

**CITY PLANNING COMMISSION
MINUTES
NOVEMBER 13, 2018**

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

2. ROLL CALL

Members Present: Danielsen, DiSalvo, DeMasi, Halm, Haner, Holm, Hutcheson, Rew, and VanHouten
Absent: None
Vacancy: Two
Staff: Gibbons, Meeks, Monroy and Wade

3. ADOPTION OF AGENDA

Gibbons stated the following amendments will be made to the agenda:

1. On Item 7.A, the case number is shown as “SAV-18-004” when it should be “SAV-18-014”.
2. On Item 7.C, the request for ‘Schools’ to be allowed in the C-4/Commercial District has been removed due to a discrepancy in the City’s online zoning ordinance and printed zoning ordinance. Staff will review and resolve the discrepancy on whether or not it is already a permitted use.
3. Item 7.E. has been postponed at the request of the applicant.

Motion by VanHouten, second by Holm to adopt the amended agenda. Motion carried by unanimous voice vote.

4. APPROVAL – MINUTES OF OCTOBER 9, 2018 MEETING

Motion by DeMasi, second by Hutcheson to adopt the minutes as presented. Motion carried by unanimous voice vote.

5. PROOF OF PUBLICATION – Gibbons provided the proof of publication.

6. REVIEW OF MEETING PROCEDURES – DeMasi

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

A. CASE #SAV-18-004: Public hearing on the request of the Council Bluffs Industrial Foundation, Inc., to vacate and dispose of Murphy Road right-of-way, lying west of Indian Creek and East of South 19th Street right-of-way, and abutting properties legally described as being part of the SE1/4 NW1/4 of Section 14.74-44, lying West of Indian Creek and north of Murphy Road right-of-way, along with Government Lot 2 in the NE1/4 SW1/4 of Section 14-74-44, lying east of Gifford Road and West of Indian Creek, City of Council Bluffs, Pottawattamie County, Iowa.

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

Tony Tauke, 310 West Kaneshville Boulevard, Council Bluffs, IA 51503, spoke as a representative of the Council Bluffs Industrial Foundation. Tauke stated that the Council Bluffs Industrial Foundation is in the process of platting the property surrounding the subject right-of-way, though the City Council has asked that the right-of-way be vacated prior to final plat approval. Tauke added the clarification that the entirety of the right-of-way would be conveyed to the Industrial Foundation, as they own property on both sides, and there would be no cost to acquire the right-of-way since it existed as an easement and not as dedicated roadway.

No one spoke in opposition of the request.

Gibbons added that there would be an easement maintained over the entirety of the subject right-of-way. Gibbons stated the City agreed that the applicant would not have to purchase the right-of-way since it was established as an easement prior to annexation into the city, and not as a dedicated roadway from the City.

Motion by Rew, second by Hutcheson, to recommend approval of the proposed right-of-way vacation, as per the recommendation of staff.

VOTE: AYE – Danielsen, DeMasi, DiSalvo, Halm, Haner, Holm, Hutcheson, Rew, and VanHouten.
NAY – None. ABSTAIN – None. ABSENT – None. VACANCY – Two. Motion carried.

- B. CASE #ZT-18-003: Public hearing on the request of Johnson Enterprises, LTD, to amend Section 15.05.030 of the Council Bluffs Municipal Code (Zoning Ordinance) to allow “Greenhouse, Commercial”, as defined in Section 15.03.312, as a conditional use in the A-2/Parks, Estates, and Agricultural District.

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

Peter Hult, 2802 Twin City Drive, Council Bluffs, IA 51501, spoke as a representative of Johnson Enterprises, LTD, the applicant of the request. Hult stated that Johnson Enterprises, LTD, owns the property the Dallas Johnson Greenhouses currently sits on, and the approval of the request will allow the greenhouses to pursue a Conditional Use Permit to allow them to expand on to land they already own to the north.

No one spoke in opposition of the request. DeMasi closed the public hearing.

Motion by Holm, second by DeMasi to recommend approval of the proposed text amendment, as per the recommendation of staff.

VOTE: AYE – Danielsen, DeMasi, DiSalvo, Halm, Haner, Holm, Hutcheson, Rew, and VanHouten.
NAY – None. ABSTAIN – None. ABSENT – None. VACANCY – Two. Motion carried.

