping the parking lot will ensure the parking lot will remain a safe environment.

Funding for this project will be paid for by the Iowa West Foundation.

Since only one bid was received and it well exceeded the cost estimate, the plan is to rebid the project in the spring of next year. The new timing with a more flexible construction period is expected to attract more bidders and result in more favorable pricing.

**Recommendation**

Approval of this resolution.

**ATTACHMENTS:**

Description	Type	Upload Date
Resolution 17-222	Resolution	10/2/2017

**RESOLUTION NO. 17-222**

**RESOLUTION REJECTING THE BID  
FOR THE  
BASS PRO SHOP PARKING LOT REPAIR PROJECT**

WHEREAS, the plans, specifications, form of contract, and cost estimate for the Bass Pro Shop Parking Lot Repair Project are on file in the office of the City Clerk; and

WHEREAS, one bid was received in the office of the City Clerk on September 28, 2017; and

WHEREAS, it is appropriate to reject the bid.

NOW, THEREFORE BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA

That the bid received for the Bass Pro Shop Parking Lot Repair Project is hereby rejected.

ADOPTED  
AND  
APPROVED

October 9, 2017

\_\_\_\_\_  
Matthew J. Walsh, Mayor

Attest:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk

## Council Communication

Department: Community

Development

Case/Project No.: MIS-17-004

Submitted by: Rose Brown

Resolution 17-223

Council Action: 10/9/2017

### Description

Resolution of intent to dispose of certain property interest located on parts of Lots 1 and 4, Hotel Plaza at the M.A.C., Replat One and also part of Outlot A (Arena Way), Hotel Plaza at the M.A.C., Replat One, by granting an easement for the benefit of the board of water works trustees of the City of Council Bluffs.  
Location: Near Iowa West Fieldhouse.

### Background/Discussion

The Council Bluffs Water Works installed water mains and water lines across and/or through the lots described above in conjunction with the Iowa West Field House. At this time the Council Bluffs Water Works has requested dedication of an easement as shown in Attachment 'A', over said improvements

### Recommendation

The Community Development Department recommends setting a public hearing for October 23, 2017 to consider disposal of said property rights by granting an easement.

### ATTACHMENTS:

Description	Type	Upload Date
MIS-17-004 Easement Agreement Attachment A	Resolution	9/27/2017
MIS-17-004 Notice of Public Hearing CC (10-9-17)	Resolution	9/27/2017
Resolution 17-223	Resolution	10/2/2017

# EASEMENT AGREEMENT

Recorder's Cover Sheet

**Preparer Information:** (Name, address and phone number)

Council Bluffs Water Works, P. O. Box 309, Council Bluffs, IA 51502, Phone 712.328.1006  
Douglas P. Drummey, General Manager. Reviewed and approved by legal counsel for the Board of Water Works Trustees of the City of Council Bluffs, Iowa.

**Taxpayer Information:** (Name and complete address)

Council Bluffs Water Works, P. O. Box 309, Council Bluffs, IA 51502, Phone 712.328.1006  
Douglas P. Drummey, General Manager.

**Return Document To:** (Name and complete address)

Council Bluffs Water Works, P. O. Box 309, Council Bluffs, IA 51502, Phone 712.328.1006  
Douglas P. Drummey, General Manager.

**Grantors:**

City of Council Bluffs, Iowa

**Grantees:**

City of Council Bluffs, Iowa, for the use and benefit of The Board of Water Works Trustees of the City of Council Bluffs, Iowa

**Legal Description:** See next page.

**Document or instrument number of previously recorded documents if applicable:**

## EASEMENT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT the City of Council Bluffs, Iowa, a municipal corporation (city), for good and sufficient valuable consideration, receipt of which is hereby acknowledged, does hereby grant and convey unto the City Of Council Bluffs, Iowa, for the use and benefit of The Board of Water Works Trustees of the City of Council Bluffs, Iowa, (the "City Water Works") a permanent non-exclusive easement at least thirty (30) feet in width, over, across and through the following described real estate situated in the City of Council Bluffs, Pottawattamie County, Iowa, to-wit:

See Exhibit A

including the perpetual right to enter upon said real estate, at any time that it may see fit, and construct, inspect, maintain, repair, replace and operate or remove underground pipe lines and/or mains for the purpose of conveying water over, across, through and under said real estate, together with the right to excavate and refill ditches and/or trenches for the location of said pipe lines and/or mains, and the further right to remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction and maintenance of said pipe lines and/or mains.

The Easement herein granted shall be a servient estate which shall run with the land and be binding on the successors-in-interest to said tracts of land.

The said City Water Works shall properly and promptly refill any excavations made on said premises after the purpose of said excavation has been fulfilled and shall leave the premises in the same general condition as it was in before the said City Water Works went upon the same; further, that if any fences or existing structures are moved for the purpose of laying, maintaining, operating or replacing said main, such fences and structures shall be promptly replaced by said City Water Works upon completion of the work requiring such removal.

In further consideration for the good and sufficient valuable consideration received by the undersigned, the undersigned agrees that it will not place any permanent structures upon or over said easement without first obtaining the written consent of said City Water Works; further, the undersigned covenants with Grantee that it is lawfully seized and possessed of the real estate above described; that it has good and lawful right to convey it, or any part thereof, that it is free from

all encumbrances, and that it will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

As a part of the consideration of this grant, the undersigned does hereby release any and all claims for damages from whatsoever cause incidental to the exercise of the rights herein granted.

Words and phrases herein, including the acknowledgement, shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context.

All provisions of this Agreement shall inure to the benefit of and be binding upon and applicable to the successors, personal representatives, heirs, and assigns of the parties hereto the same as if they were in all instances named herein.

In Witness, Whereof, the City of Council Bluffs, Iowa has caused these presents to be signed by its Mayor and the seal of said City duly attested by the City Clerk has been affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2017

City of Council Bluffs

\_\_\_\_\_  
Matthew J. Walsh, Mayor

Attest:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk

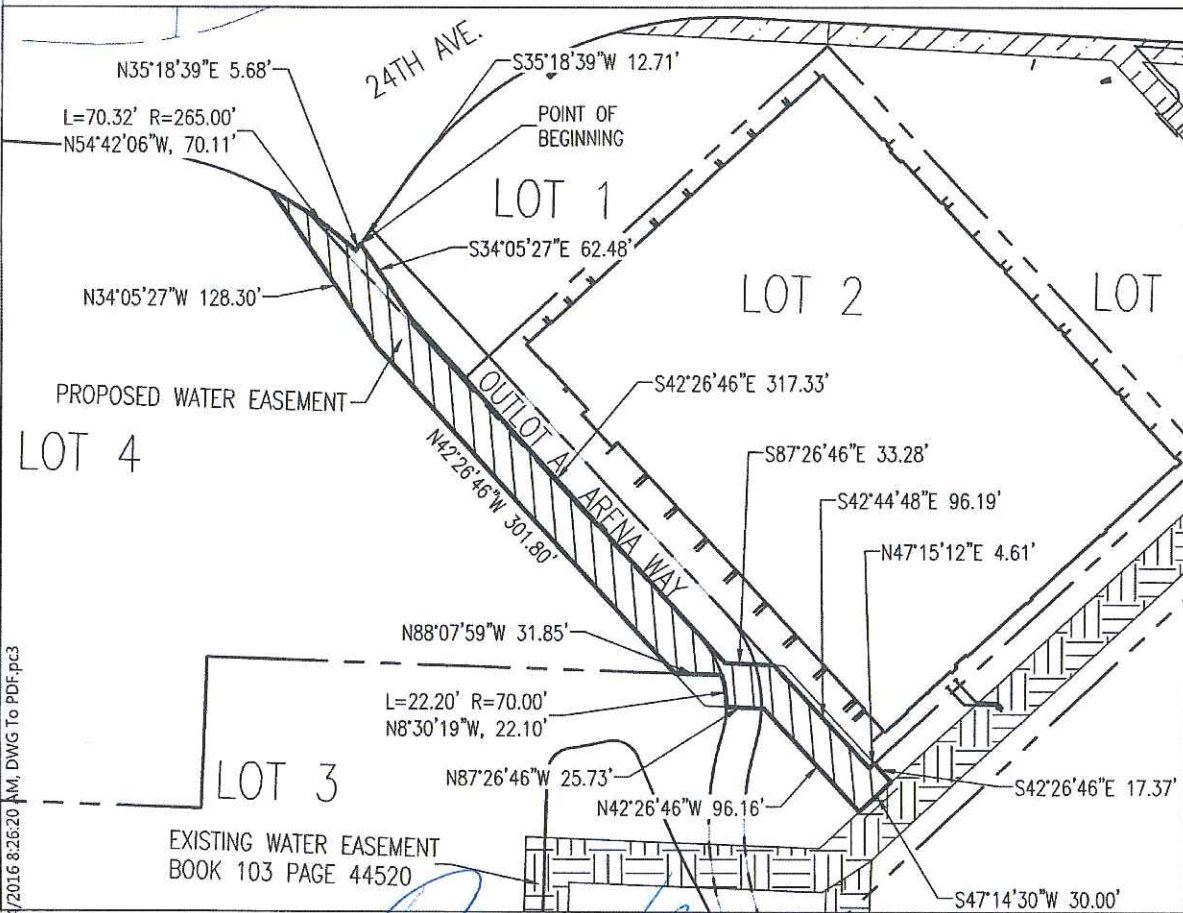
STATE OF IOWA )  
 ) ss  
COUNTY OF POTTAWATTAMIE )

