

**MINUTES  
ZONING BOARD OF ADJUSTMENT  
OCTOBER 16, 2018**

1. **CALL TO ORDER** – Behrens called the meeting to order at 4:00 p.m.

2. **ROLL CALL**

Members Present: Behrens, Tritsch, and Vargas  
Members Absent: Mescher, and Olson  
Staff: Gibbons, Jura, Meeks, and Monrroy

Behrens informed the applicant that a 3-0 unanimous vote is required to pass any motions made at this meeting. The applicants agreed to move forward.

3. **PLEDGE OF ALLEGIANCE**

4. **ADOPTION OF AGENDA**

Motion by Vargas, second by Tritsch, to adopt the agenda as presented. Motion carried by unanimous voice vote.

5. **APPROVAL – MINUTES OF SEPTEMBER 18, 2018 MEETING**

Motion by Tritsch, second by Vargas, to approve the minutes as written. Motion carried by unanimous voice vote.

6. **PROOF OF PUBLICATION** – Gibbons

7. **REVIEW OF MEETING PROCEDURES** – Behrens

8. **PUBLIC HEARINGS**

- A. CASE #CU-18-004: Public hearing on the request of Indian Hills Holdings, Inc., represented by Paul J. Kelly of Paul J. Kelly Architecture, for a conditional use permit to allow a ‘commercial storage’ use in a C-2/Commercial District, on property legally described as being part Lot 2, Auditor’s Subdivision of the SE1/4 SW1/4 of Section 29-75-43, and a part of Lot 1, Auditor’s Subdivision of the NE1/4 NW1/4 of Section 32-75-43, City of Council Bluffs, Pottawattamie County, Iowa. Location: 1600 McPherson Avenue.

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

Paul Kelly, Paul J. Kelly Architecture, 440 N. 61<sup>st</sup> Street, Omaha, NE 68132, spoke on behalf of the applicant of the request. Kelly stated a request to rezone the subject property from R-3/Low Density Multifamily Residential to C-2/Commercial District has been submitted to the City Council, and that the applicant is aware that the approval of the conditional use permit is contingent upon the property being rezoned. Kelly stated that the developer has met with neighboring property owners, and they are generally in favor of the proposal to conduct a commercial storage operation on the property. Kelly stated that the intent is to renovate and reuse the existing building as much as possible, though additional buildings are proposed to be constructed on the North and West sides of the property which would help screen the use from homes located to the West, and to install a gate at the entrance with an access code to help with security on the site. Kelly stated the applicant has no issues with the comments and recommendations by city staff.

Clint Brunow, 16935 State Orchard Road, Council Bluffs, IA 51503, spoke on behalf of the applicant of the request. Brunow stated the applicant originally intended to convert the former Indian Hills Senior Living Facility into a multifamily residential structure, however, that became cost prohibitive due to lack of economic development incentives. Brunow stated he and the applicant presented the option of converting the senior living facility into a multifamily structure to neighboring property owners, though, those property owners preferred it be used as commercial storage.

No one spoke in opposition of the request.

Vargas thanked the applicants for meeting with neighboring property owners.

Tritsch stated that he preferred an ornamental fence be installed with landscaping, as opposed to a traditional privacy fence. Tritsch stated he felt an ornamental fence would be better for security, and would be more appealing to adjacent property owners. Gibbons clarified that regardless of which fencing the applicant agreed to install, the property would still be required to comply with screening requirements.

Andy Raymond, 24037 195th Street, Crescent, IA 51526, spoke as the applicant of the request. Raymond asked that the proposed detached storage buildings be considered part of the screening between the subject property and residential district to the North and West. Raymond also stated that a majority of the existing tree line on the north side of the property would remain. Gibbons clarified the areas that would require the most screening to be installed would be on the west side of the property.

Behrens stated she finds using the proposed detached storage buildings as buffers to be acceptable.

Tritsch made a motion, seconded by Vargas, for approval of the conditional use permit, per the recommendation of Staff, with the additional condition that “An ornamental iron or press-point fence shall be installed on the Westerly property line, and to the rear of the Northern buildings on the property.”

Gibbons clarified that the fence would not need to be installed on the far northern property line, and it could be installed closer to where the new buildings would be constructed. Tritsch agreed, so long as it is still an ornamental iron, or press point fence installed between the commercial storage structures and currently developed properties.

VOTE: AYE– Behrens, Tritsch, and Vargas. NAY– None. ABSTAIN– None. ABSENT– Mescher, and Olson. Motion carried.

## 9. OTHER BUSINESS

- A. Items of Interest: Gibbons introduced David Tritsch as a new member of the Zoning Board of Adjustment. Gibbons introduced Moises Monrroy as a new planner with the Community Development Department.

## 10. ADJOURNMENT – Behrens adjourned the meeting at 4:38 p.m.

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