- C. CASE #ZT-18-004: Public hearing on the request of the Council Bluffs Community Development Department to amend Section 15.17.020 and Section 15.18.020 of the Council Bluffs Municipal Code (Zoning Ordinance) to allow 'schools', as defined in Section 15.03.595, as a principle use in the P-C/Planned Commercial District.

No one spoke in favor or in opposition of the request. DeMasi closed the public hearing.

Gibbons stated staff has been reviewing the land uses in the city, and found ‘schools’ are allowed in most of the commercial zoning districts in the city with the exception of the P-C/Planned Commercial District (and potentially the C-4/Commercial District). Gibbons stated that staff determined allowing schools in the P-C/Planned Commercial District would offer additional location flexibility for a variety of school types and would be a benefit to the community, as well as allow the Council Bluffs Community School District to renovate a space in the Mall of the Bluffs to be used as a school.

Rew asked if schools located in a P-C District would be subject to separation distances from differing uses, such as a tavern. Gibbons stated there is no separation distance in the P-C District, so at this time there would not be any separation distance conflicts.

Motion by VanHouten, second by Danielsen to recommend approval of the proposed text amendment, as per the recommendation of staff.

VOTE: AYE – Danielsen, DeMasi, DiSalvo, Halm, Haner, Holm, Hutcheson, Rew, and VanHouten.
NAY – None. ABSTAIN – None. ABSENT – None. VACANCY – Two. Motion carried.

- D. CASE #URV-18-007: Public hearing on the request of the City of Council Bluffs to create the South Pointe Road Urban Revitalization Area and adopt the required plan for an area legally described as Lots 1, 2, 4 and 5, South Pointe Subdivision; Lots 2-5, South Pointe Subdivision, Replat 1; Lot 1, South Pointe Subdivision, Replat 2; and all of South Pointe Subdivision, Phase II, City of Council Bluffs, Pottawattamie County, Iowa. Location: South 19th Street from Veteran's Memorial Highway to Gifford Road.

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

Paula Hazelwood, Advance Southwest Iowa Corporation, 149 West Broadway, Council Bluffs, IA 51503. Hazelwood stated Advance Southwest Iowa works in collaboration with the Council Bluffs Industrial Foundation to market their property, with the subject property being a current project. Hazelwood stated that the site was previously designated as an urban revitalization area, though that previously expired. Hazelwood stated urban revitalization is an importation tool to assist site development for small to medium sized businesses.

No one spoke in opposition of the request. DeMasi closed the public hearing.

Holm asked if the City would be responsible for any road improvements on Gifford Road if the site was to be further subdivided in an area where the road was currently not improved. Hazelwood stated that there is currently infrastructure in place and the developer would be responsible to install new interior roads. Gibbons stated that road improvements would be addressed at the time of a parcel split or final subdivision plat, if necessary.

Rew asked if there were any concerns from neighboring property owners. Gibbons stated the last discussion with neighboring property owners occurred during the rezoning process.

Gibbons stated that applying the urban revitalization area designation to the subject property would allow developers tax exemptions. Gibbons stated the recommendation of approval would be because the Planning Commission finds that the plan furthers the City's Comprehensive Plan, and the area is appropriate for urban revitalization as an economic development area.

Motion by DeMasi, second by Holm to recommend approval of the urban revitalization area, per the recommendation of staff.

VOTE: AYE – Danielsen, DeMasi, DiSalvo, Halm, Haner, Holm, Hutcheson, Rew, and VanHouten.
NAY – None. ABSTAIN – None. ABSENT – None. VACANCY – Two. Motion carried.

- 8. OTHER BUSINESS** (*Refer to the taped recording of these proceedings for the official verbatim minutes*)
- A. City Council Update- Wade provided an update of City Council actions relative to recent planning cases. Rew asked for a clarification on the role of the Planning Commission. Gibbons stated the Planning Commission is a recommendation body and advisors to the City Council. Gibbons stated the only final authority the Planning Commission has would be a subdivision or parcel split appeal.
- B. Other Items of Interest- Gibbons asked the Commission to consider accepting an electronic version of meeting packets to reduce the amount of paper printed for the commission. Gibbons stated this would be discussed further at a future date, and arrangements would be made for large maps to be made available.

- 9. ADJOURNMENT** – DeMasi adjourned the meeting at 6:32 P.M.

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