This instrument was acknowledged before me on \_\_\_\_\_ by Matthew J. Walsh and Jodi Quakenbush as the Mayor and City Clerk, respectively, of the City of Council Bluffs, Iowa, a municipal corporation.

\_\_\_\_\_  
Notary Public in and for said State

(Seal)

EXHIBIT A



P:\06840001\CAD\Survey\06840001 WATER AND POWER EASEMENT\_000.dwg, 12/14/2016 8:26:20 AM, DWG To PDF.pc3

SEE SHEET 2 FOR LEGAL DESCRIPTION

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

*Robert V. Clark*  
 (SIGNATURE) 12-14-16  
 (DATE)

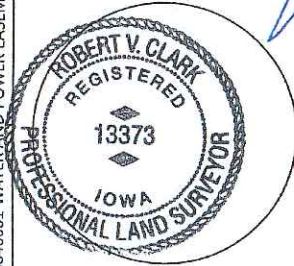
PRINTED OR TYPED NAME: ROBERT V. CLARK

LICENSE NUMBER: 13373

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2016

PAGES OR SHEETS COVERED BY THIS SEAL:

PAGE 1 OF 2 AND 2 OF 2



**SCHEMMER**

ARCHITECTS | ENGINEERS | PLANNERS



1 inch = 100 ft.

DRAWN JAD

CHECKED RVC

DATE 12/12/2016

PAGE # 1 OF 2

JOB # 06840.001

# EXHIBIT A

## LEGAL DESCRIPTION:

PERMANENT WATER EASEMENT LOCATED IN PART OF LOT 1, HOTEL PLAZA AT THE M.A.C. REPLAT ONE, A SUBDIVISION LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 3; ALSO LOCATED IN PART OF LOT 4, HOTEL PLAZA AT THE M.A.C. REPLAT ONE; ALSO PART OF OUTLOT A ARENA WAY, HOTEL PLAZA AT THE M.A.C. REPLAT ONE; ALL LOCATED IN TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

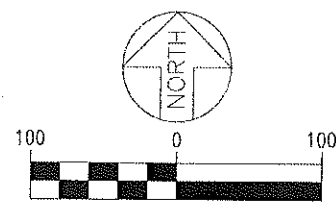
COMMENCING AT THE NORTHWEST CORNER OF LOT 1, HOTEL PLAZA AT THE M.A.C. REPLAT ONE, SAID POINT ALSO BEING ON THE EAST RIGHT OF WAY LINE OF 24TH AVE; THENCE S35°18'39"W (ASSUMED BEARING) ALONG SAID EAST RIGHT OF WAY LINE OF 24TH AVE, A DISTANCE OF 12.71 FEET, TO A POINT ON THE NORTH LINE OF OUTLOT A ARENA WAY, HOTEL PLAZA AT THE M.A.C. REPLAT ONE, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S34°05'27"E, A DISTANCE OF 62.48 FEET; THENCE S42°26'46"E, A DISTANCE OF 317.33 FEET; THENCE S87°28'46"E, A DISTANCE OF 33.28 FEET, TO A POINT ON THE SOUTHWESTERLY LINE OF LOT 2, HOTEL PLAZA AT THE M.A.C. REPLAT ONE; THENCE S42°44'48"E, ALONG SAID SOUTHWESTERLY LINE OF LOT 2, HOTEL PLAZA AT THE M.A.C. REPLAT ONE, A DISTANCE OF 96.19 FEET, TO THE SOUTHERLY CORNER OF SAID LOT 2, HOTEL PLAZA AT THE M.A.C. REPLAT ONE; THENCE N47°15'12"E, ALONG THE SOUTHEASTERLY LINE OF LOT 2, HOTEL PLAZA AT THE M.A.C. REPLAT ONE, A DISTANCE OF 4.61 FEET; THENCE S42°26'46"E, A DISTANCE OF 17.37 FEET TO A POINT ON AN EXISTING WATER EASEMENT, RECORDED IN BOOK 103 PAGE 44520; THENCE S47°14'30"W, ALONG THE NORTHWESTERLY LINE OF SAID EXISTING WATER EASEMENT, A DISTANCE OF 30.00 FEET; THENCE N42°26'46"W, A DISTANCE OF 96.16 FEET; THENCE N87°26'46"W, A DISTANCE OF 25.73 FEET TO A POINT ON THE EASTERLY LINE OF LOT 3, HOTEL PLAZA AT THE M.A.C. REPLAT ONE; THENCE ALONG SAID EASTERLY LINE OF LOT 3, HOTEL PLAZA AT THE M.A.C. REPLAT ONE, ON A CURVE TO THE LEFT HAVING A RADIUS OF 70.00 FEET AND A LENGTH OF 22.20 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N08°30'19"W, A DISTANCE OF 22.10 FEET, TO THE NORTHEAST CORNER OF SAID LOT 3, HOTEL PLAZA AT THE M.A.C. REPLAT ONE; THENCE N86°07'59"W, ALONG THE NORTHERLY LINE OF LOT 3, HOTEL PLAZA AT THE M.A.C. REPLAT ONE, A DISTANCE OF 31.85 FEET; THENCE N42°26'46"W, A DISTANCE OF 301.80 FEET; THENCE N34°05'27"W, A DISTANCE OF 128.30 FEET, TO A POINT ON THE NORTH LINE OF LOT 4, HOTEL PLAZA AT THE M.A.C. REPLAT ONE, SAID LINE ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF SAID 24TH AVE; THENCE ALONG SAID NORTH LINE OF LOT 4, HOTEL PLAZA AT THE M.A.C. REPLAT ONE, AND SAID SOUTH RIGHT-OF-WAY LINE OF 24TH AVE, ON A CURVE TO THE RIGHT, WITH A RADIUS OF 265.00 FEET, AND A DISTANCE OF 70.32 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S54°42'06"E, A DISTANCE OF 70.11 FEET, TO THE POINT OF INTERSECTION OF SAID SOUTH RIGHT OF WAY LINE OF 24TH AVE, AND SAID EAST RIGHT OF WAY LINE OF 24TH AVE, SAID POINT ALSO BEING ON THE NORTH LINE OF OUTLOT A ARENA WAY, HOTEL PLAZA AT THE M.A.C. REPLAT ONE; THENCE N35°18'39"E, ALONG SAID NORTH LINE OF OUTLOT A ARENA WAY, HOTEL PLAZA AT THE M.A.C. REPLAT ONE, A DISTANCE OF 5.68 FEET, TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS AN AREA OF 16000 SQ. FT., OR 0.37 ACRES, MORE OR LESS.

SEE PAGE 1 FOR DRAWING

P:\06840001\CAD\Survey\06840001 WATER AND POWER EASEMENT\_000.dwg, 12/14/2016 8:26:34 AM, DWG To PDF.p3

**SCHEMMER**  
ARCHITECTS | ENGINEERS | PLANNERS



1 inch = 100 ft.



**NOTICE OF PUBLIC HEARING  
ON INTENT TO DISPOSE OF PROPERTY INTEREST BY GRANTING AN  
EASEMENT**

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request to dispose of certain property interest located on parts of Lots 1 and 4, Hotel Plaza at the M.A.C., Replat One and also part of Outlot A (Arena Way), Hotel Plaza at the M.A.C., Replat One, City of Council Bluffs, Pottawattamie County, Iowa by granting an easement for the benefit of the Board of Water Works Trustees of the City of Council Bluffs.

You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 23<sup>rd</sup> day of October, 2017 in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

---

Jodi Quakenbush

City Clerk

Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629  
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 328-4616

RESOLUTION NO.17-223

A RESOLUTION OF INTENT TO DISPOSE OF CERTAIN PROPERTY INTEREST LOCATED ON PARTS OF LOTS 1 AND 4, HOTEL PLAZA AT THE M.A.C., REPLAT ONE AND ALSO PART OF OUTLOT A (ARENA WAY), HOTEL PLAZA AT THE M.A.C., REPLAT ONE, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA BY GRANTING AN EASEMENT FOR THE BENEFIT OF THE BOARD OF WATER WORKS TRUSTEES OF THE CITY OF COUNCIL BLUFFS.

WHEREAS, Water lines and appurtenances have been installed in and across parts of Lots 1 and 4, Hotel Plaza at the M.A.C., Replat One and also part of Outlot A (Arena Way), Hotel Plaza at the M.A.C., Replat One, City of Council Bluffs, Pottawattamie County, Iowa; and

WHEREAS, this City Council hereby declares its intent to consider the dispose of certain property interest by granting an easement for the benefit of the Board of Water Works Trustees of the City of Council Bluffs; and

NOW, THEREFORE, BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA:

That this City Council hereby declares its intent to consider granting the easement described above; and

BE IT FURTHER RESOLVED

That a public hearing on the City's intent to dispose of this property is hereby set for October 23, 2017.

ADOPTED  
AND  
APPROVED:

October 9, 2017

\_\_\_\_\_  
Matthew J. Walsh Mayor

ATTEST: \_\_\_\_\_  
Jodi Quakenbush City Clerk

## Council Communication

Department: Parks and Recreation

Case/Project No.:

Resolution 17-224

Council Action: 10/9/2017

Submitted by: Larry Foster

### Description

Resolution authorizing the Mayor to enter into cooperative agreement, with IDOT for Phase II-Realignment of Dodge Riverside Golf Club as required to accommodate IDOT Project (2018-16-108)

### Background/Discussion

The Iowa Department of Transportation is advancing significant improvements to the I-480 and I-29 interchange and expanding portions of I-29. This project, 2018-16-108, impacts the City of Council Bluffs Dodge Riverside Golf Club. Specifically, the IDOT project will impact the existing #13 green and adjacent elements, #14 tee and portions of the #14 fairway. As a result, these sections of the course must be realigned to accommodate the final IDOT project grades and the relocated frontage road.

On July 24, 2017, Council approved an IDOT Agreement for Phase I of the Realignment of Dodge Riverside Golf Club. This agreement, and subsequent Council approved construction bid, will realigned a portion of the existing #13 tee and constructed a new temporary #13 green. This work is to be accomplished during the 2017 season.

Passage of this proposed Resolution, authorizes the Mayor to enter into an Agreement with IDOT for Phase II of this realignment effort. Phase II includes the relocation and construction of several elements of #14 tees and fairway including construction of new tees, bunkers, grading, seeding and other associated improvements. Phase II also includes relocation of the #13 green which includes a new green, relocation of the pond, subsurface drainage, cart paths, retaining walls, grading/earthwork and erosion control. When work begins on Phase II, play will be diverted to the Phase I new #13 alignment, allowing the existing #13 green and its adjacent features to be removed from play and reconstructed, along with the #14 tee area.

The necessary design, engineering, testing, survey and project management is included in Phase II. Through the joint efforts of the City and IDOT, this course realignment concept was developed to accommodate the IDOT required adjustments. This concept also minimizes course disruption and the resultant revenue losses. The redesign was authored by Wyss and Associates, golf course architects, with input from the course staff.

The concept accomplishes two primary objectives. First, the new alignment maintains the course's current Par 72 rating. Additionally, the course construction activities are phased to allow the course to be played as a full 18 hole facility throughout both the golf course and Interstate renovations.

The attached Agreement, 2018-16-108, illustrates the relationship between the City and IDOT for Phase II. Under this Agreement, IDOT will reimburse the City for the costs associated with Phase II, estimated not to exceed \$675,000.00. The City will design, secure a contractor, manage construction and provide other services.

This project is programmed to be funded in the Capital Improvement Plan, FY 17-18, PR-18-12, Golf Course Renovation-Phase I. The funding will come from state funds provided by the Iowa Department of Transportation and has been increased from the original CIP to reflect the final IDOT realignment requirements.

Estimate of Probable Cost for Phase II – \$675,000.00

### Recommendation

I recommend-the Mayor be authorized to enter into cooperative agreement 2018-16-108 with IDOT for Phase

**ATTACHMENTS:**

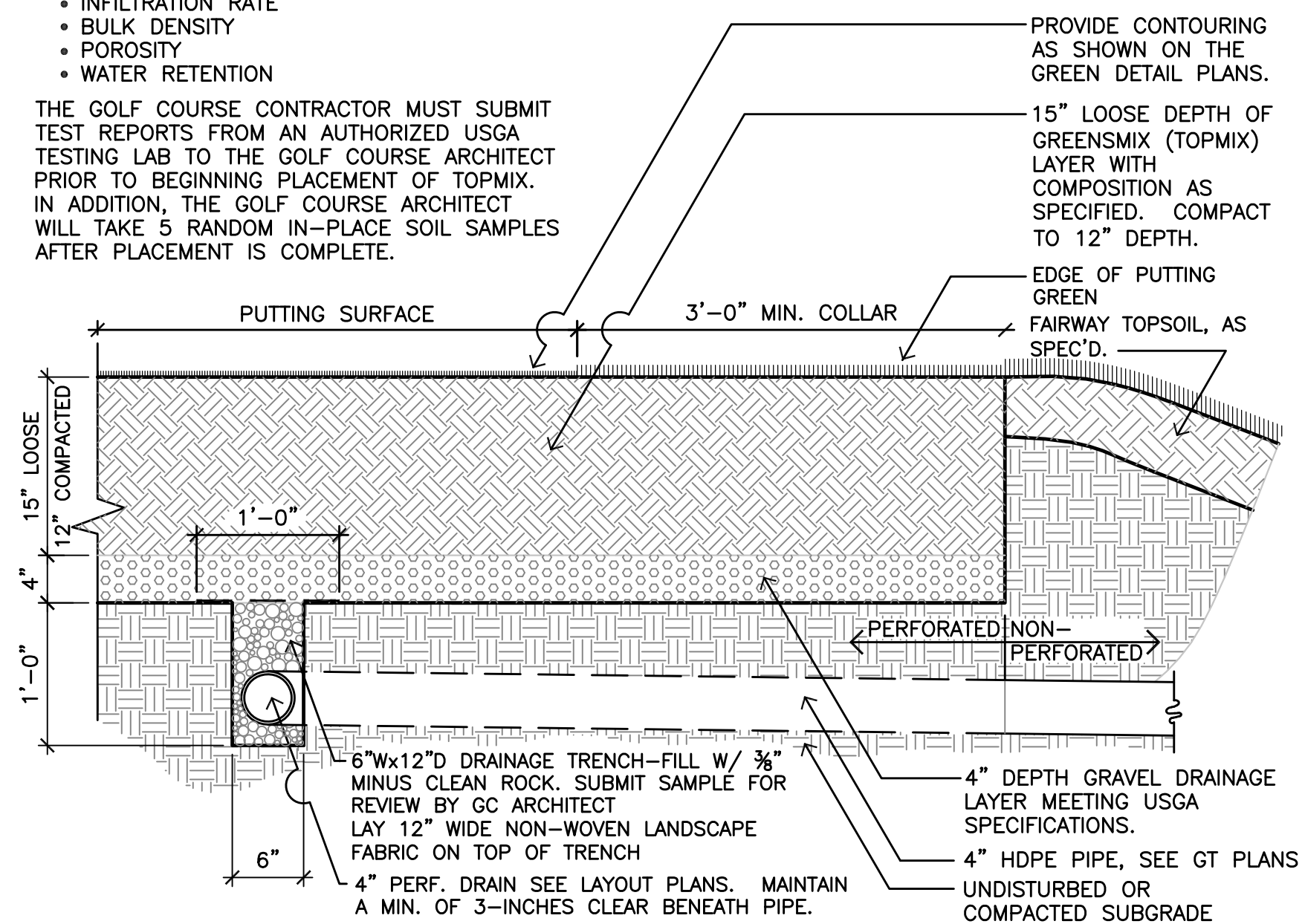
Description	Type	Upload Date
Hole 13-14 Permanent Work	Resolution	9/29/2017
Map	Map	10/4/2017
Agreement	Agreement	10/4/2017
Resolution 17-224	Resolution	10/4/2017

**GENERAL NOTES:**

THE TOPMIX MUST MEET THE CURRENT USGA STANDARDS FOR:

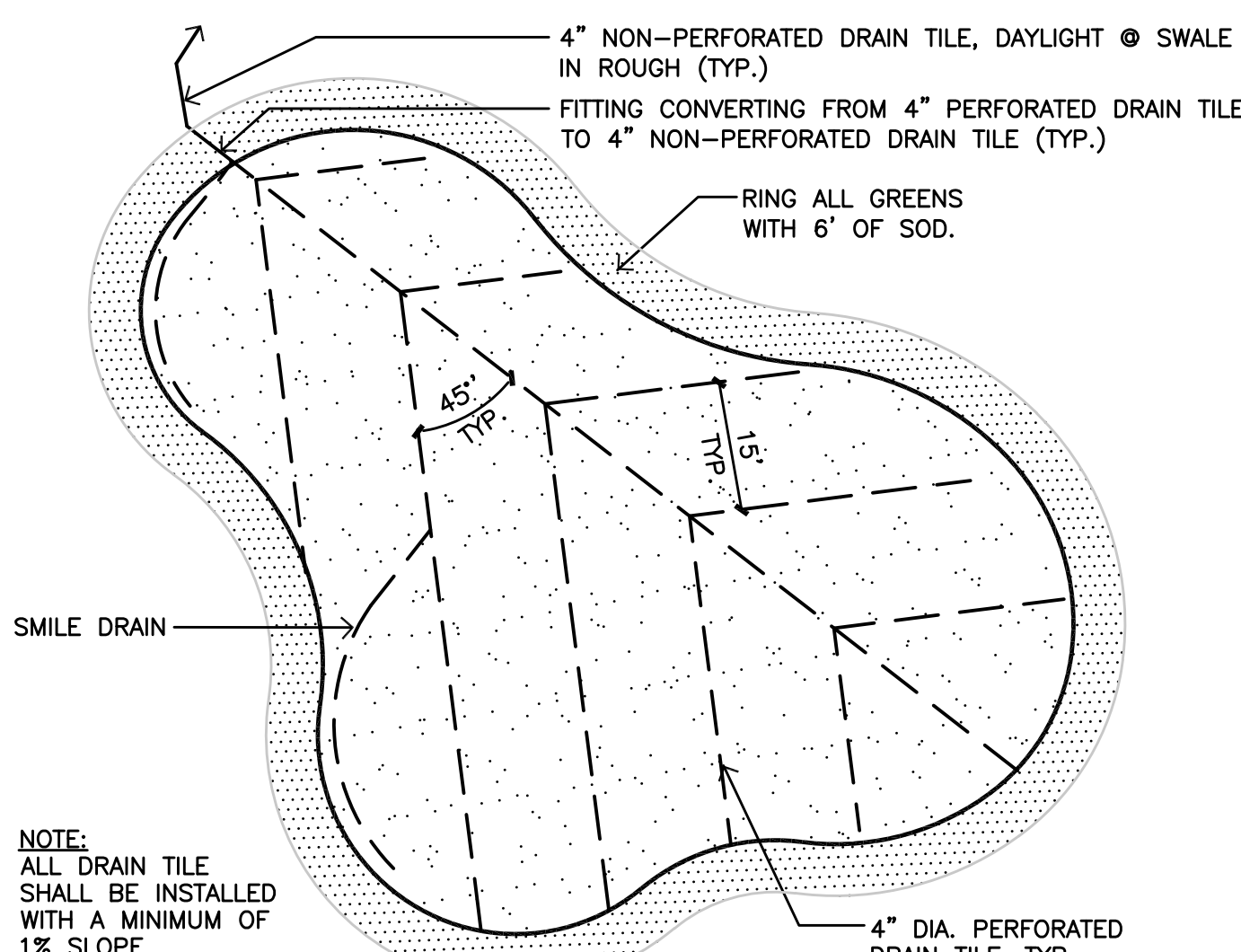
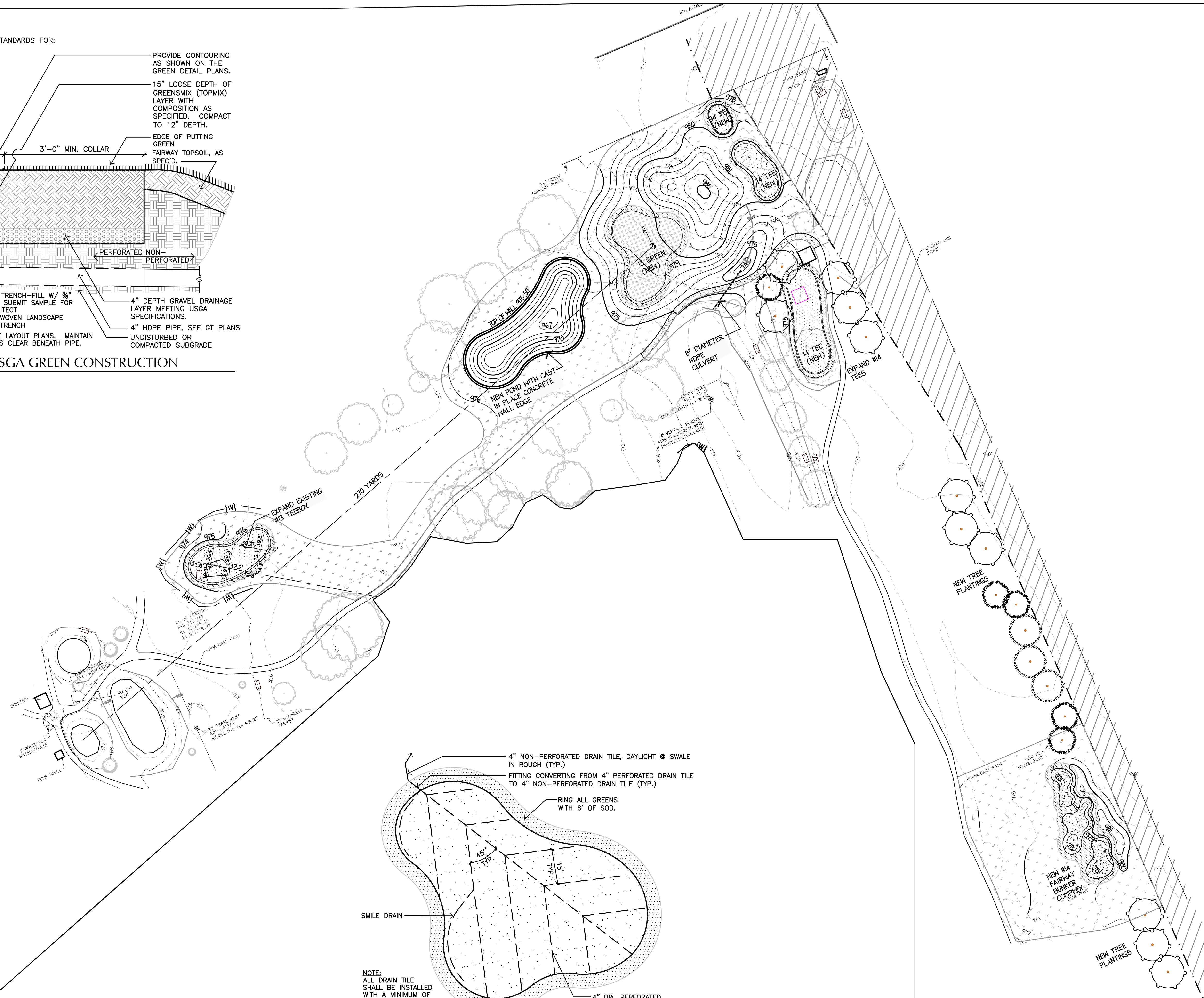
- INFILTRATION RATE
- BULK DENSITY
- POROSITY
- WATER RETENTION

THE GOLF COURSE CONTRACTOR MUST SUBMIT TEST REPORTS FROM AN AUTHORIZED USGA TESTING LAB TO THE GOLF COURSE ARCHITECT PRIOR TO BEGINNING PLACEMENT OF TOPMIX. IN ADDITION, THE GOLF COURSE ARCHITECT WILL TAKE 5 RANDOM IN-PLACE SOIL SAMPLES AFTER PLACEMENT IS COMPLETE.



**SECTION: TYPICAL USGA GREEN CONSTRUCTION**

SCALE: 1" = 1'-0"



**PLAN: GREEN & BUNKER MODIFIED DRAIN LAYOUT**

SCALE: 1" = 20'-0"

**Wyss Associates, Inc.**  
 Golf Course Architecture  
 Landscape Architecture  
 Parks & Recreation Design  
 728 Sixth Street - Rapid City, South Dakota 57701-3670  
 Ph. 605.348.2268 Fax 605.348.6506  
 email: admin@wyssassociates.com

**Dodge Riverside Golf Course Renovations**  
 Council Bluffs, IA

**Hole #13 and #14 Permanent Work**

DESIGNED BY:	PHW
DRAWN BY:	CMW
APPROVED BY:	PHW
PROJECT NO.	17201
DATE:	July 2017

NO.	REVISION	DATE

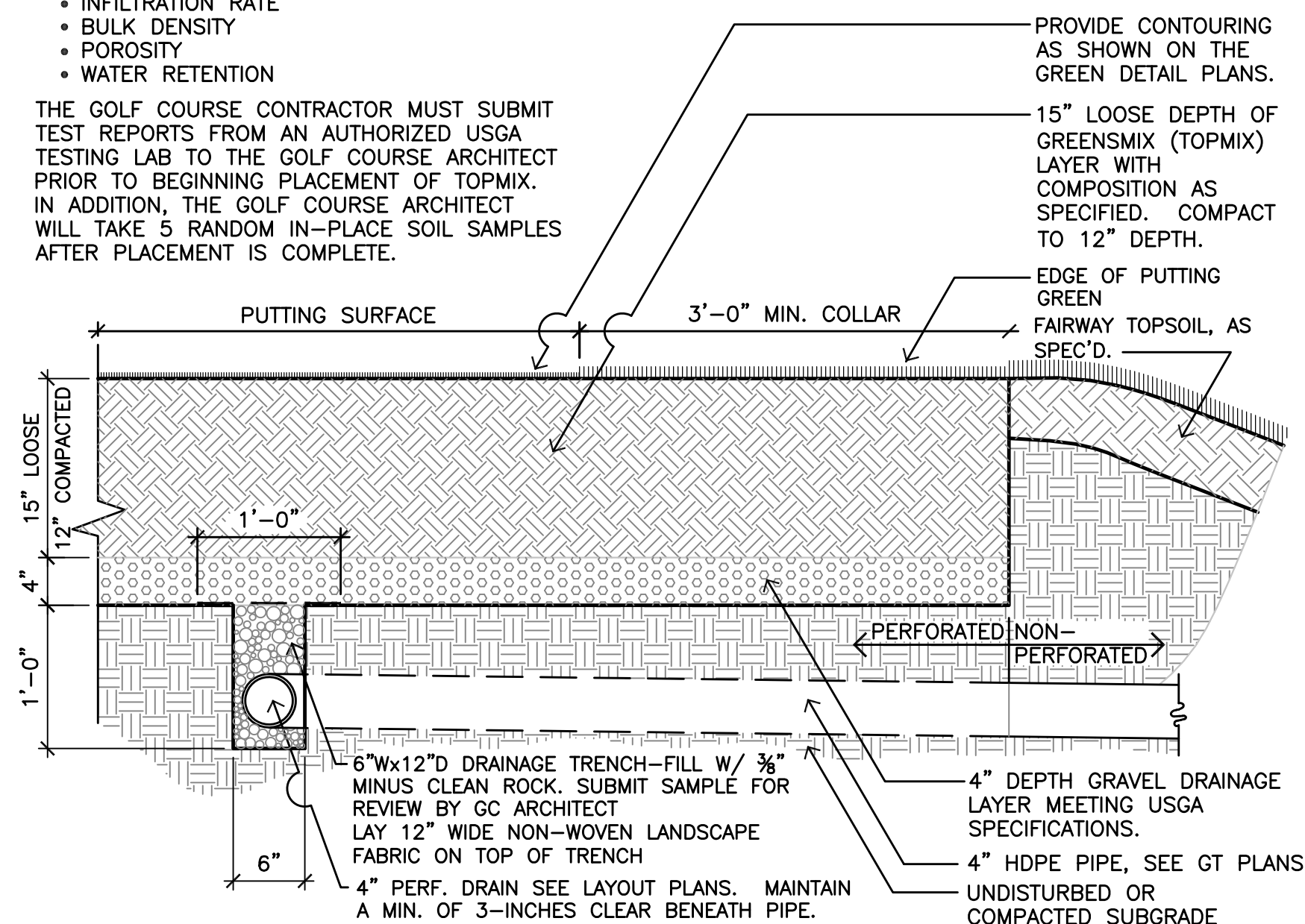
Sub Sheet  
**LA2**  
 Sheet OF

Ownership of Instruments of Service: All reports, plans, specifications, computer files, field data, notes and instruments prepared by the design professional as instruments of service shall remain the property of the design professional. All common law, statutory and other reserved rights including the copyright therein.

**GENERAL NOTES:**  
THE TOPMIX MUST MEET THE CURRENT USGA STANDARDS FOR:

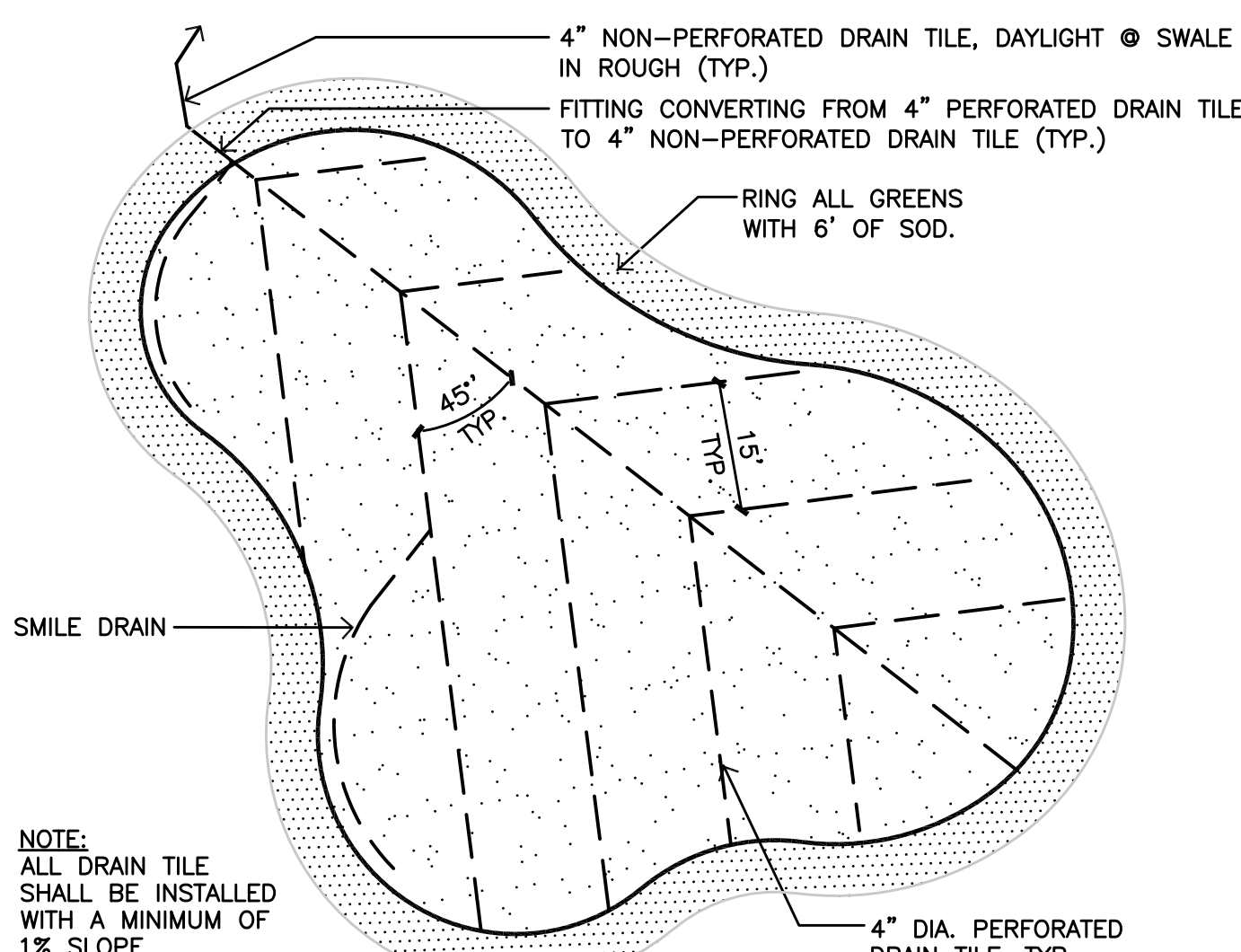
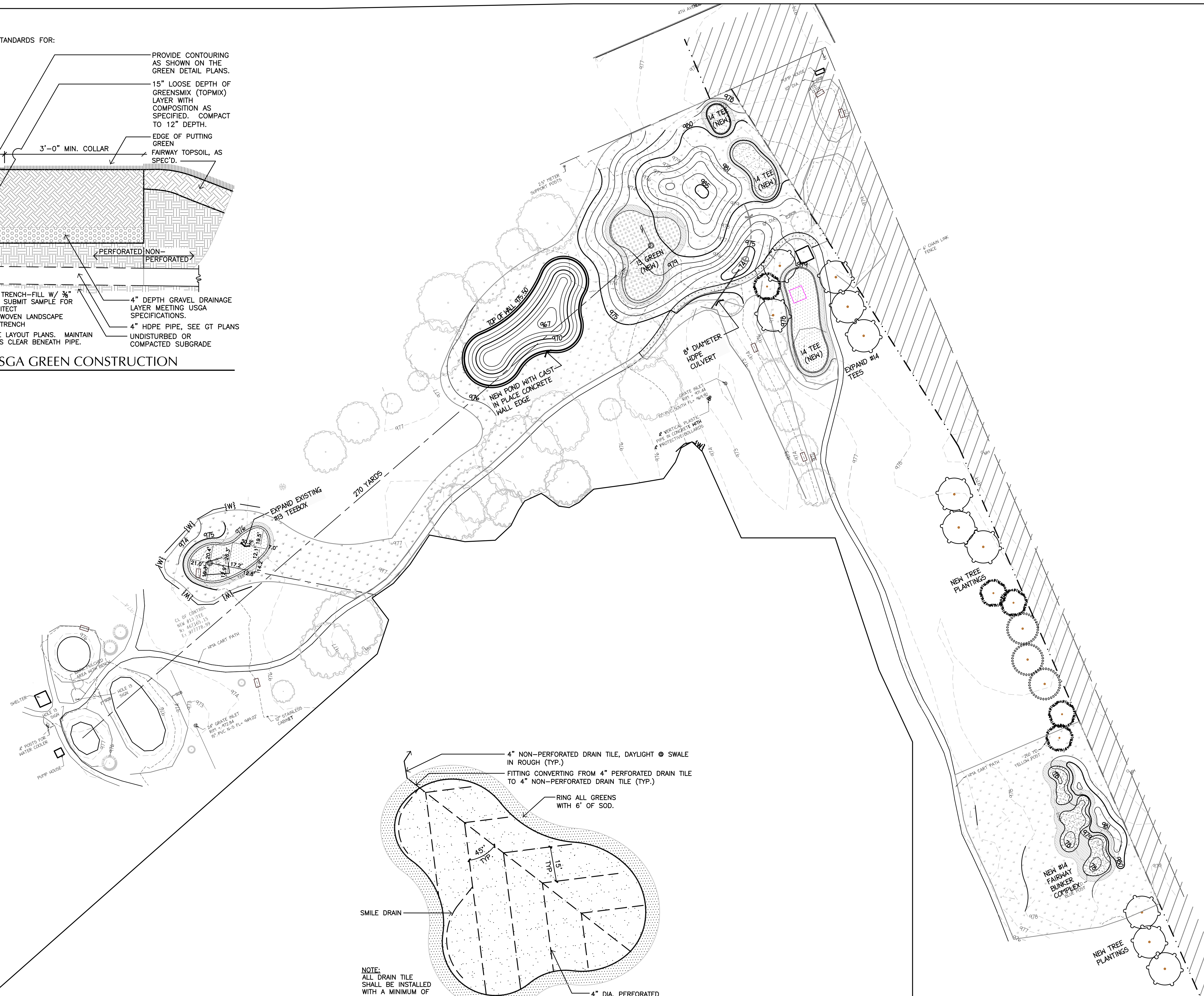
- INFILTRATION RATE
- BULK DENSITY
- POROSITY
- WATER RETENTION

THE GOLF COURSE CONTRACTOR MUST SUBMIT TEST REPORTS FROM AN AUTHORIZED USGA TESTING LAB TO THE GOLF COURSE ARCHITECT PRIOR TO BEGINNING PLACEMENT OF TOPMIX. IN ADDITION, THE GOLF COURSE ARCHITECT WILL TAKE 5 RANDOM IN-PLACE SOIL SAMPLES AFTER PLACEMENT IS COMPLETE.



**SECTION: TYPICAL USGA GREEN CONSTRUCTION**

SCALE: 1" = 1'-0"



NOTE:  
ALL DRAIN TILE SHALL BE INSTALLED WITH A MINIMUM OF 1% SLOPE

**PLAN: GREEN & BUNKER MODIFIED DRAIN LAYOUT**

SCALE: 1" = 20'-0"

**Wyss Associates, Inc.**  
Golf Course Architecture  
Landscape Architecture  
Parks & Recreation Design  
728 Sixth Street - Rapid City, South Dakota 57701-3670  
Ph: 605.348.2268 Fax: 605.348.6506  
email: admin@wyssassociates.com

**Dodge Riverside Golf Course Renovations**  
Council Bluffs, IA

**Hole #13 and #14 Permanent Work**

DESIGNED BY:	PHW
DRAWN BY:	CMW
APPROVED BY:	PHW
PROJECT NO.	17201
DATE:	July 2017

NO.	REVISION	DATE

Sub Sheet  
**LA2**  
Sheet OF



### **3. Environmental, Right-of-Way, Permits and Other Requirements**

- a. The DOT shall obtain all project permits and / or approvals, when necessary, from the Iowa Department of Cultural Affairs (State Historical Society of Iowa; State Historic Preservation Officer), Iowa Department of Natural Resources, U.S. Fish and Wildlife Services, or other State or Federal agencies as may be required.
- b. The DOT shall prepare the permit application materials for the Section 404 of the Clean Water Act and submit it to the LPA. The LPA shall serve as permittee for the Section 404.
- c. If the LPA has completed a Flood Insurance Study (FIS) for an area which is affected by the proposed Primary Highway project and the FIS is modified, amended or revised in an area affected by the project after the date of this Agreement, the LPA shall promptly provide notice of the modification, amendment or revision to the DOT. If the LPA does not have a detailed Flood Insurance Study (FIS) for an area which is affected by the proposed Primary Highway project and the LPA does adopt an FIS in an area affected by the project after the date of this Agreement, the LPA shall promptly provide notice of the FIS to the DOT.

### **4. Project Design**

- a. The LPA or its consultant shall be responsible for the design of all proposed improvements.

### **5. Bid Letting**

- a. The LPA shall conduct the contractor selection process in compliance with applicable laws, ordinances and administrative rules. The LPA shall make a good faith effort to secure at least three contractor quotes and award contracts for the project work. DOT concurrence in the award must be obtained prior to the award. The LPA shall provide the DOT file copies of project letting documents within five (5) days of letting.
- b. The LPA shall include in their Notice to Bidders that Sales Tax Exemption Certificates will be issued, as provided for by Iowa Code section 423.3, subsection 80. The LPA shall be responsible for obtaining the sales tax exemption certificates through the Iowa Department of Revenue and Finance. The LPA shall issue these certificates to the successful bidder and any subcontractors to enable them to purchase qualifying materials for the project free of sales tax.
- c. The LPA shall be the contracting authority.

### **6. Construction & Maintenance**

- a. The LPA shall be responsible for the inspection of the project.

### **7. Traffic Control**

- a. Construction activities will not disrupt traffic on the Interstate or local streets.

### **8. Payments and Reimbursements**

- a. The LPA shall be responsible for making initial payments to the consultant(s) and contractor(s) for all project costs incurred in the development and construction of the project. After payments have been made, the LPA may submit to the DOT periodic itemized claims for reimbursement for eligible project activities. Reimbursement claims shall include certification by a Professional Engineer licensed to

practice in the State of Iowa that all eligible project activities for which reimbursement is requested have been paid in full and completed in substantial compliance with the terms of this agreement.

- b. The DOT shall reimburse the LPA for properly documented and certified claims for eligible project activity costs. The DOT may withhold up to 5% of the Federal and / or State share of construction costs, either by state warrant or by crediting other accounts from which payment may have been initially made. If upon final audit, the DOT determines the LPA has been overpaid, the LPA shall reimburse the overpaid amount to the DOT. After the final audit or review is complete and after the LPA has provided all required paperwork, the DOT will release the Federal or State funds withheld.
- c. Upon completion of the project, a Professional Engineer licensed to practice in the State of Iowa shall certify in writing to the DOT that the project activities were completed in substantial compliance with the plans and specifications set out in this agreement. Final reimbursement of State and / or Federal funds shall be made only after the DOT accepts the project as complete.

## **9. General Provisions**

- a. The LPA shall maintain records, documents, and other evidence in support of the work performed under the terms of this agreement. All accounting practices applied and all records maintained will be in accordance with generally accepted accounting principles and procedures. Documentation shall be made available for inspection and audit by authorized representatives of the DOT and / or the Federal Highway Administration (FHWA), or their designees at all reasonable times. The LPA shall provide copies of said records and documents to the DOT upon request. The LPA shall also require its contractors to permit authorized representatives of the DOT and / or the FHWA to inspect all work materials, records, and any other data with regard to agreement related costs, revenues and operating sources. Such documents shall be retained for at least 3 years from the date of FHWA approval of the final amendment / modification to the project in the FHWA's Fiscal Management Information System (FMIS). Upon receipt of such approval by FHWA, the DOT will notify the LPA of the record retention date.
- b. In accordance with Title VI of the Civil Rights Acts of 1964 and Iowa Code Chapter 216 and associated subsequent nondiscrimination laws, regulations and executive orders, the LPA shall not discriminate against any person on the basis of race, color, creed, age, sex, sexual orientation, gender identity, national origin, religion, pregnancy, or disability.
- c. The LPA agrees to indemnify, defend and hold the DOT harmless from any action or liability arising out of the design, construction, maintenance, placement of traffic control devices, inspection, or use of this project. This agreement to indemnify, defend and hold harmless applies to all aspects of the DOT's application review and approval process, plan and construction reviews, and funding participation.
- d. If any part of this agreement is found to be void and unenforceable then the remaining provisions of this agreement shall remain in effect.
- e. This agreement is not assignable without the prior written consent of the DOT.
- f. It is the intent of both (all) parties that no third party beneficiaries be created by this Agreement.
- g. In case of dispute concerning the terms of this agreement, the parties shall submit the matter to arbitration pursuant to Iowa Code Chapter 679A. Either party has the right to submit the matter to arbitration after ten (10) days notice to the other party of their intent to seek arbitration. The written notice must include a precise statement of the disputed question. The DOT and the LPA agree to be bound by the decision of the appointed arbitrator. Neither party may seek any remedy with the State

February 2017

or Federal courts absent exhaustion of the provisions of this paragraph for arbitration.

- h. This Agreement may be executed in (two) counterparts, each of which so executed will be deemed to be an original.
- i. This Agreement, as well as the unaffected provisions of any previous agreement(s), addendum(s), and/or amendment(s); represents the entire Agreement between the LPA and DOT regarding this project. All previously executed agreements will remain in effect except as amended herein. Any subsequent change or modification to the terms of this Agreement will be in the form of a duly executed amendment to this document.

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**IN WITNESS WHEREOF**, each of the parties hereto has executed Agreement No. 2018-16-108 as of the date shown opposite its signature below.

**CITY OF COUNCIL BLUFFS:**

By: \_\_\_\_\_ Date \_\_\_\_\_, 20\_\_.

Title: Mayor

I, \_\_\_\_\_, certify that I am the Clerk of the City, and that \_\_\_\_\_, who signed said Agreement for and on behalf of the City was duly authorized to execute the same on the day of \_\_\_\_\_, 20\_\_.

Signed: \_\_\_\_\_

City Clerk of Council Bluffs, Iowa.

**IOWA DEPARTMENT OF TRANSPORTATION:**

By: \_\_\_\_\_ Date \_\_\_\_\_, 20\_\_.

Scott Schram  
District Engineer  
District 4

RESOLUTION NO. 17-224

RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO COOPERATIVE AGREEMENT NUMBER 2018-16-108 WITH THE IOWA DEPARTMENT OF TRANSPORTATION, FOR THE PHASE II - REALIGNMENT OF DODGE RIVERSIDE GOLF CLUB AS REQUIRED TO ACCOMMODATE IOWA DOT PROJECT 2018-16-108

- WHEREAS, the Iowa DOT is progressing with project 2018-16-108 to reconstruct portions of I-480 and I-29; and
- WHEREAS, the reconstruction of I-480 and I-29 is of benefit to the City; and
- WHEREAS, the project relocates the Interstate frontage road currently adjacent to the Dodge Riverside Golf Club; and
- WHEREAS, the relocation and construction of several elements of #14 tees and fairway including construction of new tees, bunkers, grading, seeding and other association improvements; and
- WHEREAS, the relocation of the #13 green which includes a new green, relocation of the pond, subsurface drainage, cart paths, retaining walls, grading/earthwork and erosion control; and
- WHEREAS, the City and the Iowa Department of Transportation have coordinated on a redesign of the course elements impacted by the Iowa DOT project; and
- WHEREAS, Phase II of this redesign is finalized and ready to proceed with contractor selection and construction; and
- WHEREAS, The City of Council Bluffs and the Iowa DOT have drafted an Agreement identifying each parties rights and responsibilities for Phase II – Realignment of the Dodge Riverside Golf Club

NOW, THEREFORE BE IT RESOLVED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA

That the Mayor is hereby authorized, empowered and directed to enter into cooperative agreement number 2018-16-108 with the Iowa Department of Transportation, for Phase II – Realignment of Dodge Riverside Golf Club as required to accommodate Iowa DOT Project 2018-16-108.

ADOPTED  
AND  
APPROVED Oct. 9, 2017

\_\_\_\_\_  
Matthew J. Walsh Mayor  
Attest:

\_\_\_\_\_  
Jodi Quakenbush City Clerk

Instructions on the reverse side

For period (MM/DD/YYYY) 09/01/17 through June 30, 2018

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

Business Information:

Trade Name/DBA White Oak Station # 52
Physical Location Address 154 Bennett Avenue City Council Bluffs ZIP 51503
Mailing Address PO Box 1697 City Harrison State AR ZIP 72602
Business Phone Number 870-741-3226

Legal Ownership Information:

Type of Ownership: Sole Proprietor [ ] Partnership [ ] Corporation [ ] LLC [x] LLP [ ]
Name of sole proprietor, partnership, corporation, LLC, or LLP White Oak Station II, LLC
Mailing Address PO Box 1697 City Harrison State AR ZIP 72602
Phone Number 870 741 3226 Fax Number 870 741 5680 Email khobbs.c.whiteoak@station.net

Retail Information:

Types of Sales: Over-the-counter [x] Vending machine [ ]
Types of Products Sold: (Check all that apply)
Cigarettes [x] Tobacco [x] Alternative Nicotine Products [x] Vapor Products [x]

Type of Establishment: (Select the option that best describes the establishment)

Alternative nicotine/vapor store [ ] Bar [ ] Convenience store/gas station [x] Drug store [ ]
Grocery store [ ] Hotel/motel [ ] Liquor store [ ] Restaurant [ ] Tobacco store [ ]
Has vending machine that assembles cigarettes [ ] Other [ ]

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

Signature of Owner(s), Partner(s), or Corporate Official(s)

Name (please print) Rodney Thomas Name (please print) M. Azib Chosteni
Signature Rodney Thomas Signature Mohamed Chosteni
Date 9/8/17 Date 9/8/17

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

FOR CITY CLERK/COUNTY AUDITOR ONLY - MUST BE COMPLETE

- Fill in the amount paid for the permit: \$75.00
• Fill in the date the permit was approved by the council or board: 10.9.17
• Fill in the permit number issued by the city/county: 537046
• Fill in the name of the city or county issuing the permit: Council Bluffs
• New [x] Renewal [ ]

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: iapledge@iowaabd.com
• Fax: 515-281-7375

\$ 75.00

# REVENUE

## Iowa Retail Permit Application For Cigarette/Tobacco/Nicotine/Vapor

https://tax.iowa.gov

### Instructions on the reverse side

For period (MM/DD/YYYY) 09 / 01 / 17 through June 30, 2018

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

#### Business Information:

Trade Name/DBA White Oak Station #53  
 Physical Location Address 2024 5th Avenue City (Counc.) Bluffs ZIP 51501  
 Mailing Address PO Box 1697 City Harrison State AR ZIP 72602  
 Business Phone Number 870-741-3226

#### Legal Ownership Information:

Type of Ownership: Sole Proprietor  Partnership  Corporation  LLC  LLP   
 Name of sole proprietor, partnership, corporation, LLC, or LLP White Oak Station II, LLC  
 Mailing Address PO Box 1697 City Harrison State AR ZIP 72602  
 Phone Number 870 741 3226 Fax Number 870 741 5680 Email blhobbs@whiteoakstation.net

#### Retail Information:

Types of Sales: Over-the-counter  Vending machine

Types of Products Sold: (Check all that apply)

Cigarettes  Tobacco  Alternative Nicotine Products  Vapor Products

#### Type of Establishment: (Select the option that best describes the establishment)

Alternative nicotine/vapor store  Bar  Convenience store/gas station  Drug store   
 Grocery store  Hotel/motel  Liquor store  Restaurant  Tobacco store   
 Has vending machine that assembles cigarettes  Other

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

#### Signature of Owner(s), Partner(s), or Corporate Official(s)

Name (please print) Rodney Thomas  
 Signature Rodney Thomas  
 Date 9/8/17

Name (please print) M. Azib Chotari  
 Signature Mohamed Chotari  
 Date 9/8/17

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

#### FOR CITY CLERK/COUNTY AUDITOR ONLY - MUST BE COMPLETE

- Fill in the amount paid for the permit: \$ 75.00
- Fill in the date the permit was approved by the council or board: 10.9.17
- Fill in the permit number issued by the city/county: 537045
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New  Renewal

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375

70-014a (04/13/17)

## Council Communication

Department: City Clerk

Case/Project No.:

Submitted by:

Liquor Licenses

Council Action: 10/9/2017

<b>Description</b>
<ul style="list-style-type: none"><li>1) 3rd Base Bar &amp; Grill, Special Event for Grand Opening of River's Edge Pavilion</li><li>2) Aldi, 3135 Manawa Centre Drive</li><li>3) Casey's General Store \$3050, 510 23rd Avenue</li><li>4) Goldmine Bar &amp; Grill, 1601 Harry Langdon Blvd.</li><li>5) Hard Luck Saloon, 626 16th Avenue</li><li>6) Texas Roadhouse, 3231 South 24th Street</li><li>7) White Oak Station #53, 2024 5th Avenue (New Application)</li><li>8) White Oak Station #52, 154 Bennett Avenue (New Application)</li></ul>
<b>Background/Discussion</b>
<b>Recommendation</b>